



Colony of the  
Falkland Islands and Dependencies

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Ordinances,  
Orders, Proclamations, etc.  
1976

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ORDINANCES,  
ORDERS, PROCLAMATIONS, Etc.

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Assented to in Her Majesty's name this 30th day of June 1976.

N. A. I. FRENCH,  
*Governor.*

LS



No. 1

1976

Colony of the Falkland Islands

IN THE TWENTY-FIFTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**  
NEVILLE ARTHUR IRWIN FRENCH, C.M.G., M.V.O.  
*Governor.*

### An Ordinance

To provide for the service of the year 1976-1977. 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 (1976-77) Ordinance 1976. 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 1976 to 30th June 1977, a sum not exceeding Two million, two hundred and forty-seven thousand, three hundred and ninety-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 1976-77. Appropriation of £2,247,391 for the service of the year 1976-77.

## SCHEDULE

Number	HEAD OF SERVICE	£
I.	The Governor ... ..	29,853
II.	Agriculture ... ..	4,431
III.	Aviation ... ..	95,216
IV.	Customs and Harbour ... ..	31,596
V.	Education ... ..	148,504
VI.	Medical ... ..	164,687
VII.	Meteorological ... ..	9,754
VIII.	Military ... ..	5,427
IX.	Miscellaneous ... ..	14,441
X.	Pensions and Gratuities ... ..	34,168
XI.	Police and Prisons ... ..	18,091
XII.	Posts and Telecommunications ... ..	98,613
XIII.	Public Works ... ..	137,504
XIV.	Public Works Recurrent ... ..	86,450
XV.	Public Works Special ... ..	21,550
XVI.	Secretariat, Treasury and Central Store ... ..	110,339
XVII.	Overseas Passages ... ..	63,500
XVIII.	Social Welfare ... ..	19,000
XIX.	Supreme Court and Legal ... ..	8,277
XX.	Training ... ..	10,000
Total Ordinary Expenditure ... ..		1,111,401
Development A		
	Expenditure to be met from Colony funds ... ..	46,901
Development B		
	Expenditure to be met from U.K. Aid ... ..	1,089,089
Total Expenditure ... ..		£ 2,247,391

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

W. A. ETHERIDGE,  
Acting Clerk of the Legislative Council.

Ref. TRE/14/7.

FALKLAND ISLANDS

Printed at the Government Printing Office by V. T. King.

Assented to in Her Majesty's name this 30th day of June 1976.

N. A. I. FRENCH,  
Governor.

LS



No. 2

1976

Colony of the Falkland Islands

IN THE TWENTY-FIFTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

NEVILLE ARTHUR IRWIN FRENCH, C.M.G., M.V.O.  
Governor.

## An Ordinance

To legalise certain payments made in the year 1974-75 in excess of the Expenditure sanctioned by Ordinance No. 5 of 1974. Title.

WHEREAS it is expedient to make further provision for the service of the Colony for the period 1st July 1974 to 30th June 1975. 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 (1974-75) Ordinance 1976. Short title.

2. The sums of money set forth in the Schedule hereto having been expended for the services herein mentioned beyond the amounts granted for those services by the Ordinance providing for the service for the period 1st July 1974 to 30th June 1975, 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 1974 to 30th June 1975.



## SCHEDULE

Number	HEAD OF SERVICE	Amount
FALKLAND ISLANDS		£
I.	The Governor ... ..	4,062
III.	Aviation ... ..	20,896
IV.	Customs and Harbour ... ..	2,660
VII.	Meteorological ... ..	29
IX.	Miscellaneous ... ..	88,732
X.	Pensions and Gratuities ... ..	4,931
XI.	Police and Prisons ... ..	56
XVI.	Secretariat, Treasury and Central Store ...	8,112
XIX.	Supreme Court and Legal ... ..	800
		130,278
	Development B ... ..	529,444
		£ 659,722

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

W. A. ETHERIDGE,  
*Acting Clerk of the Legislative Council.*

Ref. TRE/14/5.

Assented to in Her Majesty's name this 25th day of June 1976.

N. A. I. FRENCH,  
*Governor.*

LS



No. 3

1976

Colony of the Falkland Islands

IN THE TWENTY-FIFTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

NEVILLE ARTHUR IRWIN FRENCH, C.M.G., M.V.O.  
*Governor.*

# An Ordinance

To amend the Administration of Estates Ordinance.

(1st July 1976)

Title.

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

Date of commencement.

1. This Ordinance may be cited as the Administration of Estates (Amendment) Ordinance 1976.

Enacting clause.

2. The Administration of Estates Ordinance is amended by adding after section 18 the following new section —

Short title.

Remuneration of Official Administrator.

18A. The 7½ per centum to be paid by the Official Administrator into the Treasury under subsection (2) of section 18 shall be applied in the manner following, that is to say —

(1) 5 per centum shall be paid by the Treasury to the Official Administrator on the complete administration of the estate as a remuneration for the services he is required to perform.

(2) 2½ per centum shall be to defray the incidental expenses of administering the estate.”

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

W. A. ETHERIDGE,  
*Acting Clerk of the Legislative Council.*

Ref. LEG/10/6.

Assented to in Her Majesty's name this 25th day of June 1976.

N. A. I. FRENCH,  
*Governor.*

LS

No. 4



1976

Colony of the Falkland Islands

IN THE TWENTY-FIFTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

NEVILLE ARTHUR IRWIN FRENCH, C.M.G., M.V.O.  
*Governor.*

An Ordinance  
Further to amend the Dogs Ordinance.

(25th June 1976)

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

1. This Ordinance may be cited as the Dogs (Amendment) Ordinance 1976 and shall come into operation on the 25th day of June 1976.

2. Section 4 of the Dogs Ordinance is amended by deleting "Superintendent of Police" wherever it occurs and substituting the following —

"Postmaster"

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

W. A. ETHERIDGE,  
*Acting Clerk of the Legislative Council.*

Ref. POL/4/2 & AGR/10/4.

Assented to in Her Majesty's name this 25th day of June 1976.

N. A. I. FRENCH,  
*Governor.*

LS

No. 5



1976

## Colony of the Falkland Islands

IN THE TWENTY-FIFTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**

NEVILLE ARTHUR IRWIN FRENCH, C.M.G., M.V.O.  
*Governor.*

### An Ordinance

#### Further to amend the Livestock 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 Livestock (Amendment) Ordinance 1976, and shall come into operation on a day to be appointed by the Governor by notice in the Gazette.

Citation and commencement.

2. Section 2 of the Livestock Ordinance (hereinafter referred to as the principal Ordinance) is repealed and replaced by the following —

Repeal and replacement of section 2.

"2. In this Ordinance unless the context otherwise requires —

Interpretation.

"Affected sheep" means any sheep affected with lice or ked or any parasitic disease as specified in the Second Schedule, or which within six months have been exposed to disease as aforesaid.

"Destroy" shall mean kill and either bury at a depth of not less than two feet under the ground or consume by fire or boil down.

"Dipping" means the subjection of sheep to effective tick and ked destroying preparation (in accordance with the manufacturer's recommendations) by means of immersion or by such other means or in such manner as may be approved by the Governor in Council or, with reference to lice, scab, or itchmite in sheep, means the subjection of sheep to effective lice, scab, or itchmite destroying preparation by such means or in such manner as may be approved by the Governor in Council.

"Dressing" means applying to a sheep a scab destroying preparation.

"Farmer" means the owner of any sheep, and includes the manager, overseer or person in charge of any sheep.

"Infected sheep" means any sheep infected with scab or other infectious or contagious disease as specified in the Third Schedule, or which within six months have been exposed to disease as aforesaid.

"Infected land" means land on which there is affected or infected sheep.

"Imported" means brought from any place beyond the limits of the Colony.

"Inspector" means an inspector appointed under section 3 of this Ordinance.

"Notice" means a notice in writing delivered to the person affected thereby or left at or affixed to the usual or last known place of abode of such person.

"Owner" includes a lessee from the Crown and the agent or manager of any absentee owner or lessee, and, with reference to the ownership of sheep, includes the manager, overseer or person in charge of any sheep.

"Public place" includes any street, highway, thoroughfare, bridge, park, garden or pleasure ground, and any unenclosed land or other place to which the public or any part of the public have for the time being access.

"Sheep" means any ram, ewe, wether or lamb.

"Stray sheep" means any sheep, not being a travelling sheep, upon land not in occupation of the owner of the sheep.

"Station" means the land, enclosures and buildings (but not a dwelling-house) occupied, or used by or in the holding of any farmer.

"Travelling sheep" means sheep being driven over any road or land not in the occupation of the owner of the sheep."

Amendment of section 5.

3. Section 5 of the principal Ordinance is amended —

(a) by the deletion of the word "the" in line 4 and the substitution therefor of the following —

"any";

(b) by the insertion after the word "infection" in line 5 of the following —

"or by the possession of any affected or infected sheep".

Repeal and replacement of section 12.

4. Section 12 of the principal Ordinance is repealed and replaced by the following —

"Notice to dip infected sheep.

12. (1) If any inspector is satisfied that any sheep in a flock are infected sheep, he may give the owner notice thereof requiring him to dip, dress and treat that flock for the removal of scab or other infectious or contagious disease as set out in the Third Schedule, as the case may be, forthwith to the satisfaction of the said inspector or any other inspector; but if the inspector is satisfied that the sheep in that flock are intended and fit for slaughter, he may postpone the giving of the notice to dip and treat for a period not exceeding fourteen days.

Penalty for neglect to dip and treat after notice.

(2) Every such owner who refuses, neglects, or fails to comply with the notice on or before the date specified therein commits an offence and is liable on summary conviction to a fine not exceeding fifty pounds; and if immediately after the date of that

conviction the sheep are not dipped, dressed and treated to the satisfaction of the inspector the owner commits a further offence and is liable on summary conviction to a further fine not exceeding fifty pounds, and if immediately after the date of the second conviction the sheep are not dipped, dressed or treated to the satisfaction of the inspector he shall cause the sheep to be dipped, dressed and treated at the owner's expense and to this end may take all steps necessary.

(3) Where the inspector incurs any expense in causing any sheep to be dipped, dressed and treated as aforesaid, the amount of that expense shall be recoverable as a debt due to the Crown from the owner of the sheep.

(4) Any owner who fails to eradicate scab or other infectious or contagious disease as set out in the Third Schedule, from his flock after notice has been given to him under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine of £100 or to imprisonment for six months."

5. Section 13 of the principal Ordinance is amended by inserting after the words "affected with lice" the following —

"or ked".

Amendment of section 13.

6. Section 14 of the principal Ordinance is repealed and replaced by the following —

Repeal and replacement of section 14.

"Penalty for driving affected sheep.

14. Every person who, without the permission of an inspector by himself or his agent or servant —

(a) drives or moves by conveyance, or

(b) depastures or suffers to stray any affected sheep

across or upon any land or upon any public place or from any station under quarantine commits an offence and is liable on summary conviction to a fine not exceeding five pounds and not less than one pound for every day during which the sheep are so driven, conveyed, depastured, or suffered to stray."

7. Section 15 of the principal Ordinance is repealed and replaced by the following —

Repeal and replacement of section 15.

"Penalty on owner of affected sheep found in any pound etc.

15. (1) If any affected sheep are found in any yard or in any pound, or on any land or other place at which sheep are offered for sale, and the owner knows that they are so affected, he commits an offence and is liable on summary conviction to a fine not exceeding ten pounds.

(2) Where the owner of sheep is charged with an offence against sub-section (1) of this section, and it is proved that the sheep have been found in any yard or any pound or on any land or other place at which sheep are offered for sale and that the sheep are affected sheep, the owner of the sheep shall be presumed to have known that the sheep were affected sheep unless he shows to the satisfaction of the Court that he had no knowledge thereof and could not with reasonable care have obtained that knowledge.

(3) Any inspector, if he considers it necessary, may order the withdrawal from sale of any affected sheep until they have been dipped and treated for the



removal of lice or ked to the satisfaction of the inspector, and shall give notice to the aforesaid owner of the sheep to dip and treat them for the removal of lice and ked forthwith at such place as the inspector may direct:

Provided that if the inspector is satisfied that the sheep are intended for immediate slaughter he may withhold the notice.

(4) Every such owner who refuses, neglects or fails to comply with any such notice commits an offence and is liable on summary conviction to a further fine not exceeding forty pounds."

Amendment of section 16.

8. Section 16 of the principal Ordinance is amended —

(a) by the insertion after the word "become" in line 3 the following —

"affected or";

(b) by the insertion after the word "infected" the following —  
"sheep".

Repeal and replacement of section 17.

9. Section 17 of the principal Ordinance is repealed and replaced by the following —

"Order to dip and treat affected sheep.

17. If an inspector is satisfied that any sheep are affected sheep, he shall give the owner of such sheep an order in writing to dip and treat all sheep on that station forthwith for the removal of lice or ked or any of the specified diseases mentioned in the Second Schedule, and if the owner shall not, in the opinion of an inspector, have made or be making reasonable exertions to dip and treat all sheep on that station for the removal of lice or ked or any of the specified diseases mentioned in the Second Schedule or if at the expiration of twelve months any sheep shall, in the opinion of an inspector, still be affected sheep, the owner thereof shall upon conviction be liable to a penalty of not less than  $\frac{1}{2}$ p and not more than 2p for every sheep on that station put out the previous autumn and as then entered in the annual stock return."

Repeal and replacement of section 18.

10. Section 18 of the principal Ordinance is repealed and replaced by the following —

"Neglect to dip and treat affected sheep.

18. If after the expiration of twelve months from the date of a conviction under the preceding section any sheep shall, in the opinion of an inspector, still be affected sheep, the owner of such sheep shall upon conviction be liable to a further penalty of 2p for every sheep put out the previous autumn and as then entered in the annual stock return, and so on for every succeeding period of twelve months."

Amendment of section 19.

10A. Section 19 of the principal Ordinance is amended by inserting after "in Form 1 of the" and "in Form 2 of the" in line 6 and 12 respectively the following —

"First".

Repeal and replacement of section 22.

11. Section 22 of the principal Ordinance is repealed and replaced by the following —

"Order to dip suspected sheep.

22. An inspector may at any time order that any sheep he may suspect to be affected or infected sheep be dipped and in the case of infected sheep dressed, and require any owner to disinfect any premises, yard or articles used by affected or infected sheep."

11A. Section 23 of the principal Ordinance is amended by inserting after "in Form 3 of the" the following —

"First".

12. Section 25 of the principal Ordinance is amended —

Amendment of section 25.

(a) by the insertion after the words "detain any" in line 1 the following —

"affected or"; and

(b) by the insertion after the words "their being" and "they are" in line 4 and 8 the following —

"affected or".

13. Section 26 of the principal Ordinance is amended by the insertion after the words "shall be declared", "were not", and "to be" in line 4, 8 and 9 respectively the following —

Amendment of section 26.

"affected or".

14. Section 27 of the principal Ordinance is amended by inserting after the words "are not" the following —

Amendment of section 27.

"affected or".

15. Section 28 of the principal Ordinance is amended by inserting after the words "cast any" the following —

Amendment of section 28.

"affected or".

16. Section 29 of the principal Ordinance is amended by inserting after the words "abandon any" and "of any" in line 1 and 2 respectively the following —

Amendment of section 29.

"affected or".

17. Section 30 of the principal Ordinance is amended by inserting after the words "that any" and "of such" in line 2 and 5 respectively the following —

Amendment of section 30.

"affected or".

18. Section 38 of the principal Ordinance is amended by the deletion of the word "rule" appearing therein and the substitution therefor of the word "regulation".

Amendment of section 38.

18A. Section 40 of the principal Ordinance is amended by inserting after "in Form 4 of the" the following —

Amendment of section 40.

"First".

19. Section 44 of the principal Ordinance is amended by inserting after the words "owner of" the following —

Amendment of section 44.

"affected or".

20. The principal Ordinance is amended by adding, after section 44, the following new section —

Addition of new section 45.

"Burden of proof.

45. When the owner or person in charge of any affected or infected sheep is charged with an offence against this Ordinance relative to the sheep being affected or infected sheep he shall be presumed to have known of the existence of the sheep being affected or infected sheep unless and until he shows to the satisfaction of the Court that he had no knowledge thereof and could not with reasonable diligence have obtained that knowledge."

20A. The principal Ordinance is amended by adding, after section 45, the following new section —

Addition of new section 46.

"Power to alter Schedules.

46. The Governor in Council may by Order add to or delete from the various diseases set out in the Second and Third Schedules."

21. The Schedule to the principal Ordinance is amended —

- (a) by the insertion before "schedule" the following —  
"FIRST";
- (b) in Form 1 by the insertion after "are" the following —  
"affected or";
- (c) in Form 2 by the insertion after "not" the following —  
"affected or"; and
- (d) in Form 3 by the insertion after "with any" and "were any"  
in line 6 and 7 respectively the following —  
"affected or".

21A. The principal Ordinance is amended by inserting the following new Schedules —

"SECOND SCHEDULE

Lice  
Ticks  
Fleas  
Keds

THIRD SCHEDULE

Mites."

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

W. A. ETHERIDGE,  
*Acting Clerk of the Legislative Council.*

Ref. AGR/10/2.

Assented to in Her Majesty's name this 25th day of June 1976.

N. A. I. FRENCH,  
*Governor.*

LS



No. 6

1976

Colony of the Falkland Islands

IN THE TWENTY-FIFTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

NEVILLE ARTHUR IRWIN FRENCH, C.M.G., M.V.O.  
*Governor.*

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. (1) This Ordinance may be cited as the Old Age Pensions (Amendment) Ordinance 1976.

Citation and commencement.

(2) The provisions of sections 2, 3, 6 and 7 of this Ordinance shall come into operation on the 1st day of July 1976 and the provisions of sections 4 and 5 of this Ordinance shall come into operation on the 1st day of January 1977.

2. Section 2 of the Old Age Pensions Ordinance 1952 (hereinafter referred to as the principal Ordinance) is amended in the definition of "Female Contributor" by deleting "who is not the widow of a man who at the time of his death was a pensioner".

Amendment of section 2.  
(3 of 1952)

3. Section 5 of the principal Ordinance is repealed and replaced by the following —

Repeal and replacement  
of section 5.

"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, having been a contributor, has satisfied the contribution conditions contained in sections 6 and 9 and has attained the age of 65 years;

- (b) the person, having been a female contributor, has satisfied the contribution conditions contained in sections 6, 6B and 9 and has attained the age of 65 years;
- (c) the widow of a pensioner who, at the time of the pensioner's death, had attained the age of 60 years;
- (d) the widow of a pensioner, on attaining the age of 60 years, provided she has satisfied the contribution conditions contained in sections 6, 6c and 9;
- (e) the widow of a contributor who had attained the age of 60 years at the time of her husband's death, he being a person who has satisfied the contribution conditions contained in sections 6 and 9 and who was between the age of 60 and 65 years at the time of his death;
- (f) the widow of a contributor on attaining the age of 60 years, provided she has satisfied the contribution conditions contained in sections 6, 6c and 9."

Amendment of section 6. 4. Section 6 of the principal Ordinance is amended in sub-section (2) by —

- (i) deleting in paragraph (a) "50p" and substituting "62p";
- (ii) deleting in paragraph (b) "80p" and substituting "92p";
- (iii) deleting in paragraph (c) "£1.30" and substituting "£1.54".

Amendment of section 6A. 5. Section 6A of the principal Ordinance is amended in sub-section (2) by deleting "£1.30" and substituting "£1.54".

Amendment of section 6C. 6. Section 6C of the principal Ordinance is amended by deleting "between the age of 50 and 60," and substituting "under the age of 60,".

Amendment of Schedule. 7. The Schedule to the principal Ordinance is amended by deleting "£8.00", "£5.00", "£5.00", and "£5.00" and substituting "£9.00", "£6.00", "£6.00", and "£6.00" 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.

W. A. ETHERIDGE,  
*Acting Clerk of the Legislative Council.*

Ref. TRE/2/3.

## FALKLAND ISLANDS

### MERCHANT SHIPPING (OIL POLLUTION) ACT 1971

## Merchant Shipping (Oil Pollution) Act 1971 (Commencement) Order 1976

No. 1 of 1976.

N. A. I. FRENCH,  
*Governor.*

In exercise of the powers conferred by section 21 (3) of the Merchant Shipping (Oil Pollution) Act 1971 (subject to the exemptions, modifications and adaptations as set out in Schedule I to the Merchant Shipping (Oil Pollution) (Falkland Islands) Order 1975), the Governor has made the following order —

1. This Order may be cited as the Merchant Shipping (Oil Pollution) Act 1971 (Commencement) Order 1976. Citation.

2. The Governor hereby appoints the 1st day of April 1976 as the day on which the provisions of the Merchant Shipping (Oil Pollution) Act 1971 (subject to the exemptions, modifications and adaptations as set out in Schedule I to the Merchant Shipping (Oil Pollution) (Falkland Islands) Order 1975), shall come into force. Commencement.

*By Command,*  
ARTHUR J. P. MONK,  
*Chief Secretary.*

5th March 1976.

Ref. CON/1/23.

# FALKLAND ISLANDS

## DOGS ORDINANCE

(Chapter 21)

### Hydatid Eradication (Dogs) (Amendment) Order 1976.

No. 2 of 1976.

N. A. I. FRENCH,  
*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 Hydatid Eradication (Dogs) (Amendment) Order 1976.
2. Paragraph 10 of the Hydatid Eradication (Dogs) Order 1975 is amended by inserting after "owner" the following —  
    ", or manager or person in charge,".

*By Command,*  
ARTHUR J. P. MONK,  
*Chief Secretary.*

9th June 1976

Ref. AGR/10/4.



# FALKLAND ISLANDS

## FUGITIVE OFFENDERS ACT 1967 (1967 c. 68)

### Fugitive Offenders (Designated Commonwealth Countries) (Amendment) Order 1976

No. 3 of 1976.

N. A. I. FRENCH,  
*Governor.*

IN EXERCISE of the powers conferred by section 2 (1) of the Fugitive Offenders Act 1967 (as modified and adapted by the Fugitive Offenders (Falkland Islands and Dependencies) Order 1968), the Governor, with the approval of the Secretary of State, has made the following order —

1. This Order may be cited as the Fugitive Offenders (Designated Commonwealth Countries) (Amendment) Order 1976. Citation.

2. The Schedule to the Fugitive Offenders (Designated Commonwealth Countries) Order 1968 is amended — Amendment of Schedule.  
(3 of 1968)

(a) by inserting after "Ghana" the following —  
"Grenada"; and

(b) by inserting after "Uganda" the following —  
"Independent State of Western Samoa".

*By Command,*

ARTHUR J. P. MONK,  
*Chief Secretary.*

28th July 1976.

Ref. LEG/10/22C.

FALKLAND ISLANDS

POST OFFICE ORDINANCE  
(Chapter 52)

Post Office Order 1976

No. 4 of 1976. N. A. I. FRENCH,  
Governor.

In exercise of the powers conferred by Section 4 of the Post Office Ordinance the Governor in Council has made the following Order — Cap. 52.

1. This Order may be cited as the Post Office Order 1976. Short title.
2. From and after the 1st day of October 1976 the following rules, rates of postage and fees shall be in force —

AIR MAIL

- (a) Aerogrammes will only be accepted when written on the authorised form. The rates shall be 8p (small size) and 9p (large size). If an enclosure is placed in the letter it will be forwarded by surface mail. Aerogrammes.
- (b) First Class postal matter shall be accepted at the rate of 11p per half ounce or part thereof. 1st Class.
- (c) Second Class postal matter shall be accepted at the rate of 6p per half ounce or part thereof. 2nd Class.
- (d) Postcards 7p. Postcards.
- (e) Small Packets 6p per half ounce or part thereof. Small Packets.

SURFACE MAIL

- (f) Postal Packets — the rates shall be — Letters, etc.
- (i) Inland
- |          |                                 |                                 |                                 |                                 |                                  |                                  |                                  |
|----------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|----------------------------------|----------------------------------|----------------------------------|
| Not over | $\frac{1\text{ oz}}{2\text{p}}$ | $\frac{2\text{ oz}}{3\text{p}}$ | $\frac{4\text{ oz}}{4\text{p}}$ | $\frac{8\text{ oz}}{8\text{p}}$ | $\frac{1\text{ lb}}{16\text{p}}$ | $\frac{2\text{ lb}}{30\text{p}}$ | $\frac{4\text{ lb}}{40\text{p}}$ |
|----------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|----------------------------------|----------------------------------|----------------------------------|
- (ii) To the United Kingdom or any part of the Commonwealth
- |          |                                 |                                 |                                  |                                  |                                  |                                  |                                    |
|----------|---------------------------------|---------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|------------------------------------|
| Not over | $\frac{1\text{ oz}}{4\text{p}}$ | $\frac{2\text{ oz}}{8\text{p}}$ | $\frac{4\text{ oz}}{10\text{p}}$ | $\frac{8\text{ oz}}{20\text{p}}$ | $\frac{1\text{ lb}}{37\text{p}}$ | $\frac{2\text{ lb}}{64\text{p}}$ | $\frac{4\text{ lb}}{\pounds 1.04}$ |
|----------|---------------------------------|---------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|------------------------------------|
- (iii) To all other parts of the world
- |          |                                 |                                  |                                  |                                  |                                  |                                    |                                    |
|----------|---------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|------------------------------------|------------------------------------|
| Not over | $\frac{1\text{ oz}}{8\text{p}}$ | $\frac{2\text{ oz}}{15\text{p}}$ | $\frac{4\text{ oz}}{19\text{p}}$ | $\frac{8\text{ oz}}{39\text{p}}$ | $\frac{1\text{ lb}}{74\text{p}}$ | $\frac{2\text{ lb}}{\pounds 1.28}$ | $\frac{4\text{ lb}}{\pounds 2.08}$ |
|----------|---------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|------------------------------------|------------------------------------|
- (g) Postcards — the rates shall be — Postcards.
- (i) Inland 1p;
- (ii) United Kingdom or any part of the Commonwealth 3p;
- (iii) To all other countries 6p.
- (h) Printed Papers — the rates shall be — Printed Papers.
- (i) Inland
- |          |                                 |                                 |                                 |                                 |                                 |                                 |
|----------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|
| Not over | $\frac{2\text{ oz}}{2\text{p}}$ | $\frac{4\text{ oz}}{3\text{p}}$ | $\frac{8\text{ oz}}{4\text{p}}$ | $\frac{1\text{ lb}}{5\text{p}}$ | $\frac{2\text{ lb}}{7\text{p}}$ | $\frac{4\text{ lb}}{9\text{p}}$ |
|----------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|
- for each additional 2 lb or part thereof 2p;

(ii) To the United Kingdom or any part of the Commonwealth

Not over	<u>1 oz</u>	<u>2 oz</u>	<u>4 oz</u>	<u>8 oz</u>	<u>1 lb</u>	<u>2 lb</u>	<u>4 lb</u>
	2p	4p	5p	8p	15p	24p	34p

for each additional 2 lb or part thereof 17p;

(iii) To all other countries

Not over	<u>1 oz</u>	<u>2 oz</u>	<u>4 oz</u>	<u>8 oz</u>	<u>1 lb</u>	<u>2 lb</u>	<u>4 lb</u>
	4p	7p	9p	16p	29p	48p	67p

for each additional 2 lb or part thereof 34p;

Literature for the blind — Free.

Small Packets.

(i) Small Packets — the rates shall be —

To all parts of the world

Not over	<u>4 oz</u>	<u>8 oz</u>	<u>1 lb</u>	<u>2 lb</u>
	9p	16p	29p	48p

Parcel Post.

#### PARCEL POST

(j) Parcel Post rates shall be —

(i) Inland

Not over	<u>2 lb</u>	<u>4 lb</u>	<u>7 lb</u>	<u>11 lb</u>	<u>22 lb</u>
	15p	25p	30p	40p	75p

(ii) To the United Kingdom (Surface — Direct)

Not over	<u>2 lb</u>	<u>7 lb</u>	<u>11 lb</u>	<u>22 lb</u>
	£2.45	£3.20	£4.00	£5.25

(Air Mail via South America)

Not over 1 lb £2.50

for each additional 1 lb or part thereof £1.50.

C. O. D.

#### CASH ON DELIVERY

(k) There shall be a charge of 10p for each parcel delivered in the Colony. There shall also be a special fee calculated on the value of the Trade Charge at the rate of 4p for the first £ and 2p for each succeeding £ or part thereof. The maximum Trade Charge Money Order permitted is £40.

Insurance.

#### INSURANCE

(l) The insurance service is restricted to items sent direct to the United Kingdom. The fees for such insurance shall be 10p for the first £14 of the declared value and 6p for every additional £14 or fraction thereof. The maximum insured value permitted is £100.

Registration.

#### REGISTRATION

(m) The fees for registration shall be —

(i) Inland	...	...	...	...	...	8p
(ii) To all other parts of the world	...	...	...	...	...	16p
Advice of delivery of registered or insured articles, applied for at the time of posting	...	...	...	...	...	8p
Inquiry for a postal packet, and advice of delivery of registered articles applied for after posting	...	...	...	...	...	10p.

Compensation.

#### COMPENSATION

(n) The maximum limit of compensation for the loss of a registered article is £5.50. Registration in the International Service does not give any title to compensation for the 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 British Post Office, compensation may as an act of grace, be paid up to the maximum of £5.50 in cases where the contents of a registered letter or packet, posted to an address in the United Kingdom, are lost. Maximum compensation payable for the loss of a registered item in the Internal Service is £4.00.

#### MONEY ORDERS

Money Orders.

(o) The rates of commission on Money Orders shall be 4p for each £ or part thereof with a minimum commission fee of 20p. The fee for an advice of payment shall be 5p. The maximum amount of any one order shall be £50.

#### POSTAL ORDERS

Postal Orders.

(p) The rates of poundage on British Postal Orders shall be —

Denomination	Poundage
10p to £1 (inclusive)	8p
£2 to £10 (inclusive)	16p

The value of a Postal Order may be increased by affixing postage stamps not exceeding two in number and not exceeding a total of 4½p in value:

Provided that no payment shall be made by or on behalf of the Postmaster in respect of —

- a stamp not affixed in the space provided for the purpose on the Postal Order; or
- a stamp which is not a stamp for the time being authorised or required to be used for the purpose of the Post Office; or
- a stamp which has been cut out of any postal packet, document, instrument, envelope or other cover, or which is perforated with initials or marks.

(q) The postage rates on all mail to Argentina shall be the same as those specified for posting within the Colony.

Postage rates to Argentina.

3. The Post Office Order 1973 is hereby rescinded.

Rescission.

Made by the Governor in Council this 25th day of August 1976.

W. A. ETHERIDGE,

*Acting Clerk of the Executive Council.*

#### EXPLANATORY NOTE

For guidance —

FIRST CLASS POSTAL MATTER includes sealed private or business letters or letters or packets up to a limit of 4 lb in weight.

SECOND CLASS POSTAL MATTER includes —

- printed papers, etc., enclosed in covers open at the ends;
- greeting cards in unsealed envelopes.

No written messages conveying any specific information or making any enquiry or request are admissible as second class postal matter.

Inland includes the Dependency of South Georgia and the British Antarctic Territory.

Ref. P & T/2/9c.

PROCLAMATION

No. 1 of 1976

Made under section 24 of the Falkland Islands (Legislative Council)  
Orders in Council, 1948 to 1976.

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.

N. A. I. FRENCH

LS

*By His Excellency* NEVILLE ARTHUR IRWIN FRENCH,  
ESQUIRE, *Companion of the Most Distinguished Order of*  
*St. Michael and St. George, Member of the Royal Victorian*  
*Order, 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 1976, 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, NEVILLE ARTHUR IRWIN FRENCH, Companion of the Most Distinguished Order of St. Michael and St. George, Member of the Royal Victorian Order, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies, in exercise of the powers vested in me aforesaid, do by this Proclamation appoint Tuesday, the 15th day of June 1976 at 10.00 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 24th day of May in the Year of Our Lord One thousand Nine hundred and Seventy-six.

*By His Excellency's Command,*

D. R. MORRISON,

*Acting Chief Secretary.*



PROCLAMATION

No. 2 of 1976

Made under section 35 of the Customs Ordinance (Chapter 16)

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.

By His Excellency NEVILLE ARTHUR IRWIN FRENCH, ESQUIRE, Companion of the Most Distinguished Order of Saint Michael and Saint George, Member of the Royal Victorian Order, Governor and Commander-in-Chief of the Colony of the Falkland Islands, and its Dependencies, and Vice-Admiral of the same.

WHEREAS it is provided by section 35 of the Customs Ordinance that it shall be lawful for the Governor from time to time by proclamation to prohibit the importation, carriage coastwise or exportation of any goods whatsoever, and any such proclamation may prohibit importation, carriage coastwise or exportation until the revocation thereof, or during such period as may be specified therein, and may absolutely prohibit importation, carriage coastwise or exportation, or may prohibit importation, carriage coastwise or exportation except in compliance with any conditions which may be specified in the proclamation, or importation from or exportation to any particular place named in the proclamation:

NOW, THEREFORE, I, NEVILLE ARTHUR IRWIN FRENCH, do hereby PROCLAIM as follows —

1. Subject to paragraph 2 below, the importation and the exportation of the following things are hereby prohibited, namely —
- (a) live or dead animal of any of the kinds for the time being specified in the second column of Schedule 1 to this Proclamation;
  - (b) a live or dead plant of any of the kinds for the time being specified in the second column of Schedule 2 to this Proclamation;
  - (c) an article for the time being specified in Schedule 3 to this Proclamation.

2. Paragraph 1 above does not apply to the importation or exportation of anything therein referred to under and in accordance with the terms of a licence issued by the Governor.

SCHEDULES

SCHEDULE 1

Animals the Importation and Exportation of which are restricted

Family	Kind
MAMMALIA	
Marsupialia	
Macropodidae ... ..	Bettongia lesueur
	Bettongia penicillata
	Bettongia tropica
	Caloprymnus campestris
	Dendrolagus inustus
	Dendrolagus ursinus
	Lagorchestes hirsutus
	Lagostrophus fasciatus
	Macropus parma
	Onychogalea frenata
	Onychogalea lunata

Family	Kind
Phalangeridae ... ..	Wyulda squamicaudata
Burramyidae ... ..	Burramys parvus
Vombatidae ... ..	Lasiorhinus gillespiei
Peramelidae ... ..	Chaeropus ecaudatus Macrotis lagotis Macrotis leucura Perameles bougainville
Dasyuridae ... ..	Antechinomys laniger Myrmecobius fasciatus rufus Planigale subtilissima Planigale tenuirostris Sminthopsis longicaudata Sminthopsis psammophila
Thylacinidae ... ..	Thylacinus cynocephalus
Erinaceidae ... ..	<i>Insectivora</i> Erinaceus frontalis
Lemuridae ... ..	<i>Primates</i> Allocebus Cheirogaleus Hapalemur Lemur Lepilemur Mirocebus Phaner
Lorisidae ... ..	Loris tardigradus Nycticebus coucang
Indriidae ... ..	Avahi Indri Propithecus
Daubentoniidae ... ..	Daubentonia madagascariensis
Callithricidae ... ..	Callimico goeldii Leontopithecus (= Leontideus)
Cebidae ... ..	Alouatta palliata (villosa) Ateles geoffroyi frontatus Ateles geoffroyi panamensis Brachyteles arachnoides Cacajao Cebus capucinus Chiropotes albinasus Saimiri oerstedii
Cercopithecidae ... ..	Cercocebus galeritus galeritus Colobus badius gordonorum Colobus badius kirkii Colobus badius rufomitratus Colobus verus Macaca silenus Macaca sylvanus Nasalis larvatus Presbytis entellus Presbytis geei Presbytis johnii Presbytis pileatus Presbytis Pygathrix nemaeus Rhinopithecus roxellanae Simias concolor
Hylobatidae ... ..	Hylobates Symphalangus syndactylus
Pongidae ... ..	Gorilla gorilla Pan paniscus Pan troglodytes Pongo pygmaeus abelii Pongo pygmaeus pygmaeus

Family	Kind
Dasypodidae ... ..	<i>Edentata</i> Priodontes giganteus (= maximus)
Myrmecophagidae ... ..	Myrmecophaga tridactyla Tamandua tetradactyla chapadensis
Bradypodidae ... ..	Bradypus boliviensis
Manidae ... ..	<i>Pholidota</i> Manis crassicaudata Manis javanica Manis pentadactyla Manis temmincki
Leporidae ... ..	<i>Lagomorpha</i> Caprolagus hispidus Nesolagus netscheri Romerolagus diazi
Heteromyidae ... ..	<i>Rodentia</i> Dipodomys phillipsii phillipsii
Sciuridae ... ..	Cynomys mexicanus Lariscus hosei Ratufa
Castoridae ... ..	Castor canadensis frondator Castor canadensis repentinus Castor canadensis mexicanus Castor fiber birulaia
Cricetidae ... ..	Ondatra zibethicus bernardi
Muridae ... ..	Leporillus conditor Notomys aquilo Pseudomys fieldi Pseudomys fumeus Pseudomys novaehollandiae Pseudomys occidentalis Pseudomys praeconis Pseudomys shortridgei Xeromys myoides Zyzomys pedunculatus
Chinchillidae ... ..	Chinchilla brevicaudata boliviana
Platanistidae ... ..	<i>Cetacea</i> Platanista gangetica
Eschrichtidae ... ..	Eschrichtius robustus (= Eschrichtius gibbosus = Eschrichtius glaucus)
Balaenopteridae ... ..	Balaenoptera musculus Megaptera novaeangliae
Balaenidae ... ..	Balaena mysticetus Eubalaena spp.
Canidae ... ..	<i>Carnivora</i> Canis lupus crassodon Canis lupus irremotus Canis lupus monstrabilis Canis lupus pallipes Chrysocoyon brachyurus Cuon alpinus Vulpes velox hebes
Ursidae ... ..	Helarctos malayanus Ursus americanus emmonsii Ursus arctos Ursus (Thalarctos) maritimus
Procyonidae ... ..	Ailurus fulgens
Mustelidae ... ..	Aonyx microdon Enhydra lutris nereis Lutra felina

Family	Kind
	Lutra longicaudis (= Lutra annectens = Lutra platensis)
	Lutra provocax
	Martes americana atrata
	Mustela nigripes
	Pteronura brasiliensis
Viverridae	Cynogale bennetti Helogale derbianus Prionodon linsang Prionodon pardicolor
Hyaenidae	Hyaena brunnea
Felidae	Acinonyx jubatus Felis bengalensis bengalensis Felis (=caracal) caracal Felis colocolo budini Felis colocolo crespoi Felis colocolo pajeros Felis concolor azteca Felis concolor coryi Felis concolor costaricensis Felis concolor cougar Felis concolor mayensis Felis concolor missoulensis Felis jacobita Felis lynx isabellina Felis rufa escuinapae (=Lynx rufa escuinapae) Felis marmorata Felis nigripes Felis pardalis Felis planiceps Felis serval Felis temmincki Felis tigrina Felis wiedii Felis yagouaroundi Neofelis nebulosa Panthera leo persica Panthera onca Panthera pardus Panthera tigris Panthera uncia
Otariidae	Pinnipedia Arctocephalus australis Arctocephalus galapagoensis Arctocephalus philippii Arctocephalus townsendi
Phocidae	Mirounga angustirostris Mirounga australis Mirounga leonina Monachus spp.
Orycteropidae	Tubulidentata Orycteropus afer
Elephantidae	Proboscidea Elephas macimus
Dugongidae	Sirenia Dugong dugon
Trichechidae	Trichechus inunguis Trichechus manatus Trichechus senegalensis
Equidae	Perissodactylia Equus hemionus Equus przewalskii Equus zebra zebra
Tapiridae	Tapirus bairdii Tapirus indicus Tapirus pinchaque Tapirus terrestris

Family	Kind
Rhinocerotidae	Ceratotherium simum cottoni Diceros bicornis Didermocerus sumatrensis Rhinoceros sondaicus Rhinoceros unicornis
Suidae	Artiodactyla Babyrousa babyrussa Sus salvanius
Hippopotamidae	Choeropus liberiensis
Camelidae	Camelus bactrianus Vicugna vicugna
Cervidae	Axis calamianensis Axis kuhlii Axis porcinus annamiticus Blastoceros dichotomus Cervus duvauceli Cervus elaphus bactrianus Cervus elaphus hanglu Cervus eldi Hippocamelus antisensis Hippocamelus bisulcus Moschus moschiferus moschiferus Ozotoceros bezoarticus Pudu mephistophiles Pudu pudu
Antilocapridae	Antilocapra americana mexicana Antilocapra americana peninsularis Antilocapra americana sonoriensis
Bovidae	Addax nasomaculatus Bison bison athabasca Bos gaurus Bos mutus (= Bos grunniens) Bubalus depressicornis (= Anoa depressicornis) Bubalus mindorensis (= Anoa mindorensis) Bubalus quarlesi (= Anoa depressicornis quarlesi)
	Capra falconeri Capricornis sumatraensis Cephalophus monticola Damaliscus dorcas dorcas Hippotragus niger variati Kobus leche Nemorhaedus goral Oryx dammah (= Oryx tao) Oryx leucoryx Novibos (Bos) sauveli Ovis ammon Ovis canadensis Ovis orientalis ophion Ovis vignei Panthalops hodgsoni Rupicapra rupicapra ornata Saiga tatarica mongolica
AMPHIBIA	
Ambystomidae	Urodela Ambystoma dumerillii Ambystoma lermaensis Ambystoma mexicanum
Cryptobranchidae	Andrias (= Megalobatrachus) davidianus japonicus
Bufonidae	Salientia Bufo periglenes Bufo retiformis Bufo superciliaris Nectophrynoides
Atelopodidae	Atelopus varias zeteki

Family	Kind
REPTILIA	
Alligatoridae ...	<i>Crocodylia</i>
	Alligator mississippiensis
	Alligator sinensis
	Caiman crocodilus apaporiensis
	Caiman crocodilus crocodilus
	Caiman crocodilus fuscus (chiapasius)
	Caiman crocodilus yacre
	Caiman latirostris
	Melanosuchus niger
	Paleosuchus palpebrosus
	Paleosuchus trigonatus
Crocodylidae ...	Crocodylus acutus
	Crocodylus cataphractus
	Crocodylus intermedius
	Crocodylus johnsoni
	Crocodylus moreletii
	Crocodylus niloticus
	Crocodylus novaeguineae mindorensis
	Crocodylus novaeguineae novaeguineae
	Crocodylus palustris kimbula
	Crocodylus palustris palustris
	Crocodylus porosus
	Crocodylus rhombifer
	Crocodylus siamensis
	Osteolaemus tetraspis osborni
	Osteolaemus tetraspis tetraspis
	Tomistoma schlegelii
Gavialidae ...	Gavialis gangeticus
Emydidae ...	<i>Testudinata</i>
	Batagur baska
	Clemmys muelenbergi
	Geoclemmys (=Damonina) hamiltonii
	Geomyda (=Nicoria) tricarinata
	Kachuga tecta tecta
	Morenia ocellata
Testudinidae ...	Terrapene coahuila
	Chersine
	Geochelone (=Testudo)
	Gopherus
	Homopus
	Kinixys
	Malacochersus
Cheloniidae ...	Pyxis
	Testudo
	Caretta caretta
	Chelonia depressa
	Chelonia mydas
	Eretmochelys imbricata bissa
	Eretmochelys imbricata imbricata
Dermochelidae ...	Lepidochelys kempii
	Lepidochelys olivacea
	Dermochelys coriacea
Pelomedusidae ...	Podocnemis
Trionychidae ...	Lissemys punctata punctata
	Trionyx ater
	Trionyx gangeticus
	Trionyx hurum
	Trionyx nigricans
Chelidae ...	Pseudemys umbrina
Teiidae ...	<i>Lacertilia</i>
	Cnemidophorus hyperythrus
Iguanidae ...	Amblyrhynchus cristatus
	Conolophus pallidus
	Cololophus subseriatus
	Phrynosoma coronatum blainvillei

Family	Kind
Helodermatidae ...	Heloderma horridum
	Heloderma suspectum
Varanidae ...	Varanus
Boidae ...	<i>Serpentes</i>
	Constrictor constrictor
	Epicrates cenchris cenchris
	Epicrates inornatus inornatus
	Epicrates subflavus
	Eunectes notaeus
	Python
Colubridae ...	Cyclagras gigas
	Elachistodon westermanni
	Pseudoboa cloelia
	Thamnophis elegans hammondi
Sphenodontidae ...	<i>Rhynchocephalia</i>
	Sphenodon punctatus
PISCES	
Acipenseridae ...	<i>Acipenseriformes</i>
	Acipenser brevirostrum
	Acipenser fulvescens
	Acipenser oxyrhynchus
	Acipenser sturio
Osteoglossidae ...	<i>Osteoglossiformes</i>
	Arapaima gigas
	Scleropages formosus
Salmonidae ...	<i>Salmoniformes</i>
	Coregonus alpenae
	Salmo chrysogaster
	Stenodus leucichthys leucichthys
Catostomidae ...	<i>Cypriniformes</i>
	Chasmistes cujus
Cyprinidae ...	Plagopterus argentissimus
	Probarbus jullieni
	Ptychocheilus lucius
Cyprinodontidae ...	<i>Atheriniformes</i>
	Cynolebias constanciae
	Cynolebias marmoratus
	Cynolebias minimus
	Cynolebias opalescens
	Cynolebias splendens
Pocillidae ...	Xiphophorus couchianus
Coelacanthidae ...	<i>Coelacanthiformes</i>
	Latimeria chalumnae
Ceratodidae ...	<i>Ceratodiformes</i>
	Neoceratodus forsteri
Schilbeidae ...	<i>Siluriformes</i>
	Pangasianodon gigas
Percidae ...	<i>Perciformes</i>
	Stizostedion vitreum glaucum
AVES	
Spheniscidae ...	<i>Sphenisciformes</i>
	Spheniscus demersus
Rheidae ...	<i>Rheiformes</i>
	Pteroenemia pennata garleppi
	Pteroenemia pennata pennata
	Rhea americana albescens



Family	Kind
Tinamidae ... ..	<i>Tinamiformes</i> Rhynchotus rufescens maculicollis Rhynchotus rufescens pallescens Rhynchotus rufescens rufescens Tinamus solitarius
Podicipedidae ... ..	<i>Podicipediformes</i> Podilymbus gigas
Diomedidae ... ..	<i>Procellariiformes</i> Diomedea albatrus
Sulidae ... ..	<i>Pelecaniformes</i> Sula abbotti
Fregatidae ... ..	Fregata andrewsi
Pelecanidae ... ..	Pelecanus crispus
Ciconiidae ... ..	<i>Ciconiiformes</i> Ciconia ciconia boyciana Ciconis nigra
Threskiornithidae ... ..	Geronticus calvus Nipponia nippon
Phoenicopteridae ... ..	<i>Platalea leucorodia</i> Phoenicoparrus andinus Phoenicoparrus jamesi Phoenicopterus ruber chilensis
Anatidae ... ..	<i>Anseriformes</i> Anas aucklandica aucklandica Anas aucklandica chlorotis Anas aucklandica nesiotis Anas bernieri Anas diazi Anas laysanensis Anas oustaleti Anser albifrons gambelli Branta canadensis leucopareia Branta ruficollis Branta sandvicensis Cairina scutulata Coscoroba coscoroba Cygnus bewickii jankowskii Cygnus melancoryphus Dendrocygna arborea Rhodonessa caryophyllacea Sarkidiornis melanotos
Carthartidae ... ..	<i>Falconiformes</i> Gymnogyps californianus Vultur gryphus
Accipitridae ... ..	Aquila chrysaetos Gypaetus barbatus meridionalis Haliaetus albicilla groenlandicus Haliaetus heliaca adalberti Haliaetus leucocephalus leucocephalus Harpyia harpyia Pithecophaga jefferyi
Falconidae ... ..	Any genus of the family Falconidae
Magapodiidae ... ..	<i>Galliformes</i> Macrocephalon maleo Magapodius freycinet abbottii Magapodius freycinet nicobariensis
Cracidae ... ..	Crax blumenbachii Mitu mitu mitu Oreophasis derbianus Pipile jacutinga Pipile pipile pipile
Tetraonidae ... ..	Tympanuchus cupido attwateri Tympanuchus cupido pinnatus

Family	Kind
Phasianidae ... ..	Argusianus argus Catreus wallichii Colinus virginianus ridgwayi Crossoptilon crossoptilon Crossoptilon mantchuricum Cyrtonyx montezumae mearnsi Cyrtonyx montezumae merriami Cyrtonyx montezumae montezumae Francolinus ochropectus Francolinus swierstrai Gallus sonneratii Ithaginis cruentus Lophophorus impejanus Lophophorus lhuysii Lophophorus sclateri Lophura edwardsii Lophura imperialis Lophura swinhoii Polyplectron bicalcaratum Polyplectron emphanum Polyplectron germaini Polyplectron malacense Syrmaticus ellioti Syrmaticus humiae Syrmaticus mikado Tetraogallus caspius Tetraogallus tibetanus Tragopan blythii Tragopan caboti Tragopan melanocephalus
Gruidae ... ..	<i>Gruiformes</i> Balearica regulorum Grus americana Grus canadensis nesiotis Grus canadensis pratensis Grus canadensis pulla Grus japonensis Grus leucogeranus Grus monacha Grus nigricollis Grus vipio
Rallidae ... ..	Gallirallus australis hectori Tricholimnas sylvestris
Rhynchotidae ... ..	Rhynchotus jubatus
Otididae ... ..	Chlamydotis undulata Choriotis nigriceps Eupodotis bengalensis Otis Tarda
Scolopacidae ... ..	<i>Charadriiformes</i> Numenius borealis Numenius minutus Numenius tenuirostris Tringa guttifer
Laridae ... ..	Larus brunneicephalus Larus relictus
Columbidae ... ..	<i>Columbiformes</i> Caloenas nicobarica pelewensis Ducula mindorensis Gallicolumba luzonica Goura cristata Goura scheepmakeri Goura victoria
Psittacidae ... ..	<i>Psittaciformes</i> Amazona guildingii Amazona imperialis Amazona leucocephala

## Family

## Kind

					Amazona petrei petrei Amazona rhodocorytha Amazona versicolor Amazona vinacea Amazona vittata Anodorhynchus glaucus Anodorhynchus leari Aratinga guaruba Coracopsis nigra barklyi Cyanopsitta spixii Cyanoromphus auriceps forbesi Cyanoramphus malberbi Cyanoramphus novaezelandiae Cyanoramphus unicolor Eunymphicus cornutus Geopsittacus occidentalis Neophema chrysogaster Neophema splendida Pionopsitta pileata Poicephalus robustus Probosciger aterrimus Prosopelia personata Psephotus chrysopterygius Psephotus pulcherrimus Psittacula krameri echo Psittacus erithacus princeps Pyrrhura cruentata Rhynchopsitta pachyrhyncha Strigops habroptilus Tanygnathus luzoniensis
Trochilidae	...	...	...	...	<i>Apodiformes</i> Ramphodon dohrnii
Musophagidae	...	...	...	...	<i>Cuculiformes</i> Gallirex porphyreolophus Turaco corythaix
Trogonidae	...	...	...	...	<i>Trogoniformes</i> Pharomachrus mocinno costaricensis Pharomachrus mocinno mocinno
Strigidae	...	...	...	...	<i>Strigiformes</i> Otus gurneyi Otus nudipes newtoni
Bucerotidae	...	...	...	...	<i>Coraciiformes</i> Aceros narcondami Buceros bicornis Buceros hydrocorax hydrocorax Buceros rhinoceros rhinoceros Rhinoplax vigil
Picidae	...	...	...	...	<i>Piciformes</i> Campephilus imperialis Dryocopus javensis richardsii Picus squamatus flavirostris
Cotingidae	...	...	...	...	<i>Passeriformes</i> Cotinga maculata Rupicola peruviana Rupicola rupicola Xipholena atro-purpurea
Pittidae	...	...	...	...	Pitta brachyura nympha Pitta kochi
Atrichornithidae	...	...	...	...	Atrichornis clamosa
Hirundinidae	...	...	...	...	Pseudochelidon sirintarae
Paradisaeidae	...	...	...	...	Any genus of the family Paradisaeidae
Muscicapidae	...	...	...	...	Amytornis goyderi Dasyornis brachypterus longirostris Dasyornis broadbenti littoralis Muscicapa ruecki

## Family

## Kind

					Picarthartes gymnocephalus Picarthartes oreas Psophodes nigrogularis
Sturnidae	...	...	...	...	Leucopsar rothschildi
Meliphagidae	...	...	...	...	Meliphaga cassidix
Zosteropidae	...	...	...	...	Zosterops albogularis
Fringillidae	...	...	...	...	Spinus cucullatus Spinus yarrellii

## MOLLUSCA

					<i>Naiadoida</i>
Unionidae	...	...	...	...	Conradilla caelata Cyprogenia aberti Dromus dromas Epioblasma (=Dysnomia) florentina curtisi Epioblasma (=Dysnomia) florentina florentina Epioblasma (=Dysnomia) sampsoni Epioblasma (=Dysnomia) sulcata perobliqua Epioblasma (=Dysnomia) torulosa gubernaculum Epioblasma (=Dysnomia) torulosa rangiana Epioblasma (=Dysnomia) torulosa torulosa Epioblasma (=Dysnomia) turgidula Epioblasma (=Dysnomia) walkeri Fusconaia cuneolus Fusconaia edgariana Fusconaia subrotunda Lampsilis brevicula Lampsilis higginsii Lampsilis orbiculata orbiculata Lampsilis satura Lampsilis virescens Lexingtonia delabelloides Pleorobema clava Plethobasis cicatricosus Plethobasis cooperianus Pleurobema plenum Potamilus (=Proptera) capax Quadrula intermedia Quadrula sparsa Toxolasma (=Carunculina) cylindrella Unio (Melagonaias?) nickliniana Unio (Lampsilis?) tampicoensis tecomatensis Villosa (=Micromya) trabalis
Camaenidae	...	...	...	...	<i>Stylommatophora</i>
Paraphantidae	...	...	...	...	Papustyla (=Papuina) pulcherrima Paraphanta
Hydrobiidae	...	...	...	...	<i>Prosobranchia</i>

Coahuilix hubbsi  
 Cochliopina milleri  
 Durangonella coahuilae  
 Mexipyrus carranzae  
 Mexipyrus churinceanus  
 Mexipyrus escobedae  
 Mexipyrus lugoi  
 Mexipyrus mojarralis  
 Mexipyrus multilineatus  
 Mexithauma quadripaludium  
 Nymphophilus minckleyi  
 Paludiscala caramba

## INSECTA

					<i>Lepidoptera</i>
Papilionidae	...	...	...	...	Parnassius apollo apollo

# SCHEDULE 2

## Plants the Importation and Exportation of which are prohibited

Family	Kind
Apocynaceae ... ..	Pachypodium
Araceae ... ..	Alocasia sanderiana Alocasia Zebrina
Araliaceae ... ..	Panax quinquefolius
Araucariaceae ... ..	Araucaria araucana
Cactaceae ... ..	Any genus of the family Cactaceae (which is commonly found in the Americas) Rhipsalis
Caryocaraceae ... ..	Caryocar costaricense
Caryophyllaceae ... ..	Gymnocarpus przewalskii Melandrium mongolicum Silene mongolica Stellaria pulvinata
Compositae ... ..	Saussurea lappa
Cupressaceae ... ..	Fitzroya cupressoides Pilgerodendron uviferum
Cyatheaceae ... ..	Any genus of the family Cyatheaceae
Cycadaceae ... ..	Any genus of the family Cycadaceae
Dicksoniaceae ... ..	Any genus of the family Dicksoniaceae
Dioscoreaceae ... ..	Dioscorea deltoidea
Euphorbiaceae ... ..	Any species of the genus Euphorbia which is a succulent
Fagaceae ... ..	Quercus copeyensis
Gentianaceae ... ..	Prepusa hookeriana
Humiriaceae ... ..	Vantanea barbourii
Juglandaceae ... ..	Engelhardtia pterocarpa
Leguminosae ... ..	Ammopiptanthus mongolicum Cynometra hemitomophylla Platymiscium pleiostachyum Tachigalia versicolor Thermopsis mongolica
Liliaceae ... ..	Aloe
Melastomataceae ... ..	Lavoisiera itambana
Meliaceae ... ..	Guarea longipetiolata Swietenia humilis
Moraceae ... ..	Batocarpus costaricense
Orchidaceae ... ..	Any genus of the family Orchidaceae
Palmae ... ..	Arenga ipot Phoenix hanceana var philippinensis Zalacca clemensiana
Pinaceae ... ..	Abies guatemalensis Abies nebrodensis
Podocarpaceae ... ..	Podocarpus costalis Podocarpus parlatorei
Portulacaceae ... ..	Anacampseros
Primulaceae ... ..	Cyclamen
Proteaceae ... ..	Orothamnus zeyheri Protea odorata

# Family

# Kind

Rubiaceae ... ..	Balmea stormae
Saxifragaceae (Grossulariaceae) ... ..	Ribes sardoum
Solanaceae ... ..	Solanum sylvestris
Strangeriaceae ... ..	Any genus of the family Strangeriaceae
Sterculiaceae ... ..	Basiloxylon excelsum
Ulmaceae ... ..	Celtis aetnensis
Verbenaceae ... ..	Caryopteris mongolica
Welwitschiaceae ... ..	Any genus of the family Welwitschiaceae
Zamiaceae ... ..	Any genus of the family Zamiaceae
Zingiberaceae ... ..	Hedychium philippinense
Zygophyllaceae ... ..	Guaiacum sanctum

# SCHEDULE 3

## Articles the Importation and Exportation of which are restricted

- Any dead whale.
- Whale meat (excluding guts, bladders, stomachs, blood and fat) and edible whale offals, whether fresh, chilled, frozen, salted, in brine, dried or smoked, but not if unfit for human consumption.
- Whalebone, whether unworked or simply prepared but not if cut to shape and hair and waste of whalebone.
- Whale fat and whale oil, other than sperm oil, whether or not refined.
- Whalemeat extracts and whale meat juices.
- Any bracelet made wholly or partly of the hair of any animal of the family Elephantidae.
- Ivory derived from the tusks of any animal of any of the families Elephantidae, whether unworked or simply prepared but not if cut to shape, and powder and waste thereof.
- The horn of any animal of the family Rhinocerotidae, whether unworked or simply prepared but not if cut to shape, and powder and waste thereof.
- The teeth of any animal, whether unworked or simply prepared but not if cut to shape, and powder and waste thereof.
- The stuffed head, and the skull together with the skin covering it, of any animal of any of the families Elephantidae and Rhinocerotidae.
- Raw furskins and hides or skins, tanned or dressed with the hair on, of any of the following animals and any rug, coverlet, coat, jacket, cape, or stole derived from any such furskin, hide or skin, namely —

(a) any animal of any of the following genera, namely —

Genetta  
Paradoxurus, and  
Viverra;

(b) any animal of any of the following species, namely —

Acinonyx jubatus	Felis tigrina
Arctogalidia trivigata	Felis viverrina
Chrotogale owstoni	Felis wiedii
Crocota crocuta	Fossa fossa
Felis benegalensis	Hemigatus derbianus
Felis colocolo	Hyaena brunnea
Felis geoffroyi	Mungos mungo
Felis guigna	Panthera nebullosa
Felis jacobita	Panthera onca
Felis marmorata	Panthera pardus
Felis nigripes	Panthera tigris
Felis pardalis	Panthera uncia
Felis planiceps	Poiana richardsoni
Felis rubiginosa	Ursus (Thalarctos) maritimus
Felis serval	Vicugna vicugna, and
Felis sylvestris	Viverricula indica

12. The hair, whether or not carded or combed, of any animal of the species *Vicugna vicugna*.
13. Musk derived from any animal of the sub-species *Moschus moschiferus moschiferus*.
14. The raw hide or skin, whether fresh, salted, dried, pickled or limited and whether or not split, and the leather of any crocodile, lizard or snake.
15. The dried body of any animal of any of the families Alligatoridae and Crocodylidae.
16. The shell and scales, whether unworked or simply prepared but not if cut to shape, the waste of the shell and scales, and the claws, of any animal of the family Cheloniidae.
17. The preserved body of any animal of the sub-species *Atelopus varius zeteki*.
18. The whole shell of any animal of the species *Papustyla (=Papuina) pulcherima*, whether unworked or simply prepared but not if cut to shape.
19. The feathers, or the skin or any other part with the feathers on it, of any of the following animals, namely —
  - (a) any animal of the family Paradisaeidae; and
  - (b) any animal of the species *Gallus sonneratii*.
20. Any fishing fly containing the plumage of any animal of the species *Gallus sonneratii*.
21. The stem of any plant of the family Cyatheaceae and any article made wholly or partly of any such stem or stems.
22. Any collection of botanical or zoological items, or of both which contains any item referred to in any of the preceding paragraphs of this Schedule.

