

ORDINANCES

ORDERS

ETC

1956

Assented to in Her Majesty's name this 14th day of  
June 1956.

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By E. M. M. M. M.

Acting Clerk of the Legislative Council

Assented to in Her Majesty's name this 7th day of June, 1956.

O. R. ARTHUR,  
*Governor.*

[L.S.]

No. 1



1956.

**Colony of the Falkland Islands.**

IN THE FIFTH 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 Registration of United Kingdom Patents Ordinance.** Title.

[7th June, 1956]

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 Registration of United Kingdom Patents (Amendment) Ordinance, 1956, and shall be read as one with the Registration of United Kingdom Patents Ordinance, hereinafter referred to as the principal Ordinance. Short title.  
Cap. 58.

2. Section 8 of the principal Ordinance is amended by deleting the words from "Such grounds" up to the words and full-stop "section 4 of this Ordinance." both inclusive, and by substituting the following — Amendment of section 8 of the principal Ordinance.

"Such grounds shall be deemed to include the manufacture, use or sale of the invention in the Colony before the priority date applicable to the patent in the United Kingdom, but not to include the manufacture, use or sale of the invention in the Colony by some person or persons after the priority date applicable to the patent in the United Kingdom and before the date of the issue of the certificate of registration under section 4 of this Ordinance."

For the purposes of this sub-section the expression "priority date" in its application to a patent in the United Kingdom has the meaning assigned to it in section 5 of the Patents Act, 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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 7th day of June, 1956.

O. R. ARTHUR,  
*Governor.*

[ L.S. ]

No. 2



1956.

**Colony of the Falkland Islands.**

IN THE FIFTH 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 Government Wharves Ordinance.** Title.

[ 7th June, 1956 ]

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 Government Wharves (Amendment) Ordinance, 1956, and shall be read as one with the Government Wharves Ordinance, hereinafter referred to as the principal Ordinance.

Short title.

Cap. 29.

2. In section 2 of the principal Ordinance the interpretation of "Boat" is amended by the substitution of a comma for the full-stop at the end thereof, and by the addition immediately after that comma of the following words —

Amendment of section 2 of the principal Ordinance.

"sails not exceeding 75 square feet in area, or an engine not exceeding 35 horse power."

3. Section 11 of the principal Ordinance is amended by the substitution of the figure "£50" for the figure "£5".

Amendment of section 11 of the principal Ordinance.

4. The Schedule to the principal Ordinance shall be amended as follows :—

Amendment of Schedule to the principal Ordinance.

(a) for paragraph 2 there shall be substituted the following new paragraph —

"2. Wharfage duty for one day or any part thereof.

				£	s.	d.
Vessel of	2 tons but under	10 tons			5	0
" "	10 "	" "	20 "		7	6
" "	20 "	" "	50 "		10	0
" "	50 "	" "	100 "		15	0
" "	100 "	" "	200 "	1	0	0
" "	200 tons and upwards			2	0	0

(b) by deleting paragraph 4 ;

(c) by the substitution of the word "five" for the word "two" in paragraph 5 and by renumbering paragraph 5 as paragraph 4.

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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 7th day of June, 1956.

O. R. ARTHUR,  
*Governor.*

[L.S.]

No. 3



1956.

### Colony of the Falkland Islands.

IN THE FIFTH 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 1954-55 in excess of the Expenditure sanctioned by Ordinance No. 10 of 1954. Title.

WHEREAS it is expedient to make further provision for the service of the Colony for the year 1954-55. 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 (1954-55) Ordinance, 1956. 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 1954-55, 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 1954/55.

## SCHEDULE.

Number.	Head of Service.	Amount.			
		£	s.	d.	
FALKLAND ISLANDS.					
I.	Governor ... ..	388	3	8	
III.	Audit ... ..	73	19	5	
V.	Education ... ..	2236	15	8	
VI.	Harbour & Aviation ... ..	2160	0	0	
X.	Miscellaneous ... ..	8168	3	1	
XI.	Pensions ... ..	103	1	3	
XII.	Police & Prisons ... ..	168	15	0	
XIII.	Posts & Telegraphs ... ..	250	2	3	
XIV.	Public Works ... ..	9028	6	8	
XV.	Public Works Recurrent ... ..	14973	2	2	
XVI.	Secretariat & Treasury ... ..	1729	13	0	
XVII.	Supreme Court ... ..	265	16	10	
Total Expenditure		£	39545	19	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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 7th day of June, 1956.

O. R. ARTHUR,  
*Governor.*

[L.S.]



No. 4

1956.

Colony of the Falkland Islands.

IN THE FIFTH 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 year 1956-57. 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 (1956-57) Ordinance, 1956. 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 30th June, 1957, a sum not exceeding Three hundred and forty-two thousand and twenty-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 year 1956-57. Appropriation of £342,023 for service of the year 1956/57.

FALKLAND ISLANDS:

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

## SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
I.	The Governor ... ..	6315	0	0
II.	Agriculture ... ..	5605	0	0
III.	Audit ... ..	1235	0	0
IV.	Customs ... ..	1966	0	0
V.	Education ... ..	33483	0	0
VI.	Harbour & Aviation ... ..	21367	0	0
VII.	Medical ... ..	26253	0	0
VIII.	Meteorological ... ..	1610	0	0
IX.	Military ... ..	1645	0	0
X.	Miscellaneous ... ..	37558	0	0
XI.	Pensions ... ..	5400	0	0
XII.	Police and Prisons ... ..	4490	0	0
XIII.	Posts & Telegraphs ... ..	34466	0	0
XIV.	Power & Electrical ... ..	22086	0	0
XV.	Public Works Department ... ..	9026	0	0
XVI.	Public Works Recurrent ... ..	36088	0	0
XVII.	Public Works Special Expenditure ... ..	38780	0	0
XVIII.	Secretariat & Treasury ... ..	13076	0	0
XIX.	Supreme Court ... ..	1174	0	0
	Total	£301623	0	0
XX.	Colonial Development & Welfare ... ..	40400	0	0
	Total Expenditure	£342023	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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 17th day of October, 1956.

O. R. ARTHUR,  
*Governor.*

[ L.S. ]



No. 5

1956.

Colony of the Falkland Islands.

IN THE FIFTH 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 Old Age Pension Ordinance, 1952.

[ 1st November, 1956 ]

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 Old Age Pensions (Amendment) Ordinance, 1956, and shall be read as one with the Old Age Pensions Ordinance, 1952, hereinafter referred to as the principal Ordinance.

Short title.

2. Section 5 of the principal Ordinance is amended as follows :—

Amendment of section 5 of the principal Ordinance.

(a) by the deletion of paragraph (c) ;

(b) by re-numbering paragraph (d) as paragraph (c).

3. Section 10 of the principal Ordinance is amended by deleting the words "who satisfies the requirements of paragraph (c) of section 5 of this Ordinance and who at the date of its coming into operation" where they appear in subsections (1) and (2) and by substituting therefor the words "resident in the Colony at the date of coming into operation of this Ordinance who".

Amendment of section 10 of the principal Ordinance.

Amendment of section  
16 of the principal  
Ordinance.

4. Subsection (2) of section 16 of the principal Ordinance is repealed and replaced as follows :—

“(2) A sum shall not be paid on account of an old age pension if payment of the sum is not obtained within six months after the date upon which it has become payable.”.

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 17th day of October, 1956.

O. R. ARTHUR,  
*Governor.*

[L.S.]

No. 6



1956.

Colony of the Falkland Islands.

IN THE FIFTH 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 Customs Ordinance.

[1st November, 1956.]

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 Customs (Amendment) Ordinance, 1956, and shall be read and construed as one with the Customs Ordinance, hereinafter referred to as the principal Ordinance.

Short title.

Cap. 16.

2. The definition of “export” contained in Section 2 of the principal Ordinance is repealed and replaced by the following definition :—

Amendment of section  
2 of the principal  
Ordinance.

“ “Export” with its grammatical variations and cognate expressions means to send, or cause to be sent from some place or port in the Colony or the Dependencies goods consigned to a destination outside the Colony or Dependencies, and for the purpose of any liability under this Ordinance the exportation of goods consigned to a destination outside the Colony or Dependencies shall be deemed to have taken place when the same are put on board the exporting aircraft or ship, notwithstanding that such aircraft or ship may first call at some other

place or places, port or ports, in the Colony or the Dependencies before proceeding to its destination outside the Colony or Dependencies, and notwithstanding that by reason of some accident the aircraft or ship may not pass the line bounding the Colony or Dependencies and the waters thereof."

Amendment of section 209 (3) of the principal Ordinance.

3. Sub-section (3) of Section 209 of the principal Ordinance is repealed and replaced by the following sub-section :-

"(3) The time of exportation of goods prohibited to be exported shall be deemed to be the actual time at which the aircraft or ship containing such goods departed from its final position, anchorage or berth within the Colony or the Dependencies notwithstanding that by reason of some accident such aircraft or ship may not have passed the line bounding the Colony or Dependency and the 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.

J. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 17th day of October, 1956.

O. R. ARTHUR,  
*Governor.*

[L.S.]



No. 7

1956.

Colony of the Falkland Islands.

IN THE FIFTH 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 Public Health  
Ordinance.

[1st January, 1957]

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 Public Health (Amendment) Ordinance, 1956, and shall be read as one with the Public Health Ordinance, hereinafter referred to as the principal Ordinance.

Short title and  
commencement.  
Cap. 54.

(2) This Ordinance shall come into operation on the first day of January, 1957.

2. The principal Ordinance is amended by inserting after Part IV thereof the following new Part :—

Insertion of new  
Part IV<sub>A</sub> in the  
principal Ordinance.

"PART IV<sub>A</sub>.  
TUBERCULOSIS.

No person  
suffering from  
pulmonary  
tuberculosis to  
enter the  
Colony.

50A. (1) Any person entering the Colony shall produce to the Senior Medical Officer a certificate signed by a radiologist showing —

(a) that he has submitted to a radiological examination of his chest and that at the time of such examination he was free from active pulmonary tuberculosis; and

- (b) that such examination was made not more than three months before the date on which such certificate is produced to the Senior Medical Officer :

Provided that no such certificate shall be required :

- (i) from any person who is a bona fide visitor to the Colony for a period of not exceeding six months; or
- (ii) in respect of any child under the age of three years; or
- (iii) from any person born in the Colony or its Dependencies ; or
- (iv) from any person domiciled in the Colony :

Provided also that the Governor may permit any person to enter the Colony from the Dependencies for the purpose of taking up residence therein, on the condition that he submits to an examination of his chest within seven days of his entry into the Colony.

Penalty.

(2) Any person who wilfully contravenes or evades or attempts to contravene or evade the provisions of this section or who aids or abets any such contravention or evasion or attempted contravention or evasion shall be liable on conviction by a court of summary jurisdiction to a fine not exceeding £50 or to imprisonment for a term not exceeding six months.

Removal to hospital of infectious persons suffering from tuberculosis of the respiratory tract.

50B. (1) Where a court of summary jurisdiction is satisfied, on the application of the Senior Medical Officer, that a person suffering from tuberculosis of the respiratory tract (in this section referred to as "the patient") is in an infectious state, and -

- (a) that his circumstances are such that proper precautions to prevent the spread of infection cannot be taken, or that such precautions are not being taken; and
- (b) that serious risk of infection is thereby caused to other persons; and
- (c) that accommodation for him is available in the King Edward VII Memorial Hospital; and
- (d) that adequate provision will be made for the maintenance of his dependants, if any;

the court may order him to be removed to the said hospital and to be detained and maintained therein for such period not exceeding three months as the court thinks fit.

(2) Where, before the expiration of any period for which a patient has been ordered to be detained under this section, a court of summary jurisdiction is satisfied, upon the application of the Senior Medical Officer, that the conditions which led to his detention being ordered will again exist if he is not detained for a further period, the court may order his detention for a further period, not exceeding three months.

(3) Before making an application for an order under this section, the Senior Medical Officer shall give to the patient, or to some person having care of him, not less than three clear days' notice of the time and place at which the application will be made.

(4) At any time after the expiration of six weeks from the date of an order made under subsection (1) of this section, application for the rescission of that order, if it is still in force, or of any further order made under subsection (2) of this section, may, upon not less than three clear days' notice to the Senior Medical Officer, be made to a court of summary jurisdiction and upon the hearing of any such application the court may rescind the order."

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 19th day of June, 1956.

O. R. ARTHUR,  
*Governor.*

[L.S.]

No. 1



1956.

**Falkland Islands Dependencies.**

IN THE FIFTH YEAR OF THE REIGN OF

**HER MAJESTY QUEEN ELIZABETH II.**

OSWALD RAYNOR ARTHUR, C.M.G., C.V.O.,  
*Governor.*

**An Ordinance**

To declare the place-names in the Dependencies of the Colony of the Falkland Islands which are officially accepted and to provide for the declaration from time to time of new place-names.

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 Place-names Ordinance, 1956.

Short title.

2. (1) The Governor may by Proclamation under his hand declare and publish a list of the names of the various islands and lands constituting the Dependencies and of the coasts, peninsulas, capes, headlands, hills, mountains, peaks, plateaus, nunataks, glaciers, valleys, seas, straits, sounds, bays, inlets and other physical features thereof; and of the harbours and whaling stations therein, and may from time to time in like manner add to or alter such list.

Declaration of place-names.

(2) Every Proclamation made under sub-section (1) of this section shall be published in the Gazette, and the list of place-names contained therein or appended thereto shall show such particulars of the geographical position of each item as the Governor shall think necessary.

Publication of list of place-names.

3. No place-names other than those that have been declared and published in the manner provided by the last preceding section shall be officially accepted or recognised.

Only place-names published to be officially recognised.

4. The Governor may make Regulations for carrying out the provisions of this Ordinance and in particular prescribing the manner in which recommendations may be made to the Government for additions to or alterations in the list of place-names which is in force for the time being and the particulars which such recommendations shall contain.

Regulations.

Promulgated by the Governor on the 19th day of June, 1956.

A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

Assented to in Her Majesty's name this 23rd day of June, 1956.

O. R. ARTHUR,  
*Governor.*

[ L.S. ]

No. 2



1956.

**Falkland Islands Dependencies.**

IN THE FIFTH 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, 1956, and the thirtieth day of June, 1957. Title.

[1st July, 1956.]

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) (1956/1957) Ordinance, 1956. 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, 1957, a sum not exceeding Eight hundred and Fifty-four thousand, Four hundred and 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 period from the first day of July, 1956, to the thirtieth day of June, 1957. Appropriation of £854,408 for service of the year ending 30th June, 1957.

SCHEDULE.

Number.	Head of Service.	Amount. £
1.	General	43,711
2.	F.I.D.S. Rear Base	20,869
3.	F.I.D.S. Headquarters (Administration)	22,882
4.	F.I.D.S. Headquarters (Meteorological Service)	13,727
5.	F.I.D.S. Bases	162,371
6.	R.R.S. "John Biscoe"	263,688
7.	F.I.D.S. Scientific Bureau	16,306
8.	R.R.S. "Shackleton"	73,978
9.	W/T Service	8,561
10.	Aerial Survey	228,315
Total Expenditure		£ 854,408

Promulgated by the Governor on the 23rd day of June, 1956.

A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

Assented to in Her Majesty's name this 18th day of  
July, 1956.

A. G. DENTON-THOMPSON,  
*Officer Administering the Government.*

[L.S.]



No. 3

1956.

Falkland Islands Dependencies.

IN THE FIFTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
AUBREY GORDON DENTON-THOMPSON, M.C.  
*Officer Administering the Government.*

An Ordinance

To legalise certain payments made in the  
year 1954-55 in excess of the Expenditure  
sanctioned by Ordinance No. 2 of 1954.

WHEREAS it is expedient to make further provision for the  
service of the Dependencies for the year 1954-55.

ENACTED by the Officer Administering the Government of  
the Colony of the Falkland Islands, and the Dependencies thereof,  
as follows :—

1. This Ordinance may be cited for all purposes as the  
Supplementary Appropriation (Dependencies) (1954-55) Ordinance,  
1956.

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 1954-55, the same are hereby declared to have  
been duly laid out and expended for the service of the Dependencies  
in that year, and are hereby approved, allowed and granted in  
addition to the sum mentioned for those services in the said  
Ordinance.

SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
1.	General	13,759	8	11
2.	F.I.D.S. Rear Base	2,358	14	9
3.	F.I.D.S. Headquarters (Administration)	301	15	7
5.	F.I.D.S. Bases	69,538	5	8
	Total Expenditure	85,958	4	11

Promulgated by the Officer Administering the Government on the 18th day of July, 1956.

S. G. TREES,  
*Acting Colonial Secretary.*

Assented to in Her Majesty's name this 23rd day of November, 1956.

O. R. ARTHUR,  
*Governor.*

[ L.S. ]

No. 4



1956.

Falkland Islands Dependencies.

IN THE FIFTH 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 period 1st January to 30th June, 1950, in excess of the Expenditure sanctioned by Ordinance No. 1 of 1949.

WHEREAS it is expedient to make further provision for the service of the Dependencies for the period 1st January to 30th June, 1950.

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 Supplementary Appropriation (Dependencies) (1950) Ordinance, 1956.

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 period 1st January to 30th June, 1950, the same are hereby declared to have been duly laid out and expended for the service of the Dependencies in that year, and are hereby approved, allowed and granted in addition to the sum mentioned for those services in the said Ordinance.

SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
1.	South Georgia	101	4	3
2.	Falkland Islands Dependencies Survey	18,943	13	4
	Total Expenditure	19,044	17	7

Promulgated by the Governor on the 23rd day of November, 1956.

A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

Assented to in Her Majesty's name this 23rd day of  
November, 1956.

O. R. ARTHUR,  
*Governor.*

[L.S.]

No. 5



1956.

Falkland Islands Dependencies.

IN THE FIFTH 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 1950-51 in excess of the Expend-  
iture sanctioned by Ordinance No. 1 of  
1950.

WHEREAS it is expedient to make further provision for  
the service of the Dependencies for the year 1950-51.

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  
Supplementary Appropriation (Dependencies) (1950/51) Ordinance,  
1956.

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 1950/51 the same are hereby declared to have  
been duly laid out and expended for the service of the Dependencies  
in that year, and are hereby approved, allowed and granted in addition  
to the sum mentioned for those services in the said Ordinance.

SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
1.	General ... ..	891	19	0
2.	F.I.D.S. Rear Base ... ..	1,492	10	10
3.	Headquarters (Administration) ... ..	13,774	10	9
5.	F.I.D.S. Bases ... ..	16,194	10	4
6.	"John Biscoe" ... ..	63,814	7	7
7.	A/K "Penelope" ... ..	2,491	7	3
	Total Expenditure ..	98,659	5	9

Promulgated by the Governor on the 23rd day of November, 1956.

A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

Assented to in Her Majesty's name this 23rd day of November, 1956.

O. R. ARTHUR,  
*Governor.*

[L.S.]



No. 6

1956.

Falkland Islands Dependencies.

IN THE FIFTH 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 1951-52 in excess of the Expenditure sanctioned by Ordinance No. 5 of 1951.

WHEREAS it is expedient to make further provision for the service of the Dependencies for the year 1951-52.

ENACTED by the Governor of the Colony of the Falkland Islands, and Dependencies thereof as follows :—

1. This Ordinance may be cited for all purposes as the Supplementary Appropriation (Dependencies) (1951-52) Ordinance, 1956.

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 1951-52 the same are hereby declared to have been duly laid out and expended for the service of the Dependencies in that year, and are hereby approved, allowed and granted in addition to the sum mentioned for those services in the said Ordinance.

SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
1.	General ... ..	3,450	2	6
2.	F.I.D.S. Rear Base ... ..	304	12	11
5.	F.I.D.S. Bases ... ..	667	15	11
6.	F.I.D.S. "John Biscoe" ... ..	24,002	17	7
	Total Expenditure ... ..	28,425	8	11

Promulgated by the Governor on the 23rd day of November, 1956.

A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

Assented to in Her Majesty's name this 23rd day of  
November, 1956.

O. R. ARTHUR,  
*Governor.*

[ L.S. ]

No. 7



1956.

Falkland Islands Dependencies.

IN THE FIFTH 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 1952-53 in excess of the Expend-  
iture sanctioned by Ordinance No. 4 of 1952.

WHEREAS it is expedient to make further provision for the  
service of the Dependencies for the year 1952-53.

ENACTED by the Governor of the Colony of the Falkland  
Islands, and Dependencies thereof, as follows :—

1. This Ordinance may be cited for all purposes as the  
Supplementary Appropriation (Dependencies) (1952-53) Ordinance,  
1956.

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 1952-53 the same are hereby declared to have  
been duly laid out and expended for the service of the Dependencies  
in that year, and are hereby approved, allowed and granted in addition  
to the sum mentioned for those services in the said Ordinance.

## SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
1.	General ... ..	15,854	1	1
2.	F.I.D.S. Rear Base ... ..	461	1	4
7.	F.I.D.S. Scientific Bureau ... ..	458	7	1
	Total Expenditure ...	16,773	9	6

Promulgated by the Governor on the 23rd day of November, 1956.

A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

## FALKLAND ISLANDS.

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Government House,

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5th December, 1956.

## NOTIFICATION.

S. G. TREES,

*Governor's Deputy.*

With reference to the Notification published in the Gazette for December, 1954, it is hereby notified for information that the following changes are made in the pensionable posts of officers shown under Dependencies:

*Delete.*

W/T Operators/Meteorological Assistants

First Officer, R.R.S. "John Biscoe"

*Substitute.*

W/T Operators.

Captain N. Brown - whilst employed  
by Falkland Islands Dependencies  
Survey.

Government House,

Stanley, Falkland Islands.

5th December, 1956.

Ed. 1171.

## FALKLAND ISLANDS.

### NOTIFICATION.

S. G. TREES,  
*Governor's Deputy.*

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 with effect from the 7th April, 1955.

#### DEPENDENCIES.

FALKLAND ISLANDS DEPENDENCIES SURVEY ... Carpenter

Government House,  
Stanley, Falkland Islands.  
5th December, 1956.

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### NOTIFICATION.

S. G. TREES,  
*Governor's Deputy.*

With reference to the Notification published in the Gazette for December, 1954, it is hereby notified for information that the following changes are made in the pensionable posts of officers shown under Dependencies.

#### *Delete.*

W/T Operators/Meteorological Assistants  
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Captain N. Brown – whilst employed  
by Falkland Islands Dependencies  
Survey.

Government House,  
Stanley, Falkland Islands.  
5th December, 1956.

Ref. 1171.

# 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. 1 of 1956.

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 2nd day of May, 1951, between the Government of the United Kingdom and the Government of Norway, 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 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 international 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 the 18th day of May, 1955, 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 Norway.
- (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) (Norway) Order, 1956.

Made by the Governor in Executive Council at a meeting held on the 30th day of May, 1956.

D. R. MORRISON,

*Acting Clerk of the Executive Council.*

## FIRST SCHEDULE.

### AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM AND THE NORWEGIAN GOVERNMENT 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 Norway.

Desiring to conclude a Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income,

Have agreed as follows:—

#### ARTICLE I

1. The taxes which are the subject of the present Convention are:

(a) In Norway:

The national income tax, including the national defence tax on income, the communal income tax, the old age pension tax, the war pension tax, and the seamen's tax, and, for the purposes of Article XIX, the national property tax, including the national defence tax on property (hereinafter referred to as "Norwegian tax");

(b) In the United Kingdom of Great Britain and Northern Ireland:

The income tax (including surtax) 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 Norway 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 "Norway" means the Kingdom of Norway, excluding Spitsbergen and Bear Island and Jan Mayen and the Norwegian dependencies outside Europe;

(c) The terms "one of the territories" and "the other territory" mean the United Kingdom or Norway, as the context requires;

(d) The term "tax" means United Kingdom tax or Norwegian 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 Norway" mean respectively any person who is resident in the United Kingdom for the purposes of United Kingdom tax and not resident in Norway for the purposes of Norwegian tax, and any person who is resident in Norway for the purposes of Norwegian 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 Norway if its business is managed and controlled in Norway;

(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 Norway, as the context requires;

(i) The terms "United Kingdom enterprise" and "Norwegian 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 Norway, and the terms "enterprise of one of the territories" and "enterprise of the other territory" mean a United Kingdom enterprise or a Norwegian 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 the present 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 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 Norwegian tax unless the enterprise carries on a trade or business in Norway through a permanent establishment situated therein. If it carries on a trade or business as aforesaid, tax may be imposed on those profits by Norway, but only on so much of them as is attributable to that permanent establishment.

2. The industrial or commercial profits of a Norwegian 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

Notwithstanding the provisions of Articles III and IV, 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 VI

1. (a) Dividends paid by a company which is a resident of the United Kingdom to a resident of Norway, who is subject to tax in Norway 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 surtax.

(b) Norwegian tax on dividends paid by a company which is a resident of Norway to a resident of the United Kingdom, who is subject to tax in the United Kingdom in respect thereof and does not carry on trade or business in Norway 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 Norwegian 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 an 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 VII

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.

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 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 VIII

1. Where under the provisions of the present Convention a resident of the United Kingdom is exempt or entitled to relief from Norwegian 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. Norwegian 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 XVI.

#### ARTICLE IX

1. Remuneration, including pensions, paid by, or out of funds created by, one of the 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 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 Contracting Parties for purposes of profit.

#### ARTICLE X

1. An individual who is a resident of the United Kingdom shall be exempt from Norwegian tax on profits or remuneration in respect of personal (including professional) services performed within Norway in any year of assessment if -

- (a) he is present within Norway 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 Norway 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 Norway, and
- (c) the profits or remuneration are subject to Norwegian 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 artistes, musicians and athletes.

#### ARTICLE XI

A resident of one of the territories shall be exempt from tax in the other territory in respect of remuneration for services performed on ships or aircraft operating outside the other territory.

#### ARTICLE XII

1. Any pension (other than a pension of the kind referred to in paragraph (1) of Article IX) and any annuity, derived from sources within Norway by an individual who is a resident of the United Kingdom and subject to United Kingdom tax in respect thereof, shall be exempt from Norwegian tax.

2. Any pension (other than a pension of the kind referred to in paragraph (1) of Article IX) and any annuity, derived from sources within the United Kingdom by an individual who is a resident of Norway and subject to Norwegian 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 XIII

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 XIV

A student or 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 from abroad for the purposes of his maintenance, education or training.

#### ARTICLE XV

1. Individuals who are residents of Norway 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 Norwegian tax as Norwegian nationals not resident in Norway.

#### ARTICLE XVI

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, Norwegian tax payable, whether directly or by deduction, in respect of income from sources within Norway shall be allowed as a credit against any United Kingdom tax payable in respect of that income.

Where such income is an ordinary dividend paid by a company resident in Norway the credit shall take into account (in addition to any Norwegian tax appropriate to the dividend) the Norwegian 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 Norwegian tax so payable by the company shall likewise be taken into account in so far as the dividend exceeds that fixed rate.

Provided that for the purposes of this paragraph of this Article, the credit to be allowed for Norwegian communal income tax shall not exceed one-half of the said communal income tax.

2. Where United Kingdom tax is payable, whether directly or by deduction, in respect of income from sources within the United Kingdom, and that income is chargeable also to Norwegian tax, the Norwegian tax payable by the person entitled to such income on his total income chargeable to Norwegian tax shall be reduced by an amount which bears the same proportion to that Norwegian tax as the income from sources within the United Kingdom bears to the said total income. Provided that the Norwegian Ministry of Finance and Customs may decide that the deduction shall not exceed the amount of the United Kingdom tax.

Where such income is an ordinary dividend paid by a company resident in the United Kingdom, the deduction, in the event that it is restricted to the amount of the United Kingdom tax, shall take into account (in addition to the United Kingdom tax appropriate to the dividend) the United Kingdom profits 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 a fixed rate to which the shares are entitled and an additional participation in profits, the profits tax so payable by the company shall likewise be taken into account in so far as the dividend exceeds that fixed rate.

3. Where income is derived from sources outside both the United Kingdom and Norway by a person who is resident in the United Kingdom for the purposes of United Kingdom tax and also resident in Norway for the purposes of Norwegian tax, the income may be taxed in both countries (subject to any Convention which may exist between either of the Contracting Parties and the territory or territories from which the income is derived). A credit shall be allowed in accordance with paragraph 1 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 Norwegian tax, 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 Norway; and a deduction shall be allowed in accordance with paragraph 2 of this Article against any Norwegian tax payable in respect of that income equal to that proportion of the United Kingdom tax or the Norwegian tax, whichever is the less, which such person's income from sources within Norway bears to the sum of his income from sources within the United Kingdom and his income from sources within Norway.

4. 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, except that the remuneration of a director of a company shall be deemed to be income from sources within the territory in which the company is resident, 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 XVII

1. The taxation authorities of the 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 persons (including a Court) concerned with the assessment, determination 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 representative; in the case of Norway, the Ministry of Finance and Customs; 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 XVIII

The Agreement of 18th December, 1924, between Great Britain and Norway for the reciprocal exemption from income tax in certain cases of profits accruing from the business of shipping, and the Agreement of 21st December, 1938, between the United Kingdom and Norway for the reciprocal exemption from taxes in certain cases of profits arising through agencies, shall not have effect -

- (a) in Norway, for any period for which the present Convention has effect in that country;
- (b) in the United Kingdom, in relation to any tax for any period for which the present Convention has effect as respects that tax.

## ARTICLE XIX

1. The nationals of one of the Contracting Parties shall not be subjected in the territory of the other 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 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 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 Contracting Parties to grant to nationals of the other 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 its own nationals.

5. In this Article the term "nationals" means -

- (a) in relation to Norway, all Norwegian citizens and all juridical persons domiciled in Norway;
- (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 and associations 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 for whose international relations the United Kingdom is responsible 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 Contracting Parties in notes to be exchanged for this purpose.

2. The termination in respect of Norway or the United Kingdom of the present Convention under Article XXII shall, unless otherwise expressly agreed by both Contracting Parties, terminate the application of the present Convention to any territory to which the Convention has been extended under this Article.

## ARTICLE XXI

1. The present Convention shall be ratified and the instruments of ratification shall be exchanged at Oslo as soon as possible.

2. The present Convention shall enter into force upon the exchange of ratifications and the foregoing provisions thereof shall have effect -

(a) in the United Kingdom :

as respects income tax for any year of assessment beginning on or after 6th April, 1950;  
as respects surtax for any year of assessment beginning on or after 6th April, 1949; and  
as respects profit tax in respect of the following profits :-

- (i) profits arising in any chargeable accounting period beginning on or after 1st April, 1950;
- (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 6th April, 1950 ;

(b) In Norway :

for the taxable years beginning on or after 1st January, 1950.

## ARTICLE XXII

The present Convention shall continue in force indefinitely but either of the Contracting Parties may, on or before 30th June in any calendar year not earlier than the year 1954, give to the other Contracting Party, through diplomatic channels, written notice of termination, provided that such notice of termination may be given in any year before 1954 if there should be any important change in the laws of the other Contracting Party affecting the application of Article XVI. 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 6th April in the calendar year next following that in which the notice is given;

as respects surtax, 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;

(b) In Norway :

for the taxable years beginning on or after 1st January in the calendar year next following that in which the notice is given.

In witness whereof the undersigned, being duly authorised by their respective Governments, have signed the present Convention and have affixed thereto their seals.

Done at London, in duplicate, in the English and Norwegian languages, both texts being equally authoritative, on the 2nd day of May, 1951.

(L.S.) HERBERT MORRISON.

(L.S.) P. PREBENSEN.

## 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 Norway; and as if the tax concerned in the case of the Colony were the income tax.
- (ii) as if references to the date of signature were references to the 18th day of May, 1955.
- (b) The extension shall have effect in the Colony as respects tax for the year of assessment 1955 and for subsequent years of assessment, (and will have effect in Norway - as respects Norwegian tax for the taxable years beginning on or after 1st January, 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 June in any calendar year not earlier than the year 1957 by either of the Contracting Parties to the Convention to the other 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 Norway as respects Norwegian tax for the taxable years beginning on or after 1st January in the calendar year in which the notice is given).

### MODIFICATIONS

2. (a) In Article VI 1 of the Convention the words "shall be 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) (i) In Article VII all references to interest shall be deemed to be deleted; and  
(ii) in paragraph 2 of Article XVI references to income (except in the phrase "total income") shall be deemed not to include interest.
- (c) Article X shall be deemed to be deleted.

## FALKLAND ISLANDS.

### The Post Office Ordinance (Cap. 52).

#### Order by His Excellency the Governor in Council.

(under section 4 of the Ordinance).

O. R. ARTHUR,  
*Governor.*

No. 2 of 1956.

His Excellency the Governor in exercise of the powers vested in him by section 4 of the Post Office 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 Post Office (Amendment) Order, 1956, and shall be read as one with the Post Office Order, 1953, hereinafter referred to as the principal Order.

2. Paragraph 2 of the principal Order is amended as follows :-

(a) by substituting the following new sub-paragraph for sub-paragraph (j);

"Insurance (j) The fees for insurance shall be 6d. for the first £12 of the declared value, and 4½d. for every additional £12 or fraction thereof, with a maximum declared value of £50."

(b) by deleting from sub-paragraph (p) the words from "Postal matter" up to and including the words and full-stop "South Georgia post offices."

Made by the Governor in Executive Council at a meeting held on the 9th day of October, 1956.

J. BOUND,  
*Clerk of the Executive Council.*

## FALKLAND ISLANDS.

No. 1

## Proclamation

1956

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 His Honour 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 14th day of July, in the Year of Our Lord, One thousand Nine hundred and Fifty-six.

*By Command of the  
Officer Administering the Government.*

S. G. TREES,

*Acting Colonial Secretary.*

## FALKLAND ISLANDS.

No. 2

### Proclamation

1956

Made under section 2 of the Place-names Ordinance, 1956.

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 His Honour 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 subsection (1) of section 2 of the Place-names Ordinance, 1956, it is provided that the Governor may by Proclamation under his hand declare and publish a list of the names of various islands and lands constituting the Dependencies and of the coasts, peninsulas, capes, headlands, hills, mountains, peaks, plateaus, nunataks, glaciers, valleys, seas, straits, sounds, bays, inlets and other physical features thereof; and of the harbours and whaling stations therein :

AND WHEREAS it appears to the Officer Administering the Government expedient that such a list should be published :

NOW, THEREFORE, I, AUBREY GORDON DENTON-THOMPSON, Officer Administering the Government of the Colony of the Falkland Islands and its Dependencies, in exercise of the powers vested in me aforesaid, do hereby proclaim and declare the place-names in the Dependencies of the Colony of the Falkland Islands, listed in the Gazetteer of the Falkland Islands Dependencies published by the Foreign Office, London, on the 20th September, 1955, to be the accepted place-names for official use.

**GOD SAVE THE QUEEN.**

Given under my hand and the Public Seal at Government House, Stanley, this 4th day of September, in the year of Our Lord One thousand Nine hundred and fifty-six.

*By Command of the*  
*Officer Administering the Government,*  
S. G. TREES,  
*Acting Colonial Secretary.*

## FALKLAND ISLANDS.

### The Electricity Supply Ordinance (Cap. 23)

#### REGULATIONS

(under Section 3 of the Ordinance)

O. R. ARTHUR,

*Governor.*

No. 1 of 1956.

His Excellency the Governor in exercise of the powers vested in him by section 3 of the Electricity Supply Ordinance, is pleased, by and with the advice of the Executive Council to make the following Regulations :—

Cap 23.

1. These Regulations may be cited as the Electricity Supply (Amendment) Regulations, 1956, and shall be read as one with the Electricity Supply Regulations, 1951, hereinafter referred to as the principal Regulations.

Short title.

2. Regulation 10 of the principal Regulations is hereby revoked and the following new regulation 10 is substituted therefor :—

Revocation and replacement of Regulation 10 of the principal Regulations.

\*Charge for the supply of energy.

10. The general rates to be charged for the supply of electrical energy shall be those fixed by the Governor-in-Council from time to time and published in the Gazette".

3. The Schedule to the principal Regulations is hereby revoked.

Revocation of Schedule to the principal Regulations.

Made by the Governor in Council on the 11th day of December, 1956.

W. HIRTLE,

*Acting Clerk of the Executive Council.*

Ref. 1027.

FALKLAND ISLANDS.

Customs Ordinance (Cap. 16)

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RESOLUTION

(under Section 5 of the Ordinance).

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 Section 2 of the Customs Order admits the importation of British Empire goods at preferential rates of Customs duty;

AND WHEREAS it is considered expedient to extend the preferential rates of customs importation duties to include the goods of certain countries which are no longer members of the Commonwealth;

IT IS HEREBY RESOLVED by the Legislative Council of the Falkland Islands that Section 2 of the Customs Order shall be amended as follows:—

- (a) by the deletion from the first column of Item 1 of the words “part of the British Empire” and the substitution therefor of the words “of the scheduled territories”;
- (b) by the deletion from the first column of paragraph (c) of Item 2 of the words “British wines” and the substitution therefor of the words “wines produced in the scheduled territories”;
- (c) by the deletion from the first column of Item 3 of the words “British Empire” wherever they occur and the substitution therefor of the words “scheduled territories”.

Made at a meeting of the Legislative Council on the 12th day of October, 1956.

J. BOUND,  
*Clerk of the Legislative Council.*

## FALKLAND ISLANDS.

### The Currency Notes Ordinance (Cap. 15)

#### RULES

(under Section 13 of the Ordinance).

No. 1 of 1956.

A. G. DENTON-THOMPSON,  
*Officer Administering the Government.*

In exercise of the powers vested in him by section 13 of the Currency Notes Ordinance, and with the approval of the Secretary of State, His Honour the Officer Administering the Government is pleased to make and hereby makes the following Rules :

1. These Rules may be cited as the Currency Notes (Amendment) Rules, 1956, and shall be read as one with the Currency Notes Rules hereinafter referred to as the principal Rules.

Short title.  
Revised Edition  
Vol. II. p 135.

2. Rule 15 of the principal Rules is hereby amended as follows :-

Amendment of Rule 15  
of the principal Rules.

(a) for sub-Rule (1) there shall be substituted the following sub-Rule :-

“(1) In the Register of Currency Note Issues shall be recorded consecutively the serial numbers of the currency notes issued by the Commissioner, together with the date of issue and the date on which each note is withdrawn from circulation, and re-issued, cancelled or destroyed by the Commissioner.”

(b) there shall be inserted, immediately after sub-Rule (2) the following new sub-Rule (3) :-

“(3) There shall be kept in respect of each prefix number of a series of currency notes a control account showing the total number of the currency notes issued or re-issued by the Commissioner, the total number of notes withdrawn from circulation by the Commissioner and selected for re-issue, and the total number of notes cancelled or destroyed by the Commissioner, together with the date of issue, re-issue, withdrawal from circulation, cancellation or destruction and the balance of currency notes in circulation.”

Dated this 19th day of September, 1956.

*By Command,*

S. G. TREES,

*Acting Colonial Secretary.*

## FALKLAND ISLANDS.

### Rules for the grant of Travelling and Subsistence Allowances to Officers attending conferences while on leave in the United Kingdom.

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) (i) £2. 8s. 6d. for each night spent away from his usual place of residence in the case of members of Executive Council.
- (ii) £2. 3s. 0d. for each night spent away from his usual place of residence in the case of other officers.

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) (i) 12/- 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 in the case of members of Executive Council.
- (ii) 10/9d per 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 in the case of other officers.

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 1st July, 1954, are hereby repealed.

Colonial Secretary's Office,  
Stanley, Falkland Islands.  
26th May, 1956.

Ref. 0751/B.

**ORDINANCES**  
**of the**  
**COLONY**  
**of the**  
**FALKLAND ISLANDS**  
**enacted during the year**  
**1957**  
**together with the**  
**Rules, Regulations, etc., etc.,**  
**made during that year.**

**PART I**

**ORDINANCES**

Assented to in Her Majesty's name this 29th day of  
June, 1957.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]



No. 1

1957.

Colony of the Falkland Islands.

IN THE SIXTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

An Ordinance  
Further to amend the Licensing 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 Licensing (Amend-  
ment) Ordinance, 1957, and shall be read as one with the Licensing  
Ordinance, hereinafter referred to as the principal Ordinance. Short title.  
Cap. 38.

2. Section 63 of the principal Ordinance is amended as  
follows :— Amendment of section 63  
of the principal Ordinance.

- (a) by deleting the words and comma "shepherds and other  
employees bona fide in his own employment," and by  
substituting therefor the words and comma "employees  
bona fide in his own employment and to other persons  
resident on such station," ;
- (b) by inserting immediately after the words "his own  
employees" the words "or other persons resident on  
such station".

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.*

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2	Application of Colony Laws Ordinance, 1957.
3	Appropriation (Dependencies) (1957/1958) Ordinance, 1957.
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5	Application of Colony Laws (No. 2) Ordinance, 1957.

Assented to in Her Majesty's name this 29th day of June, 1957.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 2



1957.

**Colony of the Falkland Islands.**

IN THE SIXTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

**An Ordinance**  
**To amend the Electricity Supply 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 Electricity Supply (Amendment) Ordinance, 1957, and shall be read as one with the Electricity Supply Ordinance, hereinafter referred to as the principal Ordinance. Short title.  
Cap. 23.

2. Section 2 of the principal Ordinance is repealed and replaced as follows :— Replacement of section 2 of the principal Ordinance.

“Definition 2. In this Ordinance or any regulations made thereunder unless the context otherwise requires the expression “Superintendent” means the Superintendent of the Power and Electrical Department.”

3. The principal Ordinance shall be amended by the substitution of the word “Superintendent” for the words “Supervisor” wherever those words occur. Amendment of 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. C.S. 1027.

Assented to in Her Majesty's name this 29th day of June, 1957.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 3



1957.

**Colony of the Falkland Islands.**

IN THE SIXTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

**An Ordinance**

**Further to amend the Income Tax Ordinance.**

Title.

[1st January, 1958]

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, 1957, 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, 1958.

2. Section 2 of the principal Ordinance is amended by the addition of the following new definitions immediately after the definition of "Commissioner" :—

Amendment of section 2  
of the principal Ordinance.

" "The Commonwealth" shall be deemed to include those territories and their dependencies which are named in the fifth schedule hereto.

"Commonwealth income-tax" means any income-tax charged under any law in force in any part of the Commonwealth other than the United Kingdom."

Amendment of section 8 of the principal Ordinance.

3. Section 8 of the principal Ordinance is hereby amended by the substitution of a semi-colon for the colon at the end of paragraph (i) and the addition of the following new paragraph :—

“(j) any grant made from the public revenue of the Colony, in respect of any person between the ages of 11 and 18 years, who is receiving full time instruction at a recognised educational establishment outside the Colony :”.

Amendment of section 12 of the principal Ordinance.

4. Paragraph (g) of section 12 of the principal Ordinance is amended by substituting the words “Commonwealth income-tax” for the words “Empire income-tax as defined by this Ordinance”.

Amendment of section 16 of the principal Ordinance.

5. Subsection (1) of section 16 of the principal Ordinance is hereby amended by the deletion of the figure “£70” and the substitution therefor of the figure “£100”.

Amendment of section 18 of the principal Ordinance.

6. Paragraph (f) of section 18 of the principal Ordinance is amended by substituting the words “the Commonwealth” for the words “His Majesty’s Dominions or in territory under His Majesty’s protection”.

Amendment of section 26 of the principal Ordinance.

7. Subsection (2) of section 26 of the principal Ordinance is amended by deleting the words “not being a British subject, or a firm or company whose principal place of business is situated in His Majesty’s Dominions or in territory under His Majesty’s protection, or a branch thereof,”.

Amendment of section 47 of the principal Ordinance.

8. Section 47 of the principal Ordinance is amended as follows :—

(a) the words “Subject to the provisions of subsection (3) of this section” are inserted at the beginning of subsections (1) and (2);

(b) the words “Commonwealth income-tax” are substituted for the words “Empire income-tax” wherever those words occur;

(c) the words “rate of Commonwealth income-tax” are substituted for the words “Empire rate of tax” wherever those words occur;

(d) subsection (3) is repealed and replaced by the following :—

“(3) No relief shall be granted in accordance with the provisions of subsection (1) or subsection (2) of this section in respect of Commonwealth income-tax charged in any part of the Commonwealth unless the legislature of that part has provided for relief in respect of tax charged on income both in that part and in the Colony in a manner similar to that provided for in this section.”.

Amendment of section 48 of the principal Ordinance.

9. Section 48 of the principal Ordinance is amended by substituting the words “Commonwealth income-tax” for the words “Empire income-tax”.

Amendment of section 49 of the principal Ordinance.

10. Subsection (3) of section 49 of the principal Ordinance is amended by substituting the words “the Commonwealth” for the words “His Majesty’s dominions” and by deleting the words “or the Colony”.

Amendment of section 52 of the principal Ordinance.

11. Section 52 of the principal Ordinance is amended by substituting the words “the Commonwealth” for the words “His Majesty’s Dominions or in any place under His Majesty’s protection” wherever those words occur.

12. The following Fifth Schedule is added to the principal Ordinance :—

Addition of Fifth Schedule to the principal Ordinance.

#### “FIFTH SCHEDULE.

Aden	Leeward Islands
Australia	Malta
Bahamas	Mauritius
Barbados	New Hebrides
Basutoland	New Zealand
Bechuanaland	North Borneo
Bermuda	Northern Rhodesia
British Guiana	Nyasaland Protectorate
British Honduras	Pakistan
British Solomon Islands	St. Helena
Brunei	Sarawak
Canada	Seychelles
Ceylon	Sierra Leone
Channel Islands	Singapore
Cyprus	Somaliland Protectorate
Federation of Malaya	Southern Rhodesia
Federation of Nigeria	South-West Africa
Fiji	Swaziland
Gambia	Tanganyika
Ghana	Tonga
Gibraltar	Trinidad and Tobago
Gilbert & Ellice Islands	Uganda Protectorate
Hong Kong	Union of South Africa
India	United Kingdom of Great Britain and Northern Ireland
Isle of Man	Windward Islands
Jamaica	Zanzibar.”
Kenya	

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 29th day of  
June, 1957.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 4



1957.

**Colony of the Falkland Islands.**

IN THE SIXTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

**An Ordinance**

**Further 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 (Amendment) Ordinance, 1957, and shall be read as one with the Live Stock Ordinance, hereinafter referred to as the principal Ordinance. Short title.  
Cap. 40.

2. Section 34 of the principal Ordinance is hereby repealed. Repeal of section 34 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.*

Assented to in Her Majesty's name this 29th day of June, 1957.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 5



1957.

**Colony of the Falkland Islands.**

IN THE SIXTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

**An Ordinance  
To amend the Dangerous Drugs Ordinance.**

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :—

Enacting clause.

1. This Ordinance may be cited as the Dangerous Drugs (Amendment) Ordinance, 1957, and shall be read as one with the Dangerous Drugs Ordinance, hereinafter referred to as the principal Ordinance.

Short title.

Cap. 18.

2. In this Ordinance unless the context otherwise requires —

Interpretation.

“Raw opium” means the spontaneously coagulated juice obtained from the capsules of the *papaver somniferum* which has only been submitted to the necessary manipulations for packing and transport whatever its content of morphine.

“Prepared opium” means the product of raw opium obtained by a series of special operations, especially by dissolving, boiling, roasting and fermentation, designed to transform it into an extract suitable for consumption, and includes dross and all other residues remaining when opium has been smoked.

“Medicinal opium” means raw opium which has undergone the processes necessary to adapt it for medicinal use in accordance with the requirements of the British pharmacopoeia whether in powder form or granulated or otherwise or mixed with neutral materials.

“Coca leaf” means the leaf of any plant of the genus of the erythroxylaceae from which cocaine can be extracted either directly or by chemical transformation.

Cultivation of the opium poppy prohibited.

3. It shall not be lawful to cultivate the opium poppy (*papaver somniferum*) in the Colony.

Importation of prepared opium prohibited.

4. It shall not be lawful to import or bring into the Colony or to possess therein any prepared opium.

Amendment of First Schedule to the principal Ordinance.

5. The First Schedule to the principal Ordinance is amended —

- (a) by deleting and replacing Item 1 as follows —  
“1. Raw opium. Medicinal opium.”;
- (b) by deleting the word “Cocaine” which occurs at the beginning of Item 4 and substituting therefor the words “Coca leaves and cocaine”;
- (c) by the addition of a new Item 15 as follows —  
“15. The amphetamines (beta-aminopropylbenzene and beta-aminoisopropylbenzene).”.

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 29th day of June, 1957.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]



No. 6

1957.

Colony of the Falkland Islands.

IN THE SIXTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II.

EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

### An Ordinance

To legalise certain payments made in the period 1st April, 1955, to 30th June, 1956, in excess of the Expenditure sanctioned by Ordinance No. 4 of 1955.

Title.

WHEREAS it is expedient to make further provision for the service of the Colony for the period 1st April, 1955 to 30th June, 1956.

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 (1955–56) Ordinance, 1957.

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 April, 1955, to 30th June, 1956, 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 sum mentioned for those services in the said Ordinance.

Appropriation of excess expenditure for the period 1st April, 1955, to 30th June, 1956.

SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
	FALKLAND ISLANDS.			
I.	Governor ... ..	820	11	3
II	Agriculture ... ..	612	16	8
V.	Education ... ..	1600	14	10
VI.	Harbour & Aviation ... ..	3005	17	8
VII.	Medical ... ..	1760	18	2
IX.	Military ... ..	25	8	4
X.	Miscellaneous ... ..	19592	5	0
XI.	Pensions ... ..	693	6	6
XV.	Public Works Recurrent ... ..	2812	2	5
XVI.	Secretariat & Treasury ... ..	2499	7	7
XVIII.	Extraordinary Expenditure ... ..	16354	0	11
XIX.	Colonial Development & Welfare ... ..	1108	12	10
	Total Expenditure	£ 50886	2	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 29th day of June, 1957.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]



No. 7

1957.

Colony of the Falkland Islands.

IN THE SIXTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

An Ordinance

To provide for the service of the year 1957-58. 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 (1957-58) Ordinance, 1957. 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 30th June, 1958, a sum not exceeding Three hundred and four thousand six hundred and thirty 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 1957-58. Appropriation of £304,631 for service of the year 1957/58.

## SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
I.	The Governor ... ..	7350	0	0
II.	Agriculture ... ..	5630	0	0
III.	Audit ... ..	1155	0	0
IV.	Aviation ... ..	16414	0	0
V.	Education ... ..	33971	0	0
VI.	Harbour & Customs ... ..	10634	0	0
VII.	Medical ... ..	29078	0	0
VIII.	Meteorological ... ..	1295	0	0
IX.	Military ... ..	1418	0	0
X.	Miscellaneous ... ..	32438	0	0
XI.	Pensions & Gratuities ... ..	8248	0	0
XII.	Police and Prisons ... ..	4788	0	0
XIII.	Posts & Telegraphs ... ..	43533	0	0
XIV.	Power & Electrical ... ..	14930	0	0
XV.	Public Works ... ..	9170	0	0
XVI.	Public Works Recurrent ... ..	29316	0	0
XVII.	Public Works Special Expenditure ... ..	21798	0	0
XVIII.	Secretariat & Treasury ... ..	15118	0	0
XIX.	Supreme Court ... ..	1148	0	0
	Total	£287432	0	0
XX.	Colonial Development & Welfare ... ..	17199	0	0
	Total Expenditure	£304631	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 16th day of January, 1957.

O. R. ARTHUR,  
*Governor.*

[L.S.]



No. 1

1957.

# Falkland Islands Dependencies.

IN THE FIFTH 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. 1 of 1953.

WHEREAS it is expedient to make further provision for the service of the Dependencies for the year 1953-54.

ENACTED by the Governor of the Colony of the Falkland Islands, and Dependencies thereof, as follows:—

1. This Ordinance may be cited for all purposes as the Supplementary Appropriation (Dependencies) (1953-54) Ordinance, 1957.

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 1953-54 the same are hereby declared to have been duly laid out and expended for the service of the Dependencies in that year, and are hereby approved, allowed and granted in addition to the sum mentioned for those services in the said Ordinance.

## SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
1.	General ... ..	1,576	5	0
3.	F.I.D.S. Headquarters (Administration)	28,431	4	7
6.	F.I.D.S. "John Biscoe" ... ..	8,256	10	7
	Total Expenditure ...	38,264	0	2

Promulgated by the Governor on the 16th day of January, 1957.

A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

Assented to in Her Majesty's name this 23rd day of  
January, 1957.

A. G. DENTON-THOMPSON,  
*Officer Administering the Government.*

[L.S.]

No. 2



1957.

**Falkland Islands Dependencies.**

IN THE FIFTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
AUBREY GORDON DENTON-THOMPSON, M.C.,  
*Officer Administering the Government.*

**An Ordinance**

**To apply certain Laws of the Colony** Title.  
**to the Dependencies.**

ENACTED 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 Application of Colony Laws Ordinance, 1957. 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

1 of 1955	Interpretation and General Law (Amendment) Ordinance, 1955	1st March, 1955.
2 of 1955	Application of Enactments (Amendment) Ordinance, 1955	1st March, 1955.
7 of 1955	Pensions (Amendment) Ordinance, 1955	1st January, 1956.
8 of 1955	Diplomatic Privileges (Extension) (Amendment) Ordinance, 1955	1st January, 1956.
1 of 1956	Registration of United Kingdom Patents (Amend.) Ordinance 1956	1st July, 1956.
2 of 1956	Government Wharves (Amendment) Ordinance, 1956	1st July, 1956.
6 of 1956	Customs (Amendment) Ordinance, 1956	1st November, 1956.

Promulgated by the Officer Administering the Government on the 23rd day of January, 1957.

J. BOUND,  
*Acting Colonial Secretary.*

Assented to in Her Majesty's name this 24th day of July, 1957.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 3

1957.



### Falkland Islands Dependencies.

IN THE SIXTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II.

EDWIN PORTER ARROWSMITH, C.M.G.  
*Governor.*

### An Ordinance

To provide for the service between the first day of July, 1957, and the thirtieth day of June, 1958.

[1st July, 1957.]

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) (1957/1958) Ordinance, 1957.

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, 1958, a sum not exceeding Five hundred and nineteen thousand, Three hundred and Thirty-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, 1957, to the thirtieth day of June, 1958.

Appropriation of £519,337 for service of the year ending 30th June, 1958.

SCHEDULE.

Number.	Head of Service.	Amount. £
1.	General ... ..	59,065
2.	F.I.D.S. Rear Base ... ..	43,543
3.	F.I.D.S. Headquarters (Administration)	17,725
4.	F.I.D.S. Headquarters (Meteorological Service) ...	16,147
5.	F.I.D.S. Bases ... ..	157,336
6.	R.R.S. "John Biscoe" ... ..	119,053
7.	R.R.S. "Shackleton" ... ..	71,793
8.	W/T Service ... ..	6,775
9.	Aerial Survey ... ..	27,900
	Total Expenditure £	519,337

Promulgated by the Governor on the 24th day of July, 1957.

A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

Assented to in Her Majesty's name this 24th day of  
July, 1957.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]



No. 4

1957.

Falkland Islands Dependencies.

IN THE SIXTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II.

EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

An Ordinance

To legalise certain payments made in the year 1955-56 in excess of the Expenditure sanctioned by Ordinance No. 3 of 1955.

Title.

WHEREAS it is expedient to make further provision for the service of the Dependencies for the year 1955-56.

Preamble.

ENACTED by the Governor of the Colony of the Falkland Islands, and Dependencies thereof, as follows :—

Enacting clause.

1. This Ordinance may be cited for all purposes as the Supplementary Appropriation (Dependencies) (1955-56) Ordinance, 1957.

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 1955-56 the same are hereby declared to have been duly laid out and expended for the service of the Dependencies 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 1955-56.

SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
2.	F.I.D.S. Rear Base ... ..	3,762	6	0
3.	F.I.D.S. Headquarters (Administration)	637	12	11
	Total Expenditure ...	4,399	18	11

Promulgated by the Governor on the 24th day of July, 1957.

A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

Assented to in Her Majesty's name this 1st day of  
November, 1957.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]



No. 5

1957.

Falkland Islands Dependencies.

IN THE SIXTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
EDWIN PORTER ARROWSMITH, C.M.G.,  
*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 (No. 2) Ordinance, 1957. 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

3 of 1957	Income Tax (Amendment) Ordinance, 1957	1st January, 1958.
5 of 1957	Dangerous Drugs (Amendment) Ordinance, 1957	1st July, 1957.

Promulgated by the Governor on the 1st day of November, 1957.

A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

Ref. 0138.

PARC II

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FALKLAND ISLANDS.

The Immigration Ordinance (Cap. 31).

NOTICE.

Notice is hereby given that His Excellency the Governor, in exercise of the powers conferred upon him by section 3 of the Immigration Ordinance, prohibits the following persons from landing in the Dependencies of the Colony of the Falkland Islands:—

Alberto Alvarez	Juan Carlos Rodriguez	Luben C. Yentzch
Ruben H. Villasante	Juan Rodriguez Davalo	Marco Cesat Duran
Juan Carlos J. Torne	Osvaldo Domingo Valente	Raul C. Correa
José Antonio Garay	Antonio Mircovich	José Erucie
Francisco E. Seoane	Ernesto Rodriguez	Romualdo Duarte
Rufino Benitez	Juan Landetta	Eduandro Suarez Lopez
Arturo Juan Coullery	Carlos Vega	Sebastian Broccio
Hipolito E. Grandinetti	José Malek	Ventura Aguirre
Pedro Pablo Pascual	Manuel Martinez	Fernando Golcalvez
Nicolas Kalovic	Agustin Gutierrez	Maximo Rufeno Romero
Erwin Moreira	Enrique Vargas	José Crucic
Roberto Espinosa	Juan Lino Labarte	Juan Carlos Peducci
Atilano de Vigo	Antonio Sacco	Juan Carlos Saiz
Juan Felix Almazabal	Carlos Fernandez	Manuel F. Rey
Horacio H. Pardo	Armando Silvio Tamaro	Juan Carlos Huertas

By Command of

His Excellency the Governor,

A. G. DENTON-THOMPSON,  
Colonial Secretary.

31st December, 1956.

Ref. D/7/56.

# FALKLAND ISLANDS.

No. 1

## Proclamation

1957

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 His Honour 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, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Commander of the Royal Victorian Order, 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, 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 22nd day of January, in the Year of Our Lord One thousand Nine hundred and Fifty-seven.

*By Command of the*  
*Officer Administering the Government,*  
J. BOUND,  
*Acting Colonial Secretary.*

## FALKLAND ISLANDS.

No. 2.

### Proclamation

1957

Assumption of the Administration of the Colony by His Excellency

EDWIN PORTER ARROWSMITH, ESQUIRE, C.M.G.

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.

E. P. ARROWSMITH — *By His Excellency* EDWIN PORTER ARROWSMITH,  
ESQUIRE, *Companion of the Most Distinguished Order  
of Saint Michael and Saint George, Governor and  
Commander-in-Chief in and over the Colony of the  
Falkland Islands and its Dependencies.*

[L.S.]

His Excellency EDWIN PORTER ARROWSMITH, Esquire, Companion of the Most Distinguished Order of Saint Michael and Saint George, 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 twenty-eighth day of April, in the Year of Our Lord One Thousand Nine Hundred and Fifty-seven.

*By His Excellency's Command,*

A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

## FALKLAND ISLANDS.

No. 3.

### Proclamation

1957

Made under section 24 of the Falkland Islands (Legislative Council)

Order in Council, 1948 to 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.

E. P. ARROWSMITH — *By His Excellency EDWIN PORTER ARROWSMITH, Esquire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies.*

[L.S.]

WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation :

NOW THEREFORE, I, EDWIN PORTER ARROWSMITH Companion of the Most Distinguished Order of Saint Michael and Saint George, 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 by this Proclamation appoint Monday the twenty-fourth day of June, 1957, at ten o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

**GOD SAVE THE QUEEN.**

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 1st day of June, in the Year of Our Lord One thousand Nine hundred and Fifty-seven.

*By His Excellency's Command,*

A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

## FALKLAND ISLANDS.

No. 4.

### Proclamation

1957

Made under section 24 of the Falkland Islands (Legislative Council)

Order in Council, 1948 to 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.

E. P. ARROWSMITH — *By His Excellency EDWIN PORTER ARROWSMITH, Esquire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies.*

[L.S.]

WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation :

NOW THEREFORE, I, EDWIN PORTER ARROWSMITH, Companion of the Most Distinguished Order of Saint Michael and Saint George, 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 by this Proclamation appoint Wednesday the twenty-sixth day of June, 1957, at eleven o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

AND WHEREAS it is desirable that the Proclamation made by me on the first day of June, 1957, whereby I appointed the twenty-fourth day of June, 1957, as the day on which a sitting of the Legislative Council of the Colony should be held, should be cancelled I hereby cancel the said Proclamation.

**GOD SAVE THE QUEEN.**

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 20th day of June, in the Year of Our Lord One thousand Nine hundred and Fifty-seven.

*By His Excellency's Command,*

A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

## FALKLAND ISLANDS.

No. 5.

### Proclamation

1957

Made under section 24 of the Falkland Islands (Legislative Council)  
Order in Council, 1948 to 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.

E. P. ARROWSMITH — *By His Excellency EDWIN PORTER ARROWSMITH, ESQUIRE, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies.*

[L.S.]

WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation :

NOW THEREFORE, I, EDWIN PORTER ARROWSMITH, Companion of the Most Distinguished Order of Saint Michael and Saint George, 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 by this Proclamation appoint Tuesday and Wednesday the 15th and 16th of October, 1957, at ten o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

**GOD SAVE THE QUEEN.**

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 16th day of September, in the Year of Our Lord One thousand Nine hundred and Fifty-seven.

*By His Excellency's Command,*

A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

## FALKLAND ISLANDS.

No. 6

### Proclamation

1957

Made under section 2 of the Place-names Ordinance, 1956.

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.

E. P. ARROWSMITH — *By His Excellency EDWIN PORTER ARROWSMITH, ESQUIRE, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies.*

[L.S.]

WHEREAS by subsection (1) of section 2 of the Place-names Ordinance, 1956, it is provided that the Governor may by Proclamation under his hand declare and publish a list of the names of various islands and lands constituting the Dependencies and of the coasts, peninsulas, capes, headlands, seas, straits, sounds, bays, inlets and other physical features thereof; and of the harbours and whaling stations therein, and may from time to time in like manner add to or alter such list:

AND WHEREAS it appears to the Governor expedient that the list of place-names declared and published under Proclamation No. 2 of 1956, should be added to and altered:

NOW, THEREFORE, I, EDWIN PORTER ARROWSMITH, Companion of the Most Distinguished Order of Saint Michael and Saint George, 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 aforesaid, do hereby proclaim and declare the place-names in the Dependencies of the Colony of the Falkland Islands, listed in the Gazetteer of the Falkland Islands Dependencies (Supplement No. 1) published by the Foreign Office, London, on the 26th September, 1957, to be accepted place-names for official use.

**GOD SAVE THE QUEEN.**

Given under my hand and the Public Seal at Government House, Stanley, this 15th day of December, in the year of Our Lord One thousand Nine hundred and fifty-seven.

*By His Excellency's Command,*

A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

# FALKLAND ISLANDS.

## The Electricity Supply Ordinance (Cap. 23)

### REGULATIONS

(under Section 3 of the Ordinance)

A. G. DENTON-THOMPSON,

*Officer Administering the Government.*

No. 1 of 1957.

His Honour the Officer Administering the Government in exercise of the powers vested in him by section 3 of the Electricity Supply Ordinance, is pleased, by and with the advice of the Executive Council to make the following Regulations :—

Cap. 23.

1. These Regulations may be cited as the Electricity Supply (Amendment) Regulations, 1957, and shall be read as one with the Electricity Supply Regulations, 1951, hereinafter referred to as the principal Regulations.

Short title.

2. The principal Regulations shall be amended by the substitution of the word "Superintendent" for the words "Executive Engineer" wherever those words occur.

Amendment of principal Regulations.

3. Regulation 6 of the principal Regulations is amended as follows :—

Amendment of regulation 6 of the principal Regulations.

- (a) in paragraph (1) by the substitution of the words "Regulations for the Electrical Equipment of Buildings issued by the Institute of Electrical Engineers in the United Kingdom and for the time being current," for the words "Electricity Supply Regulation, 1937, made by the Electricity Commissioner of the United Kingdom";
- (b) in paragraph (2) by the substitution of the words "Regulations may be seen" for the words "Electricity Regulation may be had";
- (c) in paragraph (3) by the substitution of the word "Regulations" for the words "Electricity Supply Regulation".

4. Regulation 12 of the principal Regulations is amended by the substitution of the words "the Electricity Supply Regulations, 1937, made by the Electricity Commissioner of the United Kingdom" for the words "these Regulations".

Amendment of regulation 12 of the principal Regulations.

Made by the Officer Administering the Government in Council on the 13th day of March, 1957.

J. BOUND,

*Clerk of the Executive Council.*

Ref. C.S. 1027.

## FALKLAND ISLANDS.

### The Education Ordinance (Cap. 22).

## REGULATIONS

(Under section 10 of the Ordinance.)

No. 2 of 1957.

A. G. DENTON-THOMPSON,  
*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 :—

Cap. 22.

1. These Regulations may be cited as the School (Amendment) Regulations, 1957, and shall be read as one with the School Regulations, hereinafter referred to as the principal Regulations.

Short title.

Vol. II Revised  
Edition p. 161.

2. For paragraph (1) of regulation 3 of the principal Regulations, there shall be substituted the following new paragraph —

Amendment of  
regulation 3 of the  
principal Regulations.

“ (1) The regular School holidays shall be —

- (a) a fortnight towards the end of May;
- (b) a fortnight at the beginning of September; and
- (c) eight weeks at Christmas.

The actual dates shall be fixed annually by the Governor and published in the Gazette”.

Made by the Officer Administering the Government in Council on the 21st day of January, 1957.

Ref. 0084/A.

J. BOUND,  
*Clerk of the Executive Council.*

# FALKLAND ISLANDS.

## The Education Ordinance (Cap. 22).

### REGULATIONS

(under Section 10 of the Ordinance)

No. 3 of 1957.

E. P. ARROWSMITH,  
*Governor.*

His Excellency the Governor 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 :—

Cap. 22.

1. These Regulations may be cited as the School (Amendment) (No. 2) Regulations, 1957, and shall be read as one with the School Regulations, hereinafter referred to as the principal Regulations.

Vol. II Revised Edition  
p. 181.

2. Regulation 8 of the principal Regulations is hereby revoked and the following new regulation 8 is substituted therefor :—

Replacement of regulation 8 of the principal Regulations.

"Materials.

8. (1) A percentage of the cost of all materials used in day classes in the instruction of handicrafts other than that which the headmaster shall decide is necessary for the purpose of instruction shall be borne by the parent of the child or the person receiving such instruction. Such percentage shall be determined by the headmaster.

(2) The cost of all materials used in Evening Classes other than that which the headmaster shall decide is necessary for the purpose of instruction shall be borne by the person receiving such instruction."

Made by the Governor in Council on the 17th day of October, 1957.

Ref. 24/44.

J. BOUND,  
*Clerk of the Executive Council.*

FALKLAND ISLANDS.

The Public Health Ordinance (Cap. 54)

REGULATIONS

(under Section 55 of the Ordinance)

E. P. ARROWSMITH,  
*Governor.*

No. 4 of 1957.

His Excellency the Governor in exercise of the powers vested in him by section 55 of the Public Health Ordinance, is pleased, by and with the advice of the Executive Council to make the following Regulations :—

Cap 54.

1. These Regulations may be cited as the King Edward VII Memorial Hospital (Amendment) Regulations, 1957, and shall be read as one with the King Edward VII Memorial Hospital Regulations, hereinafter referred to as the principal Regulations.

Short title.

Vol. II Revised Edition,  
1950. p.255.

2. Regulation 10 of the principal Regulations is revoked and replaced as follows :—

Replacement of  
regulation 10 of the  
principal Regulations.

“10. Any person who commits an offence against these regulations shall be liable on summary conviction to a fine not exceeding £5.”

Made by the Governor in Council on the 17th day of October, 1957.

J. BOUND,  
*Clerk of the Executive Council.*

Ref. 1112.

FALKLAND ISLANDS DEPENDENCIES.

The Place-names Ordinance, 1956.

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REGULATIONS

(Under section 4 of the Ordinance.)

No. 1 of 1957.

E. P. ARROWSMITH,  
*Governor.*

His Excellency the Governor in exercise of the powers vested in him by section 4 of the Place-names Ordinance, 1956, is pleased to make the following Regulations :—

1. These Regulations may be cited as the Place-names Regulations, 1957.
2. (1) Every suggestion or recommendation of or for the addition of any place-name to the list of place-names in force for the time being, or for any alteration thereof, shall be made to the Colonial Secretary either directly or through the Under-Secretary of State, Colonial Office, London.  
(2) Every such suggestion or recommendation shall be in writing and shall contain particulars of the physical feature or place with which the suggestion or recommendation is concerned sufficient to render it easily recognisable, together with particulars of its geographical position, and shall be accompanied by a map or plan showing its position.  
(3) A suggestion or recommendation for the alteration of a place-name appearing in the list of place-names in force shall state the reasons for such alteration.

Made by the Governor at Stanley on the 1st day of August, 1957.

A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

Ref. F.I.D.S./311.



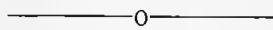
Colony of the  
Falkland Islands and Dependencies

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Ordinances,  
Regulations, Orders, etc.  
1958

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## PART I. ORDINANCES.



### COLONY -

Ordinance No. 1 of 1958.	Pensions (W. B. Myles) Ordinance.
" " 2 " "	Application of Enactments (Amendment) Ordinance.
" " 3 " "	Guardianship and Custody of Children Ordinance.
" " 4 " "	Scientific and Industrial Research Council (Vesting of Property) Ord.
" " 5 " "	Old Age Pensions (Amendment) Ordinance.
" " 6 " "	Harbour (Amendment) Ordinance.
" " 7 " "	Supplementary Appropriation (1956-57) Ordinance.
" " 8 " "	Appropriation (1958-59) Ordinance.

### DEPENDENCIES -

Ordinance No. 1 of 1958.	Appropriation (Dependencies) (1958-59) Ordinance.
" " 2 " "	Supplementary Appropriation (Dependencies) (1956-57) Ordinance.
" " 3 " "	Application of Colony Laws Ordinance.

Assented to in Her Majesty's name this 31st day of  
March, 1958.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 1



1958.

**Colony of the Falkland Islands.**

IN THE SEVENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

**An Ordinance**

**To provide for the granting of a pension** Title.  
**to William Bleaker Myles.**

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :— Enacting clause.

1. This Ordinance may be cited as the Pensions (W. B. Short title.  
Myles) Ordinance, 1958.

2. Notwithstanding anything to the contrary in the Pen- Provision for the  
sions Ordinance or the Pensions Regulations, it shall be lawful for payment of pension.  
the Governor to award to William Bleaker Myles, a pension calculated  
as though his service in the Government has been pensionable under Cap. 49.  
the provisions of the Pensions Ordinance and the Regulations made  
thereunder.

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. P/13.

Assented to in Her Majesty's name this 31st day of  
March, 1958.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 2



1958.

**Colony of the Falkland Islands.**

IN THE SEVENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

**An Ordinance**

**To amend the Application of Enact- Title.**  
**ments 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 Enact- **Short title.**  
ments (Amendment) Ordinance, 1958, and shall be read as one with  
the Application of Enactments Ordinance, 1954, hereinafter referred  
to as the principal Ordinance.

2. The Schedule to the principal Ordinance is hereby amended **Amendment of Schedule**  
by the deletion therefrom of enactment No. 28, entitled the Guardian- **to principal Ordinance.**  
ship of Infants Act, 1925.

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. 1839.

Assented to in Her Majesty's name this 31st day of March, 1958.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 3



1958.

**Colony of the Falkland Islands.**

IN THE SEVENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

**An Ordinance**

To consolidate the law relating to the  
Guardianship and Custody of Children and  
matters incidental thereto.

Title.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :—

Enacting clause.

1. This Ordinance may be cited as the Guardianship and Custody of Children Ordinance, 1958.

Short title.

2. In this Ordinance, unless the context otherwise requires —  
“Court” means the Supreme Court or a Court of summary jurisdiction;

Interpretation.

“child” means a person under twenty-one years of age but does not include a person who is or has been married.

3. (1) On the death of the father of a child, the mother if surviving, shall, subject to the provisions of this Ordinance, be the guardian of the child, either alone or jointly with any guardian appointed by the father. When no guardian has been appointed by the father or if the guardian or guardians appointed by the father is or are dead or refuses or refuse to act, the Court may if it thinks fit appoint a guardian to act jointly with the mother.

Right of surviving parent to guardianship.

(2) On the death of the mother of a child, the father, if surviving, shall, subject to the provisions of this Ordinance, be guardian of the child, either alone or jointly with any guardian appointed by the mother. When no guardian has been appointed by the mother or if the guardian or guardians appointed by the mother is or are dead or refuses or refuse to act, the Court may if it thinks fit appoint a guardian to act jointly with the father.

Power of father and mother to appoint testamentary guardians.

4. (1) The father of a child may by deed or will appoint any person to be guardian of the child after his death.

(2) The mother of a child may by deed or will appoint any person to be guardian of the child after her death.

(3) Any guardian so appointed shall act jointly with the mother or father as the case may be of the child so long as the mother or father remains alive unless the mother or father objects to his so acting.

(4) If the mother or father so objects, or if the guardian so appointed as aforesaid considers that the mother or father is unfit to have the custody of the child, the guardian may apply to the Court, and the Court may either refuse to make any order (in which case the mother or father shall remain sole guardian) or make an order that the guardian so appointed shall act jointly with the mother or father, or that he shall be sole guardian of the child, and in the latter case may make such order regarding the custody of the child and the right of access thereto of its mother or father as, having regard to the welfare of the child the Court may think fit, and may further order that the mother or father shall pay to the guardian towards the maintenance of the child such weekly or other periodical sum as, having regard to the means of the mother or father, the Court may consider reasonable.

(5) Where guardians are appointed by both parents, the guardians so appointed shall after the death of the surviving parent act jointly.

(6) If under section 3 of this Ordinance a guardian has been appointed by the Court to act jointly with the surviving parent, he shall continue to act as guardian after the death of the surviving parent; but if the surviving parent has appointed a guardian, the guardian appointed by the Court shall act jointly with the guardian appointed by the surviving parent.

Powers of guardians.

5. Every guardian under sections 3 and 4 of this Ordinance shall have all such powers over the estate and the person, or over the estate, as the case may be, of a child as a guardian appointed by will or otherwise has in England.

The Court may make order as to custody.

6. The mother of a child shall have like powers to apply to the Court in respect of any matter affecting the child as are possessed by the father.

The Court may make order as to custody.

7. (1) The Court, upon the application of the father or mother of a child, make such order as it may think fit regarding the custody of such child and the right of access thereto of either parent, having regard to the welfare of the child, and to the conduct of the parents, and to the wishes as well of the mother as of the father, and may alter, vary, or discharge such order on the application of either parent, or, after the death of either parent, of any guardian under this Ordinance; and in every case may make such order respecting costs as it may think just.

(2) The power of the Court under subsection (1) of this section to make an order as to the custody of a child and the right of access thereto may be exercised notwithstanding that the mother of the child is then residing with the father of the child.

(3) Where the Court under subsection (1) of this section makes an order giving the custody of the child to the mother, then,

whether or not the mother is then residing with the father, the Court may further order that the father shall pay to the mother towards the maintenance of the child such weekly or other periodical sum as the Court, having regard to the means of the father, may think reasonable.

(4) No such order, whether for custody or maintenance shall be enforceable, and no liability thereunder shall accrue, while the mother resides with the father, and any such order shall cease to have effect if for a period of three months after it is made the mother of the child continues to reside with the father.

(5) Any order so made may, on the application either of the father or mother of the child, be varied or discharged by a subsequent order.

8. (1) The Court may, in its discretion, on being satisfied that it is for the welfare of the child, remove from his office any testamentary guardian, or any guardian appointed or acting by virtue of this Ordinance and may also, if the Court shall deem it to be for the welfare of the child, appoint another guardian in place of the guardian so removed.

Power of Court to remove guardian.

(2) In this section the expression "Court" means the Supreme Court.

9. Where two or more persons act as joint guardians of a child and they are unable to agree on any question affecting the welfare of the child, any of them may apply to the Court for its direction, and the Court may make such order regarding the matters in difference as it may think proper.

Disputes between joint guardians.

10. In any case where a decree for judicial separation, or a decree either nisi or absolute for divorce, shall be pronounced, the Court pronouncing such decree may thereby declare the parent by reason of whose misconduct such decree is made to be a person unfit to have the custody of the children (if any) of the marriage, and, in such case, the parent so declared to be unfit shall not, upon the death of the other parent, be entitled as of right to the custody or guardianship of such children.

Guardianship in case of divorce or judicial separation.

11. No agreement contained in any separation deed made between the father and the mother of a child shall be held to be invalid by reason only of its providing that the father of such child shall give up the custody or control thereof to the mother:

In case of separation deed between father and mother.

Provided always, that the Court shall not enforce any such agreement if it is of opinion that it will not be for the benefit of the child to give effect thereto.

12. Where the parent of a child applies to the Court for a writ or order for the production of the child, and the Court is of opinion that the parent has abandoned or deserted the child, or that he has otherwise so conducted himself that the Court should refuse to enforce his right to the custody of the child, the Court may, in its discretion, decline to issue the writ or make the order.

Power of Court as to production of child.

13. If at the time of the application for a writ or order for the production of the child, the child is being brought up by another person, the Court may, in its discretion, if it orders the child to be given up to the parent, further order that the parent shall pay to such person the whole of the costs properly incurred in bringing up the child, or such portion thereof as shall seem to the Court to be just and reasonable, having regard to the circumstances of the case.

Power of Court to order repayment of costs of bringing up child.

14. Where the parent has —

(a) abandoned or deserted his child; or

(b) allowed his child to be brought up by another person at that person's expense for such a length of time and under

Court in making order to have regard to conduct of parent.

such circumstances as to satisfy the Court that the parent was unmindful of his parental duties,

the Court shall not make an order for the delivery of the child to the parent, unless the parent has satisfied the Court that, having regard to the welfare of the child, he or she is a fit person to have the custody of the child.

Power of Court as to child's religious education.

15. (1) Upon an application by the parent for the production or custody of a child, if the Court is of opinion that the parent ought not to have the custody of the child, and that the child is being brought up in a different religion to that in which the parent has a legal right to require that the child should be brought up, the Court shall have power to make such order as it may think fit to secure that the child be brought up in the religion in which the parent has a legal right to require that the child should be brought up.

(2) Nothing contained in this section or in sections 12 to 14 (inclusive) of this Ordinance shall interfere with or affect the power of the Court to consult the wishes of the child in considering what order ought to be made under this section, or diminish the right which any child now possesses to the exercise of its own free choice.

Definition of "Court" and "parent".

16. For the purposes of sections 12 to 15 (inclusive) of this Ordinance the expression -

"Court" means the Supreme Court;

"parent" of a child includes any person at law liable to maintain such child or entitled to its custody.

Enforcement of orders for payment of money.

17. (1) Any person for the time being under an obligation to make payments in pursuance of any order for the payment of money under this Ordinance, shall give notice of any change of address to such person (if any) as may be specified in the order, and any person failing without reasonable excuse to give such a notice shall be liable on summary conviction to a fine not exceeding £25 or imprisonment for a term not exceeding three months.

(2) Where the Court has made any such order, the Court shall, in addition to any other powers for enforcing compliance with the order, have power, in any case where there is any pension or income payable to the person against whom the order is made and capable of being attached, after giving the person by whom the pension or income is payable an opportunity of being heard, to order that such part as the Court may think fit of any such pension or income, be attached and paid to the person named by the Court, and such further order shall be an authority to the person by whom such pension or income is payable to make the payment so ordered, and the receipt of the person to whom the payment is ordered to be made shall be a good discharge to the person by whom the pension or income is payable.

Principle on which questions relating to custody, upbringing etc. of children are to be decided.

18. Where in any proceedings before any Court the custody or upbringing of a child or the administration of any property belonging to or held on trust for a child, or the application of the income thereof, is in question, the Court in deciding that question, shall regard the welfare of the child as the first and paramount consideration, and shall not take into consideration whether from any other point of view the claim of the father, or any right at common law possessed by the father, in respect of such custody, upbringing, administration or application is superior to that of the mother, or the claim of the mother is superior to that of the father.

Rules.

19. The Governor in Council may make Rules directing the manner in which applications to the Court are to be made and dealing generally with all the matters of procedure and incidental matters arising out of this Ordinance, and of carrying this Ordinance into effect.

Saving.

20. Nothing in this Ordinance contained shall restrict or affect the jurisdiction of the Supreme Court to appoint or remove guardians.

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. 1839.

Assented to in Her Majesty's name this 31st day of March, 1958.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 4



1958.

**Colony of the Falkland Islands.**

IN THE SEVENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

**An Ordinance**

To provide for the vesting in the Research Council set up under the Department of Scientific and Industrial Research Act, 1956 (4 & 5 Eliz. II, c. 58) of certain premises in Stanley.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :—

1. This Ordinance may be cited as the Scientific and Industrial Research Council (Vesting of Property) Ordinance, 1958.

2. In this Ordinance —

“the Department” means the Committee of the Privy Council for Scientific and Industrial Research set up by an Order in Council dated the 28th day of July, 1915;

“the Research Council” means the Council for Scientific and Industrial Research constituted under the provisions of the Department of Scientific and Industrial Research Act, 1956.

3. The parcel of land situate at No. 3 Brandon Road in the Town of Stanley and comprised in Crown Grant No. 447 dated the 29th day of April, 1933, together with the dwelling-house and out-buildings erected thereon, and all other property (if any) held at the date of this Ordinance for the purposes of the Department and any rights or liabilities appertaining or attached thereto, shall hereby vest in or devolve upon the Research Council.

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. 0167.

Assented to in Her Majesty's name this 31st day of March, 1958.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 5



1958.

**Colony of the Falkland Islands.**

IN THE SEVENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

**An Ordinance**

**To amend the Old Age Pensions Ordinance, 1952.** Title.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :— Enacting clause.

1. This Ordinance may be cited as the Old Age Pensions (Amendment) Ordinance, 1958, and shall be read and construed as one with the Old Age Pensions Ordinance, 1952, hereinafter referred to as the principal Ordinance. Short title.

2. The Governor in Council may by Order declare that the provisions of the principal Ordinance shall not apply to such person or persons, or class or classes of persons, not being permanently resident in the Colony, as shall be specified in such Order, and such person or persons, or class or classes of persons, shall be deemed not to be employed or self-employed persons for the purposes of the said Ordinance, nor shall contributions under the said Ordinance be payable by or in respect of them. Exception of persons or classes of persons from the provisions of the principal Ordinance.

3. This Ordinance shall be deemed to have come into operation on the 1st day of July, 1952, and in any Order made thereunder it may be declared that such Order shall be deemed to have come into operation upon such date as shall be mentioned therein. Commencement.

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: 0323/A/III.

Assented to in Her Majesty's name this 31st day of March, 1958.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 6



1958.

**Colony of the Falkland Islands.**

IN THE SEVENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
EDWIN PORTER ARROWSMITH, C.M.G.  
*Governor.*

**An Ordinance  
To amend the Harbour 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 Harbour (Amendment) Ordinance, 1958, and shall be read as one with the Harbour Ordinance, hereinafter referred to as the principal Ordinance.

Short title.

Cap. 30.

2. The principal Ordinance is amended by inserting immediately after section 21 the following new sections :

Insertion of new sections 21A and 21B in the principal Ordinance.

“Discharge of fuel oil or diesel oil into harbours.

21A. If any fuel oil or diesel oil is discharged, or allowed to escape into any harbour, from any vessel or boat, or from any place on land, or from any apparatus used for transferring fuel oil or diesel oil from or to any vessel or boat (whether to or from a place on land or to or from another vessel or boat), then —

- (a) if the discharge or escape is from a vessel or boat, the owner or master of the vessel or boat, or
- (b) if the discharge or escape is from a place on land, the occupier of that place, or
- (c) if the discharge or escape is from apparatus used for transferring fuel oil or diesel oil from or to a vessel or boat, the person in charge of the apparatus,

shall be liable to a fine not exceeding £500.

Special  
defences.

21B. (1) Where a person is charged with an offence under the last preceding section as the owner or master of a vessel or boat, it shall be a defence to prove—

- (a) that the fuel oil or diesel oil escaped in consequence of damage to the vessel or boat, and that as soon as practicable after the damage occurred all reasonable steps were taken for preventing, or (if it could not be prevented) for stopping or reducing, the escape of the fuel oil or diesel oil, or
- (b) that the fuel oil or diesel oil escaped by reason of leakage, that the leakage was not due to any want of reasonable care, and that as soon as practicable after the escape was discovered all reasonable steps were taken for stopping or reducing it.

(2) Where a person is charged with an offence under the last preceding section as the occupier of a place on land, or as the person in charge of any apparatus, from which fuel oil or diesel oil is alleged to have escaped, it shall be a defence to prove that the escape of the fuel oil or diesel oil was not due to any want of reasonable care, and that as soon as practicable after the escape was discovered all reasonable steps were taken for stopping or reducing it.

(3) Without prejudice to the last preceding subsection, it shall be a defence for the occupier of a place on land, who is charged with an offence under the last preceding section, to prove that the discharge was caused by the act of a person who was in that place without the permission (express or implied) of the occupier."

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. 1848.

Assented to in Her Majesty's name this 31st day of March, 1958.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 7



1958.

Colony of the Falkland Islands.

IN THE SEVENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

### An Ordinance

To legalise certain payments made in the period 1st July, 1956, to 30th June, 1957, in excess of the Expenditure sanctioned by Ordinance No. 4 of 1956.

WHEREAS it is expedient to make further provision for the service of the Colony for the period 1st July, 1956, to 30th June, 1957.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows:—

1. This Ordinance may be cited for all purposes as the Supplementary Appropriation (1956-57) Ordinance, 1958.

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 July, 1956, to 30th June, 1957, 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 sum mentioned for those services in the said Ordinance.

Appropriation of excess expenditure for the period 1st July, 1956, to 30th June, 1957.

SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
FALKLAND ISLANDS.				
VI.	Harbour & Aviation ... ..	1666	9	1
X.	Miscellaneous ... ..	3964	13	2
XI.	Pensions ... ..	3398	19	5
XII.	Police & Prisons ... ..	92	5	6
XVI.	Public Works Recurrent ... ..	3507	6	1
XVII.	Public Works Special Expenditure ... ..	48	3	9
XVIII.	Secretariat & Treasury ... ..	60	3	9
Total Expenditure		£ 12738	0	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.

J. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 31st day of March, 1958.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 8



1958.

Colony of the Falkland Islands.

IN THE SEVENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

An Ordinance

To provide for the service of the year 1958-59. 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 (1958-59) Ordinance, 1958. 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 1st July, 1958 to 30th June, 1959, a sum not exceeding Three hundred and nine thousand four hundred and fifty-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 year 1958-59. Appropriation of £309,453 for service of the year 1958/59.

SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
I.	The Governor ... ..	7745	0	0
II.	Agriculture ... ..	4056	0	0
III.	Audit ... ..	1090	0	0
IV.	Aviation ... ..	16790	0	0
V.	Customs & Harbour ... ..	10242	0	0
VI.	Education ... ..	35700	0	0
VII.	Medical ... ..	28650	0	0
VIII.	Meteorological ... ..	795	0	0
IX.	Military ... ..	1180	0	0
X.	Miscellaneous ... ..	32941	0	0
XI.	Pensions & Gratuities ... ..	7936	0	0
XII.	Police and Prisons ... ..	4566	0	0
XIII.	Posts & Telegraphs ... ..	44120	0	0
XIV.	Power & Electrical ... ..	15556	0	0
XV.	Public Works ... ..	9089	0	0
XVI.	Public Works Recurrent ... ..	28318	0	0
XVII.	Secretariat & Treasury ... ..	16749	0	0
XVIII.	Supreme Court ... ..	1320	0	0
	Total Ordinary Expenditure ...	266843	0	0
XIX.	Special Expenditure ... ..	25721	0	0
XX.	Colonial Development & Welfare ...	16886	0	0
	Total Expenditure £	309453	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 14th day of  
July, 1958.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]



No. 1

1958.

Falkland Islands Dependencies.

IN THE SEVENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

An Ordinance

To provide for the service between the first day of July, 1958, and the thirtieth day of June, 1959.

[1st July, 1958.] 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) (1958/1959) Ordinance, 1958. 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, 1959, a sum not exceeding Five hundred and four thousand, Two 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, 1958, to the thirtieth day of June, 1959. Appropriation of £504,243 for service of the year ending 30th June, 1959.

## SCHEDULE.

Number.	Head of Service.	Amount. £
1.	General ... ..	72,290
2.	F.I.D.S. London Office ... ..	41,068
3.	F.I.D.S. Headquarters (Administration)	21,833
4.	F.I.D.S. Headquarters (Meteorological Service) ... ..	15,175
5.	F.I.D.S. Bases ... ..	124,027
6.	R.R.S. "John Biscoe" ... ..	120,942
7.	R.R.S. "Shackleton" ... ..	101,377
8.	W/T Service ... ..	7,531
Total Expenditure £		504,243

Promulgated by the Governor on the 14th day of July, 1958.

S. G. TREES,  
*Acting Colonial Secretary.*

Assented to in Her Majesty's name this 27th day of  
September, 1958.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]



No. 2

1958.

**Falkland Islands Dependencies.**

IN THE SEVENTH YEAR OF THE REIGN OF

**HER MAJESTY QUEEN ELIZABETH II.**

EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

**An Ordinance**

To legalise certain payments made in  
the year 1956-57 in excess of the Expend-  
iture sanctioned by Ordinance No. 2 of 1956.

Title.

WHEREAS it is expedient to make further provision for the  
service of the Dependencies for the year 1956-57.

Preamble.

ENACTED by the Governor of the Colony of the Falkland  
Islands, and Dependencies thereof, as follows :—

Enacting clause.

1. This Ordinance may be cited for all purposes as the  
Supplementary Appropriation (Dependencies) (1956-57) Ordinance,  
1958.

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 1956-57 the same are hereby declared to have  
been duly laid out and expended for the service of the Dependencies  
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 1956-57.

Ref. FIDS/53.

SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
1.	General ... ..	6,549	11	0
3.	F.I.D.S. Headquarters (Administration)	158	2	5
6.	R.R.S. "John Biscoe" ... ..	161,807	3	7
8.	R.R.S. "Shackleton" ... ..	14,957	11	11
10.	Aerial Survey ... ..	13,597	18	9
	Total Expenditure ...	197,070	7	8

Promulgated by the Governor on the 27th day of September, 1958.

S. G. TREES,  
*Acting Colonial Secretary.*

Assented to in Her Majesty's name this 17th day of  
December, 1958.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]



No. 3

1958.

Falkland Islands Dependencies.

IN THE SEVENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

An Ordinance  
To apply Ordinance of the Colony No.  
6 of 1958 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, 1958.
- SHORT TITLE
2. The Ordinance of the Colony specified in the first and second columns of the Schedule to this Ordinance is applied to the Dependencies, and shall be deemed to be in force in the Dependencies with effect from the date set out opposite its title in the third column of the Schedule to this Ordinance.
- APPLICATION OF ORDINANCE

SCHEDULE

6 of 1958      Harbour (Amendment) Ordinance, 1958.      1st April, 1958.

Promulgated by the Governor on the 17th day of December, 1958.

S. G. TREES,  
*Acting Colonial Secretary.*

## PART II. REGULATIONS, ORDERS, Etc.

—(0)—

### COLONY —

Regulations No. 1 of 1958	Fisheries (Amendment) Regulations.
„ „ 2 „ „	Stanley Water Supply (Amendment) Regulations.
„ „ 3 „ „	Whaling (Amendment) Regulations.
„ „ 4 „ „	Pensions (E. M. Cawkell) Regulations.
„ „ 5 „ „	Pensions (Amendment) Regulations.
„ „ 6 „ „	Pensions (Amendment) (No. 2) Regulations.
„ „ 7 „ „	Live Stock Quarantine (Amendment) Regulations.
„	made by the Governor under Royal Warrant dated 21st March, 1956 — Colonial Police Long Service Medal Regulations, 1957.

Proclamation No. 1 of 1958 Sitting of the Legislative Council.

„ „ 2 „ „	Dependencies place-names listed in Foreign Office Gazetteer accepted as official names.
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Order No. 1 of 1958 Old Age Pensions (Amendment) Order.

„ „ 2 „ „	Diplomatic Privileges (International Refugee Organisation) (Revocation) Order.
„ „ 3 „ „	Declaring East Cumberland Bay, South Georgia and Stromness Bay, South Georgia to be Harbours.
„ „ 4 „ „	Diplomatic Privileges (Universal Postal Union) Order.
„ „ 5 „ „	Diplomatic Privileges (World Meteorological Organisation) Order.
„ „ 6 „ „	Diplomatic Privileges (International Telecommunication Union) Order.
„ „ 7 „ „	Post Office (Amendment) Order.
„ „ 8 „ „	Consular Convention (Italian Republic) Order.
„ „ 9 „ „	Diplomatic Privileges (International Civil Aviation Organisation) (Amendment) Order.
„ „ 10 „ „	Consular Convention (Federal Republic of Germany) Order.
„ „ 11 „ „	Old Age Pensions (Amendment) Order.

FALKLAND ISLANDS.

The Fisheries Ordinance Cap. 27

REGULATIONS

(under section 3 of the Ordinance)

E. P. ARROWSMITH,  
*Governor.*

No. 1 of 1958.

His Excellency the Governor in exercise of the powers vested in him by section 3 of the Fisheries 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 Fisheries (Amendment) Regulations, 1958, and shall be read as one with the Fisheries Regulations, 1952, hereinafter referred to as the principal Regulations.

Cap. 27.  
Short title.

2. In regulation 2 of the principal Regulations the interpretation of "open season" is amended by substituting the word "May" for the word "April".

Amendment of regulation 2 of the principal Regulations.

Made by the Governor in Council on the 23rd day of January, 1958.

J. BOUND,  
*Clerk of the Executive Council.*

Ref: 0392/II.

FALKLAND ISLANDS.

The Stanley Waterworks Ordinance Cap. 70  
**REGULATIONS**

(Under section 5 of the Ordinance.)

E. P. ARROWSMITH,  
*Governor.*

No. 2 of 1958.

His Excellency the Governor in exercise of the powers vested in him by section 5 of the Stanley Waterworks 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 Stanley Water Supply (Amendment) Regulations, 1958, and shall be read as one with the Stanley Water Supply Regulations, hereinafter referred to as the principal Regulations.

Short title.

Vol II Revised Edition  
p. 317.

2. Regulation 5 of the principal Regulations is hereby revoked.

Revocation of regulation  
5 of the principal Regula-  
tions.

Made by the Governor in Council on the 23rd day of January, 1958.

J. BOUND,  
*Clerk of the Executive Council.*

Ref: 0039/B.

# FALKLAND ISLANDS.

## The Whale Fishery Ordinance, (Cap. 76)

### REGULATIONS

(under Section 11 of the Ordinance)

E. P. ARROWSMITH,

*Governor.*

No. 3 of 1958.

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, 1958, and shall be read as one with the Whaling Regulations, 1936, hereinafter referred to as the principal Regulations.

Short title.

2. Regulation 14 of the principal Regulations is hereby revoked and replaced as follows :—

Replacement of Regulation 14 of the principal Regulations.

14. (a) For the purpose of section 9, sub-section 2, of the Whale Fishery Ordinance, the master or manager of a ship or factory licensed to take and treat whales shall render to the Colonial Secretary or such other officer as the Governor may appoint for the purpose, on or before the 10th day of June in each year the following particulars :—

- (i) The date and time when and the position where the whale was taken.
- (ii) The species and sex of the whale.
- (iii) Its marking in accordance with paragraph (b) of this regulation.
- (iv) The time of hauling up for treatment and processing.
- (v) The length measured in accordance with regulation 17 (b).
- (vi) If female, whether milk-filled or lactating.
- (vii) Length and sex of foetus if present.
- (viii) A full explanation of each infraction.
- (ix) For each day —
  - the number of whales of each species delivered for processing;
  - the number of whales processed;
  - the yield of oil of each grade produced;
- (x) For each week —
  - the quantity produced, if any, of meal, guano and other products specified separately.

(b) Whales taken by all whale catchers shall be clearly marked so as to identify the catchers and to indicate the order of catching.

(c) All information obtained and collated by the master or manager of a ship or factory licensed to take, treat and process whales in accordance with this regulation, shall be entered in a permanent record immediately it becomes available and such record shall be available at all times to the Whaling Officers.

3. Regulation 17 of the principal Regulations is hereby revoked and replaced as follows :—

17. (a) For the purpose of section 3 of the Whale Fishery (Consolidation) Ordinance, whales of the undermentioned species shall be deemed to be immature if they are less than the lengths set out below in relation to each species :—

- (i) Blue Whale, 70 feet (21.3 metres);
- (ii) Fin Whale, 57 feet (17.4 metres);
- (iii) Sperm Whale, 38 feet (11.6 metres) in the case of any sperm whale taken for delivery to a factory ship or 35 feet (10.7 metres) in the case of any sperm whale taken for delivery to a land station;
- (iv) Sei Whale, 40 feet (12.2 metres);

except that blue whales of not less than 65 feet (19.8 metres) and fin whales of not less than 55 feet (16.8 metres) and sei whales of not less than 35 feet (10.7 metres) in length may be taken for delivery to a land station provided that the meat of such whales is to be used for local consumption as human or animal food.

(b) For the purposes of this Regulation whales must be measured when at rest on deck or platform, as accurately as possible by means of a steel tape measure fitted at the zero end with a spiked handle which can be stuck into the deck planking abreast of one end of the whale. The tape measure shall be stretched in a straight line parallel with the whale's body and read abreast the other end of the whale. The ends of the whale, for measurement purposes, shall be the point of the other upper jaw and the notch between the tail flukes. Measurements, after being accurately read on the tape measure, shall be logged to the nearest foot, that is to say, any whale between 75 feet 6 inches and 76 feet 6 inches shall be logged as 76 feet, and any whale between 76 feet 6 inches and 77 feet 6 inches shall be logged as 77 feet. The measurement of any whale which falls on an exact half foot shall be logged at the next half foot, e.g., 76 feet 6 inches precisely shall be logged as 77 feet.

(c) In this regulation —

the expression "Blue Whale" means a whale known by any of the names set out in Part II of the first Schedule to the Whale Fishery (Consolidation) Ordinance;

the expression "Fin Whale" means a whale known by any of the names set out in Part III of the first Schedule to the Whale Fishery (Consolidation) Ordinance;

the expression "Sperm Whale" means any whale known by any of the names, sperm whale, spermacet whale, cachalot or pot whale;

the expression "Sei Whale" means any whale known by the name of sei whale, Rudolphi's rorqual, pollack whale, or coalfish whale and shall be taken to include Bryde's whale.

Made by the Governor in Council on the 18th day of September, 1958.

J. BOUND,  
*Clerk of the Executive Council.*

Ref. D/16/46.

## FALKLAND ISLANDS.

### The Pensions Ordinance (Cap. 49)

## REGULATIONS

(under section 3 of the Ordinance)

E. P. ARROWSMITH,  
*Governor.*

No. 4 of 1958.

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 (E. M. Cawkell) Regulations, 1958, and shall be read as one with the Pensions Regulations for the purpose of calculating the pension of Edwin Mark Cawkell on his ultimate retirement.

Cap. 49.

Short title.

2. Notwithstanding anything to the contrary in Regulation 4 of the Pensions Regulations, it shall be lawful for any pension granted Edwin Mark Cawkell in respect of his service under the Government of the Colony to be computed at the annual rate of one six-hundredth of his pensionable emoluments for each complete month of his pensionable service.

Made by the Governor in Executive Council at a meeting held on the 3rd day of November, 1958.

J. BOUND,  
*Clerk of the Executive Council.*

Ref. P/504.

FALKLAND ISLANDS.

The Pensions Ordinance (Cap. 49)

REGULATIONS

(under section 3 of the Ordinance)

E. P. ARROWSMITH,  
*Governor.*

No. 5 of 1958.

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, 1958, and shall be read as one with the Pensions Regulations, hereinafter referred to as the principal Regulations.  | Cap. 49.<br><br>Short title.<br><br>Revised Edition Vol. II. p. 212. |
| 2. The principal Regulations are hereby amended by substituting the words "service under the Government of the Colony" for the words "the service of the Colony" and "service in the Colony" wherever the words occur.  | Amendment of the principal Regulations.                              |
| 3. Regulations 3, 8 and 9 of the principal Regulations are hereby amended by substituting the words "wholly under the Government of the Colony" for the words "wholly in the Colony".   | Amendment of regulations 3, 8 and 9 of the principal Regulations.    |
| 4. Regulation 4 of the principal Regulations is hereby amended by substituting the words "a pensionable office under the Government of the Colony" for the words "a pensionable office in the Colony".  | Amendment of regulation 4 of the principal Regulations.              |
| 5. Sub-paragraph (a) of paragraph (2) of Regulation 8 of the principal Regulations is hereby amended by inserting the words "or lesser period" between the words "three years" and the words "preceding that date".   | Amendment of regulation 8 of the principal Regulations.              |
| 6. For Regulation 16 of the principal Regulations the following shall be substituted :—   | Substitution of regulation 16 of the principal Regulations           |
| <p>"Emoluments to be taken for computing pension or gratuity.</p> <p>16. (1) For the purpose of computing the amount of the pension or gratuity of an officer who has had a period of not less than three years' pensionable service before his retirement —</p> <p>(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 ;</p> <p>(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, otherwise than by the grant of any scale increment, 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 ;</p> |  |

- (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 annual 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 scale 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.

(2) For the purposes of determining under paragraph (1) of this regulation the pensionable emoluments that an officer has enjoyed or would have enjoyed, as the case may be, he shall be deemed -

- (a) to have been on duty on full pensionable emoluments throughout the period of three years immediately preceding the date of his retirement ; and
- (b) to have enjoyed the benefit of any increase due to a revision of salaries in the pensionable emoluments of any office held by him as if such increase had been payable throughout such period of three years.

(3) For the purpose of computing the amount of the pension or gratuity of an officer who has had a period of less than three years' pensionable service before his retirement -

- (a) the average annual pensionable emoluments enjoyed by him during such period shall be taken ;
- (b) he shall be deemed to have been on duty on full pensionable emoluments throughout such period ; and
- (c) he shall be deemed to have enjoyed the benefit of any increase due to a revision of salaries in the pensionable emoluments of any office held by him as if such increase had been payable throughout such period."

Amendment of regulation 22 of the principal Regulations.

7. Paragraph (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".

Substitution of Schedule to the principal Regulations.

8. For the Schedule to the principal Regulations, there shall be substituted the following new Schedule :—

## "SCHEDULE

### Regulation 7.

Aden	Leeward Islands (before 1st July, 1956)
Antigua	Malayan Establishment
Bahamas	Malayan Union
Barbados	Malta
Basutoland	Mauritius
Bechuanaland Protectorate	Montserrat
Bermuda	Nigeria
British Guiana	North Borneo
British Honduras	Northern Region of Nigeria
British Solomon Islands Protectorate	Northern Rhodesia
Cayman Islands	Nyasaland
Crown Agents for Overseas Governments & Administrations	Overseas Audit Department (Home Establishment)
Cyprus	St. Christopher, Nevis & Anguilla
Dominica	St. Helena
East Africa High Commission	St. Lucia
East African Railways and Harbour Administration	St. Vincent
Eastern Region of Nigeria	Sarawak
Employing Authorities under the Overseas Superannuation Scheme	Service under the Overseas Service Act, 1958
Federated Malay States	Seychelles
Federation of Malaya	Sierra Leone
Federation of Nigeria	Singapore
Federation of Rhodesia and Nyasaland	Somaliland
Fiji	Straits Settlements
Gambia	Swaziland
Ghana	Tanganyika
Gibraltar	Trinidad
Gilbert & Ellice Islands Colony	Turks and Caicos Islands
Gold Coast	Uganda
Grenada	United Kingdom of Great Britain and Northern Ireland
Hong Kong	Virgin Islands
Jamaica	Western Region of Nigeria
Kenya	Zanzibar".
Kenya & Uganda Railways and Harbour Administration	

9. The Pensions (Amendment) Regulations, 1954, (No. 2 of 1954) are hereby revoked.

Made by the Governor in Executive Council on the 3rd day of November, 1958.

J. BOUND,  
Clerk of the Executive Council.

Ref. 0829/II.

FALKLAND ISLANDS.

The Pensions Ordinance, 1937.

REGULATIONS

(under section 3 of the Ordinance).

E. P. ARROWSMITH,  
*Governor.*

No. 6 of 1958.

In exercise of the powers conferred upon the Governor in Council by Section 3 of the Pensions Ordinance, 1937, 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) (No. 2) Regulations, 1958, and shall be read as one with the Pensions Regulations, 1937, hereinafter referred to as the principal Regulations. Short title.

2. Paragraph (1) of regulation 15 of the principal Regulations is amended by the deletion of the word "ten" and the substitution therefor of the words "twelve and one-half". Amendment of regulation 15 of the principal Regulations.

Made by the Governor in Council on the 3rd day of November, 1958.

J. BOUND,  
*Clerk of the Executive Council.*

Ref. 0829/II.

## FALKLAND ISLANDS.

### The Live Stock Ordinance (Cap. 40)

## REGULATIONS

(under section 43 of the Ordinance)

E. P. ARROWSMITH,  
*Governor.*

No. 7 of 1958.

His Excellency the Governor in exercise of the powers vested in him by section 43 of the Live Stock 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 Live Stock Quarantine (Amendment) Regulations, 1958, and shall come into force on the first day of January, 1959, and shall be read as one with the Live Stock Quarantine Regulations, hereinafter referred to as the principal Regulations.

Short title and  
commencement.  
Revised Edition, Vol. II  
p. 205.

2. Schedule C to the principal Regulations is amended by

- (a) the deletion of the fullstop after the figures and word "90 days" and
- (b) the addition thereto of the words and figures "or 180 days in the case of dogs imported from or through any place in South America." after the words and figures "Dogs ..... 90 days."

Amendment of Schedule  
C to the principal Regu-  
lation.

Made by the Governor in Council on the 14th day of November, 1958.

J. BOUND,  
*Clerk of the Executive Council.*

Ref. 0301.

# FALKLAND ISLANDS.

## Regulations made by the Governor under Royal Warrant dated the 21st March, 1956.

E. P. ARROWSMITH,  
*Governor.*

### THE COLONIAL POLICE LONG SERVICE MEDAL FALKLAND ISLANDS

In pursuance of the Royal Warrant dated the 21st March, 1956, 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 Colonial Police Long Service Medal Regulations, 1957. Short title.

2. The Colonial Police Long Service Medal will be granted as a reward for long service and good conduct to constables and subordinate officers below the rank of Chief Constable in the Falkland Islands and Dependencies, who on or after the 21st day of March, 1956, shall have completed eighteen years' continuous service as hereinafter defined. Service required.

A Clasp will also be granted to a recipient of the Medal on his completing twenty-five years' qualifying service, and a further Clasp on completing thirty years' qualifying service. For each Clasp so awarded a small silver rose may be added to the ribbon when worn alone.

3. Qualifying service in the Civil Police Forces of other Colonies or Territories under Her Majesty's Protection or Administration may be allowed to reckon towards the required period of qualifying service, if the total period of such service amounts to not less than eighteen years; provided, however, that where service has been rendered in more than one such territory as aforesaid an interval not exceeding twelve months between any two periods of service shall not be regarded as breaking the continuity of such service; provided also that a break in service not exceeding six calendar months in any one such territory shall not be regarded as breaking the continuity of such service. Continuity of service.

Service in Military Police Forces shall not be regarded as qualifying service.

4. For the purpose of these Regulations service shall be reckoned as qualifying service only if it is certified that the character and conduct of the person recommended for the grant of the Medal and Clasp has been exemplary. Exemplary character.

An officer shall only be considered of exemplary character provided that, during his service in the Police, he has not been sentenced as follows :—

- (a) to reduction in rank ;
- (b) to confinement to cells ;
- (c) more than twice for drunkenness ;
- (d) more than four times to fines exceeding 2s. 6d. ;
- (e) more than twice to fines exceeding 5s. ;

And provided that he has no adverse entry in his record during the last seven years prior to the award of the Medal.

For the purposes of reckoning the number of times an officer has been sentenced, every three years over seven years subsequent to his last adverse entry and during which an officer has no adverse entry in his record shall have the effect of cancelling one entry except an entry of reduction in rank or confinement to cells. If an officer has completed eighteen years without an adverse entry all convictions shall be considered cancelled.

For the purposes of the grant of a Clasp or Clasps to the Medal, an officer shall only be considered of exemplary character if he has had no adverse entry in his record since the grant of the Medal.

An officer who fulfills all the above conditions, will not, however, be considered as of exemplary character unless the Chief Constable certifies that his conduct, attention to duty and private life are exemplary.

Recommending  
authority.

5. Recommendations for the award of the Medal or Clasp shall be submitted by the Chief Constable to the Governor or the Officer Administering the Government. The Medal will be awarded on the authority of the Governor or the Officer Administering the Government and a notification of such award shall be published in the Gazette.

Forfeiture and  
restoration.

6. (a) A recipient of the Medal or Clasp who is convicted of a criminal offence or is dismissed or removed from the Police Force for misconduct shall forfeit the Medal or Clasp unless the Governor or the Officer Administering the Government shall otherwise direct.

(b) A Medal or Clasp so forfeited may be restored to the recipient by the Governor or the Officer Administering the Government at his discretion.

(c) A notice of forfeiture or restoration shall in every case be published in the Gazette.

Replacement of medal.

7. Should the holder lose his Medal it may be replaced on repayment by the loser, unless the Governor or the Officer Administering the Government decides to relieve him of this liability.

Revocation.

8. The Colonial Police and Fire Brigades Long Service Medal Regulations, 1935, are hereby revoked.

Stanley,

19th August, 1958.

Ref : 1749.

## FALKLAND ISLANDS.

No. 1.

## Proclamation

1958.

Made under section 24 of the Falkland Islands (Legislative Council)  
Order in Council, 1948 to 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.

E. P. ARROWSMITH — *By His Excellency* EDWIN PORTER ARROWSMITH,  
ESQUIRE, *Companion of the Most Distinguished Order  
of Saint Michael and Saint George, Governor and  
Commander-in-Chief in and over the Colony of the  
Falkland Islands and its Dependencies.*

[L.S.]

WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation :

NOW THEREFORE, I, EDWIN PORTER ARROWSMITH, Companion of the Most Distinguished Order of Saint Michael and Saint George, 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 by this Proclamation appoint Tuesday or Wednesday the 26th or 27th day of March, 1958, at ten o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

GOD SAVE THE QUEEN.

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 19th day of March, in the Year of Our Lord One thousand Nine hundred and Fifty-eight.

*By His Excellency's Command,*

A. G. DENTON-THOMPSON,

*Colonial Secretary.*

# FALKLAND ISLANDS.

No. 2

## Proclamation

1958

Made under section 2 of the Place-names Ordinance, 1956.

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.

E. P. ARROWSMITH — *By His Excellency EDWIN PORTER ARROWSMITH, ESQUIRE, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies.*

[L.S.]

WHEREAS by subsection (1) of section 2 of the Place-names Ordinance, 1956, it is provided that the Governor may by Proclamation under his hand declare and publish a list of the names of various islands and lands constituting the Dependencies and of the coasts, peninsulas, capes, headlands, seas, straits, sounds, bays, inlets and other physical features thereof; and of the harbours and whaling stations therein, and may from time to time in like manner add to or alter such list:

AND WHEREAS it appears to the Governor expedient that the list of place-names declared and published under Proclamation No. 2 of 1956, should be added to and altered:

NOW, THEREFORE, I, EDWIN PORTER ARROWSMITH, Companion of the Most Distinguished Order of Saint Michael and Saint George, 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 aforesaid, do hereby proclaim and declare the place-names in the Dependencies of the Colony of the Falkland Islands, listed in the Gazetteer of the Falkland Islands Dependencies (Supplement No. 1) published by the Foreign Office, London, on the 3rd March, 1958, to be accepted place-names for official use.

Proclamation No. 6, dated the 15th of December, 1957, is hereby revoked.

**GOD SAVE THE QUEEN.**

Given under my hand and the Public Seal at Government House, Stanley, this 30th day of April, in the year of Our Lord One thousand Nine hundred and fifty-eight.

*By His Excellency's Command*

S. G. TREES,

*Acting Colonial Secretary.*

FALKLAND ISLANDS.

The Old Age Pensions (Amendment) Ordinance, 1958.

Order by His Excellency the Governor in Council.

(under section 2 of the Ordinance)

E. P. ARROWSMITH,

*Governor.*

No. 1 of 1958.

In exercise of the power vested in him by section 2 of the Old Age Pensions (Amendment) Ordinance, 1958, and with the advice of the Executive Council, His Excellency the Governor is pleased to order and it is hereby ordered :—

1. That the provisions of the Old Age Pensions Ordinance, 1952, shall not apply and shall be deemed never to have applied to officers and crew serving on the Royal Research Ships "John Biscoe" and "Shackleton" who are not permanently resident in the Colony.

2. That this Order shall be deemed to have come into operation on the 1st day of July, 1952.

Made by the Governor in Executive Council at a meeting held on the 19th and 20th March, 1958.

J. BOUND,

*Clerk of the Executive Council.*

Ref : 0323/D.

FALKLAND ISLANDS.

The Diplomatic Privileges (Extension) Ordinance, (Cap. 20)

**ORDER**

(under Section 2 of the Ordinance).

E. P. ARROWSMITH,

*Governor.*

No. 2 of 1958.

His Excellency the Governor in exercise of the powers vested in him by section 2 of the Diplomatic Privileges (Extension) 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 Diplomatic Privileges (International Refugee Organisation) (Revocation) Order, 1958.

Title.

2. The Diplomatic Privileges (International Refugee Organisation) Order, 1951, is hereby revoked.

Revocation of Order No. 4 of 1951.

Made by the Governor in Council on the 18th day of September, 1958.

J. BOUND,

*Clerk of the Executive Council.*

Ref. 85/46/II.

FALKLAND ISLANDS.

Harbour Ordinance (Cap. 30)

**ORDER**

**Declaring East Cumberland Bay, South Georgia, and  
Stromness Bay, South Georgia, to be Harbours.**

(under section 2 of the Ordinance)

E. P. ARROWSMITH,  
*Governor.*

No. 3 of 1958.

His Excellency the Governor, in pursuance of the powers vested in him by section 2 of the Harbour Ordinance, is pleased, by Cap. 30. and with the advice and consent of the Executive Council, hereby to declare the following places within the limits defined to be Harbours :

EAST CUMBERLAND BAY, South Georgia — All the waters enclosed by an imaginary line drawn from Sappho Point to Barff Point and the shore at high water mark between these points;

STROMNESS BAY, South Georgia — All the waters enclosed by an imaginary line drawn from Cape Saunders to Busen Point and the shore at high water mark between these points.

Made in the Executive Council this 23rd day of January, 1958.

*By Command,*

A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

## FALKLAND ISLANDS.

### The Diplomatic Privileges (Extension) Ordinance (Cap 20)

#### ORDER

(under section 2 of the Ordinance)

E. P. ARROWSMITH,

*Governor.*

No. 4 of 1958.

Whereas by Section 2 of the Diplomatic Privileges (Extension) Ordinance, (hereinafter referred to as the Ordinance) it is enacted :

That the provisions of this Section shall apply to any organisation declared by an Order of the Governor in Council to be an organisation of which Her Majesty's Government in the United Kingdom and the government or governments of one or more foreign sovereign Powers are members;

That the Governor may, by Order in Council, provide that any organisation to which this Section applies 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 the Ordinance and shall have the legal capacities of a body corporate;

That the Governor may, by Order in Council, confer on the representatives (whether of Governments or not) on any organ of the organisation and upon officers and servants of the organisation, the immunities and privileges set forth in Parts II and III of the said Schedule to the extent specified in the order; and

That Part IV of the Schedule to the Ordinance shall have effect for the purpose of extending to the staffs of representatives and to the families of certain high officers of the organisation any immunities and privileges conferred on the representatives or officers, except in so far as the operation of the said Part IV is excluded by the Order conferring privileges and immunities;

And Whereas the Universal Postal Union, on the fifth day of April, 1949, deposited with the Secretary-General of the United Nations a notification that it accepted the standard clauses of the Convention on Privileges and Immunities for the Specialised Agencies of the United Nations and the said Convention thereupon became applicable to the Union in accordance with Section 37 thereof;

And Whereas Her Majesty's Government in the United Kingdom desire to undertake to apply the provisions of the said Convention in their own behalf and on behalf of the Government of the Colony, to the Universal Postal Union in accordance with Section 43 thereof;

Now, Therefore, His Excellency the Governor, in exercise of the powers conferred upon him by Section 2 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 Diplomatic Privileges (Universal Postal Union) Order, 1958.

#### A. The Organisation.

2. The Universal Postal Union (hereinafter referred to as the Union) is an organisation of which the United Kingdom and foreign sovereign Powers are members.

3. The Union shall have the legal capacities of a body corporate and, except in so far as in any particular case it has expressly waived its immunity, immunity from suit and legal process. No waiver of immunity shall be deemed to extend to any measure of execution.

4. The Union shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of official archives and premises of an envoy of a foreign sovereign Power accredited to Her Majesty.

5. The Union shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a foreign sovereign Power.

6. The Union shall have exemption from taxes on the importation of goods directly imported by the Union for its official use in the Colony or for exportation, or on the importation of any publications of the Union directly imported by it, such exemption to be subject to compliance with such conditions as the Collector of Customs may prescribe for the protection of the Revenue.

7. The Union shall have exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the Union for its official use and in the case of any publications of the Union directly imported or exported by it.

8. The Union shall have 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.

#### B. Representatives, on Organs or Committees of the Union.

9. (1) Except in so far as in any particular case any privilege or immunity is waived by the Governments whom they represent, representatives of members at Congresses, on the Executive and Liaison Committee, at administrative conferences or on commissions provided for in the constitution of the Union, or on any committee of any of these bodies shall enjoy :—

(a) While exercising their functions as such and during their journeys to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability for all papers and documents.

(b) Immunity from legal process of every kind in respect of words spoken or written and things done or omitted to be done by them in their capacity as representatives.

(2) Where the incidence of any form of taxation depends upon residence, representatives shall not be deemed to be resident in the Colony during any period when they are present in the Colony for the discharge of their duties.

(3) For the purposes of the application of this Article the expression "representatives" shall be deemed to include, in addition to the representatives, the following members of their official staffs accompanying them as such representatives :—

Alternate representatives,  
Advisers,  
Technical experts,  
Secretaries of Delegations,

and Part IV of the Schedule to the Ordinance shall not operate so as to confer privileges or immunities on the staffs of representatives other than on those persons falling within the above-mentioned descriptions.

#### C. High Officials of the Union.

10. Except in so far as in any particular case any privilege or immunity is waived by the Union, the Director of the International Bureau of the Union (including any officer acting for him during his absence from duty) shall be accorded, in respect of himself, his spouse and his children under the age of twenty-one, the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes, other than income tax, as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty, his spouse and children and exemption from income tax in respect of emoluments received by him as an officer of the Union.

#### D. Other Officials of the Union.

11. Except in so far as in any particular case any privilege or immunity is waived by the Union, officials of the Union of any category specified by it shall enjoy :—

(a) immunity from suit and legal process in respect of words spoken or written and things done or omitted to be done by them in the course of the performance of their official duties;

(b) exemption from income tax in respect of emoluments received by them as officers or servants of the Union.

#### E. General.

12. The names of the persons to whom the provisions of Articles 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 2 (3) of the Ordinance, and such list shall show 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 by the Governor in Executive Council at a meeting held on the 3rd day of November, 1958.

J. BOUND,  
*Clerk of the Executive Council.*

Ref. 85/46/II.

## FALKLAND ISLANDS.

### The Diplomatic Privileges (Extension) Ordinance. (Cap. 20)

#### ORDER

(under section 2 of the Ordinance.)

E. P. ARROWSMITH,

No. 5 of 1958.

*Governor.*

Whereas by Section 2 of the Diplomatic Privileges (Extension) Ordinance, (hereinafter referred to as the Ordinance) it is enacted :

That the provisions of this Section shall apply to any organisation declared by an Order of the Governor in Council to be an organisation of which Her Majesty's Government in the United Kingdom and the government or governments of one or more foreign sovereign Powers are members ;

That the Governor may, by Order in Council, provide that any organisation to which this Section applies 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 the Ordinance and shall have the legal capacities of a body corporate ;

That the Governor may, by Order in Council, confer on the representatives (whether of Governments or not) on any organ of the organisation and upon officers and servants of the organisation, the immunities and privileges set forth in Parts II and III of the said Schedule to the extent specified in the Order ; and

That Part IV of the Schedule to the Ordinance shall have effect for the purpose of extending to the staffs of representatives and to the families of certain high officers of the organisation any immunities and privileges conferred on the representatives or officers, except in so far as the operation of the said Part IV is excluded by the Order conferring privileges and immunities ;

And Whereas the World Meteorological Organisation, on the twenty-ninth day of December, 1951, deposited with the Secretary-General of the United Nations a notification that it accepted the standard clauses of the Convention on Privileges and Immunities for the Specialised Agencies of the United Nations and the said Convention thereupon became applicable to the Organisation in accordance with Section 37 thereof ;

And Whereas Her Majesty's Government in the United Kingdom desire to undertake to apply the provisions of the said Convention in their own behalf and on behalf of the Government of the Colony, to the World Meteorological Organisation in accordance with Section 43 thereof ;

Now, Therefore, His Excellency the Governor, in exercise of the powers conferred upon him by Section 2 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 Diplomatic Privileges (World Meteorological Organisation) Order, 1958.

#### A. The Organisation.

2. The World Meteorological Organisation (hereinafter referred to as the Organisation) is an organisation of which the United Kingdom and foreign sovereign Powers are members.

3. The Organisation shall have the legal capacities of a body corporate and, except in so far as in any particular case it has expressly waived its immunity, immunity from suit and legal process. No waiver of immunity shall be deemed to extend to any measure of execution.

4. The Organisation shall have the like inviolability of official archives and premises

occupied as offices as is accorded in respect of official archives and premises of an envoy of a foreign sovereign Power accredited to Her Majesty.

5. The Organisation shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a foreign sovereign Power.

6. The Organisation shall have 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 the Collector of Customs may prescribe for the protection of the Revenue.

7. The Organisation shall have 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.

8. The Organisation shall have 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.

#### B. Representatives, on Organs or Committees of the Organisation.

9. (1) Except in so far as in any particular case any privilege or immunity is waived by the Governments whom they represent, representatives of members at the World Meteorological Congress, on the Executive Committee, at regional associations, on technical commissions, or on any committee of any of these bodies shall enjoy :—

- (a) While exercising their functions as such and during their journeys to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability for all papers and documents.
- (b) Immunity from legal process of every kind in respect of words spoken or written and things done or omitted to be done by them in their capacity as representatives.

(2) Where the incidence of any form of taxation depends upon residence, representatives shall not be deemed to be resident in the Colony during any period when they are present in the Colony for the discharge of their duties.

(3) For the purposes of the application of this Article the expression "representatives" shall be deemed to include, in addition to the representatives, the following members of their official staffs accompanying them as such representatives :—

Alternate representatives,  
Advisers,  
Technical experts,  
Secretaries of Delegations,

and Part IV of the Schedule to the Ordinance shall not operate so as to confer privileges or immunities on the staff of representatives other than on those persons falling within the above-mentioned descriptions.

#### C. High Officials of the Organisation.

10. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, any officer of the Organisation holding the office of Secretary General (including any officer acting for him during his absence from duty) shall be accorded in respect of himself, his spouse and his children under the age of twenty-one, the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes, other than income tax, as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty, his spouse and children, and exemption from income tax in respect of emoluments received by him as an officer of the Organisation.

#### D. Other Officials of the Organisation.

11. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, officials of the Organisation of any category specified by it shall enjoy :—

- (a) immunity from suit and legal process in respect of words spoken or written and things done or omitted to be done by them in the course of the performance of their official duties ;
- (b) exemption from income tax in respect of emoluments received by them as officers or servants of the Organisation.

#### E. General.

12. The names of the persons to whom the provisions of Articles 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 2 (3) of the Ordinance, and such list shall show 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 by the Governor in Executive Council at a meeting held on the 3rd day of November, 1958.

J. BOUND,  
*Clerk of the Executive Council.*

Ref. 85/46/II.

## FALKLAND ISLANDS.

### The Diplomatic Privileges (Extension) Ordinance (Cap. 20)

#### ORDER

(under section 2 of the Ordinance.)

E. P. ARROWSMITH,

*Governor.*

No. 6 of 1958.

Whereas by Section 2 of the Diplomatic Privileges (Extension) Ordinance, (hereinafter referred to as the Ordinance) it is enacted :

That the provisions of this Section shall apply to any organisation declared by an Order of the Governor in Council to be an organisation of which Her Majesty's Government in the United Kingdom and the government or governments of one or more foreign sovereign Powers are members ;

That the Governor may, by Order in Council, provide that any organisation to which this Section applies 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 the Ordinance and shall have the legal capacities of a body corporate ;

That the Governor may, by Order in Council, confer on the representatives (whether of Governments or not) on any organ of the organisation and upon officers and servants of the organisation, the immunities and privileges set forth in Parts II and III of the said Schedule to the extent specified in the Order ; and

That Part IV of the Schedule to the Ordinance shall have effect for the purpose of extending to the staffs of representatives and to the families of certain high officers of the organisation any immunities and privileges conferred on the representatives or officers, except in so far as the operation of the said Part IV is excluded by the Order conferring privileges and immunities ;

And Whereas the International Telecommunication Union, on the sixteenth day of January, 1951, deposited with the Secretary-General of the United Nations a notification that it accepted the standard clauses of the Convention on Privileges and Immunities for the Specialised Agencies of the United Nations except that it did not claim for itself the enjoyment of privileged treatment with regard to the facilities in respect of communications provided in Article IV, Section 11, and the said Convention thereupon became applicable to the Union in accordance with Section 37 thereof ;

And Whereas Her Majesty's Government in the United Kingdom desire to undertake to apply the provisions of the said Convention in their own behalf and on behalf of the Government of the Colony, to the International Telecommunication Union in accordance with Section 43 thereof ;

Now, Therefore, His Excellency the Governor, in exercise of the powers conferred upon him by Section 2 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 Diplomatic Privileges (International Telecommunication Union) Order, 1958.

#### A. The Organisation.

2. The International Telecommunication Union (hereinafter referred to as the Union) is an Organisation of which the United Kingdom and foreign sovereign Powers are members.

3. The Union shall have the legal capacities of a body corporate and, except in so far as in any particular case it has expressly waived its immunity, immunity from suit and legal process. No waiver of immunity shall be deemed to extend to any measure of execution.

4. The Union shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of official archives and premises of an envoy of a foreign sovereign Power accredited to Her Majesty.

5. The Union shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a foreign sovereign Power.

6. The Union shall have exemption from taxes on the importation of goods directly imported by the Union for its official use in the Colony or for exportation, or on the importation of any publications of the Union directly imported by it, such exemption to be subject to compliance with such conditions as the Collector of Customs may prescribe for the protection of the Revenue.

7. The Union shall have exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the Union for its official use and in the case of any publications of the Union directly imported or exported by it.

**B. Representatives, on Organs or Committees of the Union.**

8. (1) Except in so far as in any particular case any privilege or immunity is waived by the Governments whom they represent, representatives of member Governments at plenipotentiary and administrative conferences, on the administrative council, on consultative committees or on any committee of any of these bodies shall enjoy :—

(a) While exercising their functions as such and during their journeys to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability for all papers and documents.

(b) Immunity from legal process of every kind in respect of words spoken or written and things done or omitted to be done by them in their capacity as representatives.

(2) Where the incidence of any form of taxation depends upon residence, representatives shall not be deemed to be resident in the Colony during any period when they are present in the Colony for the discharge of their duties.

(3) For the purposes of the application of this Article the expression "representatives" shall be deemed to include, in addition to the representatives, the following members of their official staffs accompanying them as such representatives :—

Alternate representatives,  
Advisers,  
Technical experts,  
Secretaries of Delegations,

and Part IV of the Schedule to the Ordinance shall not operate so as to confer privileges or immunities on the staffs of representatives other than on those persons falling within the above-mentioned description.

**C. High Officials of the Union.**

9. Except in so far as in any particular case any privilege or immunity is waived by the Union, any officer of the Union holding the office of Secretary-General (including any officer acting for him during his absence from duty) shall be accorded in respect of himself, his spouse and his children under the age of twenty-one, the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes, other than income tax as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty, his spouse and children, and exemption from income tax in respect of emoluments received by him as an officer of the Union.

**D. Other Officials of the Union.**

10. Except in so far as in any particular case any privilege or immunity is waived by the Union, officials of the Union of any category specified by it shall enjoy :—

(a) immunity from suit and legal process in respect of words spoken or written and things done or omitted to be done by them in the course of the performance of their official duties ;

(b) exemption from income tax in respect of emoluments received by them as officers or servants of the Union.

**E. General.**

11. The names of the persons to whom the provisions of Articles 8 and 9 of this Order apply shall be set forth in a list compiled and published from time to time by the Governor under Section 2 (3) of the Ordinance, and such list shall show 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 by the Governor in Executive Council at a meeting held on the 3rd day of November, 1958.

J. BOUND,  
*Clerk of the Executive Council.*

Ref. 85/46/II.

## FALKLAND ISLANDS.

### The Post Office Ordinance (Cap. 52)

## ORDER

(under section 4 of the Ordinance.)

E. P. ARROWSMITH,  
*Governor.*

No. 7 of 1958.

His Excellency the Governor in exercise of the powers vested in him by section 4 of the Post Office Ordinance, is pleased, by and with the advice of the Executive Council to order, and it is hereby ordered as follows:—

Cap. 52.

1. This Order may be cited as the Post Office (Amendment) Order, 1958, and shall be read as one with the Post Office Order, 1953, hereinafter referred to as the principal Order.

Short title.

No. 3 of 1953.

2. Section 2 of the principal Order is amended as follows:—

Amendment of section 2 of the principal Order.

(a) in paragraph (c) by the insertion of the words "or Inland" immediately after the words "British Commonwealth" and by the deletion of the words "The Inland rate shall be 1d. for the first 4 ozs. and  $\frac{1}{2}$ d. for each additional 2 ozs. or part thereof up to 2 lb."

(b) by substituting the following new paragraph for paragraph (p):—

"(p) Postal matter for onward transmission by air from Montevideo to any destination shall be accepted at the rate of 1/- per five grammes or part thereof."

Made by the Governor in Council on the 3rd day of November, 1958.

J. BOUND,  
*Clerk of the Executive Council.*

## FALKLAND ISLANDS.

### The Consular Conventions Ordinance (Cap. 14)

#### ORDER

(under section 6 of the Ordinance)

E. P. ARROWSMITH,

*Governor.*

No. 8 of 1958.

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 for 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 Italian Republic was signed at Rome on the 1st day of June, 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 29th day of December, 1957 :

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 (Italian Republic) Order, 1958.
2. Sections 2, 3, 4 and 5 of the Ordinance shall apply to the Italian Republic.

Made by the Governor in Executive Council at a meeting held on the 3rd day of November, 1958.

J. BOUND,

*Clerk of the Executive Council.*

## FALKLAND ISLANDS.

### The Diplomatic Privileges (Extension) Ordinance (Cap. 20)

#### ORDER

(under section 2 of the Ordinance)

E. P. ARROWSMITH,

*Governor.*

No. 9 of 1958.

Whereas it is expedient to amend the Diplomatic Privileges (International Civil Aviation Organisation) Order, hereinafter referred to as the principal Order:

Revised Edition Vol. II.  
page 176.

Now, Therefore, His Excellency the Governor, in exercise of the powers conferred upon him by Section 2 of the Diplomatic Privileges (Extension) 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 Diplomatic Privileges (International Civil Aviation Organisation) (Amendment) Order, 1958, and shall be read as one with the principal Order.

2. In paragraph (1) of Article 3 of the principal Order the words "to the Council of the Organisation" shall be replaced by the words "to the Assembly or to the Council of the Organisation, to any Commission (however named) provided for in the constitution of the Organisation, or to any Committee of such Assembly, Council or Commission".

Made by the Governor in Executive Council at a meeting held on the 3rd day of November, 1958.

J. BOUND,

*Clerk of the Executive Council.*

## FALKLAND ISLANDS.

### The Consular Conventions Ordinance (Cap. 14)

#### ORDER

(under section 6 of the Ordinance)

E. P. ARROWSMITH,

No. 10 of 1958.

*Governor.*

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 for 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 Federal Republic of Germany was signed at Bonn on the 30th day of July, 1956, 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 28th day of December, 1957 :

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 (Federal Republic of Germany) Order, 1958.

2. Sections 2, 3, 4 and 5 of the Ordinance shall apply to the Federal Republic of Germany.

Made by the Governor in Executive Council at a meeting held on the 3rd day of November, 1958.

J. BOUND,

*Clerk of the Executive Council.*

FALKLAND ISLANDS.

The Old Age Pensions (Amendment) Ordinance, 1958.

**ORDER**

(under section 2 of the Ordinance)

E. P. ARROWSMITH,

*Governor.*

No. 11 of 1958.

In exercise of the powers vested in him by section 2 of the Old Age Pensions (Amendment) Ordinance, 1958, and with the advice of the Executive Council, His Excellency the Governor is pleased to order and it is hereby ordered :—

1. That the provisions of the Old Age Pensions Ordinance, 1952, shall not apply and shall be deemed never to have applied to Brother Venantius Roozendaal of St. Mary's Roman Catholic Church.

2. That this Order shall be deemed to have come into operation on the 3rd July, 1954.

Made by the Governor in Executive Council at a meeting held on the 3rd day of November, 1958.

J. BOUND,

*Clerk of the Executive Council.*

Ref. 0323/A/IV.



Colony of the  
Falkland Islands and Dependencies

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Ordinances,  
Regulations, Orders, etc.  
1959

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## PART I. ORDINANCES.

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### COLONY -

Ordinance No. 1 of 1959	Customs (Amendment) Ordinance.
" " 2 " "	Retiring Allowance to Nurses (Revival) Ordinance.
" " 3 " "	Whale Fishery (Amendment) Ordinance.
" " 4 " "	Foreign Judgments (Reciprocal Enforcement) Ordinance.
" " 5 " "	Supplementary Appropriation (1957-58) Ordinance.
" " 6 " "	Appropriation (1959-60) Ordinance.
" " 7 " "	Legislative Council (Elections) (Amendment) Ordinance.
" " 8 " "	Pensions (Amendment) Ordinance.
" " 9 " "	Defence Force (Amendment) Ordinance.
" " 10 " "	Old Age Pensions (Amendment) Ordinance.
" " 11 " "	Application of Enactments Ordinance.
" " 12 " "	Pensions (Increase) Ordinance.
" " 13 " "	Live Stock (Amendment) Ordinance.
" " 14 " "	Road Traffic (Amendment) Ordinance.
" " 15 " "	Whale Fishery (Amendment) (No. 2) Ordinance.
" " 16 " "	Live Stock (Amendment) (No. 2) Ordinance.
" " 17 " "	Pensions (Increase) (Amendment) Ordinance.
" " 18 " "	Estate Duty (Amendment) Ordinance.
" " 19 " "	Supplementary Appropriation (1958-59) Ordinance.
" " 20 " "	Application of Enactments (Amendment) Ordinance.
" " 21 " "	Customs (Amendment) Ordinance.