Given under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, this Twenty-second day of June, in the Year of Our Lord One thousand Nine hundred and Seventy-six.

N. A. I. FRENCH,  
*Governor.*

LS

GOD SAVE THE QUEEN

## FALKLAND ISLANDS

MERCHANT SHIPPING (OIL POLLUTION) ACT 1971

### Falkland Islands Oil Pollution (Compulsory Insurance) Regulations 1976

No. 1 of 1976.

N. A. I. FRENCH,  
*Governor.*

In exercise of the powers conferred by section 10 (1) and (4) and section 11 (3) of the Merchant Shipping (Oil Pollution) Act 1971, as applied to the Falkland Islands by the Merchant Shipping (Oil Pollution) (Falkland Islands) Order 1975, the Governor has made the following Regulations —

(1971 c. 59)  
(S. I. 1975/2169)

1. (1) These Regulations may be cited as the Falkland Islands, Oil Pollution (Compulsory Insurance) Regulations 1976 and shall come into operation on the 1st day of April 1976.

Citation, commencement and interpretation.

(2) In these Regulations, unless the context otherwise requires —

“certificate” means a document showing that there is in force in respect of a ship to which section 10 (2) of the Act applies a contract of insurance or other security such as is mentioned in that subsection;

“Convention country” has the meaning assigned to it in section 19 (1) of the Act.

(3) The Interpretation Act 1889 with the necessary adaptations, shall apply, for the interpretation of these Regulations and otherwise in relation thereto as it applies for the interpretation of an Act of Parliament.

(1889 c. 63)

2. For the purposes of section 10 (1) of the Act (requirements as to compulsory insurance against liability for oil pollution) “persistent oil” means any of the following —

Definition of “persistent oil”.

(a) hydrocarbon mineral oils whether crude or distilled, including crude coal tar and the oily residue of tank cleaning operations necessitated by the carriage of any such oils, but excluding those oils which consist wholly of distillate fractions of which more than 50 per cent. by volume distil at 340° centigrade when tested by the “American Society for Testing and Materials Specification D86/67” in the case of oils derived from petroleum and at 350° centigrade in the case of oils derived from coal tar;

(b) residual oil, consisting of mineral hydrocarbons comprising the residues of the process of distilling and/or refining crude petroleum, and any mixture containing such residual oil;

(c) whale oil.

3. (1) Subject to paragraph (3) below, certificates for ships registered in any country which is not a Convention country shall be recognised for the purposes of section 10 (3) (c) of the Act (authorities by whom a certificate must be issued) if issued by or under the authority of the government of any of the following countries, namely —

Recognition of certificates.

Denmark  
France  
Netherlands  
Norway  
Spain  
Sweden  
United Kingdom.



(2) Subject to paragraph (3) below, a certificate for a ship registered in any of the following countries, namely —

Australia  
Austria  
Belgium  
Canada  
Finland  
Federal Republic of Germany  
Greece  
Iceland  
Republic of Ireland  
Italy  
Japan  
Luxembourg  
New Zealand  
Portugal  
Switzerland  
Turkey  
United States of America

shall be recognised for the purposes of the said section 10 (3) (c) if issued by or under the authority of the government of the country specified above in which that ship is registered.

(3) Where a ship such as is mentioned in paragraph (1) or (2) above is engaged on a Falkland Islands voyage, a certificate relating to that ship shall not, by virtue of either of those paragraphs, be recognised for the purposes of section 10 (3) (c) of the Act unless the certificate has, and is expressed to have, as the period of its validity a period ending not earlier than the completion of that Falkland Islands voyage.

For the purposes of this paragraph, "Falkland Islands voyage" means any voyage by a ship —

- (a) from a port in the Falkland Islands or its Dependencies or a terminal in the territorial sea of the Falkland Islands or its Dependencies to another such port or terminal; or
- (b) from a place outside the Falkland Islands or its Dependencies to a port in the Falkland Islands or its Dependencies or a terminal in the territorial sea of the Falkland Islands or its Dependencies; or
- (c) from a port in the Falkland Islands or its Dependencies or a terminal in the territorial sea of the Falkland Islands or its Dependencies to a place outside the Falkland Islands or its Dependencies

and the reference to the duration of such a voyage shall be taken as comprising the whole of any period during which the ship is engaged in that voyage, including any time during which, in connection with the voyage, it is in a port in the Falkland Islands or its Dependencies or at a terminal in the territorial sea of the Falkland Islands or its Dependencies.

Fee for certificates.

4. The fee to be paid on application for a certificate to be issued by the Governor under section 11 of the Act shall be £12.

Cancellation and delivery up of certificates.

5. (1) Where at any time while a certificate under section 11 of the Act is in force the person to whom the certificate has been issued ceases to be the owner of the ship to which the certificate relates, he shall forthwith deliver up the certificate to the Governor and in such a case the certificate shall be cancelled by the Governor.

(2) Where at any time while a certificate under the said section 11 is in force it is established in any legal proceedings that the contract of insurance or other security in respect of which the

certificate was issued is or may be treated as invalid, the certificate may be cancelled by the Governor and if so cancelled shall on demand forthwith be delivered up to him by the person to whom it was issued.

(3) Where at any time while a certificate under the said section 11 is in force circumstances arise in relation to the insurer or guarantor named in the certificate (or, where more than one is so named, to any of them) such that if the certificate were applied for at that time, the Governor would be entitled to refuse the application under subsection (2) of that section (power to refuse a certificate where there is a doubt whether an insurer will be able to meet his insurance obligations), the certificate may be cancelled by the Governor and if so cancelled shall on demand forthwith be delivered up to him by the person to whom it was issued.

*By Command,*

D. R. MORRISON,

*Acting Chief Secretary.*

30th March 1976.

#### EXPLANATORY NOTE

These Regulations make provision with respect to certificates of insurance against liability for oil pollution damage caused by ships, as provided for by the Merchant Shipping (Oil Pollution) Act 1971 (which gives effect to the International Convention on Civil Liability for Oil Pollution Damage signed in Brussels in 1969). "Persistent oil" is defined for the purposes of section 10 (1) of the Act (Regulation 2). The Regulations provide for the recognition of certificates for ships registered in non-Convention countries (that is, countries in respect of which that Convention is not in force) where such certificates are issued by certain other countries (Regulation 3). Provision is made for the fee (£12) payable on an application for a certificate issued by the Governor under section 11 of the Act (that is, for ships registered in the Falkland Islands - Regulation 4) and for the circumstances in which certificates issued by the Governor may be cancelled by him and their delivery up required (Regulation 5).

Ref. CON/1/23.

EDUCATION ORDINANCE 1967  
(No. 14 of 1967)

Schools (Amendment) Regulations 1976

No. 2 of 1976.

N. A. I. FRENCH,  
*Governor.*

In exercise of the powers conferred by section 16 of the Education Ordinance 1967, the Governor in Council has made the following regulations —

1. These regulations may be cited as the Schools (Amendment) Regulations 1976 and shall be deemed to have come into operation on the 1st day of January 1976.

Citation and commencement.

2. Regulation 16 of the Schools Regulations 1967 is revoked and replaced by the following —

Revocation and replacement of regulation 16.  
(6 of 1967)

"Rates of allowances.

16. (1) Rates of allowances shall be as follows —

(a) for children who are between their eleventh and eighteenth birthdays on the first day of the term in respect of which allowance is claimed and who are at boarding schools in the United Kingdom or other Commonwealth country, which have been approved by the Governor in Council —

First child ...	£600
Second child ...	£650
Third child and each subsequent child	£750;

(b) for children attending schools in South America which do not provide boarding facilities or for children attending boarding schools in South America, all of which have been approved by the Governor in Council —

First child ...	£300
Second child ...	£350
Third child and each subsequent child	£424;

(2) Rates of allowance for children who are between their eleventh and eighteenth birthdays on the first day of the term in respect of which the allowance is claimed and who are staying with guardians in the United Kingdom or other Commonwealth country or other location approved by the Governor in Council and attending day school —

Each child ...	£100 per annum:
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Provided that this allowance shall not be payable when a child is staying with a parent."

Made by the Governor in Council this 14th day of April 1976.

W. A. ETHERIDGE,  
*Acting Clerk of the Executive Council.*



FALKLAND ISLANDS

CUSTOMS ORDINANCE  
(Chapter 16)

Resolution of the Legislative Council

No. 1 of 1976.

N. A. I. FRENCH,  
Governor.

RESOLUTION made and passed by the Legislative Council under section 5 of the Customs Ordinance on the 25th day of June 1976.

THIS RESOLUTION may be cited as the Customs (Amendment of Duties) Resolution 1976 and shall come into operation on the 25th day of June 1976.

Citation and commencement.

IT IS HEREBY RESOLVED in exercise of the powers conferred by section 5 of the Customs Ordinance that the Customs Order be amended by deleting paragraph 2 and substituting the following —

Replacement of paragraph 2.

“2. The following import duties of customs shall be payable —

Item	Article	Rate of Duty		
1.	Beer, ale, perry, porter, spruce, cider and stouts of all kinds	per gallon	...	33p.
2.	SPIRITS — Whisky, gin, rum, brandy, vodka and other spirituous liquors and liqueurs ... ..	per gallon	...	£12.00
3.	WINES — Still wines, sparkling wines and champagne ... ..	per gallon	...	78p.
4.	Vermouth, sherry and port ...	per gallon	...	90p.
5.	TOBACCO — (a) Cigars ... .. (b) Cigarettes ... .. (c) Tobacco ... ..	per lb. per lb. per lb.	... ... ...	£4.20 £2.88 £2.40.”

W. A. ETHERIDGE,  
*Acting Clerk of the Legislative Council.*

## FALKLAND ISLANDS

### SAVINGS BANK ORDINANCE

(Chapter 61)

### Savings Bank (Amendment) Rules 1976

No. 1 of 1976.

N. A. I. FRENCH,  
*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 1976 and shall come into operation on the 21st day of July 1976.

Citation and commencement.

2. Rule 8 of the Savings Bank Rules is amended by deleting “£10,000” and substituting the following —

Amendment of Rule 8.  
Vol. II, p. 281.

“£25,000”.

Made by the Governor in Council on the 21st day of July 1976.

W. A. ETHERIDGE,  
*Acting Clerk of the Executive Council.*

Ref. TRE/10/2.

# FALKLAND ISLANDS

## POST OFFICE ORDINANCE

(Chapter 52)

### Telephone and Telegraph (Amendment) Rules 1976

No. 2 of 1976.

N. A. I. FRENCH,  
*Governor.*

In exercise of the powers conferred by section 4 of the Post Office Ordinance the Governor in Council has made the following rules —

1. These rules may be cited as the Telephone and Telegraph (Amendment) Rules 1976, and shall come into operation on the 1st day of January 1977. Citation and commencement.

2. Paragraph (1) of rule 5 of the Telephone and Telegraph Rules 1973 (hereinafter referred to as the principal rules) is amended as follows — Amendment of rule 5.  
(1 of 1973)

(a) in sub-paragraph (a) by deleting “£12.00”, “£3.50” and substituting the following respectively —

“£15.00” and “£4.50”;

(b) in sub-paragraph (b) by deleting “£8.00” and substituting the following —

“£10.00”;

(c) in sub-paragraph (c) by deleting “£7.00” and substituting the following —

“£8.75”;

(d) in sub-paragraph (d) by deleting “£5.50” and substituting the following —

“£7.00”.

3. Paragraph (1) of rule 8 of the principal rules is amended as follows — Amendment of rule 8.

(a) in sub-paragraph (a) by deleting “£3.50” and substituting the following —

“£4.50”;

(b) in sub-paragraph (b) by deleting “£5.50” and substituting the following —

“£7.00”.

4. Paragraph (3) of rule 8 of the principal rules is amended by deleting “£1.00” and substituting the following —

“£1.25”.

5. Paragraph (1) of rule 18 of the principal rules is amended by deleting “£2.00” and substituting the following — Amendment of rule 18.

“£2.50”.

Made by the Governor in Council this 10th day of November 1976.

W. A. ETHERIDGE,  
*Acting Clerk of the Executive Council.*

Ref. P & T/10/1.



Colony of the  
Falkland Islands and Dependencies

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Ordinances,  
Orders, Proclamations, etc.  
1977

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" " 20 " "	Family Allowances (Amendment) Ordinance 1977

Assented to in Her Majesty's name this 29th day of June 1977.

J. R. W. PARKER,  
Governor.

LS

No. 1



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.  
Governor.

### An Ordinance

To provide for the service of the year  
1977-78. 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 (1977-78) Ordinance 1977. 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 1977 to 30th June 1978, a sum not exceeding  
Two million, two hundred and thirty-five thousand, four hundred and  
five 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 1977-78. Appropriation of  
£2,235,405 for the service  
of the year 1977-78.



## SCHEDULE

Number	HEAD OF SERVICE	£
I.	The Governor ... ..	33,196
II.	Agriculture ... ..	6,568
III.	Aviation ... ..	112,372
IV.	Customs and Harbour ... ..	34,089
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XI.	Police and Prisons ... ..	25,102
XII.	Posts and Telecommunications ... ..	133,252
XIII.	Public Works ... ..	160,085
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XV.	Public Works Special ... ..	42,860
XVI.	Secretariat, Treasury and Central Store ... ..	142,766
XVII.	Overseas Passages ... ..	70,429
XVIII.	Social Welfare ... ..	27,046
XIX.	Supreme Court and Legal ... ..	14,867
XX.	Training ... ..	15,000
Total Ordinary Expenditure ... ..		1,351,865
Development A		
	Expenditure to be met from Colony funds ... ..	153,130
Development B		
	Expenditure to be met from U.K. Aid ... ..	530,410
Total Ordinary and Development Expenditure		2,035,405
XXI.	Transfer to Development Fund ... ..	200,000
Total Expenditure ... ..		£ 2,235,405

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

W. A. ETHERIDGE,  
Clerk of the Legislative Council.

Ref. TRE/14/10.

Assented to in Her Majesty's name this 29th day of June 1977.

J. R. W. PARKER,  
Governor.

LS



No. 2

1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.  
Governor.

## An Ordinance

To legalise certain payments made in the year 1975-76 in excess of the Expenditure sanctioned by Ordinance No. 1 of 1975. Title.

Whereas it is expedient to make further provision for the service of the Colony for the period 1st July 1975 to 30th June 1976. 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 (1975-76) Ordinance 1977. Short title.

2. The sums of money set forth in the Schedule hereto having been expended for the services herein mentioned beyond the amounts granted for those services by the Ordinance providing for the service for the period 1st July 1975 to 30th June 1976, 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 1975 to 30th June 1976.

SCHEDULE

Number	HEAD OF SERVICE	Amount
FALKLAND ISLANDS		£
I.	The Governor ... ..	4,167
III.	Aviation ... ..	29,687
VIII.	Military ... ..	3,178
IX.	Miscellaneous ... ..	14,070
X.	Pensions and Gratuities ... ..	4,780
XV.	Public Works Special ... ..	15,228
XVI.	Secretariat, Treasury and Central Store ... ..	22,027
XVII.	Overseas Passages ... ..	58
		£ 93,195

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

W. A. ETHERIDGE,  
*Clerk of the Legislative Council.*

Ref. TRE/14/6.

Assented to in Her Majesty's name this 30th day of June 1977.

J. R. W. PARKER,  
*Governor.*

LS



No. 3

1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.  
*Governor.*

An Ordinance  
Further to amend the Post Office  
Ordinance. Title.

(11th July 1977) 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 1977. Short title.

2. Section 8 of the Post Office Ordinance is repealed and replaced by the following new section — Repeal and replacement of section 8.

"Payment for carriage of mail.

8. The Postmaster shall, on demand, pay to the master, owner or agent of any vessel, not being Government or under contract with the Government, such fee, for mail safely carried and delivered, as may be fixed from time to time 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.

W. A. ETHERIDGE,  
*Clerk of the Legislative Council.*

Ref P&T/10/3.

Assented to in Her Majesty's name this 30th day of June 1977.

J. R. W. PARKER,  
*Governor.*

LS

No. 4



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.  
*Governor.*

## An Ordinance

### Further to amend the Stanley Town Public Services Ordinance 1973.

Title.

(11th July 1977)

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 Public Services (Amendment) Ordinance 1977.

Short title.

2. Section 25 of the Stanley Town Public Services Ordinance 1973 is amended by —

Amendment of section 25.  
(6 of 1973)

(a) renumbering it as subsection (1) thereof; and

(b) inserting the following new subsection —

“(2) Any person who fails to comply with any rule made under subsection (1) shall be guilty of an offence.”.

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

W. A. ETHERIDGE,  
*Clerk of the Legislative Council.*

Ref. INT/10/3.

Assented to in Her Majesty's name this 30th day of June 1977.

J. R. W. PARKER,  
*Governor.*

LS

No. 5



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF

**Her Majesty Queen Elizabeth II.**

JAMES ROLAND WALTER PARKER, O.B.E.  
*Governor.*

**An Ordinance**

**Further to amend the Pensions Ordinance 1965.** 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 1977, and shall be deemed to have come into force on 1st January 1974, except that Section 2 (A) thereof shall be deemed to have come into force on 1st April 1972. Short title and commencement.

2. Section 2 (1) of the Pensions Ordinance 1965 is amended —

Amendment of section 2 of Ordinance No. 6 of 1965.

(A) by substituting a colon for the full stop at the end of the definition "Inducement Allowance" and adding the following — "Provided that in respect of the period from 1st April 1972 to 31st December 1973 it means the inducement allowance referred to in paragraph 5 of the Overseas Service (Falkland Islands) Agreements 1971 and 1972;"

(B) by substituting the following for the definition of "PENSIONABLE EMOLUMENTS" —

"PENSIONABLE EMOLUMENTS"

(a) in respect of public service of non-designated officers under the Government of the Colony include —

- (i) salary;
- (ii) personal allowances; and
- (iii) overseas allowance;

but do not include any other emoluments or allowances whatever;

- (b) in respect of public service of designated officers under the Government of the Colony include —
- (i) equivalent United Kingdom salary; and
  - (ii) inducement element;
- but do not include any other emoluments or allowances whatever;
- (c) in respect of other public service means emoluments which count for pension in accordance with the law or regulations in force in such service”;
- (c) by inserting in their proper alphabetical positions, the following new definitions —

“DESIGNATED OFFICER” means a pensionable officer designated as such in pursuance of the Overseas Service (Falkland Islands) Agreement 1961 or the Overseas Service (Falkland Islands) Agreements 1971 and 1972, or any agreement specified by the Governor with the consent of the Secretary of State for the purpose of this definition.

“EQUIVALENT UNITED KINGDOM SALARY” means the notional United Kingdom salary taken into account in calculating the salary supplement of a designated officer, as notified to the Government of the Colony by the Government of the United Kingdom.

“INDUCEMENT ELEMENT” means the inducement element taken into account in calculating the salary supplement of a designated officer as notified to the Government of the Colony by the Government of the United Kingdom.

“NON-DESIGNATED OFFICER” means a pensionable officer not designated in pursuance of the Overseas Service (Falkland Islands) Agreement 1961 or the Overseas Service (Falkland Islands) Agreements 1971 and 1972, or any agreement specified by the Governor with the consent of the Secretary of State for the purpose of the definition of “DESIGNATED OFFICER”.

“SALARY SUPPLEMENT” means the supplement paid to a designated officer by administrative arrangements for the period from 1st January 1974 to 30th March 1976 and thereafter in pursuance of the Overseas Service (Falkland Islands) (Continuance) Agreement 1971/1976.”

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

W. A. ETHERIDGE,  
Clerk of the Legislative Council.

Ref. TRE/10/3.

Assented to in Her Majesty's name this 30th day of June 1977.

J. R. W. PARKER,  
Governor.

LS



No. 6

1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.  
Governor.

### An Ordinance

### To repeal the Government Employees Provident Fund Ordinance.

(11th July 1977)

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 (Repeal) Ordinance 1977.

Short title.

2. The Government Employees Provident Fund Ordinance is repealed.

Repeal of Cap. 28.

3. Any depositor having money in the Non-Pensionable Employees Provident Fund, a fund established under section 4 of the Repealed Ordinance at the date of the repeal of the Ordinance shall receive the full amount standing to his credit on that date, and any surplus thereafter remaining in the Fund shall be transferred to the general revenues of the Colony.

Repayment to depositors and disposal of surplus.

4. Nothing in this Ordinance shall affect any right, privilege, obligation or liability acquired or incurred under the Ordinance hereby repealed and any legal proceedings or remedy may be instituted, continued or enforced, as if this Ordinance had not been passed.

Effect of repeal.

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

W. A. ETHERIDGE,  
Clerk of the Legislative Council.

Ref. TRE/2/4.



Assented to in Her Majesty's name this 29th day of June 1977.

J. R. W. PARKER,  
*Governor.*

LS

No. 7



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.  
*Governor.*

## An Ordinance

To provide for the payment of allowances  
to Unofficial Members of the Executive  
Council and to make provision for 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 Executive Council  
(Allowances) Ordinance 1977, and shall come into operation on a day  
to be appointed by the Governor by notice in the Gazette.

Short title and commence-  
ment.

2. In this Ordinance, unless the context otherwise requires —  
“Council” means the Executive Council of the Colony;  
“member” means an unofficial member of the Council.

Interpretation.

3. Members shall be paid, from money provided by the Legis-  
lative Council, allowances in respect of their services as members at  
such rates as the Governor in Council may from time to time by  
order authorize.

Allowances of members.

4. For all or any of the purposes of Clause 2 (4) of the  
Falkland Islands (Legislative Council) Order in Council 1948, members  
of the Council receiving allowances in respect of their Service as  
members of the Council shall not be considered to hold an office of  
emolument under the Crown.

Allowances not to be  
considered an emolument  
under the Crown.



Decision of Presiding  
Officer.

5. If any question arises as to whether any member is or is not entitled to any payment under the provisions of this Ordinance or of any order made thereunder, the decision on such question of the President of the Council, or of any person entitled to preside over the Council, shall be final and shall not be questioned save in the Council.

Prohibition against double  
allowances.

6. Not more than one allowance, whether under this Ordinance or under the Legislative Council (Allowances) Ordinance 1977, shall be payable to any one member.

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

W. A. ETHERIDGE,  
*Clerk of the Legislative Council.*

Ref. EXC/10/1.

Assented to in Her Majesty's name this 29th day of June 1977.

J. R. W. PARKER,  
*Governor.*

LS



No. 8

1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.  
*Governor.*

### An Ordinance

To provide for the payment of allowances  
to Unofficial Members of the Legislative Council,  
to empower the Governor in Council to make  
declarations that membership of certain bodies  
shall not be an office of emolument under the  
Crown and to make provision for matters inci-  
dental 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 Legislative Council  
(Allowances) Ordinance 1977, and shall come into operation on a day  
to be appointed by the Governor by notice in the Gazette.

Short title and commence-  
ment.

2. In this Ordinance, unless the context otherwise requires —  
“Council” means the Legislative Council of the Colony;  
“member” means an unofficial member of the Council.

Interpretation.

3. Members shall be paid, from money provided for the  
purpose by the Council, allowances in respect of their services as  
members at such rates as the Governor in Council may from time to  
time by order authorize.

Allowances of members.

4. The Governor in Council may, by order in the Gazette,  
declare, either generally or in relation to any person named in such  
order, that membership of any council, commission, board, committee  
or other body named in such order shall not be an office of emolument  
under the Crown.

Declarations in respect of  
certain bodies.

Decision of Presiding Officer.

5. If any question arises as to whether any member is or is not entitled to any payment under the provisions of this Ordinance or of any order made thereunder, the decision on such question of the President of the Council, or of any person entitled to preside over the Council, shall be final and shall not be questioned save in the Council.

Prohibition against double allowances.

6. Not more than one allowance, whether under this Ordinance or the Executive Council (Allowances) Ordinance, 1977, shall be payable to any one member.

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

W. A. ETHERIDGE,  
*Clerk of the Legislative Council.*

Ref. LEC/10/2.

Assented to in Her Majesty's name this 29th day of June 1977.

J. R. W. PARKER,  
*Governor.*

LS



No. 9

1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.  
*Governor.*

An Ordinance  
Further to amend the Income Tax  
Ordinance.

(1st January 1977)

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 1977.

Short title and commencement.

(2) The amendment to the Income Tax Ordinance made by section 2 shall apply in relation to all assessments made in respect of the year of assessment commencing on the 1st day of January 1978 and subsequent years of assessment.

Cap. 32.

2. Section 8 of the Income Tax Ordinance is amended —

Amendment of section 8.

(a) in paragraph (m) by deleting the full stop and substituting a semi-colon; and

(b) by inserting after paragraph (m) the following new paragraph —

“(n) any allowance paid to any unofficial member of the Executive or Legislative Councils under the provisions of the Executive Council (Allowances) Ordinance 1977 or the Legislative Council (Allowances) Ordinance 1977 in respect of services as a member of 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.

W. A. ETHERIDGE,  
*Clerk of the Legislative Council.*

Ref. INC/10/5.

FALKLAND ISLANDS

Printed at the Government Printing Office by V. T. King.

FALKLAND ISLANDS

Printed at the Government Printing Office by V. T. King.

Assented to in Her Majesty's name this 30th day of June 1977.

J. R. W. PARKER,

Governor.

LS

No. 10



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.  
Governor.

## 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. (1) This Ordinance may be cited as the Old Age Pensions (Amendment) Ordinance 1977. Short title and commencement.

(2) The provisions of Sections 2 and 3 of this Ordinance shall come into operation on the 4th day of July 1977 and the provisions of Section 4 of this Ordinance shall come into operation on the 27th day of June 1977.

2. Section 6 of the Old Age Pensions Ordinance 1952 (hereinafter referred to as the principal Ordinance) is amended in subsection (2) by — Amendment of section 6.

- (i) deleting in paragraph (a) "62p" and substituting "72p";
- (ii) deleting in paragraph (b) "92p" and substituting "£1.08";  
and
- (iii) deleting in paragraph (c) "£1.54" and substituting "£1.80".

3. Section 6A of the principal Ordinance is amended in subsection (2) by deleting "£1.54" and substituting "£1.80". Amendment of section 6A.

Amendment of Schedule.

4. The Schedule to the principal Ordinance is amended by deleting "£9.00", "£6.00", "£6.00" and "£6.00" and substituting "£10.50", "£7.00", "£7.00" and "£7.00" 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.

W. A. ETHERIDGE,  
*Clerk of the Legislative Council.*

Ref. TRE/2/1.

Assented to in Her Majesty's name this 30th day of June 1977.

J. R. W. PARKER,  
*Governor.*

LS

No. 11



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.  
*Governor.*

An Ordinance  
Further to amend the Non-contributory  
Old Age Pensions Ordinance 1961. Title.

(4th July 1977)

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 1977 and shall come into operation on the 4th day of July 1977.

Short title and commencement.

2. Section 4 of the Non-contributory Old Age Pensions Ordinance 1961 (hereinafter referred to as the principal Ordinance) is amended by —

Amendment of section 4.

- (i) deleting in paragraph (b) "£500" and substituting "£650";
- (ii) deleting in paragraph (c) "£300" and substituting "£400";
- and
- (iii) deleting in paragraph (d) "£300" and substituting "£400".

3. The Schedule to the principal Ordinance is amended by deleting "£6.00", "£4.00" and "£4.00" and substituting the following respectively —

Amendment of Schedule.  
(7 of 1961)

"£8.50", "£6.00" and "£6.00".

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

W. A. ETHERIDGE,  
*Clerk of the Legislative Council.*

Ref. TRE/2/2.

Presented to the Legislative Assembly of the Province of Ontario  
in the 31st Session, 1976, by the Minister of the Marine  
and Fisheries, Hon. J. W. P. HARRIS  
JANUARY 1977

Protection of Wrecks Ordinance 1976

ARRANGEMENT OF SECTIONS

Section
1. Citation
2. Interpretation
3. Protection of sites of historic wrecks
4. Prohibition on approaching dangerous wrecks
5. Saving
6. Penalties

*(The following text is a mirror image of the reverse side of the page and is not part of the original document.)*

**Protection of Wrecks Ordinance 1976**

**1. Citation**

**2. Interpretation**

**3. Protection of sites of historic wrecks**

**4. Prohibition on approaching dangerous wrecks**

**5. Saving**

**6. Penalties**



Assented to in Her Majesty's name this 7th day of July 1977.

J. R. W. PARKER,  
*Governor.*

LS



No. 12

1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.  
*Governor.*

### An Ordinance

Title.

To secure the protection of wrecks in territorial waters and sites of such wrecks, from interference by unauthorised persons; and for connected purposes.

Date of commencement.

(11th July 1977)

Enacting clause.

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

Citation.

1. This Ordinance may be cited as the Protection of Wrecks Ordinance 1977.

Interpretation.

1973 c. 33 s. 3(1).

2. In this Ordinance —

“Colonial waters” means any part of the sea within the seaward limits of the territorial waters of the Colony and includes any part of a river within the ebb and flow of ordinary spring tides;

“the sea” includes any estuary or arm of the sea; and reference to the sea bed includes any area submerged at high water of ordinary spring tides.

Protection of sites of historic wrecks.

1973 c. 33 s. 1.

3. (1) If the Governor is satisfied with respect to any site in Colonial waters that —

(a) it is, or may prove to be, the site of a vessel lying wrecked on or in the sea bed; and

(b) on account of the historical, archaeological or artistic importance of the vessel, or of any objects contained or formerly contained in it which may be lying on the sea bed in or near the wreck, the site ought to be protected from unauthorised interference,

he may by order designate an area round the site as a restricted area.

(2) An order under this section shall identify the site where the vessel lies or formerly lay, or is supposed to lie or have lain, and —

(a) the restricted area shall be all within such distance of the site (so identified) as is specified in the order, but excluding any area above high water mark of ordinary spring tides; and

(b) the distance specified for the purposes of paragraph (a) above shall be whatever the Governor thinks appropriate to ensure protection for the wreck.

(3) Subject to section 5 below, a person commits an offence if, in a restricted area, he does any of the following things otherwise than under the authority of a licence granted by the Governor —

(a) he tampers with, damages or removes any part of a vessel lying wrecked on or in the sea bed, or any object formerly contained in such a vessel; or

(b) he carries out diving or salvage operations directed to the exploration of any wreck or to removing objects from it or from the sea bed, or uses equipment constructed or adapted for any purpose of diving or salvage operations; or

(c) he deposits, so as to fall and lie abandoned on the sea bed, anything which, if it were to fall on the site of a wreck (whether it so falls or not), would wholly or partly obliterate the site, or obstruct access to it, or damage any part of the wreck;

and also commits an offence if he causes or permits any of these things to be done by others in a restricted area, otherwise than under the authority of such a licence.

(4) Before making an order under this section, the Governor shall consult with such persons as he considers appropriate having regard to the purposes of the order; but this consultation may be dispensed with if he is satisfied that the case is one in which an order should be made as a matter of immediate urgency.

(5) A licence granted by the Governor for the purposes of subsection (3) above shall be in writing and —

(a) the Governor shall in respect of a restricted area grant licences only to persons who appear to him either —

(i) to be competent, and properly equipped, to carry out salvage operations in a manner appropriate to the historical, archaeological or artistic importance of any wreck which may be lying in the area, and of any objects contained or formerly contained in a wreck, or

(ii) to have any other legitimate reason for doing in the area that which can only be done under the authority of a licence;

(b) a licence may be granted subject to conditions or restrictions, and may be varied or revoked by the Governor at any time after giving not less than one week's notice to the licensee; and

(c) anything done contrary to any condition or restriction of a licence shall be treated for purposes of subsection (3) above as done otherwise than under the authority of the licence.

(6) Where a person is authorised, by a licence of the Governor granted under this section, to carry out diving or salvage operations, it is an offence for any other person to obstruct him, or cause or permit him to be obstructed, in doing anything which is authorised by the licence, subject however to section 5 below.

4. (1) If the Governor is satisfied with respect to a vessel lying wrecked in Colonial waters that —

(a) because of anything contained in it, the vessel is in a condition which makes it a potential danger to life or property; and

(b) on that account it ought to be protected from unauthorised interference,

he may by order designate an area round the vessel as a prohibited area.

(2) An order under this section shall identify the vessel and the place where it is lying and —

(a) the prohibited area shall be all within such distance of the vessel as is specified by the order, excluding any area above high water mark of ordinary spring tides; and

(b) the distance specified for the purposes of paragraph (a) above shall be whatever the Governor thinks appropriate to ensure that unauthorised persons are kept away from the vessel.

(3) Subject to section 5 below, a person commits an offence if, without authority in writing granted by the Governor, he enters a prohibited area, whether on the surface or under water.

5. Nothing is to be regarded as constituting an offence under this Ordinance where it is done by a person —

(a) in the course of any action taken by him for the sole purpose of dealing with an emergency of any description; or

(b) in exercising, or seeing to the exercise of functions conferred by or under an enactment on him; or

(c) out of necessity due to stress of weather or navigational hazards.

6. A person guilty of an offence under section 3 or section 4 above shall be liable on summary conviction to a fine of not more than £400, or on conviction on indictment to a fine of not less than £400.

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

W. A. ETHERIDGE,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 7th day of July 1977.

J. R. W. PARKER,  
*Governor.*

LS



No. 13

1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.  
*Governor.*

## An Ordinance

To make provision for the preparation and publication of a revised edition of the laws of the Colony.

(11th July 1977)

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

1. This Ordinance may be cited as the Revised Edition of the Laws Ordinance 1977.

2. In this Ordinance —

"Imperial Laws" means Imperial Statutes, Imperial Orders in Council, Royal Proclamations, Letters Patent and Royal Instructions and any legislation or instrument made thereunder and includes any amendment made to such Imperial Laws by any Ordinance or subsidiary legislation;

"Laws" means Ordinances, subsidiary legislation and Imperial Laws;

"Revised Edition" means the revised edition of the laws of the Colony and the Dependencies to be prepared under the authority of this Ordinance;

Title.

Date of commencement.

Enacting clause.

Short title.

Definitions.

Prohibition on approach-  
ing dangerous wrecks.  
1973 c. 33 s. 2.

Saving.  
1973 c. 33 s. 3(3).

Penalties.  
1973 c. 33 s. 3(4).

"Subsidiary legislation" means the proclamations, rules, regulations, orders, by-laws, notifications, resolutions and other forms of subordinate legislation made or enacted under the authority of any Ordinance.

Appointment of  
Commissioner.

3. (1) FREDERICK GEORGE COOKE, Barrister-at-Law, is hereby appointed the Commissioner to prepare a revised edition of the written Laws of the Colony and the Dependencies.

(2) If the said Commissioner is unable for any cause fully to discharge his duties under this Ordinance, the Governor may appoint some other fit and proper person to be the Commissioner in his stead.

Matters to be included in  
the revised edition.

4. (1) The revised edition shall comprise —

- (a) all Ordinances in force in the Colony and Dependencies, except such as are omitted under the provisions of sections 6 and 7;
- (b) all subsidiary legislation in force in the Colony and Dependencies, except such as is omitted under the provisions of sections 6 and 7:

Provided that in lieu of republishing any subsidiary legislation, the Commissioner may, where he considers it convenient, set out the effect of the legislation in tabular or abbreviated form; and

- (c) such Imperial Laws in force in the Colony as the Commissioner may consider it desirable to republish or lists of and references to all or any such Imperial Laws.

(2) The revised edition shall contain also —

- (a) a list of all Ordinances contained in the last revised edition and a chronological list of all Ordinances subsequently enacted, with notes showing how the same have been dealt with;
- (b) a list of all Ordinances omitted from the revised edition under the provisions of section 6;
- (c) a table of contents; and
- (d) an alphabetical index.

Form of the revised  
edition.

5. (1) Subject to the provisions of section 8, each Ordinance shall form a separate chapter and chapters shall be numbered and arranged under such titles as the Commissioner may determine and below the number of each chapter there shall be set out the subject matter of the chapter and the date on which the principal Ordinance came into force.

(2) The number and year of the principal Ordinance and of any amending or incorporated law shall be set out in the margin at the commencement of each chapter and the Commissioner may also, so far as may be convenient, set out in the margin in respect of any section that has been amended, a reference to the amending enactment.

Omission of subsisting  
laws.

6. (1) It shall not be necessary for the Commissioner to include in the revised edition —

- (a) any current financial Appropriation Ordinance;
- (b) any law containing only special provision in relation to the pension of any person named therein; and
- (c) any law which he considers unnecessary to republish as not being of general or of current importance.

(2) Any Ordinance or subsidiary enactment omitted from the revised edition under the provisions of subsection (1) shall remain in full force until the same have expressly been repealed or revoked or shall have expired or become spent or had their effect.

7. The Commissioner may also, where he considers it convenient, omit from the revised edition —

Other matter that may  
be omitted.

- (a) laws or parts of laws which have been repealed or revoked expressly or by necessary implications, or which have expired or have become spent or have had their effect;
- (b) repealing or revoking enactments and tables and lists of repealed or revoked enactments whether contained in schedules or otherwise;
- (c) preambles and long titles to and recitals in law;
- (d) all introductory words of enactment;
- (e) enactments prescribing the date when, or the manner in which, any law or part of any law is to come into operation;
- (f) amending laws or parts thereof when the amendments effected thereby have been embodied by the Commissioner in the laws to which they relate;
- (g) transitional provisions; and
- (h) in any enactment, the interpretation of any expression which is defined in similar or identical terms with the definition of that expression contained in the Interpretation and General Clauses Ordinance.

8. (1) The Commissioner shall have power —

Miscellaneous powers of  
Commissioner.

- (a) to arrange the laws by chapters in such order and manner and in such groups as he may determine;
- (b) to consolidate into one law any two or more laws in *pari materia*, making such alterations as are thereby rendered necessary or expedient and offering such date thereto as may seem most convenient;
- (c) to divide any law into two or more laws and to make such amendments, including the supplying of titles or the alteration of existing titles, as are thereby rendered necessary;
- (d) to transfer any provision contained in any law from that law to any other law to which, in his opinion, it more properly belongs;
- (e) to alter the order of sections, subsections or paragraphs in or schedules to any law or to set out any section or paragraph of any law as a schedule to that law or to transfer it to an existing schedule or to set out any schedule or part of a schedule as a section or paragraph of the law;
- (f) to alter the form or arrangement of any section, subsection or paragraph of any law either by combining it in whole or in part with another section, subsection or paragraph or by dividing it into two or more subsections or paragraphs or by transposing words;
- (g) to transfer to subsidiary legislation any part of an Ordinance which may, in his opinion, more conveniently be included as subsidiary legislation under that, or any other Ordinance;
- (h) to divide any law into parts or other divisions and to give to each such part or division a suitable heading;



- (i) to make such adaptations of or amendments to any law as may be required by virtue of any statutory provision having taken into effect or as may appear to be necessary or proper as a consequence of Constitutional or other changes in the Colony or the Dependencies or any other country or in or to any international body or organisation;
- (j) to make such formal alterations as to names, localities, offices, titles and ranks and otherwise as may be necessary to bring any law into conformity with circumstances;
- (k) to simplify the phraseology of any law and to make such formal alterations to any law as are necessary or expedient for recurring uniformity of expression;
- (l) to correct grammatical or typographical errors in the existing laws, and for that purpose to make verbal additions or alterations not affecting the meaning of any law;
- (m) to correct cross-references;
- (n) to supply or alter marginal notes;
- (o) to supply or alter tables of contents;
- (p) to number or renumber the sections or paragraphs in any laws where in his opinion it is desirable to do so;
- (q) to frame and insert definitions of terms or expressions used in any Ordinance and to substitute other terms and expressions of a like nature for those used; and
- (r) generally, to do all things relating to form and method which, in his opinion, may be necessary for the perfecting of the revised edition.

(2) The Commissioner, in republishing any Imperial Laws, treaty or convention or any extract thereof, may republish the same as amended by any other instrument or as modified in its application to the Colony and the Dependencies.

9. The powers conferred on the Commissioner by this Ordinance shall not be taken to imply any power in him to make alteration or amendment in the matter or substance of any law or part thereof and not provided for in this Ordinance.

10. (1) If the Commissioner considers it desirable that in the preparation of the revised edition there should be omissions or amendments other than those authorised by sections 6, 7 and 8 or when the revision of any law requires its entire recasting, he may draft a bill or bills setting forth such alterations and amendments and authorising them to be made or for the re-enactment of any law so recast and every such bill shall be submitted to the Executive and Legislative Councils in the ordinary way.

(2) Any such bill may have reference to more laws than one, although such laws may not be in *pari materia*.

11. The revised edition shall contain a clear indication whether each law included therein is in force in the Dependencies.

12. All subsidiary legislation made under any law included in the revised edition, and in force at the date when the revised edition comes into force, shall continue in force until otherwise provided; and any reference in any such subsidiary legislation to the law under which it is made, or to any part thereof, or to any other enactment, shall where necessary and practicable, be construed as a reference to the corresponding provision in the revised edition.

13. (1) Where in any Ordinance reference is made to any map, chart or plan annexed to that Ordinance it shall be lawful for the Commissioner to omit from the revised edition that map, chart or plan.

(2) When the revised edition has been brought into force in pursuance of section 16, the Governor shall cause a duly authenticated copy of any map, chart or plan omitted by the Commissioner in pursuance of this section to be deposited in the office of the Registrar General and that deposited copy shall be open during the regular hours of opening of the said office to the inspection of any member of the public without fee, and any member of the public shall be entitled to receive an accurate copy of any such map, chart or plan upon the payment therefor of such fee as may be prescribed by the Governor. Any map, chart or plan so deposited shall have the force of law as if it were included in the revised edition.

14. Wherever in any enactment or in any document of whatever kind, any reference is made to any enactment affected by or under the operation of this Ordinance, the reference shall, where necessary and practicable, be construed as a reference to the corresponding enactment in the revised edition.

15. Three copies of the revised edition shall be dated and signed by the Commissioner and by the Governor and shall be sealed with the Public Seal and deposited with the records of the Supreme Court.

16. (1) The Governor being authorised thereto by a resolution of the Legislative Council may by proclamation approve the revised edition and order that the revised edition shall come into operation.

(2) Such proclamation shall specify —

- (a) the date as at which the revised edition represents the laws of the Colony; and
- (b) the date on which the revised edition is to come into operation.

17. From the date when the revised edition comes into operation, it shall, subject to the provisions of sections 6 and 9 be, and shall be taken by all courts and for all purposes to be, the authentic version of the written laws of the Colony as at the date referred to in section 16 (2) (a).

18. (1) The revised edition shall be compiled in loose leaf form:

Provided that any Ordinance or the subsidiary legislation made thereunder may be bound separately or together in booklet form.

(2) Each Ordinance as prepared in accordance with the powers conferred by this Ordinance shall be contained in a separate numbered Chapter, which shall also contain the subsidiary legislation made under such Ordinance.

(3) Imperial Laws as prepared in accordance with the powers conferred by this Ordinance shall be contained in numbered appendices.

19. (1) Copies of the revised edition shall be distributed among such persons, officers, departments and institutions as the Governor may direct.

(2) There shall be offered to the public such number of copies at such prices as the Governor may direct.

20. The Revised Edition of the Laws Ordinance 1943 is hereby repealed.

Construction of references to repealed or amended enactments.

Authentication of the revised edition.

Bringing of revised edition into force.

Effect of the revised edition.

Method of compiling revised edition.

Distribution of copies of revised edition.

Repeal of Ordinance. (3 of 1943)

Limitation of the Commissioner's powers.

Amendment not authorised by sections 6, 7 and 8.

Laws in force in the Dependencies to be indicated.

Saving of existing subsidiary legislation.

Maps, charts and plans to be omitted from the 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.

W. A. ETHERIDGE,  
Clerk of the Legislative Council.

Ref. LEG/10/5.



# Interpretation and General Clauses Ordinance

## Arrangement of Sections

### PART I

#### SHORT TITLE AND APPLICATION

##### Section

1. Short title
2. Application

### PART II

#### INTERPRETATION OF WORDS AND EXPRESSIONS

3. Interpretation of words and expressions
4. Definitions of "Commonwealth" and "British Territory"
5. Grammatical variations and cognate expressions
6. References to Government property
7. Provisions for gender and number
8. Service by post

### PART III

#### GENERAL PROVISIONS AS TO ORDINANCES

9. Ordinance to be public Ordinance
10. Sections and schedules
11. Citation of Ordinance
12. Government Publications
13. Collective citation
14. Reference to Ordinance as amended
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16. Construction of reference to Ordinance, section, etc.
17. Marginal notes
18. General principles of interpretation
19. Inspection of Ordinances

### PART IV

#### COMMENCEMENT, DISALLOWANCE, AMENDMENT AND REPEAL

20. Commencement of Ordinance
21. Disallowance
22. Ordinance and amending Ordinance to be read as one
23. Effect of repeal generally
24. Repealed Ordinance not revived
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#### SUBSIDIARY LEGISLATION

28. General provision with regard to power to make subsidiary legislation
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33. Acts done under subsidiary legislation deemed done under Ordinance

## Section

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- 37. Forms

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PUBLIC OFFICERS AND PUBLIC CONTRACTS

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Assented to in Her Majesty's name this 7th day of July 1977.

J. R. W. PARKER,  
*Governor.*

LS

No. 14



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.  
*Governor.*

### An Ordinance

Title.

To consolidate and amend the law relating to the construction, application and interpretation of laws, to make general provisions with regard thereto, to define terms and expressions used in laws and public documents, to make general provision with regard to public officers, public contracts and civil and criminal proceedings and for purposes and for matters incidental thereto or connected therewith.

Date of commencement.

(11th July 1977)

Enacting clause.

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

#### PART I

##### SHORT TITLE AND APPLICATION

Short title.

1. This Ordinance may be cited as the Interpretation and General Clauses Ordinance.

Application.

2. (1) Save where the contrary intention appears either from this Ordinance or from the context of any other Ordinance or instrument, the provisions of this Ordinance shall apply to this Ordinance and to any other Ordinance in force, whether such other Ordinance came or comes into operation before or after the commencement of this Ordinance, and to any instrument made or issued under or by virtue of any such Ordinance.

(2) This Ordinance shall be binding on the Crown.

#### PART II

##### INTERPRETATION OF WORDS AND EXPRESSIONS

3. "act", when used with references to an offence or civil wrong, includes a series of acts, an illegal omission and a series of illegal omissions;

Interpretation of words and expressions.