### DEPENDENCIES -

Ordinance No. 1 of 1959	Supplementary Appropriation (Dependencies) (1957-58) Ordinance.
" " 2 " "	Application of Colony Laws Ordinance.
" " 3 " "	Appropriation (Dependencies) (1959/1960) Ordinance.
" " 4 " "	Appropriation (Dependencies) (1959/1960) (Amendment) Ordinance.
" " 5 " "	Application of Colony Laws Ordinance (No. 2) Ordinance.

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Assented to in Her Majesty's name this 31st day of  
March, 1959.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 1



1959.

Colony of the Falkland Islands.

IN THE EIGHTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

### An Ordinance

#### Further to amend the Customs Ordinance.

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, 1959, and shall be read as one with the Customs Ordinance, hereinafter referred to as the principal Ordinance.

Short title.

Cap. 16.

2. Paragraph (a) of section 31 of the principal Ordinance is amended by the deletion of the words "three months" and the substitution therefor of the words "six months".

Amendment of section 31 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. 1764.

Assented to in Her Majesty's name this 31st day of  
March, 1959.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 2



1959.

Colony of the Falkland Islands.

IN THE EIGHTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

### An Ordinance

To provide for the revival of the grant      Title.  
of a Retiring Allowance to Nurses.

ENACTED by the Legislature of the Colony of the Falkland      Enacting clause.  
Islands, as follows :—

1. This Ordinance may be cited as the Retiring Allowance      Short title.  
to Nurses (Revival) Ordinance, 1959.

2. Notwithstanding the repeal of the Retiring Allowance to      Revival of Retiring  
Nurses Ordinance, 1926, the rights of any nurse who, but for the      Allowance to Nurses  
repeal, would have qualified for a retiring allowance under that Ord-      Ordinance, 1926.  
inance, are hereby preserved.

3. In section 6 of the Retiring Allowance to Nurses      Amendment of section 6  
Ordinance, 1926, the words "one pound" shall be substituted for the      of the Retiring Allowance  
words "eight shillings and four pence".      to Nurses Ordinance,  
1926.

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. 73/23.

Assented to in Her Majesty's name this 31st day of March, 1959.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 3



1959.

**Colony of the Falkland Islands.**

IN THE EIGHTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

**An Ordinance**

**To amend the Whale Fishery 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 Whale Fishery (Amendment) Ordinance, 1959, and shall be read as one with the Whale Fishery Ordinance, hereinafter referred to as the principal Ordinance. Short title.

2. Section 3 of the principal Ordinance is amended by :— Amendment of section 3 of the principal Ordinance.
- (a) Inserting after paragraph (c) of subsection (1) the following additional paragraph —
- “(d) a humpback whale ;”
- (b) Inserting after paragraph (d) of subsection (3) the following additional paragraph —
- “(e) the expression ‘humpback whale’ means a whale known by the name of bunch, humpback, humpback whale, humpbacked whale, hump whale or hunchbacked whale.”

3. Section 9 of the principal Ordinance is amended by the substitution of the following new subsection for subsection (1) :— Amendment of section 9 of the principal Ordinance.

“(1) There shall be attached to every licence under this Ordinance authorising the use of a ship for taking whales a condition that the gunners and crews of factory ships, land

stations and whale catchers shall be engaged on such terms that their remuneration shall depend to a considerable extent upon such factors as the species, size and yield of whales taken. No bonus or other remuneration shall be paid to the gunners or crews of whale catchers in respect of the taking of milk-filled, lactating or undersized whales."

4. Section 9 of the principal Ordinance is further amended by the addition of the following paragraph to subsection (2) —

"(e) that no whale of a class the killing or taking of which is prohibited by the International Whaling Commission shall be treated in the ship or factory."

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. D/4/58.

## Foreign Judgments (Reciprocal Enforcement) Ordinance, 1959.

### ARRANGEMENT OF SECTIONS.

#### PART I.

#### REGISTRATION OF FOREIGN JUDGMENTS.

##### Section.

1. Short title.
2. Interpretation.
3. Power to extend Part I of Ordinance to foreign countries giving reciprocal treatment.
4. Application for, and effect of, registration of foreign judgment.
5. Rules of court.
6. Cases in which registered judgments must, or may, be set aside.
7. Powers of registering court on application to set aside registration.
8. Foreign judgments which can be registered not to be enforceable otherwise.
9. Power to apply Part I of Ordinance to British dominions, protectorates and mandated territories.

#### PART II.

10. General effect of certain foreign judgments.
11. Power to make foreign judgments unenforceable in Colony if no reciprocity.
12. Issue of certificates of judgments obtained in the Colony.
13. Repeal.

Assented to in Her Majesty's name this 31st day of  
March, 1959.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 4



1959.

**Colony of the Falkland Islands.**

IN THE EIGHTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
EDWIN PORTER ARROWSMITH, C.M.G.  
*Governor.*

**An Ordinance**

To make provision for the enforcement  
in the Colony of judgments given in foreign  
countries which accord reciprocal treatment  
to judgments given in the Colony, for facili-  
tating the enforcement in foreign countries  
of judgments given in the Colony, and for  
other purposes in connection with the  
matters aforesaid.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :— Enacting clause.

**PART I.**

**REGISTRATION OF FOREIGN JUDGMENTS.**

1. This Ordinance may be cited as the Foreign Judgments (Reciprocal Enforcement) Ordinance, 1959. Short title.

2. (1) In this Ordinance, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say — Interpretation.

“Appeal” includes any proceeding by way of discharging, or setting aside a judgment or an application for a new trial or a stay of execution ;

“Country of the original court” means the country in which the original court is situated ;

"Judgment" means a judgment or order given or made by a court in any civil proceedings, or a judgment or order given or made by a court in any criminal proceedings for the payment of a sum of money in respect of compensation or damages to an injured party, and includes an award in proceedings on an arbitration if the award has, in pursuance of the law in force in the place where it was made, become enforceable in the same manner as a judgment given by a court in that place ;

"Judgment creditor" means the person in whose favour the judgment was given and includes any person in whom the rights under the judgment have become vested by succession or assignment or otherwise ;

"Judgment debtor" means the person against whom the judgment was given, and includes any person against whom the judgment is enforceable under the law of the original court ;

"Original court" in relation to any judgment means the court by which the judgment was given ;

"Prescribed" means prescribed by rules of court ;

"Registration" means registration under Part I of this Ordinance, and the expressions "register" and "registered" shall be construed accordingly ;

"Registering court" in relation to any judgment means the court to which an application to register the judgment is made.

(2) For the purposes of this Ordinance, the expression "action in personam" shall not be deemed to include any matrimonial cause or any proceedings in connection with any of the following matters, that is to say, matrimonial matters, administration of the estates of deceased persons, bankruptcy, winding up of companies, lunacy, or guardianship of infants.

3. (1) The Governor, if he is satisfied that, in the event of the benefits conferred by this Part of this Ordinance being extended to judgments given in the superior courts of any foreign country, substantial reciprocity of treatment will be assured as respects the enforcement in that foreign country of judgments given in the Supreme Court of the Colony and judgments given on appeals therefrom, may by Order in Council direct —

- (a) that this Part of this Ordinance shall extend to that foreign country ; and
- (b) that such courts of that foreign country as are specified in the Order shall be deemed superior courts of that country for the purposes of this part of this Ordinance.

(2) Any judgment of a superior court of a foreign country to which this Part of this Ordinance extends, other than a judgment of such a court given on appeal from a court which is not a superior court, shall be a judgment to which this Part of this Ordinance applies, if —

- (a) it is final and conclusive as between the parties thereto ; and
- (b) there is payable thereunder a sum of money, not being a sum payable in respect of taxes or other charges of a like nature or in respect of a fine or other penalty ; and
- (c) it is given after the coming into operation of the Order in Council directing that this Part of this Ordinance shall extend to that foreign country.

(3) For the purposes of this section, a judgment shall be deemed to be final and conclusive notwithstanding that an appeal may be pending against it, or that it may still be subject to appeal, in the courts of the country of the original court.

(4) The Governor may by a subsequent Order in Council vary or revoke any Order previously made under this section.

4. (1) A person, being a judgment creditor under a judgment to which this Part of this Ordinance applies, may apply to the Supreme Court at any time within six years after the date of the judgment, or, where there have been proceedings by way of appeal against the judgment, after the date of the last judgment given in those proceedings, to have the judgment registered in the Supreme Court, and on any such application the court shall, subject to proof of the prescribed matters and to the other provisions of this Ordinance, order the judgment to be registered :

Application for, and effect of, registration of foreign judgment.

Provided that a judgment shall not be registered if at the date of the application —

- (a) it has been wholly satisfied ; or
- (b) it could not be enforced by execution in the country of the original court.

(2) Subject to the provisions of this Ordinance with respect to the setting aside of registration —

- (a) a registered judgment shall, for the purposes of execution, be of the same force and effect ; and
- (b) proceedings may be taken on a registered judgment ; and
- (c) the sum for which a judgment is registered shall carry interest ; and
- (d) the registering court shall have the same control over the execution of a registered judgment ;

as if the judgment had been a judgment originally given in the registering court and entered on the date of registration :

Provided that execution shall not issue on the judgment so long as, under this Part of this Act and the Rules made thereunder, it is competent for any party to make an application to have the registration of the judgment set aside, or, where such an application is made, until the application has been finally determined.

(3) Where the sum payable under a judgment which is to be registered is expressed in a currency other than the currency of the Colony, the judgment shall be registered as if it were a judgment for such sum in the currency of the Colony as, on the basis of the rate of exchange prevailing at the date of the judgment of the original court, is equivalent to the sum so payable.

(4) If at the date of the application for registration the judgment of the original court has been partly satisfied, the judgment shall not be registered in respect of the whole sum payable under the judgment of the original court, but only in respect of the balance remaining payable at that date.

(5) If, on an application for the registration of a judgment, it appears to the registering court that the judgment is in respect of different matters and that some, but not all, of the provisions of the judgment are such that if those provisions had been contained in separate judgments those judgments could properly have been registered, the judgment may be registered in respect of the provisions aforesaid but not in respect of any other provisions contained therein.

(6) In addition to the sum of money payable under the judgment of the original court, including any interest which by the law of the country of the original court becomes due under the judgment up to the time of registration, the judgment shall be registered for the reasonable costs of an incidental to registration, including the costs of obtaining a certified copy of the judgment from the original court.

Power to extend Part I of Ordinance to foreign countries giving reciprocal treatment.

5. (1) The Governor in Council shall, subject to the provisions of this section, have power to make rules for the following purposes –

- (a) For making provision with respect to the giving of security for costs by persons applying for the registration of judgments ;
- (b) For prescribing the matters to be proved on an application for the registration of a judgment and for regulating the mode of proving those matters ;
- (c) For providing for the service on the judgment debtor of notice of the registration of a judgment ;
- (d) For making provision with respect to the fixing of the period within which an application may be made to have the registration of the judgment set aside and with respect to the extension of the period so fixed ;
- (e) For prescribing the method by which any question arising under this Ordinance whether a foreign judgment can be enforced by execution in the country of the original court, or what interest is payable under a foreign judgment under the law of the original court, is to be determined ;
- (f) For prescribing any matter which under this Part of this Ordinance is to be prescribed.

(2) Rules made for the purposes of this Part of this Ordinance shall be expressed to have, and shall have, effect subject to any such provisions contained in Orders in Council made under section one of the Foreign Judgments (Reciprocal Enforcement) Act, 1933, as are declared by the said Orders to be necessary for giving effect to agreements made between Her Majesty and foreign countries in relation to matters with respect to which there is power to make rules of court for the purposes of this Part of this Ordinance.

(3) Without prejudice to the provisions of subsection (1) of this section the rules contained in Part IV of the Rules of the Supreme Court shall continue to have effect as if they had been made under the power conferred by the said subsection.

6. (1) On an application in that behalf duly made by any party against whom a registered judgment may be enforced, the registration of the judgment –

- (a) shall be set aside if the registering court is satisfied –
  - (i) that the judgment is not a judgment to which this Part of this Ordinance applies or was registered in contravention of the foregoing provisions of this Ordinance ; or
  - (ii) that the courts of the country of the original court had no jurisdiction in the circumstances of the case ; or
  - (iii) that the judgment debtor, being the defendant in the proceedings in the original court, did not (notwithstanding that process may have been duly served on him in accordance with the law of the country of the original court) receive notice of those proceedings in sufficient time to enable him to defend the proceedings and did not appear ; or
  - (iv) that the judgment was obtained by fraud ; or
  - (v) that the enforcement of the judgment would be contrary to public policy in the country of the registering court ; or
  - (vi) that the rights under the judgment are not vested in the person by whom the application for registration was made ;

- (b) may be set aside if the registering court is satisfied that the matter in dispute in the proceedings in the original court had previously to the date of the judgment in the original court been the subject of a final and conclusive judgment by a court having jurisdiction in the matter.

(2) For the purposes of this section the courts of the country of the original court shall, subject to the provisions of subsection (3) of this section, be deemed to have had jurisdiction –

- (a) in the case of a judgment given in an action in personam –
  - (i) if the judgment debtor, being a defendant in the original court, submitted to the jurisdiction of that court by voluntarily appearing in the proceedings otherwise than for the purpose of protecting, or obtaining the release of, property seized, or threatened with seizure, in the proceedings or of contesting the jurisdiction of that court ; or
  - (ii) if the judgment debtor was plaintiff in, or counter-claimed in, the proceedings in the original court ; or
  - (iii) if the judgment debtor, being a defendant in the original court, had before the commencement of the proceedings agreed, in respect of the subject matter of the proceedings, to submit to the jurisdiction of that court or of the courts of the country of that court ; or
  - (iv) if the judgment debtor, being a defendant in the original court, was at the time when the proceedings were instituted resident in, or being a body corporate had its principal place of business in, the country of that court ; or
  - (v) if the judgment debtor, being a defendant in the original court, had an office or place of business in the country of that court and the proceedings in that court were in respect of a transaction effected through or at that office or place ;

- (b) in the case of a judgment given in an action of which the subject matter was immovable property or in an action in rem of which the subject matter was movable property, if the property in question was at the time of the proceedings in the original court situated in the country of that court ;

- (c) in the case of a judgment given in an action other than any such action as is mentioned in paragraph (a) or in paragraph (b) of this subsection, if the jurisdiction of the original court is recognised by the law of the registering court.

(3) Notwithstanding anything in subsection (2) of this section, the courts of the country of the original court shall not be deemed to have had jurisdiction –

- (a) if the subject matter of the proceedings was immovable property outside the country of the original court ; or
- (b) except in the cases mentioned in sub-paragraphs (i), (ii) and (iii) of paragraph (a) and in paragraph (c) of subsection (2) of this section, if the bringing of the proceedings in the original court was contrary to an agreement under which the dispute in question was to be settled otherwise than by proceedings in the courts of the country of that court ; or
- (c) if the judgment debtor, being a defendant in the original proceedings, was a person who under the rules of public international law was entitled to immunity from the

jurisdiction of the courts of the country of the original court and did not submit to the jurisdiction of that court.

Powers of registering court on application to set aside registration.

7. (1) If, on an application to set aside the registration of a judgment, the applicant satisfies the registering court, either that an appeal is pending, or that he is entitled and intends to appeal, against the judgment, the court, if it thinks fit, may, on such terms as it may think just, either set aside the registration or adjourn the application to set aside the registration until after the expiration of such period as appears to the court to be reasonably sufficient to enable the applicant to take the necessary steps to have the appeal disposed of by the competent tribunal.

(2) Where the registration of a judgment is set aside under the last foregoing subsection, or solely for the reason that the judgment was not at the date of the application for registration enforceable by execution in the country of the original court, the setting aside of the registration shall not prejudice a further application to register the judgment when the appeal has been disposed of or if and when the judgment becomes enforceable by execution in that country, as the case may be.

(3) Where the registration of a judgment is set aside solely for the reason that the judgment, notwithstanding that it had at the date of the application for registration been partly satisfied, was registered for the whole sum payable thereunder, the registering court shall, on the application of the judgment creditor, order judgment to be registered for the balance remaining payable at that date.

Foreign judgments which can be registered not to be enforceable otherwise.

8. No proceedings for the recovery of a sum payable under a foreign judgment, being a judgment to which this Part of this Act applies, other than proceedings by way of registration of the judgment, shall be entertained by any court in the Colony.

Power to apply Part I of Ordinance to British dominions, protectorates and territories under trusteeship.

9. (1) Where the Governor is satisfied that reciprocal provisions have been made by the legislature of any part of Her Majesty's dominions outside the United Kingdom for the enforcement within that part of Her dominions of judgments obtained in the Supreme Court of the Colony, the Governor may by Order in Council direct that this Part of this Ordinance shall extend to judgments obtained in a superior court in that part of Her Majesty's dominions in like manner as it extends to judgments obtained in the courts of foreign countries, but subject, however, to the provisions contained in subsection (2) of this section, and on any such Order being made this Part of this Ordinance shall extend accordingly.

(2) Notwithstanding anything contained in paragraph (c) of subsection (2) of section 3 or in subsection (1) of section 4 of this Ordinance any judgment obtained in a superior court of a part of Her Majesty's dominions to which this Part of this Ordinance has been extended shall be a judgment to which this Part of this Ordinance applies notwithstanding that it was given before the coming into operation of this Order, but the time limited for the registration of a judgment so given shall be twelve months from the date of the judgment or such longer period as the Supreme Court may allow.

(3) References in this section to Her Majesty's dominions outside the United Kingdom shall be construed as including references to any territories which are under Her Majesty's protection and to any territories administered by the government of the United Kingdom or by the government of any part of Her Majesty's dominions under the trusteeship of the United Nations.

## PART II.

### MISCELLANEOUS AND GENERAL.

General effect of certain foreign judgments.

10. (1) Subject to the provisions of this section, a judgment to which Part I of this Ordinance applies or would have applied if a sum of money had been payable thereunder, whether it can be registered or not, and whether, if it can be registered, it is registered

or not, shall be recognised in any court in the Colony, as conclusive between the parties thereto in all proceedings founded on the same cause of action and may be relied on by way of defence or counter-claim in any such proceedings.

(2) This section shall not apply in the case of any judgment -

- (a) where the judgment has been registered and the registration thereof has been set aside on some ground other than -
  - (i) that a sum of money was not payable under the judgment; or
  - (ii) that the judgment had been wholly or partly satisfied; or
  - (iii) that at the date of the application the judgment could not be enforced by execution in the country of the original court; or
- (b) where the judgment has not been registered, it is shown (whether it could have been registered or not) that if it had been registered the registration thereof would have been set aside on an application for that purpose on some ground other than one of the grounds specified in paragraph (a) of this subsection.

(3) Nothing in this section shall be taken to prevent any court in the Colony recognising any judgment as conclusive of any matter of law or fact decided therein if that judgment would have been so recognised before the passing of this Ordinance.

11. (1) If it appears to the Governor that the treatment in respect of recognition and enforcement accorded by the courts of any foreign country to judgments given in the superior courts of the Colony is substantially less favourable than that accorded by the courts of the Colony to judgments of the superior courts of that country, the Governor may by Order in Council apply this section to that country.

(2) Except in so far as the Governor may by Order in Council under this section otherwise direct, no proceedings shall be entertained in any court in the Colony for the recovery of any sum alleged to be payable under a judgment given in a court of a country to which this section applies.

(3) The Governor may by a subsequent Order in Council vary or revoke any Order previously made under this section.

12. Where a judgment under which a sum of money is payable, not being a sum payable in respect of taxes or other charges of a like nature or in respect of a fine or other penalty, has been entered in the Supreme Court against any person and the judgment creditor is desirous of enforcing the judgment in a foreign country to which Part I of this Act applies, the court shall, on an application made by the judgment creditor and on payment of such fee as may be prescribed for the purposes of this section, issue to the judgment creditor a certified copy of the judgment, together with a certificate containing such particulars with respect to the action, including the causes of action, and the rate of interest, if any, payable on the sum payable under the judgment, as may be prescribed:

Provided that, where execution of a judgment is stayed for any period pending an appeal or for any other reason, an application shall not be made under this section with respect to the judgment until the expiration of that period.

Power to make foreign judgments unenforceable in Colony if no reciprocity.

Issue of certificates of judgments obtained in 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.

J. BOUND,  
*Clerk of the Executive Council.*

Ref. 141/25.

Assented to in Her Majesty's name this 11th day of May, 1959.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 5

1959



Colony of the Falkland Islands.

IN THE EIGHTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

### An Ordinance

To legalise certain payments made in the year 1957-58 in excess of the Expenditure sanctioned by Ordinance No. 7 of 1957.

WHEREAS it is expedient to make further provision for the service of the Colony for the period 1st July, 1957, to 30th June, 1958.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :—

1. This Ordinance may be cited for all purposes as the Supplementary Appropriation (1957-58) Ordinance, 1959.

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 July, 1957, to 30th June, 1958, 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 sum mentioned for those services in the said Ordinance.

SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
	FALKLAND ISLANDS.			
IV.	Aviation ... ..	21099	14	2
X.	Miscellaneous ... ..	194	19	9
XIV.	Power & Electrical ... ..	691	19	1½
XVII.	Public Works Special Expenditure ... ..	5051	7	1½
XVIII.	Secretariat & Treasury ... ..	1826	15	5
XIX.	Supreme Court ....	49	13	4
XX.	Colonial Development & Welfare ... ..	17897	3	2
	Total Expenditure	£ 46811	12	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,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 11th day of May, 1959.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]



No. 6

1959.

Colony of the Falkland Islands.

IN THE EIGHTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

An Ordinance  
To provide for the service of the year 1959-60. 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 (1959-60) Ordinance, 1959. 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 1st July, 1959 to 30th June, 1960, a sum not exceeding Two hundred and ninety-six thousand, eight hundred and 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 1959-60. Appropriation of £296,808 for service of the year 1959/60.

## SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
I.	The Governor ...	7085	0	0
II.	Agriculture ...	2701	0	0
III.	Audit ...	793	0	0
IV.	Aviation ...	12161	0	0
V.	Customs & Harbour ...	9125	0	0
VI.	Education ...	34636	0	0
VII.	Medical ...	29786	0	0
VIII.	Meteorological ...	765	0	0
IX.	Military ...	1080	0	0
X.	Miscellaneous ...	36399	0	0
XI.	Pensions & Gratuities ...	10689	0	0
XII.	Police and Prisons ...	3833	0	0
XIII.	Posts & Telegraphs ...	41970	0	0
XIV.	Power & Electrical ...	14426	0	0
XV.	Public Works ...	9452	0	0
XVI.	Public Works Recurrent ...	21306	0	0
XVII.	Secretariat & Treasury ...	17379	0	0
XVIII.	Supreme Court ...	1362	0	0
	Total Ordinary Expenditure ...	254948	0	0
XIX.	Special Expenditure ...	41860	0	0
XX.	Colonial Development & Welfare ...			
	Total Expenditure	£296808	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 11th day of May, 1959.

E. P. ARROWSMITH,  
Governor.

[L.S.]



No. 7

1959.

Colony of the Falkland Islands.

IN THE EIGHTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

EDWIN PORTER ARROWSMITH, C.M.G.  
Governor.

# An Ordinance To amend the Legislative Council (Elections) Ordinance.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :—

1. (1) This Ordinance may be cited as the Legislative Council (Elections) (Amendment) Ordinance and shall be read and construed as one with the Legislative Council (Elections) Ordinance (Chapter 37) hereinafter referred to as the principal Ordinance.

Short title.

(2) This Ordinance shall come into force on such day as the Governor may by Proclamation appoint.

Commencement.

2. The following is substituted for the definition of "qualifying period" :

Amendment of section 2 of the principal Ordinance.

"Qualifying period means twelve months ending on the last day of the month preceding the qualifying day as defined by subsection (1) of section 7 of this Ordinance".

3. Section 5 of the principal Ordinance is repealed and replaced by the following section :—

Amendment of section 5 of the principal Ordinance.

"5. The Governor shall appoint one or more registration officers and a returning officer for each electoral area."

Amendment of section  
6 of the principal  
Ordinance.

4. (1) Section 6 of the principal Ordinance is amended by substituting for paragraph (c) thereof the following paragraph :

"(c) has resided in the Colony during the qualifying period and is normally resident in the electoral area on the qualifying day as defined by subsection (1) of section 7 of the principal Ordinance as amended by section 5 of this Ordinance."

(2) Section 6 of the principal Ordinance is further amended by substituting for the first proviso the following :—

"Provided that a person who is normally resident in the electoral area shall be deemed to be resident therein on the qualifying day notwithstanding his absence on that day in the performance of some duty arising from or incidental to any office, service or employment held or undertaken by him, if he intends to resume actual residence within six months from the date of his departure from the area in the performance of such duty."

Amendment of section  
7 of the principal  
Ordinance.

5. Section 7 of the principal Ordinance is repealed and replaced by the following section :—

Register of Electors.  
[Rep. of People  
Act. 1949, S. 7.]

"7. (1) Upon a dissolution of the Legislative Council or upon the seat of an elected member thereof becoming vacant the Colonial Secretary shall forthwith notify the registration officers, or the registration officer for the electoral area in respect of which such vacancy has occurred, as the case may be, of the fact of such dissolution, or of the occurrence of such vacancy, and the day of such notification shall be the "qualifying day" for the purposes of this Ordinance :

Provided that it shall not be necessary for the Colonial Secretary to give such notice when the seat of an elected member of the Legislative Council becomes vacant within one year after a notification of a dissolution of the Legislative Council, or of the occurrence of a vacancy in respect of the same electoral area.

(2) Upon the receipt of such notice every registration officer, or the registration officer concerned, as the case may be, shall prepare a register of the persons qualified to be electors for the electoral area for which he is appointed, and such register shall be used for any election taking place within one year after the qualifying day.

[C. 37, S. 8 (2)]

(3) The names of all voters on the register shall be classified alphabetically in accordance with the initial letter of the surname of each voter and a serial number shall be allotted to each name."

Amendment of section  
8 of the principal  
Ordinance.

6. Section 8 of the principal Ordinance is repealed and replaced by the following section :

"8. (1) With a view to the preparation of the register a registration officer shall

(a) as soon as may be after receiving such notice as is mentioned in subsection (1) of section 7 of this Ordinance have a house to house or other sufficient inquiry made as to the persons entitled to be registered as electors in the area for which he is appointed; and

(b) have prepared and published an electors list showing the persons in such area appearing to him to be entitled to be registered together with their qualifying addresses.

[Rep. of People  
Reg. 1950, r. 20]

(2) A registration officer may require any householder or person occupying any land or premises within the electoral area for which he is appointed, or the agent or manager of any

such person, to give within one month the information required for the purpose of preparing the register.

(3) If any person fails to comply with or knowingly gives false information in reply to any such requisition of a registration officer as is mentioned in the last preceding subsection he shall be liable on summary conviction to a fine not exceeding £5. 0. 0."

[Rep. of People  
Reg. 1950, r. 70]

7. Section 9 of the principal Ordinance is repealed and replaced by the following section :—

Amendment of section  
9 of the principal  
Ordinance.

"9. (1) Each registration officer shall immediately on completion thereof forward the electors list for the area for which he is appointed to the Colonial Secretary who shall cause the electors lists to be published in the Gazette, together with a notice stating the place and times at which the lists may be inspected.

(2) The electors lists shall be published as soon as may be after the receipt thereof by the Colonial Secretary and shall be kept available for inspection till the publication of the register prepared from those lists."

[Rep. of People  
Reg. 1950 r. 7 (2)]

8. (1) Section 10 of the principal Ordinance is repealed and replaced by the following section :—

Amendment of section  
10 of the principal  
Ordinance.

"10. (1) Any person who claims to be qualified to be registered as an elector and whose name is omitted from the electors list for his electoral area may within 30 days after the publication thereof apply to the registration officer of such area in the Form A in the Schedule to the principal Ordinance to have his name inserted, and any person appearing from the electors lists to be himself entitled to be registered may within the same period apply by way of objection to the registration officer of the area concerned in the Form in the Schedule to this Ordinance to remove any name or names from the electors list for such area.

(2) The registration officer upon receipt of such application or objection shall forthwith inquire into the same in the presence of and after hearing the parties concerned (if they so desire) and shall decide thereon."

9. (1) Subsections (1), (2) and (3) of section 11 of the principal Ordinance are amended by inserting the words "or objector" after the word "applicant" wherever such last-mentioned word occurs.

Amendment of section  
11 of the principal  
Ordinance.

(2) Subsection (4) of section 11 of the principal Ordinance is repealed and replaced by the following subsection :—

"(4) On determination of all appeals the Magistrate or justices shall forthwith forward to the registration officer concerned a statement of the names which he has, or they have, decided shall be inserted in or removed from the electors list."

10. Section 12 of the principal Ordinance is repealed and replaced by the following section :—

Amendment of section  
12 of the principal  
Ordinance.

"12. (1) As soon as may be after the expiration of the periods mentioned in sections 10 and 11 of this Ordinance each registration officer shall prepare a register of the persons qualified to be electors for the electoral area for which he is appointed and shall forward the same to the Colonial Secretary.

Publication of Register.  
[Rep. of People  
Reg. 1950 r. 16]

(2) As soon as may be after the receipt of the registers mentioned in subsection (1) hereof the Colonial Secretary shall cause the register of the persons qualified to be electors for the different electoral areas in the Colony to be published in the Gazette.

(3) The register for the time being in force as published in the Gazette shall be conclusive evidence as to the eligibility or otherwise of a person to vote in an electoral area for the election of a member."

Amendment of Form A in the Schedule to the principal Ordinance.

11. The following is substituted for the certificate contained in Form A in the Schedule to the principal Ordinance :

"I certify that I am a British Subject, that I have attained the age of 21 years, that I have resided in the Colony since ..... and that I am normally resident in the ..... Electoral Area."

## SCHEDULE

Section 10.

### FORM OF OBJECTION

Legislative Council (Elections) Ordinance.

(If this form is sent to the registration office by post, postage must be prepaid.)

To the registration officer for the electoral area of .....

\*Here insert extract from printed electors lists, stating registration unit or name and address.

I hereby give you notice that I object to the entry of\*

†Delete if inapplicable.

as an elector †

The grounds of my objections are .....

I am entered in the electors lists as an elector for the above electoral area as follows ‡ :-

‡Here insert extract from printed electors lists.

Signed .....

Address .....

Date .....

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. 0529/A.

FALKLAND ISLANDS.

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

Assented to in Her Majesty's name this 11th day of May, 1959.

E. P. ARROWSMITH,  
Governor.

[L.S.]



No. 8

1959.

Colony of the Falkland Islands.

IN THE EIGHTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II.

EDWIN PORTER ARROWSMITH, C.M.G.,  
Governor.

### An Ordinance

Further to amend the Pensions 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 Pensions (Amendment) Ordinance, 1959, and shall be read as one with the Pensions Ordinance, hereinafter referred to as the principal Ordinance. Short title. Cap 49.

2. (1) Subsection (1) of section 2 of the principal Ordinance is amended as follows :— Amendment of section 2 of the principal Ordinance.

(a) by the addition of the following new definition immediately before the definition of "Pensionable office" :—

" 'Overseas allowance' means an allowance granted to such officers in the service of the Colony as may be declared by the Governor in Council to be eligible for such allowance.";

(b) by inserting the comma and words " , overseas allowance between the word "salary" and the words "and personal allowance" in paragraph (a) of the definition "Pensionable emoluments".

(2) The amendments made by this section shall be deemed to have had effect from the 1st day of October, 1953.

3. Paragraph (b) of subsection (1) of section 16 of the principal Ordinance is amended by the deletion of the word "subsection" and the substitution therefor of the word "section". Amendment of section 16 of the principal Ordinance.

Amendment of section  
17 of the principal  
Ordinance.

4. Subsection (5) of section 17 of the principal Ordinance is amended by inserting the comma and word "aircraft" between the word "vessel" and the words "or vehicle" wherever they appear.

Amendment of the  
principal Ordinance.

5. The principal Ordinance is amended by substituting the words "service under the Government of the Colony" for the words "service in the Colony" and "the service of the Colony" wherever these words occur.

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 11th day of  
May, 1959.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]



No. 9

1959.

Colony of the Falkland Islands.

IN THE EIGHTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

An Ordinance  
To amend the Defence Force Ordinance.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows:—

1. This Ordinance may be cited as the Defence Force (Amendment) Ordinance, 1959, and shall be read and construed as one with the Defence Force Ordinance, 1954, hereinafter referred to as the principal Ordinance.

2. Section 17 of the principal Ordinance is repealed.

3. (1) Section 25 of the principal Ordinance is repealed and the following section is substituted therefor —

"25 (1) Part II (except sections 49 to 52, section 61 and sections 135 to 137) and section 220, and sections 222 to 225 of the Army Act, 1955 (3 & 4 Eliz. II c. 18), shall apply to all members of the Force when —

(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 with and subject to the adaptations and modifications set out in the Schedule hereto :

Provided that notwithstanding anything contained in the said Act, 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 subsection no member of the Force shall be liable to be punished for any offence both under the provisions of the said Act and under the provisions of this Ordinance.

(3) Nothing in this section contained shall be deemed to limit or derogate from the power given by section 207 of the said Act to the officer commanding Her Majesty's forces with which the Force is serving of making such adaptations, modifications, or exceptions as in the same section are referred to.

4. Part IV of the Army Act, 1955 (3 & 4 Eliz. II. c. 18) (except section 170) and the Fourth Schedule to the said Act shall be applied in the Colony, with and subject to the adaptations and modifications set out in the Schedule hereto.

5. This Ordinance shall come into force upon such date as shall be notified by the Governor by Proclamation in the Gazette.

#### SCHEDULE.

Reference to a person subject to military law shall be construed as including references to a member of the Force ; references to the regular forces shall be construed as including references to the Force ; references in sections 63, 70, 119, in subsections (2), (3) and (4) of section 127, in sections 132 and 143 and in Part IV to the United Kingdom or England shall be construed as including references to the Colony ; references in section 116 to Her Majesty, in section 132 to the Attorney-General, in section 159 to the Minister of Housing and Local Government, and in section 174 to the Secretary of State shall be construed as references to the Governor ; references to the chief officer of Police for any area shall be construed as references to the Chief Constable, references to a local Authority shall be construed as references to the Stanley Town Council ; references to vehicles shall be construed as including boats ; references in section 160 and in sub-paragraph (3) of paragraph 3 and in paragraph 7 of the Fourth Schedule to the Army Council shall be construed as references to the Colonial Treasurer ; references to a County Court shall be construed as references to a Magistrate : and references to Parliament and each House of Parliament as references to the Legislative Council.

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/II.

Assented to in Her Majesty's name this 11th day of  
May, 1959.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]



No. 10

1959.

#### Colony of the Falkland Islands.

IN THE EIGHTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

#### An Ordinance

To amend the Old Age Pensions Ord-  
inance, 1952. Title.

ENACTED by the Legislature of the Colony of the Falkland  
Islands, as follows :— Enacting clause.

1. This Ordinance may be cited as the Old Age Pensions  
(Amendment) Ordinance, 1959, and shall be read and construed as  
one with the Old Age Pensions Ordinance, 1952, hereinafter referred  
to as "the principal Ordinance". Short title.

2. Section 10 of the principal Ordinance is amended by the  
repeal of sub-section (3) thereof and the substitution therefor of the  
following sub-section — Amendment of section  
10 of the principal  
Ordinance.

"(3) The sum required to be paid under sub-section (1)  
or sub-section (2) as the case may be, of this section may be  
paid in such instalments as may be prescribed : Provided, how-  
ever, that the payment of the said sum shall be completed within  
the period of eight years from the date of the coming into  
operation of this Ordinance : And Provided further that where  
a person who is qualifying for a pension under sub-section (1)  
or sub-section (2) hereof attains the age of 65 years before the  
payment of the said sum has been completed no sum shall be  
paid on account of a pension to or in respect of such person  
until the full amount payable by him has been paid, but the first  
payment on account of pension to or in respect of such person  
shall be made on the first Friday following the payment of  
the final instalment."

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. 0323/A/IV.

Assented to in Her Majesty's name this 11th day of  
May, 1959.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 11



1959.

**Colony of the Falkland Islands.**

IN THE EIGHTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

**An Ordinance**

**To apply certain Acts of Parliament in** Title.  
**the Colony.**

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 Short title.  
Enactments Ordinance, 1959.

2. The enactments specified in the Schedule are applied in the Colony to the extent and with the modifications set out in the Schedule and with the further modifications that in any of the said enactments the expression "the commencement of this Act" or any similar expression shall be construed as "the commencement of this Ordinance"; the expression "the Crown" shall be construed as "the Government". Application of certain Acts of Parliament.

**SCHEDULE**

<i>Enactment</i>	<i>Extent of Application</i>
1. Law Reform (Enforcement of Contracts) Act, 1954. 2 & 3 Eliz. 2, Ch. 34	The whole Act except section 3 (2)
2. Law Reform (Limitation of Actions, etc.) Act, 1954. 2 & 3 Eliz. 2, Ch. 36	The whole Act except sections 5 (4) and 6.

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 11th day of  
May, 1959.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 12



1959.

**Colony of the Falkland Islands.**

IN THE EIGHTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

**An Ordinance**

To provide for the increase of pensions  
payable in respect of public service in pen-  
sionable offices in the Colony. Title.

ENACTED by the Legislature of the Colony of the Falkland  
Islands, as follows :— Enacting clause.

1. This Ordinance may be cited as the Pensions (Increase)  
Ordinance, 1959. Short title.

2. (1) In this Ordinance, unless the context otherwise  
requires — Interpretation.

“authorised increase” means an increase of pension authorised  
by this Ordinance;

“basic rate” in relation to any pension means the annual rate  
of that pension apart from any increase granted under this  
Ordinance;

“Scheduled Government” shall have the same meaning as in  
the Pensions Regulations, 1949.

“pension” means a pension payable under the Pensions Ordin-  
ances, 1906, 1927, 1937 and 1949 or any of them, but does  
not include any gratuity or any sum payable otherwise than  
by way of periodical payments and accordingly, the provisions  
of this Ordinance shall not apply to any pension which has  
been commuted, and where a part of a pension has been com-  
muted these provisions shall not apply to that part;

"dependant" means, in relation to any pensioner, any person other than the pensioner who is wholly or mainly supported by the pensioner and whose total income from any other source does not exceed £52 a year for the purpose of section 3 or 4 of this Ordinance or £104 a year for the purpose of section 5 of this Ordinance being either -

- (a) a person who has not attained the age of 16 years, or who, if he has attained that age, is receiving full time instruction at any educational establishment or is undergoing training for any trade, profession or vocation; or
- (b) the father, mother, brother, sister, child, uncle or aunt of the pensioner, or of the deceased husband or wife of the pensioner; or
- (c) the child of any such person as is mentioned in the foregoing paragraph; or
- (d) the stepfather or stepmother of the pensioner.

(2) For the purposes of this Ordinance the income of a married pensioner shall be deemed to include the income of the husband or wife of the pensioner.

3. (1) Subject to the provisions of this Ordinance any pension payable before the 1st January, 1944 may in respect of any period on or after the 1st January, 1944, and before the 1st December, 1946, be increased by an amount calculated in accordance with the provisions of the First Schedule.

(2) No increase shall be payable under this section unless the Governor is satisfied that the total income (disregarding the first £52 thereof accruing otherwise than in respect of a Colonial Service pension) does not exceed in the case of a pensioner who is married or has at least one dependant £300 a year and in the case of any other pensioner £225 a year.

4. (1) Subject to the provisions of this Ordinance where an officer has retired -

- (a) from the service of the Falkland Islands before the 1st December, 1946 or
- (b) from the service of a Scheduled Government before the effective date of the first general revision of salaries by that Government after the 31st December, 1944,

his pension may in respect of any period beginning on or after the 1st day of December, 1946, be increased by an amount calculated in accordance with the provisions of the Second Schedule, and may in respect of any period beginning on or after the 1st day of January, 1957, be further increased in the case of a pensioner who is unmarried by the difference between the amount prescribed by the said Schedule in the case of a pensioner who is married and that prescribed in the case of one who is unmarried.

(2) No increase shall be payable under this section in respect of any period before the 1st day of January, 1957, unless the Governor is satisfied that the total income (disregarding the first £52 thereof accruing otherwise than in respect of a Colonial Service pension) does not exceed in the case of a pensioner who is married or has at least one dependant £450 a year and in the case of any other pensioner £350 a year, but on and after the 1st January, 1957, any restriction on the making of such an increase, or on the amount of the increase, by reference to the income or pension of the pensioner shall cease to have effect:

5. (1) Subject to the provisions of this Ordinance where an officer has retired -

- (a) from the service of the Falkland Islands before the 1st April, 1953, or

- (b) from the service of a Scheduled Government before the effective date of the second general revision of salaries by that Government after the 31st December, 1944,

his pension may in respect of any period beginning on or after the 1st day of April, 1953, be increased to the extent prescribed by the Third Schedule, and may in respect of any period beginning on or after the 1st day of January, 1957, be further increased in the case of a pensioner who is unmarried by the difference between the amount so prescribed in the case of a pensioner who is married and that prescribed in the case of one who is unmarried.

(2) No increase shall be payable under this section in respect of any period before the 1st day of January, 1957, unless the Governor is satisfied that the total income (disregarding the first £104 thereof accruing otherwise than in respect of a Colonial or Service pension) does not exceed in the case of a pensioner who is married or has at least one dependant £550 a year and in the case of any other pensioner £425 a year, but on and after the 1st January, 1957, any restriction on the making of such an increase, or on the amount of the increase, by reference to the income of the pensioner shall cease to have effect.

6. Subject to the provisions of this Ordinance where an officer has retired -

- (a) from the service of the Falkland Islands before the 1st January, 1957, or
- (b) from the service of a Scheduled Government before the effective date of the second general revision of salaries by that Government after the 31st December, 1944,

his pension may in respect of any period on or after the 1st January, 1957 be increased by ten per cent of the basic rate thereof or one hundred pounds a year whichever is the less.

7. No increase shall be payable under this Ordinance unless the pensioner -

- (a) has attained the age of 55 years; or
- (b) has not attained the age of 16 years; or
- (c) has retired on account of physical or mental infirmity; or
- (d) is to the satisfaction of the Governor-in-Council incapacitated from engaging in full-time employment; or
- (e) is a woman with at least one dependant; or
- (f) is a woman whose pension is payable in respect of her deceased husband and has attained the age of 40 years.

8. Where a pensioner, in addition to a pension to which this Ordinance applies is in receipt of a pension from one or more Scheduled Governments, other than the Government of the United Kingdom, the Overseas Audit Department (Home Establishment) or the Crown Agents for Oversea Governments and Administrations, then for the purposes of this Ordinance all those pensions shall be aggregated and the amount which would have been the authorised increase of a single pension equal to that aggregate shall be apportioned between all the pensions in the proportions which they bear to one another, and the amount so apportioned to any pension to which this Ordinance applies shall be the authorised increase of that pension.

9. The Governor in Council may, by notice in the Gazette vary from time to time the rates of increase under the provisions of this Ordinance.

10. The provisions of this Ordinance shall have effect notwithstanding anything contained in subsections (1) and (2) of section 9 of the Pensions Ordinance (Chapter 49).

Increase of pensions as from the 1st January, 1944 to the 30th November, 1946

Increase of pensions as from 1st December, 1946.

Increase of pensions as from 1st April, 1953.

Increase of pensions as from 1st January, 1957.

Restriction on increase of pensions.

Increases of pensions where service was not wholly in the Colony.

Variations of rates of increases.

Limitation in Pensions Ordinance on maximum pension not to apply.

## FIRST SCHEDULE

1. Where a pensioner is married, or is unmarried with at least one dependant then –
  - (a) if the pension does not exceed £100 a year, the authorised increase shall be 30 per cent of the total amount of the pension;
  - (b) if the pension exceeds £100 a year but does not exceed £200 a year the increase shall be 25 per cent of the amount of the pension; and
  - (c) if the pension exceeds £200 a year the authorised increase shall be 20 per cent of the amount of the pension.
2. Where the pensioner is unmarried, then –
  - (a) if the pension does not exceed £75 a year the authorised increase shall be 30 per cent of the amount of the pension;
  - (b) if the pension exceeds £75 a year but does not exceed £150 a year, the authorised increase shall be 25 per cent of the amount of the pension; and
  - (c) if the pension exceeds £150 a year, the authorised increase shall be 20 per cent of the amount of the pension.

## SECOND SCHEDULE

1. Where a pensioner is married, or is unmarried with at least one dependant then –
  - (a) if the pension does not exceed £100 a year, the authorised increase shall be 40 per cent of the amount of the pension;
  - (b) if the pension exceeds £100 a year but does not exceed £133 : 6 : 8 a year, the authorised increase shall be the amount of £40 a year;
  - (c) if the pension exceeds £133 : 6 : 8 a year but does not exceed £200 a year, the authorised increase shall be 30 per cent of the amount of the pension;
  - (d) if the pension exceeds £200 a year but does not exceed £390 a year, the authorised increase shall be the amount of £60 a year; and
  - (e) if the pension exceeds £390 a year, the authorised increase shall be the amount which is necessary to increase the pension to £450 a year.
2. Where a pensioner is unmarried –
  - (a) if the pension does not exceed £75 a year, the authorised increase shall be 40 per cent of the amount of the pension;
  - (b) if the pension exceeds £75 a year but does not exceed £100 a year, the authorised increase shall be the amount of £30 a year;
  - (c) if the pension exceeds £100 a year but does not exceed £150 a year, the authorised increase shall be 30 per cent of the amount of the pension;
  - (d) if the pension exceeds £150 a year but does not exceed £305 a year, the authorised increase shall be the amount of £45 a year;
  - (e) if the pension exceeds £305 a year, the authorised increase shall be the amount which is necessary to increase the pension to £350.

## THIRD SCHEDULE

The authorised increase shall be –

- (a) where a pensioner is married, or is unmarried with at least one dependant, £26 a year;
- (b) where a pensioner is unmarried, £20 a year;

Provided that the authorised increase shall not in any case exceed one third of the annual rate of pension together with any authorised increase payable under section 4 of this 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.*

Assented to in Her Majesty's name this 30th day of June, 1959.

A. G. DENTON-THOMPSON,  
*Officer Administering the Government.*

[L.S.]



No. 13

1959.

Colony of the Falkland Islands.

IN THE EIGHTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II.

AUBREY GORDON DENTON-THOMPSON, O.B.E., M.C.  
*Officer Administering the Government.*

## An Ordinance

Further 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 (Amendment) Ordinance, 1959, and shall be read as one with the Live Stock Ordinance, hereinafter referred to as the principal Ordinance. Short title.  
Cap. 40.

2. In section 2 of the principal Ordinance the definition of "Dipping" is repealed and replaced as follows :— Amendment of section 2 of the principal Ordinance.

"Dipping" means the subjection of sheep to effective tick and ked destroying preparation by means of immersion or by such other means or in such other manner as may be approved by the Governor in Council or, with reference to lice or scab in sheep, means the subjection of sheep to effective scab or lice destroying preparation by such means or in such manner as may be approved by the Governor in Council.

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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Ref. 1093.

Assented to in Her Majesty's name this 30th day of June, 1959.

A. G. DENTON-THOMPSON,  
*Officer Administering the Government.*

[L.S.]

No. 14



1959.

**Colony of the Falkland Islands.**

IN THE EIGHTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

AUBREY GORDON DENTON-THOMPSON, O.B.E., M.C.  
*Officer Administering the Government.*

**An Ordinance**

**Further to amend the Road Traffic Ordinance.**

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 (Amendment) Ordinance, 1959, and shall be read as one with the Road Traffic Ordinance, hereinafter referred to as the principal Ordinance.

Short title.

Cap. 60.

2. Section 5 of the principal Ordinance is amended as follows :—

Amendment of section 5 of the principal Ordinance.

- (a) in paragraph (b) of subsection (8) by the insertion of the figure “(2)” immediately after the figure “8” where it occurs therein;
- (b) for subsection (11) there shall be substituted the following new subsection :—

“(11) If any person who is disqualified for holding a licence applies for and obtains a licence while so disqualified, or while so disqualified drives a motor vehicle, or being a person whose licence has been endorsed applies

for and obtains a licence without giving particulars of the endorsement, he shall be guilty of an offence and shall on summary conviction be liable to imprisonment for a term not exceeding six months or if the Court thinks that, having regard to the special circumstances of the case, a fine would be adequate punishment for the offence, to a fine not exceeding £50 or to both such imprisonment and fine, and any licence obtained as aforesaid shall be of no effect."

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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Ref. 1850

Assented to in Her Majesty's name this 29th day of September, 1959.

A. G. DENTON-THOMPSON,  
*Officer Administering the Government.*

[L.S.]



No. 15

1959.

Colony of the Falkland Islands.

IN THE EIGHTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II.

AUBREY GORDON DENTON-THOMPSON, O.B.E., M.C.  
*Officer Administering the Government.*

An Ordinance

Further to amend the Whale Fishery 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 Whale Fishery (Amendment) (No. 2) Ordinance, 1959, and shall be read and construed as one with the Whale Fishery Ordinance as amended, hereinafter referred to as the principal Ordinance. Short title. Cap. 76.

2. The principal Ordinance is amended by the addition of the following as section 5A :— Addition of new section 5A in the principal Ordinance.

"Prohibition of use of underwater detection equipment. 5A. (1) No form of underwater detection equipment shall be used in whale catchers for the purpose of locating whales, and a condition to that effect shall be attached to every licence under this Ordinance authorising use of a ship for taking whales.

(2) A Whaling Officer may board any catcher and shall have free access to every part thereof and may lock up, seal or otherwise secure any underwater detection equipment therein in such a manner as to prevent its use for the purpose of locating whales.

(3) If a lock or seal placed by a Whaling Officer under powers conferred in the preceding subsection be wilfully opened or broken before the return of the

catcher (to the factory) except with the authority of a Whaling Officer or some person authorised by him then, subject to the provisions of subsection (4) of this section, the master and owner or charterer (if any) of the catcher shall each be guilty of an offence and shall each be liable to a fine not exceeding £200.

(4) Notwithstanding anything contained in the preceding subsection a lock or seal placed by a Whaling Officer may be opened or broken if underwater detection equipment is reasonably required to be used for navigational purposes :-

Every occasion of such use and a statement of necessity thereof shall be entered in the ship's log and in the return referred to in regulation No. 14 (a) of Whaling Regulations.

(5) The expression "Whaling Officer" means such officer as the Governor may appoint to enforce the provisions of this Ordinance."

Amendment of section 9  
of the principal  
Ordinance.

3. Paragraph (e) of subsection (2) of section 9 of the principal Ordinance is amended by the deletion of the word "class" and the substitution therefor of the word "specie".

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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Ref. D/4/58.

Assented to in Her Majesty's name this 16th day of December, 1959.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]



No. 16

1959.

Colony of the Falkland Islands.

IN THE EIGHTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

An Ordinance  
Further 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 (Amendment) (No. 2) Ordinance, 1959, and shall be read as one with the Live Stock Ordinance, hereinafter referred to as the principal Ordinance. Short title. Cap. 40.

2. Section 11 of the principal Ordinance is repealed and replaced as follows :- Replacement of section 11 of the principal Ordinance.

"Annual  
dipping  
compulsory.

11. (1) Between the 1st day of March and the 30th day of June in every year, every owner shall dip or cause to be dipped with an insecticidal dip approved by an inspector all sheep running on land whereof he is the occupier :

Provided that -

- (a) 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 :
- (b) with the approval of the Governor in Council and subject to such conditions as may be imposed by the Governor in Council, the period during which sheep must be dipped may be advanced or extended for experimental purposes :

(c) the inspector may exempt the owner on 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.

(2) Any person who contravenes the provisions of this section shall be liable to a fine not exceeding two shillings for every sheep."

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.

D. R. MORRISON,  
*for Clerk of the Legislative Council.*

Ref. 1093.

Assented to in Her Majesty's name this 31st day of December, 1959.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]



No. 17

1959.

Colony of the Falkland Islands.

IN THE EIGHTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

An Ordinance

To amend the Pensions (Increase) Ordinance, 1959. Title.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows — Enacting Clause.

1. This Ordinance may be cited as the Pensions (Increase) (Amendment) Ordinance, 1959, and shall be read as one with the Pensions (Increase) Ordinance, 1959, hereinafter referred to as the principal Ordinance. Short title.  
12 of 1959.

2. In subsection (1) of section 2 of the principal Ordinance the definition of the expression "Scheduled Government" is amended by the substitution of a comma for the full-stop at the end thereof and the addition immediately after that comma of the following :— Amendment of section 2 of the principal Ordinance.

"as amended ;".

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.

D. R. MORRISON,  
*for Clerk of the Legislative Council.*

Ref. 66/42.

Assented to in Her Majesty's name this 31st day of December, 1959.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 18



1959.

**Colony of the Falkland Islands.**

IN THE EIGHTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

**An Ordinance**

**To amend the Estate Duty Ordinance.**

Title.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :—

Enacting clause.

1. (1) This Ordinance may be cited as the Estate Duty (Amendment) Ordinance, 1959, and shall be read as one with the Estate Duty Ordinance (Chapter 25), hereinafter referred to as the principal Ordinance.

Short title.

2. Section 2 of the principal Ordinance is amended by the addition thereto of the following definitions :—

Amendment of section 2 of the principal Ordinance.

“Agricultural property” means property other than land used wholly or mainly for agricultural or pastoral purposes, including such cottages, farm buildings, and dwelling-houses (together with the lands occupied therewith) as are of a character appropriate to the property, and live stock and agricultural machinery;

“Property passing on the death” includes property passing either immediately on the death or after an interval either certainly or contingently, and either originally or by way of substitutive limitation, and “on the death” includes at a period ascertainable only by reference to the death.

3. Section 4 of the principal Ordinance is repealed and replaced by the following section :—

Amendment of section 4 of the principal Ordinance.

“4. (1) In the case of every person dying after the commencement of this Ordinance estate duty shall, save as hereinafter expressly provided, be levied and paid on the principal value, ascertained as hereinafter provided, of all property passing

Charge of estate duty.

on the death of the deceased (hereinafter referred to as "the estate of the deceased") at the graduated rates shown in the Schedule to this Ordinance: Provided that the first £5,000 of any estate the principal value of which exceeds that amount shall, without prejudice to the rate of estate duty applicable in the case of such estate according to the said Schedule, be exempt from estate duty.

(2) The estate of the deceased shall be deemed to include:

- (a) property of which the deceased was at the time of his death competent to dispose;
- (b) property taken as a *donatio mortis causa* made by the deceased or taken under a disposition made by him purporting to operate as an immediate gift *inter vivos*, whether by way of transfer, delivery, declaration of trust or otherwise, which has not been bona fide made three years before his death, or taken under any gift whenever made, if bona fide possession and enjoyment of such property have not been assumed by the donee immediately upon the gift and thenceforward retained to the entire exclusion of the donor, or of any benefit to him by contract or otherwise;
- (c) property which belonged to the deceased, or of which he was competent to dispose, of which he has disposed at any time within three years of his death in any manner other than for valuable consideration paid to the deceased for his own use and benefit: where such disposition has been made for full valuable consideration such consideration shall be subject to the same liability in respect of estate duty as the property so disposed of was subject, and where any such disposition was made for partial consideration the value of the consideration shall be allowed as a deduction from the value of the property for the purposes of estate duty;
- (d) property which the deceased, having been absolutely entitled thereto, has caused or may cause to be transferred to or vested in himself and any other person jointly whether by disposition or otherwise, or any purchase or investment made by the deceased alone, or in concert, or by arrangement with any other person, so that the beneficial interest therein or in some part thereof passes or accrues by survivorship on his death to such other person;
- (e) property passing under any past or future disposition made by the deceased verbally, or by any instrument not taking effect as a will, whereby an interest in such property or the proceeds of sale thereof for life or any other period determinable by reference to death is reserved or otherwise secured, either expressly or by implication, to the deceased, or whereby the deceased may have reserved to himself the right, by the exercise of any power, to restore to himself or to reclaim the absolute interest in such property or the proceeds of sale thereof (notwithstanding, in cases where the disposition is contained in any instrument, such instrument may have been made for valuable consideration as between the deceased and any other person);
- (f) money payable to the estate of the deceased under any policy of insurance on his life and money received under a policy of insurance effected by the deceased on his life where the policy is wholly kept up by him for the benefit of a donee, whether nominee or assignee, or a part of such money in proportion to the premiums paid by him where the policy is partially kept up by the deceased for such benefit;

- (g) property in which the deceased or any other person had an interest ceasing on the death of the deceased to the extent to which a benefit accrues or arises by the cesser of such interest: but exclusive of property the interest in which of the deceased or other person was only an interest as holder of an office, or recipient of the benefits of a charity, or as a corporation sole;
- (h) an 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 always that the provision marked (d) or (e) in this sub-section shall not apply to any property disposed of by the deceased for full valuable consideration, but such consideration shall be subject to the same liability in respect of estate duty as the property so disposed of was subject; if such consideration consists wholly or in part of any benefit or of any periodic payment which terminates on the death of the deceased, estate duty shall be payable on the value of such benefit or periodic payment as if calculated at the time it was created or provided, and where any such disposition was made for partial consideration the value of the consideration shall be allowed as a deduction from the value of the property for the purposes of estate duty.

(3) Estate duty shall be paid in respect of all property of the deceased situate in the Colony, wherever his death may have occurred, and in case the deceased was at the time of his death domiciled in the Colony it shall also be paid in respect of his movable property and effects wherever situate.

(4) Estate duty shall not be payable:—

- (a) in respect of property held by the deceased as trustee for another person under a disposition not made by the deceased, or under a disposition made by the deceased more than three years before his death where possession and enjoyment of the property was forthwith bona fide assumed by the beneficiary and retained to the entire exclusion of the deceased or of any benefit to him by contract or otherwise;
- (b) in respect of any gifts or dispositions for public or charitable purposes and to the entire exclusion of the deceased made by the deceased which in the case of any one donee do not exceed £500, or which, if exceeding that amount, were made more than twelve months before the date of the death of the deceased;
- (c) in respect of gifts to the entire exclusion of the deceased made in consideration of marriage, or which in the case of any one donee did not exceed in the aggregate £500 in value or amount, 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 to the circumstances.

Exemptions from estate duty.

Trust property: disposition by deceased more than 3 years before death.

Charitable gifts.

Gifts in consideration of marriage or under £500.

(5) Where the Treasurer is satisfied that in any part of the Commonwealth duty is payable by reason of a death in respect of any property situate in such part and passing on such death, he shall allow a sum equal to the amount of that duty to be deducted from the estate duty payable in respect of that property on the same death.

Property in United Kingdom or a British possession.

(6) Where any property subject to estate duty under this Ordinance is situate in a foreign country, and the Treasurer is satisfied that by reason of the death any duty is payable in that

Property in a foreign country.

foreign country in respect of that property, he shall make an allowance of the amount of that duty from the value of the property.

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

Amendment of section 5 of the principal Ordinance.

4. Section 5 of the principal Ordinance is amended as follows :-

- (a) by deleting therefrom the brackets and figure "(1)";
- (b) by substituting "2 per centum" for the words and figure "5 per centum"; and
- (c) by deleting subsection (2).

Insertion of sections 6A, 6B, 6C, in the principal Ordinance.

5. There shall be inserted after section 6 of the principal Ordinance the following new sections numbered 6A, 6B and 6C.

Reduction of full amount of duty where the margin above the limit of value is small.

"6A. The amount of estate duty payable on an estate at the rate applicable thereto under the scale of rates of duty shall, where necessary, be reduced so as not to exceed the highest amount of duty which would be payable at the next lower rate with the addition of the amount by which the value of the estate exceeds the value on which the highest amount of duty would be payable at that lower rate.

Rate of duty in respect of agricultural property.

"6B. The scale in accordance with which estate duty is to be charged on the agricultural value of agricultural property shall be 50 per cent of the rate which would have been applicable according to the Schedule to this Ordinance.

Exemption of certain annuities.

"6C. (1) Estate duty shall not be payable in respect of a single annuity not exceeding £52 per annum purchased or provided by the deceased, either by himself alone or in concert or arrangement with any other person, for the life of himself or of some other person and the survivor of them, or to arise on his own death in favour of some other person; and if in any case there is more than one such annuity the annuity first granted shall alone be entitled to the exemption under this section.

(2) An annuity of less than £104 which would, but for the fact that it exceeds £52, be exempted from estate duty shall be chargeable with estate duty as if it were an annuity of twice the amount by which it exceeds £52".

Amendment of section 7 of the principal Ordinance.

6. Section 7 of the principal Ordinance is amended by deleting subsection (4) therefrom.

Amendment of the Schedule to the principal Ordinance.

7. The Schedule to the principal Ordinance is repealed and replaced by the following Schedule -

#### SCHEDULE.

##### RATE OF ESTATE DUTY.

Not exceeding £5,000	...	...	...	...	Nil
Exceeding £5,000 but not exceeding £7,500	...	...	...	...	3%
" £7,500	"	"	"	£10,000	4%
" £10,000	"	"	"	£15,000	5%
" £15,000	"	"	"	£20,000	6%
" £20,000	"	"	"	£25,000	7%
" £25,000	"	"	"	£30,000	8%
" £30,000	"	"	"	£40,000	9%
" £40,000	...	...	...	...	10%

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.

D. R. MORRISON,  
for Clerk of the Legislative Council.

Ref. 0635/II.

Assented to in Her Majesty's name this 31st day of  
December, 1959.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 19



1959.

Colony of the Falkland Islands.

IN THE EIGHTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

### An Ordinance

To legalise certain payments made in the  
year 1958-59 in excess of the Expenditure  
sanctioned by Ordinance No. 8 of 1958.

Title.

WHEREAS it is expedient to make further provision for  
the service of the Colony for the period 1st July, 1958, to 30th June,  
1959.

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 (1958-59) Ordinance, 1959.

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 July, 1958, to 30th June, 1959, 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 sum mentioned for those  
services in the said Ordinance.

Appropriation of excess  
expenditure for the  
period 1st July, 1958,  
to 30th June, 1959.

## SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
	FALKLAND ISLANDS.			
X.	Miscellaneous ... ..	2935	13	0
XI.	Pensions & Gratuities ... ..	3841	14	0
XIX.	Special Expenditure ... ..	12796	11	4
	Total Expenditure £	19573	18	4

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.

D. R. MORRISON,  
*for Clerk of the Legislative Council.*

Ref. 0284/XI.

Assented to in Her Majesty's name this 31st day of December, 1959.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 20



1959

Colony of the Falkland Islands.

IN THE EIGHTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II.

SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

## An Ordinance

To amend the Application of Enactments  
Ordinance, 1954. Title.

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, 1959, and shall be read as one with the Application of Enactments Ordinance, 1954, hereinafter referred to as the principal Ordinance. Short title.  
13 of 1954.

2. The Schedule to the principal Ordinance is hereby amended as follows :— Amendment of Schedule  
to principal Ordinance.

(a) by the insertion immediately after enactment No. 3 of the following :—

“3A. Marine Insurance Act, 1906. The whole Act.”;  
6 Ed. 7, c. 41.

(b) by the insertion immediately after enactment No. 7 of the following :—

“7A. Marine Insurance (Gambling Policies) Act, 1909. 9 Ed. 7, c. 12. The whole Act.  
For Section 1 (3) there  
shall be substituted the  
following :—

“Proceedings under this Act shall not be instituted without the consent of the 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.

D. R. MORRISON,  
*for Clerk of the Legislative Council.*

Ref. 1864.

Assented to in Her Majesty's name this 31st day of  
December, 1959.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 21



1959.

**Colony of the Falkland Islands.**

IN THE EIGHTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

**An Ordinance**

**Further 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 (Amend-  
ment) Ordinance, 1959, and shall be read as one with the Customs  
Ordinance, hereinafter referred to as the principal Ordinance. Short Title.  
Cap. 16.

2. Section 32 of the principal Ordinance is amended by the  
deletion of the words "three months" and the substitution therefor  
of the words "six months". Amendment of section 32  
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.

D. R. MORRISON,  
*for Clerk of the Legislative Council.*

Ref. 1764.

Assented to in Her Majesty's name this 24th day of March, 1959.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 1



1959.

**Falkland Islands Dependencies.**

IN THE EIGHTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
EDWIN PORTER ARROWSMITH, C.M.G.,  
*Governor.*

**An Ordinance**

To legalise certain payments made in the year 1957-58 in excess of the Expenditure sanctioned by Ordinance No. 3 of 1957.

Title.

WHEREAS it is expedient to make further provision for the service of the Dependencies for the year 1957-58.

Preamble.

ENACTED by the Governor of the Colony of the Falkland Islands, and Dependencies thereof, as follows :—

Enacting clause.

1. This Ordinance may be cited for all purposes as the Supplementary Appropriation (Dependencies) (1957-58) Ordinance, 1959.

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 1957-58 the same are hereby declared to have been duly laid out and expended for the service of the Dependencies 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 1957-58.

SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
1.	General ... ..	7,566	7	8½
3.	F.I.D.S. Headquarters (Administration)	4,469	9	3
5.	F.I.D.S. Bases ... ..	6,604	9	3
7.	R.R.S. "Shackleton" ... ..	9,728	10	6
8.	W/T Service ... ..	535	15	8
9.	Aerial Survey, Dependencies ...	18,773	0	8
	Total Expenditure ...	47,677	13	0½

Promulgated by the Governor on the 24th day of March, 1959.

A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

Assented to in Her Majesty's name this 15th day of  
May, 1959.

A. G. DENTON-THOMPSON,  
*Officer Administering the Government.*

[L.S.]



No. 2

1959.

Falkland Islands Dependencies.

IN THE EIGHTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II.

AUBREY GORDON DENTON-THOMPSON, O.B.E., M.C.  
*Officer Administering the Government.*

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, 1959. 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 be in force in the Dependencies with effect from the respective dates set out opposite their title in the third column of the Schedule to this Ordinance. Application of certain Ordinances to the Dependencies.

SCHEDULE

1 of 1959	Customs (Amendment) Ordinance, 1959.	1st May, 1959.
4 of 1959	Foreign Judgments (Reciprocal Enforcement) Ordinance, 1959	1st May, 1959.

Promulgated by the Officer Administering the Government  
on the 15th day of May, 1959.

J. BOUND,  
*Acting Colonial Secretary.*

Ref. 1848.

Assented to in Her Majesty's name this 30th day of June, 1959.

A. G. DENTON-THOMPSON,  
*Officer Administering the Government.*

[L.S.]

No. 3



1959.

**Falkland Islands Dependencies.**

IN THE EIGHTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

AUBREY GORDON DENTON-THOMPSON, O.B.E., M.C.  
*Officer Administering the Government.*

**An Ordinance**

To provide for the service between the first day of July, 1959, and the thirtieth day of June, 1960. Title.

[1st July, 1959.]

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) (1959/1960) Ordinance, 1959.

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, 1960, a sum not exceeding Seven hundred and sixty seven thousand, and Sixty 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, 1959, to the thirtieth day of June, 1960.

Appropriation of  
£767,063 for service  
of the year ending 30th  
June, 1960.

SCHEDULE.

Number.	Head of Service.	Amount. £
I.	General	79,097
II.	F.I.D.S. London Office	37,299
III.	F.I.D.S. Headquarters (Administration)	50,440
IV.	F.I.D.S. Headquarters (Meteorological Service)	19,995
V.	F.I.D.S. Bases	363,690
VI.	R.R.S. "John Biscoe"	114,479
VII.	R.R.S. "Shackleton"	94,358
VIII.	W/T Service	7,705
	Total Expenditure	£ 767,063

Promulgated by the Officer Administering the Government  
on the 30th day of June, 1959.

J. BOUND,  
*Acting Colonial Secretary.*

Ref. F.I.D.S./46.

Assented to in Her Majesty's name this 25th day of  
July, 1959.

R. STEWART SLESSOR,  
*Officer Administering the Government.*

[L.S.]



No. 4

1959.

Falkland Islands Dependencies.

IN THE EIGHTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
ROBERT STEWART SLESSOR, O.B.E.,  
*Officer Administering the Government.*

An Ordinance

To provide for the service between the  
first day of July, 1959, and the thirtieth day  
of June, 1960.

[1st July, 1959.]

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) (1959/1960) (Amendment) Ordinance,  
1959.

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, 1960, a sum not  
exceeding Seven hundred and Sixty four thousand, Eight hundred  
and Sixty three pounds, which sum is granted and shall be approp-  
riated 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, 1959, to the thirtieth day of June, 1960.

3. The Appropriation (Dependencies) (1959/60) Ordinance,  
1959, is hereby repealed.

Title.  
  
Date of commencement.  
  
Enacting Clause.  
  
Short title.  
  
Appropriation of  
£764,863 for service  
of the year ending 30th  
June, 1960.  
  
Repeal of Ordinance  
No. 3 of 1959.

Schedule.

SCHEDULE.

Number.	Head of Service.	Amount. £
I.	General ... ..	79,097
II.	F.I.D.S. London Office ... ..	37,299
III.	F.I.D.S. Headquarters (Administration)	46,910
IV.	F.I.D.S. Headquarters (Meteorological Service) ...	19,995
V.	F.I.D.S. Bases ... ..	364,990
VI.	R.R.S. "John Biscoe" ... ..	114,479
VII.	R.R.S. "Shackleton" ... ..	94,358
VIII.	W/T Service ... ..	7,705
Total Expenditure £		764,863

Promulgated by the Officer Administering the Government  
on the 25th day of July, 1959.

J. BOUND,  
*Acting Colonial Secretary.*

Ref. F.I.D.S./46.

Assented to in Her Majesty's name this 1st day of  
October, 1959.

A. G. DENTON-THOMPSON,  
*Officer Administering the Government.*

[L.S.]



No. 5

1959.

Falkland Islands Dependencies.

IN THE EIGHTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

AUBREY GORDON DENTON-THOMPSON, O.B.E., M.C.  
*Officer Administering the Government.*

An Ordinance

To apply certain Laws of the Colony to  
the Dependencies. Title.

ENACTED for the Dependencies of the Colony of the  
Falkland Islands 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 (No. 2) Ordinance, 1959. 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 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

3 of 1959	Whale Fishery (Amendment) Ordinance, 1959	1st October, 1959.
8 of 1959	Pensions (Amendment) Ordinance, 1959	1st June, 1959.
9 of 1959	Defence Force (Amendment) Ordinance, 1959	1st June, 1959.
11 of 1959	Application of Enactments Ordinance, 1959	1st June, 1959.
12 of 1959	Pensions (Increase) Ordinance, 1959	1st June, 1959.
15 of 1959	Whale Fishery (Amendment) (No. 2) Ordinance, 1959	1st October, 1959.

Promulgated by the Officer Administering the Government  
on the 1st day of October, 1959.

J. BOUND,  
*Acting Colonial Secretary.*

Ref. 0188.

## PART II. REGULATIONS, PROCLAMATIONS, ETC.

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### COLONY -

Regulation No. 1 of 1959	Old Age Pensions (Amendment) Regulations.
.. .. 2 .. ..	Pensions (Amendment) Regulations.
.. .. 3 .. ..	Civil Aviation (Investigation of Accidents) Regulations.
.. .. 4 .. ..	Medical Fees Regulations.
.. .. 5 .. ..	Road Traffic (Amendment) Regulations.
Proclamation No. 1 of 1959	Sitting of the Legislative Council 25.3.59.
.. .. 2 .. ..	Sitting of the Legislative Council 4.5.59.
.. .. 3 .. ..	A. G. Denton-Thompson - assumption of Administration of the Government.
.. .. 4 .. ..	Sitting of the Legislative Council 26.6.59.
.. .. 5 .. ..	R. S. Slessor - assumption of Administration of the Government.
.. .. 6 .. ..	Sitting of the Legislative Council 26.9.59.
.. .. 7 .. ..	Sitting of the Legislative Council 15.12.59.
.. .. 8 .. ..	Dissolution of Legislative Council with effect from 2.1.60.
Resolution No. 1 of 1959	Amendment to the Customs Ordinance.
.. .. 2 .. ..	Additional provisions to the Pensions Ordinance.
Order No. 1 of 1959	Pensions (Pensionable Offices) Order.
.. .. 2 .. ..	Pensions (Pensionable Offices) (No. 2) Order.
.. .. 3 .. ..	Post Office (Amendment) Order.

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## FALKLAND ISLANDS.

### The Old Age Pensions Ordinance, 1952.

### REGULATIONS

(under Section 25 of the Ordinance).

E. P. ARROWSMITH,  
*Governor.*

No. 1 of 1959.

His Excellency the Governor in exercise of the powers vested in him by section 25 of the Old Age Pensions Ordinance, 1952, is pleased, by and with the advice of the Executive Council to make the following Regulations :—

1. These Regulations may be cited as the Old Age Pensions (Amendment) Regulations, 1959, and shall be read as one with the Old Age Pensions Regulations, 1952, hereinafter referred to as the principal Regulations. Short title.

2. Paragraph (5) of regulation 16 of the principal Regulations is amended by the substitution of a comma for the full stop at the end of the paragraph and the addition of the following words and full stop :—

“or otherwise than at the Post Office.”

Made by the Governor in Council on the 13th day of March, 1959.

J. BOUND,  
*Clerk of the Executive Council.*

Ref. 0323/E.

FALKLAND ISLANDS.

The Pensions Ordinance, 1937.

REGULATIONS

(under section 3 of the Ordinance.)

E. P. ARROWSMITH,

*Governor.*

No. 2 of 1959.

In exercise of the powers conferred upon the Governor in Council by section 3 of the Pensions Ordinance, 1937, 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, 1959, and shall be read as one with the Pensions Regulations, 1937, hereinafter referred to as the principal Regulations.

Short title.

2. To the Schedule to the principal Regulations there shall be added the following :—

Amendment to the  
Schedule to the principal  
Regulations.

“Ghana”.

Made by the Governor in Council on the 13th day of March,  
1959.

J. BOUND,

*Clerk of the Executive Council.*

Ref. 0829/II.

# FALKLAND ISLANDS.

## The Civil Aviation Act.

### REGULATIONS

(under section 10 of the Act.)

E. P. ARROWSMITH,

*Governor.*

No. 3 of 1959.

In exercise of the powers conferred on him by section 10 of the Civil Aviation Act, 1949 [as extended to the Colony by the Colonial Air Navigation (Application of Acts) Order, 1952] and of all other powers enabling him in that behalf, the Governor hereby makes the following Regulations :—

1. These Regulations may be cited as the Civil Aviation (Investigation of Accidents) Regulations, 1959. Short title.

2. (1) In these Regulations, unless the context otherwise requires — Interpretation and application of Regulations.

“the Act” means the Civil Aviation Act, 1949, and includes any Order or Regulation made or having effect as if made under the Act;

“aircraft” includes all balloons (whether captive or free), gliders, airships and flying machines;

“accident” includes any fortuitous or unexpected event by which the safety of an aircraft or any person is threatened;

references to the Colony include references to the Dependencies and to the territorial waters adjacent to the Colony and Dependencies;

“owner” means, where an aircraft is registered, registered owner;

“substantial damage” includes any damage which necessitates the replacement or extensive repair of any major component.

(2) References in these Regulations to any enactment shall, unless the context otherwise requires, be construed as references to that enactment as re-enacted in or as amended by or under any subsequent enactment.

(3) The Interpretation Ordinance shall apply for the purpose of the interpretation of these Regulations as it applies for the interpretation of an Ordinance, and as if these Regulations were an Ordinance.

3. These Regulations relate to civil aviation only and shall apply, so far as in the opinion of the Governor may be practicable having regard to local conditions and the circumstances and place of the accident, to accidents arising out of or in the course of air navigation which occur to any civil aircraft in or over the Colony, or elsewhere to civil aircraft registered in the Colony.

4. An accident shall be notified in accordance with the provisions of Regulation 5 if, between the time when any person boards an aircraft with the intention of flight and such time as all persons have disembarked therefrom Notification of Accidents.

(a) any person suffers death or serious injury while in or upon the aircraft or by direct contact with the aircraft or anything attached thereto; or

(b) the aircraft receives substantial damage.

5. (1) Where an accident occurs of which notification is required to be given under Regulation 4, or where an accident to

which these Regulations apply occurs in or over the Colony, the person in command of the aircraft involved at the time of the accident, or if he be killed or incapacitated, then the owner, operator, hirer, or other person on whose behalf he was in command of the aircraft, as the case may be, shall forthwith send to the Governor by the quickest means of communication available notice of the accident and of the place where it occurred; provided that in the case of an accident occurring in or in the vicinity of the Falkland Islands Dependencies the Administrative Officer, South Georgia, or the Base Leader of the nearest British Base shall also be notified.

(2) The notice to the Governor referred to in paragraph (1) of this Regulation shall state as far as possible -

- (a) the type, and the nationality and registration marks of the aircraft;
- (b) the name of the owner, operator and hirer if any, of the aircraft;
- (c) the name of the person in command of the aircraft;
- (d) the date and time of the accident;
- (e) the last point of departure and the next point of intended landing of the aircraft;
- (f) the position of the aircraft with reference to some easily defined geographical point;
- (g) the number of persons (if any)
  - (i) killed,
  - (ii) seriously injured,
 as the result of the accident;
- (h) the nature of the accident as far as is known;
- (i) brief particulars of damage to the aircraft.

(3) Where an accident to which these Regulations apply occurs, whether in or over the Colony or elsewhere, the owner, operator or hirer of the aircraft shall, if so required by notice in writing from the Governor, send to the Governor within such time as may be specified in the notice, such information with respect thereto in such form as the Governor may require.

Removal of damaged aircraft.

6. (1) Where an accident occurs in or over the Colony, of which notification is required to be given under Regulation 4, no person other than an authorised person shall have access to the aircraft involved in the accident and the aircraft shall not except under the authority of the Governor, be removed or otherwise interfered with;

Provided that -

- (i) the aircraft may be removed or interfered with so far as may be necessary for the purpose of extricating persons or animals involved, removing any mails carried by the aircraft, preventing destruction by fire or other cause, or preventing any danger or obstruction to the public or to air navigation or to other transport;
- (ii) goods or passengers' baggage may be removed from the aircraft under the supervision of an officer of police, but, if the aircraft has come from a place outside the Colony, shall not be removed from the vicinity of the aircraft except on clearance by or with the consent of an officer of Customs and Excise;
- (iii) if an aircraft is wrecked on the water, the aircraft or any contents thereof may be removed to such extent as may be necessary for bringing it or them to a place of safety.

(2) In this Regulation the expression "authorised person" means any person authorised by the Governor either generally or specially to have access to any aircraft involved in an accident and includes any officer of police or any officer of Customs and Excise.

7. (1) For the purpose of carrying out investigations into the causes and circumstances of any accident to which these Regulations apply the Governor shall appoint some fit and proper person as Inspector.

Inspector's Investigation.

(2) The Inspector shall carry out an investigation of the accident, whether or not such accident is one whereof notification is required to be given under Regulation 4.

(3) Public notice that such investigation is taking place shall be given in such manner as the Governor may think fit and shall state that any person who may desire to make representations concerning the circumstances or causes of the accident may do so in writing within a time to be specified in the notice.

8. With respect to an Inspector's Investigation, the following provisions of this Regulation shall have effect:-

(1) The Inspector by whom the investigation is made shall have power -

- (a) by summons under his hand to call before him and examine all such persons as he thinks fit, to require such persons to answer any question or furnish any information or produce any books, papers, documents and articles which the Inspector may consider relevant, and to retain any such books, papers, documents and articles until the completion of the investigation;
- (b) to take statements from all such persons as he thinks fit and to require any such person to make and sign a declaration of the truth of the statement made by him;
- (c) to have access to and examine any aircraft involved in the accident and the place where the accident occurred, and for that purpose to require any such aircraft or any part or equipment thereof to be preserved unaltered pending examination;
- (d) to examine, remove, test, take measures for the preservation of, or otherwise deal with the aircraft or any part thereof or anything contained therein;
- (e) to enter and inspect any place or building the entry or inspection whereof appears to the Inspector to be requisite for the purposes of the investigation;
- (f) to take measures for the preservation of evidence.

(2) Where an accident has occurred in or over the Colony to an aircraft registered in any country other than the Colony, the Governor may authorise an investigator appointed by the duly competent authority of that other country to carry out an investigation, and in that event the Governor shall so far as he is able facilitate inquiries by the investigator so appointed;

(3) The investigation shall be held in private;

Provided that -

Where it appears to the Governor that it is expedient to hold a Public Inquiry into the causes and circumstances of an accident to which these Regulations apply, he may direct that the investigation be held in public.

Public Inquiries.

(4) Where it appears to the Inspector that in order to resolve any conflict of evidence or that for any other reason it is expedient so to do, he may permit any person to appear before him and call evidence and examine witnesses;

(5) Where it appears to the Inspector that any degree of responsibility for the accident may be attributed to any person, and if it appears to the Inspector to be practicable so to do, that person or, if he be deceased, his legal personal representatives shall be given notice that blame may be attributed to him and be permitted to make a statement or give evidence and to produce witnesses and to examine any witnesses from whose evidence it appears that he may be blame-worthy;

(6) Every person summoned by the Inspector as a witness in accordance with this Regulation shall be allowed such expenses as the Governor may from time to time determine.

9. Upon the completion of an investigation, the Inspector shall make a report to the Governor. He shall state the circumstances of the case and his conclusions as to the cause of the accident, adding any observations and recommendations which he thinks fit to make with a view to the preservation of life and the avoidance of similar accidents in future. He shall also state to what extent effect has been given to the provisions of paragraph (5) of Regulation 8. The Governor may cause the whole or any part of such report to be made public in such manner as he thinks fit.

10. (1) Every investigation held in public under these Regulations shall be conducted in such manner that, if a charge is made against any person, that person shall have an opportunity of making a defence;

(2) When an investigation has been directed to be held in public the Governor may cause a notice, to be called a notice of inquiry, to be served upon the owner, operator, hirer and person in command of any aircraft involved in the accident, as well as upon any person who in his opinion ought to be served with such notice. The notice shall contain a statement of the questions which on the information then in the possession of the Governor he intends to be raised on the hearing of the inquiry, and he may, at any time before the hearing of the inquiry, by a subsequent notice amend, add to, or omit any of the questions specified in the notice of inquiry;

(3) The owner, the operator, the hirer, the person in command and any other person upon whom a notice of inquiry has been served, shall be deemed to be parties to the proceedings;

(4) Affidavits and statutory declarations may, by permission of the Inspector and saving all just exceptions, be used as evidence at the hearing;

(5) At the time and place appointed for holding the inquiry the Inspector may proceed with the inquiry whether the parties, upon whom a notice of inquiry has been served, or any of them are present or not;

(6) The inquiry shall be held in public save to the extent to which the Inspector is of opinion that in the interest of justice or in the public interest any part of the evidence, or any argument relating thereto should be heard in camera.

11. (1) The Governor may, in any case where an investigation has been held in public, direct a rehearing thereof either generally or as to any part thereof and shall do so

- (a) if new and important evidence which could not be produced at the inquiry has been discovered, or
- (b) if for any other reason there is in his opinion ground for suspecting that a miscarriage of justice has occurred;

(2) If the Governor directs any inquiry to be reheard, he may order that it shall be reheard either by the Inspector by whom it was heard in the first instance or by some other person appointed by him to hold the rehearing;

(3) Any rehearing shall be subject to and conducted in accordance with the provisions of these Regulations.

12. Where an Investigation relates to an accident which has occurred in or over the Colony to an aircraft registered in any country other than the Colony, an accredited representative of the country in which the aircraft is registered, or of any country which has, on request, furnished information in connection with the accident, may take part in the investigation; he may be accompanied by such technical and other advisers as may be considered necessary by the authorities of the country by which he is appointed. General.

13. (1) A person shall not obstruct or impede an Inspector or any person acting under the authority of the Governor in the exercise of any powers or duties under these Regulations.

(2) A person shall not without reasonable excuse (proof whereof shall lie on him) fail after having had the expenses (if any) to which he is entitled tendered to him, to comply with any summons or requisition of an Inspector holding an Investigation under these Regulations.

14. (1) Nothing in these Regulations shall limit the powers of any authority under sections 530 to 537 inclusive of the Merchant Shipping Act, 1894;

(2) Nothing in these Regulations shall limit the power of the Governor under the Act of cancelling, suspending or endorsing any licence, certificate or other document.

Made by the Governor in Executive Council on the 20th April, 1959.

J. BOUND.  
*Clerk of the Executive Council.*

Ref. 1586/A.

# FALKLAND ISLANDS.

## The Public Health Ordinance (Cap. 54)

### REGULATIONS

(under section 55 of the Ordinance).

E. P. ARROWSMITH,

*Governor.*

No. 4 of 1959.

His Excellency the Governor in exercise of the powers vested in him by Section 55 of the Public Health Ordinance, is pleased, by and with the advice of the Executive Council to make the following Regulations :—

Cap. 54

1. These Regulations may be cited as the Medical Fees Regulations, 1959. Short title

2. These Regulations shall come into effect on the 1st December, 1959. Date of coming into force

3. "Child" means any person who is under 15 years of age; Definitions

"Government Servant" means —

- (a) any person appointed to an established post and whose appointment is published in the Gazette;
- (b) any person serving in an official capacity in South Georgia;
- (c) persons who are employed in the Falkland Islands on a whole time basis in executive, scientific, technical or clerical posts, by:
  - (i) Air Ministry and Meteorological Office;
  - (ii) Department of Scientific and Industrial Research;
  - (iii) Falkland Islands Dependencies Survey;
  - (iv) Ministry of Transport and Civil Aviation;

- (d) pensioners of the Falkland Islands Government and South Georgia Administration.

"Medical Officer" means a qualified medical practitioner registered under the Medical Practitioners, Midwives and Dentists Ordinance and employed by Government.

"Subscriber" means a person who subscribes an annual sum towards the cost of Government medical services and shall include all the members of his household with the exception of those gainfully employed on their own account.

4. Charges levied in accordance with these regulations may be remitted in whole or in part by the Governor. Remission of charges

5. The charges levied in accordance with these regulations shall be those provided for in the schedules to these regulations. Fees to be charged

6. The Medical Fees Regulations, and the Medical Fees (Amendment) Regulations, 1952, are hereby revoked with effect from the date of the coming into operation of these regulations. Revised Edition Vol. 11 p. 256, 3 of 1952

Made by the Governor in Council on the 5th day of November, 1959.

J. BOUND,

*Clerk of the Executive Council.*

## SCHEDULE A.

### Scale of Charges for Medical Services performed outside the King Edward Memorial Hospital.

Attendance by a medical officer.	1. Attendance by a medical officer at the household of a person in Stanley :— (a) For the first visit .... 3/6d. (b) For each subsequent visit .... 2/6d. Provided that such fees may be doubled in the case of a visit made between the hours of 7 p.m. and 7 a.m. if, in the opinion of the medical officer, the circumstances do not warrant a night call.
Requests for visits.	2. Requests for visits by a medical officer shall be made to the K. E. M. Hospital by noon for a visit on the same day or otherwise the fees provided for under Regulation 1 may be doubled except in the case of an emergency or when in the opinion of the medical officer the circumstances of the case warrant a request for a visit being made after noon.
Attendance by a Sister or staff Nurse.	3. (i) Attendance by a Sister or Staff Nurse at the residence of any person shall be charged at the rate of 2/6d. per visit and 2/- for every hour or part thereof after the first hour, subject to a maximum of 15/- in respect of any one period of 24 hours; provided that when circumstances require it the Sister or Staff Nurse shall also be provided with free board and lodging and transport.
Attendance by District Nurse.	(ii) Attendance by a District Nurse at the residence of any person shall be charged at the rate of 1/- per visit and 1/- for every hour or part thereof after the first hour subject to a maximum of 5/- in respect of any one period of 24 hours.
Special medical services.	4. When a medical officer is required to remain with a case in excess of the time spent in the course of a normal visit, renders special service or treatment or performs any kind of operation, a special fee not exceeding £10 10s. 0d. may be charged; provided that such special fee shall be assessed by the Senior Medical Officer.
Transport charges.	5. When a medical officer visits a patient outside Stanley who is not a subscriber to the Government Medical Service, a one way mileage charge of 3/- per mile shall be made in addition to the ordinary medical charge or, in lieu, transport as required by the medical officer shall be provided.
Visits to ships.	6. When a medical officer is requested to visit a ship a charge of £1 10s. 0d. and 10/- for each patient seen shall be made; provided also that if the use of a boat is required to reach the ship, free transport to and from the ship shall be provided by the Master.

## SCHEDULE B.

### Scale of Fees charged to Out Patients and to persons admitted as In Patients at the King Edward Memorial Hospital.

#### OUT PATIENTS.

Out patient fees.	1. An out patient fee of 2/6 for the first consultation and 2/- for each subsequent consultation shall be charged; provided that special diagnostic, medical, surgical or laboratory services may be charged at a higher rate but not exceeding £5 5s. 0d. if, in the opinion of the Senior Medical Officer, the circumstances of the case and the nature of the services performed warrant such higher charge.
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## IN PATIENTS

2. In patients shall be charged at the following rates which shall be inclusive of medical care and attention, maintenance, medicines and dressings but shall not include charges for X-ray examinations or operations :—

- (i) Persons normally resident in the Colony and persons resident for the time being in South Georgia:—  
(a) in a general ward — 9/- per day or part day or £3 3s. 0d. per week;  
(b) in a private ward — 15/- per day or part day or £5 5s. 0d. per week.
- (ii) Persons who are not normally resident in the Colony :—  
(a) in a general ward — 12/- per day or part day or £4 4s. per week;  
(b) in a private ward — 21/- per day or part day or £7 7s. per week.

3. Maternity patients shall be charged at the following rates which shall be inclusive of all medical attention, treatment and maintenance :—

- (a) in a general ward — £5 5s. 0d.  
(b) in a private ward — £8 8s. 0d.

4. (i) The following charges shall be made in respect of X-ray examinations :—

- (a) Simple screening — 10/- to £1 10s. 0d.  
(b) Skiagram — 5/- to £1 1s. 0d.  
(c) Barium series — £1 0s. 0d. to £3 3s. 0d.

(ii) Physiotherapy treatment and radiant heat treatment shall be charged for at the rate of 1/- per session, provided that no charge shall be levied for such treatment given to an in patient.

5. The following charges shall be made in respect of surgical operations :—

- Minor operations — £1 1s. 0d. to £3 3s. 0d.  
Major operations (which shall include abdominal operations) £5 5s. 0d. to £15 15s. 0d.

## SCHEDULE C.

### Charges for Medicines and Drugs and Miscellaneous Charges.

1. The following charges shall be made for prescriptions :—

(i) Common galenical prescriptions :—

Bottle of 8 oz. in $\frac{1}{2}$ oz. doses	....	1/6d.
Common ointments, per oz.	....	6d.
Common liniments, per oz.	....	6d.
Common tablets or pills, per dozen	3d. —	6d.

(ii) Other preparations, including antibiotics, shall be charged for at rates that shall take into account the cost of such preparations and the quantity prescribed.

Medical examinations for  
Benefit Societies and  
Life Assurance.

2. The following charges shall be made in respect of medical examinations for :—

- (i) Life Assurance, with certificate - £2 2s. 0d.
- (ii) Employment, with a certificate - 10/6d.
- (iii) Stanley Benefit Club - No charge

Special Comforts.

3. Special medical comforts, wines, spirits and any special apparatus or food shall be paid for by the patient concerned.

#### SCHEDULE D. DENTAL FEES.

SERVICE				FEES
1.	Scaling and polishing	....	....	3/6d.
2.	Gum treatment	....	....	2/6d.
3.	Fillings			
	(a) Amalgam	....	....	5/- per filling
	(b) Cement	....	....	5/- per filling
4.	Root treatment - per tooth	....	....	10/6d.
5.	Crowning, per tooth (exclusive of the cost of gold)	....		£2 10s. 0d.
6.	Extractions, per tooth	....	....	2/6d. subject to a maximum of £3 0s. 0d.
7.	Dentures			
	(a) Full upper or lower denture	....	....	£6 6s. 0d.
	(b) Partial Denture	....	....	£1 5s. 0d. to £3 0s. 0d.
	(c) Repairs to fractured dentures	....	....	10/- to £2 2s. 0d.
	(d) Additions to partial denture	....	....	7/6 per tooth
	(e) Splints, acrylic or metal	....	....	£1 10s. 0d. to £2 10s. 0d.
	(f) Relining	....	....	£1 1s. 0d.

In any case in which special compounds and precious metals are used the fees provided for under this schedule shall be adjusted so as to take into account the cost of supplying such special compounds and precious metals and the additional work involved.

#### SCHEDULE E. Reductions, Exceptions and Special Cases.

1. The Senior Medical Officer may, at his discretion, remit up to half of any fee or charge levied in accordance with these regulations, and the Governor may remit more than half; provided that in ordinary circumstances there shall be no remission in the case of fees charged for private wards.

Remission of fees.

2. No charges shall be made in respect of :—

Circumstances in which no charge shall be made.

- (i) vaccination for smallpox or immunisation against disease;
- (ii) the medical treatment, hospitalisation and maintenance of patients suffering from Tuberculosis;
- (iii) X-ray examinations of the chest in the case of any person who is found to have contracted Tuberculosis or who has at any time had Tuberculosis and X-ray examinations of the chest made at the request of a medical officer for the purpose of reducing the incidence of Tuberculosis or preventing the spread of Tuberculosis in the Colony; provided that any person who arrives in the Colony without the required certificate certifying him free of Pulmonary Tuberculosis shall be charged the full cost of any X-ray examination of the chest that may be made on his arrival;
- (iv) persons who are in receipt of charitable relief from the Stanley Town Council.

3. (1) Children who have not attained the age of 15 years shall be charged at half rate in respect of :—

Charges in respect of children.

- (i) hospitalisation and treatment as an in patient;
- (ii) operations;
- (iii) all other medical treatment with the exception of X-ray examinations, physiotherapy and radiant heat treatment as an out patient and medicines and drugs;
- (iv) dental services other than those provided free in accordance with paragraph (2) of this regulation.

(2) Children who have not attained the age of 15 years shall not be charged dental fees for scaling, polishing, gum treatment Amalgam and cement fillings or extractions.

4. No charges shall be levied against Government servants, recognised Ministers of Religion, members of recognised religious and charitable orders or the wives and children of Government servants (other than those who are gainfully employed) except in respect of :—

Government servants.

- (i) in patients fees and maternity fees, when half the normal charge shall be levied;
- (ii) operations - when half the normal charge shall be levied;
- (iii) special medical comforts, wines, spirits and any special apparatus or food;
- (iv) X-Ray examinations, when half the normal charge shall be levied;
- (v) special dental services connected with root treatment, crowning and dentures when half the normal charge shall be levied subject, however, to the proviso that the full cost of any special compounds and precious metals shall be charged;
- (vi) visits of the District Nurse.

Charges in respect of  
camp subscribers.

5. (1) No charges shall be levied in the case of camp subscribers in respect of any of the medical services (but not dental services) provided for under these regulations with the exception of :—

- (i) maternity fees;
- (ii) in patient fees.

Former camp subscribers  
no longer resident in the  
Camp.

(2) Camp subscribers who have attained the age of sixty and who have made not less than twenty annual payments to the Government Medical Service but who are no longer resident in the camp shall for the purposes of these regulations be regarded as camp subscribers on continued payment of the annual subscription.

Falkland Islands Defence  
Force.

6. No charge for either medical or dental services shall be made in respect of injuries incurred by any member of the Falkland Islands Defence Force while on duty; provided that normal charges as provided for under these regulations shall be levied in any case in which the injuries are incurred as the result of the member's own misconduct.

Government Employees  
employed by Govern-  
ment on 1st December,  
1959, to retain privileges.

7. Any person other than a Government servant who was employed by Government on the 1st December, 1959, and who prior to that date had the same privileges in respect of charges for medical or dental services as Government servants, shall not be deprived of such privileges while their service with Government after the 1st December, 1959, remains unbroken.

## FALKLAND ISLANDS.

### The Road Traffic Ordinance (Cap. 60)

#### REGULATIONS

(under section 18 of the Ordinance)

E. P. ARROWSMITH,  
*Governor.*

No. 5 of 1959.

His Excellency the Governor in exercise of the powers vested in him by section 18 of the Road Traffic Ordinance, is pleased, by and with the advice of the Executive Council, to make the following Regulations:—

Cap. 60

1. These Regulations may be cited as the Road Traffic (Amendment) Regulations, 1959, and shall be read as one with the Road Traffic Regulations, hereinafter referred to as the principal Regulations.

Short title.  
Revised Edition,  
Vol. II. p. 270.

2. Regulation 7 of the principal Regulations is hereby amended as follows :—

Amendment of regula-  
tion 7 of the principal  
Regulations.

- (a) In paragraph (1) by substituting the words "half an hour" for the words "one hour" wherever those words occur;
- (b) In paragraph (6) by substituting the words "half an hour" for the words "one hour" wherever those words occur;
- (c) By adding immediately after paragraph (6) the following new paragraph :—

"(7) A vehicle shall, when standing or parked at any place on a road, be exempted from showing the required lights if :—

- (a) the left or near side of the vehicle is as close as may be and is parallel to the edge of the carriageway;
- (b) no part of the vehicle is more than 25 yards from a street lamp;
- (c) the street lamp mentioned in the last preceding sub-paragraph is illuminated throughout the time during which the vehicle is standing or parked :

Provided that for the purposes of this sub-paragraph if, while the vehicle is standing or parked, the light shown by the lamp becomes accidentally extinguished, no account shall be taken of any time during which the light is so extinguished; and

- (d) no part of the vehicle is within 15 yards from the junction of any part of the carriageway of any highway with the carriageway of the road on which the vehicle is standing or parked, whether that junction is on the same side of the road as that on which the vehicle is standing or parked or not."

Made by the Governor in Council on the 5th day of November, 1959.

J. BOUND.  
*Clerk of the Executive Council.*

Ref. 1850/B.

## FALKLAND ISLANDS.

No. 1.

### Proclamation

1959.

Made under section 24 of the Falkland Islands (Legislative Council)  
Order in Council, 1948 to 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.

E. P. ARROWSMITH — *By His Excellency* EDWIN PORTER ARROWSMITH.  
Esquire, *Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies.*  
[L.S.]

WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation :

NOW THEREFORE, I, EDWIN PORTER ARROWSMITH, Companion of the Most Distinguished Order of Saint Michael and Saint George, 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 by this Proclamation appoint Wednesday the 25th day of March, 1959, at ten o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

**GOD SAVE THE QUEEN.**

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 19th day of March, in the Year of Our Lord One thousand Nine hundred and Fifty-nine.

*By His Excellency's Command,*

A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

## FALKLAND ISLANDS.

No. 2.

### Proclamation

1959.

Made under section 24 of the Falkland Islands (Legislative Council)  
Order in Council, 1948 to 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.

E. P. ARROWSMITH — *By His Excellency* EDWIN PORTER ARROWSMITH  
ESQUIRE, *Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies.*  
[L.S.]

WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation :

NOW THEREFORE, I, EDWIN PORTER ARROWSMITH, Companion of the Most Distinguished Order of Saint Michael and Saint George, 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 by this Proclamation appoint Monday the 4th day of May, 1959, at ten o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

**GOD SAVE THE QUEEN.**

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 1st day of May, in the Year of Our Lord One thousand Nine hundred and Fifty-nine.

*By His Excellency's Command,*

A. G. DENTON-THOMPSON,

*Colonial Secretary.*

## FALKLAND ISLANDS.

No. 3

## Proclamation

1959

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 His Honour AUBREY GORDON DENTON-THOMPSON, Esquire, Officer of the Most Excellent Order of the British Empire, upon whom has been conferred the Military Cross, 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 EDWIN PORTER ARROWSMITH, Esquire, Companion of the Most Distinguished Order of Saint Michael and Saint George, 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, 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 14th day of May, in the Year of Our Lord One thousand Nine hundred and Fifty-nine.

*By Command of the*  
*Officer Administering the Government,*  
J. BOUND,  
*Acting Colonial Secretary.*

## FALKLAND ISLANDS.

No. 4.

### Proclamation

1959.

Made under section 24 of the Falkland Islands (Legislative Council)

Order in Council, 1948 to 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 His Honour AUBREY GORDON DENTON-THOMPSON, ESQUIRE, Officer of the Most Excellent Order of the British Empire, upon whom has been conferred the Military Cross, Officer Administering the Government of the Colony of the Falkland Islands and its Dependencies.*

[L.S.]

WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation :

NOW THEREFORE, I, AUBREY GORDON DENTON-THOMPSON, Officer Administering the Government of the Colony of the Falkland Islands and its Dependencies, in exercise of the powers vested in me as aforesaid, do by this Proclamation appoint Friday the 26th day of June, 1959, at ten o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

GOD SAVE THE QUEEN.

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 26th day of June, in the Year of Our Lord One thousand Nine hundred and Fifty-nine.

*By Command of the  
Officer Administering the Government,  
J. BOUND,  
Acting Colonial Secretary.*

## FALKLAND ISLANDS.

No. 5

## Proclamation

1959

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.

R. STEWART SLESSOR — *By His Honour ROBERT STEWART SLESSOR, 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.*  
[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 HONOUR AUBREY GORDON DENTON-THOMPSON, Esquire, Officer of the Most Excellent Order of the British Empire, upon whom has been conferred the Military Cross, 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, ROBERT STEWART SLESSOR, Senior Medical Officer 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 2nd day of July, in the Year of Our Lord One thousand Nine hundred and Fifty-nine.

*By Command of the*  
*Officer Administering the Government,*  
J. BOUND,  
*Acting Colonial Secretary.*

## FALKLAND ISLANDS.

No. 6.

## Proclamation

1959.

Made under section 24 of the Falkland Islands (Legislative Council)  
Order in Council, 1948 to 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 His Honour AUBREY GORDON DENTON-THOMPSON, ESQUIRE, Officer of the Most Excellent Order of the British Empire, upon whom has been conferred the Military Cross, Officer Administering the Government of the Colony of the Falkland Islands and its Dependencies.*

[L.S.]

WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation :

NOW THEREFORE, I, AUBREY GORDON DENTON-THOMPSON, Officer Administering the Government of the Colony of the Falkland Islands and its Dependencies, in exercise of the powers vested in me as aforesaid, do by this Proclamation appoint Saturday the 26th day of September, 1959, at ten o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

**GOD SAVE THE QUEEN.**

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 17th day of September, in the Year of Our Lord One thousand Nine hundred and Fifty-nine.

*By Command of the  
Officer Administering the Government,*

J. BOUND,

*Acting Colonial Secretary.*

## FALKLAND ISLANDS.

No. 7.

### Proclamation

1959.

Made under section 24 of the Falkland Islands (Legislative Council)  
Order in Council, 1948 to 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.

E. P. ARROWSMITH — *By His Excellency SIR EDWIN ARROWSMITH,  
Knight Commander of the Most Distinguished Order  
of Saint Michael and Saint George, Governor and  
Commander-in-Chief in and over the Colony of the  
Falkland Islands and its Dependencies.*

[L.S.]

WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation :

NOW THEREFORE, I, SIR EDWIN ARROWSMITH, 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 by this Proclamation appoint Tuesday the 15th day of December, 1959, at ten o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

**GOD SAVE THE QUEEN.**

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 1st day of December, in the Year of Our Lord One thousand Nine hundred and Fifty-nine.

*By His Excellency's Command,*  
A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

## FALKLAND ISLANDS.

No. 8.

### Proclamation

1959.

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.

E. P. ARROWSMITH — *By His Excellency SIR EDWIN ARROWSMITH,  
Knight Commander of the Most Distinguished Order  
of Saint Michael and Saint George, 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 (1) of Section 26 of the Falkland Islands (Legislative Council) Order in Council, 1948-1950, that the Governor may dissolve the Legislative Council at any time;

AND WHEREAS it is necessary to make arrangements for a General Election within three months from the date of dissolution;

NOW, THEREFORE, I, SIR EDWIN ARROWSMITH, 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 2nd day of January, 1960.

**GOD SAVE THE QUEEN.**

Given at Government House, Stanley, this 31st day of December, 1959.

*By His Excellency's Command,*

A. G. DENTON-THOMPSON,

*Colonial Secretary.*

FALKLAND ISLANDS.

Customs Ordinance (Cap. 16)

RESOLUTION

(under Section 5 of the Ordinance)

A. G. DENTON-THOMPSON,

No. 1 of 1959.

*Officer Administering the Government.*

WHEREBY it is provided in Section 5 of the Customs Ordinance, 1943, 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 duties thereon.

AND WHEREAS it is deemed expedient to alter paragraph 2 (2) (d) of the Customs Order (No. 3) 1948.

NOW, THEREFORE, this Council resolves that for the said paragraph 2 (2) (d) of the Customs Order (No. 3) 1948, there shall be substituted the following :—

“2 (2) (d) On beer (including ale, stout and porter) and other fermented beverages – per gallon – 1/2d.”.

Made at a meeting of Legislative Council held on the 4th day of May, 1959.

J. BOUND,

*Clerk of the Legislative Council.*

Ref. 0466/II.

FALKLAND ISLANDS.

Pensions Ordinance (Cap. 49)

RESOLUTION

(under Section 16 of the Ordinance)

No. 2 of 1959.

A. G. DENTON-THOMPSON,

*Officer Administering the Government.*

WHEREBY it is provided in Section 16 (1) of the Pensions Ordinance that it shall be lawful for the Governor in Council to grant to the legal representative of an officer who dies in the service a commuted pension award.

AND WHEREAS it is deemed expedient in certain circumstances to make additional provision in the case of an officer who dies in the service and who at the time of his death has a large amount of accumulated leave to his credit.

NOW, THEREFORE, this Council resolves that in any case in which the amount that would have been earned during the course of accumulated leave had the officer lived to take such leave exceeds the amount due under a commuted pension award, the Governor in Council shall be empowered to grant, in addition to the commuted pension award, an ex gratia payment equal to the difference between the gratuity payable on death and the amount equivalent to that which would have been earned during the time the officer was taking his accumulated leave had he lived to take it.

Made at a meeting of Legislative Council held on the 4th day of May, 1959.

J. BOUND,

*Clerk of the Legislative Council.*

Ref. 1947.

# FALKLAND ISLANDS.

## The Pensions Ordinance (Cap. 49)

### ORDER

(under Section 2 of the Ordinance).

E. P. ARROWSMITH,  
*Governor.*

No. 1 of 1959.

His Excellency the Governor in exercise of the powers vested in him by section 2 of the Pensions 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 Pensions (Pensionable Offices) Order, 1959.
2. The following offices are hereby declared to be pensionable offices in the public service of the Colony and the Dependencies :—

COLONY					
<i>Department</i>					<i>Office</i>
THE GOVERNOR ...	...	...	...	...	Orderly and Caretaker. Head Gardener.
AGRICULTURAL ...	...	...	...	...	Agricultural and Livestock Assistant.
AUDIT ...	...	...	...	...	Auditor.
AVIATION ...	...	...	...	...	Director of Civil Aviation. Senior Pilot. Pilot. Senior Engineer. Engineer. Hangar Assistant.
CUSTOMS AND HARBOUR ...	...	...	...	...	Collector of Customs and Harbour Master. Master, m.v. "Philomel". Mate, m.v. "Philomel". Engineer, m.v. "Philomel". Coxswain, m.v. "Alert". Engineer, m.v. "Alert".
EDUCATION ...	...	...	...	...	Superintendent of Education and Headmaster, Government School. Headmaster, Darwin Boarding School. Headmaster, Port Howard Boarding School. Assistant Master. Assistant Mistress. Assistant Teacher.
MEDICAL ...	...	...	...	...	Senior Medical Officer. Medical Officer. Matron. Nursing Sister. Nurse. Dental Surgeon. Dental Technician.
MILITARY ...	...	...	...	...	Armourer.
POLICE AND PRISONS ...	...	...	...	...	Chief Constable. Sergeant. Senior Constable. Constable.
POSTS AND TELEGRAPHS ...	...	...	...	...	Superintendent, Posts and Telegraphs. Postmaster. Supervisor. Senior Watch Operator. Watch Operator. Operator, Fox Bay. Senior Electrician and Broadcasting Engineer. Electrician. Senior Clerk. R/T Operator. Telephone Operator.

<i>Department</i>					<i>Office</i>
POWER AND ELECTRICAL	...	...	...		Superintendent. Assistant Superintendent. Senior Electrician. Electrician. Engineman.
PUBLIC WORKS	...	...	...	...	Superintendent of Works. Storekeeper. Senior Mechanic. Mechanic. Foreman Carpenter. Carpenter. Plumber. Blacksmith. Mason. Yard Foreman and Water Bailiff. Peat Officer. Motor Driver.
SECRETARIAT AND TREASURY	...	...	...		Colonial Secretary. Colonial Treasurer. Assistant Colonial Secretary. Assistant Colonial Treasurer. Income Tax Officer. Senior Clerk. Cashier. Head Printer. Assistant Printer.
SUPREME COURT	...	...	...		Registrar.
ALL DEPARTMENTS	...	...	...		Clerk, Scales F1, H and J.
DEPENDENCIES					
SOUTH GEORGIA	...	...	...	...	Administrative Officer. Meteorological Forecaster. Constable.
F.I.D.S. HEADQUARTERS ADMINISTRATION	...	...	...	...	Secretary. Assistant Secretary. Accounting Officer. Accounts Assistant. Storekeeper. Carpenter. Chief Engineer, R.R.S. "John Biscoe".

Made by the Governor in Council on the 13th day of March, 1959.

J. BOUND,  
*Clerk of the Executive Council.*

Ref. 1171.

## FALKLAND ISLANDS.

### The Pensions Ordinance (Cap. 49)

#### ORDER

(under section 2 of the Ordinance)

E. P. ARROWSMITH,  
*Governor.*

No. 2 of 1959.

His Excellency the Governor in exercise of the powers vested in him by section 2 of the Pensions 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 Pensions (Pensionable Offices) (No.2) Order, 1959.

2. The following offices are hereby declared to be pensionable offices in the public service of the Colony and the Dependencies :—

COLONY						
<i>Department</i>						<i>Office</i>
PUBLIC WORKS	...	...	...	...	...	Filtration Plant Operator.
DEPENDENCIES						
F. I. D. S. HEADQUARTERS ADMINISTRATION	...	...	...	...	...	Establishments Officer. Supplies Officer.
SOUTH GEORGIA	...	...	...	...	...	Senior Diesel Electric Mechanic.

Made by the Governor in Council on the 5th day of November, 1959.

J. BOUND,  
*Clerk of the Executive Council.*

Ref: 1171.

FALKLAND ISLANDS.

The Post Office Ordinance (Cap. 52)

**ORDER**

(under Section 4 of the Ordinance)

E. P. ARROWSMITH,

*Governor.*

No. 3 of 1959.

His Excellency the Governor in exercise of the powers vested in him by section 4 of the Post Office Ordinance, is pleased, by and with the advice of the Executive Council to order, and it is hereby ordered as follows :—

1. (1) This Order may be cited as the Post Office (Amendment) Order, 1959, and shall be read as one with the Post Office Order, 1953, hereinafter referred to as the principal Order.

Title.  
No. 3 of 1953.

(2) The amendments made by this Order shall come into operation on the 1st day of April, 1959.

Commencement.

2. Section 2 of the principal Order is further amended by deleting the amount "5d." where it occurs in paragraphs (a) and (d) thereof and substituting therefor the amount "5½d."

Amendment of section 2  
of the principal Order.

Made by the Governor in Council on the 5th day of November, 1959.

J. BOUND,

*Clerk of the Executive Council.*

Ref. 1083.



Colony of the  
Falkland Islands and Dependencies

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Ordinances,  
Regulations, Orders, etc.  
1960

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## PART I. ORDINANCES.

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### COLONY —

Ordinance No.	1 of 1960	Workmen's Compensation Ordinance.
"	" 2 " "	Old Age Pensions (Amendment) Ordinance.
"	" 3 " "	Oil in Territorial Waters Ordinance.
"	" 4 " "	Foreign Judgments (Reciprocal Enforcement) (Amendment) Ordinance.
"	" 5 " "	Government Employees Provident Fund (Amendment) Ordinance.
"	" 6 " "	Appropriation (1960-61) Ordinance.
"	" 7 " "	Legislative Council (Elections) (Amendment) Ordinance.
"	" 8 " "	Firearms (Amendment) Ordinance.
"	" 9 " "	Family Allowances Ordinance.
"	" 10 " "	Application of Enactments (Amendment) Ordinance.
"	" 11 " "	Geneva Conventions (Criminal Appeals) Ordinance.

### DEPENDENCIES —

Ordinance No.	1 of 1960	Whale Fishery (Amendment) Ordinance.
"	" 2 " "	Supplementary Appropriation (Dependencies) (1958-59) Ordinance.
"	" 3 " "	Application of Colony Laws.
"	" 4 " "	Appropriation (Dependencies) (1960-61) Ordinance.
"	" 5 " "	Whale Fishery (Amendment) (No. 2) Ordinance.

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# Workmen's Compensation Ordinance

## ARRANGEMENT OF CLAUSES

CLAUSE	SUBJECT	Corresponding section of the 1937 Ordinance at present in force.
2.	Interpretation.	2.
3.	Employer's liability for compensation.	3.
4.	Employer's liability for negligence.	3. (sub-section 3)
5.	Independent action.	3. (sub-section 4)
6.	Compensation for death, permanent total disablement and permanent partial disablement.	4.
7.	Temporary disablement.	4.
8.	Method of calculating earnings.	5.
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Assented to in Her Majesty's name this 25th day of May, 1960.

A. G. DENTON-THOMPSON,  
*Officer Administering the Government.*

[L.S.]

No. 1



1960

Colony of the Falkland Islands.

IN THE NINTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

AUBREY GORDON DENTON-THOMPSON, O.B.E., M.C.  
*Officer Administering the Government.*

### An Ordinance

To provide for the payment of compensation to workmen for injuries suffered in the course of their employment.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :— Enacting clause.

1. This Ordinance may be cited as the Workmen's Compensation Ordinance. Short title.

2. (1) In this Ordinance :— Interpretation.

"Commissioner" means a Commissioner for Workmen's Compensation appointed under section 23;

"Compensation" means compensation as provided for by this Ordinance;

"Dependants" means such of the members of the workman's family as were wholly or in part dependent upon the earnings of the workman at the time of his death, or would but for the incapacity due to the accident have been so dependent, and where the workman, being the parent or grandparent of an illegitimate child, leaves such a child so dependent upon his earnings, or, being an illegitimate child, leaves a parent or grandparent so dependent upon his earnings, shall

include such an illegitimate child and parent or grandparent respectively:

Provided that a person shall not be deemed to be a partial dependant of a workman unless he was dependent partially on contributions from the workman for the provision of the ordinary necessities of life.

"Earnings" includes any privilege or benefit which is capable of being estimated in money, other than a travelling allowance or the value of any travelling concession, or a contribution paid by the employer of a workman towards any pension or provident fund, or a sum paid to a workman to cover any special expenses entailed on him by the nature of his employment;

"Employer" includes Her Majesty in Her Government of the Colony, and any body of persons whether incorporated or not, and any managing agent of an employer and the legal representative of a deceased employer; and where the services of a workman are temporarily lent or let on hire to another person by the person with whom the workman has entered into a contract of service or apprenticeship, the latter shall, for the purposes of this Ordinance be deemed to continue to be the employer of the workman whilst he is working for that other person;

In relation to a person employed for the purposes of any game or recreation and engaged or paid through a club, the manager, or members of the managing committee of the club shall be deemed to be the employer;

"Managing agent" means any person appointed or acting as the representative of another person for the purpose of carrying on such other person's trade or business, but does not include an individual manager subordinate to an employer;

"Member of a family" means wife or husband, father, mother, grandfather, grandmother, stepfather, stepmother, son, daughter, grandson, granddaughter, stepson, stepdaughter, brother, sister, half-brother, half-sister, adopted son, adopted daughter;

"Outworker" means a person to whom articles or materials are given to be made up, cleaned, washed, altered, ornamented, finished, or repaired, or adapted for sale in his own home or on other premises not under the control or management of the person who gave out the materials or articles;

"Partial disablement" means, where the disablement is of a temporary nature, such disablement as reduces the earning capacity of a workman in any employment in which he was engaged at the time of the accident resulting in the disablement, and, where the disablement is of a permanent nature, such disablement as reduces his earning capacity in every employment which he was capable of undertaking at that time:

Provided that every injury specified in the Fourth Schedule hereto shall be deemed to result in permanent partial disablement except where the injury or combination of injuries is such that the percentage or aggregate percentage of the loss of earning capacity as specified in that Schedule amounts to one hundred per cent or more.

"Qualified medical practitioner" means a member of the medical profession registered under the Medical Practitioners, Midwives and Dentists Ordinance;

"Registrar" means the Registrar of the Supreme Court;

"Seaman" means any person whose form of employment is listed in the second part of the First Schedule to this Ordinance and who has entered into or works under a contract of service or apprenticeship with an employer to serve on any vessel registered in the Colony or employed in the coastal waters of the Colony, whether the contract was made before or after the commencement of this Ordinance and whether such contract is expressed or implied, is oral or in writing;

"Total disablement" means such disablement, whether of a temporary or permanent nature, as incapacitates a workman for all work which he was capable of performing at the time of the accident resulting in such disablement:

Provided that permanent total disablement shall be deemed to result from the permanent total loss of the sight of both eyes or from any combination of injuries specified in the Fourth Schedule hereto where the aggregate percentage of the loss of earning capacity, as specified in that Schedule against those injuries, amounts to one hundred per cent;

"Workman" means any person employed by way of manual labour who has entered into and works under a contract of service or apprenticeship with an employer whether the contract was made before or after the commencement of this Ordinance, and whether such contract is expressed or implied, is oral or in writing, and the term includes any person whose employment is listed in the First Schedule whether such person is employed by way of manual labour or in a subordinate or supervisory capacity and includes also a person engaged in plying for hire with any vehicle the use of which is obtained by that person under any contract of bailment (other than a hire purchase agreement) in consideration of a share in the earnings:

Provided that in the case of those forms of employment listed in the second part of the First Schedule only those persons who are employed on vessels registered in the Colony or employed in the coastal waters of the Colony shall be regarded as workmen for the purposes of this Ordinance:

Provided further that the following persons shall not be regarded as workmen for the purposes of this Ordinance -

- (a) persons whose employment is of a casual nature and who are employed or otherwise than for the purposes of the employer's trade or business, not being persons employed for the purposes of any game or recreation and engaged or paid through a club; or
- (b) out-workers; or
- (c) persons in the naval, military or air forces of the Crown; or
- (d) members of the employer's family dwelling in his house.

(2) Any reference to a workman who has been injured shall, where the workman is dead, include a reference to his legal personal representative or to his dependants or other person to whom or for whose benefit compensation is payable.

(3) The exercise and performance of the powers and duties of a local or other public authority or of any department of the Government shall for the purposes of this Ordinance, unless a contrary intention appears, be deemed to be the trade or business of such authority or department.

(4) If on any proceedings for the recovery of compensation under this Ordinance it appears to the Commissioner by whom the claim to compensation is to be settled that the contract of service or apprenticeship under which the injured person was working at the time when the accident causing the injury happened was illegal, he may, if having regard to all the circumstances of the case he thinks proper so to do, deal with the matter as if the injured person had at the time aforesaid been a person working under a valid contract of service or apprenticeship.

(5) For the purposes of this Ordinance the term "time of the accident" where it applies or refers to an injury to a workman shall be regarded as denoting, where applicable, the time when the workman contracted a disease attributable to an accident or to the nature of his employment in accordance with section 3 (b) (i) and (ii) of this Ordinance.

Employer's liability for compensation.

3. If personal injury is caused to a workman by accident arising out of and in the course of his employment, his employer shall be liable to pay compensation in accordance with the provisions of this Ordinance :

Provided that the employer shall not be so liable and no compensation shall be payable —

Slight injury.

(a) in respect of any injury which does not result in the total or partial disablement of the workman for a period exceeding three days;

Disease.

(b) in respect of any disease contracted by the workman unless in the opinion of the Senior Medical Officer :—

(i) the disease was solely and directly attributable to a specified injury by accident arising out of and in the course of his employment, or

(ii) it can be established or presumed with reasonable certainty that the disease was directly attributable to the nature of his employment.

Misconduct.

(c) in respect of any injury to a workman resulting from an accident which is directly attributable to :—

(i) the workman having been at the time thereof under the influence of alcohol or drugs, or

(ii) the wilful disobedience of the workman to an order expressly given, or of a regulation or rule, expressly made, for the purpose of securing the safety of workmen, or

(iii) the wilful removal or disregard by the workman of any safety guard, appliance or other device which he knew to have been provided for the purpose of securing the safety of workmen.

Employer's liability for negligence.

4. When an injury to a workman is caused by the personal negligence or wilful act of the employer or of some person for whose act or default the employer is responsible, nothing in this Ordinance shall effect any civil liability of the employer, but in that case the workman may, at his option, either claim compensation under this Ordinance or take proceedings independently of this Ordinance; but the employer shall not be liable to pay compensation for personal injury to a workman by accident arising out of and in the course of his employment both independently of and also under this Ordinance and shall not be liable to any proceedings independently of this Ordinance, except in the case of personal negligence or wilful act on the part of such employer or of some person for whose act or default the employer is responsible.

Independent action.

5. If, within the time hereinafter in this Ordinance limited for taking proceedings, an action is brought to recover damages independently of this Ordinance for injury caused by an accident, and it is determined in such action or on appeal that the injury is one for which the employer is not liable in such action, but that he would have been liable to pay compensation under the provisions of this Ordinance, the action shall be dismissed; but the Court in which the action is tried, or, if the determination is the determination of an appeal (by either party) by an appellate tribunal, that tribunal shall, if the plaintiff so choose, proceed to assess such compensation, but may deduct from such compensation all or part of the costs which, in its judgment, have been caused by the plaintiff bringing the action instead of proceeding under this Ordinance. In any proceeding under this section, when the court or appellate tribunal assesses the compensation, it shall give a certificate stating the compensation it has awarded and the directions it has given as to the deduction of costs, and such certificate shall have the force and effect of and shall be registered as an agreement under this Ordinance:

Provided that an appellate tribunal may, instead of itself assessing such compensation, remit the case to the Commissioner for the assessment of the compensation and in such case may direct the Commissioner to deduct from the amount of compensation assessed by him all or part of such costs as aforesaid.

6. (1) Subject to the provisions of this Ordinance, the amount of compensation shall be:—

(a) as specified in the second schedule to this Ordinance where death results from the injury;

(b) as specified in the third schedule to this Ordinance where permanent total disablement results from the injury;

(c) as specified in the fourth schedule to this Ordinance where permanent partial disablement results from the injury.

(2) Where more injuries than one are caused by the same accident, the amount of compensation payable in accordance with subsection (1) of this section shall be aggregated, but not so as in any case to exceed the amount which would have been payable if permanent total disablement had resulted from the injuries.

(3) There shall be deducted from any lump sum to which any workman is entitled or to which any dependant or dependants of a workman are entitled the amount of any payment or allowance which the workman or any dependant of a workman has already received from the employer by way of compensation subsequent to the injury and prior to the receipt of such lump sum.

7. (1) Subject to the provisions of this Ordinance the amount of compensation payable where temporary disablement, whether total or partial, results from the injury shall be a half-monthly payment payable on the sixteenth day from the date of disablement, and thereafter half-monthly during the disablement or during a period of five years, whichever period is shorter, of a sum equal to two thirds of the workman's monthly earnings at the time of the accident:

Provided there shall be deducted from any half-monthly payments to which the workman is entitled the amount of any payment or allowance which the workman has received from the employer by way of compensation during the period of disablement prior to the receipt of the first half-monthly payment:

Provided further that any half-monthly payments may be so adjusted as to provide that the sum total of such half-monthly payments added to any earnings the workman is earning or is reasonably able to earn in some suitable employment or business after the accident does not exceed the sum total of the earnings of the workman at the time of the accident.

(2) When the workman ceases to suffer from the temporary disablement before the date on which any half-monthly payment falls due, there shall be payable in respect of that half month a sum proportionate to the duration of the disablement in that half month.

8. (1) For the purposes of this Ordinance the earnings of a workman shall be computed in such manner as is best calculated to give his true monthly earnings at the date of the accident, subject to the following provisions:—

(a) where the workman has been exclusively employed by the employer who is liable to pay compensation during a continuous period of not less than six months immediately preceding the accident in the grade or form of employment in which he was employed at the time of the accident, his monthly earnings shall be deemed to be the average amount of his monthly earnings during the last six completed months of that period.

(b) where the workman has been exclusively employed by the employer who is liable to pay compensation in the grade or

Compensation for death, permanent total disablement and permanent partial disablement.

Temporary disablement.

Method of calculating earnings.

form of employment in which he was employed at the time of the accident during a continuous period of less than six months immediately preceding the accident, regard shall be had, in calculating the workman's earnings to the prevailing rates that may have been negotiated between the representatives of Employers and the representatives of Employees respectively in respect of the grade or form of employment in which the workman was employed at the time of the accident.

(c) Where at the time of the accident a workman was employed by the employer who is liable to pay compensation for a specific purpose or task in respect of which special terms of remuneration were agreed between the employer and the workman and where he had previously been employed by the same employer during a continuous period of not less than six months immediately preceding his being employed for the specific purpose or task in the course of which the accident occurred then for the purposes of this Ordinance his monthly earnings shall be deemed to be the average amount of his earnings during the last six completed months of that period during which he was employed previously to his employment for such specific purpose or task.

(d) Where at the time of the accident a workman was employed by the employer who is liable to pay compensation for a specific purpose or task in respect of which special terms of remuneration were agreed between the employer and the workman but had not previously been employed by such employer or had been employed by such employer for a continuous period of less than six months, then for the purposes of this Ordinance his monthly earnings shall be calculated in accordance with paragraph (b) of subsection (1) of this section.

(2) Where a workman is employed in the same occupation under contracts of service with two or more employers under which he worked at one time for one such employer and at another time for another such employer, his monthly earnings shall be computed as if his earnings under all such contracts were earnings in the employment of the employers for whom he was working at the time of the accident.

(3) For the purpose of this section a period of service shall be deemed to be continuous which has not been interrupted by a period of absence from work, other than duly authorised leave of absence, exceeding fourteen days.

(4) For the purposes of this section the earnings of a seaman who, in the ordinary course of events, signs on or is employed on any vessel registered in the Colony or operating mainly in the coastal waters of the Colony for the purpose of making a single voyage or a limited number of voyages shall be calculated in accordance with the provisions of paragraph (a) and (b) of subsection (1) of this section.

9. (1) Any half-monthly payment payable under this Ordinance either under an agreement between the parties or under an order of a Commissioner, may be reviewed by the Commissioner on the application either of the employer or of the workman accompanied by the certificate of a qualified medical practitioner stating that there has been a change in the condition of the workman, or subject to regulations made under this Ordinance, on application made without such certificate.

(2) Any half-monthly payment may, on review under this section and subject to the provisions of this Ordinance, be continued, increased, decreased or ended, or if the accident is found to have resulted in permanent disablement, be converted to the lump sum to which the workman is entitled less any amount which he has already received by way of half-monthly payments.

10. Any right to receive half-monthly payments may, by agreement between the parties, or, if the parties cannot agree and the payments have been continued for not less than six months, on the application of either party to the Commissioner, be redeemed by the payment of a lump sum of such amount as may be agreed to by the parties or determined by the Commissioner, as the case may be.

Commutation of half-monthly payments.

11. (1) Compensation payable where the death of a workman has resulted from an injury shall be deposited with the Registrar, and any sum so deposited shall be apportioned among the dependants of the deceased workman or any of them in such proportion as the Commissioner thinks fit, or may in the discretion of the Commissioner, be allotted to any one such dependant, and the sum so allotted to any dependant shall be paid to him or be invested, applied or otherwise dealt with for his benefit in such manner as the Commissioner thinks fit.

Distribution of compensation on death.

(2) Compensation payable where permanent disablement has resulted from an injury, and lump sums payable under the provisions of the preceding section where temporary disablement has resulted from an injury, shall be deposited with the Registrar, and any sum so deposited shall be paid to the person entitled thereto or be invested, applied or otherwise dealt with for his benefit in such manner as the Commissioner thinks fit.

Lump sums.

(3) Any other compensation payable under this Ordinance may be deposited with the Registrar and when so deposited, shall be paid by the Registrar to the person entitled thereto.

Other cases.

(4) The receipt of the Registrar shall be a sufficient discharge in respect of any amount deposited with him under the provisions of this Ordinance.

Receipt of Registrar.

(5) On the deposit of any money under subsection (1), the Registrar may deduct therefrom the actual cost of the workman's funeral expenses, to an amount not exceeding thirty-five pounds, and pay the same to the person by whom such expenses were incurred, and shall, if he thinks necessary, cause notice to be published or to be served on each dependant in such manner as he thinks fit, calling upon the dependants to appear before the Commissioner on such date as he may fix for determining the distribution of the compensation. If the Commissioner is satisfied, after any inquiry which he may deem necessary, that no dependant exists, he shall direct the Registrar to repay the balance of the money to the employer by whom it was paid. The Registrar shall, on application by the employer furnish a statement showing in detail all disbursements made.

Notice to dependants.

(6) Where a half-monthly payment is payable under this Ordinance to a workman under any legal disability, the Commissioner may, of his own motion or on application made to him in this behalf, order that the half-monthly payment be paid during the disability to any dependant of the workman or to any other person whom he thinks best fitted to provide for the welfare of the workman.

Workman under disability.

(7) Where, on application made to him in this behalf or otherwise, the Commissioner is satisfied that, on account of neglect of children on the part of a parent, or on account of the variation of the circumstances of any dependant, or for any other sufficient cause, an order of the Commissioner as to the distribution of any sum paid as compensation or as to the manner in which any sum payable to any such dependant is to be invested, applied or otherwise dealt with ought to be varied, the Commissioner may make such order for the variation of the former order as he thinks just in the circumstances of the case:

Variation of order.

Provided that no such order prejudicial to any person shall be made unless such person has been given an opportunity of showing cause why the order should not be made, or shall be made in any case in which it would involve the repayment by a dependant of any sum already paid to him.

Deductions for costs.

(8) The solicitor or agent of a person claiming compensation under this Ordinance shall not be entitled to recover from him any costs in respect of such claim or to claim a lien in respect of such costs on, or deduct such costs from, the sum awarded or agreed as compensation, except such sum as may be awarded by a Commissioner, subject to regulations made under this Ordinance, on an application made either by the person claiming compensation, or by his solicitor or agent to determine the amount of the costs to be paid to the solicitor or agent.

Compensation not to be assigned, attached or charged.

12. Save as provided by this Ordinance, no lump sum or half-monthly payment payable under this Ordinance shall be capable of being assigned, charged or attached or shall pass to any person other than the workman by operation of law, nor shall any claim be set off against the same.

Notice and claim.

13. (1) Proceedings for the recovery under this Ordinance of compensation for an injury shall not be maintainable unless notice of the accident has been given as soon as practicable after the happening thereof and before the workman has voluntarily left the employment in which he was injured, and unless the claim for compensation with respect to such accident has been made within six months from the occurrence of the accident causing the injury, or, in case of death, within six months from the time of death:

Provided that —

- (a) the want of or any defect or inaccuracy in such notice shall not be a bar to the maintenance of such proceedings if the employer is proved to have had knowledge of the accident from any other source at or about the time of the accident, or if it is found in the proceedings for settling the claim that the employer is not, or would not, if a notice or an amended notice were then given and the hearing postponed, be prejudiced in his defence by the want, defect or inaccuracy, or that such want, defect or inaccuracy was occasioned by mistake, absence from the Colony, or other reasonable cause; and
- (b) the failure to make a claim within the period above specified shall not be a bar to the maintenance of such proceedings if it is found that the failure was occasioned by mistake, absence from the Colony, or other reasonable cause.

(2) Notice in respect of an injury under this Ordinance may be given either in writing or orally to the employer (or if there is more than one employer to one of such employers) or to any foreman or other official under whose supervision the workman is employed or to any person designated for the purpose by the employer, and shall give the name and address of the person injured, and shall state in ordinary language the cause of the injury and the date at which the accident happened.

(3) The notice if in writing may be given by delivering the same at, or sending it by post in a registered letter addressed to the residence or place of business of the person to whom it is to be given.

(4) Where the employer is a body of persons, corporate or unincorporate, the notice, if in writing, may also be given by delivering it or by sending it by post in a registered letter addressed to the employer at the office, or, if there be more than one office, any one of the offices, of such body.

Medical examination.

14. (1) Where a workman has given notice of an accident or where an accident has occurred in respect of which the necessity of giving notice under this Ordinance is dispensed with, a workman shall, if the employer offers to have him examined free of charge by a qualified medical practitioner, submit himself for such examination, and any workman who is in receipt of a payment under this Ordinance

shall, if so required, submit himself for such examination from time to time :

Provided that a workman shall not be required to submit himself for examination by a qualified medical practitioner otherwise than in accordance with regulations made under this Ordinance, or at more frequent intervals than may be prescribed.

(2) If a workman, being required to do so by the employer under subsection (1) or by the Commissioner at any time, refuses to submit himself for examination by a qualified medical practitioner or in any way obstructs the same, his right to compensation shall be suspended during the continuance of such refusal or obstruction unless, in the case of refusal, he was prevented by any sufficient cause from so submitting himself.

(3) If a workman, before the expiry of three days from the time at which service of notice of an accident has been effected or, when an accident occurs in respect of which the necessity of giving notice under this Ordinance is dispensed with, before the expiry of three days from the date of such accident, voluntarily and without due cause leaves the vicinity of the place in which he was employed without having been examined by a qualified medical practitioner, his right to compensation shall be suspended until he returns and offers himself for such examination.

(4) Where a workman, whose right to compensation has been suspended under subsection (2) or subsection (3), dies without having submitted himself for medical examination as required by either of those subsections, the Commissioner may, if he thinks fit, direct the payment of compensation to the dependants of the deceased workman.

(5) Where under subsection (2) or subsection (3) a right to compensation is suspended, no compensation shall be payable in respect of the period of suspension.

(6) Where an injured workman has refused to be attended by a qualified medical practitioner whose services have been offered to him by the employer free of charge, or having accepted such offer has deliberately disregarded the instructions of such medical practitioner, then, if it is thereafter proved that the workman has not been regularly attended by a qualified medical practitioner and that such refusal, failure or disregard was unreasonable in the circumstances of the case and that the injury has been aggravated thereby, the injury and resulting disablement shall be deemed to be of the same nature and duration as they might reasonably have been expected to be if the workman had been regularly attended by a qualified medical practitioner, and compensation, if any, shall be assessed and payable accordingly.

15. (1) Where any person (in this section referred to as the principal) in the course of or for the purposes of his trade or business, contracts with any other person (in this section referred to as the contractor) for the execution by or under the contractor of the whole or any part of any work undertaken by the principal, the principal shall be liable to pay to any workman employed in the execution of the work any compensation under this Ordinance which he would have been liable to pay if that workman had been immediately employed by him; and where compensation is claimed from or proceedings are taken against the principal, then in the application of this Ordinance references to the principal shall be substituted for references to the employer, and the amount of compensation shall be calculated in accordance with subsection (1) of section 8 of this Ordinance.

(2) Where the principal is liable to pay compensation under this section, he shall be entitled to be indemnified by any person who would have been liable to pay compensation to the workman independently of this section, and all questions as to the right to and the amount of any such indemnity shall, in default of agreement, be settled by the Commissioner.

Refusal to be examined.

Leaving vicinity prior to examination.

Death prior to examination.

Compensation not payable during period of suspension.

Measure of compensation on refusal to be attended or disregard of medical advice.

Liability in the case of workmen employed by contractors or sub-contractors.

Indemnity.