"Act" and "Statute" mean an Act or Statute of Parliament;

"adult" means a person who has attained the age of eighteen years;

"aircraft" means any machine that can derive support in the atmosphere from the reactions of the air;

"alien" means any person who is not a British subject, a British protected person or a citizen of the Republic of Ireland;

"amend" means repeal, revoke, cancel, add to or vary and the doing of all or any of such things simultaneously or by the same Ordinance or instrument;

"arrestable offence" means an offence for which the sentence is fixed by law or for which a person may under or by virtue of any law be sentenced to imprisonment for a term exceeding twelve months, and an attempt to commit any such offence;

"Attorney General" means the Attorney General of the Falkland Islands;

"British subject" means a person who is a British subject by virtue of any provision of the British Nationality Act 1948;

(1948 c. 56)

"Christian name" means any name prefixed or suffixed to a surname, whether received in Christian baptism or otherwise;

"Clerk of Councils" means the Clerk to the Executive Council and the Legislative Council and any person appointed by the Governor to be Deputy Clerk of Councils;

"coin" means gold, silver, bronze, cupro-nickel or other coin in use as legal currency in the Falkland Islands;

"The Colony" means the Colony of the Falkland Islands and shall be deemed to include the territorial waters thereof;

"Colonial waters" include territorial waters;

"Chief Secretary" means the Chief Secretary of the Falkland Islands and the Deputy Chief Secretary;

"commencement", when used with reference to any Ordinance, means the date on which the Ordinance came or comes into operation;

"committed for trial", when used in relation to any person, means —

(a) committed to prison with a view to his being tried before the Supreme Court; or

(b) admitted to bail upon recognizance to appear and stand his trial before the Supreme Court;

"common law" means the common law of England;

"consul" and "consular officer" mean any person, including the head of a consular post, recognized by the competent authority of the receiving state as entrusted in that capacity with the exercise of consular functions;

"contravene" in relation to any requirement or condition prescribed in any Ordinance or in any grant, permit, licence, lease or authority granted under or by virtue of any Ordinance includes a failure to comply with that requirement or condition;

"court" means any court of the Colony of competent jurisdiction;

"Crown Agents" means the persons or body for the time being acting as Crown Agents for Oversea Governments and Administrations;

"Crown lease" means any lease granted by the Crown, any instrument whereby the term of a Crown lease may have been extended or the provisions thereof varied and any agreement for a Crown lease;

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

"definition" means the interpretation given by an Ordinance to any word or expression;

"The Dependencies" mean the Dependencies of the Colony of the Falkland Islands, and shall be deemed to include the territorial waters thereof;

"document" means any publication and any matter written, expressed or described upon any substance by means of letters, characters, figures or marks, or by more than one of these means;

"Dues" means rates, taxes and duties;

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

"Executive Council" means the Executive Council of the Falkland Islands;

"export" means to take out or cause to be taken out of the Colony by air, land or water;

"Financial Secretary" means the Financial Secretary of the Falkland Islands and the Deputy Financial Secretary;

"financial year" means the period from the 1st day of July in any year to the 30th day of June in the immediately succeeding year, both days inclusive;

"folio" means seventy-two words;

"Gazette" means —

- (a) the Falkland Islands Government Gazette and any supplement thereto; and
- (b) any Special Gazette or Gazette Extraordinary;

"Gazetted" means published in the Gazette;

"Government" means the Government of the Falkland Islands;

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

"Government Printer" means the Government Printer of the Falkland Islands and any other printer authorized by or on behalf of the Governor to print the Gazette, any Ordinance or any other document of the Government;

"Governor" means —

- (a) the Governor of the Falkland Islands;
- (b) the Acting Governor;
- (c) to the extent to which a deputy to the Governor is authorized to perform on behalf of the Governor any functions of the Governor, the Deputy to the Governor; and
- (d) the officer for the time being administering the Government of the Colony;

"Governor in Council", "Governor in Executive Council" and "Governor with the advice of the Executive Council" mean the Governor acting after consultation with the Executive Council in accordance with Royal Instructions but not necessarily in such Council assembled nor necessarily in accordance with such advice;

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

"health officer" means —

- (a) the Senior Medical Officer;
- (b) any person appointed as a health officer by the Governor; and
- (c) any person for the time being performing the duties of a health officer under any Ordinance;

"immovable property" means —

- (a) land, whether covered by water or not;
- (b) any estate, right, interest or easement in or over any land; and
- (c) things attached to land or permanently fastened to anything attached to land;

"imperial enactment" means —

- (a) any Act;
- (b) any Order in Council;
- (c) any Letters Patent or Royal Instructions; and
- (d) any rule, regulation, proclamation, order, notice, rule of court, by-law, or other instrument made under or by virtue of any Act, Order in Council, Letters Patent or Royal Instructions;

"import" means to bring or cause to be brought into the Colony by air, land or water;

"infant" and "minor" mean a person who has not attained the age of eighteen years;

"instrument" includes any publication in the Gazette having legal effect;

"judge" means the person nominated or any judge appointed by the Governor under section 8 of the Administration of Justice Ordinance;

"justice" and "justice of the peace" mean a person appointed to be a justice of the peace for the Colony either by the Governor or by or under any Ordinance;

"land" means land and any messuages, houses, building or other constructions standing thereon;

"law" means any law for the time being in force in, having legislative effect in, extending to, or applicable in, the Colony;



Cap. 3.

"Legislative Council" means the Legislative Council of the Falkland Islands;

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

"master", when used with reference to a vessel, means the person (except a pilot) having for the time being command or charge of the vessel;

"medical practitioner", "registered medical practitioner" and any words importing that a person is recognized by any Ordinance to be a medical practitioner in the Falkland Islands or a member of the medical profession in the Falkland Islands, mean a person duly registered as, or deemed to be registered as, a medical practitioner under the Medical Practitioners, Midwives and Dentists Ordinance;

Cap. 45.

"month" means calendar month;

"movable property" means property of every description except immovable property;

"oath" and "affidavit" include, in the case of persons allowed or required by law to affirm instead of swearing, affirmation; and "swear" in the like case includes affirm;

"occupy" includes use, inhabit, be in possession of or enjoy the land or premises to which the word relates, otherwise than as a mere servant or for the mere purpose of the care, custody or charge thereof;

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

"offence" includes any crime, treason, felony or misdemeanour and any contravention or other breach of, or failure to comply with, any provision of any Ordinance, for which a penalty is provided;

"or", "other" and "otherwise" shall be construed disjunctively and not as implying similarity, unless the word "similar" or some other word of like meaning is added;

"Order in Council" means an order made by Her Majesty in Her Privy Council;

"Ordinance" and "enactment" mean —

(a) any Ordinance enacted by the Governor by and with the advice and consent of the Legislative Council; and

(b) any subsidiary legislation made under any such Ordinance or proclamation;

"Owner" means a person receiving the rent of the property in respect of which that word is used either on his own account, or as trustee, agent, or manager, or who would receive the same if such property were let to a tenant;

"Parliament" and "Imperial Parliament" mean the Parliament of England, the Parliament of Great Britain and the Parliament of the United Kingdom;

"per cent", when used in relation to a rate of interest payable in any circumstances, means the rate of interest specified payable in respect of a year, unless it is expressly provided that it is payable in respect of any other period;

"person" includes any public body and any body of persons, corporate or unincorporate, and this definition shall apply notwithstanding that the word "person" occurs in a provision creating or relating to an offence or for the recovery of any fine or compensation;

"personal name" means the names other than a surname which a person most commonly adopts in conjunction with his surname or, in the case of a person having no surname, the names which he commonly adopts;

"pier" includes every quay, wharf or jetty of whatever description connected to and having direct access to the shore and used or intended to be used for the purposes of a pier, quay, wharf or jetty;

"police officer" and terms or expression referring to ranks in the Falkland Islands Police Force shall bear the meanings respectively assigned to them by the Police Ordinance;

"power" includes any privilege, authority and discretion;

"prescribed" and "provided", when used in or with reference to any Ordinance, mean prescribed or provided by that Ordinance or by subsidiary legislation made under that Ordinance;

"prison" means any place or building or portion of a building set apart for the purpose of a prison under any Ordinance relating to prisons;

"Privy Council" means the Lords and others for the time being of Her Majesty's Most Honourable Privy Council;

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

"property" includes —

(a) money, goods, choses in action and land; and

(b) obligations, easements and every description of estate, interest and profit, present or future, vested or contingent, arising out of or incident to property as defined in paragraph (a) of this definition;

"public" includes any class of the public;

"publication" means —

(a) all written and printed matter;

(b) any record, tape, wire, perforated roll, cinematograph film or other contrivance by means of which any words or ideas may be mechanically, electronically or electrically produced, reproduced, represented or conveyed;

(c) anything whether of a similar nature to the foregoing or not, containing any visible representation, or by its form, shape, or in any manner, capable of producing, reproducing, representing or conveying words or ideas; and

(d) every copy and reproduction of any publication as defined in paragraphs (a), (b) and (c) of this definition;

"public body" includes —

(a) the Executive Council;

(b) the Legislative Council;

(c) any department of the Government; and

(d) any undertaking by or of the Government;



"public holiday" and "general holiday" mean any day which is appointed to be a general holiday under the provision of section 73;

"public office" means any office or employment the holding or discharging of which by a person would constitute that person a public officer;

"public officer" and "public servant" mean any person holding an office of emolument under the Crown in right of the Government of the Falkland Islands, whether such office be permanent or temporary;

"public place" means —

- (a) any public street or pier, or any public garden; and
- (b) any theatre, place of public entertainment of any kind, or other place of general resort, admission to which is obtained by payment or to which the public have or are permitted to have access;

"public seal" means the public seal of the Falkland Islands;

"registered", when used with reference to a document, means registered under the provisions of any law applicable to the registration of such document;

"Registrar" means the Registrar of the Supreme Court;

"repeal" includes rescind, revoke, cancel or replace;

"rules of court", when used in relation to any court, means rules made by the authority having for the time being power to make rules and orders regulating the practice and procedure of such court;

"Secretary of State" means one of Her Majesty's Principal Secretaries of State for the time being;

"sell" includes exchange and barter;

"ship" includes every description of vessel used in navigation not exclusively propelled by oars;

"sign" includes, in the case of a person unable to write, the affixing or marking of a seal, mark or thumbprint;

"Stanley" means the area defined in the Stanley Rates Ordinance;

"standard time" means standard time as defined in section 68;

"statutory declaration", if made —

- (a) in the Colony, means a declaration under the Statutory Declaration Act 1835;
- (b) in any part of the Commonwealth except the Colony, means a declaration made before a justice of the peace, notary public, or other person having authority therein under any legal provision for the time being in force in such part to take or receive a declaration;
- (c) in any other place, means a declaration before a British consul or person having authority under any Act for the time being in force to take or receive a declaration;

"street" and "road" mean —

- (a) any highway, street, road, bridge, thoroughfare, parade, square, court, alley, lane, bridle-way, footway, passage, tunnel; and

- (b) any open place, whether situate on land leased from the Crown or not, used or frequented by the public or to which the public have or are permitted to have access;

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

"subsidiary legislation" and "regulations" mean any proclamation, rule, regulation, order, resolution, notice, rule of court, by-law or other instrument made under or by virtue of any Ordinance and having legislative effect;

"summary conviction" means a summary conviction by a magistrate in accordance with the provisions of the Administration of Justice Ordinance;

"Supreme Court" means the Supreme Court of the Falkland Islands;

"territorial waters" means such part of the sea adjacent to the coast of the Colony as is deemed by international law to constitute the territorial waters of the Falkland Islands;

"Town" means land within the limits of any place declared to be a Town under section 103 of this Ordinance;

"treaty" means a treaty, convention or agreement made with a foreign state, and any protocol or declaration attached thereto or independent thereof but referring thereto;

"triable summarily" means triable by a magistrate, in accordance with the provisions of the Administration of Justice Ordinance;

"United Kingdom" means the United Kingdom of Great Britain and Northern Ireland;

"vessel" means any ship or boat and any description of vessel used in navigation;

"waters of the Colony" and "Colonial waters" mean —

- (a) all waters, whether navigable or not, included in the Colony; and
- (b) territorial waters;

"will" includes any testamentary instrument;

"words" includes figures and symbols;

"writing" and "printing" include writing, printing, lithography, photography, typewriting and any other mode of representing words in a visible form;

"year" means a year according to the Gregorian calendar;

"years of age" and words of a like meaning, when used with reference to the age of any person, mean years of age according to the English reckoning of ages.

4. (1) "Commonwealth" means collectively —

- (a) the United Kingdom;

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- (b) any British territory; and  
(c) any other state or territory which may be specified by the Governor in accordance with the provisions of subsection (3).

(2) "British territory" and "British possession" mean any state or territory which may be specified by the Governor in accordance with the provisions of subsection (3).

(3) The Governor may, by notice in the Gazette, order that any state or territory shall be a state or territory specified for the purposes of paragraph (c) of subsection (1) or of subsection (2).

Grammatical variations  
and cognate expressions.

5. Where any word or expression is defined in any Ordinance, such definition shall extend to the grammatical variations and cognate expressions of such word or expression.

References to Government  
property.

6. Where reference is made in any Ordinance to property and the expressions used in relation thereto imply that such property is owned by, or belongs to, the Government, or convey a similar meaning, such reference shall be deemed to refer to such of the property of the Crown of the description mentioned as has been appropriated to the use of the Government.

Provisions for gender  
and number.

7. (1) Words and expressions importing the masculine gender include the female.

(2) Words and expressions in the singular include the plural and words and expressions in the plural include the singular.

Service by post.

8. Where any Ordinance authorizes or requires any documents to be served or any notice to be given by post or by registered post, whether the expression "serve" or "give" or "send" or any other expression is used, the service or notice shall be deemed to be effected by properly addressing, pre-paying the postage thereon and dispatching it by post or by registered post, as the case may be, to the last known postal address of the person to be served or given notice, and, unless the contrary is proved, such service or notice shall be deemed to have been effected at the time at which the document or notice would be delivered in the ordinary course of post.

### PART III

#### GENERAL PROVISIONS AS TO ORDINANCES

Ordinance to be public  
Ordinance.

9. Every Ordinance shall be a public Ordinance and shall be judicially noticed as such.

Sections and schedules.

10. (1) Every section of an Ordinance shall have effect as a substantive enactment without introductory words.

(2) Every schedule to or table in any Ordinance and any notes to such schedule or table shall be construed and have effect as part of such Ordinance.

Citation of Ordinance.

11. (1) Where any Ordinance is referred to, it shall be sufficient for all purposes to cite such Ordinance by —

- (a) the title, short title or citation thereof;  
(b) its number among the Ordinances of the year in which it was enacted; or  
(c) by any chapter number lawfully given to it under the authority of any Ordinance providing for the issue of a revised or other edition of the laws of the Falkland Islands.

(2) Any reference made to any Ordinance, in accordance with the provisions of subsection (1), may be made according to the title, short title, citation, number or chapter number used in copies of Ordinances printed by the Government Printer.

12. The printing by the Government Printer of any duly enacted Ordinance, or of any official document countersigned by the Chief Secretary or by any person duly authorized by the Governor, shall be a sufficient publication and promulgation thereof.

Government publications.

13. (1) Where it is provided that any Ordinance may, as to the whole or any part thereof, be cited with any other Ordinance or with any group of Ordinances, all such Ordinances shall be read and construed together, and any such group shall be construed as including such first mentioned Ordinance.

Collective citation.

(2) Where it is provided that two or more Ordinances may together be cited by a collective short title or citation containing therein the years of the first and last of such Ordinances, such short title or citation shall be construed to include all the Ordinances covered by the same, or any of them.

14. (1) Where in any Ordinance a reference is made to another Ordinance, such reference shall be deemed to include a reference to such last mentioned Ordinance as the same may from time to time be amended.

Reference to Ordinance  
as amended.

(2) Where any Ordinance repeals and re-enacts, with or without modification, any provision of a former Ordinance, references in any other Ordinance to the provision so repealed shall be construed as references to the provision so re-enacted.

15. In any Ordinance a description or citation of a portion of an Ordinance shall be construed as including the word, section or other part mentioned or referred to as forming the beginning and as forming the end of the portion comprised in the description or citation.

Citation of part of  
Ordinance.

16. (1) Any reference in any Ordinance to "any Ordinance" or to "any enactment" shall be construed as a reference to any Ordinance for the time being in force.

Construction of  
reference to Ordinance,  
section, etc.

(2) Where in any Ordinance there is a reference to a section, Part, Chapter or schedule by number or letter only, and not in conjunction with the title or short title of any other Ordinance, such reference shall be construed as a reference to the section, Part, Chapter, or schedule of that number or letter contained in the Ordinance in which such reference occurs.

(3) Where in any section of any Ordinance there is a reference to a subsection, paragraph, sub-paragraph or other division by number or letter only, and not in conjunction with the number of any section of that or of any other Ordinance, such reference shall be construed as a reference to the subsection, paragraph, sub-paragraph or other division of that number or letter contained in the section in which such reference occurs.

(4) The provisions of subsections (2) and (3) shall apply *mutatis mutandis* to subsidiary legislation.

(5) Any reference to an Ordinance in any Ordinance shall include a reference to any subsidiary legislation made under the Ordinance to which reference is made.

17. (1) Where any section, subsection or paragraph of any Ordinance is taken verbatim from, or is substantially similar to, a section, subsection or paragraph of any imperial enactment, there may be added to the marginal note of the section, subsection or paragraph of the Ordinance a reference, in abbreviated form, to such section, subsection or paragraph of the imperial enactment.

Marginal notes.

	(2) A reference added under subsection (1) shall not have any legislative effect and shall not in any way vary, limit or extend the interpretation of any Ordinance.	
	(3) A marginal note to any provision of any Ordinance shall not have any legislative effect and shall not in any way vary, limit or extend the interpretation of any Ordinance.	
General principles of interpretation.	18. An Ordinance shall be deemed to be remedial and shall receive such fair, large and liberal construction and interpretation as will best ensure the attainment of the object of the Ordinance according to its true intent, meaning and spirit.	
Inspection of Ordinances.	19. A copy of any Ordinance shall be available for inspection during office hours at any place appointed by the Governor.	
PART IV		
COMMENCEMENT, DISALLOWANCE, AMENDMENT AND REPEAL		
Commencement of Ordinance.	20. Every Ordinance shall — (a) be published in the Gazette; and (b) come into operation on the expiration of the day next preceding the day of such publication or, if it is provided in the Ordinance or in some other law that such Ordinance shall come into operation on some other day, then it shall come into operation on the expiration of the day next preceding such other day.	
Disallowance.	21. (1) Where any Ordinance is disallowed by Her Majesty, such disallowance shall be notified by the Governor by notice in the Gazette; and from and after the date of publication of such notice the Ordinance shall cease to have effect. (2) Where notice of disallowance of any Ordinance is notified in accordance with the provisions of subsection (1), the provisions of section 23 shall apply in respect of such disallowance as if the words "disallowance" and "disallowed" were substituted therein for the words "repeal" and "repealed" respectively. (3) Any Ordinance repealed or amended by any Ordinance disallowed shall revive and continue in force in its original form with effect from the date of publication of the notice referred to in subsection (1).	
Ordinance and amending Ordinance to be read as one.	22. Any Ordinance which amends any other Ordinance shall be read and construed as one with the amended Ordinance, and the amended Ordinance may, in the amending Ordinance, be referred to as the "principal Ordinance", "principal regulations" or as the case may be.	
Effect of repeal generally.	23. Where an Ordinance repeals in whole or in part any other Ordinance, the repeal shall not — (a) revive anything not in force or existing at the time at which the repeal takes effect; (b) affect the previous operation of any Ordinance so repealed or anything duly done or suffered under any Ordinance so repealed; (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under any Ordinance so repealed; (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any Ordinance so repealed; or (e) affect any investigation, legal proceeding or remedy in respect of any right, privilege, obligation, liability, penalty,	

forfeiture or punishment as aforesaid; and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the repealing Ordinance had not been passed.

24. Where any Ordinance repealing in whole or in part any former Ordinance is itself repealed, such last repeal shall not revive the Ordinance or provision previously repealed, unless provision is made to that effect.

Repealed Ordinance not revived.

25. Where any Ordinance repeals in whole or in part any other Ordinance and substitutes other provisions therefor, the repealed Ordinance shall remain in force until the substituted provisions come into operation.

Repeal and substitution.

26. Where any Ordinance which has been amended by any other Ordinance is repealed, such repeal shall include the repeal of all those provisions of such other Ordinance by which such first mentioned Ordinance was amended.

Repeal of amended Ordinance to include amendments.

27. Upon the expiry or lapse of any Ordinance, the provisions of section 23 shall apply as if such Ordinance had been repealed.

Effect of expiry of Ordinance.

## PART V

### SUBSIDIARY LEGISLATION

28. Where an Ordinance confers power on any authority to make subsidiary legislation, the following provisions shall have effect with reference to the making thereof —

General provision with regard to power to make subsidiary legislation.

- when any subsidiary legislation purports to be made in exercise of a particular power or powers, it shall be deemed also to be made in exercise of all other powers thereunto enabling;
- no subsidiary legislation shall be inconsistent with the provisions of any Ordinance;
- subsidiary legislation may at any time be amended by the same authority and in the same manner by and in which it was made:

Provided that where such authority has been replaced wholly or in part by another authority, the power conferred hereby upon the original authority may be exercised by the replacing authority concerning all matters or things within its jurisdiction as if it were the original authority;

- where any Ordinance confers power on any authority to make subsidiary legislation for any general purpose, and also for any special purpose incidental thereto, the enumeration of the special purposes shall not be deemed to derogate from the generality of the powers conferred with reference to the general purpose;
- subsidiary legislation may provide that a contravention or breach thereof shall be punishable on summary conviction by such fine not exceeding two hundred pounds or by such term of imprisonment not exceeding six months as may be specified in the subsidiary legislation or by both such fine and imprisonment;
- subsidiary legislation may amend any forms contained in the Ordinance under which such subsidiary legislation is made and may prescribe new forms for the purpose thereof and for the purposes of such subsidiary legislation; and



- (g) subsidiary legislation may provide for the imposition of fees and charges in respect of any matter with regard to which provision is made in such subsidiary legislation or in the Ordinance under which such subsidiary legislation is made.

Fees and charges.

29. (1) Where provision is made by any subsidiary legislation in respect of fees or other charges, such subsidiary legislation may provide for all or any of the following matters —

- (a) specific fees or charges;
- (b) maximum or minimum fees or charges;
- (c) maximum and minimum fees or charges;
- (d) the payment of fees or charges either generally or under specified conditions or in specified circumstances;
- (e) the exemption of any person or class of persons from the payment of fees or charges; and
- (f) the reduction, waiver or refund, in whole or in part, of any such fees or charges, either upon the happening of a certain event or in the discretion of a specified person.

(2) Where any reduction, waiver or refund, in whole or in part, of any fee or charge is provided for by any subsidiary legislation, such reduction, waiver or refund may be expressed to apply or be applicable either generally or specially —

- (a) in respect of certain matters or transactions or classes of matters or transactions;
- (b) in respect of certain documents or classes of documents;
- (c) in respect of the occurrence or the termination of any event;
- (d) in respect of certain persons or classes of persons; or
- (e) in respect of any combination of such matters, transactions, documents, events or persons,

and may be expressed to apply or be applicable subject to such conditions as may be specified in the subsidiary legislation or in the discretion of any person specified therein.

30. Subsidiary legislation shall be judicially noticed.

31. Where any Ordinance confers power to make any subsidiary legislation, expressions used in the subsidiary legislation shall have the same meaning as in the Ordinance conferring the power, and any reference in such subsidiary legislation to "the Ordinance" shall be construed as a reference to the Ordinance conferring the power to make such subsidiary legislation.

32. Where an Ordinance is not to come into operation on or before the expiration of the day next preceding the day of the publication thereof and confers power to make any appointment, to make any subsidiary legislation, to issue notices, to prescribe forms or to do any other thing for the purposes of the Ordinance, such power may be exercised at any time after the publication of the Ordinance in the Gazette:

Provided that any appointment, subsidiary legislation, instrument, notice, form or thing made, granted, issued, prescribed, given or done under such power shall not, unless the appointment, subsidiary legislation, instrument, notice, form or thing is necessary for bringing the Ordinance into operation, come into operation or have any effect until the Ordinance comes into operation.

33. An act shall be deemed to be done under an Ordinance or by virtue of the powers conferred by an Ordinance or in pursuance or execution of the provisions of or under the authority of an Ordinance, if it is done under or by virtue of or in pursuance or execution

of or under the authority of subsidiary legislation made under any power contained in that Ordinance.

34. (1) All rules, regulations and by-laws shall be laid on the table of the Legislative Council at the next sitting thereof after the publication in the Gazette of such rules, regulations or by-laws.

Placing of rules, regulations and by-laws before Legislative Council.

(2) Where rules, regulations or by-laws have been laid on the table of the Legislative Council, in accordance with the provisions of subsection (1), the Legislative Council may, by resolution passed at the next sitting of the Legislative Council held after the sitting at which they were so laid, provide that any such rules, regulations or by-laws shall be amended in any manner whatsoever and if any such resolution is so passed, the said rules, regulations or by-laws shall, without prejudice to anything done thereunder, be deemed to be amended as from the date of publication in the Gazette of such resolution.

(3) Any resolution passed by the Legislative Council in accordance with subsection (2) shall be published in the Gazette not later than fourteen days after the passing thereof or within such further period as the Governor may allow in any particular case.

35. Where any Ordinance provides that subsidiary legislation shall be subject to the approval of the Legislative Council or of any other authority, or contains words to the like effect, then —

Approval of Legislative Council to subsidiary legislation.

- (a) the subsidiary legislation shall be submitted for the approval of the Legislative Council or other authority; and
- (b) the Legislative Council may by resolution or the other authority may by order amend the whole or any part of the subsidiary legislation.

36. (1) Where any Ordinance —

Effect of repeal on subsidiary legislation.

- (a) repeals any former Ordinance and substitutes other provisions therefor; or
- (b) repeals any former Ordinance and re-enacts such former Ordinance with or without modification,

any subsidiary legislation made under the former Ordinance and in force at the commencement of the repealing Ordinance shall, so far as it is not inconsistent with the repealing Ordinance, continue in force and have the like effect for all purposes as if made under the repealing Ordinance.

(2) Where any subsidiary legislation is continued in force by virtue of subsection (1), such subsidiary legislation may be from time to time amended as if it had been made under the repealing Ordinance.

37. Where any form is prescribed by or under any Ordinance, deviations therefrom, not affecting the substance of such form shall not invalidate it.

Forms.

PART VI

POWERS

38. Where any Ordinance confers power upon any person to —

Presumption of lawful exercise of power.

- (a) make any subsidiary legislation;
- (b) make any instrument; or
- (c) exercise any power,

and the Ordinance conferring the power prescribes conditions, subject to the observance, performance or existence of which any such power may be exercised, such conditions shall be presumed to have been

Effect of subsidiary legislation.

Construction of subsidiary legislation.

Exercise of statutory powers between enactment and commencement of Ordinance.

Acts done under subsidiary legislation deemed done under Ordinance.

duly fulfilled if in the subsidiary legislation or instrument exercising the power there is a statement that the subsidiary legislation or instrument is made, or the power exercised, in exercise of, or in pursuance of, the power conferred by such Ordinance, or a statement to the like effect.

**Exercise of powers.**

39. (1) Where any Ordinance confers any power or imposes any duty, then the power may be exercised and the duty shall be performed from time to time as occasion requires.

(2) Where any Ordinance confers any power or imposes any duty on the holder of any public office as such, then the power may be exercised and the duty shall be performed by the holder for the time being of that public office.

**Construction of enabling words.**

40. (1) Where any Ordinance confers upon any person power to do or enforce the doing of any act or thing, all such powers shall be deemed to be also conferred as are reasonably necessary to enable the person to do or enforce the doing of the act or thing.

(2) Without prejudice to the generality of subsection (1), where any Ordinance confers power —

- (a) to provide for, prohibit, control or regulate any matter, such power shall include power to provide for the same by the licensing thereof and power to prohibit acts whereby the prohibition, control or regulation of such matter might be evaded;
- (b) to grant a licence, Crown lease, permit, authority, approval or exemption, such power shall include power to impose reasonable conditions subject to which such licence, Crown lease, permit, authority, approval or exemption may be granted;
- (c) to approve any person or thing, such power shall include power to withdraw approval thereof;
- (d) to give directions, such power shall include power to couch the same in the form of prohibitions.

(3) Without prejudice to the generality of subsection (1), whenever in any Ordinance the expression "as the Governor may appoint" or "as the Governor may direct" or "as the Governor may specify" or "as the Governor may prescribe" or "as may be designated by the Governor", or any similar expression referring to the Governor, appears and no power is expressly conferred upon the Governor to make the appointment, give the direction or specification, prescribe or make the designation, as the case may be, such power shall nevertheless be deemed to be conferred.

(4) Subsection (3) shall have effect in relation to the Governor in Council, a public officer, a public body or other person as it has effect in relation to the Governor.

**Power to issue licences, etc., discretionary.**

41. (1) Where any Ordinance confers power upon any person to issue, grant, give or renew any licence, Crown lease, authority, approval or permit, the person so empowered shall have a discretion either to issue, grant, give or renew or to refuse to issue, grant, give or renew such licence, Crown lease, authority, approval or permit.

(2) Nothing in this section shall affect any right which may be conferred by any Ordinance upon any person to appeal against a refusal to issue, grant, give or renew any licence, Crown lease, authority, approval or permit.

**Power to appoint includes power to suspend, dismiss, re-appoint, etc.**

42. Where any Ordinance confers a power or imposes a duty upon any person to make any appointment or to constitute or establish any board, tribunal, commission, committee or similar body, then the person having such power or duty shall also have the power —

- (a) to remove, suspend, dismiss or revoke the appointment of, and to re-appoint or reinstate, any person appointed in exercise of such power or duty;
- (b) to revoke the appointment, constitution or establishment of, or to dissolve, any board, tribunal, commission, committee or similar body appointed, constituted or established, in exercise of such power or duty, and to re-appoint, reconstitute or re-establish the same; and
- (c) to specify the period for which any person appointed in exercise of such power or duty shall hold such appointment:

Provided that where the power or duty of such person so to act is only exercisable upon the recommendation, or is subject to the approval or consent, of some other person, then such power shall only be exercisable upon such recommendation or subject to such approval or consent.

43. (1) Where any Ordinance confers powers or imposes duties upon a specified public officer, such officer may delegate any other public officer or the person for the time being holding any office designated by him to exercise such powers or perform such duties on his behalf and thereupon, or from the date specified by such specified public officer, the person delegated shall have and may exercise such powers and perform such duties.

Delegation by specified public officers.

(2) Nothing in subsection (1) shall authorize a specified public officer to delegate any person to making subsidiary legislation or to hear any appeal.

(3) Where any Ordinance confers any power or imposes any duty upon a specified public officer and such power is exercised or such duty is performed by any other public officer, the specified public officer shall, unless the contrary is proved, be deemed to have delegated the latter public officer under subsection (1) to exercise the power or perform the duty.

(4) In this section "specified public officer" means the person for the time being holding any public office which has been specified, either generally or for the purposes of any particular Ordinance, under this section by the Governor by notice in the Gazette.

44. (1) Where any Ordinance confers power upon any person to delegate the exercise on his behalf of any of the powers or the performance of any of the duties conferred or imposed upon him under any Ordinance —

Effect of delegation of powers and duties.

- (a) such delegation shall not preclude the person so delegating from exercising or performing at any time any of the powers or duties so delegated;
- (b) such delegation may be conditional, qualified or limited in such manner as the person so delegating may think fit;
- (c) where the delegation may be made only with the approval of some person, such delegation may be conditional, qualified or limited in such manner as the person whose approval is required may think fit;
- (d) the delegation may be to a named person or to the person for the time being holding any office designated by the person so delegating; and
- (e) any delegation may be amended by the person so delegating.

(2) The delegation of any power shall be deemed to include the delegation of any duty incidental thereto or connected therewith and the delegation of any duty shall be deemed to include the delegation of any power incidental thereto or connected therewith.



Exercise of powers in special cases.

45. Where any Ordinance confers any power or imposes any duty upon the holder of any public office and either —

- (a) that office has been abolished; or
- (b) no person has been appointed to discharge the functions of that office;

those powers and duties may be exercised or performed —

- (i) in the case of making subsidiary legislation, by the Governor; and
- (ii) in any other case, by the holder of such other public office as the Governor may by order direct.

Power to make public instruments and perform acts.

46. Where any Ordinance confers power upon any person to make, issue or approve any proclamation, order, notice, declaration, instrument, notification, licence, permit, register or list, such power shall include power —

- (a) to amend or suspend such proclamation, order, notice, declaration, instrument, notification, licence, permit, register or list;
- (b) to substitute another proclamation, order, notice, declaration, instrument, notification, licence, permit, register or list for one already made, issued or approved;
- (c) to withdraw approval of any proclamation, order, notice, declaration, instrument, notification, licence, permit, register or list so approved; and
- (d) to declare the date of the coming into operation, and the period of operation, of any such proclamation, order, notice, declaration, instrument, notification, licence, permit, register or list.

Power to relate back appointment.

47. Any appointment made under the provisions of any Ordinance may be declared to have effect as from the date upon which the person appointed in fact began to exercise the powers and perform the duties of his appointment, not being a date earlier than the commencement of the Ordinance under which the appointment is made.

## PART VII

### BOARDS AND COMMITTEES

Power to appoint chairman.

48. Where any Ordinance confers power upon any person to appoint any persons to be members of any board, tribunal, commission, committee or similar body, the person so appointed may appoint a chairman, a deputy chairman, a vice-chairman and a secretary of such board, tribunal, commission, committee or similar body.

Power to appoint public officer to board, etc.

49. Where any Ordinance confers power upon any person to appoint any persons to be members of any board, tribunal, commission, committee or similar body, the person so empowered may appoint any public officer, by his official designation, to be a member of such board, tribunal, commission, committee or similar body, and, on such appointment and until such appointment shall be revoked or otherwise determined, the person for the time being holding the public office in question shall be a member of such board, tribunal, commission, committee or similar body.

Appointment of alternates.

50. Where any board, tribunal, commission, committee or similar body is established by or under any Ordinance, any person who is empowered by such Ordinance to appoint any or all of the members thereof may —

- (a) appoint one or more duly qualified persons to be alternate members of the same, and any one such alternate member

may attend any meeting of the same when a substantive member is temporarily unable to attend for any reason; and

- (b) appoint a duly qualified person to be a temporary member of the same in the place of any substantive member who is precluded by illness, absence from the Colony or any other cause from exercising his functions as such,

and when attending any meeting of such board, tribunal, commission, committee or similar body, such alternate or temporary member shall be deemed for all purposes to be a member of the same.

51. Where any board, tribunal, commission, committee or similar body is established by or under any Ordinance, the powers of such board, tribunal, commission, committee or similar body shall not be affected by —

- (a) any vacancy in the membership thereof;
- (b) any defect in the appointment or qualification of a person purporting to be a member thereof; or
- (c) any minor irregularity in the convening of any meeting thereof.

52. (1) Where any Ordinance confers a power or imposes a duty upon a body or number of persons consisting of or being not less than three, such power may be exercised or duty performed in the name of that body or number of persons by a majority of those persons.

(2) Whenever such body or number of persons is assembled, the chairman or other member presiding shall have a casting as well as a deliberative vote, in all matters in which a decision is taken by vote by whatever name such vote may be called.

(3) The exercise of any power vested in such body or number of persons may be signified either by the chairman or other person presiding at the meeting or other deliberation at which such power was exercised or at which, as the case may be, authority to exercise it was conferred, or by any person from time to time authorized by such body or persons to signify the exercise of such power.

53. Where any Ordinance constitutes any board, tribunal, commission, committee or similar body to be a body corporate having perpetual succession and a common seal, and any document requires to be sealed with such common seal, then such common seal shall be affixed by the chairman of such board, tribunal, commission, committee or similar body, or by any member thereof appointed by the chairman for that purpose, and shall be authenticated by the signature of the chairman or such member.

## PART VIII

### PUBLIC OFFICERS AND PUBLIC CONTRACTS

54. In any Ordinance, instrument, warrant or process of any kind, any reference to a public officer, or to a person holding a public office by a term designating his office, shall include a reference to any person for the time being lawfully discharging the functions of that office, or of any part of such functions, and any person appointed to act in or perform the duties of such office, or any part of such duties, for the time being.

55. (1) The Legislative Council may by resolution provide for the transfer to any public officer of any functions exercisable by virtue of any Ordinance by another public officer.

Powers of board, etc., not affected by vacancy.

Power of majority and exercise of powers.

Seal.

References to public officer.

Power to transfer functions of public officers.

(2) A resolution under this section may contain such incidental, consequential and supplemental provisions as may be necessary or expedient for the purpose of giving full effect to the resolution.

(3) A certificate issued by the Chief Secretary that any property vested in a public officer immediately before a resolution under this section takes effect has been transferred by virtue of the resolution to another public officer shall be conclusive evidence of the transfer.

(4) In this section —

“functions” includes powers and duties;

“public officer” includes any corporation created for the purpose of incorporating a person for the time being holding a public office.

Change of title of office.

56. The Chief Secretary may, by notice (which may be given retrospective effect) in the Gazette, declare a change in title of any public officer or public body, or of any person referred to in any Ordinance, and the notice may contain provisions substituting the new title in any Ordinance relating to the public officer, public body or person and in any instrument, contract or legal proceedings made or commenced before the date on which the notice takes effect.

Appointment of officers by name or office.

57. Where any Ordinance confers power upon any person to appoint or name a person to have and exercise any powers or perform any duties, the person so empowered may either appoint a person by name or direct the person for the time being holding any office designated by him to have and exercise such powers or perform such duties; and thereupon, or from the date specified by the person so empowered, the person appointed by name or the person holding the office aforesaid shall have and may exercise such powers or perform such duties accordingly until such appointment be revoked or otherwise determined.

Filling vacancy.

58. (1) When any Ordinance confers a power or imposes a duty upon a public officer and such public officer is unable to exercise the powers or perform the duties of his office, owing to absence or inability to act from illness or any other cause, the Governor may, by notice in the Gazette, direct that such power shall be had and may be exercised and such duty shall be performed by a public officer named by, or by a public officer holding the office designated by, the Governor, subject to such conditions, exceptions and qualifications as the Governor may direct.

(2) Any direction by the Governor under subsection (1) may be given —

(a) in anticipation of any absence or inability occurring; or

(b) subsequently thereto and may relate back to the commencement of such absence or inability.

(3) Where any Ordinance confers powers or imposes duties upon a public officer and a new post is subsequently created in the same or another Government department, the Governor may, by notice in the Gazette, direct that the said powers and duties or any of them shall be exercised by any holder of the new post so created, either to the exclusion of or in addition to the first named public officer or otherwise.

Power to appoint while holder on retirement leave.

59. (1) Where the holder of any public office is on leave of absence pending the relinquishment by him of such office, another person may be appointed to the same public office.

(2) Where two or more persons are holding the same public office by reason of an appointment made in accordance with subsection (1), then, for the purposes of any Ordinance and in respect of

any power conferred or duty imposed upon the holder of such office, the person last appointed to the office shall be deemed to be the holder thereof.

60. In any contract or other document, signed, executed or made by the Governor or by any public officer on behalf of the Governor or the Government or of any Government department, it shall not be necessary to name the Governor or such public officer, but it shall be sufficient to name the office held by the Governor or such public officer, and the Governor or public officer shall be deemed to be a party thereto as if the Governor or such public officer were a corporation sole with perpetual succession for this purpose.

Contracts by public officer.

61. Any contract or other document signed, executed or made before the commencement of this Ordinance by the Governor or by any public officer on behalf of the Governor or the Government or of any Government department shall be enforceable as if the office of Governor or such public officer had, at the time of such execution or making, been a corporation sole with perpetual succession for this purpose.

Effect of past contracts by public officer.

62. The omission to add the title of the public office held by the Governor or any public officer signing or executing any contract or other document after the signature of such officer shall not exclude such contract or other document from the operation of sections 60 and 61.

Omission of title after signature of public officer immaterial.

## PART IX

### CROWN, GOVERNOR AND GOVERNOR IN COUNCIL

63. (1) Where any Ordinance confers a power or imposes a duty upon the Governor or the Governor in Council to make any subsidiary legislation or appointment, give any directions, issue any order, authorize any thing or matter to be done, grant any exemption, remit any fee or penalty, or exercise any other power or perform any other duty, the exercise of such power or the performance of such duty may be signified —

Signification of orders of Governor and Governor in Council.

(a) in the case of the Governor, under the hand of the Chief Secretary;

(b) in the case of the Governor in Council, under the hand of the Clerk of Councils.

(2) Notwithstanding the provisions of subsection (1), proclamations shall be made or issued only under the hand of the Governor himself.

64. (1) Where any Ordinance confers powers or imposes duties upon the Governor, he may delegate any person by name or the person holding any office designated by him to exercise such powers or perform such duties on his behalf and thereupon, or from the date specified by the Governor, the person so delegated shall have and may exercise such powers and perform such duties.

Delegation by Governor.

(2) Without prejudice to the provisions of any Letters Patent or Royal Instructions relating to the appointment of a deputy to the Governor, nothing in subsection (1) shall authorize the Governor to delegate any person to make subsidiary legislation, issue proclamations or to determine any appeal.

(3) Where any Ordinance confers powers or imposes duties upon the Governor and such power is exercised or such duty is performed by any public officer, the Governor shall, unless the contrary is proved, be deemed to have delegated such public officer under subsection (1) to exercise the powers or perform the duty.

Appeals and objections to Governor in Council.

65. (1) Where any Ordinance confers upon any person a right of appeal or objection to the Governor in Council, such appeal or objection shall be governed by rules made in accordance with subsection (2).

(2) The Governor in Council may make rules governing the procedure to be followed in appeals or objections to the Governor in Council.

(3) The conferring by any Ordinance of a right of appeal or objection to the Governor in Council shall not prevent any person from applying to the Supreme Court for an order of mandamus, certiorari, prohibition, injunction or any other order, instead of appealing or making an objection to the Governor in Council, where an application for such an order would lie, but no proceedings by way of mandamus, certiorari, prohibition, injunction or other order shall be taken against the Governor in Council in respect of any such appeal or objection to the Governor in Council or any proceedings connected therewith.

(4) The Governor in Council, when considering any appeal or objection to him (whether by way of petition or otherwise, and whether such appeal or objection is made by virtue of any Ordinance or otherwise) shall act in an administrative or executive capacity and not in a judicial or quasi-judicial capacity and shall be entitled to consider and take into account any evidence, material, information or advice in his absolute discretion.

(5) The Governor in Council, when considering any appeal or objection to him (whether by way of petition or otherwise and whether such appeal or objection is made by virtue of any Ordinance or otherwise) against any decision of any person, public officer or public body, may confirm, vary or reverse such decision or substitute therefor such other decision or make such other order as the Governor in Council may think fit.

References to the Sovereign.

66. Any reference to the Sovereign or to the Crown shall be construed as a reference to the Sovereign for the time being.

Saving of rights of Crown.

67. No Ordinance shall in any manner whatsoever affect the right of or be binding on the Crown unless it is therein expressly provided or unless it appears by necessary implication that the Crown is bound thereby.

## PART X

### TIME AND DISTANCE

Time.

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

References to "am" and "pm".

69. The expression "am" indicates the period between midnight and the following noon, and the expression "pm" indicates the time between noon and the following midnight. Where two such expressions occur conjunctively in relation to any specified hour or in conjunction with the word "sunset" or "sunrise", they shall be construed as relating to a consecutive period of time.

Provision where no time prescribed.

70. Where no time is prescribed or allowed within which any thing shall be done, such thing shall be done without unreasonable delay, and as often as due occasion arises.

Computation of time.

71. In computing time for the purposes of any Ordinance —

- (a) a period of days from the happening of any event or the doing of any act or thing shall be deemed to be exclusive of the day on which the event happens or the act or thing is done;

- (b) if the last day of the period is a public holiday the period shall include the next following day, not being a public holiday;

- (c) where any act or proceeding is directed or allowed to be done or taken on a certain day, then if that day is a public holiday, the act or proceeding shall be considered as done or taken in due time if it is done or taken on the next following day, not being a public holiday;

- (d) where an act or proceeding is directed or allowed to be done or taken within any time not exceeding six days, no public holiday shall be reckoned in the computation of that time.

72. Where in any Ordinance a time is prescribed for doing any act or taking any proceeding and power is given to a court, public body, public officer or other authority to extend such time, then the power may be exercised by the court, public body, public officer or other authority although the application for the same is not made until after the expiration of the time prescribed.

Power to extend time.

73. The Governor in Council may from time to time, by notice in the Gazette, appoint any day to be a public holiday.

Public holidays.

74. In the measurement of any distance for the purposes of any Ordinance, that distance shall be measured in a straight line on a horizontal plane.

Distance.

75. Any summons, notice, warrant or other process may be issued, served or executed and any arrest, search or seizure may be carried out or made on any day, whether a public holiday or not, and at any hour of the day or night.

Warrants, etc., valid on public holiday.

## PART XI

### IMPERIAL ENACTMENTS

76. An imperial enactment shall be judicially noticed as such and shall be read with such modifications as to names, localities, courts, officers, persons, moneys, penalties or otherwise as may be necessary to make the same applicable to the circumstances of the Colony.

Modifications.

77. An imperial enactment may be cited by a short title or citation, if any, or by reference to the reign or calendar year in which it was passed or by the number assigned to any statutory instrument or statutory rule and order.

Citation of imperial enactments.

78. A reference in any law to an imperial enactment or to any provision, part or division thereof shall be construed as a reference to the same as the same may be from time to time amended and as a reference to any imperial enactment or to any provision, part or division of an imperial enactment, substituted therefor.

Construction of reference to imperial enactment.

79. A reference in any law to any imperial Act shall include a reference to any Order in Council, rule, regulation, proclamation, order, notice, rule of court, by-law or other instrument made under or by virtue thereof and having legislative effect.

References to subsidiary legislation under imperial Acts.

80. Any imperial enactment shall be construed in accordance with the terms thereof and of any interpretation statute applicable thereto and, to the extent to which no provision is made in the imperial enactment or in such statute for the interpretation thereof, in accordance with provisions of this Ordinance as if such imperial enactment were itself an Ordinance; and any reference in this Ordinance to an Ordinance shall, in the interpretation of an imperial enactment, include a reference to imperial enactments.

Construction of imperial enactments.



Copies of imperial enactments.

81. A copy of an imperial enactment shall, if it —
- is published in the Gazette or purports to be printed by the Government Printer; or
  - is contained in any printed collection purporting to be published or printed by authority,
- be deemed, until the contrary is proved, to be an authentic copy of the imperial enactment as at the date of such publication or printing.

## PART XII

### FEES, PENALTIES OFFENCES AND PROCEEDINGS

Attempts to commit offences.

82. (1) A provision in any Ordinance which creates or results in the creation of an offence shall be deemed to include a provision that an attempt to commit such an offence shall itself constitute an offence which may be dealt with and punished in like manner as if the offence had been committed.

(2) Where a person is charged with an offence, he may be convicted of having attempted to commit that offence although he was not charged with the attempt.

(3) Nothing in this section shall affect any law relating to attempts to commit offences at common law.

Reference to an offence to include attempts, etc.

83. (1) Where —

- any Ordinance confers a power or imposes a duty which is to be exercised or performed consequent upon a conviction of an offence or in relation to a person who is detained in custody for an offence; or
- a reference is otherwise made in any Ordinance to an offence,

then that power or duty or that reference shall be deemed to be also exercisable or performable consequent upon a conviction of, or include a reference to, as the case may be —

- an attempt to commit that offence;
- aiding, abetting, counselling or procuring that offence; and
- a conspiracy to commit that offence.

(2) Subsection (1) shall apply to powers of imposing pecuniary penalties and of forfeiture, seizure and search, and to powers and discretions to cancel, suspend or refuse to issue any licence, permit or other authorization, but nothing in this section shall apply to any offence for which a sentence of death may be imposed, or be deemed to authorize the imposition of any sentence of imprisonment otherwise than in default of payment of any pecuniary penalty which may be imposed by virtue of this section.

Acts constituting two or more offences.

84. Where any act constitutes two or more offences, whether under the same Ordinance or otherwise, the offender shall be liable to be prosecuted and punished for any or all such offences but shall not be liable to be punished twice for the same offence.

Liability of directors, etc.

85. Where a person by whom an offence under any Ordinance has been committed is a company and it is proved that the offence was committed with the consent or connivance of a director or other officer concerned in the management of the company, or any person purporting to act as such director or officer, the director or other officer shall be guilty of the like offence.

Imposition of penalty not to bar civil action.

86. The imposition of a penalty or fine by or under any Ordinance shall not relieve any person from liability to answer in damages to a person injured.

87. Where in any Ordinance a penalty is prescribed for an offence under that Ordinance, such provision shall imply —

Penalties prescribed to be deemed maximum penalties.

- that such offence shall be punishable upon conviction by a penalty not exceeding the penalty prescribed; and
- if the amount of the fine is unspecified, that such offence shall, without prejudice to any law against excessive or unreasonable fines or assessments, be punishable by a fine of any amount.

88. Where in any Ordinance a penalty is set out at the foot of any section or part thereof the same shall mean that any contravention of that section or part shall be an offence under such Ordinance punishable upon conviction by a penalty not exceeding the penalty so set out.

Statement of penalty at end of section.

89. Where in any Ordinance more than one penalty is prescribed for an offence, the use of the word "and" shall mean that the penalties may be inflicted alternatively or cumulatively.

Certain penalties may be cumulative.

90. (1) Where any provision in any Ordinance creates, or results in the creation of, an offence, the offence shall be triable summarily only, unless —

Trial of offences.

- the offence is declared to be treason, felony or misdemeanour;
- the words "upon indictment" appear; or
- the offence is declared to be a "misdemeanour triable summarily".

(2) Where any provision in any Ordinance creates, or results in the creation of, an offence and —

- the offence is declared to be treason, felony or misdemeanour; or
- subject to subsection (4), the words "upon indictment" appear,

the offence shall be triable only upon indictment.

(3) Where any provision in any Ordinance creates, or results in the creation of, an offence and the offence is declared to be a "misdemeanour triable summarily", the offence shall be triable either on indictment or summarily.

(4) Where any provision in any Ordinance creates, or results in the creation of, an offence and the offence is declared to be triable either summarily or upon indictment or to be punishable on summary conviction or on indictment, the offence shall be triable either on indictment or summarily.

(5) Nothing in this section shall affect the powers conferred upon a magistrate by the Administration of Justice Ordinance or by any other law to try an indictable offence summarily.

Cap. 3.

91. Where an offence is a misdemeanour by any law and no punishment is provided therefor, that offence shall be punishable by imprisonment for seven years or a fine of £2,000.

Punishment of misdemeanour.

92. Where the fiat, authorization, sanction, consent or authority of the Governor or any other public officer is necessary before any prosecution or action is commenced, or for any purpose whatsoever in connection with any proceeding, any document purporting to bear the fiat, authorization, sanction, consent or authority of the Governor, or such public officer, as the case may be, shall, until the contrary is proved, be received as evidence in any proceeding without proof being given that the signature to such fiat, authorization, sanction, consent or authority is that of the Governor or such public officer.

Evidence of signature or fiat, etc.

Prosecution of offences.

93. Where any Ordinance provides that no prosecution for an offence shall be commenced without the consent of some person other than the Attorney General, such a provision shall not derogate from the powers of the Attorney General in respect of the prosecution of that offence.

Amendment of penalty.

94. Where an act or omission constitutes an offence and the penalty for such offence is varied between the time of the commission of such offence and the conviction thereof, the offender shall be liable to the penalty prescribed at the time of the commission of the offence.

Disposal of fines and penalties.

95. Any fine or penalty imposed by or under the authority of any Ordinance shall be paid into the general revenue of the Colony:

Provided that the Governor may direct the payment to any aggrieved person, or to any person whose information or evidence has led to the conviction of the offender or to the recovery of the fine or penalty, of such proportion of the fine or penalty as he may think fit.

Disposal of forfeits.

96. (1) Where under any Ordinance any movable property is adjudged by any court or other authority to be forfeited, it shall be forfeited to the Crown, and the net proceeds thereof, if it is ordered by a competent authority to be sold, shall be paid into the general revenue of the Colony.

(2) Nothing in this section shall affect any provision in any Ordinance whereby any portion of any forfeit or of the proceeds of any forfeit is expressed to be recoverable by any person or may be granted by any authority to any person.

Award of compensation.

97. (1) The Legislative Council may by resolution award compensation, by way of either a single payment or periodical payments, from the general revenue of the Colony to any person injured in the execution of a moral or legal duty to assist in the prevention of or resistance to crime or any offence, or to the dependants of a person so injured who dies as a result of such injury.

(2) Any award made under this section may be made subject to such conditions as may be specified in such resolution and may at any time be varied or revoked by the Legislative Council by resolution.

(3) No award made under this section shall be assignable or transferable or liable to be attached, sequestered or levied upon for or in respect of any debt or claim whatsoever other than a debt due to the Government.

Reduction, etc., of fees and charges.

98. Any fee or charge made payable by or under any Ordinance to the Crown or the Government or to any public body or public officer, not being a fee or charge which is regulated by rules of court —

(a) may be reduced or varied by order of the Governor:

Provided that no variation thereof shall cause such fee or charge to exceed the original figure;

(b) may be remitted or refunded, in whole or in part, in any particular case and on any special ground by the Governor;

(c) subject as aforesaid shall be paid into or from the general revenue of the Colony.

Collection of fees.

99. (1) Where by any Ordinance the signature of the Governor or of any public officer is required to any certificate, authorization, consent, licence, permit or exemption, or any alteration, transfer or renewal thereof, addition thereto or endorsement thereon, or any copy of the same, and no fee for such signature is prescribed by law, there shall be payable for such signature such fee as the Governor may prescribe by notice in the Gazette.

(2) Where any Ordinance requires or authorizes the issue of any document by a public officer, such public officer may, subject to any directions of the Governor, issue a duplicate of such document, upon payment of such fee as may be prescribed by law or as the Governor may prescribe by notice in the Gazette if no fee is prescribed by law.