Contractor.	(3) Nothing in this section shall be construed as preventing a workman recovering compensation under this Ordinance from the contractor instead of the principal.	
Control of principal.	(4) This section shall not apply in any case where the accident occurred elsewhere than on, or in, or about the premises on which the principal has undertaken to execute the work or which are otherwise under his control or management.	
Remedies both against employer and stranger.	16. Where the injury for which compensation is payable under this Ordinance was caused under circumstances creating a legal liability in some person other than the employer to pay damages in respect thereof :—	
Recovery of damages a bar.	(a) the workman may take proceedings both against that person to recover damages and against any person liable to pay compensation under this Ordinance for such compensation, but shall not be entitled to recover both damages and compensation; and	
Indemnity by third party.	(b) if the workman has recovered compensation under this Ordinance, the person by whom the compensation was paid, and any person who has been called on to pay an indemnity under section 15 shall be entitled to be indemnified by the person so liable to pay damages as aforesaid, and all questions as to the right to and amount of any such indemnity shall, in default of agreement, be settled by action, or, by consent of the parties, by a Commissioner.	
Bankruptcy of employer.	17. (1) Where any employer has entered into a contract with any insurers in respect of any liability under this Ordinance to any workman, then in the event of the employer becoming bankrupt or making a composition or arrangement with his creditors or, if the employer is a company, in the event of the company having commenced to be wound up or a receiver or manager of the company's business or undertaking having been duly appointed, or possession having been taken, by or on behalf of the holders of debentures secured by a floating charge, of any property comprised in or subject to the charge, the rights of the employer against the insurers as respects that liability shall, notwithstanding anything in the enactments relating to bankruptcy and the winding up of companies, be transferred to and vest in the workman, and upon any such transfer the insurers shall have the same rights and remedies and be subject to the same liabilities as if they were the employer, so, however, that the insurers shall not be under any greater liability to the workman than they would have been under to the employer.	
Proof in bankruptcy.	(2) If the liability of the insurers to the workman is less than the liability of the employer to the workman, the workman may prove for the balance in the bankruptcy or liquidation, or, as the case may be, he may recover the balance from the receiver or manager.	
Priority.	(3) There shall be included amongst the debts which— (i) under section 33 of the Bankruptcy Act, 1914, are, in the distribution of the property or assets of a bankrupt, to be paid in priority to all other debts; (ii) under section 319 of the Companies Act, 1948, are, in the winding up of a company, to be paid in priority to all other debts;	
	the amount due in respect of any compensation or liability for compensation accrued before the following date, that is to say— (a) in the first case the date of the receiving order; (b) in the second case the date of the commencement of the winding up of the company; (c) in the third case the date of the appointment of the receiver or of possession being taken mentioned in the said section.	

	Where the compensation is a half-monthly payment, the amount due in respect thereof shall, for the purposes of this provision, be taken to be the amount of the lump sum for which the half-monthly payment could, if redeemable, be redeemed if the employer made an application for that purpose under this Ordinance, and a certificate of the Commissioner as to the amount of such sums shall be conclusive proof thereof.	Lump sum in lieu of payments.
	(4) The provisions of this section with respect to preference and priorities shall not apply where the bankrupt or the company has entered into such a contract with insurers as aforesaid.	No priority if insured.
	(5) This section shall not apply where a company is wound up voluntarily merely for the purposes of reconstruction or of amalgamation with another company.	Voluntary liquidation.
	18. The Governor may, by notification in the Gazette, direct that every person employing workmen, or that any specified class of such persons, shall send at such time and in such form and to such person as may be specified in the notification, a correct return specifying the number of injuries in respect of which compensation has been paid by the employer during the previous year and the amount of such compensation, together with such other particulars as to the compensation as the Governor may direct. Any person failing to comply with the provisions of this section shall be liable on summary conviction by a court of summary jurisdiction to a penalty of five pounds.	Returns as to compensation.
	19. Any contract or agreement, whether made before or after the commencement of this Ordinance, whereby a workman relinquishes any right of compensation from the employer for personal injury arising out of or in the course of his employment, shall be null and void in so far as it purports to remove or reduce the liability of any person to pay compensation under this Ordinance.	Contracting out.
	20. This Ordinance shall apply to workmen employed under the Crown in the same way and to the same extent as if the employer were a private person, except in the case of persons in the naval or military or air service of the Crown and persons in the Civil employment of Her Majesty otherwise than in Her Government of the Colony:  Provided that this Ordinance shall not apply in the case of a workman in, or selected for appointment to, the service of the Government of the Colony before the date on which this Ordinance comes into operation where, in consequence of injury received by any such workman in the discharge of his duties, a pension or gratuity which would not be payable if such injury were received otherwise, is paid to him, or, in the case of his death, to any of his dependants as defined in this Ordinance, under any ordinance or regulation providing for the grant of such pension or gratuity.	Workmen in employment of Crown.
	21. The provisions contained in the proviso to the last preceding section shall <i>mutatis mutandis</i> apply in respect of a workman in the employment of any public or local authority where provisions exist by law or by by-law or regulation made under a law for the grant of a pension or gratuity to such workman in the case of injury received by him in the discharge of his duties, or to any other person in the event of the workman's death resulting from that injury.	Workmen in employment of local authorities.
	22. (1) If any question arises in any proceedings under this Ordinance as to the liability of any person to pay compensation (including any question as to whether a person injured is or is not a workman) or as to the amount or duration of compensation (including any question as to the nature or extent of disablement), the question shall, in default of agreement, be settled by the Commissioner.  (2) No Court shall have jurisdiction to settle, decide or deal with any question which is by or under this Ordinance required to be settled, decided or dealt with by a Commissioner, or, save as in this	Reference to Commissioners.

Ordinance or any rule or regulation made thereunder is provided, to enforce any liability incurred under this Ordinance.

Appointment of Commissioners.

23. (1) The Governor may appoint any person to be a Commissioner for Workmen's Compensation for the Colony or for such district as he may specify, and may at any time cancel any such appointment.

(2) Any Commissioner may for the purpose of deciding any matter referred to him for decision under this Ordinance appoint one or more persons possessing special knowledge of any matter relevant to the matter under inquiry to assist him in holding the inquiry.

Venue of proceedings and transfer.

24. In the event of the appointment of Commissioners for districts :—

(1) Where any matter is under this Ordinance to be done by or before a Commissioner, the same shall, subject to the provisions of this Ordinance and to any regulations made hereunder, be done by or before the Commissioner for the district in which the accident took place which resulted in the injury.

(2) If a Commissioner is satisfied by any party to any proceedings under this Ordinance pending before him that such matter can be more conveniently dealt with by any other Commissioner, he may, subject to regulations made under this Ordinance, order such matter to be transferred to such other Commissioner either for report or for disposal, and, if he does so the Registrar shall forthwith transmit to such other Commissioner all documents relevant for the decision of such matter and, where the matter is transferred for disposal, the Registrar shall also transmit in the prescribed manner any money remaining in his hands or invested by him for the benefit of any party to the proceedings.

(3) The Commissioner to whom any matter is so transferred shall, subject to regulations made under this Ordinance inquire thereinto and, if the matter was transferred for report, return his report thereon, or, if the matter was transferred for disposal, continue the proceedings as if they had originally commenced before him.

(4) On receipt of a report from a Commissioner to whom any matter has been transferred for report under subsection (2), the Commissioner by whom it was referred shall decide the matter referred in conformity with such report.

Applications to Commissioner.

25. (1) No application for the settlement of any matter by a Commissioner shall be made unless and until some question has arisen between the parties in connection therewith which they have been unable to settle by agreement.

(2) Where any such question has arisen, the application may be made in such form and shall be accompanied by such fee, if any, as may be prescribed and shall contain, in addition to any particulars which may be prescribed, the following particulars, namely :—

- (a) a concise statement of the circumstances in which the application is made and the relief or order which the applicant claims;
- (b) in the case of a claim for compensation against an employer, the date of service of notice of the accident on the employer and, if such notice has not been served in due time, the reason for such omission;
- (c) the names and addresses of the parties; and
- (d) a concise statement of the matters on which agreement has and of those on which agreement has not been come to.

(3) If the applicant is illiterate or for any other reason is unable to furnish the required information in writing, the application shall, if the applicant so desires, be prepared under the direction of the Registrar.

26. Commissioners shall have all powers of the Supreme Court for the purpose of enforcing the attendance of witnesses, compelling the production of documents and material objects, administering oaths and taking evidence, amending any defect or error in any proceeding, enlarging the time appointed for taking any proceeding or for doing any act, and punishing for contempt of Court.

Powers and procedure of Commissioners.

27. (1) Any appearance, application or act required to be made or done by any person before or to a Commissioner (other than an appearance of a party which is required for the purpose of his examination as a witness) may be made or done on behalf of such person by a legal practitioner or, with the leave of the Commissioner, by some other person duly authorised for the purpose by the person required to make such appearance or application or do such act before or to a Commissioner.

Appearance of parties.

(2) No person other than a legal practitioner who appears or acts on behalf of any party in connection with proceedings before a Commissioner under this Ordinance shall be entitled to any fee or reward for so appearing or acting.

28. The Commissioner shall make notes of the evidence of every witness as the examination of the witness proceeds, and such notes shall be written and signed by the Commissioner with his own hand and shall form part of the record :

Evidence to be recorded.

Provided that the evidence of any medical witness shall be taken down as nearly as may be word for word.

29. All costs incidental to any proceedings before a Commissioner shall, subject to regulations made under this Ordinance, be in the discretion of the Commissioner.

Costs.

30. At the conclusion of the hearing of every application for the settlement of a matter by the Commissioner the Commissioner shall record his decision and order. Where the order directs the payment of compensation under this Ordinance or the variation of the amount or rate of payment of compensation previously ordered by the Commissioner or settled by agreement, the Commissioner shall direct the Registrar to record a memorandum of his order in a register in the prescribed manner.

Registration of orders.

31. (1) Where the amount of compensation under this Ordinance has been settled or varied by agreement, a memorandum thereof shall be sent by the employer, and may be sent by any party interested, to the Commissioner, who shall, on being satisfied as to its genuineness, direct the Registrar to record the memorandum in a register in the prescribed manner :

Registration of agreements.

Provided that —

- (a) no such memorandum shall be recorded before seven days after communication by the Registrar of notice to the parties concerned;
- (b) where a workman seeks to record a memorandum of agreement between his employer and himself for the payment of compensation and the employer proves that the workman has, in fact, returned to work and is earning the same wages as he did before the accident and objects to recording of such memorandum, the memorandum shall only be recorded, if at all, on such terms as the Commissioner thinks just in the circumstances;
- (c) the Commissioner may at any time rectify the register;
- (d) where it appears to the Commissioner that an agreement as to the payment of a lump sum, whether by way of redemption of a half-monthly payment or otherwise, or an agreement as to the amount of compensation payable to a person under any legal disability, or to dependants, ought

not to be registered by reason of the inadequacy of the sum or amount, or by reason of the agreement having been obtained by fraud or undue influence or other improper means, he may refuse to record the memorandum of agreement or may take such order, including an order as to any sum already paid under the agreement, as he thinks just in the circumstances;

- (e) the Commission may, within six months after a memorandum of agreement as to the payment of a lump sum whether by way of redemption of half-monthly payment or otherwise, or of an agreement as to the amount of compensation payable to a person under any legal disability, or to dependants, has been recorded in the register, order that the record be removed from the register on proof to his satisfaction that the agreement was obtained by fraud or undue influence or other improper means, and may make such order (including an order as to any sum already paid under the agreement) as he thinks just in the circumstances.

Costs paid by employer to workman's solicitor to be disclosed.

(2) Any memorandum of agreement to which this section applies shall disclose the amount (if any) paid or payable under or in respect of the agreement by the employer to the solicitor and counsel for the workman or his dependants as costs, and, if it appears to the Commissioner that the amount is excessive, the Commissioner shall, subject to regulations made under this Ordinance, tax such costs, or order the same to be taxed by the Registrar, and if the costs are reduced on taxation, the amount of such reduction shall either be applied or dealt with for the benefit of the workman or his dependants, or paid to the employer.

Enforcement of orders and agreements as Supreme Court judgments.

32. Every memorandum and every amendment to a memorandum registered under section 30 or section 31 and every order made under section 31, when recorded as required by the said sections, shall thereupon for all purposes be enforceable as a Supreme Court judgment.

Effect of failure to register agreement.

33. Where a memorandum of agreement, the registration of which is required by section 31, is not sent to the Commissioner as required by that section, the employer shall be liable to pay the full amount of compensation which he is liable to pay under the provisions of this Ordinance, and notwithstanding anything contained in subsection (3) of section 6 and the provisos to section 7 shall not, unless the Commissioner otherwise directs, be entitled to deduct more than half of any amount paid to the workman by way of compensation whether under the agreement or otherwise.

Special provisions relating to seamen.

34. The provisions of this Ordinance shall apply to any seaman employed on a ship registered in the Colony in the same way as it applies to workmen, subject to the following modifications, namely:—

- (a) the notice of the accident and the claim for compensation may be served on the Master of the ship as if he were the employer, but where the accident happened and the disablement commenced on board the ship, it shall not be necessary for seaman to give notice of the accident;
- (b) in the case of the death of a seaman the claim for compensation shall be made within six months after the news of the death has been received by the claimant or, where the ship has been or is deemed to have been lost with all hands, within eighteen months after the date on which the ship was or is deemed to have been so lost;
- (c) when an injured seaman to whom this Ordinance applies is discharged or left behind in any territory in the Commonwealth or in a foreign country depositions respecting the circumstances and nature of the injury may be taken by judge or magistrate in that territory or by a consular

officer in the foreign country, and if so taken and transmitted by the person by whom they are taken to the Colonial Secretary of the Colony, they, or certified copies thereof shall, in any proceedings for enforcing the claim be admissible in evidence.

35. (1) The Governor in Council may by order require any employers or class of employers to insure and keep themselves insured with such insurers as the Governor in Council may from time to time approve in respect of any liability which they may incur under the provisions of this Ordinance to any workman or seaman employed by them.

Employers to insure.

(2) Any employer required to insure under this section may instead, in such manner as may be prescribed by the Colonial Treasurer, deposit such sum of money or furnish such other security as the Commissioner may approve and such money or other security shall be used to pay compensation to that employer's workmen as occasion may arise.

(3) Any employer who acts in contravention of any order made under the provisions of this section shall be guilty of an offence and shall be liable on conviction therefor, to a fine not exceeding two pounds for every day during which such contravention continues.

(4) Every employer who insures himself in respect of any liability which he may incur under the provisions of this Ordinance to any workman employed by him, whether such employer has been required to insure under this section or not, shall inform the Commissioner that he has so insured himself, giving the name and address of the insurer.

36. (1) With the leave of the Judge, or upon the certificate of the Commissioner making the order that it is a fit case for appeal from his order, an appeal shall lie to the Judge of the Supreme Court from any order of a Commissioner where a question of law is involved in the appeal.

Appeals.

(2) An appeal shall lie to the Supreme Court as of right from the following orders of a Commissioner, namely:—

- (a) an order awarding as compensation a lump sum whether by way of redemption of a half-monthly payment or otherwise or disallowing a claim in full or in part for a lump sum;
- (b) an order refusing to allow redemption of a half-monthly payment;
- (c) an order providing for the distribution of compensation among the dependants of a deceased workman or disallowing any claim of a person alleging himself to be such a dependant;
- (d) an order allowing or disallowing any claim for the amount of an indemnity under the provisions of subsection (2) of section 15; or
- (e) an order refusing to register a memorandum of agreement or registering the same or providing for the registration of the same subject to conditions:

Provided that no appeal under this subsection shall lie against any order unless a question of law is involved in the appeal, and in the case of an order other than an order such as is referred to in clause (b) unless the amount in dispute in the appeal is not less than fifty pounds.

(3) Notwithstanding anything herein contained, no appeal shall lie in any case in which the parties have agreed to abide by the decision of the Commissioner or in which the order of the Commissioner gives effect to an agreement come to by the parties.

(4) Save in so far as the same may be modified by any rules made under this Ordinance, the rules of the Supreme Court for the time being in force as to appeals to that Court in civil matters shall, with the necessary modifications, apply to appeals under this section from orders of the Commissioner.

Rules of court.

37. (1) The Judge may make rules of Court for regulating the procedure and practice in respect of appeals under section 36.

(2) No such rules of Court shall come into operation until the same shall have been laid before the Legislative Council and published in the Gazette; but when the same shall come into operation they shall have effect as if enacted by this Ordinance and shall be judicially noticed.

Power of the Governor in Council to make regulations.

38. (1) The Governor in Council may make regulations for all or any of the following purposes, that is to say -

- (a) for prescribing the intervals at which and the conditions subject to which an application for review may be made under section 9 when not accompanied by a medical certificate;
- (b) for prescribing the intervals at which and the conditions subject to which a workman may be required to submit himself for medical examination under subsection (1) of section 14;
- (c) for prescribing the procedure to be followed by Commissioners in the disposal of matters under this Ordinance and by the parties in such matters;
- (d) for regulating the transfer of matters from one Commissioner to another and the transfer of money in such matters;
- (e) for prescribing the manner in which money in the hands of the Registrar may be invested for the benefit of dependants of a deceased workman;
- (f) for the representation in proceedings before Commissioners of parties who are minors or are unable to make an appearance;
- (g) for prescribing the form and manner in which memoranda of agreements shall be presented to and registered by Commissioners;
- (h) for the withholding by Commissioners, whether in whole or in part, of half-monthly payments pending decision on applications for review of same;
- (i) for prescribing the costs which may be allowed in respect of any claim or proceedings under this Ordinance;
- (j) for prescribing the fees to be paid in respect of any claim or proceedings under this Ordinance;
- (k) for prescribing the fees to be paid to any person appointed to assist a Commissioner under the provisions of subsection (2) of section 23;
- (l) for the maintenance by the Registrar of registers and records of proceedings before the Commissioners;
- (m) for providing for any matters which are authorised by this Ordinance to be prescribed;
- (n) generally for the better carrying out of the provisions of this Ordinance.

(2) All regulations under this section shall be laid before the Legislative Council for approval, and when so approved shall have the same force and effect as if they were contained in this Ordinance.

Regulations to be approved by the Legislative Council.

(3) All regulations made under this section shall be published in the Gazette and shall be judicially noticed.

Publication of regulations.

39. Where an arrangement has been made whereby sums awarded under the law relating to workmen's compensation in the Colony to beneficiaries resident or becoming resident in the United Kingdom or in any other Commonwealth country, and sums awarded under the law relating to workmen's compensation in the United Kingdom or in such other Commonwealth country to beneficiaries resident or becoming resident in the Colony, may, at the request of the authority by which the award is made, be transferred to and administered by a competent authority in the United Kingdom or in such other Commonwealth country or in the Colony, as the case may be, the Governor in Council may make rules -

Rules as to transfer of funds.

- (a) for the transfer, in such manner as may be provided by the arrangement, to the United Kingdom or the Commonwealth country with which the arrangement is made of any money in the disposition of the Court, applicable for the benefit of any person resident in or about to reside in the United Kingdom or such Commonwealth country;
- (b) for the receipt and administration by an officer appointed by the Governor for this purpose of any money which under any such arrangement has been transmitted from the United Kingdom or the Commonwealth country with which the arrangement has been made as money applicable for the benefit of any person resident or about to reside in the Colony.

40. The Workmen's Compensation Ordinance, Cap. 79, is hereby repealed.

Repeal.

FIRST SCHEDULE

FIRST PART

Apprentices	Leading Hands
Bakers	Lorry drivers, Tractor drivers and drivers including men attending stationary engines or boilers
Blacksmiths	Masons, Bricklayers and Plasterers
Boatmen	Navvies
Carpenters and Joiners	Navvy Bosses
Charge Hands	Overseers
Cookhouse Cooks	Painters
Coppersmiths	Plumbers
Cowmen	Shepherd Bosses
Cowmen/Gardeners	Shearers, that is to say persons engaged in shearing
Driver Mechanics including Motor Mechanics	Shepherds
Electricians	Slaters and Tilers
Farm Cadets	Slaughtermen
Fencers, that is to say persons engaged in fencing	Stevcdores and Tally Clerks
Foremen Tradesmen	Warehousemen and Packers
Gardeners	Welders.
Handymen	
Horse Tamers	
Labourers including Boy Labourers	

SECOND PART

Able Seamen	Lamptrimmers
Boys (Deck, Mess or Catering)	Launch Drivers
Cooks	Ordinary Seamen (senior and junior)
Boatswains	Skippers and crews of sailing and auxiliary craft employed in the Colony
Donkeymen	Stewards (other than Chief Steward)
Firemen	
Greasers	

SECOND SCHEDULE

Compensation payable in the event of death resulting from the injury.

CATEGORY	AMOUNT OF COMPENSATION
1. Where the workman leaves a dependant or dependants wholly dependant upon his earnings ...	A sum equal to thirty-six months' wages of the workman at the time of the accident.
2. Where the workman does not leave a dependant or dependants wholly dependant upon his earnings, but leaves a dependant or dependants in part so dependent ...	A sum not exceeding the amount payable in a case falling within Category 1 as may be agreed upon or in default of agreement as may be awarded by the Commissioner as being reasonable and proportionate to the loss suffered by such dependants.
3. Where the workman leaves no dependants ...	The reasonable expenses of the burial of the deceased and the reasonable expenses of medical attendance and attention not exceeding in all a sum equal to six months' wages.

THIRD SCHEDULE

Compensation payable in the event of permanent total disablement resulting from the injury.

CATEGORY	COMPENSATION PAYABLE
ADULT (A person who has attained the age of 18 years)	A sum equal to 48 months' wages of the workman at the time of the accident.
MINOR (A person who has not attained the age of 18 years)	
Aged 14 - 15 years ... ..	A sum equal to 120 months' wages of the workman at the time of the accident.
Aged 15 - 16 years ... ..	A sum equal to 96 months' wages of the workman at the time of the accident.
Aged 16 - 17 years ... ..	A sum equal to 72 months' wages of the workman at the time of the accident.
Aged 17 - 18 years ... ..	A sum equal to 60 months' wages of the workman at the time of the accident.

FOURTH SCHEDULE

Compensation payable in the event of permanent partial disablement resulting from the injury.

1. SPECIFIED INJURY.

In the case of an injury specified in the following schedule of injuries and percentages, the compensation payable shall be the same percentage of the compensation which would have been payable in the case of permanent total disablement as is specified in the second column of the schedule as being the percentage of the loss of earning capacity caused by the injury specified in the first column.

FIRST COLUMN	SECOND COLUMN
INJURY	PERCENTAGE OF LOSS OF EARNING CAPACITY
	%
Loss of either arm above or at the elbow ... ..	70
Loss of either arm below the elbow ... ..	60
Loss of leg at or above the knee ... ..	60
Loss of leg below the knee ... ..	50
Permanent total loss of hearing ... ..	50
Loss of one eye ... ..	30
Loss of thumb ... ..	25
Loss of all toes of one foot ... ..	20
Loss of one phalanx of thumb ... ..	10
Loss of index finger ... ..	10
Loss of great toe ... ..	10
Loss of any finger other than index finger ... ..	5

2. LOSS OF THE USE OF A LIMB.

Complete and permanent loss of the use of any limb or member referred to in the schedule of specified injuries shall be deemed to be the equivalent of the loss of that limb or member.

3. INJURY NOT SPECIFIED.

In the case of an injury that is not specified in the above schedule of injuries and percentages, the compensation payable shall be such percentage of the compensation which would have been payable in the case of permanent total disablement as is proportionate to the loss of earning capacity permanently caused by the injury.

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.

D. R. MORRISON,  
*for Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 25th day of May, 1960.

A. G. DENTON-THOMPSON  
*Officer Administering the Government.*

[L.S.]

No. 2



1960

Colony of the Falkland Islands.

IN THE NINTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

AUBREY GORDON DENTON-THOMPSON, O.B.E., M.C.  
*Officer Administering the Government.*

### An Ordinance

Further to amend the Old Age Pensions Ordinance, 1952. Title.

ENACTED by the Legislature of the Colony of the Falkland Islands as follows :— Enacting clause.

1. This Ordinance may be cited as the Old Age Pensions (Amendment) Ordinance, 1960, and shall be read as one with the Old Age Pensions Ordinance, 1952, hereinafter referred to as the principal Ordinance, and shall come into force on the 4th day of July, 1960. Short title and commencement.

2. The principal Ordinance is amended by the insertion, after section 6, of the following new section: Insertion of new section 6A in the principal Ordinance.

"Voluntary contributions.

6A. (1) A contributor who is leaving the Colony permanently may at any time before ceasing to be a contributor, notify the Board in writing that he desires to become a voluntary contributor under this Ordinance.

(2) On giving the notice required to be given under the preceding subsection, a voluntary contributor shall be liable to pay weekly contributions at the rate of 5/- per week if he is between the ages of 21 and 60 years or at the rate of 3/- per week if he is between the ages of 18 and 21 years.

(3) In the event of the contributions of any voluntary contributor being in arrears for six months it shall be considered that he has ceased to be a contributor under this Ordinance."

Repeal of section 10 of the principal Ordinance.

Amendment of section 11 of the principal Ordinance.

Insertion of new section 22A in the principal Ordinance.

3. Section 10 of the principal Ordinance is repealed.

4. Subsection (1) of section 11 of the principal Ordinance is amended by the deletion of the proviso thereto.

5. The principal Ordinance is amended by the insertion, after section 22, of the following new section :

"Accounts.

22A. Annual accounts of the revenue and expenditure of the Pensions Equalisation Fund received and paid during the year ended on the thirtieth day of June, together with a statement of the assets and liabilities of the Pensions Equalisation Fund, shall, after being audited and certified by the Auditor, be laid by the Treasurer before the Legislative Council not later than the thirty-first day of December ensuing in every year and shall as soon as practicable thereafter be published in the Gazette."

Amendment of section 23 of the principal Ordinance.

6. Subsection (1) of Section 23 of the principal Ordinance is amended by the deletion of the figures and words "31st day of March" wherever those figures and words occur and the substitution therefor of the figures and words "30th day of June".

Amendment of Schedule to the principal Ordinance.

7. The Schedule to the principal Ordinance is amended by the deletion of the figures "30/-", "20/-" and "10/-" and by the substitution therefor of the figures "36/6", "23/6" and "18/-" respectively.

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.

D. R. MORRISON,  
*for Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 25th day of May, 1960.

A. G. DENTON-THOMPSON,  
*Officer Administering the Government.*

[L.S.]



No. 3

1960

Colony of the Falkland Islands.

IN THE NINTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II.

AUBREY GORDON DENTON-THOMPSON, O.B.E., M.C.  
*Officer Administering the Government.*

### An Ordinance

To prevent the pollution of the sea by Oil. Title.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :— Enacting clause.

1. (1) This Ordinance may be cited as the Oil in Territorial Waters Ordinance, 1960. Short title and application.

(2) This Ordinance applies to the following Waters :—

- (a) the whole of the sea within the seaward limits of the territorial waters of the Colony, and
- (b) all other waters which are within those limits and are navigable by sea-going ships.

2. (1) In this Ordinance unless the context otherwise requires— Definitions.

"Harbour" means any bay, haven or arm of the sea which has been or may hereafter be defined and declared to be a harbour by the Governor in Council;

"Harbour Master" means and includes any person appointed by the Governor for the purpose of enforcing the provisions of this Ordinance;

"Mile" means a nautical mile, that is to say a distance of six thousand and eighty feet;

"Oil" means oil of any description and shall include crude oil, fuel oil, diesel oil and lubricating oil and shall also include coal tar but for the purposes of this Ordinance shall not include seal oil or whale oil;

"Oil residues" means any waste material consisting, or arising from, oil, or produced by operations for extracting or refining oil, and includes a mixture containing oil;

"Vessel" includes every description of ship.

(2) Any reference in any provision of this Ordinance to a mixture containing oil shall be construed as a reference to any mixture of oil with water or with any other substance.

Discharge of oil into the territorial waters of the Colony.

(Oil in Nav. Waters Act, 1958, s. 3.)

3. (1) If any oil or oil residues or any mixture containing oil or oil residues is discharged or allowed to escape into any harbour or waters to which this Ordinance applies from any vessel, or from any factory or place on land, or from any apparatus used for transferring oil from or to any vessel (whether to or from a factory or place on land or to or from another vessel) then subject to the provisions of this Ordinance—

- (a) if the discharge or escape is from a vessel, the owner or master of the vessel, or
- (b) if the discharge or escape is from a factory the manager, and if it is from a place on land, the occupier of that place, or
- (c) if the discharge or escape is from apparatus used for transferring oil from or to a vessel, the person in charge of the apparatus,

shall be liable to a fine not exceeding £500.

Special defences.  
(Oil in Nav. Waters Act, 1958, s. 4.)

4. (1) Where a person is charged with an offence under the last preceding section as the owner or master of a vessel, it shall be a defence to prove that the oil or oil residues or mixture in question was discharged for the purpose of securing the safety of the vessel, or of preventing damage to the vessel or her cargo, or of saving life:

Provided that a defence under this subsection shall not have effect if the court is satisfied that the discharge of the oil or oil residues or mixture was not necessary for the purpose alleged in the defence or was not a reasonable step to take in the circumstances.

(2) Where a person is charged as mentioned in the preceding subsection, it shall also be a defence to prove—

- (a) that the oil or oil residues or mixture escaped in consequence of damage to the vessel, and that as soon as practicable after the damage occurred all reasonable steps were taken for preventing, or (if it could not be prevented) for stopping or reducing, the escape of the oil or oil residues or mixture, or
- (b) that the oil or oil residues or mixture escaped by reason of leakage, that the leakage was not due to any want of reasonable care, and that as soon as practicable after the escape was discovered all reasonable steps were taken for stopping or reducing it.

(3) Where a person is charged with an offence under the last preceding section as the occupier of a place on land, or as the person in charge of any apparatus, from which oil or oil residues or a mixture containing oil is alleged to have escaped, it shall be a defence to prove that the escape of the oil or oil residues or mixture was not due to any want of reasonable care, and that as soon as practicable after the escape was discovered all reasonable steps were taken for stopping or reducing it.

(4) Without prejudice to the last preceding subsection, it shall be a defence for the occupier of a place on land, who is charged with an offence under the last preceding section, to prove that the discharge was caused by the act of a person who was in that place without the permission (express or implied) of the occupier.

(5) Where a person is charged with an offence under the last preceding section in respect of the discharge of a mixture containing

oil from a place on land, it shall (without prejudice to any other defence under this section) be a defence to prove—

- (a) that the oil was contained in an effluent produced by operations for the refining of oil;
- (b) that it was not reasonably practicable to dispose of the effluent otherwise than by discharging it into waters to which the last preceding section applies; and
- (c) that all reasonably practicable steps had been taken for eliminating oil from the effluent:

Provided that a defence under this subsection shall not have effect if it is proved that, at a time to which the charge relates, the surface of the waters into which the mixture was discharged from the place in question, or land adjacent to those waters, was fouled by oil, unless the court is satisfied that the fouling was not caused, or contributed to, by oil contained in any effluent discharged at or before that time from that place.

(6) Where any oil or oil residues or mixture containing oil or oil residues is discharged in consequence of—

- (a) the exercise of any power conferred by sections five hundred and thirty to five hundred and thirty-two of the Merchant Shipping Act, 1894 (which relate to the removal of wrecks by harbour, conservancy and light-house authorities), or
- (b) the exercise for the purpose of preventing an obstruction or danger to navigation, of any power to dispose of sunk, stranded or abandoned vessels which is exercisable by a harbour authority,

and apart from this subsection the authority exercising the power, or a person employed by or acting on behalf of the authority, would be guilty of an offence under the last preceding section, in respect of that discharge, the authority or person shall not be convicted of that offence unless it is shown that they or he failed to take such steps (if any) as were reasonable in the circumstances for preventing, stopping or reducing the discharge.

5. (1) If any oil or oil residues or mixture containing oil—

- (a) is discharged from a vessel into the waters of a harbour in the Colony for the purposes of securing the safety of the vessel, or of preventing damage to the vessel or her cargo, or of saving life, or
- (b) is found to be escaping, or to have escaped, into any such waters from a vessel in consequence of damage to the vessel, or by reason of leakage, or
- (c) is found to be escaping or to have escaped into any such waters from a place on land,

the owner or master of the vessel, or the occupier of the place on land, as the case may be, shall forthwith report the occurrence to the harbour master, stating, in the case of a report by the owner or master of a vessel, whether it falls within paragraph (a) or paragraph (b) of this subsection, and, if he fails to do so, shall be guilty of an offence under this section:

(2) A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding two hundred pounds.

6. (1) Proceedings in respect of offences under this Ordinance, or any regulations made thereunder, may be taken before the magistrate or any two justices of the peace in a summary manner, or in the Supreme Court:

Provided that any fine imposed by the Magistrate or two justices of the peace shall not exceed one hundred pounds exclusive of costs.

Duty to report discharges of oil into waters of harbours.

(Oil in Nav. Waters Act, 1958, s. 10.)

Legal proceedings.  
(Ch. 76, sec. 12.)

(Oil in Nav. Waters Act, 1958, s. 12. (4). )

(2) Where, immediately before the date which (apart from this subsection) would be the date of expiry of the time for bringing proceedings in a court of summary jurisdiction in respect of an offence alleged to have been committed under this Ordinance, the person to be charged is outside the Colony, the time for bringing proceedings shall be extended until the end of the period of two months beginning with the date on which he next enters the Colony.

(Oil in Nav. Waters Act, 1958, s. 12 (5). )

(3) Proceedings for any offence under this Ordinance may be taken against a person at any place at which he is for the time being.

Enforcement and application of fines.

(Oil in Nav. Waters Act, 1958, s. 13.)

7. (1) Where a fine imposed by a court in proceedings against the owner or master of a vessel for an offence under this Ordinance is not paid at the time ordered by the court, the court shall, in addition to any other powers for enforcing payment, have power to direct the amount remaining unpaid to be levied by distress or pounding and sale of the vessel, her tackle, furniture and apparel.

(2) Where a person is convicted of an offence under section 3 of this Ordinance, and the court imposes a fine in respect of the offence, then if it appears to the court that any person has incurred, or will incur, expenses in removing any pollution, or making good any damage, which is attributable to the offence, the court may order the whole or part of the fine to be paid to that person for or towards defraying those expenses.

Application of Act to Crown.

(Oil in Nav. Waters Act, 1958, s. 16 (1). )

8. (1) The provisions of this Ordinance do not apply to vessels of Her Majesty's navy nor to Government ships in the service of the Admiralty while employed for the purposes of Her Majesty's navy.

Power to make regulations.

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

Repeal of the Harbour (Amendment) Ordinance, 1958.

10. The Harbour (Amendment) Ordinance, 1958, 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.

D. R. MORRISON,  
*for Clerk of the Legislative Council.*

Ref. 1848.

Assented to in Her Majesty's name this 25th day of May, 1960.

A. G. DENTON-THOMPSON,  
*Officer Administering the Government.*

[L.S.]



No. 4

1960

Colony of the Falkland Islands.

IN THE NINTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II.

AUBREY GORDON DENTON-THOMPSON, O.B.E., M.C.  
*Officer Administering the Government.*

An Ordinance

To amend the Foreign Judgments (Reciprocal Enforcement) Ordinance, 1959. Title.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows — Enacting clause.

1. This Ordinance may be cited as the Foreign Judgments (Reciprocal Enforcement) (Amendment) Ordinance, 1960, and shall be read as one with the Foreign Judgments (Reciprocal Enforcement) Ordinance, 1959, hereinafter referred to as the principal Ordinance. Short title.  
No. 4 of 1959.

2. Section 9 of the principal Ordinance is hereby amended as follows:— Amendment of section 9 of the principal Ordinance.

- (a) by substituting the words "the British Commonwealth" for the words "Her Majesty's dominions" wherever those words occur;
- (b) by substituting the words "the British Commonwealth" for the words "Her dominions" in subsection (1);
- (c) by substituting the words "the British Commonwealth" for the words "British dominions" in the marginal note.

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.

D. R. MORRISON,  
*for Clerk of the Legislative Council.*

Ref. 141/25.

Assented to in Her Majesty's name this 25th day of May, 1960.

A. G. DENTON-THOMPSON,  
*Officer Administering the Government.*

[L.S.]

No 5



1960

Colony of the Falkland Islands.

IN THE NINTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

AUBREY GORDON DENTON-THOMPSON, O.B.E., M.C.  
*Officer Administering the Government.*

### An Ordinance

To amend the Government Employees  
Provident Fund 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 Government Employees Provident Fund (Amendment) Ordinance, 1960, and shall be read as one with the Government Employees Provident Fund Ordinance, hereinafter referred to as the principal Ordinance.  | Short title.<br>Cap. 28.                            |
| 2. Subsection (1) of section 2 of the principal Ordinance is amended by the deletion of the figures "£100" and the substitution therefor of the figures "£140".  | Amendment of section 2 of the principal Ordinance.  |
| 3. Subsection (6) of section 4 of the principal Ordinance is amended by the deletion of the words "thirty-first day of December" and the substitution therefor of the words "thirtieth day of June."   | Amendment of section 4 of the principal Ordinance.  |
| 4. Subsection (1) of section 10 of the principal Ordinance is amended by the deletion of the words "thirty-first day of December in each year" and the substitution therefor of the words and figures "thirty-first day of March, 1955, and thereafter to the thirtieth day of June in each year commencing with the year 1956". | Amendment of section 10 of the principal Ordinance. |

Amendment of section 11  
of the principal  
Ordinance.

5. Section 11 of the principal Ordinance is amended by the deletion of the words "thirty-first day of December" and the substitution therefor of the words "thirtieth day of June".

Amendment of the  
Schedule to the principal  
Ordinance.

6. The Schedule to the principal Ordinance is amended by the deletion of the words "one hundred pounds" and the substitution therefor of the words "one hundred and forty pounds" wherever those words occur.

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.

D. R. MORRISON,  
*for Clerk of the Legislative Council.*

Ref. 0426.

Assented to in Her Majesty's name this 25th day of  
May, 1960.

A. G. DENTON-THOMPSON,  
*Officer Administering the Government.*

[L.S.]

No. 6



1960

Colony of the Falkland Islands.

IN THE NINTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

AUBREY GORDON DENTON-THOMPSON, O.B.E., M.C.  
*Officer Administering the Government.*

### An Ordinance

To provide for the service of the year  
1960-61. 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 (1960-61) Ordinance, 1960. 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 1st July, 1960 to 30th June, 1961, a sum not exceeding  
Three hundred and seven thousand, three hundred and forty two  
pounds, which sum is granted and shall be appropriated for the pur-  
poses 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 1960-61. Appropriation of  
£307,342 for service  
of the year 1960/61.

## SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
I.	The Governor ... ..	7185	0	0
II.	Agriculture ... ..	2976	0	0
III.	Audit ... ..	1593	0	0
IV.	Aviation ... ..	11181	0	0
V.	Customs & Harbour ... ..	8823	0	0
VI.	Education ... ..	40074	0	0
VII.	Medical ... ..	33682	0	0
VIII.	Meteorological ... ..	765	0	0
IX.	Military ... ..	1125	0	0
X.	Miscellaneous ... ..	36409	0	0
XI.	Pensions & Gratuities ... ..	8967	0	0
XII.	Police and Prisons ... ..	3970	0	0
XIII.	Posts & Telegraphs ... ..	41904	0	0
XIV.	Power & Electrical ... ..	15232	0	0
XV.	Public Works ... ..	10038	0	0
XVI.	Public Works Recurrent ... ..	21469	0	0
XVII.	Secretariat & Treasury ... ..	19561	0	0
XVIII.	Supreme Court ... ..	1192	0	0
	Total Ordinary Expenditure ...	266146	0	0
XIX.	Special Expenditure ... ..	20296	0	0
XX.	Colonial Development & Welfare ...	20900	0	0
	Total Expenditure £	307342	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.

D. R. MORRISON,  
*for Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 6th day of October, 1960.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 7



1960

Colony of the Falkland Islands.

IN THE NINTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

An Ordinance  
Further to amend the Legislative Council  
(Elections) Ordinance. Title.

[6th October, 1960.]

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 Legislative Council (Elections) (Amendment) Ordinance, 1960, and shall be read as one with the Legislative Council (Elections) Ordinance, hereinafter referred to as the principal Ordinance.

Short title.

Cap. 37.

2. Paragraph (c) of section 6 of the principal Ordinance is amended by the deletion of the words "of the principal Ordinance as amended by section 5 of" .

Amendment of section 6 of the principal Ordinance.

3. Subsection 1 of section 10 of the principal Ordinance is amended as follows :—

Amendment of section 10 of the principal Ordinance.

- (a) by the deletion from the fifth line of the subsection of the words "the principal" and the substitution therefor of the word "this";
- (b) by the deletion from the tenth line of the subsection of the words "this Ordinance" and the substitution therefor of the words and figures "the Legislative Council (Elections) (Amendment) Ordinance, 1959,".

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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 6th day of  
October, 1960.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 8



1960

Colony of the Falkland Islands.

IN THE NINTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

**An Ordinance  
To amend the Firearms Ordinance.**

[6th October, 1960.]

ENACTED by the Legislature of the Colony of the Falkland  
Islands, as follows :—

1. This Ordinance may be cited as the Firearms (Amendment)  
Ordinance, 1960, and shall be read as one with the Firearms Ordin-  
ance, hereinafter referred to as the principal Ordinance.

2. Subsection 2 of section 12 of the principal Ordinance is  
amended by the insertion of the words "a period not exceeding"  
between the word "for" and the word "one" which occur in the first  
line thereof.

Title.

Date of commencement.

Enacting clause.

Short title.

Cap. 26.

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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 6th day of  
October, 1960.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 9



1960

Colony of the Falkland Islands.

IN THE NINTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

### An Ordinance

To regularize the payment of Family  
Allowances.

[6th October, 1960.]

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 Family Allowances  
Ordinance, 1960, and shall be deemed to have come into force on the  
1st day of January, 1949.

Short title and  
commencement.

2. In this Ordinance except where the context otherwise  
requires, the following expressions have the meanings hereby respect-  
ively assigned to them, that is to say:—

Definitions.

“allowance” means an allowance under this Ordinance;

“issue” means issue of the first generation;

“Superintendent” means the Superintendent of the Posts and  
Telegraphs Department or officer acting in that behalf.

3. (1) The Colonial Treasurer shall from time to time pay  
to the Superintendent out of the general revenue of the Colony such  
sums as shall be necessary to enable the Superintendent to pay the  
allowances directed by this Ordinance to be paid by him.

Direction for payment  
and amount, of allowance.

(2) Subject to the provisions of this Ordinance, there shall be  
paid by the Superintendent, for every family which includes two or  
more children and for the benefit of the family as a whole, an allowance  
at the rate of ten shillings a month in respect of each child :

Provided that this section shall apply to any family which  
includes only one child, when such family is in receipt of charitable  
relief.

Meaning of "child".

4. (1) A person shall be treated for the purposes of this Ordinance as a child during any period whilst he or she is under the upper limit of the compulsory school age.

(2) For the purposes of this section —

- (a) the upper limit of compulsory school age means the age that is for the time being that limit by virtue of the Education Ordinance, together with any Order in Council made under section 8 of that Ordinance;
- (b) a person who at any time attains the upper limit of the compulsory school age shall not be treated as being under that limit at any time thereafter, notwithstanding any subsequent change in that limit.

Chapter 22.

Meaning of "family".

5. (1) Subject to the provisions of this Ordinance, each of the following shall be treated for the purposes of this Ordinance as constituting a family, that is to say—

- (a) a man and his wife living together, any child or children being issue of theirs, his or hers, and any child or children being maintained by them;
- (b) a man not having a wife or not living together with his wife, any child or children being issue of his, and any child or children being maintained by him; and
- (c) a woman not having a husband or not living together with her husband, any child or children being issue of hers, and any child or children being maintained by her.

(2) It shall be a condition of a child being treated as included in a family as being issue of the man and his wife or one of them, of the man, or of the woman (according as the family falls within paragraph (a), (b) or (c) of subsection (1) of this section) that the child is living with them, with him or with her, as the case may be, or, if not, that the cost of providing for the child is contributed to by them taken together, by him, or by her, as the case may be, at the rate of ten shillings a month or more.

(3) The provisions of the Schedule to this Ordinance shall have effect as to the circumstances in which a man and his wife living together, or such a man or woman as is mentioned in paragraph (b) or (c) of subsection (1) of this section, is to be treated as maintaining a child; and for determining as between parents and persons maintaining children, or as between one parent of a child and the other, in what family a child is to be treated as included.

Meaning of "providing for" a child.

6. (1) In this Ordinance the expression "providing for" a child means making available for the child food, clothing, lodging, education and all other things reasonably required for the child's benefit having regard to all the circumstances.

(2) For the purpose of this Ordinance —

- (a) the making available in kind of anything used for providing for a child shall be treated as a contribution to the cost of providing for the child of an amount equal to the value thereof;
- (b) money paid or a thing made available in kind shall be treated as contributed by any person so far, and so far only, as it is paid or made available at that person's own expense or out of property belonging to that person beneficially.

Provisions as to certain special circumstances affecting the operation of section 5.

7. (1) A man and his wife shall not be deemed for the purposes of this Ordinance to be living otherwise than together unless they are permanently living in separation either by agreement or under an order of a court, or one of them has deserted the other and the separation which is incident to the desertion has not come to an end.

(2) For the purposes of this Ordinance, a child being legitimate issue of a deceased spouse of any person by an earlier marriage of the deceased spouse to another shall be treated as issue of that person, and a child being illegitimate issue of a deceased spouse of any person shall be treated as issue of that person so far as regards any period during which the child is living with that person:

Provided that the preceding provisions of this subsection shall not have effect in a case in which the marriage between the person in question and his or her deceased spouse was terminated otherwise than by the deceased spouse's death.

(3) Where a child born before the marriage of the child's parents has been legitimated by virtue of the subsequent marriage of the parents, the child shall, for the purposes of this Ordinance, be deemed to be issue of the marriage.

(4) For the purposes of this Ordinance, an adopted child within the meaning of the Adoption of Children Act, 1926, or the Adoption Act, 1950, shall be treated as if the child were legitimate issue of the adopter, or, if the child was adopted by two spouses jointly, or by one of two spouses after their marriage, as if the child were legitimate issue of their marriage, and shall not be treated as being issue of any other person.

(5) An illegitimate child shall not be treated for the purposes of this Ordinance as being issue of the child's father.

(6) References in this Ordinance to the parents, a parent, the father, or the mother of a child, or to an illegitimate child, shall be construed in accordance with the provisions of the four last preceding subsections.

(7) A child shall not be deemed for the purposes of this Ordinance to have ceased to live with a person by reason of any temporary absence, and in particular by reason of absence at any school, and a person who has been contributing at any rate to the cost of providing for a child, or has been maintaining a child, shall not be treated as having ceased so to contribute, or to maintain the child, by reason of any temporary interruption or reduction of his contribution to the cost of providing for the child, and the question whether any such absence (other than at a school), interruption or reduction is or is not to be treated as temporary for the said purposes shall be determined by reference to such regulations as may be prescribed.

(8) For the purposes of this Ordinance, a person shall be deemed not to have attained the age of fourteen until the commencement of the fourteenth anniversary of the day of his birth, and similarly with respect of other ages.

8. (1) Allowances for any family shall belong —

- (a) in the case of the family of a man and his wife living together, to the wife, subject, however, to the provisions of subsections (2) and (3) of this section;
- (b) in the case of the family of such a man as is mentioned in paragraph (b) of subsection (1) of section 5 of this Ordinance, to him;
- (c) in the case of the family of such a woman as is mentioned in paragraph (c) of subsection (1) of section 5 of this Ordinance, to her.

Persons to whom allowances are to be paid.

(2) Sums to be paid on account of an allowance for the family of a man and his wife, living together shall be receivable either by the man or by the wife.

(3) If in the case of a man and his wife living together a court of summary jurisdiction is satisfied on a representation made to the court by way of complaint by either of them, or by the Superintendent, that one of them is not, as against the other, a proper recipient of allowances for their family, the court may order that the

sums on account of allowances for their family becoming receivable after the expiration of fourteen days from the date of the order shall, notwithstanding anything in the last preceding subsection, be receivable, as between them, by the other only, and any order made under this subsection may be revoked or varied by a subsequent order of a court of summary jurisdiction on a representation made as aforesaid.

(4) It shall be the duty of a court of summary jurisdiction to send notification to the Superintendent of any order made by them under subsection (3) of this section as soon as may be after the order is made.

Determination of questions as to right of allowances.

9. (1) Subject to the provisions of this Ordinance and in accordance with regulations made thereunder, all claims for or in respect of allowances shall be made to the Superintendent, and any question as to the right to an allowance in respect of any person for any family shall be decided by him.

(2) If any person is dissatisfied by the award or decision of the Superintendent in respect of an allowance, the question shall, on application being made in writing within sixty days after notice of the award has been posted to him, be referred to the Governor whose decision shall be final:

Provided that this subsection shall not apply to a decision given by the Superintendent as respects any matter which by this Ordinance is to be within his discretion, or to be certified by him, or for deciding an issue which by this Ordinance depends on any facts being shown to his satisfaction.

(3) The Superintendent may at any time and from time to time revise any award made or decision given by him under this Ordinance, if it appears to him that the award or decision was erroneous either in view of further information which has been brought to his notice since the date on which it was made or given as to the circumstances existing at the time by reference to which it was made or given, or by reason of some mistake having been made with respect to those circumstances or to the law:

Provided that this subsection shall not apply to an award or decision relating to a matter which has been referred under this section, or until the time has expired for making an application to have the matter to which the award or decision relates so referred, unless the person on whose application the reference was made, or who is entitled to apply to have the matter referred, as the case may be, consents, and this subsection shall not apply to an award made by the Superintendent for the purpose of giving effect to a decision given by the Governor, unless the person to whom the allowance in question belongs consents.

(4) If in any case in which a decision has been given by the Governor with respect to a matter referred under this section it appears to the Superintendent that the decision might properly be reconsidered in view either of further information which has been brought to his notice since the date on which it was given as to the circumstances existing at the time by reference to which it was given, or of any apparent inconsistency between the decision and any other decision subsequently given either by the court or by the Governor, he may cause the decision to be referred to the Governor, and he may revise the decision.

Period for which allowances are to accrue.

10. (1) An allowance shall be for a continuous period ascertained under the subsequent provisions of this section, and any award of an allowance shall be made accordingly.

(2) Subject to the provisions of the next succeeding section, an allowance awarded shall begin to accrue —

(a) if the claim was made within six months from the date of entitlement, on the date of entitlement; or

(b) if the claim was not made within six months from the date of entitlement, then at the beginning of the period of six months, immediately preceding the date on which the claim was made:

Provided that, if the award is a revised award made by the Superintendent in view of further information brought to his notice or an award made for giving effect to a revised decision given by the Governor in view of such information, this subsection shall have effect as if the claim had been made on the date on which that information was brought to his notice, and the Superintendent may for the purposes of this proviso certify the date on which information was brought to his notice.

In this subsection the expression "date of entitlement" means, in relation to an allowance awarded in respect of any person as being a child included in any family, the date on which all the requirements of this Ordinance and of any relevant regulations for the existence of a right to an allowance in respect of that person for that family became satisfied, or if when the award was made those requirements had become satisfied more than once, the date on which they last became satisfied.

(3) An allowance awarded in respect of any person as being a child included in the family of a man and his wife shall be awarded not only for their family but also, with effect after the death of either of them whilst they are living together, for any family for the time being of the survivor, or of the survivor and a spouse of his or hers.

(4) Subject to the provisions of the next succeeding section, an allowance awarded in respect of any person shall terminate when any of the requirements of this Ordinance or of any relevant regulations for the existence of a right to an allowance in respect of that person ceases to be satisfied, or that person is no longer included in a family for which the allowance was awarded, or any of the requirements of this Ordinance or of any relevant regulations for the existence of a right to an allowance for such a family in which that person is included ceases to be satisfied, whichever first occurs.

(5) When it appears to the Superintendent that an allowance awarded is about to terminate, or has terminated, under this section, he shall take all necessary steps for stopping payments on account thereof on its termination or as soon as may be practicable thereafter, and the stopping of payments on account of an allowance under this subsection shall be treated for the purposes of the last preceding section as a decision of the Superintendent that the allowance has terminated.

11. (1) Allowances shall be payable by sums on account thereof receivable at such times, in such manner, whether through the Post Office or otherwise, and subject to such conditions, as may be prescribed.

Method of payment and time for obtaining payment.

(2) The right to so much of an allowance as is payable by a sum on account thereof made receivable (whether unconditionally or subject to satisfaction of any prescribed conditions) on any day shall be extinguished at the expiration of six months from that day if payment thereof has not been obtained during that period.

(3) The regulations to be made for the purposes of this section may make provision for securing that the beginning of accruer of allowances shall coincide with a day in the month on which sums on account of allowances made receivable monthly are to become receivable, and that the termination of allowances shall coincide with a day next before such a day.

12. (1) If it is found at any time that a sum has been paid as on account of an allowance being a sum which was not properly

Adjustment of overpayments.

payable, the Superintendent may require it to be repaid, —

- (a) if it was paid to a person as in his or her own right, by that person; or
- (b) if it was paid to a person as on behalf of another, either by that person or by that other person:

Provided that the Superintendent shall not require repayment by a person who is shown to his satisfaction to have acted in good faith in all respects as to the obtaining and receipt of the sum in question.

(2) In the case of a sum paid as on account of an allowance for the family of a man and his wife living together which the wife could under the preceding subsection be required to repay, the husband may be required to repay it.

(3) If it is found at any time that a sum properly payable on account of an allowance has been paid to a person not being a person by whom it was properly receivable, the Superintendent may require it to be repaid by the person to whom it was paid:

Provided that the Superintendent shall not require repayment by a person who is shown to his satisfaction to have acted in good faith in all respects as to the obtaining and the receipt of the sum in question.

(4) In case of the death of a person who could be required to repay a sum under this section, the Superintendent may require it to be repaid by his or her personal representative.

(5) Any sum which a person is required under this section to repay to the Superintendent may be recovered by the Superintendent summarily as a civil debt, and proceedings for the summary recovery as a civil debt of any such sum may, notwithstanding anything in any Ordinance to the contrary, be brought at any time within twelve months from the time when that sum was paid, or, where the proceedings are for the recovery of a consecutive series of sums, within twelve months from the date on which the last sum of the series was paid.

(6) Any sum which a person is required under this section to repay to the Superintendent may, without prejudice to any other remedy, be recovered by means of deductions from any other sum receivable on account of any allowance by the person to whom the sum was paid, unless it was paid to that person as on behalf of another, and in that case it may, without prejudice to any other remedy, be recoverable by means of deductions from any other sum receivable on account of any allowance by that other person.

(7) If, after an allowance in respect of a child has been awarded for one family, facts are brought to the Superintendent's notice from which it appears that the child was in fact not included in that family, but was included in another family, during a period for which sums have been paid as on account of the allowance awarded, and a subsequent award is made of an allowance in respect of the child for that other family so as to accrue during that period or any part thereof, sums on account of the allowance awarded for that other family shall be payable only —

- (a) for the period after such date as may be certified by the Superintendent as being the earliest reasonably practicable for taking the necessary action in view of the said facts for stopping payments as on account of the allowance for the first-mentioned family; and
- (b) for any period before that date in respect of which payment of sums as on account of the allowance for the first-mentioned family has not been made, or in respect of which payment has been so made but of sums which have been repaid or recovered under this section.

### 13. If any person —

- (a) with intent to obtain any sum as on account of an allowance, either, as in that person's own right or as on behalf of another, furnishes any information which he or she knows to be false in a material particular, or recklessly furnishes any information which is false in a material particular, or withholds any material information; or
- (b) obtains or receives any sum as on account of an allowance, either as in that person's own right or as on behalf of another, knowing that it was not properly payable, or not properly receivable by him or her;

that person shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding fifty pounds or to both such imprisonment and such fine.

14. (1) Every assignment of or charge on, and every agreement to assign or charge, an allowance or any part of an allowance or any sum to be paid on account of an allowance, shall be void, and on the bankruptcy of a person to whom an allowance belongs or by whom sums on account of an allowance are receivable, no rights in respect of the allowance or of any sum to be paid on account thereof shall pass to any trustee or other person acting on account of the creditors.

(2) Sums receivable by any person on account of an allowance shall not be included in calculating his means for the purposes of section 5 of the Debtors Act, 1869.

15. (1) The Governor in Council may make regulations for prescribing anything which under this Ordinance is to be prescribed and generally for carrying this Ordinance into effect, and in particular —

- (a) for prescribing the manner in which claims to allowances may be made;
- (b) for authorising in such cases as may be prescribed the payment of any sum as on account of an allowance during any period intervening between the making of any claim or the referring of any question and the final determination of that claim or question;
- (c) for enabling a person to be appointed to exercise on behalf of a claimant, or of a person to or by whom an allowance belongs or is receivable, who may be or become unable for the time being to act, any right or power which that claimant or person may be entitled to exercise under this Ordinance, and for authorising a person so appointed to receive any sum on account of an allowance on behalf of the claimant or person;
- (d) for imposing upon persons to whom allowances belong or by whom or on whose behalf sums on account of allowances are receivable the duty to furnish to the Superintendent information of facts affecting the right thereto;
- (e) for making provision, in connection with the death of persons who had made claims for allowances or to whom allowances belonged or by whom sums on account of allowances were receivable, for enabling such claims to be proceeded with, for extending the period limited by section 11 of this Ordinance for obtaining payment of such sums, for authorising payment or distribution of such sums to or amongst persons claiming as personal representatives, legatees, next of kin or creditors of such persons (or, in cases of illegitimacy of deceased persons, to or amongst others), and for dispensing with strict proof of the title of persons so claiming.

Penalty for obtaining or receiving payment wrongfully.

Allowances to be inalienable.

Regulations.

(2) If any person contravenes or fails to comply with any requirement of regulations made under this Ordinance, he shall be liable on summary conviction to a fine not exceeding ten pounds.

Provisions as to legal proceedings.

16. Proceedings for an offence under this Ordinance shall not be instituted without the written consent of the Colonial Secretary.

Limitation of extent of application of Ordinance.

17. (1) It shall be a condition of the right to any allowance for the family of a man and his wife living together that each or one of them is in the Colony, and the like condition shall apply in the case of the family of such a man as is mentioned in paragraph (b) of subsection (1) of section 5 of this Ordinance as respects the man, and in the case of the family of such a woman as is mentioned in paragraph (c) of the subsection as respects the woman.

(2) It shall be a condition of a child's being treated as a member of any family that the child is in the Colony.

(3) For the purposes of the two preceding subsections the temporary presence of a person in the Colony or the temporary absence of a person therefrom shall be disregarded, and the question whether the presence or absence of a person is or is not to be treated as temporary for the said purposes shall be determined by reference to such regulations as may be prescribed.

(4) Sums to be paid on account of allowances shall be payable only in the Colony.

## SCHEDULE

Section 5.

### Circumstances in which a person is to be treated as maintaining a child.

1. (1) A person shall be treated for the purposes of this Ordinance as maintaining a child —
  - (a) if that person is the only person who contributes to the cost of providing for the child, or if that person contributes to the said cost an amount greater than any other one person contributes thereto;
  - (b) if two or more persons of whom that person is one each of them contribute to the said cost an equal amount that is greater than any other one person contributes thereto, and it is agreed between the said two or more persons, or in default of agreement the Superintendent in his discretion decides, that, as between them, that person is to be preferred;

and not otherwise:

Provided that a person who under the preceding provisions would be treated as maintaining a child shall not be so treated if his or her contribution to the cost of providing for the child is at a rate less than ten shillings a month, unless the child is living with that person.

(2) For the purposes of this paragraph, a man and his wife living together shall be treated as one person and amounts contributed by them respectively shall be aggregated accordingly, and references to a person shall be construed as references to such persons as are mentioned in paragraphs (a), (b) and (c) respectively of subsection (1) of section 5 of this Ordinance, that is to say, a man and his wife living together, such a man as is mentioned in the said paragraph (b) and such a woman as is mentioned in the said paragraph (c).

### Determination of the family in which a child capable of being treated as included in more than one family is to be included.

2. Where a child could otherwise be treated under section 5 of this Ordinance as included at the same time in one family as being issue of his or her parents or either of them, and in another family as being maintained by a person other than his or her parents or either of them, the child shall be treated as then included in that family only in which he or she can be treated as included as being issue of the parents or parent.

3. Where a child could otherwise be treated under section 5 of this Ordinance as included at the same time in one family on the ground of the child's being issue of his or her father, and in another family on the ground of the child's being issue of his or her mother, the child shall be treated as then included in one of those families to the exclusion of the other as may be agreed between the father and the mother, or in default of agreement as the Superintendent may in his discretion decide.

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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Ref. 0323/B.

Assented to in Her Majesty's name this 6th day of  
October, 1960.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 10



1960

Colony of the Falkland Islands.

IN THE NINTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
EDWIN PORTER ARROWSMITH, K.C.M.G.  
*Governor.*

### An Ordinance

Further to amend the Application of  
Enactments Ordinance, 1954. Title.

[6th October, 1960.]

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 (Amendment) Ordinance, 1960, 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 amended as follows :—

Amendment of Schedule to the principal Ordinance.

- (a) enactment No. 15 is amended by the insertion in the second column of the figures and comma "14," immediately after the word "Sections";
- (b) enactment No. 31 is amended by the insertion in the second column of the figures and comma "41," between the figures "39" and the figures "47";

- (c) enactment No. 63 is amended by the deletion of the modification of subsection (1) of section 64 and the substitution therefor of the following modification :—

“In subsection (1) of Section 64 there shall be inserted a comma and 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, 1954,” between the word “sum” and the word “or”.

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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 6th day of October, 1960.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 11



1960

Colony of the Falkland Islands.

IN THE NINTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

### An Ordinance

To make provision for appeals by  
prisoners of war or internees who have been  
convicted of offences.

Title.

[6th October, 1960.]

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 Geneva Conventions (Criminal Appeals) Ordinance, 1960.

Short title.

2. In this Ordinance the following expressions have the following meanings respectively :—

Interpretation.

“protected internee” means a person protected by the Geneva Convention relative to the protection of civilian persons in time of war, dated the 12th August, 1949;

“protected prisoner of war” means a person protected by the Geneva Convention relative to the treatment of prisoners of war, dated the 12th August, 1949;

“the protecting power”, in relation to a protected prisoner of war or a protected internee, means the power or organisation which is carrying out, in the interests of the power of which he is a national, or of whose forces he is, or was at any material time, a member, the duties assigned to protecting powers under the Conventions hereinbefore mentioned.

Appeals by persons who are "protected" persons under the Geneva Conventions Act, 1957.

3. Where a protected prisoner of war or a protected internee has been sentenced to death or to imprisonment for a term of two years or more, the time within which he must give notice of appeal or notice of his application for leave to appeal to the Supreme Court or to Her Majesty in Council shall, notwithstanding anything in any Ordinance or Rules relating to such appeals, be the period from the date of his conviction or, in the case of an appeal against sentence, of his sentence to the expiration of ten days after the date on which he receives a notice given :—

- (a) in the case of a protected prisoner of war, by an officer of Her Majesty's forces;
- (b) in the case of a protected internee, by or on behalf of the governor of the prison in which he is confined,

that the protecting power has been notified of his conviction and sentence.

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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 12th day of January, 1960.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]



No. 1

1960.

**Falkland Islands Dependencies.**

IN THE EIGHTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

### An Ordinance

#### Further to amend the Whale Fishery Ordinance.

ENACTED for the Dependencies of the Colony of the 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 Whale Fishery (Amendment) Ordinance, 1960, and shall be read as one with the Whale Fishery Ordinance, hereinafter referred to as the principal Ordinance.

2. Section 10 of the principal Ordinance is amended —

(a) by deleting the marginal note and by substituting therefor —

“Power of Governor to grant special exemptions for scientific purposes”;

(b) by renumbering subsection (2) thereof as subsection (3); and

(c) by inserting a new subsection (2) as follows —

“(2) Notwithstanding anything in this Ordinance the Governor may grant to any person a special permit to employ detection devices for the purpose of scientific research or experimentation subject to such conditions as may be considered desirable.”

Promulgated by the Governor on the 12th January, 1960.

A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

Ref. D/4/58.

Assented to in Her Majesty's name this 21st day of  
March, 1960.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 2



1960.

**Falkland Islands Dependencies.**

IN THE NINTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

**An Ordinance**

To legalise certain payments made in  
the year 1958-59 in excess of the Expend-  
iture sanctioned by Ordinance No. 1 of 1958.

Title.

WHEREAS it is expedient to make further provision for the  
service of the Dependencies for the year 1958-59.

Preamble.

ENACTED for the Dependencies of the Colony of the  
Falkland Islands 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  
Supplementary Appropriation (Dependencies) (1958-59) Ordinance,  
1960.

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 1958-59 the same are hereby declared to have  
been duly laid out and expended for the service of the Dependencies  
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 1958-59.

SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
3.	F.I.D.S. Headquarters (Administration)	2,771	8	11
5.	F.I.D.S. Bases ... ..	47,861	15	3
7.	R.R.S. "Shackleton" ... ..	13,518	17	10
	Aerial Survey, Dependencies ...	557	18	4
	Total Expenditure ...	64,710	0	4

Promulgated by the Governor on the 21st day of March, 1960.

A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

Assented to in Her Majesty's name this 31st day of May, 1960.

A. G. DENTON-THOMPSON,  
*Officer Administering the Government.*

[L.S.]

No. 3



1960

Falkland Islands Dependencies.

IN THE NINTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
AUBREY GORDON DENTON-THOMPSON, O.B.E., M.C.  
*Officer Administering the Government.*

An Ordinance

To apply certain Laws of the Colony to the Dependencies. Title.

ENACTED for the Dependencies of the Colony of the Falkland Islands 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, 1960. 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 be in force in the Dependencies with effect from the 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 1959	Pensions (Increase) (Amendment) Ordinance, 1959.	2nd January, 1960.
18 of 1959	Estate Duty (Amendment) Ordinance, 1959.	2nd January, 1960.
20 of 1959	Application of Enactments (Amendment) Ordinance, 1959.	2nd January, 1960.
21 of 1959	Customs (Amendment) Ordinance, 1959.	2nd January, 1960.
3 of 1960	Oil in Territorial Waters Ordinance, 1960.	1st June, 1960.
4 of 1960	Foreign Judgments (Reciprocal Enforcement) (Amendment) Ordinance, 1960.	1st June, 1960.
5 of 1960	Government Employees Provident Fund (Amendment) Ordinance, 1960.	1st June, 1960.

Promulgated by the Officer Administering the Government  
on the 31st day of May, 1960.

D. R. MORRISON,  
*for Colonial Secretary.*

Assented to in Her Majesty's name this 30th day of  
June, 1960.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]

No. 4



1960

Falkland Islands Dependencies.

IN THE NINTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

### An Ordinance

To provide for the service between the  
first day of July, 1960, and the thirtieth day  
of June, 1961.

[1st July, 1960.]

Date of commencement.

ENACTED for the Dependencies of the Colony of the  
Falkland Islands 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) (1960/1961) Ordinance, 1960.

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, 1961, a sum not  
exceeding Seven hundred and forty nine thousand, six hundred and  
thirty 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, 1960, to the thirtieth day of June, 1961.

Appropriation of  
£749,630 for service  
of the year ending 30th  
June, 1961.

SCHEDULE.

Number.	Head of Service.	Amount. £
1.	General ... ..	80,480
2.	F.I.D.S. London Office ... ..	43,323
3.	F.I.D.S. Headquarters (Administration)	29,915
4.	F.I.D.S. Headquarters (Meteorological Service) ...	22,405
5.	F.I.D.S. Bases ... ..	352,850
6.	R.R.S. "John Biscoe" ... ..	121,999
7.	R.R.S. "Shackleton" ... ..	90,198
8.	W/T Service ... ..	8,460
	Total Expenditure £	749,630

Promulgated by the Governor on the 30th day of June, 1960.

A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

Ref. F.I.D.S./46/VII.

Assented to in Her Majesty's name this 28th day of September,  
1960.

E. P. ARROWSMITH,  
*Governor.*

[L.S.]



No. 5

1960

Falkland Islands Dependencies.

IN THE NINTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

An Ordinance

Further to amend the Whale Fishery Title.  
Ordinance.

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 Whale Fishery Short title.  
(Amendment) (No. 2) Ordinance, 1960, and shall be read as one with  
the Whale Fishery Ordinance, hereinafter referred to as the principal Cap. 76.  
Ordinance.

2. Subsection (2) of section 10 of the principal Ordinance is Amendment of section 10  
hereby amended by the deletion of the words "for the purpose of of the principal  
scientific research or experimentation". Ordinance.

Promulgated by the Governor on the 28th day of September,  
1960.

R. H. D. MANDERS,  
*Colonial Secretary.*

## PART II. REGULATIONS, PROCLAMATIONS, Etc.

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### COLONY —

Regulation No. 1 of 1960    Live Stock Quarantine (Amendment) Regulations.

„        „ 2 „        „    Family Allowances Regulations.

„        „ 3 „        „    Workmen's Compensation Regulations.

Order No. 1 of 1960        Pensions (Pensionable Offices) Order.

Resolution No. 1 of 1960    Customs (Amendment) Resolution.

Rule Unnumbered            Travelling and Subsistence Allowances Rules.

Rule No. 1 of 1960        Court Fees (Amendment) Rules.

Proclamation No. 1 of 1960    Place-names of the Dependencies.

„        „ 2 „        „    Sitting of the Legislative Council 27.4.60.

„        „ 3 „        „    A. G. Denton-Thompson – assumption of Administration  
of the Government.

„        „ 4 „        „    Place-names of the Dependencies.

„        „ 5 „        „    Sitting of the Legislative Council 27.9.60.

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# FALKLAND ISLANDS.

## The Live Stock Ordinance (Cap. 40) REGULATIONS (under section 43 of the Ordinance)

E. P. ARROWSMITH,  
*Governor.*

No. 1 of 1960.

His Excellency the Governor in exercise of the powers vested in him by section 43 of the Live Stock Ordinance, is pleased, by and with the advice of the Executive Council, to make the following Regulations :—

Cap. 40

1. These Regulations may be cited as the Live Stock Quarantine (Amendment) Regulations, 1960, and shall be read as one with the Live Stock Quarantine Regulations, hereinafter referred to as the principal Regulations.

Short title.  
Revised Edition  
Vol. II p. 205.

2. Regulation 17 of the principal Regulations is amended by the deletion of the words "in Schedule C" and the substitution therefor of the words "in Schedule C or D".

Amendment of  
Regulation 17 of the  
principal Regulations.

3. Schedule C to the principal Regulations is revoked and replaced by the following new Schedule C :—

Replacement of Schedule  
C to the principal  
Regulations.

### SCHEDULE C.

Regulation 17.

#### MINIMUM PERIOD OF QUARANTINE

Cattle	....	28 days, or until July (Warble)
Horses	....	14 days
Pigs	....	30 days
Other animals with the exception of dogs	....	30 days

The initial date of quarantine may be taken from the date of departure of the ship from the port at which the animals were last loaded if the Inspector considers such a step expedient.

4. The principal Regulations are amended by the addition of the following new Schedule D :—

Addition of new Schedule  
D.

### SCHEDULE D.

Regulation 17.

#### QUARANTINE REGULATIONS FOR DOGS

1. A dog imported from the United Kingdom or from any country known to be rabies free, other than from a country in South America, shall undergo a period of 90 days quarantine on arrival in the Colony unless :—

- (a) the vessel has not called at any South American port and the Inspector is satisfied that the arrangements made for the care and shipment of the dog were such as to be reasonably certain of having eliminated any risk of mouth or paw contact with any other dog or cat from ashore during the voyage,  
and

- (b) the importer can produce a certificate signed by a qualified veterinary surgeon certifying that the dog has been given the following inoculations in accordance with the conditions stipulated —

- (1) inoculation against Distemper.  
(2) inoculation against Hard Pad.

If these conditions are fulfilled the dog shall be permitted to enter the Colony without undergoing a period of quarantine.

2. A dog imported from a country that is not known to be rabies free or from any country in South America shall undergo a period of 180 days quarantine on arrival in the Colony.

Made by the Governor in Council on the 21st day of September, 1960.

D. R. MORRISON,  
*Acting Clerk of the Executive Council.*

## FALKLAND ISLANDS.

### Regulations made by the Governor in Council under the Family Allowances Ordinance, 1960.

No. 2 of 1960.

E. P. ARROWSMITH,  
*Governor.*

By virtue of the powers vested in him by section 15 of the Family Allowances Ordinance, 1960, and with the advice and consent of the Executive Council His Excellency the Governor is pleased to make and hereby makes the following Regulations —

#### PART I.

1. (1) These regulations may be cited as the Family Allowances Regulations, 1960.

Short title and interpretation.

(2) In these regulations, except as hereinafter provided and unless the context otherwise requires —

“the Ordinance” means the Family Allowances Ordinance, 1960;

“allowance” means an allowance under the Ordinance;

“family” and “Superintendent” have the same meaning as in the Ordinance;

“month” means calendar month;

“parent” means, in relation to any child, the person in whose family such child would, if living with such person, be treated as included for the purposes of the Ordinance as being issue of that person or, in the case of a man and his wife living together, as being issue of either the man or his wife.

#### PART II.

2. In this part of these regulations “presence” and “absence” means actual presence in and actual absence from the Colony respectively and “present” and “absent” shall be construed accordingly.

Section 17 (2)

Presence in or absence from the Colony.

3. (1) For the purposes of section 17 of the Ordinance a person shall be treated as being temporarily absent in the following circumstances —

(i) if he is absent for a continuous period of less than nine months;

(ii) if he is on leave (overseas);

(iii) if he is in the service of the Falkland Islands Dependencies Survey or is a merchant seaman:

Provided, however, that absence for any period shall not be treated as temporary if it is, or was when it began, for a purpose other than a temporary purpose.

(2) Where at any date there is already in existence a right to one or more allowances for the family of a man and his wife, that family shall, for the purposes of this regulation, be treated as continuing in existence despite the death of either of them occurring while they are living together.

4. In determining whether any absence (other than at a school) of a child from a parent or any interruption or reduction of a parent's contribution to the cost of providing for a child is or is not treated as temporary for the purposes of sub-section (7) of section 7 of the Ordinance the following rules shall apply —

Absence from a parent and interruption or reduction of parent's contribution.

(a) any such absence, interruption or reduction due to the child undergoing treatment as an in-patient at a hospital shall be treated as temporary while the child is undergoing such treatment;

- (b) any such interruption or reduction due to the child being at a school shall be treated as temporary while the child is at that school;
- (c) any such absence which does not fall within sub-paragraph (a) of this paragraph shall be treated as temporary for a period of twelve weeks and no longer, and any such interruption or reduction which does not fall within sub-paragraph (a) or (b) of this paragraph shall be treated as temporary for a period of four weeks and no longer:

Provided that if the absence, interruption or reduction has been immediately preceded by an absence, interruption or reduction falling within sub-paragraph (a) or (b) of this paragraph, or by absence at a school, the said period of twelve weeks shall not begin to run until after the termination of that immediately preceding absence, interruption or reduction as the case may be.

5. Any absence (other than at a school) of a child from a person other than a parent and any interruption or reduction of the contribution of a person other than a parent to the cost of providing for a child shall, for the purposes of subsection (7) of section 7 of the Ordinance, be treated as temporary for the first four weeks thereof and no longer.

### PART III.

#### Claims and Payments.

6. (1) (a) Every claim shall be made to the Superintendent in writing in a form approved by him for the purpose containing the several particulars indicated therein or required thereby for the proper determination of the claim and in accordance with the instructions contained therein and shall be sent by post or delivered to him or to such officer or person as he may appoint.

(b) Forms of claim shall be supplied free on demand by every postmaster and by any officer or person whom the Superintendent may appoint for that purpose.

(c) If, owing to the absence of due signature or of due certification or of both, a claim fails to fulfil the requirements of sub-paragraph (a) of this paragraph at the date of receipt by the Superintendent or by any officer or person appointed by him, he may, provided that the form of claim is returned duly signed and certified within one month of the date on which it is received for completion by the person making the claim, nevertheless treat the claim as valid as from the date on which it would have been valid if the claim had originally fulfilled the requirements of sub-paragraph (a) of this paragraph.

(2) Where a claim has been made in accordance with paragraph (1) of this regulation, save that certain particulars have been either wrongly stated in or omitted from the form of claim, the Superintendent may in his discretion, provided he has not made his award or given his decision, allow the person making the claim to amend the claim or supply the particulars, as the case may be, by notice in writing sent by post or delivered to the Superintendent or to such officer or person as he may appoint, and in such cases he may treat the claim as valid as from the date on which it would have been valid if the claim had originally fulfilled the requirements of paragraph (1) of this regulation.

(3) (a) Where a person who is absent from the Colony makes a claim on the appropriate form, the date of the posting of the claim shall be treated as the date on which the claim was made.

(b) Where such a person in the first instance makes a claim in writing otherwise than on the appropriate form, the date of the posting of such claim in writing shall be treated as the date on which the claim was made, provided that a claim

on the appropriate form is duly completed and posted or despatched to the Superintendent, or to such officer or person as he may appoint for the purpose, within one month from the date on which the form is received for completion by the person making the claim.

7. Every person claiming an allowance (including any person appointed to act on his behalf under regulation 16) shall furnish such certificates and other documents and information as the Superintendent may require in connection with the claim.

8. The Superintendent shall cause notice in writing of his award or decision in respect of an allowance to be sent or delivered to the person making the claim and any such notice shall be treated as duly sent to such person if sent to him by post at his usual or last known place of abode.

9. Claims may be made and disposed of and allowances may be awarded before the coming into force of section 3 of the Ordinance.

10. Where a claim for an allowance has been duly made or any question as to an allowance has been referred and the claim or question has not been finally determined, the Superintendent may, if he has *prima facie* grounds for believing that an allowance should be awarded but desires to obtain further information or to inspect any documents before making his award or giving his decision, authorise payment of a sum or sums as on account of an allowance for such period or periods as he may determine.

11. An allowance awarded shall begin to accrue on the first day in every month and shall terminate on the last day in every month, provided that no allowance shall begin to accrue before the date of entitlement.

12. Sums on account of an allowance shall become receivable at the times hereinafter prescribed and shall be paid either —

(1) by means of allowance orders payable in respect of every month to a person by whom such sums are receivable at the appropriate post office; or

(2) in such other special manner as the Superintendent may in any particular case and for any particular period determine.

13. (1) In every case in which sums on account of an allowance are payable by means of allowance orders the Superintendent shall cause arrangements to be made whereby —

(a) on furnishing such evidence of identity and such other particulars as may be required the person to whom the allowance belongs or (where an order has been made under sub-section (3) of section 8 of the Ordinance) by whom sums on account of the allowance are receivable, or any person appointed under regulation 16 to act on behalf of any such person, may obtain, either through the postmaster of the appropriate post office or otherwise, a book of allowance orders;

(b) written intimation shall be sent to that person of the appropriate post office and of the arrangements so far as they effect that person; and

(c) a fresh book of allowance orders may be issued to that person on the expiration of the previous book either by the postmaster at the appropriate post offices or otherwise.

(2) A book of allowance orders issued to any person shall remain the property of the Government.

(3) Any person having possession of an allowance order book or an unpaid allowance order in respect of an allowance shall, on the termination of that allowance or on the request of the Superintendent,

Information in support of claim.

Notice of award.

Awards before the coming into force of section 3 of the Ordinance.

Payment of sums as on account of an allowance pending final determination.

Accrual of allowances.

Method of payment of sums on account of allowance.

Allowance order books.

Absence from a person other than a parent and interruption or reduction of such person's contribution.

Manner in which claims may be made.

as the case may be, deliver such book or order to the Superintendent or to such officer as he may appoint.

Date on which sums are receivable on account of allowance.

14. Sums on account of an allowance shall be receivable —

(1) in the case of a sum payable by means of an allowance order, on the first day of the month in respect of which it is to be paid;

(2) in the case of a sum to be paid in any other manner under these regulations on such day as the Superintendent may in any such case determine.

Further information and notification of change of circumstances.

15. Any person to whom an allowance belongs or by whom or on whose behalf sums on account of an allowance are receivable (including any person appointed to act on behalf of any such person under regulation 16) shall, in such manner and at such time as the Superintendent may determine, furnish to the Superintendent such certificates and other documents and such information of facts affecting the right to the allowance as the Superintendent may require, whether as a condition on which any such sum or sums shall be receivable or otherwise, and in particular shall notify the Superintendent in writing of any change of circumstances affecting the right to the allowance as soon as practicable after the occurrence of any such change.

Representation of persons unable to act.

16. Where any person, being a person who is alleged to be entitled to make a claim or a person to whom an allowance belongs or by whom sums on account of an allowance are receivable, is or becomes unable for the time being to act, the Superintendent may appoint any person whom he may consider suitable and who is prepared to be so appointed, to exercise on behalf of the person unable to act any right or power which that person may be entitled to exercise under the Ordinance and to receive any sum on account of an allowance on behalf of that person:

Provided that —

(1) the Superintendent may at any time in his discretion revoke any appointment made under this regulation;

(2) any person appointed under this regulation may, on giving the Superintendent one month's notice in writing of his intention so to do, terminate his appointment.

Claims and payments after death.

17. (1) On the death of a person who had made a claim for an allowance or to whom an allowance belonged the Superintendent may appoint such person as he may think fit to proceed with or to make a claim for the allowance.

(2) The period limited by section 11 of the Ordinance for obtaining payment of a specified sum shall, in respect of any specified sum made receivable on any day within six months before the death of a person by whom it was receivable, be extended until the expiration of six months following the date on which such sum is made payable by the Superintendent to any one or more of the persons to or amongst whom it may be paid or distributed in accordance with the provisions of sub-paragraph (a) of the next succeeding paragraph:

Provided that this shall not apply to any such sum for the payment of which written application has not been made to the Superintendent within six months after the date of death or within such longer period as he, having regard to the circumstances of the particular case, may determine.

(3) (a) Any specified sum may be paid or distributed by the Superintendent to or amongst persons claiming as personal representatives, legatees, next of kin or creditors of a deceased person who had made a claim for the allowance to which the specified sum relates or to whom the allowance belonged or by whom sums on account of the allowance were receivable or, in the case of illegitimacy of such deceased person, to or amongst others:

Provided that the receipt of any one or more persons so claiming of the age of sixteen years or upwards shall be a good discharge to the Superintendent for any specified sum so paid, and that in the case of such a person being a child under the age of sixteen years the Superintendent may, if he is satisfied that the specified sum or any part thereof is needed for the benefit of the child, obtain a good discharge therefor by paying such specified sum or part thereof, as the case may be, to a person (who need not be a person specified in this sub-paragraph) who has satisfied the Superintendent that he will apply the sum so paid for the benefit of that child.

(b) The Superintendent may dispense with strict proof of the title of persons so claiming as aforesaid.

(4) For the purposes of this regulation "specified sum" means any sum referred to in paragraph (e) of sub-section (1) of section 15 of the Ordinance.

Made by the Governor in Council at a meeting held on the 21st day of September, 1960.

D. R. MORRISON,  
*Acting Clerk of the Executive Council.*

Ref. 0323/B.

# FALKLAND ISLANDS.

## The Workmen's Compensation Ordinance, 1960.

### REGULATIONS

(under Section 37 of the Ordinance)

E. P. ARROWSMITH,  
*Governor.*

No. 3 of 1960.

His Excellency the Governor in exercise of the powers vested in him by section 37 of the Workmen's Compensation Ordinance, 1960, is pleased, by and with the advice of the Executive Council to make the following Regulations :

1. These Regulations may be cited as the Workmen's Compensation Regulations, 1960. Short title.

2. Unless the context otherwise admits – Definitions.  
“the Ordinance” means the Workmen's Compensation Ordinance, 1960.  
“form” means a form in these regulations.

#### PART I.

##### Procedure.

3. Any application made under section 25 of the Ordinance shall, unless the Commissioner otherwise directs, be made on forms A, B or C as the case may be, signed by the applicant and filed with the Registrar. Applications.

The Registrar shall forthwith inform the Commissioner of any such application.

4. The Commissioner may examine an applicant on oath and shall record any such examination in the manner provided in section 27 of the Ordinance. Examination of applicant.

5. The Commissioner shall consider the application and the record of the substance of any examination of the applicant, and may summarily dismiss the application if, for reasons to be recorded, he is of opinion that there are not sufficient grounds for proceeding thereon, and the Registrar shall forthwith notify the applicant or the legal practitioner or other person acting on behalf of the applicant of such summary dismissal of the applicant. Summary dismissal of application.

6. If the application is not dismissed under regulation 5, the Commissioner may direct the Registrar to call upon the applicant to produce to the Registrar evidence in support of the application before calling upon any other party, and, if upon considering such evidence the Commissioner is of opinion that there is no case for the relief claimed he may dismiss the application with a brief statement of his reasons for so doing. Preliminary inquiry into application.

7. If the Commissioner does not dismiss the application under regulation 5 or regulation 6, the Registrar shall cause to be served on the party from whom the applicant claims relief (hereinafter referred to as the respondent) a copy of the application, and may, if he thinks fit, call upon the respondent to file a written statement dealing with the claim within such time as the Registrar may fix. Notice to opposite party.

8. The respondent may, and if so required by the Registrar, shall, within such time as the Registrar may fix, file a written statement dealing with the claim raised in the application, and any such written statement shall form part of the record. Statement of respondent.

9. Where the respondent claims that if compensation is recovered against him he will be entitled under section 15, subsection (2), of the Ordinance to be indemnified by a person not being a party Indemnity under section 15 (2) of the Ordinance.

to the case (hereinafter referred to as the third party), he shall, within ten days after being served with the copy of the application, file a notice of such claim with the Registrar, and the Registrar shall thereupon cause a copy of the notice of such claim in Form D to be served on the third party, and may, if he thinks fit, call upon him to file a written statement dealing with the claim raised in the application within such time as the Registrar may direct.

Failure of respondent or third party to file statement.

10. If the respondent or the third party fails to file a statement dealing with the claim within the time directed by the Registrar, or by the Commissioner on an application to enlarge the time, he shall be taken to admit the claim.

Claim admitted.

11. If the respondent or the third party admits the claim, he may at any time before the first hearing —

- (a) where the application is made by an injured workman —
  - (i) file with the Registrar a notice that he submits to an order for the payment of a half-monthly sum, to be specified in such notice; or
  - (ii) file with the Registrar a notice that he submits to an order for the payment of a lump sum, to be specified in the notice, and pay such sum into Court;
- (b) where the application is made on behalf of the dependants of a deceased workman, or for the settlement of the sum payable in respect of medical attendance and the burial of a deceased workman who leaves no dependants, file with the Registrar a notice that he admits liability, and pay into Court such sum of money as he considers sufficient to cover his liability in the circumstances of the case.

Hearing.

12. Where it is necessary to proceed to a hearing, the Registrar shall fix a date and place for disposing of the application and of the claim for indemnity, if any, and cause notice thereof to be served on the different parties in Form E calling upon them to attend and to produce any evidence which they may wish to tender.

Non-appearance of applicant.

13. If at the hearing of any adjournment thereof the applicant does not appear the Commissioner shall dismiss the application unless he is satisfied there is reasonable cause for such non-appearance when he may adjourn the hearing on such terms as to costs or otherwise as he may deem just.

Non-appearance of respondent or third party.

14. If at the hearing or any adjournment thereof the respondent or third party does not appear the Commissioner may proceed to hear the case in his absence unless he is satisfied there is reasonable cause for such non-appearance when he may adjourn the hearing on such terms as to costs or otherwise as he may deem just.

Local inspection.

15. (1) The Commissioner may at any time enter the place where the workman was injured, or where the workman ordinarily performed his work, for the purpose of making a local inspection :

Provided that the Commissioner shall not enter any premises of any industrial establishment except during the ordinary working hours of that establishment, save with the permission of the employer or of some person directly responsible to him for the management of the establishment.

(2) The Commissioner shall give the parties or their representatives notice of his intention to conduct a local inspection, unless in his opinion the urgency of the case renders the giving of such notice impracticable.

(3) Such notice may be given orally or in writing and, in the case of an employer, may be given to any person upon whom notice of a claim can be served under section 7 of the Ordinance, or to the representative of any such person.

(4) Any party or the representative of any party, may accompany the Commissioner at a local inspection.

16. Where two or more cases pending before the Commissioner arise out of the same accident, and any issue involved is common to two or more such cases, such cases may, so far as the evidence bearing on such issue is concerned, be taken together.

Connected cases.

17. The Registrar shall upon application by any party issue summonses for the appearance of witnesses on payment of the prescribed fees and expenses unless the Commissioner considers the appearance of such witnesses unnecessary.

Witnesses.

18. (1) The Commissioner shall —

- (a) record concisely his findings and his reasons for such findings;
- (b) at the time of making his order pronounce his decision and thereafter no addition or alteration shall be made to the order other than the correction of a clerical or arithmetical mistake arising from an accidental slip or omission.

Record of findings and orders.

(2) Orders shall be in one of the forms in Form F with any necessary variations.

19. (1) Any document to be filed under these regulations may be so filed by delivering it at the office of the Registrar.

Filing and service of documents.

(2) There shall be filed with the original document as many copies of the document as there are persons on whom copies of the documents are to be served, and in addition a copy for the use of the Commissioner.

(3) Any document to be served under the Ordinance or these regulations upon any person shall be served —

- (a) upon the Crown, by service upon the Head of the Government Department in which the applicant was employed at the time of the accident, or by leaving it at the office of such Head of Department;
- (b) upon an individual, by service upon him personally or by leaving it with a responsible person at his last known place of abode or business;
- (c) upon a corporate body, by service on the Secretary or by leaving it with a responsible person at the Registered Office of such corporate body;
- (d) upon a club, by service on the Secretary or any member of the Managing Committee;
- (e) upon the master of a ship or a person belonging to a ship, by service on such master or person, or by leaving the document for such master or person on board the ship with the person being or appearing to be in command or charge of the ship, or where no such person can be found, by fixing a copy of the document to the mast of the ship.

(4) All service shall be effected —

- (a) in Stanley and its immediate vicinity by a member of the police force;
- (b) out of Stanley and its immediate vicinity by a person appointed by the Registrar who shall make a return of the service within two days in the case of service in Stanley and within fourteen days in the case of service out of Stanley in Form G, sworn before a justice of the peace.

20. Save as otherwise expressly provided in the Ordinance or these regulations, the Rules of the Court of Summary Jurisdiction as to enforcing the attendance of witnesses, compelling the production of documents and material objects, administering oaths, taking evidence, amending any defect or error in any proceeding, enlarging the time

Application of Rules of Court of Summary Jurisdiction.

appointed for taking any proceeding or doing any act, and the representation of persons under disability shall, with the necessary modifications, apply to proceedings before the Commissioner.

Apportionment of compensation.

21. The provisions of this part of these regulations shall, as far as may be, apply in any proceedings relating to the apportionment of compensation among dependants of a deceased workman.

## PART II.

### Employer.

Right to file memorandum.

22. Any employer to whom notice of an accident has been given may at any time, notwithstanding the fact that no claim for compensation has been instituted in respect of such accident, file with the Registrar a memorandum, supported by an affidavit made by himself or by any person having knowledge of the facts stated in the memorandum, embodying the circumstances or cause of the accident and such memorandum shall be recorded by the Registrar.

## PART III.

### Medical Examination.

Submission to medical examination.

23. A workman who is required by section 14, subsection (1), of the Ordinance to submit himself for medical examination shall be bound to do so in accordance with the regulations contained in this Part and not otherwise.

Examination on employer's premises.

24. When such workman is present on the employer's premises, and the employer offers to have him examined free of charge by a qualified medical practitioner who is so present, the workman shall submit himself for examination forthwith.

Examination in other cases.

25. In cases to which regulation 24 does not apply the employer may —

- (a) send the medical practitioner to the place where the workman is residing for the time being, in which case the workman shall submit himself for medical examination on being requested to do so by the medical practitioner; or
- (b) send to the workman an offer in writing to have him examined free of charge by a qualified medical practitioner, in which case the workman shall submit himself for medical examination at the employer's premises, or at such other place in the vicinity as is specified in such offer, and at such time as is so specified;

Provided that —

- (i) the time so specified shall not, save with the express consent of the workman, be between the hours of 7 p.m. and 8 a.m.; and
- (ii) in cases where the workman's condition renders it impossible or inadvisable that he should leave the place where he is residing for the time being, he shall not be required to submit himself for medical examination save at such place of residence.

Restriction on number of examinations.

26. A workman who is in receipt of a half monthly payment shall not be required to submit himself for medical examination elsewhere than at the place where he is residing for the time being more than twice in the first month following the accident or more than once in any subsequent month.

After suspension of right to compensation.

27. If a workman whose right to compensation has been suspended under section 14, subsection (2) or (3), of the Ordinance, subsequently offers himself for medical examination, his examination shall take place on the employer's premises or at such other place in the vicinity as may be fixed by the employer.

## PART IV.

### Memorandum of Agreement.

28. A memorandum of agreement sent to the Commissioner under section 31 (1) of the Ordinance shall, unless the Commissioner otherwise directs, be in duplicate and conform with Forms H, J, and K as the circumstances may require.

Form.

29. (1) The Commissioner shall, unless he considers that there are grounds for refusing to record a memorandum of agreement, direct the Registrar to fix a day for recording the same, and the Registrar shall accordingly issue a notice in writing in Form L to the parties concerned that in default of objections the Commissioner proposes to record the memorandum on the day so fixed, provided that the notice may be communicated orally to any parties who are present at the time when notice in writing would otherwise issue.

When Commissioner proposes to record memorandum.

(2) On the date so fixed the Commissioner shall direct the Registrar to record the memorandum unless, after hearing any of the parties who appear and desire to be heard, he considers that it ought not to be recorded:

Provided that the issue of a notice under subsection (1) of this regulation shall not be deemed to prevent the Commissioner from refusing to record the memorandum on the date so fixed, even if no objection be made by any party concerned.

(3) If on such date the Commissioner decides that the memorandum ought not to be recorded, he shall inform the parties present of his decision and of the reasons therefor, and if any party desiring the memorandum to be recorded is not present, the Registrar shall send information to that party in Form M.

30. (1) Where the Commissioner considers there are grounds for refusing to record a memorandum of agreement the Registrar shall fix a date for hearing the party or parties desiring the memorandum to be recorded, and the Registrar shall inform such party or parties and, if the Commissioner thinks fit, any other party concerned, of the date so fixed and of the grounds on which the Commissioner considers that the memorandum should not be recorded.

Where Commissioner considers he should refuse to record.

(2) If the parties to be informed are not present, a written notice shall be sent to them in Form N or Form O, as the case may be, and the date fixed in such notice shall be not less than seven days after the date of the issue of the same.

(3) If on the date fixed under subsection (1) of this regulation the party or parties desiring the memorandum to be recorded show adequate cause for recording the same, the Commissioner may, if information has already been given to all parties concerned, direct the Registrar to record the agreement. If information has not been given to all such parties, he shall proceed in accordance with regulation 29.

(4) If, on the date so fixed, the Commissioner refuses to record the memorandum, the Registrar shall send notice in Form M to any party who did not receive information under subsection (1) of this regulation.

31. (1) If in any case the Commissioner refuses to record a memorandum of agreement, he shall briefly record his reasons for such refusal.

On refusal to record.

(2) If the Commissioner refuses to record a memorandum of agreement, he shall not make any order directing the payment of any sum or amount over and above the sum specified in the agreement, unless opportunity has been given to the party liable to pay such sum to show cause why it should not be paid.

(3) Where the agreement is for the redemption of half-monthly payments by the payment of a lump sum, and the Commissioner considers that the memorandum of agreement should not be recorded by reason of the inadequacy of the amount of such sum as fixed in the agreement, he shall record his estimate of the probable duration of the disablement of the workman.

Registration.

32. In recording a memorandum of agreement, the Registrar shall enter the same in a register in Form P and shall endorse a copy of the memorandum, to be retained by him, as follows:

"This memorandum of agreement bearing Serial No..... of 19..... in the Register of Agreements has been recorded this day of..... 19.....

(Signature)  
Registrar."

#### PART V.

##### Deposit of Compensation.

Under section 11 (1) of the Ordinance.

33. An employer depositing compensation under section 11, subsection (1), of the Ordinance, shall furnish therewith a statement in Form Q and shall be given a receipt in Form R.

(2) If, in the statement above referred to, the employer indicates that he desires to be made a party to the distribution proceedings, the Commissioner shall, before allotting the sum deposited as compensation, afford to the employer an opportunity of establishing that the person or persons to whom he proposes to allot such sum is or are not dependants of the deceased workman.

(3) The statement of disbursements to be furnished on application by the employer under section 11, subsection (5), of the Ordinance, shall be in Form S.

Publication of lists of deposits.

34. The Registrar shall cause to be displayed in a prominent position outside his office an accurate list of the deposits received by him under section 11, subsection (1) of the Ordinance, of the depositors, and of the workmen in respect of whose deaths the deposits have been made.

Where no compensation deposited.

35. (1) Where a dependant of a deceased workman claims that compensation is payable in respect of the death of the workman, and no compensation has been deposited in accordance with section 11, sub-section (1), of the Ordinance in respect thereof, the dependant may apply to the Commissioner for the issue of an order requiring the employer to deposit compensation in accordance with the said sub-section:

Provided that no such application shall be entertained unless the applicant certifies therein that he has requested the employer to deposit compensation and that the employer has refused or omitted to do so.

(2) The Commissioner shall dispose of such application in accordance with the provisions of Part I of these regulations provided that —

- (a) the Commissioner may, at any time, cause notice to be given in such manner as he thinks fit to all or any of the dependants of the deceased workman who have not joined in the application, requiring them, if they desire to join therein, to appear before him on a date specified in this behalf;
- (b) any dependant to whom such notice has been given and who fails to appear and to join in the application on the date specified in a notice shall not be permitted thereafter to claim that the employer is liable to deposit compensation,

unless he satisfies the Commissioner that he was prevented by any sufficient cause from appearing when the cause was called on for hearing.

(3) If, after completing the inquiry into the application, the Commissioner issues an order requiring the employer to deposit compensation in accordance with section 11, subsection (1), of the Ordinance, nothing in subsection (2) of this regulation shall be deemed to prohibit the allotment of any part of the sum deposited as compensation to a dependant of the deceased workman who failed to join in the application.

36. An employer depositing compensation in accordance with section 11, subsections (2) or (3), of the Ordinance, shall furnish therewith a statement in Form T and shall be given the receipt in Form U.

Deposit under section 11 (2) and (3) of the Ordinance.

37. Money deposited under section 11 of the Ordinance may be invested in the name of the Registrar in the Government Savings Bank.

Investment.

#### PART VI.

##### Review of half yearly payments and commutation thereof.

38. Application in Form V for review of a half-monthly payment under section 9 of the Ordinance may be made without being accompanied by medical certificate —

Application for review without medical certificate.

- (a) by the employer, on the ground that since the right to compensation was determined the workman's wages have increased;
- (b) by the workman, on the ground that since the right to compensation was determined his wages have diminished;
- (c) by the workman, on the ground that the employer, having commenced to pay compensation, has ceased to pay the same, notwithstanding the fact that there has been no change in the workman's condition such as to warrant such cessation;
- (d) by the workman, on the ground that he has ceased, since the right to compensation was determined, to be a minor;
- (e) either by the employer or by the workman, on the ground that the determination of the rate of compensation was obtained by fraud or undue influence or other improper means.

39. If, on examining an application for review by an employer in which the reduction or discontinuance of half-monthly payments is sought, it appears to the Commissioner that there is reasonable ground for believing that the employer has a right to such reduction or discontinuance, he may at any time issue an order withholding the half-monthly payments in whole or in part pending his decision on the application.

Procedure on application for review.

40. Where application is made to the Commissioner under section 10 of the Ordinance for the redemption of a right to receive half-monthly payments by the payment of a lump sum, the Commissioner shall form an estimate of the probable duration of the disablement, and shall award a sum equivalent to the total of the half-monthly payments which would be payable for the period during which he estimates that the disablement will continue, less one half per cent of that total for each month comprised in that period;

Procedure on application for commutation.

Provided that fractions of a shilling included in the sum so computed shall be disregarded:

Provided also that when the Commissioner is unable to form an approximate estimate of the probable duration of the disablement

he may from time to time postpone a decision on the application for a period not exceeding two months at any one time.

## PART VII.

### Registrar.

#### Proceedings.

41. The Registrar shall endorse the date of filing or issuance on all proceedings and notices filed with or issued by him.

#### Registration of orders.

42. In recording an order of the Commissioner under section 30 of the Ordinance, directing the payment of compensation or the variation of the amount or rate of compensation previously ordered or settled by agreement, the Registrar shall enter such order in a register in the Form W and shall endorse on a copy of the order to be retained by him as follows:

"This order bearing Serial No..... of 19..... in the Register of Orders has been recorded in such Register this..... day of ..... 19.....

(Signature)

Registrar."

#### Cause Book.

43. The Registrar shall enter all proceedings hereafter to be commenced in a Cause Book, the form of which shall be prescribed by the Commissioner; any entry made therein shall be examined with the original document the day after such entry is made, and such entry shall be evidence of the document having been filed.

#### Registers.

44. The Registrar shall keep the registers prescribed by regulations 32 and 42 and shall make the appropriate entries therein in accordance with the requirements of the said regulations.

#### Indexes.

45. The Registrar shall keep proper indexes of the titles of all applications filed with or delivered to him so that the same may be conveniently referred to when required; and such indexes shall at all times during office hours be accessible to the public on payment of the prescribed fee.

#### Searches.

46. The Registrar shall, on a request in writing giving sufficient particulars and on payment of the prescribed fee, cause a search to be made in the Cause Books or Registers under his custody, and issue a certificate of the result of the search.

#### Inspection of files.

47. Any person may, on payment of the prescribed fee, inspect the file of documents or proceedings in any matter.

## PART VIII.

### Costs.

#### Costs.

48. (1) Any costs incidental to any proceedings before the Commissioner directed to be paid by one party to another shall, in default of agreement between the parties as to the amount of such costs, be taxed by the Commissioner according to the scale of costs applicable to actions in the Court of Summary Jurisdiction; and the statutory provisions and rules for the time being in force as to the allowance and taxation of costs in such actions shall, with the necessary modifications, apply accordingly.

(2) When proceedings are taken for which no provision is made in these regulations, reasonable costs may be allowed in respect of such proceedings, not exceeding those which may under the scales of costs be allowed in respect of proceedings of a like nature.

(3) The Commissioner, in dealing with the question of costs, may take into consideration any offer of compensation proved to have been made on behalf of the employer.

49. If the Commissioner is satisfied that the applicant is unable, by reason of poverty, to pay the prescribed fees, he may remit any or all of such fees. If the case is decided in favour of the applicant the prescribed fees which, had they not been remitted would have been due to be paid, may be added to the costs of the case and recovered in such manner as the Commissioner in his order regarding costs may direct. Exemptions.

## PART IX.

### Fees.

50. The following fees shall be paid respectively on each application, search or inspection made under the Ordinance or these regulations: Fees.

- (1) Applications for compensation —
  - (a) Where compensation is claimed in the form of recurring payments .... 5/-
  - (b) Where compensation is claimed in the form of a lump sum, 2/6 where the sum does not exceed £50, plus 2/6 for each additional sum of £50 or fraction thereof (maximum 10/-)
- (2) Applications for commutation —
  - (a) By agreement between the parties .... 2/6
  - (b) In all other cases .... 5/-
- (3) Applications for the deposit of compensation —
  - (a) Under section 11 (1) of the Ordinance .... Nil
  - (b) In all other cases, in respect of each person to whom compensation is payable .... 2/6
- (4) Applications for distribution by dependants, for each dependant .... 2/6 up to 15/-
- (5) Applications for review —
  - (a) Where the review claimed is the continuance, increase, decrease or ending of half-monthly payments 2/6
  - (b) Where the half-monthly payments are sought to be converted into a lump sum .... 5/-
  - (c) In all other cases .... 5/-
- (6) Applications for the registration of agreement —
  - (a) Where the application or the memorandum of agreement is signed by both parties .... Nil
  - (b) In all other cases .... 5/-
- (7) Applications to summon witnesses —
  - For every witness .... 1/-
- (8) Applications for indemnification .... 10/-
- (9) Applications for the recovery of compensation —
  - (a) Under an order already made by the Commissioner 2/6
  - (b) In all other cases —

The same fee as is payable on a similar application for compensation.
- (10) All applications not otherwise provided for .... 2/6
- (11) For service of any notice or process .... 2/6
- (12) For search in indexes of titles of applications filed 2/6
- (13) For search in Cause Books or Registers and issuing certificate of result of search under the hand of the Registrar 2/6
- (14) For inspecting file of documents or proceedings .... 2/6

PART X.

Forms.

Forms.

51. Where the forms in the schedule to these regulations are not applicable, forms of the like character, with such variations as the circumstances may require, may be used in proceedings under the Ordinance.

Made by the Governor in Council at a meeting held on the 21st day of June, 1960.

D. R. MORRISON,  
*Acting Clerk of the Executive Council.*

SCHEDULE

FORM A.  
(SEE REGULATION 3)

Application for Compensation by Workman.

To the Commissioner for Workmen's Compensation,

..... residing at .....  
....., applicant  
versus  
..... residing at .....  
....., respondent

It is hereby submitted that —

(1) the applicant, a workman employed by (a contractor with) the respondent, on the ..... day of ..... 19....., received personal injury by accident arising out of and in the course of his employment.

The cause of the injury was (here insert briefly in ordinary language the cause of the injury).  
.....

(2) the applicant sustained the following injuries, namely — .....

(3) the monthly wages of the applicant amount to £.....; the applicant is over the age of 14 years.

\* (4) (a) Notice of the accident was served on the ..... day of .....  
(b) Notice was served as soon as practicable.  
(c) Notice of the accident was not served (in due time) by reason of .....

\* (5) The applicant is accordingly entitled to receive —  
(a) half-monthly payments of £..... from the ..... day of ..... 19..... to .....  
(b) a lump sum payment of £.....

(6) the applicant has taken the following steps to secure a settlement by agreement, namely ..... but it has proved impossible to settle the question in dispute because .....

\* You are therefore requested to determine the following questions in dispute, namely:  
(a) whether the applicant is a workman within the meaning of the Ordinance;  
(b) whether the accident arose out of or in the course of the applicant's employment;  
(c) whether the amount of compensation claimed is due, or any part of that amount;  
(d) whether the respondent is liable to pay such compensation as is due;  
(e) &c. (as required).

Dated this ..... day of ..... 19.....

To .....  
of .....

Applicant.

I do hereby require you to file with me the undersigned Registrar a written statement dealing with the claim against you in the above application within ..... days after service thereof on you.

And further take notice that if you fail to forward the statement in writing an order may be made against you in default.

Dated this ..... day of ..... 19.....

Registrar.

\* Strike out the clauses which are not applicable.

FORM B.  
(SEE REGULATION 3)

Application for Compensation by Dependants.

To the Commissioner for Workmen's Compensation,

..... residing at .....  
....., applicant  
versus  
..... residing at .....  
....., respondent

It is hereby submitted that —

(1) ..... a workman employed by (a contractor with) the respondent on the ..... day of ..... 19..... received personal injury by accident arising out of and in the course of his employment resulting in his death on the ..... day of ..... 19..... The cause of the injury was (here insert briefly in ordinary language the cause of the injury).....

(2) The applicant(s) is a/are dependant(s) of the deceased workman, being his .....

(3) The monthly wages of the deceased amounted to £.....  
The deceased was over the age of 14 years at the time of his death.

\* (4) (a) Notice of the accident was served on the ..... day of .....  
(b) Notice was served as soon as practicable.  
(c) Notice of the accident was not served (in due time) by reason of .....

(5) The deceased before his death received as compensation the total sum of £.....

(6) The applicant(s) is/are accordingly entitled to receive a lump sum payment of £.....

(7) The applicant(s) has/have requested the respondent to deposit compensation and the latter has refused/omitted to do so.

\* You are therefore requested to determine the following questions in dispute, namely:

(a) Whether the deceased was a workman within the meaning of the Ordinance;  
(b) Whether the accident arose out of and in the course of the deceased's employment;  
(c) Whether the amount of compensation claimed is due, or any part of that amount;  
(d) Whether the respondent is liable to pay such compensation as is due;  
(e) Whether the applicant(s) is a/are dependant(s) of the deceased;  
(f) How the compensation, when deposited, should be distributed;  
(g) &c. (as required).

Applicant.

Dated the ..... day of ..... 19.....

\* Strike out the clauses which are not applicable.

To .....  
of .....

I do hereby require you to file with me the undersigned Registrar a written statement dealing with the claim against you in the above application within ..... days after service thereof on you.

And further take notice that if you fail to forward the statement in writing an order may be made against you in default.

Dated this ..... day of ..... 19.....

Registrar.

FORM C.  
(SEE REGULATION 3)

Application for Commutation.  
(Under section 10 of the Workmen's Compensation Ordinance, 1960)

To the Commissioner for Workmen's Compensation,

..... residing at .....  
....., applicant  
versus  
..... residing at .....  
....., respondent

It is hereby submitted that —

(1) The applicant/respondent has been in receipt of half-monthly payments from .....  
to ..... in respect of temporary disablement by accident arising out of and in the course of his  
employment.

(2) The applicant is desirous that the right to receive half-monthly payments should be redeemed.

(3) (a) The respondent is unwilling to agree to the redemption of the right to receive half-monthly  
payments.

(b) The parties have been unable to agree regarding the sum for which the right to receive  
half-monthly payments should be redeemed.

You are therefore requested to make an order —

(a) directing that the right to receive half-monthly payments should be redeemed.

(b) fixing a sum for the redemption of the right to receive half-monthly payments.

Date .....

.....  
*Applicant.*

FORM D.  
(SEE REGULATION 9)

Notice.

Whereas a claim for compensation has been made to the Commissioner for Workmen's Compensation by ..... applicant, against ..... and the said  
..... has claimed that you are liable under section 15 (2) of the Workmen's  
Compensation Ordinance, 1960, to indemnify him against any compensation which he may be liable to  
pay in respect of the aforesaid claim. you are hereby informed that you may appear before the Commis-  
sioner for Workmen's Compensation at ..... o'clock on the ..... day of ..... 19.....  
at ..... and contest the claim for compensation made by the  
said applicant or the claim for indemnity made by the respondent. In default of your appearance you  
will be deemed to admit the validity of any award made against the respondent and your liability to  
indemnify the respondent for any compensation recovered from him.

Dated ..... 19.....

.....  
*Registrar.*

To.....

of .....

I do hereby require you to file with me the undersigned Commissioner a written statement dealing  
with the claim against you in the above application within ..... days after service thereof on you.

And further take notice that if you fail to forward the statement in writing an order may be made  
against you in default.

Dated this ..... day of ..... 19.....

.....  
*Commissioner.*

FORM E.  
(SEE REGULATION 12)

Notice to Applicant of day upon which hearing will be proceeded with.  
The Workmen's Compensation Ordinance, 1960.

..... residing at .....  
....., applicant  
versus  
..... residing at .....  
....., respondent

Take notice that the Commissioner will proceed with the hearing of the application in this matter  
at ..... on ..... the ..... day of .....  
at the hour of ..... o'clock in the ..... noon.

Dated this ..... day of ..... 19.....

.....  
*Registrar.*

Notice to Respondent of day upon which hearing will be proceeded with.  
The Workmen's Compensation Ordinance, 1960.

..... residing at .....  
....., applicant  
versus  
..... residing at .....  
....., respondent

Take notice that the Commissioner will proceed with the hearing of the application in this matter  
at ..... on ..... the ..... day of .....  
at the hour of ..... o'clock in the ..... noon, and that if you do not attend at the time and  
place above mentioned such order will be made and proceedings taken as the Commissioner may think  
just and expedient.

Dated this ..... day of ..... 19.....

To.....

of .....

.....  
*Registrar.*

FORM F.  
(SEE REGULATION 18)

Order.

(NOTE: These forms are intended for use in ordinary cases only.)

I. In case of application for half-monthly payment of compensation. Having duly considered the matters  
submitted to me, I do hereby order as follows:  
(Here insert any introductory recitals of findings on which the order is made which the Commissioner may think fit.)

1. I order that the respondent C.D. do pay the applicant A.B. the half-monthly sum of £.....  
as compensation for personal injuries caused to the said A.B. on the ..... day of .....  
by injury arising out of and in the course of his employment as a workman employed by the said  
respondent, such half-monthly payment to commence as from the ..... day of .....  
and to continue during the total (or partial) incapacity of the said A.B. for work, or until the same shall  
be ended, diminished, increased or redeemed in accordance with the provisions of the Workmen's  
Compensation Ordinance, 1960.

2. And I order that the said C.D. do forthwith pay to the said A.B. the sum of £.....  
being the amount of such half-monthly payments calculated from the ..... day of .....  
until the ..... day of ..... and do thereafter pay .....  
the said sum of ..... to the said A.B. on the ..... and .....  
days of each month.

3. And I order that the said C.D. do pay to the applicant his costs of or incidental to the proceedings, such costs, in default of agreement between the parties as to the amount thereof, to be taxed under the scale of costs applicable to actions in the Court of Summary Jurisdiction, and to be paid by the said C.D. within 14 days of the date of the certificate of the result of such taxation.

Dated this ..... day of ..... 19.....

.....  
Commissioner.

## II. In case of application by Dependants.

Having duly considered the matters submitted to me, I do hereby order as follows:  
(Here insert any introductory recitals of findings on which the order is made which the Commissioner may think fit.)

1. I order that the respondent C.D. do pay the sum of £..... to the dependants of A.B., late of ..... deceased, as compensation for the injury resulting to such dependants from the death of the said A.B. which took place on the ..... day of ..... from injury caused to the said A.B. on the ..... day of ..... by accident arising out of and in the course of his employment as a workman employed by the said respondent.

2. And I declare that the persons hereinafter named are entitled to share in such compensation as dependants of the said A.B., that is to say J.B. the widow of the said A.B. and (name the other persons).

3. (Add if so found) And I declare that G.H. the ..... of the said A.B. is not entitled to share in such compensation as a dependant of the said A.B.

4. And I order that the said sum of £..... be apportioned between the said J.B. and ..... in the proportions following, that is to say:

I apportion the sum of £..... to and for the benefit of the said J.B. and the sum of £..... to and for the benefit of the said .....

5. And I order that the said C.D. do pay the said sum of £..... within 14 days from the date of this order.

6. And I order that the said J.B. and the said ..... or any of them, be at liberty to apply to me from time to time for any further or other order as to the application of any of the said sums which may be ordered to be invested and the interest accruing thereon.

7. And I order that the said C.D. do pay to the applicants their costs of and incident to these proceedings, etc.

Dated this ..... day of ..... 19.....

.....  
Commissioner.

## III. In case of application by person to whom expenses of medical attendance or burial are due.

Having duly considered the matters submitted to me, I do hereby order as follows:  
(Here insert any introductory recitals of findings on which the order is made which the Commissioner may think fit.)

1. I order that the respondent C.D. do pay the sum of £..... for or towards the expenses of medical attendance on and the burial of A.B. late of ..... deceased, who died on the ..... day of ..... from injury caused on the ..... day of ..... by accident arising out of and in the course of the employment of the said A.B. as a workman employed by the said C.D.

2. And I declare that the persons hereinafter named are entitled to share in such compensation, that is to say:

The applicant E.F. in respect of charges amounting to £..... due to (or payable by) him for medical attendance on the said A.B., and the applicant G.H. in respect of charges amounting to £..... due to him for the burial of the said A.B.

Dated this ..... day of ..... 19.....

.....  
Commissioner.

(NOTE: The above forms will serve as guides for framing orders in other cases.)

## FORM G.

(SEE REGULATION 19)

The Workmen's Compensation Ordinance, 1960.

## Return of Service of Process from the Commissioner for Workmen's Compensation

Name of Applicant.	Name of Respondent.	Document Served.	Date of Service.	Place of Service.	Mode of Service.

I do swear that the above return of service is true and in accordance with the facts of such service.

(Signed).....  
Deponent.

Sworn before me by the above-named deponent this ..... day of ..... 19.....

(Signed) ..... { Magistrate  
Justice of the Peace

## FORM H.

(SEE REGULATION 28)

## Memorandum of Agreement.

It is hereby submitted that on the ..... day of ..... 19..... personal injury was caused to ..... residing at ..... by accident arising out of and in the course of employment in ..... The said injury has resulted in temporary disablement to the said workman whereby it is estimated that he will be prevented from earning more than/any of his previous wages for a period of ..... months. The said workman has been in receipt of half-monthly payments which have continued from the ..... day of ..... amounting to £..... in all. The said workman's monthly wages are estimated at £..... The workman is over the age of 14 years.

It is further submitted that ....., the employer of the said workman has agreed to pay, and the said workman has agreed to accept the sum of £..... in full settlement of all and every claim under the Workmen's Compensation Ordinance, 1960, in respect of all disablement of a temporary nature arising out of the said accident whether now or hereafter to become manifest. It is therefore requested that this memorandum be duly recorded.

It is further submitted that the employer has paid and/or agreed to pay the sum of £..... as costs.

Dated .....  
Signature of employer .....  
Witness .....  
Signature of workman .....  
Witness .....

[Note — An application to register an agreement can be presented under the signature of one party, provided that the other party has agreed to the terms. But both signatures should be appended (whenever possible).]

Receipt (to be filled in when the money has actually been paid).

In accordance with the above agreement, I have this day received the sum of £.....

.....  
Workman.

Dated ..... 19.....

The money has been paid and this receipt signed in my presence.

.....  
Witness.

FORM J.  
(SEE REGULATION 28)

Memorandum of Agreement.

It is hereby submitted that on the ..... day of ..... 19.....  
personal injury was caused to ..... residing at .....  
by accident arising out of and in the course of his employment in ..... The said  
injury has resulted in permanent disablement to the said workman of the following nature, namely :

The said workman's monthly wages are estimated at £.....

The workman is over the age of 14 years.

The said workman, has, prior to the date of this agreement, received the following payments,  
namely : .....

It is further submitted that ....., the employer of the said  
workman, has agreed to pay, and the said workman has agreed to accept the sum of £..... in  
full settlement of all and every claim under the Workmen's Compensation Ordinance, 1960, in respect of  
the disablement stated above and all disablement now manifest. It is therefore requested that this  
memorandum be duly recorded.

It is further submitted that the employer has paid and/or agreed to pay the sum of £.....  
as costs.

Dated .....

Signature of employer .....

Witness .....

Signature of workman .....

Witness .....

[Note — An application to register an agreement can be presented under the signature of one party,  
provided that the other party has agreed to the terms. But both signatures should be appended (whenever  
possible).]

Receipt (to be filled in when the money has actually been paid).

In accordance with the above agreement, I have this day received the sum of £.....

Dated ..... 19.....  
.....  
Workman.

The money has been paid and this receipt signed in my presence.

.....  
Witness.

FORM K.  
(SEE REGULATION 28)

Memorandum of Agreement.

It is hereby submitted that on the ..... day of ..... 19..... personal  
injury was caused to ..... residing at ..... by  
accident arising out of and in the course of his employment in ..... The said  
injury has resulted in temporary disablement to the said workman, who is at present in receipt of wages  
amounting to £...../no wages per month. The said workman's monthly wages prior to the accident  
are estimated at £..... The workman is subject to a legal disability by reason of .....

It is further submitted that the employer of the workman has agreed to pay and .....  
of ..... on behalf of the said workman has agreed to accept half-monthly payments at the rate  
of ..... for the period of the said temporary disablement. This agreement is subject to the  
condition that the amount of the half-monthly payments may be varied in accordance with the provisions  
of the Workmen's Compensation Ordinance, 1960, on account of an alteration in the earnings of the said  
workman during disablement. It is further stipulated that all rights of commutation under section 10 of  
the said Ordinance are unaffected by this agreement. It is therefore requested that this memorandum be  
duly recorded.

It is further submitted that the employer has paid and/or agreed to pay the sum of £.....  
as costs.

Dated .....

Signature of employer .....

Witness .....

Signature of workman .....

Witness .....

[Note — An application to register an agreement can be presented under the signature of one party

provided that the other party has agreed to the terms. But both signatures should be appended (whenever  
possible).]

Receipt (to be filled in when the money has actually been paid).

In accordance with the above agreement, I have this day received the sum of £.....

.....  
Dated ..... 19.....  
.....  
Workman.

The money has been paid and this receipt signed in my presence.

.....  
Witness.

FORM L.  
(SEE REGULATION 29)

Whereas an agreement to pay compensation is said to have been reached between .....  
and ..... And whereas .....  
had/have applied to the Commissioner for registration of the agreement under  
section 31 of the Workmen's Compensation Ordinance, 1960, Notice is hereby given that the said agreement  
will be taken into consideration by the Commissioner at ..... o'clock on the ..... day of  
..... 19..... at ..... and that any objections  
to the registration of the said agreement should be made on the date and at the place aforesaid. In the  
absence of valid objections it is the Commissioner's intention to proceed to the registration of the  
agreement.

Dated ..... 19.....

.....  
Registrar.

FORM M.  
(SEE REGULATIONS 29 AND 30)

Take notice that registration of the agreement to pay compensation said to have been reached  
between you ..... and ..... on the  
..... 19..... has been refused by the Commissioner for Workmen's  
Compensation for the following reasons, namely : .....

Dated ..... 19.....

.....  
Registrar.

FORM N.  
(SEE REGULATION 30)

Whereas an agreement to pay compensation is said to have been reached between .....  
and ..... And whereas ..... has/have applied  
to the Commissioner for registration of the agreement under section 31 of the Workmen's Compensation  
Ordinance, 1960, and whereas it appears to the Commissioner that the said agreement ought not to be  
registered for the following reasons, namely : .....

An opportunity will be afforded to you of showing cause at ..... o'clock on the ..... day  
of ..... 19..... at ..... why the said agreement  
should be registered. If no adequate cause is shown on that date, registration of the agreement will be  
refused.

Dated ..... 19.....

.....  
Registrar.

FORM O.  
(SEE REGULATION 30)

Whereas an agreement to pay compensation is said to have been reached between .....  
and ..... And whereas .....  
has/have applied to the Commissioner for registration of the agreement under section 31 of the Workmen's  
Compensation Ordinance, 1960. And whereas it appears to the Commissioner that the said agreement  
ought not to be registered for the following reasons, namely : .....

An opportunity will be afforded to the said ..... of ..... showing  
cause at ..... o'clock on the ..... day of ..... 19..... why the said

Dated ..... 19.....

FORM P.  
(SEE REGULATION 32)

	Serial No.
	Date of Agreement.
	Date of Registration.
	Employer.
	Workman.
	Initials of Registrar.
	Reference to orders rectifying the register.
	Address of person against whom order made.
	Amount and particulars.

.....  
Registrar.

Date			£	s.	d.
	Funeral expenses paid ...				
	Compensation paid to the following dependants				
	Name	Relationship			
		Total			

Registrar.

.....  
*Employer.*

.....  
Registrar.

Application for Review of Half-monthly Payment.

	Serial No.
	Date of Order.
	Date of registration.
	Employer.
	Workman.
	Initials of Registrar.
	Reference to orders rectifying the register.
	Address of person against whom order made.
	Amount and particulars.

Ref. 1171.

## FALKLAND ISLANDS.

### Customs Ordinance (Cap. 16)

## RESOLUTION

(under Section 5 of the Ordinance)

E. P. ARROWSMITH,  
*Governor.*

No. 1 of 1960.

In exercise of the powers conferred on the Legislative Council by section 5 of the Customs Ordinance, it is hereby resolved by the Legislative Council as follows:—

1. This Resolution may be cited as the Customs (Amendment) Resolution, 1960. Short title.

2. Paragraph 3 of the Customs Order is hereby amended by deleting the words and figures from "The duty shall be assessed" to the words and figures "£5 of such average market price" and by substituting therefor the following words and figures: Amendment of paragraph 3 of the Customs Order.

"Commencing with the 1960/61 season at the rate of 5/- per barrel, payable on export, for every barrel of 40 gallons exported."

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Resolved by the Legislative Council this 27th day of September, 1960.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Ref. D/6/47/II.

## FALKLAND ISLANDS.

### Rules for the grant of Travelling and Subsistence Allowances to Officers attending Conferences while on leave in the United Kingdom.

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) (i) £2 13s. 6d. for each night spent away from his usual place of residence in the case of members of Executive Council.
- (ii) £2 7s. 6d. for each night spent away from his usual place of residence in the case of other officers.

In addition railway fares will be refunded on the following scale:

- (i) First class in the case of members of Executive Council.
  - (ii) Second class in the case of other officers.
- (b) (i) 12/- 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 in the case of members of Executive Council.
- (ii) 10/9d. per 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 in the case of other officers.

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 26th May, 1956, are hereby repealed.

Colonial Secretary's Office,  
Stanley, Falkland Islands.  
12th March, 1960.

Ref. 0751/B.

FALKLAND ISLANDS.

The Administration of Justice Ordinance (Cap. 3)

**RULES**

(under Section 69 of the Ordinance)

E. P. ARROWSMITH,  
*Governor.*

No. 1 of 1960.

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:—

- |   |   |
|---|---|
| <p>1. These Rules may be cited as the Court Fees (Amendment) Rules, 1960, and shall be read as one with the Court Fees Rules, hereinafter referred to as the principal Rules.</p> <p>2. The principal Rules are hereby amended by the deletion of the figures "68" and the substitution therefor of the figures "69" at the commencement thereof.</p> <p>3. Rule 5 of the principal Rules is amended by the substitution of a colon for the full-stop at the end thereof and by the addition of the following proviso:—</p> <p>"Provided that the fees payable under Fee 4 of the second schedule to these rules may be paid immediately after the hearing of a trial or action."</p> | <p>Cap. 3</p> <p>Short title.<br/>Vol. II<br/>Revised Edition p. 128.</p> <p>Amendment of principal Rules.</p> <p>Amendment of rule 5 of the principal Rules.</p> |
|---|---|

Made by the Governor in Council at a meeting held on the 29th day of March, 1960.

J. BOUND,  
*Clerk of the Executive Council.*

Ref. 0464/M.

FALKLAND ISLANDS.

## PROCLAMATION

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No. 1 of 1960.

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Made under section 2 of the Place-names Ordinance, 1956.

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.

E. P. ARROWSMITH — *By His Excellency* SIR EDWIN ARROWSMITH,  
*Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies.*  
[L.S.]

WHEREAS by subsection (1) of section 2 of the Place-names Ordinance, 1956, it is provided that the Governor may by Proclamation under his hand declare and publish a list of the names of various islands and lands constituting the Dependencies and of the coasts, peninsulas, capes, headlands, seas, straits, sounds, bays, inlets and other physical features thereof; and of the harbours and whaling stations therein, and may from time to time in like manner add to or alter such list :

AND WHEREAS it appears to the Governor expedient that the list of place-names declared and published under Proclamation No. 2 of 1956, should be added to and altered :

NOW, THEREFORE, I, SIR EDWIN ARROWSMITH, 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 aforesaid, do hereby proclaim and declare the place-names in the Dependencies of the Colony of the Falkland Islands, listed in the Gazetteer of the Falkland Islands Dependencies (Second Supplement) published by the Foreign Office, London, on the 21st September, 1959, to be accepted place-names for official use.

Proclamation No. 2, dated the 30th of April, 1958, is hereby revoked.

GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 29th day of January, in the Year of Our Lord One thousand Nine hundred and sixty.

*By His Excellency's Command,*  
A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

FALKLAND ISLANDS.

## PROCLAMATION

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No. 2 of 1960.

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Made under section 24 of the Falkland Islands (Legislative Council)  
Order in Council, 1948 to 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.

E. P. ARROWSMITH — *By His Excellency* SIR EDWIN ARROWSMITH,  
*Knight Commander of the Most Distinguished Order*  
*of Saint Michael and Saint George, Governor and*  
[L.S.] *Commander-in-Chief in and over the Colony of the*  
*Falkland Islands and its Dependencies.*

WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation :

NOW THEREFORE, I, SIR EDWIN ARROWSMITH, 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 by this Proclamation appoint Wednesday the 27th day of April, 1960, at ten o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 1st day of April, in the Year of Our Lord One thousand Nine hundred and Sixty.

*By His Excellency's Command,*  
A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

FALKLAND ISLANDS.

## PROCLAMATION

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No. 3 of 1960.

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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 His Honour AUBREY GORDON DENTON-THOMPSON, Esquire, Officer of the Most Excellent Order of the British Empire, upon whom has been conferred the Military Cross, 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 EDWIN ARROWSMITH, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, 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 1st day of May, in the Year of Our Lord One thousand Nine hundred and Sixty.

*By Command of the*  
*Officer Administering the Government,*  
D. R. MORRISON,  
*for Colonial Secretary.*

## PROCLAMATION

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No. 4 of 1960.

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Made under section 2 of the Place-names Ordinance, 1956.

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.

E. P. ARROWSMITH — *By His Excellency SIR EDWIN ARROWSMITH,  
Knight Commander of the Most Distinguished Order  
of Saint Michael and Saint George, Governor and  
Commander-in-Chief in and over the Colony of the  
Falkland Islands and its Dependencies.*

[L.S.]

WHEREAS by subsection (1) of section 2 of the Place-names Ordinance, 1956, it is provided that the Governor may by Proclamation under his hand declare and publish a list of the names of various islands and lands constituting the Dependencies and of the coasts, peninsulas, capes, headlands, seas, straits, sounds, bays, inlets and other physical features thereof; and of the harbours and whaling stations therein, and may from time to time in like manner add to or alter such list :

AND WHEREAS it appears to the Governor expedient that the list of place-names declared and published under Proclamations No. 2 of 1956, and No. 1 of 1960, should be added to and altered :

NOW, THEREFORE, I, SIR EDWIN ARROWSMITH, 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 aforesaid, do hereby proclaim and declare the place-names in the Dependencies of the Colony of the Falkland Islands, listed in the Gazetteer of the Falkland Islands Dependencies (Second Edition), published by Her Majesty's Stationery Office, London, on the 23rd September, 1959, to be accepted place-names for official use.

Proclamations No. 2, dated the 4th of September, 1956 and No. 1, dated the 29th of January, 1960, are hereby cancelled.

GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 6th day of July, in the Year of Our Lord One thousand Nine hundred and Sixty.

*By His Excellency's Command,*  
A. G. DENTON-THOMPSON,  
*Colonial Secretary.*

FALKLAND ISLANDS.

## PROCLAMATION

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No. 5 of 1960.

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Made under section 24 of the Falkland Islands (Legislative Council)  
Orders in Council, 1948 to 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.

E. P. ARROWSMITH — *By His Excellency SIR EDWIN ARROWSMITH,  
Knight Commander of the Most Distinguished Order  
of Saint Michael and Saint George, Governor and  
Commander-in-Chief in and over the Colony of the  
Falkland Islands and its Dependencies.*

[L.S.]

WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation :

NOW THEREFORE, I, SIR EDWIN ARROWSMITH, 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 by this Proclamation appoint Tuesday the 27th day of September, 1960, at ten o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

### GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 15th day of September, in the Year of Our Lord One thousand Nine hundred and Sixty.

*By His Excellency's Command,*  
R. H. D. MANDERS,  
*Colonial Secretary.*



Colony of the  
Falkland Islands and Dependencies

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Ordinances,  
Proclamations, Orders, etc.  
1961

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PART I.

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ORDINANCES.

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Assented to in Her Majesty's name this 28th day of June, 1961.

E. P. ARROWSMITH,  
*Governor.*

LS

No. 1



1961

Colony of the Falkland Islands.

IN THE TENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

## An Ordinance To Repeal the Stamp Duty Ordinance.

[1st July, 1961.]

ENACTED by the Legislature of the Colony of the Falkland Islands as follows :—

1. This Ordinance may be cited as the Stamp Duty (Repeal) Ordinance, 1961.

2. The Stamp Duty Ordinance, is repealed.

Title.

Date of commencement.

Enacting clause.

Short title.

Repeal of Cap. 66 Revised Edition.

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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Ref. 0280.

Assented to in Her Majesty's name this 28th day of June, 1961.

E. P. ARROWSMITH,  
*Governor.*

LS

No. 2



1961

Colony of the Falkland Islands.

IN THE TENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

### An Ordinance

Further to amend the Pensions (Increase)  
Ordinance, 1959. Title.

[1st July, 1961]

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 (Increase) (Amendment) Ordinance, 1961, and shall be read as one with the Pensions (Increase) Ordinance, 1959, hereinafter referred to as the principal Ordinance.

Short title.

No. 12 of 1959.

2. The principal Ordinance is amended by inserting immediately after section 6 the following new section 7 —

Insertion of new section 7 in the principal Ordinance.

"Increase of pensions as from 1st August, 1959.

7. (1) Subject to the provisions of this Ordinance, where an officer has retired from the service of —

(a) the Falkland Islands before the 1st January, 1957; or

(b) a Scheduled Government before the effective date of the third general revision of salaries by that Government after the 31st December, 1944,

his pension may, in respect of the period beginning on or after the 1st August, 1959, be increased by an

amount equal to the following percentage of the adjusted rate of that pension, that is to say —

- (i) if the pension began not later than the 30th September, 1953, twelve per cent;
- (ii) if the pension began after the last-mentioned date but not later than the 31st December, 1956, eight per cent.

(2) The "adjusted rate" of any pension means the basic rate thereof plus any authorised increase or increases thereof."

Re-numbering of certain sections of the principal Ordinance.

3. Sections 7, 8, 9 and 10 of the principal Ordinance are re-numbered 8, 9, 10 and 11 respectively.

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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Ref. 66/42/II.

Assented to in Her Majesty's name this 28th day of June, 1961.

E. P. ARROWSMITH,  
*Governor.*

LS



No. 3

1961

Colony of the Falkland Islands.

IN THE TENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

### An Ordinance

To legalise certain payments made in the year 1959-60 in excess of the Expenditure sanctioned by Ordinance No. 6 of 1959.

Title.

WHEREAS it is expedient to make further provision for the service of the Colony for the period 1st July, 1959, to 30th June, 1960.

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 (1959-60) Ordinance, 1961.

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 July, 1959, to 30th June, 1960, 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 sum mentioned for those services in the said Ordinance.

Appropriation of excess expenditure for the period 1st July, 1959, to 30th June, 1960.

SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
FALKLAND ISLANDS.				
III.	Audit ... ..	322	18	11
XI.	Pensions & Gratuities ... ..	811	4	0
XII.	Police & Prisons ... ..	22	14	11
XIV.	Power & Electrical ... ..	1022	15	11
XVI.	Public Works Recurrent ... ..	4471	1	4
		6650	15	1
XX.	Colonial Development & Welfare ... ..	11827	2	4
	Total Expenditure	£ 18477	17	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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Ref. 0284/XII.

Assented to in Her Majesty's name this 28th day of June, 1961.

E. P. ARROWSMITH,  
*Governor.*



No. 4

1961

Colony of the Falkland Islands.

IN THE TENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
SIR EDWIN ARROWSMITH, K.C.M.G.  
*Governor.*

An Ordinance  
Further to amend the Income Tax Ordinance.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :—

1. This Ordinance may be cited as the Income Tax (Amendment) Ordinance, 1961, and shall be read as one with the Income Tax Ordinance, hereinafter referred to as the principal Ordinance, and shall be deemed to have come into force on the 1st April, 1960.

2. Section 2 of the principal Ordinance is amended by the insertion after the definition of "Incapacitated person" of the following new definition —

" "Ordinary resident" in reference to any place means a person who habitually resides in that place except for such absence therefrom as seems to the Commissioner to be of a temporary nature."

3. The proviso to section 5 of the principal Ordinance is amended by the deletion of the words "income arising outside the Colony" and the substitution therefor of the words "income arising from a source outside the Colony".

Title.

Enacting Clause.

Short title and commencement.

Cap. 32.

Amendment of section 2 of the principal Ordinance.

Amendment of section 5 of the principal Ordinance.

Repeal and replacement  
of section 6 of the  
principal Ordinance.

4. Section 6 of the principal Ordinance is repealed and replaced as follows —

"Basis of  
assessment.

6. (1) Tax shall be charged, levied and collected for each year of assessment upon the chargeable income of any person for the year immediately preceding the year of assessment.

(2) Notwithstanding anything to the contrary contained in this Ordinance the chargeable income of any person not ordinarily resident in the Colony and employed in the whaling or sealing industries in the Colony and Dependencies shall be the gross amount of his actual earnings from all sources accruing in or derived from the Colony in the year of assessment which in respect of any such person shall be the period of twelve months beginning on the first day of April in any year."

Amendment of section 21  
of the principal Ordinance.