(3) Where any Ordinance requires or authorizes any alteration, transfer, or endorsement of or addition to any certificate, authorization, consent, licence, permit or exemption by a public officer, such fee shall be payable therefor as may be prescribed by law or as the Governor may prescribe by notice in the Gazette if no fee is prescribed by law.

(4) Where an extract of any document, book, record or instrument may be properly certified by a public officer as a true extract of such document, book, record or instrument, such fee shall be payable for the certifying of the extract by such officer as may be prescribed by law or as the Governor may prescribe by notice in the Gazette if no fee is prescribed by law.

### PART XIII

#### MISCELLANEOUS

100. (1) A copy of an Ordinance shall, if published in the Gazette or purporting to be printed by the Government Printer, be deemed to be an authentic copy of that Ordinance as at the date of such publication or printing.

Copies of Ordinances, etc., in Gazette.

(2) A copy of any other instrument shall, if published in the Gazette or purporting to be printed by the Government Printer, on its production be admitted as prima facie evidence thereof in all courts and for all purposes whatsoever without any further proof.

101. (1) The Attorney General may, by order published in the Gazette, rectify any clerical or printing error appearing in any Ordinance, not being an Ordinance contained in a booklet prepared under the authority of the Revised Edition of the Laws Ordinance.

Rectification of errors.

(2) Every order made under this section shall be laid on the table of the Legislative Council without unreasonable delay, and, if a resolution is passed at the next sitting of the Legislative Council held after the sitting at which the order is so laid that the order be annulled, it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder, or to the making of a new order.

102. (1) Where any person, public officer, Government department or public body is required to do anything for which a fee is to be paid or a charge made under any Ordinance, such person, public officer, Government department or public body may decline to do that thing until the fee or charge is paid or, where the precise amount of the payment to be made cannot be ascertained until the thing is done, until there be paid such amount as may be estimated to be the correct amount by the person, public officer or the responsible officer of the Government department or public body required to do the thing.

Performance of acts for which payment is required.

(2) Where a thing has been done for which an estimated amount shall have been paid, such amount shall be adjusted to the correct amount either by means of a further payment or by a refund of the amount overpaid.

103. The Governor in Council may, with the approval of the Secretary of State, declare any place to be a town, and define the extent, limits, and boundaries of such town and of its suburbs, and vary or alter such extent, limits and boundaries:

Declaration of town.



Provided that no part of the boundaries of the town shall be more than two miles, nor the suburbs more than six miles from the centre of the town.

Division of Colony into districts.

104. The Governor in Council may, when it is considered convenient for the more efficient operation of any Ordinance or any other purpose, divide, subdivide and re-divide the Colony into districts, or alter the boundaries of any such districts.

Authority to print copies.

105. The Government Printer may, with the authority of the Governor, print copies of any Ordinance with all additions, omissions, substitutions and amendments effected by any amending Ordinances, and such copies shall be deemed to be authentic copies of the Ordinance as amended as at the date of such printing.

Cap. 33.

106. The Interpretation and General Law Ordinance is hereby repealed.

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

W. A. ETHERIDGE,  
*Clerk of the Legislative Council.*

Ref. LEG/10/5.

Assented to in Her Majesty's name this 7th day of July 1977.

J. R. W. PARKER,  
*Governor.*

LS



No. 15

1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.  
*Governor.*

### An Ordinance

### Further to amend the Legislative Council (Elections) Ordinance 1948. Title.

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 1977, and shall come into operation on a date to be notified by His Excellency the Governor by publication in the official Gazette. Short title and commencement.

2. Section 2 of the Legislative Council (Elections) Ordinance (hereinafter referred to as the principal Ordinance) is amended — Amendment of section 2.

- (a) by the deletion of the definition of "Order in Council";
- (b) by inserting after the definition of "Council" the following new definition —

"Qualifying day" means the 15th day of July in each year".

- (c) by the deletion of the definition of "Qualifying period" and the substitution of the following —

"Qualifying period" means —

- (i) in the case of a person born in the Colony twelve months' continuous residence preceding the qualifying day; or
- (ii) in the case of a person not born in the Colony three years' continuous residence preceding the qualifying day."

- (d) by the deletion of the definition "Electoral area" and;
- (e) by inserting after the definition of "Election Officer", the following —

"Camp" means the whole area of the Colony outside the town of Stanley."

Repeal and replacement of section 3.

3. Section 3 of the principal Ordinance is repealed and replaced by the following —

"Electoral Areas and Electoral Divisions.

3. (1) For the purpose of elections to the Legislative Council the Colony shall be divided into —

- (a) four electoral areas, East Stanley and West Stanley, and East Falklands and West Falklands, and
- (b) two electoral divisions, Stanley and Camp.

(2) The boundaries of the electoral areas and the electoral divisions shall be as set out in the Second Schedule to the Ordinance.

(3) Elections for an electoral area shall be held on one day followed within a period of not more than three weeks by elections for the electoral divisions when required.

(4) A candidate for elections to an electoral area may be a candidate for election to a vacancy in an electoral division —

- (i) if he is unsuccessful in an election to an electoral area; and
- (ii) he is not barred from standing for election under subsection (5).

(5) Any candidate who fails to obtain one-tenth or more of the total number of votes polled for in an electoral area election shall be barred from standing for an electoral division election."

Addition of new section 3A.

4. The principal Ordinance is amended by the addition after section 3, of the following new section —

"Representation of Electorates.

3A. Six members shall be elected to the Legislative Council in accordance with the provisions of this Ordinance to represent the following electoral areas and electoral divisions —

(1) one member shall be elected for each of the electoral areas of East Stanley, West Stanley, East Falklands and West Falklands.

(2) One member shall be elected for each electoral division of Stanley and of Camp."

Amendment of section 4.

5. Section 4 of the principal Ordinance is amended —

- (a) by the insertion after the words "electoral area" of the following —  
"or an electoral division"; and
- (b) by the insertion after the words "in the area" of the following —  
"or in the division".

Amendment of section 5.

6. Section 5 of the principal Ordinance is amended by the insertion after the words "electoral area" of the following —  
"or electoral division"

7. Section 6 of the principal Ordinance is amended —

Amendment of section 6.

- (a) in paragraph (a) by the deletion of "21" and the substitution of the following —  
"18";

- (b) by the deletion of paragraph (c) and the substitution of the following new paragraph —

"(c) has continuously resided in the Colony during the qualifying period and is normally resident in the electoral area or the electoral division on qualifying day."

- (c) by the deletion of the first proviso and the substitution of the following —

"Provided that a person who is normally resident in an electoral area or an electoral division shall be deemed to be resident therein on the qualifying day notwithstanding his absence overseas or otherwise on that day, if he intends to resume actual residence within six months from the date of his departure from the area or division."

- (d) in the second proviso by the insertion after the words "electoral area" of the following —  
"or electoral division".

- (e) by the insertion of a third proviso —

"Provided further that a person born in the Colony who is normally resident in an electoral area or an electoral division shall be deemed to be resident therein on the qualifying day notwithstanding his absence from his electoral area or electoral division for a period not exceeding six months during the qualifying period."

8. Section 7 of the principal Ordinance is repealed and replaced by the following —

Repeal and replacement of section 7.

"Register of electors.

7. (1) It shall be the duty of every registration officer to prepare and publish once in each year, should the Governor so decide, a register of electors for his electoral area or electoral division and every such register shall —

- (a) be published in the Gazette not later than the 15th day of September in each year;
- (b) come into force immediately; and
- (c) remain in force until the register next compiled is published.

(2) 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 allotted to each name.

(3) The register of electors 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 or electoral division."

9. Section 8 of the principal Ordinance is amended —

Amendment of section 8.

- (a) by the insertion after the word "area" wherever it occurs, the following —  
"or division";

- (b) in subsection (1) by the insertion after the words "the register" of the following —  
"and a supplement to the register containing names of postal voters";

- (c) in paragraph (a) of subsection (1) by deleting "as soon as may be after receiving such notice as is mentioned in subsection (1) of section 7 of this Ordinance"; and
- (d) in subsection (2) by deleting "one month" and the substitution of the following —  
"ten days".

Addition of new section  
8A.

10. The principal Ordinance is amended by the addition after section 8 of the following new section —

"Postal voting 8A. (1) Notwithstanding the provisions of this Ordinance every elector registered in any electoral area or electoral division who due to illness, incapacity of travelling to the voting area, intended absence at sea, or residing in any one of the remote areas mentioned in the Fifth Schedule or temporary absence from the Colony at the date of any election shall, if he so desires, complete Form F in the Third Schedule and be entered on the postal voters list which shall be prepared by the registration officer for his electoral area or electoral division.

(2) Every elector whose name is on the postal voters list for any electoral area or electoral division shall be entitled to vote by sending his ballot paper by post to the returning officer, but shall not, so long as his name is on that list, be entitled to vote in any other manner.

(3) (a) The registration officer shall each year, should the Governor so decide, prepare and add as a supplement to the register a separate list for each electoral area and each electoral division, of persons entitled to vote as postal voters;

(b) The names in the Postal Voters List shall be arranged in the same order as that in which those names appear in the register under subsection (2) of section 7;

(c) The registration officer shall keep a record of any address which may be furnished to him by or in respect of any person placed on the Postal Voters List as the address which is to be for the time being the address of the voter and, as soon as practicable, shall cause instructions to be sent to the voters as to the mode of voting under those provisions of this Ordinance.

(4) The returning officer shall, in the case of a contested election for any electoral area or any electoral division, as soon as practicable after the issue of the proclamation appointing the day on which the election is to be held, send a postal voters ballot paper in Form G in the Third Schedule to each elector whose name is on the postal voters list and who is entitled to vote at that election, to the address recorded by the registration officer, together with a declaration of identity in Form H in the Third Schedule and a certificate as contained in Form I in the Third Schedule, and if such ballot paper duly marked by the postal voter and accompanied by a declaration of identity and a certificate as contained in the Third

Schedule, is received by the returning officer before the close of the poll it shall be counted by him and treated for all purposes in the same manner as a ballot paper placed in the ballot box in the ordinary way."

11. Section 9 of the principal Ordinance is repealed.

Repeal of section 9.

12. Subsection (1) of section 10 of the principal Ordinance is amended as follows —

Amendment of section 10.

(a) by the insertion after the word "area" wherever it occurs of the following —  
"or division";

(b) by the deletion of "30" and the substitution of the following —  
"10";

(c) by the deletion of the words "Form in the Schedule" where they first occur and the substitution of the following —  
"Form A in the First Schedule";

(d) by the deletion of the words "Form in the Schedule" where they secondly appear and the substitution of the following  
"Form J in the Fourth Schedule";

(e) by the deletion of the words "to the Legislative Council (Elections) (Amendment) Ordinance 1959";

(f) by the insertion after the words "electoral area" of the following —  
"or electoral division".

13. Section 11 of the principal Ordinance is amended —

Amendment of section 11.

(a) by the deletion of the word "Magistrate" wherever it occurs and the substitution of the following —  
"Senior Magistrate";

(b) in subsection (3) by the deletion of the words "ten days" and the substitution of the following —  
"seven days".

14. Section 12 of the principal Ordinance is repealed.

Repeal of section 12.

15. Section 13 of the principal Ordinance is amended in subsection (1) by the insertion after the words "electoral area" of the following —

Amendment of section 13.

"or electoral division".

16. Section 15 of the principal Ordinance is amended —

Amendment of section 15.

(a) in subsection (1) by the insertion after the words "electoral area" of the following —  
"or electoral division"; and

(b) in subsection (2) —

(i) in paragraph (e) by the deletion of the word "district" and the insertion after the word "electoral" of the following —  
"area or electoral division"; and

(ii) by the deletion of paragraph (j) and the substitution therefor of the following —

"(j) has not ordinarily resided in the Colony for a period of not less than three years"; and

(iii) by the deletion of the full stop at the end of paragraph (k) and the substitution therefor of a colon and the word "or"; and



- (iv) by the insertion after paragraph (k) of the following new paragraph —  
“(l) is not a British Subject and has not attained the age of twenty-one years”.

Amendment of section 16.

17. Section 16 of the principal Ordinance is amended —

- (a) in subsection (1) as follows —  
(i) by the insertion after the words “Form B in the” of the following —  
“First”; and  
(ii) by the insertion after the words “electoral area” of the following —  
“or electoral division”; and  
(iii) by the addition after the words “Justice of the Peace” of the following —  
“or Commissioner for Oaths”;
- (b) in subsection (2) by the insertion after the words “electoral area” of the following —  
“or electoral division”; and
- (c) in subsection (6) by the insertion after the words “electoral area” of the following —  
“or electoral division”.

Amendment of section 19.

18. Section 19 of the principal Ordinance is amended in paragraph (a) of subsection (2) by the insertion after the words “electoral area” of the following —  
“or electoral division”.

Amendment of section 24.

19. Section 24 of the principal Ordinance is amended in subsection (1) by inserting after the words “Form C in the” of the following —  
“First”.

Amendment of section 26.

20. Section 26 of the principal Ordinance is amended —

- (a) in subsection (1) by the deletion of the words brackets and comma “(or in the case of an election in the electoral area of Stanley, two candidates)”;
- (b) in subsection (2) by substituting the word “any” for the word “each” where it appears.

Amendment of section 29.

21. Section 29 of the principal Ordinance is amended in subsection (1) by the insertion after the words “Form D in the” of the following —  
“First”;

Amendment of section 32.

22. Section 32 of the principal Ordinance is amended by the insertion —

- (a) after the words “ballot boxes” of the following —  
“and postal votes”;
- (b) after the words “electoral area” of the following —  
“or electoral division”.

Amendment of section 36.

23. Section 36 of the principal Ordinance is amended in subsection (1) by the deletion of the words “or in the case of an election in the Stanley electoral area the two candidates who have received the greatest number of votes”.

24. Section 39 of the principal Ordinance is amended —

Amendment of section 39.

- (a) in subsection (1) —  
(i) by the deletion of the words “one-eighth” and the substitution therefor of the following —  
“one tenth”; and  
(ii) by the insertion after the words “electoral area” of the following —  
“or electoral division”; and
- (b) in subsection (2) by the deletion of the words “one-eighth” and the substitution of the following —  
“one-tenth”.

25. Section 40 of the principal Ordinance is amended by the insertion after the words “electoral area” in subsection (1) of the following —

Amendment of section 40.

“or electoral division”.

26. Section 41 of the principal Ordinance is amended —

Amendment of section 41.

- (a) in paragraph (a) of subsection (1) by the insertion after the words “electoral area” where they appear of the following —  
“or electoral division”; and
- (b) in subsection (3) by the insertion after the words “electoral area” of the following —  
“or electoral division”.

27. The procedure set out in sections 7, 9 and 12 of the Legislative Council (Elections) Ordinance with the following amendments —

Saving and transitional.

- (i) by adding in sections 7 and 12 after the words “electoral area” and “electoral areas” where they appear the words —  
“or electoral division” and “or electoral divisions”; and
- (ii) by adding in section 9 after the word “area” where it appears the words —  
“or division”,

repealed or replaced by this Ordinance shall apply for the compiling of the electoral register and the supplement to the register containing the names of postal voters for the first general election to be held after the coming into force of this Ordinance.

28. The Schedule to the principal Ordinance is repealed and replaced by the following new Schedules.

Repeal of Schedule and replacement by new Schedules.

FORM A. FIRST SCHEDULE (Section 10)  
FORM OF CLAIM

To the Registration Officer ..... \* ELECTORAL AREA  
..... \* ELECTORAL DIVISION  
I claim to have my name included in the register of electors for the  
\* ELECTORAL AREA of .....  
\* ELECTORAL DIVISION of .....  
Surname (in block letters) .....  
Other names .....  
Address .....  
I certify that I am a British subject, that I have attained the age of 18 years and that I resided  
in the ..... Electoral Area/Electoral Division of .....  
since ..... and that I am normally resident in the Electoral Area/Electoral  
Division.  
Dated this ..... day of ..... 197.....

\* Delete whichever is inapplicable.

Applicant.

FORM B. NOMINATION FORM (Section 16)

Name of candidate (in full) .....  
Address .....  
Name of proposer (in full) .....  
Signature of proposer .....  
Signed by the above named (proposer) .....  
in my presence the ..... day of ..... 197.....

\* Justice of the Peace.  
\* Commissioner for Oaths.

Name of seconder (in full) .....  
Signature of seconder .....  
Signed by the above named seconder .....  
in my presence the ..... day of ..... 197.....

\* Justice of the Peace.  
\* Commissioner for Oaths.

We the undersigned being electors do hereby support the foregoing nomination —

1. ....
2. ....
3. ....
4. ....
5. ....
6. ....
7. ....

Handed in at ..... a.m. on the ..... day of ..... 197.....

\* Delete whichever is inapplicable.

Returning Officer.

FORM C. BALLOT PAPER (Section 24)

No.....  
FALKLAND ISLANDS FALKLAND ISLANDS  
LEGISLATIVE COUNCIL ELECTIONS LEGISLATIVE COUNCIL ELECTIONS  
\* ELECTORAL AREA  
\* ELECTORAL DIVISION  
BALLOT PAPER - COUNTERFOIL BALLOT PAPER

ELECTOR'S SERIAL NUMBER

Official Mark.

\* Delete whichever is inapplicable.

REVERSE

No.....  
(Corresponding with that on Counterfoil)

\* ELECTORAL AREA of .....  
\* ELECTORAL DIVISION of .....

Date .....

\* Delete whichever is inapplicable

FORM D. DECLARATION (Section 29)

I, ..... of .....  
solemnly and sincerely declare that I am the same person whose name appears as  
.....  
No. .... in the register of electors in force for the ..... \* Electoral  
Area / \* Electoral Division.

Declaration made in the presence of

Signed .....

PRESIDING OFFICER. \* Stanley.  
\* Camp.  
\* East Falklands.  
\* West Falklands.  
\* East Stanley.  
\* West Stanley.

\* Delete whichever is inapplicable.



1. The names and boundaries of each electoral division and each electoral area shall be as specified in the table hereto.
2. The boundary of the electoral divisions and electoral areas mentioned in the second and third columns of the table shall be taken to be those boundaries as constituted on the twenty-first day of June one thousand nine hundred and seventy-seven provided that any misnomer or inaccurate description of any of those electoral divisions or electoral areas shall not in any way prevent or abridge the operation of this Ordinance with respect to the subject of the description, if it is so designated as to be commonly understood.

Name	Boundaries of divisions	Boundaries of areas
Stanley	that area as defined in the Stanley rates Ordinance 1973.	
Camp	the whole of Camp other than the area of Stanley as defined in the First Schedule to the Stanley Rates Ordinance 1973.	
West Falkland		that area known as West Falkland.
East Falkland		that area of East Falkland remaining after the excision of Stanley.
West Stanley		all that area West of the middle line of Dean Street.
East Stanley		all that area East of the middle line of Dean Street.

APPLICATION TO VOTE BY POST

I, (surname) (BLOCK LETTERS) .....  
(other names) (BLOCK LETTERS) .....  
am qualified to be registered as an elector for the \* electoral area / \* electoral division of .....  
I apply to be treated as a postal voter at the electoral area / electoral division of elections because I am likely to be unable to go to the polling station due to \* illness, \* incapacity of travelling to the voting area, \* intended absence at sea, \* temporary absence from the Colony or \* residing in a remote area. My address is (address in full in block letters) .....  
Signature..... Date .....

\* Delete whichever is inapplicable.

POSTAL BALLOT PAPER

No.....  
FALKLAND ISLANDS FALKLAND ISLANDS  
LEGISLATIVE COUNCIL ELECTIONS LEGISLATIVE COUNCIL ELECTIONS  
\* ELECTORAL AREA  
\* ELECTORAL DIVISION  
BALLOT PAPER - COUNTERFOIL BALLOT PAPER  
.....  
.....  
ELECTOR'S SERIAL NUMBER .....

Official Mark

\* Delete whichever is inapplicable.

REVERSE

No.....  
(Corresponding with that on Counterfoil)

\* ELECTORAL AREA of .....  
\* ELECTORAL DIVISION of .....

Date .....

\* Delete whichever is inapplicable.

POSTAL VOTER'S DECLARATION

I, ..... of .....  
solemnly and sincerely declare that I am the same person whose name appears as

No. .... in the register of electors (postal voters list) in force for the \* Electoral Area  
of ..... / \* Electoral Division of .....

(Signed) .....

\* ELECTORAL AREA of East Falklands  
West Falklands  
East Stanley  
West Stanley

\* ELECTORAL DIVISION of Stanley  
Camp

\* Delete whichever is inapplicable.

FORM I.

(Section 8A. (4) )

POSTAL VOTER'S CERTIFICATE

ELECTION IN THE ELECTORAL AREA OF.....  
ELECTORAL DIVISION OF.....

I certify that (name).....  
who is numbered ..... in the register of electors (postal voting list) for the electoral area  
of ..... or electoral division of .....  
named above, is likely to be unable to go in person to the polling station at the election on  
(date of poll) .....  
by reason on that date of —

- \* illness.
- \* incapacity of travelling to the voting area.
- \* absence at sea, or
- \* temporary absence from the Colony.
- \* residing in a remote area.

Date ..... Signature .....

Doctor/ Justice of the Peace/ Minister of Religion/ Police Officer.

\* Delete whichever is inapplicable.

FORM J.

(Section 10)

FOURTH SCHEDULE  
FORM OF OBJECTION

(If this form is sent to the registration officer by post, postage must be prepaid)

To the registration officer for the electoral area/electoral division of .....

I hereby give you notice that I object to the entry of \* .....

as an elector ‡

The grounds of my objections are .....

I am entered in the electors lists as an elector for the above electoral area/ electoral division  
as follows x .....

Signed .....

Address .....

Date .....

\* Here insert extracts from printed electors lists, stating registration unit or name and address.

‡ Delete if inapplicable.

x Here insert extract from printed electors lists.

(Section 8A)

FIFTH SCHEDULE

Beaver Island, Carcass Island, Golding Island, Lively Island, New Island, Sea Lion Island,  
Sedge Island, Speedwell Island, West Point Island and any other island or place so designated  
by the Governor by notice in the Gazette.

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

W. A. ETHERIDGE,  
Clerk of the Legislative Council.

Ref. LEC/10/1.

Assented to in Her Majesty's name this 7th day of July 1977.

J. R. W. PARKER,  
*Governor.*

LS



No. 16

1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.  
*Governor.*

An Ordinance  
To control the use of the Stanley Airport.

(11th July 1977)

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

1. This Ordinance may be cited as the Stanley Airport (Regulations) Ordinance, 1977.

2. In this Ordinance, unless the context otherwise requires —

“airport” means all that piece or parcel of land known as Stanley Airport together with the buildings and erections thereon within the boundaries delineated on the approved plan;

“approved plan” means the latest approved by the Governor under subsection (1) of section 3 incorporating any amendments thereto as approved;

“Superintendent” means the Superintendent of Stanley Airport.

3. (1) The Governor may approve a plan delineating the area and boundaries of the airport and may from time to time approve a new plan in substitution therefor and amendments to such plan or substituted plan.

Title.

Date of commencement.

Enacting clause.

Short title.

Interpretation.

Area of airport to be shown on a plan approved by the Governor.

(2) The Governor's approval of any plan or amendments thereto under subsection (1) shall be endorsed on the plan under the hand of the Chief Secretary.

(3) A copy of the approved plan shall be kept in the office of the Superintendent.

Regulations.

4. (1) The Governor in Council may, for the purpose of controlling the use of the airport, by regulation provide for —

- (a) the preservation of order and property and the prevention of nuisance therein;
- (b) the control within the airport of aircraft on the ground;
- (c) the moving within the airport of aircraft on the ground;
- (d) the control therein or exclusion therefrom of persons, vehicles, animals and articles;
- (e) the moving within the airport of any vehicle, animal or article;
- (f) the restriction of access by the public thereto, and the days and times of admission thereto;
- (g) the control of the sale, advertisement or distribution of any goods, food or drink therein;
- (h) the designation by the Superintendent of car parks for the use of vehicles of any description or any particular type or class or for the use of persons of any particular class;
- (i) the fees payable for the use of car parks;
- (j) the control of the use of car parks;
- (k) the collection of airport revenues;
- (l) the control of unauthorized buildings being erected in the take-off flight path area;
- (m) the removal from the airport of vehicles which contravene any provision of this Ordinance, the sale of vehicles so removed, and the fees payable in respect of such removal or sale;
- (n) empowering the Superintendent, any person authorized by him in writing for the purposes of this Ordinance or any police officer to give such orders, either orally or in writing, or to do such acts as may be specified for carrying into effect any regulation.

(2) Regulations made under this section may provide that contravention of specified provisions of such regulations or of any order given under such regulations shall be an offence and may provide penalties for such offence not exceeding a fine of two hundred pounds.

Proof of area and boundaries of airport.

5. In any prosecution for an offence contrary to any regulation made under section 4, a copy of the approved plan certified by the Superintendent to be a copy of such plan shall be conclusive proof of the area and boundaries of the airport. Any such copy purporting to be certified by the Superintendent shall be deemed, until the contrary is proved, to have been certified by him.

Obligation to give information as to identification.

6. (1) Where the driver of a vehicle is alleged to be guilty of an offence under this Ordinance —

- (a) the driver of the vehicle shall on demand give to the Superintendent or any person authorized by him in writing for the purposes of this Ordinance or any police officer his correct name and address and any other information concerning the vehicle which it is in his power to give;

- (b) the owner of the vehicle shall, within fourteen days of being so required (such requirement having been made within fourteen days after the date of the alleged offence) give such information as may be required by the Superintendent or any person authorized in writing by him for the purposes of this Ordinance or any police officer as to the identity of the driver of the vehicle; and

- (c) any other person shall, within fourteen days of being so required (such requirement having been made within fourteen days after the date of the alleged offence) give such information as may be required by the Superintendent or any person authorized in writing by him for the purposes of this Ordinance or any police officer, being information which it is in his power to give and which may lead to the identification of the driver.

(2) Any person who contravenes any of the provisions of this section shall be guilty of an offence and shall be liable on conviction to a fine of two hundred pounds:

Provided that in the case of any proceedings against the owner of a vehicle it shall be a sufficient defence if he proves to the satisfaction of the court or magistrate that he did not know and could not with reasonable diligence have ascertained the identity of the driver.

(3) A requirement under paragraph (b) or (c) of subsection (1) may be in writing and may be served on the owner of the vehicle or other person, as the case may be, by post.

7. Where in any summary proceedings in respect of an offence under this Ordinance —

- (a) it is proved that a requirement under paragraph (b) of subsection (1) of section 6 that information be given as to the identity of the driver of a particular vehicle on the particular occasion to which the proceedings relate has been served by post on the defendant; and
- (b) a document purporting to be signed by the defendant and stating that he was the driver of that vehicle on that occasion is produced to the court or magistrate,

the court or magistrate may, until the contrary is proved, accept that document as evidence that the defendant was the driver of that vehicle on that occasion.

Proof in summary proceedings of identity of driver of vehicle.

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

W. A. ETHERIDGE,  
*Clerk of the Legislative Council.*

Ref. AIR/10/5.



LS

1977.

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF

JAMES ROLAND WALTER PARKER, O.B.E.

## An Ordinance

(1st January 1978)

Title.

Date of commencement.

**Enacting clause.**

Short title and commencement.

Amendment of section 21.

Repeal and replacement  
of section 11.

11. In ascertaining the chargeable income of any person engaged in a trade, business, profession or vocation, there shall be deducted or charged as the case may be any amounts authorized by the Sixth Schedule to be deducted or charged on account of depreciation or balancing charge.”.



4. The principal Ordinance is amended by adding after the Fifth Schedule the following new Schedule —

"SIXTH SCHEDULE      Section 11.  
DEPRECIATION

Interpretation.

1. In this Schedule —

"expenditure", in relation to the cost of a capital asset, means the amount spent upon the provision of that asset by the person claiming the depreciation deduction, reduced by the amount of any grant, subsidy or contribution towards that cost made by any other person or authority;

"written-down value", in relation to a capital asset, means the amount of the expenditure upon that asset less the sum of any wear and tear and depreciation deductions made in respect of that asset for all earlier years or which could have been made if the asset had been employed continuously since the expenditure was incurred in the production of income.

Deduction.

2. Where a person referred to in section 11 employs during the year immediately preceding the year of assessment in the course of his trade, business, profession or vocation any of the capital assets specified in paragraph 3 of this Schedule, there shall be allowed, upon his making a claim thereto, a deduction on account of the depreciation of such assets (in this Schedule referred to as a "depreciation deduction").

Assets  
qualifying.

3. The capital assets in respect of which a depreciation deduction may be claimed are buildings (excluding land), ships, and machinery and plant other than ships.

Amount of  
deduction.

4. The amount of a depreciation deduction shall be —

(a) where the asset is machinery or plant other than a ship, twenty-five per cent,

(b) where the asset is a ship or a building, ten per cent,

of the written-down value of the asset.

Balancing  
deduction.

5. Where during the year immediately preceding the year of assessment a capital asset in respect of which a wear and tear or a depreciation deduction has been made is sold, scrapped or destroyed and the amount of the sale proceeds or insurance recoveries is less than the written-down value, there shall be made a deduction equal to the amount of the deficiency.

Balancing  
charge.

6. Where during the year immediately preceding the year of assessment a capital asset in respect of which a wear and tear or a depreciation deduction has been made is sold or destroyed and the amount of the sale proceeds or insurance recoveries is more than the written-down value, the amount of the excess (or the total amount of all wear and tear and depreciation deductions made, if less) shall be additional income chargeable to tax for that year of assessment.

Buildings.

7. Where a building is bought or sold together with land the Commissioner shall make such apportionment of the total sum as is just for the purpose of arriving at the separate value of the building."

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

W. A. ETHERIDGE,  
*Clerk of the Legislative Council.*

Ref. INC/10/1.

1. The printed form of the Ordinance shall be signed by the Governor and shall be published in the Gazette of the Colony of the Falkland Islands.

W. A. PARKER

Governor of the Falkland Islands

Assented to in Her Majesty's name this 8th day of July 1977.

J. R. W. PARKER,  
*Governor.*

LS

No. 18

1977



Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**

JAMES ROLAND WALTER PARKER, O.B.E.  
*Governor.*

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

*(1st January 1978)*

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

1. This Ordinance may be cited as the Income Tax (Amendment) (No. 3) Ordinance 1977, and shall apply to assessments for the year of assessment commencing on the 1st day of January 1978 and to the subsequent years of assessment.

2. Section 14 of the Income Tax Ordinance (hereinafter referred to as the principal Ordinance) is amended in subsection (1) by deleting "£500" and substituting the following —

"£750"

3. Section 15 of the principal Ordinance is amended —

(a) in subsection (1), by deleting "£180" and substituting the following —

"£300"

(b) in subsection (2), by deleting "£100" and substituting the following —

"£150"

Title.

Date of commencement.

Enacting clause.

Short title and commencement.

Amendment of section 14.

Amendment of section 15.

- (c) in subsection (3) (a)
  - (i) by deleting "£200" and substituting the following —  
"£350"
  - (ii) by deleting "£100" and substituting the following —  
"£250"
- (d) in subsection (4), by deleting "£230" and substituting the following —  
"£350"
- (e) by inserting after subsection (4) the following new sub-section —
 

"Deduction in respect of wife's earned income. (5) If the total income of any individual includes any earned income of his wife there shall be a deduction of an additional one-fifth of the amount of that earned income provided that such deduction shall not in the case of any individual exceed £200."

Amendment of section 16.

- 4. Section 16 of the principal Ordinance is amended —
  - (a) in subsection (1), by deleting "£130" and substituting the following —  
"£250"
  - (b) in paragraph (i) of the proviso to subsection (1), by deleting "£150" and substituting the following —  
"£280"

Amendment of section 16A.

- 5. Section 16A of the principal Ordinance is amended by deleting "£600" wherever it occurs, and substituting the following —  
"£900"

Amendment of section 21.

- 6. Section 21 of the principal Ordinance is amended in subsection (1) by deleting from "On every" to "45 per cent" and substituting the following —

"On every pound of —

the first	£500	of chargeable income	17½ per cent
the next	£500	" "	22½ per cent
" "	£500	" "	27½ per cent
" "	£1,000	" "	35 per cent
" "	£1,000	" "	40 per cent
" "	£1,000	" "	45 per cent
the remainder of chargeable income			50 per cent."

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

W. A. ETHERIDGE,  
Clerk of the Legislative Council.

Ref. INC/10/1.

Assented to in Her Majesty's name this 21st day of July 1977.

J. R. W. PARKER,  
Governor.

LS



No. 19 1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.  
JAMES ROLAND WALTER PARKER, O.B.E.  
Governor.

# An Ordinance Further to amend the Legislative Council (Elections) 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 Legislative Council (Elections) (Amendment) (No. 2) Ordinance 1977 and shall come into operation on a day to be appointed by the Governor by notice in the Gazette. Short title and commencement.

2. Section 2 of the Legislative Council (Elections) Ordinance (hereinafter referred to as the principal Ordinance) is amended — Amendment of section 2.

(a) by inserting after the definition of "member" the following new definition —

"ordinarily resided" has the same meaning assigned thereto by the Schedule to the Falkland Islands (Legislative Council) Orders in Council 1948 to 1977;

(b) by the deletion of the definition of "qualifying period" and the substitution of the following —

"qualifying period" means —

- (i) in the case of a person born in the Colony, the preceding twelve months ending on qualifying day;
- (ii) in the case of a person not born in the Colony, the preceding three years ending on qualifying day."

Amendment of section 6.

3. Section 6 of the principal Ordinance is amended —

(a) in paragraph (c) by deleting “continuously” and substituting the following —

“ordinarily”;

(b) by deleting the third proviso.

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

W. A. ETHERIDGE,  
*Clerk of the Legislative Council.*

Ref. LEC/10/1.

Assented to in Her Majesty's name this 28th day of November 1977.

J. R. W. PARKER,  
*Governor.*

LS

No. 20



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.  
*Governor.*

An Ordinance  
Further to amend the Family Allowances  
Ordinance 1960. Title.

(1st January 1978)

Date of commencement.

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

1. This Ordinance may be cited as the Family Allowances (Amendment) Ordinance 1977 and shall come into operation on the 1st day of January 1978. Short title and commencement.

2. Section 3 of the Family Allowances Ordinance 1960 is amended in subsection (2) by substituting — Amendment of section 3. 9 of 1960.

(i) for “fifty pence”,  
“one pound”; and

(ii) for “one pound”,  
“two pounds”.

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

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. TRE/10/1.

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PART II

ORDERS, PROCLAMATIONS, Etc.



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" " 2 " "	Post Office (Amendment) Order 1977
" " 3 " "	Legislative Council (Elections) (Variation of Date) Order 1977
" " 4 " "	Fugitive Offenders (United Kingdom Dependencies) (Amendment) Order 1977
" " 5 " "	Protection of Wrecks (Designation) Order 1977
" " 6 " "	Customs (Stanley Airport) Order 1977
Proclamation No. 1 of 1977	Legislative Council, Sitting of
" " 2 " "	Legislative Council, Sitting of
" " 3 " "	Legislative Council, Dissolution of
" " 4 " "	Falkland Islands (Legislative Council) (Amendment) Order 1977 Commencement Date
" " 5 " "	Place Names
" " 6 " "	Legislative Council, Sitting of
" " 7 " "	Falkland Islands Additional Instructions 1977 — bringing into effect
Regulation No. 1 of 1977	Falkland Islands Air Navigation (Fees) Regulation 1977
" " 2 " "	Medical Fees (Amendment) Regulation 1977
" " 3 " "	Harbour (Amendment) Regulation 1977
" " 4 " "	Customs (Fees) (Amendment) Regulation 1977
Resolution No. 1 of 1977	Customs (Amendment of Duties) Resolution 1977
Rules No. 1 of 1977	Income Tax (Annual Values) Rules 1977
" " 2 " "	Dogs (Amendment) Rules 1977

## FUGITIVE OFFENDERS ACT 1967 (1967 c. 68)

### Fugitive Offenders (Designated Commonwealth Countries)

Order 1977

No. 1 of 1977.

Governor.

In exercise of the powers conferred by section 2 (1) of the Fugitive Offenders Act 1967 (as modified and adapted by the Fugitive Offenders (Falkland Islands and Dependencies) Order 1968), and the Fugitive Offenders (Overseas Territories) Order 1968, the Governor, with the approval of the Secretary of State, has made the following order.—

1. This Order may be cited as the Fugitive Offenders (Designated Commonwealth Countries) Order 1977.

2. The countries specified in the Schedule are hereby designated for the purposes of section 1 of the Fugitive Offenders Act 1967.

3. The Fugitive Offenders (Designated Commonwealth Countries) Order 1968, the Fugitive Offenders (Designated Commonwealth Countries) (No. 2) Order 1968, the Fugitive Offenders (Designated Commonwealth Countries) Order 1971, the Fugitive Offenders (Designated Commonwealth Countries) (No. 3) Order 1971, the Fugitive Offenders (Designated Commonwealth Countries) (No. 4) Order 1971 and the Fugitive Offenders (Designated Commonwealth Countries) Order 1974 are cancelled.

### SCHEDULE

Australia, and the following territories, namely the territory of Norfolk Islands, Australian Antarctic territory, the territory of Cocos (Keeling) Islands, the territory of Christmas Island, the territory of Heard and McDonald Islands and the territory of Ashmore and Cartier Islands which are treated as part of Australia.

The Commonwealth of the Bahamas.

The People's Republic of Bangladesh.

Barbados.

Botswana.

Canada.

The Cook Islands which are treated as a separate country at the request of the New Zealand Government.

The Republic of Cyprus.

Fiji.

The Gambia.

Ghana.

Grenada.

Guyana.

India.

Jamaica.

Kenya.

Lesotho.

Malawi.

Malaysia.

Malta.

Mauritius.

Nauru.

New Zealand and the territories of Niue and Tokelau Islands which are treated as part of New Zealand.

Nigeria.

Pakistan.

Independent State of Papua New Guinea.

The Republic of Seychelles.

Sierra Leone.

Singapore.

Sri Lanka.

Swaziland.

Tonga.

Trinidad and Tobago.

Uganda.

Independent State of Western Samoa.

Zambia.

By His Excellency's Command,

Chief Secretary.

# FALKLAND ISLANDS

## POST OFFICE ORDINANCE

(Chapter 52)

### Post Office (Amendment) Order 1977

No. 2 of 1977

G. J. A. SLATER,  
*Acting 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 (Amendment) Order 1977 and shall come into operation on the 1st day of October 1977. Citation and commencement.

2. Paragraph 2 of the Post Office Order 1976 is amended — Amendment of paragraph 2.

(a) by deleting sub-paragraphs (f) to (i) inclusive and substituting the following —

“Letters,  
etc. (f) Postal Packets — the rates shall be —

(i) Inland —

Not over	$\frac{1 \text{ oz}}{3 \text{ p}}$	$\frac{2 \text{ oz}}{6 \text{ p}}$	$\frac{4 \text{ oz}}{8 \text{ p}}$	$\frac{8 \text{ oz}}{15 \text{ p}}$	$\frac{1 \text{ lb}}{28 \text{ p}}$	$\frac{2 \text{ lb}}{48 \text{ p}}$	$\frac{4 \text{ lb}}{78 \text{ p}}$
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(ii) To the United Kingdom or any part of the Commonwealth —

Not over	$\frac{1 \text{ oz}}{5 \text{ p}}$	$\frac{2 \text{ oz}}{9 \text{ p}}$	$\frac{4 \text{ oz}}{12 \text{ p}}$	$\frac{8 \text{ oz}}{24 \text{ p}}$	$\frac{1 \text{ lb}}{46 \text{ p}}$	$\frac{2 \text{ lb}}{80 \text{ p}}$	$\frac{4 \text{ lb}}{£1.30}$
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(iii) To all other parts of the world —

Not over	$\frac{1 \text{ oz}}{10 \text{ p}}$	$\frac{2 \text{ oz}}{18 \text{ p}}$	$\frac{4 \text{ oz}}{24 \text{ p}}$	$\frac{8 \text{ oz}}{48 \text{ p}}$	$\frac{1 \text{ lb}}{92 \text{ p}}$	$\frac{2 \text{ lb}}{£1.60}$	$\frac{4 \text{ lb}}{£2.60}$
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Postcards. (g) Postcards — the rates shall be —

(i) Inland 2p;

(ii) United Kingdom or any part of the Commonwealth 4p;

(iii) To all other countries 7p.

Printed  
Papers. (h) Printed Papers — the rates shall be —

(i) Inland —

Not over	$\frac{2 \text{ oz}}{3 \text{ p}}$	$\frac{4 \text{ oz}}{4 \text{ p}}$	$\frac{8 \text{ oz}}{6 \text{ p}}$	$\frac{1 \text{ lb}}{11 \text{ p}}$	$\frac{2 \text{ lb}}{18 \text{ p}}$	$\frac{4 \text{ lb}}{26 \text{ p}}$
----------	------------------------------------	------------------------------------	------------------------------------	-------------------------------------	-------------------------------------	-------------------------------------

for each additional 2 lb or part thereof 13p;

(ii) To the United Kingdom or any part of the Commonwealth —

Not over	$\frac{1 \text{ oz}}{3 \text{ p}}$	$\frac{2 \text{ oz}}{4 \text{ p}}$	$\frac{4 \text{ oz}}{6 \text{ p}}$	$\frac{8 \text{ oz}}{10 \text{ p}}$	$\frac{1 \text{ lb}}{18 \text{ p}}$	$\frac{2 \text{ lb}}{30 \text{ p}}$	$\frac{4 \text{ lb}}{42 \text{ p}}$
----------	------------------------------------	------------------------------------	------------------------------------	-------------------------------------	-------------------------------------	-------------------------------------	-------------------------------------

for each additional 2 lb or part thereof 21p;

(iii) To all other countries —

Not over	$\frac{1 \text{ oz}}{5 \text{ p}}$	$\frac{2 \text{ oz}}{8 \text{ p}}$	$\frac{4 \text{ oz}}{11 \text{ p}}$	$\frac{8 \text{ oz}}{20 \text{ p}}$	$\frac{1 \text{ lb}}{36 \text{ p}}$	$\frac{2 \text{ lb}}{60 \text{ p}}$	$\frac{4 \text{ lb}}{84 \text{ p}}$
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for each additional 2 lb or part thereof 42p;

Literature for the blind — Free.

Small Packets. (i) Small Packets — the rates shall be —  
To all parts of the world —

Not over	$\frac{4 \text{ oz}}{11 \text{ p}}$	$\frac{8 \text{ oz}}{20 \text{ p}}$	$\frac{1 \text{ lb}}{36 \text{ p}}$	$\frac{2 \text{ lb}}{60 \text{ p}}$
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(b) in sub-paragraph (p) by deleting "8p" and "16p" and substituting the following respectively —  
"15p" and "20p".

Made by the Governor in Council this 6th day of September 1977.

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. P&T/2/9C.

## FALKLAND ISLANDS

### LEGISLATIVE COUNCIL (ELECTIONS) ORDINANCE (Cap. 37)

### Legislative Council (Elections) (Variation of Date) Order 1977

No. 3 of 1977.

G. J. A. SLATER,  
*Acting Governor.*

IN EXERCISE of the powers conferred by section 52 of the Legislative Council (Elections) Ordinance, the Governor has made the following order —

1. This order may be cited as the Legislative Council (Elections) (Variation of Date) Order 1977.

2. In view of the unavoidable delay in completing the poll for the West Falkland Electoral Area, Nomination Day for the Camp Division is deferred from Tuesday, the 11th day of October 1977 to Thursday, the 13th day of October 1977.

*By Command,*

D. R. MORRISON,  
*Acting Chief Secretary.*

10th October 1977.

Ref. LEC/20/3.

## FALKLAND ISLANDS

### FUGITIVE OFFENDERS ACT 1967 (1967 c. 68)

### Fugitive Offenders (United Kingdom Dependencies) (Amendment) Order 1977.

No. 4 of 1977.

J. R. W. PARKER,  
*Governor.*

IN EXERCISE of the powers conferred by section 2 (2) (c) and (3) of the Fugitive Offenders Act 1967 and the Fugitive Offenders (Falkland Islands and Dependencies) Order 1968, the Governor with the approval of the Secretary of State, has made the following Order —

1967 c. 68.  
S.I. 113 of 1968.

1. This Order may be cited as the Fugitive Offenders (United Kingdom Dependencies) (Amendment) Order 1977.

2. For the proviso set out in Article 4 of the Fugitive Offenders (United Kingdom Dependencies) Order 1969 (hereinafter referred to as "the principal Order") there shall be substituted the following —

2 of 1969.

"Provided that an offence of which a person is accused or has been convicted in the New Hebrides shall not be a relevant offence unless he is liable to be tried therefor or, as the case may be, has been convicted thereof, by the High Court of the New Hebrides or by the former High Court of the Western Pacific or by the Joint Court established for the New Hebrides."

3. For the words "British Solomon Islands Protectorate" in Article 3 of the principal Order and in the Schedule to that Order there shall be substituted the words "Solomon Islands".

4. The words "Brunei" and "The Government of Brunei" shall be omitted from the Schedule to the principal Order.

5. For the words "Her Majesty's High Commissioner for the Western Pacific or the Resident Commissioner for the New Hebrides acting with his authority" in the Schedule to the principal Order there shall be substituted the words "The Resident Commissioner in the New Hebrides".

*By Command,*

JOHN MASSINGHAM,  
*Chief Secretary.*

Ref LEG/10/22D.



# FALKLAND ISLANDS

## PROTECTION OF WRECKS ORDINANCE 1977

(No. 12 of 1977)

### Protection of Wrecks (Designation) Order 1977

No. 5 of 1977

IN EXERCISE of the powers conferred by section 3 (1) of the Protection of Wrecks Ordinance 1977 the Governor has made the following order —

1. This order may be cited as the Protection of Wrecks (Designation) Order 1977. Citation.

2. An area within 300 yards of the centre of the site of the vessel St. Mary lying wrecked at Kelp Lagoon, Fitzroy, Falkland Islands is hereby designated as a restricted area within the meaning of section 3 of the Protection of Wrecks Ordinance 1977. Designation of restricted area.

*By Command,*

JOHN MASSINGHAM,  
*Chief Secretary.*

1st December 1977

Ref. LEG/10/45

## AIR NAVIGATION (OVERSEAS TERRITORIES) ORDER 1977

### Customs (Stanley Airport) Order 1977

No. 6 of 1977

IN EXERCISE of the powers conferred by Article 76 of the Air Navigation (Overseas Territories) Order 1977 the Governor has made the following order — S.I. 1977 No. 422

1. This order may be cited as the Customs (Stanley Airport) Order 1977. Citation.

2. Stanley Airport situated at Cape Pembroke Peninsular is hereby designated a customs airport within the meaning of Article 76 of the Air Navigation (Overseas Territories) Order 1977. Designation of customs airport.

*By Command,*

JOHN MASSINGHAM,  
*Chief Secretary.*

1st December 1977

Ref. AIR/10/3 II

FALKLAND ISLANDS

PROCLAMATION

No. 1 of 1977

Made under section 24 of the Falkland Islands (Legislative Council)  
Orders in Council, 1948 to 1976.

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.

J. R. W. PARKER



*By His Excellency* JAMES ROLAND WALTER PARKER,  
ESQUIRE, *Officer 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.*

WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1976, 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, JAMES ROLAND WALTER PARKER, Officer 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 Tuesday, the 14th day of June 1977 at 10.00 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 23rd day of May in the Year of Our Lord One thousand Nine hundred and Seventy-seven.

*By His Excellency's Command,*

ARTHUR J. P. MONK,  
*Chief Secretary.*

Ref. LEC/35/1.

# PROCLAMATION

No. 2 of 1977

Made under section 24 of the Falkland Islands (Legislative Council)  
Orders in Council, 1948 to 1976.

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.

J. R. W. PARKER



*By His Excellency* JAMES ROLAND WALTER PARKER,  
ESQUIRE, *Officer 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.*

WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1976, 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, JAMES ROLAND WALTER PARKER, Officer 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 Tuesday, the 19th day of July 1977 at 3.00 p.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 11th day of July in the Year of Our Lord One thousand Nine hundred and Seventy-seven.

*By His Excellency's Command,*

ARTHUR J. P. MONK,  
*Chief Secretary.*

# FALKLAND ISLANDS

## PROCLAMATION

No. 3 of 1977

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.

J. R. W. PARKER



*By His Excellency JAMES ROLAND WALTER PARKER,  
ESQUIRE, Officer 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.*

WHEREAS it is provided by subsection (1) of Section 26 of the Falkland Islands (Legislative Council) Orders in Council, 1948-1976, 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, JAMES ROLAND WALTER PARKER, in pursuance of the powers vested in me by the said Falkland Islands (Legislative Council) Orders in Council, 1948-1976, do hereby order and proclaim the dissolution of the Legislative Council, with effect from the 20th day of July 1977.

GOD SAVE THE QUEEN

Given at Government House, Stanley, this 19th day of July 1977.

*By His Excellency's Command,*

ARTHUR J. P. MONK,  
*Chief Secretary.*

Ref. LEC/35/1.



FALKLAND ISLANDS

PROCLAMATION

No. 4 of 1977

By His Excellency JAMES ROLAND WALTER PARKER, Esquire, Officer 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 and Vice-Admiral of the same.

WHEREAS it is provided by subsection (3) of section 1 of the Falkland Islands (Legislative Council) (Amendment) Order 1977 that the said Order shall come into operation on a date to be notified by the Governor by Proclamation in the Gazette, which shall be a date not earlier than the day after the date of dissolution of the existing Legislative Council:

AND WHEREAS the existing Legislative Council was dissolved on the 20th day of July 1977:

NOW, THEREFORE, I, JAMES ROLAND WALTER PARKER, do hereby PROCLAIM that the Falkland Islands (Legislative Council) (Amendment) Order 1977 shall come into operation on the 21st day of July 1977.

Given under my hand and the Public Seal of the Colony of the Falkland Islands this 20th day of July 1977.



J. R. W. PARKER,  
*Governor.*

GOD SAVE THE QUEEN

Ref. LEG 10/32II.

## FALKLAND ISLANDS

# PROCLAMATION

No. 5 of 1977

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.

BY HIS EXCELLENCY JAMES ROLAND WALTER PARKER, ESQUIRE, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, and Vice-Admiral of the same.

WHEREAS it is provided by section 2 of the Place-Names Ordinance 1956 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. 3 of 1975 should be added to and altered:

NOW, THEREFORE, I, JAMES ROLAND WALTER PARKER, do hereby DECLARE the place-names in the Dependencies of the Colony of the Falkland Islands, listed in the Gazetteer of the Falkland Islands Dependencies (South Georgia and the South Sandwich Islands) published by Her Majesty's Stationery Office, London, and dated the 1st December 1976 to be accepted as place-names for official use.

Proclamations No. 1 of 1963, No. 3 of 1964, No. 1 of 1974 and No. 3 of 1975 are hereby cancelled.

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



J. R. W. PARKER,  
*Governor.*

GOD SAVE THE QUEEN

# FALKLAND ISLANDS

## PROCLAMATION

No. 6 of 1977

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.

BY HIS EXCELLENCY JAMES ROLAND WALTER PARKER, ESQUIRE, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, and Vice-Admiral of the same.

WHEREAS it is provided by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders 1948 to 1977 that the sittings of the Legislative Council shall be held at such times and places as the Governor shall from time to time appoint by proclamation published in the Gazette:

NOW, THEREFORE, I, JAMES ROLAND WALTER PARKER, do hereby PROCLAIM that the next sitting of the Legislative Council of the Falkland Islands shall be held at 10.00 o'clock in the forenoon of Monday, the 21st day of November 1977, at the Court and Council Chambers in the town of Stanley in the Falkland Islands.

Given under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, Falkland Islands this 31st day of October in the year of Our Lord One thousand nine hundred and seventy-seven.

LS

J. R. W. PARKER,  
*Governor.*

GOD SAVE THE QUEEN

Ref. LEC/35/1.

## FALKLAND ISLANDS

# PROCLAMATION

No. 7 of 1977

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.

BY HIS EXCELLENCY JAMES ROLAND WALTER PARKER, ESQUIRE, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, and Vice-Admiral of the same.

WHEREAS it is provided by paragraph (2) of clause 1 of the Falkland Islands Additional Instructions 1977 that the said Additional Instructions shall take effect on a date to be notified by the Governor by Proclamation in the Gazette, being the date on which the Legislative Council first meets after the coming into force of the Falkland Islands (Legislative Council) (Amendment) Order 1977.

AND WHEREAS the said Falkland Islands (Legislative Council) (Amendment) Order 1977 came into force on the 21st day of July 1977:

AND WHEREAS the Legislative Council first meets after the coming into force of the said Falkland Islands (Legislative Council) (Amendment) Order 1977 on the 21st day of November 1977:

NOW, THEREFORE, I, JAMES ROLAND WALTER PARKER, do hereby PROCLAIM that the Falkland Islands Additional Instructions 1977 shall take effect on the 21st day of November 1977.

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, Falkland Islands, this 21st day of November in the year of Our Lord One thousand Nine hundred and Seventy-seven.



J. R. W. PARKER,  
*Governor.*

GOD SAVE THE QUEEN

Ref. LEG/10/32II.

# FALKLAND ISLANDS

## AIR NAVIGATION (OVERSEAS TERRITORIES) ORDER 1977 (S. I. 1977/422)

### Falkland Islands Air Navigation (Fees) Regulations 1977

No. 1 of 1977.

G. J. A. SLATER,  
*Acting Governor.*

IN EXERCISE of the powers conferred by Article 91 of the Air Navigation (Overseas Territories) Order 1977, the Governor has made the following regulations —

1. These regulations may be cited as the Falkland Islands Air Navigation (Fees) Regulations 1977 and shall come into operation on the 1st day of October 1977. Citation and commencement.
2. In these regulations, unless the context otherwise requires "Order" means the Air Navigation (Overseas Territories) Order 1977. Interpretation.
3. The fees specified in the Schedule shall be payable for the purposes of the Air Navigation (Overseas Territories) Order 1977. Fees.