5. The proviso to subsection (1) of section 21 of the principal Ordinance is amended by the deletion of the words from "Provided" to the words "following rates:" and the substitution therefor of the following —

"Provided that the tax upon the chargeable income (as defined by subsection (2) of section 6 of this Ordinance) of any person not ordinarily resident in the Colony and employed in the whaling or sealing industries in the Colony and Dependencies shall be at the following rates:"

Amendment of section 24  
of the principal Ordinance.

6. Section 24 of the principal Ordinance is amended by the deletion of the words "income arising out of the Colony" and the substitution therefor of the words "income arising from a source outside 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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Ref. D/11/47/II.

Assented to in Her Majesty's name this 28th day of June, 1961.

E. P. ARROWSMITH,  
*Governor.*

LS

No. 5



1961

Colony of the Falkland Islands.

IN THE TENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

### An Ordinance

Further to amend the Old Age Pensions Ordinance, 1952.

[1st July, 1961.]

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 Old Age Pensions (Amendment) Ordinance, 1961, and shall be read as one with the Old Age Pensions Ordinance, 1952, hereinafter referred to as the principal Ordinance.

Short title.

No. 3 of 1952.

2. Section 5 of the principal Ordinance is amended by the repeal of paragraph (b) thereof and by the substitution therefor of a new paragraph as follows:—

Amendment of section 5  
of the principal  
Ordinance.

"(b) the person, if a female, shall be the widow of a person who was at the time of his death a pensioner, or having fulfilled the requirements of section 9 of this Ordinance was between the ages of 60 and 65 years."

3. Subsection (2) of section 11 of the principal Ordinance is hereby amended by the substitution of a colon for the full stop at the end thereof and by the addition of the following proviso:—

Amendment of section 11  
of the principal  
Ordinance.

"Provided that where a pension is granted to the widow of a contributor who dies between the ages of 60 and 65 years no refund of contributions shall be made."

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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Ref. 0323/A/IV.

Assented to in Her Majesty's name this 28th day of June, 1961.

E. P. ARROWSMITH,  
*Governor.*



No. 6



1961

Colony of the Falkland Islands.

IN THE TENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

An Ordinance

To make provision for the application  
of part of the Homicide Act, 1957, to the  
Colony.

[1st July, 1961.]

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 Homicide Ordinance, 1961.

Short title.

2. The Homicide Act, 1957, is hereby applied to the Colony, to the extent and with the variations and modifications mentioned in the Schedule to this Ordinance.

Application of the Homicide Act, 1957.  
(5 and 6 E.2, c.11.)

SCHEDULE.

EXTENT, VARIATIONS AND MODIFICATIONS.

Enactment.

- (i) Part I and sections 10 and 11;
- (ii) any reference to "the date of commencement of this Act" or similar expression, shall be construed as a reference to this Ordinance, any reference to "England" shall be construed as a reference to "the Colony", and any reference to "the Secretary of State" shall be construed as a reference to "the Colonial Secretary";
- (iii) in section 10 the words "by virtue of section five or six of this Act" shall be deemed to be omitted;
- (iv) in subsection (3) of section 11 the word "London" shall be deemed to be omitted.

The Homicide Act, 1957.  
(5 and 6 E.2, c.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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 28th day of June, 1961.

E. P. ARROWSMITH,  
*Governor.*



No. 7



1961

Colony of the Falkland Islands.

IN THE TENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

### An Ordinance

To provide for Non-contributory Old Age Pensions. Title.

[1st July, 1961.]

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 Non-contributory Old Age Pensions Ordinance, 1961, and shall come into operation on the 1st July, 1961.

Short title and commencement.

2. In this Ordinance unless the context otherwise requires —  
“Treasurer” means the Treasurer of the Colony;

Definitions.

“week” means a period of seven days commencing from mid-night between Sunday and Monday;

“unmarried person” means a person who has never been married, or a widower or widow, or a man or woman whose marriage has been dissolved by a competent court.

3. (1) Every person in whose case the conditions laid down by this Ordinance for the receipt of an old age pension (hereinafter called the “statutory conditions”) are fulfilled, shall be entitled to receive a pension under this Ordinance so long as those conditions continue to be fulfilled, and so long as he is not disqualified under this Ordinance for the receipt of the pension.

Right to receive old age pension.

(2) An old age pension under this Ordinance shall be at the rate set forth in the Schedule to this Ordinance.

(3) The sums required for the payment of old age pensions under this Ordinance shall be paid out of the general revenue of the Colony.

(4) The receipt of an old age pension under this Ordinance shall not deprive the pensioner of any franchise, right, or privilege, or subject him to any disability.

Statutory conditions for receipt of pension.

4. Subject to the provisions of this Ordinance, the statutory conditions for the receipt of an old age pension under this Ordinance by any person are—

- (a) the person shall have attained the age of 74 years on or before the 1st July, 1961;
- (b) the person if a married man living with or maintaining his wife shall satisfy the Treasurer that his yearly income received from any source does not exceed £300;
- (c) the person if an unmarried person shall satisfy the Treasurer that his yearly income received from any source does not exceed £150;
- (d) the person if a man or woman separated or living apart from his wife or her husband shall satisfy the Treasurer that his or her yearly income received from any source does not exceed £150.

Disqualification for old age pension.

5. (1) Where during any period a person is detained in prison in pursuance of an order made on his conviction for any offence and directing him to be imprisoned without the option of a fine, or is being maintained in any place as a criminal lunatic, he shall be disqualified for receiving any sum accruing during that period on account of any pension that would otherwise be payable to him under this Ordinance, and if before the commencement of that period any sum has accrued on account of such pension payable to him, that sum shall not be paid to him during the continuance of the said period.

Chapter 46.

(2) Where during any period a person is being maintained under the provisions of the Mental Treatment Ordinance in any place as a person of unsound mind, it shall be lawful for the Treasurer to authorise, in such manner as may be prescribed, some fit and proper person to receive during the continuance of that period the pension that would otherwise be payable to such first-mentioned person and to apply it for the maintenance of such person or his wife, if any, in such proportions and manner as the Treasurer shall think proper.

Prohibition against double pensions.  
No. 3 of 1952.

6. Not more than one old age pension, whether under this Ordinance or under the Old Age Pensions Ordinance, 1952, shall be payable to any one person.

Payment of old age pensions.

7. (1) An old age pension under this Ordinance, subject to any directions of the Treasurer in special cases, shall be paid weekly in advance in such manner and subject to such conditions as to identification or otherwise as may be prescribed.

(2) A sum shall not be paid on account of an old age pension under this Ordinance—

- (a) to or for any person unless that person has been ordinarily resident in the Colony from the 1st July, 1952.
- (b) if payment of the sum is not obtained within three months after the date upon which it has become payable.

Old age pension to be inalienable.

8. (1) Every assignment of or charge on and every agreement to assign or charge an old age pension under this Ordinance shall be void, and, on the bankruptcy of a person entitled to an old age pension, the pension shall not pass to any trustee or other person acting on behalf of the creditors.

(2) Any sum received by any person by way of an old age pension under this Ordinance shall not be included in calculating his means for the purposes of section 5 of the Debtors Act, 1869.

32 & 33 Vict. c. 62.

9. (1) All claims for old age pensions under this Ordinance and all questions whether the statutory conditions are fulfilled in the case of any person claiming such a pension, or whether those conditions continue to be fulfilled in the case of a person in receipt of such a pension, or whether a person is disqualified for receiving or continuing to receive such a pension, shall be considered and determined by the Treasurer.

Determination of claims and questions.

(2) Any person aggrieved by a decision of the Treasurer under the last foregoing subsection may refer the claim or question to which the decision relates for the decision of the Governor.

(3) The decision of the Treasurer on any question which is not referred to the Governor, and the decision of the Governor on any claim or question which is so referred to him, shall be final and conclusive.

10. (1) If for the purpose of obtaining or continuing an old age pension under this Ordinance, either for himself or for any other person, any person knowingly makes any false statement or false representation, he shall be liable on summary conviction to a fine not exceeding £50 or to imprisonment for a term not exceeding six months.

Penalty for false statements, etc., and repayment where pensioner found not to have been entitled to pension.

(2) If it is found at any time that a person has been in receipt of an old age pension under this Ordinance while the statutory conditions were not fulfilled in his case, or while he was disqualified for receiving the pension, he or, in the case of his death his personal representative, shall be liable to repay to the Government any sums paid to him in respect of the pension while the statutory conditions were not fulfilled, or while he was disqualified for receiving the pension, and the amount of those sums may be recovered as a debt to the Government.

(3) Where any person who is in receipt of an old age pension under this Ordinance is liable to repay to the Government any sum under this section the Treasurer shall be entitled, without prejudice to any other means of recovering such sum, to direct the deduction of such sum from any sums to which that person becomes entitled on account of an old age pension:

Provided that, in the case of a personal representative the deduction shall only be made from any sums to which that person becomes entitled, or which he could claim as such personal representative.

11. (1) The Governor in Council may make regulations generally for carrying this Ordinance into effect, and in particular—

Regulations.

- (a) for prescribing the evidence to be required as to the fulfilment of statutory conditions;
- (b) for prescribing the manner in which claims to pensions may be made;
- (c) for providing for the payment of old age pensions;
- (d) for authorising the payment of any sum by way of old age pension during any period intervening between the making of a claim and the final determination thereof;
- (e) for enabling a person to be appointed to exercise, on behalf of any claimant or pensioner who is, by reason of any mental or other incapacity unable to act, any right to which that claimant or pensioner may be entitled under this Ordinance, and to authorise any person so appointed to receive on behalf and for the benefit of the claimant or pensioner any sums payable by way of old age pension;
- (f) for prescribing anything which under this Ordinance is to be prescribed.

(2) Any regulations made under this Ordinance may provide that a contravention thereof shall be an offence punishable on summary conviction with a fine not exceeding five pounds.

SCHEDULE  
RATES OF PENSION

Married man	...	...	...	...	36/-
Unmarried person	...	...	...	...	18/-
Man or woman separated or living apart from his or her husband or wife					18/-

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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Ref 0323/F.

Assented to in Her Majesty's name this 28th day of June, 1961.

E. P. ARROWSMITH,  
*Governor.*

LS



No. 8

1961

Colony of the Falkland Islands.

IN THE TENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

An Ordinance

To provide for the service of the year 1961-62. 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 (1961-62) Ordinance, 1961. 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 1st July, 1961 to 30th June, 1962, a sum not exceeding Three hundred and forty thousand three hundred and 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 1961-62. Appropriation of £340,304 for service of the year 1961-62.

## SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
I.	The Governor ...	8000	0	0
II.	Agriculture ...	3391	0	0
III.	Audit ...	2110	0	0
IV.	Aviation ...	12275	0	0
V.	Customs & Harbour ...	10234	0	0
VI.	Education ...	49954	0	0
VII.	Medical ...	36440	0	0
VIII.	Meteorological ...	765	0	0
IX.	Military ...	1100	0	0
X.	Miscellaneous ...	37005	0	0
XI.	Pensions & Gratuities ...	14010	0	0
XII.	Police and Prisons ...	4984	0	0
XIII.	Posts & Telegraphs ...	44093	0	0
XIV.	Power & Electrical ...	19074	0	0
XV.	Public Works ...	12919	0	0
XVI.	Public Works Recurrent ...	23299	0	0
XVII.	Secretariat & Treasury ...	28826	0	0
XVIII.	Supreme Court ...	1467	0	0
	Total Ordinary Expenditure ...	309946	0	0
XIX.	Special Expenditure ...	12496	0	0
XX.	Colonial Development & Welfare ...	17862	0	0
	Total Expenditure £	340304	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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 21st day of August, 1961.

R. H. D. MANDERS,  
*Officer Administering the Government.*

LS

No. 9



1961

Colony of the Falkland Islands.

IN THE TENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

RICHARD HENRY DAVID MANDERS, O.B.E.,  
*Officer Administering the Government.*

### An Ordinance

Further to amend the Income Tax Title.  
Ordinance.

[1st January, 1961]

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) (No. 2) Ordinance, 1961, 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) This Ordinance shall be deemed to have come into force on the 1st January, 1961.

2. Section 54 of the principal Ordinance is amended by deleting the words "sixty days" and substituting therefor the words "ninety days".

Amendment of section 54 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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 3rd day of November, 1961.

E. P. ARROWSMITH,  
*Governor.*

LS

No. 10



1961

Colony of the Falkland Islands.

IN THE TENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

### An Ordinance

To legalise certain payments made in the year 1960-61 in excess of the Expenditure sanctioned by Ordinance No. 6 of 1960. Title.

WHEREAS it is expedient to make further provision for the service of the Colony for the period 1st July, 1960, to 30th June, 1961. 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 (1960-61) Ordinance, 1961. 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 July, 1960, to 30th June, 1961, 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 sum mentioned for those services in the said Ordinance. Appropriation of excess expenditure for the period 1st July, 1960, to 30th June, 1961.

## SCHEDULE

Number.	Head of Service.	Amount.		
		£	s.	d.
	FALKLAND ISLANDS.			
III.	Audit ... ..	47	16	2
XX.	Colonial Development & Welfare ...	47 2010	16 6	2 1
	Total Expenditure £	2058	2	3

Ref. 0284/XIII.

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 3rd day of November, 1961.

E. P. ARROWSMITH,  
*Governor.*

LS



No. 11

1961

Colony of the Falkland Islands.

IN THE TENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

## An Ordinance

Further to amend the Old Age Pensions Ordinance, 1952. Title.

[1st January, 1962]

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 Old Age Pensions (Amendment) (No. 2) Ordinance, 1961, and shall be read as one with the Old Age Pensions Ordinance, 1952, hereinafter referred to as the principal Ordinance.

Short title and commencement.

Ord. No. 3 of 1952.

(2) This Ordinance shall come into force on the 1st day of January, 1962.

2. Subsection (2) of section 6 of the principal Ordinance is amended —

Amendment of section 6 of the principal Ordinance.

- (a) by deleting the figures "2/-" and "1/3" in paragraph (a) and substituting respectively the figures "3/-" and "2/-";
- (b) by deleting the figures "3/-" and "1/9" in paragraph (b) and substituting respectively the figures "4/6" and "2/6";
- (c) by deleting the figures "5/-" and "3/-" in paragraph (c) and substituting respectively the figures "7/6" and "4/6".

Amendment of section 6A of the principal Ordinance.

3. Subsection (2) of section 6A of the principal Ordinance is amended by deleting the figures "5/-" and "3/-" and substituting respectively the figures "7/6" and "4/6".

Amendment of section 14 of the principal Ordinance.

4. Subsection (1) of section 14 of the principal Ordinance is amended by deleting the figure "(3)" and substituting therefor the figure "(2)".

Amendment of Schedule to the Principal Ordinance.

5. The Schedule to the principal Ordinance is amended by the deletion of the figures "36/6", "23/6" and "18/-" and by the substitution therefor of the figures "52/-", "26/-" and "26/-" respectively.

Ref. 0323/A/V.

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 10th day of March, 1961.

E. P. ARROWSMITH,  
*Governor.*

LS

No. 1



1961

Falkland Islands Dependencies.

IN THE TENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

### An Ordinance

To legalise certain payments made in the year 1959-60 in excess of the Expenditure sanctioned by Ordinance No. 4 of 1959. Title.

WHEREAS it is expedient to make further provision for the service of the Dependencies for the year 1959-60. Preamble.

ENACTED for the Dependencies of the Colony of the Falkland Islands 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 Supplementary Appropriation (Dependencies) (1959-60) Ordinance, 1961. 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 1959-60 the same are hereby declared to have been duly laid out and expended for the service of the Dependencies 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 1959-60.

Ref. FIDS/T/FIN/3 vol IV.

SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
4.	F.I.D.S. Headquarters Meteorological Service	968	6	7
5.	F.I.D.S. Bases ... ..	28,269	12	1
7.	R.R.S. "Shackleton" ... ..	1,297	13	9
	Total Expenditure ... £	30,535	12	5

Promulgated by the Governor on the 10th day of March, 1961.

R. H. D. MANDERS,  
*Colonial Secretary.*

Assented to in Her Majesty's name this 30th day of June, 1961.

E. P. ARROWSMITH,  
*Governor.*

LS



No. 2

1961

Falkland Islands Dependencies.

IN THE TENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

An Ordinance

To apply certain Laws of the Colony to the Dependencies. Title.

ENACTED for the Dependencies of the Colony of the Falkland Islands 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, 1961. 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 be in force in the Dependencies with effect from the 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 1960	Firearms (Amendment) Ordinance, 1960.	1st November, 1960.
10 of 1960	Application of Enactments (Amendment) Ordinance, 1960.	1st November, 1960.
11 of 1960	Geneva Conventions (Criminal Appeals) Ordinance, 1960.	1st November, 1960.
1 of 1961	Stamp Duty (Repeal) Ordinance, 1961.	1st July, 1961.
2 of 1961	Pensions (Increase) (Amendment) Ordinance, 1961.	1st July, 1961.
4 of 1961	Income Tax (Amendment) Ordinance, 1961.	1st April, 1960.
6 of 1961	Homicide Ordinance, 1961.	1st July, 1961.

Promulgated by the Governor on the 30th day of June, 1961.

D. R. MORRISON,  
*for Colonial Secretary.*

PART II.

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ORDERS, PROCLAMATIONS, & RESOLUTIONS.

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## FALKLAND ISLANDS.

### The Diplomatic Privileges (Extension) Ordinance (Cap. 20)

#### ORDER

(under Section 2 of the Ordinance)

E. P. ARROWSMITH,  
*Governor.*

No. 1 of 1961.

Whereas by Section 2 of the Diplomatic Privileges (Extension) Ordinance (hereinafter referred to as the Ordinance), it is enacted: That the provisions of this section shall apply to any organisation declared by an Order of the Governor in Council to be an organisation of which Her Majesty's Government in the United Kingdom and the Government or Governments of one or more foreign sovereign Powers are members:

That the Governor may, by Order in Council, provide that any organisation to which this section applies 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 the Ordinance and shall have the legal capacities of a body corporate:

That the Governor may, by Order in Council, confer on the representatives (whether of Governments or not), on any organ of the organisation and upon officers and servants of the organisation, the immunities and privileges set forth in Parts II and III of the said Schedule to the extent specified in the Order: and

That Part IV of the Schedule to the Ordinance shall have effect for the purpose of extending to the staffs of representatives and to the families of certain high officers of the organisation any immunities and privileges conferred on the representatives or officers, except in so far as the operation of the said Part IV is excluded by the Order conferring privileges and immunities:

And Whereas Her Majesty's Government in the United Kingdom applied the provisions of the Convention on Privileges and Immunities for the Specialized Agencies of the United Nations to the Inter-governmental Maritime Consultative Organisation by Order in Council made on the 28th July, 1959, under the International Organisations (Immunities and Privileges) Act, 1959, by which said Order it was declared that the Inter-governmental Maritime Consultative Organisation is an Organisation of which Her Majesty's Government in the United Kingdom and the governments of foreign sovereign Powers are members:

Now, Therefore, His Excellency the Governor, in exercise of the powers conferred upon him by Section 2 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 Diplomatic Privileges (Inter-governmental Maritime Consultative Organisation) Order, 1961.

#### PART I. The Organisation.

2. The Inter-governmental Maritime Consultative Organisation (hereinafter referred to as the Organisation) is an Organisation of which the United Kingdom and foreign sovereign Powers are members.

3. The Organisation shall have the legal capacities of a body corporate and, except in so far as in any particular case it has expressly waived its immunity, immunity from suit and legal process. No waiver of immunity shall be deemed to extend to any measure of execution.

4. The Organisation shall have 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 Her Majesty.

5. The Organisation shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a foreign sovereign Power.

6. The Organisation shall have 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 the Collector of Customs may prescribe for the protection of the Revenue.

7. The Organisation shall have 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.

8. The Organisation shall have 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. Representatives.

9. (i) Except in so far as in any particular case any privilege or immunity is waived by the Government of the member whom they represent, representatives of members of the Organisation on any of its organs at meetings convened by it shall enjoy :—

(a) In respect of words spoken or written and all acts done by them in their official capacity, the like immunity from suit and legal process as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty:

(b) While exercising their functions and during their journeys to and from the place of meeting, the like immunity from personal arrest or detention and from seizure of their personal baggage and the like inviolability for all papers and documents as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty.

(ii) Where the incidence of any form of taxation depends upon residence, any period during which representatives of members of the Organisation or any of its organs at meetings convened by it are present in the Colony for the exercise of their functions shall, for the purpose of determining their liability to taxation, be treated as not being a period of residence in the Colony.

(iii) Part IV of the Schedule to the Ordinance shall not operate so as to confer any immunity or privilege on the official staff of representatives of members of the Organisation other than alternates, advisers, technical experts and secretaries of delegations.

(iv) Neither the provisions of the preceding paragraphs of this Article nor those of Part IV of the Schedule to the Ordinance shall operate so as to confer any immunity or privilege on any person as the representative of Her Majesty's Government in the Colony or as a member of the official staff of such a representative or on any person who is a citizen of the United Kingdom and Colonies.

## PART III. Officers.

### HIGH OFFICERS

10. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, the Secretary-General of the Organisation and the Secretary of the Maritime Safety Committee shall be accorded the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes, other than Income Tax, as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty, and exemption from income tax in respect of emoluments received by them as officers of the Organisation: provided that, so long as the Headquarters of the Organisation are located in the territory of the United Kingdom or Colonies, the provisions of this Article shall not apply to any person who is a citizen of the United Kingdom and Colonies.

### OTHER OFFICERS

11. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, all officers of the Organisation with the exception of those who are recruited locally and assigned to hourly rates shall enjoy :—

(a) Immunity from suit and legal process in respect of words spoken or written and all acts done by them in the course of the performance of their official duties;

(b) Exemption from income tax in respect of emoluments received by them as officers of the Organisation.

## PART IV. Experts.

12. (i) Except in so far as in any particular case any privilege or immunity is waived by the Organisation, experts (other than officers of the Organisation) who are members of any committee of the Organisation or who are employed on missions on behalf of the Organisation shall, so far as is necessary for the effective exercise of their functions, enjoy:—

(a) In respect of words spoken or written and all acts done by them in their official capacity, the like immunity from suit and legal process as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty;

(b) While exercising their functions and during their journeys in connexion with service on such committees or missions, the like immunity from personal arrest or detention and from seizure of their personal baggage and the like inviolability for all papers and documents relating to the work on which they are engaged for the Organisation as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty.

(ii) Part IV of the Schedule to the Ordinance shall not operate so as to confer any immunity or privilege on the official staff of experts to whom the provisions of paragraph (i) of this Article apply.

Made by the Governor in Executive Council at a meeting held on the 11th day of January, 1961.

H. L. BOUND,  
*Clerk of the Executive Council.*

Ref : 85/46/II.

FALKLAND ISLANDS.

The Pensions Ordinance (Cap. 49)

**ORDER**

(under Section 2 of the Ordinance)

E. P. ARROWSMITH,

*Governor.*

No. 2 of 1961.

His Excellency the Governor in exercise of the powers vested in him by section 2 of the Pensions 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 Pensions (Pensionable Offices) Order, 1961.
2. The following office is hereby declared to be a pensionable office in the public service of the Dependencies —

DEPENDENCIES

SOUTH GEORGIA	...	...	...	...	...	SENIOR CUSTOMS OFFICER AND ADMINISTRATIVE ASSISTANT.
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Made by the Governor in Council on the 17th day of October, 1961.

D. R. MORRISON,

*Acting Clerk of the Executive Council.*

Ref: 1171.

## FALKLAND ISLANDS.

# PROCLAMATION

No. 1 of 1961.

Made under section 2 of the Place-Names Ordinance, 1956.

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.

E. P. ARROWSMITH — *By His Excellency SIR EDWIN ARROWSMITH, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies.*

LS

WHEREAS by subsection (1) of section 2 of the Place-names Ordinance, 1956, it is provided that the Governor may by Proclamation under his hand declare and publish a list of the names of various islands and lands constituting the Dependencies and of the coasts, peninsulas, capes, headlands, seas, straits, sounds, bays, inlets and other physical features thereof; and of the harbours and whaling stations therein, and may from time to time in like manner add to or alter such list :

AND WHEREAS it appears to the Governor expedient that the list of place-names declared and published under Proclamation No. 4 of 1960, should be added to and altered :

NOW, THEREFORE, I, SIR EDWIN ARROWSMITH, 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 aforesaid, do hereby proclaim and declare the place-names in the Dependencies of the Colony of the Falkland Islands, listed in the Gazetteer of the Falkland Islands Dependencies (First Supplement to Second Edition), published by Her Majesty's Stationery Office, London, on the 12th October, 1960, to be accepted as place-names for official use.

GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 3rd day of February, in the Year of Our Lord One thousand Nine hundred and Sixty-one.

*By His Excellency's Command,*

R. H. D. MANDERS,

*Colonial Secretary.*

FALKLAND ISLANDS.

## PROCLAMATION

No. 2 of 1961.

Made under section 24 of the Falkland Islands (Legislative Council)  
Orders in Council, 1948 to 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.

E. P. ARROWSMITH — *By His Excellency* SIR EDWIN ARROWSMITH,  
*Knight Commander of the Most Distinguished Order*  
*of Saint Michael and Saint George, Governor and*  
*Commander-in-Chief in and over the Colony of the*  
*Falkland Islands and its Dependencies.*



WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation :

NOW THEREFORE, I, SIR EDWIN ARROWSMITH, 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 by this Proclamation appoint Tuesday the 13th day of June, 1961, at ten o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 23rd day of May, in the Year of Our Lord One thousand Nine hundred and Sixty-one.

*By His Excellency's Command,*

R. H. D. MANDERS,

*Colonial Secretary.*

# PROCLAMATION

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No. 3 of 1961.

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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.

R. H. D. MANDERS — *By His Honour* RICHARD HENRY DAVID MANDERS,  
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.*



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 EDWIN ARROWSMITH, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, 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, RICHARD HENRY DAVID MANDERS, 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 3rd day of July, in the Year of Our Lord One thousand Nine hundred and Sixty-one.

*By Command of the*  
*Officer Administering the Government,*  
D. R. MORRISON,  
*for Colonial Secretary.*

FALKLAND ISLANDS.

## PROCLAMATION

No. 4 of 1961.

Made under section 24 of the Falkland Islands (Legislative Council)  
Orders in Council, 1948 to 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.

R. H. D. MANDERS — *By His Honour* RICHARD HENRY DAVID MANDERS,  
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.*



WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation :

NOW THEREFORE, I, RICHARD HENRY DAVID MANDERS, Officer Administering the Government of the Colony of the Falkland Islands and its Dependencies, in exercise of the powers vested in me as aforesaid, do by this Proclamation appoint Friday the 18th day of August, 1961, at ten o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 10th day of August, in the Year of Our Lord One thousand Nine hundred and Sixty-one.

*By Command of the  
Officer Administering the Government,*

D. R. MORRISON,  
*for Colonial Secretary.*

## PROCLAMATION

No. 5 of 1961.

Made under section 24 of the Falkland Islands (Legislative Council)  
Orders in Council, 1948 to 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.

E. P. ARROWSMITH — *By His Excellency* SIR EDWIN ARROWSMITH,  
*Knight Commander of the Most Distinguished Order*  
*of Saint Michael and Saint George, Governor and*  
*Commander-in-Chief in and over the Colony of the*  
*Falkland Islands and its Dependencies.*

LS

WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation :

NOW THEREFORE, I, SIR EDWIN ARROWSMITH, 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 by this Proclamation appoint Tuesday the 24th day of October, 1961, at ten o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 21st day of October, in the Year of Our Lord One thousand Nine hundred and Sixty-one.

*By His Excellency's Command,*

R. H. D. MANDERS,

*Colonial Secretary.*

FALKLAND ISLANDS.

## PROCLAMATION

No. 6 of 1961.

Made under section 2 of the Place-Names Ordinance, 1956.

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.

E. P. ARROWSMITH — *By His Excellency SIR EDWIN ARROWSMITH, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies.*



WHEREAS by subsection (1) of section 2 of the Place-names Ordinance, 1956, it is provided that the Governor may by Proclamation under his hand declare and publish a list of the names of various islands and lands constituting the Dependencies and of the coasts, peninsulas, capes, headlands, seas, straits, sounds, bays, inlets and other physical features thereof; and of the harbours and whaling stations therein, and may from time to time in like manner add to or alter such list :

AND WHEREAS it appears to the Governor expedient that the list of place-names declared and published under Proclamations No. 4 of 1960 and No. 1 of 1961, should be added to and altered :

NOW, THEREFORE, I, SIR EDWIN ARROWSMITH, 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 aforesaid, do hereby proclaim and declare the place-names in the Dependencies of the Colony of the Falkland Islands, listed in the Gazetteer of the Falkland Islands Dependencies (Second Supplement to Second Edition), published by Her Majesty's Stationery Office, London, 1961, to be accepted as place-names for official use.

GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 21st day of December, in the Year of Our Lord One thousand Nine hundred and Sixty-one.

*By His Excellency's Command,*

R. H. D. MANDERS,

*Colonial Secretary.*

# FALKLAND ISLANDS.

## The Customs Ordinance (Cap. 16)

### RESOLUTION

(under Section 5 of the Ordinance)

E. P. ARROWSMITH,  
*Governor.*

No. 1 of 1961.

In exercise of the powers conferred on the Legislative Council by section 5 of the Customs Ordinance, it is hereby resolved by the Legislative Council as follows:—

1. This Resolution may be cited as the Customs (Amendment) Resolution, 1961, and shall come into force on the 13th day of June, 1961.

Short title and date of commencement.

2. Paragraph 3 of the Customs Order is hereby amended as follows:—

Amendment of paragraph 3 of the Customs Order.

(a) by deleting the words and comma “Commencing with the 1950/51 season,” at the beginning of the paragraph and by substituting a capital letter for the small letter in the word “the”;

(b) by deleting the words and figures from “When the average gross selling price per lb of the whole Falkland Islands clip does not exceed 15d. – nil.” to the figures and words “10d. or part of 10d. increase in the gross selling price – 0.5d. per lb” and substituting the following words and figures:

“Commencing with the 1960/61 season at the following *ad valorem* rates on the average gross selling price per lb of the whole clip of each farm and butchery specified in the Schedule hereto:

	<i>Ad valorem rate of duty.</i>
When the average gross selling price is less than 20d.	Nil.
Reaches 20d. but is less than 60d. ... ..	3½%
Reaches 60d. but is less than 80d. ... ..	4%
Reaches 80d. and above ... ..	5%”.

3. The following Schedule shall be added to the Customs Order:

Addition of Schedule to the Customs Order.

### “SCHEDULE

#### Farms and Butcheries

1. Carcass Island.
2. Chartres.
3. Darwin (including Walker Creek and Lively Island).
4. Douglas Station.
5. Fitzroy North and Bluff Cove.
6. Fitzroy South (including Port Harriet and land in the holding of the Falkland Islands Company Limited to the North of the Wickham Heights).
7. Fox Bay East (including Dunnose Head and Packe’s Port Howard).
8. Fox Bay West (including Spring Point).
9. Hill Cove.
10. Johnson’s Harbour.
11. McGill’s butchery.
12. Moody Valley.
13. Mullet Creek.
14. New Island (including Hummock Island).

15. North Arm (including Bleaker Island).
16. Pebble Island Group (including Grand and Steeple Jason Islands).
17. Port Howard.
18. Port Louis North.
19. Port San Carlos.
20. Port Stephens.
21. Rincon Grande.
22. Roy Cove.
23. Salvador.
24. San Carlos.
25. Saunders Island.
26. Sea Lion Islands.
27. Sparrow Cove and Weir Creek.
28. Speedwell Island Group.
29. Teal Inlet.
30. The Falkland Islands Company's butchery.
31. Weddell Island Group (including Beaver Island and the Passage Islands).
32. West Point Island (including Dunbar and Low Islands)."

Resolved by the Legislative Council this 13th day of June,  
1961.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Ref. 0466/II.

## FALKLAND ISLANDS.

Customs Ordinance (Cap. 16)

### RESOLUTION

(under section 5 of the Ordinance)

E. P. ARROWSMITH,  
*Governor.*

No. 2 of 1961.

In exercise of the powers conferred on the Legislative Council by section 5 of the Customs Ordinance, it is hereby resolved by the Legislative Council as follows:—

1. This Resolution may be cited as the Customs (Amendment of Duties) Resolution, 1961 and shall come into operation on the 19th day of June, 1961.

Short title and date of commencement.

2. Item 2 of paragraph 2 of the Customs Order is hereby amended as follows:—

Amendment of paragraph 2 of the Customs Order.

- (a) by the deletion of sub-item (a).
- (b) by the deletion from sub-item (b) of the word "other".
- (c) by the deletion from the third column of sub-item (b) of the figures "52/-" and the substitution therefor of the figures "66/-".
- (d) by re-lettering sub-items (b), (c) and (d) as (a), (b) and (c) respectively.

Resolved by the Legislative Council this 19th day of June,  
1961.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Ref. 0466/II.



Colony of the  
Falkland Islands and Dependencies

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Ordinances,  
Proclamations, Orders, etc.  
1962

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PART I.

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ORDINANCES.

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" " 2 " "	Supplementary Appropriation (Dependencies) 1960-61 Ordinance, 1962.
" " 3 " "	Application of Colony Laws Ordinance, 1962.

Assented to in Her Majesty's name this 9th day of February, 1962.

E. P. ARROWSMITH,  
Governor.

LS



No. 1 1962

Colony of the Falkland Islands.

IN THE ELEVENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
Governor.

An Ordinance  
Further to amend the Income Tax Ordinance.

[1st January, 1962] 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, 1962, 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) This Ordinance shall be deemed to have come into force on the 1st January, 1962.

2. Section 19 of the principal Ordinance is amended by deleting the figure "20" and by substituting the figure "12½". Amendment of section 19 of the principal Ordinance.

3. Section 21 of the principal Ordinance is amended — Amendment of section 21 of the principal Ordinance.

(a) by deleting the words and figures from "In respect of" to the figures "3/6" in subsection (1) and by substituting the following —

"In respect of every pound of the next	£100	...	1/-
" " " " " " " "	£250	...	2/-
" " " " " " " "	£250	...	2/6
" " " " " " " "	£250	...	3/-
" " " " " " " "	£1,050		3/6
" " " " " " " "	£4,000		4/6
" " " " " " " "	exceeding	£6,000	5/9";

- (b) by deleting the words "three shillings and sixpence" in subsection (2) and by substituting the words "five shillings and nine pence".

Ref. 0747/K.

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 9th day of  
February, 1962.

E. P. ARROWSMITH,  
*Governor.*

LS

No. 2



1962

Colony of the Falkland Islands.

IN THE ELEVENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

An Ordinance  
Further to amend the Application of  
Enactments Ordinance, 1954. Title.

[1st March, 1962]

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 (Amendment) Ordinance, 1962, and shall be read as one  
with the Application of Enactments Ordinance, 1954, hereinafter  
referred to as the principal Ordinance. Short title.  
13 of 1954.

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 the principal  
Ordinance.

# SCHEDULE.

ENACTMENT	EXTENT OF APPLICATION
65. Administration of Justice Act, 1956. 4 & 5 Eliz. 2, c. 46.	Part I, except sections 2, 4 (6) and 7 (2). References to the "Secretary of State" shall be construed as references to the "Governor". In subsections (1), (3), (5), (6) and (7) of section 3 the words "the Liverpool Court of Passage and any county court" shall be omitted. In subsection (4) of section 3 the words "and (where there is such jurisdiction) the Admiralty jurisdiction of the Liverpool Court of Passage or any county court may" shall be omitted. In subsection (8) of section 3 for the words "England and Wales" there shall be substituted the words "the Colony". In section 4 for the words "No court in England and Wales shall" wherever those words occur, there shall be substituted the words "The Supreme Court shall not" and references to "England and Wales" shall be construed as references to "the Colony". In subsection (1) of section 4 for the words "the United Kingdom" there shall be substituted the words "the Colony", and the words "or Ordinance" shall be inserted immediately after the word "Act" wherever that word occurs. In section 6 for the words "No court in England and Wales shall" there shall be substituted the words "The Supreme Court shall not", and for the words "in any such court" there shall be substituted the words "in that court". In subsection (1) of section 7 the words from "and so much of subsection (2)" to the words "salvage is recoverable" shall be omitted.

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 19th day of April, 1962.

E. P. ARROWSMITH,  
*Governor.*



No. 3



1962

Colony of the Falkland Islands.

IN THE ELEVENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

## An Ordinance

Further to amend the Government Employees Provident Fund Ordinance. Title.

[1st May, 1962]

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 Government Employees Provident Fund (Amendment) Ordinance, 1962, and shall be read as one with the Government Employees Provident Fund Ordinance hereinafter referred to as the principal Ordinance. Short title.  
Cap. 28.

2. The principal Ordinance is amended by the insertion immediately after section 20 of the following new section — Addition of new section 20A.

20A. If at any time the assets of the Fund shall be insufficient to pay the lawful claims of every depositor, the Governor shall cause such deficiency to be met out of the general revenues of the Colony, and the Treasurer shall certify such deficiency to the Legislative Council without delay."

Ref. 0426.

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 19th day of April, 1962.

E. P. ARROWSMITH,  
*Governor.*

LS

No. 4



1962

Colony of the Falkland Islands.

IN THE ELEVENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

### An Ordinance

To apply certain Acts of Parliament to the Colony. Title.

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, 1962. Short title.

2. The enactments specified in the Schedule to this Ordinance are applied to the Colony to the extent and with the variations and modifications mentioned in the Schedule, and with the further modifications that any reference in any of the said enactments to "the date of passing of this Act" or any similar expression, shall be construed as a reference to the date of this Ordinance, 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" or "Director of Public Prosecutions" shall be construed as a reference to the "Colonial Secretary". Application of certain Acts of Parliament.

3. The Schedule to the Application of Enactments Ordinance, 1954, is amended by the deletion therefrom of enactments Numbers 6, 10, 25, 35, 54, 60 and 61. Amendment of the Application of Enactments Ordinance, 1954.

## SCHEDULE

### Enactment.

### Extent, Variations and Modifications.

#### 1. Sexual Offences Act, 1956. 4 & 5 E.2, c.69.

- (i) The whole Act except sections 49, 50 and 54;
- (ii) references to the "United Kingdom" shall be construed as references to the Colony;
- (iii) in subsection (3) of section 6 the words "for England and Wales" shall be deemed to be omitted;
- (iv) the reference in subsection (1) of section 8 to "the Mental Delinquency Act, 1913" shall be construed as a reference to the Mental Treatment Ordinance (Cap. 46);
- (v) in paragraph (a) of subsection (4) of section 28 the figures "1958" shall be substituted for the figures "1950";
- (vi) paragraph (b) of subsection (7) of section 37 shall be construed as if it read as follows—  
 "(b) of sections 4 and 5 of the Administration of Justice Ordinance (Cap. 3) (which limits the punishment which may be imposed by a court of summary jurisdiction); or";
- (vii) in paragraph (a) of subsection (1) of section 45 the words and figures "for the purpose of section fifty-seven of the Education Act, 1944," shall be deemed to be omitted;
- (viii) paragraph 5 of the First Schedule shall be deemed to be omitted;
- (ix) in the second column of the Second Schedule the words "not triable at quarter sessions" shall be deemed to be omitted, wherever those words occur;
- (x) in the second column of the Second Schedule opposite offences 16(a) and 16(b) the words and figures from "triable at" to the end of the paragraph shall be deemed to be omitted;
- (xi) in the second column of the Second Schedule opposite offences 14(a), 14(b), 15(a) and 15(b) the word "section" shall be substituted for the words "sections thirteen and" wherever those words occur;
- (xii) in the fourth column of the Second Schedule opposite offence 26 the whole paragraph shall be deemed to be omitted;
- (xiii) in the fourth column of the Second Schedule opposite offences 33, 34, 35 and 36 the words "England and Wales" shall be deemed to be omitted wherever those words occur;
- (xiv) the references in the Third Schedule to "the Firearms Act, 1937," and "the Administration of Justice (Miscellaneous Provisions) Act, 1938," shall be deemed to be omitted.

#### 2. Adoption Act, 1958 7 & 8 E.2, c.5.

- (i) The whole Act except sections 4(3) (b), 4(3) (c), 6(5), 9(4), 9(8), 10(2), 11, 12, 14, 15(4), 15(5), 18, 20(5) (b), 21(3), 22, 23, 24(4), 24(5), 24(7), 27, 35, 36, 50(3), 52(3), 52(4), 54, 60(2) and Parts II and IV and the Third and Fourth Schedules;
  - (ii) the words "the Colony" shall be substituted for the words "England" and "the United Kingdom" and "Great Britain" and "the British Islands" except in the expressions "executed in England" and "executed outside the United Kingdom" in subsection (3) of section 6 and in the expression "citizen of the United Kingdom and Colonies" in subsection (1) of section 19;
- There shall be deemed to be omitted:
- (iii) in subsection (1) of section 1 and subsection (1) of section 53 the words "or Scotland";
  - (iv) in subsection (5) of section 1 and in subsection (1) of section 4 the words from "and shall not be made" to the end of the subsection;
  - (v) in paragraph (a) of subsection (3) of section 4 the words following the words "Children and Young Persons Act, 1933";
  - (vi) in subsection (1) of section 9 the words "county court or";
  - (vii) in subsection (2) of section 9 the words from "or made by virtue of this section" to the end of the subsection;
  - (viii) in subsection (1) of section 13 the words in parenthesis;
  - (ix) in subsection (3) of section 15 the words "or the Children and Young Persons (Scotland) Act, 1937,";
  - (x) in the marginal note to section 16 the word "English";
  - (xi) in paragraph (b) of subsection (2) of section 21 the words from "then, if it appears" to the words "and in any other case";
  - (xii) in paragraph (b) of subsection (1) of section 24 the words "or subsection (4) or subsection (5) of section twenty-three";

- (xiii) in subsection (2) of section 24 and subsection (2) of section 26 the words "or, in Scotland, the clerk of the court" and the words "or, as the case may be, the Registrar General for Scotland" and the words in parenthesis in paragraph (b) of the same subsection;
- (xiv) in subsection (2) of section 53 the words from "or the county court" to the end of the subsection;
- (xv) in subsection (6) of section 53 the words in parenthesis;
- (xvi) in subsection (1) of section 57 the expressions "adoption society", "body of persons", "charitable association", "England", "place of safety", "registered adoption society", and "Registrar General for Scotland", and in the expression "relative" the words in parenthesis;
- (xvii) in subsection (1) of section 58 the words in parenthesis;
- (xviii) in sub-paragraph (2) of paragraph 6 of the Fifth Schedule the words "or, as the case may be, section twenty-three", and the words "or subsection (2) of the said section twenty-three";
- (xix) in subsection (1) of section 1 and in line 2 of subsection (1) of section 53 for the word "domiciled" there shall be substituted the words "ordinarily resident";
- (xx) in the marginal note to section 3 for the words "local authority" and in subsection (2) of the same section for the words "local authority within whose area he was then resident" there shall be substituted the words "Superintendent of Police";
- (xxi) in subsection (3) of section 6 after the words "attested by either" there shall be inserted the words "a magistrate or";
- (xxii) in subsection (3) of section 9 for "the Lord Chancellor" there shall be substituted "the Governor in Council";
- (xxiii) in section 20 for the words "General Register Office" there shall be substituted the words "Central Registry" and in subsection (3) of the same section for the words "the Births and Deaths Registration Act, 1953, and the Registration Service Act, 1953" there shall be substituted the words "the Registration Regulations";
- (xxiv) in subsection (6) of section 20 and in subsection (3) of section 26 for the words "petty sessions area" there shall be substituted the word "district";
- (xxv) section 56 shall be construed as if it read as follows—  
 "56. Any power to make rules or regulations conferred by this Act shall be exercisable by the Governor in Council.";
- (xxvi) in subsection (1) of section 57 the expression "compulsory school age" shall be construed as if it read as follows—  
 "'compulsory school age" has the same meaning as in the Education Ordinance;";
- (xxvii) in the expression "guardian" in subsection (1) of section 57 for the words "Guardianship of Infants Acts, 1886 and 1925" there shall be substituted "Guardianship of Infants Ordinance, 1958";
- (xxviii) for subsection (2) of section 58 there shall be substituted—  
 "(2) Any reference in any enactment to an adopted child or an adopter within the meaning of the Adoption of Children Act, 1926, shall be construed as including a reference to an infant adopted under this Act, or the Adoption Act, 1950, or to the person by whom an infant has been so adopted, as the case may be."

- (i) The whole Act except section 3 (5);
- (ii) the expression "benefit" in subsection (2) of section 2 shall be construed as if it read as follows—  
 "'benefit" means benefit under any policy of insurance and any payment by a friendly society or trade union for the relief or maintenance of a member's dependants;";

#### 3. Fatal Accidents Act, 1959. 7 & 8 E.2, c.65.

- (i) The whole Act except the proviso to section 1(3) and section 5(3);
- (ii) in subsection (1) of section 3 the words "in the petty sessions area for which he acts" and the words "in that area" shall be deemed to be omitted;
- (iii) in subsection (3) of section 3 the words "acting for the same petty sessions area as the justice who issued the warrant" and the words "for that petty sessions area" shall be deemed to be omitted;
- (iv) for subsection (5) of section 3 there shall be substituted—  
 "(5) Where an order is made under this section for the forfeiture of any articles, any person who appeared, or was entitled to appear, to show cause against the making of the order may appeal to the

#### 4. Obscene Publications Act, 1959. 7 & 8 E.2, c.66.

Supreme Court within fourteen days after the day on which the order is made and no such order shall take effect until the expiration of the time hereby limited for appeal, or until the determination of the appeal, whichever shall be later."

5. Legitimacy Act, 1959.  
7 & 8 E.2, c.73.

- (i) The whole Act except sections 2(6), 3(2), 3(3), 4 and 6(1);
- (ii) references to "England" shall be construed as references to the Colony.
- (iii) subsection (1) of section 5 shall be construed as if it read as follows –  
“(1) The proceedings which are domestic proceedings within the meaning of section 56 of the Magistrates' Courts Act, 1952 (which defines "domestic proceedings") shall have effect accordingly.”.

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 19th day of April, 1962.

E. P. ARROWSMITH,  
*Governor.*

LS

No. 5



1962

Colony of the Falkland Islands.

IN THE ELEVENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

### An Ordinance

To provide for the service of the year 1962-63. 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 (1962-63) Ordinance, 1962. 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 1st July, 1962 to 30th June, 1963, a sum not exceeding Three hundred and sixty-two thousand nine hundred and sixty-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 1962-63.

Appropriation of £362,968 for the service of the year 1962-63.

SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
I.	The Governor ... ..	8455	0	0
II.	Agriculture ... ..	3355	0	0
III.	Audit ... ..	2175	0	0
IV.	Aviation ... ..	13445	0	0
V.	Customs & Harbour ... ..	11298	0	0
VI.	Education ... ..	45546	0	0
VII.	Medical ... ..	34957	0	0
VIII.	Meteorological ... ..	765	0	0
IX.	Military ... ..	1160	0	0
X.	Miscellaneous ... ..	31820	0	0
XI.	Pensions & Gratuities ... ..	8530	0	0
XII.	Police and Prisons ... ..	5174	0	0
XIII.	Posts & Telecommunications ... ..	47481	0	0
XIV.	Power & Electrical ... ..	18884	0	0
XV.	Public Works ... ..	17285	0	0
XVI.	Public Works Recurrent ... ..	35803	0	0
XVII.	Secretariat & Treasury ... ..	24706	0	0
XVIII.	Social Welfare ... ..	7950	0	0
XIX.	Supreme Court ... ..	1824	0	0
	Total Ordinary Expenditure ...	320613	0	0
XX.	Special Expenditure ... ..	24493	0	0
XXI.	Colonial Development & Welfare ...	17862	0	0
	Total Expenditure £	362968	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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 19th day of April, 1962.

E. P. ARROWSMITH,  
*Governor.*



No. 6

1962

Colony of the Falkland Islands.

IN THE ELEVENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
SIR EDWIN ARROWSMITH, K.C.M.G.  
*Governor.*

**An Ordinance**  
**Further to amend the Income Tax Ordinance.**

[1st January, 1962.]

ENACTED by the Legislature of the Colony of the Falkland Islands as follows —

1. (1) This Ordinance may be cited as the Income Tax (Amendment) (No. 2) Ordinance, 1962, and shall be read as one with the Income Tax Ordinance (hereinafter referred to as the principal Ordinance).

(2) This Ordinance shall be deemed to have come into force on the 1st January, 1962.

2. Section 5 of the principal Ordinance is amended —  
(a) by repealing and replacing paragraph (b) as follows —

- “(b) (i) gains or profits from any employment received in money;
- (ii) the annual value of any allowance in respect of any employment received otherwise than in money as may be prescribed by rules made by the Governor in Council;”;

(b) by deleting the words “by or on behalf of the owner or used” in paragraph (c).

Title.  
Date of commencement.  
Enacting clause.  
Short title and commencement.  
Cap. 32.  
Amendment of section 5 of the principal Ordinance.

Amendment of section 15  
of the principal  
Ordinance.

3. Section 15 of the principal Ordinance is amended —

- (a) by deleting the figures "£100" in subsection (1) and substituting the figures "£130";
- (b) by deleting the figures "£50" and "£25" in paragraph (a) of subsection (3) and substituting the figures "£100" and "£50" respectively.

Amendment of section 21  
of the principal  
Ordinance.

4. Subsection (1) of Section 21 of the principal Ordinance is amended —

- (a) by deleting the figures "£100" where those figures first occur and by substituting the figures "£150";
- (b) by deleting the figures "£250" where those figures first occur and by substituting the figures "£200".

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 4th day of  
December, 1962.

E. P. ARROWSMITH,  
*Governor.*

LS



No. 7

1962

Colony of the Falkland Islands.

IN THE ELEVENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

An Ordinance  
Further to amend the Firearms Ordinance. Title.

[4th December, 1962]

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 Firearms (Amend-  
ment) Ordinance, 1962, and shall be read as one with the Firearms  
Ordinance (hereinafter referred to as the principal Ordinance).

Short title and  
commencement.  
Cap. 26.

(2) This Ordinance shall come into force on the 4th day of  
December, 1962.

2. Section 5 of the principal Ordinance is amended —

Amendment of section 5  
of the principal  
Ordinance.

- (a) by deleting the words "by such member for the sole purpose  
of target shooting." in paragraph (6) and substituting the  
words "or carried by such member in the performance of  
his duty";

- (b) by adding after paragraph (6) the following new paragraphs—

"(7) the Falkland Islands Defence Force Small Bore  
Rifle Club;

(8) a person in the service of the Government or  
the British Antarctic Survey having in his possession any  
firearm in the performance of his duty, such possession  
being specially authorised by the head of his Department."

Amendment of section 13  
of the principal  
Ordinance.

3. Section 13 of the principal Ordinance is amended —
- (a) by deleting the words "for the sole purpose of target shooting." in paragraph (3) and substituting the words "in the performance of his duty;"
- (b) by adding after paragraph (3) the following new paragraphs—
- "(4) a member of the Falkland Islands Defence Force Rifle Club or the Falkland Islands Defence Force Small Bore Rifle Club when carrying a gun to or from the respective club range;
- (5) a person in the service of the Government or the British Antarctic Survey when specially authorised by the head of his Department to carry a gun in the performance of his duty."

Amendment of section 16  
of the principal  
Ordinance.

4. Section 16 of the principal Ordinance is amended —
- (a) by re-numbering subsection (3) as subsection (4);
- (b) by inserting after subsection (2) the following new subsection —
- "(3) Notwithstanding the provisions of subsections (1) and (2) of this section, any member of the Boys' Brigade or the Girls' Life Brigade over the age of 12 years, may use a firearm in the presence of an officer of his or her Brigade for target practice at a recognised small bore rifle range."

Amendment of sections  
17, 18 and 19 of the  
principal Ordinance.

5. Sections 17, 18 and 19 of the principal Ordinance are amended by deleting the word "firearm" wherever that word occurs and substituting the word "gun".

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 4th day of  
December, 1962.

E. P. ARROWSMITH,  
*Governor.*

LS

No. 8



1962

Colony of the Falkland Islands.

IN THE ELEVENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

### An Ordinance

To legalise certain payments made in the  
year 1961-62 in excess of the Expenditure  
sanctioned by Ordinance No. 8 of 1961.

Title.

WHEREAS it is expedient to make further provision for the  
service of the Colony for the period 1st July, 1961 to 30th June,  
1962.

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 (1961-62) Ordinance, 1962.

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 July, 1961, to 30th June, 1962, 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 sum mentioned for those  
services in the said Ordinance.

Appropriation of excess  
expenditure for the  
period 1st July, 1961,  
to 30th June, 1962.

SCHEDULE

Number	HEAD OF SERVICE	Amount		
		£	s.	d.
	FALKLAND ISLANDS			
IV.	Aviation ... ..	854	15	6
XIV.	Power & Electrical ... ..	470	13	7
XVI.	Public Works Recurrent ... ..	2303	15	2
XVII.	Supreme Court ... ..	42	0	9
	Total Expenditure £	3671	5	0

Ref. 0284/XIV.

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 4th day of December, 1962.

E. P. ARROWSMITH,  
*Governor.*

LS



No. 9

1962

Colony of the Falkland Islands.

IN THE ELEVENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

An Ordinance

To ratify and confirm the Overseas Service (Falkland Islands) Agreement, 1961, and to provide for matters connected therewith.

[1st April, 1961.]

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

1. This Ordinance may be cited as the Overseas Service Ordinance, 1962, and shall be deemed to have come into operation on the 1st day of April, 1961.

Short title and commencement.
2. The Agreement entitled the Overseas Service (Falkland Islands) Agreement, 1961 (in this Ordinance referred to as the Agreement), and set out in the Schedule to this Ordinance, is hereby ratified and confirmed.

Ratification of the Agreement.
3. From and after the 1st day of April, 1961, there shall be charged upon and paid out of the consolidated fund the sums required for ensuring the payment to each designated officer (as defined in the Agreement) of the sums referred to in clause 2 of the Agreement, for the purposes therein mentioned.

Charge on the consolidated fund.

## SCHEDULE

### Service with Overseas Governments Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Falkland Islands.

WHEREAS the Government of the Falkland Islands considers that it would be in the public interest to employ in the public service certain officers from other countries;

AND WHEREAS Her Majesty's Government of the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as the Government of the United Kingdom) is prepared to contribute to that part of the cost of employing such officers as is attributable to the fact that such officers will be serving outside their own countries;

NOW, THEREFORE, it is agreed between Her Majesty's Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Falkland Islands as follows —

#### 1. In this Agreement unless the context otherwise requires —

"appointed day" means the first day of April, 1961;

"child" means the son or daughter of a designated officer including a stepson, stepdaughter, adopted son or adopted daughter, not having passed his or her nineteenth birthday and being unmarried and wholly dependent upon the designated officer;

"compensation" means any sum of money, not being a pension or the commutation thereof or a gratuity, which is payable by the Government of the Falkland Islands, on or after the appointed day, either in one payment or by instalments, including any sum payable by way of interest thereon or any additions to or any sum paid by way of commutation of additions to a pension, to a designated officer by virtue of arrangements for the payment of compensation approved by a Secretary of State for the purposes of this Agreement;

"contract officer" means a designated officer who is on or after the appointed day a party to a contract of service in writing with the Government of the Falkland Islands and whose service under that contract does not qualify him for a pension;

"designated officer" means an officer designated as such by a Secretary of State who is

(i) an expatriate officer in the service of the Government of the Falkland Islands on or after the appointed day and

(ii) who

(a) is a member of Her Majesty's Overseas Civil Service;  
or

(b) was selected for appointment by or with the approval of a Secretary of State, or was recruited by the Crown Agents for Oversea Governments and Administrations;  
or

(c) was otherwise recruited to a post for which a normal channel of recruitment is either the Colonial Office or the Crown Agents for Oversea Governments and Administrations and whose appointment for the purpose of this Agreement is approved by a Secretary of State;

"gratuity" means the sum payable to a contract officer, in addition to salary and allowances, under his contract or service and described therein as such or in the laws or regulations applicable thereto, in return for services rendered, whether such sum is paid at the conclusion of that service or otherwise;

"passage" means transportation of a designated officer, his wife, children and effects by such means, by such routes, in such classes of accommodation and in accordance with such conditions as the Government of the Falkland Islands may with the concurrence of the Government of the United Kingdom prescribe;

"pension" means the pension payable to a designated officer under the pensions Laws and Regulations applicable to him, including any sum paid to him by way of commutation of such pension, but excluding any compensation;

"Secretary of State" means one of Her Majesty's Principal Secretaries of State in the United Kingdom.

2. In the event of the Government of the Falkland Islands on or after the appointed day paying the allowances, and providing for the passages referred to in clause 3 of this Agreement, the Government of the United Kingdom will, in accordance with such procedure as may mutually be agreed between the said two Governments, reimburse the Government of the Falkland Islands the following sums —

(a) the aggregate amount of the allowances, referred to in paragraphs (a) and (b) of clause 3 of this Agreement, and paid to designated officers less the sum agreed by the said two Governments as being equivalent to the proceeds of taxation received by the Government of the Falkland Islands on the inducement allowance referred to in paragraph (a) of clause 3 of this Agreement and paid to designated officers;

(b) one half of the aggregate amount paid by the Government of the Falkland Islands in providing for designated officers the passages referred to in paragraph (c) of clause 3 of this Agreement;

(c) one half of the aggregate amount paid by the Government of the Falkland Islands as compensation to designated officers;

(d) that part of any gratuity paid by the Government of the Falkland Islands to a designated officer which accrues to that officer by virtue of the addition to his emoluments, after the appointed day, of the inducement allowance referred to in paragraph (a) of clause 3 of this Agreement;

(e) that part of any pension paid by the Government of the Falkland Islands to a designated officer which accrues to that officer by virtue of the addition to his pensionable emoluments, after the appointed day, of the inducement allowance referred to in paragraph (a) of clause 3 of this Agreement which shall bear the same proportion to the total pension payable to that officer by the Government of the Falkland Islands as the total amount of inducement allowance as aforesaid paid to him by the Government of the Falkland Islands bears to the aggregate pensionable emoluments earned by him, before or after the appointed day while in the public service of the Government of the Falkland Islands.

3. The allowances and passages mentioned in clause 2 of this Agreement are as follows —

(a) an inducement allowance at such annual rate as may be specified by the Government of the United Kingdom;

(b) any education allowance to which a designated officer may be entitled at rates and under conditions specified from time to time by the Government of the United Kingdom;

(c) passages on such occasions as the Government of the Falkland Islands may with the concurrence of the Government of the United Kingdom prescribe.

4. The Government of the United Kingdom and the Government of the Falkland Islands will each take such steps as may be necessary to exempt the allowance referred to in paragraph (b) of clause 3 of this Agreement from the operation of any income tax law for the time being in force in their respective territories.

5. (1) On or before the first day of October in each year the Government of the Falkland Islands will provide the Government of the United Kingdom with such information, including information concerning any variation in the number of designated officers which results from the establishment requirements of the Government of the Falkland Islands, as the Government of the United Kingdom may require to calculate the amounts payable by the Government of the United Kingdom under clause 2 of this Agreement during the ensuing financial year of the Government of the United Kingdom.

(2) The Government of the Falkland Islands will, whenever requested so to do by the Government of the United Kingdom, supply to the Government of the United Kingdom such accounts and other information in connection with the operation of this Agreement as may be specified in such request.

6. The Government of the Falkland Islands will consult the Government of the United Kingdom before effecting any changes in policy which might affect the recruitment, terms of service and numbers of designated officers so as to vary the amounts reimbursable by the Government of the United Kingdom under clause 2 of this Agreement.

7. Subject to the provisions of clauses 5 and 6 of this Agreement, nothing in this Agreement shall affect the right of the Government of the Falkland Islands to vary its dispositions or requirements of officers in its public service as it sees fit.

8. This Agreement shall terminate, unless some other date is agreed between the Government of the Falkland Islands and the Government of the United Kingdom on the 31st day of March, 1971:

(i) this Agreement shall not be terminated on a date earlier than the 31st March, 1971, unless all the obligations arising thereunder, other than those in respect of pensions referred to in paragraph (e) of clause 2 of this Agreement, have been discharged;

and

(ii) the termination of this Agreement shall not affect the liability of the Government of the United Kingdom to make the reimbursements in respect of pensions referred to in paragraph (e) of clause 2 of this Agreement.

9. This Agreement shall come into operation on the appointed day and may be cited as the Overseas Service (Falkland Islands) Agreement 1961.

Done in duplicate in London this 8th day of August, 1961.

(Sgd.) P. ROGERS.

For the Government of the United Kingdom  
of Great Britain and Northern Ireland.

(Sgd.) E. P. ARROWSMITH.

For the Government of the Falkland Islands.

Ref. 2196.

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.

H. L. BOUND,

Clerk of the Legislative Council.

Assented to in Her Majesty's name this 4th day of  
December, 1962.

E. P. ARROWSMITH,  
*Governor.*

LS

No. 10



1962

Colony of the Falkland Islands.

IN THE ELEVENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

**An Ordinance**  
**Further to amend the Road Traffic Ordinance.** Title.

[30th November, 1962]

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 (Amend-  
ment) Ordinance, 1962, and shall be read as one with the Road  
Traffic Ordinance, hereinafter referred to as the principal Ordinance.

Short title.

Cap. 60.

2. Section 5 of the principal Ordinance is amended by  
inserting after subsection (3) the following new subsection —

Amendment of section 5  
of the principal  
Ordinance.

“(3A) A valid driver's licence issued under any law in  
force in the United Kingdom shall for a period of six months  
from the date of the holder's first entry into the Colony be  
deemed to be a driver's licence granted under the provisions of  
this Ordinance :

Provided that the holder on first entering the Colony  
shall submit such licence to the Superintendent of Police and the  
latter shall endorse and affix his date stamp thereon.”.

Ref. 0705/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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 4th day of  
December, 1962.

E. P. ARROWSMITH,  
*Governor.*

LS

No. 11



1962

Colony of the Falkland Islands.

IN THE ELEVENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

### An Ordinance

To provide for the immunity of certain  
classes of persons from the jurisdiction of  
the Courts of the Colony.

Title.

ENACTED by the Legislature of the Colony of the Falkland  
Islands as follows —

Enacting clause.

1. This Ordinance may be cited as the Antarctic Treaty  
(Immunity from Jurisdiction) Ordinance, 1962.

Short title.

2. In this Ordinance —

Interpretation.

“Antarctica” has the meaning assigned to it by section 2 (1) of  
the Antarctic Treaty Order in Council 1962;

“the Colony” means the Colony of the Falkland Islands;

“exchanged scientist” has the meaning assigned to it by section  
2 (1) of the Antarctic Treaty Order in Council 1962;

“the Governor” means the Governor and Commander-in-Chief  
of the Colony of the Falkland Islands and the Dependencies  
thereof and includes any person who, under and to the extent  
of any authority in that behalf, is for the time being  
performing the functions of that office;

“observer” has the meaning assigned to it by section 2 (1) of  
the Antarctic Treaty Order in Council 1962;

“the Treaty” has the meaning assigned to it by section 2 (1) of  
the Antarctic Treaty Order in Council 1962.

Jurisdiction not to be exercised by courts of the Colony in certain cases.

3. (1) Jurisdiction shall not be exercised by any court of the Colony over any person to whom this section applies in respect of any act done or omitted to be done by him while he is or was in any part of Antarctica for the purpose of exercising his functions.

(2) This section applies to any person being a national of any Contracting Party to the Treaty other than the United Kingdom who is or was an observer or an exchanged scientist or a member of the staff accompanying any observer or exchanged scientist.

Power of Governor to grant exemption from certain laws.

4. The Governor may, to such extent and for such purposes as are specified in section 6 of the Antarctic Treaty Order in Council 1962, grant to such persons as are mentioned in that section exemption from the provisions of any enactment or instrument made thereunder which is in force in the Colony.

Ref. 2145.

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 4th day of December, 1962.

E. P. ARROWSMITH,  
*Governor.*

LS



No. 12

1962

Colony of the Falkland Islands.

IN THE ELEVENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

### An Ordinance

Further to amend the British Nationality Ordinance. Title.

[4th December, 1962]

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 British Nationality (Amendment) Ordinance, 1962, and shall be read as one with the British Nationality Ordinance (hereinafter referred to as the principal Ordinance).

Short title.

Cap. 6.

2. In subsection (2) of section 3 of the principal Ordinance after the words "two pounds" there shall be inserted the words "(if the applicant is a British protected person) and three pounds (if the applicant is an alien)".

Amendment of section 3 of the principal Ordinance.

3. The Schedule to the principal Ordinance is 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.
1. Registration of a woman who is a British protected person or an alien as a citizen under s. 6(2) of the British Nationality Act, 1948 ...	1	10	0
2. Registration of a minor who is a British protected person or an alien as a citizen under s. 7 of the British Nationality Act, 1948 —			
(a) If application for the minor's registration was made at the same time as an application by one of his parents for a certificate of naturalisation	1	10	0
In other cases —			
(b) If the minor is a British protected person ...	6	0	0
(c) If the minor is an alien ...	12	10	0
3. Grant of a certificate of naturalisation —			
(a) To a British protected person ...	12	10	0
(b) To an alien ...	25	0	0
4. Grant of a certificate of citizenship in case of doubt ...	12	10	0
5. Registration of a declaration of intention to resume British nationality or of renunciation of citizenship ...	1	10	0
6. 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	0

Ref. 1022/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.

H. L. BOUND,  
Clerk of the Legislative Council.

Assented to in Her Majesty's name this 4th day of December, 1962.

E. P. ARROWSMITH,  
Governor.

LS



No. 13

1962

Colony of the Falkland Islands.

IN THE ELEVENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
Governor.

## An Ordinance

Further to amend the Application of Title.  
Enactments Ordinance, 1954.

[4th December, 1962.]

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 (Amendment) (No. 2) Ordinance, 1962, and shall be read as one with the Application of Enactments Ordinance, 1954, hereinafter referred to as the principal Ordinance.

Short title.

2. Enactment No. 65 of the Schedule to the principal Ordinance is amended as follows —

Amendment of Schedule to the principal Ordinance.

- by the deletion from the second column of the words "References to the Secretary of State" shall be construed as references to the "Governor";
- by the insertion of the following new modification immediately after the figures "7 (2)" in the second column:

"In subsection (1) of section 1 the words 'and any other jurisdiction connected with ships or aircraft vested in the High Court apart from this section which is for the time being assigned by rules of court of the Probate, Divorce and Admiralty Division' shall be omitted."

- (c) by the deletion of the word "may" from the modification of subsection (4) of section 3 in the second column;
- (d) by the deletion of the modification of section 6 in the second column and the substitution therefor of the following modification :

"In section 6 for the words 'No court in England and Wales' there shall be substituted the words 'No court in the Colony'."

Ref. 1994.

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 4th day of December, 1962.

E. P. ARROWSMITH,  
*Governor.*

LS



No. 14

1962

Colony of the Falkland Islands.

IN THE ELEVENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

An Ordinance

Further to amend the Application of  
Enactments Ordinance, 1954. Title.

[4th December, 1962.]

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 (Amendment) (No. 3) Ordinance, 1962, and shall be read as one with the Application of Enactments Ordinance, 1954, hereinafter referred to as the principal Ordinance.

Short title.

No. 13 of 1954.

2. The Schedule to the principal Ordinance is hereby amended by the addition thereto of the enactments specified in the Schedule to this Ordinance.

Amendment of Schedule to the principal Ordinance.

# SCHEDULE

ENACTMENT	EXTENT OF APPLICATION
66. Adoption Act, 1960. 8 & 9 Eliz. 2. c. 59.	The whole Act.
67. Suicide Act, 1961. 9 & 10 Eliz. 2. c. 60.	(i) The whole Act except subsection (3) of section 3; (ii) for subsection (4) of section 2 there shall be substituted — “(4) Subject to section 40 of the Children and Young Persons Act, 1933, as applied by subsection (3) of this section, no proceedings shall be instituted for an offence under this section except by or with the consent of the Colonial Secretary”.

Ref. 1460/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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 4th day of December, 1962.

E. P. ARROWSMITH,  
*Governor.*

LS



No. 15

1962

Colony of the Falkland Islands.

IN THE ELEVENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

## An Ordinance

To amend the Non-Contributory Old Age Pensions 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 Non-Contributory Old Age Pensions (Amendment) Ordinance, 1962, and shall be read as one with the Non-Contributory Old Age Pensions Ordinance (hereinafter referred to as the principal Ordinance). Short title.  
No. 7 of 1961.

2. Section 4 of the principal Ordinance is amended by the addition to subsection (a) of the following — Amendment of section 4 of the principal Ordinance.

“Provided that where the person is a widow whose husband died before 1st July, 1952, or whose husband although alive on that date was excluded by age from contributing under the Old Age Pensions Ordinance, 1952, she shall have attained the age of 65 on 1st July, 1961.”

Amendment of section 7  
of the principal  
Ordinance.

3. Section 7 (2) of the principal Ordinance is amended —

- (i) by deleting the words "has been" and "from" in subsection (a) and substituting therefor the words "was" and "on".
- (ii) by inserting after subsection (b) the following new subsection —  
“(c) for any period during which the person, having been granted a pension, is out of the Colony for any reason whatsoever.”

Ref. 0323/F.

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 4th day of  
December, 1962.

E. P. ARROWSMITH,  
*Governor.*

LS



No. 16

1962

Colony of the Falkland Islands.

IN THE ELEVENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

### An Ordinance

Further to amend the Income Tax Ordinance. Title.

[4th December, 1962]

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 Income Tax (Amendment) (No. 3) Ordinance, 1962, and shall be read as one with the Income Tax Ordinance hereinafter referred to as the principal Ordinance. Short title.  
Cap. 32.

2. Section 85 of the principal Ordinance is repealed and replaced as follows — Repeal and replacement of section 85 of the principal Ordinance.

“Penalty for making incorrect returns, etc.

85. (1) Any person who without reasonable excuse —

- (a) makes an incorrect return by omitting or understating any income of which he is required by this Ordinance to make a return; or
- (b) gives any incorrect information in relation to any matter or thing affecting his own liability to tax or the liability of any other person or of a partnership,

shall be guilty of an offence against this Ordinance and shall be liable on conviction to a fine not exceeding £100 and double the amount of tax which has been

undercharged in consequence of such incorrect return or information, or would have been so undercharged if the return or information had been accepted as correct, and in default of payment to imprisonment for a period not exceeding six months.

(2) No person shall be liable to any penalty under this section unless the complaint concerning such offence was made in the year of assessment in respect of or during which the offence was committed or within six years of the expiration thereof."

Addition of new section 85A to the principal Ordinance.

3. The principal Ordinance is amended by the insertion after section 85 of the following new section —

"Penal provisions relating to fraud, etc.

85A. (1) Any person who wilfully and with intent to evade or to assist any other person to evade tax —

- (a) omits from a return made under this Ordinance any income which should be included; or
- (b) makes any false statement or entry in any return made under this Ordinance; or
- (c) gives any false answer, whether verbally or in writing to any question or request for information asked or made in accordance with the provisions of this Ordinance; or
- (d) prepares or maintains or authorizes the preparation or maintenance of any false books of account or other records or falsifies or authorises the falsification of any books of account or records; or
- (e) makes use of any fraud, art or contrivance whatsoever or authorises the use of any such fraud, art or contrivance,

shall be guilty of an offence, and shall for each such offence be liable on conviction to a fine not exceeding £500 and treble the amount of tax for which he is liable under this Ordinance for the year of assessment in respect of or during which the offence was committed, or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.

(2) Whenever in any proceedings under this section it is proved that any false statement or entry is made in any return furnished under this Ordinance by or on behalf of any person or in any books of account or other records maintained by or on behalf of any person, that person shall be presumed, until the contrary is proved, to have made that false statement or entry with intent to evade tax."

Ref. 0747/III.

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 4th day of December, 1962.

E. P. ARROWSMITH,  
*Governor.*

LS



No. 17

1962

Colony of the Falkland Islands.

IN THE ELEVENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

An Ordinance  
Further to amend the Income Tax Ordinance. Title.  
[1st January, 1963] 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) (No. 4) Ordinance, 1962, 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 provisions of this Ordinance shall have effect with respect to profits tax chargeable for the year of assessment commencing on the 1st day of January, 1963, and for all subsequent years of assessment.

2. Section 21 of the principal Ordinance is amended by the insertion immediately after subsection (2) of the following new subsection — Amendment of section 21 of the principal Ordinance.

"(2A) In addition to the income tax payable under subsections (1) and (2) there shall be levied and paid for the year of assessment one thousand nine hundred and sixty three and for each subsequent year of assessment on the gains or profits from any trade or business a further income tax known as "profits tax" at the rate of 2/- for every £1 of the chargeable income therefrom of a company and of 1/6 for every £1 of the chargeable income therefrom of any other person and the provisions of this Ordinance shall so far as they are applicable apply to profits tax as they apply to income tax with the necessary modifications including in particular the following —

- (a) sections 14, 15, 16, 17 and 19 of this Ordinance shall not apply;

- (b) where the chargeable income of any person for the basis period does not exceed £2,000 there will be no charge to profits tax;
- (c) where the chargeable income of any person for the basis period exceeds £2,000 but is less than £12,000 there shall be an abatement equal to one-fifth of the difference between the chargeable income and £12,000;
- (d) in the case of a trade or business carried on by a company the directors whereof have a controlling interest therein the deduction to be allowed in respect of the remuneration of the directors shall not exceed 15% of the chargeable income derived from the trade or business in the basis period (computed before making any deduction in respect of the remuneration of the directors) or £1,500 whichever is the greater, so however that the deduction shall in no case exceed £7,500. For the purpose of this paragraph a company shall be regarded as director-controlled if more than 50% of the issued ordinary shares are held by the directors and their relatives, or by the directors themselves or by the relatives of the directors;
- (e) where a trade or business is carried on by two or more persons jointly, the income of all the partners therefrom, computed as provided by subsection (1) of section 35, shall be aggregated and paragraphs (b) and (c) of this subsection shall apply as if the aggregated profits represented the chargeable income of a company;
- (f) (i) in the case of a trade or business carried on by an individual or individuals in partnership he or they may claim that there shall be allowed as a deduction in respect of the basis period the greatest amount which could have been allowed under paragraph (d) of this subsection in respect of the remuneration of the directors if the trade or business had been carried on in the basis period by a company the directors whereof have a controlling interest therein:

Provided that where a deduction is made under this paragraph as respects any period the chargeable income shall be assessed to profits tax at the rate applicable to a body corporate.

- (ii) any claim under this paragraph shall be made by notice in writing to the Commissioner within six months from the end of the period in question or such longer time as the Commissioner may in any case allow;
- (g) in all cases where the profits relate to a period of less than 12 months the figures of £2,000 and £12,000 in paragraphs (b) and (c) of this subsection and the figures of £1,500 and £7,500 in paragraph (d) of this subsection shall be reduced proportionately;
- (h) all income from dividends or other property shall be included in the chargeable income of a company except sums received by way of dividend from another company within the charge to profits tax:

Provided that nothing in this paragraph shall be construed to exempt in the hands of the recipients thereof any payments made wholly or partly out of the income exempted under the provisions of this paragraph;

- (i) no company shall be entitled to deduct the whole or any part of the profits tax from dividends paid to any shareholder in respect of any period.

For the purposes of this subsection "relative" means husband, wife, ancestor, lineal descendant, brother or sister."

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 27th day of January, 1962.

E. P. ARROWSMITH,  
*Governor.*

LS

No. 1



1962

**Falkland Islands Dependencies.**

IN THE TENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

**An Ordinance**

To provide for the service between the first day of July, 1961, and the thirtieth day of June, 1962.

*[1st July, 1961.]*

Title.

Date of commencement.

ENACTED for the Dependencies of the Colony of the Falkland Islands 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) (1961/1962) Ordinance, 1962.

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, 1962, a sum not exceeding Seven hundred and sixty thousand, three hundred and forty 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, 1961, to the thirtieth day of June, 1962.

Appropriation of  
£760,342 for service  
of the year ending 30th  
June, 1962.

## SCHEDULE.

Number.	Head of Service.	Amount. £
1.	General ... ..	80,919
2.	F.I.D.S. London Office ... ..	49,932
3.	F.I.D.S. Headquarters (Administration)	31,440
4.	F.I.D.S. Headquarters (Meteorological Service) ...	20,320
5.	F.I.D.S. Bases ... ..	352,550
6.	R.R.S. "John Biscoe" ... ..	124,554
7.	R.R.S. "Shackleton" ... ..	88,806
8.	W/T Service ... ..	11,821
	Total Expenditure £	760,342

Promulgated by the Governor on the 27th day of January, 1962.

R. H. D. MANDERS,  
*Colonial Secretary.*

Ref. BAS/FIN/1.

Assented to in Her Majesty's name this 16th day of February, 1962.

R. H. D. MANDERS,  
*Governor's Deputy.*

LS



No. 2

1962

### Falkland Islands Dependencies.

IN THE ELEVENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
RICHARD HENRY DAVID MANDERS, O.B.E.,  
*Governor's Deputy.*

### An Ordinance

To legalise certain payments made in the year 1960-61 in excess of the Expenditure sanctioned by Ordinance No. 4 of 1960.

WHEREAS it is expedient to make further provision for the service of the Dependencies for the year 1960-61.

ENACTED for the Dependencies of the Colony of the Falkland Islands 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 Supplementary Appropriation (Dependencies) (1960-61) Ordinance, 1962.

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 1960-61 the same are hereby declared to have been duly laid out and expended for the service of the Dependencies in that year, and are hereby approved, allowed and granted in addition to the sum mentioned for those services in the said Ordinance.

Ref. FIDS/T/FIN/3 vol. IV.

Schedule.

SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
5.	F.I.D.S. Bases ...	20,767	15	4
6.	R.R.S. "John Biscoe" ...	27,041	13	8
8.	W/T Service ...	893	2	1
	Aerial Survey Dependencies ...	900	0	0
Total Expenditure		£ 49,602	11	1

Promulgated by the Governor's Deputy on the 16th day of February, 1962.

H. L. BOUND,  
*for Colonial Secretary.*

Assented to in Her Majesty's name this 19th day of April, 1962.

E. P. ARROWSMITH,  
*Governor.*

LS



No. 3

1962

Falkland Islands Dependencies.

IN THE ELEVENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

An Ordinance

To apply certain Laws of the Colony to  
the Dependencies. Title.

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 Application of Colony Short title.  
Laws Ordinance, 1962.

2. The Ordinances of the Colony specified in the first and Application of certain  
Ordinances to the  
Dependencies.  
second columns 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 dates set out opposite their titles in the third  
column of the Schedule to this Ordinance.

SCHEDULE

1 of 1962	Income Tax (Amendment) Ordinance, 1962.	1st January, 1962.
2 of 1962	Application of Enactments (Amendment) Ordinance, 1962.	1st March, 1962.

Promulgated by the Governor on the 19th day of April, 1962.

R. H. D. MANDERS,  
*Colonial Secretary.*

FALKLAND ISLANDS :  
Printed at the Government Printing Office by V. T. King.

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Printed at the Government Printing Office by V. T. King.

PART II.

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ORDERS, PROCLAMATIONS, & RULES.

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## FALKLAND ISLANDS.

### The Old Age Pensions (Amendment) Ordinance, 1958.

#### ORDER

(under Section 2 of the Ordinance)

E. P. ARROWSMITH,  
*Governor.*

No. 1 of 1962.

In exercise of the powers vested in him by section 2 of the Old Age Pensions (Amendment) Ordinance, 1958, and with the advice of the Executive Council, His Excellency the Governor is pleased to order and it is hereby ordered —

1. This Order may be cited as the Old Age Pensions Order, 1962, and shall be deemed to have come into operation on the 1st February, 1962.

2. That the provisions of the Old Age Pensions Ordinance, 1952, shall not apply to Members of Her Majesty's Armed Forces actively serving in, or seconded from, their respective services.

Made by the Governor in Executive Council at a meeting held on the 30th day of October, 1962.

H. L. BOUND,  
*Clerk of the Executive Council.*

Ref. 0167/A/II.

FALKLAND ISLANDS.

## PROCLAMATION

No. 1 of 1962.

Made under section 24 of the Falkland Islands (Legislative Council)  
Orders in Council, 1948 to 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.

E. P. ARROWSMITH — *By His Excellency SIR EDWIN ARROWSMITH, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies.*



WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation :

NOW THEREFORE, I, SIR EDWIN ARROWSMITH, 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 by this Proclamation appoint Tuesday the 6th day of February, 1962, at ten o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 30th day of January, in the Year of Our Lord One thousand Nine hundred and Sixty-two.

*By His Excellency's Command,*

— R. H. D. MANDERS,

*Colonial Secretary.*

FALKLAND ISLANDS.

## PROCLAMATION

No. 2 of 1962.

Made under section 24 of the Falkland Islands (Legislative Council)  
Orders in Council, 1948 to 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.

E. P. ARROWSMITH — *By His Excellency SIR EDWIN ARROWSMITH,  
Knight Commander of the Most Distinguished Order  
of Saint Michael and Saint George, Governor and  
Commander-in-Chief in and over the Colony of the  
Falkland Islands and its Dependencies.*



WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation :

NOW THEREFORE, I, SIR EDWIN ARROWSMITH, 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 by this Proclamation appoint Thursday the 12th day of April, 1962, at ten o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 5th day of April, in the Year of Our Lord One thousand Nine hundred and Sixty-two.

*By His Excellency's Command,*  
R. H. D. MANDERS,  
*Colonial Secretary.*

FALKLAND ISLANDS.

## PROCLAMATION

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No. 3 of 1962.

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Made under section 24 of the Falkland Islands (Legislative Council)  
Orders in Council, 1948 to 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.

E. P. ARROWSMITH — *By His Excellency* SIR EDWIN ARROWSMITH,  
*Knight Commander of the Most Distinguished Order*  
*of Saint Michael and Saint George, Governor and*  
*Commander-in-Chief in and over the Colony of the*  
*Falkland Islands and its Dependencies.*

LS

WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation :

NOW THEREFORE, I, SIR EDWIN ARROWSMITH, 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 by this Proclamation appoint Saturday the 12th day of May, 1962, at ten o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 11th day of May, in the Year of Our Lord One thousand Nine hundred and Sixty-two.

*By His Excellency's Command,*

R. H. D. MANDERS,

*Colonial Secretary.*

## FALKLAND ISLANDS.

# PROCLAMATION

No. 4 of 1962.

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.

R. H. D. MANDERS — *By His Honour* RICHARD HENRY DAVID MANDERS,  
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.*

LS

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 EDWIN ARROWSMITH, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, 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, RICHARD HENRY DAVID MANDERS, 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 4th day of June, in the Year of Our Lord One thousand Nine hundred and Sixty-two.

*By Command of the*  
*Officer Administering the Government,*  
H. L. BOUND,  
*for Colonial Secretary.*

FALKLAND ISLANDS.

## PROCLAMATION

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No. 5 of 1962.

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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.

R. H. D. MANDERS — *By His Honour RICHARD HENRY DAVID MANDERS, 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.*



WHEREAS by section 12 of the Maintenance Orders (Facilities for Enforcement) Ordinance, Chapter 42, 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 such Ordinance to such possession or territory :

AND WHEREAS I am satisfied that reciprocal provisions have been made by the Government of the Isle of Man for the enforcement within the Isle of Man of maintenance orders made by the courts in the Falkland Islands :

NOW THEREFORE, in exercise of the powers vested in me as aforesaid, I, RICHARD HENRY DAVID MANDERS, Officer Administering the Government in and over the Colony of the Falkland Islands and its Dependencies, do hereby proclaim and declare that the provisions of the Maintenance Orders (Facilities for Enforcement) Ordinance are extended to maintenance orders made by the courts in the said Isle of Man.

GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Stanley, this 7th day of July, in the year of Our Lord One thousand Nine hundred and Sixty-two.

*By Command of the  
Officer Administering the Government,*

H. L. BOUND,  
*Assistant Colonial Secretary.*

## PROCLAMATION

No. 6 of 1962.

Made under section 24 of the Falkland Islands (Legislative Council)  
Orders in Council, 1948 to 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.

E. P. ARROWSMITH — *By His Excellency* SIR EDWIN ARROWSMITH,  
*Knight Commander of the Most Distinguished Order  
of Saint Michael and Saint George, Governor and  
Commander-in-Chief in and over the Colony of the  
Falkland Islands and its Dependencies.*



WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation :

NOW THEREFORE, I, SIR EDWIN ARROWSMITH, 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 by this Proclamation appoint Tuesday the 27th day of November, 1962, at ten o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 16th day of November, in the Year of Our Lord One thousand Nine hundred and Sixty-two.

*By His Excellency's Command,*

R. H. D. MANDERS,

*Colonial Secretary.*

FALKLAND ISLANDS.

The Savings Bank Ordinance (Cap. 61).

**RULES**

(under Section 14 (1) of the Ordinance)

E. P. ARROWSMITH,  
*Governor.*

No. 1 of 1962.

In exercise of the powers conferred by section 14 (1) of the Savings Bank Ordinance, the Governor in Council is pleased to make and hereby makes the following Rules —

1. These Rules may be cited as the Savings Bank (Amendment) Rules, 1962, and shall be read as one with the Savings Bank Rules hereinafter referred to as the principal Rules.

Cap. 61.  
Short title.  
Revised Edition. Vol. II.  
p. 281.

2. Rule 10 of the principal Rules is amended by deleting the words from "An authorisation" to the words "he resides." and by substituting therefor the following words :

Amendment of Rule 10 of  
the principal Rules.

"An authorisation to receive payment from the Savings Bank shall be signed in the presence of an adult witness."

Made by the Governor in Council on the 30th day of October, 1962.

H. L. BOUND,  
*Clerk of the Executive Council.*

Ref. 0385/C.

FALKLAND ISLANDS.

The Income Tax Ordinance (Cap. 32)

**RULES**

(under Section 89 of the Ordinance)

No. 2 of 1962.

E. P. ARROWSMITH,  
*Governor.*

In exercise of the powers conferred by section 89 of the Income Tax Ordinance, the Governor in Council is pleased to make and hereby makes the following Rules :

1. These Rules may be cited as the Income Tax (Amendment) Rules, 1962, and shall be read as one with the Income Tax Rules hereinafter referred to as the principal Rules.
2. The principal Rules are amended by the deletion of Forms 2, 3 and 4 and the substitution therefor of the forms set out in the Schedule hereto.

Cap. 32.  
  
Short title.  
Revised Edition. Vol. II.  
p. 191.

Replacement of forms of  
the principal rules.

Made by the Governor in Council on the 30th day of October, 1962.

H. L. BOUND,  
*Clerk of the Executive Council.*

Ref. 0747/III.

**SCHEDULE**

Form No. 1.

**INCOME TAX ORDINANCE (Cap. 32)**  
**SECTION 33 (2)**

**Notice requiring a Return to be made.**

To .....

of .....

TAKE NOTICE that you are required to make and deliver to the Income Tax Commissioner at the Treasury, Stanley, within ..... days after the date of the service of this notice on you a Return of your income in respect of the year ended on the 31st day of December, 19 .....

Dated this ..... day of ..... 19 .....

.....  
*Commissioner*

N.B. - 1. All Returns shall be made on the prescribed forms which may be obtained at the Treasury, Stanley.

The attention of the person to whom this notice is addressed is drawn to the provisions of Sections 85 and 85A.

85. (1) Any person who without reasonable excuse —

- (a) makes an incorrect return by omitting or understating any income of which he is required by this Ordinance to make a return; or
- (b) gives any incorrect information in relation to any matter or thing affecting his own liability to tax or the liability of any other person or of a partnership,

shall be guilty of an offence against this Ordinance and shall be liable on conviction to a fine not exceeding £100 and double the amount of tax which has been undercharged in consequence of such incorrect return or information, or would have been so undercharged if the return or information had been accepted as correct, and in default of payment to imprisonment for a period not exceeding six months.

(2) No person shall be liable to any penalty under this section unless the complaint concerning such offence was made in the year of assessment in respect of or during which the offence was committed or within six years of the expiration thereof.

85A. (1) Any person who wilfully and with intent to evade or to assist any other person to evade tax —

- (a) omits from a return made under this Ordinance any income which should be included; or
- (b) makes any false statement or entry in any return made under this Ordinance; or
- (c) gives any false answer, whether verbally or in writing to any question or request for information asked or made in accordance with the provisions of this Ordinance; or
- (d) prepares or maintains or authorizes the preparation or maintenance of any false books of account or other records or falsifies or authorises the falsification of any books of account or records; or
- (e) makes use of any fraud, art or contrivance whatsoever or authorises the use of any such fraud, art or contrivance,

shall be guilty of an offence, and shall for each such offence be liable on conviction to a fine not exceeding £500 and treble the amount of tax for which he is liable under this Ordinance for the year of assessment in respect of or during which the offence was committed, or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.

(2) Whenever in any proceedings under this section it is proved that any false statement or entry is made in any return furnished under this Ordinance by or on behalf of any person or in any books of account or other records maintained by or on behalf of any person, that person shall be presumed, until the contrary is proved, to have made that false statement or entry with intent to evade tax.

No. of Assessment.....19.....

## CONFIDENTIAL

Income Tax Ordinance (Cap. 32)

Name in full.....

(Taxpayer, Firm or Company)

Address .....

## STATUTORY DECLARATION

I, .....  
of .....  
as the\* .....

do hereby solemnly and sincerely declare that the statement or statements herein, or herein referred to and appended hereto, is a full, just and true return of the whole of income from every source whatsoever in respect of the year ended on the ..... day of ..... 19 ....., estimated to the best of my knowledge and belief, according to the directions and Rules of the said Ordinance. I make this Declaration conscientiously believing the same to be true and just in every particular, and I am well aware that if there is any statement in this declaration which is false in fact, which I know or believe to be false or do not believe to be true, I am liable to the penalties set out in Sections 85 and 85A.

\* State whether the Return is made —

- (i) On your own behalf.
- (ii) As the Precedent Partner for the time being of a Firm.
- (iii) As the Secretary or other responsible Officer of any Corporate Body.
- (iv) As the Attorney, Agent, Factor, Trustee, Manager, etc., and for whom.
- (v) As Trustee, Executor, Administrator, etc., and for which Estate, etc.

*N.B.* — In the case of a Firm, the General Declaration above must be made by the Precedent Partner for the time being, or in cases where none of the partners is resident in the Colony, by the Attorney, Manager, Agent, etc.

If no income is returnable under any of the Heads below, the word "None" should be entered in the money column (3). In no case must such column be left blank.

Income in respect of the year 19		Amount Chargeable		
Column 1	Source of Income under each Head Column 2	Column 3		
		£	s.	d.
1	Income accruing, derived or received from rents, royalties and other profits arising from property. Net Income as per statement attached hereto.....			
2	Annual value of land and improvements thereon used rent free by the occupier, for the purpose of residence or enjoyment and not for the purpose of gain or profit, such annual value deemed to be 5% of the capital value £.....			
3	Profits derived from the working of farm or the occupation and cultivation of land of every description. Net income as per statement attached hereto ... ..			
4	Estimated value of any light, power or fuel supplied free of charge by an employer ... ..			
5	From dealing in live stock ... ..			
6	From salary as..... (State name of Employer)			
7	Any allowance in respect of any employment received in money .....			
8	The value of any board and/or lodging where it is fully and continuously provided during any period of employment i.e. where the recipient maintains no other fixed place of abode in the Colony while so employed.			
9	Income of Wife (as per statement attached) ... ..			
10	Pensions received from .....			
11	Income derived from the profession of a.....			
12	As a..... (State name of trade or business)			
13	As a partner in the firm of.....			
14	As Agent for.....			
15	From investments in Savings Bank..... .....Debentures, Stocks or Bonds .....Mortgages, Loans, etc. (Statement to be attached setting out fully the amount and nature of investments)			
16	From other sources not enumerated above as per statement enclosed ... ..			
	Total Taxable Income			
17	Income not accruing in, derived from, or received in the Colony, as per statement attached, for which I claim exemption under Section 5 ... ..			
18	Interest on loans charged on the Public Revenue of the Colony which is exempted from taxation (Section 9) (as per statement attached)			
	Total Income from all sources £			

Whenever practicable, a statement must always be enclosed with this Return showing how the net amount of income was arrived at. In cases where proper books of accounts are kept, a certified copy of the **Profit & Loss Account** and the **Balance Sheet** must be enclosed.

**Under the provisions of the said Ordinance I hereby claim the following deductions from the above income -**

	£	s.	d.
1. Contributions to Pensions Funds (Section 17) (b) ... ..			
2. In respect of premium paid to ..... ..... Insurance Company / or to the Widows and Orphans' Pension Fund in the Colony of ..... in the year ended 19 .., for Insurance on my life / or on the life of my wife (Section 17) ... ..			
3. Children under 16 years of age living at the commencement of the year of assessment as follows —			
4. Children living at the commencement of the year of assessment who are receiving full time education abroad wholly or partly at my expense —			
5. For my wife (Section 15) (1) ... ..			
6. For female relative in charge of children (Section 15) (2) ... ..			
7. Dependent relatives (Section 15) (3) ... ..			
8. 1/5 of my earned income (Section 14) ... ..			
9. Trade losses on ..... during the year 19..... (Section 13) ... ..			
Total deductions claimed ... ..			
<b>Net Chargeable Income.</b>			
Total Taxable Income ... ..			
Less Total Deductions Claimed ... ..			
Net Chargeable Income for the year 19 ... ..			

N.B.— Those portions of the return not applicable to taxpayer's case should be struck out.

## Partnerships.

**DECLARATION** as to partners in a Firm and the division of the profits of such Firm between the respective partners therein (Section 35 of the Ordinance).

**PARTICULARS of the Share of each Partner in the Net Total Profits of the Firm** as entered on page 2.

N.B.—Interest on the capital of, and salaries of, Partners, must be included.

[illegible]

.....

(Total to agree with the total net profits of the Firm as returned on page 2).

# The Commissioner of Income Tax, Stanley, Falkland Islands.

## INCOME TAX ORDINANCE — Cap. 32.

Notice to Employer to Deliver Statement as to the Persons  
Employed by Him.

To  
of

Take notice that you are hereby required to deliver to me, within \_\_\_\_\_ days after the date of the service of this notice upon you, a full and correct statement, as required by section thirty-four of the Income Tax Ordinance, of the names and places of abode of, and the salary or wages paid to, all the persons employed by you during the year 19\_\_\_\_\_

Dated this                      day of                      19

Commissioner.

N.B.—Section thirty-four of the Ordinance is as follows:—

34.—(1) The Commissioner may require any officer in the employment of the Government or any public body to supply such particulars as may be required for the purposes of this Ordinance and which may be in the possession of such officer, provided that no such officer shall by virtue of this section be obliged to disclose any particulars as to which he is under any statutory obligations to observe secrecy.

(2) Every employer, agent, contractor, or other person when required to do so by notice from the Commissioner shall within the time limited by the notice, prepare and deliver for any year a return containing—

- (a) the names and places of residence of all persons employed by him; and
- (b) the payments and allowances made to those persons in respect of that employment, except persons who are not employed in any other employment and whose remuneration in the employment for the year does not exceed eighty pounds;
- (c) the names and places of residence of all persons with whom he has entered into a contract for the performance of any work or for delivery of any produce or goods and the amount advanced or paid in respect of such contract either in cash or in goods or merchandise; and
- (d) such other information as the Commissioner may deem necessary from time to time for the purposes of this Ordinance;

and the provisions of this Ordinance with respect to the failure to deliver returns or particulars in accordance with a notice from the Commissioner shall apply to any such return or returns.

Provided that any employer, agent, contractor, or other person shall not be liable to any penalty for omitting from any such return the name or place of residence of any person employed by him and not employed in any other employment if it appears to the Commissioner, on enquiry, that such person has no chargeable income.

(3) Where the employer, agent, contractor or other person is a body of persons the manager or other principal officer shall be deemed to be the employer for the purposes of this section, and any director of a company, or person engaged in the management of a company, shall be deemed to be a person employed.

[OVER]



File No.....

## INCOME TAX ASSESSMENT NOTICE.

Stanley.....19

To.....

PLEASE TAKE NOTICE that under the provisions of the Income Tax Ordinance — Cap. 32 — you are assessed for the 19      taxation period in the sum of £      being the amount of tax payable on a chargeable income of £

This assessment is payable at the Colonial Treasury, Stanley, (sections 42 and 54) within ninety days after the service of this notice upon you.

If you dispute this assessment you may apply to the Commissioner by notice of objection in writing, to review and to revise the assessment made upon you. Such application shall state precisely the grounds of your objections to the assessment and shall be made within two months from the date of service of this notice of assessment: provided that the Commissioner upon being satisfied that your absence from the Colony, sickness or other reasonable cause, prevented your making the application disputing the assessment within such period, shall extend the period as may be reasonable in the circumstances.

Income Tax Commissioner.

Date of Payment.....

Counterfoil Receipt No.....

## INSTRUCTIONS TO TAXPAYER:

This notice should be produced when making payment.

Section 55: If any tax is not paid within the period prescribed in section fifty-four of this Ordinance:

- (a) a sum equal to five per centum of the amount of the tax payable shall be added thereto and the provisions of this Ordinance relating to the collection and recovery of tax shall apply to the recovery of such sum;
- (b) the Commissioner shall serve a demand note upon the person assessed, and if payment is not made within thirty days from the date of the service of such demand note, the Commissioner may proceed to enforce payment as hereafter provided.

FALKLAND ISLANDS.

## The Income Tax Ordinance (Cap. 32)

## RULES

(under Section 5 (b) (ii) of the Ordinance)

E. P. ARROWSMITH,  
*Governor.*

No. 3 of 1962.

In exercise of the powers conferred by section 5 (b) (ii) of the Income Tax Ordinance, the Governor in Council is pleased to make and hereby makes the following Rules —

1. These Rules may be cited as the Income Tax (Allowances in Kind) Rules, 1962, and shall be deemed to have come into force on 1st January, 1962.

2. For the purposes of ascertaining the income chargeable under section 5 (b) (ii) the following shall be regarded as allowances in respect of employment —

- (a) the estimated value of any light, power or fuel supplied free of charge by an employer.
- (b) the value of any board or board and lodging where it is fully and continuously provided during any period of employment, and where the recipient maintains no other fixed place of abode in the Colony while so employed.

Made by the Governor in Council on the 30th day of October, 1962.

H. L. BOUND,  
*Clerk of the Executive Council.*

Ref. 0747/III.



Colony of the  
Falkland Islands and Dependencies

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Ordinances,  
Orders, Proclamations, etc.  
1963

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PART I.

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ORDINANCES.

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" " 2 " "	Customs (Whale Oil and Seal Oil Duty) Ordinance, 1963.
" " 3 " "	Appropriation (Dependencies) (1963-64) Ordinance, 1963.

Assented to in Her Majesty's name this 5th day of July, 1963.

E. P. ARROWSMITH,  
*Governor.*

LS



No. 1

1963

Colony of the Falkland Islands.

IN THE TWELFTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II.

SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

### An Ordinance

To provide for the service of the year Title.  
1963-64.

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 Short title.  
Appropriation (1963-64) Ordinance, 1963.

2. The Governor may cause to be issued out of Public Revenue and other funds of the Colony and applied to the service of the period 1st July, 1963 to 30th June, 1964, a sum not exceeding Three hundred and eighty-five thousand seven 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 year 1963-64. Appropriation of £385,762 for the service of the year 1963-64.

## SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
I.	The Governor ...	8930	0	0
II.	Agriculture ...	5846	0	0
III.	Audit ...	1343	0	0
IV.	Aviation ...	14503	0	0
V.	Customs & Harbour ...	11769	0	0
VI.	Education ...	49452	0	0
VII.	Medical ...	36732	0	0
VIII.	Meteorological ...	700	0	0
IX.	Military ...	1195	0	0
X.	Miscellaneous ...	32972	0	0
XI.	Pensions & Gratuities ...	11000	0	0
XII.	Police and Prisons ...	5688	0	0
XIII.	Posts & Telecommunications ...	50448	0	0
XIV.	Power & Electrical ...	17418	0	0
XV.	Public Works ...	20387	0	0
XVI.	Public Works Recurrent ...	33797	0	0
XVII.	Secretariat & Treasury ...	26453	0	0
XVIII.	Social Welfare ...	7950	0	0
XIX.	Supreme Court ...	2297	0	0
	Total Ordinary Expenditure ...	338880	0	0
XX.	Special Expenditure ...	41176	0	0
XXI.	Colonial Development & Welfare ...	5706	0	0
	Total Expenditure £	385762	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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 0284/XVI.

Assented to in Her Majesty's name this 5th day of July, 1963.

E. P. ARROWSMITH,  
*Governor.*

LS

No. 2



1963

Colony of the Falkland Islands.

IN THE TWELFTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II.

SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

### An Ordinance

Further to amend the Post Office Ordinance. Title.

[28th June, 1963]

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 Post Office (Amendment) Ordinance, 1963, and shall be read as one with the Post Office Ordinance, hereinafter referred to as the principal Ordinance. Short title.

2. Section 4 of the principal Ordinance is amended —

Amendment of section 4 of the principal Ordinance.

(a) by substituting a semicolon for the full stop at the end of paragraph (c);

(b) by adding after paragraph (c) the following paragraph —

“(d) Declare that any issue of stamps or other stamp matters shall cease to be valid as from a date to be mentioned in the order, and such issue of stamps and other stamp matters shall cease to be valid accordingly.”.

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 186/37.

Assented to in Her Majesty's name this 5th day of July, 1963.

E. P. ARROWSMITH,  
*Governor.*



No. 3



1963

Colony of the Falkland Islands.

IN THE TWELFTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

### An Ordinance

Further to amend the Foreign Judgments  
(Reciprocal Enforcement) Ordinance, 1959. Title.

[28th June, 1963] 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 Foreign Judgments (Reciprocal Enforcement) (Amendment) Ordinance, 1963, and shall be read as one with the Foreign Judgments (Reciprocal Enforcement) Ordinance, 1959, hereinafter referred to as the principal Ordinance. Short title.  
No. 4 of 1959.
2. The definition of the expression "judgment" in section 2 of the principal Ordinance is amended —  
(a) by deleting the comma after the word "party" and substituting a semicolon;  
(b) by deleting the words from "and includes an award" to the end of the definition. Amendment of section 2 of the principal Ordinance.
3. Section 9 of the principal Ordinance is repealed and replaced as follows —  
Repeal and replacement of section 9 of the principal Ordinance.
- Power to apply Part I of the Ordinance to other parts of the Commonwealth.
9. (1) The Governor may by Order in Council direct that this Ordinance shall apply to any part of the Commonwealth outside the Colony and to judgments obtained in the superior courts of such parts of the Commonwealth in like manner as it applies to foreign countries and judgments obtained in the superior courts of foreign countries, and on any such order being made, this Part of this Ordinance shall have effect accordingly and the Reciprocal Enforcement of Judgments Ordinance shall cease to have effect except in relation to those parts of the Commonwealth to which it extends at the date of the Order.

(2) If at any time after the Governor has directed as aforesaid an Order in Council is made under section 3 of this Ordinance extending this Part of this Ordinance to any Part of the Commonwealth to which the Reciprocal Enforcement of Judgments Ordinance extends as aforesaid, then, in relation to that part of the Commonwealth —

(a) the last mentioned Ordinance shall cease to have effect —

(b) this Part of this Ordinance shall have effect as if —

(i) the expression "judgment" included an award in proceedings on an arbitration if the award has, in pursuance of the law in force in the place where it was made, become enforceable in the same manner as a judgment given by a court in that place;

(ii) the fact that a judgment was given before the coming into operation of the Order in Council did not prevent it from being a judgment to which this Part of this Ordinance applies, but the time limited for the registration of a judgment were, in the case of a judgment so given, twelve months from the date of the judgment or such longer period as may be allowed by the Supreme Court;

(iii) any judgment registered in the Supreme Court under the Reciprocal Enforcement of Judgments Ordinance before the coming into operation of the Order in Council had been registered in that Court under this Part of this Ordinance and anything done in relation thereto under the Reciprocal Enforcement of Judgments Ordinance had been done under this Part of this Ordinance of the corresponding rules of court or other provisions applicable to the said Part.

(3) References in this section to any Part of the Commonwealth outside the Colony shall be construed as including references to any territories which are under Her Majesty's protection and to any territories administered by the Government of any part of the Commonwealth under the trusteeship of the United Nations."

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 2233.

Assented to in Her Majesty's name this 5th day of July, 1963.

E. P. ARROWSMITH,  
*Governor.*

LS



No. 4

1963

Colony of the Falkland Islands.

IN THE TWELFTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

### An Ordinance

To amend the Maintenance Orders (Facilities for Enforcement) Ordinance. Title.

[28th June, 1963]

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 Maintenance Orders (Facilities for Enforcement) (Amendment) Ordinance, 1963, and shall be read as one with the Maintenance Orders (Facilities for Enforcement) Ordinance, hereinafter referred to as the principal Ordinance.

Short title.

Cap. 42.

2. Section 8 of the principal Ordinance is amended by the deletion of the figures "68" and the substitution therefor of the figures "69".

Amendment of section 8 of the principal Ordinance.

3. Section 12 of the principal Ordinance is amended by the deletion of the full stop at the end thereof and the addition thereafter of the following —

Amendment of section 12 of the principal Ordinance.

"or to the competent authority appointed under the law of such possession or territory for the receipt and transmission of maintenance 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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 1597.

Assented to in Her Majesty's name this 5th day of July, 1963.

E. P. ARROWSMITH,  
*Governor.*

LS

No. 5



1963

IN THE TWELFTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

### An Ordinance

To amend the Matrimonial Causes Ordinance.

Title.

[28th June, 1963]

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 Matrimonial Causes (Amendment) Ordinance, 1963, and shall be read as one with the Matrimonial Causes Ordinance, hereinafter referred to as the principal Ordinance.

Short title.

Cap. 44.

2. Section 5 of the principal Ordinance is hereby repealed and replaced by the following section —

Replacement of section 5 of the principal Ordinance.

Definition of care and treatment in relation to insanity.

5. (1) For the purposes of the preceding section a person of unsound mind shall be deemed to be under care and treatment —

- (a) while he is detained in pursuance of any order made under the provisions of the Mental Treatment Ordinance; or
- (b) while he is receiving treatment for mental illness as a resident in a hospital or other institution provided, approved, licensed, registered or exempted from registration by any Minister or other authority in the United Kingdom, the Isle of Man or the Channel Islands; or
- (c) while he is receiving such treatment as a resident in a hospital or other institution in any other country outside the Colony being a hospital or institution in which his treatment is comparable with the treatment provided in any such hospital or institution as is mentioned in paragraph (b) of this subsection.

(2) For the purposes of the foregoing subsection a certificate by the Admiralty or a Secretary of State that a person was receiving treatment for mental illness during any period as a resident in any naval military or air-force hospital under the direction of the Admiralty, the Army Council or the Air Council shall be conclusive evidence of the facts certified.

(3) In determining for the purposes of section 4 of the principal Ordinance whether any period of care and treatment has been continuous, any interruption of such a period for twenty eight days or less shall be disregarded."

Addition of new section to the principal Ordinance.

3. The principal Ordinance is hereby amended by the insertion of the following section as section 5A —

"Power of Court to treat desertion as continuing during period of incapacity.

5A. For the purposes of any petition for divorce or judicial separation the Court may treat a period of desertion as having continued at a time when the deserting party was incapable of continuing the necessary intention, if the evidence before the Court is such that, had he not been incapable the court would have inferred that that intention continued at that time."

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 17/38.

Assented to in Her Majesty's name this 5th day of July, 1963.

E. P. ARROWSMITH,  
*Governor.*

LS



No. 6

1963

Colony of the Falkland Islands.

IN THE TWELFTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

An Ordinance

Further to amend the Non-Contributory  
Old Age Pensions Ordinance.

[28th June, 1963]

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 Non-Contributory Old Age Pensions (Amendment) Ordinance, 1963, and shall be read as one with the Non-Contributory Old Age Pensions Ordinance (hereinafter referred to as the principal Ordinance).

Short title.

No. 7 of 1961.

2. Section 4 of the principal Ordinance is amended by the deletion from the proviso to subsection (a) of the following —

Amendment of section 4 of the principal Ordinance.

"on 1st July, 1961".

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 0323/G.

Assented to in Her Majesty's name this 5th day of July, 1963.

E. P. ARROWSMITH,  
*Governor.*

LS

No. 7



1963

Colony of the Falkland Islands.

IN THE TWELFTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

An Ordinance

To regulate the use of the Stanley Common. 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 Common Ordinance, 1963. Short title.

2. "The Common" means the fenced land bounding Stanley on the south, east and west. Interpretation.

3. Any person who shall throw or deposit or cause to be thrown or deposited on the Common any dirt, ashes, rubbish, decaying animal or vegetable or other noxious matter save in such place and in accordance with such conditions as shall have been appointed for the purpose shall commit an offence. Disposal of refuse.

4. The Agricultural Officer or other person for the time being exercising his functions may from time to time by notice or notices posted on the Common appoint the place or places in which, and the conditions upon which, refuse, or any particular kind of refuse, may be deposited. Places for the deposit of refuse to be indicated.

5. Any person who commits an offence against section 3 hereof, or removes destroys or defaces any notice mentioned in section 4 hereof shall be liable on summary conviction to a fine not exceeding £10. Penalties.

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 1095.

Assented to in Her Majesty's name this 20th day of December, 1963.

E. P. ARROWSMITH,  
*Governor.*

LS

No. 8



1963

Colony of the Falkland Islands.

IN THE TWELFTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

### An Ordinance

Further to amend the Old Age Pensions  
Ordinance, 1952. Title.

[14th December, 1963]

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 Old Age Pensions (Amendment) Ordinance, 1963, and shall be read as one with the Old Age Pensions Ordinance, 1952, hereinafter referred to as the principal Ordinance.

Short title.

3 of 1952.

2. Subsection (1) of section 11 of the principal Ordinance is amended by substituting a colon for the full-stop at the end and by adding the following proviso —

Amendment of section 11 of the principal Ordinance.

“Provided that for the purpose of calculating the total amount of contributions repayable under the provisions of this subsection, any contributions made by any contributor during any period of self-employment shall be deemed to have been made at the rate payable by an employed person.”.

Ref. 0323/H.

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 20th day of  
December, 1963.

E. P. ARROWSMITH,  
*Governor.*



No. 9



1963

Colony of the Falkland Islands.

IN THE TWELFTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

An Ordinance

Further to amend the Live Stock Ordinance. Title.

[14th December, 1963]

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 Live Stock (Amend-  
ment) Ordinance, 1963, and shall be read as one with the Live Stock  
Ordinance, hereinafter referred to as the principal Ordinance. Short title.  
Cap. 40.

2. Subsection (1) of section 11 of the principal Ordinance  
is amended — Amendment of section 11  
of the principal  
Ordinance.

(a) by deleting the full-stop at the end of paragraph (c) and  
substituting a semi-colon,

(b) by inserting immediately after paragraph (c) the following  
new paragraph —

“(d) the inspector may, on the application of the owner  
of any mainland station, supported by the written  
consent of the owners of all adjoining stations,  
exempt that owner from dipping in any one year if  
he is satisfied that the sheep on that station have  
been absolutely free from ked, lice and scab during  
the preceding shearing season and that the boundary  
fences of that station are in sound condition and  
properly maintained:

Provided that the owner of an adjoining station shall not  
unreasonably withhold his consent.”.

Ref. 1093/III.

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 20th day of December, 1963.

E. P. ARROWSMITH,  
*Governor.*



No. 10



1963

Colony of the Falkland Islands.

IN THE TWELFTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

### An Ordinance

**Further to amend the Pensions (Increase)  
Ordinance, 1959.** Title.

[1st January, 1963.]

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 (Increase) (Amendment) Ordinance, 1963, and shall be read as one with the Pensions (Increase) Ordinance, 1959, hereinafter referred to as the principal Ordinance.

Short title.

No 12 of 1959.

2. Section 2 of the principal Ordinance is amended by the insertion before the definition of "authorised increase" of the following new definition —

Amendment of section 2 of the principal Ordinance.

" "adjusted rate" of any pension means the basic rate thereof plus any authorised increase or increases thereof;".

3. Section 7 of the principal Ordinance is amended by deleting the figure "(1)" in the first line thereof, and by repealing subsection (2) thereof.

Amendment of section 7 of the principal Ordinance.

4. The principal Ordinance is amended by inserting immediately after section 7 the following new sections 7A and 7B —

Insertion of new sections 7A and 7B in the principal Ordinance.

"Increase of pensions as from 1st January, 1963.

7A Subject to the provisions of this Ordinance, the annual rate of any pension to which this section applies, being a pension which began not later than 30th June, 1961, may, in respect of any period beginning on or after 1st January, 1963, be increased by an amount equal to the following percentage of the adjusted rate of that pension, that is to say —

Additional  
increase for  
pensioners  
over seventy  
years of age.

- (a) if the pension began not later than 31st December, 1956, twelve per cent;
- (b) if the pension began after the last-mentioned date but not later than 30th June, 1961, ten per cent.

7B (1) Subject to the provisions of this section, where a person in receipt of a pension which may be increased under the foregoing section of this Ordinance has attained the age of seventy years (whether before or after 1st January, 1963), that pension may, in respect of any period beginning on or after 1st January, 1963, be further increased by the following annual amount, that is to say —

- (a) if the pension began not later than 31st December, 1956, £20;
- (b) if the pension began after the last-mentioned date but not later than 30th June, 1961, £17.

(2) A pension shall not be increased under this section by an amount exceeding twenty-five per cent of the adjusted rate of that pension.”

Ref. 66/42/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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 20th day of December, 1963.

E. P. ARROWSMITH,  
*Governor.*

LS

No. 11



1963

Colony of the Falkland Islands.

IN THE TWELFTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

### An Ordinance

To provide for the increase of the pension  
granted to William Bleaker Myles. Title.

[1st January, 1963]

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 (W. B. Myles) (Increase) Ordinance, 1963.

Short title.

2. Notwithstanding anything to the contrary in the Pensions (Increase) Ordinance, 1959, it shall be lawful for the Governor to increase the annual rate of the pension awarded to William Bleaker Myles under the Pensions (W. B. Myles) Ordinance, 1958, by twelve per cent with effect from 1st January, 1963, and by a further annual rate of £20 on the pensioner attaining the age of 70 years.

Increase of pension.

Ref. P/13 & 66/42/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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 11th day of March, 1963.

E. P. ARROWSMITH,  
*Governor.*

LS

No. 1



1963

Falkland Islands Dependencies.

IN THE TWELFTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

**An Ordinance**

To provide for the service between the first day of July, 1962, and the thirtieth day of June, 1963. Title.

[1st July, 1962.]

Date of commencement.

ENACTED for the Dependencies of the Colony of the Falkland Islands 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) (1962/1963) Ordinance, 1963.

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, 1963, a sum not exceeding Two hundred and eighty two thousand, seven 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 period from the first day of July, 1962, to the thirtieth day of June, 1963.

Appropriation of  
£282,719 for service  
of the year ending 30th  
June, 1963.

Schedule.

SCHEDULE.

Number.	Head of Service.	Amount. £
1.	General	
	A. Ordinary ... ..	78,519
	B. Special ... ..	204,200
	Total Expenditure £	282,719

Promulgated by the Governor on the 11th day of March, 1963.

R. H. D. MANDERS,  
*Colonial Secretary.*

Ref. D/6/59/C.

Assented to in Her Majesty's name this 11th day of  
March, 1963.

E. P. ARROWSMITH,  
*Governor.*

LS



No. 2

1963

Falkland Islands Dependencies.

IN THE TWELFTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

An Ordinance

To make provision for a reduction in the  
rate of export duty payable on whale oil and  
seal oil produced during the 1961-62 season.

Title.

ENACTED for the Dependencies of the Colony of the  
Falkland Islands 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 Customs (Whale Oil  
and Seal Oil Duty) Ordinance, 1963.

Short title.

2. Notwithstanding the provisions of paragraph 3 of the  
Customs Order, export duty on whale oil and seal oil produced within  
any of the Dependencies or their territorial waters during 1961-62  
season shall be at the rate of one shilling, payable on export, for every  
40 gallons or part thereof exported.

Export duty on whale oil  
and seal oil.

Promulgated by the Governor on the 11th day of March, 1963.

R. H. D. MANDERS,  
*Colonial Secretary.*

Ref D/6/47/IV.

Assented to in Her Majesty's name this 16th day of December, 1963.

E. P. ARROWSMITH,  
*Governor.*

LS

No. 3



1963

Falkland Islands Dependencies.

IN THE TWELFTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

An Ordinance

To provide for the service between the first day of July, 1963, and the thirtieth day of June, 1964.

Title.

[1st July, 1963]

Date of commencement.

ENACTED for the Dependencies of the Colony of the Falkland Islands 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) (1963/1964) Ordinance, 1963.

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, 1964, a sum not exceeding One hundred and eleven thousand and ninety 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, 1963, to the thirtieth day of June, 1964.

Appropriation of  
£111,097 for service  
of the year ending 30th  
June, 1964.

## SCHEDULE.

Number.	Head of Service.	Amount. £
I.	General	
	A. Ordinary ... ..	70,547
	B. Special ... ..	40,550
	Total Expenditure £	111,097

Promulgated by the Governor on the 16th day of December, 1963.

L. GLEADELL,  
*Acting Colonial Secretary.*

Ref. D/6/59/D.

## PART II.

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FALKLAND ISLANDS.

The Pensions Ordinance (Cap. 49)

ORDER

(under Section 2 of the Ordinance)

No. 2 of 1963. E. P. ARROWSMITH,  
Governor.

His Excellency the Governor in exercise of the powers vested in him by section 2 of the Pensions 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 Pensions (Pensionable Office) Order, 1963.
- 2. The following office is hereby declared to be a pensionable office in the public service of the Dependencies —

DEPENDENCIES	
SOUTH GEORGIA	JUNIOR CUSTOMS OFFICER AND ADMINISTRATIVE ASSISTANT.

Made by the Governor in Council on the 6th day of March, 1963.

Ref. 1171. H. L. BOUND,  
Clerk of the Executive Council.

# FALKLAND ISLANDS.

## Post Office Ordinance (Cap. 52.)

### ORDER

(under Section 4(d) of the Ordinance)

E. P. ARROWSMITH,  
*Governor.*

No. 3 of 1963.

His Excellency the Governor in exercise of the powers vested in him by section 4(d) of the Post Office Ordinance, is pleased by and with the advice of the Executive Council to order, and it is hereby ordered as follows —

Cap. 52.

1. This Order may be cited as the Post Office (Invalidation of Stamps) Order, 1963. Short Title.

2. The following postage stamps shall cease to be valid as from the 1st July, 1964 —

- (a) The 1938 Colony Definitive Issue;
- (b) The 1948 Colony Royal Silver Wedding Issue;
- (c) The 1948 Dependencies Royal Silver Wedding Issue;
- (d) The 1949 Colony Universal Postal Union Issue;
- (e) The 1949 Dependencies Universal Postal Union Issue;
- (f) The 1953 Colony Coronation Issue;
- (g) The 1953 Dependencies Coronation Issue;
- (h) The 1946 Dependencies Definitive Issue;
- (i) The 1958 Trans-Antarctic Expedition Issue.

Any stamps of the above-mentioned issues may be exchanged for stamps of the current issue if presented at the Post Office, Stanley, on or before the 31st December, 1964.

3. Order in Council No. 5 of 1951 made under the provisions of section 2 of the Post Office Ordinance is revoked.

Made by the Governor in Council on the 22nd day of November, 1963.

H. L. BOUND,  
*Clerk of the Executive Council.*

Ref. 185/37.

## PROCLAMATION

No. 1 of 1963.

Made under section 2 of the Place-Names Ordinance, 1956.

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.

E. P. ARROWSMITH — *By His Excellency SIR EDWIN ARROWSMITH, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies.*



WHEREAS by subsection (1) of section 2 of the Place-names Ordinance, 1956, it is provided that the Governor may by Proclamation under his hand declare and publish a list of the names of various islands and lands constituting the Dependencies and of the coasts, peninsulas, capes, headlands, seas, straits, sounds, bays, inlets and other physical features thereof; and of the harbours and whaling stations therein, and may from time to time in like manner add to or alter such list:

AND WHEREAS it is provided by paragraph (1) of Article 1 of the Falkland Islands Letters Patent 1948, as amended by the Falkland Islands Letters Patent, 1962, that "the Dependencies" means all islands and territories whatsoever between the 20th degree of west longitude and the 50th degree of west longitude which are situated between the 50th parallel of south latitude and the 60th parallel of south latitude; and all islands and territories whatsoever between the 50th degree of west longitude and the 80th degree of west longitude which are situated between the 58th parallel of south latitude and the 60th parallel of south latitude:

AND WHEREAS it appears to the Governor expedient that the list of place-names declared and published under Proclamation No. 6 of 1961 should be added to and altered:

NOW, THEREFORE, I, SIR EDWIN ARROWSMITH, 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 aforesaid, do hereby proclaim and declare the place-names in the Dependencies of the Colony of the Falkland Islands, listed in the Gazetteer of the British Antarctic Territory, South Georgia and the South Sandwich Islands, published by Her Majesty's Stationery Office, London, on the 23rd October, 1962, to be accepted place-names for official use.

Proclamations No. 4, dated the 6th July, 1960, No. 1, dated the 3rd February, 1961, and No. 6, dated the 21st December, 1961, are hereby cancelled.

**GOD SAVE THE QUEEN**

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 30th day of April, in the Year of Our Lord One thousand Nine hundred and Sixty-three.

*By His Excellency's Command,*

R. H. D. MANDERS,  
*Colonial Secretary.*

FALKLAND ISLANDS.

## PROCLAMATION

No. 2 of 1963.

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.

E. P. ARROWSMITH — *By His Excellency* SIR EDWIN ARROWSMITH,  
*Knight Commander of the Most Distinguished Order  
of Saint Michael and Saint George, Governor and  
Commander-in-Chief in and over the Colony of the  
Falkland Islands and its Dependencies.*



WHEREAS by section 12 of the Maintenance Orders (Facilities for Enforcement) Ordinance, Chapter 42, 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 such Ordinance to such possession or territory :

AND WHEREAS I am satisfied that the legislature of the Northern Territory of Australia has made reciprocal provisions as aforesaid.

NOW, THEREFORE, I, SIR EDWIN ARROWSMITH, do hereby proclaim that the said Ordinance shall extend to the Northern Territory of Australia.

**GOD SAVE THE QUEEN**

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 6th day of June, in the Year of Our Lord One thousand Nine hundred and Sixty-three.

*By His Excellency's Command,*  
R. H. D. MANDERS,  
*Colonial Secretary.*

FALKLAND ISLANDS.

# PROCLAMATION

No. 3 of 1963.

Made under section 24 of the Falkland Islands (Legislative Council)  
Orders in Council, 1948 to 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.

E. P. ARROWSMITH — *By His Excellency SIR EDWIN ARROWSMITH, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies.*



WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation:

NOW, THEREFORE, I, SIR EDWIN ARROWSMITH, 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 aforesaid, do by this Proclamation appoint Tuesday the 25th day of June, 1963, at ten o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

## GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 14th day of June, in the Year of Our Lord One thousand Nine hundred and Sixty-three.

*By His Excellency's Command,*  
R. H. D. MANDERS,  
*Colonial Secretary.*

FALKLAND ISLANDS.

## PROCLAMATION

No. 4 of 1963.

Made under section 24 of the Falkland Islands (Legislative Council)  
Orders in Council, 1948 to 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.

E. P. ARROWSMITH — *By His Excellency SIR EDWIN ARROWSMITH, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies.*



WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation:

NOW, THEREFORE, I, SIR EDWIN ARROWSMITH, 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 aforesaid, do by this Proclamation appoint Saturday the 14th day of December 1963, at ten o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 11th day of December, in the Year of Our Lord One thousand Nine hundred and Sixty-three.

*By His Excellency's Command,*  
L. GLEADELL,  
*Acting Colonial Secretary.*

FALKLAND ISLANDS.

## PROCLAMATION

No. 5 of 1963.

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.

E. P. ARROWSMITH — *By His Excellency* SIR EDWIN ARROWSMITH,  
*Knight Commander of the Most Distinguished Order*  
*of Saint Michael and Saint George, Governor and*  
*Commander-in-Chief in and over the Colony of the*  
*Falkland Islands and its Dependencies.*



WHEREAS it is provided by subsection (1) of Section 26 of the Falkland Islands (Legislative Council) Order in Council, 1948-1950, that the Governor may dissolve the Legislative Council at any time;

AND WHEREAS it is necessary to make arrangements for a General Election within three months from the date of dissolution;

NOW, THEREFORE, I, SIR EDWIN ARROWSMITH, 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 20th day of December, 1963.

GOD SAVE THE QUEEN

Given at Government House, Stanley, this 18th day of December, 1963.

*By His Excellency's Command,*

L. GLEADELL,

*Acting Colonial Secretary.*

# FALKLAND ISLANDS.

## The Electricity Supply Ordinance (Cap. 23)

### REGULATIONS

(under section 3 of the Ordinance)

E. P. ARROWSMITH,

*Governor.*

No. 1 of 1963.

His Excellency the Governor in exercise of the powers vested in him by section 3 of the Electricity Supply Ordinance, is pleased by and with the advice of the Executive Council to make the following Regulations —

Cap. 23.

1. These Regulations may be cited as the Electricity Supply (Amendment) Regulations, 1963, and shall be read as one with the Electricity Supply Regulations, 1951, hereinafter referred to as the principal Regulations.

Short title.

2. Regulation 2 of the principal Regulations is amended by deleting the definition of "Area of Supply" and substituting the following definition :

Amendment of regulation 2 of the principal Regulations.

" "Area of Supply" means the area situated within forty yards from the low pressure supply system;"

3. Regulation 26 of the principal Regulations is amended —

Amendment of regulation 26 of the principal Regulations.

(a) by deleting the semi-colon after the word "expense" and substituting a full stop;

(b) by deleting the words from "provided always" to the end of the section.

4. The following new regulations are inserted immediately after regulation 26 of the principal Regulations —

Addition of new regulations to the principal Regulations.

"Supply for private purposes.

26A. The cost exceeding £5, of the construction of any service lines for the supply of energy from any main to any owner or occupier as may be laid or erected upon the property of the owner or in the possession of that occupier, and of so much of any such service lines as may be necessary to lay or erect from such main, although not on that property, shall be defrayed by that owner or occupier.

Electric lines etc. to remain property of Government.

26B. All electric lines, meters, accumulators, fittings, works and apparatus let by or belonging to the Government shall remain the property of the Government, whether they be or be not fixed or fastened to any part of any premises in or upon which they may be situate, or to the soil under any such premises.

Supply of energy outside area.

26C. The Colonial Secretary may, subject to such conditions and restrictions, if any, as he thinks fit to impose, authorise the supply of energy to any person outside the area of supply, and to lay down or place electric lines and all other works for that purpose."

Made by the Governor in Council this 28th day of May, 1963.

FALKLAND ISLANDS.

The Customs Ordinance (Cap. 16)

RESOLUTION

(under Section 5 of the Ordinance)

E. P. ARROWSMITH,  
*Governor.*

No. 1 of 1963.

In exercise of the powers conferred by section 5 of the Customs Ordinance, it is hereby resolved by the Legislative Council as follows — Cap. 16.

1. This Resolution may be cited as the Customs (Amendment of Duties) Resolution, 1963. Short title.

2. Paragraph 3 of the Customs Order is hereby amended by deleting the words and figures from "Commencing with the 1960/61 season" to the words and figures "40 gallons exported." and by substituting therefor the following words and figures: Amendment of paragraph 3 of the Customs Order.

"Commencing with the 1963/64 season at the rate of one shilling, payable on export, for every 40 gallons or part thereof exported."

Resolved by the Legislative Council this 14th day of December, 1963.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref : D/6/47/V.

## FALKLAND ISLANDS.

### The Registration of United Kingdom Trade Marks Ordinance

— (Cap. 59.) —

## RULES

(under Section 13 of the Ordinance).

In exercise of the powers conferred on the Registrar by section 13 of the Registration of United Kingdom Trade Marks Ordinance, and with the prior approval of the Governor, the following Rules are hereby made.

1. These Rules may be cited as the Registration of United Kingdom Trade Marks Rules, 1962, and shall come into force on the 1st January, 1963.

Title and commencement.

2. Every application or request to the Registrar under the provisions of the Ordinance shall be made in writing and shall be signed by the party applying or by a person duly authorized on his behalf.

Applications generally.

3. Where the trade mark to be registered is a device, every application under section 4 of the Ordinance shall be accompanied by two prints of the trade mark.

Prints of device accompanying application for registration.

4. An application for an entry in the trade marks register under Section 10 shall be accompanied by a certified copy of the document or documents shewing the assignment or transfer of the privileges and rights in the trade mark or of any other instrument shewing a change in the title to or giving an interest in such privileges and rights. Such copy shall be deemed to be certified as a true copy if —

Change of title, applications as to.

(a) in British territory or in any place under the protection of the Crown or where the Crown has jurisdiction, it is —

- (i) duly certified as a true copy by an official of the Government to whose custody the original is committed; or
- (ii) duly certified as a true copy by a Notary Public of such territory or place; or
- (iii) duly certified as a true copy on oath by the person holding the original at the time of the application before some person having authority to administer an oath;

(b) in any other place, it is —

- (i) duly certified as a true copy by an official of the Government to whose custody the original is committed; the signature or seal of such official being authenticated by any of the British officials mentioned in Section 6 of the Commissioners for Oaths Act, 1889; or
- (ii) duly certified as a true copy by a Notary of such place, the certificate of the Notary being authenticated as in paragraph (i); or
- (iii) duly certified as a true copy on oath by the person holding the original at the time of the application before a person having authority to administer an oath as provided by Section 3 of the Commissioners for Oaths Act, 1889, the status of the person administering the oath being authenticated in Section 6 of that Act.

Supply of prints  
necessary for certificate  
or for copies.

5. On every application for a certificate or for copies, the person bespeaking the same shall, if necessary for the purpose of such certificate or copies where the trade mark is a device, supply the Registrar with a print or prints of the trade mark.

Renewal of registration.

6. Notification under Section 15 of the Ordinance of renewal of registration shall be made within six months of the date of renewal in the United Kingdom.

Evidence of renewal.

7. A certificate of the Registrar of Trade Marks in the United Kingdom that a trade mark has been renewed shall be sufficient evidence of the fact.

Fees.

8. The fees to be paid to the Registrar under the Ordinance are as follows —

	£	s.	d.
On an application under Section 4 to include the issue of the certificate or registration under Section 5 ... ..	2	0	0.
On an application under Section 10 ... ..	1	0	0.
On an application under Section 12 ... ..	2	0	0.
On a notification of renewal under Section 15 ... ..	1	0	0.
On a request under Section 16 ... ..	5	0	
On a certificate by the Registrar ... ..	5	0	
On a search of the register ... ..	2	6	
On a search of the record relating to a particular trade mark ... ..	2	6	
On the inspection of a document filed ... ..	1	0	
For copies of documents —			
(a) for an office copy - each folio of 72 words or figures			8.
(b) for a plain copy - each folio of 72 words or figures			5.
and if more than one copy be bespoken —			
for each folio of the first copy ... ..			5.
for each folio of any additional copy ... ..			2.
(c) for examining a plain copy and marking as an office copy —			
each folio of 72 words or figures ... ..			3.
For extracts of documents - each folio of 72 words or figures ... ..			8.

Revocation of Scale of  
Fees.

9. The Scale of Fees prescribed under section 13 of the Ordinance on the 15th day of September, 1949, is hereby revoked.

Made at Stanley, this 30th day of November, 1962.

H. BENNETT,  
*Registrar.*

Ref. 0342



Colony of the  
Falkland Islands and Dependencies

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Ordinances,  
Orders, Proclamations, etc.  
1964

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PART I.

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ORDINANCES.

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" " 11 " "	Land (Amendment) Ordinance, 1964.
" " 12 " "	Maintenance Orders Ordinance, 1964.
" " 13 " "	Whale Fishery (Amendment) Ordinance, 1964.
" " 14 " "	Dogs (Amendment) Ordinance, 1964.
" " 15 " "	Wild Animals and Birds Protection Ordinance, 1964.

### DEPENDENCIES -

Ordinance No. 1 of 1964	Application of Colony Laws Ordinance, 1964.
" " 2 " "	Application of Colony Laws (No. 2) Ordinance, 1964.
" " 3 " "	Appropriation (Dependencies) (1964-65) Ordinance, 1964.
" " 4 " "	Application of Colony Laws (No. 3) Ordinance, 1964.

Assented to in Her Majesty's name this 27th day of May, 1964.

W. H. THOMPSON,  
*Officer Administering the Government.*

LS

No. 1



1964

Colony of the Falkland Islands.

IN THE THIRTEENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
WILLOUGHBY HARRY THOMPSON, M.B.E.  
*Officer Administering the Government.*

### An Ordinance

To provide for the service of the year 1964-65. 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 (1964-65) Ordinance, 1964. Short title.

2. The Governor may cause to be issued out of Public Revenue and other funds of the Colony and applied to the service of the period 1st July, 1964 to 30th June, 1965, a sum not exceeding Three hundred and eighty-four thousand and eighty-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 1964-65. Appropriation of £384,081 for the service of the year 1964-65.

## SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
I.	The Governor ...	9045	0	0
II.	Agriculture ...	5035	0	0
III.	Audit ...	1208	0	0
IV.	Aviation ...	15091	0	0
V.	Customs & Harbour ...	11295	0	0
VI.	Education ...	47236	0	0
VII.	Medical ...	38808	0	0
VIII.	Meteorological ...	720	0	0
IX.	Military ...	1115	0	0
X.	Miscellaneous ...	25360	0	0
XI.	Pensions & Gratuities ...	9600	0	0
XII.	Police and Prisons ...	5939	0	0
XIII.	Posts & Telecommunications ...	53906	0	0
XIV.	Power & Electrical ...	17705	0	0
XV.	Public Works ...	20417	0	0
XVI.	Public Works Recurrent ...	37744	0	0
XVII.	Secretariat & Treasury ...	25270	0	0
XVIII.	Social Welfare ...	6950	0	0
XIX.	Supreme Court ...	2038	0	0
	Total Ordinary Expenditure ...	334482	0	0
XX.	Special Expenditure ...	44599	0	0
XXI.	Colonial Development & Welfare ...	5000	0	0
	Total Expenditure £	384081	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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref : 0284/XVII.

Assented to in Her Majesty's name this 27th day of May, 1964.

W. H. THOMPSON,  
*Officer Administering the Government.*

LS

No. 2



1964

Colony of the Falkland Islands.

IN THE THIRTEENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
WILLOUGHBY HARRY THOMPSON, M.B.E.  
*Officer Administering the Government.*

**An Ordinance**  
**Further to amend the Income Tax Ordinance.** Title.

[1st January, 1964] 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) (No. 3) Ordinance, 1964, and shall be read as one with the Income Tax Ordinance, hereinafter referred to as the principal Ordinance. Short title & commencement.  
Cap. 32.

(2) This Ordinance shall come into force on the 1st January, 1964.

2. Section 19 of the principal Ordinance is hereby repealed. Repeal 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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 0747/K.

Assented to in Her Majesty's name this 27th day of May, 1964.

W. H. THOMPSON,  
*Officer Administering the Government.*



No. 3



1964

Colony of the Falkland Islands.

IN THE THIRTEENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
WILLOUGHBY HARRY THOMPSON, M.B.E.  
*Officer Administering the Government.*

### An Ordinance

To legalise certain payments made in the year 1962-63 in excess of the Expenditure sanctioned by Ordinance No. 5 of 1962. Title.

WHEREAS it is expedient to make further provision for the service of the Colony for the period 1st July, 1962 to 30th June, 1963. 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 (1962-63) Ordinance, 1964. 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 July, 1962, to 30th June, 1963, 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 sum mentioned for those services in the said Ordinance. Appropriation of excess expenditure for the period 1st July, 1962, to 30th June, 1963.

## SCHEDULE

Number	HEAD OF SERVICE				Amount		
					£	s.	d.
	FALKLAND ISLANDS						
IV.	Aviation	...	...	...	166	8	2
VII.	Medical	...	...	...	15	18	5
X.	Miscellaneous	...	...	...	912	12	7
XI.	Pensions & Gratuities	...	...	...	535	9	8
XIX.	Supreme Court	...	...	...	153	8	9
					1783	17	7
XX.	Special Expenditure	...	...	...	10962	0	4
	Total Expenditure £				12745	17	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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 0284/XIV.

Assented to in Her Majesty's name this 27th day of May, 1964.

W. H. THOMPSON,  
*Officer Administering the Government.*

LS



No. 4

1964

Colony of the Falkland Islands.

IN THE THIRTEENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
WILLOUGHBY HARRY THOMPSON, M.B.E.  
*Officer Administering the Government.*

### An Ordinance

#### To amend the Mining Ordinance.

Title.

[6th May, 1964]

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 Mining (Amendment) Ordinance, 1964, and shall be read as one with the Mining Ordinance, hereinafter referred to as the principal Ordinance.

Short title.  
Cap. 48.

2. Section 3 of the principal Ordinance is hereby repealed and replaced as follows —

Replacement of section 3 of the principal Ordinance.

"Areas to which Ordinance applies.

3. This Ordinance shall apply only to unalienated Crown Lands including the seabed and subsoil beneath the territorial waters and on the continental shelf of the Colony and to lands the subject of an existing Crown Grant or Crown Lease the effect of which is to reserve minerals to the Crown."

3. Section 12 of the principal Ordinance is hereby repealed and replaced as follows —

Replacement of section 12 of the principal Ordinance.

"Power to make Regulations.

12. The Governor in Council may make Regulations for all or any of the purposes following —

- (i) the manner in which applications for any rights, licences and leases shall be made, and the forms to be used by the applicant;
- (ii) the information to be supplied by the applicant;

- (iii) the forms of licences and leases;
- (iv) the fees and rents to be paid for any licence or lease granted;
- (v) the manner in which areas and boundaries shall be surveyed, marked and beacons and the fees payable in respect of such survey;
- (vi) the size and shape of the areas over which prospecting licences may be granted, and the areas in respect of which mining leases may be granted;
- (vii) the rights to be conferred by licences and leases and the terms and conditions, reservations and limitations upon which licences and leases may be held and enjoyed;
- (viii) the working conditions to be applied to mining leases;
- (ix) the construction and use of railways, tramways and roads;
- (x) the safe construction and erection of houses, pits, shafts, machinery and other works constructed, erected, or made for prospecting or mining purposes;
- (xi) the fencing off, or rendering secure of any of the works constructed, erected or made for prospecting or mining purposes;
- (xii) the proper working of mines, the method of drilling to be employed, and the time within which drilling shall commence;
- (xiii) the storage and conveyance of oil;
- (xiv) for securing the safety of persons employed and for the carrying on of drilling and working operations in a safe, proper and efficient manner and for the general protection of persons and property against fire and accident;
- (xv) the inspection of any works constructed, erected or made for drilling or working purposes, and the entry on lands for the purposes of such inspection;
- (xvi) the disposal of sludge and tailings and declaring any waterway to be sludge channels;
- (xvii) the contribution by parties benefited of a fair share of the costs and pumping in cases where pumping in one mine benefits other mines;
- (xviii) the disposal of any poisonous or noxious products the results of mining operations;
- (xix) the defiling or wasting of water, wherever situated and wherever obtained;
- (xx) the making of watercourses, ponds, dams and reservoirs, and the taking, diverting, and use of water on or flowing through any lands subject to any licence or lease;
- (xxi) the construction of pipe lines, oil tanks and wharves;
- (xxii) the assessment and payment of compensation for acts done by holders of licences and by lessees in the exercise of the rights conferred by such licences and leases;
- (xxiii) the renewal, transfer, assignment, surrender, determination, and revocation of licences and leases;
- (xxiv) the returns to be rendered and the nature of the accounts, books and plans to be kept by mining lessees and the holders of prospecting licences;
- (xxv) the rates of royalties to be paid to Government, the method of calculation of the amount of such royalties, and the manner and time of payment thereof;

- (xxvi) the conservation of the living resources of the territorial waters and the continental waters and the continental shelf of the Colony;
- (xxvii) the grazing of sheep and other animals on land subject to licences and leases;
- (xxviii) the prevention of any interference with fundamental oceanographic or other scientific research carried out within the territorial waters or on the continental shelf of the Colony;
- (xxix) the prevention of any interference with navigation within the territorial waters and on the continental shelf of the Colony;
- (xxx) generally any matter connected with the carrying of this Ordinance into effect."

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref: 2298.

Assented to in Her Majesty's name this 27th day of  
May, 1964.

W. H. THOMPSON,  
*Officer Administering the Government.*



No. 5



1964

Colony of the Falkland Islands.

IN THE THIRTEENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
WILLOUGHBY HARRY THOMPSON, M.B.E.  
*Officer Administering the Government.*

### An Ordinance

Further to amend the Defence Force  
Ordinance, 1954. Title.

[6th May, 1964]

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 (Amend-  
ment) Ordinance, 1964, and shall be read as one with the Defence  
Force Ordinance, 1954, hereinafter referred to as the principal Ordin-  
ance. Short title.

2. Subsection (2) of section 13 of the principal Ordinance is  
amended by the insertion of the words "wilfully or negligently"  
between the word "appointments" and the word "damaged". Amendment of section 13  
of the principal Ordin-  
ance.

3. Section 21 of the principal Ordinance is amended by  
substituting the word "commit" for the words "be deemed to have  
committed" wherever such last-mentioned words occur. Amendment of section 21  
of the principal Ordin-  
ance.

Amendment of section 22  
of the principal Ordinance.

4. Subsection (4) of section 22 of the principal Ordinance is repealed and replaced by the following subsection —

“(4) A fine exceeding £3 shall not be imposed by the Commandant unless the offence shall first have been inquired into and reported on by a Court of Inquiry as provided by subsection (2) of section 36 of this Ordinance.”.

Amendment of section 25  
of the principal Ordinance.

5. Subsection (1) of section 25 of the principal Ordinance is amended by adding at the end of the proviso the following words —

“but this provision shall not affect the keeping in custody of the member of the Force so sentenced pending confirmation of the findings and sentence.”.

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref: 0838/D/II.

Assented to in Her Majesty's name this 27th day of May, 1964.

W. H. THOMPSON,  
*Officer Administering the Government.*

LS



No. 6

1964

Colony of the Falkland Islands.

IN THE THIRTEENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
WILLOUGHBY HARRY THOMPSON, M.B.E.  
*Officer Administering the Government.*

**An Ordinance**  
**Further to amend the Income Tax Ordinance.** Title.

[1st January, 1965]

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, 1964, 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 provisions of this Ordinance shall have effect with respect to tax chargeable for the year of assessment commencing on the 1st day of January, 1965, and for all subsequent years of assessment.

2. Section 8 of the principal Ordinance is hereby amended by the substitution of a semi-colon for the colon at the end of paragraph (j) and the addition of the following new paragraph :

Amendment of section 8 of the principal Ordinance.

“(k) interest paid or credited to any person by the Government Savings Bank:”.

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref: 0747/K.

Assented to in Her Majesty's name this 27th day of May, 1964.

W. H. THOMPSON,  
*Officer Administering the Government.*

LS

No. 7



1964

Colony of the Falkland Islands.

IN THE THIRTEENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

WILLOUGHBY HARRY THOMPSON, M.B.E.

*Officer Administering the Government.*

### An Ordinance

Further to amend the Income Tax Ordinance.

Title.

[1st January, 1964]

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) (No. 2) Ordinance 1964, and shall be read as one with the Income Tax Ordinance, hereinafter referred to as the principal Ordinance.

Short title and commencement.

(2) The provisions of this Ordinance shall have effect with respect to tax chargeable for the year of assessment commencing on the 1st day of January, 1964, and for all subsequent years of assessment.

2. Section 16 of the principal Ordinance is repealed and replaced as follows —

Repeal and replacement of section 16 of the principal Ordinance.

"Deduction for children.

16. (1) In ascertaining the chargeable income of an individual who proves to the satisfaction of the Commissioner that he maintained during the year immediately preceding the year of assessment an unmarried child who was either under the age of 16 years at the commencement of the year of assessment or who if over

the age of 16 years was receiving full time instruction at any school or other educational establishment in the Colony, there shall be allowed a deduction of £100 in respect of each such child:

Provided that where an unmarried child is receiving full time instruction at any university, college, school, or other educational establishment abroad, either wholly or partly at the expense of the claimant the Commissioner may allow a deduction not exceeding £125 in respect of each such child.

(2) the expression "child" includes a stepchild, adopted child, or illegitimate 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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref: 0747/K.

Assented to in Her Majesty's name this 27th day of May, 1964.

W. H. THOMPSON,  
*Officer Administering the Government.*

LS



No. 8

1964

Colony of the Falkland Islands.

IN THE THIRTEENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
WILLOUGHBY HARRY THOMPSON, M.B.E.  
*Officer Administering the Government.*

### An Ordinance

To make provision for the Establishment and Control of Nature Reserves. Title.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows — Enacting Clause.

1. This Ordinance may be cited as the Nature Reserves Ordinance, 1964. Short title.

#### PART I — GENERAL

2. In this Ordinance "nature reserve" means land reserved for the purpose of protecting, and of providing, under suitable conditions and control, special opportunities for the study of, and research into, matters relating to the flora and fauna of the Colony. Interpretation.

3. The Governor may by Order in Council declare any area of Crown Land, or with the consent of the owner, any area of private land to be a nature reserve, and may in like manner alter the limits of any such area or cancel any such declaration. Provided that in every case of land in private ownership thirty clear days' notice shall be given in the Gazette to enable objections to the establishment of every such nature reserve to be lodged with the Governor. Declaration of Nature Reserves.

Control and administration of Nature Reserves.

4. (1) The Governor in Council may make regulations for the control and administration of nature reserves so declared.

(2) In particular and without prejudice to the generality of the power conferred by subsection (1) of this section, such regulations may provide —

- (a) for the restriction and control of camping and residence in, entry into and movement within the nature reserves;
- (b) for the prohibition, restriction and control of the possession and use of weapons, snares, traps, gins and nets;
- (c) for the prohibition, restriction and control of the burning and cutting of vegetation.

Prohibition on hunting in a Nature Reserve.

5. (1) No person shall at any time, shoot, or attempt to shoot, or take or attempt to take or kill any wild animal or wild bird in any nature reserve, or collect or attempt to collect therein the eggs of any wild bird:

Provided that the Governor, may, if he considers it desirable, give permission in writing to any person to kill or take under his direction any wild animals or wild birds or the eggs of any wild bird specified by him.

(2) Any person who contravenes the provisions of subsection (1) of this section shall be guilty of an offence.

Power of Governor to cancel permit.

6. The Governor may at any time, without assigning a reason cancel any permit granted under section 5 (1) of this Ordinance.

#### PART II — PENALTIES

Penalties.

7. Any person who is guilty of an offence against this Ordinance shall be liable on conviction to a fine not exceeding £100 or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

Forfeitures.

8. When any person is convicted by any court of an offence against this Ordinance the Court may order that any animal, bird, carcass thereof, egg, trophy, weapon, snare, trap, gin, net or other thing found in his possession shall be forfeited and disposed of as the court may think fit.

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. C.S. 2331.

Assented to in Her Majesty's name this 27th day of May, 1964.

W. H. THOMPSON,  
*Officer Administering the Government.*

LS



No. 9

1964

Colony of the Falkland Islands.

IN THE THIRTEENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

WILLOUGHBY HARRY THOMPSON, M.B.E.  
*Officer Administering the Government.*

### An Ordinance

Further to amend the Pensions (Increase) Ordinance, 1959. Title.

[1st January, 1963]

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 (Increase) (Amendment) Ordinance, 1964, and shall be read as one with the Pensions (Increase) Ordinance, 1959, hereinafter referred to as the principal Ordinance.

Short title.

2. Section 7A of the principal Ordinance is hereby repealed and replaced as follows —

Replacement of section 7A of the principal Ordinance.

"Increase of pensions as from 1st January, 1963.

7A. Subject to the provisions of this Ordinance where an officer has retired —

- (1) (a) from the service of the Falkland Islands before the 1st January, 1957, or
- (b) from the service of a Scheduled Government before the effective date of the third general revision of salaries by that Government after the 31st December, 1944.

his pension, may, in respect of any period beginning on or after the 1st January, 1963, be increased by an amount equal to twelve per cent of the adjusted rate of that pension;

(2) (a) from the service of the Falkland Islands on or after the 1st January, 1957, and before the 1st July, 1961, or

(b) from the service of a Scheduled Government on or after the effective date of the third and before the effective date of the fourth general revision of salaries by that Government after the 31st December, 1944,

his pension, may, in respect of any period beginning on or after the 1st January, 1963, be increased by an amount equal to ten per cent of the adjusted rate of that pension:

Provided that the Governor may direct that in the application of paragraphs (1) (b) and (2) (b) of this section the effective dates of any other general revision of salaries by the Scheduled Government as he may determine to be appropriate shall be substituted for the effective dates of the third and fourth such revisions."

Amendment of section 7B of the principal Ordinance.

3. Paragraphs (a) and (b) of subsection (1) of section 7B of the principal Ordinance are repealed and replaced as follows —

"(a) if the pension may be increased under subsection (1) of the foregoing section of this Ordinance, £20;

(b) if the pension may be increased under subsection (2) of the foregoing section of this Ordinance, £17."

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.

H. L. BOUND,

*Clerk of the Legislative Council.*

Ref. 66/42/II.

Assented to in Her Majesty's name this 30th day of October, 1964.

C. HASKARD,  
*Governor.*

LS



No. 10

1964

Colony of the Falkland Islands.

IN THE THIRTEENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

Cosmo Dugal Patrick Thomas Haskard, C.M.G., M.B.E.  
*Governor.*

### An Ordinance

To amend the law about the property of persons dying intestate, and to amend the law relating to testamentary dispositions, and for purposes connected therewith.

[1st November, 1964]

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 (Intestates' Estates and Family Provision) Ordinance, 1964.

Short title.

2. The Intestates' Estates Act, 1952, (15 & 16 Geo. VI & 1 Eliz. II Ch. 64) and the Inheritance (Family Provision) Act, 1938, (1 & 2 Geo. VI. Ch. 45) (as amended by the first-mentioned Act) are applied to the Colony with the following modifications —

Application of the Intestates' Estates Act, 1952, and the Inheritance (Family Provision) Act, 1938 to the Colony.

(a) references to "the commencement of this Act" shall be construed as reference to the coming into force of this Ordinance; reference to "England" as reference to the Colony; and reference to "the principal probate registry" as reference to the Supreme Court;

- (b) for the definition of "the court" contained in subsection (1) of section 5 of the Inheritance (Family Provision) Act, 1938, there shall be substituted "the Court" means the Supreme Court".

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 1460.

Assented to in Her Majesty's name this 30th day of October, 1964.

C. HASKARD,  
*Governor.*

LS



No. 11

1964

Colony of the Falkland Islands.

IN THE THIRTEENTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II.

Cosmo Dugal Patrick Thomas Haskard, C.M.G., M.B.E.  
*Governor.*

An Ordinance

Further to amend the Land Ordinance. Title.

[1st November, 1964] 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 Land (Amendment) Ordinance, 1964, and shall be read as one with the Land Ordinance, hereinafter referred to as the principal Ordinance. Short title.

2. The principal Ordinance is amended by inserting the following new heading and new section immediately after section 28 — Insertion of new heading and new section 28A in the principal Ordinance.

"PART IIIA.

FENCES.

Fencing etc, on country and suburban land.

Owners must join in fencing boundaries.

28A. The following provisions shall have effect with respect to fences and fencing on country or suburban land —

(1) Where there exists no sufficient natural boundary or no sufficient boundary fence, an owner may by notice in writing call on the owner of the adjoining land to come to an agreement as to the extent or nature of the fence to be erected, or the repairs to be done to the existing fence, and such owners may agree, in writing, that such boundary fence shall not exactly follow the boundary of their lands when the physical features of the ground render a deviation necessary, and the cost of the erection or repair, as the case may be, of the boundary fence shall be divided between them in such manner as they shall agree.

Failing to agree. (2) If the owners cannot come to any agreement, or where an agreement has been made but one of the parties fails to complete his part thereof, the owner who gave notice, or the other owner as the case may be, may request the Colonial Secretary to appoint a person to view the boundaries and to report upon the necessity for a fence, the line of such fence, or what repairs or additions to the existing fence are necessary to make it sufficient.

Appointed Officer to report. (3) The person appointed under subsection (2) of this section shall thereupon view and inspect the land and report in writing upon the extent of the fence that it is necessary to erect, or the repairs or improvements that are necessary to make the existing fence sufficient, and shall deliver his report as soon as practicable to the owners and to the Magistrate.

Magistrate to determine question and issue order. (4) Upon receipt of the report of the person appointed under subsection (2) of this section, the Magistrate shall require the attendance of the parties interested, and shall determine the question at issue, and, if satisfied that an existing fence should be repaired or that a new fence is necessary, he shall issue an order to the owners of such land for the repair or erection of such fence within such period as shall be shown to his satisfaction to be sufficient for the proper completion of the work. Any owner who shall wilfully fail to comply with such order shall be liable to a fine not exceeding fifty pounds for every month he shall remain in default.

When owner has not the means to meet expenses. (5) If it is shown that one owner has not the means immediately to pay his proportion of the cost of repairing or erecting a boundary fence, then the Magistrate may —

- (a) upon the application of the other owner, grant him leave to erect or repair the whole of such boundary fence, and, on a certificate from the person appointed under subsection (2) of this section that the work has been properly done, he shall be entitled to recover from the other owner one-half of the cost of the work so done;
- (b) on the hearing of an application under the foregoing paragraph, issue an order granting the defendant time, upon sufficient security being given, for the repayment with interest of his proportion of the cost of the work at such periods and by such instalments as may be ordered;
- (c) where the defendant fails to comply with the terms of the order made under the preceding paragraph, whether by non-payment of an instalment when due or otherwise, if he thinks fit to order the recovery of the amount outstanding by distress and sale of the defendant's property, so, however, that where the sale of the defendant's property is not sufficient to satisfy the claim the plaintiff shall be entitled to recover any payment of the balance due from any surety who may have entered into bond as security for the payment of the judgment debt by the defendant.

Liability for damage to a boundary fence by stock. (6) When a fence forming the boundary between the lands of two adjoining owners is damaged by stock permitted to be upon the land of one of them such

last-mentioned owner shall be liable to repair the fence, and if he refuses or neglects to do so the adjoining owner may at once proceed to repair the same and shall be entitled upon completion of the work immediately to recover the cost thereof from him.

(7) For the purposes of this section the term "owner" includes a lessee under a lease for a term of not less than one 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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 0720.

Assented to in Her Majesty's name this 30th day of  
October, 1964.

C. HASKARD,  
*Governor.*

LS

No. 12



1964

Colony of the Falkland Islands.

IN THE THIRTEENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

Cosmo Dugal Patrick Thomas Haskard, C.M.G., M.B.E.  
*Governor.*

**An Ordinance**

To make provision for the application of  
part of the Maintenance Orders Act, 1958, to  
the Colony.

Title.

[1st November, 1964]

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 Maintenance Orders  
Ordinance, 1964.

Short title.

2. The Maintenance Orders Act, 1958, is hereby applied to  
the Colony, to the extent and with the variations and modifications  
mentioned in the Schedule to this Ordinance.

Application of the Main-  
tenance Orders Act, 1958  
(6 & 7 E.2, c.39).

**SCHEDULE**

Extent, Variations and Modifications.

Enactment.

- (i) Part II except sections 6 (3) (c) (i), 6 (5), 9 (2) (a), 9 (2) (b), 13 (3), and 14 (4), Part III except sections 20 (3) (a), 21 (5), 21 (6), 22, 23 (1), 23 (2) and 23 (3) and the Schedule.
- (ii) any reference to "the date of commencement of this Act" or similar expression, shall be construed as a reference to the date of this Ordinance, any reference to "England" shall be construed as a reference to the Colony, any reference to "the High Court" shall be construed as a reference to the Supreme Court, any reference to "a magistrates' court" shall be construed as a reference to a court of summary jurisdiction and any reference to "the Treasury" shall be construed as a reference to the Colonial Treasurer;
- (iii) in paragraph (a) of subsection (3) of section 6 the words "after taking into account any right or liability of the defendant to deduct income tax from payments made under the related maintenance order" shall be deemed to be omitted;

The Maintenance Orders  
Act, 1958 (6 & 7 E.2, c.39).

- (iv) in sub-paragraph (i) of paragraph (c) of subsection (3) of section 6 the words from "of such county court" to the end of the sub-paragraph shall be deemed to be omitted;
- (v) in sub-paragraph (iii) of paragraph (c) of subsection (3) of section 6 the words "the court collecting officer" shall be substituted for the words "to be made to the clerk of a magistrates' court, that court";
- (vi) in sub-paragraph (iv) of paragraph (c) of subsection (3) of section 6 the words "court collecting officer" shall be substituted for the words "clerk of that court";
- (vii) in subsection (2) of section 9 the words "proper officer of the prescribed" shall be deemed to be omitted;
- (viii) in paragraph (d) of subsection (2) of section 9 the words "while it is not registered under Part I of this Act" shall be deemed to be omitted;
- (ix) in paragraph (e) of subsection 2 of section 9 the words from "or becoming registered" to the end of the paragraph shall be deemed to be omitted;
- (x) in subsection (4) of section 9 the words "or a county court" shall be deemed to be omitted;
- (xi) in subsection (1) of section 13 the words "in accordance with rules of court" shall be deemed to be omitted;
- (xii) in subsection (2) of section 13 the words "with such deductions (if any) in respect of income tax as he is entitled or required to make," shall be deemed to be omitted;
- (xiii) in subsection (1) of section 14 reference to "the Crown or a Minister of the Crown" shall be construed as a reference to the Government;
- (xiv) in subsection (3) of section 14 the word "him" shall be substituted for the words "an official of the Treasury";
- (xv) in subsection (5) of section 16 the words "acting for the same petty sessions area as a court having jurisdiction to hear the complaint" shall be deemed to be omitted;
- (xvi) in subsection (4) of section 18 the words "acting for the same petty sessions area as the court" shall be deemed to be omitted;
- (xvii) in subsection (8) of section 18 the words "clerk of a magistrates' " shall be deemed to be omitted;
- (xviii) in section 18 the words "the clerk of" shall be deemed to be omitted wherever those words occur;
- (xix) section 19 shall be construed as if it read as follows —
 

"Cancellation and variation of Proclamations.	19. The Governor may by Proclamation cancel or vary any Proclamation made under section 12 of the Maintenance Orders (Facilities for Enforcement) Ordinance (which provides for the extension of that Ordinance by Proclamation to certain parts of the Commonwealth), and an Order under this section may contain such incidental, consequential and transitional provisions as the Governor considers expedient for the purposes of that Ordinance."
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- (xx) in subsection (1) of section 20 the words "court, collecting officer" shall be substituted for the words "clerk of a magistrates' court" and the word "clerk";
- (xxi) in paragraph (a) of subsection (1) of section 20 the words "under Part I of this Act" and the words "in pursuance of subsection (1) of section 5 thereof"; shall be deemed to be omitted;
- (xxii) in subsection (2) of section 20 the words "by virtue of subsection (2) of section 4 of this Act" shall be deemed to be omitted and the word "or" shall be substituted for the words "and an application to a magistrates' court for";
- (xxiii) in paragraph (b) of subsection (3) of section 20 the word "Colony" shall be substituted for the words "United Kingdom";
- (xxiv) in subsection (1) of section 21 the expressions "England", "proper officer" and "rules of court" shall be deemed to be omitted and the expression "affiliation order" etc. shall be construed as if it read as follows —
 

" "affiliation order" has the meaning assigned to it by the Magistrates' Court Act, 1952; "

- (xxv) in paragraph (a) of the expression "excepted sums" in subsection (1) of section 21 the word "Colony" shall be substituted for the words "United Kingdom or of Northern Ireland";
- (xxvi) paragraph (c) of the expression "excepted sums" in subsection (1) of section 21 shall be deemed to be omitted;
- (xxvii) sub-paragraphs (i), (iii) and (iv) of paragraph (a) and paragraph (b) of the expression "maintenance order" in subsection (1) of section 21 shall be construed as if they read as follows —
  - "(i) sections 18 to 20 of the Matrimonial Causes Ordinance;"
  - "(iii) subsection (4) of section 4, subsection (3) of section 7 or section 9 of the Guardianship of Infants Ordinance, 1958;"
  - "(iv) section 4 of the Bastardy Law Amendment Act, 1872;"
  - "(b) an order registered in a court in the Colony under the Maintenance Orders (Facilities for Enforcement) Ordinance, or an order confirmed by such court under that Ordinance;"
- (xxviii) in subsection (4) of section 23 the words and figures "section 17 of the Guardianship of Infants Ordinance, 1958" shall be substituted for the words and figures "section 8 of the Guardianship of Infants Act, 1925," and the words and figures "section 2 of the Affiliation Orders Act, 1914" shall be substituted for the words and figures "section 10 of the Affiliation Proceedings Act, 1957";
- (xxix) in the expression "relevant earnings" in the Schedule the words "contributions under the Old Age Pensions Ordinance, 1952" shall be substituted for the words from "income tax" to the end of the expression.

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 1597/II.

Assented to in Her Majesty's name this 30th day of  
October, 1964.

C. HASKARD,  
*Governor.*

LS

No. 13



1964

Colony of the Falkland Islands.

IN THE THIRTEENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

Cosmo Dugal Patrick Thomas Haskard, C.M.G., M.B.E.  
*Governor.*

### An Ordinance

Further to amend the Whale Fishery  
Ordinance. Title.

[1st November, 1964]

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 Whale Fishery  
(Amendment) Ordinance, 1964, and shall be read as one with the  
Whale Fishery Ordinance hereinafter referred to as the principal  
Ordinance.

Short title.

Cap. 76.

2. Section 2 of the principal Ordinance is amended by the  
addition of the following definitions —

Amendment of section 2  
of the principal Ordinance.

“ “Blue Whale”, “Fin Whale”, “Humpback Whale”, “Right  
Whale”, “Sei Whale”, and “Sperm Whale”, mean whales  
known by any of the names set out under those respective  
headings in the First Schedule to this Ordinance.”.

3. Section 3 of the principal Ordinance is amended —

Amendment of section 3  
of the principal Ordinance.

- (a) by adding the word “or” at the end of paragraph (c) of  
subsection (1);
- (b) by substituting a comma for the semi-colon at the end of  
paragraph (d) of subsection (1);

- (c) by adding the word "or" at the end of paragraph (d) in subsection (1);
- (d) by inserting after paragraph (d) of subsection (1) the following new paragraph —  
 "(e) a blue whale;"
- (e) by substituting a full stop for the colon at the end of subsection (2);
- (f) by deleting the proviso to subsection (2);
- (g) by repealing and replacing subsection (3) as follows —  
 "(3) In this section the expression "calf" includes a suckling whale."

4. Section 7 of the principal Ordinance is amended by deleting the word "thereunder" and substituting the word "hereunder".

Amendment of section 7 of the principal Ordinance.

5. Section 9 of the principal Ordinance is amended by inserting after subsection (1) the following new subsection —

Amendment of section 9 of the principal Ordinance.

"(1A) When a whale, the killing or taking of which is prohibited, has been killed or taken by any factory ship or whale catcher the amount of the bonus or remuneration which would have been payable to the gunners or crew of such factory ship or whale catcher if the killing or taking of such whale had not been prohibited shall be paid to the Government by the owner or charterer of the factory ship or whale catcher".

6. The First Schedule to the principal Ordinance is repealed and replaced by the following —

Amendment of the First Schedule to the principal Ordinance.

#### "FIRST SCHEDULE

Names of whales —

##### BLUE WHALES

Blue whale Sibbald's rorqual Sulphur bottom.

##### FIN WHALES

Common finback Common finner Common rorqual Finback  
 Fin whale Herring whale Razor back True fin whale.

##### HUMPBAC WHALES

Bunch Humpback Humpback whale Humpbacked whale  
 Hump whale Hunchbacked whale.

##### RIGHT WHALES

Atlantic right whale Arctic right whale  
 Biscayan right whale Bowhead  
 Greenland right whale Greenland whale  
 Nordkaper North Atlantic right whale  
 North Cape whale Pacific right whale  
 Pigmy right whale Southern pigmy right whale  
 Southern right whale.

##### SEI WHALES

Bryce's whale Coalfish whale Pollack whale  
 Rudoph's rorqual Sei whale.

##### SPERM WHALES

Cachalot Pot whale Sperm whale  
 Spermacet whale."

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.

H. L. BOUND,  
 Clerk of the Legislative Council.

Ref. D/4/58.

Assented to in Her Majesty's name this 30th day of October, 1964.

C. HASKARD,  
 Governor.

LS



No. 14

1964

### Colony of the Falkland Islands.

IN THE THIRTEENTH YEAR OF THE REIGN OF  
 HER MAJESTY QUEEN ELIZABETH II.

Cosmo Dugal Patrick Thomas Haskard, C.M.G., M.B.E.  
 Governor.

### An Ordinance Further to amend the Dogs Ordinance.

[1st November, 1964]

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

1. This Ordinance may be cited as the Dogs (Amendment) Ordinance, 1964, and shall be read as one with the Dogs Ordinance, hereinafter referred to as the principal Ordinance.

2. For the Long Title to the Principal Ordinance there shall be substituted the following new Long Title —

"An Ordinance to regulate the keeping and control of dogs and to provide for the suppression of diseases of dogs."

3. The principal Ordinance is amended by inserting the following new section immediately after section 12 —

"12A. The Governor may make such Orders as he thinks fit, to prevent the spread of any contagious or infectious diseases of dogs."

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.

H. L. BOUND,  
 Clerk of the Legislative Council.

Ref. 160/43.

Assented to in Her Majesty's name this 30th day of  
October, 1964.

C. HASKARD,  
*Governor.*

LS

No. 15



1964

Colony of the Falkland Islands.

IN THE THIRTEENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

Cosmo Dugal Patrick Thomas Haskard, C.M.G., M.B.E.  
*Governor.*

### An Ordinance

To amend the law with regard to the  
preservation of Wild Animals and Birds.

Title.

[1st November, 1964]

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 Wild Animals and  
Birds Protection Ordinance, 1964.

Short title.

#### PART I — GENERAL

2. If, save as hereinafter permitted, any person wilfully kills,  
injures or takes, or attempts to kill, injure or take, any wild animal  
or bird, or if any person has in his possession or control any wild  
animal or bird recently killed or taken which is not shown to have  
been killed or taken otherwise than in contravention of this Ordinance  
or any licence, order or regulation made thereunder, he shall be guilty  
of an offence and shall be liable to a fine not exceeding twenty  
pounds.

Protection of wild  
animals and birds.

3. A person shall not be guilty of an offence under section 2  
of this Ordinance by reason of —

Exceptions to section 2  
with respect to certain  
wild animals and birds.

- (a) the killing or taking of, or an attempt to kill or take, any  
wild animal or bird included in the First Schedule to this  
Ordinance, or by reason of the injuring of such wild  
animal or bird in the course of an attempt to kill it; or

- (b) the killing or taking of, or an attempt to kill or take, a wild animal or bird included in the Second Schedule to this Ordinance outside the period between the first day of August in any year and the last day of February in the following year, both days included, or by reason of the injuring of such wild animal or bird outside that period in the course of an attempt to kill it.

Establishment of animal and bird sanctuaries.

4. The Governor in Council may by order declare any Crown land or Colonial waters, or with the consent of the owner or lessee, any private land, to be a wild animal or bird sanctuary, and may with respect to any area specified in such order provide for all or any of the following matters, that is to say —

- (a) that any person who, within that area, at any time wilfully kills, injures, or takes, or attempts to kill, injure, or take, any wild animal or bird shall be guilty of an offence against this Ordinance;
- (b) that any person who, save as may be authorised by a licence granted under this Ordinance or any regulation made thereunder, enters into that area during any period specified in the order shall be guilty of an offence against this Ordinance;
- (c) that any person who introduces into that area any domestic or carnivorous animal shall be guilty of an offence against this Ordinance;
- (d) that where any offence against this Ordinance, or any such offence against this Ordinance as may be specified in the order, is committed within that area, the offender shall be liable to a fine not exceeding forty pounds.

General exceptions.

5. (1) Nothing in section 2 or in any order made under section 4 of this Ordinance shall make unlawful —

- (a) the taking of, or an attempt to take, any wild animal or bird if the animal or bird is taken or to be taken solely for the purpose of ringing or marking, or examining any ring or mark on, that or some other animal or bird and then releasing it;
- (b) the killing, injuring or taking of, or an attempt to kill or take, any wild animal or bird for the purposes of approved scientific experiment.

For the purposes of this Ordinance, the term approved scientific experiment shall mean a scientific experiment approved by the Governor and for which a licence has been issued in accordance with section 8 of this Ordinance.

(2) Notwithstanding any of the provisions of section 2 or of any order made under section 4 of this Ordinance, a person shall not be found guilty of an offence against this Ordinance —

- (a) by reason of the killing or injuring of, or an attempt to kill, a wild animal or bird if he satisfies the court before whom he is charged that his action was necessary for the purpose of preventing serious damage or injury to domestic animals, crops, vegetables, fruit, or any other form of property or to fisheries;
- (b) by reason of the taking of, or an attempt to take, any wild animal or bird if he satisfies the court before whom he is charged that the wild animal or bird was taken or to be taken solely for the purpose of tending it and releasing it when no longer disabled;
- (c) by reason of the killing of any wild animal or bird if he satisfies the court before whom he is charged that the wild animal or bird had been so seriously disabled otherwise than by his own act that there was no reasonable chance of its recovering;

- (d) by reason of any act made unlawful by any of the provisions aforesaid if he satisfies the court before whom he is charged that the act was the incidental result of a lawful operation and could not reasonably have been avoided.

(3) Nothing in this Ordinance shall make unlawful the killing of foxes, rats, mice, rabbits, curunchos and turkey vultures by any means.

6. (1) If, save as may be authorised by a licence granted under this Ordinance, any person —

- (a) sets in position any of the following articles, being an article which is of such a nature and is so placed as to be calculated to cause bodily injury to any wild animal or bird coming in contact therewith, that is to say, any springe, trap, gin snare, hook and line, poisoned or stupefying bait, or container holding explosives; or
- (b) uses for the purpose of killing or taking any wild animal or bird any such article as aforesaid, whether or not of such a nature and so placed as aforesaid, or any net, baited board, bird-line or a substance of a like nature to bird-line; or
- (c) for the purpose of killing or taking any wild animal or bird uses as a decoy any live animal or bird whatsoever which is tethered, or which is secured by means of braces or other similar appliances, or which is blind, maimed or injured; or
- (d) uses for the purpose of killing any wild animal or bird a shot-gun of which the barrel has an internal diameter at the muzzle of more than one and three-quarter inches; or
- (e) except in order to find an animal or bird already killed or injured, uses any form of artificial light for the purpose of killing or taking any wild animal or bird other than a wild animal or bird included in the First Schedule to this Ordinance,

Prohibition of certain methods of killing or taking wild animals and birds.

he shall be guilty of an offence against this Ordinance and shall be liable to a fine not exceeding twenty-five pounds.

(2) Nothing in subsection (1) of this section shall make unlawful the use of a cage-trap or net for the purpose of taking a wild animal or bird if it is shown that the taking of the wild animal or bird is solely for the purpose of ringing or marking, or, examining any ring or mark on, that or some other wild animal or bird and then releasing it or for the purpose of an experiment duly authorised under section 8 of this Ordinance.

Provided that nothing in this subsection shall make lawful the use of a rocket-propelled net.

7. (1) The Governor in Council may by Proclamation either generally or with respect to any specified part of the Colony add any wild animal or bird to, or remove any wild animal or bird from, either of the First or Second Schedules to this Ordinance, or vary the close season for any wild animal or bird included in the Second Schedule to this Ordinance.

Power of the Governor to vary the Ordinance by proclamation.

(2) While any such proclamation remains in force this Ordinance shall be read subject to the variation made by such proclamation.

8. Notwithstanding anything contained in this Ordinance the Governor may, for such time and subject to such conditions and for such purposes as he thinks fit, authorise any person to kill or take any wild animal or bird by any means specified in the licence.

Power of the Governor to grant licences.

9. (1) A police officer, which definition shall include a constable, may without warrant stop and search any person found committing an offence against this Ordinance and any vehicle, boat,

Enforcement, fines, etc.

animal or bird which that person may then be using, and may —

- (a) arrest that person if he fails to give his name and address to the police officer's satisfaction; and
- (b) seize and detain for the purposes of proceedings under this Ordinance any wild animal or bird, other than a wild animal or bird included in the First Schedule to this Ordinance, or any weapon or other article capable of being used to kill or take wild animals or birds, which may be in that person's possession.

(2) Where an offence is committed in respect of more than one wild animal, bird, or article, the maximum fine which may be imposed under this Ordinance shall be determined as if the person convicted had been convicted of a separate offence in respect of each wild animal, bird, or article.

(3) The court before whom any person is convicted of an offence against this Ordinance shall order the forfeiture of any wild animal or bird, in respect of which the offence was committed and may, if it thinks fit, order the forfeiture of any weapon or other article in respect of or by means of which the offence was committed.

(4) Whenever in any legal proceedings under this Ordinance it is alleged that the wild animal or bird in respect of which the charge is laid was killed or taken without the limits of the Colony or Colonial waters or at a time when such wild animal or bird might lawfully be killed or taken, the proof of such circumstances shall lie on the person alleging the same.

#### PART II. — PENGUINS AND ALBATROSSES

Restriction on taking penguins' or albatrosses' eggs without a licence.

10. Any person who shall take or destroy any penguins' or albatrosses' 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 and destroy any such eggs shall commit an offence and be liable to pay for every egg so taken or destroyed a fine not exceeding ten shillings, and in addition shall forfeit any such eggs found in his possession.

Granting of licences.

11. The Agricultural Officer, a Deputy Collector of Customs, or such other officer as the Governor may appoint for the purpose, may grant licences to take penguins' or albatrosses' eggs to such persons as may apply for them for such periods, and on such terms and conditions in respect of the number and description of eggs to be taken, the territorial limits within which they may be taken under such licences, and the payment to be made in respect thereof, as may be approved by the Governor.

Liability of an owner or master of a vessel.

12. Any owner or master or other person in charge of any vessel who shall permit such vessel, or any boat or canoe belonging to such vessel, to be employed in taking or destroying penguins' or albatrosses' eggs, or who shall permit or negligently suffer any person belonging to such vessel to be employed in taking or destroying penguins' or albatrosses' eggs, contrary to the provisions of this Part of this Ordinance, shall forfeit any eggs so taken and any eggs found in his possession, and in addition thereto shall be liable to a fine not exceeding fifty pounds for each offence.

#### PART III — MISCELLANEOUS

Venue.

13. For all purposes of and incidental to the trial of any person accused of any offence under this Ordinance, except an offence against section 4 or any order made thereunder, and the proceedings and the jurisdiction of any court, the offence shall be deemed to have been committed either in the place in which it was actually committed or in any place in which the offender may for the time being be found.

Recovery of fines.

14. Any fine adjudged under this Ordinance to be paid by the owner or master, or other person in charge of a vessel, may be recovered in the ordinary way, or, if the court thinks fit so to order,

by distress or arrest and sale of the vessel to which the offender belongs, and her tackle, apparel, and furniture, and any property on board thereof or belonging thereto, or any part thereof.

15. The Governor, and any person duly authorised by him in writing, may take or destroy for a scientific or any other special purpose, any penguins' or albatrosses' eggs, and in so doing shall be exempt from any fines and forfeitures under Part II of this Ordinance.

Special exemption.

16. The Governor in Council may, from time to time, make regulations for carrying out the provisions of this Ordinance and the intent and object thereof.

Governor in Council may make regulations.

17. The Wild Animals and Birds Protection Ordinance, Cap. 77, is hereby repealed.

Repeal of Cap. 77.

#### SCHEDULE I

Wild animals and birds which may be killed at any time —

Dominican Gull  
Skua  
House Sparrow  
Upland Goose  
Brent Goose  
Thin-billed (Belcher's) Prion (Firebird)  
Hare.

#### SCHEDULE II

Wild birds which may be killed outside the close season —

Grey Duck  
Pampa Teal  
Chiloe Widgeon  
Yellow Billed Teal  
Paraguayan Snipe.

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 1099/II.

Assented to in Her Majesty's name this 29th day of  
February, 1964.

E. P. ARROWSMITH,  
*Governor.*



No. 1



1964

**Falkland Islands Dependencies.**

IN THE THIRTEENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

**An Ordinance**

**To apply certain Laws of the Colony to  
the Dependencies.** Title.

ENACTED for the Dependencies of the Colony of the Falkland  
Islands by the Governor of the Colony of the Falkland Islands and  
and the Dependencies thereof, as follows — Enacting clause.

1. This Ordinance may be cited as the Application of Colony  
Laws Ordinance, 1964. 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 be in force in the Dependencies  
with effect from the date set out opposite their titles in the third  
column of the Schedule to this Ordinance. Application of certain  
Ordinances to the  
Dependencies.

**SCHEDULE**

4 of 1962	Application of Enactments Ordinance, 1962.	1st May, 1962.
6 of 1962	Income Tax (Amendment) (No. 2) Ordinance, 1962.	1st January, 1962.
7 of 1962	Firearms (Amendment) Ordinance, 1962.	4th December, 1962.
11 of 1962	Antarctic Treaty (Immunity from Jurisdiction) Ordinance, 1962.	2nd January, 1963.
12 of 1962	British Nationality (Amendment) Ordinance, 1962.	4th December, 1962.
13 of 1962	Application of Enactments (Amendment) (No. 2) Ordinance, 1962.	4th December, 1962.
14 of 1962	Application of Enactments (Amendment) (No. 3) Ordinance, 1962.	4th December, 1962.
16 of 1962	Income Tax (Amendment) (No. 3) Ordinance, 1962.	4th December, 1962.

Promulgated by the Governor on the 29th day of February, 1964.

W. H. THOMPSON,  
*Colonial Secretary.*

Ref: 0188.

Assented to in Her Majesty's name this 29th day of February, 1964.

E. P. ARROWSMITH,  
*Governor.*

LS

No. 2



1964

**Falkland Islands Dependencies.**

IN THE THIRTEENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
SIR EDWIN ARROWSMITH, K.C.M.G.,  
*Governor.*

**An Ordinance**

**To apply certain Laws of the Colony to the Dependencies.** Title.

ENACTED for the Dependencies of the Colony of the Falkland Islands 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 (No. 2) Ordinance, 1964. 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 be in force in the Dependencies with effect from the dates set out opposite their titles in the third column of the Schedule to this Ordinance. Application of certain Ordinances to the Dependencies.

**SCHEDULE**

2 of 1963	Post Office (Amendment) Ordinance, 1963.	1st August, 1963.
3 of 1963	Foreign Judgments (Reciprocal Enforcement) (Amendment) Ordinance, 1963.	1st August, 1963.
4 of 1963	Maintenance Orders (Facilities for Enforcement) (Amendment) Ordinance, 1963.	1st August, 1963.
5 of 1963	Matrimonial Causes (Amendment) Ordinance, 1963.	1st August, 1963.

Promulgated by the Governor on the 29th day of February, 1964.

W. H. THOMPSON,  
*Colonial Secretary.*

Ref : 0188.

Assented to in Her Majesty's name this 13th day of August, 1964.

W. H. THOMPSON,  
*Officer Administering the Government.*

LS

No. 3



1964

Falkland Islands Dependencies.

IN THE THIRTEENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
WILLOUGHBY HARRY THOMPSON, M.B.E.  
*Officer Administering the Government.*

**An Ordinance**

To provide for the service between the first day of July, 1964, and the thirtieth day of June, 1965.

Title.

[1st July, 1964]

Date of commencement.

ENACTED for the Dependencies of the Colony of the Falkland Islands 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) (1964/1965) Ordinance, 1964.

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, 1965, a sum not exceeding Seventy-six thousand one hundred and eighty 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, 1964, to the thirtieth day of June, 1965.

Appropriation of  
£76,180 for service  
of the year ending 30th  
June, 1965.

SCHEDULE.

Number.	Head of Service.	Amount. £
1.	General	
	A. Ordinary ... ..	73,530
	B. Special ... ..	2,650
	Total Expenditure £	76,180

Promulgated by the Officer Administering the Government on the 13th day of August, 1964.

H. L. BOUND,  
*for Colonial Secretary.*

Ref. D/6/59/E.

Assented to in Her Majesty's name this 24th day of August, 1964.

W. H. THOMPSON,  
*Officer Administering the Government.*



No. 4

1964

Falkland Islands Dependencies.

IN THE THIRTEENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.  
WILLOUGHBY HARRY THOMPSON, M.B.E.  
*Officer Administering the Government.*

An Ordinance

To apply certain Laws of the Colony to 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 Application of Colony Laws (No. 3) Ordinance, 1964. 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 be in force in the Dependencies with effect from the dates set out opposite their titles in the third column of the Schedule to this Ordinance. Application of certain Ordinances to the Dependencies.

SCHEDULE

10 of 1963	Pensions (Increase) (Amendment) Ordinance, 1963	1st January, 1963.
2 of 1964	Income Tax (Amendment) (No. 3) Ordinance, 1964	1st January, 1964.
4 of 1964	Mining (Amendment) Ordinance, 1964	6th May, 1964.
6 of 1964	Income Tax (Amendment) Ordinance, 1964	1st January, 1965.
7 of 1964	Income Tax (Amendment) (No. 2) Ordinance, 1964	1st January, 1964.
9 of 1964	Pensions (Increase) (Amendment) Ordinance, 1964	1st January, 1963.

Promulgated by the Officer Administering the Government on the 24th day of August, 1964.

H. L. BOUND,  
*for Colonial Secretary.*

Ref. 0188.

PART II.

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ORDERS, PROCLAMATIONS, ETC.

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### The Nature Reserves Ordinance, 1964.

(Ordinance No. 8 of 1964)

#### ORDER

(under section 3 of the Ordinance)

C. HASKARD,

*Governor.*

No. 1 of 1964.

IN EXERCISE of the powers conferred upon him by section 3 of the Nature Reserves Ordinance, 1964, THE GOVERNOR IN COUNCIL has been pleased to declare Kidney Island and Cochon Island to be nature reserves for the purposes of protecting the indigenous flora and fauna thereon and for providing, under suitable conditions and control, special opportunities for the study of and research into matters relevant thereto.

Made by the Governor in Council this 23rd day of October, 1964.

H. L. BOUND,

*Clerk of the Executive Council.*

Ref. 2331.

## FALKLAND ISLANDS

### The Wild Animals and Birds Protection Ordinance, 1964.

(Ordinance No. 15 of 1964)

## ORDER

(under section 4 of the Ordinance)

No. 2 of 1964.

C. HASKARD,  
*Governor.*

In exercise of the powers conferred by section 4 of the Wild Animals and Birds Protection Ordinance, 1964, the Governor in Council after obtaining the consent of the owners of the islands known as The Twins, adjacent to Carcass Island, West Falkland, has been pleased to declare as follows —

1. This Order may be cited as the Wild Animals and Birds Protection (Sanctuaries) Order, 1964.
2. The said islands to be a wild animal and bird sanctuary.
3. That any person who within the said islands at any time wilfully kills, injures, or takes, or attempts to kill, injure, or take, any wild animal or bird shall be guilty of an offence against the Wild Animals and Birds Protection Ordinance, 1964.
4. That any person who introduces into the said islands any carnivorous animal shall be guilty of an offence against the said Ordinance.
5. That any person guilty of an offence under this Order shall be liable to the penalty prescribed in section 4 of the said Ordinance.

Made by the Governor in Council this 30th day of December, 1964.

D. R. MORRISON,  
*for Clerk of the Executive Council.*

Ref. 1099/II.

## FALKLAND ISLANDS

### The Wild Animals and Birds Protection Ordinance, 1964.

(Ordinance No. 15 of 1964)

## ORDER

(under section 4 of the Ordinance)

No. 3 of 1964.

C. HASKARD,  
*Governor.*

In exercise of the powers conferred by section 4 of the Wild Animals and Birds Protection Ordinance, 1964, the Governor in Council after obtaining the consent of the owner of the island known as Low Island, adjacent to Carcass Island, West Falkland, has been pleased to declare as follows —

1. This Order may be cited as the Wild Animals and Birds Protection (Sanctuaries) (No. 2) Order, 1964.
2. The said island to be a wild animal and bird sanctuary.
3. That any person who within the said island at any time wilfully kills, injures, or takes, or attempts to kill, injure, or take, any wild animal or bird shall be guilty of an offence against the Wild Animals and Birds Protection Ordinance, 1964.
4. That any person who introduces into the said island any carnivorous animal shall be guilty of an offence against the said Ordinance.
5. That any person guilty of an offence under this Order shall be liable to the penalty prescribed in section 4 of the said Ordinance.

Made by the Governor in Council this 30th day of December, 1964.

D. R. MORRISON,  
*for Clerk of the Executive Council.*

Ref. 1099/II.

FALKLAND ISLANDS

The Wild Animals and Birds Protection Ordinance, 1964.

(Ordinance No. 15 of 1964)

**ORDER**

(under section 4 of the Ordinance)

No. 4 of 1964.

C. HASKARD,  
*Governor.*

In exercise of the powers conferred by section 4 of the Wild Animals and Birds Protection Ordinance, 1964, the Governor in Council, has been pleased to declare as follows —

1. This Order may be cited as the Wild Animals and Birds Protection (Sanctuaries) (No. 3) Order, 1964.
2. Beauchêne Island to be a wild animal and bird sanctuary.
3. That any person who within the said island at any time wilfully kills, injures, or takes, or attempts to kill, injure, or take any wild animal or bird shall be guilty of an offence against the Wild Animals and Birds Protection Ordinance, 1964.
4. That any person who introduces into the said island any domestic or carnivorous animal shall be guilty of an offence against the said Ordinance.
5. That any person guilty of an offence under this Order shall be liable to the penalty prescribed in section 4 of the said Ordinance.

Made by the Governor in Council this 30th day of December, 1964.

D. R. MORRISON,  
*for Clerk of the Executive Council.*

Ref. 1099/II.

# FALKLAND ISLANDS.

## The Income Tax Ordinance

(Cap. 32, Revised Edition, 1950)

### ORDER

(under section 49 of the Ordinance)

No. 5 of 1964.

C. HASKARD,  
*Governor.*

WHEREAS it is provided by subsection (1) of 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:

AND WHEREAS by a Convention dated the 30th day of September, 1954, between the Government of the United Kingdom and the Swiss Federal Council 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 international 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 20th August, 1963 and the 26th August, 1963 the said Convention with certain modifications was applied to the Colony:

NOW, THEREFORE, HIS EXCELLENCY THE GOVERNOR, in exercise of the powers conferred upon him by subsection (1) of the said section 49 and all other powers thereunto him enabling, 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) (Switzerland) Order, 1964.

2. It is hereby declared —

- (a) that the arrangements specified in the Convention set out in the First Schedule to this Order, as modified by the provisions of the Second Schedule to this Order, have been made with the Swiss Federal Council; and
- (b) that it is expedient that those arrangements should have effect.

Made by the Governor in Council this 23rd day of October, 1964.

D. R. MORRISON,  
*for Clerk of the Executive Council.*

## FIRST SCHEDULE

### CONVENTION BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE SWISS CONFEDERATION FOR THE AVOIDANCE OF DOUBLE TAXATION WITH RESPECT TO TAXES ON INCOME.

The Government of the United Kingdom of Great Britain and Northern Ireland and the Swiss Federal Council,

Desiring to conclude a Convention for the avoidance of double taxation with respect to taxes on income,

Have appointed for that purpose as their respective Plenipotentiaries:

The Government of the United Kingdom of Great Britain and Northern Ireland:

Alfred Douglas Dodds-Parker, Esquire, Parliamentary Under-Secretary of State for Foreign Affairs;

The Swiss Federal Council:

Monsieur Erwin Bernath, Swiss Charge d'Affaires *ad interim* in London;

Who, having communicated to one another their 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 the United Kingdom:

The income tax (including surtax), the profits tax and the excess profits levy (hereinafter referred to as "United Kingdom tax");

(b) In Switzerland:

The federal, cantonal and communal taxes on income (total income, earned income, income from capital, industrial and commercial profits, &c.), but not including the Federal coupon tax except where expressly mentioned (hereinafter referred to as "Swiss tax").

(2) The present Convention shall also apply to any other taxes of a substantially similar character imposed in the United Kingdom or Switzerland 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 "Switzerland" means the Swiss Confederation;

(c) The terms "one of the territories" and "the other territory" mean the United Kingdom or Switzerland, as the context requires;

(d) The term "tax" means United Kingdom tax or Swiss tax, as the context requires;

(e) The term "person" includes any individual, company, unincorporated body of persons, and any other entity with or without juridical personality;

(f) The term "company" means in relation to the United Kingdom any body corporate, and in relation to Switzerland any entity with juridical personality;

(g) The term "resident of the United Kingdom" means:

(i) any company or partnership whose business is managed and controlled in the United Kingdom;

(ii) any other person who is resident in the United Kingdom for the purposes of United Kingdom tax and not resident (by reason of domicile or sojourn) in Switzerland for the purposes of Swiss tax;

(h) The term "resident of Switzerland" means —

(i) any company or partnership ("societe simple," "societe en nom collectif" or "societe en commandite") created or organised under Swiss law, if its business is not managed and controlled in the United Kingdom;

(ii) any other person who is resident (by reason of domicile or sojourn) in Switzerland for the purposes of Swiss tax and not resident in the United Kingdom for the purposes of United Kingdom tax;

(i) The terms "resident of one of the territories" and "resident of the other territory" mean a resident of the United Kingdom or a resident of Switzerland, as the context requires;

(j) The terms "United Kingdom enterprise" and "Swiss 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 Switzerland, and the terms "enterprise of one of the territories" and "enterprise of the other territory" mean a United Kingdom enterprise or a Swiss enterprise, as the context requires;

(k) The term "permanent establishment" means a branch, management, office, factory, workshop or other fixed place of business, and a farm, mine, quarry or 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 an enterprise of one of the territories.

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, general commission agent or other independent 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 an enterprise of one of the territories has a subsidiary company which is a resident of the other territory or which is engaged in 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 the enterprise of the former territory;

(l) The term "industrial or commercial profits" includes manufacturing, mercantile, mining, farming, financial and insurance profits, and rents and royalties in respect of cinematograph films, but does not include income in the form of dividends, interest or royalties (other than cinematograph royalties) except any such income which, under the laws of one of the territories and in accordance with Article III of the present Convention, is attributable to a permanent establishment situated therein;

(m) The term "competent authority" means, in the case of the United Kingdom, the Commissioners of Inland Revenue or their authorised representative; in the case of Switzerland, the Director of the Federal Tax Administration or his authorised representative; and in the case of any territory to which the present Convention is extended under Article XXI, the competent authority for the administration in such territory of the taxes to which the Convention applies.

(2) Where the present Convention provides that income from a source within Switzerland shall be exempt from, or entitled to a reduced rate of, tax in Switzerland if (with or without other conditions) it is subject to tax in the United Kingdom, and under the law in force in the United Kingdom the said income is subject to tax by reference to the amount thereof which is remitted to or received in the United Kingdom and not by reference to the full amount thereof, then the exemption or reduction in rate to be allowed under the Convention in Switzerland shall apply only to so much of the income as is remitted to or received in the United Kingdom.

(3) Where under any provision of the present Convention a partnership is entitled to exemption from United Kingdom tax as a resident of Switzerland on any income, such a provision shall not be construed as restricting the right of the United Kingdom to charge any member of the partnership, being a person who is resident in the United Kingdom for the purposes of United Kingdom tax (whether or not he is also resident in Switzerland for the purposes of Swiss tax), to tax on his share of the income of the partnership; but any such income shall be deemed for the purposes of Article XV to be income from sources within Switzerland.

(4) Where under any provision of the present Convention an estate of a deceased person is entitled to exemption from United Kingdom tax as a resident of Switzerland on any income, such a provision shall not be construed as requiring the United Kingdom to grant exemption from United Kingdom tax in respect of such part of such income as goes to any heir of such estate who is not resident in Switzerland for the purposes of Swiss tax and whose share of such income is not subject to Swiss tax either in his hands or in the hands of the estate.

(5) In the application of the provisions of the present Convention by either Contracting Party 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 Convention.

#### ARTICLE III.

(1) The industrial or commercial profits of a United Kingdom enterprise shall not be subject to Swiss tax unless the enterprise is engaged in trade or business in Switzerland through a permanent establishment situated therein. If it is so engaged, tax may be imposed on those profits by Switzerland, but only on so much of them as is attributable to that permanent establishment.

(2) The industrial or commercial profits of a Swiss enterprise shall not be subject to United Kingdom tax unless the enterprise is engaged in trade or business in the United Kingdom through a permanent establishment situated therein. If it is so engaged, 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 is engaged in 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 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, 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.

(6) In the determination of the industrial or commercial profits of a permanent establishment there shall be allowed as deductions all expenses which are reasonably applicable to the permanent establishment, including executive and general administrative expenses so applicable, whether incurred in the territory in which the permanent establishment is situated or elsewhere.

#### 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.

Notwithstanding the provisions of Articles III and IV, profits which a resident of one of the territories derives from operating ships or aircraft, including profits of that resident from the sale of tickets for passages by such ships or aircraft, shall be exempt from tax in the other territory.

#### ARTICLE VI.

- (1) Dividends (other than dividends which, under the laws of the United Kingdom and in accordance with Article III of this Convention, are attributable to a permanent establishment situated in the United Kingdom) paid by a company which is a resident of the United Kingdom to a resident of Switzerland who is subject to Swiss tax in respect thereof shall be exempt from United Kingdom surtax.
- (2) The industrial and commercial profits of a Swiss enterprise engaged in trade or business through a permanent establishment in the United Kingdom 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.
- (3) Where not less than 50 per cent. of the entire voting power of a company which is a resident of the United Kingdom is controlled, directly or indirectly, by a company which is a resident of Switzerland, the distributions by the former company to the latter company, and to any other company which is a resident of Switzerland and which beneficially owns not less than 10 per cent. of the entire share capital of the company paying the dividends, shall be left out of account in computing United Kingdom profits tax effectively chargeable on that company at the rate appropriate to distributed profits.
- (4) (a) The Swiss anticipatory tax may be charged in respect of dividends paid by any company created under Swiss law to a resident of the United Kingdom, but, in the case of any such resident who is subject to United Kingdom tax in respect thereof, the rate of anticipatory tax shall be reduced in accordance with the following provisions of this paragraph (unless the dividends are, under the laws of Switzerland and in accordance with Article III of this Convention, attributable to a permanent establishment situated in Switzerland).
- (b) If that resident is an individual whose effective rate of United Kingdom tax does not exceed 5 per cent., the anticipatory tax shall not be charged.
- (c) If that resident is an individual whose effective rate of United Kingdom tax exceeds 5 per cent., the anticipatory tax shall be charged only at the rate which, when added to the rate of Federal coupon tax, equal that effective rate.
- (d) If that resident is a company which controls, directly or indirectly, not less than 95 per cent. of the entire voting power of the company paying the dividends, the anticipatory tax shall be reduced by an amount equal to 20 per cent. of the dividend.
- (e) If that resident is a company which controls, directly or indirectly, less than 95 per cent. but not less than 50 per cent. of the entire voting power of the company paying the dividends, the anticipatory tax shall be reduced by an amount equal to 10 per cent. of the dividend.
- (f) If that resident is a company which beneficially owns not less than 10 per cent. of the entire share capital of the company paying the dividends, and the provisions of either sub-paragraph (d) or sub-paragraph (e) of this paragraph apply to some part of the dividends paid by the latter company, the anticipatory tax shall be reduced by an amount equal to 10 per cent. of the dividend.
- (5) If at any time distributed profits of companies become chargeable to United Kingdom profits tax at a rate other than 20 per cent. above the rate at which undistributed profits are effectively chargeable to that tax, the competent authorities of the two Contracting Parties may consult together in order to determine whether it is necessary for this reason to amend sub-paragraphs (d), (e) and (f) of the preceding paragraph. After such consultation has taken place either of the Contracting Parties may give to the other Contracting Party through the diplomatic channel written notice of termination of the provisions of paragraph (3) and of sub-paragraphs (d), (e) and (f) of paragraph (4) of this Article, and, in such event, those provisions shall cease to be effective from the date on which the relevant change in the rates of United Kingdom profits tax took effect.
- (6) Subject to the provisions of sub-paragraph (a) of paragraph (4) of this Article, 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 an 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 VII.

- (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, shall be exempt from tax in that first territory.

#### (2) In this Article —

- (a) The term "interest" means interest on bonds, securities, notes, debentures or on any other form of indebtedness (including mortgages or bonds secured on real property);
- (b) The term "royalty" means any royalty or other amount paid as consideration for the right to use any copyright, artistic or scientific work, patent, model, design, secret process or formula, trade-mark, or other like property or right (including rentals and like payments for the use of industrial or commercial machinery or plant or scientific apparatus), but does not include any royalty or other amount paid in respect of the operation of mines, quarries or other natural resources.
- (3) Any capital sum derived from sources within one of the territories from the sale of property or rights mentioned in sub-paragraph (b) of paragraph (2) of this Article by a resident of the other territory shall be exempt from tax in the first territory.
- (4) Where there is a special relationship between debtor and creditor or both debtor and creditor have a special relationship with a third person or persons, and in consequence the amount paid is greater than would have been agreed upon if debtor and creditor had been at arm's length, the exemption provided by this Article shall not apply to the excess.
- (5) Any interest or royalty exempted from United Kingdom tax by this Article shall be allowed as a deduction for profits tax and excess profits levy purposes from the profits or income of the person paying the interest or royalty, whatever the relationship between that person and the person receiving the interest or royalty may be.
- (6) The exemptions from tax in one of the territories provided for in this Article shall not apply to interest, royalties or capital sums which, under the laws of that territory and in accordance with Article III of this Convention, are attributable to a permanent establishment situated therein.

#### ARTICLE VIII.

- (1) A resident of one of the territories shall be exempt in the other territory from any tax on gains from the sale, transfer or exchange of capital assets (other than gains which, under the laws of that other territory and in accordance with Article III of this Convention, are attributable to a permanent establishment situated therein).
- (2) In this Article, the term "capital assets" means any movable property, whether corporeal or incorporeal.

#### ARTICLE IX.

- (1) Income derived from real property situated in one of the territories by a resident of the other territory shall be subject to tax in accordance with the laws of the first-mentioned territory. Where the income is also subject to tax in the other territory, relief from double taxation shall be given in accordance with the provisions of Article XV.
- (2) In this Article, the term "income from real property" means income of whatever nature derived from real property, including gains derived from the sale or exchange of such property, and it also includes royalties in respect of the operation of mines, quarries or other natural resources. It does not however include interest from mortgages or bonds secured on such property.

#### ARTICLE X.

- (1) Remuneration, including pensions, paid by, or out of funds created by, the Government of the United Kingdom to an individual in respect of services rendered to that Government in the discharge of governmental functions shall be exempt from Swiss tax: provided that the exemption shall not apply to remuneration, other than a pension, paid to a Swiss citizen who is not also a British subject.
- (2) Remuneration, including pensions, paid by, or out of funds created by, the Swiss Confederation or by any Swiss canton to an individual in respect of services rendered to Switzerland in the discharge of governmental functions shall be exempt from United Kingdom tax: provided that the exemption shall not apply to remuneration, other than a pension, paid to a British subject who is not also a Swiss citizen.
- (3) The provisions of paragraphs (1) and (2) of this Article shall not apply to payments in respect of services rendered in connexion with any trade or business carried on by either Contracting Party or by any Swiss canton for purposes of profit.
- (4) The provisions of this Convention shall not be construed as denying or affecting in any manner the right of diplomatic and consular officers to other or additional exemptions now enjoyed or which may hereafter be granted to them.

#### ARTICLE XI.

- (1) An individual who is a resident of the United Kingdom shall be exempt from Swiss tax on profits or remuneration in respect of personal (including professional) services performed within Switzerland in any year of assessment if —
  - (a) he is present within Switzerland for a period or periods not exceeding in the aggregate 183 days during that year, and
  - (b) (i) in the case of a directorship or employment, the services are performed for or on behalf of a resident of the United Kingdom;
  - (ii) in other cases, he has no office or other fixed place of business in Switzerland, and
  - (c) the profits or remuneration are subject to United Kingdom tax.
- (2) An individual who is a resident of Switzerland 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) (i) in the case of a directorship or employment, the services are performed for or on behalf of a resident of Switzerland;
  - (ii) in other cases, he has no office or other fixed place of business in the United Kingdom; and
  - (c) the profits or remuneration are subject to Swiss tax.
- (3) The provisions of this Article shall not apply to the profits or remuneration of public entertainers such as stage, motion picture, radio or television artists, musicians and athletes.

#### ARTICLE XII.

- (1) Any pension (other than a pension of the kind referred to in Article X) and any annuity, derived from sources within one of the territories by an individual who is a resident of the other territory and subject to tax in that other territory in respect thereof, shall be exempt from tax in the first territory.
- (2) In this Article —
- (a) The term "pension" means periodic payments made in consideration of past services or by way of compensation for injuries received;
  - (b) 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 XIII.

- (1) 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.
- (2) 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 outside that other territory for the purposes of his maintenance, education or training.

#### ARTICLE XIV.

- (1) Individuals who are residents of Switzerland 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 Swiss tax as Swiss nationals resident in the United Kingdom.

#### ARTICLE XV.

- (1) The laws of the 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 the present Convention. Where income is subject to tax in both territories, relief from double taxation shall be given in accordance with the following paragraphs of this Article.
- (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, Swiss tax payable, whether directly or by deduction, in respect of income from sources within Switzerland shall be allowed as a credit against the United Kingdom tax payable in respect of that income. Where such income is a dividend paid by a company which is a resident of Switzerland to a company which controls, directly or indirectly, not less than 50 per cent. of the entire voting power of the former company, the credit shall take into account (in addition to any Swiss tax appropriate to the dividend) the Swiss tax payable by the former company in respect of its profits. For the purpose of this paragraph, the term "Swiss tax" shall include the Federal coupon tax, but shall not include the communal taxes.
- (3) Income (other than dividends) from sources within the United Kingdom which under the laws of the United Kingdom and in accordance with this Convention is subject to tax in the United Kingdom either directly or by deduction shall be exempt from Swiss tax.
- (4) In the case of a person (other than a company or partnership) who is resident in the United Kingdom for the purposes of United Kingdom tax and is also resident (by reason of domicile or sojourn) in Switzerland for the purposes of Swiss tax, the provisions of paragraph (2) of this Article shall apply in relation to income which that person derives from sources within Switzerland, and the provisions of paragraph (3) of this Article shall apply in relation to income which that person derives from sources within the United Kingdom. If such person derives income from sources outside both the United Kingdom and Switzerland, 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 Contracting Parties and the territory from which the income is derived) but the Swiss tax on so much of that income as is subjected to tax in both the territories shall be limited to one-half of the tax on such income, and the United Kingdom tax on that income shall be reduced by a credit, in accordance with paragraph (2) of this Article, for the Swiss tax so computed.
- (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, except that the remuneration of a director of a company shall be deemed to be income from sources within the territory in which the company is resident, 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 XVI.

- (1) Where it is provided in this Convention that relief from tax in respect of any kind of income shall be allowed in the territory from which such income is derived, that provision shall not be construed as requiring that income to be paid without deduction of tax at source at the full rate. Where tax has been deducted at source from such income the taxation authorities of the territory in which relief from tax is required to be given shall, when the taxpayer in receipt of the income shows to their satisfaction and within the time limits prescribed in that territory that he is entitled to the relief, arrange for the appropriate repayment of tax.
- (2) Where any income is exempted from tax by any provision of this Convention, it may nevertheless be taken into account in computing the tax on other income or in determining the rate of such tax.
- (3) For the purpose of calculating the reliefs due under Articles VI and XIV, the income of a partnership shall be regarded as that of its individual members.

#### ARTICLE XVII.

- (1) The provisions of the present Convention shall not be construed as restricting in any manner any exemption, deduction, credit or other allowance now or hereafter accorded by the laws in force in the territory of one of the Contracting Parties in the determination of the tax imposed in such territory.
- (2) The provisions of the present Convention shall not be construed as derogating from any right or privilege conferred upon taxpayers by the Agreement of the 17th October, 1931 (c), between the Government of the United Kingdom and the Swiss Federal Council for reciprocal exemption from taxation on profits or gains arising through an agency.

#### ARTICLE XVIII.

- (1) The nationals of one Contracting Party shall not be subjected in the territory of the other 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 in similar circumstances.
- (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 income, 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 income, 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 territory to any taxation which is other, higher or more burdensome than the taxation to which other like enterprises of that first territory are or may be subjected in similar circumstances 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 Contracting Party to grant to nationals of the other 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 its own nationals.
- (5) In this Article the term "nationals" means —
- (a) in relation to Switzerland, all Swiss citizens wherever residing and all entities with or without juridical personality created under Swiss laws;
  - (b) in relation to the United Kingdom, all British subjects and British protected persons —
    - (i) residing in the United Kingdom or any territory to which the present Convention is extended under Article XXI, or
    - (ii) deriving their status as such from connexion with the United Kingdom or any territory to which the present Convention is extended under Article XXI, and all legal persons, partnerships, associations and other entities deriving their status as such from the law in force in the United Kingdom or any territory to which the Convention is extended under Article XXI.
- (6) In this Article the term "taxation" means taxes of every kind and description levied on behalf of any authority whatsoever.

#### ARTICLE XIX.

- (1) Where a taxpayer shows to the satisfaction of the competent authority of the Contracting Party of which he is a national or in whose territory he is a resident that he has not received the treatment in the other territory to which he is entitled under any provision of this Convention, that competent authority shall consult with the competent authority of the other Party with a view to the avoidance of the double taxation in question.
- (2) The competent authorities of the two Contracting Parties may communicate with each other directly for the purpose of giving effect to the provisions of this Convention (and in particular the provisions of Articles III and IV) and for resolving any difficulty or doubt as to the application or interpretation of the Convention.

#### ARTICLE XX.

- (1) The competent authorities of the 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 in relation to

the taxes which are the subject of the 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 Convention. No information as aforesaid shall be exchanged which would disclose any trade, business, industrial or professional secret or trade process.

(2) In no case shall the provisions of this Article be construed as imposing upon either of the Contracting Parties the obligation to carry out administrative measures at variance with the regulations and practice of either Contracting Party or which would be contrary to its sovereignty, security or public policy or to supply particulars which are not procurable under its own legislation or that of the Party making application.

#### ARTICLE XXI.

(1) The present Convention may be extended, either in its entirety or with modifications, to any territory for whose international relations the United Kingdom is responsible and which imposes taxes substantially similar in character to those which are the subject of the 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 Contracting Parties in notes to be exchanged for this purpose.

(2) The termination in respect of the United Kingdom or Switzerland of the present Convention under Article XXIV shall, unless otherwise expressly agreed by the Contracting Parties, terminate the application of the Convention to any territory to which it has been extended under this Article.

#### ARTICLE XXII.

(1) The present Convention shall be ratified and the instruments of ratification shall be exchanged at Berne as soon as possible.

(2) The present Convention shall enter into force upon the exchange of ratifications.

#### ARTICLE XXIII.

(1) Upon the entry into force of the present Convention in accordance with Article XXII, the provisions of the Convention shall have effect —

(a) In the United Kingdom —

as respects income tax (including surtax) for any year of assessment beginning on or after the 6th April, 1953;

as respects profits tax and excess profits levy in respect of the following profits —

(i) profits 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, 1953;

(ii) other profits being profits by reference to which income tax is not chargeable, but which arise in any chargeable accounting period beginning on or after the 1st April, 1953, or are attributable to so much of any chargeable accounting period falling partly before and partly after that date as falls after that date;

(b) In Switzerland —

for any taxable year beginning on or after the 1st January, 1953.

(2) The exemption from tax provided in Article V shall have effect for any year of assessment beginning on or after the 6th April, 1946.

#### ARTICLE XXIV.

The present Convention shall continue in effect indefinitely but either Contracting Party may, on or before the 30th June in any calendar year not earlier than the year 1957, give to the other Contracting Party, through the diplomatic channel, written notice of termination and, in such event, the Convention shall cease to be effective —

(a) In the United Kingdom:

as respects income tax (including surtax) 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 profits tax in respect of the following profits —

(i) profits by reference to which income tax is chargeable 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;

(ii) other profits being profits by reference to which income tax is not chargeable, but which arise 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 or are attributable to so much of any chargeable accounting period falling partly before and partly after that date as falls after that date;

(b) In Switzerland —

for any taxable year beginning on or after the 1st January of 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 in duplicate at London, the 30th day of September, one thousand nine hundred and fifty-four, in the English and French languages, both texts being equally authoritative.

(L.S.)

DOUGLAS DODDS-PARKER.

(L.S.)

E. BERNATH.

## 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 Government of the Colony of the Falkland Islands and the Swiss Federal Council.

(ii) as if the tax concerned in the case of the Colony were the income tax;

(iii) as if references to the date of signature were references to the 26th day of August, 1963;

(iv) 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 1961 and for subsequent years of assessment, (and will have effect in Switzerland — as respects Swiss tax for the taxable years beginning on or after the 1st day of January, 1961.).

(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 1966 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 Switzerland as respects Swiss tax for any taxation year beginning on or after the 1st day of January in the calendar year next following that in which the notice was given).

### MODIFICATIONS.

2. (a) Article VI of the Convention shall be deemed to be deleted.

(b) References to interest in Article VII of the Convention shall be deemed to be deleted.

(c) The words in brackets in Article XV (3) of the Convention shall be deemed to be replaced by the words "other than dividends and interest".

FALKLAND ISLANDS.

## PROCLAMATION

No. 1 of 1964.

Made under section 24 of the Falkland Islands (Legislative Council)  
Orders in Council, 1948 to 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.

E. P. ARROWSMITH — *By His Excellency SIR EDWIN ARROWSMITH, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies.*



WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation:

NOW, THEREFORE, I, SIR EDWIN ARROWSMITH, 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 aforesaid, do by this Proclamation appoint Monday the 4th day of May, 1964, at eleven o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 17th day of April, in the Year of Our Lord One thousand Nine hundred and Sixty-four.

*By His Excellency's Command,*

W. H. THOMPSON,

*Colonial Secretary.*

## PROCLAMATION

No. 2 of 1964.

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.

W. H. THOMPSON — *By His Honour WILLOUGHBY HARRY THOMPSON, ESQUIRE, Member of the Most Excellent Order of the British Empire, Officer Administering the Government of the Colony of the Falkland Islands and its Dependencies.*



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 EDWIN ARROWSMITH, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, 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, WILLOUGHBY HARRY 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 11th day of May, in the Year of Our Lord One thousand Nine hundred and Sixty-four.

*By Command of the  
Officer Administering the Government,  
H. L. BOUND,  
for Colonial Secretary.*

FALKLAND ISLANDS.

## PROCLAMATION

No. 3 of 1964.

Made under section 2 of the Place-Names Ordinance, 1956.

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.

W. H. THOMPSON — *By His Excellency WILLOUGHBY HARRY THOMPSON, Esquire, Member of the Most Excellent Order of the British Empire, Acting Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies.*



WHEREAS by subsection (1) of section 2 of the Place-Names Ordinance, 1956, it is provided that the Governor may by Proclamation under his hand declare and publish a list of the names of various islands and lands constituting the Dependencies and of the coasts, peninsulas, capes, headlands, seas, straits, sounds, bays, inlets and other physical features thereof; and of the harbours and whaling stations therein, and may from time to time in like manner add to or alter such list :

AND WHEREAS it appears to the Acting Governor expedient that the list of place-names declared and published under Proclamation No. 1 of 1963 should be added to and altered :

NOW, THEREFORE, I, WILLOUGHBY HARRY THOMPSON, Acting 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 aforesaid, do hereby proclaim and declare the place-names in the Dependencies of the Colony of the Falkland Islands, listed in the Gazetteer of the British Antarctic Territory, South Georgia and the South Sandwich Islands (First Supplement to First Edition), published by Her Majesty's Stationery Office, London, on the 1st day of July, 1964, to be accepted as place-names for official use.

**GOD SAVE THE QUEEN**

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 8th day of October, in the Year of Our Lord One thousand Nine hundred and Sixty-four.

*By His Excellency's Command,*

H. L. BOUND,

*for Colonial Secretary.*

FALKLAND ISLANDS.

## PROCLAMATION

No. 4 of 1964.

Made under section 24 of the Falkland Islands (Legislative Council)  
Orders in Council, 1948 to 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.

C. D. P. T. HASKARD — *By His Excellency* COSMO DUGAL PATRICK THOMAS  
HASKARD, Esquire, *Companion of Our Most Distinguished  
Order of Saint Michael and Saint George, Member of Our  
Most Excellent Order of the British Empire.*

LS

WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation:

NOW, THEREFORE, I, COSMO DUGAL PATRICK THOMAS HASKARD, 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 aforesaid, do by this Proclamation appoint Wednesday the 21st day of October, 1964, at ten o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 14th day of October, in the Year of Our Lord One thousand Nine hundred and Sixty-four.

*By His Excellency's Command,*  
W. H. THOMPSON,  
*Colonial Secretary.*

FALKLAND ISLANDS.

## PROCLAMATION

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No. 5 of 1964.

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Assumption of the Administration of the Colony by His Excellency

COSMO DUGAL PATRICK THOMAS HASKARD, ESQUIRE, C.M.G., M.B.E.

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. HASKARD — *By His Excellency COSMO DUGAL PATRICK THOMAS HASKARD, ESQUIRE, Companion of the Most Distinguished Order of Saint Michael and Saint George, Member of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies.*



His Excellency COSMO DUGAL PATRICK THOMAS HASKARD, Esquire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Member of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief in and over 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 ninth day of October, in the Year of Our Lord One thousand Nine hundred and Sixty-four.

*By His Excellency's Command,*

W. H. THOMPSON,  
*Colonial Secretary.*

# FALKLAND ISLANDS.

## Defence Force Ordinance, 1954.

### REGULATIONS

(under Section 46 of the Ordinance)

No. 1 of 1964.

W. H. THOMPSON,  
*Officer Administering the Government.*

His Excellency the Governor in exercise of the powers vested in him by section 46 of the Defence Force Ordinance, 1954, is pleased by and with the advice of the Executive Council to make the following Regulations.

No. 4 of 1954.

1. These Regulations may be cited as the Defence Force (Amendment) Regulations, 1964, and shall be read as one with the Defence Force Regulations, 1954, hereinafter referred to as the principal Regulations.

Short title.

2. Regulation 13 of the principal Regulations is amended as follows:

Amendment of regulation 13 of the principal Regulations.

(a) by the revocation and replacement of paragraph (b) by the following new paragraph —

“(b) 8 instructional parades (14 in the case of first year recruits) each of a duration to be ordered by the Commandant and each of not less than one hour and such ceremonial parades as may be ordered by the Commandant”;

(b) by being renumbered “13 (1)”;

(c) by the addition of the following new sub-regulation —

“(2) Any member who fails to undergo compulsory training each year through his own neglect or omission may be ordered by the Commandant to pay a fine not exceeding £3.”.

3. Paragraph (a) of sub-regulation (1) of Regulation 14 of the principal Regulations is revoked and replaced as follows —

Amendment of regulation 14 of the principal Regulations.

“(a) attend 8 instructional parades (14 in the case of first year recruits) each of a duration to be ordered by the Commandant and each of not less than one hour;”.

Made by the Governor in Executive Council on the 13th day of April, 1964.

H. L. BOUND,  
*Clerk of the Executive Council.*

# FALKLAND ISLANDS.

## The Whale Fishery Ordinance (Cap. 76)

### REGULATIONS

(under section 11 of the Ordinance)

No. 2 1964.

W. H. THOMPSON,

*Officer Administering the Government.*

His Honour the Officer Administering the Government 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 —

Cap. 76.

1. These Regulations may be cited as the Whaling (Amendment) Regulations, 1964, and shall be read as one with the Whaling Regulations hereinafter referred to as the principal Regulations.

Short title.  
Revised Edition Vol. II p.  
323.

2. Regulation 3 of the principal Regulations is amended —

Amendment of regulation  
3 of the principal  
Regulations.

(a) by deleting the place “(c) South Shetlands” from the places listed in that regulation;

(b) by re-lettering places (d) and (e) as (c) and (d) respectively.

3. Regulation 5 of the principal Regulations is amended by deleting paragraph (c) and substituting the following —

Amendment of regulation  
5 of the principal  
Regulations.

“(c) The names and description of all ships and whale catchers to be employed including separate totals for surface vessels and aircraft, and specifying in the case of surface vessels, the average length and horse-power of whale catchers.”.

4. Regulation 9 of the principal Regulations is amended —

Amendment of regulation  
9 of the principal  
Regulations.

(a) by deleting the words “maintain a spare whale catcher” and substituting the words “maintain spare whale catchers”;

(b) by deleting paragraph (i) and substituting the following —

“(i) Before a spare catcher is used for catching whales a transfer of the licence from the licensed catcher so laid up must be obtained from a whaling officer, who is hereby authorised to grant the same”;

(c) by deleting the word “catcher” in paragraph (ii) and substituting the word “catchers”;

(d) by deleting the words “the spare catcher” in paragraph (iii) and substituting the words “a spare catcher”.

5. Regulation 11 of the principal Regulations is revoked and replaced as follows —

Amendment of regulation  
11 of the principal  
Regulations.

“Limit on number of carcasses at factory or factory ship.

11. The number of carcasses waiting to be dealt with at any one time in the vicinity of a factory or factory ship shall not exceed the number that the factory or factory ship is normally able, when working at full capacity, to utilise fully within 36 hours in the case of a factory; and 33 hours in the case of a factory ship.”

6. Paragraph (a) of regulation 14 is amended by adding the following new sub-paragraph after sub-paragraph (x) —

Amendment of regulation  
14 of the principal  
Regulations.

“(xi) Any information which may have been collected or obtained concerning the calving grounds and migration routes of whales.”.

## FALKLAND ISLANDS.

### Mining (Mineral Oil) Regulations 1964

#### Arrangement of Regulations

##### PART I.

##### GENERAL.

Regulation	
1	Title.
2	Interpretation.
3	Persons by whom application may be made.
4	Manner in which application may be made.
5	Separate application to be made for each area.
6	Grant of more than one licence or lease to the same person.
7	Licence or lease not assignable without consent.
8	Method of making application for assignment.
9	Reciprocity.
10	Applications by an alien or a company incorporated outside Her Majesty's dominions.
11	Lapse of right to licence or lease.
12	Publication.
13	Model clauses.
14	Bond.

##### PART II.

##### OIL EXPLORATION LICENCES.

15	Grant of oil exploration licence.
16	Period.
17	Renewal.
18	Maximum area.
19	Expenditure obligation.
20	Right to oil prospecting licence.

##### PART III.

##### OIL PROSPECTING LICENCES.

21	Grant of oil prospecting licence.
22	Comprehensive oil prospecting licence.
23	Shape of area.
24	Maximum area.
25	Period.
26	Renewal.
27	Working obligations.
28	Certain yearly rent.
29	Royalty.
30	Surrender of area.
31	Right to oil mining lease.

##### PART IV.

##### OIL MINING LEASES.

32	Governor may grant oil mining lease.
33	Comprehensive oil mining lease.
34	Shape of area.
35	Period.
36	Certain yearly rent.
37	Royalty.

##### FIRST SCHEDULE.

Application for an oil exploration licence, an oil prospecting licence or an oil mining lease.

##### SECOND SCHEDULE.

##### PART I.

##### OIL EXPLORATION LICENCE.

1	Fee.
2	Right to erect and dismantle huts, etc.
3	Local Resident Manager.
4	Working obligations.
5	Restoration and indemnity.

Amendment of regulation  
17 of the principal  
Regulations.

7. Regulation 17 of the principal Regulations is amended —

- (a) by deleting the whale listed "(i) Blue whale, 70 feet (21.3 metres)" in paragraph (a);
- (b) by renumbering whales (ii), (iii) and (iv) as (i), (ii) and (iii) respectively in paragraph (a);
- (c) by deleting the words and figures "blue whales of not less than 65 feet (19.8 metres) and" from paragraph (a);
- (d) by deleting the words "other upper jaw" in paragraph (b) and substituting the words "upper jaw";
- (e) by deleting paragraph (c) and substituting the following —  
"(c) In this regulation "Blue Whale", "Fin Whale", "Sperm Whale" and "Sei Whale" shall have the same meaning as in the Whale Fishery Ordinance."

Made by the Governor in Council this 16th day of April,  
1964.

H. L. BOUND,

*Clerk of the Executive Council.*

Ref. D/16/46/III.

- 6 Reports.
- 7 Samples of petroleum.
- 8 Formation of company, etc., by licensee.
- 9 Consent to assignment.
- 10 Assignment of licence.
- 11 Licensee ceasing to be a British subject.
- 12 Control by an alien.
- 13 Reciprocity.
- 14 Release of lands included by inadvertence.
- 15 Use of lands for public purposes.
- 16 Power of revocation.
- 17 Renewal.
- 18 Right of Licensee to determine licence.
- 19 Right of Licensee to abandon portions of licensed area.
- 20 Right of Licensee to oil prospecting licence.
- 21 Force Majeure.
- 22 Arbitration.
- 23 Marginal notes.
- 24 Interpretation.

Schedule A — Description of licensed area.  
Schedule B — Bond.

## SECOND SCHEDULE.

### PART II.

#### OIL PROSPECTING LICENCE.

- 1 Grant of rights and licence.
- 2 Restriction for alienated land.
- 3 Certain yearly rent.
- 4 Refund of certain yearly rent on determination or surrender.
- 5 Royalty.
- 6 Measurement of petroleum.
- 7 Keeping of accounts.
- 8 Working obligations.
- 9 Local Resident Manager.
- 10 Licensee to furnish copies of agreements with surface owners.
- 11 Compensation.
- 12 Indemnity against third party claims.
- 13 Release of lands included by inadvertence.
- 14 Use of lands for public purposes.
- 15 Advertisements, prospectuses.
- 16 Notice of fresh issues of capital.
- 17 Consent to assignment.
- 18 Assignment of licence.
- 19 Licensee ceasing to be a British subject.
- 20 Control by an alien.
- 21 Reciprocity.
- 22 Notification of discovery of petroleum.
- 23 Distance of wells from boundaries.
- 24 Notice of commencement of wells.
- 25 Abandonment and plugging of bore-holes.
- 26 Delivering up of productive wells in good order.
- 27 Plugging of bore-holes on determination of licence.
- 28 Removal of plant.
- 29 Health and safety of workers.
- 30 Avoidance of harmful methods of working.
- 31 Provision of storage tanks, pipes and pipe-lines.
- 32 Disposal of waste oil, salt water and refuse.
- 33 Licensee to keep records of bore-holes.
- 34 Samples of strata, petroleum and water.
- 35 Plans and records.
- 36 Reports confidential.

- 37 Power to inspect plant records accounts.
  - 38 Power to execute works.
  - 39 Rights of distress.
  - 40 Power of revocation.
  - 41 Surrender of area.
  - 42 Renewal.
  - 43 Right of Licensee to determine licence.
  - 44 Right of Licensee to abandon portions of licensed area.
  - 45 Right of Licensee to oil mining lease.
  - 46 Force Majeure.
  - 47 Arbitration.
  - 48 Marginal notes.
  - 49 Interpretation.
- Schedule A — Description of licensed area.  
Schedule B — Bond.

## SECOND SCHEDULE.

### PART III.

#### OIL MINING LEASE.

- 1 Demise of petroleum; rights and privileges.
- 2 To bore.
- 3 To appropriate water.
- 4 To appropriate surface of land.
- 5 To refine.
- 6 To store and carry away petroleum.
- 7 To erect houses, etc.
- 8 To dig gravel, etc.
- 9 To enclose.
- 10 Notice before entering on surface of Crown lands.
- 11 Compensation to occupiers.
- 12 Governor's rights
- 13 Governor's permission required for alienated land.
- 14 Certain yearly rent.
- 15 Royalty.
- 16 Surface rents of Crown lands.
- 17 Refund of certain yearly rent on determination or surrender.
- 18 Measurement of petroleum.
- 19 Keeping of accounts.
- 20 Establishment of boundary marks.
- 21 Refinery.
- 22 Local Resident Manager
- 23 Lessee to furnish copies of agreements with surface owners.
- 24 Compensation.
- 25 Indemnity against third party claims.
- 26 Release of lands included by inadvertence.
- 27 Lessee not to cultivate, etc.
- 28 Use of lands for public purposes.
- 29 Advertisements, prospectuses.
- 30 Notice of fresh issues of capital.
- 31 Consent to assignment.
- 32 Assignment of lease.
- 33 Lessee ceasing to be a British subject.
- 34 Control by an alien.
- 35 Reciprocity.
- 36 Lessee not to obstruct working of other minerals.
- 37 Distance of wells from boundaries.
- 38 No mining operations to be carried on near public works.
- 39 Notice of the site and commencement of bore-holes.
- 40 Abandonment and plugging of bore-holes.
- 41 Delivering up of productive wells in good order.
- 42 Plugging of bore-holes on determination of lease.

43	Health and safety of workers.
44	Working obligations.
45	Avoidance of harmful methods of working.
46	Provision of storage tanks, pipes and pipe-lines.
47	Disposal of waste oil, salt water and refuse.
48	Lessee to keep records of bore-holes.
49	Lessee to keep samples of strata, petroleum and water.
50	Plans and records.
51	Reports confidential.
52	Employment of British subjects.
53	Training of British subjects.
54	For quiet enjoyment.
55	Renewal.
56	Right of Lessee to determine lease.
57	Right of Lessee to abandon portions of the leased area.
58	Power to inspect plant, records, accounts.
59	Unit development.
60	Governor's right of pre-emption.
61	Power to execute works.
62	Rights of distress.
63	Power of revocation.
64	Power to Lessee to remove plant.
65	Power to Governor to purchase plant.
66	Force Majeure.
67	Arbitration.
68	Marginal notes.
69	Interpretation.
	Schedule A — Description of leased area.
	Schedule B — Bond.

## The Mining Ordinance (Cap. 48)

### REGULATIONS

(under section 12 of the Ordinance)

No. 3 of 1964.

W. H. THOMPSON,  
*Officer Administering the Government.*

The Officer Administering the Government in exercise of the powers vested in him by section 12 of the Mining Ordinance, is pleased by and with the advice of the Executive Council to make the following Regulations —

#### PART I.

##### GENERAL.

1. These Regulations may be cited as the Mining (Mineral Oil) Regulations, 1964.

2. In these Regulations and in every licence and lease issued hereunder the following terms shall respectively have the meaning assigned to them unless inconsistent with the context, or unless expressly varied in such licence or lease.

"LICENSEE" means a person to whom a licence under these Regulations is granted, his successors in title and the persons deriving title under him.

"LESSEE" means a person to whom a lease under these Regulations is granted, his successors in title and the persons deriving title under him.

"ALIENATED LANDS" means lands the oil rights in which are vested in the Crown but the surface of which has been alienated at any time whether such surface has reverted in the Crown or not.

"PETROLEUM" includes any mineral oil or relative hydrocarbon and natural gas existing in its natural condition in strata, but does not include coal or bituminous shales or other stratified deposits from which oil can be extracted by destructive distillation.

"CRUDE OIL" means oil in its natural state before the same has been refined or otherwise treated but excluding water and foreign substances.

"NATURAL GAS" means gas obtained from bore-holes and wells and consisting primarily of hydrocarbons.

"CASINGHEAD PETROLEUM SPIRIT" means any liquid hydrocarbons obtained from natural gas (before the crude oil from which it is derived has been measured for royalty) by separation or by any chemical or physical process.

"HER MAJESTY'S DOMINIONS" shall be construed as including a reference to all territories under Her Majesty's protection or in which Her Majesty has for the time being jurisdiction.

"BRITISH SUBJECT" shall be deemed to include a person under Her Majesty's protection.

"PERSON" shall be deemed to include a company.

3. Any person may apply in accordance with these Regulations for

- an oil exploration licence;
- an oil prospecting licence;
- an oil mining lease;

in respect of Crown Lands, or alienated lands.

Persons by whom  
application may be made.

Manner in which  
application may be made.

4. (1) Every application shall be made in writing on the form set out in the First Schedule hereto addressed to the Governor.

(2) The application shall state —

- (a) in the case of an application by an individual, his address nationality and occupation;
- (b) in the case of an application by a company the nature of and the principal place of business of the company (and if the principal place of business is outside the Colony the name and address of a duly authorised agent in the Colony) the names and nationality of the directors thereof, and the names and holdings of the principal shareholders.

(3) An application by an alien or a company incorporated outside Her Majesty's dominions shall contain in addition to the matters specified in paragraph (2) of this Regulation full particulars of any company required to be incorporated in accordance with Regulation 10 in the Colony or in some other part of Her Majesty's dominions for the purpose of receiving the grant of and exploiting any licence or lease which may be granted in pursuance of the application.

(4) With the application there shall be sent the prescribed application fee, that is to say —

For an oil exploration licence £25;

For an oil prospecting licence £50;

For an oil mining lease £100.

(5) To the application there shall be attached two copies of a map upon which shall be delineated the boundaries of the area in respect of which a licence or lease is applied for.

(6) The applicant shall with his application furnish evidence as to his financial and technical qualifications and as to his ability to comply with any terms and conditions contained in the model clauses set out in the Second Schedule hereto relating to the licence or lease for which application is made, and in the case of an application by an alien or a company incorporated outside Her Majesty's dominions the like evidence in relation to any company required to be incorporated in accordance with Regulation 10 in the Colony or in some other part of Her Majesty's dominions for the purpose of receiving the grant of and exploiting any licence or lease which may be granted in pursuance of the application. The applicant shall forthwith upon request by the Governor furnish further evidence relating to such matters and if such further evidence shall not have been furnished to the satisfaction of the Governor within three months of the request therefor the application shall unless the Governor otherwise determines, be deemed void.

(7) All information comprised in, or furnished to the Governor in pursuance of an application made in accordance with these Regulations shall be treated as confidential.

Separate application to be  
made for each area.

5. Where an applicant requires a licence or lease for two or more separate areas a separate application shall be made in respect of each such area.

Grant of more than one  
licence or lease to the  
same person.

6. Subject to the provisions of Regulations 18 and 24 nothing in these Regulations shall prevent more than one licence or lease being granted to the same person.

Licence or lease not  
assignable without  
consent.

7. A licence or lease shall not be assigned without the previous consent in writing of the Governor.

Method of making  
application for assign-  
ment.

8. An application by a licensee or lessee for the assignment of a licence or lease shall be made in writing addressed to the Colonial Secretary and shall be accompanied by a fee as prescribed in Regulation 4 (4). With the application the applicant shall furnish

the like particulars in respect of the proposed assignee as are required to be furnished in the case of applicants for licences and leases under Regulation 4.

9. A licence or lease shall not be granted to or held by any person who is or becomes controlled directly or indirectly by a national of or by a company incorporated in any country the laws and customs of which do not permit British subjects or companies incorporated in Her Majesty's dominions or companies incorporated in that country controlled directly or indirectly by British subjects or companies incorporated in Her Majesty's dominions to acquire hold and operate petroleum concessions on conditions which in the opinion of Her Majesty's principal Secretary of State for the Colonies are reasonably comparable with the conditions upon which such rights are granted to nationals of that country with the addition of conditions corresponding to those imposed by Clause 12 (Control by an Alien) and Clause 13 (Reciprocity) of Part I of the Second Schedule hereto.

Reciprocity.

10. In the case of an application for a licence or a lease by an alien or a company incorporated outside Her Majesty's dominions or in the case of an application by a licensee or lessee for the Governor's consent to the assignment of a licence or lease to an alien or a company incorporated outside Her Majesty's dominions such licence or lease shall only be granted or assigned to a company incorporated in the Colony or in some other part of Her Majesty's dominions for the purpose of receiving and exploiting any such licence or lease unless in the case of a company incorporated in the United States of America the applicant can show to the satisfaction of the Governor that he would thereby suffer substantial financial loss in respect of taxation.

Applications by an alien  
or a company incorporated  
outside Her Majesty's  
dominions.

11. If a licence or lease is not executed within six months after approval of the application by the Governor the right of the applicant to such licence or lease shall be deemed to have lapsed unless the Governor considers that the delay is not attributable to the fault of the applicant.

Lapse of right to licence  
or lease.

12. The Governor shall, as soon as may be after the grant surrender determination or assignment of the whole or any part of any licence or lease under these Regulations, publish notice of the fact in the Gazette stating the name of the licensee or lessee or assignee and the situation of the area concerned.

Publication.

13. Every oil exploration licence and oil prospecting licence and oil mining lease shall incorporate such of the model clauses respectively set out in Parts I, II and III of the Second Schedule hereto as shall be appropriate subject to such modifications and exclusions as the Governor thinks fit and such additional clauses covering ancillary matters as the Governor thinks necessary.

Model clauses.

14. Unless the Governor shall in any particular case otherwise provide no such licence or lease shall be granted until a Bond has been executed in the form appropriate to such licence or lease and set out in the Second Schedule hereto.

Bond.

## PART II.

### OIL EXPLORATION LICENCES.

15. The Governor may at his discretion grant an oil exploration licence or licences over the lands specified therein subject to the payment by the licensee of a fee of 2/6d. for every square mile comprised in the licensed area, provided that the total fees payable shall not be less than £100.

Grant of oil exploration  
licence.

16. The initial term of an oil exploration licence shall not exceed two years.

Period.

Renewal. 17. The Governor may at his discretion on application made by the licensee on three months' notice in writing and on payment of an annual fee which shall be one-half of that provided in Regulation 15 grant a renewal of an oil exploration licence in respect of the whole of the licensed area or any part thereof for three further terms of twelve months.

Maximum area. 18. The area of an oil exploration licence and the maximum area which may be held by any one licensee under oil exploration licences shall be determined by the Governor at his discretion.

Expenditure obligation. 19. During the period of the licence and of any renewal thereof the licensee shall spend an average of not less than £25 per annum on his operations for each square mile in the licensed area. If the expenditure in the licensed area by the licensee falls short of such amount, the licensee shall on the expiration of the licence or of any renewal thereof pay to the Colonial Treasurer an additional sum representing the difference between his liability under this Regulation and his actual expenditure:

Provided that in the event of the determination of the licence or the surrender of any part or parts of the area by the licensee the expenditure obligation shall be reduced proportionately.

Right to oil prospecting licence. 20. The right of the licensee to an oil prospecting licence or licences within the area in respect of which an oil exploration licence or licences have been granted shall be limited to 50 per centum of the area of that licence or of the aggregate area of those licences.

### PART III.

#### OIL PROSPECTING LICENCES.

Grant of oil prospecting licence. 21. The Governor may grant an oil prospecting licence over the lands specified therein whether or not the applicant has been the holder of an oil exploration licence under these Regulations. Subject to the rights of an applicant who is the holder of a valid oil exploration licence, the grant of an oil prospecting licence shall be at the discretion of the Governor.

Comprehensive oil prospecting licence. 22. Subject to the provisions of Regulation 5 the Governor may grant a comprehensive oil prospecting licence in respect of two or more separate areas provided they are situated reasonably close together.

Shape of area. 23. Each separate area in respect of which an oil prospecting licence is granted shall be so far as possible, compact and shall either be limited by well marked permanent physical boundaries or be bounded by straight lines.

Maximum area. 24. Subject to the provisions of Regulation 20 the area of an oil prospecting licence and the maximum area which may be held by any one licensee under oil prospecting licences shall be determined by the Governor at his discretion.

Period. 25. The initial term of an oil prospecting licence shall not exceed four years.

Renewal. 26. The Governor may at his discretion on application made by the licensee on three months' notice in writing grant a renewal of an oil prospecting licence in respect of the whole of the licensed area or any part or parts thereof for three further terms of twelve months.

Working obligations. 27. (1) The licensee shall in respect of the area or areas covered by each licence carry out with due diligence such scheme of prospecting including any geological and geophysical surveys and programme of test drilling as shall be approved by the Colonial Secretary.

(2) During the period of the licence including the period of any renewal of the licence the licensee shall spend on his operations in the licensed area not less than —

£25 a square mile during the first year of the licence.

£50 a square mile during each of the next three years of the licence.

£75 a square mile during each year thereafter.

If the expenditure in the licensed area by the licensee falls short of that stated above, the licensee shall on the expiration of the licence or any renewal thereof, as the case may be, pay to the Colonial Treasurer an additional sum representing the difference between his liability under this Regulation and his actual expenditure:

Provided that in the event of the determination of the licence or the surrender of any part or parts of the area by the licensee the expenditure obligation shall be reduced proportionately.

(3) As soon as practicable and in any case not later than one year from the date of the issue of the oil prospecting licence, the licensee shall commence drilling with a medium or deep depth drilling string upon a site selected by him within the licensed area and shall therewith with due diligence continue drilling until the geological objective is reached or geological conditions are discovered which preclude the possibility of the presence of petroleum in commercial quantity at greater depth. If petroleum in commercial quantity is not found, the licensee shall undertake further similar drilling operations upon other selected sites in rotation until commercial oil is found, the selection of these sites and the movement of the drilling equipment to them to be carried out without delay.

(4) Where a licensee holds concurrently more than one oil prospecting licence the obligation in the immediately preceding paragraph shall not apply to more than one such licence out of every five licences so held, or such greater number of licences so held as the Governor may determine.

28. The licensee shall pay to the Colonial Treasurer annually in advance a certain yearly rent for each square mile at the following rates:

Certain yearly rent.

	£	s.	d.
1st year of initial term	10	0	
2nd year of initial term	1	0	0
3rd year of initial term	1	10	0
4th year of initial term	1	15	0
1st year renewal	2	0	0
2nd year renewal	2	5	0
3rd year renewal	2	10	0

Provided that the certain yearly rent payable for each year of the initial term shall not be less than £100 and for the renewal of the term shall not be less than £200.

29. The licensee shall pay a royalty of 12½ per centum of the value of all crude oil produced and casinghead petroleum spirit recovered and 5 per centum of the value of all natural gas sold from the licensed area. From the amount of royalty payable in respect of any one year of the term of an oil prospecting licence there shall be deducted the amount of the certain yearly rent actually paid in respect of that year for that licensed area.

Royalty.

30. At the end of the fourth year of the initial term of the prospecting licence, the licensee shall surrender 25 per centum of the area in respect of which the licence has been granted.

Surrender of area.

Right to oil mining lease.

31. The right of the licensee to an oil mining lease within the area of the oil prospecting licence shall be limited to 50 per centum of the area originally granted under that oil prospecting licence save in cases where special exemption is granted by the Governor.

#### PART IV.

##### OIL MINING LEASES.

Governor may grant oil mining lease.

32. The Governor may grant an oil mining lease over the lands specified therein. An oil mining lease shall be granted only in respect of an area which has previously been either in an oil prospecting licence granted under these Regulations to the applicant or in an oil mining lease granted to a former lessee.

Comprehensive oil mining lease.

33. Subject to the provisions of Regulations 5 and 31 the Governor may grant a comprehensive oil mining lease in respect of two or more separate areas provided they are situated on the same geological structure or cover a group of geologically similar and related structures.

Shape of area.

34. Each separate area in respect of which an oil mining lease is granted shall either be limited by well marked permanent physical boundaries or be laid out in a block or blocks bounded by straight lines between well defined points.

Period.

35. The initial term of an oil mining lease shall not exceed thirty years but the lease shall contain a clause permitting renewal for a further period not exceeding thirty years.

Certain yearly rent.

36. The lessee shall pay annually in advance a certain yearly rent at rates not less than the following rates for each acre or part of an acre comprised in the leased area —

	Per acre per annum		
	£	s.	d.
In respect of the 1st year of the said term	2	6	
In respect of the 2nd year of the said term	3	6	
In respect of the 3rd year of the said term	4	6	
In respect of the 4th year of the said term	6	0	
In respect of the 5th year of the said term	8	0	
In respect of the 6th year and each subsequent year of the said term	10	0	

Royalty.

37. The licensee shall pay a royalty of 12½ per centum of the value of all crude oil produced and casinghead petroleum spirit recovered and 5 per centum of the value of all natural gas sold from the licensed area. From the amount of royalty payable in respect of any one year of the term of an oil mining lease there shall be deducted the amount of the certain yearly rent actually paid in respect of that year for that lease.

Promulgated by the Officer Administering the Government on the 27th day of August, 1964.

H. L. BOUND,

*Clerk of the Executive Council.*

Ref. 2298.

#### FIRST SCHEDULE

##### FALKLAND ISLANDS

##### Application for an Oil Exploration Licence, an Oil Prospecting Licence or an Oil Mining Lease

1. Name(s) of Applicant(s) in full.....  
.....
2. If application is by an individual or individuals
  - (a) Address .....
  - (b) Nationality .....
  - (c) Occupation .....
3. If application is by a company
  - (a) Principal place of business .....
  - (b) If principal place of business is outside the Colony name and address of duly authorised agent in the Colony .....
  - (c) Nature of business .....
  - (d) Names of directors ..... Nationality .....
  - (e) Names of principal shareholders ..... Amount of shareholding .....
4. State whether an Oil Exploration Licence, an Oil Prospecting Licence or an Oil Mining Lease is required and whether the application is in respect of Crown, or alienated lands .....
5. Period for which Licence or Lease is required .....
6. Situation and approximate size of the area for which application is made .....
7. Brief particulars of previous experience in oil prospecting or oilfield development work .....
8. Names and qualifications of technical experts or advisers.....
9. State amount of capital for operations under the Licence or Lease applied for
  - (a) At present available.....
  - (b) Which applicant can make available and the source.....
10. If the applicant is an alien, or a company incorporated outside Her Majesty's dominions state full particulars of the company to be incorporated by the applicant in the Colony or in some other part of Her Majesty's dominions for the purpose of receiving the grant of and exploiting any Licence or Lease which may be granted, including particulars similar to those specified in (3) (d) and (8) above and the amount of the capital proposed .....

I/We hereby declare that all the foregoing particulars are correct.

Date ..... Signature(s) of Applicant(s).....

*(If the applicant is a Company state capacity in which form is signed).*

SECOND SCHEDULE: PART I

FALKLAND ISLANDS  
OIL EXPLORATION LICENCE

THIS DEED made the ..... day of ..... 19.....  
between .....

Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies (hereinafter referred to as the "Governor" which expression includes the officer for the time being administering the Government of the said Colony) of the one part and (hereinafter referred to as "the Licensee") of the other part.

WHEREAS the Licensee in accordance with the conditions laid down in the Regulations for the time being in force for the granting of oil exploration licences has applied to the Governor for an oil exploration licence in respect of the lands specified in the Schedule marked "A" hereunder written (hereinafter referred to as "the licensed area") and has entered into a Bond in the form set out in the Schedule marked "B" hereunder written with the Colonial Treasurer in the sum of.....conditioned for the due and faithful carrying out of the provisions contained in this Deed:

NOW THIS DEED WITNESSETH AS FOLLOWS —

Fee.

1. In consideration of the sum of £ ..... which represents a fee of 2/6d. for each square mile of the licensed area and which has before the execution hereof been paid by the Licensee to the Colonial Treasurer on behalf of the Governor the sole right and licence is hereby granted by the Governor to the Licensee for the term of two years from the date hereof subject to the rights of private owners of the surface and subject to the restrictions conditions and provisions hereinafter contained to explore and search the surface of the lands described in the Schedule marked "A" hereunder written for petroleum and for that purpose the right and licence to make geological geophysical and topographic examinations and to dig and turn up the surface of the land and drill geological information bore-holes. Reserving nevertheless to the Governor full power and liberty at all times to enter into and upon and to grant or demise to any persons whomsoever liberty to enter into and upon such Crown lands as may be included in the said lands for all and every purpose other than that for which this licence is granted but subject to the rights of the Licensee under this licence.

Right to erect and dismantle huts, etc.

2. Subject to the rights of private owners of the surface the Licensee may erect and bring upon the licensed area such temporary buildings and structures engines machinery equipment chattels and effects as shall be proper and necessary for effectually carrying on the operations hereby licensed and subject as aforesaid the Licensee shall be entitled at any time to dismantle and remove the same.

Local Resident Manager.

3. The Licensee shall before commencing any operations in the said lands furnish to the Colonial Secretary the name and address of the Manager resident in the locality of the licensed area under whose supervision such operations are to be carried on. Any notice which the Governor or any person authorised by him is in accordance with the terms of this licence required or entitled to serve upon the Licensee shall be sufficiently served if the same shall be delivered or sent by post to such Manager at such address.

Working obligations.

4. (1) The Licensee shall with all reasonable despatch commence to examine geologically and by geophysical methods the licensed area and shall during the subsistence of this licence continue with due diligence to carry out such geological and geophysical work as may be necessary to determine the structure of the licensed area.

(2) During the period of the licence and any renewal thereof the Licensee shall spend an average of not less than £25 per annum on his operations for each square mile of the licensed area. If the expenditure of the Licensee on the operations for the period of the licence or the period of the renewal as the case may be falls short of the said amount, he shall on the expiration of the period of the licence or the period of the renewal as the case may be pay the difference between his liability under this clause and his actual expenditure to the Colonial Treasurer.

(3) In the event of the determination of this licence by the Licensee under the provisions of Clause 18 or the surrender of any part or parts of the area, under the provisions of Clause 19 the expenditure obligations in this clause shall be reduced proportionately.

5. All excavations or borings which may have been made on the licensed area during the subsistence of this licence shall unless the Colonial Secretary otherwise determines be filled up, and so far as possible the surface of the land shall be restored to its condition prior to such excavations or borings, and the Licensee shall indemnify the Governor against all claims and demands which may be made by any other person for damage shown to result from the exercise of the powers hereby conferred.

Restoration and indemnity.

6. The Licensee shall furnish in triplicate to the Colonial Secretary a quarterly report (which he hereby undertakes to have prepared) indicating the progress of his operations under this licence in and upon the licensed area and containing a map, on a scale to be agreed between the Colonial Secretary and the Licensee, which shall show the true topographic position of any land geologically or geophysically surveyed examined or mapped. The quarterly report and map shall include full particulars of any discovery or indication of petroleum bearing strata and of any mineral other than petroleum. Any officer authorised by the Colonial Secretary may at all reasonable times inspect and make abstracts or copies of any logs records plans or maps prepared by the Licensee in the course of his operations under this licence. All such information so supplied by the Licensee shall (except with the consent in writing of the Licensee which shall not be unreasonably withheld) be treated by the Colonial Secretary as confidential but the Colonial Secretary shall nevertheless be entitled at any time to make use of any information received from the Licensee for the purpose of preparing and publishing aggregated returns and general reports on the extent of oil prospecting or oil mining operations in the Colony and for the purposes of any arbitration or litigation between the Governor and the Licensee.

Reports.

7. The Licensee may remove any specimens or samples of petroleum found by him in or upon the licensed area in the course of his operations under this licence but shall furnish the Colonial Secretary as soon as possible with full information of all such specimens and samples so removed and shall upon demand made within 28 days of the receipt by the Colonial Secretary of such information provide the Colonial Secretary with such representative specimens and samples as may be required, not exceeding one half of any individual specimen or sample so removed by the Licensee and the Colonial Secretary shall be entitled to retain any specimen or sample so delivered.

Samples of petroleum.

8. The Licensee shall not form or endeavour to form or procure or permit to be formed any company syndicate or association incorporated or not incorporated nor appeal publicly by means of a prospectus or otherwise for money for the purpose of exploiting the licensed area or any portion thereof without the permission in writing of the Governor to be obtained on his being satisfied that such lands or portion thereof have been thoroughly and efficiently examined geologically or by geophysical methods.

Formation of Company, etc., by Licensee.

Consent to assignment.

9. The Licensee shall not grant or assign any interest under this licence nor part with the possession of any of the rights hereby granted to any person or persons whomsoever without the previous consent in writing of the Governor, which shall not be unreasonably withheld. The Governor may (without prejudice to his right to make such consent subject to any conditions he may think fit) require as a condition of giving such consent the assignor or assignees at his or their expense to execute a deed of covenant to observe and perform the covenants and conditions on the part of the Licensee in these presents contained and to enter into a Bond in the form set out in the Schedule marked "B" hereunder.

Assignment of licence.

10. The Licensee shall not assign or attempt to assign the rights granted by this licence to any person other than a British subject or a company incorporated in the Colony or in some other part of Her Majesty's dominions:

Provided that if in the case of a proposal to assign the rights to a company incorporated in the United States of America the Licensee can show to the satisfaction of the Governor that the foregoing provisions of this clause would result in the Licensee suffering substantial financial loss in respect of taxation the Governor may by writing under his hand absolve the Licensee from complying with the provisions of this clause.

Licensee ceasing to be a British subject.

11. If the Licensee shall cease to be a British subject or a company incorporated in the Colony or in some other part of Her Majesty's dominions he shall forthwith inform the Governor and apply to him for his consent to an assignment of the rights granted by this licence in accordance with Clause 9 (Consent to assignment) and Clause 10 (Assignment of licence) hereof and in the event of the Licensee failing to obtain such consent within such time as the Governor may in his discretion appoint the Governor may revoke this licence. The revocation of this licence in pursuance of the foregoing provisions of this clause shall be subject and without prejudice to any obligation or liability imposed by or incurred under the terms and conditions hereof.

Control by an alien.

12. If the Licensee being a company shall be or become controlled directly or indirectly by an alien or a company incorporated outside Her Majesty's dominions or if the Licensee shall with the consent in writing of the Governor assign the rights granted by this licence in respect of the licensed area or any part thereof to a company controlled directly or indirectly by an alien or by a company incorporated outside Her Majesty's dominions then and in any such case —

- (a) .....of the Directors and the Chief Local Representative shall be British subjects;
- (b) at all times during the term hereby granted or any renewal thereof a reasonable number of the persons employed by the Licensee in or about the licensed area in connection with the exercise of the rights granted by this licence shall be British subjects.

Reciprocity.

13. This licence shall be determined if the Licensee shall be or become controlled directly or indirectly by a national of or by a company incorporated in any country the laws and customs of which do not permit British subjects or companies incorporated in Her Majesty's dominions or companies incorporated in that country controlled directly or indirectly by British subjects or companies incorporated in Her Majesty's dominions to acquire hold and operate petroleum concessions on conditions which in the opinion of Her Majesty's Principal Secretary of State for the Colonies are reasonably comparable with the conditions upon which such rights are granted to nationals of that country with the addition of conditions corresponding to those imposed by this clause and the immediately preceding clause hereof.

14. In the event of the inclusion by inadvertence in the said Schedule marked "A" of lands or areas over which it may subsequently be proved that the Government are not entitled to the oil rights or of lands or areas in respect of which the oil rights have already been granted to other individuals or companies, the Licensee shall immediately release to the Governor any such lands or areas when required to do so by the Colonial Secretary.

Release of lands included by inadvertence.

15. Notwithstanding the rights conferred on the Licensee under this licence the Governor shall have power at any time to require that such part or parts of the licensed area as may from time to time be required for any public purpose whatsoever may be so used provided that during the subsistence of this licence the area or areas so used shall not exceed in all ..... of the licensed area and provided further that if the Licensee shall satisfy the Governor that the use of such area or areas will interfere with his proposed operations he shall have the right to indicate other areas which can be selected with the least interference to his operations.

Use of lands for public purposes.

16. If the Licensee shall at any time refuse or neglect to observe or perform any of the terms and conditions of this licence the Governor may by notice in writing signed by him and served upon the Licensee summarily declare that the licence hereby granted shall henceforth determine and the licence and all rights and liberties conferred hereby or enjoyed hereby or hereunder shall forthwith determine without prejudice to the rights and remedies of the Governor in respect of any prior breach or non-performance of any or all of the terms and conditions hereof on the part of the Licensee:

Power of revocation.

Provided always that the aforesaid power shall not be exercisable unless and until notice has been given to the Licensee specifying the particular breach complained of and if the breach is capable of remedy, requiring the Licensee to remedy the breach and, in any case, requiring the Licensee to make compensation in money for the breach, and the Licensee fails within a reasonable time thereafter, to remedy the breach if it is capable of remedy and to make reasonable compensation in money to the satisfaction of the Governor for the breach.

17. The Governor may if he is satisfied that the Licensee has performed the conditions imposed on him by this licence at his discretion on an application made in that behalf by the Licensee on three months' notice in writing grant a renewal of this licence in respect of the whole of the licensed area or any part thereof for a further term of twelve months and thereafter for two further terms of twelve months respectively subject to the payment by the Licensee of an annual fee of 1/3d. for each square mile of the area retained.

Renewal.

18. Without prejudice to any obligation or liability imposed by or incurred under the terms and conditions hereof the Licensee may at any time during the term hereby granted or any renewal thereof determine this licence by giving to the Governor not less than six months' previous notice in writing to that effect.

Right of Licensee to determine licence.

19. Without prejudice to any obligation or liability imposed by or incurred under the terms and conditions hereof the Licensee shall be entitled at any time during the term hereby granted or any renewal thereof by giving three months' notice in writing to the Governor to surrender the rights granted by this licence in respect of any part or parts of the licensed area:

Right of Licensee to abandon portions of licensed area.

Provided that the part of the licensed area in respect of which the said rights are retained shall comply with the Regulations for the time being in force as to the shape and size of areas in respect of which an Oil Exploration Licence may be granted.

20. On or before the expiration of this licence or any renewal thereof the Licensee observing and performing the terms and conditions herein contained shall have a right (subject to the provisions

Right of Licensee to oil prospecting licence.

prescribed in the Regulations then in force for granting oil prospecting licences) to an oil prospecting licence or licences in respect of 50 per centum of the licensed area and in respect of such further part of the licensed area as the Licensee may select in lieu of an equivalent area or areas in respect of which the Licensee has the right to the grant of an oil prospecting licence or licences by virtue of another exploration licence or licences held by the Licensee.

Force majeure.

21. (1) Failure on the part of the Licensee to fulfil any of the terms and conditions of this licence shall not give the Governor any claim against the Licensee or be deemed a breach of this licence in so far as such failure arises from *force majeure* and if through *force majeure* the fulfilment by the Licensee of any of the terms and conditions of this licence be delayed the period of such delay shall be added to the periods fixed by this licence.

(2) In this Clause the expression "*force majeure*" includes the act of God, war, insurrection, riot, civil commotion, tide, storm, tidal wave, flood, lightning, explosion, fire, earthquake and any other happening which the Licensee could not reasonably prevent or control.

Arbitration.

22. If at any time during the continuance of this licence or after the determination thereof any question or dispute shall arise regarding this licence or any matter or thing connected herewith or the powers duties or liabilities of the Licensee hereunder then and in all such cases the matter in difference shall be referred to arbitration in accordance with the provisions of the Arbitration Act 1950 or any Ordinance or law amending or replacing the same for the time being in force:

Provided that any reference to arbitration arising out of an agreement between the parties, shall be to two arbitrators, one to be appointed by each party, unless a contrary intention is expressed in the agreement.

Marginal notes.

23. The marginal notes are for convenience only and do not form part of this licence.

Interpretation.

24. For the purpose of this licence —

- (1) "LICENSEE" means a person to whom an oil exploration licence is granted his successors in title and the persons deriving title under him.
- (2) "PETROLEUM" includes any mineral oil or relative hydrocarbon and natural gas existing in its natural conditions in strata but does not include coal or bituminous shales or other stratified deposits from which oil can be extracted by destructive distillation.
- (3) "HER MAJESTY'S DOMINIONS" shall be construed as including a reference to all territories under Her Majesty's protection or in which Her Majesty has for the time being jurisdiction.
- (4) "BRITISH SUBJECT" shall be deemed to include a person under Her Majesty's protection.
- (5) "COLONY" means the Colony of the Falkland Islands.

(In witness whereof the Governor and the Licensee have hereunto set their hands and seals the day and year first herein above written.)

(In witness whereof the Governor has hereunto set his hand and seal and the Licensee has caused its Common Seal to be hereunto affixed the day and year first herein above written.)

#### SCHEDULE A.

Description of licensed area.

All those lands indicated on the attached plan situate in.....  
.....and having a total area of.....  
or thereabouts.

#### SCHEDULE B.

##### BOND IN RESPECT OF OIL EXPLORATION LICENCE

KNOW ALL MEN BY THESE PRESENTS THAT WE

of .....  
and .....  
of .....

are held and firmly bound to the Colonial Treasurer of the Colony of the Falkland Islands and his Successors in Office in the sum of .....to be paid to the said Colonial Treasurer and his Successors in Office for which payment to be well and truly made we bind ourselves and each of us our heirs executors and administrators jointly and severally by these presents.

Dated this .....day of.....19.....

WHEREAS by deed of even date herewith and made between .....of the one part and the said.....of the other part the sole right and licence was granted to the said.....to explore and search the surface of that parcel of land situate..... and having an area of..... more or less and delineated in the plan attached to the said Deed for petroleum and for that purpose to make geological, geophysical and topographic examinations and to dig and turn up the surface of the land and drill geological information bore-holes, subject to the terms conditions and covenants therein contained.

AND WHEREAS the said ..... hath agreed to become surety for the due performance by the said..... of all and several the covenants matters and things under the said Deed to be by him performed and done.

Now the condition of the above-written bond or obligation is such that if the said ..... shall well and truly observe and perform all and every the covenants and agreements by him to be observed and performed as hereinbefore mentioned and shall in a proper and workmanlike manner do all and every the acts matters and things by him to be done under the said Deed to the satisfaction of the Governor for the time being of the said Colony.

THEN the above-written bond or obligation shall be void otherwise the same shall remain in full force and effect.

#### SECOND SCHEDULE: PART II

##### FALKLAND ISLANDS OIL PROSPECTING LICENCE

THIS DEED made the ..... day of ..... 19..... between ..... Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies (hereinafter referred to as "the Governor" which expression includes the Officer for the time being administering the Government of the said Colony) of the one part and ..... (hereinafter referred to as "the Licensee") of the other part.

WHEREAS the Licensee in accordance with the conditions laid down in the Regulations for the time being in force for the granting of oil prospecting licences has applied to the Governor for an oil prospecting licence in respect of certain lands specified in the Schedule marked "A" hereunder written (hereinafter referred to as "the licensed area").

AND WHEREAS the Licensee has entered into a bond in the form set out in the Schedule marked "B" hereunder written with the Colonial Treasurer in the sum of ..... conditioned for the due and faithful carrying out of the provisions contained in this Deed;

AND WHEREAS the Governor has found that there is no objection to granting the said licence;

NOW THIS DEED WITNESSETH AS FOLLOWS —

1. In pursuance of the aforesaid arrangements and in consideration of the rents royalties covenants and agreements herein-after reserved and contained on the one part of the Licensee to be paid and observed the Governor doth hereby grant unto the Licensee the rights and licence specified in the following sub-clauses of this clause (but subject to the restrictions provisions and conditions hereinafter contained) to hold and enjoy the said rights and licence for a term of four years from the date hereof (hereinafter referred to as the "initial term"):

- (1) the sole right and licence to enter upon the licensed area for the purpose of searching for boring for winning and working all or any petroleum lying or being within under or throughout the licensed area without any interruption claim or disturbance from or by the Governor or any other person or persons whomsoever save as may be provided by regulation;
- (2) the sole right and licence to carry away and dispose of petroleum from the licensed area for the use and benefit of the Licensee;
- (3) subject to the prior approval of the Governor in writing and to such conditions as he may at his discretion impose, the right to make any roads on the licensed area for the purpose of carrying on the prospecting operations hereby licensed;
- (4) subject to the approval of the Governor and to such conditions as he may impose the right to appropriate and use for the purposes aforesaid the water upon or within any of the licensed area and to collect and impound the same for such purposes but so that in the exercise of this privilege the Licensee shall not deprive any lands, settlements, shepherds' houses, or watering places for horses, cattle or sheep of a reasonable supply of water as heretofore accustomed;
- (5) the right to erect and bring upon the licensed area all such temporary buildings, structures, engines, machinery, equipment, chattels and effects as shall be proper and necessary for effectually carrying on the prospecting operations hereby licensed and subject to the approval of the Governor to install telephone and wireless apparatus and to construct airstrips and to enclose with a fence the lands occupied by the aforesaid constructions:

Reserving nevertheless to the Governor or any other person authorised by him in that behalf full liberty and power at all times —

- (a) to enter into and upon the licensed area for all or every purpose other than those for which this licence is issued but subject to the rights hereby conferred and particularly (and without hereby in any way qualifying such general power and liberty)
  - (i) to make on over or through the licensed area such roads railways telegraph and telephone lines, pipelines and other public works as he may consider necessary;
  - (ii) to obtain from and out of any Crown Lands in the licensed area such stone earth timber or other

material as may be necessary or requisite for any purpose;

- (iii) to pass and repass at all times over and along any Crown Lands in the licensed area and such roads railways and pipelines for all purposes as occasion shall require;

- (b) to search for, dig, work, and get any minerals or substances other than petroleum upon or under the licensed area:

Provided always that the said reserved liberties and powers in respect of the licensed area or any part thereof shall be exercised and enjoyed in such a manner as not to hinder or interfere with the rights and privileges of the Licensee under these presents, and provided also that fair and proper compensation shall be paid by the Governor for all loss damage or injury which the Licensee may sustain or be put to by reason or in consequence of the exercise of the said reserved liberties and powers, the amount of such compensation to be settled in case of difference by reference to arbitration as provided in Clause 47 (Arbitration) hereof.

2. The Licensee shall not exercise any of the rights and licence conferred under the preceding clause over any alienated lands within the licensed area unless and until permission in writing so to do shall first have been obtained by the Licensee from the Governor who shall grant such permission upon proof to his satisfaction by the Licensee that —

Restriction for alienated lands.

- (a) the Licensee has entered into an agreement with the owner or occupier or both as the case may be of the surface of that land for payment of compensation to such owner or occupier for and in respect of any loss or damage which may be caused or done to the surface of that land or to any cultivation or buildings thereon by reason of the exercise by the Licensee of all or any rights and licence hereby granted; or
- (b) the Licensee has made reasonable efforts to arrive at such an agreement but has failed to do so through no fault attributable to him; or
- (c) the Licensee is unable to enter into such an agreement by reason of the fact that such owner or occupier cannot be found or is out of the Colony or is incapacitated through infancy or other legal disability.

3. (1) The Licensee shall pay to the Colonial Treasurer on behalf of the Governor during the term hereby granted or any renewal thereof a certain yearly rent for each square mile of the licensed area as hereunder specified —

Certain yearly rent.

	£	s.	d.
1st year of initial term	10	0	
2nd year of initial term	1	0	0
3rd year of initial term	1	10	0
4th year of initial term	1	15	0
1st year of renewal	2	0	0
2nd year of renewal	2	5	0
3rd year of renewal	2	10	0

Provided that the certain yearly rent payable for each year of the said term shall not be less than £100, and that the certain yearly rent payable for the renewal of the said term shall not be less than £200.

(2) Payment of the certain yearly rent reserved by this licence shall be made annually in advance and the first payment of the sum of ..... in respect of the first year of the term hereby granted (the receipt whereof is hereby acknowledged) shall be made on the execution of this licence.

Refund of certain  
yearly rent on determi-  
nation or surrender.

4. (1) Upon the determination by the Licensee of the term hereby granted or any renewal thereof or upon the surrender by him of the rights granted by this licence in respect of any part or parts of the licensed area or upon the grant of an oil mining lease in respect of any part or parts of the licensed area the Governor will refund to the Licensee an apportioned part of any certain yearly rent paid by the Licensee in advance in respect of the licensed area or any such part or parts thereof for a period the whole of which has not expired at the date of such determination or surrender of grant.

(2) Upon the release by the Licensee of any lands or areas under the provisions of Clause 13 (Release of lands included by inadvertance) hereof the Governor will refund to the Licensee an apportioned part of any certain yearly rent paid by the Licensee during the term hereby granted in respect of the licensed area provided that in respect of any year the amount remaining of the certain yearly rent after the said refund shall not be less than the amount of royalties payable in respect of any such year under the provisions of sub-clauses (1) and (2) of Clause 5 (Royalty) hereof.

Royalty.

5. The Licensee shall pay to the Colonial Treasurer on behalf of the Governor within two months after the end of each year of the term hereby granted or any renewal thereof the royalties hereunder specified —

- (1) A royalty of  $12\frac{1}{2}$  per centum of the value of all crude oil won and saved and of all casinghead petroleum spirit recovered by the Licensee from the licensed area within each such year ascertained in the manner provided by Clause 6 (Measurement of Petroleum). From the quantity so ascertained the Licensee shall be entitled to deduct the quantity ascertained according to a method approved by the Colonial Secretary of any crude oil (or products thereof) or casinghead petroleum spirit produced from the licensed area and used during the year by the Licensee for the purpose of carrying on drilling and production operations and pumping to field storage and refineries. The value of crude oil for the purpose of royalty shall be the value on the field of production at field storage tanks. The value of casinghead petroleum spirit for the purpose of royalty shall be the value on the field of production after the deduction of due allowance for the cost to the Licensee of extracting such casinghead petroleum spirit. Both the value of crude oil and that of casinghead petroleum spirit shall be calculated in such manner as may be determined from time to time by agreement with the Governor and the Licensee or in default of such agreement, by arbitration in accordance with Clause 47 (Arbitration) hereof:

Provided that if there is any dispute between the parties or failure to agree affecting the amount of the royalty due for any year the amount of royalty in dispute shall not be payable as aforesaid but shall be payable when the amount is determined by agreement or arbitration as the case may be.

- (2) A royalty of 5 per centum of the value of all natural gas produced and sold from the licensed area within each such year. The value of natural gas for the purpose of royalty shall be the value on the field of production at field storage tanks and shall be calculated in such manner as may be determined from time to time by agreement with the Governor and the Licensee or in default of such agreement by arbitration in accordance with Clause 47 (Arbitration) hereof:

Provided that if there is any dispute between the parties or failure to agree affecting the amount of the royalty due for any year the amount of royalty in dispute shall not be payable as aforesaid but shall be payable when the amount is determined by agreement or arbitration as the case may be.

- (3) From the amount of royalties payable under the foregoing provisions of this clause in respect of any such year there shall be deducted the amount of the certain yearly rent actually paid in respect of that year under the provisions of Clause 3 (Certain yearly rent) hereof.

6. (1) The Licensee shall measure or weigh by a method or methods customarily used in good oilfield practice and from time to time approved by the Colonial Secretary —

Measurement of  
petroleum.

- (a) all crude oil won and saved and casinghead petroleum spirit recovered from the licensed area; and  
(b) all natural gas sold from the licensed area during the term hereby granted or any renewal thereof.  
(2) The Colonial Secretary or any officer authorised by him shall at all times during the term of the licence or any renewal thereof be entitled to be present whenever such measurement takes place.  
(3) If any measuring appliance shall at any time be found to be false or unjust the same shall if the Colonial Secretary so determines after considering any representations in writing made by the Licensee be deemed to have existed in that condition during the period of three months prior to the discovery thereof or the period elapsed since the last occasion upon which the same was examined or tested whichever shall be the less and accordingly the royalties payable in respect of such period shall be adjusted.  
(4) The Licensee shall not make any alteration in the method or methods of measurement used by him or any appliance used for that purpose without first informing the Colonial Secretary and the Colonial Secretary may in any case require that no alteration shall be made save in the presence of an officer authorised by the Colonial Secretary.

7. The Licensee shall keep full and correct accounts in a form from time to time approved by the Colonial Secretary of —

Keeping of accounts.

- (a) all crude oil won and saved and casinghead petroleum spirit recovered; and  
(b) all natural gas sold; and  
(c) the quantity of crude oil or products thereof or casinghead petroleum spirit used for drilling or production operations or pumping to field storage or refineries; and

shall within one month after the end of each year of the term hereby granted or any renewal thereof deliver to the Colonial Secretary an abstract in a form from time to time approved by the Colonial Secretary of the accounts for each such year together with a statement in the like form of all royalties payable in respect of each such year.

8. (1) During the subsistence of this licence the Licensee shall with due diligence carry out such scheme of prospecting including any geological and geophysical surveys and programme of test drilling as shall be approved by the Colonial Secretary.

Working obligations.

(2) During the period of the licence including the period of any renewal of this licence, the Licensee shall spend on his operations in the licensed area, a sum which shall not be less than —

- £25 for each square mile during the first year of the licence;  
£50 for each square mile during each of the next three years of the licence;  
£75 for each square mile during each year thereafter.

If the expenditure in the licensed area by the Licensee falls short of that stated above the Licensee shall on the expiration of the licence or any renewal thereof, as the case may be, pay to the Colonial Treasurer of the Government of the Colony an additional

sum representing the difference between his liability under this clause and his actual expenditure. In the event of the determination of this licence by the Licensee under the provisions of Clause 43 or the surrender of any part or parts of the area under the provisions of Clause 44 the expenditure obligations in this sub-clause shall be reduced proportionately.

(3) The Licensee shall as soon as practicable and in any case not later than one year from the commencement of the term hereby granted commence drilling operations, with a modern oil well drilling string of tools capable of reaching a depth of at least ..... feet upon a site selected by him within the licensed area and shall therewith with due diligence continue drilling until the geological objective is reached or geological conditions are discovered which preclude the possibility of the presence of petroleum in commercial quantity at greater depth. If petroleum in commercial quantity is not found, the Licensee shall undertake further similar drilling operations upon other selected sites in rotation until commercial oil is found, the selection of these sites and the movement of the drilling equipment being carried out without undue delay:

Provided that the obligation in this sub-clause shall not apply to more than one licence out of every ..... oil prospecting licences held by the Licensee.

Local Resident Manager.

9. The Licensee shall before commencing any operations in the licensed area furnish to the Colonial Secretary the name and address of the Manager resident in the locality of the said lands under whose supervision such operations are to be carried on. Any notice which the Governor or any person authorised by him is in accordance with the terms of this licence required or entitled to serve upon the Licensee shall be sufficiently served if the same shall be delivered or sent by post to such Manager at such address.

Licensee to furnish copies of agreements with surface owners.

10. The Licensee shall furnish the Colonial Secretary with copies of all conveyances leases assignments agreements and deeds relating to the alienated lands within the licensed area or any estate or interest therein and to which the Licensee is a party or under which the Licensee either directly or indirectly obtains any benefit or incurs any liability.

Compensation.

11. The licensee shall make and pay reasonable satisfaction and compensation for all damage or injury to the property and rights of other parties which may be done by him his agents and servants in the exercise of the rights and licence conferred by this licence.

Indemnity against third party claims.

12. The Licensee shall at all times indemnify and keep harmless the Governor and every Officer of the Government of the Colony against all actions costs charges claims and demands whatsoever which may be made or brought by any third party in relation to or in connection with this licence or any matter or thing done or purported to be done in pursuance thereof by the Licensee his servants or agents.

Release of lands included by inadvertence.

13. In the event of the inclusion by inadvertence in the said Schedule marked "A" hereunder of lands or areas over which it may subsequently be proved that the Government are not entitled to the oil rights, or of lands or areas in respect of which the oil rights have already been granted to other individuals or companies the Licensee shall immediately release to the Governor any such lands or areas when required to do so by the Colonial Secretary.

Use of lands for public purposes.

14. Notwithstanding the rights conferred on the Licensee under this licence the Governor shall have power at any time to require that such part or parts of the licensed area as may from time to time be required for any public purpose whatsoever may be so used provided that during the subsistence of this licence the area or areas so used shall not exceed in all ..... per centum of the licensed

area and provided further that the use of any area or areas upon which any active operations such as well-drilling road construction waterworks or other works relating to the winning of petroleum have previously been commenced or are in progress shall not be required but in lieu thereof an equal area or areas upon which active operations as aforementioned have not already been commenced or are not at the time being in progress shall be used provided that such alternative area or areas are in the opinion of the Governor suitable for the public purposes aforementioned, and provided further that the rights of the Licensee to enter and occupy any part of the licensed area may be exercised in so far as this does not in the opinion of the Governor frustrate the public purposes for which the area is required.