#### SCHEDULE

Regulation 3.

#### FEES

##### Certificate of Registration (Article 4(8))

1. The fee to be paid for the issue of a certificate of registration of an aircraft pursuant to Article 4(8) of the Order shall be in accordance with the following scale —

Where the maximum total weight —

	£
(a) does not exceed 6,000 lb	1.50
(b) exceeds 6,000 lb but does not exceed 12,500 lb	6.00
(c) exceeds 12,500 lb but does not exceed 30,000 lb	12.50
(d) exceeds 30,000 lb but does not exceed 100,000 lb	30.00
(e) exceeds 100,000 lb	50.00

For the purposes of this paragraph "maximum total weight" means the maximum total weight authorized in the certificate of airworthiness in force in respect of the aircraft or, if no such certificate is in force, in the certificate of airworthiness last in force in respect of that aircraft. In any case "maximum total weight" means the maximum total weight authorized of the prototype or modification thereof to which the aircraft in the opinion of the Governor conforms.

##### Permit for an aircraft to fly without a Certificate of Airworthiness (Article 7(1))

2. The fees to be paid in respect of an application for a permit to fly in pursuance of proviso (e) to Article 7(1) of the Order shall be as follows —

For any investigations required by the Governor in connection with the application, a fee of an amount equivalent to the cost of making such investigations but not exceeding 50p per lb of the maximum total weight of the aircraft for any year, or part of a year, of the period required for carrying out the investigations.

For the permit, a fee of £1.

For the purpose of this paragraph "maximum total weight" means the maximum total weight specified in the application for the permit.

##### First Issue of Certificate of Airworthiness (Article 8(1))

3. Where an application is made for the first issue of a certificate of airworthiness in respect of an aircraft there shall be paid for the investigations required by the Governor in pursuance of Article 8(1) of the Order (not including the investigation of any aircraft engine) a fee of an amount equal to the



cost of making the investigations but not exceeding £1 per lb of the maximum total weight of the aircraft for any year, or part of the year, of the period required for carrying out the investigations:

Provided that —

- (1) in the case of an aircraft which in the opinion of the Governor conforms to a prototype aircraft or to a modification of a prototype aircraft, the fee to be paid shall be —
- |   | £    |
|---|------|
| (a) in the case of a glider of which the maximum total weight does not exceed 2,000 lb ... ..                 | 2.00 |
| (b) in the case of a glider of which the maximum total weight exceeds 2,000 lb ... ..                         | 5.00 |
| (c) in any other case, a fee in accordance with the following table —   |      |
| (i) when the maximum total weight does not exceed 2,000 lb in respect of each 1,000 lb or part thereof ... .. | 5.00 |
| (ii) when the maximum total weight exceeds 2,000 lb in respect of each 1,000 lb or part thereof ... ..        | 7.00 |
- (2) in the case of an aircraft which in the opinion of the Governor is a modification of a prototype aircraft the fee shall not be less than that which would have been payable if paragraph (1) of this proviso had applied.

For the purpose of this paragraph "maximum total weight" means the maximum total weight specified in the application for the certificate.

### Approval of Engine

(Article 8(1))

4. The fees to be paid in respect of an application for the approval of an engine, whether in connection with an application for the issue or renewal of a certificate of airworthiness or for any other of the purposes of the Order (including any investigations required for the purpose) shall be in accordance with the following scale —

- | (a) When the power output of the engine as determined by the Governor —  | £    |
|--|------|
| (i) does not exceed 200 B.H.P. or 500 lb thrust ... ..   | 2.00 |
| (ii) exceeds 200 B.H.P. or 500 lb thrust but does not exceed 500 B.H.P. or 1,250 lb thrust ... ..  | 4.00 |
| (iii) exceeds 500 B.H.P. or 1,250 lb thrust but does not exceed 1,000 B.H.P. or 2,500 lb thrust ... ..   | 6.00 |
| (iv) exceeds 1,000 B.H.P. or 2,500 lb thrust but does not exceed 2,000 B.H.P. or 5,000 lb thrust ... ..  | 8.00 |
| (b) When the power output as so determined exceeds 2,000 B.H.P. or 5,000 lb thrust, in respect of the first 2,000 B.H.P. or 5,000 lb thrust ... .. | 8.00 |
| and in respect of each additional 100 B.H.P. or 250 lb thrust ... ..   | 0.50 |

### Second or Subsequent Issue or Renewal of Certificate of Airworthiness

(Article 8(1) and (6))

5. When an application is made for the second or subsequent issue or the renewal of a certificate of airworthiness in pursuance of Article 8 (1) or (6) of the Order, the fee to be paid in respect thereof (including any investigations required in connection with the application) shall be £3 in the case of a glider where the maximum total weight authorized of the glider does not exceed 2,000 lb, and in any other case shall be in accordance with the following sub-paragraphs —

- |  | £    |
|--|------|
| (a) When the maximum total weight authorized for the aircraft does not exceed 2,000 lb, in respect of each 1,000 lb or part thereof ... ..                       | 5.00 |
| (b) When the maximum total weight authorized for the aircraft exceeds 2,000 lb, but does not exceed 5,000 lb, in respect of each 1,000 lb or part thereof ... .. | 7.00 |
| (c) When the maximum total weight authorized for the aircraft exceeds 5,000 lb, in respect of each 1,000 lb or part thereof ... ..                               | 9.00 |

### Validation of Certificate of Airworthiness

(Article 8(5) and (6))

6. The fee to be paid in respect of an application for —

- (1) the first issue of a certificate of validation of a certificate of airworthiness in respect of any aircraft in pursuance of Article 8(5) of the Order (including any investigation required in connection with the application) shall be the same as the fee which would be paid under paragraph 3 of this Schedule in respect of an application for the first issue of a certificate of airworthiness in respect of that aircraft, assuming it to be an aircraft which in the opinion of the Governor was a modification of a prototype aircraft;

- (2) the second or subsequent issue or the renewal of such certificate of validation in pursuance of Article 8(5) and (6) of the Order shall be the same as the fee which would be paid under paragraph 5 of this Schedule in respect of the second or subsequent issue or the renewal of a certificate of airworthiness in respect of that aircraft.

### Approval of Persons

(Articles 8(8) and 11(5) (f))

7. The fee to be paid by a person for the making of inspections of his organisation for the purposes of Articles 8(8) and 11(5) (f) of the Order shall be £50 per annum for each branch of the organisation which is separately inspected.

### Approval in respect of aircraft and equipment including modification, repair, etc (excluding engines and radio apparatus)

(Articles 8(7), 11(4) and 13(2))

8. The fee to be paid in respect of an application for approval pursuant to any requirement of Articles 8(7), 11(4) or 13(2) of the Order (other than for approval of an engine) shall be an amount equivalent to the cost of making the investigations which the Governor deems necessary for the purpose but not exceeding £1,000 for any year, or part of a year, of the period required for carrying out the investigations.

### Approval of type, etc., of Radio Apparatus

(Article 14(5))

9. The fee to be paid in respect of an application for the approval by the Governor of radio apparatus or the manner of the installation thereof, or of any modification of the apparatus or the manner of its installation, for the purpose of Article 14(5) of the Order shall be an amount equivalent to the cost of making the investigation which the Governor deems necessary for the purpose but not exceeding £1,000 for any year, or part of a year, of the period required for carrying out the investigations.

### Licences for Aircraft Maintenance Engineers and Aircraft Radio Maintenance Engineers

(Article 12)

10. The fee to be paid in respect of a licence as an aircraft maintenance engineer or aircraft radio maintenance engineer in pursuance of Article 12 of the Order shall be as follows —

- |   | £    |
|---|------|
| In respect of an application for a licence ... ..                                       | 5.00 |
| In respect of an application for the extension of a rating included in a licence ... .. | 3.50 |
| In respect of an application for the renewal of a licence —                             |      |
| if the applicant is not required to pass an examination ... ..                          | 2.50 |
| if the applicant is required to pass an examination ... ..                              | 5.00 |

Provided that the fees specified above shall cover only one examination in respect of the inclusion or extension of a rating in a licence and, if an additional examination is required in respect of such inclusion or extension, the fee to be paid for such additional examination shall be £3.50.

### Licences for Flight Crew (Article 19) and Ratings therein

(Article 20(1) (a) and 20(1) (d))

11. (1) The following fees shall be paid on application for the grant or renewal of a licence to act as —

- |  | £    |
|--|------|
| (a) a professional pilot ... ..  | 5.00 |
| (b) a flight navigator, or a flight engineer, or a flight radiotelegraphy operator (except when the applicant is the holder of a flight radiotelegraphy operator's temporary licence), or a private pilot ... ..   | 3.00 |
| (c) a flight radiotelephony operator, whether the licence is general or restricted (except where the applicant is the holder of a licence to act as a pilot, flight navigator, flight engineer or flight radiotelegraphy operator) or a student pilot ... .. | 2.00 |

(2) The following fees shall be paid on application for the grant or renewal of any licence to act as a member of the flight crew of an aircraft or for the inclusion or renewal of a rating in such a licence, in respect of such of the following examinations as may be required —

- |   | £    |
|---|------|
| (a) For an official general examination on aircraft —                 |      |
| (i) for the full examination ... ..                                   | 3.00 |
| (ii) for a part of the examination ... ..                             | 2.00 |
| (b) For an official examination on the performance of aircraft ... .. | 5.00 |

- (c) For an official technical examination on application for the inclusion of an aircraft rating for a single type of aircraft in a licence or for the extension of such a rating to include any additional type of aircraft — £
- (i) if the maximum total weight authorized of the aircraft does not exceed 12,500 lb ... 6.00
- (ii) if the maximum total weight authorized of the aircraft exceeds 12,500 lb ... 9.00
- (d) For an official examination in radiotelephony which consists of not more than two parts —
- for each part of the examination, on each occasion when that part is taken ... 1.00
- (e) For an official examination on the Morse code ... 1.00
- (f) For any other official technical examination, which consists of not more than 11 parts —
- for each part of the examination on each occasion when that part is taken ... 2.00
- (g) For an official flying test on application for the inclusion in a pilot's licence of a flying instructor's rating or an assistant flying instructor's rating or for the renewal of such a rating ... 5.00
- (h) For any other official flying test, by day or by night ... 10.00
- (3) For the purposes of this paragraph —
- "a licence to act as a professional pilot" means a licence of one of the following classes —
- Commercial Pilot's Licence (Aeroplanes)
- Senior Commercial Pilot's Licence (Aeroplanes)
- Airline Transport Pilot's Licence (Aeroplanes)
- Commercial Pilot's Licence (Helicopters and Gyroplanes)
- Airline Transport Pilot's Licence (Helicopters and Gyroplanes)
- Commercial Pilot's Licence (Balloons)
- Commercial Pilot's Licence (Airships)
- Commercial Pilot's Licence (Gliders)
- Commercial Pilot's Licence (Flying Machines)
- Senior Commercial Pilot's Licence (Flying Machines)
- Airline Transport Pilot's Licence (Flying Machines):
- "a licence to act as a private pilot" means a licence of one of the following classes —
- Private Pilot's Licence (Aeroplanes)
- Private Pilot's Licence (Helicopters and Gyroplanes)
- Private Pilot's Licence (Balloons and Airships)
- Private Pilot's Licence (Flying Machines).

### Official Medical Examination

12. The fees to be paid for an official medical examination, when required, shall be as follows —
- (a) On application for the grant of any licence to act as a member of the flight crew of an aircraft (including a student pilot's licence) or as an air traffic controller or student air traffic controller ... £ 10.00
- Provided that where the Governor is satisfied that the applicant has previously been medically examined in connection with an application for a licence for which there is required a standard of medical fitness not inferior to that required for the licence for which the application is made the fee shall be ... 3.00
- (b) For any other purpose of the Order or any regulations made thereunder ... 3.00

### Aerodrome Licences

(Article 68)

13. Subject to the provisions of this paragraph the fees to be paid in respect of aerodrome licences shall be as follows —

	£
For an official inspection of an aerodrome not followed by the grant or renewal of a licence ...	7.50
For the grant of a licence for a period not exceeding three days, including the official inspection of the aerodrome ...	7.50
For the grant or renewal of a licence for a period exceeding three days, including official inspection of the aerodrome ...	The fee specified in the table at the foot of this paragraph
For the variation of a licence ...	5.00

Provided that where a licence is granted or renewed for a period which will expire within twelve months from the date on which the grant or renewal becomes operative and an application is made for the renewal of the licence, or for the grant of a further licence to the same person for the same aerodrome, for any subsequent period falling within those twelve months, then —

- (a) if the application is for the renewal of the licence without variation or for the grant of a further licence on the same terms as the previous licence, no fee shall be payable in respect of the renewal or grant; and
- (b) if the application is for the renewal of the licence with variations or for the grant of a further licence on terms different from those of the previous licence, the application shall be treated for the purpose of this paragraph as if it were an application for the variation of a licence.

### Table

Fee payable  
£

The weight certified in the application for the grant or renewal of the licence as being the maximum total weight authorized of the heaviest aircraft which the applicant expects to use the aerodrome, while the licence is in force, for the purpose of the public transport of passengers or of instruction in flying —

Not exceeding 6,500 lb ...	10.00
Exceeding 6,500 lb but not exceeding 15,000 lb ...	25.00
Exceeding 15,000 lb ...	50.00

### Validation of a Licence

(Articles 12(5) and 21)

14. Where an application is made for the issue of a certificate of validation of a licence under the Order the following fees shall be paid —

For an official medical examination (if required)	In each case the fees appropriate in the grant of a licence equivalent to that for which validation is sought.
For a technical examination (if required)	
For an official flying test (if required)	
For a certificate ...	1.50

### Copies of Documents

15. The fee to be paid for the issue by the Governor of a copy or replacement of a document issued under the Order or under regulations made thereunder shall be £1:

Provided that for a copy or replacement of a flight manual or performance schedule relating to a certificate of airworthiness the fee shall be an amount equal to the cost of preparing the copy or replacement as the case may be, but shall not exceed £8.

By Command,

ARTHUR J. P. MONK,

Chief Secretary.

Ref. AIR/10/2.

# FALKLAND ISLANDS

## PUBLIC HEALTH ORDINANCE

(Chapter 54)

### Medical Fees (Amendment) Regulations 1977

No. 2 of 1977.

J. R. W. PARKER,  
*Governor.*

IN EXERCISE of the powers conferred by section 55 of the Public Health Ordinance, the Governor in Council has made the following regulations —

1. These regulations may be cited as the Medical Fees (Amendment) Regulations 1977 and shall come into operation on the 1st day of August 1977.

Citation and commencement.

2. Schedule A to the Medical Fees Regulations 1973 (hereinafter referred to as the principal regulations) is amended —

Amendment of Schedule A.  
(5 of 1973)

(a) by deleting paragraph 1 and substituting the following —

"Attendance  
of medical  
officer.

1. (1) Attendance by a medical officer to a person normally resident in the Colony —

(a) for the first visit ... 50p;

(b) for each subsequent visit ... 30p;

Provided that such fees may be doubled in the case of a visit made between 7 p.m. and 7 a.m., if, in the opinion of the medical officer, the circumstances do not warrant a night call.

(2) Attendance by a medical officer to a person not normally resident in the Colony the charge shall be £5 per visit .";

(b) in paragraph 3 by deleting "22p" and "19p" and substituting the following respectively —

"30p" and "25p";

(c) in sub-paragraph (b) of paragraph 6 (1) by deleting "£50" and substituting the following —

"£100";

(d) in sub-paragraph (c) of paragraph 6 (1) by deleting "£1" and substituting the following —

"£5".

3. Schedule B to the principal regulations is amended —

Amendment of Schedule B.

(a) by deleting paragraph 1 and substituting the following —

"Out-patients  
fees.

1. (1) The following out-patient fees shall be charged in respect of persons normally resident in the Colony —

(a) for the first consultation ... 30p;

(b) for each subsequent consultation ... 25p;

Provided that special diagnostic, medical, surgical or laboratory services may be charged at a higher rate but not exceeding £9.50.

(2) In the case of a person not normally resident in the Colony the charge for each consultation shall be £5. Special services may be charged at a higher rate.";

- (b) in sub-paragraph (a) of paragraph 2 by deleting "£1.50" and "£3.00" and substituting the following respectively —  
"£2.00" and "£4.00";

- (c) by deleting sub-paragraph (b) of paragraph 2 and substituting the following —

"(b) Persons who are not normally resident in the Colony in a private or general ward —  
£25 per day or part day.";

- (d) by deleting sub-paragraph (b) of paragraph 3 and substituting the following —

"(b) Persons not normally resident in the Colony —  
(i) for delivery £150;  
(ii) Caesarian section £250.";

- (e) by deleting sub-paragraph (1) of paragraph 4 and substituting the following —

"X-ray examinations. 4. (1) The following charges shall be made in respect of X-ray examinations —

- (a) Persons normally resident in the Colony —  
(i) Skiagram — 30p to £1.30;  
(ii) Barium series and IVP — £3.95;  
(b) Persons not normally resident in the Colony  
(i) Skiagram — £5;  
(ii) Barium series and IVP — £30.";

- (f) by deleting paragraph 5 and substituting the following —

"Surgical operations. 5. The following charges shall be made in respect of surgical operations —

- (a) Persons normally resident in the Colony —  
(i) Minor operations — £1.30 to £3.95;  
(ii) Major operations (which shall include abdominal operations) £6.55 to £19.70 inclusive of anaesthetic;  
(b) Persons not normally resident in the Colony  
(i) Minor operations — £10;  
(ii) Major operations (which shall include abdominal operations) £25 to £300 inclusive of anaesthetic.";

- (g) by inserting after paragraph 5 the following new paragraph—

"Blood transfusion. 6. Blood transfusion — Persons not normally resident in the Colony £15 per unit of blood.".

Amendment of Schedule D.

4. Schedule D to the principal regulations is amended by inserting after item 7 the following new item —

"8. The following charges shall be levied on persons not normally resident in the Colony —

- |                              |     |             |    |
|------------------------------|-----|-------------|----|
| (a) For each consultation    | ... | ...         | £5 |
| (b) X-ray                    | ... | ...         | £5 |
| (c) Special dental treatment | ... | £5 to £25   |    |
| (d) Dental appliances        | ... | £5 to £25." |    |

5. Schedule F to the principal regulations is amended in paragraph 2 by deleting "£2.52", "£5.04" and "£2.50" and substituting the following respectively —  
"£3.24", "£6.48" and "£3.25".

Amendment of Schedule F.

Made by the Governor in Council this 20th day of July 1977.

W. A. ETHERIDGE,  
Clerk of the Executive Council.

Ref. MED/2/2.

# FALKLAND ISLANDS

## HARBOUR ORDINANCE

(Chapter 30)

### Harbour (Amendment) Regulations 1977

No. 3 of 1977.

G. J. A. SLATER,  
*Acting Governor.*

IN EXERCISE of the powers conferred by section 3 of the Harbour Ordinance, the Governor in Council has made the following regulations —

1. These regulations may be cited as the Harbour (Amendment) Regulations 1977, and shall come into operation on the 1st day of October 1977.

Citation and commencement.

2. Item 2 of Schedule III to the Harbour Regulations is amended in the third column by deleting "£20" and substituting the following —

Amendment of Schedule III.

"£35".

Made by the Governor in Council this 6th day of September 1977.

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. CUS/10/3.



# FALKLAND ISLANDS

## CUSTOMS ORDINANCE

(Chapter 16)

### Customs (Fees) (Amendment) Regulations 1977

No. 4 of 1977.

G. J. A. SLATER,  
*Acting Governor.*

IN EXERCISE of the powers conferred by section 230 of the Customs Ordinance, the Governor in Council has made the following regulations —

1. These regulations may be cited as the Customs (Fees) (Amendment) Regulations 1977 and shall come into operation on the 1st day of October 1977. Citation and commencement.

2. The Customs (Fees) Regulations 1975 are amended by adding, after regulation 4, the following regulation — Addition of regulation 4A.

“Entering or clearing other than at declared port. 4A. Entering or clearing at any place other than a declared port, the fee shall be £100 plus the full cost of the return fare of the Customs Officer.”.

Made by the Governor in Council this 6th day of September 1977.

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. CUS/10/1.

# FALKLAND ISLANDS

## CUSTOMS ORDINANCE

(Chapter 16)

### Resolution of the Legislative Council.

No. 1 of 1977.

J. R. W. PARKER,  
*Governor.*

RESOLUTION made and passed by the Legislative Council under section 5 of the Customs Ordinance on the 21st day of June 1977.

THIS RESOLUTION may be cited as the Customs (Amendment of Duties) Resolution 1977 and shall come into operation on the 21st day of June 1977. Citation and commencement.

IT IS HEREBY RESOLVED in exercise of the powers conferred by section 5 of the Customs Ordinance that paragraph 2 of the Customs Order be amended by deleting "£12.00", "78p", "90p", "£4.20", "£2.88" and "£2.40" and substituting the following — Amendment of paragraph 2.  
(Cap. 16 sub. leg.)

"£13.50", "90p", "£1.10", "£5.00", "£3.30" and "£2.80" respectively.

W. A. ETHERIDGE,  
*Clerk of the Legislative Council.*

Ref. CUS/10/1.

FALKLAND ISLANDS

INCOME TAX ORDINANCE  
(Cap. 32)

Income Tax (Annual Values) Rules 1977

(under sections 5 (b) (ii) and 5 (c) of the Ordinance)

No. 1 of 1977.

J. R. W. PARKER,  
Governor.

IN EXERCISE of the powers conferred by sections 5 (b) (ii) and 5 (c) of the Income Tax Ordinance, the Governor in Council has made the following rules —

1. (1) These rules may be cited as the Income Tax (Annual Values) Rules 1977.

(2) The provisions of these Rules shall have effect with respect to tax chargeable for the year of assessment commencing on the 1st day of January 1978, and for all subsequent years of assessment.

2. For the purposes of prescribing the annual value of any allowance in respect of employment received otherwise than in money, the following shall be deemed to be chargeable income under section 5 (b) (ii) of the Income Tax Ordinance —

- (a) the estimated value of any light, power or fuel supplied free of charge by an employer;
- (b) the value of any board, lodging 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.

3. The following values are hereby prescribed for the purposes of sections 5 (b) (ii) and 5 (c) of the Income Tax Ordinance —

(i)	Farm manager's house outside Stanley	...	£120
(ii)	Married employee with outside house	...	nil.
(iii)	Employee with settlement house	...	£70
(iv)	Single employee in outside house	...	nil.
(v)	Single employee in cookhouse	...	£30
(vi)	Ships' personnel	...	£180
(vii)	Servants living in	...	£120
(viii)	Staff, other than servants, living in institutional accommodation —		
(a)	Accommodation, including fuel, light or power	...	£120
(b)	Food per adult person	...	£135
(ix)	Persons provided with free fuel in Stanley	...	£54
(x)	Persons provided with free light or power in Stanley	...	£18
(xi)	Employee provided with free board and lodging in Stanley other than those living in institutional accommodation —		
	Single employee	...	£255
	Married couples	...	£350
	Married couples with children	...	£350 + £50
			for each child

(xii) Persons provided with a house in Stanley —

CATEGORY (A)

A house in which any person can be expected to live —  
Furnished £3.75 per room per month.  
Unfurnished £3.00 per room per month.

CATEGORY (B)

A house, equal in all respects to those in category (A) but which has permanent disadvantages, such as semi-detached properties with over-thin dividing walls —

Furnished £3.40 per room per month.

Unfurnished £2.60 per room per month.

CATEGORY (C)

Other houses lacking privacy and which have to be decorated by the occupant —

Furnished £2.60 per room per month.

Unfurnished £2.00 per room per month.

Exclusion of bathroom,  
etc.

4. For the purposes of these Rules a room shall not include a garage, outbuilding, porch, bathroom, hall or passage, and no house shall be deemed to contain more than seven rooms.

Revocation.  
(3 of 1968)

5. The Income Tax (Annual Values) Rules 1968, are revoked.

Made by the Governor in Council on the 19th day of July 1977.

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. INC/10/5.

# FALKLAND ISLANDS

## DOGS ORDINANCE (Cap. 21)

### Dogs (Amendment) Rules 1977

No. 2 of 1977.

G. J. A. SLATER,  
*Acting Governor.*

IN EXERCISE of the powers conferred by section 13 of the Dogs Ordinance, the Governor in Council has made the following rules —

1. These rules may be cited as the Dogs (Amendment) Rules 1977 and shall come into operation on the 1st January 1978. Citation and commencement.

2. Rule 3 of the Dogs Rules is amended by the deletion of the words "one pound fifty pence" and the substitution therefor of the following — Amendment of Rule 3.  
(Vol. II. p. 181)

"five pounds".

Made by the Governor in Council this 2nd day of September 1977.

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. AGR/10/4.





Colony of the  
Falkland Islands and Dependencies

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Ordinances,  
Orders, Proclamations, etc.  
1978

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Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,  
Governor.

LS



No. 1

1978

## Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
Governor.

### An Ordinance

To provide for the service of the year 1978-79. Title.

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

1. This Ordinance may be cited for all purposes as the Appropriation (1978-79) Ordinance 1978. 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 1978 to 30th June 1979, a sum not exceeding Three million, three hundred and ninety-three thousand, eight hundred and twenty-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 1978-79.

Appropriation of  
£3,393,827 for the service  
of the year 1978-79.

## SCHEDULE

Number	HEAD OF SERVICE	£
I.	The Governor ... ..	34,718
II.	Agriculture ... ..	15,564
III.	Aviation ... ..	139,195
IV.	Customs and Harbour ... ..	57,860
V.	Education ... ..	199,119
VI.	Medical ... ..	238,620
VII.	Meteorological ... ..	13,292
VIII.	Military ... ..	6,380
IX.	Miscellaneous ... ..	29,390
X.	Pensions and Gratuities ... ..	40,862
XI.	Police and Prisons ... ..	31,616
XII.	Posts and Telecommunications ... ..	142,364
XIII.	Public Works ... ..	203,814
XIV.	Public Works Recurrent ... ..	181,180
XV.	Public Works Special ... ..	42,900
XVI.	Secretariat, Treasury and Central Store ... ..	180,084
XVII.	Overseas Passages ... ..	114,800
XVIII.	Social Welfare ... ..	62,756
XIX.	Supreme Court and Legal ... ..	17,603
XX.	Training ... ..	15,000
Total Ordinary Expenditure ... ..		1,767,117
Development A		
Expenditure to be met from Colony funds ... ..		145,640
Development B		
Expenditure to be met from U.K. Aid ... ..		1,481,070
Total Expenditure ... ..		£ 3,393,827

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.

R. BROWNING,  
*for Clerk of Councils.*

Ref. TRE/14/13.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,  
*Governor.*

LS



No. 2

1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.

*Governor.*

## An Ordinance

To legalise certain payments made in the year 1976-77 in excess of the Expenditure sanctioned by Ordinance No. 1 of 1976. Title.

WHEREAS it is expedient to make further provision for the service of the Colony for the period 1st July 1976 to 30th June 1977. Preamble.

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 (1976-77) Ordinance 1978. Short title.

2. The sums of money set forth in the Schedule hereto having been expended for the services herein mentioned beyond the amounts granted for those services by the Ordinance providing for the service for the period 1st July 1976 to 30th June 1977, 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 1976 to 30th June 1977.*



SCHEDULE

Number	HEAD OF SERVICE	Amount
FALKLAND ISLANDS		£
II.	Agriculture ... ..	2,538
IV.	Customs and Harbour ... ..	8,831
IX.	Miscellaneous ... ..	2,966
XI.	Police and Prisons ... ..	75
XIV.	Public Works Recurrent ... ..	11,402
XV.	Public Works Special ... ..	34,919
XVI.	Secretariat, Treasury and Central Store ...	31,166
XVII.	Overseas Passages ... ..	7,929
XX.	Supreme Court and Legal ... ..	1,022
		£ 100,848
Development A		
	Expenditure to be met from Colony Funds ...	50,203
Development B		
	Expenditure to be met from U.K. Aid ... ..	112,521
		£ 263,572

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.

R. BROWNING,  
for Clerk of Councils.

Ref. TRE/14/9.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,  
Governor.

LS



No. 3

1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
Governor.

An Ordinance  
To amend the Interpretation and  
General Clauses Ordinance 1977.

(11th July 1977) Date of commencement.

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

1. This Ordinance may be cited as the Interpretation and General Clauses (Amendment) Ordinance 1978 and shall be deemed to have come into operation on the 11th day of July 1977. Short title and commencement.

2. The Interpretation and General Clauses Ordinance 1977 (hereinafter referred to as the principal Ordinance) is amended by adding after section 81 the following new section — Addition of new section 81A. (14 of 1977)

"Laws of  
England  
in force.

81A. (1) The common law and the general statutes in force in England on the 22nd day of May 1900, shall be in force in the Colony in so far as the circumstances of the Colony permit, and provided they are not inconsistent with, or repugnant to, any Ordinance or Order in Council.

(2) So much of the enactments specified in the Schedule to this Ordinance as is not already in force in the Colony, and is capable of being applied therein by Ordinance, shall apply therein with such modifications as the circumstances of the Colony require."



Addition of Schedule.

3. The principal Ordinance is amended by adding after section 106 the following Schedule —

"SCHEDULE (section 81A (2))

- (1) Merchant Shipping Acts 1894-1948.
- (2) Married Women's Property Act 1907.
- (3) Protection of Animals Act 1911.
- (4) Forgery Act 1913.
- (5) Trustee Act 1925.
- (6) Marriage (Prohibited Degree of Relationship) Act 1931.
- (7) Children and Young Persons Act 1933, section 1.
- (8) Counterfeit Currency (Convention) Act 1935.
- (9) Infanticide Act 1938.
- (10) Criminal Justice Act 1948, section 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.

R. BROWNING,  
for Clerk of Councils.

Ref. LEG/10/5 II.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,  
Governor.

LS

No. 4



1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
Governor.

An Ordinance  
To amend the Christ Church Trust Ordinance. Title.

(17th July 1978)

Date of commencement.

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

1. This Ordinance may be cited as the Christ Church Trust (Amendment) Ordinance 1978. Short title.

2. The preamble of the Christ Church Trust Ordinance (hereinafter referred to as the principal Ordinance) is amended by inserting after "1892," the following — Amendment of preamble.

"revised and published as a New Constitution on the 22nd day of December 1974,".

3. Section 2 of the principal Ordinance is amended by deleting "clause 18, or hereafter to be assumed under clause 19, of the said Deed of Constitution and Consecration" and substituting the following — Amendment of section 2.

"clause 5 of the said New Constitution".

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.

R. BROWNING,  
for Clerk of Councils.

Ref. INT/39/2.

FALKLAND ISLANDS

Printed at the Government Printing Office by V. T. King.

FALKLAND ISLANDS

Printed at the Government Printing Office by V. T. King.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,  
*Governor.*



No. 5



1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

### An Ordinance

Further to amend the Stanley Town Public  
Services Ordinance 1973. Title.

(17th July 1978)

Date of commencement.

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

1. This Ordinance may be cited as the Stanley Town Public  
Services (Amendment) Ordinance 1978. Short title.

2. Subsection (2) of section 25 of the Stanley Town Public  
Services Ordinance 1973 is amended by inserting after "offence" the  
following — Amendment of section 25.  
6 of 1973.

"and shall be liable on summary conviction to a fine not  
exceeding £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.

R. BROWNING,  
*for Clerk of Councils.*

Ref. INT/10/3.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,  
*Governor.*



No. 6



1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**  
JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

### An Ordinance

**To amend the Protection of Wrecks Ordinance 1977.** Title.

*(17th July 1978)*

Date of commencement.

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

1. This Ordinance may be cited as the Protection of Wrecks (Amendment) Ordinance 1978. Short title.

2. Section 6 of the Protection of Wrecks Ordinance 1977 is amended by deleting "less than £400" and substituting the following — Amendment of section 6. 12 of 1977.

"more than £1,000".

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.

R. BROWNING,  
*for Clerk of Councils.*

Ref. LEG/10/45.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,  
*Governor.*

LS

No. 7



1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

An Ordinance

Further to amend the Employment of Women,  
Young Persons and Children Ordinance 1967. Title.

(17th July 1978) Date of commencement.

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

1. This Ordinance may be cited as the Employment of Women, Young Persons and Children (Amendment) Ordinance 1978. Short title.
2. The Schedule to the Employment of Women, Young Persons and Children Ordinance 1967 is amended — Amendment of Schedule.  
(1 of 1967)
- (a) in Article 2 of Part I —
- (i) by deleting “fourteen” and substituting the following —  
“fifteen”;
  - (ii) by deleting the comma after “thereof” and substituting a full stop;
  - (iii) by deleting “other than” to the end of the Article;
  - (iv) by adding the following proviso —  
“Provided that, except in the case of employments which, by their nature or the circumstances in which they are carried on, are dangerous to the life, health or morals of the persons employed therein, national laws or regulations may permit such children to be employed in undertakings in which only members of the employer’s family are employed.”;

- (b) in Article 3 of Part I by deleting "Article 2" and substituting the following —  
"this Convention";
- (c) in Article 4 of Part I by deleting "sixteen" and substituting "eighteen";
- (d) in Article 2 of Part IV —
- (i) by deleting "fourteen" and substituting the following —  
"fifteen";
- (ii) by adding the following proviso —  
"Provided that national laws or regulations may provide for the issue in respect of children of not less than fourteen years of age of certificates permitting them to be employed in cases in which an educational or other appropriate authority designated by such laws or regulations is satisfied, after having due regard to the health and physical condition of the child and to the prospective as well as to the immediate benefit to the child of the employment proposed, that such employment will be beneficial to the 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.

Ref. LEG/10/20.

R. BROWNING,  
*for Clerk of Councils.*

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,  
*Governor.*

LS



No. 8

1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.  
JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

## An Ordinance

Further to amend the Registration of United Kingdom Patents Ordinance (Chapter 58) by providing for the registration in the Colony of certain patents granted in countries which are parties to the European Patents Convention and for matters incidental thereto.

(17th July 1978)

Date of commencement.

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

1. This Ordinance may be cited as the Registration of United Kingdom Patents (Amendment) Ordinance 1978.

Short title.

2. Section 2 of the Registration of United Kingdom Patents Ordinance (hereinafter referred to as the principal Ordinance) is amended by the deletion of the words "patent in the United Kingdom" appearing therein and by the substitution therefor of the words "United Kingdom patent (which expression shall in this Ordinance include a patent treated under any Patents Act in force in the United Kingdom as being granted under such Act by reason of its being a European Patent (UK))".

Amendment of section 2.

3. Section 3 of the principal Ordinance is amended by the deletion of subsection (2) and the substitution therefor of the following —

Amendment of section 3.

"(2) Two certified copies of the complete specification or specifications and in the case of a patent treated as being granted in the United Kingdom by virtue of the provisions of section 2, a certificate by an officer duly authorized under the Patent Act



that the United Kingdom has accepted the European Patent (UK) designating the United Kingdom as being effective in the United Kingdom and that the particulars of the application are true (including the drawing, if any) in relation to any patent."

Amendment of section 8.

4. Section 8 of the principal Ordinance is amended by the addition immediately after the figures "1949" appearing therein of the words "or any other Patents Act for the time being in force".

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.

R. BROWNING,  
*for Clerk of Councils.*

Ref. LEG/1/3.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,  
*Governor.*

LS



No. 9

1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**  
JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

**An Ordinance**  
**Further to amend the Family Allowances**  
**Ordinance 1960.**

Title.

(1st January 1979)

Date of commencement.

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

1. This Ordinance may be cited as the Family Allowances (Amendment) Ordinance 1978 and shall come into operation on the 1st day of January 1979.

Short title and commencement.

2. Section 3 (2) of the Family Allowances Ordinance 1960 is amended by deleting "one pound" and "two pounds" and substituting the following respectively —

Amendment of section 3.  
(9 of 1960)

"two pounds" and "four pounds"

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.

R. BROWNING,  
*for Clerk of Councils.*

Ref. TRE/10/1.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,  
*Governor.*



No. 10



1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

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

*(1st January 1980)*

Date of commencement.

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 1978 and shall apply to assessments for the year of assessment commencing on the 1st day of January 1980 and to all subsequent years of assessment.

Short title and commencement.

2. Section 5 of the Income Tax Ordinance is amended —

Amendment of section 5.  
(Cap. 32)

- (a) by deleting the colon at the end of paragraph (f) and substituting a semi-colon; and
- (b) by adding after paragraph (f) the following new paragraph —  
“(g) family allowances paid under section 3 of the Family Allowances Ordinance 1960:”.

—  
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.

R. BROWNING,  
*for Clerk of Councils.*

Ref. INC/10/5.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,  
*Governor.*

LS

No. 11



1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

An Ordinance  
Further to amend the Income Tax  
Ordinance. Title.

(1st January 1979)

Date of commencement.

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

1. This Ordinance may be cited as the Income Tax (Amendment) (No.2) Ordinance 1978 and shall apply to assessments for the year of assessment commencing on the 1st day of January 1979 and to all subsequent years of assessment.

Short title and commencement.

2. Section 2 of the Income Tax Ordinance is amended by inserting after the definition of "Chargeable income", the following new definition —

Amendment of section 2.  
(Cap. 32)

" "Income arising from a source outside the Colony" does not include, in the case of income from an employment, such part of that income as constitutes remuneration for services actually performed 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.

R. BROWNING,  
*for Clerk of Councils.*

Ref. INC/10/5.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,

Governor.

LS

No. 12



1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.

Governor.

## An Ordinance

### Further to amend the Non-contributory Old Age Pensions Ordinance 1961.

Title.

(3rd July 1978)

Date of commencement.

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

1. This Ordinance may be cited as the Non-contributory Old Age Pensions (Amendment) Ordinance 1978 and shall come into operation on the 3rd day of July 1978.

Short title and commencement.

2. Section 4 of the Non-contributory Old Age Pensions Ordinance 1961 (hereinafter referred to as the principal Ordinance) is amended by —

Amendment of section 4.  
(7 of 1961)

(a) deleting in paragraph (b) "£650" and substituting the following —

"£1,300";

(b) deleting in paragraph (c) "£400" and substituting the following —

"£800"; and

(c) deleting in paragraph (d) "£400" and substituting the following —

"£800".

Amendment of Schedule.

3. The Schedule to the principal Ordinance is amended by deleting "£8.50", "£6.00" and "£6.00" and substituting the following respectively —

"£11.00", "£8.00" and "£8.00".

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.

R. BROWNING,  
for Clerk of Councils.

Ref. TRE/2/2.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,  
Governor.

LS



No. 13

1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
Governor.

An Ordinance  
Further to amend the Income Tax  
Ordinance. Title.

(1st January 1979)

Date of commencement.

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

1. This Ordinance may be cited as the Income Tax (Amendment) (No. 3) Ordinance 1978, and shall apply to assessments for the year of assessment commencing on the 1st day of January 1979 and to subsequent years of assessment.

Short title and commencement.

2. Section 14 of the Income Tax Ordinance (hereinafter referred to as the principal Ordinance) is amended in subsection (1) by deleting "£750" and substituting the following —

Amendment of section 14.  
(Cap. 32)

"£850".

3. Section 15 of the principal Ordinance is amended —

Amendment of section 15.

(a) in subsection (1), by deleting "£300" and substituting the following —

"£350";

(b) in subsection (2), by deleting "£150" and substituting the following —

"£175";



- (c) in subsection (3) (a) —
  - (i) by deleting “£350” and substituting the following —  
“£500”; and
  - (ii) by deleting “£250” and substituting the following —  
“£300”;
- (d) in subsection (4), by deleting “£350” and substituting the following —  
“£400”; and
- (e) in subsection (5), by deleting “£200” and substituting the following —  
“£850”.

Amendment of section 16.

- 4. Section 16 of the principal Ordinance is amended —
  - (a) in subsection (1), by deleting “£250” and substituting the following —  
“£300”; and
  - (b) in paragraph (i) of the proviso to subsection (1), by deleting “£280” and substituting the following —  
“£320”.

Amendment of section 16A.

- 5. Section 16A of the principal Ordinance is amended by deleting “£900” wherever it occurs and substituting the following —  
“£1050”.

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.

R. BROWNING,  
*for Clerk of Councils.*

Ref. INC/10/5.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,  
*Governor.*

LS



No. 14

1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.  
JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

## 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 —

1. (1) This Ordinance may be cited as the Old Age Pensions (Amendment) Ordinance 1978. Short title and commencement.
- (2) The provisions of section 2 and sections 4 to 8 of this Ordinance shall come into operation on the 3rd day of July 1978 and the provisions of sections 3 and 9 shall come into operation on the 10th day of July 1978.
2. Section 2 of the Old Age Pensions Ordinance 1952 (hereinafter referred to as the principal Ordinance) is amended — Amendment of section 2. (3 of 1952)
  - (a) in the definition of “employed person” by deleting “18” and substituting the following —  
“17”; and
  - (b) in the definition of “self-employed person” by deleting “18” and substituting the following —  
“17”.

Amendment of section 5.

3. Section 5 (1) of the principal Ordinance is amended —
- (a) in paragraph (a) by deleting "65" and substituting the following —  
"64";
  - (b) in paragraph (b) by deleting "65" and substituting the following —  
"64"; and
  - (c) in paragraph (e) by deleting "65" and substituting the following —  
"64".

Amendment of section 6.

4. Section 6 (2) of the principal Ordinance is amended —
- (a) in paragraph (a) —
    - (i) by inserting after "female contributor" the following —  
"other than the widow of a contributor";
    - (ii) by deleting "72p" and substituting the following —  
"£1.00"; and
    - (iii) by deleting "18 and 60 years" and substituting the following —  
"17 and 64 years";
  - (b) in paragraph (b) —
    - (i) by inserting after "female contributor" the following —  
"other than the widow of a contributor";
    - (ii) by deleting "£1.08" and substituting the following —  
"£1.50"; and
    - (iii) by deleting "18 and 60 years" and substituting the following —  
"17 and 64 years"
  - (c) in paragraph (c) —
    - (i) by inserting after "female contributor" the following —  
"other than the widow of a contributor";
    - (ii) by deleting "£1.80" and substituting the following —  
"£2.50"; and
    - (iii) by deleting "18 and 60 years" and substituting the following —  
"17 and 64 years";
  - (d) by deleting the proviso; and
  - (e) by adding after subsection (5) the following new subsection —  
"(6) Any contributor unable to make the contributions required under this section shall on or before his 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 he is unable to make the contributions required, contributions on his behalf shall be paid out of the general revenues of the Colony."

Amendment of section 6A.

5. Section 6A (2) of the principal Ordinance is amended —
- (a) by deleting "£1.80" and substituting the following —  
"£2.50";
  - (b) by deleting "18 and 60 years" and substituting the following —  
"17 and 64 years"; and
  - (c) by adding at the end thereof the following —  
"or in the case of the widow of a contributor between the age of 17 and 60 years";

Amendment of section 6B.

6. Section 6B of the principal Ordinance is amended —
- (a) in paragraph (b) by deleting "£300" and "£100" and substituting the following —  
"£800 and £250";
  - (b) in paragraph (e) —
    - (i) by inserting after "female contributor" the following —  
"other than the widow of a contributor"; and
    - (ii) by deleting "60" and substituting the following —  
"64"; and
  - (c) in the proviso to paragraph (f) by deleting "£300" and "£100" and substituting the following —  
"£800" and "£250".

Amendment of section 9.

7. Section 9 of the principal Ordinance is amended —
- (a) by deleting "ten consecutive years" and substituting the following —  
"14 consecutive years";
  - (b) by deleting "sixty years" and substituting the following —  
"64 years"; and
  - (c) by deleting the full stop at the end thereof and substituting a colon and by inserting thereafter the following proviso —  
"Provided that contributions shall not be payable in respect of the period between the day any contributor or female contributor attained the age of 60 years and the 3rd July 1978."

8. Section 11 of the principal Ordinance is amended by deleting "sixty-five years" and substituting the following —  
"64 years".

Amendment of section 11.

9. The Schedule to the principal Ordinance is amended by deleting "£10.50", "£7.00", "£7.00" and "£7.00" and substituting the following respectively —  
"£13.50", "£9.00", "£9.00" and "£9.00".

Amendment of Schedule.

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

R. BROWNING,  
for Clerk of Councils.

Ref. TRE/2/1.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,  
*Governor.*

LS



No. 15

1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

An Ordinance  
Further to amend the Licensing Ordinance.

Title.

(1st January 1979)

Date of commencement.

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

1. This Ordinance may be cited as the Licensing (Amendment) Ordinance 1978 and shall come into operation on the 1st day of January 1979.

Short title and commencement.

2. Section 3 of the Licensing Ordinance (hereinafter referred to as the principal Ordinance) is amended by deleting subsection (1) and substituting the following—

Amendment of section 3.  
(Cap. 38)

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

Description of licence					Amount of Fee
1. Wholesale licence	...	...	...	...	£60.00
2. Retail licence	...	...	...	...	£30.00
3. Club licence	...	...	...	...	£20.00
4. Tobacco licence (for Stanley and within fifteen miles by land and sea)	...	...	...	...	£6.00

5. Tobacco licence (outside the above limit) ...	£3.00
6. Restaurant licence ... ..	£10.00
7. Packet licence ... ..	£20.00
8. Auctioneer's licence ... ..	£10.00
9. Auctioneer's licence (occasional) ... ..	£2.00
10. Billiard Table licence (each table) ... ..	£5.00."

- Amendment of section 12. 3. Section 12 of the principal Ordinance is amended —
- (a) in paragraph (a) by deleting "25p" and substituting the following —  
"£3.00"; and
- (b) in paragraph (b) by deleting "50p" and substituting the following —  
"£5.00".
- Amendment of section 13. 4. Section 13 of the principal Ordinance is amended by deleting "50p" and "25p" and substituting the following respectively—  
"£2.00" and "£1.00".
- Amendment of section 41. 5. Section 41 of the principal Ordinance is amended in subsection (2) by deleting "£5" and substituting the following —  
"£10.00".
- Amendment of section 71. 6. Section 71 of the principal Ordinance is amended —
- (a) in paragraph (a) by deleting "10p" and substituting the following —  
"£1.00"; and
- (b) in paragraph (b) by deleting "20p" and substituting the following —  
"£2.00".
- Amendment of section 80. 7. Section 80 is amended by deleting "12½p" and substituting the following —  
"£1.00".

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.

R. BROWNING,  
*for Clerk of Councils.*

Ref. LEG/10/33.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,  
*Governor.*

LS



No. 16

1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.  
JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

# An Ordinance Further to amend the British National- Title. ality Ordinance.

(17th July 1978)

Date of commencement.

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

1. This Ordinance may be cited as the British Nationality (Amendment) Ordinance 1978. Short title.
2. Section 3 of the British Nationality Ordinance (hereinafter referred to as the principal Ordinance) is repealed and replaced by the following new section — Repeal and replacement of section 3. (Cap. 6)
3. The fees appointed in the Schedule shall be taken in the various matters respectively specified, in the manner therein shown." "Schedule of fees.
3. The principal Ordinance is amended by adding, after section 3, the following new section — Addition of new section 4.
4. The Governor in Council may by order amend the Schedule." "Schedule may be amended by Governor in Council.



4. The Schedule to the principal Ordinance is repealed and replaced by the following —

SCHEDULE (Section 3.)  
Table of fees.

Matter in which fee may be taken	Amount of fee	To whom fee is to be paid
	£	
1. Registration as a citizen under s.5A (1) of the British Nationality Act 1948	35.00	Financial Secretary
*2. Registration as a citizen under s.5A (2) of the British Nationality Act 1948	65.00	The same
3. Registration as a citizen under s.6 (1) of the British Nationality Act 1948	35.00	The same
4. Registration of a woman as a citizen under s. 6 (2) of the British Nationality Act 1948	35.00	The same
*5. Grant of a certificate of naturalisation under s. 10 of the British Nationality Act 1948 —		
(a) To a British protected person ... ..	65.00	The same
(b) To an alien ... ..	85.00	The same
6. Registration as a citizen under s. 12 (6) of the British Nationality Act 1948	35.00	The same
7. Registration of a declaration of intention to resume British Nationality under s. 16 (2) of the British Nationality Act 1948	35.00	The same
8. Grant of a certificate of citizenship in case of doubt under s. 25 of the British Nationality Act 1948	65.00	The same
9. Registration of a declaration of intent to resume citizenship under s. 4 (2) of the Cyprus Act 1960	35.00	The same
10. Registration as a citizen under s. 1 of the British Nationality Act 1964	35.00	The same
11. Registration of a stateless person of full age as a citizen under s. 1 of the British Nationality (No.2) Act 1964	35.00	The same
12. Registration of a woman as a British subject under s.1 of the British Nationality Act 1965	35.00	The same
13. Supplying a certified true copy of any notice, certificate, order, declaration or entry given, granted or made under the British Nationality Act 1948	5.00	The same
14. Witnessing the signing of an application or declaration mentioned in paragraph 4 of Schedule 1 to the British Nationality Regulations 1975	1.00	If the application or declaration is witnessed, or the oath administered, by a commissioner for oaths or notary public to the commissioner or notary public.
15. Administering the oath of allegiance ... ..	1.00	

\* Where a husband and wife apply at the same time for registration as citizens of the United Kingdom and Colonies under section 5A (2) of the 1948 Act or for the grant of certificate of naturalisation and are residing together at the time of the application and the fee payable in respect of the husband's registration or certificate is paid, the fee payable in respect of the wife's registration or certificate shall be £35.

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.

R. BROWNING,  
for Clerk of Councils.

Ref. LEG/10/19.

Assented to in Her Majesty's name this 14th day of August 1978.

J. R. W. PARKER,  
Governor.



No. 17

1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.  
JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
Governor.

An Ordinance

To provide for the establishment of a Plant and Transport Authority, to define its powers and functions and to provide for matters connected therewith or incidental thereto.

(1st July 1978)

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

1. This Ordinance may be cited as the Plant and Transport Authority Ordinance 1978 and shall come into operation on the 1st day of July 1978.

2. In this Ordinance, unless the context otherwise requires —  
"Authority" means the Plant and Transport Authority established by section 3;

"financial year" means the period commencing on the 1st day of July each year and ending on the 30th day of June in the year following except that the period from the establishment of the Authority to the 30th day of June next thereafter shall be deemed to be a financial year.

3. There is hereby established an Authority to be called the Plant and Transport Authority which shall, in that name, be a body corporate with perpetual succession and shall be capable of suing and being sued, and subject to this Ordinance of doing and suffering all such other acts and things as bodies corporate may lawfully do or suffer.

4. The functions of the Authority shall be to control a fund created to provide monies for the purchase, repair, maintenance and replacement of such engine-driven, engineering construction plant and

Title.

Date of commencement.

Short title and commencement.

Interpretation.

Establishment and incorporation of Plant and Transport Authority.

Functions of Authority.



engine-driven vehicles as from time to time the Authority may acquire by purchase or otherwise and for such other purposes as the Governor in Council may from time to time approve.

General powers of Authority.

5. Subject to section 6, the Authority may do all such things as are calculated to facilitate, or are incidental or conducive to, the better carrying out of its functions and to such end may include —

- (a) the acquisition, taking or leasing, purchasing, holding and enjoying any property and selling, letting or otherwise disposing of the same;
- (b) the establishment and maintenance of workshops and offices;
- (c) entering into any contract;
- (d) charging for the use of any facilities or services provided by the Authority.

Restrictions as to future financial commitments.

6. Without the prior approval of the Governor in Council, no contract shall be made in the exercise of any of the powers conferred upon the Authority by this Ordinance that itself is likely, or together with all other contracts previously entered into are likely, to involve expenditure by the Authority in any subsequent financial year under any of the major heads of expenditure of an amount or aggregate amount exceeding the sum in the estimate of expenditure approved by the Governor in Council for the same major head of expenditure in respect of the year in which such contract is entered into (and not transferred to any other major head by the Authority) together with any sum transferred to that head by the Authority during that year (other than a sum transferred thereto from any unallocated balance or surplus shown in the estimates for that year).

Seal of the Authority.

7. (1) The Authority shall have a common seal, and the fixing of the seal shall be authenticated by the signature of any two members of the Authority, authorized by resolution of the Authority either generally or specifically to act for that purpose.

(2) Any document purporting to be a document duly executed with the seal of the Authority shall be received in evidence and shall, unless the contrary is proved, be presumed to be a document so executed.

Cases where contracts need not be under seal.

8. Any contract which if made between private persons would be by law required to be in writing, signed by the parties to be charged therewith, may be made on behalf of the Authority in writing signed by any person generally or specifically authorized by the Authority for that purpose.

Membership of Authority.

9. The Authority shall consist of the following members —

- (a) The Financial Secretary (*Chairman*);
- (b) The Director of Public Works (*Vice-Chairman*);
- (c) The Mechanical Superintendent of the Public Works Department;
- (d) such other members as the Governor may from time to time appoint.

Meetings of Authority.

10. (1) Meetings of the Authority shall be held at intervals not exceeding three months.

(2) Whenever the Authority is considering the acquisition, replacement or disposal of any item the Head of the Department operating the item, or his representative, shall be invited to attend the meeting of the Authority.

Grants.

11. Each financial year there may be paid to the Authority out of the monies provided by the Legislative Council such sum as the Governor in Council may approve for the purpose of assisting the Authority to exercise its functions.

12. The revenue of the Authority shall be applied in defraying the charges of the Authority. Application of revenue.

13. Each year, before a date to be appointed by the Governor, the Authority shall forward to the Financial Secretary, for the approval of the Governor, estimates of its income and expenditure for the same year: Estimates.

Provided that the estimates for the first financial year of the Authority shall be forwarded as soon as practicable after the commencement of this Ordinance.

14. (1) The Authority shall keep proper accounts of all income and expenditure and shall maintain proper and adequate records thereof. Accounts.