15. (1) No statement shall be made either in any notice advertisement prospectus or other document issued by or to the knowledge of the Licensee claiming or suggesting whether expressly or by implication that the Governor or any Government Department or any person or body acting on behalf of the Governor has or have formed or expressed any opinion that the licensed area is from its geological formation or otherwise likely to contain petroleum.

Advertisements prospectuses.

(2) The foregoing provisions of this clause or a statement to the effect thereof shall be included in or endorsed on any prospectus, statement in lieu of prospectus, notice, circular advertisement or other invitation issued by or to the knowledge of the Licensee offering to the public for subscription or purchase any shares or debentures of a company or intended company.

16. The Licensee shall report to the Governor particulars of any fresh issues of capital which may from time to time be made by him and any alteration which may be made in the Memorandum or Articles of Association or in the constitution of the Licensee.

Notice of fresh issues of capital.

17. The Licensee shall not grant or assign any interest under this licence nor part with the possession of any of the rights hereby granted to any person or persons whomsoever without the previous consent in writing of the Governor, which shall not be unreasonably withheld. The Governor may (without prejudice to his right to make such consent subject to any conditions he may think fit) require as a condition of giving such consent the assignee or assignees at his or their expense to execute a deed of covenant to observe and perform the covenants and conditions on the part of the Licensee in these presents contained.

Consent to assignment.

18. The Licensee shall not assign or attempt to assign the rights granted by this licence to any person other than a British subject or a company incorporated in the Colony or in some other part of Her Majesty's dominions:

Assignment of licence.

Provided that if in the case of a proposal to assign the rights to a company incorporated in the United States of America the Licensee can show to the satisfaction of the Governor that the foregoing provisions of this clause would result in the Licensee suffering substantial financial loss in respect of taxation the Governor may by writing under his hand absolve the Licensee from complying with the provisions of this clause.

19. If the Licensee shall cease to be a British subject or company incorporated in the Colony or in some other part of Her Majesty's dominions he shall forthwith inform the Governor and apply to him for his consent to an assignment of the rights granted by this licence in accordance with Clause 17 (Consent to assignment) and Clause 18 (Assignment of licence) hereof and in the event of the Licensee failing to obtain such consent within such time as the Governor may in his discretion appoint, the Governor may revoke this licence. The revocation of this licence in pursuance of the foregoing provisions of this clause shall be subject and without prejudice to any obligation or liability imposed by or incurred under the terms and conditions hereof.

Licensee ceasing to be a British subject.

Control by an alien.	<p>20. If the Licensee being a company shall be or become controlled directly or indirectly by an alien or a company incorporated outside Her Majesty's dominions or if the Licensee shall with the consent in writing of the Governor assign the rights granted by this licence in respect of the leased area or any part thereof to a company controlled directly or indirectly by an alien or by a company incorporated outside Her Majesty's dominions then and in any such case —</p> <p>(a) ..... of the Directors and the Chief Local Representatives shall be British subjects;</p> <p>(b) at all times during the term hereby granted or any renewal thereof a reasonable number of the persons employed by the Licensee in or about the licensed area in connection with the exercise of the rights granted by this licence shall be British subjects.</p>	
Reciprocity.	<p>21. This licence shall be determined if the Licensee shall be or become controlled directly or indirectly by a national of or by a company incorporated in any country the laws and customs of which do not permit British subjects or companies incorporated in Her Majesty's dominions or companies incorporated in that country controlled directly or indirectly by British subjects or companies incorporated in Her Majesty's dominions to acquire hold and operate petroleum concessions on conditions which in the opinion of Her Majesty's Principal Secretary of State for the Colonies are reasonably comparable with the conditions upon which such rights are granted to nationals of that country with the addition of conditions corresponding to those imposed by this clause and Clause 20 (Control by an Alien) hereof.</p>	
Notification of discovery of petroleum.	<p>22. The Licensee shall without avoidable delay report to the Colonial Secretary the discovery of petroleum or petroleum bearing strata.</p>	Plugging of bore-holes on determination of licence.
Distance of wells from boundaries.	<p>23. No bore-hole or well shall except with the consent in writing of the Colonial Secretary be drilled or made within a distance of 400 feet from the boundaries of the licensed area.</p>	
Notice of commencement of wells.	<p>24. No bore-hole or well shall be commenced and no bore-hole or well shall be recommenced after work has been discontinued thereat for more than six months unless fourteen clear days notice in writing shall first have been given to the Colonial Secretary.</p>	
Abandonment and plugging of bore-holes.	<p>25. (1) No bore-hole or well shall be abandoned and no cemented string or other permanent form of casing shall be withdrawn from any bore-hole or well which it is proposed to abandon without the prior consent in writing of the Colonial Secretary such consent not to be unreasonably withheld in the case of bore-holes or wells which have become or are unproductive.</p> <p>(2) Every bore-hole or well which the Licensee intends to abandon shall unless the Colonial Secretary otherwise determines be so securely plugged by the Licensee as to prevent ingress and egress of water in and from any portion of the strata bored through.</p> <p>(3) The Colonial Secretary may in any case require that no bore-hole or well shall be plugged or any works be executed for that purpose save in the presence of an officer authorised by him.</p>	Removal of plant.
Delivering up of productive wells in good order.	<p>26. Within two months after the expiration or sooner determination of this licence or the date of the abandonment of the undertaking hereby licensed whichever shall first occur the Licensee shall deliver up to the Governor in good order repair and condition and fit for further working all productive bore-holes or wells (unless ordered by the Colonial Secretary to plug them as provided in the next succeeding clause and except such bore-holes and wells as shall have been previously abandoned with the consent of the Colonial Secretary) together with all casings and other appurtenances to such</p>	
	<p>bore-holes and wells below surface level and which cannot be moved without causing injury to the said bore-holes and wells and the Licensee shall also fill up or fence all holes and excavations that he may have made in the licensed area to such extent as the Colonial Secretary may require and shall to the like extent restore so far as may be to their natural and original condition the surface of the licensed area and all buildings and structures thereon which the Licensee may have damaged in the course of prospecting (provided that the Licensee shall not be liable to make good any damage whether to the surface of the said lands or to any buildings or structures thereupon in respect of which the Licensee shall have made satisfaction or paid compensation which, in either case is, in the opinion of the Governor, reasonable) and shall have power during that period to enter on the lands for the purposes aforesaid subject to the rights of surface owners or others:</p> <p>Provided that this clause shall not apply to any of the lands included in any oil mining lease which the Licensee may take up under the provisions hereinafter contained.</p>	
	<p>27. Within two months after the expiration or sooner determination of this licence or the date of the abandonment of the said undertaking whichever shall first occur the Licensee shall if required so to do by the Colonial Secretary plug all bore-holes and wells as provided in Clause 25 (Abandonment and plugging of bore-holes) hereof:</p> <p>Provided that this clause shall not apply to any of the lands included in any oil mining lease which the Licensee may take up under the provisions hereinafter contained.</p>	
	<p>28. Subject to the rights of surface owners or others, the Licensee shall upon the expiration or sooner determination of this licence or the abandonment of the said undertaking whichever shall first occur with all convenient speed having regard to his obligations under the provisions of Clause 27 (Plugging of bore-holes on determination of licence) remove all buildings structures engines machinery and other property and effects erected or brought by the Licensee upon the licensed area under the provisions hereof save and except all such wells tubes casings or linings and works or any portion thereof both above or below ground as the Governor may require to take at a price which failing agreement shall be fixed by arbitration in the manner provided by Clause 47 (Arbitration) hereof or as may be required to be delivered up to the Governor under the provisions of Clause 26 (Delivering up of productive wells in good order) hereof:</p> <p>Provided that this clause shall not apply to any of the works or things aforesaid on lands for which the Licensee shall under the provisions hereinafter contained take up an oil mining lease which may be required by the Licensee for his operations under the lease.</p>	
	<p>29. The Licensee shall comply with any instructions from time to time given by the Colonial Secretary in writing for securing the health and safety of persons employed in or about the licensed area.</p>	Health and safety of workers.
	<p>30. (1) The Licensee shall maintain all apparatus and appliances and all bore-holes and wells capable of producing petroleum in good repair and condition and shall execute all operations in or in connection with the licensed area in a proper and workmanlike manner in accordance with methods and practice customarily used in good oilfield practice and without prejudice to the generality of the foregoing provision the Licensee shall take all steps practicable in order —</p> <p>(a) to control the flow and to prevent the escape or waste of petroleum discovered in or obtained from the licensed area; and</p> <p>(b) to conserve the licensed area for productive operations; and</p> <p>(c) to prevent damage to adjoining petroleum bearing strata; and</p>	Avoidance of harmful methods of working.

- (d) to prevent the entrance of water through bore-holes and wells to petroleum bearing strata; and
- (e) to prevent the escape of petroleum into any water-well spring stream river lake reservoir estuary or harbour; and
- (f) to cause as little damage as possible to the surface of the licensed area and to the trees crops buildings structures and other property thereon.

(2) The Licensee shall comply with any instructions from time to time given by the Colonial Secretary in writing relating to any of the matters set out in sub-clause (1) hereof. If the Licensee objects to any such instruction on the ground that it is unreasonable he may within fourteen days from the date upon which the same was given refer the matter to arbitration in manner provided by Clause 47 (Arbitration) hereof.

Provision of storage tanks, pipes and pipe-lines.

31. The Licensee shall use methods and practice customarily used in good oilfield practice for confining the petroleum obtained from the licensed area in tanks gasholders pipes and pipe-lines or other receptacles constructed for that purpose. No petroleum shall, save as a temporary measure during an emergency, be placed or kept in an earthen reservoir.

Disposal of waste oil, salt water and refuse.

32. The Licensee shall drain all waste oil, salt water and refuse from storage tanks gasholders bore-holes and wells into proper receptacles constructed and maintained by him for that purpose at a safe distance from such tanks gasholders bore-holes and wells and from any buildings or structures whether situate within the licensed area or not and shall dispose of such waste oil salt water and refuse in manner from time to time approved by the Colonial Secretary.

Licensee to keep records of bore-holes.

33. The Licensee shall keep accurate records in a form from time to time approved by the Colonial Secretary of the drilling deepening plugging or abandonment of all bore-holes and wells and of any alteration to the casing thereof. A log of all bore-holes and wells shall be kept in a form from time to time approved by the Colonial Secretary containing particulars of the following matters —

- (a) the strata and subsoil through which the bore-hole or well was drilled; and
- (b) the casing inserted in any bore-hole or well and any alteration to such casing; and
- (c) any petroleum water workable minerals or mine workings encountered; and
- (d) such other matters as the Colonial Secretary may from time to time require.

The Licensee shall deliver copies of the said records and logs to the Colonial Secretary as and when required.

Samples of strata petroleum and water.

34. The Licensee shall as far as reasonably practicable correctly label and preserve for reference for a period of twelve months characteristic samples of the strata or water encountered in any bore-hole or well and samples of any petroleum discovered in the licensed area. And the Colonial Secretary or his representative shall have access to such samples at all reasonable times and shall be entitled to require that representative specimens not exceeding one-half of any such sample be delivered to him and to retain any specimen so delivered.

Plans and Records.

35. (1) The Licensee shall furnish to the Colonial Secretary quarterly during the term hereby granted or any renewal thereof a record in triplicate in a form from time to time approved by the Colonial Secretary of the progress of his operations in the licensed area.

Such record shall contain —

- (a) a statement of the depth drilled in each bore-hole or well; and

- (b) a statement of any petroleum water and minerals encountered in the course of the said operations; and
- (c) a statement of all crude oil produced and casinghead petroleum spirit recovered; and
- (d) a statement of the areas in which any geological or geophysical work has been carried out.

(2) Within two months after the end of each year comprised in the term hereby granted or any renewal thereof the Licensee shall furnish to the Colonial Secretary a record in a form from time to time approved by him of the operations conducted in the licensed area during each such year together with a plan upon a scale approved by the Colonial Secretary showing the situation of all bore-holes or wells.

(3) The Licensee shall also keep accurate geological plans maps and records relating to the licensed area.

(4) The Licensee shall furnish to the Colonial Secretary such other plans and information as to the progress of operations in the licensed area as the Colonial Secretary may from time to time reasonably require.

36. All logs records plans maps accounts and information which the Licensee is or may be from time to time required to furnish under the provisions of this licence shall be supplied at the expense of the Licensee and shall (except with the consent in writing of the Licensee which shall not be unreasonably withheld) be treated by the Colonial Secretary as confidential. The Colonial Secretary shall nevertheless be entitled at any time to make use of any information received from the Licensee for the purpose of preparing and publishing aggregated returns and general reports on the extent of oil prospecting or oil mining operations in the Colony and for the purposes of any arbitration or litigation between the Governor and the Licensee.

Reports confidential.

37. The Colonial Secretary or any person authorised by him shall be entitled at all reasonable times to enter into and upon any land for the time being possessed or occupied by the Licensee in the licensed area for the purposes hereinafter mentioned —

Power to inspect plant records accounts.

- (a) to examine the bore-holes wells plant appliances buildings and works made or executed by the Licensee in pursuance of this licence and the state of repair and condition thereof; and
- (b) to inspect and check the accuracy of the measuring appliances measurements logs records plans and maps which the Licensee is required to keep or make in accordance with the provisions of this licence; and
- (c) to inspect and make abstracts or copies of any logs records plans maps or accounts which the Licensee is required to keep or make in accordance with the provisions of this licence; and
- (d) to inspect the samples of strata petroleum or water which the Licensee is required to keep in accordance with the provisions of this licence; and
- (e) to execute any works which the Colonial Secretary may be entitled to execute in accordance with the provisions of this licence.

38. If the Licensee shall at any time fail to perform the obligations imposed by any of the undermentioned clauses of this licence —

Power to execute works.

- (a) Clause 6 (Measurement of petroleum)
- (b) Clause 25 (Abandonment and plugging of bore-holes)
- (c) Clause 26 (Delivering up of productive wells in good order)
- (d) Clause 27 (Plugging of bore-holes on determination of licence)
- (e) Clause 28 (Removal of plant)

- (f) Clause 29 (Health and safety of workers)
- (g) Clause 30 (1) (Avoidance of harmful methods of working)
- (h) Clause 31 (Provision of storage tanks pipes and pipelines)
- (i) Clause 32 (Disposal of waste oil salt water and refuse)

then the Colonial Secretary shall be entitled after giving to the Licensee reasonable notice in writing of such his intention to execute any works which in the opinion of the Colonial Secretary or his agents may be necessary to secure the performance of the said obligations or any of them and to recover the cost and expenses of so doing from the Licensee.

Rights of distress.

39. If and whenever any of the certain yearly rent or royalties reserved by this licence or any part thereof respectively shall be in arrear or unpaid for the space of two calendar months next after any of the days whereon the same ought to be paid (whether the same shall have been legally demanded or not) then and so often as the same may happen the Colonial Secretary may (as an additional remedy and without prejudice to the power of distress and other the rights and remedies to which he would be entitled) enter into and upon any land which shall for the time being be possessed or occupied by the Licensee for the purposes of this licence or the exercise of any of the rights thereby granted and may seize and distrain and sell as landlords may do so for rent in arrear all or any of the stocks or petroleum and products thereof engines machinery tools implements chattels and effects belonging to the Licensee which shall be found in or upon the land so entered upon and out of the moneys arising from the sale of such distress may retain and pay all the arrears of the said certain yearly rent and royalties and also the costs and expenses incident to any such distress and sale rendering the surplus (if any) to the Licensee.

Power of revocation.

40. If the Licensee shall at any time refuse or neglect to observe or perform any of the terms and conditions of this licence the Governor may by notice in writing signed by him and served upon the Licensee summarily declare that the licence hereby granted shall thenceforth determine and the licence and all rights and licence conferred hereby or enjoyed hereby or hereunder shall forthwith determine without prejudice to the rights and remedies of the Governor in respect of any prior breach or non-performance of any or all of the terms and conditions hereof on the part of the Licensee and in respect of the covenants on the part of the Licensee herein mentioned to be performed after the expiration or sooner determination of this licence or after the abandonment of the undertaking hereby licensed:

Provided always that save as to the non-payment of rents or royalties the aforesaid power shall not be exercisable unless and until notice has been given to the Licensee specifying the particular breach complained and if the breach is capable of remedy requiring the Licensee to remedy the breach and in any case requiring the Licensee to make compensation in money for the breach and the Licensee fails within a reasonable time thereafter, to remedy the breach if it is capable of remedy and to make reasonable compensation in money to the satisfaction of the Governor for the breach.

Surrender of area.

41. At the end of the fourth year of the term of this licence the Licensee shall surrender 25 per cent of the land specified in the Schedule marked "A" hereunder and subsequently all references in this licence to the "licensed area" shall be deemed to apply to the remaining area.

Renewal.

42. The Governor may at his discretion on an application made in that behalf by the Licensee on three months' notice in writing grant a renewal of this licence for a further term of twelve months and thereafter for two further terms of twelve months respectively subject to the carrying out of such scheme of prospecting during the renewals as may be agreed between the Colonial Secretary and the Licensee.

43. Without prejudice to any obligation or liability imposed by or incurred under the terms and conditions hereof the Licensee may at any time during the term hereby granted or any renewal thereof determine this licence by giving to the Governor not less than three months' previous notice in writing to that effect.

Right of Licensee to determine licence.

44. Without prejudice to any obligation or liability imposed by or incurred under the terms and conditions hereof the Licensee shall be entitled at any time during the term hereby granted or any renewal thereof by giving three months' notice in writing to the Governor to surrender the rights granted by this licence in respect of any part or parts of the licensed area:

Right of Licensee to abandon portions of licensed area.

Provided that the part of the licensed area in respect of which the said rights are retained shall comply with the Regulations for the time being in force as to the shape and size of areas in respect of which an Oil Prospecting Licence may be granted.

45. On or before the expiration of this licence or any renewal thereof the Licensee having paid the rents and royalties due and having observed and performed the terms and conditions herein contained shall have a right (subject to the provisions prescribed in the Regulations in force at the date of this licence for granting oil mining leases) to an oil mining lease, *in the form of Oil Mining Lease hereto attached* in respect of any part or parts of the licensed area if he shall comply with the Regulations as to applications for oil mining leases:

Right of Licensee to oil mining lease.

Provided that unless the Governor at his discretion shall otherwise determine the Licensee shall not be entitled to the grant of an oil mining lease in respect of any area or areas exceeding in the aggregate one-half of the original licensed area and provided further that the part or parts of the licensed area in respect of which an oil mining lease is granted shall comply with the Regulations in force at the date of this licence as to the shape and size of areas.

46. (1) Failure on the part of the Licensee to fulfil any of the terms and conditions of this licence shall not give the Governor any claim against the Licensee or be deemed a breach of this licence in so far as such failure arises from *force majeure* and if through *force majeure* the fulfilment by the Licensee of any of the terms and conditions of this licence be delayed the period of such delay shall be added to the periods fixed by this licence.

Force majeure.

(2) In this clause the expression "*force majeure*" includes the act of God war insurrection riot civil commotion tide storm tidal wave flood lightning explosion fire earthquake and any other happening which the Licensee could not reasonably prevent or control.

47. If at any time during the continuance of this licence or after the determination thereof any question or dispute shall arise regarding this licence or any matter or thing connected herewith or the powers duties or liabilities of the Licensee hereunder or the amount or payment of any rent or royalty then and in all such cases the matter in difference shall be referred to arbitration in accordance with the provisions of the Arbitration Act 1950 or any Ordinance or law amending or replacing the same:

Arbitration.

Provided that any reference to arbitration arising out of an agreement between the parties, shall be to two arbitrators, one to be appointed by each party, unless a contrary intention is expressed in the agreement.

48. The marginal notes are for convenience only and do not form part of this licence.

Marginal notes.

49. For the purpose of this licence —

Interpretation.

- (1) "Licensee" means a person to whom an oil prospecting licence is granted his successors in title and the persons deriving title under him.

- (2) "Petroleum" includes any mineral oil or relative hydrocarbon and natural gas existing in its natural condition in strata, but does not include coal bituminous shales or other stratified deposits from which oil can be extracted by destructive distillation.
- (3) "Crude oil" means oil in its natural state before the same has been refined or otherwise treated but excluding water and foreign substances.
- (4) "Natural gas" means gas obtained from bore-holes and wells and consisting primarily of hydrocarbons.
- (5) "Casinghead petroleum spirit" means any liquid hydrocarbons obtained from natural gas (before the crude oil from which it is derived has been measured for royalty) by separation or by any chemical or physical process.
- (6) "Her Majesty's dominions" shall be construed as including a reference to all territories under Her Majesty's protection or in which Her Majesty has for the time being jurisdiction.
- (7) "British subject" shall be deemed to include a person under Her Majesty's protection.
- (8) "Colonial Treasurer" means the Colonial Treasurer of the Colony of the Falkland Islands.
- (9) "Colony" means the Colony of the Falkland Islands.

(In witness whereof the Governor and the Licensee have hereunto set their hands and seals the day and year first herein above written).

(In witness whereof the Governor has hereunto set his hand and seal and the Licensee has caused its Common Seal to be hereunto affixed the day and year first herein above written).

#### SCHEDULE A.

Description of licensed area.

All those lands indicated on the attached plan situate in..... and having a total area of..... or thereabouts.

#### SCHEDULE B.

##### BOND IN RESPECT OF OIL PROSPECTING LICENCE

KNOW ALL MEN BY THESE PRESENTS THAT WE

of .....  
and .....  
of .....  
are held and firmly bound to the Colonial Treasurer of the Colony of the Falkland Islands and his Successors in Office in the sum of..... to be paid to the said Colonial Treasurer and his Successors in Office for which payment to be well and truly made we bind ourselves and each of us our heirs executors and administrators jointly and severally by these presents.

Dated this ..... day of ..... 19.....

WHEREAS by deed of even date herewith and made between ..... of the one part and the said ..... of the other part the sole right and licence was granted to the said ..... to search bore for win and work all or any petroleum lying or being within under or throughout that parcel of land situate ..... and having an area of ..... more or less and delineated in the plan attached to the said Deed subject to the terms conditions and covenants therein contained.

AND WHEREAS the said ..... hath agreed to become surety for the due performance by the said ..... of all and several the covenants matters and things under the said Deed to be by him performed and done.

Now the condition of the above-written bond or obligation is such that if the said ..... shall well and truly observe and perform all and every the covenants and agreements by him to be observed and performed as hereinbefore mentioned and shall in a proper and workmanlike manner do all and every the acts matters and things by him to be done under the said Deed to the satisfaction of the Governor for the time being of the said Colony.

THEN the above-written bond or obligation shall be void otherwise the same shall remain in full force and effect.

#### SECOND SCHEDULE: PART III

##### FALKLAND ISLANDS OIL MINING LEASE

THIS DEED made the ..... day of ..... in the year of Our Lord ..... between His Excellency..... Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies (hereinafter referred to as "the Governor" which expression includes the Officer for the time being Administering the Government of the said Colony) of the one part and..... (hereinafter referred to as "the Lessee") of the other part;

WHEREAS the Lessee (in pursuance of the right accorded to him under the provisions of an oil prospecting licence granted to him on the ..... has called upon the Governor to grant him) (in accordance with the conditions laid down in the Regulations for the time being in force for the granting of oil mining leases) has applied to the Governor for an oil mining lease in respect of certain lands specified in Schedule marked "A" hereunder written hereinafter referred to as "the leased area".

AND WHEREAS the Lessee has entered into a bond in the form set out in the Schedule marked "B" hereunder written with the Colonial Treasurer in the sum of ..... conditioned for the due and faithful carrying out of the provisions contained in this Deed.

##### NOW THIS DEED WITNESSETH AS FOLLOWS —

Demise of petroleum

1. In pursuance of the aforesaid agreements and in consideration of the rents royalties covenants and agreements hereinafter reserved and contained on the part of the Lessee to be paid and observed the Governor doth hereby demise unto the Lessee all or any petroleum lying or being within under or throughout the lands mentioned and described in Schedule marked "A" hereunder written and doth hereby grant the following rights and privileges (but subject to the restrictions and conditions as to the exercise of the rights and privileges hereinafter mentioned) to be exercised in connection with the said petroleum.

TO HOLD EXERCISE AND ENJOY the rights and privileges hereby granted and demised unto the Lessee from the first day of..... 19..... for the term of thirty years and paying free and clear from all charges and deductions the rents royalties and sums of money mentioned herein.

Rights and privileges.

To bore.	2. The Lessee may enter upon the leased area and search bore for win and work all or any petroleum lying or being within under or throughout the leased area.
To appropriate water.	3. Subject to the approval of the Governor the Lessee may appropriate and use for any purpose connected with the borings or works or refining operations connected therewith, the water upon or within any of the leased area and to collect impound and bore for the same for the purpose of working the said borings or works or carrying out refining operations but so that in the exercise of this right the Lessee shall not deprive any lands settlements shepherds' houses or watering places for horses cattle or sheep of a reasonable supply of water as heretofore accustomed.
To appropriate surface of land.	4. The Lessee may enter upon use and occupy a sufficient part of the leased area adjoining any borings for depositing thereon the products of the said borings and all the earth soil and other substances brought to the surface and for otherwise carrying on the works of the said borings and operations hereunder.
To refine.	5. The Lessee may refine or otherwise treat the aforesaid petroleum in and upon the leased area whether for purposes of sale or otherwise save as hereinafter provided.
To store and carry away petroleum.	6. The Lessee may store take lead pipe and carry away on under or over the leased area the aforesaid petroleum and the products thereof and to dispose of the same at his own will and pleasure save as hereinafter provided.
To erect houses, etc.	7. Subject to the law for the time being in force in the Colony the Lessee may erect set up make and operate in upon and over the leased area offices dwelling houses schools hospitals or other buildings whatsoever clubs recreation grounds and all other sports facilities and amenities sheds engines machinery furnaces erections pipe-lines storage tanks refineries and other installations telephone and power lines railroads and other roads tramways loading places wharves for ships aircraft landing strips reservoirs waterworks sewage works and all other works whatsoever necessary for the exercise of the several rights and privileges hereby granted.
To dig gravel, etc.	8. The Lessee may search for dig get and treat gravel sand clay and stone in any Crown Land within the leased area for the exercise of the several rights and privileges hereby granted but not for sale provided that at the expiration of this lease any excavations shall be fenced or filled in or levelled and left otherwise fit for cultivation and occupation as far as may be reasonably practicable if so required by the Governor.
To enclose.	9. The Lessee may enclose with a fence the surface of any of the leased area subject to the provisions of this lease.
Notice before entering on surface of Crown Lands.	10. (1) Before occupying any Crown Land in the leased area for surface operations the Lessee shall give to the Colonial Secretary fourteen days' previous notice in writing specifying by name or other sufficient designation and by quantity the land proposed to be occupied and the purpose for which the same is required. (2) The Colonial Secretary shall at any time within fourteen days from the receipt of such notice state his objections if any on grounds of public interest to the proposed site and the validity of such objections in case of dispute shall be determined by reference to arbitration as provided in Clause 67 (Arbitration).
Compensation to occupiers.	11. The Lessee shall before occupying any Crown Land in the leased area for surface operations pay or tender reasonable compensation to the occupiers thereof and shall thereupon be entitled to occupy the land but shall nevertheless be bound to pay the amount of compensation which in case of dispute shall be assessed by reference to arbitration as provided in Clause 67 (Arbitration).

12. This lease shall not prejudice or effect the exercise from time to time of all or any of the following rights that is to say —	Governor's rights.
(1) The right of the Governor or any person authorised by him in that behalf to enter into and upon the leased area (save and except lands enclosed by a fence as provided in Clause 9 (To enclose) and on which the Lessee is paying a surface rent) and to search for dig work and get any minerals or substances other than petroleum upon or under the leased area and for the purposes aforesaid to sink make erect and use such pits shafts levels drains watercourses tunnels buildings engines or machinery railways wagon-ways and other ways works and conveniences upon through or under the leased area as he shall deem necessary or expedient; provided always that the said right to work for minerals or substances other than petroleum shall be exercised and enjoyed in such a manner as not to hinder or interfere with the rights and privileges of the Lessee under these presents and provided also that fair and proper compensation shall be paid by the Governor for all loss damage or injury which the Lessee may sustain or be put to by reason or in consequence of the exercise of the said right to work for minerals or substances other than petroleum the amount of such compensation to be settled in case of difference by reference to arbitration as provided in Clause 67 (Arbitration).	Governor may work other minerals, etc.
(2) The right of the Governor or any person authorised by him in that behalf —	Governor may enter land, etc.
(a) to enter into and upon the leased area;	
(b) to make and maintain upon over or through the leased area such reservoirs pumping stations generating stations waterways roads railways telegraph and telephone lines and pipe-lines or other works as he shall deem necessary or expedient for any purpose and to obtain from and out of the leased area such stone earth and other materials as may be necessary or requisite for making repairing or maintaining the same or any of them;	
(c) at all times to draw water from the leased area and to have free access thereto;	
(d) to pass and repass at all times over and along the leased area for all such purposes as occasion shall require: provided always that the said rights shall be exercised and enjoyed in such a manner as not to hinder or interfere with the rights and licence of the Lessee under these presents: and provided also that fair and proper compensation shall be paid by the Governor for all loss damage or injury (not however including the value of any water stone earth or other materials taken) which the Lessee may sustain or be put to by reason or in consequence of the exercise of the said rights, the amount of such compensation to be settled in case of difference by reference to arbitration as provided in Clause 67 (Arbitration).	
(3) The right of the Governor to grant demise or lease to any person all or any part of the surface of any Crown Lands in the leased area for any purpose so that such grant demise or lease be made subject to the rights of the Lessee hereunder.	Governor may grant or demise Crown Lands to third parties.
13. Notwithstanding the provisions of this lease the Lessee shall not exercise any of the rights and privileges conferred hereby under this lease over any alienated land in the leased area unless and until permission in writing so to do shall first have been obtained by the Lessee from the Governor who shall grant such permission upon proof to his satisfaction by the Lessee that —	Governor's permission required for alienated lands.
(a) the Lessee has entered into an agreement with the owner or occupier or both as the case may be of the surface of	

that land for payment of compensation to such owner or occupier for and in respect of any damage which may be caused or done to the surface of such parcel of land or to any cultivation or buildings thereon by reason of the exercise by the Lessee of all or any of the rights and privileges hereby granted; or

- (b) the Lessee has made reasonable efforts to arrive at such an agreement but has failed to do so through no fault attributable to him; or
- (c) the Lessee is unable to enter into such an agreement by reason of the fact that such registered owner or owners or any of them cannot be found or is or are out of the Colony or is or are incapacitated through infancy or other legal disability.

Certain yearly rent.

14. (1) The Lessee shall pay to the Colonial Treasurer on behalf of the Governor during the term hereby granted, a certain yearly rent, not less than those specified in the table hereunder written for each acre or part of an acre comprised in the said lands—

TABLE	per acre per annum		
	£	s.	d.
In respect of the 1st year of the said term	2	6	
In respect of the 2nd year of the said term	3	6	
In respect of the 3rd year of the said term	4	6	
In respect of the 4th year of the said term	6	0	
In respect of the 5th year of the said term	8	0	
In respect of the 6th and each subsequent year of the said term	10	0	

(2) Payment of the yearly certain rent reserved by this Lease shall be made annually in advance, and the first payment of the sum of \_\_\_\_\_ in respect of the first year of the term hereby granted (the receipt whereof is hereby acknowledged) shall be made on the execution of this lease.

Royalty.

15. The Lessee shall pay to the Colonial Treasurer on behalf of the Governor within two months after the end of each year of the term hereby granted or any renewal thereof the royalties hereunder specified —

- (1) A royalty of 12½ per centum of the value of all crude oil won and saved and of all casinghead petroleum spirit recovered by the Lessee from the licensed area within each such year ascertained in the manner provided by Clause 18 (Measurement of petroleum). From the quantity so ascertained the Lessee shall be entitled to deduct the quantity ascertained according to a method approved by the Colonial Secretary of any crude oil (or products thereof) or casinghead petroleum spirit produced from the leased area and used during the year by the Lessee for the purpose of carrying on drilling and production operations and pumping to field storage and refineries. The value of crude oil for the purpose of royalty shall be the value on the field of production at field storage tanks. The value of casinghead petroleum spirit for the purpose of royalty shall be the value on the field of production after the deduction of due allowance for the cost to the Lessee of extracting such casinghead petroleum spirit. Both the value of crude oil and that of casinghead petroleum spirit shall be calculated in such manner as may be determined from time to time by agreement with the Governor and the Lessee or in default of such agreement by arbitration in accordance with Clause 67 (Arbitration) hereof:

Provided that if there is any dispute between the parties or failure to agree affecting the amount of the royalty due for any year

the amount of royalty in dispute shall not be payable as aforesaid but shall be payable when the amount is determined by agreement or arbitration as the case may be.

- (2) A royalty of 5 per centum of all natural gas produced and sold from the leased area within each year. The value of natural gas for the purpose of royalty shall be the value on the field of production at field storage tanks and shall be calculated in such manner as may be determined from time to time by agreement with the Governor and the Lessee or in default of such agreement by arbitration in accordance with Clause 67 (Arbitration) hereof.

Provided that if there is any dispute between the parties or failure to agree affecting the amount of the royalty due for any year the amount of royalty in dispute shall not be payable as aforesaid but shall be payable when the amount is determined by agreement or arbitration as the case may be.

- (3) From the amount of royalties payable under the foregoing provisions of this clause in respect of any such year there shall be deducted the amount of the certain yearly rent actually paid in respect of that year under the provisions of Clause 14 (Certain Yearly Rent) hereof.

16. The Lessee shall pay to the Colonial Treasurer on behalf of the Governor the further yearly rent of \_\_\_\_\_ per acre or part of an acre of land in respect of any Crown Lands in the leased area the surface whereof shall be actually occupied by the Lessee for any of the purposes of this lease the said rent to be paid by annual payments on the first day of January in every year.

Surface rents of Crown Lands.

17. (1) Upon the determination by the Lessee of the term hereby granted or any renewal thereof or upon the surrender by him of the rights granted by this lease in respect of any part or parts of the leased area the Governor will refund to the Lessee an apportioned part of any certain yearly rent paid by the Lessee in advance in respect of the leased area or any such part or parts thereof for a period the whole of which has not expired at the date of such determination or surrender.

Refund of certain yearly rent on determination or surrender.

(2) Upon the release by the Lessee of any lands or areas under the provisions of Clause 26 (Release of lands included by inadvertence) the Governor will refund to the Lessee an apportioned part of any certain yearly rent paid by the Lessee during the term hereby granted in respect of the leased area:

Provided that in respect of any year the amount remaining of the certain yearly rent after the said refund shall not be less than the amount of royalties payable in respect of any such year under the provisions of sub-clauses (1), (2) and (3) of Clause 15 (Royalties).

18. (1) The Lessee shall measure or weigh by a method or methods customarily used in good oilfield practice and from time to time approved by the Colonial Secretary —

Measurement of petroleum.

- (a) all crude oil won and saved and casinghead petroleum spirit recovered from the leased area; and
- (b) all natural gas sold from the leased area; during the term hereby granted or any renewal thereof.

(2) The Colonial Secretary or any officer authorised by him shall at all times during the said term or any renewal thereof be entitled to be present whenever such measurement takes place.

(3) If any measuring appliance shall at any time be found to be false or unjust the same shall if the Colonial Secretary so determines after considering any representations in writing made by the Lessee be deemed to have existed in that condition during the period of three months prior to the discovery thereof or the period elapsed since the last occasion upon which the same was examined or tested

whichever shall be the less, and accordingly the royalties payable in respect of such period shall be adjusted.

(4) The Lessee shall not make any alteration in the method or methods of measurement used by him or any appliances used for that purpose without first informing the Colonial Secretary, and the Colonial Secretary may in any case require that no alteration shall be made save in the presence of an officer authorised by the Colonial Secretary.

Keeping of accounts.

19. (1) The Lessee shall at all times during the term hereby granted or any renewal thereof keep full and correct accounts in a form from time to time approved by the Colonial Secretary which shall contain accurate entries of —

- (a) the quantity of crude oil won and saved from the leased area; and
- (b) the method and results of tests made on the crude oil; and
- (c) the quantity of crude oil refined and the products recovered therefrom; and
- (d) the quantity of crude oil otherwise disposed of and the manner of its disposal; and
- (e) the quantity of natural gas sold and the price at which it has been sold; and
- (f) the quantity in cubic feet of natural gas treated and the quantity of casinghead petroleum spirit recovered; and
- (g) the quantity of crude oil and the products thereof or casinghead petroleum spirit used for drilling or production operations or pumping to field storage and refineries; and
- (h) such further particulars and statistics as the Colonial Secretary may from time to time reasonably require.

(2) The Lessee shall within two months after the end of each year of the term hereby granted or any renewal thereof deliver to the Colonial Secretary an abstract in a form from time to time approved by the Colonial Secretary of the said accounts for each such year together with a statement in the like form of all royalties payable in respect of each such year.

Establishment of boundary marks.

20. So far as he lawfully may the Lessee shall unless the Colonial Secretary otherwise determines at his own expense forthwith erect and at all times maintain and keep in repair substantial boundary marks of brick stone or concrete not less than one foot high at every angle or corner of the boundary line of the leased area. Such boundary marks shall be referenced by survey to at least two readily identifiable points in such a manner that the boundaries of the leased area can be accurately traced on the ground. The Lessee shall ensure that the area demarcated on the ground shall conform as closely as possible to the area delineated on the plan hereto annexed.

Refinery.

21. (1) As soon as the output of crude oil of a quality suitable for refining obtained from the area or areas from time to time held under oil mining lease by the Lessee in the Colony amounts in the aggregate to 500,000 tons per annum assessed on the average daily production over a period of not less than six consecutive calendar months, and adequate reserves of crude oil have been proved to ensure production in accordance with the methods and practice customarily used in good oilfield practice at that rate for a substantial period the Lessee shall consider with the Governor the economic feasibility of the erection of a refinery capable —

- (a) of supplying to the extent possible with the crude oil production available the requirements of the Colony of gasoline of the general quality in current use for motor vehicles and fuel oil; and
- (b) of so treating the said crude oil as to produce oil products to comply with the specifications of the Governor:

Provided that the said crude oil be of a suitable kind and quality for this purpose. Where, after consideration of the matter by the Lessee and the Governor as aforesaid the erection of a refinery is agreed upon the Lessee shall complete the refinery and put and maintain it in efficient working order with due diligence and dispatch, but in any event within five years from the date on which such erection is so agreed upon. The Lessee shall if required by the Governor and if in the opinion of the parties it is economically feasible so to do at intervals of not less than three years make such additions to this refinery as may be requisite for maintaining capacity for meeting the said requirements of the Colony to the extent possible with the crude oil production available.

(2) The site of such refinery and all tanks for the storage of petroleum shall be selected by the Lessee with the previous written approval of the Governor such approval not to be unreasonably withheld due regard being had to the commercial interests of the undertaking:

Provided that the site of such refinery shall be submitted for the approval of the Governor within six months from the date on which the erection of a refinery shall have been agreed upon.

22. The Lessee shall before commencing any operations in the leased area furnish to the Colonial Secretary the name and address of the Manager resident in the locality of the leased area under whose supervision such operations are to be carried on. Any notice which the Governor or any person authorised by him is in accordance with the terms of this lease required or entitled to serve upon the Lessee shall be sufficiently served if the same shall be delivered or sent by post to such Manager at such address.

Local Resident Manager.

23. The Lessee shall furnish to the Colonial Secretary copies of all conveyances leases assignments agreements and deeds relating to the leased area or any estate or interest therein and to which the Lessee is a party or under which the Lessee either directly or indirectly obtains any benefit or incurs any liability.

Lessee to furnish copies of agreements with surface owners.

24. The Lessee shall make and pay reasonable satisfaction and compensation for all damage or injury to the property and rights of other parties which may be done by him, his agents and servants in the exercise of the rights and licence conferred by this lease.

Compensation.

25. The Lessee shall at all times indemnify and keep harmless the Governor and every Officer of the Government of the Colony against all actions, costs, charges, claims and demands whatsoever which may be made or brought by any third party in relation to or in connection with this lease or any matter or thing done or purported to be done in pursuance thereof by the Lessee his servants or agents.

Indemnity against third party claims.

26. In the event of the inclusion by inadvertence in the Schedule marked "A" hereunder of lands or areas over which it may subsequently be proved that the Government are not entitled to the oil rights or of lands or areas in respect of which the oil rights have already been granted to other individuals or companies the Lessee shall immediately release to the Governor any such lands or areas when required to do so by the Colonial Secretary.

Release of lands included by inadvertence.

27. The Lessee shall not cultivate or use the leased area in any manner save for the purpose of this lease and the rights hereby granted.

Lessee not to cultivate, etc.

28. Notwithstanding the rights conferred on the Lessee under this lease, the Governor shall have power at any time to require that such part or parts of the leased area as may from time to time be required for any public purpose whatsoever may be so used provided that during the subsistence of this lease the area or areas so used shall not exceed in all.....per centum of the leased area and provided further that the use of any area or areas upon which any

Use of lands for public purposes.

active operations such as well-drilling, road construction, waterworks or other work relating to the winning of petroleum have previously been commenced or are in progress shall not be required but in lieu thereof an equal area or areas upon which active operations as aforementioned have not already been commenced or are not at the time being in progress shall be used provided that such alternative area or areas are in the opinion of the Governor suitable for the public purposes aforementioned and provided further that the rights of the Lessee to enter and occupy any part of the leased area may be exercised in so far as this does not in the opinion of the Governor frustrate the public purposes for which the area is required.

Advertisements, prospectuses.

29. (1) No statement shall be made either in any notice advertisement prospectus or other document issued by or to the knowledge of the Lessee claiming or suggesting whether expressly or by implicating that the Governor or any Government Department or any person or body acting on behalf of the Governor has or have formed or expressed any opinion that the leased area is from their geological formation or otherwise likely to contain petroleum.

(2) The foregoing provisions of this clause or a statement to the effect thereof shall be included in or endorsed on any prospectus, statement in lieu of prospectus, notice, circular advertisement or other invitation issued by or to the knowledge of the Lessee offering to the public for subscription or purchase any shares or debentures of a company or intended company.

Notice of fresh issues of capital.

30. The Lessee shall report to the Governor particulars of any fresh issues of capital which may from time to time be made by him and any alteration which may be made in the Memorandum or Articles of Association or in the constitution of the Lessee.

Consent to assignment.

31. The Lessee shall not grant or assign any interest under this lease nor part with the possession of any of the rights hereby granted to any person or persons whomsoever without the previous consent in writing of the Governor, which shall not be unreasonably withheld. The Governor may (without prejudice to his right to make such consent subject to any conditions he may think fit) require as a condition of giving such consent the assignee or assignees at his or their expense to execute a deed of covenant to observe and perform the covenants and conditions on the part of the Lessee in these presents contained.

Assignment of lease.

32. The Lessee shall not assign or attempt to assign the rights granted by this lease to any person other than a British subject or a company incorporated in the Colony or in some other part of Her Majesty's dominions:

Provided that if in the case of a proposal to assign the rights to a company incorporated in the United States of America the Lessee can show to the satisfaction of the Governor that the foregoing provisions of this clause would result in the Lessee suffering substantial financial loss in respect of taxation the Governor may by writing under his hand absolve the Lessee from complying with the provisions of this clause.

Lessee ceasing to be a British subject.

33. If the Lessee shall cease to be a British subject or a company incorporated in the Colony or in some other part of Her Majesty's dominions the Lessee shall forthwith inform the Governor and apply to him for his consent to an assignment of the rights granted by this lease in accordance with Clauses 31 (Consent to assignment) and 32 (Assignment of lease) and in the event of the Lessee failing to obtain such consent within such time as the Governor may in his discretion appoint, the Governor may revoke this lease. The revocation of this lease in pursuance of the foregoing provisions of this clause shall be subject and without prejudice to any obligation or liability imposed by or incurred under the terms and conditions hereof.

34. If the Lessee being a company shall be or become controlled directly or indirectly by an alien or a company incorporated outside Her Majesty's dominions or if the Lessee shall with the consent in writing of the Governor assign the rights granted by this lease in respect of the leased area or any part thereof to a company controlled directly or indirectly by an alien or by a company incorporated outside Her Majesty's dominions then and in any such case—

Control by an alien.

- (a) (Some) of the Directors and the Chief Local Representative shall be British subjects;
- (b) at all times during the term hereby granted or any renewal thereof a reasonable number of the persons employed by the Lessee in or about the leased area in connection with the exercise of the rights granted by this lease shall be British subjects.

35. This lease shall be determined if the Lessee shall be or become controlled directly or indirectly by a national of or by a company incorporated in any country the laws and customs of which do not permit British subjects or companies incorporated in Her Majesty's dominions or companies incorporated in that country controlled directly or indirectly by British subjects or companies incorporated in Her Majesty's dominions to acquire hold and operate petroleum concessions on conditions which in the opinion of Her Majesty's principal Secretary of State for the Colonies are reasonably comparable with the conditions upon which such rights are granted to nationals of that country with the addition of conditions corresponding to those imposed by this clause and Clause 34 (Control by an alien).

Reciprocity.

36. The Lessee shall exercise the rights and licence hereby granted in such a manner as to offer no unnecessary or reasonably avoidable obstruction or interruption to the development and working within the leased area or lands adjacent thereto of any minerals not included in this lease and shall at all times afford to the Governor or his representative and to the holders of prospecting licences or mining leases in respect of any such minerals or any minerals within any lands adjacent to the leased area reasonable means of access and safe and convenient passage upon and across the leased area to such minerals for the purpose of getting working developing and carrying away the same.

Lessee not to obstruct working of other minerals.

37. No bore-hole or well shall except with the consent in writing of the Colonial Secretary be drilled or made within a distance of 400 feet from the boundaries of the leased area.

Distance of wells from boundaries.

38. No boring operations or working shall be carried on or allowed by the Lessee in the leased area at any point within 100 yards of any railway reservoir canal or other public works or any building or inhabited site on or near the leased area except with the previous permission in writing of the Governor or of any officer authorised by him in this behalf and subject to any instructions restrictions and conditions which may be attached to such permission by the officer granting the same.

No mining operations to be carried on near public works.

39. (1) As soon as the site of any bore-holes or well has been decided the Lessee shall notify the Colonial Secretary in writing of the situation thereof and the same shall be described by a certain number in the plans and records which the Lessee is required to keep under the provisions of this lease. The Lessee shall notify the Colonial Secretary of any change of the number of any such bore-hole or well which may be made.

Notice of the site and commencement of bore-holes.

(2) No bore-hole or well shall be commenced and no bore-hole or well shall be recommenced after work has been discontinued thereat for more than six months unless fourteen clear days' notice in writing shall first have been given to the Colonial Secretary:

Provided that the provisions of this sub-clause shall not apply to cleaning out operations in a producing well.

Abandonment and  
plugging of bore-holes.

40. (1) No bore-hole or well shall be abandoned and no cemented string or other permanent form of casing shall be withdrawn from any bore-hole or well which it is proposed to abandon without the prior consent in writing of the Colonial Secretary, such consent not to be unreasonably withheld in the case of bore-holes or wells which have become or are unproductive.

(2) Every bore-hole or well which the Lessee intends to abandon shall, unless the Colonial Secretary otherwise determines, be so securely plugged by the Lessee as to prevent ingress and egress of water in and from any portion of the strata bored through.

(3) The Colonial Secretary may in any case require that no bore-hole or well shall be plugged or any works be executed for that purpose save in the presence of an officer authorised by him.

Delivering up of produc-  
tive bore-holes or wells  
in good order.

41. Within two months after the expiration or sooner determination of this lease the Lessee shall deliver up to the Governor in good order repair and condition and fit for further working all productive bore-holes or wells (unless ordered by the Colonial Secretary to plug them as provided in the next succeeding clause hereof and except such bore-holes and wells as shall have been previously abandoned with the consent of the Colonial Secretary) which shall have been made by the Lessee under the right or licence in that behalf hereinbefore contained, together with all casings and other appurtenances to such bore-holes or wells below surface level and which cannot be moved without causing injury to the said bore-holes and wells.

Plugging of bore-holes  
on determination of  
lease.

42. Within two months after the expiration or sooner determination of this lease the Lessee shall if required so to do by the Colonial Secretary plug all bore-holes and wells as provided in Clause 40 (Abandonment and plugging of bore-holes).

Health and safety of  
workers.

43. The Lessee shall comply with any instructions from time to time given by the Colonial Secretary in writing for securing the health and safety of persons employed in or about the leased area.

Working obligations.

44. The Lessee shall develop and produce the oil resources of the leased area in accordance with good oilfield practice in such a way as to secure a reasonable and uninterrupted rate of output.

Avoidance of harmful  
methods of working.

45. (1) The Lessee shall maintain all apparatus and appliances and all bore-holes and wells capable of producing petroleum in good repair and condition and shall execute all operations in or in connection with the leased area in a proper and workmanlike manner in accordance with methods and practice customarily used in good oilfield practice and without prejudice to the generality of the foregoing provision the Lessee shall take all steps practicable in order —

- (a) to control the flow and to prevent the escape or waste of petroleum discovered in or obtained from the leased area; and
- (b) to conserve the leased area for productive operations; and
- (c) to prevent damage to adjoining petroleum bearing strata; and
- (d) to prevent the entrance of water through bore-holes and walls to petroleum bearing strata; and
- (e) to prevent the escape of petroleum into any waterwell spring stream river lake reservoir estuary or harbour; and
- (f) to cause as little damage as possible to the surface of the leased area and to the trees crops buildings structures and other property thereon.

(2) The Lessee shall comply with any instructions from time to time given by the Colonial Secretary in writing relating to any of the matters set out in sub-clause (1) hereof. If the Lessee objects to any such instruction on the ground that it is unreasonable he may

within fourteen days from the date upon which the same was given refer the matter to arbitration in manner provided by Clause 67 (Arbitration).

46. The Lessee shall use methods and practice customarily used in good oilfield practice for confining the petroleum obtained from the leased area in tanks gasholders pipes or pipe-lines or other receptacles constructed for that purpose. No petroleum shall, save as a temporary measure during an emergency, be placed or kept in an earthen reservoir.

Provision of storage  
tanks, pipes, pipe-lines.

47. The Lessee shall drain all waste oil, salt water and refuse from tanks gasholders bore-holes and wells into proper receptacles constructed and maintained by him for that purpose at a safe distance from such tanks gasholders bore-holes and wells and from any buildings or structures whether situate within the leased area or not and shall dispose of such waste oil salt water and refuse in manner from time to time approved by the Colonial Secretary.

Disposal of waste oil,  
salt water and refuse.

48. The Lessee shall keep accurate records in a form from time to time approved by the Colonial Secretary of the drilling deepening plugging or abandonment of all bore-holes and wells and of any alterations to the casing thereof. A log of all bore-holes and wells shall be kept in a form from time to time approved by the Colonial Secretary containing particulars of the following matters —

Lessee to keep records of  
bore-holes.

- (a) the strata and subsoil through which the bore-holes or well was drilled; and
- (b) the casing inserted in any bore-hole or well and any alteration to such casing; and
- (c) any petroleum water workable minerals or mine workings encountered; and
- (d) such other matters as the Colonial Secretary may from time to time require.

The Lessee shall deliver copies of the said records and log to the Colonial Secretary as and when required.

49. The Lessee shall as far as reasonably practicable, correctly label and preserve for reference for a period of twelve months characteristic samples of the strata or water encountered in any bore-hole or well and samples of any petroleum discovered in the leased area. And the Colonial Secretary or his representative shall have access to such samples at all reasonable times and shall be entitled to require that representative specimens not exceeding one-half of any such sample be delivered to him and to retain any specimen so delivered.

Lessee to keep samples of  
strata petroleum and  
water.

50. (1) The Lessee shall furnish to the Colonial Secretary quarterly during the term hereby granted or any renewal thereof a record in a form from time to time approved by the Colonial Secretary of the progress of his operations in the leased area. Such record shall contain —

Plans and records.

- (a) a statement of the depth drilled in each bore-hole or well; and
- (b) a statement of any petroleum, water, workable minerals or mine workings encountered in the course of the said operations; and
- (c) a statement of all crude oil produced and casinghead petroleum spirit recovered; and
- (d) a statement of the areas in which any geological or geo-physical work has been carried out.

(2) Within two months after the end of each year comprised in the term hereby granted or any renewal thereof the Lessee shall furnish to the Colonial Secretary a record in a form from time to time approved by him of the operations conducted in the leased area

during each such year, together with a plan upon a scale approved by the Colonial Secretary showing the situation of all bore-holes or wells and indicating all development and other works executed by him in connection with searching, boring for and getting petroleum.

(3) The Lessee shall also keep accurate geological plans maps and records relating to the leased area.

(4) The Lessee shall furnish to the Colonial Secretary such plans and information as to the progress of operations in the leased area as the Colonial Secretary may from time to time reasonably require.

Reports confidential.

51. All logs records plans maps accounts and information which the Lessee is or may be from time to time required to furnish under the provisions of this lease shall be supplied at the expense of the Lessee and shall (except with the consent in writing of the Lessee which shall not be unreasonably withheld) be treated by the Colonial Secretary as confidential. The Colonial Secretary shall nevertheless be entitled at any time to make use of any information received from the Lessee for the purpose of preparing and publishing aggregated returns and general reports on the extent of oil prospecting or oil mining operations in the Colony and for the purposes of any arbitration or litigation between the Governor and the Lessee.

Employment of British subjects.

52. The Lessee shall endeavour to employ as many British subjects as possible and undertakes that posts which can be efficiently filled by such persons will not be filled by other persons.

Training of British subjects.

53. The Lessee shall provide for the training of British subjects in order to enable them to qualify for technical and administrative posts in the Lessee's operations in the Colony.

For quiet enjoyment.

54. The Lessee paying the rents and royalties hereby reserved and observing and performing the restrictions and conditions herein contained and on his part to be observed and performed, shall and may peaceably and quietly hold and enjoy the rights and privileges hereby granted for and during the term hereby granted without any lawful interruption from or by the Governor or any person rightfully claiming from or under him.

Renewal.

55. The Lessee having paid the several rents and royalties due and having observed and performed the restrictions and conditions herein contained shall be entitled, on giving to the Governor not less than twelve months' previous notice in writing in that behalf not more than two years nor less than one year before the termination of the term hereby granted, to a renewal of this lease in respect of the whole of the leased area or any part thereof which complies with the Regulations for the time being in force for a further term of thirty years from the expiration of the said term upon the terms and conditions contained in the Regulations for the time being in force subject to such modifications or exclusions as the Governor may in his discretion determine.

Right of Lessee to determine lease.

56. Without prejudice to any obligation or liability imposed by or incurred under this lease the Lessee may at any time during the term hereby granted or any renewal thereof determine this lease by giving to the Governor not less than twelve months' previous notice in writing to that effect.

Right of Lessee to abandon portions of the leased area.

57. Without prejudice to any obligation or liability imposed by or incurred under this lease the Lessee shall be entitled at any time during the term hereby granted or any renewal thereof by giving six months' notice in writing to the Governor to surrender the rights granted by this lease in respect of any part or parts of the leased area:

Provided that —

- (a) the part of the leased area in respect of which the said rights are retained shall comply with the Regulations for the time

being in force as to the shape and size of areas in respect of which an oil mining lease may be granted; and

- (b) the part of the leased area in respect of which the said rights are surrendered shall either be an area in respect of which an oil mining lease could be granted in accordance with the Regulations for the time being in force or be of such shape and size as the Governor may determine.

58. Any person or persons authorised by the Colonial Secretary shall be entitled at all reasonable times to enter into and upon any land for the time being possessed or occupied by the Lessee in the leased area for the purposes hereinafter mentioned —

Power to inspect plant records, accounts.

- (a) to examine the bore-holes wells plant appliances buildings and works made or executed by the Lessee in pursuance of this lease and the state of repair and condition thereof; and
- (b) to inspect and check the accuracy of the weighing or measuring appliances weights measurements logs records plans and maps which the Lessee is required to keep or make in accordance with the provisions of this lease; and
- (c) to inspect and make abstracts or copies of any logs records plans maps or accounts which the Lessee is required to keep or make in accordance with the provisions of this lease; and
- (d) to inspect the samples of strata petroleum or water which the Lessee is required to keep in accordance with the provisions of this lease; and
- (e) to execute any works which the Colonial Secretary may be entitled to execute in accordance with the provisions of this lease.

59. If at any time during the term hereby granted or any renewal thereof the Governor shall be satisfied that the leased area or any part thereof form part of a single geological petroleum structure or petroleum field (hereinafter referred to as "an oil field") in respect of other parts of which other oil mining leases are then in force and the Governor shall consider that it is in the interest of the Colony in order to secure the maximum ultimate recovery of petroleum and to avoid unnecessary competitive drilling that the oil field should be worked and developed as a unit in co-operation by all the persons, including the Lessee, whose leases extend to or include any part thereof, the following provisions shall apply;

Unit development.

- (1) (a) The Lessee shall upon being so required by notice in writing by the Governor co-operate with such other persons, being persons holding oil mining leases in respect of any part or parts of the oil field (hereinafter referred to as "the other lessees"), as may be specified in the said notice in the preparation of a scheme (hereinafter referred to as "a development scheme") for the working and development of the oil field as a unit by the Lessee and the other lessees in co-operation, and shall jointly with the other lessees, submit such scheme for the approval of the Governor.
- (b) The said notice shall also contain a description by reference to a map of the area or areas in respect of which the Governor requires a development scheme to be submitted and shall state the period within which such scheme is required to be submitted for approval by the Governor.

(2) If a development scheme shall not be submitted to the Governor within the period limited in that behalf by the said notice, or, if a development scheme submitted in pursuance of the foregoing provisions of this clause shall not be approved by the Governor, the Governor shall himself prepare a development scheme which shall be fair and equitable to the Lessee and the other lessees and the Lessee shall perform all the terms and conditions thereof.

(3) If the Lessee shall object to any such development scheme prepared by the Governor he may within 28 days from the date on which notice in writing of the said scheme shall have been given to him by the Governor refer the matter to arbitration in accordance with the provisions of Clause 67 (Arbitration).

Governor's right of pre-emption.

60. In the event of a state of national emergency or war (the existence of which the Governor shall be the sole judge):

(1) The Governor shall have the right of pre-emption of all crude oil gotten under this lease and of all the products thereof and shall have the right to require the Lessee to the extent of any refinery capacity he may have in the Colony in pursuance of Clause 21 (Refinery) to produce oil products to comply with the specifications of the Governor provided that the said crude oil be of a suitable kind and quality for this purpose.

(2) The Lessee shall use his utmost endeavours to increase so far as reasonably possible with existing facilities the supply of oil and/or products thereof for the Government to the extent required by the Governor.

(3) The Lessee shall with every reasonable expedition do his utmost to deliver all oil or products of oil purchased by the Governor under his said right of pre-emption in the quantities at the time and in the manner required by the Governor at a convenient place of shipment or at a place of storage in the Colony to be determined by the Governor whether belonging to the Governor or otherwise.

(4) The price to be paid for all oil or products of the refining or treatment of oil taken in pre-emption by the Governor shall be either —

- (a) as specified in a separate agreement; or
- (b) if no such agreement shall have been entered into prior to the exercise of the right of pre-emption, a fair price for the time being at the point of delivery as the same shall be settled by agreement between the Governor and the Lessee or in default of such agreement by arbitration in manner provided by Clause 67.

To assist in arriving at a fair price at the point of delivery the Lessee shall furnish for the confidential information of the Governor, if so required, particulars of the quantities, descriptions and prices of oil or products sold to other customers and of charters or contracts entered into for carriage and shall exhibit to the Governor original or authenticated copies of contracts or charter parties entered into for the sale or carriage of such oil or products.

(5) The Governor shall be at liberty to take control of the works plant and premises of the Lessee in the Colony and in such event the Lessee shall conform to and obey all directions issued by the Governor or on his behalf. Compensation shall be paid to the Lessee for any loss or damage that may be proved to have been sustained by the Lessee by reason of the exercise by the Governor of the powers conferred by this sub-clause. Any such compensation shall be settled by agreement between the Governor and the Lessee or, in default of agreement, by arbitration in manner provided by Clause 67.

Power to execute works.

61. If the Lessee shall at any time fail to perform the obligations imposed by any of the undermentioned clauses of this lease —

- (a) Clause 18 (Measurement of petroleum);
- (b) Clause 40 (Abandonment and plugging of bore-holes);
- (c) Clause 41 (Delivering up of productive bore-holes and wells in good order);
- (d) Clause 42 (Plugging of bore-holes on determination of Lease etc.);
- (e) Clause 43 (Health and safety of workers);

- (f) Clause 45 (1) (Avoidance of harmful methods of working);
- (g) Clause 46 (Provision of storage tanks, pipes, pipe-lines);
- (h) Clause 47 (Disposal of waste oil, salt water and refuse);

then and in any such case the Colonial Secretary shall be entitled after giving to the Lessee reasonable notice in writing of such his intention to execute any works which in the opinion of the Colonial Secretary or his agents may be necessary to secure the performance of the said obligations or any of them and to recover the costs and expenses of so doing from the Lessee.

62. If and whenever any of the rents or royalties reserved by this lease or any part thereof respectively shall be in arrear or unpaid for the space of two calendar months next after any of the days whereon the same ought to be paid (whether the same shall have been legally demanded or not) then and so often as the same may happen the Colonial Secretary may (as an additional remedy and without prejudice to the power of distress and other the rights and remedies to which he would be entitled) enter into and upon any land which shall for the time being be possessed or occupied by the Lessee for the purposes of this lease or the exercise of any of the rights thereby granted and may seize and distrain and sell as landlords may do for rent in arrear all or any of the stocks of petroleum and products thereof engines machinery tools implements chattels and effects belonging to the Lessee which shall be found in or upon the land so entered upon and out of the moneys arising from the sale of such distress may retain and pay all the arrears of the said rents and royalties and also the costs and expenses incident to any such distress and sale rendering the surplus (if any) to the Lessee.

Rights of distress.

63. If and whenever the rents and royalties reserved by this lease or any part thereof shall be in arrear for the space of six calendar months next after any of the days whereon the same ought to have been paid or if there shall be any breach or non-observance by the Lessee of any of the terms and conditions of this lease or if the Lessee shall become bankrupt or make or enter into any arrangement or composition with his creditors or if where the Lessee is a company a Receiver shall be appointed or the company shall enter into liquidation whether compulsory or voluntary (except a voluntary liquidation of a solvent company for the purpose of reconstruction) or if the Lessee shall fail to perform and observe the terms and conditions of any development scheme prepared in accordance with the provisions of Clause 59 (Unit development) then and in any such case the Governor may revoke this lease and thereupon the same and all the rights hereby granted shall cease and determine but subject nevertheless and without prejudice to any obligation or liability imposed by or incurred under this lease. Provided always that save as to the non-payment of rents or royalties the aforesaid power shall not be exercisable unless and until notice has been given to the Lessee specifying the particular breach complained of and if the breach is capable of remedy requiring the Lessee to remedy the breach and in any case requiring the Lessee to make compensation in money for the breach and the Lessee fails within a reasonable time thereafter to remedy the breach if it is capable of remedy and to make reasonable compensation in money to the satisfaction of the Governor for the breach.

Power of revocation.

64. Subject to the provisions of Clause 41 (Delivering up of productive bore-holes and wells in good order) and to the rights of surface owners or others the Lessee may provided that all rents royalties and other impositions payable by him by virtue of these presents have been paid and that all the covenants and conditions herein contained have been observed and performed at any time or times within six calendar months after the determination of this lease whether by effluxion of time or otherwise enter into and upon the leased area or any part thereof for the purpose of taking down removing and disposing of for his own use and benefit all or any of

Power to Lessee to remove plant.

the buildings works railways pipe-lines machinery utensils implements articles and things set up and used or employed by him in or about the leased area which the Governor shall not have elected to purchase under the provisions of Clause 65 (Power to Governor to purchase plant) (except buildings and erections of brick stone or concrete) making reasonable compensation for all damage done to the leased area by such removal.

Power to Governor to purchase plant.

65. If at the expiration or sooner determination of this lease the Governor shall be desirous of purchasing all or any of the buildings works railways pipe-lines machinery utensils implements articles or things constructed set up or used or employed by the Lessee in or about the leased area and shall signify such his desire by notice in writing to the Lessee six calendar months at least before the expiration of this lease (or if this lease shall be determined under the power of revocation hereinbefore contained at any time within three calendar months after the determination of this lease) the Lessee shall sell to the Governor the articles and things specified in such notice at a price which failing agreement shall be fixed by arbitration as provided in Clause 67 (Arbitration).

Force majeure.

66. (1) Failure on the part of the Lessee to fulfil any of the terms and conditions of this lease shall not give the Governor any claim against the Lessee or be deemed a breach of this lease in so far as such failure arises from *force majeure* and if through *force majeure* the fulfilment by the Lessee of any of the terms and conditions of this lease be delayed the period of such delay shall be added to the periods fixed by this lease.

(2) In this clause the expression "*force majeure*" includes the act of God war insurrection riot civil commotion tide storm tidal wave flood lightning explosion fire earthquake and any other happening which the Lessee could not reasonably prevent or control.

Arbitration.

67. If at any time during the continuance of this lease or after the determination thereof any question or dispute shall arise regarding this lease or any matter or thing connected therewith or the powers duties or liabilities of the Lessee hereunder or the amount or payment of any rent or royalty then and in all such cases the matter in difference shall be referred to arbitration in accordance with the provisions of the Arbitration Act 1950 or any Ordinance or Law amending or replacing the same for the time being in force:

Provided that any reference to arbitration arising out of an agreement between the parties, shall be to two arbitrators, one to be appointed by each party, unless a contrary intention is expressed in the agreement.

Marginal notes.

68. The marginal notes are for convenience only and do not form part of this lease.

Interpretation.

69. For the purpose of this lease —

- (1) "LESSEE" means a person to whom an oil mining lease is granted his successors in title and the persons deriving title under him.
- (2) "PETROLEUM" includes any mineral oil or relative hydrocarbon and natural gas existing in its natural condition in strata but does not include coal or bituminous shales or other stratified deposits from which oil can be extracted by destructive distillation.
- (3) "CRUDE OIL" means oil in its natural state before the same has been refined or otherwise treated but excluding water and foreign substances.
- (4) "NATURAL GAS" means gas obtained from bore-holes and wells and consisting primarily of hydrocarbons.

- (5) "CASINGHEAD PETROLEUM SPIRIT" means any liquid hydrocarbons obtained from natural gas (before the crude oil from which it is derived has been measured for royalty) by separation or by any chemical or physical process.
- (6) "HER MAJESTY'S DOMINIONS" shall be construed as including a reference to all territories under Her Majesty's protection or in which Her Majesty has for the time being jurisdiction.
- (7) "BRITISH SUBJECT" shall be deemed to include a person under Her Majesty's protection.
- (8) "COLONIAL TREASURER" means the Colonial Treasurer of the Falkland Islands or his successor in office.
- (9) "COLONY" means the Colony of the Falkland Islands.

(In witness whereof the Governor has hereunto set his hand and seal and the Lessee has caused its Common Seal to be hereunto affixed the day and year first herein above written.)

#### SCHEDULE A.

Description of leased area.

All those lands indicated in the attached plan situated in..... and having an area of ..... or thereabouts.

#### SCHEDULE B.

##### BOND IN RESPECT OF OIL MINING LEASE

KNOW ALL MEN BY THESE PRESENTS THAT WE

of .....  
and .....  
of .....  
are held and firmly bound to the Colonial Treasurer of the Colony of the Falkland Islands and his successors in Office in the sum of ..... to be paid to the said Colonial Treasurer and his Successors in Office for which payment to be well and truly made we bind ourselves and each of us our heirs executors and administrators jointly and severally by these presents.

Dated this.....day of.....19.....

WHEREAS by deed of even date herewith and made between ..... of the one part and the said..... of the other part all or any petroleum lying or being within under or throughout those lands lying and being..... and containing an area of..... or thereabouts and delineated in the plan attached to the said Deed was demised unto the said..... subject to the terms conditions and covenants therein contained.

AND WHEREAS the said..... hath agreed to become surety for the due performance by the said..... of all and several the covenants matters and things under the said Deed to be by him performed and done.

Now the condition of the above-written bond or obligation in such that if the said..... shall well and truly observe and perform all and every the covenants and agreements by him to be observed and performed as hereinbefore mentioned and shall in a proper and workmanlike manner do all and every the acts matters and things by him to be done under the said Deed to the satisfaction of the Governor for the time being of the said Colony.

THEN the above-written bond or obligation shall be void otherwise the same shall remain in full force and effect.

# FALKLAND ISLANDS.

## The Wild Animals and Birds Protection Ordinance, 1964.

### REGULATIONS

(under section 16 of the Ordinance)

C. HASKARD,  
*Governor.*

No. 4 of 1964.

His Excellency the Governor in exercise of the powers vested in him by section 16 of the Wild Animals and Birds Protection Ordinance, 1964, is pleased by and with the advice of the Executive Council to make the following Regulations —

No. 15 of 1964.

1. These Regulations may be cited as the Penguin and Albatross Regulations, 1964.

Short title.

2. All applications for licences to take penguins' or albatrosses' eggs shall be made either personally or in writing and shall reach the Superintendent of Police, or other officer authorised under the Ordinance to issue such licences, not later than —

Applications for licences to be made before certain dates.

(a) in the case of albatrosses, the 1st day of September:

(b) in the case of penguins, the 1st day of October.

3. The fee payable in respect of licences shall be as follows —

Fees payable.

(a) for a licence to take not more than 1,000 eggs, 5/-;

(b) for a licence to take more than 1,000 eggs, 5/- for the first thousand, and 5/- for every additional thousand or part thereof.

4. The period for which licences to take penguins' or albatrosses' eggs may be issued shall be —

Periods for which licences may be issued.

(a) in the case of albatrosses from the 1st day of September to the 30th day of September in every year;

(b) in the case of Gentoo penguins from the 1st day of October to the 31st day of October in every year;

(c) in the case of other penguins from the 1st day of October to the 31st day of December in every year.

5. A Police Officer may require that any licensee shall, at a date not earlier than the 1st January or later than the 1st February, make in writing to the Colonial Secretary, or other officer authorised under the Ordinance to issue licences, a declaration of the number of eggs taken during the past season and of the localities from which the eggs were taken.

Return of eggs taken etc. to be made.

6. Any licensee who commits or allows or negligently suffers a person employed by him to commit a breach of these regulations shall be liable to a fine not exceeding £5 for each offence, and the licensee shall at the same time become liable to the immediate forfeiture of his licence and of any claim to a licence in the future. Any person employed by the licensee who commits a breach of these regulations shall be liable to the same penalty.

Fines, etc.

7. The Penguin Regulations are hereby revoked.

Revised Edition Vol. II.  
p. 328.

Made by the Governor in Council this 30th day of December, 1964.

D. R. MORRISON,  
*for Clerk of the Executive Council.*

FALKLAND ISLANDS.

The Fisheries Ordinance (Cap. 27)

REGULATIONS

(under section 3 of the Ordinance)

C. HASKARD,  
*Governor.*

No. 5 of 1964.

His Excellency the Governor in exercise of the powers vested in him by section 3 of the Fisheries Ordinance, is pleased by and with the advice of the Executive Council to make the following Regulations. Cap. 27.

1. These Regulations may be cited as the Trout and Salmon Fishing Regulations, 1964. Short title.

2. In these Regulations, unless the context otherwise requires — Interpretation.

“water” includes any lake, pond, stream, river or estuary thereof;

“open season” means between the 31st day of August and the 1st day of May following;

“private land” means any land held or occupied under a grant, lease or right of occupancy;

“rod and line” means single rod or line;

“salmon” includes all migratory fish of the species *Salmo salar* and *Salmo trutta* and commonly known as salmon and sea trout respectively or any part of any such fish;

“trout” means non-migratory trout of the species *Salmo trutta* living in fresh waters or estuaries, but does not include any fish of the family *Aplochitonidae*, commonly known as trout in the Colony;

“unclean” in relation to any fish means that the fish is about to spawn, or has recently spawned and has not recovered from spawning.

3. It shall be unlawful for any person to enter upon private land for the purpose of fishing for, capturing or killing trout and salmon unless the permission of the owner or his agent or the occupier of such land shall have been first obtained. Trespass an offence.

4. (1) The Colonial Secretary shall grant licences to Stanley residents to fish for trout and salmon, with rod and line, during the open season. Issue of licences.

(2) Farm Managers shall grant licences to persons in their employ to fish for trout, or salmon with rod and line, during the open season.

Provided that such licences shall not confer on the holder permission to enter upon private land for the purpose of fishing for trout and salmon unless permission has been first obtained in accordance with Regulation 3 above.

Provided also that any licence so granted may be revoked if the conditions of the licence have not been observed.

5. The Governor may limit the number of licences to be issued during any one season. Limitation of licences.

6. Unless authorised by licence no person shall take, or attempt to take more than 12 trout per day. Limit of 12 trout per day.

General protection of trout.

7. No person shall fish for, take, kill or attempt to take or kill any trout or salmon by any means, except by rod and line during open season, under a licence granted under Regulation 4 hereof.

Prohibition of using roe.

8. No person shall, for the purpose of fishing for trout and salmon use any fish roe.

Unclean trout.

9. (1) No person shall —

(a) knowingly take, kill, or injure, or attempt to take, kill or injure any trout or salmon 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 or salmon, less than ten inches in length, or

Prohibition on netting in estuaries.

(c) take or attempt to take trout or salmon with any net in any estuary.

(2) This regulation shall not apply to any person who takes a trout or salmon accidentally and returns it to the water with the least possible injury.

Disturbing fish spawning.

10. No person shall wilfully disturb any spawn or spawning trout or salmon, or any bed, bank or shallow on which any spawn or spawning trout or salmon may be.

Moody Brook Reserve.

11. (1) No person shall fish with bait, spinner or any means other than a fly above the bridge at the old Naval Wireless Station in the stream known as the Moody Brook or in any of the tributaries thereof.

(2) No person shall fish in the stream known as the Moody Brook or in any of the tributaries thereof without a Flyfishing Licence issued by the Colonial Secretary.

Saving for acts for artificial propagation or scientific purposes.

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.

Penalties.

13. Any person contravening these Regulations shall be liable to the penalties laid down in Section 5 Chapter 27 of the Laws of the Falkland Islands.

Revocation of Regulations No. 1 of 1952.

14. The Fisheries Regulations, 1952, are hereby revoked.

Made by the Governor in Council on the 23rd day of October, 1964.

H. L. BOUND,  
*Clerk of the Executive Council.*

Ref. 0392/III.

## FALKLAND ISLANDS.

### The Customs Ordinance (Cap. 16)

### RESOLUTION

(under section 5 of the Ordinance)

W. H. THOMPSON,  
*Officer Administering the Government.*

No. 1 of 1964.

In exercise of the powers conferred by section 5 of the Customs Ordinance, it is hereby resolved by the Legislative Council as follows—

1. This Resolution may be cited as the Customs (Amendment of Duties) Resolution, 1964. Title.

2. Paragraph 3 of the Customs Order is amended —  
(a) by deleting the words and figures from "Commencing with the 1960/61 season at the following ad valorem rates" to the words and figures "Reaches 80d. and above 5%";

Amendment of paragraph 3 of the Customs Order.

(b) by deleting the words "On Tallow, Hides and Skins, two and a half per centum of the selling price of such goods.".

3. The above amendment shall not apply to the Dependencies.

4. The Schedule to the Customs Order is hereby revoked.

Revocation of Schedule to the Customs Order.

Resolved by the Legislative Council on the 4th day of May, 1964.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref: 0466/II.

# FALKLAND ISLANDS.

## The Post Office Ordinance (Cap. 52) TELEPHONE AND TELEGRAPH RULES

No. 1 of 1964.

W. H. THOMPSON,  
*Officer Administering the Government.*

1. Every telephone and telegraph line or wire erected shall be subject to the control of the Superintendent of Posts and Telecommunications (hereinafter called "the Superintendent").

Wires under supervision  
of Posts & Telecommuni-  
cations.

2. Any person who shall erect any telephone or telegraph line or wire or any line or wire used for the purposes of telecommunication without the approval of the Superintendent first obtained shall commit an offence and shall be liable to a fine not exceeding twenty-five pounds and the Court may order that such line or wire shall be forfeited.

No private line without  
approval of the Super-  
intendent.

3. Every application for a telephone shall be made to the Superintendent 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: £6 10s. 0d. per annum for each instrument;
- (b) if on a party line serving two instruments: £4 5s. 0d. per annum for each instrument;
- (c) if on a party line serving three instruments: £3 15s. 0d. per annum for each instrument.
- (d) if on a party line serving four or more instruments: £3 0s. 0d. 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 operated by switch to other premises occupied by the subscriber in Stanley shall be —

Rentals for extensions.

- (a) when not more than 110 yards from the original instrument: £1 15s. 0d. per annum;
- (b) when not more than 440 yards from the original instrument: £3 0s. 0d. 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 rental for any extension bell fitted in the premises occupied by the subscriber shall be 10s. 0d. per annum.

(4) 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 mainten-  
ance.

8. Calls may be originated and received at the Public Call Boxes, Stanley, on prepayment 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.	17. In these rules where the context so admits — "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.	Interpretation.
Private telephone lines.	10. (1) Any private long distance line on East Falkland may, with the permission of the Superintendent and at the expense of the owner, be connected with the Telephone Exchange, Stanley. (2) The subscription for such connection shall be £6 10s. 0d. per annum for each separate Camp Station, whether connected to the Telephone 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 Telephone 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.	18. The Telephone and Telegraph Rules made on the 19th day of August, 1949, are hereby rescinded.  19. These Rules shall be deemed to have come into force on the 1st of January, 1964.	Rescission.  Date of Commencement.
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.	<p>Made by the Governor in Council under the provisions of the Post Office Ordinance (Cap. 52), on the 13th day of April, 1964.</p> <p>H. L. BOUND, <i>Clerk of the Executive Council.</i></p> <p>C.S. 1097.</p>	
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 five pounds.		
Urgent calls.	13. No call, except for medical, police or fire services, shall be made between the hours of midnight and 6.0 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 Superintendent.		
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 10s. 0d. (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 subscriber's premises.		



## FALKLAND ISLANDS

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up to and including 31st August 1965

PRICE

6/-

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1962	Antarctic Treaty Order-in-Council 1962	...	...	S. I. No. 401	1962	54	
1962	Antarctic Treaty (Immunity from Jurisdiction) Ord. 1962			Ordinance	11/62	1963	12
1962	British Antarctic Territory Order-in-Council 1962	...		S. I. No. 400	1962	50	
1964	British Antarctic Territory (Amendment) Order	...		S. I. No. 1396	1964	180	

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1952	British Nationality (Amendment) Ordinance ...	Ordinance	2/52	1952	65
1953	British Nationality (Amendment) Ordinance ...	Ordinance	5/53	1953	32
1962	British Nationality (Amendment) Ordinance 1962	Ordinance	12/62	1963	14
1952	Cinematograph Exhibitions Ordinance ...	Ordinance	1/52	1952	62
1952	Cinematograph Exhibitions Regulations ...	Regulation	4/52	1952	82
1959	Civil Aviation (Investigation of Accidents) Regulations 1959	Regulation	3/59	1959	109
1957	Colonial Police Long Service Medal Regulations 1957 ...	Regulation		1958	109
1965	Colonial Probates Act Application Order, 1965.	Order		1965	215
1951	Consular Conventions (Kingdom of Norway) ...	Order	8/51	1951	194
1953	Consular Conventions (Kingdom of Sweden) ...	Order	1/53	1953	43
1953	Consular Conventions (U.S.A.) ...	Order	2/53	1953	44
1953	Consular Conventions (Kingdom of Sweden) (Amendment)	Order	4/53	1953	68
1954	Consular Conventions (Kingdom of Greece) Order ...	Order	2/54	1954	98
1954	Consular Conventions (French Republic) Order ...	Order	3/54	1954	98
1955	Consular Conventions (U. S. of Mexico) Order ...	Order	2/55	1955	121
1958	Consular Conventions (Italian Republic) Order ...	Order	8/58	1958	154
1958	Consular Conventions (Federal Republic of Germany) Order	Order	10/58	1958	156
1963	Copyright (Falkland Islands) Order 1963	S. I. No. 1037		1965	132
1954	Currency Notes (Amendment) Ordinance 1954 ...	Ordinance	18/54	1954	169
1956	Currency Notes (Amendment) Rules 1956 ...	Rule	1/56	1956	117

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1951	Customs (Amendment) (No. 1) Order 1951 ...	Order	2/51	1951	33
1951	Customs (Amendment) (No. 2) Order 1951 ...	Order	3/51	1951	33
1951	Customs (Amendment) (No. 1) Order 1951 ...	Resolution		1951	71
1951	Customs (Amendment) (No. 2) Order 1951 ...	Resolution		1951	72
1954	Customs (Amendment) Ordinance 1954 ...	Ordinance	8/54	1954	58
1954	Customs (Amendment) Order 1954 ...	Resolution		1954	76
1954	Customs (Export) (Amendment) Regulations 1954	Regulation	4/54	1954	122
1955*	Customs (Dependencies) Ordinance 1955 ...	Ordinance	2/55	1955	85
1955*	Customs (Dependencies) (Amendment) Ordinance 1955	Ordinance	5/55	1955	106
1955	Customs (Export Tax live sheep) revoke ...	Resolution	1/55	1956	33
1956	Customs (Amendment) Ordinance 1956 ...	Ordinance	6/56	1956	151
1956	Customs (Preferential Rates) Resolution ...	Resolution		1956	128
1959	Customs (Amendment) Ordinance 1959 ...	Ordinance	1/59	1959	34
1959	Customs (Amendment) Ordinance 1959 ...	Ordinance	21/59	1960	12
1959	Customs (Import Duty on Beer) Resolution ...	Resolution	1/59	1959	63
1960	Customs (Amendment) Resolution 1960 ...	Resolution	1/60	1960	175
1961	Customs (Amendment) Resolution 1961 ...	Resolution	1/61	1961	89
1961	Customs (Amendment of Duties) Resolution 1961	Resolution	2/61	1961	90
1961	Customs (Amendment) Regulations 1961 ...	Regulation	1/61	1962	71
1963*	Customs (Whale Oil and Seal Oil Duty) Ordinance 1963	Ordinance	2/63	1963	48
1963	Customs (Amendment of Duties) Resolution 1963	Resolution	1/63	1964	3
1964	Customs (Amendment of Duties) Resolution 1964	Resolution	1/64	1964	137
1965*	Customs (Amendment of Duties) Order 1965 ...	Order	1/65	1965	72
1965	Customs (Amendment of Duties) Resolution 1965	Resolution	1/65	1965	78
1957	Dangerous Drugs (Amendment) Ordinance 1957 ...	Ordinance	5/57	1957	85
1953	Defence Force Efficiency Decoration Regulations ...	Regulation	2/53	1953	101
1954	Defence Force Ordinance 1954 ...	Ordinance	4/54	1954	13
1954	Defence Force Efficiency Medal Regulations 1954	Resolution		1954	99
1954	Defence Force Regulations 1954 ...	Regulation	5/54	1954	148
1954	Defence Force Club Rules ...	Rules		1954	150
1959	Defence Force (Amendment) Ordinance 1959 ...	Ordinance	9/59	1959	85
1964	Defence Force (Amendment) Ordinance 1964 ...	Ordinance	5/64	1964	103
1964	Defence Force (Amendment) Regulations 1964 ...	Regulation	1/64	1964	94
1951	Dependencies (Amendment) Ordinance 1951 ...	Ordinance	1/51	1951	108
1951	Dependencies (Amendment) (No. 2) Ordinance 1951	Ordinance	7/51	1951	216

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1951	Diplomatic Privileges (U.N.I.C.J.) ... ..	Order	1/51	1951 25
1951	Diplomatic Privileges (I.R.O.) ... ..	Order	4/51	1951 147
1955	Diplomatic Privileges (Extension) (Amendment) Ord. 1955	Ordinance	8/55	1956 16
1958	Diplomatic Privileges (I.R.O.) Revocation Order 1958	Order	2/58	1958 114
1958	Diplomatic Privileges (U.P.U.) Order 1958	Order	4/58	1958 147
1958	Diplomatic Privileges (World Met. Organisation) Order 1958	Order	5/58	1958 149
1958	Diplomatic Privileges (I.T.U.) Order 1958	Order	6/58	1958 151
1958	Diplomatic Privileges (I.C.A.O.) (Amendment) Order	Order	9/58	1958 155
1961	Diplomatic Privileges (Extension) Ordinance	Order	1/61	1961 46
1965	Diplomatic Privileges (Extension) (Amend.) Ordinance 1965	Ordinance	7/65	1965 112

1964	Dogs (Amendment) Ordinance 1964	Ordinance	14/64	1964 192
1965	Dogs Tapeworm Eradication Order 1965	Order	2/65	1965 73

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1951	Electricity Supply ... ..	Regulation	2/51	1951 141
1956	Electricity Supply (Amendment) Regulations 1956	Regulation	1/56	1957 7
1957	Electricity Supply (Amendment) Regulations 1957	Regulation	1/57	1957 35
1957	Electricity Supply (Amendment) Ordinance 1957	Ordinance	2/57	1957 80
1963	Electricity Supply (Amendment) Regulations 1963	Regulation	1/63	1963 74

1959	Estate Duty (Amendment) Ordinance 1959	Ordinance	18/59	1960 5
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1962	Evidence (Falkland Islands) Order 1962	S. I. No. 2607	1963	29
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1951	Exchange Control Ordinance (Appointment of date)	Order	11/51	1951 205
1951	Exchange Control ... ..	Ordinance	5/51	1951 36 80
1952	Exchange Control (Transitional Provisions)	Order	2/52	1952 136
1952	Exchange Control (Temporary Visitors Exemption)	Order	3/52	1952 137
1952	Exchange Control (Branches)	Order	4/52	1952 138
1952	Exchange Control (Specified Foreign Currency)	Order	5/52	1952 138
1953	Exchange Control (Specified Foreign Currency) (Amendment) Order 1953	Order	6/53	1953 80
1954	Exchange Control (Payments) Ordinance 1954	Ordinance	1/54	1954 37
1954	Exchange Control (Amendment) Ordinance 1954	Ordinance	3/54	1954 11

1951	Export and Imports (Emergency Powers) Ordinance	Proclamation	3/51	1951 196
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1952	Falkland Islands Additional Instructions 1952	U.K. No. 5	1952	32
1952	Falkland Islands Additional Instructions 1952	Proclamation	1/52	1952 40
1955	Falkland Islands Additional Instructions 1955	Proclamation	4/55	1956 5
1964	Falkland Islands Additional Instructions 1964	U.K.	1965	68

1965	Falkland Islands Court of Appeal Order 1965	Proclamation	2/65	1965 128
1965	Falkland Islands Court of Appeal Order 1965	S. I. No. 589	1965	129
1965	Falkland Islands Court of Appeal (Appeal to Privy Council) Order 1965	S. I. No. 591	1965	167

1962	Falkland Islands Letters Patent 1962	U. K.	1962	87
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1960	Family Allowances Ordinance 1960	Ordinance	9/60	1960 187
1960	Family Allowances Regulations 1960	Regulation	2/60	1960 198

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1960	Federal Republic of Germany (Extradition) Order	Order No. 61	1960 215
1960	Firearms (Amendment) Ordinance 1960	Ordinance 8/60	1960 186
1962	Firearms (Amendment) Ordinance 1962	Ordinance 7/62	1962 4
1965	Firearms (Amendment) Ordinance 1965	Ordinance 1/65	1965 80
1952	Fisheries Regulations 1952	Regulation 1/52	1952 22
1958	Fisheries (Amendment) Regulations 1958	Regulation 1/58	1958 10
1964	Fisheries Regulations (Trout and Salmon) Regs. 1964	Regulation 5/64	1964 178
1959	Foreign Judgments (Reciprocal Enforcement) Ord. 1959	Ordinance 4/59	1959 39
1960	Foreign Judgments (Reciprocal Enforcement) (Amendment) Ordinance 1960	Ordinance 4/60	1960 142
1963	Foreign Judgments (Reciprocal Enforcement) (Amendment) Ordinance 1963	Ordinance 3/63	1963 79
1960	Geneva Conventions (Criminal Appeals) Ordinance 1960	Ordinance 11/60	1960 196
1960	Government Employees' Provident Fd. (Amend.) Ord. 1960	Ordinance 5/60	1960 143
1962	Government Employees' Provident Fd. (Amend.) Ord. 1962	Ordinance 3/62	1962 89
1955	Grass Fires Ordinance 1955	Ordinance 5/55	1956 11

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1956	Government Wharves (Amendment) Ordinance 1956	Ordinance 2/56	1956 66
1958	Guardianship and Custody of Children Ordinance 1958	Ordinance 3/58	1958 40
1955	Harbour (Amendment) Regulations 1955	Regulation 4/55	1955 124
1958	Harbour Order 1958	Order 3/58	1958 140
1958	Harbour (Amendment) Ordinance 1958	Ordinance 6/58	1958 55
1961	Homicide Ordinance 1961	Ordinance 6/61	1961 98
1957	Immigration Notification 1957	Notice	1957 49
1965	Immigration Ordinance 1965	Ordinance 10/65	1965 119 127
1965	Immigration Regulations 1965	Regulation 1/65	1965 137
1951	Income Tax (Amendment) Ordinance 1951	Ordinance 6/51	1951 64 107
1953	Income Tax Order 1953	Order 7/53	1953 100
1954	Income Tax (Amendment) Ordinance 1954	Ordinance 14/54	1954 165
1957	Income Tax (Amendment) Ordinance 1957	Ordinance 3/57	1957 81
1961	Income Tax (Amendment) Ordinance 1961	Ordinance 4/61	1961 95
1961	Income Tax (Amendment) (No. 2) Ordinance 1961	Ordinance 9/61	1961 134
1962	Income Tax (Amendment) Ordinance 1962	Ordinance 1/62	1962 34
1962	Income Tax (Amendment) (No. 2) Ordinance 1962	Ordinance 6/62	1962 96
1962	Income Tax (Amendment) (No. 3) Ordinance 1962	Ordinance 16/62	1963 21
1962	Income Tax (Amendment) (No. 4) Ordinance 1962	Ordinance 17/62	1963 23
1962	Income Tax (Amendment) Rules 1962	Rule 2/62	1962 161
1962	Income Tax (Allowances in Kind) Rules 1962	Rule 3/62	1962 171
1964	Income Tax (Amendment) Ordinance 1964	Ordinance 6/64	1964 105
1964	Income Tax (Amendment) (No. 2) Ordinance 1964	Ordinance 7/64	1964 106
1964	Income Tax (Amendment) (No. 3) Ordinance 1964	Ordinance 2/64	1964 97
1965*	Income Tax (Amendment) (Dependencies) Ordinance 1965	Ordinance 3/65	1965 79
1965	Income Tax (Amendment) Ordinance 1965	Ordinance 5/65	1965 86
1951	Double Taxation (New Zealand) Relief	Order 10/51	1951 195
1952	Double Taxation Relief (Taxes on Income) (Canada)	Order 1/52	1952 80
1954	Double Taxation Relief (Sweden) Order 1954	Order 4/54	1955 5
1966	Income Tax (Exemption) Order 1966	Order 1/66	1966 62

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1955	Double Taxation Relief (Denmark) Order 1955	Order	1/55	1955	113
1956	Double Taxation Relief (Taxes on Income) (Norway) Order 1956	Order	1/56	1956	84
1958	Double Taxation Relief (Taxes on Income) (U.S.A.) Order 1958	Order	12/58	1959	15
1965	Income Tax Order No 5 of 1964	Order	5/64	1964	176

1951	Interpretation and General Law (Amendment) Ordinance	Ordinance	1/51	1951	34 73
1951*	Interpretation and General Law (Amendment) (Dependencies) Ordinance 1951	Ordinance	2/51	1951	110
1954	Interpretation and General Law (Amendment) Ord. 1954	Ordinance	1/54	1954	9
1954	Interpretation and General Law (Amendment) Ordinance	Ordinance	15/54	1954	166
1955	Interpretation and General Law (Amendment) Ord. 1955	Ordinance	1/55	1955	29

1960	Israel (Extradition) Order 1960	Order		1960	215
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1953	Land (Amendment) Ordinance 1953	Ordinance	2/53	1953	29
1954	Land (Amendment) Ordinance 1954	Ordinance	11/54	1954	155
1964	Land (Amendment) Ordinance 1964	Ordinance	11/64	1964	184

1951	Leave and Passage (Amendment) Regulations	Regulation	1/51	1951	26
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1951	Legislative Council (Amendment) Order-in-Council	Order	6/51	1951	220
1951	Legislative Council (Amendment) Order-in-Council	Proclamation	4/51	1951	222
1951	Legislative Council (Amendment) Order-in-Council	Proclamation	6/51	1951	224
1953	Legislative Council (Elections) Ordinance 1953	Ordinance	6/53	1953	34
1955	Legislative Council (Amendment) Order-in-Council 1955	S. I. No. 1650		1955	111
1955	Legislative Council (Amendment) Order-in-Council	Proclamation	3/55	1955	112
1959	Legislative Council (Elections) (Amendment) Ord. 1959	Ordinance	7/59	1959	80

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1960	Legislative Council (Elections) (Amendment) Ord. 1960	Ordinance	7/60	1960	185
1963	Legislative Council (Order-in-Council) 1963	Proclamation	5/63	1964	3
1964	Legislative Council (Amendment) Order 1964	S. I. 1397		1964	181

1953	Licensing (Amendment) Ordinance 1953	Ordinance	1/53	1953	28
1957	Licensing (Amendment) Ordinance 1957	Ordinance	1/57	1957	79

1951	Live Stock Ordinance 1901 (Proclamation)	Proclamation	2/51	1951	157
1952	Live Stock Ordinance 1901 (Proclamation)	Proclamation	3/52	1952	147
1954	Live Stock Ordinance 1901 (Proclamation)	Proclamation	4/54	1954	74
1954	Live Stock (Amendment) Ordinance 1954	Ordinance	6/54	1954	26
1957	Live Stock (Amendment) Ordinance 1957	Ordinance	4/57	1957	84
1958	Live Stock Quarantine (Amendment) Regulations	Regulation	7/58	1958	161
1959	Live Stock (Amendment) Ordinance 1959	Ordinance	13/59	1959	103
1959	Live Stock (Amendment) (No. 2) Ordinance 1959	Ordinance	16/59	1959	168
1960	Live Stock Quarantine (Amendment) Regulations	Regulation	1/60	1960	176
1963	Live Stock (Amendment) Ordinance 1963	Ordinance	9/63	1964	9
1965	Live Stock Quarantine (Amendment) Regulations 1965	Regulation 2/65		1965	208

1965	Marriage (Amendment) Ordinance 1965	Ordinance	2/65	1965	82
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1963	Matrimonial Causes (Amendment) Ordinance 1963	Ordinance	5/63	1963	82
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1954	Maintenance Orders (Facilities for Enforcement) (New Zealand) Proclamation 1954	Proclamation	3/54	1954	73
1954	Maintenance Orders (State of Jersey) Proclamation	Proclamation	5/54	1955	4
1955	Maintenance Orders (Guernsey, Alderney and Sark) Proclamation 1955	Proclamation	2/55	1955	110
1962	Maintenance Orders (Isle of Man) Proclamation 1962	Proclamation	5/62	1962	127
1963	Maintenance Orders (Facilities for Enforcement) (Amendment) Ordinance 1963	Ordinance	4/63	1963	81

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1963	Maintenance Orders (Facilities for Enforcement) (Northern Territory of Australia) Proclamation	Proclamation	2/63	1963	69
1964	Maintenance Orders Ordinance 1964 ... ..	Ordinance	12/64	1964	187
1953	Merchandise Marks (Repeal) Ordinance 1953 ... ..	Ordinance	3/53	1953	30
1964	Mining (Amendment) Ordinance 1964 ... ..	Ordinance	4/64	1964	100
1964	Mining (Mineral Oil) Regulations 1964 ... ..	Regulation	3/64	1964	149
1964	Nature Reserves Ordinance 1964 ... ..	Ordinance	8/64	1964	108
1964	Nature Reserves Order 1964 ... ..	Order	1/64	1965	14
1964	Nature Reserves Ordinance, 1964	Ordinance	2/66	1966	120
1961	Non-Contributory Old Age Pensions Ordinance 1961 ...	Ordinance	7/61	1961	99
1962	Non-Contributory Old Age Pensions (Amend.) Ord. 1962	Ordinance	15/62	1963	19
1963	Non-Contributory Old Age Pensions (Amend.) Ord. 1963	Ordinance	6/63	1963	84

1960	Oil in Territorial Waters Ordinance 1960 ... ..	Ordinance	3/60	1960	138
1962	Overseas Service Ordinance 1962 (F. Is.) Agreement ...	Ordinance	9/62	1963	8

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1952	Old Age Pensions Ordinance 1952 ... ..	Ordinance	3/52	1952	67
1952	Old Age Pensions Regulations 1952 ... ..	Regulation	5/52	1952	100
1956	Old Age Pensions (Amendment) Ordinance 1956 ...	Ordinance	5/56	1956	150
1958	Old Age Pensions Order 1958 — Exemption of Officers and Crew of R. R. Ships	Order	1/58	1958	78
1958	Old Age Pensions Order — Roozendaal 1958 ... ..	Order	11/58	1958	157
1958	Old Age Pensions (Amendment) Ordinance 1958 ...	Ordinance	5/58	1958	54
1959	Old Age Pensions (Amendment) Ordinance 1959 ...	Ordinance	10/59	1959	87
1959	Old Age Pensions (Amendment) Regulations 1959 ...	Regulation	1/59	1959	33
1960	Old Age Pensions (Amendment) Ordinance 1960 ...	Ordinance	2/60	1960	136
1961	Old Age Pensions (Amendment) Ordinance 1961 ...	Ordinance	5/61	1961	97
1961	Old Age Pensions (Amendment) (No. 2) Ordinance 1961 ...	Ordinance	11/61	1961	155
1962	Old Age Pensions Order 1962 ... ..	Order	1/62	1962	144
1963	Old Age Pensions (Amendment) Ordinance 1963 ...	Ordinance	8/63	1964	8
1965	Old Age Pensions (Amendment) Ordinance 1965 ...	Ordinance	9/65	1965	115

1956	Pay and Working Rules for Hourly Paid Employees in Stanley 1956	Rule		1956	163
1958	Pay and Working Rules for Hourly Paid Employees in Stanley 1958	Rule		1958	52
1958	Pay and Working Rules for Hourly Paid Employees in Stanley 1959	Rule		1958	141
1959	Pay and Working Rules for Hourly Paid Employees in Stanley 1960	Rule		1959	144
1961	Pay and Working Rules for Hourly Paid Employees in Stanley 1961	Rule		1961	164
1963	Pay and Working Rules for Hourly Paid Employees in Stanley 1963	Rule		1963	103
1964	Pay and Working Rules for Hourly Paid Employees in Stanley 1964	Rule		1964	201

1954	Pensions (Amendment) Ordinance 1954 ... ..	Ordinance	12/54	1954	156
1954	Pensions Regulations 1954 ... ..	Regulation	1/54	1954	44
1954	Pensions (Amendment) Regulations 1954 ... ..	Regulation	2/54	1954	110
1955	Pensions (Amendment) Regulations 1955 ... ..	Regulation	3/55	1955	123
1955	Pensions (Amendment) Ordinance 1955 ... ..	Ordinance	7/55	1956	14
1958	Pensions (W. B. Myles) Ordinance 1958 ... ..	Ordinance	1/58	1958	47
1958	Pensions (E. M. Cawke) Regulations 1958 ... ..	Regulation	4/58	1958	157
1958	Pensions (Amendment) Regulations 1958 ... ..	Regulation	5/58	1958	158
1958	Pensions (Amendment) (No. 2) Regulations 1958 ...	Regulation	6/58	1958	161
1959	Pensions Ordinance Resolution — ex gratia award ...	Resolution	2/59	1959	63
1959	Pensions (Pensionable Offices) Order 1959 ... ..	Order	1/59	1959	31
1959	Pensions (Pensionable Offices) (No. 2) Order 1959 ...	Order	2/59	1959	152
1959	Pensions (Amendment) Ordinance 1959 ... ..	Ordinance	8/59	1959	84
1959	Pensions (Increase) Ordinance 1959 ... ..	Ordinance	12/59	1959	89

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1959	Pensions (Amendment) Regulations 1959	Regulation	2/59	1959 33
1960	Pensions (Pensionable Offices) Order 1960	Order	1/60	1960 89
1959	Pensions (Increase) (Amendment) Ordinance 1959	Ordinance	17/59	1960 4
1961	Pensions (Pensionable Offices) Order 1961	Order	2/61	1961 153
1961	Pensions (Increase) (Amendment) Ordinance 1961	Ordinance	2/61	1961 92
1963	Pensions (Pensionable Offices) Order 1963	Order	2/63	1963 45
1963	Pensions (Increase) (Amendment) Ordinance 1963	Ordinance	10/63	1964 10
1963	Pensions (W. B. Myles) (Increase) Ordinance 1963	Ordinance	11/63	1964 12
1964	Pensions (Increase) (Amendment) Ordinance 1964	Ordinance	9/64	1964 110
1965	Pensions Ordinance 1965	Ordinance	6/65	1965 88
1965	Pensions Ordinance 1965 (Regulations)	Ordinance	6/65	1965 101

1956*	Place Names Ordinance 1956	Ordinance	1/56	1956 71
1956	Place Names for Official use	Proclamation	2/56	1957 6
1957*	Place Names Regulations 1957	Regulation	1/57	1957 92
1957*	Place Names in Dependencies	Proclamation	6/57	1958 3
1958*	Place Names in Dependencies	Proclamation	2/58	1958 64
1960*	Place Names in Dependencies	Proclamation	1/60	1960 27
1960	Place Names Ordinance 1956	Proclamation	4/60	1960 156
1961	Place Names Ordinance 1956	Proclamation	1/61	1961 33
1961*	Place Names Dependencies	Proclamation	6/61	1962 5
1963	Place Names Ordinance	Proclamation	1/63	1963 57
1964	Place Names Ordinance 1956	Proclamation	3/64	1964 174

1951	Post Office Order (Invalidation of Postage Stamps)	Order	5/51	1951 148
1951	Post Office (Amendment) Order 1951	Order	7/51	1951 184
1953	Post Office Order 1953	Order	3/53	1953 66
1952	Post Office (Amendment) Order 1952	Order	6/52	1952 142
1956	Post Office (Amendment) Order 1956	Order	2/56	1956 126
1958	Post Office (Amendment) Order 1958	Order	7/58	1958 154
1959	Post Office (Amendment) Order 1959	Order	3/59	1959 152
1963	Post Office (Invalidation of Stamps) Order 1963	Order	3/63	1963 108
1963	Post Office (Amendment) Ordinance 1963	Ordinance	2/63	1963 78
1964	Post Office Ord. (Telephone and Telegraph) Rules 1964	Rule	1/64	1964 112
1965	Post Office Order	Order	4/65	1966 27

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1952	Public Health Medical Fees (Amendment) Regulations	Regulation	3/52	1952 81
1954	Public Health (Amendment) Ordinance 1954	Ordinance	2/54	1954 10
1956	Public Health (Amendment) Ordinance 1956	Ordinance	7/56	1956 152
1957	Public Health King Edward VII Memorial Hospital (Amendment) Regulations 1957	Regulation	4/57	1957 125
1959	Public Health Medical Fees Regulations 1959	Regulation	4/59	1959 153
1959	Public Health (Amendment) By-laws 1959	By-laws		1960 3
1963	Public Health (Amendment) By-laws 1963	By-laws		1963 60

1965. Quarantine (Amendment) Regulations 1965 Regulation 3/65 1965 209.

1955	Registration (Amendment) Regulations 1955	Regulation	2/55	1955 92
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1956	Registration of U. K. Patents (Amend.) Ord. 1956	Ordinance	1/56	1956 65
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1959	Retiring Allowances to Nurses (Revival) Ordinance 1959	Ordinance	2/59	1959 35
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1951	Revised Edition of the Laws Ordinance	Proclamation	5/51	1951 223
1951	Revised Edition of the Laws (Amend.) Ordinance 1943	Ordinance	2/51	1951 35 74
1951	Revised Edition of the Laws (Amend.) (No. 2) Ordinance	Ordinance	7/51	1951 198 207
1951	Revised Edition of the Laws (Amend.) (No. 3) Ordinance	Ordinance	8/51	1951 199 209
1951*	Revised Edition of the Laws (Amend.) (Deps.) Ordinance	Ordinance	8/51	1951 217
1952	Revised Edition of the Laws (Amendment) Ordinance	Ordinance	3/52	1952 99
1953	Revised Edition of the Laws (Colony)	Proclamation	1/53	1953 27
1953*	Revised Edition of the Laws (Dependencies)	Proclamation	2/53	1953 27

1953	Road Traffic (Amendment) Ordinance 1953	Ordinance	7/53	1953 35
1953	Road Traffic (Amendment) Regulations 1952	Regulation	6/52	1953 3
1954	Road Traffic (Temporary Amendment) Ordinance 1954	Ordinance	5/54	1954 25
1959	Road Traffic (Amendment) Ordinance 1959	Ordinance	14/59	1959 104
1959	Road Traffic (Amendment) Regulations 1959	Regulation	5/59	1959 159
1962	Road Traffic (Amendment) Ordinance 1962	Ordinance	10/62	1962 11

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1952	Savings Bank (Amendment) Rules 1952	...	Rule	1/52	1952	85
1954	Savings Bank (Amendment) Ordinance 1954	...	Ordinance	6/54	1954	167
1954	Savings Bank (Amendment) Rules 1954	...	Rule	1/54	1955	17
1955	Savings Bank (Amendment) Ordinance 1955	...	Ordinance	6/55	1956	13
1962	Savings Bank (Amendment) Rules 1962	...	Rule	1/62	1962	160
1958	Scientific and Industrial Research Council (Vesting of Property) Ordinance 1958	...	Ordinance	4/58	1958	53
1951	Seal Fishery (Amendment) Ordinance 1951	...	Ordinance	4/51	1951	65 77
1953	Seal Fishery (Amendment) Ordinance 1953	...	Ordinance	4/53	1953	31
1951	Schools Education (Amendment) Ordinance 1951	...	Ordinance	3/51	1951	76
1952	Schools (Amendment) Regulations 1952	...	Regulation	2/52	1952	23
1955	Schools (Amendment) Regulations 1955	...	Regulation	1/55	1955	91
1957	Schools (Amendment) Regulations 1957	...	Regulation	2/57	1957	36
1957	Schools (Amendment) (No. 2) Regulations 1957	...	Regulation	3/57	1957	125
1963	Stanley Common Ordinance 1963	...	Ordinance	7/63	1963	85
1958	Stanley Water Supply (Amendment) Regulations 1958	...	Regulation	2/58	1958	10
1954	Stanley Town Council (Amendment) Ordinance 1954	...	Ordinance	7/54	1954	29
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Colony of the  
Falkland Islands and Dependencies

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Ordinances,  
Orders, Proclamations, etc.  
1965

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PART I.

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ORDINANCES.

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Assented to in Her Majesty's name this 3rd day of June, 1965.

C. HASKARD,  
Governor.

LS



No. 1 1965.

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
Governor.

An Ordinance  
Further to amend the Firearms Ordinance.

(3rd May, 1965)

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

1. This Ordinance may be cited as the Firearms (Amendment) Ordinance, 1965, and shall be read as one with the Firearms Ordinance, hereinafter referred to as the principal Ordinance.

2. Section 2 of the principal Ordinance is amended —  
(a) by inserting immediately before the definition of "Certificate" the following new definition —

"CAPE PEMBROKE PENINSULA" means that piece of land lying north of Hooker's Point and extending west to Engineer Point and east to Cape Pembroke.";

Title.  
Date of commencement.  
Enacting clause.  
Short title.  
Amendment of section 2 of the principal Ordinance.

(b) by inserting immediately after the definition of "Registered" the following new definition —

" "STANLEY COMMON" means land outside Stanley, bounded on the north by Stanley and Stanley Harbour, East to Hooker's Point; on the west by a line drawn from Moody Brook Bridge to the Stone Corral thence to the estuary of Mullet Creek Stream; on the south and east by the sea."

Amendment of section 21 of the principal Ordinance.

3. Section 21 of the principal Ordinance is amended by inserting after the words "Stanley Common" the words "or Cape Pembroke Peninsula".

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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Ref. 1896/A.

Assented to in Her Majesty's name this 3rd day of June, 1965.

C. HASKARD,  
*Governor.*

LS



No. 2

1965

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

## An Ordinance To amend the Marriage Ordinance.

(3rd May, 1965)

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

1. This Ordinance may be cited as the Marriage (Amendment) Ordinance, 1965, and shall be read as one with the Marriage Ordinance, hereinafter referred to as the principal Ordinance.

2. The Third Schedule to the principal Ordinance is amended by deleting the words "The Governor" in the first column thereof and substituting therefor the words "The Treasury".

Title.

Date of commencement.

Enacting clause.

Short title.

Cap. 43.

Amendment of Third Schedule to 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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Ref. 1131.

Assented to in Her Majesty's name this 3rd day of June, 1965.

C. HASKARD,  
*Governor.*

LS

No. 3



1965

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

### An Ordinance

To legalise certain payments made in the  
year 1963-64 in excess of the Expenditure  
sanctioned by Ordinance No. 1 of 1963.

Title.

WHEREAS it is expedient to make further provision for the  
service of the Colony for the period 1st July, 1963 to 30th June, 1964.

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 (1963-64) Ordinance, 1965.

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 July, 1963, to 30th June, 1964, 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 sum mentioned for those  
services in the said Ordinance.

Appropriation of excess  
expenditure for the period  
1st July, 1963 to 30th  
June, 1964.

SCHEDULE

Number	HEAD OF SERVICE	Amount		
		£	s.	d.
FALKLAND ISLANDS				
XI.	Pensions and Gratuities ... ..	891	3	8
XVI.	Public Works Recurrent ... ..	2,663	15	1
XIX.	Supreme Court ... ..	11	18	6
Total Expenditure		£ 3,566	17	3

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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Ref. 0284/XVI.

Assented to in Her Majesty's name this 3rd day of June, 1965.

C. HASKARD,  
*Governor.*

LS



No. 4 1965

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

An Ordinance  
Further to amend the Stanley Town Council Ordinance. Title.

(3rd May, 1965) 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 Stanley Town Council (Amendment) Ordinance, 1965, and shall be read as one with the Stanley Town Council Ordinance, hereinafter referred to as the principal Ordinance. Short title. Cap. 68.

2. Subsection (1) of section 8 of the principal Ordinance is amended by deleting the words "other than that at which he retires or an election to fill a casual vacancy held before the next biennial election". Amendment of section 8 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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Ref. 0039/C/III.

Assented to in Her Majesty's name this 3rd day of June, 1965.

C. HASKARD,  
*Governor.*

LS

No. 5



1965

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

An Ordinance  
Further to amend the Income Tax Ordinance. Title.

(1st January, 1966)

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 Income Tax (Amendment) Ordinance, 1965, and shall be read and construed as one with the Income Tax Ordinance, hereinafter referred to as the principal Ordinance.

Short title.

Cap. 32.

2. The principal Ordinance is amended by inserting the following new section immediately after section 18 —

Insertion of new section 19 in the principal Ordinance.

"Deductions in respect of remuneration of directors.

19. In the case of a trade or business carried on by a company the directors whereof have a controlling interest therein, the deduction to be allowed in respect of the remuneration of the directors shall not exceed 15% of the chargeable income derived from the trade or business in the basis period (computed before making any deduction in respect of the remuneration of the directors) or £1,500 whichever is the greater, so however that the deduction shall in no case exceed £7,500. For the purpose of this section a company shall be regarded as director-controlled if more than 50% of the issued ordinary shares are held by the directors and their relatives, or by the directors themselves or by the relatives of the directors. For the purposes of this section "relative" means husband, wife, ancestor, lineal descendant, brother or sister."

3. Section 16 of the principal Ordinance is amended by deleting the proviso thereto and substituting the following —

“Provided that —

(i) where such individual satisfies the Commissioner that an unmarried child is receiving full time instruction at any university, college, school, or other educational establishment elsewhere than in the Colony, either wholly or partly at the expense of the claimant, the Commissioner may allow a deduction not exceeding £125 in respect of each child;

(ii) no deduction shall be allowed in respect of any child whose total income in his own right, exclusive of any income to which the child is entitled as the holder of a scholarship, bursary or other educational endowment, exceeds the amount of the deduction which would otherwise be allowed under this section;

(iii) where, but for this proviso, two or more persons would be entitled to claim a deduction in respect of the same child, relief may be apportioned by the Commissioner on such basis as appears to him to be fair and reasonable in the circumstances of the case, provided that the aggregate of the deductions does not exceed the amount of the deduction which would otherwise be allowed under this section in respect of the same child for any year of assessment.”.

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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Ref. 0747/K.

Assented to in Her Majesty's name this 3rd day of June, 1965.

C. HASKARD,  
*Governor.*

LS

No. 6



1965

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

## An Ordinance For regulating Pensions, Gratuities and other Allowances which may be granted to Public Officers.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

1. This Ordinance may be cited as the Pensions Ordinance, 1965, and shall be effective as from 1st January, 1964. Short title and commencement.

2. (1) In this Ordinance, unless the context otherwise requires, the following expressions have the meanings assigned to them, that is to say — Interpretation.

“INDUCEMENT ALLOWANCE” means the inducement allowance referred to in paragraph (a) of Clause 3 of the Schedule to the Overseas Service Ordinance, 1962.

“NON-PENSIONABLE OFFICE” means an office which is not a pensionable office.

“OTHER PUBLIC SERVICE” means public service not under the Government of the Colony.

“OVERSEAS ALLOWANCE” means an allowance granted to such officers in public service under the Government of the Colony as may be declared by the Governor in Council to be eligible for such allowance.

"PENSIONABLE EMOLUMENTS" —

- (a) in respect of service under the Government of the Colony include —
  - (i) salary;
  - (ii) inducement allowance;
  - (iii) personal allowances;
  - (iv) overseas allowance;but do 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.

"PENSIONABLE OFFICE" means —

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

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

"PUBLIC SERVICE" means —

- (a) service in a civil capacity under the Government of the Colony or any other country or territory in the Commonwealth;
- (b) service under the East Africa High Commission, the East African Railways and Harbours Administration, the East African Posts and Telecommunications Administration or the East African Common Services Organization;
- (c) service in the service of the Interim Commissioner for the West Indies;
- (d) service which is pensionable —
  - (i) under the Oversea Superannuation Scheme;
  - (ii) under any Acts relating to the superannuation of teachers in the United Kingdom;
  - (iii) under a local authority in the United Kingdom; or
  - (iv) under the National Health Service of the United Kingdom;
- (e) any other service that the Secretary of State, or the Governor in Council after consultation with the Secretary of State, has determined to be public service for the purposes of this Ordinance;
- (f) except for the purposes of computation of a pension, gratuity or other allowance and of section 9 of this Ordinance, service in respect of which a pension may be granted under the Governors' Pensions Act, 1957; and
- (g) service as the holder of the office of President, Vice-President, Justice of Appeal, Registrar, officer or servant of the Court of Appeal for Eastern Africa established by the Eastern Africa Court of Appeal Order in Council, 1961.

"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.

(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.

(3) Where a pensionable office is abolished, and the person holding that office retires from the public service in consequence, he shall, if the office is abolished before that day, be deemed to have continued to hold it until the day immediately preceding the date of his retirement.

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

Pensions Regulations.

(2) The Governor in Council, with the sanction of the Secretary of State, may from time to time make regulations amending, adding to or revoking the regulations contained in the Schedule to this Ordinance, and all regulations so made shall be laid before the Legislative Council and published in the Gazette.

(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, before being made, the approval of the Legislative Council signified by resolution.

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

(5) Any pension, gratuity or other allowance granted under this Ordinance shall be computed in accordance with the provisions in force or, having been made in accordance with subsection (3) of this section, may be deemed to be in force at the actual date of an officer's retirement or death while in the public service, as the case may be.

4. There shall be charged and paid out of the revenues of the Colony all such sums 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 the Colony.

5. (1) No officer shall have an absolute right to compensation for past services or to pension, gratuity or other allowances; nor shall anything in this Ordinance effect 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. (1) 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.

- (a) if he retires from public service under the Government of the Colony —

- (i) on or after he attains the age of sixty years, or, with the approval of the Governor in Council, fifty-five years, or in special cases, with the approval of the Secretary of State, on or after attaining the age of fifty years;
- (ii) on the abolition of his office, on reduction of establishment, or on the grounds of redundancy;
- (iii) on compulsory retirement for the purpose of facilitating improvement in the organisation of the department to which he belonged, by which greater efficiency or economy may be effected;
- (iv) 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;
- (v) in the case of termination of employment in the public interest as provided in this Ordinance;
- (b) if, having been transferred to other public service —
  - (i) he retires after he attains the age at which he is permitted by the law or regulations of the public service in which he is last employed to retire on pension or gratuity or, if no age is prescribed by the said law or regulations, he retires after he attains the age of fifty; or
  - (ii) he retires in any other circumstances in which he is permitted by the said law or regulations to retire on pension or gratuity:

Provided that sub-paragraph (ii) of this paragraph shall not apply in the case of a female officer who retires for the reason she has married or is about to marry.

(2) Notwithstanding that she is not otherwise eligible under this section for the grant of any pension, gratuity or other allowance, a gratuity may be granted to a female officer, in accordance with the provisions of this Ordinance, who —

- (a) retires from public service under the Government of the Colony for the reason that she is about to marry, or within two years or such longer period as the Governor in special cases shall authorise of having married; or
- (b) having been transferred to other public service retires for the reason that she has married or is about to marry and in circumstances under which the law or regulations of the service in which she is last employed provide for the grant to her of a gratuity.

(3) An officer not otherwise qualified for a pension, gratuity or other allowance under this Ordinance, other than a pension under regulation 23 of the Pensions Regulations, 1965, may, on his retirement or removal from his employment after having served in public service under the Government of the Colony for not less than five years, be granted a gratuity in accordance with the provisions of regulation 25 of the Pensions Regulations, 1965.

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 sub-paragraph (iv) of paragraph (a) of subsection (1) of section 6 of this Ordinance.

Retirement on grounds of public interest.

8. The Governor in Council may require an officer to retire from the public service under the Government of the Colony —

Compulsory Retirement.

- (a) at any time after he attains the age of fifty-five years; or
- (b) in special cases, with the approval of the Secretary of State, at any time after he attains the age of fifty years;
- (c) in the case of a female officer, on marriage.

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 his highest pensionable emoluments at any time while in public service under the Government of the Colony.

Maximum pension.

(2) An officer who has been granted a pension in respect of other public service shall not at any time draw from the public 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 his highest pensionable emoluments at any time in the course of his public service:

Provided that where any officer receives in respect of some period of service both a gratuity and pension, the amount of such pension shall be deemed for the purpose of this subsection to be —

- (a) where the right to commute any part of a pension in return for the payment of a gratuity has been exercised, the amount if that right had not been exercised; or
- (b) in all other cases, four-thirds of its actual amount.

(3) Where the limitation prescribed by subsection (2) of this section operates, the amount of pension to be drawn from the public funds of the Colony shall be such amount as the Governor shall determine after consultation with 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 subsections (1), (2) and (3) of this section 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.

(5) For the purpose of this section where any increase is granted to or in respect of a pension or allowance payable under this Ordinance and the grant of the increase is subsequent to the date of the grant of the pension or allowance, or where any comparable increase in pension or pensions is drawn in respect of other public service, whether or not such increase is governed by any instrument having the force of law, such increase granted or drawn shall not be taken into account.

10. (1) Every pension granted under this Ordinance shall be subject to the following conditions —

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

- (a) Unless or until the person in receipt of the pension has attained the age of fifty-five years he may, if physically fit for service, be called upon by the Secretary of State to accept an office, whether in public service under the Government of 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.
- (b) 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 fifty-five years.

(2) The provisions of subsection (1) of this section shall not apply in any case where the Governor in Council, being of opinion that the person in receipt of pension 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 pension on re-employment.

11. If a person to whom a pension has been granted under this Ordinance is appointed to an office in the public service, the payment of his pension may, with his consent, 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 —

- (a) a debt due to the Government of the Colony; or
- (b) an order of any competent court for the payment of periodical sums of money towards the maintenance of the wife or former wife or minor child of the person 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 as aforesaid.

Pensions, etc. to cease on bankruptcy.

13. (1) Where 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 competent court, then such pension or allowance shall forthwith cease.

(2) Where any officer is adjudicated bankrupt or declared insolvent by judgment of any competent court either —

- (a) after retirement in circumstances in which he is eligible for pension, gratuity, or other allowance, under this Ordinance, but before the pension, gratuity, or other allowance is granted; or
- (b) before such retirement, and he has not obtained his discharge from bankruptcy or insolvency at the date of retirement,

then, in the former case, any pension or other 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 other allowance may be granted, but shall cease forthwith and not become payable, and in either case the gratuity may be granted but shall not be paid to him.

(3) Where a pension or other allowance ceases, or where any gratuity is not paid, by reason of this section, it shall be lawful for the Governor, as he thinks fit, from time to time during the remainder of such person's life, or during such shorter period or periods, either continuous or discontinuous, to direct all or any part of the moneys to which such person would have been entitled by way of pension, gratuity or other 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 his wife, child, or children, or such other dependants as the Governor may determine, in such proportion and manner as he 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 other allowance has ceased, or whose gratuity has not been paid, by reason of this section shall, for the purposes of this section, be regarded as applied for his benefit.

(5) Where a person whose pension or other allowance has ceased, or whose gratuity has not been paid, by reason of this section obtains his discharge from bankruptcy or insolvency, it shall be lawful for the Governor to direct that the pension or other allowance shall be restored and the gratuity, or so much thereof (if any) as remains after deducting any payments made under subsection (3), paid as from the date of such discharge or any later date; and the pension or other allowance shall be restored, and the gratuity or such remainder thereof (if any) paid, accordingly.

(6) For the purposes of this section the word "child" shall include an illegitimate child, a step-child and an adopted child, adopted in a manner prescribed by law, but shall not include a child who has attained the age of eighteen years or, in the case of a female child, has married.

14. (1) Where any person to whom a pension or other allowance has been granted under this Ordinance is sentenced to death or to a term of imprisonment by any competent court for any offence, such pension or allowance shall, if the Governor so directs, cease as from such date as he determines.

(2) Where any officer is sentenced to death or to a term of imprisonment by any competent court for any offence after retirement in circumstances in which he is eligible for pension, gratuity or other allowance under this Ordinance but before the pension, gratuity, or other allowance is granted, then —

- (a) the provisions of subsection (1) of this section shall apply as respects any pension or other allowance which may be granted to him; and
- (b) the Governor may direct that any gratuity which may be granted to him shall not be paid.

(3) Where a pension or other allowance ceases, or a gratuity is not paid, by reason of this section, it shall be lawful for the Governor to direct all or any part of the moneys to which such person would have been entitled by way of pension, gratuity or other allowance, but for the provisions of this section, to be paid or applied in the same manner in all respects as provided in section 13; and such moneys shall be paid or applied accordingly.

(4) Where any person whose pension or other allowance ceases or whose gratuity is not paid, by reason of this section after conviction at any time receives a free pardon, the pension or allowance shall be restored with retrospective effect, or his gratuity shall be paid, but in determining whether arrears of such pension or allowance are payable to such person and in computing the amount thereof and the amount of any gratuity, account shall be taken of all moneys paid or applied under subsection (3) of this section.

(5) Where any pension or other allowance ceases or a gratuity is not paid by reason of this section it shall be lawful for the Governor at any time, and upon such terms and from such date (including any past date) as he thinks fit to restore, either in whole or in part, such pension or allowance or to direct the payment of such gratuity or any part thereof, but in determining whether arrears of such pension or allowance are payable and in computing the amount thereof and the amount of any gratuity, account shall be taken of all moneys paid or applied under subsection (3) of this section.

15. Where 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 Colony, or an officer or servant employed in the Colony by any such company, without the prior permission in writing of the Governor, such pension or allowance shall cease if the Governor so directs:

Pensions, etc. on accepting certain appointments.

Provided that it shall be lawful for the Governor, on being satisfied that the person in respect of whose pension or other allowance any such direction has 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 thinks fit, to such a date as he may specify; and the pension or other allowance shall be restored in accordance with any such directions.

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

Gratuity where officer dies in the service or after retirement.

which he has been confirmed, dies while in public service under the Government of the Colony, the Governor in Council may grant to his legal personal representative a gratuity of an amount not exceeding either his annual pensionable emoluments, his commuted pension gratuity if any, or the amount that would have been paid in salary during the time the officer was taking any accumulated leave had he lived to take it, whichever is the greatest:

Provided that for the purposes of this section an officer who has not been confirmed in his office and who dies in the circumstances mentioned in subsection (1) of section 17 of this Ordinance shall be deemed to have been confirmed in his office.

(2) Where an officer dies after retirement from public service under the Government of the Colony having been granted, or having become eligible for, a pension under this Ordinance and the sums paid or payable to him at the date of his death on account of such pension including any sum awarded by way of gratuity under regulation 24 of the Pensions Regulations and any pension or gratuity paid or payable in respect of his service under any scheduled administration (as defined in regulation 8 of the Pensions Regulations, 1965) but excluding any additional pensions awarded in accordance with the provisions of sub-paragraph (b) of paragraph 3 of regulation 23 of the Pensions Regulations are less in total than the amount of his annual pensionable emoluments, the Governor in Council may grant a gratuity equal to the deficiency to his legal personal representative.

(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 Oversea Superannuation Scheme in respect of such death.

(4) In this section —

- (a) "annual pensionable emoluments" means the emoluments taken for the purpose of computing any pension or gratuity granted to the officer under this Ordinance or in the case of such officer as is described in subsection (1) of this section, the emoluments which would have been taken in accordance with regulation 18 of the Pensions Regulations, 1964, for the purpose of computing the pension or gratuity that would have been granted to the officer if, on the day following the date of his death, he had retired from the public service in circumstances which enabled such a grant to be made;
- (b) "commuted pension gratuity" means the gratuity, if any, which might have been granted to the officer under regulation 24 of the Pensions Regulations, 1964, if the pensionable service which would be taken for the purpose of computing any pension or gratuity granted to him under this Ordinance had been wholly under the Government of the Colony and if, on the day following the date of his death he had retired from the Public Service in circumstances which enabled such a grant to be made and had elected to receive a gratuity and a reduced pension.

17. (1) Where an officer while in public service under the Government of the Colony —

- (a) is injured in the actual discharge of his duty by some injury specifically attributable to the nature of his duty which is not wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct; or
- (b) contracts a disease to which he is exposed by the nature of his duty, not being a disease wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct,

and dies as a direct result thereof, and such death occurs within seven years of the date when he was injured or contracted the disease, the Governor in Council may 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 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 eighteen 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 eighteen 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 eighteen 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 if his mother was wholly or mainly dependent on him for her support, a pension to the mother of an amount not exceeding the pension which might have been granted to his widow;
- (vi) if the deceased officer does not leave a widow or mother, or if no pension is granted to his widow or mother, and if his father was wholly or mainly dependent on him for his support, a pension to the father of an amount not exceeding the pension which might have been granted to his widow;
- (vii) if the deceased officer does not leave a child or children who is or are eligible for a pension under the provisions of this section, and if any brother or sister was wholly or mainly dependent on him for support, a pension to any brother or sister until he or she attains the age of eighteen years, of the same amount and subject to the same conditions as the pension which might have been granted under paragraph (ii), (iii) or (iv) of this subsection, as the case may be:

Provided that —

- (a) if in the opinion of the Governor in Council there are compassionate grounds for so doing, he may grant to any child of a deceased officer being a child who at the date of the death of the officer was wholly or mainly dependent on him for support and who has attained the age of eighteen years a pension for such period as the Governor in Council may determine, of an amount not exceeding the pension which may be granted under paragraph (ii), (iii) or (iv) of this subsection, as the case may be;
- (b) where a deceased officer leaves a child who was incapacitated at the time of the officer's death (hereinafter in this section referred to as an "incapacitated child") the Governor may, notwithstanding any pension which may have been granted under paragraph (ii), (iii) or (iv) of this subsection grant an additional pension in respect of such incapacitated child after he has attained the age of eighteen years and so long as his incapacity shall continue, of an amount not exceeding one-half the pension which might have been granted under paragraph (ii), (iii) or (iv) aforesaid, as the case may be;

Pensions to dependants when an officer dies as a result of injuries received or disease contracted in the discharge of his duties.

- (c) where compensation in respect of the death is payable under any law in force in the Colony which provides for the payment of workmen's compensation, or where benefits corresponding to benefits granted under this section are payable under the Oversea Superannuation Scheme or under the law in force in respect of any other public service, in respect of death, the Governor in Council may reduce or withhold any pension which may be payable under this section in such manner as he may consider reasonable;
  - (d) no pension shall be payable under this subsection at any time in respect of more than six children exclusive of incapacitated children, and where there are more than six such children, in respect of whom, but for this proviso, a pension would be payable, then the amount payable in respect of six children shall be divided equally among all such children during the period in which there are more than six children of pensionable age;
  - (e) in the case of a pension granted under paragraph (v), (vi) or (vii) of this subsection, if it appears to the Governor at any time that the mother or father, or any brother or sister, is adequately provided with other means of support, such pension shall cease as from such date as the Governor may determine.
- (2) No pension shall be granted to the widow of the deceased officer if she was not married to him at the date of injury.
- (3) No pension shall be payable to the widow of the deceased officer or to any other female if —
- (a) in the case of the widow, she was at the time of the death cohabiting with a person other than the deceased officer or after the death she marries or cohabits with any person;
  - (b) in the case of a female who is not the widow of the deceased officer, she was at the time of the death married to or cohabiting with any person or after the death she marries or cohabits with any person;
- and if, after the grant of pension to the widow or other female, she marries or cohabits with any person, the pension shall cease from the date of the marriage or the commencement of the cohabitation:

Provided that where —

- (i) a pension is withheld or ceases under this subsection; and
  - (ii) the Governor in Council is satisfied at a subsequent date that the marriage or cohabitation has come to an end or that there are compassionate grounds for the payment of the pension notwithstanding marriage the Governor in Council may, if he thinks fit, grant or regrant the pension as from that date.
- (4) 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.
- (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 in the public service of the Government of the Colony, or for a period of secondment, duty leave or leave therefrom, dies as a result of damage to the vessel, aircraft or vehicle in which he is travelling, or of any act of violence directed against such vessel, aircraft or vehicle, and the Governor in Council is satisfied that such damage or act is attributable to circumstances arising out of war in which Her Majesty may be engaged, such officer shall be deemed, for the purposes of this section, to have died as a result of the circumstances described in paragraph (a) of subsection (1) of this section.

(6) An officer who dies as a result of an injury received while travelling by air in pursuance of official instructions, which injury is not wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct, shall be deemed for the purposes of this section to have died in the circumstances described in paragraph (a) of subsection (1) of this section:

Provided that in such a case the rates of pension prescribed in paragraphs (i) and (ii) of subsection (1) of this section shall be fifteen-sixtieths and one-sixth respectively.

- (7) (a) Where the Governor in Council is satisfied that damages have been or will be recovered in respect of the death for which a pension may be granted under subsection (1) of this section, the Governor in Council may take those damages into account against such pension in such manner and to such extent that he may think fit and may withhold or reduce the pension accordingly.
  - (b) For the purposes of this subsection an officer shall be deemed to recover damages whether they are paid in pursuance of a judgment or order of a court or by way of settlement or compromise of his claim and whether or not proceedings are instituted to enforce that claim.
- (8) For the purposes of this section the following words have in relation to an officer, the meanings hereby respectively assigned to them —
- (a) "brother" includes, in relation to a person, every male child of his father or his mother;
  - (b) "child" includes —
    - (i) a posthumous child;
    - (ii) a step-child or illegitimate child born before the date of the injury or contracting the disease, as the case may be, and wholly or mainly dependent upon the deceased officer for support; and
    - (iii) an adopted child, adopted in a manner recognised by law, before the date of the injury or contracting the disease, as the case may be, and dependent as aforesaid;
  - (c) "incapacitated" means in relation to a child, incapable by reason of some specific bodily or mental disability of earning his own living, and a child, who is in any event too young to earn his own living shall be treated as incapacitated for the purposes of this section if it appears that, by reason of any specific bodily or mental disability, he will be incapable of earning his own living when he attains the age at which he would otherwise be capable of doing so;
  - (d) "father" includes, in relation to a person, his step-father and a male person by whom he has been adopted;
  - (e) "mother" includes, in relation to a person, a step-mother and a female person by whom he has been adopted;
  - (f) "sister" includes, in relation to a person, every female child of his father or his mother.

(9) In this section, unless the contrary intention appears, reference to an officer being injured and to the date on which an injury is sustained shall respectively be construed as including references to him contracting a disease such as is mentioned in paragraph (b) of subsection (1) of this section and to the date on which such disease is contracted.

18. Where an officer shall have served with Her Majesty's Forces in time of war, with the approval of the Governor of the territory in the service of which he was last employed before so serving or of the Secretary of State, the following provisions shall have effect —

(1) During the period of such service in Her Majesty's Forces, including any period after the termination of the war (in

War service to count for pension purposes.

this section referred to as "military service"), he shall be deemed, for the purposes of this Ordinance, to have been on leave on full salary from the public service in which he was last employed, and to have held the substantive office last held by him in that service prior to military service.

(2) During any period between his leaving the public service for the purpose of serving in Her Majesty's Forces and the date of his commencing military service, he shall, for the purposes of this Ordinance, be deemed to be on leave without pay, not granted on grounds of public policy, from the public service in which he was last employed, and to have held the substantive office last held by him in that service, prior to military service; and during any period between the termination of his military service and the date of his re-entering the public service he shall, for the said purposes, be deemed to be on leave as aforesaid from the service, and to have held the substantive office, in which he is re-employed:

Provided that —

- (a) This section shall not apply when either period mentioned in paragraph (2) of this section exceeds three months, or such longer period as the Governor, with the approval of the Secretary of State, may in any special case determine; or if the officer fails, after serving with Her Majesty's Forces, to re-enter the public service otherwise than in circumstances in which he would be permitted, under the law applicable to the public service in which he is last employed prior to military service, to retire on pension or gratuity, such circumstances arising not later than the expiration of three months, or such longer period as may be determined as aforesaid, after the termination of his military service;
- (b) if during any period mentioned in paragraph (1) of this section the officer shall have qualified for pension, or received emoluments in lieu of pension rights, actually in respect of military service, paragraph (1) of this section shall, as respects that period, have effect as if the words "leave without salary not granted on grounds of public policy" were substituted for the words "leave on full salary";
- (c) if during his military service the officer shall be injured or killed, he shall not, for the purposes of this Ordinance, be deemed to have been injured or killed in the discharge of his duty;
- (d) the provisions of this section which require that the officer shall be deemed to have held a specified office and to have been on leave from a specified service shall not apply in respect of any period during which he shall actually have held any other substantive office and have been on leave from any public service;
- (e) save wherein any particular case the Governor otherwise directs, this section shall not apply where the office in the public service last held by the officer prior to military service was not a pensionable office.

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

- (a) to every officer first appointed to public service under the Government of the Colony —
  - (i) after the 31st December, 1949; or
  - (ii) before the 31st December, 1949, 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 in public service under the Government of the Colony on the 31st December, 1949, or

transferred from public service under the Government of the Colony to other public service before the 31st December, 1949, and still in public service on that date, unless not later than twelve months after such date or within such further period as the Governor has in any special case allowed, the officer gave notice in writing to the Colonial Secretary that the provisions of the Pensions Ordinance, 1937, and all Regulations made thereunder shall apply to him, in which case they shall continue to apply accordingly.

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

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.