(2) As soon as may be convenient after the end of each financial year the Authority shall cause to be drawn up a statement of income and expenditure during such financial year and a statement of the assets and liabilities of the Authority on the last day thereof.

15. (1) The accounts of the Authority shall be audited by the Government Auditor. Audit.

(2) The auditors shall audit the statements drawn up under subsection (2) of section 14 as soon as possible and shall make a report thereon to the Authority.

16. (1) The Authority shall as soon as possible after the end of each financial year, but not later than six months after the end of each financial year or such longer period as the Governor may as to any particular year allow, make to the Governor in Council therewith a copy of the statements drawn up under subsection (2) of section 14 and the report made under subsection (2) of section 15 and shall publish such reports and statements.

Report etc., to be laid on the table of the Legislative Council and published.

(2) The Governor shall cause to be laid on the table of the Legislative Council the reports and statements received by him under subsection (1).

17. All funds of the Authority that are not immediately required shall be deposited with any bank or savings bank nominated by the Financial Secretary, or, shall be invested on behalf of the Authority, under the direction of the Financial Secretary, in such securities, as shall be approved from time to time by the Governor in Council, and the interest arising from such deposit or investment shall be from time to time paid to the credit of the Authority.

Investment of surplus funds.

18. The Governor in Council may make all such regulations as may be necessary for the purpose of giving effect to the provisions of this Ordinance. Regulations.

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

W. A. ETHERIDGE,  
Clerk of Councils.

Ref. PWD/10/19.

Assented to in Her Majesty's name this 7th day of September 1978.

JOHN MASSINGHAM,  
*Acting Governor.*

LS



No. DS 1

1978

## Falkland Islands Dependencies

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**

JOHN DUDLEY MASSINGHAM  
*Acting 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 —

1. This Ordinance may be cited as the Application of Colony Laws Ordinance 1978. 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
3 of 1978	Interpretation and General Clauses (Amendment) Ordinance 1978	11th July 1977
6 of 1978	Protection of Wrecks (Amendment) Ordinance 1978	8th September 1978
7 of 1978	Employment of Women, Young Persons and Children (Amendment) Ordinance 1978	8th September 1978
8 of 1978	Registration of United Kingdom Patents (Amendment) Ordinance 1978	8th September 1978
11 of 1978	Income Tax (Amendment) (No. 2) Ordinance 1978	1st January 1979
13 of 1978	Income Tax (Amendment) (No. 3) Ordinance 1978	1st January 1979
15 of 1978	Licensing (Amendment) Ordinance 1978	1st January 1979
16 of 1978	British Nationality (Amendment) Ordinance 1978	8th September 1978

Promulgated by the Acting Governor on the 7th day of September 1978.

D. R. MORRISON,  
*Acting Chief Secretary.*

Ref. LEG/10/37.

# FALKLAND ISLANDS

## FOREIGN JUDGMENTS (RECIPROCAL ENFORCEMENT) ORDINANCE 1959 (No. 4 of 1959)

### Foreign Judgments (Reciprocal Enforcement) (Amendment) Order 1978

No. 1 of 1978.

J. R. W. PARKER,  
*Governor.*

IN EXERCISE of the powers conferred by section 9 of the Foreign Judgments (Reciprocal Enforcement) Ordinance 1959, the Governor in Council has made the following order —

1. This order may be cited as the Foreign Judgments (Reciprocal Enforcement) (Amendment) Order 1978. Citation.

2. The preamble to the Foreign Judgments (Reciprocal Enforcement) Order 1975 (hereinafter referred to as the principal Order) is amended by inserting after "Dependencies" wherever it occurs the following — Amendment of preamble.

"and judgments given on appeal therefrom".

3. The First Schedule to the principal Order is amended by inserting after "Queensland" the following — Amendment of First Schedule.

"South Australia".

Made by the Governor in Council the 24th day of May 1978.

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. LEG/10/18 II.

# FALKLAND ISLANDS

## NATURE RESERVES ORDINANCE 1964 (No. 8 of 1964)

### ORDER

(under section 3 of the Ordinance)

No. 2 of 1978.

J. R. W. PARKER,  
*Governor.*

IN EXERCISE of the powers conferred by section 3 of the Nature Reserves Ordinance 1964, the Governor in Council has made the following order —

1. This order may be cited as the Nature Reserve (Sea Dog and Arch Islands) Order 1978. Citation.

2. Sea Dog Island and Arch Islands (including Arch Island East, Natural Arch, Clump Island, Tussac Island, Pyramid Rock, Last Rock and Albemarle Rock) are hereby declared to be nature reserves 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. Declaration of nature reserve.

Made by the Governor in Council this 31st day of January 1978.

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. FIS/31/5.

# FALKLAND ISLANDS

## EXECUTIVE COUNCIL (ALLOWANCES) ORDINANCE 1977

(No. 7 of 1977)

### Executive Council (Allowances) Order 1978

No. 3 of 1978.

J. R. W. PARKER,  
*Governor.*

IN EXERCISE of the powers conferred by section 3 of the Executive Council (Allowances) Ordinance 1977 the Governor in Council has made the following order —

1. This order may be cited as the Executive Council (Allowances) Order 1978. Citation.

2. An allowance at the rate of £250 is authorized under section 3 of the Executive Council (Allowances) Ordinance 1977 with effect from the 1st July 1978. Allowances.

Made by the Governor in Council this 1st day of August 1978.

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. EXC/10/1.



# FALKLAND ISLANDS

## LEGISLATIVE COUNCIL (ALLOWANCES) ORDINANCE 1977 (No. 8 of 1977)

### Legislative Council (Allowances) Order 1978

No. 4 of 1978.

J. R. W. PARKER,  
*Governor.*

IN EXERCISE of the powers conferred by section 3 of the Legislative Council (Allowances) Ordinance 1977 the Governor in Council has made the following order —

1. This order may be cited as the Legislative Council (Allowances) Order 1978. Citation.

2. The following allowances are authorized under section 3 of the Legislative Council (Allowances) Ordinance 1977 with effect from the 1st July 1978 — Allowances.

- (a) Members for the electoral areas of East and West Stanley and the Member for the electoral division of Stanley an allowance at the rate of £250 per annum;
- (b) Members for the electoral areas of East and West Falklands an allowance at the rate of £350 per annum; and
- (c) the Member for the electoral division of the Camp an allowance at the rate of £400 per annum.

Made by the Governor in Council this 1st day of August 1978.

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. LEC/10/2.

# FALKLAND ISLANDS

## CIVIL AVIATION

### Carriage by Air (Sterling Equivalent) Order 1978

No. 5 of 1978.

JOHN MASSINGHAM,  
*Acting Governor.*

IN EXERCISE of the powers conferred by section 4 (4) of the Carriage by Air Act 1961 as extended to the Colony by the Carriage by Air Acts (Application of Provisions) (Overseas Territories) Order 1967, the Governor has made the following order —

1. This Order may be cited as the Carriage by Air (Sterling Equivalent) Order 1978 and shall come into operation on the 15th day of November 1978.

2. This Order supersedes the Carriage by Air (Sterling Equivalent) Order 1973.

3. The amounts shown in column 2 of the following Table are hereby specified as amounts to be taken for the purposes of Article 22 in the First Schedule to the Carriage by Air Act 1961 as applied to the Colony by the Carriage by Air Acts (Application of Provisions) (Overseas Territories) Order 1967 as equivalent to the sums respectively expressed in francs on the same line in column 1 of that Table:

TABLE

COLUMN 1 Amount of francs	COLUMN 2 Sterling equivalent £
250	10.78
5,000	216.00
125,000	5,390.00
250,000	10,780.00
875,000	37,726.00

3rd November 1978.

*By Command,*  
D. R. MORRISON,  
*Acting Chief Secretary.*

Ref. AIR/10/4.

# FALKLAND ISLANDS

## POST OFFICE ORDINANCE (Chapter 52)

### Post Office (Amendment) Order 1978

No. 6 of 1978.

J. R. W. PARKER,  
*Governor.*

IN EXERCISE of the powers conferred by section 4 of the Post Office Ordinance the Governor in Council has made the following order —

Citation and commencement.

1. This order may be cited as the Post Office (Amendment) Order 1978 and shall come into operation on the 1st day of January 1979.

Amendment of paragraph 2.  
(4 of 1976)

2. Paragraph 2 of the principal Order is amended in subparagraph (j) (ii) by deleting "£2.45", "£3.20", "£4.00" and "£5.25" and substituting the following respectively —

"£2.60", "£3.50", "£4.55" and "£6.20".

Made by the Governor in Council this 12th day of December 1978.

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. P & T/2/9c.

FALKLAND ISLANDS

PROCLAMATION

No. 1 of 1978

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.

BY HIS EXCELLENCY JAMES ROLAND WALTER PARKER, ESQUIRE, Companion of the Most Distinguished Order of Saint Michael and Saint George, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, and Vice-Admiral of the same.

WHEREAS it is provided by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders 1948 to 1977 that the sittings of the Legislative Council shall be held at such times and places as the Governor shall from time to time appoint by proclamation published in the Gazette:

NOW, THEREFORE, I, JAMES ROLAND WALTER PARKER, do hereby PROCLAIM that the next sitting of the Legislative Council of the Falkland Islands shall be held at 10.00 o'clock in the forenoon of Tuesday, the 20th day of June 1978 at the Court and Council Chambers in the town of Stanley in the Falkland Islands.

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, Falkland Islands this 29th day of May in the year of Our Lord One thousand nine hundred and seventy-eight.

LS

J. R. W. PARKER,  
*Governor.*

GOD SAVE THE QUEEN

Ref. LEG/35/1. II.

# PROCLAMATION

No. 2 of 1978

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.

By His Honour JOHN DUDLEY MASSINGHAM, ESQUIRE, Acting Governor of the Colony of the Falkland Islands and its Dependencies, and Vice-Admiral of the same.

WHEREAS by Article 7 (1) of the Falkland Islands Letters Patent 1948 to 1962, under the Great Seal of the United Kingdom of Great Britain and Northern Ireland, 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 JAMES ROLAND WALTER PARKER, ESQUIRE, Companion of the Most Distinguished Order of Saint Michael and Saint George, Officer 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, and Vice-Admiral of the same, 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 the Colony in the absence of the Governor:

NOW, THEREFORE, I, JOHN DUDLEY MASSINGHAM, Chief Secretary of the Colony, the Senior Member of the Executive Council aforesaid, do hereby proclaim and make known that, in pursuance of the said Article 7 (1) of the said Letters Patent and having taken the oaths prescribed by law, I have this day assumed the administration of the Government of the Colony.

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, this 17th day of August in the Year of Our Lord One thousand Nine hundred and Seventy-eight.



JOHN MASSINGHAM.  
*Acting Governor.*

GOD SAVE THE QUEEN



# FALKLAND ISLANDS

## STANLEY AIRPORT (REGULATIONS) ORDINANCE 1977

### Stanley Airport Regulations 1978

No. 1 of 1978.

J. R. W. PARKER,  
*Governor.*

IN EXERCISE of the powers conferred by section 4 of the Stanley Airport (Regulations) Ordinance 1977, the Governor in Council has made the following regulations —

#### PART I.

##### PRELIMINARY

1. These regulations may be called the Stanley Airport Regulations 1978.
2. In these regulations, unless the context otherwise requires —
  - (a) "aircraft" means any machine that can derive support in the atmosphere from the reaction of the air other than the reactions of the air against the earth's surface.
  - (b) "apron" means the hardstanding adjacent to the terminal building intended to accommodate aircraft for the purpose of loading or unloading passengers, mail or cargo, refuelling, parking or maintenance.
  - (c) "airport police" means the civil aviation security personnel and such other personnel duly authorized in writing by the Superintendent to carry out police duties at the airport.
  - (d) "manoeuvring area" means that part of the airport to be used for the take-off and landing of aircraft and for the surface movement of aircraft associated with take-off and landing, excluding apron.
  - (e) "movement area" means that part of the airport to be used for take-off and landing of aircraft and for the surface movement of aircraft.
  - (f) "park" means the standing of a vehicle, including an aircraft, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading.
  - (g) "restricted airport area" means that part of the terminal building used for the processing of passengers, crew and cargo through entry or exit formalities, and those areas reserved for passengers and crews in transit.
  - (h) "the airport authority" means the Superintendent or any other officer duly authorized to act in that capacity by the Governor.
  - (i) "terminal building" means the building at which embarking or disembarking passengers and baggage or cargo are processed.
  - (j) "taxiway" means the defined paths on the airport prepared for the use of taxiing aircraft.
  - (k) "taxi-holding position" means the designated position short of which taxiing aircraft may be required to stop.

#### PART II.

##### GENERAL REGULATIONS

3. Any person at the airport shall abide by these regulations and all other instructions and directions issued by the Superintendent.
4. The airport shall be operational during the specified hours except in cases of unserviceability when the Superintendent may temporarily close down the movement area wholly or in part for use by aircraft.
5. The Superintendent may delay or forbid the departure of an aircraft from the airport for securing the safety of aircraft and of persons and property.
6. No person shall land at or take off from the airport any aircraft which is not equipped with two-way radio communications with the air traffic control unit unless he has been especially authorized so to do by the Superintendent or by the air traffic controller.
7. No person shall park, house, run up aircraft or carry out repairs to aircraft, vehicles or other equipment in any place in the airport not allocated for the purpose by the airport authority or without his consent.

8. When an aircraft is parked or housed in the airport the person for the time being in charge of the aircraft shall remove it if the Superintendent or the air traffic controller so order for reasons of safety or management.

9. No person shall store goods, barrels, packing and building materials or any other objects in the airport, in any place not allocated for the purpose by the Superintendent. Special instructions may be issued by the Superintendent in regard to storage or transport of dangerous goods.

10. (a) Without prejudice to the provision of Article 79 of The Air Navigation (Overseas Territories) Order 1977 it shall be the duty of any person witnessing any accident or fire within the airport area to report the accident or fire immediately to the airport authority.

(b) The occupier of any airport premises where a fire has occurred shall submit to the Superintendent a report in writing giving all particulars within 24 hours of the occurrence of the fire.

11. The Superintendent may remove or have removed from the airport area any stray cattle or any other animal or bird constituting a danger to aerial navigation or the safety of aircraft using the airport.

12. Any person finding a lost article shall deposit such article with the Superintendent. If the article is not claimed within thirty (30) days or in the case of perishables within twelve (12) hours, the article shall be disposed of in such manner as may be directed by the Government.

13. No person other than a person authorized so to do, shall carry any firearms, explosives or other inflammable materials in the airport without the written permission of the Superintendent and in accordance with the conditions contained in the permission.

14. Any lessee, tenant or occupier of premises in the airport shall —

- (a) provide in an accessible place first aid kits of a type approved by the Superintendent;
- (b) provide in an accessible place well maintained fire fighting appliances and equipment to a standard approved by the Superintendent of the Fire Brigade;
- (c) have available on the premises, where appropriate, sufficient trained personnel for the operation of the equipment referred to in paragraph (b) when needed.

15. (a) No person shall in the airport instal or cause to be installed for use in any building any engine or electrical apparatus of any kind, or make, or cause to be made any alteration or addition to any existing electrical installation or any building without the consent of the airport authority.

(b) No person shall instal facilities for the charging of batteries in any place in the airport unless such place has been inspected and approved by the airport authority.

16. No person in the airport shall except with the approval of the Superintendent in writing and under such terms and conditions as may be prescribed —

- (a) carry on a trade or any other operation of a commercial nature;
- (b) display advertising boards or posters or distribute pamphlets, printed matter or circulars or deliver speeches in public or carry out any other act of propaganda;
- (c) make a public collection;
- (d) make music or sing in public;
- (e) kindle open fires; or
- (f) keep any domestic or other animal.

17. No person shall at the airport —

- (a) deposit rubbish, paper or other refuse in places or receptacles other than those intended for the purpose;
- (b) feed stray birds or animals or leave scraps of food in the open;
- (c) walk or drive in any place other than the roads or paths set apart for the purpose;
- (d) play games in the open in places other than those allocated for the purpose;
- (e) clean or repair vehicles in places other than those allocated for the purpose;
- (f) remain in any place after having been ordered to leave by a duly authorized officer;
- (g) make drawings or write or scratch on walls, pavements or furniture or destroy or otherwise deface any building, sign or other equipment;

- (h) make unnecessary noise or commit any act which may disturb order and safety at the airport or cause bodily harm to persons or damage to property;
- (i) use a sanitary convenience in a disorderly manner;
- (j) trespass on lawns and planted areas in the airport;
- (k) abandon any property or other things in the airport.

18. No person shall smoke —

- (a) on the apron;
- (b) within a distance of 100 feet from stationary aircraft and fuel trucks; or
- (c) in any other place where any notice prohibiting smoking is displayed by boards or other signs.

19. (a) No person shall drive any vehicle on airport roads except in conformity with rules, directions and signs prescribed by the airport authority or the police authority.

(b) Pedestrians shall have the right of way over vehicular traffic within any areas marked off as being for the use of pedestrians.

20. No person other than the following shall enter or remain on the apron —

- (a) a person lawfully assigned to duty therein;
- (b) a passenger and a member of the crew of aircraft proceeding to or coming from an aircraft; or
- (c) a person holding a permit issued by the Superintendent giving access to the apron, provided he has duties to perform therein.

21. No person or vehicle other than the following shall enter or remain on the manoeuvring area —

- (a) safety vehicles;
- (b) airport operations and management;
- (c) police;
- (d) airport construction and maintenance units of the Public Works Department including aeronautical telecommunications;
- (e) aircraft servicing units; or
- (f) any other person authorized by the Superintendent for special duties.

22. No person shall drive a vehicle on the manoeuvring area except in accordance with the provisions specified in Schedule A.

23. No person shall move or stand or drive or park any vehicle or cause any obstruction on any part of the airport except in accordance with permission or directions given by the Superintendent or any other duly authorized police officer.

24. No person other than the following shall enter or remain in restricted areas including passenger lounges —

- (a) a person lawfully assigned to duty therein;
- (b) a passenger;
- (c) a member of the crew of aircraft;
- (d) a person holding a permit issued by the Superintendent giving access to the restricted areas, provided he has duties to perform therein.

25. Personnel responsible for the handling of passengers shall ensure that the passengers proceed on the apron only in compact groups and under escort of an airline official.

26. Airline personnel responsible for the handling of an aircraft shall remove all vehicles and other materials used in the handling of an aircraft immediately after departure of the aircraft concerned, or place them in the section of the apron designated for that purpose.

27. Personnel responsible for fuelling of an aircraft shall ensure that fuel or oil spillage on the apron is immediately covered with sawdust and removed and shall in addition report to the airport authority or the airport Fire Brigade every case of such spillage.

28. The person in charge of an aircraft shall ensure that when the aircraft is on the apron the radar equipment thereof is inoperative.

29. No person shall bring any animal into the airport without prior permission from the Superintendent, and it must be either on a lead or in an approved container.

30. The fees payable in respect of landings, housing and parking of aircraft shall be in accordance with the charges specified in Schedule B.

31. Unless otherwise agreed upon in writing with the owner or operator of an aircraft the fees due for landing and other matters are payable prior to departure of the aircraft.

32. The person in command of an aircraft shall ensure —

- (1) That an aircraft moving on the airport under its own power is at all times steered by and under the control of a competent person.
- (2) That the towing of an aircraft on the airport is carried out only with a competent person in the cockpit for operation of the brakes.
- (3) That towing on the apron is done with the concurrence of the appropriate air traffic control unit whose directions will be strictly observed.

33. The person in command of an aircraft shall ensure that prior to the starting of an aircraft's engine or engines suitable chocks are placed against the front of the wheels of the main landing gear and or the nose wheel.

34. The person in command of an aircraft shall ensure that prior to starting the aircraft engines, all persons unconnected with the operation, fuel trucks and other implements are removed as far as possible away from the immediate vicinity of the aircraft.

35. The person in command of an aircraft shall ensure that the aircraft is not started while spilled fuel remains under it.

36. When an aircraft is on the apron with its engine running the person in command shall ensure —

- (a) that a competent person is in the cockpit to operate the controls;
- (b) that a competent person is placed outside the aircraft so as to be able to give directions to the person in the cockpit;
- (c) that in the immediate vicinity there is a fire extinguisher of adequate type and capacity;
- (d) that adequate precautions are taken to ensure that the slipstream or jet efflux will not cause damage to buildings or other objects and hazard to persons or vehicles;
- (e) that a listening watch is maintained on the appropriate frequency.

37. No person shall run up aircraft engines except in places assigned for the purpose or without the approval of the air traffic controller.

38. No person shall start or run up engines of aircraft inside hangars.

39. Any person operating starter units and other mobile equipment shall ensure that they are so positioned near an aircraft in such a way that they can be moved away freely from the aircraft.

40. No person shall refuel any equipment provided with a combustion motor while such equipment is in operation.

41. No person shall operate on the apron equipment incorporating combustion motors unless they are provided with spark-proof exhaust pipes.

42. No person shall operate mobile equipment on the aircraft parking apron unless such equipment is provided with parking brakes or other adequate blocking devices.

43. No person shall operate vehicles used for the transportation of fuel unless such vehicles carry at least one fire extinguisher, ready for immediate action, which in the opinion of the airport authority is of adequate capacity and suitable for fighting burning liquids.

44. No person shall operate a fuel truck unless it is under constant supervision of a competent person or is parked in a parking place intended for fuel trucks.

45. No person shall fuel aircraft or transfer aircraft fuel except in the open and at a distance of at least 50 feet from hangars and other buildings. Fuelling is not permitted within a distance of 300 feet from a radar installation in operation.

46. No person shall fuel or defuel an aircraft within a distance of 50 feet from objects liable to produce sparks.

47. No person engaged in fuelling or transferring fuel shall wear hobnailed or steel bound footwear.

48. No person engaged in fuelling or defuelling operations shall perform such operations unless there is within immediate reach at least one additional fire extinguisher of adequate type and capacity, in addition to the fire extinguishing agents on the fuel truck itself.

49. No person performing fuelling operations shall use any lamp other than gaslight lamps at the site.

50. No person shall during fuelling or defuelling operations —

- (a) carry out any work on the aircraft near the filling or air release orifices of the tanks;
- (b) make or break an electrical contact inside the aircraft or between the aircraft and any object outside;
- (c) set switches including those of radio installations in any position other than the position of rest, except switches pertaining to equipment necessary for fuelling and to lighting necessary for safety purposes.

51. The person in charge of the fuelling of an aircraft shall ensure that the aircraft, fuel truck, hoses, filters and all other fuelling apparatus are adequately bonded and the following manipulations are performed consecutively —

- (a) The aircraft and the fuel truck shall be earthed;
- (b) The aircraft and the fuel truck shall be connected;
- (c) The clip of the hose nozzle shall be connected to the aircraft before the charging hole of the aircraft fuel tank is opened.

52. No person shall fuel aircraft with passengers on board unless he has obtained the consent of the airport authority, and the following additional precautions are taken —

- (a) passengers shall be told that fuelling is about to take place and that smoking and making or breaking electrical contacts is prohibited.
- (b) passengers shall be instructed to remain in their seats.
- (c) all doors of the aircraft shall be open and provided with safe stairs, exits and stairs shall be unobstructed by baggage or other material.
- (d) there shall be a member of the crew or a competent employee of the operator inside the aircraft, in order to exercise supervision of the above requirements.
- (e) fuelling shall be stopped immediately if, and as long as fuel vapour is observed inside the aircraft or when such other fact likely to be hazardous is detected.

53. The airport authority may prohibit the fuelling of an aircraft during a thunderstorm over or in the immediate vicinity of the airport, or in any other special circumstances.

54. The airport authority may grant exemption from one or more of the above restrictions when aircraft fuel having a flash point higher than 100° F is used.

### PART III

#### PENALTIES

55. Any person who contravenes any of the provisions of these regulations or any rule prescribed or any lawful order or instruction issued by the Superintendent or person authorized by him for the purpose of enforcement of these regulations may be removed or ejected from the airport by a police officer and may in addition be liable on conviction to a fine of two hundred pounds.

#### SCHEDULE A.

#### Regulations for the Promotion of Safety and Order at Stanley Airport.

##### AIRPORT VEHICLE CONTROL:

1. No person shall operate a vehicle on the airport unless —

- (a) he holds a licence or permit to operate that particular type and class of vehicle;
- (b) the vehicle is equipped to the satisfaction of the traffic police.

2. The operator of a vehicle on the airport shall comply with any traffic directions given to him by a duly authorized officer.



3. Every person on the airport shall produce to a duly authorized officer on demand —
  - (a) any permit issued to him under these regulations;
  - (b) any licence or permit authorizing him to drive a vehicle.
4. The Superintendent may exempt any person or class of persons from the provisions of these regulations insofar as may be necessary for the efficient performance of duties in the service of the Crown or in execution of duly authorized work on the airport.
5. Except as authorized by the Superintendent, only those vehicular operations which may be categorized as a service function under the following will be permitted to operate on manoeuvring and movement areas —
  - (a) safety vehicles — crash, medical, fire;
  - (b) airport operations and management;
  - (c) airport police and security;
  - (d) airport construction and maintenance units of the Public Works Department including aeronautical telecommunications.
6. Every person who drives a vehicle in the performance of a service function, is responsible for being familiar with authorities, regulations and procedures. He shall use discreet judgment in application of the procedures detailed herein.
7. A vehicle operator must determine that the equipment under his charge is operating satisfactorily and must be familiar with the airport layout, visual signals and rules. He will also notify through his immediate supervisor any equipment malfunction, runway and taxiway obstruction or other potential hazardous condition which he may observe in the course of his duty.
8. Vehicles shall remain clear and give right of way to aircraft on manoeuvring and movement areas.
9. No equipment, mobile or otherwise, may be left unattended at any time on the manoeuvring area.
10. No vehicle shall be driven within an area where it will come under the influence of the jet or slipstream of manoeuvring aircraft.
11. The blinking on and off of runway lights shall be a warning signal for all vehicles to leave the runway immediately.
12. Prior to proceeding onto the manoeuvring area, the vehicle operator shall visually ensure that aircraft are not approaching or departing.
13. All vehicles and equipment operating on the manoeuvring area shall be equipped either with functioning two-way radio on the appropriate ground control frequency operated by an approved person or be under the escort of a vehicle so equipped and manned.
14. Before proceeding onto the manoeuvring area the vehicle operator shall listen out to avoid interfering with other communications on the ground control frequency before transmitting his request for clearance.
15. All instructions from ground control shall either be acknowledged as understood, or the vehicle operator shall repeat his request or enquiry.
16. Requests for clearance of vehicles to specific locations shall include the intended route to be followed.
17. The ground control clearance to a specific location by a specified route authorizes the vehicle to proceed to that location without further clearance; however should it be necessary to restrict the vehicle on its intended route the ground controller shall either clear the vehicle to a location short of the conflicting area or shall require the vehicle to obtain a further clearance before entering the conflicting area.
18. When a vehicle operator is instructed to hold clear of the runway or is awaiting clearance to cross or proceed onto a runway he shall hold his vehicle at the taxipost or at least 100 feet from the edge of the runway.
19. When a vehicle operator is instructed to clear a runway he shall immediately proceed out of it and advise ground control when clear.
20. In the event of a vehicle becoming unserviceable while on the manoeuvring area the vehicle operator shall immediately advise ground control of his location and difficulty and request advice or assistance.

21. Whenever mobile equipment is operating on a ground or fleet basis it shall remain under the control of a competent supervisor who shall be responsible for requesting and acknowledging all ground control instructions.

22. All radio communications with ground control shall be in English or a language approved by the airport authority, and standard phraseology shall be used.

23. The ICAO phonetic alphabet shall be used at all times when phonetics are required.

24. All vehicles shall be assigned an identification according to the classification of their service use. The identification shall include a specific number (one-two-three etc.) for each vehicle.

Service	Identification
Fire-Crash-Safety	Red
Airport Operations & Management	Staff
Airport Police	Police
Airport construction & maintenance of Public Works Department	Truck
Aeronautical Telecommunications Construction Maintenance	Radio
Aircraft servicing	Service
(e.g. Red One, Staff 2, Truck 1 etc.)	

#### SCHEDULE B.

#### Landing, Housing, Parking of Aircraft and Embarkation Fees.

1. Except as provided all aircraft and passengers using the facilities provided at the Stanley Airport are liable for payment of charges as detailed hereunder.

##### (a) PASSENGER SERVICE CHARGES:

An embarkation tax of £2.00 shall be levied at the airport for every passenger departing the Colony through the airport. A passenger manifest for every flight (departure) shall be submitted to the Superintendent by the airline before each departure from the airport.

*Exemptions: children under two years of age.*

##### (b) TARIFF OF LANDING, HOUSING, PARKING AND TERMINAL CHARGES:

Fees for landing are computed on the basis of maximum gross all-up weight as indicated on the Certificate of Airworthiness. Except where arrangements for payment of charges on a monthly basis have been negotiated, all landing, housing or parking charges shall be payable prior to departure of an aircraft.

##### LANDING CHARGES (aircraft)

Aircraft weight	Charge
Up to and including 2,500 lbs.	£2.50
Exceeding 2,500 lbs. but not exceeding 5,000 lbs.	£5.00
Exceeding 5,000 lbs.	£1.00 per 1,000 lbs. or part thereof.
Night landing surcharge	Additional 25%

##### PARKING CHARGES (aircraft)

Aircraft weight	Charge per 24 hours or part thereof.
Up to 10,000 lbs. or less	£2.00
Exceeding 10,000 lbs. but not exceeding 30,000 lbs.	£3.00
Exceeding 30,000 lbs. but not exceeding 60,000 lbs.	£5.00
Exceeding 60,000 lbs. but not exceeding 90,000 lbs.	£7.00
Exceeding 90,000 lbs. but not exceeding 120,000 lbs.	£10.00

##### HANGAR OR HOUSING CHARGES

The housing charge shall be levied in respect of every complete period of 24 hours or part thereof when hangarage is available or provided at the airport. The housing charge will be 50% of the landing charge for each complete period of 24 hours or part thereof.

2. The airport authority may detain or impound an aircraft pending settlement of fees payable by that aircraft.

3. The payment of landing charges shall entitle an aircraft to —

- (a) The use of the airport for landing and take-off.
- (b) The use of the aeronautical fixed telecommunications service for signals associated with its operation.
- (c) The use of the aeronautical mobile telecommunications service for communications associated with its operation.
- (d) The use of radio navigational, visual navigational and other landing aids and lighting.
- (e) En route and terminal weather services and forecasts.

4. No reduction in landing charges is permissible by reason of non-availability of any of the published airfield services or facilities.

5. When the airport is used for 3 or more consecutive landings by an aircraft owned by an air transport undertaking for the purpose of training its own personnel, or by an aircraft used by a private pilot for the purpose of extending his licence, only 50 per cent of the normal fees for landing shall be payable.

6. Any flight undertaken solely for the purpose of mercy missions and search and rescue operations shall be exempt from the levy of a landing charge.

7. Foreign military or civil aircraft owned and operated by a foreign Government carrying officials of that Government on state visits shall not be liable to the payment of landing, housing, parking or terminal charges.

8. Parking charges shall be levied, in the first instance, in respect of any period exceeding two hours, and thereafter in respect of every succeeding complete period of two hours when an aircraft is parked on the loading apron.

9. When facilities in the terminal building are used for the processing of passengers a terminal area charge is payable.

10. No housing or parking charge shall be levied in respect of a period when an aircraft is detained for the purpose of inspection by a Government aircraft inspector, or due to congestion of the parking area or due to such other cause which in the opinion of the airport authority is not attributable to the owner or operator.

Made by the Governor in Council this 23rd day of February 1978.

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. AIR/10/2E.

## FALKLAND ISLANDS

### SHIPWORKERS' PROTECTION ORDINANCE

(Chapter 64)

### Shipworkers' Protection (Amendment) Regulations 1978

No. 2 of 1978.

J. R. W. PARKER,  
*Governor.*

IN EXERCISE of the powers conferred by section 2 of the Shipworkers' Protection Ordinance, the Governor in Council has made the following regulations —

1. These regulations may be cited as the Shipworkers' Protection (Amendment) Regulations 1978. Citation.

2. Paragraph (1) of regulation 7 of the Shipworkers' Protection Regulations is amended by inserting after "secured" the following — Amendment of regulation 7.

"not inclined at too steep an angle, constructed of material of good quality and in good condition,". Cap. 64 sub. leg.

Made by the Governor in Council this 5th day of April 1978.

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. LEG/10/26.



# FALKLAND ISLANDS

## OLD AGE PENSIONS ORDINANCE 1952 (3 of 1952)

### Old Age Pensions (Amendment) Regulations 1978

No. 3 of 1978.

J. R. W. PARKER,  
*Governor.*

IN EXERCISE of the powers conferred by section 25 of the Old Age Pensions Ordinance 1952, the Governor in Council has made the following regulations —

1. These regulations may be cited as the Old Age Pensions (Amendment) Regulations 1978. Citation.

2. Regulation 21 of the Old Age Pensions Regulations 1952 (hereinafter referred to as the principal Regulations) is amended by deleting "65" and substituting the following—  
"64". Amendment of regulation 21.  
(5 of 1952)

3. Regulation 23 of the principal Regulations is revoked. Revocation of regulation 23.

Made by the Governor in Council this 1st day of August 1978.

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. TRE/2/1.

# FALKLAND ISLANDS

## HARBOUR ORDINANCE (Chapter 30)

### Harbour (Amendment) Regulations 1978

No. 4 of 1978.

J. R. W. PARKER,  
*Governor.*

IN EXERCISE of the powers conferred by section 3 of the Harbour Ordinance, the Governor in Council has made the following regulations —

1. These regulations may be cited as the Harbour (Amendment) Regulations 1978 and shall come into operation on the 1st day of September 1978. Citation and commencement.

2. Schedule III to the Harbour Regulations is amended by deleting Item 1 and substituting the following — Amendment of Schedule III.

“1. HARBOUR DUES

The following harbour dues shall be payable on vessels arriving in the Colony —

	£
Vessels under 15 tons	Free
Vessels of 15 tons and up to 50 tons	30
Vessels of over 50 tons and up to 500 tons	60
Vessels of over 500 tons and up to 800 tons	80
Vessels of over 800 tons and up to 1,500 tons	100
Vessels of over 1,500 tons and up to 2,000 tons	140
Vessels of over 2,000 tons and up to 5,000 tons	180
Vessels of over 5,000 tons and up to 10,000 tons	220
Vessels of over 10,000 tons and up to 12,000 tons	260
Vessels of over 12,000 tons	300”.

Made by the Governor in Council this 2nd day of August 1978.

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. CUS/10/3.

# FALKLAND ISLANDS

## CUSTOMS ORDINANCE (Chapter 16)

### Customs (Fees) (Amendment) Regulations 1978

No. 5 of 1978.

JOHN MASSINGHAM  
*Acting Governor.*

IN EXERCISE of the powers conferred by section 230 of the Customs Ordinance the Governor in Council has made the following regulations —

1. These regulations may be cited as the Customs (Fees) (Amendment) Regulations 1978 and shall come into operation on the 1st day of October 1978. Citation and commencement.

2. Paragraph (d) of regulation 3 of the Customs (Fees) Regulations 1975 (hereinafter referred to as the principal regulations) is amended by inserting before "Sundays" the following — Amendment of regulation 3.  
(2 of 1975)  
"Saturdays,".

3. Regulation 4 of the principal regulations is amended by deleting "ten pounds" and substituting the following — Amendment of regulation 4.  
"twenty pounds".

4. The principal regulations are amended by adding, after regulation 4A, the following regulation — Addition of regulation 4B.

"Entering and clearing vessels under 15 tons.

4B. The fee payable for entering or clearing a vessel under 15 tons shall be half of the fee payable under regulation 4 or 4A above."

Made by the Governor in Council this 2nd day of August 1978.

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. CUS/10/1 II.

# FALKLAND ISLANDS

## PUBLIC HEALTH ORDINANCE

(Chapter 54)

### King Edward VII Memorial Hospital (Amendment) Regulations 1978

No. 6 of 1978.

JOHN MASSINGHAM,  
*Acting Governor.*

IN EXERCISE of the powers conferred by section 55 of the Public Health Ordinance, the Governor in Council has made the following regulations —

1. These regulations may be cited as the King Edward VII Memorial Hospital (Amendment) Regulations 1978. Citation.

2. Regulation 10 of the principal regulations is amended by deleting "£5" and substituting the following — Amendment of regulation 10.  
"£100". (Cap. 54 sub. leg.).

Made by the Governor in Council this 16th day of October 1978.

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. MED/10/2.

# FALKLAND ISLANDS

## REGISTRATION OF UNITED KINGDOM TRADE MARKS ORDINANCE (Chapter 59)

### Trade Marks Rules 1978

No. 1 of 1978.

IN EXERCISE of the powers conferred by section 13 of the Registration of United Kingdom Trade Marks Ordinance, and with the approval of the Governor, the Registrar has made the following rules —

1. These rules may be cited as the Trade Marks Rules 1978 and shall come into operation on the 1st day of January 1979.

Citation 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. Any application for an entry in the trade marks register under section 10 shall be accompanied by a certified copy of the document or documents showing the assignment or transfer of the privileges and rights in the trade mark or of any other instrument showing 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 Public 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.

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.

Supply of prints necessary for certificate or for copies.



**FALKLAND ISLANDS**

**POST OFFICE ORDINANCE**  
(Chapter 52)

**Telephone and Telegraph (Amendment) Rules 1978**

No. 2 of 1978.

**J. R. W. PARKER,**  
*Governor.*

IN EXERCISE of the powers conferred by section 4 of the Post Office Ordinance the Governor in Council has made the following rules —

1. These rules may be cited as the Telephone and Telegraph (Amendment) Rules 1978 and shall come into operation on the 1st day of January 1979. Citation and commencement.

2. Paragraph (1) of rule 5 of the Telephone and Telegraph Rules 1973 (hereinafter referred to as the principal rules) is amended as follows — Amendment of rule 5.  
(1 of 1973)

(a) in sub-paragraph (a) by deleting “£15.00” and “£4.50” and substituting the following respectively —  
“£21.00” and “£6.00”;

(b) in sub-paragraph (b) by deleting “£10.00” and substituting the following —  
“£15.00”;

(c) in sub-paragraph (c) by deleting “£8.75” and substituting the following —  
“£12.00”;

(d) in sub-paragraph (d) by deleting “£7.00” and substituting the following —  
“£9.00”.

3. Paragraph (1) of rule 8 of the principal rules is amended as follows — Amendment of rule 8.

(a) in sub-paragraph (a) by deleting “£4.50” and substituting the following —  
“£6.00”;

(b) in sub-paragraph (b) by deleting “£7.00” and substituting the following —  
“£9.00”.

4. Paragraph (3) of rule 8 of the principal rules is amended by deleting “£1.25” and substituting the following —  
“£2.00”.

5. Rule 10 of the principal rules is amended by deleting “2p” where it occurs and substituting the following —  
“5p”. Amendment of rule 10.

6. Paragraph (2) of rule 12 of the principal rules is amended by deleting “£20” and substituting the following —  
“£42”. Amendment of rule 12.

7. Paragraph (1) of rule 18 of the principal rules is amended by deleting “£2.50” and substituting the following —  
“£5.00”. Amendment of rule 18.

Made by the Governor in Council this 12th day of December 1978.

**W. A. ETHERIDGE,**  
*Clerk of Councils.*

Ref. P & T/10/1.

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 —

On an application under section 4 to include the issue of the Certificate of Registration under section 5 (Registration of Trade Mark) ... ..	£ 6.00
On an application under section 10 (Assignment) ... ..	3.00
On an application under section 12 (Registered User) ... ..	6.00
On a notification of renewal under section 15 (Renewal of Registration) ... ..	3.00
On a request under section 16 (To cancel, correct or change) ... ..	1.00
On a certificate by the Registrar ... ..	1.00
On a search of the Register ... } for the first hour or part thereof	£1.00 and
On a search of the record relating to a particular trade mark ... } for each subsequent hour or part thereof	1.00
On inspection of a document filed ... ..	0.50
For copies of document —	
(a) for an office copy - each folio 72 words or figures	0.25
(b) for a plain copy - each folio 72 words or figures	0.10
and if more than one copy bespoken —	
(c) for examining a plain copy and marking as an office copy - each folio of 72 words or figures ...	0.15
for extracts of documents - each folio of 72 words or figures	0.25.

9. The Registration of United Kingdom Trade Marks Rules 1962 are revoked.

Dated this 9th day of June 1978.

**H. BENNETT,**  
*Registrar.*

Ref. LEG/10/51.

# FALKLAND ISLANDS

## INCOME TAX ORDINANCE (Chapter 32)

### Income Tax (Amendment) Rules 1978

No. 3 of 1978.

J. R. W. PARKER,  
*Governor.*

IN EXERCISE of the powers conferred by section 89 of the Income Tax Ordinance, the Governor in Council has made the following rules —

1. These rules may be cited as the Income Tax (Amendment) Rules 1978. Citation.
2. The principal rules are amended in page 3 of Form No. 2 by — Amendment of Form No. 2.  
Cap. 32 sub. leg.
  - (a) renumbering items 9 and 10 as items 10 and 11 respectively; and
  - (b) by inserting the following new item —  
“9. One fifth of my wife’s earned income (section 15 (5))”.

Made by the Governor in Council this 12th day of December 1978.

W. A. ETHERIDGE,  
*Clerk of Councils.*

Re. INC/10/5.

# FALKLAND ISLANDS

## CUSTOMS ORDINANCE (Chapter 16)

### Resolution of the Legislative Council

No. 1 of 1978.

J. R. W. PARKER,  
*Governor.*

RESOLUTION made and passed by the Legislative Council under section 5 of the Customs Ordinance on the 26th day of June 1978.

THIS RESOLUTION may be cited as the Customs (Amendment of Duties) Resolution 1978 and shall come into operation on the 26th day of June 1978.

Citation and commencement.

IT IS HEREBY RESOLVED in exercise of the powers conferred by section 5 of the Customs Ordinance that paragraph 2 of the Customs Ordinance be amended in item 2 by deleting "£13.50" and substituting the following —

Amendment of paragraph 2.

"£15.00".

Ref. CUS/10/1.

W. A. ETHERIDGE,  
*Clerk of Councils.*

# FALKLAND ISLANDS

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## STATUTORY INSTRUMENTS

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1978 No. 1060

### COPYRIGHT

#### The Copyright (International Conventions) (Amendment) Order 1978

<i>Made</i>	- - - - -	<i>25th July 1978</i>
<i>Laid before Parliament</i>		<i>2nd August 1978</i>
<i>Coming into Operation</i>		<i>23rd August 1978</i>

At the Court at Buckingham Palace, the 25th day of July 1978

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. (1) This Order may be cited as the Copyright (International Conventions) (Amendment) Order 1978, and shall come into operation on 23rd August 1978.

(2) The Interpretation Act 1889 (b) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

2. The Copyright (International Conventions) Order 1972 (c), as amended (d), shall be further amended as follows —

- (a) in Schedule 1 (which names the countries of the Berne Copyright Union) there shall be included a reference to Costa Rica indicated with an asterisk denoting that it is also a party to the Universal Copyright Convention;
- (b) in Schedule 2 (which names the countries party to the Universal Copyright Convention but not members of the Berne Union) the name of Costa Rica, and the date indicated in relation to that country, shall be omitted;
- (c) in Schedule 4 (countries whose broadcasting organisations have copyright protection in relation to their sound broadcasts) there shall be included a reference to Norway and a related reference to 23rd August 1978 in the list of dates in that Schedule.

3. (1) This Order except for Article 2 (c) shall extend to all the countries mentioned in the Schedule hereto.

(2) Article 2 (c) shall extend to Gibraltar and Bermuda.

N. E. LEIGH,  
*Clerk of the Privy Council.*

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(a) 1956 c. 74.

(b) 1889 c. 63.

(c) S.I. 1972/673.

(d) The amendments are not relevant to the subject matter of this Order.

## SCHEDULE

### COUNTRIES TO WHICH THIS ORDER EXTENDS

Bermuda	Gibraltar
Belize	Hong Kong
British Virgin Islands	Isle of Man
Cayman Islands	Montserrat
Falkland Islands and Dependencies	St. Helena and its Dependencies

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### EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order further amends the Copyright (International Conventions) Order 1972. It takes account of—

- (a) the accession of Costa Rica to the Berne Copyright Convention; and
- (b) the accession of Norway to the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations.

The Order extends, so far as is appropriate, to dependent countries of the Commonwealth to which the 1972 Order extends.





Colony of the  
Falkland Islands and Dependencies

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Ordinances,  
Orders, Proclamations, etc.  
1979

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# Maintenance Orders (Reciprocal Enforcement) Ordinance 1979

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Assented to in Her Majesty's name this 19th day of March 1979.

J. R. W. PARKER,  
*Governor.*

LS

No. 1



1979

Colony of the Falkland Islands

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

An Ordinance

To make provision for the reciprocal enforcement of maintenance orders. Title.

(21st March 1979)

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

1. This Ordinance may be cited as the Maintenance Orders (Reciprocal Enforcement) Ordinance 1979. Short title.

2. (1) In this Ordinance, unless the context otherwise requires — Interpretation.

“affiliation order” means an order (however described) adjudging, finding or declaring a person to be the father of a child, whether or not it also provides for the maintenance of the child;

“certificate of arrears”, in relation to a maintenance order, means a certificate certifying that the sum specified in the certificate is to the best of the information or belief of the officer giving the certificate the amount of the arrears due under the order at the date of the certificate, or, as the case may be, that to the best of his information or belief there are no arrears due thereunder at the date;

“certified copy”, in relation to an order of a court, means a copy of the order certified by the proper officer of the court to be a true copy;

“court” includes any tribunal or person having power to make, confirm, enforce, vary or revoke a maintenance order;



"maintenance order" means an order (however described) of any of the following descriptions, that is to say —

- (a) an order (including an affiliation order) which provides for the periodical payment of sums of money towards the maintenance of any person, being a person whom the person liable to make payments under the order is, according to the law applied in the place where the order was made, liable to maintain; and
- (b) an affiliation order which provides for the payment by a person adjudged, found or declared to be a child's father of expenses incidental to the child's birth or, where the child has died, of his funeral expenses,

and, in the case of a maintenance order which has been varied, means that order as varied;

"payee", in relation to a maintenance order, means the person entitled to the payments for which the order provides;

"payer", in relation to a maintenance order, means the person liable to make payments under the order;

"provisional order" means (according to the context) —

- (a) an order made by a court in the Colony which is provisional only and which has no effect unless and until confirmed, with or without alteration, by a competent court in a reciprocating country; or
- (b) an order made by a competent court in a reciprocating country which is provisional only and which has no effect unless and until confirmed, with or without alteration, by a court in the Colony having power under this Ordinance to confirm it;

"reciprocating country" means a country or territory designated in an order made by the Governor under section 3 of the Ordinance to the extent which it is so designated;

"registered order" means a maintenance order which is for the time being registered in a court in the Colony under this Ordinance;

"registering court", in relation to a registered order, means the court in which that order is for the time being registered under this Ordinance;

"the responsible authority", in relation to a reciprocating country, means any person who in that country has functions similar to those of the Governor under this Ordinance.

(2) For the purposes of this Ordinance an order shall be taken to be a maintenance order so far (but only so far) as it relates to the periodical payment of sums of money as mentioned in paragraph (a) of the definition of "maintenance order" in subsection (1) above or to the payment by a person adjudged, found or declared to be a child's father of any such expenses as are mentioned in paragraph (b) of that definition.

(3) Any reference in this Ordinance to the payment of money for the maintenance of a child shall be construed as including a reference to the payment of money for the child's education.

3. (1) If the Governor is satisfied that, in the event of the benefits conferred by this Ordinance being applied to, or to particular classes of, maintenance orders made by the courts of any country or territory other than the Colony, similar benefits will in that country be applied to, or to those classes of, maintenance orders made by the courts of the Colony, he may by Order-in-Council, designate that country or territory as a reciprocating country for the purposes of this Ordinance.

Orders designating  
reciprocating countries.  
1972 c. 18 s. 1.

(2) A country or territory may be designated under subsection (1) above as a reciprocating country either as regards maintenance orders generally, or as regards maintenance orders other than those of any specified class, or as regards maintenance orders of one or more specified classes only; and a country or territory which is for the time being so designated otherwise than as regards maintenance orders generally shall for the purposes of this Ordinance be taken to be a reciprocating country only as regards maintenance orders of the class to which the designation extends.

4. (1) Subject to subsection (2) below, where the payer under a maintenance order made, whether before or after the commencement of this Ordinance, by a court in the Colony is residing in a reciprocating country, the payee under the order may apply for the order to be sent to that country for enforcement.

Transmission of maintenance order made in the Colony for enforcement in reciprocating country.  
1972 c. 18 s. 2.

(2) Subsection (1) above shall not have effect in relation to a provisional order.

(3) Every application under this section shall be made in the prescribed manner to the prescribed officer of the court which made the maintenance order to which the application relates.

(4) If, on an application duly made under this section to the prescribed officer of a court in the Colony, that officer is satisfied that the payer under the maintenance order to which the application relates is residing in a reciprocating country, the following documents, that is to say —

- (a) a certified copy of the maintenance order;
- (b) a certificate signed by that officer certifying that the order is enforceable in the Colony;
- (c) a certificate of arrears;
- (d) a statement giving such information as the officer possesses as to the whereabouts of the payer;
- (e) a statement giving such information as the officer possesses for facilitating the identification of the payer; and
- (f) where available, a photograph of the payer,

shall be sent by that officer to the Governor with a view to their being transmitted by the Governor to the responsible authority in the reciprocating country if he is satisfied that the statement relating to the whereabouts of the payer gives sufficient information to justify that being done.

(5) Nothing in this section shall be taken as affecting any jurisdiction of a court in the Colony with respect to a maintenance order to which this section applies, and any such order may be enforced, varied or revoked accordingly.

5. (1) Where a complaint is made to the Magistrate's Court or a Summary Court against a person residing in a reciprocating country and the complaint is one of which such court would have jurisdiction by virtue of any enactment to make a maintenance order if —

Power of Magistrate's Court or Summary Court to make provisional maintenance order against person residing in reciprocating country.  
1972 c. 18 s. 3.

- (a) that person were residing in the Colony;
- (b) a summons to appear before the court to answer to the complaint had been served on him,

such court shall have jurisdiction to hear the complaint and may, subject to subsection (2) below, make a maintenance order on the complaint.

(2) A maintenance order made by virtue of this section shall be a provisional order.



(3) If the court hearing a complaint to which subsection (1) above applies is satisfied —

- (a) that there are grounds on which a maintenance order containing a provision requiring the making of payments for the maintenance of a child may be made on that complaint; but
- (b) that it has no jurisdiction to make that order unless it also makes an order providing for the legal custody of that child, then, for the purpose of enabling such court to make the maintenance order, the complainant shall be deemed to be the person to whom the legal custody of that child has been committed by an order of such court which is for the time being in force.

(4) No enactment empowering the Magistrate's Court or a Summary Court to refuse to make an order on a complaint on the ground that the matter in question is one which would be more conveniently dealt with by the Supreme Court shall apply in relation to a complaint to which subsection (1) above applies.

(5) Where a court makes a maintenance order which is by virtue of this section a provisional order, the following documents, that is to say —

- (a) a certified copy of the maintenance order;
- (b) a document, authenticated in the prescribed manner, setting out or summarising the evidence given in the proceedings;
- (c) a certificate signed by the prescribed officer of the court certifying that the grounds stated in the certificate are the grounds on which the making of the order might have been opposed by the payer under the order;
- (d) a statement giving such information as was available to the court as to the whereabouts of the payer;
- (e) a statement giving such information as the officer possesses for facilitating the identification of the payer; and
- (f) where available, a photograph of the payer,

shall be sent by that officer to the Governor with a view to their being transmitted by the Governor to the responsible authority in the reciprocating country in which the payer is residing if he is satisfied that the statement relating to the whereabouts of the payer gives sufficient information to justify that being done.

(6) A maintenance order made by virtue of this section which has been confirmed by a competent court in a reciprocating country shall be treated for all purposes as if the Magistrate's Court or Summary Court which made the order had made it in the form in which it was confirmed and as if the order had never been a provisional order, and, subject to section 6 of this Ordinance, any such order may be enforced, varied or revoked accordingly.

6. (1) This section applies to a maintenance order a certified copy of which has been sent to a reciprocating country in pursuance of section 4 of this Ordinance and to a maintenance order made by virtue of section 5 thereof which has been confirmed by a competent court in such country.

(2) A court in the Colony having power to vary a maintenance order to which this section applies shall have power to vary that order by a provisional order.

(3) Where the court hearing an application for the variation of a maintenance order to which this section applies proposes to vary it by increasing the rate of the payments under the order then, unless

- (a) both the payer and the payee under the order appear in the proceedings; or

(b) the applicant appears and the appropriate process has been duly served on the other party,

the order varying the order shall be a provisional order.

(4) Where a court in the Colony makes a provisional order varying a maintenance order to which this section applies, the prescribed officer of the court shall send in the prescribed manner to the court in a reciprocating country having power to confirm the provisional order a certified copy of the provisional order together with a document, authenticated in the prescribed manner, setting out or summarising the evidence given in the proceedings.

(5) Where a certified copy of a provisional order made by a court in a reciprocating country, being an order varying or revoking a maintenance order to which this section applies, together with a document, duly authenticated, setting out or summarising the evidence given in the proceedings in which the provisional order was made, is received by the court in the Colony which made the maintenance order, that court may confirm or refuse to confirm the provisional order and, if that order is an order varying the maintenance order, confirm it either without alteration or with such alterations as it thinks reasonable.

(6) For the purpose of determining whether a provisional order should be confirmed under subsection (5) above, the court shall proceed as if an application for the variation or revocation, as the case may be, of the maintenance orders in question, had been made to it.

(7) Where a maintenance order to which this section applies has been varied by an order (including a provisional order which has been confirmed) made by a court in the Colony or by a competent court in a reciprocating country, the maintenance order shall, as from the date on which the order was made, have effect as varied by that order and, where that order is a provisional order, as if that order had been made in the form it was confirmed, and as if it had never been a provisional order.

(8) Where a maintenance order to which this section applies has been revoked by an order made by a court in the Colony or by a competent court in a reciprocating country, including a provisional order made by the last-mentioned court which has been confirmed by a court in the Colony, the maintenance order shall, as from the date on which the order was made, be deemed to have ceased to have effect except as respects any arrears due under the maintenance order at that date.

(9) Where before a maintenance order made by virtue of section 5 of this Ordinance is confirmed a document, duly authenticated, setting out or summarising evidence taken in a reciprocating country for the purpose of proceedings relating to the confirmation of the order is received by the court in the Colony which made the order, or that court, in compliance with a request made to it by a court in such a country, takes the evidence of a person residing in the Colony for the purpose of such proceedings, the court in the Colony which made the order shall consider that evidence and if, having done so, it appears to it that the order ought not to have been made—

- (a) it shall, in such manner as may be prescribed, give the person on whose application the maintenance order was made an opportunity to consider that evidence, to make representations with respect to it and to adduce further evidence; and
- (b) after considering all evidence and any representations made by that person, it may revoke the maintenance order.

7. (1) This section applies to a maintenance order made, whether before or after the commencement of this Ordinance, by a court in a reciprocating country, including such an order made by

such a court which has been confirmed by a court in another reciprocating country but excluding a provisional order which has not been confirmed.

(2) Where a certified copy of an order to which this section applies is received by the Governor from the responsible authority in a reciprocating country, and it appears to the Governor that the payer under the order is residing in the Colony, he shall send the copy of the order to the prescribed officer of the appropriate court.

(3) Where the prescribed officer of the appropriate court receives from the Governor a certified copy of an order to which this section applies, he shall, subject to subsection (4) below, register the order in the prescribed manner in that court.

(4) Before registering an order under this section an officer of a court shall take such steps as he thinks fit for the purpose of ascertaining whether the payer under the order is residing within the Colony, and if after taking those steps he is satisfied that the payer is not so residing he shall return the certified copy of the order to the Governor with a statement giving such information as he possesses as to the whereabouts of the payer.

8. (1) This section applies to a maintenance order made, whether before or after the commencement of this Ordinance, by a court in a reciprocating country being a provisional order.

(2) Where a certified copy of an order to which this section applies together with —

- (a) a document, duly authenticated, setting out or summarising the evidence given in the proceedings in which the order was made; and
- (b) a statement of the grounds on which the making of the order might have been opposed by the payer under the order,

is received by the Governor from the responsible authority in a reciprocating country, and it appears to the Governor that the payer under the order is residing in the Colony, he shall send the copy of the order and documents which accompanied it to the prescribed officer of the appropriate court, and that court shall —

- (i) if the payer under the order establishes any such defence as he might have raised in the proceedings in which the order was made, refuse to confirm the order; and
- (ii) in any other case, confirm the order either without alteration or with such alterations as it thinks reasonable.

(3) In any proceedings for the confirmation under this section of a provisional order, the statement received from the court which made the order of the grounds on which the making of the order might have been opposed by the payer under the order shall be conclusive evidence that the payer might have raised a defence on any of those grounds in the proceedings in which the order was made.

(4) For the purpose of determining whether a provisional order should be confirmed under this section the court shall proceed as if an application for a maintenance order against the payer under the provisional order had been made to it.

(5) The prescribed officer of a court having power under this section to confirm a provisional order shall, if the court confirms the order, register the order in the prescribed manner in that court, and shall, if the court refuses to confirm the order, return the certified copy of the order and the documents which accompanied it to the Governor.

(6) If a summons to appear in the proceedings for the confirmation of the provisional order cannot be duly served on the payer under that order the officer by whom the certified copy of the order

was received shall return that copy and the documents which accompanied it to the Governor with a statement giving such information as he possesses as to the whereabouts of the payer.

9. (1) Subject to subsection (2) below, a registered order may be enforced in the Colony as if it had been made by the registering court and as if that court had had jurisdiction to make it; and proceedings for or with respect to the enforcement of any such order may be taken accordingly.

(2) Any person for the time being under an obligation to make payments in pursuance of a registered order shall give notice of any change of address to the prescribed officer of the court, and any person failing without reasonable excuse to give such notice shall be liable on summary conviction to a fine not exceeding £10.

(3) An order which by virtue of this section is enforceable by the Magistrate's Court or a Summary Court shall be enforceable as if it were an affiliation order made by such court; and the provisions of any enactment with respect to the enforcement of affiliation orders (including enactments relating to the accrual of arrears and the remission of sums due) shall apply accordingly.

(4) The Magistrate's Court or a Summary Court shall take all such steps for enforcing the order as may be prescribed.

(5) In any proceedings for or with respect to the enforcement of an order which is for the time being registered in any court a certificate of arrears sent to the prescribed officer of the court shall be evidence of the facts stated therein.

(6) Subject to subsection (7) below, sums of money payable under a registered order shall be payable in accordance with the order as from the date on which the order was made.

(7) The court having power under section 8 of this Ordinance to confirm a provisional order may, if it decides to confirm the order, direct that the sums of money payable under it shall be deemed to have been payable in accordance with the order as from such date, being a date later than the date on which the order was made, as it may specify; and subject to any such direction, a maintenance order registered under the said section 8 shall be treated as if it had been made in the form in which it was confirmed and as if it had never been a provisional order.

10. (1) Subject to the provisions of this section, the registering court —

- (a) shall have the like power, on an application made by the payer or payee under a registered order, to vary or revoke the order as if it had been made by the registering court and as if that court had had jurisdiction to make it; and
- (b) shall have power to vary or revoke a registered order by a provisional order.

(2) The registering court shall not vary a registered order otherwise than by a provisional order unless —

- (a) both the payer and the payee under the registered order are for the time being residing in the Colony; or
- (b) the application is made by the payee under the registered order; or
- (c) the variation consists of a reduction in the rate of the payments under the registered order and is made solely on the ground that there has been a change in the financial circumstances of the payer since the registered order was made or, in the case of an order registered under section 8 of this Ordinance, since the registered order was confirmed,

Enforcement of maintenance order registered in the Colony court.  
1972 c. 18 s. 8.

Confirmation by Colony court of provisional maintenance order made in reciprocating country.  
1972 c. 18 s. 7.

Variation and revocation of maintenance order registered in the Colony.  
1972 c. 18 s. 9.

and the courts in the reciprocating country in which the maintenance order in question was made do not have power, according to the law in force in that country, to confirm provisional orders varying maintenance orders.

(3) The registering court shall not revoke a registered order otherwise than by a provisional order unless both the payer and the payee under the registered order are for the time being residing in the Colony.

(4) On an application for the revocation of a registered order the registering court shall, unless the payer and the payee under the registered order are for the time being residing in the Colony, apply the law applied by the reciprocating country in which the registered order was made; but where by virtue of this subsection the registering court is required to apply that law, that court may make a provisional order if it has reason to believe that the ground on which the application is made is a ground on which the order could be revoked according to the law applied by the reciprocating country, notwithstanding that it has not been established that it is such a ground.

(5) Where the registering court makes a provisional order varying or revoking a registered order the prescribed officer of the court shall send in the prescribed manner to the court in the reciprocating country which made the registered order a certified copy of the provisional order together with a document, authenticated in the prescribed manner, setting out or summarising the evidence given in the proceedings.

(6) Where a certified copy of a provisional order made by a court in a reciprocating country, being an order varying a registered order, together with a document, duly authenticated, setting out or summarising the evidence given in the proceedings in which the provisional order was made, is received by the registering court, that court may confirm the order either without alteration or with such alteration as it thinks reasonable or refuse to confirm the order.

(7) For the purpose of determining whether a provisional order should be confirmed under subsection (6) above the court shall proceed as if an application for the variation of the registered order had been made to it.

(8) Where a registered order has been varied by an order (including a provisional order which has been confirmed) made by a court in the Colony or by a competent court in a reciprocating country, the registered order shall, as from the date on which the order was made, have effect as varied by that order and, where that order was a provisional order, as if that order had been made in the form in which it was confirmed and as if it had never been a provisional order.

(9) Where a registered order has been revoked by an order made by a court in the Colony or by a competent court in a reciprocating country, including a provisional order made by the court in the Colony which has been confirmed by a competent court in a reciprocating country, the registered order shall, as from the date on which the order was made, be deemed to have ceased to have effect except as respects any arrears due under the registered order at that date.

(10) The prescribed officer of the registering court shall register in the prescribed manner any order varying a registered order other than a provisional order which is not confirmed.

#### 11. (1) Where —

- (a) a registered order is revoked by an order made by the registering court; or

- (b) a registered order is revoked by a provisional order made by that court which has been confirmed by a court in a reciprocating country and notice of the confirmation is received by the registering court; or  
(c) a registered order is revoked by an order made by a court in such a country and notice of the revocation is received by the registering court,

the prescribed officer of the registering court shall cancel the registration; but any arrears due under the registered order at the date when its registration is cancelled by virtue of this subsection shall continue to be recoverable as if the registration had not been cancelled.

(2) Where the prescribed officer of the registering court is of opinion that the payer under a registered order has ceased to reside within the jurisdiction of that court, he shall cancel the registration of the order and shall send the certified copy of the order to the Governor.

12. (1) If it appears to the Governor that the payer under a maintenance order, a certified copy of which has been received by him from a reciprocating country, is not residing in the Colony, or, in the case of an order which subsequently became a registered order, has ceased to reside therein, he shall send to the responsible authority in that country or, if having regard to all the circumstances he thinks it proper to do so, to the responsible authority in another reciprocating country —

- (a) the certified copy of the order in question and a certified copy of any order varying that order;  
(b) if the order has at any time been a registered order, a certificate of arrears signed by the prescribed officer;  
(c) a statement giving such information as the Governor possesses as to the whereabouts of the payer; and  
(d) any other relevant documents in his possession relating to the case.

(2) Where the documents mentioned in subsection (1) above are sent to the responsible authority in a reciprocating country other than that in which the order in question was made, the Governor shall inform the responsible authority in the reciprocating country in which that order was made of what he has done.

13. (1) No appeal shall lie from a provisional order made in pursuance of any provision of this Ordinance by a court in the Colony.

(2) Where in pursuance of any such provision any such court confirms or refuses to confirm a provisional order made by a court in a reciprocating country, whether a maintenance order or an order varying or revoking a maintenance order, the payer or payee under the maintenance order shall have the like right of appeal (if any) from the confirmation of, or refusal to confirm, the provisional order as he would have if that order were not a provisional order and the court which confirmed or refused to confirm it had made or, as the case may be, refused to make it.

(3) Where in pursuance of any such provision any such court makes, or refuses to make, an order varying or revoking a maintenance order made by a court in a reciprocating country then subject to subsection (1) above, the payer or payee under the maintenance order shall have the like right of appeal (if any) from that order or from the refusal to make it as he would have if the maintenance order had been made by the first-mentioned court.

(4) Nothing in this section (except subsection (1) above) shall be construed as affecting any right of appeal conferred by any other enactment.

Steps to be taken by the Governor where payer under certain orders is not residing in the Colony.  
1972 c. 18 s. 11.

Appeals.  
1972 c. 18 s. 12.



14. (1) A statement contained in —

- (a) a document, duly authenticated, which purports to set out or summarise evidence given in proceedings in a court in a reciprocating country; or
- (b) a document, duly authenticated, which purports to set out or summarise evidence taken in such a country for the purpose of proceedings in a court in the Colony under this Ordinance, whether in response to a request made by such a court or otherwise; or
- (c) a document, duly authenticated, which purports to have been received in evidence in proceedings in a court in such a country or to be a copy of a document so received,

shall in any proceedings in a court in the Colony relating to a maintenance order to which this Ordinance applies be admissible as evidence of any fact stated therein to the same extent as oral evidence of that fact is admissible in those proceedings.

(2) A document purporting to set out or summarise evidence given as mentioned in subsection (1) (a) above, or taken as mentioned in subsection (1) (b) above, shall be deemed to be duly authenticated for the purposes of that subsection if the document purports to be certified by the judge, magistrate or other person before whom the evidence was given, or, as the case may be, by whom it was taken, to be the original document containing or recording, or, as the case may be, summarising, that evidence or a true copy of that document.

(3) A document purporting to have been received in evidence as mentioned in subsection (1) (c) above, or to be a copy of a document so received, shall be deemed to be duly authenticated for the purposes of that subsection if the document purports to be certified by a judge, magistrate or officer of the court in question to have been, or to be a true copy of a document which has been, so received.

(4) It shall not be necessary in any such proceedings to prove the signature or official position of the person appearing to have given such a certificate.

(5) Nothing in this section shall prejudice the admission in evidence of any document which is admissible in evidence apart from this section.

15. (1) Where for the purpose of any proceedings in a court in a reciprocating country relating to a maintenance order to which this Ordinance applies a request is made by or on behalf of that court for the taking in the Colony of the evidence of a person residing therein relating to matters specified in the request, such court in the Colony as may be prescribed shall have power to take that evidence and, after giving notice of the time and place at which the evidence is to be taken to such persons and in such manner as it thinks fit, shall take the evidence in such manner as may be prescribed.

Evidence taken in compliance with such a request shall be sent in the prescribed manner by the prescribed officer of the court to the court in the reciprocating country by or on behalf of which the request was made.

(2) Where any person, not being the payer or the payee under the maintenance order to which the proceedings in question relate, is required by virtue of this section to give evidence before a court in the Colony, the court may order that there shall be paid such sums as appear to the court reasonably sufficient to compensate that person for the expense, trouble or loss of time properly incurred in or incidental to his attendance.

(3) Section 77 (1), (3) and (4) of the Magistrate's Court Act 1952 (which provides for compelling the attendance of witnesses, etc)

shall apply in relation to the Magistrate's Court or a Summary Court having power under subsection (1) above to take the evidence of any person as if the proceedings in the court in a reciprocating country for the purpose of which a request for the taking of the evidence has been made were proceedings in the Magistrate's Court or a Summary Court and had been begun by complaint.

(4) A court in the Colony may for the purpose of any proceedings in that court under this Ordinance relating to a maintenance order to which this Ordinance applies request a court in a reciprocating country to take or provide evidence relating to such matters as may be specified in the request and may remit the case to that court for that purpose.

16. For the purposes of this Ordinance, unless the contrary is shown —

- (a) any order made by a court in a reciprocating country purporting to bear the seal of that court or to be signed by any person in his capacity as a judge, magistrate or officer of the court, shall be deemed without further proof to have been duly sealed or, as the case may be, to have been signed by that person;
- (b) the person by whom the order was signed shall be deemed without further proof to have been a judge, magistrate or officer, as the case may be, of that court when he signed it and, in the case of an officer, to have been authorized to sign it; and
- (c) a document purporting to be a certified copy of an order made by a court in a reciprocating country shall be deemed without further proof to be such a copy.

17. (1) Payment of sums due under a registered order shall, while the order is registered in a court in the Colony, be made in such manner and to such person as may be prescribed.

(2) Where the sums required to be paid under a registered order are expressed in a currency other than the currency of the Colony, then, as from the relevant date, the order shall be treated as if it were an order requiring the payment of such sums in the currency of the Colony, as, on the basis of the rate of exchange prevailing at that date, are equivalent to the sums so required to be paid.

(3) Where the sum specified in the statement, being a statement of the amount of any arrears due under a maintenance order made by a court in a reciprocating country, is expressed in a currency other than the currency of the Colony, that sum shall be deemed to be such sum in the currency of the Colony, as, on the basis of the rate of exchange prevailing at the relevant date, is equivalent to the sum so specified.

(4) For the purpose of this section a written certificate purporting to be signed by the Financial Secretary certifying that a specified rate of exchange prevailed between currencies at a specified date and that at such rate a specified sum in the currency of the Colony is equivalent to a specified sum in another specified currency shall be evidence of the rate of exchange so prevailing on that date and of the equivalent sums in terms of the respective currencies.

(5) In this section "the relevant date" means —

- (a) in relation to a registered order or to a statement of arrears due under a maintenance order made by a court in a reciprocating country, the date on which the order first becomes a registered order or (if earlier) the date on which it is confirmed by a court in the Colony;
- (b) in relation to a registered order which has been varied, the date on which the last order varying that order is registered in a court in the Colony or (if earlier) the date on which the last order varying that order is confirmed by such a court.

Order, etc., made abroad  
need not be proved.  
1972 c. 18 s. 15.

Payment of sums under  
orders made abroad;  
conversion of currency.  
1972 c. 18 s. 16.

18. Where the Governor makes an order under section 3 of this Ordinance designating as a reciprocating country a country or territory to which, at the commencement of this Ordinance, the Maintenance Orders (Facilities for Enforcement) Ordinance as repealed by this Ordinance extended, that order may contain such provisions as the Governor considers expedient for the purposes of securing —

- (a) that the provisions of this Ordinance apply, subject to such modifications as may be specified in the order, to maintenance orders, or maintenance orders of a specified class —
  - (i) made by a court in the Colony against a person residing in that country or territory; or
  - (ii) made by a court in that country or territory against a person residing in the Colony,

being orders to which immediately before the date of the coming into operation of the order of the said Ordinance applied, except any order which immediately before that date is registered in the Supreme Court;

- (b) that any maintenance order, or maintenance order of a specified class, made by a court in that country or territory which has been confirmed by a court in the Colony under section 6 of the said Ordinance and is in force immediately before that date is registered under section 8 of this Ordinance;

- (c) that any proceedings brought under or by virtue of a provision of the said Ordinance in a court in the Colony which are pending at the date, being proceedings affecting a person resident in that country or territory, are continued as if they had been brought under or by virtue of the corresponding provision of this Ordinance.

19. (1) Where a country or territory, being a country or territory to which at the commencement of this Ordinance the Maintenance Orders (Facilities for Enforcement) Ordinance extended, becomes a reciprocating country, then, if immediately before the said Ordinance was repealed any maintenance order made by a court in that country or territory was registered in the Supreme Court, the Supreme Court may, on application by the payer or the payee under the order or of its own motion, transfer the order to the Magistrate's Court or a Summary Court for all the circumstances it thinks appropriate, with a view to the order being registered in the Magistrate's Court or a Summary Court under this Ordinance.

(2) Where the Supreme Court transfers an order to the Magistrate's Court or a Summary Court under this section it shall —

- (a) cause a certified copy of the order to be sent to the prescribed officer of that court; and
- (b) cancel the registration of the order in the Supreme Court.

(3) The prescribed officer of the Magistrate's Court or a Summary Court on receiving a certified copy of an order sent to him under this section shall register the order in the prescribed manner in that court.

20. (1) Subject to subsection (2) below, the proceedings which are domestic proceedings within the meaning of the Magistrate's Court Act 1952 shall include all proceedings in a Magistrate's Court or a Summary Court under this Ordinance other than proceedings for the variation or enforcement of a maintenance order.

(2) The Magistrate's Court or a Summary Court on hearing any proceedings for the variation of a maintenance order to which this Ordinance applies may, if it thinks fit, order that those proceedings and any other proceedings being heard therewith shall be treated for the purposes of the said Act of 1952 as domestic proceedings.

(3) The said Act of 1952 shall have effect in accordance with subsections (1) and (2) above notwithstanding anything in subsection (1) of section 56 thereof.

(4) Any application which by virtue of a provision of this Ordinance is made to the Magistrate's Court or a Summary Court shall be made by complaint.

(5) Where the defendant to a complaint for the variation or revocation —

- (a) of a maintenance order made by the Magistrate's Court or a Summary Court being an order to which section 6 of this Ordinance applies; or
- (b) of a registered order,

does not appear at the time and place appointed for the hearing of the complaint, but the court is satisfied that the defendant is residing in a reciprocating country, the court may proceed to hear and determine the complaint at the time and place appointed for the hearing or for any adjourned hearing in like manner as if the defendant had appeared at that time and place.

21. The Governor in Council may make rules generally for the carrying out of the purposes or provisions of this Ordinance or any matters incidental or consequential thereto as may appear to him to be necessary and without prejudice to the generality of the foregoing rules may be made for any of the following purposes —

- (a) the orders made, or other things done, by the Magistrate's Court or a Summary Court, or an officer of such court, under this Ordinance, or by a court in a reciprocating country, notice of which is to be given to such persons as the rules may provide and the manner in which such notice shall be given;
- (b) the cases and manner in which courts in reciprocating countries are to be informed of orders made, or other things done; by the Magistrate's Court or a Summary Court under this Ordinance;
- (c) the cases and manner in which a prescribed officer may take evidence needed for the purpose of proceedings in a court in a reciprocating country relating to a maintenance order to which this Ordinance applies;
- (d) the circumstances and manner in which cases may be remitted by the Magistrate's Court or a Summary Court to courts in reciprocating countries;
- (e) the circumstances and manner in which the Magistrates Court or a Summary Court may for the purpose of this Ordinance communicate with courts in reciprocating countries.

22. The Maintenance Orders (Facilities for Enforcement) 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.

W. A. ETHERIDGE,  
Clerk of Councils.

Ref. LEG/10/34.

Rules.  
1972 c. 18 s. 18.

Repeal.  
(Cap. 42)



Assented to in Her Majesty's name this 19th day of March 1979.

J. R. W. PARKER,  
*Governor.*

LS

No. 2



1979

Colony of the Falkland Islands

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**  
JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

**An Ordinance**  
**Further to amend the Stanley Rates** Title.  
**Ordinance 1973.**

(21st March 1979)

Date of commencement.

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

1. This Ordinance may be cited as the Stanley Rates (Amendment) Ordinance 1979. Short title.

2. Section 7 of the principal Ordinance is amended —

Amendment of section 7.  
(5 of 1973)

(a) in the proviso to paragraph (c) by deleting the full stop at the end thereof and substituting a semicolon; and

(b) by adding the following new paragraph —

“(d) The church buildings known as the Parish Hall, St. Mary's Hall and St. Mary's Annexe.”.

3. Section 11 of the principal Ordinance is repealed and replaced by the following —

Repeal and replacement of section 11.

When rate payable.

11. Every rate shall be due on the 1st day of July and must be paid before the 1st day of October in the year in respect of which such general rate is 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.

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. TRE/2/20.

Assented to in Her Majesty's name this 19th day of March 1979.

J. R. W. PARKER,  
*Governor.*

LS

No. 3



1979

Colony of the Falkland Islands

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

An Ordinance  
Further to amend the Christ Church  
Trust Ordinance. Title.

(21st March 1979)

Date of commencement.

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

1. This Ordinance may be cited as the Christ Church Trust (Amendment) Ordinance 1979. Short title.

2. The preamble to the principal Ordinance is amended by inserting after "1974", the following —  
"and further amended and re-published on the 1st day of October 1978,". Amendment of preamble.  
(Cap. 9)

3. Section 2 of the principal Ordinance is amended by deleting "clause 5 of the said New Constitution" and substituting the following —  
"clause 6 of the said amended New Constitution". Amendment of section 2.

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

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. INT/39/2.

# Loans Ordinance 1979

## Arrangement of Sections

### Section

- 1 Short title and commencement
- 2 Interpretation
- 3 Authority to raise loans
- 4 Mode of raising loans
- 5 Advance subscriptions to loans
- 6 Loans to be charge upon general revenues
- 7 Issue of stocks
- 8 Register of stocks
- 9 Stock certificates
- 10 Transfer of stock
- 11 Payment of interest
- 12 Redemption of stock
- 13 Interest to be charge upon general revenues
- 14 Creation of Sinking Fund
- 15 Exemption from stamp duty
- 16 Stock authorized investment for trust funds
- 17 Regulations

Assented to in Her Majesty's name this 14th day of February 1979.

J. R. W. PARKER,  
Governor.

LS

No. 4



1979

Colony of the Falkland Islands

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
Governor.

## An Ordinance

To make provision for the raising of  
loans and for matters connected therewith.

Title.

Date of commencement.

(14th February 1979)

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

Short title and commencement.

1. This Ordinance may be cited as the Loans Ordinance 1979 and shall come into operation on the 14th day of February 1979.

Interpretation.

2. In this Ordinance unless the context otherwise requires—  
“loan” means any loan issued under the provisions of this Ordinance;

“register” means any book kept by the registering authority under the provisions of this Ordinance;

“registering authority” means the Treasury, the Crown Agents or any other agent appointed by the Financial Secretary;

“stock” means any stock issued under the provisions of this Ordinance and any share or interest in such stock;

“stockholder” means any person holding stock and entered as owner thereof in the register.

Authority to raise loans.

3. (1) The Financial Secretary may, subject to the provisions of this Ordinance, raise internally or externally loans of such sums of money as the Legislative Council may from time to time authorize by resolution, together with such further sums as are necessary to defray the expense of issue.

(2) Any moneys borrowed under the provisions of this Ordinance, shall be applied for the purposes specified in the authorizing resolution.

4. Loans may be raised —

- (a) by the creation and issue of registered or inscribed stock;
- (b) from Her Majesty's Government in the United Kingdom;
- (c) in such other manner as the Financial Secretary may decide.

Mode of raising loans.

5. Advance subscriptions may be taken on such terms and conditions as may be specified by the Financial Secretary once the raising of the loan is authorized.

Advance subscriptions to loans.

6. The principal moneys and interest represented by loans issued under the provisions of this Ordinance are hereby charged upon and payable out of the general revenues of the Colony.

Loans to be charge upon general revenues.

7. Falkland Islands stocks may from time to time be issued in the Falkland Islands or elsewhere upon the best and most favourable terms that can be obtained and to such amounts and on such conditions as the Financial Secretary may direct.

Issue of stocks.

8. (1) A register shall be kept in which —

Register of stocks.

- (a) all stock issues shall be registered or, in the case of inscribed stock, inscribed;
- (b) all transfers, transmissions and other dealings in such stock shall be registered.

(2) The register shall be prima facie evidence of title of any person to any stock of which he is entered as stockholder.

(3) the register shall be kept by the Treasury, the Crown Agents or any other appointed agent.

9. Stock certificates shall be sent to the stockholder showing that stock to the value shown therein has been registered in the name of the stockholder. A stock certificate is prima facie evidence of title to the stock specified therein.

Stock certificates.

10. Stock may be transferred by an instrument of transfer approved by the Financial Secretary and shall be supported by the production to the registering authority of the original or a certified true copy of the stock certificate. If the registering authority is satisfied that the transfer is in order the name of the new stockholder shall be entered in the register.

Transfer of stock.

11. Interest shall be payable annually or half yearly as specified when the stock is issued at the rate fixed at the time of issue.

Payment of interest.

12. (1) Stock shall be redeemable at par on the date named when the stock is issued and no interest shall be payable after that date.

Redemption of stock.

(2) Stock may be redeemed before maturity provided that provision for this is made when the stock is issued.

13. So long as any portion of any loan remains outstanding the general revenues of the Colony shall be liable to pay the current annual or half year's interest.

Interest to be charge upon general revenues.

14. (1) Such amount of money as is required shall be taken from the general revenues of the Colony to create in each year a Sinking Fund to the amount specified in the prospectus.

Creation of Sinking Fund.

(2) The money in question shall be invested in the Colony, by the Crown Agents or other appointed agents in such manner as is approved by the Financial Secretary, and the dividends, interest or produce of such investment shall also be invested in like manner.

(3) Investments on behalf of the Sinking Fund may be changed with the approval of the Financial Secretary. Investments in the Colony may not exceed 30 per centum of the total amount of the Sinking Fund at any one time.

(4) The Sinking Fund may be used for the redemption of stock by purchase. Any balance remaining after such redemption shall be credited to the Sinking Fund.

(5) If the Sinking Fund is insufficient, at the time of maturity of the loan, to redeem the loan in full, any balance shall be made good out of the general revenues of the Colony.

15. No stamp duty shall be payable on the issue or transfer of stock.

16. Falkland Islands stock shall be an authorized investment for trust funds.

17. The Governor in Council may make such regulations as may be necessary for the carrying out of the provisions 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.

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. TRE/10/8.

Assented to in Her Majesty's name this 19th day of March 1979.

J. R. W. PARKER,  
*Governor.*

LS



No. 5

1979

Colony of the Falkland Islands

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

## An Ordinance

To amend the Pensions Ordinance to provide for pensions to widows and children.

Title.

(1st July 1977)

Date of commencement.

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

1. This Ordinance may be cited as the Pensions (Amendment) Ordinance 1979.

Short title.

2. The principal Ordinance is amended by inserting before section 1 the following new heading —

Insertion of new heading "Part I".

"PART I"

3. The principal Ordinance is amended by adding after section 18 the following new Part —

Addition of new "Part II".  
6 of 1965.

"PART II

WIDOWS' AND CHILDREN'S PENSIONS

Pensions payable to widow and children of a male pensioner or pensionable officer.

18A. (1) On the death of a male pensioner, or of a male pensionable officer who has completed ten years' pensionable service, there shall be paid to his dependants (if any), a pension as set out in the following provisions of this section based on the amount of the pension he was drawing at the date of his death, or, as the case may be, that he would have been entitled to at the date of his death had he been retired in circumstances in which he would have been entitled to retire with a pension.



(2) If the male pensioner or pensionable officer leaves a widow but no children, the widow shall be entitled to one-half of his pension or, as the case may be, the pension to which he would have been entitled, until her re-marriage or death.

(3) If the male pensioner or pensionable officer leaves a widow and children by such widow or by a previous wife, the widow shall be entitled until her re-marriage or death to one-half of the amount of his pension or, as the case may be, the pension to which he would have been entitled, and the children shall be entitled to pensions in the following proportions, that is to say —

- (a) if three in number, or less, then each shall receive one-sixth of his pension or, as the case may be, the pension to which he would have been entitled; or
- (b) if more than three, then one-half of such pension shall be divided equally among the children:

Provided that where a male pensioner or pensionable officer dies leaving a widow and children by the widow or by a previous wife, it shall be lawful for the Governor either in the first instance or at any time while pensions are payable to the children, to direct the payment to the widow of part only of such pensions and to direct the payment of the balance of such pensions for or towards the maintenance of the children in such manner as the Governor thinks fit.

(4) If the male pensioner or pensionable officer leaves children and no widow such children shall be entitled to pensions in the following proportions, that is to say —

- (a) if three in number, or less, then each shall receive one-third of his pension or, as the case may be, the pension to which he would have been entitled; or
- (b) if more than three, then such pension shall be divided equally among the children.

Pensions payable to children of a female pensioner or pensionable officer.

18B. (1) On the death of a female pensioner, or of a female pensionable officer who has completed ten years' pensionable service, there shall be paid to her children (if any), who were wholly or mainly dependent on her for support, a pension as set out in the following provisions of this section based on the amount of the pension she was drawing at the date of her death, or, as the case may be, that she would have been entitled to at the date of her death had she been retired in circumstances in which she would have been entitled to retire with a pension.

(2) If the female pensioner or pensionable officer leaves children such children shall be entitled to pensions in the following proportions, that is to say —

- (a) if three in number, or less, then each shall receive one-third of her pension, or as the case may be, the pension to which she would have been entitled; or
- (b) if more than three, then such pension shall be divided equally among the children.

Payment and administration of children's pensions.

18C. In all cases of children's pension under this Ordinance, the whole or any part of such pension may be paid either to the parent, or to the legal guardian of such children, or to the children, or to such person or persons as the Governor may in his discretion consider to be fit and proper persons, to apply the same for the benefit of such children, and after such payment the Government of the Colony shall be free of all responsibility in respect of such payment.

Cessation of payment of children's pensions.

18D. Any pension to children shall cease on their attaining the age of seventeen years.

Non-entitlement of widow married to officer over sixty years of age, etc., to pension.

18E. No widow of an officer whose marriage is contracted with him after he has attained the age of sixty years or after he has left the public service, whichever of those events first happens, and no issue of such marriage, shall be entitled to a pension under this Part.

Commencement and application of Part II.

18F. This Part of this Ordinance shall be deemed to have effect from the 1st July 1977 and the provisions thereof shall apply to all officers in the public service under the Government of the Colony on or after the said date."

4. The principal Ordinance is amended by inserting after section 18F the following new heading —

Insertion of new heading "PART III".

### "PART III GENERAL".

5. The principal Ordinance is amended by adding, after section 19, the following new section —

Addition of new section 19A.

"Prohibition against double pensions.

19A. Not more than one pension under this Ordinance shall be payable to or in respect of any one person."

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

W. A. ETHERIDGE,  
Clerk of Councils.

Ref. TRE/10/3.

Assented to in Her Majesty's name this 12th day of July 1979.

J. R. W. PARKER,  
*Governor.*

LS

No. 6



1979

Colony of the Falkland Islands

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

## An Ordinance

To provide for the service of the year  
1979-80. 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 (1979-80) Ordinance 1979. 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 1979 to 30th June 1980, a sum not exceeding Three million, four hundred and eighty-four thousand, seven hundred and twenty-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 1979-80. Appropriation of £3,484,728 for the service of the year 1979-80.

## SCHEDULE

Number	HEAD OF SERVICE	£
I.	The Governor ... ..	37,773
II.	Agriculture ... ..	14,369
III.	Aviation ... ..	189,826
IV.	Customs and Harbour ... ..	45,415
V.	Education ... ..	218,373
VI.	Medical ... ..	237,101
VII.	Meteorological ... ..	13,885
VIII.	Military ... ..	6,570
IX.	Miscellaneous ... ..	32,854
X.	Pensions and Gratuities ... ..	40,736
XI.	Police and Prisons ... ..	32,913
XII.	Posts and Telecommunications ... ..	32,913
XIII.	Public Works ... ..	171,440
XIV.	Public Works Recurrent ... ..	235,164
XV.	Public Works Special ... ..	212,825
XVI.	Secretariat, Treasury and Central Store ... ..	48,810
XVII.	Overseas Passages ... ..	173,969
XVIII.	Social Welfare ... ..	102,213
XIX.	Supreme Court and Legal ... ..	90,756
XX.	Training ... ..	16,086
XXI.	Transfer to Oil Stocks Replacement Fund ... ..	15,000
		56,000
	Total Ordinary Expenditure ... ..	1,992,078
Development A		
	Expenditure to be met from Colony funds ... ..	475,210
Development B		
	Expenditure to be met from U.K. Aid ... ..	1,017,440
	Total Expenditure ... ..	£ 3,484,728

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

W. A. ETHERIDGE,  
Clerk of Councils.

Ref. TRE/14/14.

Assented to in Her Majesty's name this 12th day of July 1979.

J. R. W. PARKER,  
Governor.

LS



No. 7

1979

Colony of the Falkland Islands

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
Governor.

## An Ordinance

To legalise certain payments made in the year 1977-78 in excess of the Expenditure sanctioned by Ordinance No. 1 of 1977. Title.

WHEREAS it is expedient to make further provision for the service of the Colony for the period 1st July 1977 to 30th June 1978. 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 (1977-78) Ordinance 1979. Short title.

2. The sums of money set forth in the Schedule hereto having been expended for the services herein mentioned beyond the amounts granted for those services by the Ordinance providing for the service for the period 1st July 1977 to 30th June 1978, 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 1977 to 30th June 1978.

## SCHEDULE

Number	HEAD OF SERVICE	Amount
	FALKLAND ISLANDS	£
III.	Aviation ... ..	17,788
VI.	Medical ... ..	1,987
VII.	Meteorological ... ..	542
IX.	Miscellaneous ... ..	7,058
X.	Pensions & Gratuities ... ..	9,736
XII.	Posts & Telecommunications ... ..	47,759
XIII.	Public Works ... ..	4,881
XIV.	Public Works Recurrent ... ..	20,007
		£ 109,758
XXI.	Transfer to Development Fund ... ..	290,000
	Development B	
	Expenditure to be met from U.K. Aid ... ..	1,115,053
		£ 1,514,811

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

W. A. ETHERIDGE,  
Clerk of Councils.

Ref. TRE/14/10.

## Guardianship of Minors Ordinance 1979

## Arrangement of Sections

## Sections

## PART I

## Preliminary

1. Short title.
2. Interpretation.

## PART II

## General Principles

3. Principles on which questions relating to custody, upbringing, etc. of minors are to be decided.
4. Equal right of mother to apply to court.

## PART III

## Appointment, Removal and Powers of Guardians

5. Rights of surviving parent as to guardianship.
6. Power of parent to appoint testamentary guardian.
7. Power of court to appoint guardian for minor having no parent, etc.
8. Power of Supreme Court to remove or replace guardian.
9. Disputes between joint guardians.
10. Guardian's powers of management.

## PART IV

## Orders for Custody and Maintenance

11. Orders for custody and maintenance on application of parent.
12. Orders for custody and maintenance where person is guardian to exclusion of surviving parent.
13. Orders for custody and maintenance where joint guardians disagree.
14. Power of court as to production of minor.
15. Power of court to order repayment of costs of bringing up minor.
16. Court in making order to have regard to conduct of parent.
17. Power of court as to minors religious education.
18. Person subject to maintenance order to notify change of address.

## PART V

## Illegitimate Children

19. Application to illegitimate children.

## PART VI

## Appeals and Procedure

20. Appeals and procedure.

## PART VII

## Miscellaneous

21. Saving for powers of Supreme Court.
22. Rules.
23. Repeal (3 of 1958).

Assented to in Her Majesty's name this 12th day of July 1979.

J. R. W. PARKER,  
*Governor.*

LS

No. 8



1979

Colony of the Falkland Islands

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.

*Governor.*

## An Ordinance

To consolidate and amend the law  
relating to the guardianship of minors.

Title.

(27th July 1979)

Date of commencement.

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

Enacting clause.

### PART I PRELIMINARY

1. This Ordinance may be cited as the Guardianship of Minors Ordinance 1979.

Short title.

2. In this Ordinance, unless the context otherwise requires —  
“court” means the Supreme Court or the Magistrate’s Court;  
“maintenance” includes education;  
“parent” means father or mother.

Interpretation.

### PART II GENERAL PRINCIPLES

3. Where in any proceedings before any court (whether or not a court as defined in section 2) —

(a) the custody or upbringing of a minor; or

(b) the administration of any property belonging to or held on trust for a minor or the application of the income thereof,

is in question, the court, in deciding that question, shall regard the welfare of the minor 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

Principles on which questions relating to custody, upbringing, etc., of minors are to be decided.

1971 c.3, s.1.



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.

Equal right of mother to apply to court.  
1971 c.3, s.2.

4. The mother of a minor shall have the like powers to apply to the court in respect of any matter affecting the minor as are possessed by the father.

### PART III

#### APPOINTMENT, REMOVAL AND POWERS OF GUARDIANS

Rights of surviving parent as to guardianship.  
1971 c.3, s.3.

5. On the death of a parent of a minor, the surviving parent, if any, shall, subject to this Ordinance, be guardian of the minor either alone or jointly with any guardian appointed by the deceased parent; and —

- (a) where no guardian has been appointed by the deceased parent; or
- (b) in the event of the death or refusal to act of the guardian or guardians appointed by the deceased parent,

the court may, if it thinks fit, appoint a guardian to act jointly with the surviving parent.

Power of parent to appoint testamentary guardian.  
1971 c.3, s.4.

6. (1) A parent of a minor may by deed or will appoint any person to be guardian of the minor after his death.

(2) Any guardian so appointed shall act jointly with the surviving parent, if any, unless the surviving parent objects to his so acting.

(3) If the surviving parent so objects, or if the guardian so appointed considers that the surviving parent is unfit to have the custody of the minor, the guardian may apply to the court, and the court may either —

- (a) refuse to make any order (in which case the surviving parent shall remain sole guardian); or
- (b) make an order that the guardian so appointed —
  - (i) shall act jointly with the surviving parent; or
  - (ii) shall be the sole guardian of the minor.

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

(5) If under section 5 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.

Power of court to appoint guardian for minor having no parent, etc.  
1971 c.3, s.5 (1).

7. Where a minor has no parent, no guardian of the person, and no other person having parental rights with respect to him, the court, on the application of any person, may, if it thinks fit, appoint the applicant to be the guardian of the minor.

Power of Supreme Court to remove or replace guardian.  
1971 c.3, s.6.

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

Disputes between joint guardians.  
1971 c.3, s.7.

9. Where two or more persons act as joint guardians of a minor and they are unable to agree on any question affecting the welfare of the minor, 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.

10. (1) A guardian of the estate of a minor shall, subject to the rights and powers of any personal representative or trustee in whom the minor's estate may be vested, have in addition to such other rights as may be granted to him, the right to —

- (a) receive the rents and profits of the lands of the minor;
- (b) manage the personal estate of the minor;
- (c) bring legal proceedings to enforce the rights expressed in paragraphs (a) and (b).

(2) The guardian shall account to the minor for any rents, profits or income received by him under subsection (1).

### PART IV

#### ORDERS FOR CUSTODY AND MAINTENANCE

11. (1) The court may, on the application of a parent of a minor (who may apply without next friend), make such order regarding —

- (a) the custody of the minor; and
- (b) the right of access to the minor of either parent,

as the court thinks fit having regard to the welfare of the minor and to the conduct and wishes of the parents.

(2) Where the court makes an order under subsection (1) giving the custody of the minor to any person (whether or not one of the parents), the court may make a further order requiring payment to that person by the parent or either of the parents excluded from having that custody of such weekly or other periodical sum towards the maintenance of the minor as the court thinks reasonable having regard to the means of the parent.

(3) An order may be made under subsection (1) or (2) notwithstanding that the parents of the minor are then residing together, but —

- (a) no such order shall be enforceable, and no liability thereunder shall accrue while they are residing together; and
- (b) any such order shall cease to have effect if for a period of three months after it is made they continue to reside together:

Provided that, unless the court in making the order directs otherwise, paragraphs (a) and (b) above shall not apply to any provision of the order giving the custody of the minor to a person other than one of the parents or made with respect to a minor of whom custody is so given.

(4) An order under subsection (1) or (2) may be varied or discharged by a subsequent order made on the application of either parent or after the death of either parent on the application of any guardian under this Ordinance, or (before or after the death of either parent) on the application of any other person having the custody of the minor by virtue of an order under subsection (1).

12. (1) Where the court makes an order under section 6 (3) (b) (ii) that a person shall be the sole guardian of a minor to the exclusion of his surviving parent, the court may —

- (a) make such order regarding —
  - (i) the custody of the minor; and
  - (ii) the right of access to the minor of his surviving parent, as the court thinks fit, having regard to the welfare of the minor; and
- (b) make a further order requiring the surviving parent to pay to the guardian such weekly or other periodical sum towards the maintenance of the minor as the court thinks

Guardian's power of management.  
1971 c.3, s.8.

Orders for custody and maintenance on application of parent.  
1971 c.3, s.9.

Orders for custody and maintenance where person is guardian to exclusion of surviving parent.  
1971 c.3, s.10.

reasonable having regard to the means of the surviving parent.

(2) The powers conferred by subsection (1) may be exercised at any time and include power to vary or discharge any orders previously made under those powers.

13. The powers of the court under section 8 shall, where one of the joint guardians is the surviving parent of the minor, include power —

- (a) to make such order regarding —
  - (i) the custody of the minor; and
  - (ii) the right of access to the minor of the surviving parent, as the court thinks fit having regard to the welfare of the minor;
- (b) to make an order requiring the surviving parent to pay such weekly or other periodical sum towards the maintenance of the minor as the court thinks reasonable having regard to the means of the surviving parent;
- (c) to vary or discharge any order previously made under that section.

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

15. If at the time of the application for an order for the production of the minor, the minor is being brought up by another person, the court may, in its discretion, if it orders the minor 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 minor, or such portion thereof as shall seem to the court to be just and reasonable, having regard to the circumstances of the case.

16. Where the parent has —

- (a) abandoned or deserted the minor; or
- (b) allowed the minor to be brought up by another person at that person's expense for such a length of time and under 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 minor to the parent, unless the parent has satisfied the court that, having regard to the welfare of the minor, the parent is a fit person to have the custody of the minor.

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

(2) Nothing contained in this section or sections 14 to 16 (inclusive) shall interfere with or effect the power of the court to made under this section, or diminish the right which any minor now possesses to the exercise of its own free choice.

18. (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 within fourteen days of a change of

address give notice of his new address to such person, if any, as may be specified in the order.

(2) Any person who fails without reasonable excuse to give a notice, which he is required by subsection (1) to give, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding £10.

## PART V ILLEGITIMATE CHILDREN

19. (1) Subject to this section, section 11 (1) shall apply in relation to a minor who is illegitimate as it applies in relation to a minor who is legitimate, and reference in section 11 (1), and in any other provision of this Ordinance so far as it relates to proceedings under section 11 (1), to the father or mother or parent of a minor shall be construed accordingly.

(2) No order shall be made by virtue of subsection (1) of this section under subsection (2) of the said section 11.

(3) For the purposes of sections 5, 6, 7 and 12 a person —

- (a) being the natural father of an illegitimate child; and
- (b) being entitled to the child's custody by virtue of an order in force under section 11 (1) as applied by this section,

shall be treated as if he were the lawful father of the minor; but any appointment of a guardian made by virtue of this subsection under section 6 (1) shall be of no effect unless the appointer is entitled to the custody of the minor as under paragraph (b) immediately before his death.

## PART VI APPEALS AND PROCEDURE

20. (1) Where any application has been made under this Ordinance to the Magistrate's Court, the Supreme Court shall, at the instance of any party to the application, order the application to be removed to the Supreme Court and there proceeded with on such terms as to costs as it thinks proper.

(2) An appeal shall lie to the Supreme Court from any order made by the Magistrate's Court under this Ordinance.

(3) Subject to subsection (4), where on an application to the Magistrate's Court under this Ordinance the court makes or refuses to make an order an appeal shall lie to the Supreme Court.

(4) Where an application is made to the Magistrate's Court under this Ordinance, and the court considers that the matter is one which would more conveniently be dealt with by the Supreme Court, the Magistrate's Court may refuse to make an order, and in that case no appeal shall lie to the Supreme Court.

## PART VII MISCELLANEOUS

21. Nothing in this Ordinance shall restrict or affect the jurisdiction of the Supreme Court to appoint or remove guardians or otherwise in respect of minors.

22. 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.

23. The Guardianship and Custody of Children Ordinance 1958 is repealed.

Orders for custody and maintenance where joint guardians disagree.  
1971 c.3, s.11.

Power of court as to production of minor.  
1891 c.3, s.1.

Power of court to order repayment of costs of bringing up minor.  
1891 c.3, s.2.

Court in making order to have regard to conduct of parent.  
1891 c.3, s.3.

Power of court as to minor's religious education.  
1891 c.3, s.4.

Person subject to maintenance order to notify change of address.  
1971 c.3, s.13(2).

Application to illegitimate children.  
1971 c.3, s.14(1), (2), (3).

Appeals and procedure.  
1971 c.3, s.16.

Saving for powers of Supreme Court.  
1971 c.3, s.17(1).

Rules.

Repeal.  
3 of 1958.

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

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. LEG/10/14.

Assented to in Her Majesty's name this 12th day of July 1979.

J. R. W. PARKER,  
*Governor.*

LS



No. 9

1979

Colony of the Falkland Islands

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**  
JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

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

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) Ordinance 1979. Short title and commencement.

(2) The provisions of section 2 of this Ordinance shall come into operation on the 2nd day of July 1979 and the provisions of section 3 shall come into operation on the 9th day of July 1979.

2. Section 6 (2) of the principal Ordinance is amended — Amendment of section 6. (3 of 1952)

(a) in paragraph (a) by deleting "£1.00" and substituting the following —

"£1.20";

(b) in paragraph (b) by deleting "£1.50" and substituting the following —

"£1.80"; and

(c) in paragraph (c) by deleting "£2.50" and substituting the following —

"£3.00".

3. The Schedule to the principal Ordinance is amended by deleting "£13.50", "£9.00", "£9.00" and "£9.00" and substituting the following respectively — Amendment of Schedule.

"£15.00", "£10.00", "£10.00" and "£10.00".

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

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. TRE/2/1.

Assented to in Her Majesty's name this 12th day of July 1979.

J. R. W. PARKER,  
*Governor.*

LS

No. 10



1979

Colony of the Falkland Islands

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**  
JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

**An Ordinance**  
**To amend the Non-contributory Old** Title.  
**Age Pensions Ordinance 1961.**

(2nd July 1979)

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 1979 and shall come into operation on the 2nd day of July 1979.

Short title and commencement.

2. The Schedule to the principal Ordinance is amended by deleting "£11.00", "£8.00" and "£8.00" and substituting the following respectively —

Amendment of Schedule.  
(7 of 1961)

"£12.00", "£9.00" and "£9.00".

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

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. TRE/2/2.

Assented to in Her Majesty's name this 12th day of July 1979.

J. R. W. PARKER,  
*Governor.*

LS

No. 11



1979

Colony of the Falkland Islands

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**  
JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

**An Ordinance**  
**To amend the Firearms Ordinance 1965.** Title.

*(1st January 1980)* 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 Firearms (Amendment) Ordinance 1979 and shall come into operation on the 1st day of January 1980. Short title and commencement.

2. Section 4 of the principal Ordinance is amended in subsection (4) by deleting "£1.00" and substituting the following — Amendment of section 4. (12 of 1965)  
"£2.00".

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

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. POL/10/3.



Assented to in Her Majesty's name this 12th day of July 1979.

J. R. W. PARKER,  
*Governor.*

LS

No. 12



1979

Colony of the Falkland Islands

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

## An Ordinance To amend the Trespass Ordinance.

(1st January 1980)

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

1. This Ordinance may be cited as the Trespass (Amendment) Ordinance 1979 and shall come into operation on the 1st day of January 1980.

2. The Schedule to the principal Ordinance is repealed and replaced by the following new Schedule —

### SCHEDULE

s.8.

Commonage in respect of	Fee for any period not exceeding one month	Fee for one year
	£	£
(a) Any cow	0.10	1.00
(b) Any horse or mule	0.10	1.00
(c) Any heifer between one and two years old	0.05	0.50
(d) Any calf or foal not exceeding one year old	0.03	0.25

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

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. LEG/10/23.

# Medical Services Levy Ordinance 1979

## Arrangement of Sections

### *Sections*

- 1 Short title and commencement
- 2 Interpretation
- 3 Administration
- 4 Duty to regard documents, etc., as secret and to make declaration
- 5 Imposition of medical services levy
- 6 Payment of medical services levy
- 7 Exemptions
- 8 Payment of medical services levy to Financial Secretary
- 9 Right of employer to deduct tax from emoluments
- 10 Employer or self-employed person failing to pay medical services levy
- 11 Objections and appeals
- 12 Repayment
- 13 Tax payable to be a debt due to Government
- 14 Power to remit medical services levy
- 15 Offences
- 16 Crown bound
- 17 Regulations
- 18 Approval of retirement schemes
- 19 Financial Secretary may vary times or periods

Assented to in Her Majesty's name this 19th day of July 1979.

J. R. W. PARKER,  
*Governor.*

LS

No. 13



1979

Colony of the Falkland Islands

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**  
JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

### An Ordinance

To provide for the imposition and collection  
of a tax, called the medical services levy, on  
emoluments in respect of employment and for  
matters incidental thereto and connected therewith.

Title.

(1st July 1979)

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 Medical Services Levy  
Ordinance 1979 and shall come into operation on the 1st day of July  
1979.

Short title and commence-  
ment.

2. In this Ordinance unless the context otherwise requires —  
“approved retirement scheme” means a retirement scheme or  
provident fund or part thereof approved for the time being by  
the Governor in Council under section 18;

Interpretation.

“certificate of assessment” means any certificate of assessment  
by the Financial Secretary under section 10 certifying the  
amount of medical services levy due from the employer or  
self-employed person;

“emoluments” mean any wages, salary, commission, bonuses,  
allowances (including a housing allowance or other like  
allowance) or other emoluments paid in cash by or on behalf  
of an employer to an employee, and includes leave pay;

“employer” means any person paying emoluments whether on  
his own account or on behalf of another person;

“medical services levy” means the tax imposed by section 5;

"net profits" mean net profits as assessed under the provisions of the income tax ordinance.

"payment" in all its grammatical forms includes, in respect of emoluments, allowances and credit of emoluments to an employee;

"self-employed person" means any person gainfully occupied who is not an employee;

"year" means the period of twelve months ending on the 31st day of December in any year.

#### Administration.

3. (1) The administration of this Ordinance is vested in the Financial Secretary.

(2) The Financial Secretary may authorize any public officer to exercise any powers or to perform any duties conferred or imposed on the Financial Secretary by this Ordinance.

#### Duty to regard documents, etc., as secret and to make declaration.

4. (1) Every person having any official duty or being employed in the administration of this Ordinance shall regard and deal with all documents, information or returns relating to emoluments of any person, as secret and confidential and shall make and subscribe a declaration to that effect before a justice of the peace.

(2) Every person having possession of or control over any documents, information or returns relating to the emoluments of any person, who at any time communicates or attempts to communicate such information or anything contained in such documents or returns, to any person —

(a) other than a person to whom he is authorized by the Governor to communicate it;

(b) otherwise than for the purposes of this Ordinance;

shall be guilty of an offence.

#### Imposition of medical services levy.

5. There shall be paid a tax, to be known as the medical services levy, in respect of emoluments arising or derived from the sources specified in section 6 at the following rates —

(a) by every employer at the rate of  $1\frac{1}{2}\%$ ;

(b) by every employee at the rate of  $1\%$ ;

(c) by every self-employed person at the rate of  $1\frac{1}{2}\%$ .

#### Payment of medical services levy.

6. Medical services levy shall be payable in respect of —

(a) the gross emoluments of every employee, by the employer;

(b) the gross emoluments of every employee, by the employee;

(c) the net profits before tax of every self-employed person (including individuals in business as partners or sole proprietors).