20. (1) The Pensions Ordinance is hereby repealed.

Repeal of Cap. 49.

(2) Nothing in this Ordinance shall either diminish the rights acquired by any person under any Ordinance repealed by this Ordinance or affect the pensions granted to any persons who have retired before the coming into operation of this Ordinance.

Ref. 0829/III.

Application.

# SCHEDULE REGULATIONS

Section 3

## PART I PRELIMINARY

Short title.

1. These Regulations may be cited as the Pensions Regulations, 1965.

Interpretation.

2. In these Regulations, unless the context otherwise requires —

“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, 1965.

## PART II

### OFFICERS WITHOUT OTHER PUBLIC SERVICE

Application of Part II.

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 public service under the Government 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 service in public service under the Government of the Colony.

Pension to whom and at what rates to be granted.

4. Subject to the provisions of the Ordinance and of these Regulations, every public officer holding a pensionable office under the Government of the Colony who has been in service under the Government of the Colony for ten years or more may be granted on his retirement a pension at the rate of one seven-hundred and twentieth of his pensionable emoluments in respect of each completed month of pensionable service.

Gratuities where length of service does not qualify for pension.

5. Every officer, otherwise qualified for a pension, who has not completed the minimum period of service qualifying for a pension, 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 the officer under regulation 4 of these Regulations.

Marriage Gratuities.

6. Where a female officer, who has been in public service under the Government of the Colony for not less than seven years and has been confirmed in a pensionable office, retires or is required to retire from that service for the reason that she is about to marry or has married, and she is not eligible for the grant of any pension or otherwise eligible for gratuity under this Part of these Regulations, she may be granted, on production within six months after her retirement, or such longer period as the Governor may in any particular case allow, of satisfactory evidence of her marriage, a gratuity of an amount not exceeding —

(a) one year's pensionable emoluments; or

(b) five times the annual amount of the pension which might have been granted to her under regulation 4 of these Regulations had there been no qualifying period and had that regulation been applicable to her,

whichever amount shall be the less.

## PART III

### TRANSFERRED OFFICERS

Application of Part III.

7. This Part of these Regulations shall apply only in the case of an officer transferred to or from public service under the Government of the Colony from or to other public service.

8. (1) In this Part and Part IV of these Regulations —

“SCHEDULED ADMINISTRATION” means —

- (a) the Government of any territory, or any authority, mentioned in the Schedule to these Regulations;
- (b) the Government of Ceylon, in respect of any officer appointed to service under that Government before the 4th day of February, 1948;
- (c) the Government of Palestine, in respect of any officer appointed to service under that Government before the 15th day of May, 1948;
- (d) the Government of the Somali Republic, in respect of any officer appointed to service under the former Government of the Somaliland Protectorate before the 26th day of June, 1960;
- (e) the Government of Cyprus, in respect of any officer appointed to service under that Government before the 16th day of August, 1960;
- (f) the East African Common Services Organisation, in respect of any person deemed to have been appointed to serve as President, Vice-President, Justice of Appeal, Registrar, officer or servant of the Court of Appeal for Eastern Africa by or under the Eastern Africa Court of Appeal Order in Council, 1961; and
- (g) the Interim Commissioner for the West Indies, in respect of any person deemed to have been appointed or appointed to service as Judge, Registrar, officer or servant of the British Caribbean Court of Appeal by or under the British Caribbean Court of Appeal Order in Council, 1962.

“SERVICE IN THE GROUP” means service in the public service under the Government of the Colony and under a scheduled administration or scheduled administrations.

(2) Where an officer to whom this Part of these Regulations applies is, on his retirement from the public service, not granted a pension or gratuity in respect of his employment in the service in which he was last employed, solely by reason of the fact that he has not held office or pensionable office therein for a specified period, he shall nevertheless be deemed for the purposes of this Part of these Regulations to have retired in circumstances in which he is permitted by the law in force in respect of the service in which he is last employed to retire on pension or gratuity.

(3) For the purpose of these Regulations —

- (a) any officer in public service under the Government of the Federation of Rhodesia and Nyasaland immediately before the 1st January, 1964, who was immediately before that date employed on secondment to service under the Government of Southern Rhodesia, or Northern Rhodesia or Nyasaland, or was as from that date so employed, shall be deemed to continue to serve in public service under the Government of the Federation of Rhodesia and Nyasaland until his employment on secondment is terminated.
- (b) any pension awarded on or after the 1st January, 1964, in respect of service under the Government of the Federation of Rhodesia and Nyasaland shall be deemed to have been granted by that Government notwithstanding the provisions of the Federation of Rhodesia and Nyasaland (Dissolution) Order in Council, 1963.

9. (1) Subject to the provisions of this Ordinance and of these Regulations, where the other public service of an officer to whom this Part of these Regulations applies has been wholly under one or more scheduled administrations and his aggregate service would have qualified him had it been wholly service in public service under the Government of the Colony for a pension under this Ordinance, he may, on his retirement from the public service, be granted in respect of his service in public service under the Government of the Colony a pension of such an amount as shall bear the

Interpretation.

Pension for service wholly within the group.

same proportion to the amount of pension for which he would have been eligible had his service been wholly in public service under the Government of the Colony as the aggregate amounts of his pensionable emoluments during service in public service under the Government of 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 service in public service under the Government of the Colony —

- (a) in the application of regulation 18, his pensionable emoluments shall be determined by reference to the pensionable emoluments enjoyed by him at the date of his retirement from the public service or during the three years or lesser period preceding that date, as the case may be, except that where the officer is not serving under a scheduled administration at that date, the date upon which he was last transferred from the public service under a scheduled administration 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 regulations 22 or 23;
- (c) regard shall be had to the condition that pension may not exceed two-thirds of the highest pensionable emoluments enjoyed by him at any time during his public service;
- (d) no period of public service under a scheduled administration or under the Government of the Colony 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 twenty years:

Provided that —

- (a) in calculating the aggregate amount of his pensionable emoluments, no account shall be taken of any service under a scheduled administration or under the Government of the Colony in respect of which no pension or gratuity is granted to him by that administration or Government, as the case may be;
- (b) where service in a civil capacity otherwise than in a pensionable office is taken into account as pensionable service, the officer's aggregate pensionable emoluments during that service shall be taken into account to the same extent as that service is taken into account as pensionable service.

10. (1) Subject to the provisions of this Ordinance and of these Regulations, 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 administrations, and his aggregate service would have qualified him, had it been wholly service in public service under the Government of the Colony for a pension under these Regulations, he may on his retirement from public service, be granted in respect of his service in public service under the Government of the Colony, a pension of an amount equal to the pension for which he would have been eligible under regulation 4, if there had been no qualifying period and if he had had no other public service.

(2) Where the officer is not in public service under the Government of the Colony at the time of such retirement, his pensionable emoluments for the purposes of paragraph (1) of this regulation shall be those which would have been taken for the purposes 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 public service under the Government of the Colony.

Pension where other service is not within the group.

11. 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 administrations, the provisions of regulation 9 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.

12. Subject to the provisions of this Ordinance and of these Regulations, where an officer to whom this Part of these Regulations applies retires from the public service but has not been in the public service for ten years, he may be granted in respect of his service in the public service under the Government of 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 9, 10 or 11, as the case may be.

Gratuities where length of service does not qualify for pension.

13. Where a female officer to whom this Part of these Regulations applies retires or is required to retire from the public service for the reason that she is about to marry or has married, and —

Marriage Gratuities.

- (i) would have been eligible for a gratuity under regulation 6 of these Regulations if her public service had been wholly under the Government of the Colony; and
- (ii) is not eligible for the grant of any pension or otherwise eligible for gratuity under this Part of these Regulations,

she may be granted in respect of her public service under the Government of the Colony a gratuity of an amount not exceeding five times the annual amount of the pension for which she would have been eligible under regulation 9, 10 or 11 had there been no qualifying period and had regulation 9, 10 or 11, as the case may be, been applicable to her:

Provided that for the purpose of computing the amount of such a gratuity —

- (a) in relation to a pension under regulation 9 or 11, subparagraph (c) of paragraph (2) of regulation 9 shall have effect as if the reference therein to two-thirds of her highest pensionable emoluments were a reference to one-fifth of her annual pensionable emoluments;
- (b) in relation to a pension under regulation 9, 10 or 11, the annual amount of that pension shall not exceed one-fifth of her annual pensionable emoluments.

#### PART IV GENERAL

14. (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 paragraph (1) of this regulation 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.

15. (1) Except as otherwise provided in these Regulations, only continuous public 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 in the public service not arising from misconduct or voluntary resignation shall be disregarded for the purposes of this paragraph:

Provided also that any person holding office in public service under the Government of Palestine immediately before the fifteenth day of May, 1948, shall be deemed to have continued in his office until either he was appointed to the service of the Crown elsewhere, or, if he was not so appointed, he retired or was removed from office.

(2) An officer —

- (a) whose pension has been suspended under section 11 of this Ordinance or under a corresponding provision in any law 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 service which is pensionable —
  - (i) under any Acts relating to the superannuation of teachers in the United Kingdom;
  - (ii) under a local authority in the United Kingdom; or
  - (iii) under the National Health Service of the United Kingdom;

with a view to entering public service not being pensionable service as aforesaid and has not later than three months, or such extended period as the Governor may in any particular case approve, after leaving such pensionable 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 —

- A. any pension previously granted to him from the funds of the Colony, and
- B. 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.

16. No period during which an officer has been absent from duty on leave without salary shall be taken into account as pensionable service unless such leave has been granted on grounds of public policy with the approval of the Governor.

Service in Her Majesty's Forces.

17. 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 administration 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.

18. (1) For the purpose of computing the amount of the pension or gratuity of an officer who has had a period of not less than three years' pensionable service before his retirement —

- (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, otherwise than by the grant of any scale increment, 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 these annual 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 scale 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.

(2) For the purpose of determining under paragraph (1) of this regulation the pensionable emoluments that an officer has enjoyed or would have enjoyed, as the case may be, he shall be deemed —

- (a) to have been on duty on full pensionable emoluments throughout the period of three years immediately preceding the date of his retirement; and
- (b) to have enjoyed the benefit of any increase due to a general revision in the pensionable emoluments of any office held by him as if such increase had been payable throughout such period of three years.

(3) For the purpose of computing the amount of the pension or gratuity of an officer who has had a period of less than three years' pensionable service before his retirement —

- (a) the average annual pensionable emoluments enjoyed by him during such period shall be taken;
- (b) he shall be deemed to have been on duty on full pensionable emoluments throughout such period; and
- (c) he shall be deemed to have enjoyed the benefit of any increase due to a general revision in the pensionable emoluments of any office held by him as if such increase had been payable throughout such period.

(4) In no circumstances shall the pensionable emoluments taken for the purpose of computing the pension or gratuity of any officer exceed the full annual pensionable emoluments enjoyed by the officer at the date of his retirement in respect of the office then held by him.

19. Only service in a pensionable office (not being service in respect of which the officer is entitled to a gratuity in lieu of pension or to benefit under any other scheme of superannuation) shall be taken into account as pensionable service:

Service in non-pensionable office.

Provided that —

- (a) where a period of service in a civil capacity otherwise than in a pensionable office (not being service in respect of which the officer is entitled to a gratuity in lieu of pension) is immediately followed by service in a pensionable office and the officer is confirmed therein, such period may with the approval of the Governor in Council be so taken into account;
- (b) any break in service which may be disregarded under the provisions of regulation 15 of these Regulations may likewise be disregarded in determining for the purposes of the preceding provisions of this regulation whether one period of service immediately follows another period of service;
- (c) (i) where an officer has been transferred from a pensionable office in which he had been confirmed to an office which is not pensionable and subsequently retires either from a pensionable office or an office which is

not pensionable his service in the office which is not pensionable 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;

- (ii) where a period of service in an office which is not pensionable is taken into account under this regulation, the officer shall, during that period, be deemed for the purpose of regulations 6, 22 and 23 to be holding a pensionable office, and where that period is taken into account under sub-paragraph (i) of paragraph (c) of this proviso to have been confirmed therein.

Acting service.

20. 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 —

- (a) is not taken into account as part of his pensionable service in other public service, and  
(b) is immediately preceded or followed by service in a substantive capacity in a pensionable office in the public service under the same government or authority,

and not otherwise.

Service under age of 20 or on probation or agreement.

21. Save as otherwise provided in these Regulations, there shall not be taken into account as pensionable service —

- (a) any period of service while the officer was under the age of twenty years, or  
(b) 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 of service which may be disregarded under the provisions of regulation 15 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 reorganisation.

22. 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 he belongs, by which greater efficiency or economy may be effected, he may —

- (a) 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 12, a pension under regulations 4, 9, 10 or 11 as the case may be, as if the words "for ten years or more" were omitted from regulation 4;  
(b) if he retires from the public service under the Government of the Colony, be granted an additional pension at the annual rate of one two-hundred-and-sixteenth of his pensionable emoluments for each complete year of his pensionable service:

Provided that —

- (i) the addition shall not exceed thirty two-hundred-and-sixteenths; and  
(ii) 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 of fifty-five years, having received all increments for which he would have been eligible by that date.

23. (1) This regulation shall apply to an officer who —

- (a) is injured in the actual discharge of his duty by some injury specifically attributable to the nature of his duty which is not wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct; or  
(b) contracts a disease to which he is exposed by the nature of his duty, not being a disease wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct.

(2) In this regulation unless the contrary intention appears, references to an officer being injured and to the date on which an injury is sustained shall respectively be construed as including references to him contracting such a disease as is mentioned in paragraph (1) of this regulation and to the date on which such disease is contracted.

(3) Where an officer to whom this regulation applies is holding a pensionable office in which he has been confirmed, he may —

- (a) if his retirement is necessitated or materially accelerated by his injury 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 12, a pension under regulations 4, 9, 10 or 11, as the case may be, as if the words "for ten years or more" were omitted from regulation 4;  
(b) if he was injured while in public service under the Government 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 sixtieths;
Impaired	ten sixtieths;
Materially impaired	fifteen sixtieths;
Totally destroyed	twenty sixtieths;

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.

- (4) (a) An officer to whom this regulation applies who is injured while in public service under the Government of the Colony and who holds a non-pensionable office, or who holds 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 may be granted to him under paragraph (3) of this regulation if his office were a pensionable office and he had been confirmed therein.  
(b) The provisions of regulation 24 shall not apply to a pension granted under this paragraph.  
(5) (a) If, for the purpose of assessing the amount of any additional pension or pension to be granted under subparagraph (b) of paragraph (3) or under paragraph (4) of this regulation to any officer to whom this regulation applies, the degree of permanent impairment of his capacity to contribute to his support is in doubt, he may be granted a provisional award to have effect until such time as his degree of permanent impairment can be determined.  
(b) The provisions of regulation 24 shall not apply to an award made under this paragraph.

Officers injured or contracting diseases in the discharge of their duties.

(6) If an officer proceeding by a route approved by the Governor to or from the Colony at the commencement or termination of his public service under the Government of the Colony, or of a period of secondment, duty leave or leave therefrom, is injured as a result of damage to the vessel, aircraft or vehicle in which he is travelling, or of any act of violence directed against any such vessel, aircraft or vehicle, and the Governor in Council is satisfied that such damage or act is attributable to circumstances arising out of any war in which Her Majesty may be engaged, such officer shall be deemed for the purpose of this regulation to have been injured in the circumstances described in paragraph (1) of this regulation.

(7) An officer who is injured while travelling by air in pursuance of official instructions, and whose injury is not wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct, shall be deemed for the purpose of this regulation to have been injured in the circumstances described in paragraph (1) of this regulation:

Provided that in such a case the rates of pension prescribed in sub-paragraph (b) of paragraph (3) of this regulation shall be seven-and-a-half sixtieths, fifteen sixtieths, twenty-two-and-a-half sixtieths and thirty sixtieths respectively.

(8) Where compensation in consequence of the injury is payable under any law in force in the Colony which provides for the payment of workmen's compensation, or where benefits corresponding to an additional pension or pension under paragraph (3) or paragraph (4) of this regulation are payable, under the Oversea Superannuation Scheme or under the law in force in respect of any other public service, in consequence of the injury, the Governor may reduce or withhold any additional pension or pension payable under either paragraph (3) or paragraph (4) aforesaid in such manner as he may consider reasonable.

(9) (a) Where the Governor in Council is satisfied that damages have been or will be recovered by an officer in respect of an injury for which an additional pension or pension may be granted under sub-paragraph (b) of paragraph (3) or under paragraph (4) of this regulation, the Governor in Council may take these damages into account against such additional pension or pension in such manner and to such extent as he may think fit and may withhold or reduce the additional pension or pension accordingly.

(b) For the purpose of this paragraph an officer shall be deemed to recover damages whether they are paid in pursuance of a judgment or order of the court or by way of settlement or compromise of his claim and whether or not proceedings are instituted to enforce that claim.

24. (1) Any officer to whom a pension is granted under this 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 twelve and a half times the amount by which such pension is reduced:

Provided that in the application of this regulation to cases where the limitation prescribed by subsection (2) of section 9 of this 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) An option exercisable in accordance with this regulation —

- (a) shall be exercisable, and if exercised, may be revoked, on or before the date of the officer's retirement or, with the permission of the Governor, at any time between that date and the date of the final award of the pension granted to him under this Ordinance;
- (b) shall be exercised or revoked by notice in writing addressed either to the Secretary of State or to the Colonial Secretary;

(c) shall be deemed to have been exercised or revoked on the date on which such notice is received.

(3) If an officer who has not exercised an option in accordance with this regulation dies after he has retired but before a pension has been granted to him under this Ordinance, the Governor in Council may, if he thinks fit, grant to his legal personal representatives a gratuity and a reduced pension as provided in paragraph (1) of this regulation, as if the officer had exercised the option before his death.

25. (1) An officer not qualified for a pension or a gratuity under these regulations (other than a pension under regulation 23) or the Oversea Superannuation Scheme or to benefit under any other scheme of superannuation and who, having served for not less than five years is removed for reasons of old age, infirmity, reduction of establishment or who leaves public service under the Government of the Colony at his own request, may be granted a gratuity, and in the event of any such officer as aforesaid dying whilst in the service, a gratuity may be granted to his legal representative in amount not exceeding that to which the officer would have been entitled had he been retired for infirmity upon the day of his death.

(2) The rate at which a gratuity may be granted under paragraph (1) of this regulation shall not exceed —

- (a) for each year of public service under the Government of the Colony, up to five years, one week's pay; and
- (b) for each year of public service under the Government of the Colony in excess of five years and up to ten years, two weeks' pay; and
- (c) for each year of public service under the Government of the Colony in excess of ten years, four weeks' pay:

Provided that the total amount of the gratuity shall not exceed the amount of 52 weeks' pay.

(3) Notwithstanding the provisions of regulation 15, the service for the purpose of this regulation need not be unbroken but any period of service which has been terminated because of the officer's misconduct or in respect of which a pension, gratuity or other allowance has already been granted under the provisions of the Ordinance or the Oversea Superannuation Scheme or any other scheme of superannuation or any period during which the officer has been absent from duty on leave without pay unless such leave has been granted on grounds of public policy with the approval of the Governor shall not be taken into account for the purpose of this regulation.

(4) For the purpose of this regulation —

- (a) "pay" includes any allowance which the Governor in Council may think fit to include;
- (b) 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.

Gratuities for officers who have served in non-pensionable offices.

Gratuity and reduced pension.

**SCHEDULE**  
[ Regulation 8 (1) ]

Aden	Malawi
Antigua	Malayan Establishment
Bahamas	Malayan Union
Barbados	Malaysia
Basutoland	Malta
Bechuanaland Protectorate	Mauritius
Bermuda	Montserrat
British Antarctic Territory	Nigeria
British Guiana	North Borneo
British Honduras	Northern Nigeria
British Solomon Islands Protectorate	Northern Region of Nigeria
Brunei	Northern Rhodesia
Cayman Islands	Nyasaland
Crown Agents for Oversea Governments and Administrations	Oversea Audit Department (Home Establishment)
Dominica	Republic of Zambia
East Africa High Commission	Sabah
East African Common Services Organisation	St. Christopher, Nevis and Anguilla
East African Railways and Harbours Administration	St. Helena
Eastern Nigeria	St. Lucia
Eastern Region of Nigeria	St. Vincent
Employing Authorities under the Oversea Superannuation Scheme	Sarawak
Federal Republic of Nigeria	Seychelles
Federated Malay States	Sierra Leone
Federation of Malaya	Singapore
Federation of Nigeria	Somaliland Protectorate
Federation of Rhodesia and Nyasaland	Southern Cameroons
Fiji	Straits Settlements
Gambia	Swaziland
Ghana	Tanganyika
Gibraltar	The West Indies (Federation)
Gilbert and Ellice Islands	Tonga
Gold Coast	Trinidad and Tobago
Grenada	Turks and Caicos Islands
Hong Kong	Uganda
Interim Commission for the West Indies	Unfederated Malaya States
Jamaica	United Kingdom of Great Britain and Northern Ireland
Kenya	Virgin Islands
Kenya and Uganda Railways and Harbours Administrations	Western Nigeria
Leeward Islands (before 1.7.1956)	Western Pacific High Commission
	Western Region of Nigeria
	Zanzibar
	Service under the Overseas Service Act, 1958.

6 &amp; 7 Eliz., 2. c. 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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 3rd day of June, 1965.

C. HASKARD,  
*Governor.*

(LS)

No. 7



1965.

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

**An Ordinance**  
**Further to amend the Diplomatic Privileges (Extension) Ordinance.**

(3rd May, 1965)

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

1. This Ordinance may be cited as the Diplomatic Privileges (Extension) (Amendment) Ordinance, 1965, and shall be read as one with the Diplomatic Privileges (Extension) Ordinance, hereinafter referred to as the principal Ordinance.

2. The principal Ordinance is amended by the addition after section 5 of the following new section —

"Law of Colony relating to privileges of sovereigns and others assimilated to the law of England.

6. Notwithstanding any provision to the contrary contained in the law applicable to the Colony, the law and custom relating to the immunities and privileges as to person, property or servants of sovereigns, diplomatic agents, or the representatives of foreign powers for the time being in force in England shall, in so far as the same is applicable *mutatis mutandis*, have effect and be enforced in 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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Ref. 2193.

Assented to in Her Majesty's name this 3rd day of June, 1965.

C. HASKARD,  
*Governor.*

LS

No. 7



1965.

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

**An Ordinance**  
**Further to amend the Diplomatic Privileges (Extension) Ordinance.**

Title.

(3rd May, 1965)

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, 1965, and shall be read as one with the Diplomatic Privileges (Extension) Ordinance, hereinafter referred to as the principal Ordinance.

Short title.

Cap. 20.

2. The principal Ordinance is amended by the addition after section 5 of the following new section —

Addition of new section 6 of the principal Ordinance.

"Law of Colony relating to privileges of sovereigns and others assimilated to the law of England.

6. Notwithstanding any provision to the contrary contained in the law applicable to the Colony, the law and custom relating to the immunities and privileges as to person, property or servants of sovereigns, diplomatic agents, or the representatives of foreign powers for the time being in force in England shall, in so far as the same is applicable *mutatis mutandis*, have effect and be enforced in 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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 3rd day of June, 1965.

C. HASKARD,  
*Governor.*

LS

No. 9



1965

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

## An Ordinance

### Further to amend the Old Age Pensions Ordinance, 1952.

Title.

(1st July, 1965)

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 Old Age Pensions (Amendment) Ordinance, 1965, and shall be read as one with the Old Age Pensions Ordinance, 1952, hereinafter referred to as the principal Ordinance, and shall come into force on the 1st day of July, 1965.

Short title and commencement.

3 of 1952.

2. Section 2 of the principal Ordinance is amended by inserting immediately after the definition of "employment" the following new definition —

Amendment of section 2 of the principal Ordinance.

" "FEMALE CONTRIBUTOR" means a female person who is liable to pay contributions under this Ordinance as an employed person, or as a self-employed person, or a person deemed to be a self-employed person, and who is unmarried or a widow who is not the widow of a man who at the time of his death was a pensioner, or a married woman not living with or being maintained by her husband;".

3. Section 5 of the principal Ordinance is repealed and replaced as follows —

Replacement of section 5 of the principal Ordinance.

"Statutory conditions for receipt of pension.

5. (1) Subject to the provisions of this Ordinance, the statutory conditions for the receipt of an old age pension by any person are —

(a) the person shall have attained the age of 65 years;

- (b) the person, if a widow, shall be the widow of a person who was at the time of his death a pensioner, or having fulfilled the requirements of section 9 of this Ordinance was between the age of 60 and 65 years;
- (c) the person, if a male, shall satisfy the contribution conditions contained in sections 6 and 9;
- (d) the person, if a female contributor, shall satisfy the contribution conditions contained in sections 6, 6B and 9.

(2) This section shall not have the effect of disqualifying any pension awarded before the 1st day of July, 1965, to a widow under the age of 65 years."

Amendment of section 6 of the principal Ordinance.

4. Subsection (2) of section 6 of the principal Ordinance is amended —

- (a) by deleting the word "person" in paragraph (a) and substituting therefor the words "male person and every employed female contributor";
- (b) by deleting the words "an employed person" in paragraph (b) and substituting therefor the words "a male employed person or a female contributor";
- (c) by deleting the word "person" in paragraph (c) and substituting therefor the words "male person and every self-employed female contributor";
- (d) the proviso is repealed and replaced as follows —

"Provided that any female contributor who on the 1st day of July 1965, has attained the age of 50 but has not attained the age of 60 years may elect at her option to become a contributor under this Ordinance."

Amendment of section 6A of the principal Ordinance.

5. Subsection (1) of section 6A of the principal Ordinance is amended by inserting after the word "contributor" where it first appears the words "or female contributor".

Addition of new sections 6B, 6C, 6D and 6E to the principal Ordinance.

6. The principal Ordinance is amended by the addition after section 6A of the following new sections —

6B. Notwithstanding any other provisions of this Ordinance relating to the payment of contributions and pensions, the following special provisions shall apply to female contributors —

"Special provisions relating to females in certain circumstances.

- (a) a female contributor shall be entitled to an unmarried pension at the rate set out in the Schedule;
- (b) contributions shall only be compulsory in the case of a female contributor if she is earning at a rate of not less than £300 per annum together with an additional sum of £100 per annum for every child of school age maintained by her;
- (c) the contributions payable by a female contributor shall be at the rate set out in section 6 of this Ordinance;
- (d) any female contributor under the age of 50 who, having been in receipt of an income as in the preceding paragraph (b), and who by reason of unemployment or otherwise ceases to earn the minimum income therein prescribed, shall during the period in which she earns no income or earns less than the income prescribed, be exempt from the payment of any contributions and no contributions shall during such period be payable on her behalf by an employer;

- (e) every female contributor shall, on reaching the age of 50 be liable to contribute continuously to the Fund at the rates prescribed in section 6 until she reaches the age of 60;
- (f) any female unable to make the contributions required under the immediately preceding paragraph shall on or before her fiftieth birthday apply to the Board for assistance in the payment of such contributions if necessary to the full extent of contributions, and, if the Board is satisfied that she is unable to make the contributions required, contributions on her behalf shall be paid out of the general revenues of the Colony:

Provided that if at any time during the period of ten years preceding her sixtieth birthday such female contributor is gainfully employed and is in receipt of an income at a rate of not less than £300 per annum together with an additional £100 per annum for each child of school age, she shall, so long as she is so gainfully employed, pay contributions at the rate prescribed in section 6;

- (g) a female contributor whose employment is of a casual nature, involving several employers during any one week, shall be deemed to be a self-employed person.

Contributions by widow of contributor.

6C. When a contributor dies leaving a widow who is, at the time of his death between the age of 50 and 60, it shall be compulsory for such widow to contribute, or to have contributions made on her behalf continuously until she reaches the age of 60:

Provided that any contributions made by her husband up to the date of his death shall be regarded as her contributions:

And provided further that if any such widow is unable to make such contributions she may apply to the Board for assistance and, if the Board is satisfied that she is unable to make such contributions her contributions shall be paid out of the general revenues of the Colony.

Refund of contributions to female contributor in certain circumstances.

6D. Any female contributor who is leaving the Colony permanently or who marries or remarries shall be entitled on application to a refund of contributions paid by her:

Provided that for the purpose of calculating the total amount of contributions repayable under this section any contributions made during any period of self-employment shall be deemed to have been made at the rate payable by an employed person.

Cessation of pension on marriage or re-marriage.

6E. Any pension awarded to a female contributor shall cease to be payable on marriage, or remarriage, as the case may be, unless it is proved to the satisfaction of the Board that the husband is not qualified to receive a pension."

7. Section 8 of the principal Ordinance is amended by deleting the words "employer, or contributor" and substituting therefor the word "person".

Amendment of section 8 of the principal Ordinance.

8. Section 9 of the principal Ordinance is amended by deleting the words "Subject to the provisions of the next succeeding section" and by substituting a capital "A" for the small "a" before the word "person".

Amendment of section 9 of the principal Ordinance.

Amendment of section  
11 of the principal  
Ordinance.

9. Section 11 of the principal Ordinance is amended —
- by inserting after the word "contributor" in subsection (1) the words "or a female contributor";
  - by deleting subsection (2);
  - by deleting from subsection (1) the brackets and figure "(1)".

Amendment of Schedule  
to the principal  
Ordinance.

10. The Schedule to the principal Ordinance is amended by the addition thereto of the following new item —

"Unmarried female contributor or a married female contributor not living with or being maintained by her husband ... 26/- per week."

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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Ref. 0323/G.

Assented to in Her Majesty's name this 3rd day of June, 1965.

C. HASKARD,  
*Governor.*

LS



No. 10

1965

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

## An Ordinance Relating to Immigration.

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows — Enacting clause.

1. This Ordinance may be cited as the Immigration Ordinance, 1965, and shall come into operation upon such date as shall be appointed by the Governor by notice published in the Gazette. Short title and commencement.

2. In this Ordinance and any Regulation made hereunder, unless the context otherwise requires — Interpretation.

"ALIEN" means a person who is neither a British Subject, nor a British protected person, nor a citizen of the Republic of Ireland;

"BRITISH SUBJECT" means a person who is a British subject under the British Nationality Act, 1948, as amended by any subsequent enactment, and for the purpose of this Ordinance references to a British Subject shall be construed as references also to a citizen of the Republic of Ireland;

"DEPENDANT" in relation to another person means —

- the wife of such person, provided that she is not living apart from him under a decree of a competent court or a deed of separation,
- the child or step-child under the age of 16 years of such person,
- a legally adopted child under the age of 16 years of such person;

"DEPORTATION ORDER" means an order requiring the person in respect of whom it is made to leave and remain out of the Colony;

"DESTITUTE PERSON" means a person who in the opinion of the Immigration Officer is, or is likely to be, a charge upon public funds by reason of mental or bodily health or insufficiency of means to support himself and his dependants (if any);

"IMMIGRANT" means a person who enters the Colony from a place outside the Colony whether or not for the first time;

"PERMANENT RESIDENT" means —

- (a) a person born in the Colony or the Dependencies, or of parents who at the time of his birth were ordinarily resident in the Colony or the Dependencies; or
- (b) a person who is ordinarily resident in the Colony or the Dependencies and has been so resident for a continuous period of seven years, and since the completion of such a period has not been ordinarily resident for a continuous period of seven years or more in any other country; or
- (c) a dependant of a person to whom either of the foregoing paragraphs applies; or
- (d) a person who has obtained the status of a British Subject by reason of the grant by the Governor of a certificate of naturalization under the British Nationality and Status of Aliens Act, 1914, or the British Nationality Act, 1948, such grant being still in force;

"POLICE OFFICER" includes a police constable;

"PRESCRIBED" means prescribed by Regulations made under this Ordinance;

"PROHIBITED IMMIGRANT" means a person other than a permanent resident —

- (a) who is not in possession of a passport valid for entry into the Colony; or
- (b) who has left the Colony or the Dependencies at the public expense, or against whom a deportation order is in force; or
- (c) who is deemed by the Governor in Council to be an undesirable immigrant; or
- (d) who is a destitute person; or
- (e) who is an idiot or insane; or
- (f) who is certified by a medical officer to be suffering from a contagious or infectious disease which makes his presence in the Colony dangerous to the community; or
- (g) who is not in possession of a certificate signed by a radiologist as required under section 50A of the Public Health Ordinance; or
- (h) who, not having received a free pardon, has been in any country other than the Colony or the Dependencies convicted of murder or an offence for which a substantive sentence of imprisonment exceeding six months has been passed and who by reason thereof is deemed by the Governor in Council to be an undesirable immigrant; or
- (i) who is a prostitute, or is living on or receiving, or who has lived on or received, the proceeds of prostitution; or
- (j) whose entry into the Colony is unlawful under this or any other Ordinance; or
- (k) who is a dependant of a prohibited immigrant;

"SHIPPING MASTER" shall include the Collector of Customs, the Deputy Collector of Customs or any customs officer;

"UNDESIRABLE IMMIGRANT" means a person other than a permanent resident who by reason of his having been convicted, or who, in consequence of information received from any Government, whether British or foreign, through official or diplomatic channels, is deemed by the Governor in Council to be an undesirable immigrant;

"VESSEL" means any steamship, ship, boat or other floating craft, and includes any description of aircraft; and "master" in reference to a "vessel" includes the pilot or other officer in charge of an aircraft.

3. The Governor may by notice published in the Gazette appoint an Immigration Officer for the carrying out of the provisions of this Ordinance.

Appointment of Immigration Officer.

4. (1) The Governor in Council may prohibit the entry of any alien into the Colony.

Power to prohibit entry of alien, or permit entry of prohibited immigrant.

(2) The Governor in Council may permit a prohibited immigrant to enter and remain in the Colony subject to such conditions as to duration and place of residence, occupation, security to be furnished, or any other matter or thing, whether similar to those before enumerated or not, as he shall think fit, and any such immigrant who shall, without reasonable excuse, fail to comply with such conditions or any of them shall commit an offence, and his permit to enter and remain in the Colony shall be deemed to have been cancelled.

5. For the purpose of exercising his functions and carrying out his duties under this Ordinance the Immigration Officer may —

Powers of Immigration Officer.

- (a) without a search warrant board and search any vessel arriving in the Colony;
- (b) interrogate any person who desires to enter the Colony or any person whom he has reasonable ground for believing to be a prohibited immigrant;
- (c) require any person who desires to enter the Colony to submit to being examined by a medical officer;
- (d) require the master of a vessel to furnish in duplicate a list signed by himself of the names of the passengers in his vessel and such other information as may be prescribed;
- (e) if there is reasonable cause to suspect that any person has contravened any of the provisions of this Ordinance and if, in order to prevent justice from being defeated, it is necessary to arrest such person immediately, arrest such person without a warrant, and such person shall be brought before a magistrate or a justice of the peace within twenty four hours of such arrest, unless the next day shall be a Sunday or a public holiday, when the person under arrest shall be brought before a magistrate or a justice of the peace at the first possible opportunity.

6. (1) The decision whether or not a person is a prohibited immigrant shall rest with the Immigration Officer.

Immigration Officer to decide whether person is prohibited immigrant.

(2) An appeal shall lie from a decision of the Immigration Officer under sub-section (1) of this section to the Governor in Council whose decision shall be final.

7. (1) Any person who, having entered the Colony for the first time after the coming into operation of this Ordinance, is found by the Immigration Officer within the period of three months from the date of such entry to be a prohibited immigrant, shall be deemed to have been one at the time of such entry.

Person may be found to be prohibited immigrant after entry.

(2) An appeal shall lie from a decision of the Immigration Officer under sub-section (1) of this section to the Governor in Council whose decision shall be final.

8. (1) A person entering the Colony by sea shall not disembark without the consent of the Immigration Officer, and the master of the ship shall not allow any such person to disembark without such consent.

Duties of immigrants.

(2) Every person entering the Colony by air shall forthwith present himself in person to the Immigration Officer.

(3) Every person entering the Colony shall —

- (a) truthfully answer all questions put to him by the Immigration Officer for the purposes of this Ordinance;

- (b) if required by the Immigration Officer, make and sign the prescribed form of declaration;
- (c) if required by the Immigration Officer, submit himself to be examined by a medical officer.

(4) Any person who refuses to make and sign the prescribed declaration, or to submit to being examined by a medical officer, shall be deemed to be a prohibited immigrant, and may be dealt with as such.

Immigrant not to enter without permit.

9. No person other than a permanent resident shall enter the Colony unless he is in possession of a permit issued to him under this Ordinance or Regulations made thereunder.

Entry permit.

10. The Immigration Officer shall issue an Entry Permit to any person wishing to enter the Colony who satisfies him that he is—

- (a) a permanent resident; or
- (b) a person in the service of the Government of the Colony; or
- (c) a serving member of Her Majesty's forces; or
- (d) a person duly accredited as a Diplomatic or Consular representative or a member of any such person's staff or household; or
- (e) a person entitled to the immunities and privileges conferred by the Diplomatic Privileges (Extension) Ordinance; or
- (f) a person who, not being a prohibited immigrant, intends to engage on his own account in the Colony in the business of agriculture or animal husbandry, or in prospecting for minerals or mining, or to carry on or practise some trade, business or profession, for which he possesses such qualifications as may be prescribed, and who in every such case is in possession of sufficient capital or assured means to enable him to carry out his intention; or
- (g) a dependant of one of the above mentioned persons.

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Employment permit.

11. (1) An Employment Permit may be issued by the Immigration Officer to any immigrant who has entered into a contract of service with an employer to be performed in the Colony, or whose passage has been paid on his behalf with a view to his entering into such a contract on his arrival, provided that he is not a prohibited immigrant or an alien whose entry into the Colony is prohibited under section 4 (1) of this Ordinance.

(2) An Employment Permit shall entitle the holder thereof to enter the Colony and to remain therein for such period as shall be stated therein.

(3) An Employment Permit shall forthwith cease to be effective and shall be deemed to have been cancelled if the holder fails within one month from the date of his landing in the Colony to take up the employment in respect of which it was issued, and thereupon the holder thereof shall be deemed to be a prohibited immigrant and may be dealt with as such.

(4) An Employment Permit shall be issued upon such conditions as may be prescribed.

Special permit.

12. (1) The Immigration Officer shall issue to any person to whom the Governor in Council under section 4 (2) of this Ordinance has granted permission to enter the Colony a Special Permit containing such conditions as shall have been imposed by the Governor in Council.

(2) The Immigration Officer may issue a Special Permit to any person who desires to enter the Colony for a limited period for the purpose of scientific research or any other sufficient reason; such permit shall contain such conditions as may be prescribed or as the Immigration Officer may consider necessary, and any holder of such Special Permit who shall, without reasonable cause, fail to comply with such conditions, or any of them, shall commit an offence, and

his permit to enter and remain in the Colony shall be deemed to have been cancelled.

13. (1) A person to whom a permit under this Ordinance has been issued shall produce it to the Immigration Officer or a police officer on demand, and shall not lend, transfer, or assign it to any other person.

Conditions as to permits.

(2) No person shall borrow or make use of a permit which has been granted under this Ordinance to any other person.

14. Every alien immigrant shall within twenty-four hours of his landing in the Colony register with the Superintendent of Police and furnish him with such particulars as he may require, and if he shall fail without reasonable excuse to comply with the requirements of this section he shall commit an offence.

Alien immigrant to register.

15. (1) The master of a vessel arriving from any place outside the Colony shall answer truthfully to the best of his ability all questions put to him by the Immigration Officer relating to the passengers for the purposes of this Ordinance, and shall furnish him with a list in duplicate signed by himself of the names of all passengers in the vessel and such other information as may be prescribed, and every passenger shall supply the information necessary for the purpose of the list.

Master of vessel to furnish list of passengers.

(2) Any master who shall either refuse to supply such list or to answer any such questions, or who shall knowingly and wilfully give an untrue answer thereto shall be liable on summary conviction to a fine not exceeding £50.

(3) Any passenger intending to enter the Colony who shall knowingly and wilfully supply any false information in respect of such list or in answer to any question put to him by the Immigration Officer for the purposes of this Ordinance shall be liable on summary conviction to a fine of £50.

16. (1) Any person to whom leave to disembark has been refused shall be removed with his dependants (if any) from the Colony by the master of the vessel in which he arrived, and by that same vessel, or with the consent of the Immigration Officer he shall be removed by the owner or agent of that vessel by any other vessel, to the country to which he belongs or from which he embarked for the Colony.

Liability of vessel to repatriate immigrant.

(2) In the event of the immigrant being unable to defray the expenses of the passage or passages, required to be provided under the preceding subsection the master shall provide the immigrant and any of his dependants whom he may have brought with him by the same vessel into the Colony with suitable accommodation and maintenance, and the master and owner or agent of any vessel from which any such immigrant and his dependants (if any) shall have been landed shall be jointly and severally liable to pay the Government of the Colony all expenses incurred in connexion with the maintenance of such immigrant and his dependants and his and their deportation.

17. (1) The Governor in Council may make an order for the deportation of any prohibited immigrant or of any person whose presence within the Colony is unlawful.

Power to deport.

(2) An order made under this section shall be carried into effect in such manner as the Governor in Council may direct.

(3) A person against whom an order under this section is made may, if the Governor in Council so directs, be kept in custody while awaiting deportation and while being conveyed to the place of departure, and may be placed on board a ship about to leave the Colony, and shall be deemed to be in legal custody while so kept and until the ship finally leaves the Colony.

(4) No person shall be detained under sub-section (3) of this section for a period exceeding 60 days, and if at the expiration of such period he has not been deported the deportation order shall cease to have effect.

Master of vessel may be required to receive person ordered to be deported.

18. The master of a vessel about to call at any port outside the Colony shall, if so required by the Governor, receive on board the vessel a person against whom a deportation order has been made and his dependants (if any) and afford him and them a passage or passages to that port and proper accommodation and maintenance during the passage.

Expenses of deportation.

19. (1) Where a deportation order is made the Governor may apply any money or property of the person against whom it is made in payment of the whole or any part of the expenses of or incidental to the deportation and the maintenance until departure of that person and his dependants (if any).

(2) Except so far as they are defrayed under the preceding sub-section or are provided for under section 16 of this Ordinance or by the Regulations made thereunder such expenses shall be payable out of public funds.

Expenses of repatriating destitute person.

20. Where a person who has entered the Colony on an Employment Permit issued under section 11 of this Ordinance has become a destitute person the expenses of maintaining and repatriating him and his dependants (if any) shall be borne by the employer named in the Employment Permit and by the Government in such proportions as shall be prescribed.

Seamen not to be discharged without consent of Shipping Master.

21. (1) No seaman shall be discharged from any vessel in the Colony except with the consent of the Shipping Master, which consent shall not be given unless the master, owner or agent of the vessel shall have made arrangements to the satisfaction of the Shipping Master to ensure that the seaman shall not become a charge on public funds.

(2) Any seaman discharged without such consent or deserting from the vessel or left behind in the Colony shall be deemed to be a prohibited immigrant.

Evidence and burden of proof.

22. In any inquiry or proceedings under this Ordinance —

- (a) the burden of proof that any person is not a prohibited immigrant, or an alien, or a destitute person, or that he is a permanent resident shall be upon that person;
- (b) a document purporting to be an Order made under this Ordinance shall, until the contrary is proved, be presumed to be such an Order;
- (c) any Order made under this Ordinance shall be presumed, until the contrary is proved, to have been validly made on the date upon which it purports to have been made.

Offences and penalties.

23. Any person who —

- (i) knowingly lands or procures to be landed or knowingly aids or assists in landing any prohibited immigrant contrary to the provisions of this Ordinance; or
- (ii) being the master of a vessel knowingly permits any prohibited immigrant to land from his vessel contrary to the provisions 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 vessel and been replaced on board; or
- (iii) being a prohibited immigrant knowingly and wilfully lands or suffers himself to be landed contrary to the provisions of this Ordinance; or
- (iv) wilfully disobeys or disregards any obligation imposed on him by this Ordinance or the Regulations made thereunder; or

(v) obstructs, hinders or opposes any immigration officer or police officer in the execution of his duty under this Ordinance;

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £50 or to imprisonment not exceeding six months, and when the person charged with any such offence is the master of a vessel clearance outwards of the vessel may be refused until the case has been disposed of and any fine paid.

24. (1) The Governor in Council may make Regulations for the better carrying into effect of the purposes of this Ordinance. Regulations.

(2) In particular and without prejudice to the generality of the foregoing power such regulations may provide for all or any of the following purposes —

- (a) prescribing anything which is to be, or may be, prescribed under this Ordinance;
- (b) prescribing the forms to be used for the purposes of this Ordinance;
- (c) prescribing the person to whom and the manner in which applications to enter the Colony may be made;
- (d) prescribing the procedure to be followed by immigrants.

25. This Ordinance, except sections 8 (1), 8 (2), 8 (3) (a), 9 and 10, shall not apply to persons in the service of the Government of the Colony. Exemptions.

26. The Immigration Ordinance is hereby repealed : Repeal of Cap. 30.

Provided that any person whose presence in the Colony is unlawful under the said Ordinance shall be deemed to be unlawfully in the Colony for the purposes of this 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.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Ref. 0837/II.

Assented to in Her Majesty's name this 23rd day of December, 1965.

C. HASKARD,  
*Governor.*

LS



No. 11

1965.

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

**An Ordinance**  
**To amend the Workmen's Compensation**  
**Ordinance, 1960.** Title.

(1st January, 1966)

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 Workmen's Compensation (Amendment) Ordinance, 1965, and shall be read as one with the Workmen's Compensation Ordinance, 1960, hereinafter referred to as the principal Ordinance.

Short title.

2. Subsection (1) of section 2 of the principal Ordinance is amended as follows —

Amendment of section 2 of the principal Ordinance.

- (a) by deleting the words "Fourth Schedule" in the proviso to the definition of "Partial disablement" and substituting the words "Third Schedule";
- (b) by deleting the definition of "Seaman";
- (c) by deleting the words "Fourth Schedule" in the proviso to the definition of "Total disablement" and substituting the words "Third Schedule";
- (d) by deleting the definition of "Workman" and substituting the following definition —

"WORKMAN", subject to section 20 and the proviso hereto, means any person who has, either before or after the commencement of this Ordinance, entered into or works under a contract of service or apprenticeship or otherwise with an employer, whether by way of manual labour, clerical work, or otherwise, and whether the contract is expressed or implied, is oral or in writing and whether the remuneration is calculated by time or by work done or otherwise:

Provided that the following persons shall not be regarded as workmen for the purposes of this Ordinance —

- (a) any person employed otherwise than by way of manual labour whose earnings exceed twice the prevailing labourer's basic wage; or
- (b) a person whose employment is of a casual nature and who is employed otherwise than for the purposes of the employer's trade or business, not being a person employed for the purpose of any game or recreation and engaged or paid through a club; or
- (c) an outworker; or
- (d) any person in the naval, military or air forces of the Crown; or
- (e) a member of the employer's family dwelling in his house; or
- (f) any person employed by any one employer in domestic work about a private house who is not living in that house or in accommodations provided by the employer and who is employed in such work for less than eight hours in a week; or
- (g) any class of persons whom the Governor in Council may by Order declare not to be workmen for the purposes of this Ordinance.”;

(e) by deleting subsection (5).

3. Section 3 of the principal Ordinance is repealed and replaced as follows —

“Employer's liability for compensation for death or incapacity resulting from accident.

3. (1) If in any employment personal injury by accident arising out of and in the course of the employment is caused to a workman, his employer shall, subject as hereinafter mentioned, be liable to pay compensation in accordance with the provisions of this Ordinance:

Provided that —

- (a) the employer shall not be liable under this Ordinance in respect of any injury which does not incapacitate the workman for a period of at least three days from earning full wages at the work at which he was employed; and
- (b) if it is proved that the injury to a workman is attributable to the serious and wilful misconduct of that workman, any compensation claimed in respect of that injury shall be disallowed:

Provided that where the injury results in the death or serious permanent incapacity, the Commissioner on a consideration of all the circumstances may award the compensation provided by this Ordinance or such part thereof as he shall think fit.

(2) For the purposes of this Ordinance, an accident resulting in the death or serious and permanent incapacity of a workman shall be deemed to arise out of and in the course of his employment, notwithstanding that the workman was at the time when the accident happened acting in contravention of any statutory or other regulation applicable to his employment, or of any orders given by or on behalf of his employer, or that he was acting without instructions from his employer, if such act was done by the workman for the purposes of and in connexion with his employer's trade or business.

(3) No compensation shall be payable under this Ordinance in respect of any incapacity or death resulting from a deliberate self injury.

(4) No compensation shall be payable to a workman in respect of any disease, unless the disease is solely and directly attributable to specific injury by accident arising out of and in the course of his employment.

(5) No compensation shall be payable under this Ordinance in respect of any incapacity or death arising from personal injury, if the workman has at any time represented to the employer that he was not suffering or had not previously suffered from that or a similar injury, knowing that the representation was false.

(6) For the purposes of this Ordinance an accident arising in the course of a workman's employment shall be deemed, in the absence of evidence to the contrary, also to have arisen out of that employment.

(7) (a) If a workman who becomes disabled by, or dies of, any scheduled disease, was within twenty-four months immediately preceding the disablement or death, employed in any occupation specified in the Fourth Schedule opposite such disease (hereinafter referred to as an “occupational disease”) it shall be presumed, unless the contrary is proved, that the disease was due to the nature of such employment, and the workman, or, if he is deceased his dependants, shall be entitled to compensation under this Ordinance as if such disablement or death had been caused by an accident, and the provisions of this Ordinance shall, *mutatis mutandis*, apply, unless at the time of entering into the employment the workman wilfully and falsely represented to the employer in writing, in reply to a specific question, that he had not previously suffered from such disease:

Provided that, in no event, shall the workman or his dependants be entitled to compensation in respect of any causation or aggravation of the disease which was due to employment outside the Colony, except in respect of a workman belonging to the Colony employed outside the Colony by his employer within the Colony.

(b) Any compensation payable in respect of an occupational disease shall be payable by the employer employing the workman at the end of the twenty-four monthly period:

Provided however, where the disease is of such a nature as to have been contracted by a gradual process during such twenty-four monthly period, any other employer who employed the workman during such period shall be liable to make contributions to the employer paying compensation. If the employers cannot agree as to the amount of compensation which shall be paid by each, the matter shall be determined by the Commissioner. An appeal shall lie to the Supreme Court from any such determination by the Commissioner and the provisions of section 36 shall apply to such an appeal in the same manner and to the same extent as it applies to an appeal from an order of the Commissioner.

(c) The workman, if not deceased, and his dependants, shall furnish to the employer primarily liable

Occupational Diseases.

Repeal and replacement of section 3 of the principal Ordinance.

to pay compensation, all information as to other persons who employed the workman during the twenty-four monthly period immediately preceding the workman's disablement or death."

Repeal and replacement  
of section 6 of the  
principal Ordinance.

4. Section 6 of the principal Ordinance is repealed and replaced as follows —

"Amount of  
compensation.

6. Subject to the provisions of this Ordinance, the amount of compensation shall be as follows —

- (a) where death has resulted from the injury, as specified in the First Schedule;
- (b) where permanent total disablement results from the injury, as specified in the Second Schedule;
- (c) where permanent partial disablement results from the injury, as specified in the Third Schedule;
- (d) where more injuries than one are caused by a single accident and permanent disablement results the amounts of compensation payable in respect of all such injuries shall be aggregated but not so as to exceed in any case the amount which would have been payable in respect of permanent total disablement;
- (e) where temporary disablement, whether total or partial, results from the injury, a half-monthly payment payable on the sixteenth day from the date of the disablement, and thereafter half-monthly during the disablement or during a period of five years, whichever period is shorter, of an amount equal to one-third of his monthly earnings at the time of the accident:

Provided that —

- (i) where permanent disablement follows a period not exceeding six months of total disablement there shall not be deducted from the lump sum payable in respect of such permanent disablement any half-monthly payments or allowance to which the injured workman is entitled and which he has received from his employer by way of compensation;
- (ii) where permanent disablement follows a period exceeding six months of total or partial temporary disablement there shall be deducted from the lump sum payable in respect of such permanent disablement any half-monthly payments or allowance to which the injured workman is entitled and which he has received from his employer by way of compensation in respect of any period in excess of six months;

And provided also that, if a workman who has been disabled is earning or, in the opinion of the Commissioner is capable of earning, an amount which together with the monthly payment of two-thirds of his earnings at the time of the accident exceeds the workman's earnings at the time of the accident, then the monthly payment may be so adjusted as to provide

that the monthly payments as compensation together with the amount of his earnings or the earnings he could receive, shall not exceed the sum total of the workman's earnings at the time of the accident;

And provided further that if the disablement ceases before the date on which any half-monthly payment falls due, there shall be payable in respect of that half month an amount proportionate to the duration of the disablement during that half month."

5. Section 7 of the principal Ordinance is repealed.

6. Subsection (5) of section 11 of the principal Ordinance is hereby amended by deleting all words between the word "therefrom" in the second line thereof and the word "and" in the third line thereof, and by substituting the words "the reasonable expenses for the burial of the deceased workman and the reasonable expenses of medical attention on the deceased workman not exceeding in all an amount equal to six months' wages,".

7. Section 33 of the principal Ordinance is amended by the deletion of all words and figures commencing with "in subsection (3)" in lines five and six thereof and ending with the word and figure "section 7" in line six thereof and substituting therefor the word and figure "section 6".

8. Section 34 of the principal Ordinance is repealed and replaced as follows —

"Application to  
persons  
employed on  
ships.

34. (1) This Ordinance shall apply to masters, seamen and apprentices to the sea service, provided that such persons are workmen within the meaning of this Ordinance, and are members of the crew of any ship registered in the Colony or of any other British ship or vessel of which the owner, or (if there is more than one owner) the managing owner, or manager resides or has his principal place of business in the Colony, subject to the following modifications —

- (a) the notice of accident and the claim for compensation may, except where the person injured is the master, be given to the master of the ship as if he were the employer, but where the accident happened and the incapacity commenced on board the ship it shall not be necessary to give any notice of the accident;
- (b) in the case of the death of the master, seaman or apprentice, the application for compensation shall be made within three months after news of the death has been received by the claimant;
- (c) whenever in the course of any legal proceeding under this Ordinance the testimony of any witness is required in relation to the subject matter of the proceeding, then, upon due proof that the witness cannot be found in the Colony, any deposition which the witness may have previously made on oath in relation to the same subject matter before any justice or magistrate in Her Majesty's dominions or in any place where Her Majesty exercises jurisdiction or before any British Consular Officer elsewhere and which, if the proceeding had been under the Merchant Shipping Act, 1894, would have been admissible in such proceeding by virtue of sections 691 and 695 of that Act,

Repeal of section 7 of  
the principal Ordinance.

Amendment of section 11  
of the principal Ordinance.

Amendment of section 33  
of the principal Ordinance.

Repeal and replacement  
of section 34 of the  
principal Ordinance.

shall be admissible in evidence subject to similar conditions as are laid down in the said sections 691 and 695;

- (d) in case of the death of a master, seaman or apprentice leaving no dependants, no compensation shall be payable, if the owner of the ship is under the Merchant Shipping Act, 1894, liable to pay expenses of burial;
- (e) the periodical payment shall not be payable in respect of the period during which the owner of the ship is, under any law in force for the time being in the Colony relating to merchant shipping, liable to defray the expenses of maintenance of the injured master, seaman or apprentice.

(2) This Ordinance shall also apply to any person not being a master, seaman or apprentice to the sea service, employed on board any such ship as is mentioned in this section, if he is so employed for the purposes of the ship or of any passengers or cargo or mails carried by the ship, and if he is otherwise a workman within the meaning of this Ordinance.

(3) In this section unless the context otherwise requires —

“MASTER” in relation to a ship means the ship’s husband or other person to whom the management of the ship is entrusted by or on behalf of the owner;

“PORT” includes place;

“SEAMAN” includes every person (except masters, pilots, and apprentices duly indentured and registered), employed or engaged in any capacity on board any ship;

“SHIP” includes every description of vessel used in navigation not propelled by oars;

“VESSEL” includes any ship or boat, or any other description of vessel used in navigation.”.

9. The First Schedule to the principal Ordinance is repealed.

10. The Schedules to the principal Ordinance are hereby amended —

- (a) by the deletion of the First Schedule;
- (b) by re-heading the “Second Schedule” “Third Schedule” and “Fourth Schedule” as the “First Schedule” “Second Schedule” and “Third Schedule” respectively; and
- (c) by the addition of the following new Schedule —

#### FOURTH SCHEDULE OCCUPATIONAL DISEASES

*List of diseases and toxic substances.*

Poisoning by lead, its alloys or compounds and their sequelæ.

*List of corresponding trades, industries or processes.*

Handling of ore containing lead, including fine shot in zinc factories. Casting of old zinc and lead in ingots. Manufacture of articles made of cast lead or of lead alloys. Employment in the polygraphic industries. Manufacture of lead compounds. Manufacture and repair of electric accumulators. Preparation and use of enamels containing lead. Polishing by means of lead files or putty powder with a lead content. All painting operations involving the preparation and manipulation of coating substances, cements or colouring substances containing lead pigments.

Poisoning by mercury, its amalgams and compounds and their sequelæ.

Anthrax infection.

Silicosis with or without pulmonary tuberculosis, provided that silicosis is an essential factor in causing the resultant incapacity or death.

Phosphorus poisoning by phosphorus or its compounds, and its sequelæ

Arsenic poisoning by arsenic or its compounds, and its sequelæ.

Poisoning by benzene or its homologues, their nitro- and amido-derivatives, and its sequelæ.

Poisoning by the halogen derivatives of hydrocarbons of the aliphatic series.

Pathological manifestations due to —

- (a) radium and other radio-active substances;
- (b) X-rays.

Primary epitheliomatous cancer of the skin.

Handling of mercury ore. Manufacture of mercury compounds. Manufacture of measuring and laboratory apparatus. Preparation of raw material for the hat-making industry. Hot gilding. Use of mercury pumps in the manufacture of incandescent lamps. Manufacture of fulminate of mercury primers.

Work in connexion with animals infected with anthrax. Handling of animal carcasses or parts of such carcasses including hides, hoofs and horns. Loading and unloading or transport of merchandise.

Industries or processes recognised by national law or regulations as involving exposure to the risk of silicosis.

Any process involving the production, liberation or utilisation of phosphorus or its compounds.

Any process involving the production, liberation or utilisation of arsenic or its compounds.

Any process involving the production, liberation or utilisation of benzene or its homologues, of their nitro- and amido-derivatives.

Any process involving the production, liberation or utilisation of halogen derivatives of hydrocarbons of the aliphatic series designated by national laws or regulations.

Any process involving exposure to the action of radium, radio-active substances or X-rays.

Any process involving the handling or use of tar, pitch, bitumen, mineral oil, paraffin, or the compounds, products or residues of these substances.

11. The Governor may by order published in the Gazette, at any time add to, vary or amend the Fourth Schedule.

Governor may amend Schedule 4 by Order.

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 0038/C/IV.

Assented to in Her Majesty's name this 21st day of December, 1965.

C. HASKARD,  
*Governor.*

LS



No. 12

1965

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**  
SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

**An Ordinance**  
**To amend and consolidate the law as to** Title.  
**Firearms.**

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows — Enacting clause.

1. This Ordinance may be cited as "The Firearms Ordinance 1965". Short title.

2. In this Ordinance —
- "CAPE PEMBROKE PENINSULA" means that piece of land lying north of Hooker's Point and extending west to Engineer Point and east to Cape Pembroke.
- "EXEMPTED FIREARM" means a firearm kept only for display purposes of an historical or interesting nature for which a certificate of exemption from licensing has been issued by the Superintendent of Police.
- "FIREARM" means any lethal barrelled weapon of any description from which any shot bullet or other missile can be discharged and includes any prohibited weapon whether it is such a lethal weapon or not, any component part of such lethal or prohibited weapon and any accessory to any such weapon designed or adapted to diminish the noise or flash caused by firing the weapon.
- "FIREARMS DEALER" means a person who by way of trade or business manufactures sells transfers repairs tests or proves firearms.
- "IMITATION FIREARM" means anything which has the appearance of being a firearm whether or not it is capable of discharging any shot bullet or other missile.

"LICENCE" means a licence to possess and use a firearm issued by the Superintendent of Police.

"POLICE OFFICER" includes a Police Constable.

"PROHIBITED AMMUNITION" means any ammunition containing or designed or adapted to contain any noxious liquid gas or other thing.

"PROHIBITED WEAPON" means (a) any firearm which is so designed or adapted that if pressure is applied to the trigger, missiles continue to be discharged until pressure is removed from the trigger or the magazine containing the missiles is empty or (b) any weapon of whatever description designed or adapted for the discharge of any noxious liquid gas or other thing.

"PUBLIC PLACE" means any street, road, footway or open and public place in Stanley to which the public have or are permitted to have access.

"REGISTERED" in relation to a firearms dealer means registered with the Superintendent of Police.

"STANLEY COMMON" means land outside Stanley, bounded on the north by Stanley and Stanley Harbour east to Hooker's Point; on the west by a line drawn from Moody Brook Bridge to the Stone Corral thence to the estuary of Mullet Creek Stream; on the south and east by the sea.

"SUPERINTENDENT OF POLICE" includes the officer acting in that behalf at Stanley.

## PART I

### LICENCES

Purchase or possession of firearms and ammunition without a licence.

3. (1) Subject to the provisions of this Ordinance no person shall purchase, acquire, or have in his possession any firearm to which this part of the Ordinance applies without holding a licence in force at the time or otherwise than as authorised by such licence.

(2) Any person who purchases or is in possession of any firearm without a licence or fails to comply with the conditions of such licence shall for each offence be liable on summary conviction to a fine not exceeding £50 or imprisonment for a term not exceeding three months or both such fine and imprisonment.

Grant, renewal, variation or revocation of licence.

4. (1) An application for the grant of a licence shall be made on the form issued for that purpose by the Superintendent of Police and shall state such particulars as may be required.

(2) A licence shall be granted by the Superintendent of Police if he is satisfied that the applicant has good reason for having in his possession the firearm in respect of which the application is made and can be permitted to have the same without danger to the public peace or safety:

Provided that a licence shall not be granted to a person whom the Superintendent of Police has reason to believe to be of intemperate habits or unsound mind or to be for any reason unfitted to be entrusted with any firearm.

(3) A licence shall specify the conditions (if any) subject to which it is held and the description and number of the firearms to which it relates.

(4) An applicant shall pay the sum of ten shillings for the first firearm and two shillings and six pence for each additional firearm upon the grant of a licence.

(5) A licence shall unless previously revoked or cancelled continue in force for one year from the date when it was granted or last renewed.

(6) The Superintendent of Police may at any time by notice in writing vary the conditions subject to which the licence is held and may by notice require the holder to deliver up the licence to him within 21 days of the date of the notice for the purpose of amending the conditions therein specified.

(7) The Superintendent of Police may revoke a licence if —

(a) he is satisfied that the holder is of intemperate habits or unsound mind or is otherwise unfitted to be entrusted with a firearm; or

(b) the holder fails to comply with a notice under sub-section (6) of this section requiring him to deliver up the certificate.

(8) Any person aggrieved by a refusal of the Superintendent of Police to grant him a licence or renew a licence or by the revocation of a licence may appeal to the Supreme Court.

(9) The Superintendent of Police shall, when he revokes a licence, by notice in writing require the holder to surrender the licence and if the holder fails to do so within 21 days of the date of the notice he shall be liable on summary conviction to a fine not exceeding £20.

(10) Any person who makes a statement which he knows to be false for the purpose of procuring whether for himself or any other person the grant of a licence shall be liable for each offence on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding £20 or both such imprisonment and fine.

5. The following shall be exempt from the requirements of section 3 of this Ordinance — Exemptions.

(1) A registered firearms dealer or his servant in the ordinary course of that business.

(2) A person who has been granted a permit by the Superintendent of Police to have in his possession a slaughtering instrument of an approved design.

(3) A member of Her Majesty's forces or a member of the police force in respect of any firearm entrusted to such member in the course of his official duties.

(4) A member of the Falkland Islands Defence Force in respect of any firearm certified by the Commanding Officer thereof as being used or carried by such member in the performance of his duty.

(5) Falkland Islands Defence Force Small Bore Rifle Club provided that the firearms in the possession of the Club shall remain in the Club buildings and rifle range only.

(6) A person in the service of the Government or the British Antarctic Survey having in his possession any firearm for the necessary performance of his duty such possession being specially authorised by the Head of his Department: provided the authorisation has the written agreement of the Superintendent of Police.

(7) A person possessing an exempted firearm for which a certificate of exemption has been obtained.

(8) Persons using firearms during any organised competition or practice on a rifle range or in any area approved for such purposes by the Superintendent of Police.

(9) Members of the Boys' Brigade provided that small bore firearms in the possession of the Boys' Brigade shall remain in the Defence Force Drill Hall.

6. (1) Any police officer or customs officer may demand the production of a licence from a person whom he believes to be in possession of a firearm. Production of licence.

(2) If any person upon whom a demand is so made fails to produce the licence or to permit the police officer or customs officer to read the licence or to show that he is exempt from holding a licence under section 5 of this Ordinance, the police officer or customs officer may seize and detain the firearm and may require that person to declare to him immediately his name and address.

(3) Any person who refuses so to declare his name and address or fails to give his true name and address shall be liable on

summary conviction to a fine not exceeding £20 and the police officer or customs officer may apprehend without warrant any person who refuses so to declare his name or address or whom he suspects of intending to abscond.

Penalty for manufacturing etc. firearms without being registered.

7. (1) No person shall by way of trade or business —
- manufacture, sell, transfer, repair, test, or prove; or
  - expose for sale or transfer or have in his possession for sale, transfer, repair, test, or prove any firearms unless he is registered as a firearms dealer.

(2) Any person who contravenes the provisions of this section or makes any statement which he knows to be false for the purpose of procuring whether for himself or some other person the grant of a permit shall for each offence be liable on summary conviction to a fine not exceeding £20 or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

Registration of firearms dealers.

8. (1) The Superintendent of Police shall keep a register of firearms dealers and shall enter therein such particulars as may be required by him of any person applying for registration:

Provided that the Superintendent of Police may refuse to register an applicant if he is satisfied that the applicant cannot be permitted to carry on business as a firearms dealer without danger to the public peace or safety.

(2) An annual fee of £1 shall be paid by each registered firearms dealer.

(3) The Superintendent of Police may after giving reasonable notice to any person whose name is on the register if satisfied that that person —

- is no longer carrying on business as a firearms dealer; or
- cannot be permitted to continue to carry on business as a firearms dealer without danger to the public peace or safety

cause the name of that person to be removed from the register.

(4) Any person aggrieved by a refusal by the Superintendent of Police to register him as a firearms dealer or by the removal of his name from the register may appeal to the Supreme Court.

(5) Any person who for the purpose of procuring the registration of himself or any other person as a firearms dealer makes any statement which he knows to be false he shall for each offence be liable on summary conviction to a fine not exceeding £20 or to imprisonment for a term not exceeding three months or both such fine and imprisonment.

Register of transactions in firearms.

9. (1) A registered firearms dealer shall provide and keep a register of transactions and shall within 24 hours of each transaction enter such particulars relative thereto as may be required by any regulation made under this Ordinance or by the Superintendent of Police.

(2) A registered firearms dealer shall allow the Superintendent of Police at all reasonable times to inspect all stock in hand and the register required to be kept as aforesaid.

(3) Any person who fails to comply with any provisions of this section or knowingly makes any false entry in the said register shall for each offence be liable on summary conviction to a fine not exceeding £20 or to imprisonment for a term not exceeding three months or both such fine and imprisonment.

Offence by registered firearms dealer.

10. When a registered firearms dealer is convicted of an offence against this Ordinance or an offence against the Customs Ordinance relating to the import or export of firearms the Court may order that his name be removed from the register and that any stock in hand in the business may be forfeit disposed of by sale or otherwise as may be directed by the Court:

Provided that any person aggrieved by such an order may appeal to the Supreme Court and the Court may suspend the order pending the appeal.

## PART II

### MISCELLANEOUS PROVISIONS AS TO FIREARMS AND AMMUNITION

11. Any person who shall manufacture, sell, transfer, procure, or otherwise have in his possession any prohibited firearm or ammunition without the written permission of the Governor the Admiralty the Army Council or the Air Council or who shall fail to comply with any condition imposed in respect thereof shall be liable on conviction on indictment to imprisonment for a term not exceeding two years or on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding £20 or both such imprisonment and fine.

Prohibited firearms and ammunition.

12. (1) No person under the age of 17 years shall purchase or hire or borrow or receive as a gift any firearm other than an air gun and no person shall sell or give or let on hire any firearm unless it be an air gun to any person whom he knows or has reasonable ground for believing to be under the age of 17 years.

Restriction on sale of or purchase of firearms by young persons.

(2) No person under the age of 14 years shall accept as a gift or borrow or have in his possession any firearm including an air gun and no person shall give or lend or part with the possession of any such firearm to any person whom he knows or has reasonable ground for believing to be under the age of 14 years.

(3) Notwithstanding subsections (1) and (2) of this section any member of the Boys' Brigade or the Girls' Brigade over the age of 12 years may use a firearm in the presence of an officer of his or her Brigade for target practice at a recognised small bore range.

(4) Any person contravening any provision of this section shall for each offence be liable on summary conviction to a fine not exceeding £20 or to imprisonment for a term not exceeding three months or both such fine and imprisonment.

13. Any person who lends a firearm to a person not licensed to carry a firearm shall be liable on summary conviction to a fine not exceeding £20.

Lending of firearms.

14. Any person who sells or transfers any firearm or ammunition to, or repairs proves or tests any firearm or ammunition for, any person whom he knows or has reasonable ground for believing to be drunk or of unsound mind shall for each offence be liable on summary conviction to a fine not exceeding £50 or for a term of imprisonment not exceeding three months.

Prohibition on sale etc. to drunk or insane persons.

15. Any person who has in his possession any firearms or ammunition with intent by means thereof to endanger life or cause serious injury to property or to enable any other person by means thereof to endanger life or cause serious injury to property shall whether or not any injury to person or property has been caused be guilty of felony and on conviction on indictment be liable to penal servitude for a term not exceeding 14 years.

Penalty for possessing firearms with intent to injure.

16. Any person who makes or attempts to make any use whatever of a firearm or imitation firearm with intent to resist or prevent the lawful apprehension or detention of himself or any other person shall on conviction on indictment be liable to penal servitude for a term not exceeding 14 years.

Penalty for use and possession of firearms or imitation firearms in certain cases.

17. Any person who shall shorten the barrel of a smooth bore firearm to a length of less than 20 inches or shall convert into a firearm any thing which though having the appearance of being a firearm is so constructed as to be incapable of discharging any missile through the barrel thereof shall for each offence be liable on conviction on indictment to imprisonment for a term not exceeding one year or to a fine not exceeding £100 or both such fine and imprisonment or on summary conviction to a term of imprisonment not exceeding three months or to a fine not exceeding £50 or both such fine and imprisonment.

Provisions as to shortening guns and converting imitation firearms into firearms.

Discharging firearms.

18. Any person who discharges any firearm in a public place other than a shot gun or air gun on Stanley Common or Cape Pembroke Peninsula shall be liable on summary conviction to a fine not exceeding £25.

19. Any person who discharges a firearm without having in his possession a licence issued under Part I of this Ordinance shall be liable on summary conviction to a fine not exceeding £25.

### PART III

#### GENERAL

Forfeiture of firearms and cancellation of licence.

20. (1) When a person is convicted of any offence against Part I of this Ordinance the Court may make such order as to the forfeiture and disposal of the firearm or ammunition as it may think fit and may cancel the licence held by the person convicted.

(2) Whenever the Court shall cancel a licence the Superintendent of Police shall by notice in writing require the holder to surrender it and should the holder fail to do so within 21 days from the date of such notice he shall be liable on summary conviction to a fine not exceeding £20.

Search for and disposal of firearms or ammunition.

21. (1) A Judge, Magistrate or any Justice of the Peace may if satisfied by information on oath that there is reasonable ground for suspecting that an offence against this Ordinance has been, is being or is about to be committed grant a search warrant authorising any police officer named therein —

(a) to enter at any time any premises or place named in the warrant, if necessary by force, and to search the premises or place and every person found therein; and

(b) to seize and detain any firearms or ammunition which he may find on the premises or place or on any such person in respect of which he has reasonable grounds for suspecting that an offence under this Ordinance has been is being or is about to be committed; and

(c) if the premises are those of a registered firearms dealer to examine any books relating to the business.

(2) The police officer may arrest without warrant any person found on the premises whom he has reason to believe to be guilty of an offence under this Ordinance.

(3) The Court may order any firearm or ammunition seized and detained by a police officer under this Ordinance to be destroyed or otherwise disposed of.

Summary proceedings.

22. Summary proceedings for an offence under this Ordinance shall not be instituted more than six months after commission of the offence.

Power of Governor as to Proclamations and Regulations.

23. (1) The Governor may by Proclamation prohibit the exportation of firearms or ammunition to any country or place therein.

(2) Any person who contravenes the terms of any Proclamation shall be liable on summary conviction to a term of imprisonment not exceeding three months or to a fine not exceeding £20 for each firearm or parcel of ammunition in respect of which the offence is committed or both such fine and imprisonment.

(3) The Governor in Council may make Regulations for the effective administration of this Ordinance.

Application.

24. This Ordinance shall come into force on a date to be published by notice in the Gazette.

Repeals —

No. 10 of 1948.  
No. 8 of 1960.  
No. 7 of 1962.  
No. 1 of 1965.

25. The Firearms Ordinance 1948, The Firearms (Amendment) Ordinance 1960, The Firearms (Amendment) Ordinance 1962 and the Firearms (Amendment) Ordinance 1965 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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 1896/A.

Assented to in Her Majesty's name this 14th day of December, 1965.

C. HASKARD,  
*Governor.*

LS

No. 13



1965

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

## An Ordinance

To legalise certain payments made in the  
year 1964-65 in excess of the Expenditure  
sanctioned by Ordinance No. 1 of 1964.

Title.

WHEREAS it is expedient to make further provision for the  
service of the Colony for the period 1st July, 1964 to 30th June, 1965.

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 (1964-65) Ordinance, 1965.

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 July, 1964 to 30th June, 1965, 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 sum mentioned for those  
services in the said Ordinance.

Appropriation of excess  
expenditure for the period  
1st July, 1964 to 30th  
June, 1965.

SCHEDULE

Number	HEAD OF SERVICE	Amount					
		£	s.	d.			
FALKLAND ISLANDS							
III.	Audit	...	...	...	1,014	2	7
IV.	Aviation	...	...	...	3,616	17	3
IX.	Military	...	...	...	29	9	3
X.	Miscellaneous	...	...	...	21,925	14	4
XI.	Pensions & Gratuities	...	...	...	3,699	4	2
XVII.	Secretariat & Treasury	...	...	...	972	3	0
					£ 31,257	10	7
XXI.	Colonial Development & Welfare ...	...			2,405	6	5
Total Expenditure					£ 33,662	17	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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's Name this 3rd day of February, 1965.

C. HASKARD,  
*Governor.*



No. 1

1965

Falkland Islands Dependencies.

IN THE THIRTEENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**  
Cosmo Dugal Patrick Thomas Haskard, K.C.M.G., M.B.E.  
*Governor.*

An Ordinance

To legalise certain payments made in the year 1963-64 in excess of the Expenditure sanctioned by Ordinance No. 3 of 1963.

WHEREAS it is expedient to make further provision for the service of the Falkland Islands Dependencies for the period 1st July, 1963 to 30th June, 1964.

ENACTED for the Dependencies of the Colony of the Falkland Islands 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 Supplementary Appropriation (Dependencies) (1963-64) Ordinance, 1965.

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 July, 1963, to 30th June, 1964, the same are hereby declared to have been duly laid out and expended for the service of the Dependencies in that period, and are hereby approved, allowed and granted in addition to the sum mentioned for those services in the said Ordinance.

Title.

Preamble.

Enacting clause.

Short title.

Appropriation of excess expenditure for the period 1st July, 1963 to 30th June, 1964.

Schedule.

# SCHEDULE

HEAD OF SERVICE	AMOUNT
South Georgia Expenditure – Ordinary ...	£7,789 12s. 8d.

Promulgated by the Governor on the 3rd day of February, 1965.

W. H. THOMPSON,  
*Colonial Secretary.*

Ref. D/6/59/D.

Assented to in Her Majesty's name this 15th day of April, 1965.

C. HASKARD,  
*Governor.*

LS



No. 2

1965

## Falkland Islands Dependencies.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II.

Sir Cosmo Haskard, K.C.M.G., M.B.E.  
*Governor.*

### An Ordinance

To apply certain Laws of the Colony to the Dependencies. Title.

ENACTED for the Dependencies of the Colony of the Falkland Islands 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, 1965. 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 be in force in the Dependencies with effect from the date set out opposite their titles in the third column of the Schedule to this Ordinance. Application of certain Ordinances to the Dependencies.

# SCHEDULE

10 of 1964	Application of Enactments (Intestates' Estates and Family Provisions) Ordinance, 1964	1st November, 1964.
12 of 1964	Maintenance Orders Ordinance, 1964	1st November, 1964.
13 of 1964	Whale Fishery (Amendment) Ordinance, 1964	1st November, 1964.

Promulgated by the Governor on the 15th day of April, 1965.

W. H. THOMPSON,  
*Colonial Secretary.*

Ref. 0188.

Assented to in Her Majesty's name this 14th day of May, 1965.

C. HASKARD,  
*Governor.*

LS

No. 3



1965

Falkland Islands Dependencies.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

## An Ordinance

### Further to amend the Income Tax Ordinance. Title.

(1st January, 1965)

Date of commencement.

ENACTED for the Dependencies of the Colony of the Falkland Islands 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 Income Tax (Dependencies) (Amendment) Ordinance, 1965, and shall be read as one with the Income Tax Ordinance, hereinafter referred to as the principal Ordinance.

Short title.

Cap. 32.

2. The principal Ordinance is amended by the insertion immediately after section 9 of the following new section —

Addition of new section 9A.

"Whaling  
companies.

9A. The Governor in Council may by order exempt the whaling companies at South Georgia from all or any of the provisions of this Ordinance for any period which to him may seem sufficient:

Provided that at least 12 months notice shall be given of the reimposition of such provisions."

Promulgated by the Governor on the 14th day of May, 1965.

W. H. THOMPSON,  
*Colonial Secretary.*

Ref. D/6/47/V.

Assented to in Her Majesty's name this 20th day of  
September, 1965.

C. HASKARD,  
*Governor.*



No. 4



1965

Falkland Islands Dependencies.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

**An Ordinance**

**To apply certain Laws of the Colony to** Title.  
**the Dependencies.**

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 Application of Colony Short title.  
Laws Ordinance, 1965.

2. The Ordinances of the Colony specified in the first and Application of certain  
second columns of the Schedule to this Ordinance are applied to the Ordinances to the  
Dependencies, and shall be deemed to be in force in the Dependencies Dependencies.  
with effect from the date set out opposite their titles in the third  
column of the Schedule to this Ordinance.

**SCHEDULE**

2 of 1965	The Marriage (Amendment) Ordinance, 1965	3rd May, 1965.
5 of 1965	The Income Tax (Amendment) Ordinance, 1965	1st January, 1966.
6 of 1965	The Pensions Ordinance, 1965	1st January, 1964.
7 of 1965	The Diplomatic Privileges (Extension) (Amendment) Ordinance, 1965	3rd May, 1965.
10 of 1965	The Immigration Ordinance, 1965	3rd June, 1965.

Promulgated by the Governor on the 20th day of September, 1965.

W. H. THOMPSON,  
*Colonial Secretary.*

Ref : 0188

Assented to in Her Majesty's name this 31st day of December, 1965.

C. HASKARD,  
*Governor.*



No. 5



1965

Falkland Islands Dependencies.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

### An Ordinance

To provide for the service between the first day of July, 1965, and the thirtieth day of June, 1966. Title.

[1st July, 1965]

Date of commencement.

ENACTED for the Dependencies of the Colony of the Falkland Islands 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) (1965-66) Ordinance, 1965.

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 thirtieth day of June, 1966, a sum not exceeding Seventy-two thousand nine 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, 1965, to the thirtieth day of June, 1966.

Appropriation of  
£72,900 for service  
of the year ending 30th  
June, 1966.

SCHEDULE

Number.	Head of Service.	Amount. £
1.	General	
	A. Personal Emoluments ...	22,043
	B. Other Charges ...	42,157
	C. Special Expenditure ...	8,700
	Total Expenditure £	72,900

Promulgated by the Governor on the 31st day of December, 1965.

W. H. THOMPSON,  
*Colonial Secretary.*

Ref. D/6/59/F.

Assented to in Her Majesty's name this 31st day of December, 1965.

C. HASKARD,  
*Governor.*

LS



No. 6

1965

Falkland Islands Dependencies.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

An Ordinance

To legalise certain payments made in the year 1964-65 in excess of the Expenditure sanctioned by Ordinance No. 3 of 1964.

Title.

WHEREAS it is expedient to make further provision for the service of the Falkland Islands Dependencies for the period first day of July, 1964 to the thirtieth day of June, 1965.

Preamble.

ENACTED for the Dependencies of the Colony of the Falkland Islands 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 Supplementary Appropriation (Dependencies) (1964-65) Ordinance, 1965.

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 first day of July, 1964, to the thirtieth day of June, 1965, the same are hereby declared to have been duly laid out and expended for the service of the Dependencies in that period, 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 period 1st July, 1964 to 30th June, 1965.

Schedule.

# SCHEDULE

HEAD OF SERVICE	AMOUNT
South Georgia Expenditure - Special ...	£12,575 3s. 0d.

Promulgated by the Governor on the 31st day of December, 1965.

W. H. THOMPSON,  
*Colonial Secretary.*

Ref. D/6/59/E.

## PART II.

## ORDERS, PROCLAMATIONS, ETC.

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FALKLAND ISLANDS

The Customs Ordinance (Cap. 16)

ORDER

(under section 6(1) of the Ordinance)

No. 1 of 1965. C. HASKARD,  
Governor.

His Excellency the Governor in exercise of the powers vested in him by section 6 (1) of the Customs 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 Customs (Dependencies) (Amendment of Duty) Order, 1965, and shall be read as one with the Customs Order, hereinafter referred to as the principal Order.

2. Paragraph 3 of the Customs Order is hereby amended by deleting the words and figures "Commencing with the 1963/64 season at the rate of 1/-, payable on export, for every 40 gallons or part thereof exported." and by substituting therefor the following words and figures:
- Cap. 16.

Short title.  
Revised Edition  
Vol. II. p. 141.

Amendment of para-  
graph 3 of the Customs  
Order.

"Commencing with the 1965/66 season at the rate of 2/6d, payable on export, for every 40 gallons or part thereof exported."

Made by the Governor in Council the 6th day of April, 1965.

D. R. MORRISON,  
Acting Clerk of the Executive Council.

Ref. D/6/47/V.

## FALKLAND ISLANDS

### The Dogs Ordinance (Cap. 21)

## ORDER

(under section 12A of the Ordinance)

No. 2 of 1965.

C. HASKARD,  
*Governor.*

In exercise of the powers conferred by section 12A of the Dogs Ordinance, the Governor has made the following Order —

1. This Order may be cited as the Tapeworm Eradication (Dogs) Order, 1965, and shall come into operation on the 1st day of June, 1965.

2. The Governor may appoint any fit persons to be Inspectors for the purposes of this Order.

3. An inspector shall require the owner or other person in charge of any dog in his area, to dose the dog with a reputable tapeworm remedy in such manner and at such intervals as the Inspector shall direct.

4. An Inspector shall supply the owner or other person in charge of any dog with a reputable tapeworm remedy.

5. Every dog shall be kept in confinement for two hours after treatment and all excreta shall be collected and destroyed by the owner or other person in charge of the dog.

6. Every Inspector shall have power to inspect any dog at any time.

7. Raw offal shall not be fed to any dog.

8. Any person who contravenes or fails to comply with any provision made under this Order shall, upon conviction, be liable to a fine not exceeding £5 or to imprisonment for a term not exceeding one month.

Made by the Governor in Council the 6th day of April, 1965.

D. R. MORRISON,  
*Acting Clerk of the Executive Council.*

Ref. 160/43.

FALKLAND ISLANDS.

The Pensions Ordinance No. 6 of 1965.

ORDER

(under section 2 of the Ordinance)

No. 3 of 1965.

C. HASKARD,  
Governor.

His Excellency the Governor in exercise of the powers vested in him by section 2 of the Pensions 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 Pensions (Pensionable Offices) Order, 1965.
- 2. The following offices are hereby declared to be pensionable offices in the public service of the Colony and the Dependencies:

Provided that the provisions of this Order shall not apply to officers on contract.

COLONY					
Department					Office
THE GOVERNOR	...	...	...	...	Orderly and Caretaker Head Gardener
AUDIT	...	...	...	...	Auditor
AVIATION	...	...	...	...	Director of Civil Aviation Pilot Senior Engineer Engineer Hangar Assistant
CUSTOMS AND HARBOUR	...	...	...	...	Collector of Customs and Harbour Master Master, m.v. "Philomel" Mate, m.v. "Philomel" Engineer, m.v. "Philomel" Assistant Engineer, m.v. "Philomel" Engineer, m.v. "Alert"
EDUCATION	...	...	...	...	Superintendent Headmaster, Stanley Schools Headmaster, Darwin Boarding School Assistant Master Assistant Mistress Assistant Teacher Matron/Assistant Mistress
MEDICAL	...	...	...	...	Senior Medical Officer Medical Officer Matron Nursing Sister Nurse Dental Surgeon Dental Technician
POLICE AND PRISONS	...	...	...	...	Superintendent Sergeant Senior Constable Constable
POSTS AND TELECOMMUNICATIONS	...	...	...	...	Superintendent Postmaster Supervisor Senior Watch Operator/Mechanic Watch Operator Operator/Mechanic, Fox Bay Senior Technician and Broadcasting Engineer Technician Senior Clerk R/T Operator Telephone Operator Telegraph Messenger

Department	Office
POWER AND ELECTRICAL ... ..	Superintendent Assistant Superintendent Senior Electrician Electrician Senior Engineman Engineman
PUBLIC WORKS ... ..	Superintendent Senior Clerk Supplies Officer Senior Mechanic Mechanic Foreman Carpenter Carpenter Senior Plumber Plumber Metal Worker Senior Mason Mason Yard Foreman and Water Bailiff Peat Officer Motor Driver Filtration Plant Operator Assistant Filtration Plant Operator
SECRETARIAT AND TREASURY ... ..	Colonial Secretary Colonial Treasurer Assistant Colonial Secretary & Clerk of Councils Assistant Colonial Treasurer Income Tax Officer Senior Clerk Cashier Head Printer Assistant Printer Messenger
SUPREME COURT ... ..	Registrar Supreme Court & Registrar General
ALL DEPARTMENTS ... ..	Clerk
DEPENDENCIES	
SOUTH GEORGIA ... ..	Administrative Officer Senior Customs Officer & Administrative Assistant Junior Customs Officer & Administrative Assistant Senior Diesel Electric Mechanic Assistant Diesel Electric Mechanic Handyman Meteorological Forecaster Senior W/T Operator Junior W/T Operator

Made by the Governor in Council on the 22nd day of September, 1965.

H. L. BOUND,  
*Clerk of the Executive Council.*

Ref. 1171.

## FALKLAND ISLANDS.

### The Post Office Ordinance

## ORDER

(under section 4 of the Ordinance)

No. 4 of 1965.

C. HASKARD,  
*Governor.*

In exercise of the powers conferred by section 4 of the Post Office Ordinance the Governor in Council has made the following Order —

1. This Order may be cited as the Post Office Order, 1965. Short title.
2. From and after the 14th day of February 1966, the following rules, rates of postage and fees shall be in force — Cap. 52.
  - (a) On inland postal packets the rate shall be 2d 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 3½d per ounce or part of an ounce. To other parts of the world the rate shall be 5½d for the first ounce and 3d for each additional ounce or part of an ounce. Rules, rates of postage and fees.
  - (b) On post cards and letter cards to the United Kingdom or to any part of the British Commonwealth or inland the rate shall be 1½d; reply cards 3d. To other parts of the world the rate shall be 3d; reply cards 6d. Rates of postage, letters.
  - (c) To the United Kingdom or any part of the British Commonwealth or inland — Post cards and letter cards.

Newspapers and books per 2 ozs	... ..	1½d.
Commercial papers (with minimum of 6d) per 2 ozs	... ..	1½d.
Patterns and samples (with minimum of 2d) per 2 ozs	... ..	1½d.
Blind literature per 2 lb	... ..	1½d.
  - (d) To all countries other than those under (c) — Books and newspapers.

Newspapers and books per 2 ozs	... ..	6d.
Commercial papers (minimum 1/- up to 8 ozs)	... ..	3d.
Patterns and samples per 2 ozs	... ..	6d.
Blind literature per 2 lb	... ..	1½d.
  - (e) To all parts of the world — Small packets.

On packets not exceeding 2 lb weight and dimensions not exceeding 18 inches by 8 inches by 4 inches or if in roll form 18 inches in length by 6 inches in diameter the rate shall be 4d for each 2 ozs or part thereof with a minimum charge of 1/6d. The charge for clearance in case of dutiable goods shall be 6d per packet.
  - (f) On insured boxes which shall not exceed 2 lb in weight or 12 inches by 8 inches by 4 inches in dimension the rate shall be 8d for each 2 ozs or part thereof with a minimum charge of 3/-. Insured boxes.
  - (g) Parcel post rates — Parcel post.

To the United Kingdom — Surface			
via Montevideo	Not over	3 lb	8/-
	Not over	7 lb	13/-
	Not over	11 lb	16/9
	Not over	22 lb	26/-

<i>Direct</i> ...	Not over 3 lb	...	6/-
	Not over 7 lb	...	9/9
	Not over 11 lb	...	14/6
	Not over 22 lb	...	22/9
Air mail parcels	— each ½ lb	...	15/-
Inland parcel post rates —			
	Not over 2 lb	...	1/-
	Not over 5 lb	...	1/6
	Not over 8 lb	...	2/-
	Not over 11 lb	...	2/6
	Not over 22 lb	...	5/-

Cash on delivery service.

- (h) There shall be a charge of 4d for each parcel delivered in the Colony. 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.

Insurance.

- (i) The fees for insurance shall be 6d for the first £12 of the declared value, and 4½d for every additional £12 or fraction thereof, with a maximum declared value of £50.

Registration.

- (j) 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.

- (k) 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.

- (l) 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.

- (m) 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/-
60/-	1/-
80/-	1/-
100/-	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 1ld 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.

- (n) Air letters will only be accepted when written on the authorised form. The fee, including postage rate to any part of the world 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. Air letters.
- (o) First class postal matter for onward transmission by air from South America to any destination shall be accepted at the rate of 1/- per five grammes or part thereof. Air mail.
- (p) Second class postal matter for onward transmission by air from South America to any destination shall be accepted at the rate of 6d for the first five grammes and 4½d for each additional five grammes or part thereof.

3. The Post Office Order, 1953, and all amendments thereto, are hereby rescinded. Rescissions.

Made by the Governor in Council this 15th day of December, 1965.

H. L. BOUND,  
*Clerk of the Executive Council.*

#### EXPLANATORY NOTE [ Section 2. (o) and (p) ]

For guidance —

FIRST CLASS POSTAL MATTER includes sealed private or business letters or letter packets up to a limit of 4 lb in weight.

SECOND CLASS POSTAL MATTER includes —

- (a) books, newspapers, etc., enclosed in covers open at the ends;
- (b) greeting cards in unsealed envelopes;
- (c) films for processing provided they are packed in the recognised commercial cartons.

No written messages conveying any specific information or making an enquiry or request are admissible as second class postal matter.

Ref. 1220/O and 2180.

FALKLAND ISLANDS.

## PROCLAMATION

No. 1 of 1965.

Made under section 24 of the Falkland Islands (Legislative Council)  
Orders in Council, 1948 to 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.

C. HASKARD.



*By His Excellency SIR COSMO DUGAL PATRICK THOMAS HASKARD, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Member of the Most Excellent Order of the British Empire.*

WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation:

NOW, THEREFORE, I, SIR COSMO DUGAL PATRICK THOMAS HASKARD, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Member of the Most Excellent Order of the British Empire, 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 aforesaid, do by this Proclamation appoint Monday the 3rd day of May, 1965, at eleven o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 26th day of April, in the Year of Our Lord One thousand Nine hundred and Sixty-five.

*By His Excellency's Command*

W. H. THOMPSON,

*Colonial Secretary.*

FALKLAND ISLANDS.

## PROCLAMATION

No. 2 of 1965.

Made under paragraph (2) of Article 1 of the Falkland Islands  
Court of Appeal Order, 1965.

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. HASKARD.



*By His Excellency SIR COSMO DUGAL PATRICK THOMAS HASKARD, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Member of the Most Excellent Order of the British Empire.*

WHEREAS by paragraph (2) of Article 1 of the Falkland Islands Court of Appeal Order, 1965, it is provided that the said Order shall come into operation on such day as the Governor may, by Proclamation in the Government Gazette, appoint:

NOW, THEREFORE, I, SIR COSMO DUGAL PATRICK THOMAS HASKARD, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Member of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies, do hereby PROCLAIM that the said Falkland Islands Court of Appeal Order, 1965, shall come into operation on the 1st day of July, 1965.

GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 5th day of July, in the Year of Our Lord One thousand Nine hundred and Sixty-five.

*Published by His Excellency's Command,*

W. H. THOMPSON,  
*Colonial Secretary.*

FALKLAND ISLANDS.

## PROCLAMATION

No. 3 of 1965.

Made under section 24 of the Falkland Islands (Legislative Council)  
Orders in Council, 1948 to 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.

C. HASKARD.



*By His Excellency* SIR COSMO DUGAL PATRICK THOMAS HASKARD, *Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Member of the Most Excellent Order of the British Empire.*

WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation:

NOW, THEREFORE, I, SIR COSMO DUGAL PATRICK THOMAS HASKARD, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Member of the Most Excellent Order of the British Empire, 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 aforesaid, do by this Proclamation appoint Monday the 1st day of November, 1965, at 9.30 a. m. at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 7th day of October, in the Year of our Lord One thousand Nine hundred and Sixty-five.

*By His Excellency's Command*

W. H. THOMPSON,

*Colonial Secretary.*

Ref 0529/III.

# FALKLAND ISLANDS.

## THE IMMIGRATION ORDINANCE, 1965.

### REGULATIONS

(Under section 24 of the Ordinance)

No. 1 of 1965.

C. HASKARD,  
*Governor.*

His Excellency the Governor in exercise of the powers vested in him by section 24 of the Immigration Ordinance, 1965, is pleased by and with the advice of the Executive Council to make the following Regulations —

1. These Regulations may be cited as the Immigration Regulations, 1965. Short title.
2. In these Regulations, unless the context otherwise requires  
“EMPLOYMENT PERMIT” means a permit issued under the Ordinance or these Regulations to an immigrant to enter the Colony for the purpose of performing within the Colony a contract of service with an employer;  
“ENTRY PERMIT” means a permit issued under the Ordinance or these Regulations to any immigrant to enter the Colony. Definitions.
3. Every person entering the Colony (except permanent residents and those persons exempt under section 25 of the Ordinance) shall make and sign the declaration as in Form 1 in the Schedule hereto. Declaration by person entering Colony.  
(Form 1)
4. (1) An Entry Permit and an Employment Permit shall be as in Form 2 and Form 3 respectively in the Schedule hereto.  
(2) The Immigration Officer may endorse upon an Employment Permit the names of the dependants of the holder of such Employment Permit, and such endorsement shall permit the said dependants to enter the Colony and remain therein for the period specified in the permit. Entry and Employment Permits.  
(Forms 2 & 3)
5. (1) An application for an Employment Permit made on behalf of any Whaling or Sealing Company operating in the Dependencies shall be made to the Immigration Officer and it shall be made in writing in duplicate as in Part A of Form 4 in the Schedule hereto.  
(2) An Employment Permit issued to any Whaling or Sealing Company shall be as in Part B of Form 4 in the Schedule hereto. Employment Permit — Dependencies.  
(Form 4)
6. (1) A Special Permit may be issued by the Immigration Officer — Special Permit.  
(Form 5)
  - (a) to a person who is permitted to enter the Colony by the Governor in Council under section 4 (2) of the Ordinance; or
  - (b) in order to afford himself an opportunity of making inquiry for the purpose of determining whether the person to whom it is issued is entitled to enter the Colony under the Ordinance or these Regulations, or is a prohibited immigrant; or
  - (c) in order to enable the person to whom it is issued under section 12 (2) of the Ordinance to enter the Colony temporarily for the purpose stated therein.

(2) A Special Permit shall entitle the holder thereof to enter the Colony and remain therein for such period not exceeding twelve months as shall be stated therein:

Provided that the Immigration Officer may from time to time extend such period.

(3) A Special Permit shall be as in Form 5 in the Schedule hereto.

(4) The Immigration Officer may endorse upon a Special Permit, the names of the dependants of the holder of such Special Permit, and such endorsement shall permit the said dependants to enter the Colony and remain therein for the period specified in the permit.

Entry into the Colony.

7. (1) Every person entering the Colony shall immediately on his arrival present himself to the Immigration Officer.

(2) Where the Immigration Officer boards a vessel the person in charge of such vessel shall not allow any passenger to leave the vessel until such passenger has presented himself to the Immigration Officer.

Security.

8. (1) The Governor in Council on the recommendation of the Immigration Officer may require any person as a condition precedent to the issue of an Entry Permit to him to deposit with the Immigration Officer a sum not exceeding £150 in respect of each such Entry Permit so issued and any such deposit may, if necessary, be used for the purpose of defraying any expenses incurred by the Government of the Colony in connexion with the maintenance or repatriation of the person to whom the Entry Permit has been issued and his dependants (if any).

(2) A deposit made under this regulation shall, unless the person to whom the Entry Permit has been issued is ordered to leave or is deported from the Colony and the money so deposited is used for the purpose of maintaining or repatriating him and his dependants (if any), be refunded to the depositor when the Immigration Officer is satisfied that —

- (a) the depositor and his dependants (if any) are leaving the Colony permanently; or  
(b) the depositor is not likely to become a charge on the public funds of the Colony.

Liability of employer bringing person into Colony.

9. The expenses of the maintenance and repatriation of a person in respect of whom an Employment Permit is issued, and his dependants (if any) shall, in the event of his becoming a destitute person within one year of his arrival in the Colony, be borne by the person bringing him into the Colony for the purpose of performing a contract of service.

List of passengers.  
(Form 6)

10. The list of passengers to be furnished under sections 5 (d) and 15 (1) of the Ordinance shall be as in Form 6 in the Schedule hereto.

Register of alien immigrants.  
(Form 7)

11. The Superintendent of Police shall keep a Register of alien immigrants which shall be as in Form 7 in the Schedule hereto.

Notice to prohibited immigrant.  
(Form 8)

12. If the Immigration Officer decides that a person is a prohibited immigrant he shall serve such a person with a Notice as in Form 8 in the Schedule hereto and shall inform the master of the vessel in which such person arrived.

Made by the Governor in Council on the 6th day of May, 1965.

D. R. MORRISON,  
*Acting Clerk of the Executive Council.*

SCHEDULE

GOVERNMENT OF THE FALKLAND ISLANDS  
IMMIGRATION REGULATIONS, 1965.

FORM 1

Declaration

Regulation 3.

Part A

1. Full name (in block capitals).....
2. Address .....
3. Sex .....
4. Married or single.....
5. Profession or occupation .....
6. Place and date of birth .....
7. Nationality of origin .....
8. Present nationality .....
9. Maiden name (if married woman) .....
10. Passport : No..... Place and date of issue.....
11. Port of embarkation.....
12. Dependants.

Name Age Relationship

1. ....
2. ....
3. ....

13. Address in the Colony at which you will reside.....
14. Purpose for which you desire to enter the Colony.....
15. (To be filled in by person requiring an Entry Permit under Section 10(f) of the Ordinance). (See below)

Applicant's qualifications .....

I hereby declare that to the best of my knowledge and belief the above particulars are true.

Dated ..... Signed .....

Part B

1. Date and duration of contract of employment .....
2. Name and Address of prospective employer .....
3. Nature of employment which immigrant has accepted in the Colony .....

Dated ..... Signed .....

NOTE :

Part A To be completed by any person entering the Colony, (except permanent residents and persons in the service of the Government of the Colony).

Part B. To be completed by any person entering the Colony on contract of service.

Section 10(f) of the Ordinance —

- (f) a person who, not being a prohibited immigrant, intends to engage on his own account in the Colony in the business of agriculture or animal husbandry, or in prospecting for minerals or mining, or to carry on or practise some trade, business, or profession, for which he possesses such qualifications as may be prescribed, and who in every such case is in possession of sufficient capital or assured means to enable him to carry out his intention.

No. .... of .....  
.....  
is hereby authorised to enter the Colony and remain therein for a period of .....  
.....  
Passport – Country of issue ..... No. .... Date .....  
Date ..... Signed .....  
Immigration Officer.

N.B. This Entry Permit shall be produced to the Immigration Officer or a Police Officer on demand.  
This Entry Permit does not exempt the holder from compliance with the provisions of the Immigration Ordinance.

..... of .....  
holder of this permit is permitted to enter the Colony and to remain therein for a period not exceeding ..... from the date of such entry for the purpose of taking up employment in the capacity of .....  
with (name and address of employer) .....  
Date ..... Signed .....  
Immigration Officer.

N.B. This Employment Permit shall be produced to the Immigration Officer or a Police Officer on demand.  
This Employment Permit does not exempt the holder from compliance with the provisions of the Immigration Ordinance.

Application for Employment Permit made on behalf of  
(Company) .....  
To the Immigration Officer.  
I hereby apply for an Employment Permit in respect of the persons listed below —

Name	Occupation	Date and place of birth	Present Nationality	Duration of contract of employment
1. ....				
2. ....				
3. ....				
4. ....				

Date ..... Signed .....  
(Employer or agent)

Permission is hereby granted to the persons listed in Part A of this Form (except those persons whose names have been deleted) to enter the Dependency of .....  
for the purpose of taking up employment with the above named Company, and to remain in the Dependency for the periods specified, commencing from the date of entry.  
Dated ..... Signed .....  
Immigration Officer.

..... of .....  
holder of this permit is hereby permitted to enter the Colony and to remain therein for a period of ..... from the date of issue hereof for the purpose of .....  
Subject to the following conditions —  
1. He shall reside at ..... and shall not change his residence without having first obtained the consent of the Superintendent of Police.  
2. ....  
3. ....  
Dated ..... Signed .....  
Immigration Officer.

ARRIVALS  
per s.s. .... (Aircraft No. ....)  
Date of arrival .....  
No. Surname (block capitals) Other names Nationality From  
1. ....  
2. ....  
3. ....  
Dated ..... Signed .....  
Master/Pilot.

Note: The names and particulars of persons travelling together on the same passport should all be shown on this list and bracketed together.

No. ....  
Surname (block letters) .....  
Other names (block letters).....  
Sex .....  
Present nationality and how acquired .....  
Previous nationality .....  
Country of birth ..... Date of birth .....  
Passport No. .... issued at ..... on .....  
Occupation .....  
Address of last residence outside the Colony .....  
Address in the Colony .....  
Date, port and mode of arrival .....  
Dependants accompanying the immigrant.  
Name Relationship Age  
1. ....  
2. ....  
3. ....  
Date .....  
Signature of Immigrant.

To .....  
Take notice that I have declared you a prohibited immigrant on the ground(s) that .....  
(a) You are hereby ordered to remain on board and to leave the Colony by the vessel in which you arrived, or  
(b) You are hereby ordered to leave the Colony within ..... by .....  
Dated ..... Signed .....  
Immigration Officer.

FALKLAND ISLANDS.

The Live Stock Ordinance (Cap. 40)

REGULATIONS

(under section 43 of the Ordinance)

No. 2 of 1965.

C. HASKARD  
Governor.

In exercise of the powers conferred by section 43 of the Live Stock Ordinance, the Governor in Council has made the following Regulations —

1. (1) These Regulations may be cited as the Live Stock Quarantine (Amendment) Regulations, 1965, and shall be read as one with the Live Stock Quarantine Regulations, hereinafter referred to as the principal Regulations.

Citation and commencement.  
Revised Edition  
Vol. II p. 205.

(2) These Regulations shall come into operation on the 31st day of October, 1965.

2. Regulation 2 of the principal Regulations is amended —

- (a) by deleting the word "ordered" and by substituting the word "imported";  
(b) by deleting the word "ordered" in the marginal note thereto and by substituting the word "imported".

Amendment of regulation 2 of the principal Regulations.

3. Regulation 8 of the principal Regulations is amended by inserting after the word and comma "distemper," the words and comma "inoculated against hard pad,".

Amendment of regulation 8 of the principal Regulations.

4. The principal Regulations are amended by inserting the following new regulation immediately after regulation 17 —

Insertion of new regulation 17A in the principal Regulations.

17A. The charges set forth in Schedule E shall be payable to Government in respect of animals kept in quarantine."

5. Schedule B to the principal Regulations is amended by inserting after the word "lice" the words "and itch-mite".

Amendment of Schedule B to the principal Regulations.

6. Schedule C to the principal Regulations is amended by deleting the word "July" and by substituting the words "the first day of August".

Amendment of Schedule C to the principal Regulations.

7. The principal Regulations are amended by the addition of the following new Schedule E —

Addition of new Schedule E to the principal Regulations.

"SCHEDULE E. Regulation 17A.  
QUARANTINE CHARGES.

Dogs	...	...	5/- per week per dog.
Sheepdogs	...	...	2/6 per week per dog.
All other animals, less sheep which shall be free of any charge	...	...	1/- per animal per week."

Made by the Governor in Council this 24th day of August, 1965.

D. R. MORRISON,  
Acting Clerk of the Executive Council.

# FALKLAND ISLANDS.

## The Public Health Ordinance (Cap. 54)

### REGULATIONS

(under section 39 of the Ordinance)

No. 3 of 1965.

C. HASKARD,  
*Governor.*

In exercise of the powers conferred by section 39 of the Public Health Ordinance, the Governor in Council has made the following Regulations —

Cap. 54.

1. These Regulations may be cited as the Quarantine (Amendment) Regulations, 1965.

Citation.

2. The Quarantine Regulations are amended by the addition, after regulation 2 of the following new regulation —

Addition of new  
regulation 2A.  
Revised Edition  
Vol. I p. 498.

“2A. (1) Notwithstanding anything contained in these regulations it shall be lawful for the Health Officer to require any person arriving in the Colony, who does not show evidence of having previously suffered from smallpox, to produce a valid international certificate of vaccination against smallpox.

(2) If any person, when so required under sub-regulation (1), fails to produce such valid international certificate the Health Officer shall offer him vaccination free of charge; and if such person refuses to be vaccinated the Health Officer may place him under surveillance, the period of surveillance being specified according to the circumstances, but in any case not exceeding fourteen days from such refusal.”

Made by the Governor in Council this 24th day of August, 1965.

D. R. MORRISON,  
*Acting Clerk of the Executive Council.*

Ref. 1100.

FALKLAND ISLANDS

The Customs Ordinance (Cap. 16)

**RESOLUTION**

(under section 5 of the Ordinance)

No. 1 of 1965.

C. HASKARD,  
*Governor.*

In exercise of the powers conferred on the Legislative Council by section 5 of the Customs Ordinance, it is hereby resolved by the Legislative Council as follows —

1. This Resolution may be cited as the Customs (Amendment of Duties) Resolution, 1965, and shall come into operation on the 6th day of May, 1965.

2. Item 2 of paragraph 2 of the Customs Order is hereby amended by the deletion from the third column of sub-item (a) of the figures "66/-" and the substitution therefor of the figures "126/-".

Resolved by the Legislative Council the 6th day of May, 1965.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Ref. 0466/II.

FALKLAND ISLANDS.

Administration of Justice Ordinance (Cap. 3)

RULES

(under section 69 of the Ordinance)

No. 1 of 1965.

C. HASKARD,  
Governor.

In exercise of the powers conferred by section 69 of the Administration of Justice Ordinance, the Governor in Council has made the following Rules —

1. (1) These Rules may be cited as the Court Fees (Civil Cases) (Amendment) Rules, 1965, and shall be read as one with the Court Fees (Civil Cases) Rules hereinafter referred to as the principal Rules.

Citation and commence-  
ment.  
Revised Edition  
Vol. II. p. 128.

(2) These Rules shall come into operation on the 30th day of October, 1965.

2. For the First Schedule to the principal Rules the following shall be substituted —

Replacement of the First  
Schedule to the principal  
Rules.

“FIRST SCHEDULE

Rule 2.

ITEM	FEE		
	£	s.	d.
1. On sealing writ ... ..	5	0	0
2. On filing a divorce petition ... ..	5	0	0
3. On presenting a petition except where Fee 2 is payable ...	4	0	0
4. On sealing an originating notice of motion ... ..	6	0	0
5. On amending a writ, petition, or originating notice of motion	10	0	
6. For citation, first (divorce) ... ..	1	0	0
7. For citation, second and subsequent ... ..	14	0	
8. On entering reply (divorce) ... ..	1	0	0
9. For certifying copy of divorce petition ... ..	5	0	
10. On filing affidavit ... ..	5	0	
11. For each witness summoned ... ..	5	0	
12. On entering defence in action ... ..	1	0	0
13. On entering reply in action ... ..	1	0	0
14. On setting down case for trial ... ..	5	0	0
15. Entering or sealing a judgment decree or order ... ..	5	0	0
<i>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.</i>			
16. On sealing a commission or letters of request for the examination of witnesses abroad	2	0	0
17. On examination of a witness, including a judgment debtor, before an officer of the Court	2	0	0
18. On signing settling or approving an advertisement ...	10	0	
19. For a certificate under the hand of the Judge or the Registrar where no other fee is prescribed	5	0	
20. On a certificate by the Registrar as to a judgment or order	1	0	0
21. For a photographic copy of all or any part of any document, for each photographic sheet:			
(a) not over foolscap size ... ..	2	0	
(b) over foolscap size ... ..	4	0	
22. For a typewritten copy of any document (subject to a minimum fee of 2s. 6d.)	9		for each folio of 72 words.

# FALKLAND ISLANDS.

## Administration of Estates Ordinance (Cap. 1)

### RULES

(under section 22 of the Ordinance)

No. 2 of 1965.

C. HASKARD,  
Governor.

In exercise of the powers conferred by section 22 of the Administration of Estates Ordinance, the Governor in Council has made the following Rules —

1. (1) These Rules may be cited as the Administration of Estates (Amendment) Rules, 1965, and shall be read as one with the Administration of Estates Rules, hereinafter referred to as the principal Rules.

Citation and commence-  
ment.  
Revised Edition  
Vol. II p. 109.

(2) These Rules shall come into operation on the 30th day of October, 1965.

2. For the Second Schedule to the principal Rules the following shall be substituted —

Replacement of the  
Second Schedule to the  
principal Rules.

#### "SECOND SCHEDULE

Rule 3.

#### PART I

The following fees shall be taken in respect of the non-contentious items set out in this part of this Schedule —

ITEM	FEE		
	£	s.	d.
1. On application for a grant of probate or letters of administration or for resealing such a grant —			
If the net estate is under the value of —			
£			
100	...	...	10 0
300	...	...	1 0 0
500	...	...	1 10 0
1,000	...	...	2 10 0
3,000	...	...	5 0 0
5,000	...	...	6 0 0
7,500	...	...	6 15 0
10,000	...	...	7 10 0
12,500	...	...	8 0 0
15,000	...	...	8 5 0
20,000	...	...	9 10 0
25,000	...	...	10 0 0
30,000	...	...	10 10 0
35,000	...	...	11 10 0
40,000	...	...	12 10 0
45,000	...	...	13 10 0
50,000	...	...	14 10 0
60,000	...	...	16 0 0
75,000	...	...	18 0 0
100,000	...	...	24 0 0
For every additional £50,000 or any fractional part of £50,000 a further and additional fee of	...	...	10 0 0

	£	s.	d.	
23. On filing a notice of appeal to the Supreme Court and setting the appeal down for hearing	6	0	0	
24. On an application to issue a third party notice ...	2	0	0	
25. Registration of a judgment under the Reciprocal Enforcement of Judgments Ordinance 1922 or of the Foreign Judgments (Reciprocal Enforcement) Ordinance 1959 ...	1	0	0	
26. On application for leave to issue execution ...	1	0	0	
27. On the issue of a warrant of execution ...	1	0	0	for every £ of the first £100 and 6d. for every additional £ for which the warrant issues.
28. On the issue of a warrant for possession —				
(1) not for the recovery of a sum of money ...	10	0	0	
(2) for the recovery of a sum of money in addition to possession	10	0	0	in addition to 1/- for every £ of the first £100 and 6d. for each additional £ for which the warrant issues.
29. On the issue of a warrant of delivery ...	1	0	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.
30. For an office copy of the Judge's note ...	1	0	0	for each folio of 72 words.
31. For leave to appeal to the Privy Council including recognisance and sealing	20	0	0	
32. On filing a notice of appeal to the Falkland Islands Court of Appeal	6	0	0	
33. Taxing costs ...	1	0	0	for every £4 or part thereof allowed.
34. Reviewing costs ...	1	0	0	
35. Warrant for absconding debtors ...	1	0	0.	

Made by the Governor in Council this 24th day of August, 1965.

D. R. MORRISON,  
Acting Clerk of the Executive Council.

#### EXPLANATORY NOTE

(This Note is not part of the Rules, but is intended to indicate their general purport).

These rules increase the fees payable in civil proceedings instituted in the Supreme Court, including proceedings in respect of divorce, breach of contract, enforcement of judgments, registration of judgments obtained abroad, appeal to the Falkland Islands Court of Appeal, and appeal to the Privy Council.

Ref. 0831.

	£	s.	d.
2. For making any notation on or amendment to the grant and record after issue, or impounding or revoking a grant, or releasing an impounded grant (inclusive of filing any document, making any order, or preparing any memorandum under the Inheritance (Family Provision) Act 1938) ...	1	0	0
3. For the entry or withdrawal of a caveat ...	2	6	
4. Search for a document filed in the registry including inspection of the registered copy of the will or the original will or any other document ...	1	0	
5. For a search for a will or letters of administration or other document on behalf of the party applying, in addition to Fee 4 — For every year or part of a year ...			6
6. For a photograph copy of all or part of any document, for each photographic sheet:			
(a) not over foolscap size ...	2	0	
(b) over foolscap size ...	4	0	
7. For a typewritten copy of any document, for each folio or part of a folio (subject to a minimum fee of 2s. 6d.) ...			9
8. For the certificate of the Judge or Registrar ...	2	6	
9. For impressing the seal of the Court on any document ...	5	0	
10. For producing a proved will to be photographed ...	1	0	0
11. For taxing a bill of costs, inclusive of the Registrar's certificate ...	1	0	for every £4 or part thereof allowed.
12. For summons, order on summons, motion and order on motion ...	1	0	for every £4 or part thereof allowed.
13. For filing any document, other than one lodged for a grant or resealing or included in Fee 2 or 3 ...	2	6	
14. For pursuing and settling citations, advertisements, oaths, affidavits or other documents —			
For any one document settled ...	10	0	
For any number of additional documents in the same case at the same time ...	10	0	

## PART II

The following fees shall be taken in respect of the contentious items set out in this part of this Schedule —

ITEM	FEE
	£ s. d.
1. On signing, settling, or approving an advertisement ...	10 0
2. For taking an affidavit or affirmation or attestation upon honour in lieu of an affidavit or a declaration, for each person making the same ...	5 0
And in addition thereto for each exhibit therein referred to and required to be marked ...	2 0
3. On settling and sealing a citation ...	10 0
4. For a photographic copy of all or part of any document, for each photographic sheet —	
(a) not over foolscap size ...	2 0
(b) over foolscap size ...	4 0
5. On setting down an action for trial or hearing ...	4 0 0
6. Hearing fee ...	4 0 0
7. On entering an appeal to the Court of Appeal —	
From an interlocutory order ...	3 0 0
From a final order ...	7 0 0

	£	s.	d.
8. On drawing up and entering judgment, decrees, and orders ...	2	0	0
9. On a reference, investigation, or inquiry, including examination of witnesses, if any — for every hour or part of an hour the officer is occupied ...	10	0	
10. On a search for an appearance or an affidavit, and inspecting the same ...	1	0	
11. On any other search including inspection, for each hour or part of an hour occupied ...	2	6	
12. On sealing a subpoena for witnesses, for each witness ...	10	0	
13. On taxing a bill ...	1	0	for every £4 or part thereof allowed.
14. On sealing a writ of summons or commencement of action ...	4	0	0
15. On sealing a concurrent reward or amended writ ...	5	0	
16. On sealing a writ of execution or attachment ...	10	0	
17. On bespeaking a request for service out of the jurisdiction ...	1	0	0."

Made by the Governor in Council this 24th day of August, 1965.

D. R. MORRISON,  
Acting Clerk of the Executive Council.

## EXPLANATORY NOTE

(This Note is not part of the Rules, but is intended to indicate their general purport).

These rules vary and extend the fees payable in connexion with non-contentious and contentious probate matters in the Supreme Court, and bring them into line with similar fees charged under the Court Fees (Civil Cases) Rules.

Ref. 0831.

FALKLAND ISLANDS.

The Currency Notes Ordinance (Cap. 15)

RULES

(under section 13 of the Ordinance)

No. 3 of 1965.

C. HASKARD,  
*Governor.*

In exercise of the powers vested in him by section 13 of the Currency Notes Ordinance, and with the approval of the Secretary of State, the Governor is pleased to make the following Rules.

Cap. 15.

1. These Rules may be cited as the Currency Notes (Amendment) Rules, 1965, and shall be read as one with the Currency Notes Rules, hereinafter referred to as the principal Rules.

Short title.  
Revised Edition Vol. II,  
p. 135.

2. Rule 13 of the principal Rules is amended by deleting the words "Register of Currency Note Issues" and substituting the words "Register of Currency Notes in Circulation".

Amendment of rule 13 of  
the principal Rules.

3. For rule 14 of the principal Rules the following shall be substituted —

Replacement of rule 14  
of the principal Rules.

"14. When currency notes are supplied to the Commissioner, withdrawn from circulation and classified for re-issue, issued or re-issued, an entry shall forthwith be made in the Currency Note Register and signed by at least two Currency Officers, showing the date and nature of each such transaction, the denomination and total number of notes involved and the total number of unissued notes remaining in the custody of the Commissioner."

4. For rule 15 of the principal Rules the following shall be substituted —

Replacement of rule 15  
of the principal Rules.

"15. An entry shall be made in the Register of Currency Notes in Circulation showing the date and nature of the transaction and the number of notes of each denomination and series involved whenever currency notes are issued or withdrawn from circulation."

5. For rules 16, 17, 18, 19 and 20 of the principal Rules the following shall be substituted —

Replacement of rules 16,  
17, 18, 19 and 20 of the  
principal Rules.

"Register of  
Cancelled and  
Destroyed  
Notes.

16. In the Register of Cancelled and Destroyed Notes there shall be recorded the quantity, denomination and series of notes cancelled and destroyed.

Classification  
of notes with-  
drawn from  
circulation.

17. When any currency notes are withdrawn from circulation the notes shall forthwith be classified either for re-issue or for destruction.

Re-issue of  
notes.

18. All currency notes selected for re-issue under rule 17 shall be placed in the vault and kept in the manner prescribed in rule 4, but they shall be kept separate from the currency notes previously unissued.

Cancellation  
of notes.

19. When any currency note has been selected for destruction under rule 17, it shall forthwith be cancelled in the presence of at least two Currency Officers by stamping, perforating, cutting or otherwise defacing the note in such a manner as the Commissioner may approve and any portion of such note which may have been removed shall be destroyed by burning in the presence of the same Currency Officers. If cancellation

cannot be completed without a break, all uncanceled notes shall during any break, be placed in a special safe kept for the purpose in the Colonial Treasurer's strongroom under the dual control of two Currency Officers appointed for the purpose by the Commissioner in which case these two Currency Officers shall be present at the time of cancellation of any notes previously held by them and shall certify the Register of Cancelled and Destroyed Notes accordingly together with any other Currency Officers present during cancellation before the break.

Destruction  
of notes.

20. (1) After the currency notes have been cancelled, they shall be handed to at least two Currency Officers none of whom shall have acted previously in respect of the same notes under the previous provisions of these Rules. The currency notes after being checked by them shall if possible be immediately destroyed by burning in their presence and the Currency Officers shall immediately after the destruction sign a certificate in the Register of Cancelled and Destroyed Notes in a form to be approved by the Commissioner showing the total number, denomination, series and value of the notes destroyed.

(2) If any currency notes are not destroyed immediately after they are handed to and checked by the Currency Officers in accordance with the previous provisions of this rule, the Currency Officers shall certify the records in the Register of Cancelled and Destroyed Notes and seal and date the bundles of currency notes which shall forthwith be placed in the special safe and there kept until it is convenient to destroy them.

(3) When the sealed bundles of cancelled currency notes are withdrawn from the special safe, the notes shall be checked against the records in the Register of Cancelled and Destroyed Notes by at least two Currency Officers who shall be the Currency Officers who had sealed the bundles if those officers are available; the notes shall then be destroyed by burning in their presence in accordance with the provisions of paragraph (1) hereof, and they shall sign a certificate in the Register of Cancelled and Destroyed Notes as provided in that paragraph."

Made by the Governor in Council this 15th day of December, 1965.

H. L. BOUND,  
*Clerk of the Executive Council.*

Ref. 0496/II.



Colony of the  
Falkland Islands and Dependencies

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Ordinances,  
Orders, Proclamations, etc.  
1966

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PART I.

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ORDINANCES.

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Assented to in Her Majesty's name this 25th day of May, 1966.

C. HASKARD,  
Governor.

LS



No. 1

1966

Colony of the Falkland Islands.

IN THE FIFTEENTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
Governor.

## An Ordinance

To amend the law relating to the employment of children. Title.

(1st June, 1966)

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 Employment of Children Ordinance, 1966. Short title.

2. (1) Subject to the provisions of this section and of any regulations made thereunder no child shall be employed — Restriction on employment of children.

(a) until he has attained the age two years below that which is for the time being the upper limit of the compulsory school age by virtue of the Education Ordinance, (without regard to the provisions of section 5A of the Education Ordinance, as to deeming a person not to have attained a given age until the end of a school term); or

Cap. 22.

(b) before the close of school hours on any day on which he is required to attend school; or

(c) before seven o'clock in the morning or after seven o'clock in the evening on any day; or

(d) for more than two hours on any day; or

(e) to lift, carry or move anything so heavy as to be likely to cause injury to him.

(2) The Governor in Council may make regulations with respect to the employment of children and any such regulations may distinguish between children of different ages and sexes and between different localities, trades, occupations and circumstances, and may contain provisions —

- (a) authorising —
  - (i) the employment of children before they attain the age at which employment ceases to be prohibited under paragraph (a) of the last foregoing subsection by their parents or guardians in light agricultural or horticultural work;
  - (ii) the employment of children (notwithstanding anything in paragraph (b) of the last foregoing subsection) for not more than one hour before the commencement of school hours on any day on which they are required to attend school;
- (b) prohibiting absolutely the employment of children in any specified occupation;
- (c) prescribing —
  - (i) the age below which children are not to be employed;
  - (ii) the numbers of hours in each day, or in each week, for which, and the times of day at which, they may be employed;
  - (iii) the intervals to be allowed to them for meals and rest;
  - (iv) the holidays or half-holidays to be allowed to them;
  - (v) any other conditions to be observed in relation to their employment;

so, however that no such regulations shall modify the restrictions contained in the last foregoing subsection save in so far as is expressly permitted by paragraph (a) of this subsection, and any restriction contained in any such regulations shall have effect in addition to the said restrictions.

3. If any person is employed in contravention of any of the foregoing provisions of this Ordinance, or of any of the provisions of any regulations made thereunder, the employer and any person (other than the person employed) to whose act or default the contravention is attributable shall be liable on summary conviction to a fine not exceeding £5 or, in the case of a second or subsequent offence, not exceeding £20.

4. The Employment of Children Ordinance is 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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 2381.

Assented to in Her Majesty's name this 25th day of May, 1966.

C. HASKARD,  
*Governor.*

LS



No. 2

1966.

Colony of the Falkland Islands.

IN THE FIFTEENTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

## An Ordinance

To abolish capital punishment in the case of persons convicted in the Colony of murder and, in connection therewith, to make further provisions for the punishment of persons so convicted.

(1st June, 1966)

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 Murder (Abolition of Death Penalty) Ordinance, 1966.

Short title.

2. (1) No person shall suffer death for murder, and a person convicted of murder shall, subject to subsection (4) below, be sentenced to imprisonment for life.

Abolition of death penalty for murder.

(2) On sentencing any person convicted of murder to imprisonment for life the Court may at the same time declare the period which it recommends to the Governor as the minimum period which in its view should elapse before the Governor orders the release of that person on licence.

(3) For the purpose of any proceedings on or subsequent to a person's trial on a charge of capital murder, that charge and any plea or finding of guilty of capital murder shall be treated as being or having been a charge, or a plea or finding of guilty, of murder only; and if at the commencement of this Ordinance a person is under sentence of death for murder, the sentence shall have effect as a sentence of imprisonment for life.

1933 c. 12

(4) In section 53 of the Children and Young Persons Act 1933, there shall be substituted for subsection (1) —

"(1) A person convicted of an offence who appears to the court to have been under the age of eighteen years at the time the offence was committed shall not, if he is convicted of murder, be sentenced to imprisonment for life, nor shall sentence of death be pronounced on or recorded against any such person; but in lieu thereof the court shall (notwithstanding anything in this or in any other law) sentence him to be detained during Her Majesty's pleasure, and if so sentenced he shall be liable to be detained in such place and under such conditions as the Governor may direct."

Release on licence of those sentenced for murder.

3. No person convicted of murder shall be released by the Governor on licence unless the Governor has prior to such release consulted the Executive Council together with the trial judge if available.

Duration.

4. This Ordinance shall continue in force until the thirty-first day of July nineteen hundred and seventy-one and shall then expire unless the Legislature by affirmative resolution otherwise determines: and upon the expiration of this Ordinance the law existing immediately prior to the passing of this Ordinance shall, so far as it is repealed or amended by this Ordinance, again operate as though this Ordinance had not been passed, and the said repeals and amendments had not been enacted:

Provided that this Ordinance shall continue to have effect in relation to any murder not shown to have been committed after the expiration of this Ordinance, and for this purpose a murder shall be taken to be committed at the time of the act which causes the 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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 0790.

Assented to in Her Majesty's name this 25th day of May, 1966.

C. HASKARD,  
*Governor.*

LS



No. 3

1966

Colony of the Falkland Islands.

IN THE FIFTEENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

## An Ordinance

To provide for Appeals from the  
Supreme Court of the Falkland Islands  
to the Falkland Islands Court of Appeal.

(1st June, 1966)

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 Appeals Ordinance, 1966, and shall come into operation on such day as the Governor by notice in the Gazette may appoint.

Short title and date of operation.

2. In this Ordinance unless the context otherwise requires —  
"COURT OF APPEAL" means the Falkland Islands Court of Appeal;  
"SUPREME COURT" means the Supreme Court of the Falkland Islands;  
"JUDGMENT" includes a decree, order or finding and a refusal to make any order.

Interpretation.

3. (1) Any person convicted by the Supreme Court and sentenced to death or to a term of imprisonment exceeding twelve months or to a fine exceeding one hundred pounds, may, subject to the provisions of this Ordinance appeal to the Court of Appeal —

Appeals from original judgments of Supreme Court in criminal cases.

- (a) as of right against his conviction on a matter of law or of fact or of mixed law and fact;
- (b) with the leave of the Court of Appeal against the sentence passed on his conviction, unless the sentence is one fixed by law.

(2) Any person convicted by the Supreme Court and sentenced —

- (a) to any term of imprisonment or to a fine exceeding ten pounds; or
- (b) to a fine not exceeding ten pounds, if, in the opinion of the Supreme Court, or the Court of Appeal, his case involves a question of law of great general or public importance;

may, subject to the provisions of this Ordinance, with the leave of the Court of Appeal or upon the certificate of the Supreme Court that it is a fit case for appeal, appeal against his conviction on any ground which appears to the Court of Appeal or the Supreme Court as the case may be to be a sufficient ground of appeal or against the sentence passed on his conviction, unless the sentence is one fixed by law.

(3) No appeal shall be allowed in the case of any person who has pleaded guilty and has been convicted on such plea by the Supreme Court, except as to the extent and legality of the sentence.

Second appeals.

4. Any party to criminal proceedings held before the Supreme Court in its appellate jurisdiction who is dissatisfied with any part of its judgment may appeal to the Court of Appeal on a matter of law (not including severity of sentence) but not on a matter of fact or of mixed law and fact.

Bail.

5. Save in a case where the appellant has been sentenced to death the Supreme Court may in its discretion in any case in which under this Ordinance an appeal to the Court of Appeal is filed grant bail pending the hearing and determination of the appeal.

Stay of execution of death sentence.

6. In the case of a sentence of death —

- (a) the sentence shall not be executed until after the expiration of the time within which an appeal under this Ordinance may be filed;
- (b) if an appeal is filed the sentence shall not be executed until the appeal has been disposed of or abandoned;
- (c) if a petition for leave to appeal out of time is presented the sentence shall not be executed until leave to file the appeal out of time has been refused or the appeal has been disposed of or abandoned;

Provided that if the sentence has been confirmed by the Governor it may be executed without further extension notwithstanding that a petition for leave to appeal out of time may have been presented after the time for leave has expired.

Power of Court of Appeal in determining an appeal under this part.

7. (1) The Court of Appeal in determining an appeal against conviction may —

- (a) dismiss the appeal;
- (b) allow the appeal and quash the conviction;
- (c) set aside the conviction and convict the appellant of any offence of which he might be convicted by the Supreme Court on the evidence which has been adduced and sentence him accordingly;
- (d) order a new trial before the Court which passed sentence or before any court having jurisdiction in the matter;
- (e) remit the case together with its judgment or order thereon to the Supreme Court or to a Court subordinate to the Supreme Court with such directions as may to the Court of Appeal appear necessary;

Provided that the Court of Appeal notwithstanding that it is of opinion that the point raised on the appeal might be decided in

favour of the appellant, shall dismiss the appeal if it considers that no substantial miscarriage of justice has occurred.

(2) In determining an appeal the Court of Appeal may increase, modify or reduce the sentence.

8. An appeal shall lie in all civil cases from the Supreme Court to the Court of Appeal —

- (a) as of right from any final judgment of the Supreme Court where the appeal involves directly or indirectly some claim or question respecting property of the value of three hundred pounds or upwards;
- (b) with the leave 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 of great general or public importance or involves some substantial civil right;
- (c) with the leave of the Court of Appeal where the Court of Appeal considers that leave to appeal ought to be granted;

Provided that no appeal shall lie from a decree passed by the Supreme Court with the consent of the parties.

9. An appeal shall lie against a decision in a criminal or civil case given prior to the commencement of this Ordinance but subsequent to the 1st day of April, 1965, in the same manner as the appeals lie against the decisions given subsequent to the commencement of this Ordinance:

Appeal against decision given prior to date of the Ordinance.

Provided notice of appeal is given within twenty-one days from the commencement of this 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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 2312.

Assented to in Her Majesty's name this 25th day of May, 1966.

C. HASKARD,  
*Governor.*

LS

No. 4



1966

Colony of the Falkland Islands.

IN THE FIFTEENTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

### An Ordinance

To provide for the service of the year 1966-67. 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 (1966-67) Ordinance, 1966. 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 1st July, 1966 to 30th June, 1967, a sum not exceeding Five hundred and six thousand seven hundred and eighty-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 year 1966-67. Appropriation of £506,787 for the service of the year 1966-67.

SCHEDULE

Number	HEAD OF SERVICE	£
I.	The Governor ... ..	10,469
II.	Agriculture ... ..	6,434
III.	Audit ... ..	1,399
IV.	Aviation ... ..	16,648
V.	Customs and Harbour ... ..	11,662
VI.	Education ... ..	58,759
VII.	Medical ... ..	41,327
VIII.	Meteorological ... ..	800
IX.	Military ... ..	1,918
X.	Miscellaneous ... ..	29,200
XI.	Pensions and Gratuities ... ..	14,700
XII.	Police and Prisons ... ..	4,757
XIII.	Posts and Telecommunications ... ..	54,848
XIV.	Power and Electrical ... ..	25,516
XV.	Public Works ... ..	20,951
XVI.	Public Works Recurrent ... ..	39,397
XVII.	Public Works Special ... ..	6,570
XVIII.	Secretariat, Treasury and Central Store ... ..	34,279
XIX.	Social Welfare ... ..	7,700
XX.	Supreme Court ... ..	2,802
Total Ordinary Expenditure ... ..		390,136
A.	Development — Colony ... ..	61,652
B.	Development — C. D. and W. ... ..	54,999
Total Expenditure ... ..		506,787

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 1st day of November, 1966.

C. HASKARD,  
*Governor.*

LS



No. 5

1966

Colony of the Falkland Islands.

IN THE FIFTEENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.  
SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

An Ordinance  
Relating to the Custody of Prisoners and  
the Regulation of Prisons. Title.

(1st November, 1966) 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 Prison Ordinance, 1966. Short title.
2. (1) In this Ordinance, unless the context otherwise requires — Interpretation.

“board” means the board established under section 7 of the Ordinance;  
“civil prisoner” means any prisoner other than a criminal prisoner or trial prisoner;  
“criminal prisoner” means any prisoner convicted of a crime or offence or ordered to pay any fine or penalty or other penal sum or to enter into a recognizance;  
“medical officer” means an officer appointed under section 20 of this Ordinance;  
“misconduct” means —  
(a) disobeying any order of any prison officer or any prison rule;  
(b) treating with disrespect any prison officer or any person authorised to visit the prison;  
(c) idleness, carelessness, or negligence at work, or refusal to work;

- (d) using any abusive, insolent, threatening, or other improper language;
- (e) indecency in language, act, or gesture;
- (f) committing any assault;
- (g) communicating with another prisoner without authority;
- (h) leaving a cell or place of work or other appointed place without permission;
- (i) a prisoner wilfully disfiguring or damaging any part of the prison or any property which is not his own;
- (j) committing any nuisance;
- (k) a prisoner having in his cell or possession any unauthorized article, or attempting to obtain such an article;
- (l) giving to or receiving from any person any unauthorized article;
- (m) escaping from prison or from legal custody;
- (n) mutiny or inciting other prisoners to mutiny;
- (o) committing gross personal violence to a prison officer;
- (p) committing gross personal violence to another prisoner;
- (q) making repeated and groundless complaints;
- (r) making false and malicious allegations against a prison officer;
- (s) in any other way offending against good order and discipline;
- (t) attempting to do any of the foregoing things.

"Officer in Charge" means the person appointed by the Governor under section 3 of this Ordinance to be in charge of the prison;

"prison" means any place which the Governor may by order under subsection (2) of this section declare to be part of the prison;

"prison officer" means any police officer and any officer appointed under the provisions of section 3 of this Ordinance;

"trial prisoner" means an accused person committed to prison on remand or to await trial.

(2) The Governor may, by order published in the Gazette, declare any place, whether established as a prison before or after the coming into operation of this Ordinance, to be a part of the prison for the purposes of this Ordinance, and may, in like manner, declare that any such place shall cease to be a part of the prison for the purposes of this Ordinance.

(3) Unless the Governor makes any order to the contrary under subsection (2) of this section, he shall be deemed to have made one to apply to the place which is at the date of the coming into operation of this Ordinance used as a prison and known as the Stanley Prison, and which shall from such date be named and referred to as the prison.

3. The Governor may from time to time appoint, for the control and conduct of the prison, an Officer in Charge, a matron and such other officers as he may deem necessary.

4. Every person appointed to be an Officer in Charge or a prison officer shall on appointment take the following oath before a justice of the peace —

I,....., do swear by Almighty God that I will not directly or indirectly reveal to any unauthorized persons such matters as shall come to my knowledge by virtue of my appointment. So help me God.

5. The Officer in Charge and officers shall, while engaged in the duties of prison officers, have all the powers, protection and

privileges of a constable within the meaning of the Police Ordinance, 1966.

6. The Officer in Charge shall, subject to the orders and directions of the Governor, exercise control and superintendence over the prison and the prison officers and may, with the approval of the Governor, issue standing orders, not repugnant to this Ordinance or any regulations made thereunder, for the observance of the prison officers in the discharge of their duties.

7. (1) The Governor shall on the first day of January in each year appoint from the panel of justices resident in Stanley two such justices to constitute a Board of Visiting Justices for the ensuing year. The Magistrate shall be a permanent and senior member.

(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.

8. Every member of the board may enter into, and examine the condition, of the prison and the prisoners therein, and may inspect the prison records, and shall record, in a book to be provided and kept by the Officer in Charge for that purpose, any remarks which he may think fit to make in regard to the condition of the prison or of the inmates thereof; and it shall be the duty of the Officer in Charge to make the book available for perusal by every member of the board who visits the prison, and at every meeting of the board.

9. No member of the board may in any way be concerned with any contracts for supplies for use in the prison.

10. (1) Every prisoner shall be searched when taken into custody by a prison officer, on reception into prison, and at such subsequent times as are directed and all unauthorized articles shall be taken from him.

(2) The searching of a prisoner shall be conducted in as seemly a manner as is consistent with the necessity of discovering any concealed article.

(3) No prisoner shall be stripped and searched in the sight of another prisoner.

(4) A prisoner shall be searched only by a prison officer of the same sex as the prisoner.

11. (1) All prisoners shall be weighed on admission and any of their personal particulars recorded.

(2) Convicted prisoners may be photographed, and prints may be taken of their hands and feet.

12. Whenever possible a separate cell shall be provided for every prisoner.

13. Male prisoners shall be kept separate from female prisoners in such manner as to prevent their seeing, conversing with or communicating with each other.

14. The following classes of prisoners of each sex shall, so far as accommodation in the prison renders it practicable, be separated from one another, namely —

- (a) prisoners under the age of seventeen years from prisoners over that age;
- (b) criminal and trial prisoners from civil prisoners;
- (c) trial prisoners from convicted prisoners,

and any other such class may be separated into such divisions as may be prescribed.

15. Separate cells shall be provided or appropriated for prisoners undergoing punishment for prison offences.

Officer in Charge's standing orders.

Constitution of board.

Record book.

Disqualification of board as to contracts.

Search.

Convicted prisoners' photographs, etc.

Cells.

Males and females.

Other classes.

Punishment cells.

Appointment of prison staff.

Oaths.

Powers.

Infirm prisoners.	16. Adequate separate accommodation shall be provided for persons suffering from infirmity, sickness or other bodily or mental ailment.	
Children of females.	17. (1) The child of a female prisoner may be admitted into the prison with its mother if the court which committed the prisoner shall have authorized such admission, and the child shall not be taken from its mother unless the medical officer shall so direct: Provided that no such child shall be retained in prison after it has attained the age of twelve months unless the medical officer shall consider such retention to be highly desirable or unless there is no suitable person who is willing and able to care for the child. (2) Any child so retained shall, if necessary, be clothed at the public expense. (3) The medical officer may make such recommendations regarding the diet of such child as he may deem fit.	
Compulsion to work.	18. All male prisoners over the age of seventeen years and under the age of sixty years who are undergoing sentence of imprisonment shall, if certified by the medical officer to be fit therefor, be set to work, and may be compelled to work inside or outside the walls of the prison, on such work and at such times and in such manner as may be prescribed, subject to the approval of the Governor, in standing orders issued by the Officer in Charge: Provided that female prisoners shall not work outside the prison unless so ordered by the medical officer, and shall be employed only on such labour as is suitable for women.	
Nature of work.	19. The work to which any prisoner undergoing sentence of imprisonment may be set within the prison shall be such as may be prescribed or as may be ordered by the Officer in Charge and approved by the Governor, and such work may include the necessary services of the prison or of the quarters of the Officer in Charge, but shall not include any personal services for prison officers.	
Appointment of medical officer.	20. The duties of medical officer of the prison shall be performed by such medical officers as the Governor may from time to time appoint.	
Duties of medical officer.	21. The medical officer shall have the general care of the health of all prisoners, and shall make known to the Officer in Charge any circumstances connected with the prison or the treatment of the prisoners which at any time appears to him to require consideration on medical grounds.	
Examination of prisoners.	22. The medical officer shall examine every prisoner as soon as possible after admission and immediately prior to discharge, and on such other occasions and for such other purposes as may be prescribed, and shall record the results of such examination on the nominal roll of prisoners.	
Inspection of prison.	23. When there are prisoners or other persons held within the prison the medical officer shall, at intervals of not more than once in each fortnight, inspect the prison, including the drains, lavatories and kitchens, and the food provided for prisoners, and shall perform such other duties in connection therewith as may be prescribed.	
Medical officer's directions.	24. The Officer in Charge shall put into effect any directions which the medical officer may give for preventing injury to health.	
Removal to hospital.	25. (1) A prisoner may, by the direction of the medical officer or, in urgent cases, of the Officer in Charge, be removed to the hospital. (2) Save as otherwise expressly provided, a prisoner shall be deemed for all purposes to be in prison custody while he is in or proceeding to and from hospital:	
	Provided that a prison guard need not be provided unless the Officer in Charge thinks necessary.	
	(3) A prisoner shall be returned from the hospital to the prison when the medical officer certifies that he is fit to return.	
	26. No cell shall be used for the confinement of a prisoner unless — (a) it shall have been certified by the Senior Medical Officer and the Superintendent of Works to be of such nature as not to cause a deterioration in the health of the prisoner; and (b) it is furnished with the means of enabling the prisoner at any time to communicate with a prison officer.	Fitness of cells.
	27. The Officer in Charge shall give immediate notice to the Governor of the death of any prisoner, and thereupon the Coroner shall within twenty-four hours hold an inquest upon the body of such prisoner, but in no case shall any officer of the prison, or any person who has been confined in the prison be a juror on such inquest.	Inquests.
	28. The Governor may empower the board or the Officer in Charge to award punishment to prisoners, of such nature and in respect of such offences and in such manner as may be prescribed.	Powers of punishment.
	29. Prisoners sentenced to periods of imprisonment may, in such manner as may be prescribed, be released after expiry of not less than two-thirds of the time which they are sentenced to spend in prison: Provided that no such reduction shall reduce the time spent in prison to less than thirty-one days.	Remission.
	30. (1) The Governor may at any time if he thinks fit release on licence a person serving a term of imprisonment for life subject to compliance with such conditions, if any, as the Governor may from time to time determine. (2) The Governor may at any time by order recall to prison a person released on licence under this section, but without prejudice to the power of the Governor to release him on licence again; and where any person is so recalled his licence shall cease to have effect and he shall, if at large, be deemed to be unlawfully at large.	Release on licence of persons serving imprisonment for life.
	31. The Officer in Charge shall keep a register in which he shall record the religious denomination to which any prisoner admitted to the prison shall declare himself to belong, and shall, on the request of any minister of religion who may be authorized under the provisions of this Ordinance to visit prisoners, supply such minister with a list of the prisoners declared to belong to the religious denomination of that minister.	Register.
	32. Subject to the provisions of this Ordinance and to any conditions which may be prescribed, the Governor may authorize a minister of any religious denomination to visit any prisoner belonging to the same denomination who shall consent thereto, and to celebrate religious services in the presence of such prisoner.	Visiting ministers.
	33. So far as is practicable, arrangements shall be made for a minister of the Christian religion to hold services for the prisoners on Sundays, Good Friday and Christmas Day.	Services.
	34. The Officer in Charge shall publish in a notice upon the outside of the prison walls the fact that an execution is about to take place.	Announcement of pending execution.
	35. (1) Judgment of death shall be executed within the walls of the prison.	Place of execution.

	(2) The public shall have no right to be present at or witness such execution, but subject to the requirements of this Ordinance, such persons only as the Officer in Charge may authorize in writing to enter the prison for such purpose and at such time as the Officer in Charge may appoint.	
Persons to be present.	36. (1) The Officer in Charge or other officer charged with the execution, the medical officer and such prison officers as the Officer in Charge directs shall be present at the execution. (2) A minister of religion authorized under this Ordinance to visit prisoners in the prison may be present at the execution.	
Certificate and declaration. First Schedule.	37. (1) Immediately after the execution the medical officer shall sign a certificate in the form prescribed in the First Schedule to this Ordinance, and shall deliver such certificate to the Officer in Charge. (2) The Officer in Charge and such other persons present as the Officer in Charge allows shall sign a declaration in the form prescribed in the Second Schedule to this Ordinance and such certificate shall be retained by the Officer in Charge.	
Second Schedule.		
Inquest.	38. (1) The Coroner shall within six hours of the execution hold an inquest with a jury, and the Coroner's jury shall ascertain the identity of the body and whether judgment of death was duly executed. (2) Such inquisition shall be in duplicate and one of the originals shall be delivered to the Officer in Charge.	
Burial.	39. The body of every offender executed shall be buried within the prison walls: Provided that if the Governor is satisfied that there is no convenient place within the walls for such burial he may appoint some other fit place for that purpose.	
Standing orders of Officer in Charge.	40. The Officer in Charge may, with the previous approval of the Governor, make standing orders to be observed in the execution of any sentence of death.	
Transmission of documents.	41. (1) The aforementioned certificate, declaration and a duplicate of the inquisition shall be transmitted by the Officer in Charge to the Governor forthwith. (2) Copies of the said documents shall be publicly exhibited outside the principal entrance to the prison as soon as possible after the execution and for a period of not less than twenty-four hours.	
Saving as to legality.	42. Omission to comply with any provision of this Ordinance shall not of itself make the execution of judgment of death illegal.	
Escaping.	43. Any prisoner who breaks or escapes from any prison or person having lawful custody of him shall be guilty of an offence and liable, on conviction or indictment, to imprisonment for a term not exceeding two years.	
Attempts to escape.	44. Any prisoner who attempts to break or escape from prison or forcibly breaks out of his cell or makes any break therein with intent to escape therefrom shall be guilty of an offence and liable, on conviction, to imprisonment for a term not exceeding one year.	
Aiding escape.	45. Any person who — (a) aids a prisoner in escaping or attempting to escape from lawful custody; or (b) conveys anything or causes anything to be conveyed into the prison with intent to facilitate the escape of a prisoner, shall be guilty of an offence and liable, on conviction, to imprisonment for a term not exceeding two years.	

46. (1) Any person who without lawful authority or excuse introduces into the prison or delivers to any prisoner any spiritous or fermented liquor, tobacco, intoxicating or poisonous drug or any other article prescribed as prohibited, or, being a prison officer, suffers anything hereinbefore in this section enumerated to be sold or used in the prison, shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding six months or to both such fine and imprisonment. (2) Every prison officer convicted of contravening any provision of subsection (1) of this section shall, in addition to any punishment, forfeit his office and all arrears of salary due to him.	Forbidden articles.
47. Any person who without the permission of the Officer in Charge communicates or attempts to communicate with any prisoner, or conveys or attempts to convey any letter or other communication to or from any prisoner, shall be guilty of an offence and liable on summary conviction to a fine not exceeding ten pounds and, if a prison officer, shall also forfeit his office and all arrears of salary due to him.	Forbidden communications.
48. The Officer in Charge shall cause to be fixed in a conspicuous place outside the entrance to the prison a notice summarising the offences against this Ordinance and the punishment to which offenders are liable.	Notice of offences.
49. (1) Immediately on admission every convicted prisoner shall, if he has a right of appeal, be informed thereof and of conditions governing such appeal. (2) Any prisoner who properly notifies the Officer in Charge of his intention to appeal shall be given all necessary facilities for prosecuting such appeal. (3) From the date of entering into a recognizance to prosecute an appeal each prisoner shall be known and treated as an appellant. (4) Subject to any direction of the Supreme Court, the time during which an appellant is in custody shall not count as part of his sentence, in which case the sentence shall commence from the date upon which the prisoner is taken into custody after the determination of the appeal.	Appellants.
50. (1) Every prisoner confined in the prison shall be deemed to be in the legal custody of the Officer in Charge, and shall not be removed from the prison before he becomes lawfully entitled to release save in the following cases — (a) in pursuance of any order or process of a court of justice; (b) in case of fire or sudden or urgent necessity; (c) for the purpose of work or recreation; (d) in any case in which the medical officer or, in case of emergency and in the absence of the medical officer, the Officer in Charge, may direct his removal to hospital for purposes of examination or treatment: Provided that the Governor may order the removal of a prisoner to such other place of confinement as may be specified in the order for the purpose of enabling the prison to be altered, enlarged, repaired or rebuilt, or in case of a contagious or infectious disease breaking out in the prison, for the prisoner to appear before a court of examination, trial or as a witness, or for any other reasonable cause, and may at any time order that any such prisoner be returned to the prison. (2) A prisoner who has been removed from the prison in pursuance of the provisions of this section shall, notwithstanding such removal, be deemed for the purposes of this Ordinance to be confined within the prison.	Special removal of prisoners.

Removal of visitors.

51. The Officer in Charge may remove or cause to be removed from the prison any visitor to the prison whose conduct is improper.

Regulations.

52. The Governor may make regulations generally for giving effect to the provisions of this Ordinance, and in particular, but without prejudice to the generality of the foregoing regulations —

- (a) the management and discipline of the prison;
- (b) visits to and communications with prisoners;
- (c) the working of prisoners outside the prison walls.

Repeal.

(Part 2. Cap. 51)

53. Part 2 of the Police and Prisons Ordinance is hereby repealed.

Section 37 (1)

FIRST SCHEDULE

#### Certificate of Medical Officer

I A.B., the Prison Medical Officer, hereby certify that I this day examined the body of C.D., on whom judgment of death was this day executed in the prison and that on examination I found that the said C.D., was dead.

Dated this ..... day of ..... 19.....

(Signed) A.B.

Section 37 (2)

SECOND SCHEDULE

#### Declaration of Officer in Charge and others

We, the undersigned hereby declare that judgment of death was this day executed on C.D. in the prison in our presence.

(Signed) ..... Officer in Charge.  
..... Prison Officer.  
..... Medical Officer.  
..... Chaplain.

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.

H. L. BOUND,

Clerk of the Legislative Council.

Ref. 0836/II.

FALKLAND ISLANDS:

Printed at the Government Printing Office by V. T. King.

Assented to in Her Majesty's name this 1st day of November, 1966.

C. HASKARD,  
Governor.

LS



No. 6

1966.

Colony of the Falkland Islands.

IN THE FIFTEENTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.

Governor.

## An Ordinance To amend the Pensions Ordinance, 1965.

Title.

(1st November, 1966)

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 (Amendment) Ordinance, 1966, and shall be read as one with the Pensions Ordinance, 1965, hereinafter referred to as the principal Ordinance.

Short title.

2. The definition "Public Service" in subsection (1) of section 2 of the principal Ordinance is amended —

Amendment of section 2.

- (a) by the deletion of the words "has determined" in paragraph (e) and the substitution therefor of the words "may determine";
- (b) by the deletion of the full stop at the end of paragraph (g) and the substitution therefor of a colon; and
- (c) by the addition after paragraph (g) of the following new paragraph —  
"(h) any service which was "public service" within the meaning of that expression in the Pensions Ordinance, 1949."

Cap. 49.

Amendment of section 6.

3. Section 6 of the principal Ordinance is amended —
- (a) by the deletion of the full stop at the end of subsection (3) and the substitution therefor of a colon; and
  - (b) by the addition after subsection (3) of the following proviso —

“Provided that this subsection shall not apply to any officer serving on pensionable terms in the public service at the termination of his service.”.

Amendment of section 16.

4. Section 16 of the principal Ordinance is amended —
- (a) by the insertion in subsection (2), immediately after the words and figures “regulation 24 of the Pensions Regulations” and the words and figures “regulation 23 of the Pensions Regulations” of the comma and figures “, 1965”;
  - (b) by the deletion of the full stop at the end of subsection (3) and the substitution therefor of the following —  
“or in the case of the death of an officer to whom section 16A applies.”; and
  - (c) by the deletion in subsection (4) of the figures “1964” where those figures twice occur and the substitution therefor of the figures “1965”.

Addition of new section 16A.

5. The principal Ordinance is amended by the addition after section 16, of the following new section —

“Gratuity where non-pensionable officer dies in the service or as a result of injuries received whilst in the service.

16A. (1) Where an officer to whom this section applies dies while in public service under the Government of the Colony after serving in that public service for not less than five years, it shall be lawful for the Governor in Council to grant to his legal personal representative a gratuity at the rate herein specified for each complete year of that public service, that is to say:

- (a) for each of the first five years, one week's pay;
- (b) for each of the next five years, two weeks' pay; and
- (c) for each additional year, four weeks' pay;

Provided that the total amount of the gratuity shall not exceed the amount of one year's pay.

(2) Where an officer to whom this section applies dies as a result of injuries received in public service under the Government of the Colony in the circumstances specified in paragraphs (a) and (b) of subsection (1) of section 17 of this Ordinance before completing five years public service under that Government, it shall be lawful for the Governor in Council to grant to his legal personal representative a gratuity not exceeding five weeks' pay.

- (3) This section applies to an officer who holds —
- (a) a non-pensionable office; or

- (b) a pensionable office in which he is not serving on probation and (if his appointment to that office is subject to confirmation) in which he has not been confirmed, and who is not eligible for the grant of a pension, gratuity or other allowance under this Ordinance (other than a pension under regulation 23 (4) of the Pensions Regulations 1965) or for the grant, under his terms of service, of a gratuity or a benefit under any other scheme of superannuation.”

- (4) For the purposes of this section —

- (a) “pay” means pay at the date of the officer's death and includes any other allowance that the Governor in Council may see fit to include;
- (b) an officer who, having held a non-pensionable office, holds a pensionable office in which he is serving on probation shall be deemed to hold a non-pensionable office and his pay shall be deemed to be the pay last received by him in respect of the non-pensionable office he previously held or the pensionable emoluments of the pensionable office held by him, whichever is the greater;
- (c) in calculating the period in which any officer has served in public service under the Government of the Colony —
  - (i) subject to any general or special directions to the contrary that may be given by the Governor in Council only continuous service terminating at his retirement or death shall be taken into account;
  - (ii) no regard shall be had to any period of service for which he is eligible for the grant of or has been granted a pension, gratuity or other allowance under this Ordinance (other than a pension under regulation 23 (4) of the Pensions Regulations 1965) or, as provided under his terms of service, a gratuity or benefit under any other scheme of superannuation.

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 0829/IV.

Assented to in Her Majesty's name this 1st day of November, 1966.

C. HASKARD,  
*Governor.*

LS

No. 7



1966.

Colony of the Falkland Islands.

IN THE FIFTEENTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

### An Ordinance

Further to amend the Pensions Ordinance, 1965. Title.

(1st November, 1966)

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 (Amendment) (No. 2) Ordinance, 1966.

Short title.

2. Section 9 of the Pensions Ordinance, 1965, is amended by —

Amendment of section 9.  
(6 of 1965)

(a) the deletion of the proviso to subsection (2) and the substitution therefor of the following —

“Provided that —

(a) 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 —

(i) where the right to commute any part of a pension in return for the payment of a gratuity has been exercised or deemed to have been exercised, the amount as if that right had not been exercised or deemed to have been exercised, as the case may be; or

(ii) in all other cases, four-thirds of its actual amount.

- (b) No regard shall be had to any pension granted in respect of other public service attributable to service which has not been taken into account in determining the amount of the pension payable to an officer under this Ordinance."; and
- (b) the deletion of subsection (4) and the substitution therefor of the following —
- "(4) For the purpose of the preceding subsections —
- (a) an additional pension granted in respect of injury shall not be taken into account; but where the officer is granted such additional pension under this Ordinance, the amount thereof together with the remainder of his pension or pensions shall not exceed five-sixths of the highest pensionable emoluments enjoyed by him at any time during his pensionable service; and
- (b) any increase in or allowance to pension granted to or in respect of any pension drawn in respect of public service and the increase of allowance granted under the Pensions (Increase) Ordinance, 1959, or any Ordinance amending or replacing that Ordinance or any instrument in force in the public service, whether or not such instrument has the force of law, subsequent to the grant of the pension, such increase or allowance shall not be taken into account."

No. 12 of 1959.

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 0829/IV.

Assented to in Her Majesty's name this 1st day of November, 1966.

C. HASKARD,  
*Governor.*

LS

No. 8



1966

Colony of the Falkland Islands.

IN THE FIFTEENTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

# An Ordinance Further to amend the Income Tax Ordinance.

(1st November, 1966)

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 Income Tax (Amendment) Ordinance, 1966 and shall be read and construed as one with the Income Tax Ordinance, hereinafter referred to as the principal Ordinance.

Short title.

Cap. 32.

2. Subsection (1) of section 26 of the principal Ordinance is hereby amended by the deletion of the proviso to the first paragraph and the substitution therefor of the following proviso —

Amendment of section 26 of the principal Ordinance.

"Provided that —

- (a) in the case of any non-resident person who is not a British subject, no deduction shall be allowed under sections 14, 15, 16 or 17 of this Ordinance; and
- (b) in the case of any non-resident person who is a British subject the total amount of the deductions to be allowed to him under sections 14, 15, 16 and 17 of this Ordinance shall not exceed an amount which would reduce the tax payable by him below the amount which bears the same proportion to the amount which would be payable by him if he were chargeable to tax on his total income from all sources, including income which is not subject to tax under this Ordinance, as the amount of his income subject to tax bears to such total income from all sources."

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 0747/K/II.

Assented to in Her Majesty's name this 1st day of November, 1966.

C. HASKARD,  
*Governor.*

LS

No. 9



1966

Colony of the Falkland Islands.

IN THE FIFTEENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

An Ordinance  
Further to amend the Income Tax  
Ordinance. Title.

(1st November, 1966)

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 Income Tax (Amendment) (No. 2) Ordinance, 1966.

Short title.

2. Paragraph (a) of subsection (2A) of section 21 of the Income Tax Ordinance is amended by the deletion of the figures and word "17 and 19" and the substitution therefor of the word and figures "and 17".

Amendment of section 21.  
(Cap. 32).

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 0747/K/II.

Assented to in Her Majesty's name this 1st day of November, 1966.

C. HASKARD,  
*Governor.*



No. 10



1966

Colony of the Falkland Islands.

IN THE FIFTEENTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

## An Ordinance

Further to amend the Old Age Pensions  
Ordinance, 1952. Title.

*(1st July, 1965)*

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 Old Age Pensions (Amendment) Ordinance, 1966 and shall be deemed to have come into force on 1st July, 1965.

Short title and date of commencement.

2. Subsection (1) of section 5 of the Old Age Pensions Ordinance, 1952, is amended by the deletion of paragraphs (a) and (b) and the substitution therefor of the following —

Amendment of section 5.  
(3 of 1952)

- “(a) the person shall have attained the age of 65 years, or, in the case of the widow of a pensioner, was over the age of 60 years at the time of her husband's death;
- (b) the person, if the widow of a contributor, shall be the widow of a person who having satisfied the contribution conditions of section 9 was between the age of 60 and 65 years at the time of his 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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 0323/G.

FALKLAND ISLANDS:

Printed at the Government Printing Office by V. T. King.

Assented to in Her Majesty's name this 1st day of November, 1966.

C. HASKARD,  
*Governor.*

LS

No. 11



1966

Colony of the Falkland Islands.

IN THE FIFTEENTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

An Ordinance

To give effect to Article 10 of International  
Labour Convention No. 115 concerning  
the Protection of Workers against Ionising  
Radiations. Title.

(1st November, 1966) 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 Ionising Radiations  
(Protection of Workers) Ordinance, 1966. Short title.

2. In this Ordinance — Interpretation.

“Authority” means the Senior Medical Officer;

“Ionising radiations” means electromagnetic radiation (that is to say, X-ray or gamma ray protons or quanta) or corpuscular radiation (that is to say, alpha particles, beta particles, electrons, positrons, protons, neutrons, or heavy particles) being electromagnetic radiation or corpuscular radiation capable of producing ions and emitted from a machine or apparatus which is intended to produce ionising radiations, or from a machine or apparatus in which electrons are accelerated by a voltage of not less than five kilovolts;

Assented to in Her Majesty's name this 1st day of November, 1966.

C. HASKARD,  
*Governor.*

LS



No. 12

1966

Colony of the Falkland Islands.

IN THE FIFTEENTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

An Ordinance  
Further to amend the British Nationality  
Ordinance. Title.

(1st November, 1966) 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 British Nationality (Amendment) Ordinance, 1966. Short title.

2. The British Nationality Ordinance is amended by the deletion of the Schedule and the substitution therefor of the following — Replacement of Schedule. (Cap. 6.)

"SCHEDULE

TABLE OF FEES

Section 3 (1)

Matter in which fee may be taken		Amount of fee		
		£	s.	d.
1.	Registration of a woman who is a British protected person or an alien as a citizen under s. 6 (2) of the British Nationality Act, 1948	1	10	0
2.	Registration of a woman as a British subject under s. 1 of the British Nationality Act, 1965.	1	10	0
3.	Registration of a minor who is a British protected person or an alien as a citizen under s. 7 of the British Nationality Act, 1948.			
	(a) Subject as hereinafter provided, where the minor is a British protected person;	6	0	0
	(b) Subject as hereinafter provided, where the minor is an alien;	12	10	0
	(c) If the application for the minor's registration was made at the same time as an application by one of his parents for a certificate of naturalisation;	1	10	0

"Proprietor", in relation to an undertaking, includes any person for the time being having the management or capital, or receiving the profits, of the business carried on in such undertaking, or employing any person engaged in such business.

Notification of commencement of work involving exposure to radiation.

3. Every proprietor of an undertaking shall before commencing therein any work involving the possible exposure to ionising radiation in the course of his work of any person employed or engaged in such work shall give to the Authority not less than one month's notice in writing of the date of the intended commencement of such work, and shall furnish to the Authority such particulars as the Authority may require.

Notification of date of installation of machines or apparatus producing radiation.

4. Without prejudice to the operation of section 3 of this Ordinance, any person who proposes to install, or causes to be installed, on any premises used for the purposes of an undertaking, any machine or apparatus which is capable of producing or emitting ionising radiations shall give to the Authority not less than one month's notice in writing of the proposed date of the installations.

Offences.

5. Any person who contravenes any of the provisions of section 3 or section 4 of this Ordinance shall be guilty of an offence and shall be liable on conviction to a fine not exceeding £100 or to imprisonment not exceeding three months or both.

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 0535/XIV.

FALKLAND ISLANDS:

Printed at the Government Printing Office by V. T. King.

(d) If the application for the minor's registration was made at the same time as an application for the registration of another minor child of the same parent, except in the case of the first child registered in pursuance of those applications.	1	10	0
4. Registration of a stateless person as a citizen under s. 1 of the British Nationality (No. 2) Act, 1964.	1	10	0
5. Grant of a certificate of naturalisation —			
(a) to a British protected person;	12	10	0
(b) to an alien.	25	0	0
6. Grant of a certificate of citizenship in case of doubt.	12	10	0
7. Registration of a declaration of intention to resume British nationality.	1	10	0
8. Registration of a declaration of renunciation of citizenship other than a declaration made in the circumstances mentioned in s. 1 (1) (a) of the British Nationality Act, 1964.	1	10	0
9. 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	

For the purposes of this Schedule —

- (a) any reference to a child and his parent includes a reference to a step-child and his step-parent, to an illegitimate child and his mother and to an adopted child and his adoptive parent, and
- (b) where two or more children of the same parent are registered on the same occasion, the eldest of those children shall be treated as the first child registered on that occasion."

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.

Ref. 2343.  
H. L. BOUND,  
Clerk of the Legislative Council.

Assented to in Her Majesty's name this 1st day of November, 1966.

C. HASKARD,  
Governor.



No. 13



1966

Colony of the Falkland Islands.

IN THE FIFTEENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.  
SIR COSMO HASKARD, K.C.M.G., M.B.E.  
Governor.

An Ordinance  
To enable a person to marry certain kin  
of a former spouse.

(1st November, 1966)

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 Marriage (Enabling) Ordinance, 1966.

Short title.

2. (1) No marriage hereafter contracted (whether in or out of the Colony) between a man and a woman who is the sister, aunt or niece of a former wife of his (whether living or not), or was formerly the wife of his brother, uncle or nephew (whether living or not), shall by reason of that relationship be void or voidable under any enactment or rule of law applying in the Colony as a marriage between persons within the prohibited degree of affinity.

Certain marriages not to be void.

(2) In the foregoing subsection words of kinship apply equally to kin of the whole blood and of the half blood.

(3) This section does not validate a marriage, if either party to it is at the time of the marriage domiciled in a country outside the Colony, and under the law of that country there cannot be a valid marriage between the parties.

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.

Ref. 1131.  
H. L. BOUND,  
Clerk of the Legislative Council.

Assented to in Her Majesty's name this 1st day of November, 1966.

C. HASKARD,  
*Governor.*

LS

No. 14



1966

Colony of the Falkland Islands.

IN THE FIFTEENTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

**An Ordinance**

To repeal the Ordinances relating to the  
application of Part I of the Administration  
of Justice Act, 1956, to the Colony.

Title.

(1st November, 1966)

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 Enact-  
ments (Repeal) Ordinance, 1966.

Short title.

2. The Application of Enactments (Amendment) Ordinance,  
1962, and the Application of Enactments (Amendment) (No. 2)  
Ordinance, 1962, are repealed.

Repeals  
2 of 1962.  
13 of 1962.

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 1994.

Assented to in Her Majesty's name this 1st day of November, 1966.

C. HASKARD,  
*Governor.*

LS

No. 15



1966

Colony of the Falkland Islands.

IN THE FIFTEENTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

## An Ordinance

### Further to amend the Stanley Town Council Ordinance. Title.

*(1st November, 1966)*

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 Stanley Town Council (Amendment) Ordinance, 1966.

Short title.

2. Section 8 of the Stanley Town Council Ordinance is amended by deleting subsection (1) and substituting the following —

Amendment of section 8.  
Cap. 68.

"Election and  
tenure of  
office of  
elected  
members.

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. Every elected councillor on retirement shall be eligible for re-election:

Provided that if the two elected councillors in a ward were elected at the same time the councillor who shall retire shall be determined by lot drawn by the Town Clerk at a meeting of the Council:

Provided further 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."

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 0039/C/III.

FALKLAND ISLANDS :

Printed at the Government Printing Office by V. T. King.

Assented to in Her Majesty's name this 17th day of February, 1966.

C. HASKARD,  
*Governor.*

LS

No. 1



1966

Falkland Islands Dependencies.

IN THE FIFTEENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

### An Ordinance

To validate the imposition and collection  
of certain customs duties in the Dependen-  
cies of the Colony of the Falkland Islands.

Title.

(19th June, 1961)

Date of commencement.

WHEREAS a Resolution of the Legislative Council of the Colony of the Falkland Islands under section 5 of the Customs Ordinance of the said Colony, dated the 19th day of June, 1961, was made increasing certain duties chargeable under the Customs Order:

Cap. 16.

AND WHEREAS the said Customs Ordinance applies to the Dependencies of the Colony of the Falkland Islands under the Application of Colony Laws Ordinance:

Cap. 1 (D.S.)

AND WHEREAS the said duties were by administrative instruction applied to the Dependencies of the Colony of the Falkland Islands:

AND WHEREAS such increased customs duties were imposed and collected by virtue of such instruction as from the 19th day of June, 1961:

AND WHEREAS doubts have arisen as to the validity of the imposition and collection of such duties in the Dependencies of the Colony of the Falkland Islands as from the date aforesaid by reason of the application of the Resolution as to increased duties by such administrative instruction only:

Enacting clause.

ENACTED for the Dependencies of the Colony of the Falkland Islands by the Governor of the Colony of the Falkland Islands and the Dependencies thereof, as follows —

Short title.

1. This Ordinance may be cited as the Customs Duties (Validation) Ordinance, 1966, and shall be deemed to have come into effect on the 19th day of June, 1961.

Amendment of paragraph 2 of the Customs Order.

2. Item 2 of paragraph 2 of the Customs Order is hereby amended as follows —

- (a) by the deletion of sub-item (a);
- (b) by the deletion from sub-item (b) of the word "other";
- (c) by the deletion from the third column of sub-item (b) of the figures "52/-" and the substitution therefor of the figures "66/-"; and
- (d) by re-lettering sub-items (b), (c) and (d) as (a), (b) and (c) respectively.

Validation of acts done.

3. Any act or thing done under the instruction hereinbefore in the preamble to this Ordinance referred to, on or after the 19th day of June, 1961, shall be deemed to be and to have been as properly and validly done, as if the imposition and collection of the increased duties had been done under this Ordinance.

Promulgated by the Governor on the 15th day of December, 1965.

W. H. THOMPSON,  
*Colonial Secretary.*

Ref.0466/II.

Assented to in Her Majesty's name this 29th day of August, 1966.

C. HASKARD,  
*Governor.*

LS



No. 2

1966

Falkland Islands Dependencies.

IN THE FIFTEENTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

## An Ordinance

To provide for the service between the first day of July, 1966, and the thirtieth day of June, 1967.

(1st July, 1966)

Date of commencement.

ENACTED for the Dependencies of the Colony of the Falkland Islands 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) (1966-67) Ordinance, 1966.

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 thirtieth day of June, 1967, a sum not exceeding Fifty-seven thousand five hundred and seventy-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, 1966, to the thirtieth day of June, 1967.

Appropriation of £57,573 for service of the year ending 30th June, 1967.

## SCHEDULE

Number	Head of Service	Amount
1.	General	£
	A. Personal Emoluments ...	19,808
	B. Other Charges ...	36,565
	C. Special Expenditure ...	1,200
	Total Expenditure £	57,573

Promulgated by the Governor on the 29th day of August, 1966.

L. C. GLEADELL,  
*Acting Colonial Secretary.*

Ref. D/6/59/G.

Assented to in Her Majesty's name this 29th day of August, 1966.

C. HASKARD,  
*Governor.*

LS



No. 3

1966.

Falkland Islands Dependencies.

IN THE FIFTEENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

### An Ordinance

To repeal certain Laws of the Colony  
which have been applied to the Dependen-  
cies.

(1st September, 1966)

Date of commencement.

ENACTED for the Dependencies of the Colony of the  
Falkland Islands 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 (Repeal) Ordinance, 1966.

Short title.

2. The Ordinances specified in Columns I and II of the  
Schedule to this Ordinance which were applied to the Dependencies  
with effect from the date set out opposite their titles in Column III of  
the Schedule to this Ordinance, are repealed.

Repeal of certain Laws  
of the Colony in the  
Dependencies.

### SCHEDULE

Column I	Column II	Column III
2 of 1962	Application of Enactments (Amendment) Ordinance, 1962	1st March, 1962.
13 of 1962	Application of Enactments (Amendment) (No. 2) Ordinance, 1962	4th December, 1962.

Promulgated by the Governor on the 29th day of August, 1966.

L. C. GLEADELL,  
*Acting Colonial Secretary.*

Ref. 1994.

Assented to in Her Majesty's name this 5th day of September, 1966.

C. HASKARD  
*Governor.*

LS

No. 4



1966

Falkland Islands Dependencies.

IN THE FIFTEENTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.

*Governor.*

### An Ordinance

To amend the Application of Colony Laws  
Ordinance and to validate the application  
of orders and other subsidiary legislation to  
the Dependencies. Title

(5th September, 1966)

Date of commencement.

WHEREAS by section 4 of the Application of the Colony Laws Ordinance it is provided that 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: Preamble.

AND WHEREAS doubt has arisen as to the validity of the application to the Dependencies of orders or other subsidiary legislation made under the provisions of such Ordinances:

AND WHEREAS all such orders or other subsidiary legislation have been deemed to apply to the Dependencies:

AND WHEREAS it is desirable to remove such doubt and to enable provisions as to the application of such orders or other subsidiary legislation to be inserted in the said section 4:

AND WHEREAS it is expedient to validate any act or thing done under the provisions of any such order or other subsidiary legislation:

Enacting clause.

NOW, THEREFORE, IT IS ENACTED for the Dependencies of the Colony of the Falkland Islands by the Governor of the Colony of the Falkland Islands and the Dependencies thereof, as follows —

Short title.

1. This Ordinance may be cited as the Application of Colony Laws (Amendment and Validation) Ordinance, 1966.

Amendment of section 4.  
Cap. 1 D.S.

2. Section 4 of the Application of Colony Laws Ordinance is amended by the deletion of the words and comma "or by-laws," wherever those words and comma occur and the substitution therefor of the words and commas "orders, by-laws or other subsidiary legislation,".

Validation.

3. Any act or thing done under the provisions of any order or other subsidiary legislation made under any Ordinance which is in force in the Dependencies at the commencement of this Ordinance shall for all purposes be deemed to have been validly done.

Promulgated by the Governor on the 5th day of September, 1966.

L. C. GLEADELL,  
*Acting Colonial Secretary.*

Ref. 0188.

Assented to in Her Majesty's name this 9th day of September, 1966.

C. HASKARD,  
*Governor.*

LS



No. 5

1966

Falkland Islands Dependencies.

IN THE FIFTEENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

An Ordinance  
To apply certain Laws of the Colony to the Dependencies. Title.

ENACTED for the Dependencies of the Colony of the Falkland Islands 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, 1966. 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 be in force in the Dependencies with effect from the date set out opposite their titles in the third column of the Schedule to this Ordinance. Date of commencement.

SCHEDULE

2 of 1966	Murder (Abolition of Death Penalty) Ordinance, 1966	2nd June, 1966
3 of 1966	Appeals Ordinance, 1966	1st June, 1966

Promulgated by the Governor on the 1st day of October, 1966.

L. C. GLEADELL,  
*Acting Colonial Secretary.*

Ref. 0188.

Assented to in Her Majesty's name this 30th day of December, 1966.

C. HASKARD,  
*Governor.*

LS

No. 6



1966

Falkland Islands Dependencies.

IN THE FIFTEENTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

**An Ordinance**  
**To apply certain Laws of the Colony** Title.  
**to the Dependencies.**

ENACTED for the Dependencies of the Colony of the Falkland Islands 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 (No. 2) Ordinance, 1966. 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 be in force in the Dependencies with effect from the date set out opposite their short titles in the third column of the Schedule to this Ordinance. Application of Colony Ordinances.

**SCHEDULE**

Number	Short title.	Effective Date.
5 of 1966	The Prison Ordinance, 1966	1st November, 1966.
6 of 1966	The Pensions (Amendment) Ordinance, 1966	1st November, 1966.
7 of 1966	The Pensions (Amendment) (No. 2) Ordinance, 1966	1st November, 1966.
8 of 1966	The Income Tax (Amendment) Ordinance, 1966	1st November, 1966.
9 of 1966	The Income Tax (Amendment) (No. 2) Ordinance, 1966	1st November, 1966.
11 of 1966	The Ionising Radiations (Protection of Workers) Ordinance, 1966	1st November, 1966.
12 of 1966	The British Nationality (Amendment) Ordinance, 1966	1st November, 1966.
13 of 1966	The Marriage (Enabling) Ordinance, 1966	1st November, 1966.
14 of 1966	The Application of Enactments (Repeal) Ordinance, 1966	1st November, 1966.

Enacted by the Governor on the 14th day of December, 1966.

W. H. THOMPSON,  
*Colonial Secretary.*

Ref. 0188/II.

## PART II.

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### ORDERS, PROCLAMATIONS, Etc.

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1964 No. 690	The Copyright (International Conventions) Order, 1964.
1964 No. 1194	The Copyright (International Conventions) (Amendment) Order, 1964.
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1965 No. 1857	The Copyright (International Conventions) (Amend. No. 2) Order, 1965.
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1963 No. 1631	The Merchant Shipping (Registration of Colonial Government Ships) Order, 1963.
1963 No. 1632	The Shipowners' Liability (Colonial Territories) Order in Council, 1963.
1966 No. 811	The Sweden (Extradition) (Extension) Order, 1966.

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## FALKLAND ISLANDS.

### The Income Tax Ordinance (Cap. 32)

## ORDER

(under section 9A of the Ordinance)

No. 1 of 1966.

C. HASKARD,  
*Governor.*

In exercise of the powers conferred upon him by section 9A of the Income Tax Ordinance, the Governor in Council, has been pleased to order as follows —

1. This Order may be cited as the Income Tax (Exemption) Order, 1966, and shall be deemed to have come into force with effect from the first day of January, 1964.

Short title and  
commencement.

2. The whaling companies at South Georgia are hereby exempt from the provisions of subsection (2) of section 21 of the Income Tax Ordinance.

Exemption from pro-  
visions of section 21 (2)  
of the Ordinance.  
Cap. 32.

Made by the Governor in Council the 12th day of April, 1966.

H. L. BOUND,  
*Clerk of the Executive Council.*

Ref. D/11/47/II.

FALKLAND ISLANDS.

The Nature Reserves Ordinance, 1964.

(Ordinance No. 8 of 1964)

**ORDER**

(under section 3 of the Ordinance)

No. 2 of 1966.

C. HASKARD,  
*Governor.*

IN EXERCISE of the powers conferred upon him by section 3 of the Nature Reserves Ordinance, 1964, THE GOVERNOR IN COUNCIL has been pleased to declare Flat Jason Island to be a nature reserve for the purpose of protecting the indigenous flora and fauna thereon and for providing, under suitable conditions and control, special opportunities for the study of and research into matters relevant thereto.

Made by the Governor in Council this 10th day of May, 1966.

H. L. BOUND,  
*Clerk of the Executive Council.*

Ref. 2331.

## FALKLAND ISLANDS.

### The Wild Animals and Birds Protection Ordinance, 1964.

(Ordinance No. 15 of 1964)

## ORDER

(under section 4 of Ordinance)

No. 3 of 1966.

C. HASKARD,  
*Governor.*

IN EXERCISE of the powers conferred upon him by section 4 of the Wild Animals and Birds Protection Ordinance, 1964, THE GOVERNOR IN COUNCIL has been pleased to declare as follows —

1. This Order may be cited as the Wild Animals and Birds Protection (Sanctuaries) Order, 1966.

2. Elephant Jason Island and adjacent islets, South Jason Island and adjacent islet, North Fur Islands, South Fur Island, Jason East Cay and adjacent islets, Jason West Cay, The Fridays, White Rock and Seal Rocks (all within the Jason Islands group) to be wild animal and bird sanctuaries.

3. That any person who within the said sanctuaries at any time wilfully kills, injures, or takes, or attempts to kill, injure, or take any wild animal or bird shall be guilty of an offence against the Wild Animals and Birds Protection Ordinance, 1964.

4. That any person who introduces into the said sanctuaries any domestic or carnivorous animal shall be guilty of an offence against the said Ordinance.

5. That any person guilty of an offence under this Order shall be liable to the penalty prescribed in section 4 of the said Ordinance.

Made by the Governor in Council this 10th day of May, 1966.

H. L. BOUND,  
*Clerk of the Executive Council.*

Ref. 1099/II.

## FALKLAND ISLANDS.

### The Wild Animals and Birds Protection Ordinance, 1964.

(Ordinance No. 15 of 1964)

### ORDER

(under section 4 of the Ordinance)

No. 4 of 1966.

C. HASKARD,  
*Governor.*

IN EXERCISE of the powers conferred upon him by section 4 of the Wild Animals and Birds Protection Ordinance, 1964, THE GOVERNOR IN COUNCIL after obtaining the consent of the owners of the island known as Middle Island, lying in King George Bay, West Falkland, has been pleased to declare as follows —

1. This Order may be cited as the Wild Animals and Birds Protection (Sanctuaries) (No. 2) Order, 1966.

2. The said island to be a wild animal and bird sanctuary.

3. That any person who within the said island at any time wilfully kills, injures, or takes, or attempts to kill, injure, or take any wild animal or bird shall be guilty of an offence against the Wild Animals and Birds Protection Ordinance, 1964.

4. That any person who introduces into the said island any carnivorous animal shall be guilty of an offence against the said Ordinance.

5. That any person guilty of an offence under this Order shall be liable to the penalty prescribed in section 4 of the said Ordinance.

Made by the Governor in Council this 19th day of July, 1966.

H. L. BOUND,  
*Clerk of the Executive Council.*

Ref. 1099/II.

# FALKLAND ISLANDS.

## The Diplomatic Privileges (Extension) Ordinance (Cap. 20)

### ORDER

(under section 2 of the Ordinance)

No. 5 of 1966.

C. HASKARD,  
*Governor.*

WHEREAS Her Majesty's Government in the United Kingdom applied the provisions of the Convention on Privileges and Immunities of the Specialized Agencies to the European Space Research Organisation by Order in Council made on the third day of August, 1965, under the International Organisation (Immunities and Privileges) Act, 1950, by which said Order it was declared that the European Space Research Organisation is an Organisation of which Her Majesty's Government in the United Kingdom and the Governments of foreign sovereign Powers are members:

NOW, THEREFORE, in exercise of the powers conferred by section 2 of the Diplomatic Privileges (Extension) Ordinance, the Governor in Council has made the following Order — Cap. 20.

1. This Order may be cited as the European Space Research Organisation (Immunities and Privileges) Order, 1966.

#### PART I

##### THE ORGANISATION

2. The European Space Research Organisation (hereinafter referred to as the Organisation) is an Organisation to which the Diplomatic Privileges (Extension) Ordinance (hereinafter referred to as the Ordinance) applies. Cap. 20.

3. The Organisation shall have the legal capacities of a body corporate.

4. (1) The Organisation shall have immunity from suit and legal process except —

- (a) to the extent that the Organisation shall have expressly waived such immunity in a particular case;
- (b) in respect of a civil action by a third party for damage arising from an accident caused by a motor vehicle belonging to, or operated on behalf of, the Organisation, or in respect of a motor traffic offence involving such a vehicle; and
- (c) in respect of the enforcement of an arbitration award made under Article 25 or Article 26 of the Protocol on the Privileges and Immunities of the Organisation opened for signature in Paris on 31st October 1963 (a).

(2) The provisions of the preceding paragraph shall not prevent the taking of such measures as may be permitted by law in relation to the property and assets of the Organisation in so far as they may be temporarily necessary in connection with the prevention of, and investigation into, accidents involving motor vehicles belonging to, or operated on behalf of, the Organisation.

5. The Organisation shall have 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 Her Majesty.

6. Within the scope of its official activities, the Organisation shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a foreign sovereign power.

7. The Organisation shall have exemption from taxes on the importation of goods directly imported by it and strictly necessary for the exercise of its official activities, such exemption to be subject to compliance with such conditions as the Collector of Customs may prescribe for the protection of the Revenue.

8. The Organisation shall have exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the Organisation and strictly necessary for the exercise of its official activities.

9. The Organisation shall have the right to avail itself, for official 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.

10. For the purposes of this Order, the official activities of the Organisation shall include its administrative activities and those undertaken in the field of space research and space technology in pursuance of the purposes of the Organisation as defined in the Convention for the Establishment of the Organisation (a).

#### PART II REPRESENTATIVES

11. (1) Except in so far as in any particular case any immunity or privilege is waived by the Member State which he represents, a representative of a Member State of the Organisation on any of its organs shall enjoy: —

- (a) immunity from suit and legal process in respect of acts, including words written or spoken, done or omitted to be done by him in the exercise of his functions;
- (b) while exercising his functions and during his journeys to and from the place of meeting, the like immunity from personal arrest and detention and from seizure of his personal baggage and the like inviolability for all his official papers and documents as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty.

(2) Part IV of the Schedule to the Ordinance shall not operate so as to confer any immunity or privilege on members of the official staff of a representative to whom this Article applies.

(3) The provisions of this Article shall not operate so as to confer any immunity or privilege on any person as the representative of Her Majesty's Government in the Colony or on any person who is a citizen of the United Kingdom and Colonies.

#### PART III OFFICERS

12. (1) Except in so far as in any particular case any immunity or privilege is waived by the Council of the Organisation, the Director-General of the Organisation, and the person appointed to act in his stead in accordance with Article XI (1) (c) of the Convention for the Establishment of the Organisation (b), shall enjoy: —

- (a) if he is not a citizen of the United Kingdom and Colonies —

- (i) the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes, other than income tax, as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty;
  - (ii) as from the date on which the emoluments received by him as a member of the staff of the Organisation become subject to taxation by the Organisation for its benefit, exemption from income tax in respect of such emoluments;
- (b) if he is a citizen of the United Kingdom and Colonies —
- (i) immunity from suit and legal process in respect of acts, including words written or spoken, done or omitted to be done by him in the course of the performance of official duties, except in the case of a motor traffic offence committed by him or in the case of damage caused by a motor vehicle belonging to or driven by him;
  - (ii) the like inviolability for all his official papers and documents as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty;
  - (iii) as from the date on which the emoluments received by him as a member of the staff of the Organisation become subject to taxation by the Organisation for its benefit, exemption from income tax in respect of such emoluments.

(2) Part IV of the Schedule to the Ordinance shall not operate so as to confer any immunity or privilege on the families of officers to whom this Article applies.

13. Except in so far as in any particular case any immunity or privilege is waived by the Director-General of the Organisation, a permanent member of the staff of the Organisation in any of the staff categories A, B, C and L shall enjoy: —

- (a) immunity from suit and legal process in respect of acts, including words written or spoken, done or omitted to be done by him in the course of the performance of official duties, except in the case of a motor traffic offence committed by him or in the case of damage caused by a motor vehicle belonging to or driven by him;
- (b) as from the date on which the emoluments received by him as a member of the staff of the Organisation become subject to taxation by the Organisation for its benefit, exemption from income tax in respect of such emoluments.

#### PART IV EXPERTS

14. (1) Except in so far as in any particular case any immunity or privilege is waived by the Director-General of the Organisation, an expert (other than a member of the staff of the Organisation to whom Article 13 applies) who is under contract to the Organisation and who is a member of any committee or organ of the Organisation or is employed on a mission on behalf of the Organisation shall, so far as is necessary for the carrying out of his functions, including during journeys made in carrying out his functions, in connection with such committee or organ or in the course of such mission, enjoy: —

- (a) immunity from suit and legal process in respect of acts, including words written or spoken, done or omitted to be done by him in the exercise of his functions, except in

the case of a motor traffic offence committed by him or in the case of damage caused by a motor vehicle belonging to or driven by him;

- (b) while he is employed by the Organisation, the like inviolability for all his official papers and documents as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty.

(2) Part IV of the Schedule to the Ordinance shall not operate so as to confer any immunity or privilege on the official staff of persons to whom the provisions of paragraph (1) of this Article apply.

#### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order confers immunities and privileges upon the European Space Research Organisation, representatives on its organs, its officers and experts serving on its committees and organs or employed on missions on its behalf. It will enable the United Kingdom to ratify the Protocol on the Privileges and Immunities of the Organisation which was opened for signature in Paris on 31st October 1963 (Cmd. 2265). It will come into operation on the date on which the Protocol enters into force with respect to the United Kingdom.

Ref. 2367.

## FALKLAND ISLANDS.

# PROCLAMATION

No. 1 of 1966.

Made under section 24 of the Falkland Islands (Legislative Council)  
Orders in Council, 1948 to 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.

C. HASKARD.

*By His Excellency SIR COSMO DUGAL PATRICK THOMAS HASKARD, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Member of the Most Excellent Order of the British Empire.*

LS

WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation:

NOW, THEREFORE, I, SIR COSMO DUGAL PATRICK THOMAS HASKARD, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Member of the Most Excellent Order of the British Empire, 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 aforesaid, do by this Proclamation appoint Wednesday the 11th day of May, 1966, at 9.45 a.m. at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 28th day of April, in the Year of our Lord One thousand Nine hundred and Sixty-six.

*By His Excellency's Command*

W. H. THOMPSON,

*Colonial Secretary.*

Ref 0529/III.

## FALKLAND ISLANDS.

# PROCLAMATION

No. 2 of 1966.

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.

L. GLEADELL — *By His Honour LESLIE CHARLES GLEADELL, Esquire,  
Justice of the Peace, Officer Administering the Government of  
the Colony of the Falkland Islands and its Dependencies.*



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 COSMO HASKARD, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Member of the Most Excellent Order of the British Empire, 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, LESLIE CHARLES GLEADELL, Acting 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, 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 12th day of September, in the Year of Our Lord One thousand Nine hundred and Sixty-six.

*By Command of the  
Officer Administering the Government,  
H. L. BOUND,  
for Colonial Secretary.*

FALKLAND ISLANDS.

**PROCLAMATION**

**No. 3 of 1966.**

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.

L. GLEADELL — *By His Honour LESLIE CHARLES GLEADELL, Esquire,  
Justice of the Peace.*

LS

WHEREAS by section 16 (1) of the Defence Force Ordinance, No. 4 of 1954, 1954, it is provided that the Governor may by Proclamation call out the Defence 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 to be inadequate.

AND WHEREAS it now appears advisable to do so.

NOW, THEREFORE, by virtue of these powers vested in the Governor be it ordered and proclaimed as follows, to wit: The Defence Force is called out for active service.

**GOD SAVE THE QUEEN**

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 29th day of September, in the Year of Our Lord One thousand Nine hundred and Sixty-six.

*By His Honour's Command,*

H. L. BOUND,

*Assistant Colonial Secretary.*

FALKLAND ISLANDS.

## PROCLAMATION

No. 4 of 1966.

Made under section 24 of the Falkland Islands (Legislative Council)  
Orders in Council, 1948 to 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.

C. HASKARD.



*By His Excellency SIR COSMO DUGAL PATRICK THOMAS HASKARD, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Member of the Most Excellent Order of the British Empire.*

WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation:

NOW, THEREFORE, I, SIR COSMO DUGAL PATRICK THOMAS HASKARD, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Member of the Most Excellent Order of the British Empire, 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 aforesaid, do by this Proclamation appoint Wednesday the 26th day of October, 1966, at 9.30 a.m. at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 18th day of October in the Year of our Lord One thousand Nine hundred and Sixty-six.

*By His Excellency's Command*

L. GLEADELL,

*Acting Colonial Secretary.*

Ref. 0529/III.

# FALKLAND ISLANDS.

## The Wireless Telegraphy Ordinance (Cap. 78.)

### REGULATIONS

(under section 4 of the Ordinance)

C. HASKARD,  
*Governor.*

No. 1 of 1966.

In exercise of the powers conferred by section 4 of the Wireless Telegraphy Ordinance, the Governor in Council has made the following Regulations — Cap. 78.

1. (1) These Regulations may be cited as the Wireless Telegraphy (Amendment) Regulations, 1966, and shall be read as one with the Wireless Telegraphy Regulations, hereinafter referred to as the principal Regulations. Citation and commencement.  
Revised Edition  
Vol. II. p. 329.

(2) These Regulations shall come into operation on the first day of April, 1966.

2. Regulation 11 of the principal Regulations is amended — Amendment of regulation 11.
- (a) by the deletion, in paragraphs (i) and (ii), of the words "one pound" and the substitution therefor of the words "two pounds";
  - (b) by the deletion, in paragraph (iii), of the words "five shillings" and the substitution therefor of the words "ten shillings"; and
  - (c) by the deletion, in paragraphs (iv) and (v), of the words "ten shillings" and the substitution therefor of the words "one pound".

3. Schedule 1 to the principal Regulations is amended by the deletion of the words "One Pound", where the same twice occur, and the substitution therefor of the words "Two Pounds". Amendment of Schedule 1.

4. Schedule 3 to the principal Regulations is amended by the deletion of the words "Ten Shillings" and the substitution therefor of the words "One Pound". Amendment of Schedule 3.

5. Schedule 4 to the principal Regulations is amended by the deletion of the words "Ten Shillings" and the substitution therefor of the words "One Pound". Amendment of Schedule 4.

Made by the Governor in Council the 9th day of February, 1966.

H. L. BOUND,  
*Clerk of the Executive Council.*

Ref. 1220/O.

FALKLAND ISLANDS.

The Wild Animals and Birds Protection Ordinance, 1964  
**REGULATIONS**  
(under section 16 of the Ordinance)

No. 2 of 1966. C. HASKARD,  
Governor.

In exercise of the powers conferred by section 16 of the Wild Animals and Birds Protection Ordinance, 1964, the Governor in Council has made the following Regulations — 15 of 1964.

1. These Regulations may be cited as the Wild Animals and Birds (Export) Regulations, 1966. Citation.

2. (1) No person without an export licence from the Governor shall export any wild animal or bird. Prohibition of export without licence.

(2) The fees payable in respect of the exportation of wild animals and birds shall be as follows —

	£	s.	d.	
Elephant seals ... ..	75	0	0	each
Fur seals ... ..	35	0	0	„
All other seals ... ..	25	0	0	„
King penguins ... ..	25	0	0	„
All other penguins ... ..	7	10	0	„
Kelp geese ... ..	7	10	0	„
All other birds and animals	5	0	0	„

(3) The grant of any export licence shall be at the discretion of the Governor, and any export licence may be made subject to special conditions.

Made by the Governor in Council this 10th day of May, 1966.

H. L. BOUND,  
*Clerk of the Executive Council.*

# FALKLAND ISLANDS.

## The Pensions Ordinance, 1965

### REGULATIONS

(under section 3 (2) of the Ordinance)

No. 3 of 1966.

C. HASKARD,  
*Governor.*

In exercise of the powers conferred by subsection (2) of section 3 of the Pensions Ordinance, 1965, the Governor in Council, with the sanction of the Secretary of State, has made the following Regulations —

1. These Regulations may be cited as the Pensions (Amendment) Regulations, 1966, and shall be read as one with the Pensions Regulations, 1965, hereinafter referred to as the principal Regulations.

Citation.

2. Regulation 25 of the principal Regulations is revoked and replaced by the following —

Revocation and replacement of regulation 25.

"Gratuities for officers who have served in non-pensionable offices.

25. (1) Where an officer to whom this regulation applies retires or resigns from public service under the Government of the Colony after serving in that public service for not less than five years, he may be granted by the Governor in Council a gratuity at the rate herein specified for each complete year of service, that is to say —

- (a) for each of the first five years, one week's pay;
- (b) for each of the next five years, two week's pay;
- (c) for each additional year, four week's pay:

Provided that the total amount of the gratuity shall not exceed the amount of one year's pay.

(2) This regulation applies to an officer who holds —

- (a) a non-pensionable office; or
- (b) a pensionable office in which he is not serving on probation and (if his appointment to that office is subject to confirmation) in which he has not been confirmed and who is not eligible for the grant of a pension, gratuity or other allowance under the Ordinance (other than a pension under regulation 23 (4) of these Regulations) or for the grant, under the terms of service, of a gratuity or a benefit under any other scheme of superannuation.

(3) For the purpose of this regulation —

- (a) "pay" means pay at the date of the officer's retirement or resignation and any other allowance that the Governor in Council may think fit to include;
- (b) an officer who having held a non-pensionable office holds a pensionable office in which he is serving on probation shall be deemed to hold a non-pensionable office and his pay shall be deemed to be the pay last received by him in respect of the non-pensionable office he previously held or the pensionable emoluments of the pensionable office held by him, whichever is the greater;

- (c) in calculating the period in which any officer has served in public service under the Government of the Colony —

(i) subject to any general or special directions that may be given by the Governor in Council, only continuous service terminating at his retirement or resignation shall be taken into account;

(ii) no regard shall be had to any period of service for which he is eligible for the grant of or has been granted a pension, gratuity or other allowance under the Ordinance (other than a pension under regulation 23 (4) of these Regulations) or, as provided under his terms of service, a gratuity or a benefit under any other scheme of superannuation.”.

Amendment of Schedule.

3. The Schedule to the principal Regulations is amended by the addition after the words “Oversea Audit Department (Home Establishment)” of the words “Republic of Tanzania”.

Made by the Governor in Council this 14th day of December, 1966.

H. L. BOUND,

*Clerk of the Executive Council.*

Ref. 0829/IV.

## FALKLAND ISLANDS.

### The Prison Ordinance REGULATIONS

(under section 52 of the Ordinance)

No. 4 of 1966.

C. HASKARD,  
*Governor.*

1. These Regulations may be cited as the Prison Regulations, 1966. Short title.

2. The Officer in Charge shall at three-monthly intervals submit to the Colonial Secretary a report on the conduct and general condition of every prisoner undergoing a sentence together with a report by the medical officer on the prisoner's mental and physical condition. Reports on convicts.

3. The Officer in Charge shall keep the following records in addition to any others required by the Ordinance — Officer in Charge's records.

- (a) a journal in which he shall record all occurrences of importance;
- (b) a nominal roll of all prisoners;
- (c) a book in which he shall record all punishments inflicted for prison offences;
- (d) a list of official books and documents committed to his care;
- (e) an inventory of all the personal property, whether of value or otherwise, taken from each prisoner;
- (f) an account of all receipts and disbursements.

4. (1) The Officer in Charge shall not, except as may be provided by law or as he may be directed by the Colonial Secretary, allow any person to view the prison. Visitors viewing prison.

(2) The Officer in Charge shall ensure that no person authorised to view the prison makes a sketch or takes a photograph or holds communication with a prisoner, unless authorised to do so by the Colonial Secretary.

5. (1) No prison officer shall —

- (a) have any interest in any contract for supply to the prison;
- (b) receive any fee or gratuity from or on behalf of, or have any business dealings with, prisoners, ex-prisoners or their friends;
- (c) employ, or cause to be employed, any prisoner;
- (d) act in a familiar manner with any prisoner; or
- (e) do any other act to the prejudice of good order and discipline.

Offences by officers.

(2) No prisoner shall be placed in any position of authority over any other prisoner.

6. (1) No officer shall when dealing with prisoners use any force except in lawful defence or in the carrying out of a sentence of corporal punishment or in trying to prevent escape. Use of force.

(2) When the use of force is necessary in any of the circumstances specified in paragraph (1) hereof, no more force than is reasonably necessary shall be used.

7. (1) Prison officers shall report to the Officer in Charge all complaints made by prisoners. Complaints.

(2) The Officer in Charge shall give any prisoner who complains every reasonable opportunity of being heard.

(3) In deciding what is reasonable under this rule the Officer in Charge shall give weight to the fact that a prisoner is weakly, ailing, or in a punishment cell.

Entering cells at night.

8. (1) No prison officer shall enter a prisoner's cell at night unless accompanied by another officer, except in case of special emergency.

(2) Whenever a prison officer enters a prisoner's cell at night he shall report the fact to the Officer in Charge during the following morning.

Punishment of officers.

9. (1) Except in regard to acts which are made offences by the Ordinance the Officer in Charge may punish any prison officer for a breach of discipline or neglect of duty by one of the following—

- (a) the imposition of additional duties;
- (b) a fine not exceeding ten shillings;
- (c) a recommendation for the stoppage of an increment of salary;
- (d) reprimand:

Provided that a police officer when performing the duties of prison officer or warder shall not be punished for the same breach of discipline or neglect of duty under this regulation and under the Police Ordinance, 1965

Search of officers.

(2) The Officer in Charge may order any prison officer to be searched.

Weighing, etc.

10. (1) Each prisoner may be weighed at any time during his term of imprisonment.

(2) The Officer in Charge shall record in the nominal roll the name, age, weight, height and distinguishing marks of each prisoner.

(3) Every person shall as soon as possible after reception and before he is discharged be interviewed on each occasion by the Officer in Charge.

Storing of property.

11. (1) Except as otherwise permitted by law, all property which the prisoner shall bring with him to the prison shall be stored and recorded by the Officer in Charge in the manner provided by these Regulations:

Provided that anything likely to perish or to cause damage to property in store shall be sold and the purchase money credited to the prisoner, or if it cannot be sold it shall be destroyed.

(2) Where the said property includes cash in excess of five pounds such excess shall be paid by the Officer in Charge into the Treasury to the credit of the prisoner;

(3) Except by order of the prisoner or under the garnishee order of a competent court the said excess shall not be paid out of the Treasury to any person other than the prisoner or his legal personal representatives.

Baths.

12. Unless otherwise provided by these regulations or ordered by the medical officer, every prisoner shall take a bath on admission.

Aliens and persons detained under emergency regulations.

13. (1) Aliens awaiting deportation, political offenders and persons detained under any emergency legislation for the time being in force, may, if they desire, at the discretion of the Officer in Charge:

- (a) be permitted to furnish their cells with bedding and furniture suitable to their condition of life;
- (b) be permitted to supply their own food, including half a pint of wine or one pint of malt liquor each day;
- (c) be permitted to have such books, papers or other properties supplied to them at their own expense as the Officer in Charge may consider to be unobjectionable, and such library books as they may reasonably require, and are available;

- (d) be permitted to work within the prison so far as the prison arrangements may admit;
- (e) write one letter in each week;
- (f) receive in each week one or, if the Officer in Charge so allows, two visits each of not more than two persons;
- (g) receive such letters as are addressed to them;
- (h) smoke while on exercise.

(2) Such prisoners may wear prison dress if they so desire, and shall do so if their own clothes are insufficient or unfit for use, or are required for the purposes of justice.

14. Criminal prisoners, may —

Criminal prisoners.

- (a) write one letter in each week;
- (b) receive such letters as are addressed to them;
- (c) receive one visit of not more than two persons in each week;
- (d) have the use of such library books as they may reasonably require and are available;
- (e) smoke at such times as may be permitted by the Officer in Charge.

15. (1) Civil and trial prisoners, prisoners on remand and appellants may, at the discretion of the Officer in Charge —

Civil and trial prisoners, etc.

- (a) smoke while on exercise;
- (b) receive one visit in each week and such other visits as may be necessary to enable them to consult their legal advisers;
- (c) write one letter in each week;
- (d) receive such letters as are addressed to them;
- (e) perform two hours exercise daily;
- (f) have the use of such library books as they may reasonably require and are available;
- (g) be permitted to supply their own food, including one pint of malt liquor each day.

(2) Civil prisoners shall perform such labour as may be ordered by the Officer in Charge.

(3) Trial prisoners on remand and appellants may be permitted to work if they so desire.

(4) Such prisoners, may wear their own clothing.

Provided that —

- (a) the clothing is sufficient and suitable;
- (b) it is not required for the purposes of justice;
- (c) it shall be disinfected if the medical officer of the prison so requires.

(5) The privilege of wearing his own clothing under this regulation may be forfeited under regulation 44 or 45 of these Regulations for any offence under section 42 or 43 of the Ordinance.

(6) A person charged with a capital offence shall be kept under special observation at all times by or under the supervision of the medical officer who shall keep or cause to be kept a written record of his physical and mental condition which record shall be forwarded to the Colonial Secretary three days before such person is due to be tried.

16. (1) All interviews shall be in the sight and hearing of a prison officer:

Visits and letters; conditions.

Provided that interviews between a prisoner and his legal adviser shall be out of hearing of any prison officer.

(2) Visits shall be allowed only subject to maintenance of the security, order and good government of the prison.

(3) All letters, except those written to the legal adviser of a prisoner detained for safe custody, including an appellant, shall be read by the Officer in Charge and may be detained by him if the contents are objectionable.

(4) The Officer in Charge shall inform the sender of any letters detained by him of the fact of such detention.

(5) One letter from each prisoner in each week may be posted at public expense.

(6) The Officer in Charge may permit such additional free letters as may seem to him reasonable in the interests of the prisoner.

Special visits or letters. 17. (1) A prisoner may be allowed by the Officer in Charge a special extra visit of not more than four persons on, or within seven days of, Christmas Day and on, or within seven days of, Easter Sunday.

(2) A prisoner may be allowed special extra visits or letters with the prior approval of the chairman of the board, or, in the absence of the chairman, of a member of the board, in case of death or serious illness of a near relative or in any case of special importance or urgency or for any purpose which, in the opinion of the chairman of the board, or, in the absence of the chairman, of a member of the board, is likely to promote the best interests of the prisoner or of his family either during his sentence or after discharge.

Visits by police. 18. Any police officer may visit any prisoner who is willing to see him on production of an authority in writing signed by the Officer in Charge and any such visit shall be additional to those allowed under these Regulations.

Visits by legal adviser. 19. (1) Reasonable facilities shall be allowed for the legal adviser of a prisoner who is a party to legal proceedings, civil or criminal, to interview the prisoner with reference to those proceedings, in the sight but not in the hearing of a prison officer.

(2) The legal adviser of a prisoner may, with the permission of the chairman of the board, or, in the absence of the chairman, of a member of the board, interview the prisoner with reference to any other legal business in the sight and hearing of a prison officer.

(3) The visits for special purposes referred in this regulation shall be additional to the visits allowed under any other regulation and shall not be liable to forfeiture under regulation 16(2) of these Regulations.

Family relationships, etc. 20. (1) Special attention shall be paid to the maintenance of such relations between a prisoner and his family as are desirable in the best interests of both.

(2) So far as practicable and in the opinion of the Officer in Charge desirable, a prisoner shall be encouraged and assisted to attain or establish such relations with persons or agencies outside the prison as may promote the best interests of his family or the social rehabilitation of the prisoner.

(3) The Officer in Charge may at any time communicate to a prisoner, or to his family or friends any matter of importance to the prisoner.

After care, etc. 21. From the date of admission to prison, every consideration shall be given, in consultation with any person or body concerned with the after care of prisoners, to the future of the prisoner and the assistance to be given to him on and after his discharge.

Information to family. 22. Upon the death or serious illness of a prisoner, or his certification as insane or mentally defective, or if he suffers a serious accident, the Officer in Charge shall inform the spouse of the

prisoner, if such spouse's address is known, or otherwise the nearest relatives whose address is known and shall, in any event inform any other person whom the prisoner has requested should be so informed.

23. (1) Female prisoners shall be attended only by female prison officers. To be attended by females.

(2) No male prison officer shall enter or remain in a room in which female prisoners are confined unless accompanied by the matron or a female prison officer.

24. Known prostitutes shall be kept in a ward by themselves. Known prostitutes.

25. Unless otherwise ordered by the medical officer, female prisoners shall not be compelled to have their hair cut. Hair cutting.

26. All prisoners may be permitted to engage in recreational training for one hour each day at such time as may be prescribed by the Officer in Charge: Recreational training.

Provided that no prisoner shall so engage if —

- (a) the medical officer has certified him as unfit therefor; or
- (b) he is undergoing punishment for a breach of prison discipline.

27. All prisoners certified as fit to do so by the medical officer, other than those undergoing punishment, shall perform such physical training as may be directed by the medical officer or Officer in Charge. Physical training.

28. (1) No prisoner excepting one professing the Jewish religion may on Sunday, Christmas Day or Good Friday be employed at any labour beyond the necessary services of the prison. Sabbaths.

(2) No prisoner professing the Jewish religion shall be compelled so to labour between sunset on Fridays and sunset on Saturdays, nor on the Day of Atonement.

29. (1) The food of the prisoners shall be in accordance with the scales in the Schedule to these Regulations, and shall be wholesome in quality. Diet.

(2) Food shall be given to a prisoner before he commences work.

30. (1) Except as otherwise provided by law, or on a written order from the medical officer, or the Colonial Secretary the prescribed rations shall not be varied. Variation of rations.

(2) Such order shall specify the variations in quantity and shall include the name of the prisoner.

(3) No convicted person shall, except as expressly provided by law, be allowed alcoholic liquor or tobacco.

(4) This regulation shall not apply to prisoners in hospital.

31. (1) Except as otherwise provided in these Regulations every prisoner shall be dressed in prison clothes. Clothing and hair cutting.

(2) The hair of the male prisoners shall be cut to a length compatible with the usual hair style unless the medical officer shall otherwise direct.

32. When the life of any prisoner is in danger, the Officer in Charge shall notify the minister of the religious denomination to which such prisoner belongs, and the relatives and next-of-kin of the prisoner, and may permit such relatives and next-of-kin to visit the prisoner. Serious illness.

33. When a prisoner dies from natural causes the Officer in Charge shall surrender the body to the relatives of the deceased, for Death.

burial, if the relatives so desire and there is no objection by the medical officer on grounds of public health.

Routine and special examinations.

34. (1) The medical officer shall examine each prisoner once a fortnight.

(2) The medical officer shall examine sick prisoners and prisoners in solitary confinement or punishment cells not less than once in each day.

(3) The medical officer shall from time to time inspect the prisoners at labour, and shall give such instructions regarding their health as he may consider necessary.

Punishment.

35. (1) Before bread and water diet, confinement in a punishment cell or corporal punishment are inflicted, the medical officer shall examine the prisoner concerned, and shall give such directions for preventing injury to health as he may consider necessary.

(2) In the case of corporal punishment the medical officer shall be present during its infliction, and may at any stage after its commencement order that the remainder of the sentence of corporal punishment be remitted.

Records.

36. (1) The medical officer shall keep —

- (a) a report book, in which he shall enter his comments on the state of the prison and prisoners;
- (b) a journal, in which he shall note full particulars of all cases of illness or death in the prison, together with any instructions which he may have given concerning diet or other treatment.

(2) The medical officer shall enter in such records his opinion, where such exists, that the life or reason of any prisoner is endangered by continuance of imprisonment, or that any prisoner is wholly and permanently unfit to undergo prison discipline.

Exercise.

37. All prisoners not employed in the open air shall, under due supervision, be given such exercise in the open air as the medical officer shall direct.

Clothes and bedclothes.

38. The clothes and bedclothes of the prisoners shall be washed changed and aired as often as the Officer in Charge or the medical officer shall direct.

Vaccination, etc.

39. The medical officer may vaccinate, re-vaccinate, inoculate, immunise and take such other steps regarding each prisoner as may be necessary for the prevention of disease.

Dietary inspection.

40. The medical officer shall frequently inspect the dietary and shall make such recommendations to the Officer in Charge as he may deem fit.

Officer in Charge to deal with misconduct.

41. All reports against any prisoner for misconduct shall be dealt with by the Officer in Charge.

Separation of reported prisoner.

42. When a prisoner has been reported for misconduct the Officer in Charge may order him to be kept apart from the other prisoners pending adjudication.

Information to reported prisoner.

43. A prisoner shall, before a report against him is dealt with, be informed of the misconduct for which he has been reported and shall be given a proper opportunity of hearing the facts alleged against him and of presenting his case.

Unauthorised articles.

44. The Officer in Charge may deprive a prisoner of any unauthorised article found in his cell or in his possession.

Investigation of misconduct and awards by Officer in Charge.

45. (1) Save as is provided by regulation 46 of these Regulations, the Officer in Charge shall investigate every case of mis-

conduct and he may determine thereupon and make one or more of the following awards —

- (a) caution;
- (b) forfeiture of remission of sentence for a period of not exceeding fourteen days or the period of remission already earned by the prisoner at the date of the act of misconduct whichever is the less;
- (c) forfeiture or postponement of privileges for a period not exceeding twenty-eight days;
- (d) exclusion from associated work for a period not exceeding fourteen days;
- (e) solitary confinement in a punishment cell for a period not exceeding three days;
- (f) bread and water diet for a period not exceeding three days.

(2) Every case of misconduct shall be reported forthwith, and the Officer in Charge shall investigate such reports not later than the following day, unless that day is a Sunday or public holiday.

46. (1) Where a prisoner is reported for misconduct of the following kinds, namely —

Investigation of misconduct and awards by the board.

- (a) escaping or attempting to escape from prison or from legal custody;
- (b) mutiny or incitement to mutiny;
- (c) gross personal violence to another prisoner;
- (d) gross personal violence to the Officer in Charge or a prison officer;
- (e) any serious or repeated misconduct for which such award as the Officer in Charge is authorised to make is deemed insufficient by the Officer in Charge,

the Officer in Charge shall forthwith report the same to the board, and the chairman of the board shall summon a special meeting of the board.

(2) The board shall enquire into the charges on oath and shall determine thereon and may make one or more of the following awards —

- (a) caution;
- (b) forfeiture of remission of sentence for a period not exceeding ninety days or the period of remission already earned by the prisoner at the date of the act of misconduct whichever is the less;
- (c) exclusion from associated work for a period not exceeding twenty-eight days;
- (d) forfeiture or postponement of privileges for any period;
- (e) solitary confinement in a punishment cell for a period not exceeding fourteen days or, in the case of the prisoner who is found guilty of mutiny or incitement to mutiny or of gross personal violence to the Officer in Charge or a prison officer, not exceeding twenty-eight days;
- (f) bread and water diet for a period not exceeding fourteen days;
- (g) corporal punishment, in the case of a prisoner who is found guilty of mutiny or incitement to mutiny or of gross personal violence to the Officer in Charge or a prison officer.

(3) An award of corporal punishment shall not be carried out until the prior approval of the Governor has been obtained.

47. (1) Any award under regulations 45 and 46 of these Regulations may be remitted or mitigated by the Governor.

Remission and mitigation of awards.

(2) Any award made under sub-paragraphs (c) to (f) of paragraph (1) of regulation 45 of these Regulations or under sub-paragraphs (c) to (g) of paragraph (2) of regulation 46 of these Regulations may be determined or mitigated at any time during the currency thereof by the authority responsible for the award.

Solitary confinement.

48. A prisoner sentenced to solitary confinement shall see no one except the Officer in Charge, the medical officer, the chaplain and the prison officers.

Enquiry.

49. (1) No prisoner shall be punished unless he has had an opportunity of hearing the charge and evidence, and of making his defence.

(2) The Officer in Charge shall have power, in any enquiry into an offence against prison discipline, to administer an oath to any witness.

Illegal detention.

50. No prisoner shall in consequence of misconduct be detained in prison for a longer period than the sentence inflicted on him by the court.

Remission.

51. (1) The maximum amount of remission shall be calculated as follows —

- (a) the total time which the prisoner is sentenced to spend in prison shall be reduced to days, including the day upon which the sentence was awarded;
- (b) such total shall be divided by three;
- (c) the dividend of the said division (ignoring any fractions of three) shall be subtracted from such total;
- (d) the remainder of the said subtraction, with any days added as a punishment or for any other reason, shall be the time which the prisoner shall spend in prison unless lawfully released previously.

(2) Any days which a prisoner spends in hospital (unless on account of sickness or injury caused otherwise than by the fault of the prisoner), and any days which a prisoner spends in undergoing punishment for a breach of prison discipline, shall be deducted from the remission which would otherwise be due to him.

Notices in cells.

52. The Officer in Charge shall cause to be posted in each cell copies of such of these Regulations as relate to the treatment and conduct of prisoners, together with a notice explaining the effect on his treatment in the prison of the prisoner's good or bad conduct, and a copy of the prison dietaries.

Officer in Charge's responsibility.

53. The Officer in Charge shall be responsible for the due discharge of all prisoners immediately upon their becoming entitled thereto, whether by expiration of sentence, remission, pardon or otherwise.

Date and time of release.

54. A prisoner shall be released from prison not later than twelve noon on the appropriate day:

Provided that if such day is a Sunday, Christmas Day or Good Friday, or, in the case of a prisoner professing the Jewish religion, the Jewish sabbath, the prisoner shall be released on the next day preceding.

Property.

55. (1) Any articles belonging to a prisoner and stored by the prison authorities on his admission shall be returned to him on release, and any sums credited to him under the wage-earning scheme shall forthwith be paid to him in cash.

(2) Any clothing destroyed by the prison authorities shall be replaced at public expense.

Mechanical restraints.

56. (1) Mechanical restraints shall not be used as a punishment or for any purpose other than safe custody during removal,

except on medical grounds by direction of the medical officer, or in the circumstances and under the conditions stated in the following paragraphs of this regulation.

(2) When it appears to the Officer in Charge that it is necessary to place a prisoner under mechanical restraint in order to prevent him injuring himself or others or damaging property or creating a disturbance, the Officer in Charge may order him to be placed under mechanical restraint, and notice thereof shall forthwith be given to a member of the board and to the medical officer.

(3) Particulars of every case of mechanical restraint shall be forthwith recorded by the Officer in Charge.

57. The Prison Regulations, 1949, are hereby revoked.

Made by the Governor in Council this 14th day of December, 1966.

H. L. BOUND,  
*Clerk of the Executive Council.*

SCHEDULE

Regulation 29.

Breakfast:

Bread — 6 ounces  
margarine —  $\frac{1}{2}$  ounce  
oatmeal — 2 ounces to make one pint  
tea or coffee —  $\frac{1}{4}$  ounce  
sugar — 1 ounce  
milk — 1 ounce.

Dinner:

Potatoes — 6 ounces  
meat (boneless) — 8 ounces, or (with bone) — 12 ounces  
or fish — 12 ounces, or offal — 10 ounces  
vegetables to include a raw onion three times weekly — 8 ounces  
flour — 1 ounce  
rice, split peas, beans or macaroni — 2 ounces  
cooking oil  $\frac{1}{20}$ th pint or less as required  
salt, pepper and curry powder as required.

Tea:

Bread — 6 ounces  
margarine —  $\frac{1}{2}$  ounce  
cheese or jam — 2 ounces  
tea —  $\frac{1}{4}$  ounce  
milk — 1 ounce  
sugar — 1 ounce.

Supper:

Cocoa or drinking chocolate —  $\frac{1}{2}$  ounce  
sugar — 1 ounce  
milk — 1 ounce.

BREAD AND WATER DIET

Bread —  $1\frac{1}{2}$  lb.

SICK OR INVALID PRISONERS

As ordered by the medical officer.

FALKLAND ISLANDS.

Savings Bank Ordinance (Cap. 61.)  
RULES  
(under section 14 of the Ordinance)

No. 1 of 1966.

C. HASKARD,  
Governor.

In exercise of the powers conferred by section 14 of the Savings Bank Ordinance, the Governor in Council has made the following Rules —

1. These Rules may be cited as the Savings Bank (Amendment) Rules, 1966. Citation.

2. The Schedule to the Savings Bank Rules is deleted and substituted by the following — Deletion and substitution of Schedule. Revised Edition Vol. II. p. 281.

"SCHEDULE Rule 9.

Falkland Islands Savings Bank P.V. No.....  
WITHDRAWAL OF DEPOSITS S.B. No.....  
I hereby acknowledge the receipt of the sum of £.....  
(words) .....  
Please charge this amount to my account number.....  
Date..... Signature of Depositor.....

FOR OFFICIAL USE ONLY

Balance £..... Payment Authorised  
Interest £.....  
Total £..... Colonial Treasurer.  
Form No. S.B. 1.

Falkland Islands Savings Bank P.V. No.....  
NOTICE OF WITHDRAWAL S.B. No.....  
Depositor's Account No..... Date.....  
I hereby give notice that I wish to withdraw the sum of (a) £.....  
(words) .....  
from my deposit account bearing the above number and I request that payment be made  
(b) to me in person/to.....  
(c) Signature of Depositor..... (d) Signature of Witness.....

FORM OF RECEIPT

I hereby acknowledge receipt of the sum of £.....  
(words) .....  
Signature of Depositor or person authorised by him .....

FOR OFFICIAL USE ONLY

Balance £..... Payment Authorised  
Interest £.....  
Total £..... Colonial Treasurer.  
Before completing this form please read directions overleaf. Form No. S.B. 2.

Directions for withdrawing deposits from the Falkland Islands Savings Bank

- (a) Insert the amount required in both figures and words. If it is desired to close the account insert the words "the balance including interest to close account".
- (b) Strike out the inapplicable words. If payment is to be made to someone other than the depositor himself, write in the space provided the name of that person (or firm).
- (c) If payment is to be made to someone other than the depositor himself the signature in this space should be signed in the presence of an adult witness.
- (d) The witness should sign here. The witness cannot be the person authorised to receive payment. The witness must be an adult."

Made by the Governor in Council the 9th day of February, 1966.

H. L. BOUND,  
*Clerk of the Executive Council.*

Ref. 0385/C.

FALKLAND ISLANDS.

The Currency Notes Ordinance (Cap. 15)

**RULES**

(under section 13 of the Ordinance)

No. 2 of 1966.

C. HASKARD,  
*Governor.*

In exercise of the powers vested in him by section 13 of the Currency Notes Ordinance, and with the approval of the Secretary of State, the Governor is pleased to make the following rules —

Cap. 15.

1. These rules may be cited as the Currency Notes (Amendment) Rules, 1966, and shall be read as one with the Currency Notes Rules, hereinafter referred to as the principal rules.

Short title.  
Revised Edition Vol II.  
p. 135.

2. The principal rules are amended by adding after rule 23 the following new rules —

Addition of new rules 24  
and 25 to the principal  
rules.

"Recall of  
currency notes.

24. Notwithstanding the provisions of section 5 of the Ordinance the Commissioner shall have power, on giving not less than one month's notice in the Gazette, to call in any currency notes on payment of the face value thereof and any such notes with respect to which a notice has been given under this rule shall, on the expiration of the notice, cease to be legal tender.

25. Nothing in the preceding rule shall be construed as removing the Commissioner's liability to make payment for any currency notes which are delivered to the Treasury, Stanley, after they have ceased to be legal tender."

Dated this 6th day of July, 1966.

*By Command,*

L. C. GLEADELL,  
*Acting Colonial Secretary.*

Ref. 0496/II.

FALKLAND ISLANDS.

The Falkland Islands Court of Appeal Rules, 1966.

No. 3 of 1966.

In exercise of the powers conferred on me by section 5 of the Falkland Islands Court of Appeal Order, 1965, I hereby make the following Rules —

1. These Rules may be cited as the Falkland Islands Court of Appeal Rules, 1966 and shall come into force on the 1st day of August 1966.

Short title and commencement.

2. All rules of court for the time being in force relating to the hearing and determination of appeals from the courts of St. Helena to the St. Helena Court of Appeal established by the St. Helena Court of Appeal Order, 1964 shall apply *mutatis mutandis* in relation to the hearing and determination of appeals from the courts of the territory to the Falkland Islands Court of Appeal, and for that purpose shall be construed with any necessary adaptations and modifications.

Rules of Court.

Dated this tenth day of June 1966, at London.

LS

A. G. FORBES,  
*President.*

Ref. 2312.

# FALKLAND ISLANDS.

## STATUTORY INSTRUMENTS

1966 No. 686

### OVERSEAS TERRITORIES

#### The Admiralty Jurisdiction (Falkland Islands) Order 1966

Made - - - 9th June 1966

Coming into Operation 10th June 1966

At the Court at Buckingham Palace, the 9th day of June 1966

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the power vested in Her by section 56 of the Administration of Justice Act 1956 (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 Admiralty Jurisdiction (Falkland Islands) Order 1966.

Citation and commencement.

(2) This Order shall come into operation on 10th June 1966.

2. The Colonial Courts of Admiralty Act 1890 (b) shall, in relation to the Supreme Court of the Falkland Islands, have effect as if the reference in section 2 (2) thereof to the Admiralty jurisdiction of the High Court in England there were substituted a reference to the Admiralty jurisdiction of that court as defined by section 1 of the Administration of Justice Act 1956 subject to the adaptation and modification of the said section 1 that is specified in schedule 1 to this Order.

Admiralty jurisdiction of Supreme Court of the Falkland Islands.

3. The provisions of sections 3, 4, 6, 7 and 8 of Part I of the Administration of Justice Act 1956 shall extend to the Falkland Islands and its Dependencies with the adaptations and modifications that are specified in Column II of schedule 2 to this Order.

Application of provisions of Administration of Justice Act 1956 to the Falkland Islands.

W. G. Agnew.

#### SCHEDULE 1

#### Article 2

##### ADAPTATION AND MODIFICATION OF SECTION 1 OF THE ADMINISTRATION OF JUSTICE ACT 1956

In subsection (1) the words "and any other jurisdiction connected with ships and aircraft vested in the High Court apart from this section which is for the time being assigned by rules of court to the Probate, Divorce and Admiralty Division" shall be deleted.

#### SCHEDULE 2

#### Article 3

##### PROVISIONS OF PART I OF THE ADMINISTRATION OF JUSTICE ACT 1956 EXTENDED TO THE FALKLAND ISLANDS AND ADAPTATIONS AND MODIFICATIONS THERETO

##### Column I

##### Column II

Section 3     ...     In subsections (1), (3), (5), (6) and (7), for the references to the High Court, the Liverpool Court of Passage, and any county court there shall be substituted a reference to the Supreme Court of the Falkland Islands;

In subsection (2) the words "the High Court" shall be deleted and the words "the Supreme Court of the Falkland Islands" shall be substituted;

(a) 1956 c. 46.

(b) 1890 c. 27.

In subsection (4) the words "High Court and (where there is such jurisdiction) the Admiralty jurisdiction of the Liverpool Court of Passage or any county court" shall be deleted and the words "Supreme Court of the Falkland Islands" shall be substituted:

In subsection (8) the words "England and Wales" shall be deleted and the words "Falkland Islands" shall be substituted.

Section 4 ... Subsection (1) shall be deleted and the following subsection shall be substituted —

"(1) No court in the Falkland Islands shall entertain an action in personam to enforce a claim to which this section applies unless —

(a) the defendant has his habitual residence or place of business in the Falkland Islands: or

(b) the cause of action arose within the territorial waters of the Falkland Islands: or

(c) an action arising out of the same incident or series of incidents is proceeding in the court or has been heard and determined in the court.

In this subsection "territorial waters of the Falkland Islands" include any port, dock or harbour in the Falkland Islands."

In subsection (2) the words "in England and Wales" shall be deleted and the words, "in the Falkland Islands" shall be substituted, and the words "outside England and Wales" shall be deleted and the words "outside the Falkland Islands" shall be substituted:

In subsection (5) the words "the High Court" shall be deleted and the words "the Supreme Court of the Falkland Islands" shall be substituted:

Subsection (6) shall be omitted.

Section 6 ... The words "England and Wales" shall be deleted and the words "Falkland Islands" shall be substituted.

Section 7 ... Subsection (1) shall be deleted and the following subsection shall be substituted —

"(1) Section six hundred and eighty-eight of the Merchant Shipping Act 1894 (a) (which relates to the detention of ships by customs officers in certain cases) shall cease to have effect, but nothing in this Part of the Act affects the provisions of section five hundred and fifty-two of the Merchant Shipping Act 1894 (which relates to the power of a receiver of wreck to detain a ship in respect of a salvage claim).";

Subsection (2) shall be omitted.

Section 8 ... In subsection (1) there shall be added the following definition —

" "Falkland Islands" means the Falkland Islands and its Dependencies; "

# EXPLANATORY NOTE

(This Note is not part of the Order)

This Order provides that the Supreme Court of the Falkland Islands, which is a Colonial Court of Admiralty, shall, in relation to the Falkland Islands, have the Admiralty jurisdiction of the High Court of England, as defined in section 1 of the Administration of Justice Act 1956, with certain modifications. It also extends certain of the provisions contained in Part I of that Act to the Falkland Islands.

(a) 1894 c. 60.

## STATUTORY INSTRUMENTS

1964 No. 690

### COPYRIGHT

#### The Copyright (International Conventions) Order 1964.

Made - - - - 12th May 1964

Laid before Parliament 20th May 1964

Coming into Operation 21st May 1964

At the Court at Buckingham Palace, the 12th day of May 1964

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by and with the advice of Her Privy Council, and by virtue of the authority conferred upon Her by sections 31, 32 and 47 of the Copyright Act 1956(a) (hereinafter referred to as "the Act"), and of all other powers enabling Her in that behalf, is pleased to order, and it is hereby ordered as follows —

#### PART I

*Protection in respect of literary, dramatic, musical and artistic works, sound recordings, cinematograph films and published editions*

1. Subject to the following provisions of this Order, the provisions of Parts I and II of the Act (except section 14) and all the other provisions of the Act relevant thereto, being the provisions relating to literary, dramatic, musical and artistic works, sound recordings, cinematograph films and published editions of literary, dramatic or musical works, shall apply in the case of each of the countries mentioned in Schedule 1 hereto as follows —

- in relation to literary, dramatic, musical or artistic works, sound recordings, cinematograph films or published editions first published in that country, as they apply in relation to such works, recordings, films or editions first published in the United Kingdom;
- in relation to persons who, at a material time (as hereinafter defined), are citizens or subjects of, or domiciled or resident in, that country, as they apply in relation to persons who, at such a time, are British subjects or domiciled or resident in the United Kingdom;
- in relation to bodies incorporated under the laws of that country, as they apply in relation to bodies incorporated under the laws of any part of the United Kingdom.

2. (1) Subject to the following provisions of this Article, the relevant provisions of Schedule 7 to the Act shall, in relation to any work or other subject matter in which copyright subsists by virtue of this Part of this Order, have effect as if for references, wherever they occur therein, to the commencement of the Act or of any provision of the Act or to the repeal of any provision of the Copyright Act 1911(b) or of any other enactment there were substituted references to 27th September 1957 (being the date on which the Copyright (International Conventions) Order 1957(c) (hereinafter referred to as "the 1957 Order") came into operation).

(2) Subject to the following provisions of this Article, copyright shall not subsist by virtue of this Part of this Order in any work or other subject-matter by reason only of its publication before 27th September 1957 in a country which is a party to the Universal Copyright Convention but which is not a country of the Berne Copyright Union.

(a) 4 & 5 Eliz. 2. c. 74. (b) 1 & 2 Geo. 5. c. 46. (c) S.I. 1957/1523 (1957 I, p. 474).

(3) In the case of any country mentioned in column 1 of Schedule 2 to this Order paragraphs (1) and (2) of this Article shall have effect as if there were substituted for the references therein to 27th September 1957 references to the date set out against the name of that country in column 2 of that Schedule (being the date on which the provisions of the Act were first applied in the case of that country).

(4) This Article shall not apply —

- (a) in the case of Ghana or Nigeria; or
- (b) to any work or subject-matter first published in the United States of America, if, immediately before 27th September 1957, copyright under the Copyright Act 1911 subsisted in such work or subject-matter by virtue of either an Order in Council dated 9th February 1920, regulating copyright relations with the United States of America(a), or the Copyright (United States of America) Order 1942(b), as amended(c).

3. The acts restricted by section 12 of the Act as applied by this Part of this Order shall not include —

- (a) causing the recording to be heard in public; or
- (b) broadcasting the recording;

except in the case of the countries mentioned in Schedule 3 to this Order.

4. Where any person has, before the commencement of this Order, taken any action whereby he has incurred any expenditure or liability in connection with the reproduction or performance of any work or other subject-matter in a manner which at the time was lawful, or for the purpose of or with a view to the reproduction or performance of a work at a time when such reproduction or performance would, but for the making of this Part of this Order, have been lawful, nothing in this Part of this Order shall diminish or prejudice any right or interest arising from, or in connection with such action which is subsisting and valuable immediately before the commencement of this Order unless the person who, by virtue of this Part of this Order, becomes entitled to restrain such reproduction or performance agrees to pay such compensation, as failing agreement, may be determined by arbitration.

5. In this Part of this Order —

- (a) "country of the Berne Copyright Union" means any country mentioned in Part 1 of Schedule 1 to this Order;
- (b) "material time" means —
  - (i) in relation to an unpublished work or subject-matter, the time at which such work or subject-matter was made or, if the making thereof extended over a period, a substantial part of that period;
  - (ii) in relation to a published work or subject-matter, the time of first publication;
- (c) "party to the Universal Copyright Convention" means any country mentioned in Part 2 of Schedule 1 to this Order.

6. Nothing in the provisions of the Act as applied by this Part of this Order shall be construed as reviving any right to make, or restrain the making of, or any right in respect of, translations, if such right has ceased before the commencement of this Order.

7. This Part of this Order, and Part III, so far as relevant thereto, shall extend to the countries mentioned in column 1 of Part 1 of Schedule 4 to this Order subject to the modifications specified in Part 2 of that Schedule.

(a) S.R. & O. 1920/257 (1920 I, p. 286).

(b) S.R. & O. 1942/1579 (Rev. IV, p. 963: 1942 I, p. 87). (c) S.I. 1950/1641 (1950 I, p. 399).

## PART II

### *Protection in respect of broadcasts*

8. The provisions of section 14 of the Act, so far as they relate to sound broadcasts, and all the other provisions of the Act relevant thereto, other than section 40 (3), shall apply, in the case of each of the countries mentioned in column 1 of Schedule 5 to this Order, in relation to sound broadcasts made from places in those countries by an organisation constituted in, or under the laws of, the country in which the sound broadcast is made, as they apply in relation to broadcasts made from places in the United Kingdom by the British Broadcasting Corporation; so, however, that paragraphs 17 and 18 of Schedule 7 to the Act shall have effect as if for the references therein to the commencement of section 14 of the Act there were substituted references to the respective dates set out in column 2 of Schedule 5 to this Order (being the dates on which the provisions of section 14 of the Act so far as they relate to sound broadcasts were first applied in the case of those countries).

9. The provisions of section 14 of the Act, so far as they relate to television broadcasts, and all the other provisions of the Act relevant thereto, other than section 37 (4), section 40 (3) and Schedule 5, shall apply in the case of each of the countries mentioned in column 1 of Schedule 6 to this Order, in relation to television broadcasts made from places in those countries by an organisation constituted in, or under the laws of, the country in which the television broadcast was made, as they apply in relation to television broadcasts made from places in the United Kingdom by the British Broadcasting Corporation or the Independent Television Authority; so, however, that —

- (a) section 24 (3) (c) of the Act shall have effect as if for the reference to the Corporation or the Authority or any organisation appointed by them there were substituted a reference to any owner or prospective owner of copyright in television broadcasts; and
- (b) paragraphs 17 and 18 of Schedule 7 to the Act shall have effect as if for the references therein to the commencement of section 14 of the Act there were substituted references to the respective dates set out in column 2 of Schedule 6 to this Order, (being the dates on which the provisions of section 14 of the Act so far as they relate to television broadcasts were first applied in the case of those countries).

## PART III

### *Supplemental*

10. (1) The Orders mentioned in Part 1 of Schedule 7 to this Order are hereby revoked insofar as they form part of the law of the United Kingdom or any country to which this Order extends; and accordingly the Orders mentioned in column 2 of Part 1 of Schedule 4 to this Order (being the Orders whereby the Act and the 1957 Order were extended to the countries to which this Order extends) shall have effect as though there were omitted therefrom the respective provisions mentioned in column 4 of that Part of that Schedule (being the provisions extending the 1957 Order and other Orders hereby revoked to those countries):

Provided that, notwithstanding the revocation of the 1957 Order, and without prejudice to the effect of section 38 of the Interpretation Act 1889(a) (which relates to the effect of repeals) as applied by Article 11 of this Order, Article 2 of the 1957 Order shall continue to apply in any case in which it applied before the commencement of this Order as it applied by virtue of the 1957 Order or any of the other Orders hereby revoked.

(2) The Orders mentioned in Part 2 of Schedule 7 to this Order are hereby revoked in the law of the United Kingdom.

(a) 52 & 53 Vict. c. 63.

11. The Interpretation Act 1889 shall apply to the interpretation of this Order as if this Order and the Orders hereby revoked were Acts of Parliament.

12. This Order may be cited as the Copyright (International Conventions) Order 1964 and shall come into operation on 21st May 1964.

W. G. Agnew.

#### SCHEDULE 1

##### PART 1

##### COUNTRIES OF THE BERNE COPYRIGHT UNION

Australia (and Papua, New Guinea, Nauru and Norfolk Island).	Lebanon. Liechtenstein. Luxembourg. Mali. Monaco. Morocco. Netherlands (and Surinam and Netherlands Antilles).
Austria.	New Zealand.
Belgium.	Nigeria.
Brazil.	Norway.
Bulgaria.	Pakistan.
Canada.	Philippines.
Ceylon.	Poland.
Congo (Brazzaville).	Portugal (including Portuguese provinces overseas).
Congo (Leopoldville).	Roumania.
Cyprus.	Senegal.
Czechoslovakia.	South Africa (and South West Africa).
Dahomey.	Spain (and its Colonies).
Denmark.	Sweden.
Finland.	Switzerland.
France (and French territories overseas).	Thailand.
Gabon.	Tunisia.
Federal Republic of Germany (and Land Berlin).	Turkey.
Greece.	Upper Volta.
Hungary.	Vatican City.
Iceland.	Western Samoa.
India.	Yugoslavia.
Republic of Ireland.	
Israel.	
Italy.	
Ivory Coast.	
Japan.	

##### PART 2

##### PARTIES TO THE UNIVERSAL COPYRIGHT CONVENTION

Andorra.	Japan.
Argentina.	Laos.
Austria.	Lebanon.
Belgium.	Liberia.
Brazil.	Liechtenstein.
Cambodia.	Luxembourg.
Canada.	Mexico.
Chile.	Monaco.
Costa Rica.	Nicaragua.
Cuba.	Nigeria.
Czechoslovakia.	Norway.
Denmark.	Pakistan.
Ecuador.	Panama.
Finland.	Paraguay.
France.	Peru.
Federal Republic of Germany (and Land Berlin).	Philippines.
Ghana.	Portugal.
Greece.	Spain.
Haiti.	Sweden.
Iceland.	Switzerland.
India.	United States of America (and Guam, Panama Canal Zone, Puerto Rico and the Virgin Islands of the United States of America).
Republic of Ireland.	Vatican City.
Israel.	
Italy.	

#### SCHEDULE 2

DATES ON WHICH PROVISIONS OF THE ACT WERE FIRST APPLIED BY PREVIOUS ORDERS OTHER THAN THE 1957 ORDER TO COUNTRIES BEING PARTIES TO THE UNIVERSAL COPYRIGHT CONVENTION BUT NOT MEMBERS OF THE BERNE COPYRIGHT UNION.

Country	Date on which the Act was first applied
Argentina ... ..	13th February 1958.
Nicaragua ... ..	16th August 1961.
Paraguay ... ..	11th March 1962.
Panama ... ..	17th October 1962.
Peru ... ..	16th October 1963.

#### SCHEDULE 3

COUNTRIES IN THE CASE OF WHICH COPYRIGHT IN SOUND RECORDINGS INCLUDES EXCLUSIVE RIGHT TO PERFORM IN PUBLIC AND TO BROADCAST

Australia.	Israel.
Canada.	Mexico.
Ceylon.	New Zealand.
Congo (Brazzaville).	Nigeria.
Cyprus.	Norway.
Denmark.	Pakistan.
Ecuador.	South Africa.
Federal Republic of Germany (and Land Berlin).	Spain.
India.	Sweden.
Republic of Ireland.	Switzerland.
Italy.	Western Samoa.

#### SCHEDULE 4

COUNTRIES TO WHICH PART I OF THIS ORDER EXTENDS AND MODIFICATIONS THEREOF IN RELATION TO SUCH EXTENSION

##### PART 1

Column 1 Country	Column 2 Relevant Order	Column 3 Operative date of Relevant Order	Column 4 Provisions omitted from Relevant Order
Isle of Man ...	The Copyright (Isle of Man) Order 1959 (S.I. 1959/861; 1959 I, p. 748).	31st May 1959	Paragraph 1 of Schedule 2.
Gibraltar ...	The Copyright (Gibraltar) Order 1960 (S.I. 1960/847; 1960 I, p. 767).	1st October 1960	The reference to the Copyright (International Conventions) Order 1957 in Article 2, and paragraph 1 of Schedule 2.
Fiji ... ..	The Copyright (Fiji) Order 1961 (S.I. 1961/60; 1961 I, p. 116).	1st June 1961	The references to the Copyright (International Conventions) Order 1957 and the Copyright (International Conventions) (Argentina) Order 1958 in Article 2, and paragraphs 2 and 3 of Schedule 2.
Bermuda ...	The Copyright (Bermuda) Order 1962 (S.I. 1962/1642; 1962 II, p. 1909).	6th December 1962	The references to the Copyright (International Conventions) Order 1957 and the Copyright (International Conventions) (Argentina) Order 1958 in Article 2, and paragraphs 2 and 3 of Schedule 2.
The Bahama Islands	The Copyright (Bahamas) Order 1962 (S.I. 1962/2184; 1962 III, p. 2964).	11th February 1963	The references to the Copyright (International Conventions) Order 1957 and the Copyright (International Conventions) (Argentina) Order 1958 in Article 2, and paragraphs 2 and 3 of Schedule 2.
The Virgin Islands	The Copyright (Virgin Islands) Order 1962 (S.I. 1962/2185; 1962 III, p. 2969).	11th February 1963	The references to the Copyright (International Conventions) Order 1957 and the Copyright (International Conventions) (Argentina) Order 1958 in Article 2, and paragraphs 2 and 3 of Schedule 2.

Column 1 Country	Column 2 Relevant Order	Column 3 Operative date of Relevant Order	Column 4 Provisions omitted from Relevant Order
The Falkland Islands and its Dependencies	The Copyright (Falkland Islands) Order 1963 (S.I. 1963/1037; 1963 II, p. 1761).	10th October 1963	The references to the Copyright (International Conventions) Order 1957 and the Copyright (International Conventions) (Argentina) Order 1958 in Article 2, and paragraphs 2 and 3 of Schedule 2.
St. Helena and its Dependencies	The Copyright (St. Helena) Order 1963 (S.I. 1963/1038; 1963 II, p. 1767).	10th October 1963	The references to the Copyright (International Conventions) Order 1957 and the Copyright (International Conventions) (Argentina) Order 1958 in Article 2, and paragraphs 2 and 3 of Schedule 2.
Seychelles	The Copyright (Seychelles) Order 1963 (S.I. 1963/1039; 1963 II, p. 1772).	10th October 1963	The references to the Copyright (International Conventions) Order 1957 and the Copyright (International Conventions) (Argentina) Order 1958 in Article 2, and paragraphs 2 and 3 of Schedule 2.
Mauritius	The Copyright (Mauritius) Order 1964 (S.I. 1964/689).	21st November 1964	

#### PART 2

1. In so far as Part I of this Order forms part of the law of any country by virtue of Article 7 of this Order, Article 1 of this Order shall have effect as if for references therein to "the United Kingdom" there were substituted references to that country.

2. In so far as Part I of this Order forms part of the law of any such country as aforesaid, Article 2 of this Order shall have effect subject to the following modifications —

- (a) there shall be substituted for the references in paragraphs (1) and (2) to 27th September 1957, references to the following date, that is to say —
  - (i) in relation to any country mentioned in Schedule 1 to this Order and not mentioned in column 1 of Schedule 2 to this Order, and also in relation to any country mentioned in column 1 of Schedule 2 where the date set out in column 2 of that Schedule against the name of that country is a date earlier than the operative date of the relevant Order, there shall be substituted the operative date of that Order (being the date on which the Act was first extended to that country);
  - (ii) in relation to any other country mentioned in column 1 of Schedule 2 to this Order, there shall be substituted the date set out in column 2 of that Schedule against the name of that country (being the date on which the provisions of the Act were first applied in the case of that country);
- (b) paragraph (3) shall be omitted; and
- (c) there shall be substituted for the reference in paragraph (4) to 27th September 1957, a reference to the operative date of the relevant Order.

3. In paragraphs 1 and 2 of this Part of this Schedule the "relevant Order" and the "operative date" of that Order respectively mean, in relation to any country to which Part I of this Order extends, the Order and the date mentioned against the name of that country, in columns 2 and 3 of Part I of this Schedule.

#### SCHEDULE 5

##### COUNTRIES WHOSE ORGANISATIONS ARE PROTECTED IN RELATION TO SOUND BROADCASTS

Country	Date
Congo (Brazzaville) ...	21st May 1964.
Ecuador ...	21st May 1964.
Mexico ...	21st May 1964.
Niger ...	21st May 1964.
Sweden ...	21st May 1964.

#### SCHEDULE 6

##### COUNTRIES WHOSE ORGANISATIONS ARE PROTECTED IN RELATION TO TELEVISION BROADCASTS

Country	Date
France ...	1st July 1961.
Sweden ...	1st July 1961.
Denmark ...	1st February 1962.
Congo (Brazzaville) ...	21st May 1964.
Ecuador ...	21st May 1964.
Mexico ...	21st May 1964.
Niger ...	21st May 1964.

#### SCHEDULE 7

##### PART 1

##### ORDERS REVOKED IN THE LAW OF THE UNITED KINGDOM AND OTHER COUNTRIES TO WHICH PART I OF THIS ORDER EXTENDS

Order	S.I. number and reference
The Copyright (International Conventions) Order 1957.	S.I. 1957/1523 (1957 I, p. 474).
The Copyright (International Conventions) (Argentina) Order 1958.	S.I. 1958/135 (1958 I, p. 361).
The Copyright (International Conventions) (Amendment) Order 1958.	S.I. 1958/1254 (1958 I, p. 358).
The Copyright (International Conventions) (Amendment No. 2) Order 1958.	S.I. 1958/2184 (1958 I, p. 360).
The Copyright (International Conventions) (Amendment) Order 1960.	S.I. 1960/200 (1960 I, p. 772).
The Copyright (International Conventions) (Amendment) Order 1961.	S.I. 1961/1496 (1961 II, p. 3040).
The Copyright (International Conventions) (Amendment No. 2) Order 1961.	S.I. 1961/2461 (1961 III, p. 4507).
The Copyright (International Conventions) (Amendment) Order 1962.	S.I. 1962/397 (1962 I, p. 348).
The Copyright (International Conventions) (Amendment No. 2) Order 1962.	S.I. 1962/628 (1962 I, p. 631).
The Copyright (International Conventions) (Amendment No. 3) Order 1962.	S.I. 1962/1641 (1962 II, p. 1907).
The Copyright (International Conventions) (Amendment No. 4) Order 1962.	S.I. 1962/2183 (1962 III, p. 2962).
The Copyright (International Conventions) (Amendment) Order 1963.	S.I. 1963/1625 (1963 III, p. 3018).

##### PART 2

##### ORDERS REVOKED IN THE LAW OF THE UNITED KINGDOM

Order	S.I. number and reference
The Copyright (Foreign Television Broadcasts) Order 1961.	S.I. 1961/993 (1961 II, p. 1917).
The Copyright (Foreign Television Broadcasts) (Amendment) Order 1962.	S.I. 1962/165 (1962 I, p. 166).

#### EXPLANATORY NOTE

(This note is not part of the Order, but is intended to indicate its general purport.)

This Order revokes the Orders mentioned in Schedule 7 (being Orders providing for the protection here and in the countries to which the Copyright Act 1956 has been extended of works and other subject-matter of foreign and Commonwealth origin) and re-enacts the revoked provisions with minor modifications.

The Order also takes account of —

- (a) the accession of Finland, Greece and Norway to the Universal Copyright Convention;
- (b) the fact that Cyprus, Upper Volta and Congo (Leopoldville) have subscribed in their own right to the Berne Copyright Union; and
- (c) the ratification by Congo (Brazzaville), Ecuador, Mexico, Niger and Sweden of the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations, which provides, *inter alia*, for the protection of sound recordings and broadcasts.

The Order (other than Part II, which relates exclusively to the protection of broadcasts) is extended to the countries named in Schedule 4, being countries in which the Copyright Act 1956 is in force by virtue of Orders in Council made under that Act.

# FALKLAND ISLANDS.

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## STATUTORY INSTRUMENTS

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1964 No. 1194

### COPYRIGHT

#### The Copyright (International Conventions) (Amendment) Order 1964

<i>Made</i>	<i>27th July 1964</i>
<i>Laid before Parliament</i>	<i>31st July 1964</i>
<i>Coming into Operation</i>	<i>14th August 1964</i>

At the Court at Buckingham Palace, the 27th day of July 1964

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by and with the advice of Her Privy Council, and by virtue of the authority conferred upon Her by sections 31, 32 and 47 of the Copyright Act 1956<sup>(a)</sup> and of all other powers enabling Her in that behalf, is pleased to order, and it is hereby ordered, as follows —

1. The Copyright (International Conventions) Order 1964<sup>(b)</sup> (hereinafter called "the principal Order") shall be amended —

- (i) by the inclusion of Czechoslovakia among the countries mentioned in Schedule 3 thereto (being the countries in whose case copyright in sound recordings includes the exclusive right of public performance and broadcasting); and
- (ii) by the inclusion of Czechoslovakia among the countries mentioned in Schedules 5 and 6 thereto (being the countries whose broadcasting organisations are afforded copyright protection in the United Kingdom in relation to their sound and television broadcasts respectively) and of related references to 14th August 1964 in the lists of dates in those two Schedules.

2. The provisions of this Order other than Article 1 (ii) shall extend to all countries mentioned in column 1 of Part I of Schedule 4 to the principal Order.

3. This Order may be cited as the Copyright (International Conventions) (Amendment) Order 1964, and shall come into operation on 14th August 1964.

*W. G. Agnew.*

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<sup>(a)</sup> 4 & 5 Eliz. 2. c. 74.

<sup>(b)</sup> S.I. 1964/690 (1964 II, p. 1319).

#### EXPLANATORY NOTE

*(This note is not part of the Order, but is intended to indicate its general purport.)*

This Order amends the Copyright (International Conventions) Order 1964 to take account of the accession of Czechoslovakia to the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations.

It extends the copyright in sound recordings originating in Czechoslovakia to include the exclusive right of public performance and broadcasting and affords Czech broadcasting organisations copyright protection in respect of their sound and television broadcasts.

The change in relation to sound recordings extends to dependent countries of the Commonwealth where the Copyright Act 1956 is law.

## FALKLAND ISLANDS.

### STATUTORY INSTRUMENTS

1965 No. 1303

#### COPYRIGHT

#### The Copyright (International Conventions) (Amendment) Order 1965

<i>Made</i>	- - - - -	<i>24th June 1965</i>
<i>Laid before Parliament</i>		<i>30th June 1965</i>
<i>Coming into Operation</i>		<i>1st July 1965</i>

At the Court at Buckingham Palace, the 24th day of June 1965

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by and with the advice of Her Privy Council, and by virtue of the authority conferred upon Her by sections 31, 32 and 47 of the Copyright Act 1956(a) and of all other powers enabling Her in that behalf, is pleased to order, and it is hereby ordered, as follows —

1. The Copyright (International Conventions) Order 1964(b) (hereinafter called "the principal Order") as amended(c), shall be further amended —

- (i) by adding a reference to Cameroon in Part 1 of Schedule 1 (which names the countries of the Berne Copyright Union);
- (ii) by adding a reference to Zambia in Article 2(4)(a) and in Part 2 of Schedule 1 (which make provision in the case of countries party to the Universal Copyright Convention); and
- (iii) by adding a reference to Denmark in Schedule 5 (which names the countries whose broadcasting organisations are afforded copyright protection in the United Kingdom in relation to their sound broadcasts) and a related reference to 1st July 1965 in the list of dates in column 2 of that Schedule.

2. The provisions of this Order other than Article 1(iii) shall extend to all the countries mentioned in Column 1 of Part 1 of Schedule 4 to the principal Order (being Commonwealth countries to which that Order has been extended).

3. This Order may be cited as the Copyright (International Conventions) (Amendment) Order 1965 and shall come into operation on 1st July 1965.

W. G. Agnew.

(a) 4 & 5 Eliz. 2. c. 74. (b) S.I. 1964/690 (1964 II, p. 1319).  
(c) S.I. 1964/1194, 1651 (1964 II, p. 2773; III, p. 3641).

## FALKLAND ISLANDS.

### STATUTORY INSTRUMENTS

1964 No. 1651

#### **COPYRIGHT**

#### **The Copyright (International Conventions) (Amendment No. 2) Order 1964**

Made - - - - 15th October 1964

To be laid before Parliament

Coming into Operation 28th October 1964

At the Court at Buckingham Palace, the 15th day of October 1964

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by and with the advice of Her Privy Council, and by virtue of the authority conferred upon Her by sections 31, 32 and 47 of the Copyright Act 1956(a) and of all other powers enabling Her in that behalf, is pleased to order, and it is hereby ordered, as follows —

1. The Copyright (International Conventions) Order 1964(b) (hereinafter called "the principal Order") as amended(c), shall be further amended —

- (i) by adding references to Guatemala and to New Zealand in Part 2 of Schedule 1 thereto (which names the countries party to the Universal Copyright Convention);
- (ii) by adding a reference to Guatemala in Schedule 2 thereto (which names certain countries who are not members of the Berne Copyright Union but who are parties to the Universal Copyright Convention) and a related reference to 28th October 1964 in the list of dates in column 2 of that Schedule; and
- (iii) by omitting the reference to Congo (Brazzaville) in Schedule 3 (which names the countries in the case of which copyright in sound recordings includes the exclusive right to perform in public and to broadcast).

2. Where any person has, before the commencement of this Order, taken any action whereby he has incurred any expenditure or liability in connection with the reproduction or performance of any work or other subject-matter in a manner which at the time was lawful or for the purpose of or with a view to the reproduction or performance of a work at a time when such reproduction or performance would, but for the making of this Order, have been lawful, nothing in this Order shall diminish or prejudice any right or interest arising from, or in connection with, such action which is subsisting and valuable immediately before the commencement of this Order unless the person who, by virtue of this Order, becomes entitled to restrain such reproduction or performance agrees to pay such compensation as, failing agreement, may be determined by arbitration.

3. The provisions of this Order shall extend to all the countries mentioned in Column 1 of Part 1 of Schedule 4 to the principal Order (being the countries to which that Order has been extended).

(a) 4 & 5 Eliz. 2. c. 74.

(b) S.I. 1964/690 (1964 II, p. 1319).

(c) S.I. 1964/1194 (1964 II, p. 2773).

#### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order further amends the Copyright (International Conventions) Order 1964.

It takes account of the adherence of the Cameroon Republic to the Berne Copyright Convention, of the accession of Zambia to the Universal Copyright Convention and of the ratification by Denmark of the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations.

Article 3 of the Order extends its provisions, so far as they are relevant, to the dependent countries of the Commonwealth where the Copyright Act 1956 is law.

4. This Order may be cited as the Copyright (International Conventions) (Amendment No. 2) Order 1964 and shall come into operation on 28th October 1964.

W. G. Agnew.

#### EXPLANATORY NOTE

*(This note is not part of the Order, but is intended to indicate its general purport.)*

This Order further amends the Copyright (International Conventions) Order 1964.

It takes account of the fact that Guatemala and New Zealand have subscribed to the Universal Copyright Convention.

The Order also restricts the copyright in sound recordings originating in Congo (Brazzaville) so that it no longer includes the exclusive right to perform in public or to broadcast. It also takes account of the fact that Congo (Brazzaville) have limited the protection given to foreign recordings.

Article 3 of the Order extends its provisions to the dependent countries of the Commonwealth where the Copyright Act 1956 is law.

## FALKLAND ISLANDS.

### STATUTORY INSTRUMENTS

1965 No. 1857

#### COPYRIGHT

#### The Copyright (International Conventions) (Amendment No. 2) Order 1965

Made - - - - - 29th October 1965

Laid before Parliament 4th November 1965

Coming into Operation 5th November 1965

At the Court at Buckingham Palace, the 29th day of October 1965

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by and with the advice of Her Privy Council, and by virtue of the authority conferred upon Her by sections 31, 32 and 47 of the Copyright Act 1956(a) and of all other powers enabling Her in that behalf, is pleased to order, and it is hereby ordered, as follows —

1. The Copyright (International Conventions) Order 1964(b) as amended(c) (hereinafter called "the principal Order") shall be further amended —

- (i) by adding a reference to Malawi in Article 2(4)(a) and in Part 2 of Schedule 1 thereto (which make provision in the case of countries party to the Universal Copyright Convention); and
- (ii) by the inclusion of Brazil among the countries mentioned in Schedule 3 thereto (being the countries in whose case copyright in sound recordings includes the exclusive right of public performance and broadcasting); and
- (iii) by the inclusion of Brazil among the countries mentioned in Schedules 5 and 6 thereto (being the countries whose broadcasting organisations are afforded copyright protection in the United Kingdom in relation to their sound and television broadcasts respectively) and of related references to 5th November 1965 in the lists of dates in those two Schedules.

2. The provisions of this Order other than Article 1(iii) shall extend to all countries mentioned in column 1 of Part I of Schedule 4 to the principal Order.

3. This Order may be cited as the Copyright (International Conventions) (Amendment No. 2) Order 1965, and shall come into operation on 5th November 1965.

W. G. Agnew.

(a) 4 & 5 Eliz. 2. c. 74. (b) S.I. 1964/690 (1964 II, p. 1319).  
(c) S.I. 1964/1194, 1651, 1965/1303 (1964 II, p. 2773; III, p. 3641; 1965 II, p. 3705).

## FALKLAND ISLANDS.

### STATUTORY INSTRUMENTS

1965 No. 2159

#### **COPYRIGHT**

#### **The Copyright (International Conventions) (Amendment No. 3) Order 1965**

*Made* - - - - - 22nd December 1965  
*Laid before Parliament* 31st December 1965  
*Coming into Operation* 1st January 1966

At the Court at Buckingham Palace, the 22nd day of December 1965

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by and with the advice of Her Privy Council, and by virtue of the authority conferred upon Her by sections 31, 32 and 47 of the Copyright Act 1956(a) and all other powers enabling Her in that behalf, is pleased to order, and it is hereby ordered, as follows —

1. The Copyright (International Conventions) Order 1964(b) (hereinafter called "the principal Order") as amended(c) shall be further amended by omitting the reference to South Africa in Schedule 3 (which names the countries in the case of which copyright in sound recordings includes the exclusive right to perform in public and to broadcast).

2. The provisions of this Order shall extend to all the countries mentioned in column 1 of Part 1 of Schedule 4 to the principal Order and to Bechuanaland, the Cayman Islands, Montserrat and St. Lucia (being the countries to which that Order has been extended).

3. (1) The Interpretation Act 1889(d) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(2) This Order may be cited as the Copyright (International Conventions) (Amendment No. 3) Order 1965 and shall come into operation on 1st January 1966.

*W. G. Agnew.*

(a) 4 & 5 Eliz. 2. c. 74.

(c) There are no relevant amendments.

(b) S.I. 1964/690 (1964 II, p. 1319).

(d) 52 & 53 Vict. c. 63.

#### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order further amends the Copyright (International Conventions) Order 1964 by restricting the copyright in sound recordings originating in South Africa so that it no longer includes the exclusive right to perform in public or to broadcast. Article 2 of the Order extends its provisions to those dependent countries of the Commonwealth where the Copyright Act 1956 is law.

#### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the Copyright (International Conventions) Order 1964 to take account of the accession of Malawi to the Universal Copyright Convention and the ratification by Brazil of the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations.

It extends the copyright in sound recordings originating in Brazil to include the exclusive right of public performance and broadcasting and affords Brazilian broadcasting organisations copyright protection in respect of their sound and television broadcasts.

Article 2 of the Order extends its provisions, so far as they are relevant, to dependent countries of the Commonwealth where the Copyright Act 1956 is law.

STATUTORY INSTRUMENTS

1963 No. 1631

**MERCHANT SHIPPING**

**The Merchant Shipping (Registration of Colonial  
Government Ships) Order 1963**

*Made* - - - - - 27th September 1963

*Laid before Parliament* 3rd October 1963

*Coming into Operation* 5th October 1963

At the Court at Balmoral, the 27th day of September 1963

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers vested in Her by section 80 of the Merchant Shipping Act 1906(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 —

*Citation and commencement*

1. This Order may be cited as the Merchant Shipping (Registration of Colonial Government Ships) Order 1963 and shall come into operation on 5th October 1963.

*Interpretation*

2. (1) In this Order, unless the context otherwise requires, the expression —

“Government” means one of the Governments specified in the first column of Schedule 1 to this Order;

“authorised officer” in relation to a Government means (subject to subsection (2) of this section) the officer specified in the second column of Schedule 1 to this Order opposite to the name of the Government;

“principal Act” means the Merchant Shipping Act 1894(b).

(2) Unless the context otherwise requires, anything required or authorised by this Order —

(a) to be done by a Government may be done by the authorised officer;

(b) to be done by an authorised officer may be done either by an officer nominated by the authorised officer or by one of the Crown Agents for Oversea Governments and Administrations.

(3) The Interpretation Act 1889(c) shall have effect for the interpretation of and otherwise in relation to this Order as it has effect for the interpretation of and otherwise in relation to an Act of Parliament of the United Kingdom.

*Form of application for registry*

3. An application for the registry of a Government ship in the service of a Government shall —

(a) contain a statement of the following particulars —

(i) the name and description of the ship;

(ii) the time when and the place where the ship was built or if the ship was foreign built a statement to that effect, and of the foreign name of the ship;

- (iii) the nature of the title to the ship, whether by original construction by or for the authority or by purchase, capture, condemnation or otherwise, and where the ship was not originally constructed by or for the Government, a list of the documents of title;
- (iv) the name of the master;
- (b) be made by an authorised officer.

#### *Procedure by Registrar*

4. The Registrar on receiving an application for registry of a Government ship in the service of a Government shall —

- (a) register the ship by entering in the Register Book —
  - (i) the name of the ship as belonging to Her Majesty represented by the Government or, as the case may be, as held by the Government on behalf of or for the benefit of the Crown;
  - (ii) the port to which the ship belongs;
  - (iii) the particulars stated in the application for registry; and
  - (iv) the particulars set forth in the Surveyor's certificate; and
- (b) retain in his possession the application for registry, any documents of title therein referred to and the Surveyor's certificate.

#### *Transfer of registered ships*

5. Upon the transfer by bill of sale of a registered Government ship in the service of a Government —

- (a) the Government shall be the transferor;
- (b) the bill of sale shall —
  - (i) be in the Form A in Schedule 1 to the principal Act, with the omission of the covenant prescribed in that Form;
  - (ii) be signed by the authorised officer on behalf of the transferor.

#### *Certificate of Sale*

6. An application in respect of a registered Government ship in the service of a Government for such a certificate of sale as is referred to in sections 39 to 42 and 44 to 46 of the principal Act may be made by the authorised officer of the Government.

#### *Registration of ship's manager*

7. The person to whom the management of a registered Government ship in the service of a Government is entrusted by the Government shall be registered in accordance with section 59 (2) of the principal Act.

#### *Application of Merchant Shipping Acts*

8. Section 1 and sections 8 to 12 inclusive of the principal Act and sections 3 and 5 of the Merchant Shipping (Mercantile Marine Fund) Act 1898(a) shall not apply in relation to Government ships:

Provided that no provision of the Merchant Shipping Acts 1894 to 1960 which according to a reasonable construction would not apply in relation to Government ships in the service of a Government shall be deemed to apply in relation to such ships by reason only that its application is not hereby expressly excluded.

#### *Revocations*

9. The Orders in Council set forth in Schedule 2 to this Order are revoked.

W. G. Agnew.

### SCHEDULE 1

### Section 2

(1)

(2)

#### *Authorised Officer*

The Government of Aden ... ..	The High Commissioner
The Government of Antigua ... ..	The Administrator
The Government of Barbados ... ..	The Permanent Secretary, Ministry of Communication, Works and Housing
The Government of the Colony of the Falkland Islands	The Colonial Secretary
The Government of Fiji ... ..	The Colonial Secretary
The Government of Hong Kong ... ..	The Colonial Secretary
The Government of Mauritius ... ..	The Chief Secretary
The Government of Saint Christopher Nevis and Anguilla	The Administrator
The Government of Seychelles ... ..	The Colonial Secretary
The Government of the Virgin Islands ... ..	The Administrator

### SCHEDULE 2

### Section 9

#### ORDERS IN COUNCIL REVOKED

The Order in Council made 25th June 1925 making regulations as to the Registration of Vessels in the Service of the Government of the Falkland Islands(b).

The Order in Council made 4th November 1938 making regulations as to Registration as British Ships of Vessels in the Service of the Government of Fiji(c).

- (a) 61 & 62 Vict. c. 44. (b) S.R. & O. 1925/604 (Rev. XIV, p. 74: 1925, p. 1082).  
(c) S.R. & O. 1938/1331 (Rev. XIV, p. 76: 1938 II, p. 2054).

#### EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order makes provision under section 80 of the Merchant Shipping Act 1906 for the purpose of the registration as British ships of ships belonging to or operated by the Governments of certain overseas territories.

Ref. 2310.

FALKLAND ISLANDS.

STATUTORY INSTRUMENTS

1963 No. 1632

**MERCHANT SHIPPING**

**The Shipowners' Liability (Colonial Territories)  
Order in Council 1963**

*Made* - - - - - 27th September 1963  
*Laid before Parliament* 3rd October 1963  
*Coming into Operation* 5th October 1963

At the Court at Balmoral, the 27th day of September 1963

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 11 of the Merchant Shipping (Liability of Shipowners and Others) Act 1958(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows —

1. This Order may be cited as the Shipowners' Liability (Colonial Territories) Order in Council 1963 and shall come into operation on 5th October 1963. Citation and commencement.
2. The provisions of the Merchant Shipping (Liabilities of Shipowners and Others) Act 1958 shall extend to each of the territories specified in Schedule 1 to this Order with the exceptions, adaptations and modifications specified in Schedule 2 to this Order. Provisions of 1958 Act extended to certain territories.
3. The provisions of Part VIII of the Merchant Shipping Act 1894(b) and section 2 of the Merchant Shipping (Liability of Shipowners and others) Act 1900(c) shall extend to the territories specified in Schedule 3 to this Order with the modifications specified in Schedule 4 to this Order. Provisions of limitation enactments extended to certain territories.

W. G. Agnew.

**SCHEDULE 1**

**Section 2**

Bahamas  
Bermuda  
British Antarctic Territory  
British Honduras  
British Solomon Islands Protectorate  
Falkland Islands and Dependencies  
Fiji  
Gilbert and Ellice Islands Colony  
Hong Kong  
Kenya (Colony and Protectorate)  
Mauritius  
Seychelles  
Virgin Islands.

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(a) 6 & 7 Eliz. 2. c. 62.    (b) 57 & 58 Vict. c. 60.    (c) 63 & 64 Vict. c. 32.

## FALKLAND ISLANDS.

### SCHEDULE 2

#### Section 2

1. Any reference to the Merchant Shipping (Liability of Shipowners and Others) Act 1958 shall be construed as a reference to that Act as extended to the Territory, and the reference in section nine to the commencement of that Act shall be construed as a reference to the coming into force of this Order.

2. For any reference to the United Kingdom there shall be substituted a reference to the Territory.

3. For any reference to the Minister of Transport and Civil Aviation there shall be substituted a reference to the Governor of the Territory or, in the case of the British Solomon Islands Protectorate or the Gilbert and Ellice Islands Colony, the High Commissioner for the Western Pacific; or, in the case of the British Antarctic Territory, the High Commissioner of that Territory; or, in the case of the Virgin Islands, the Administrator.

4. The following provisions shall be omitted —

- (a) subsection (2), (5), (6) and (7) of section 2, section 5 (7), section 8 (5), and section 10;
- (b) in section 1 (3) the words "made by Statutory Instrument";
- (c) in section 5 (1) the words "or, in Scotland, to have prorogated that jurisdiction".

### SCHEDULE 3

#### Section 3

British Solomon Islands Protectorate  
Kenya Protectorate.

### SCHEDULE 4

#### Section 3

References in Part VIII of the Merchant Shipping Act 1894 to a British possession shall be construed as references to the Territory.

### EXPLANATORY NOTE

*(This Note is not part of the Order, but is intended to indicate its general purport.)*

This Order applies to the Colonial Territories specified therein the provisions of the Merchant Shipping (Liability of Shipowners and Others) Act 1958. It also extends to certain of those Territories the provisions of Part VIII of the Merchant Shipping Act 1894 and the Merchant Shipping (Liability of Shipowners and Others) Act 1900.

Ref. 1872.

## STATUTORY INSTRUMENTS

1966 No. 811

### FUGITIVE CRIMINAL

#### The Sweden (Extradition) (Extension) Order 1966

Made - - - - 5th July 1966

Laid before Parliament 11th July 1966

Coming into Operation 1st August 1966

At the Court at Buckingham Palace, the 5th day of July 1966

Present,

The Queen's Most Excellent Majesty in Council

Whereas a Treaty was concluded on 26th April 1963 between Her Majesty in respect of the United Kingdom of Great Britain and Northern Ireland and His Majesty The King of Sweden for the reciprocal extradition of criminals:

And whereas a Protocol amending the said Treaty was signed on 6th December 1965:

And whereas the said Treaty was ratified on 29th December 1965:

And whereas by the Sweden (Extradition) Order 1966 (a), it was provided that the Extradition Acts 1870 to 1935 should apply as from 29th March 1966 in the case of the Kingdom of Sweden under and in accordance with the said Treaty, as amended by the said Protocol, and that the operation of the Order should be limited to the United Kingdom, the Channel Islands and the Isle of Man:

And whereas in accordance with the provisions of Article 2 (1) (b) of the said Treaty, as amended by Article 1 of the said Protocol, it has been agreed by Notes exchanged on 6th June 1966, the terms of which are set out in the Schedule to this Order, that the application of the Treaty should be extended to those territories for the international relations of which Her Majesty's Government in the United Kingdom are responsible and which are set out in the Annex to the said Notes:

Now, therefore, Her Majesty, by virtue and in exercise of the powers in this behalf conferred on Her by section 2 of the Extradition Act, 1870 (b) or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. The Extradition Acts 1870 to 1935 shall apply in the case of the Kingdom of Sweden under and in accordance with the said Treaty, as amended by the said Protocol and extended by the said Exchange of Notes.

2. The operation of this Order is limited to the territories (including their dependencies) specified in the Annex to the said Exchange of Notes.

3. This Order shall come into operation on 1st August 1966 and may be cited as the Sweden (Extradition) (Extension) Order 1966.

W. G. Agnew.

(a) S.I. 1966/226 (1966 I, p. 456).

(b) 1870 c. 52.

## SCHEDULE

EXCHANGE OF NOTES BETWEEN HER MAJESTY'S GOVERNMENT IN THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE ROYAL GOVERNMENT OF SWEDEN PROVIDING FOR THE EXTENSION OF THE EXTRADITION TREATY SIGNED ON 26TH APRIL 1963.

### No. 1

*The Secretary of State for Foreign Affairs to the Swedish Ambassador*

Foreign Office, S. W. 1.  
6th June, 1966.

Your Excellency,

I have the honour to refer to the Extradition Treaty between Her Majesty in respect of the United Kingdom of Great Britain and Northern Ireland and His Majesty The King of Sweden signed at London on the 26th day of April, 1963 as amended by the Protocol signed at London on the 6th of December, 1965.

In accordance with Article 2 (1) (b) of the said Treaty, as amended, I have the honour to propose that the application of the Treaty should be extended with effect from the 1st of August, 1966 to those territories, listed in the Annex to this Note, for the international relations of which Her Britannic Majesty's Government in the United Kingdom are responsible.

If the foregoing proposal is acceptable to the Royal Swedish Government, I have the honour to propose that this Note together with Your Excellency's reply in that sense should constitute an Agreement between Her Britannic Majesty's Government and the Royal Swedish Government.

I have the honour to be, with the highest consideration,

Your Excellency's obedient Servant,  
(For the Secretary of State)  
H. V. Richardson.

### ANNEX

Aden (and Perim and the Kuria Muria Islands)  
Antigua  
Bahamas  
Barbados  
Basutoland  
Bermuda  
British Antarctic Territory  
British Honduras  
British Indian Ocean Territory  
Cayman Islands  
Dominica  
Falkland Islands  
Fiji  
Gibraltar  
Gilbert and Ellice Islands  
Grenada  
Hong Kong  
Mauritius  
Montserrat  
Pitcairn  
St. Christopher, Nevis and Anguilla  
St. Helena  
St. Lucia  
St. Vincent  
Seychelles  
Southern Rhodesia  
The Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus  
Turks and Caicos Islands  
Virgin Islands

### No. 2

*The Swedish Ambassador to the Secretary of State for Foreign Affairs*

London, 6th June 1966.  
No. 104

Your Excellency,

I have the honour to acknowledge the receipt of your Note of to-day's date, which reads as follows:

[As in No. 1]

2. In reply, I have the honour to inform you that the foregoing proposal is acceptable to the Royal Swedish Government, who therefore agree that your Note, together with its Annex and the present reply, shall constitute an Agreement between the Royal Swedish Government and Her Britannic Majesty's Government.

I have the honour to be,  
With the highest consideration,  
Your Excellency's obedient Servant,  
Gunnar Hägglöf.

### EXPLANATORY NOTE

*(This Note is not part of the Order)*

This Order extends to the British overseas territories listed in the application of the Extradition Acts 1870 to 1935 in the case of the Kingdom of Sweden in accordance with the Treaty between Her Majesty and His Majesty The King of Sweden which was signed on 26th April 1963 (Cmnd. 2071), amended by the Protocol signed on 6th December 1965 (Cmnd. 2909) and extended by Notes exchanged on 6th June 1966 to those territories.

Ref. 1991.