#### Exemptions.

7. There shall be exempt from the medical services levy —

(a) the official emoluments of the Governor;

(b) the official emoluments paid to Consuls, Vice-Consuls and members of the permanent Consular Services of foreign countries in respect of their offices or in respect of services rendered by them in their official capacity;

(c) the emoluments paid from United Kingdom funds to members of Her Majesty's Forces and to persons in the permanent service of the United Kingdom Government in respect of their offices under the United Kingdom Government;

(d) all pensions and annuities paid to retired persons for past services;

(e) the emoluments paid to a person under fifteen years of age who is in full time attendance at school;

(f) any sum received by way of commutation of pension under an approved retirement scheme or the Pensions Ordinance;

(g) the emoluments paid by the United Kingdom Government to Technical Co-operation officers employed in the Colony by the Ministry of Overseas Development except any such emoluments reimbursed to the United Kingdom Government from Colony funds;

(h) the salary and other emoluments received for services related to communications referred to in Notes exchanged between the United Kingdom and the Argentine Republic on the 5th August 1971 and in the Joint Statement referred to in those Notes by residents of the Argentine mainland from their Argentine employers;

(i) pensions granted to dependents of deceased members of Her Majesty's Forces;

(j) wound and disability pensions granted to members of Her Majesty's Forces;

(k) gratuities granted to members of Her Majesty's Forces in respect of war services;

(l) any allowance, grant or gratuity payable from United Kingdom funds to any officer in the service of the Colony who is a designated officer within the terms of the Overseas Service (Falkland Islands) (Continuance) Agreement 1971/77;

(m) any allowance paid to any unofficial member of the Executive or Legislative Councils under the provisions of the Executive Council (Allowances) Ordinance 1977 or the Legislative Council (Allowances) Ordinance 1977 in respect of services as a member of council.

(n) pensions paid under the provisions of the Old Age Pensions Ordinance 1952 or the Non-contributory Old Age Pensions Ordinance 1961;

(o) the salary and other emoluments of residents of the Argentine mainland employed by Yacimientos Petroliferos Fiscales in the Colony.

8. (1) All amounts of medical services levy which an employer and employee employed by him are liable under the provisions of this Ordinance to pay in respect of any payment of emoluments shall be paid by that employer to the Financial Secretary without any demand within 90 days of the end of the year in which the payment of the emoluments in question was made.

Payment of medical services levy to Financial Secretary.

(2) The employer shall make an annual statement and transmit the same to the Financial Secretary on such form as may be approved by the Financial Secretary, which statement shall specify —

(a) the gross amount of the total emoluments paid during the year and on which medical services levy is payable; and

(b) the amount of medical services levy payable by the employer and the employee.

(3) All amounts of medical services levy payable by a self-employed person shall be paid to the Financial Secretary without demand not later than 90 days of the end of the year in which the net profit in question was made.

(4) Every self-employed person shall make an annual statement and transmit the same to the Financial Secretary on such form as may be approved by the Financial Secretary, which statement shall specify —

(a) his net profit before income tax for the preceding year;

(b) the amount of medical services levy payable.

(5) If within 90 days of the end of any year the employer or self-employed person fails without reasonable cause, to transmit to the Financial Secretary the annual statement and payment referred to he

shall be guilty of an offence and liable on summary conviction to a fine not exceeding £300 or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

(6) Where a company is guilty of a contravention of the provisions of this section, every director, manager, agent and officer of the company or corporate body in the Colony who is knowingly a party of the contravention shall be liable to the penalties specified in subsection (5).

9. (1) Every employer who pays emoluments to any employee may, on the occasion of any such payment of emoluments, and at no other time, deduct therefrom a sum of money not greater than the amount of medical services levy which the employer is liable to pay under section 8 (1) in respect of the employee, and the employee from whom such sum is deducted shall have no right of action for the repayment of such sum to him by the employer.

(2) Any employer failing to make deductions pursuant to subsection (1) shall, notwithstanding such failure, pay to the Financial Secretary the amount due under this Ordinance for medical services levy in respect of his employee.

10. (1) If within 90 days of the end of any year any employer or self-employed person has paid no amount of medical services levy to the Financial Secretary, the Financial Secretary may assess the amount of medical services levy that he considers payable by such employer or self-employed person.

(2) The Financial Secretary shall certify his assessment of the amount of medical services levy which the employer or self-employed person is liable to pay to him in respect of the year in question and send notice thereof to the employer or self-employed person concerned.

(3) The certificate of assessment of the Financial Secretary under subsection (2) shall be sufficient evidence that the amount shown on the said certificate is the amount of medical services levy which the employer or self-employed person is liable to pay to the Financial Secretary in respect of the year in question and any document purporting to be such a certificate as aforesaid shall be deemed to be such a certificate until the contrary is proved.

(4) A notice given by the Financial Secretary under subsection (2) may be in respect of two or more consecutive years, and the provisions of this Ordinance shall have effect as if the said consecutive years were one year.

(5) An assessment by the Financial Secretary under subsection (1) may be made notwithstanding that an amount of medical services levy has been paid to him by the employer or self-employed person under this Ordinance for any particular year, if the Financial Secretary is not satisfied that the amount so paid is the full amount which the employer or self-employed person is liable to pay to him for that year, and the provisions of this section shall have effect accordingly.

11. (1) If any person is aggrieved by an assessment referred to in a certificate of assessment he may give notice thereof to the Financial Secretary, stating the ground of his objection, within thirty days of the date of the certificate of assessment.

(2) On receipt of such notice of objection the Financial Secretary on proof to his satisfaction, may agree with the employer or self-employed person as to the correct amount to be assessed and may thereupon amend the certificate of assessment. Notice of the amended certificate of assessment shall then be served on the employer or self-

(3) In default of agreement as aforesaid the employer or self-employed person, on giving notice to the Financial Secretary, may appeal to the Judge in Chambers, and the provisions of the Income Tax Ordinance relating to the determination of appeals against assessment shall apply accordingly.

(4) No notice of objection shall be valid unless the employer or self-employed person states what portion of the medical services levy charged is in excess of his true liability and remits therewith an amount equal to the medical services levy he does not dispute.

12. Where the employer or self-employed person shows to the satisfaction of the Financial Secretary that medical services levy has been overpaid by him the Financial Secretary shall arrange for the tax overpaid to be refunded:

Provided that no application for repayment of medical services levy overpaid shall be valid unless such application is made within twelve months of the end of the year to which the over-payment related.

13. Any medical services levy due from and payable by an employer or self-employed person under this Ordinance or under regulations made under this Ordinance shall be recovered by the Financial Secretary or any person duly authorized by the Financial Secretary to act on his behalf, as a debt due to the Government of the Colony.

14. If the Governor in Council upon written application being made to him is satisfied that it would be just and equitable to do so he may remit the whole or any part of the medical services levy payable.

15. (1) Any person who, for the purpose of evading the payment of medical services levy, knowingly makes any false statement or false representation shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1,000 or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

(2) Any person guilty of an offence against this Ordinance for which no specific penalty is otherwise provided shall be liable on summary conviction to a fine not exceeding £100 or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

16. This Ordinance shall bind the Crown.

17. The Governor in Council may make regulations in regard to any matter or thing in respect of which it may be expedient to give effect to the provisions of this Ordinance.

18. Upon application in such manner as may be prescribed the Governor in Council may, for the purposes of this Ordinance, approve, either as a whole or in part, any retirement scheme or provident fund which, in his opinion, complies substantially with such requirements as may be prescribed, and may withdraw any approval so given.

19. Notwithstanding the provisions of this Ordinance the Financial Secretary may, for good cause shown by any employer or self-employed person, vary any of the times or periods prescribed by this Ordinance.

Cap. 32

Repayment.

Tax payable to be a debt due to Government.

Power to remit medical services levy.

Offences.

Crown bound.

Regulations.

Approval of retirement schemes.

Financial Secretary may vary times or periods.

Right of employer to deduct tax from emoluments.

Employer or self-employed person failing to pay medical services levy.

Objections and appeals.



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

W. A. ETHERIDGE,  
Clerk of Councils.

Ref. TRE/10/9.

# Matrimonial Causes Ordinance

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Assented to in Her Majesty's name this 6th day of August 1979.

J. R. W. PARKER,  
Governor.

LS



No. 14

1979

Colony of the Falkland Islands

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
Governor.

An Ordinance

To make further and better provision in  
respect of the law governing matrimonial causes  
and of matters incidental thereto or connected  
therewith.

(22nd August 1979)

Date of commencement.

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

Enacting clause.

PART I

PRELIMINARY

1. This Ordinance may be cited as the Matrimonial Causes  
Ordinance 1979, and shall come into operation on the 22nd day of  
August 1979.

Short title and commence-  
ment.

2. (1) In this Ordinance, unless the context otherwise  
requires —

Interpretation.  
1973 c. 18 s. 52

“adopted” means adopted in pursuance of an adoption order  
made under any enactment in force in the Colony at any time  
relating to the adoption of children;

“child”, in relation to one or both of the parties to a marriage,  
includes an illegitimate or adopted child of that party or, as  
the case may be, of both parties;

“child of the family”, in relation to the parties to a marriage,  
means —

- (a) a child of both of those parties; and
- (b) any other child who has been treated by both of those  
parties as a child of their family;

"court" means the Supreme Court;  
"custody", in relation to a child, includes access to the child;  
"education" includes training;  
"the Proctor" means the Chief Secretary.

(2) In this Ordinance —

- (a) references to financial provision orders, periodical payments and secured periodical payments orders and orders for the payment of a lump sum, and references to property adjustment orders, shall be construed in accordance with section 24 below; and
- (b) references to orders for maintenance pending suit and to interim orders for maintenance shall be construed respectively in accordance with section 25 and section 30 (5) below.

(3) For the avoidance of doubt it is hereby declared that references in this Ordinance to remarriage include references to a marriage which is by law void or voidable.

## PART II

### DIVORCE, NULLITY AND OTHER MATRIMONIAL SUITS

#### JURISDICTION OF COURT

3. (1) The court shall have jurisdiction in —

- (a) proceedings for divorce, judicial separation or nullity of marriage; and
- (b) proceedings for death to be presumed and a marriage to be dissolved in pursuance of section 22 below.

(2) The court shall have jurisdiction to entertain proceedings for divorce or judicial separation if (and only if) either of the parties to the marriage —

- (a) is domiciled in the Colony on the date when the proceedings are begun; or
- (b) was habitually resident in the Colony throughout the period of one year ending with that date.

(3) The court shall have jurisdiction to entertain proceedings for nullity of marriage if (and only if) either of the parties to the marriage —

- (a) is domiciled in the Colony on the date when the proceedings are begun; or
- (b) was habitually resident in the Colony throughout the period of one year ending with that date; or
- (c) died before that date and either —
  - (i) was at death domiciled in the Colony; or
  - (ii) had been habitually resident in the Colony throughout the period of one year ending with the date of death.

(4) The court shall have jurisdiction to entertain proceedings for death to be presumed and a marriage to be dissolved if (and only if) the petitioner —

- (a) is domiciled in the Colony on the date when the proceedings are begun; or
- (b) was habitually resident in the Colony throughout the period of one year ending with that date.

#### DIVORCE

4. (1) Subject to section 6 below, a petition for divorce may be presented to the court by either party to a marriage on the ground that the marriage has broken down irretrievably.

(2) The court hearing a petition for divorce shall not hold the marriage to have broken down irretrievably unless the petitioner satisfies the court of one or more of the following facts, that is to say —

- (a) that the respondent has committed adultery and the petitioner finds it intolerable to live with the respondent;
- (b) that the respondent has behaved in such a way that the petitioner cannot reasonably be expected to live with the respondent;
- (c) that the respondent has deserted the petitioner for a continuous period of at least two years immediately preceding the presentation of the petition;
- (d) that the parties to the marriage have lived apart for a continuous period of at least two years immediately preceding the presentation of the petition (hereafter in this Ordinance referred to as "two years' separation") and the respondent consents to a decree being granted;
- (e) that the parties to the marriage have lived apart for a continuous period of at least five years immediately preceding the presentation of the petition (hereafter in this Ordinance referred to as "five years' separation").

(3) On a petition for divorce it shall be the duty of the court to inquire, so far as it reasonably can, into the facts alleged by the petitioner and into any facts alleged by the respondent.

(4) If the court is satisfied on the evidence of any such fact as is mentioned in subsection (2) above, then, unless it is satisfied on all the evidence that the marriage has not broken down irretrievably, it shall, subject to sections 6 (3) and 8 below, grant a decree of divorce.

(5) Every decree of divorce shall in the first instance be a decree nisi and shall not be made absolute before the expiration of six months from its grant unless the court by general orders from time to time fixes a shorter period, or unless in any particular case the court from time to time by special order fixes a shorter period than the period otherwise applicable for the time being by virtue of this subsection.

5. (1) One party to a marriage shall not be entitled to rely for the purposes of section 4 (2) (a) above on adultery committed by the other if, after it became known to him that the other had committed that adultery, the parties have lived with each other for a period exceeding, or periods together exceeding six months.

(2) Where the parties to a marriage have lived with each other after it became known to one party that the other had committed adultery, but subsection (1) above does not apply, in any proceedings for divorce in which the petitioner relies on that adultery the fact that the parties have lived with each other after that time shall be disregarded in determining for the purposes of section 4 (2) (a) above whether the petitioner finds it intolerable to live with the respondent.

(3) Where in any proceedings for divorce the petitioner alleges that the respondent has behaved in such a way that the petitioner cannot reasonably be expected to live with him, but the parties to the marriage have lived with each other for a period or periods after the date of the occurrence of the final incident relied on by the petitioner and held by the court to support his allegation, that fact shall be disregarded in determining for the purposes of section 4 (2) (b) above whether the petitioner cannot reasonably be expected to live with the respondent if the length of that period or of those periods together was six months or less.

(4) For the purposes of section 4 (2) (c) above the court may treat a period of desertion as having continued at a time when the

Supplemental provisions  
as to facts raising pre-  
sumption of breakdown.  
1973 c. 18 s. 2

Jurisdiction of court.  
1973 c. 45 s. 5

Divorce on breakdown of  
marriage.  
1973 c. 18 s. 1

deserting party was incapable of continuing the necessary intention if the evidence before the court is such that, had that party not been so incapable, the court would have inferred that his desertion continued at that time.

(5) In considering for the purposes of section 4 (2) above whether the period for which the respondent has deserted the petitioner or the period for which the parties to a marriage have lived apart has been continuous, no account shall be taken of any one period (not exceeding six months) or of any two or more periods (not exceeding six months in all) during which the parties resumed living with each other, but no period during which the parties lived with each other shall count as part of the period of desertion or of the period for which the parties to the marriage lived apart, as the case may be.

(6) For the purposes of section 4 (2) (d) and (e) above and this section a husband and wife shall be treated as living apart unless they are living with each other in the same household, and references in this section to the parties to a marriage living with each other shall be construed as references to their living with each other in the same household.

(7) Provision shall be made by rules of court for the purpose of ensuring that where in pursuance of section 4 (2) (d) above the petitioner alleges that the respondent consents to a decree being granted the respondent has been given such information as will enable him to understand the consequences to him of his consenting to a decree being granted and the steps which he must take to indicate that he consents to the grant of a decree.

6. (1) Subject to subsection (2) below, no petition for divorce shall be presented to the court before the expiration of the period of three years from the date of marriage (hereafter in this section referred to as "the specified period").

(2) The judge may, on an application made to him allow the presentation of a petition for divorce within the specified period on the ground that the case is one of exceptional hardship suffered by the petitioner or of exceptional depravity on the part of the respondent; but in determining the application the judge shall have regard to the interests of any child of the family and to the question whether there is reasonable probability of a reconciliation between the parties during the specified period.

(3) If it appears to the court, at the hearing of a petition for divorce presented in pursuance of leave granted under subsection (2) above, that the leave was obtained by the petitioner by any misrepresentation or concealment of the nature of the case, the court may —

(a) dismiss the petition, without prejudice to any petition which may be brought after the expiration of the specified period upon the same facts, or substantially the same facts, as those proved in support of the dismissed petition; or

(b) if it grants a decree, direct that no application to make the decree absolute shall be made during the specified period.

(4) Nothing in this section shall be deemed to prohibit the presentation of a petition based upon matters which occurred before the expiration of the specified period.

7. (1) A person shall not be prevented from presenting a petition for divorce, or the court from granting a decree of divorce, by reason only that the petitioner or respondent has at any time, on support of the petition, been granted a decree of judicial separation or an order under, or having effect as if made under, the Matrimonial Proceedings (Court of Summary Jurisdiction) Ordinance 1967.

(2) On a petition for divorce in such a case as is mentioned in subsection (1) above, the court may treat the decree or order as sufficient proof of any adultery, desertion or other fact by reference to which it was granted, but shall not grant a decree of divorce without receiving evidence from the petitioner.

(3) Where a petition for divorce in such a case follows a decree of judicial separation or an order containing a provision exempting one party to the marriage from the obligation to cohabit with the other, for the purposes of that petition a period of desertion immediately preceding the institution of the proceedings for the decree or order shall, if the parties have not resumed cohabitation and the decree or order has been continuously in force since it was granted, be deemed immediately to precede the presentation of the petition.

8. (1) The respondent to a petition for divorce in which the petitioner alleges five years' separation may oppose the grant of a decree on the ground that the dissolution of the marriage will result in grave financial or other hardship to him and that it would in all the circumstances be wrong to dissolve the marriage.

Refusal of decree in five year separation cases on grounds of grave hardship to respondent.

1973 c. 18 s. 5

(2) Where the grant of a decree is opposed by virtue of this section, then —

(a) if the court finds that the petitioner is entitled to rely in support of his petition on the fact of five years' separation and makes no such finding as to any other fact mentioned in section 4 (2) above, and

(b) if apart from this section the court would grant a decree on the petition,

the court shall consider all the circumstances, including the conduct of the parties to the marriage and the interests of those parties and of any children or other persons concerned, and if of opinion that the dissolution of the marriage will result in grave financial or other hardship to the respondent and that it would in all the circumstances be wrong to dissolve the marriage it shall dismiss the petition.

(3) For the purposes of this section hardship shall include the loss of the chance of acquiring any benefit which the respondent might acquire if the marriage was not dissolved.

9. If at any stage of proceedings for divorce it appears to the court that there is a reasonable possibility of a reconciliation between the parties to the marriage, the court may adjourn the proceedings for such period as it thinks fit to enable attempts to be made to effect such a reconciliation.

Provision to encourage reconciliation.

1973 c. 18 s. 6 (2)

The power conferred by the foregoing provision is additional to any other power of the court to adjourn proceedings.

10. Provision may be made by rules of court for enabling the parties to a marriage, or either of them, on application made either before or after the presentation of a petition for divorce, to refer to the court any agreement or arrangement made or proposed to be made between them, being an agreement or arrangement which relates to, arises out of, or is connected with, the proceedings for divorce which are contemplated, or, as the case may be, have begun, and for enabling the court to express an opinion, should it think it desirable to do so, as to the reasonableness of the agreement or arrangement and to give such directions, if any, in the matter as it thinks fit.

Consideration by the court of certain agreements or arrangements.

1973 c. 18 s. 7

11. (1) In the case of a petition for divorce —

(a) the court may, if it thinks fit, direct all necessary papers in the matter to be sent to the Proctor, who shall argue before the court any question in relation to the matter which the court considers it necessary or expedient to have fully argued;

Intervention of Proctor.

1973 c. 18 s. 8

Restriction on petitions for divorce within three years of marriage.

1973 c. 18 s. 3

Divorce not precluded by previous judicial separation.

1973 c. 18 s. 4



- (b) any person may at any time during the progress of the proceedings or before the decree nisi is made absolute give information to the Proctor on any matter material to the due decision of the case, and the Proctor may thereupon take such steps as he considers necessary or expedient.

(2) Where the Proctor intervenes or shows cause against a decree nisi in any proceedings for divorce, the court may make such order as may be just as to the payment by other parties to the proceedings of the costs incurred by him in so doing or as to the payment by him of any costs incurred by any of those parties by reason of his so doing.

12. (1) Where a decree of divorce has been granted but not made absolute, then, without prejudice to section 11 above, any person (excluding a party to the proceedings other than the Proctor) may show cause why the decree should not be made absolute by reason of material facts not having been brought before the court; and in such a case the court may —

- (a) notwithstanding anything in section 4 (5) above (but subject to sections 13 (2) to (4) and 44 below) make the decree absolute; or
- (b) rescind the decree; or
- (c) require further inquiry; or
- (d) otherwise deal with the case as it thinks fit.

(2) Where a decree of divorce has been granted and no application for it to be made absolute has been made by the party to whom it was granted, then, at any time after the expiration of three months from the earliest date on which that party could have made such an application, the party against whom it was granted may make an application to the court, and on that application the court may exercise any of the powers mentioned in paragraphs (a) to (d) of subsection (1) above.

13. (1) Where in any case the court has granted a decree of divorce on the basis of a finding that the petitioner was entitled to rely in support of his petition on the fact of two years' separation coupled with the respondent's consent to a decree being granted and has made no such finding as to any other fact mentioned in section 4 (2) above, the court may, on an application made by the respondent at any time before the decree is made absolute, rescind the decree if it is satisfied that the petitioner misled the respondent (whether intentionally or unintentionally) about any matter which the respondent took into account in deciding to give his consent.

(2) The following provisions of this section apply where —

- (a) the respondent to a petition for divorce in which the petitioner alleged two years' separation or five years' separation coupled, in the former case, with the respondent's consent to a decree being granted, has applied to the court for consideration under subsection (3) below of his financial position after the divorce; and
- (b) the court has granted a decree on the petition on the basis of a finding that the petitioner was entitled to rely in support of his petition on the fact of two years' or five years' separation (as the case may be) and has made no such findings as to any other fact mentioned in section 4 (2) above.

(3) The court hearing an application by the respondent under subsection (2) above shall consider all the circumstances, including the age, health, conduct, earning capacity, financial resources and of the respondent having regard to the divorce, it is likely to be after the death of the petitioner should the petitioner die first; and,

subject to subsection (4) below, the court shall not make the decree absolute unless it is satisfied —

- (a) that the petitioner should not be required to make any financial provision for the respondent, or
- (b) that the financial provision made by the petitioner for the respondent is reasonable and fair or the best that can be made in the circumstances.

(4) The court may if it thinks fit make the decree absolute notwithstanding the requirements of subsection (3) above if—

- (a) it appears that there are circumstances making it desirable that the decree should be made absolute without delay, and
- (b) the court has obtained a satisfactory undertaking from the petitioner that he will make such financial provision for the respondent as the court may approve.

#### NULLITY

14. A marriage celebrated after the commencement of this Ordinance shall be void on the following grounds only, that is to say —

- (a) that it is not a valid marriage under the provisions of the Marriage Ordinance (that is to say where —
  - (i) the parties are within the prohibited degrees of relationship;
  - (ii) either party is under the age of sixteen; or
  - (iii) the parties have intermarried in disregard of certain requirements as to the formation of marriage);
- (b) that at the time of the marriage either party was already lawfully married;
- (c) that the parties are not respectively male and female.
- (d) in the case of a polygamous marriage entered into outside the Colony, that either party was at the time of the marriage domiciled in the Colony.

For the purposes of paragraph (d) of this section a marriage may be polygamous although at its inception neither party has any spouse additional to the other.

15. A marriage celebrated after the commencement of this Ordinance shall be voidable on the following grounds only, that is to say —

- (a) that the marriage has not been consummated owing to the incapacity of either party to consummate it;
- (b) that the marriage has not been consummated owing to the wilful refusal of the respondent to consummate it;
- (c) that either party to the marriage did not validly consent to it, whether in consequence of duress, mistake, unsoundness of mind or otherwise;
- (d) that at the time of the marriage either party, though capable of giving a valid consent, was suffering (whether continuously or intermittently) from mental derangement within the meaning of the Mental Health Ordinance of such a kind or to such an extent as to be unfitted for marriage;
- (e) that at the time of the marriage the respondent was suffering from venereal disease in a communicable form;
- (f) that at the time of the marriage the respondent was pregnant by some person other than the petitioner.

16. (1) The court shall not, in proceedings instituted after the commencement of this Ordinance, grant a decree of nullity on the

Grounds on which a marriage is void.  
1973 c. 18 s. 11

Cap. 43

Grounds on which a marriage is voidable.  
1973 c. 18 s. 12

Cap. 46

Bars to relief where marriage is voidable.  
1973 c. 18 s. 13

Proceedings after decree nisi: general powers of court.

1973 c. 18 s. 9

Proceedings after decree nisi: special protection for respondent in separation cases.

1973 c. 18 s. 10



ground that a marriage is voidable if the respondent satisfies the court —

- (a) that the petitioner, with knowledge that it was open to him to have the marriage avoided, so conducted himself in relation to the respondent as to lead the respondent reasonably to believe that he would not seek to do so; and
- (b) that it would be unjust to the respondent to grant the decree;

(2) Without prejudice to subsection (1) above, the court shall not grant a decree of nullity by virtue of section 15 above on the grounds mentioned in paragraph (c), (d), (e) or (f) of that section unless it is satisfied that proceedings were instituted within three years from the date of the marriage.

(3) Without prejudice to subsections (1) and (2) above, the court shall not grant a decree of nullity by virtue of section 15 above on the grounds mentioned in paragraph (e) or (f) of that section unless it is satisfied that the petitioner was at the time of the marriage ignorant of the facts alleged.

17. (1) Where, apart from this Ordinance, any matter affecting the validity of a marriage would fall to be determined (in accordance with the rules of private international law) by reference to the law of a country outside the Colony, nothing in section 14, 15 or 16 (1) above shall —

- (a) preclude the determination of that matter as aforesaid; or
- (b) require the application to the marriage of the grounds or bar there mentioned except so far as applicable in accordance with those rules.

(2) In the case of a marriage which purports to have been celebrated under the Foreign Marriage Acts 1892 to 1947 or has taken place outside the Colony and purports to be a marriage under common law, section 14 above is without prejudice to any ground on which the marriage may be void under those Acts or, as the case may be, by virtue of the rules governing the celebration of marriages outside the Colony under common law.

18. Sections 4 (5), 11 and 12 above shall apply in relation to proceedings for nullity of marriage as if for any reference in those provisions to divorce there were substituted a reference to nullity of marriage.

19. A decree of nullity granted after the commencement of this Ordinance in respect of a voidable marriage shall operate to annul the marriage only as respects any time after the decree has been made absolute, and the marriage shall, notwithstanding the decree, be treated as if it had existed up to that time.

#### OTHER MATRIMONIAL SUITS

20. (1) A petition for judicial separation may be presented to the court by either party to a marriage on the ground that any such fact as is mentioned in section 4 (2) above exists, and the provisions of section 5 above shall apply accordingly for the purposes of a petition for judicial separation alleging any such fact, as they apply in relation to a petition for divorce alleging that fact.

(2) On a petition for judicial separation it shall be the duty of the court to inquire, so far as it reasonably can, into the facts alleged by the petitioner and into any facts alleged by the respondent, but the court shall not be concerned to consider whether the marriage has broken down irretrievably, and if it is satisfied on the evidence of any such fact as is mentioned in section 4 (2) above it shall, subject to section 44 below, grant a decree of judicial separation.

(3) Sections 9 and 10 above shall apply for the purpose of encouraging the reconciliation of parties to proceedings for judicial

separation and of enabling the parties to a marriage to refer to the court for its opinion an agreement or arrangement relevant to actual or contemplated proceedings for judicial separation, as they apply in relation to proceedings for divorce.

21. (1) Where the court grants a decree of judicial separation it shall no longer be obligatory for the petitioner to cohabit with the respondent.

Effects of judicial separation.  
1973 c. 18 s. 18

(2) If while a decree of judicial separation is in force and the separation is continuing either of the parties to the marriage dies intestate as respects all or any of his or her real or personal property, the property as respects which he or she died intestate shall devolve as if the other party to the marriage had then been dead.

(3) Notwithstanding anything in section 4 (1) (a) of the Matrimonial Proceedings (Court of Summary Jurisdiction) Ordinance 1967, a provision in force under an order made, or having effect as if made, under that section exempting one party to a marriage from the obligation to cohabit with the other shall not have effect as a decree of judicial separation for the purposes of subsection (2) above.

10 of 1967.

22. (1) Any married person who alleges that reasonable grounds exist for supposing that the other party to the marriage is dead may present a petition to the court to have it presumed that the other party is dead and to have the marriage dissolved, and the court may, if satisfied that such reasonable grounds exist, grant a decree of presumption of death and dissolution of the marriage.

Presumption of death and dissolution of marriage.  
1973 c. 18 s. 19

(2) In any proceedings under this section the fact that for a period of seven years or more the other party to the marriage has been continually absent from the petitioner and the petitioner has no reason to believe that the other party has been living within that time shall be evidence that the other party is dead until the contrary is proved.

(3) Sections 4 (5), 11 and 12 above shall apply to a petition and a decree under this section as they apply to a petition for divorce and a decree of divorce respectively.

(4) It is hereby declared that neither collusion nor any other conduct on the part of the petitioner which has at any time been a bar to relief in matrimonial proceedings constitutes a bar to the grant of a decree under this section.

#### GENERAL

23. If in any proceedings for divorce the respondent alleges and proves any such fact as is mentioned in subsection (2) of section 4 above (treating the respondent as the petitioner and the petitioner as the respondent for the purpose of that subsection) the court may give to the respondent the relief to which he would have been entitled if he had presented a petition seeking that relief.

Relief for respondent in divorce proceedings.  
1973 c. 18 s. 20

#### PART III

##### FINANCIAL RELIEF FOR PARTIES TO MARRIAGE AND CHILDREN OF FAMILY

##### FINANCIAL PROVISION AND PROPERTY ADJUSTMENT ORDERS

24. (1) The financial provision orders for the purposes of this Ordinance are the orders for periodical or lump sum provision available (subject to the provisions of this Ordinance) under section 26 below for the purpose of adjusting the financial position of the parties to a marriage and any children of the family in connection with proceedings for divorce, nullity of marriage or judicial separation and under section 30 (6) below on proof of neglect by one party to a marriage to provide, or to make a proper contribution towards, reasonable maintenance for the other or a child of the family, that is to say —

Financial provision and property adjustment orders.  
1973 c. 18 s. 21

- (a) any order for periodical payments in favour of a party to a

Foreign marriages.  
1973 c. 18 s. 14

Application of ss. 4 (5), 11 and 12 to nullity proceedings.  
1973 c. 18 s. 15

Effect of decree of nullity in case of voidable marriage.  
1973 c. 18 s. 16

Judicial separation.  
1973 c. 18 s. 17

marriage under section 26 (1) (a) or 30 (6) (a) or in favour of a child of the family under section 26 (1) (d), (2) or (4) or 30 (6) (d);

- (b) any order for secured periodical payments in favour of a party to a marriage under section 26 (1) (b) or 30 (6) (b) or in favour of a child of the family under section 26 (1) (e), (2) or (4) or 30 (6) (e); and
- (c) any order for lump sum provision in favour of a party to a marriage under section 26 (1) (c) or 30 (6) (c) or in favour of a child of the family under section 26 (1) (f), (2) or (4) or 30 (6) (f),

and references in this Ordinance to periodical payments orders, secured periodical payments orders, and orders for the payment of a lump sum are references to all or some of the financial provisions orders requiring the sort of financial provision in question according as the context of each reference may require.

(2) The property adjustment orders for the purposes of this Ordinance are the orders dealing with the property rights available (subject to the provisions of this Ordinance) under section 27 below for the purpose of adjusting the financial position of the parties to a marriage and any children of the family on or after the grant of a decree of divorce, nullity of marriage or judicial separation, that is to say —

- (a) any order under subsection (1) (a) of that section for a transfer of property;
- (b) any order under subsection (1) (b) of that section for a settlement of property; and
- (c) any order under subsection (1) (c) or (d) of that section for a variation of settlement.

#### ANCILLARY RELIEF IN CONNECTION WITH DIVORCE PROCEEDINGS, ETC.

Maintenance pending suit.  
1973 c. 18 s. 22

25. On a petition for divorce, nullity of marriage or judicial separation, the court may make an order for maintenance pending suit, that is to say, an order requiring either party to the marriage to make to the other such periodical payments for his or her maintenance and for such term, being a term beginning not earlier than the date of the presentation of the petition and ending with the date of the determination of the suit, as the court thinks reasonable.

Financial provision orders  
in connection with divorce  
proceedings, etc.  
1973 c. 18 s. 23

26. (1) On granting a decree of divorce, a decree of nullity of marriage or a decree of judicial separation or at any time thereafter (whether, in the case of a decree of divorce or of nullity of marriage, before or after the decree is made absolute), the court may make any one or more of the following orders, that is to say —

- (a) an order that either party to the marriage shall make to the other such periodical payments, for such term, as may be specified in the order;
- (b) an order that either party to the marriage shall secure to the other to the satisfaction of the court such periodical payments, for such term, as may be so specified;
- (c) an order that either party to the marriage shall pay to the other such lump sum or sums as may be so specified;
- (d) an order that a party to the marriage shall make to such person as may be specified in the order for the benefit of a child of the family, or to such a child, such periodical payments, for such term, as may be so specified;
- (e) an order that a party to the marriage shall secure to such person as may be so specified for the benefit of such a child, or to such a child, to the satisfaction of the court, such periodical payments, for such term, as may be so specified;

- (f) an order that a party to the marriage shall pay to such person as may be so specified for the benefit of such a child, or to such a child, such lump sum as may be so specified;

subject, however, in the case of an order under paragraph (d), (e) or (f) above, to the restrictions imposed by section 32 (1) and (3) below on the making of financial provision orders in favour of children who have attained the age of twenty-one.

(2) The court may also, subject to those restrictions, make any one or more of the orders mentioned in subsection (1) (d), (e) and (f) above —

- (a) in any proceedings for divorce, nullity of marriage or judicial separation, before granting a decree; and
- (b) where any such proceedings are dismissed after the beginning of the trial, either forthwith or within a reasonable period after the dismissal.

(3) Without prejudice to the generality of subsection (1) (c) or (f) above —

- (a) an order under this section that a party to a marriage shall pay a lump sum to the other party may be made for the purpose of enabling that other party to meet any liabilities or expenses reasonably incurred by him or her in maintaining himself or herself or any child of the family before making an application for an order under this section in his or her favour;
- (b) an order under this section for the payment of a lump sum to or for the benefit of a child of the family may be made for the purpose of enabling any liabilities or expenses reasonably incurred by or for the benefit of that child before the making of an application for an order under this section in his favour to be met; and
- (c) an order under this section for the payment of a lump sum may provide for the payment of that sum by instalments of such amount as may be specified in the order and may require the payment of the instalments to be secured to the satisfaction of the court.

(4) The power of the court under subsection (1) or (2) (a) above to make an order in favour of a child of the family shall be exercisable from time to time; and where the court makes an order in favour of a child under subsection (2) (b) above, it may from time to time, subject to the restrictions mentioned in subsection (1) above, make a further order in his favour of any of the kinds mentioned in subsection (1) (d), (e) or (f) above.

(5) Without prejudice to the power to give a direction under section 33 below for the settlement of an instrument by the Registrar of the Supreme Court where an order is made under subsection (1) (a), (b) or (c) above on or after granting a decree of divorce or nullity of marriage, neither the order nor any settlement made in pursuance of the order shall take effect unless the decree has been made absolute.

27. (1) On granting a decree of divorce, a decree of nullity of marriage or a decree of judicial separation or at any time thereafter (whether, in the case of a decree of divorce or of nullity of marriage, before or after the decree is made absolute), the court may make any one or more of the following orders, that is to say —

- (a) an order that a party to the marriage shall transfer to the other party, to any child of the family or to such person as may be specified in the order for the benefit of such a child such property as may be so specified, being property to which the first mentioned party is entitled, either in possession or reversion;

Property adjustment  
orders in connection with  
divorce proceedings, etc.  
1973 c. 18 s. 24

- (b) an order that a settlement of such property as may be so specified, being property to which a party to the marriage is so entitled, be made to the satisfaction of the court for the benefit of the other party to the marriage and of the children of the family or either or any of them;
- (c) an order varying for the benefit of the parties to the marriage and of the children of the family or either or any of them any ante-nuptial or post-nuptial settlement (including such a settlement made by will or codicil) made on the parties to the marriage;
- (d) an order extinguishing or reducing the interest of either of the parties to the marriage under any such settlement,

subject, however, in the case of an order under paragraph (a) above, to the restrictions imposed by section 32 (1) and (3) below on the making of orders for a transfer of property in favour of children who have attained the age of twenty-one.

(2) The court may make an order under subsection (1) (c) above notwithstanding that there are no children of the family.

(3) Without prejudice to the power to give a direction under section 33 below for the settlement of an instrument by the Registrar of the Supreme Court, where an order is made under this section on or after granting a decree of divorce or nullity of marriage, neither the order nor any settlement made in pursuance of the order shall take effect unless the decree has been made absolute.

28. (1) It shall be the duty of the court in deciding whether to exercise its powers under section 26 (1) (a), (b) or (c) or 27 above in relation to a party to the marriage and, if so, in what manner, to have regard to all the circumstances of the case including the following matters, that is to say —

- (a) the income, earning capacity, property and other financial resources which each of the parties to the marriage has or is likely to have in the foreseeable future;
- (b) the financial needs, obligations and responsibilities which each of the parties to the marriage has or is likely to have in the foreseeable future;
- (c) the standard of living enjoyed by the family before the breakdown of the marriage;
- (d) the age of each party to the marriage and the duration of the marriage;
- (e) any physical or mental disability of either of the parties to the marriage;
- (f) the contributions made by each of the parties to the welfare of the family, including any contribution made by looking after the home or caring for the family;
- (g) in the case of proceedings for divorce or nullity of marriage, the value to either of the parties to the marriage of any benefit (for example, a pension) which, by reason of the dissolution or annulment of the marriage, that party will lose the chance of acquiring;

and so to exercise those powers as to place the parties, so far as it is practicable and, having regard to their conduct, just to do so, in the financial position in which they would have been if the marriage had not broken down and each had properly discharged his or her financial obligations and responsibilities towards the other.

(2) Without prejudice to subsection (3) below, it shall be the duty of the court in deciding whether to exercise its powers under section 26 (1) (d), (e) or (f), (2) or (4) or 27 above in relation to a child circumstances of the case including the following matters, that is to say —

- (a) the financial needs of the child;
- (b) the income, earning capacity (if any), property and other financial resources of the child;
- (c) any physical or mental disability of the child;
- (d) the standard of living enjoyed by the family before the breakdown of the marriage;
- (e) the manner in which he was being and in which the parties to the marriage expected him to be educated or trained;

and so to exercise those powers as to place the child, so far as it is practicable and having regard to the considerations mentioned in relation to the parties to the marriage in paragraph (a) and (b) of subsection (1) above, just to do so, in the financial position in which the child would have been if the marriage had not broken down and each of those parties had properly discharged his or her financial obligations and responsibilities towards him.

(3) It shall be the duty of the court in deciding whether to exercise its powers under section 26 (1) (d), (e) or (f), (2) or (4) or 27 above against a party to a marriage in favour of a child of the family who is not the child of that party and, if so, in what manner, to have regard (among the circumstances of the case) —

- (a) to whether that party had assumed any responsibility for the child's maintenance and, if so, to the extent to which, and the basis upon which, that party assumed such responsibility;
- (b) to whether in assuming and discharging such responsibility that party did so knowing that the child was not his or her own;
- (c) to the liability of any other person to maintain the child.

29. (1) Where a petition for divorce, nullity of marriage or judicial separation has been presented, then, subject to subsection (2) below, proceedings for maintenance pending suit under section 25 above, for a financial provision order under section 26 above, or for a property adjustment order may be begun, subject to and in accordance with rules of court, at any time after the presentation of the petition.

(2) Rules of court may provide, in such cases as may be prescribed by the rules —

- (a) that application of any such relief as is mentioned in subsection (1) above shall be made in the petition or answer; and
- (b) that applications for any such relief which are not so made, or are not made until after the expiration of such period following the presentation of the petition or filing of the answer as may be so prescribed, shall be made only with the leave of the court.

#### FINANCIAL PROVISION IN CASE OF NEGLECT TO MAINTAIN

30. (1) Either party to a marriage may apply to the court for an order under this section on the ground that the other party to the marriage (in this section referred to as the respondent) —

- (a) being the husband, has wilfully neglected —
  - (i) to provide reasonable maintenance for the applicant, or
  - (ii) to provide, or to make a proper contribution towards, reasonable maintenance for any child of the family to whom this section applies;
- (b) being the wife, has wilfully neglected to provide, or to make a proper contribution towards, reasonable maintenance —
  - (i) for the applicant in a case where, by reason of the impairment of the applicant's earning capacity through

Matters to which court is to have regard in deciding how to exercise its powers under ss. 26 and 27.

1973 c. 18 s. 25

Commencement of proceedings for ancillary relief.

1973 c. 18 s. 26

Financial provision orders, etc., in case of neglect by party to marriage to maintain other party or child of the family.

1973 c. 18 s. 27



age, illness or disability of mind or body, and having regard to any resources of the applicant and the respondent respectively which are, or should properly be made, available for the purpose, it is reasonable in all the circumstances to expect the respondent so to provide or contribute, or

(ii) for any child of the family to whom this section applies.

(2) The court shall not entertain an application under this section unless—

- (a) the applicant or the respondent is domiciled in the Colony on the date of the application; or
- (b) the applicant has been habitually resident there throughout the period of one year ending with that date; or
- (c) the respondent is resident there on that date.

(3) This section applies to any child of the family for whose maintenance it is reasonable in all the circumstances to expect the respondent to provide or towards whose maintenance it is reasonable in all the circumstances to expect the respondent to make a proper contribution.

(4) Where the child of the family to whom the application under this section relates is not the child of the respondent, then, in deciding —

- (a) whether the respondent has been guilty of wilful neglect to provide, or to make a proper contribution towards, reasonable maintenance for the child, and
- (b) what order, if any, to make under this section in favour of the child,

the court shall have regard to the matters mentioned in section 28 (3) above.

(5) Where on application under this section it appears to the court that the applicant or any child of the family to whom the application relates is in immediate need of financial assistance, but it is not yet possible to determine what order, if any, should be made on the application, the court may make an interim order for maintenance, that is to say, an order requiring the respondent to make to the applicant until the determination of the application such periodical payments as the court thinks reasonable.

(6) Where on an application under this section the applicant satisfies the court of any ground mentioned in subsection (1) above, the court may make such one or more of the following orders as it thinks just, that is to say —

- (a) an order that the respondent shall make to the applicant such periodical payments, for such term, as may be specified in the order;
- (b) an order that the respondent shall secure to the applicant to the satisfaction of the court, such periodical payments, for such term, as may be so specified;
- (c) an order that the respondent shall pay to the applicant such lump sum as may be so specified;
- (d) an order that the respondent shall make to such person as may be specified in the order for the benefit of the child, to whom the application relates, or to that child, such periodical payments, for such term, as may be so specified;
- (e) an order that the respondent shall secure to such person as may be so specified for the benefit of that child, or to that child, to the satisfaction of the court, such periodical payments, for such term, as may be so specified;
- (f) an order that the respondent shall pay to such person as

may be so specified for the benefit of that child, or to that child, such lump sum as may be so specified;

subject, however, in the case of an order under paragraph (d), (e) or (f) above, to the restriction imposed by section 32 (1) and (3) below on the making of financial provision orders in favour of children who have attained the age of eighteen.

(7) Without prejudice to the generality of subsection (6) (c) or (f) above, an order under this section for the payment of a lump sum —

- (a) may be made for the purpose of enabling any liabilities or expenses reasonably incurred in maintaining the applicant or any child of the family to whom the application relates before the making of the application to be met;
- (b) may provide for the payment of that sum by instalments of such amount as may be specified in the order and may require the payment of the instalments to be secured to the satisfaction of the court.

(8) For the purpose of proceedings on an application under this section adultery which has been condoned shall not be capable of being revived, and any presumption of condonation which arises from the continuance or resumption of marital intercourse may be rebutted by evidence sufficient to negative the necessary intent.

#### ADDITIONAL PROVISIONS WITH RESPECT TO FINANCIAL PROVISION AND PROPERTY ADJUSTMENT ORDERS

31. (1) The term to be specified in a periodical payments or secured periodical payments order in favour of a party to a marriage shall be such term as the court thinks fit, subject to the following limits, that is to say —

- (a) in the case of a periodical payments order, the term shall begin not earlier than the date of the making of an application for the order and shall be so defined as not to extend beyond the death of either of the parties to the marriage, or, where the order is made on or after the grant of a decree of divorce or nullity of marriage, the remarriage of the party in whose favour the order is made; and
- (b) in the case of a secured periodical payments order, the term shall begin not earlier than the date of the making of an application for the order, and shall be so defined as not to extend beyond the death or, where the order is made on or after the grant of a decree, the remarriage of the party in whose favour the order is made.

(2) Where a periodical payments or secured periodical payments order in favour of a party to a marriage is made otherwise than on or after the grant of a decree of divorce or nullity of marriage, and the marriage in question is subsequently dissolved or annulled but the order continues in force, the order shall, notwithstanding anything in it, cease to have effect on the remarriage of that party, except in relation to any arrears due under it on the date of the remarriage.

(3) If after the grant of a decree dissolving or annulling a marriage either party to that marriage remarries, that party shall not be entitled to apply, by reference to the grant of that decree, for a financial provision order in his or her favour, or for a property adjustment order, against the other party to that marriage.

32. (1) Subject of subsection (3) below, no financial provision order and no order for a transfer of property under section 27 (1) (a) above shall be made in favour of a child who has attained the age of eighteen.

Duration of continuing financial provision orders in favour of party to marriage, and effect of remarriage.

1973 c. 18 s. 28

Duration of continuing financial provision orders in favour of children, and age limit on making certain orders in their favour.

1973 c. 18 s. 29

(2) The term to be specified in a periodical payments or secured periodical payments order in favour of a child may begin with the date of the making of an application for the order in question or any later date but —

- (a) shall not in the first instance extend beyond the date of the birthday of the child next following his attaining the upper limit of the compulsory school age (that is to say, the age that is for the time being that limit by virtue of section 2 of the Education Ordinance 1967) unless the court thinks it right in the circumstances of the case to specify a later date; and
- (b) shall not in any event, subject to subsection (3) below, extend beyond the date of the child's eighteenth birthday.

(3) Subsection (1) above, and paragraph (b) of subsection (2), shall not apply in the case of a child, if it appears to the court that —

- (a) the child is, or will be, or if an order were made without complying with either or both of those provisions would be, receiving instruction at an educational establishment or undergoing training for a trade, profession or vocation, whether or not he is also, or will also be, in gainful employment; or
- (b) there are special circumstances which justify the making of an order without complying with either or both of these provisions.

(4) Any periodical payments order in favour of a child shall, notwithstanding anything in the order, cease to have effect on the death of the person liable to make payments under the order, except in relation to any arrears due under the order on the date of the death.

33. Where the court decides to make a financial provision order requiring any payments to be secured or a property adjustment order —

- (a) it may direct that the matter be referred to the Registrar of the Supreme Court for him to settle a proper instrument to be executed by all necessary parties; and
- (b) where the order is to be made in proceedings for divorce, nullity of marriage or judicial separation it may, if it thinks fit, defer the grant of the decree in question until the instrument has been duly executed.

#### VARIATION, DISCHARGE AND ENFORCEMENT OF CERTAIN ORDERS, ETC.

34. (1) Where the court has made an order to which this section applies, then, subject to the provisions of this section, the court shall have power to vary or discharge the order or to suspend any provision thereof temporarily and to revive the operation of any provision so suspended.

(2) This section applies to the following orders, that is to say —

- (a) any order for maintenance pending suit and any interim order for maintenance;
- (b) any periodical payments order;
- (c) any secured periodical payments order;
- (d) any order made by virtue of section 26 (3) (c) or 30 (7) (b) above (provision for payment of a lump sum by instalments);
- (e) any order for a settlement of property under section 27 (1) (b) or for a variation of settlement under section 27 (1) (c) or (d) above, being an order made on or after the grant of a decree of judicial separation.

(3) The powers exercisable by the court under this section in relation to an order shall be exercisable also in relation to any instrument executed in pursuance of the order.

(4) The court shall not exercise the powers conferred by this section in relation to an order for a settlement under section 27 (1) (b) or for a variation of settlement under section 27 (1) (c) or (d) above except on an application made in proceedings —

- (a) for the rescission of the decree of judicial separation by reference to which the order was made, or
- (b) for the dissolution of the marriage in question.

(5) No property adjustment order shall be made on an application for the variation of a periodical payments or secured periodical payments order made (whether in favour of a party to a marriage or in favour of a child of the family) under section 26 above, and no order for the payment of a lump sum shall be made on an application for the variation of a periodical payments or secured periodical payments order in favour of a party to a marriage (whether made under section 26 or under section 30 above).

(6) Where the person liable to make payments under a secured periodical payments order has died, an application under this section relating to that order may be made by the person entitled to payments under the order or by the personal representatives of the deceased person, but no such application shall, except with the permission of the court, be made after the end of the period of six months from the date on which representation in regard to the estate of that person is first taken out.

(7) In exercising the powers conferred by this section the court shall have regard to all the circumstances of the case, including any change in any of the matters to which the court was required to have regard when making the order to which the application relates and, where the party against whom that order was made has died, the changed circumstances resulting from his or her death.

(8) The personal representative of a deceased person against whom a secured periodical payments order was made shall not be liable for having distributed any part of the estate of the deceased after the expiration of the period of six months referred to in subsection (6) above on the ground that they ought to have taken into account the possibility that the court might permit an application under this section to be made after that period by the person entitled to payments under the order; but this subsection shall not prejudice any power to recover any part of the estate so distributed arising by virtue of the making of an order in pursuance of this section.

(9) In considering for the purposes of subsection (6) above the question when representation was first taken out, a grant limited to settled land or to trust property shall be left out of account and a grant limited to real estate or to personal estate shall be left out of account unless a grant limited to the remainder of the estate has previously been made or is made at the same time.

35. (1) A person shall not be entitled to enforce through the court the payment of any arrears due under an order for maintenance pending suit, an interim order for maintenance or any financial provision order without the leave of that court if those arrears become due more than twelve months before proceedings to enforce the payment of them are begun.

(2) The court hearing an application for the grant of leave under this section may refuse leave, or may grant leave subject to such restrictions and conditions (including conditions as to the allowing of time for payment or the making of payment by instalments) as the court thinks proper, or may remit the payment of the arrears or of any part thereof.

Direction for settlement of instrument for securing payments or effecting property adjustment.  
1973 c. 18 s. 30

Variation, discharge, etc., of certain orders for financial relief.  
1973 c. 18 s. 31

Payment of certain arrears unenforceable without the leave of the court.

1973 c. 18 s. 32



(3) An application for the grant of leave under this section shall be made in such manner as may be prescribed by rules of court.

36. (1) Where on an application made under this section in relation to an order to which this section applies it appears to the court that by reason of —

- (a) a change in the circumstances of the person entitled to, or liable to make, payments under the order since the order was made, or
- (b) the changed circumstances resulting from the death of the person so liable,

the amount received by the person entitled to payments under the order in respect of a period after those circumstances changed or after the death of the person liable to make payments under the order, as the case may be, exceeds the amount which the person so liable or his or her personal representatives should have been required to pay, the court may order the respondent to the application to pay to the applicant such sum, not exceeding the amount of the excess, as the court thinks just.

(2) This section applies to the following orders, that is to say —

- (a) any order for maintenance pending suit and any interim order for maintenance;
- (b) any periodical payments order; and
- (c) any secured periodical payments order.

(3) An application under this section may be made by the person liable to make payments under an order to which this section applies or his or her personal representatives and may be made against the person entitled to payments under the order or her or his personal representatives.

(4) An application under this section may be made in proceedings in the court for —

- (a) the variation or discharge of the order to which this section applies, or
- (b) leave to enforce, or the enforcement of, the payment of arrears under that order.

(5) An order under this section for the payment of any sum may provide for the payment of that sum by instalments of such amount as may be specified in the order.

#### MAINTENANCE AGREEMENTS

37. (1) If a maintenance agreement includes a provision purporting to restrict any right to apply to the court for an order containing financial arrangements, then —

- (a) that provision shall be void; but
- (b) any other financial arrangements contained in the agreement shall not thereby be rendered void or unenforceable and shall, unless they are void or unenforceable for any other reason (and subject to sections 38 and 39 below), be binding on the parties to the agreement.

(2) In this section and in section 38 below —

“Maintenance agreement” means any agreement in writing made, whether before or after the commencement of this Ordinance, between the parties to a marriage, being —

- (a) an agreement containing financial arrangements, whether made during the continuance or after the dissolution or annulment of the marriage; or

- (b) a separation agreement which contains no financial arrangements in a case where no other agreement in writing between the same parties contains such arrangements;

“financial arrangements” means provisions governing the rights and liabilities towards one another when living separately of the parties to a marriage (including a marriage which has been dissolved or annulled) in respect of the making or securing of payments or the disposition or use of any property, including such rights and liabilities with respect to the maintenance or education of any child, whether or not a child of the family.

38. (1) Where a maintenance agreement is for the time being subsisting and each of the parties to the agreement is for the time being either domiciled or resident in the Colony, then, subject to subsection (3) below, either party may apply to the court for an order under this section.

(2) If the court is satisfied either —

- (a) that by reason of a change in the circumstances in the light of which any financial arrangements contained in the agreement were made or, as the case may be, financial arrangements were omitted from it (including a change foreseen by the parties when making the agreement), the agreement should be altered so as to make different, or, as the case may be, so as to contain, financial arrangements, or
- (b) that the agreement does not contain proper financial arrangements with respect to any child of the family,

then subject to subsections (3), (4) and (5) below, the court may by order make such alterations in the agreement —

- (i) by varying or revoking any financial arrangements contained in it, or
- (ii) by inserting in it financial arrangements for the benefit of one of the parties to the agreement or of a child of the family,

as may appear to the court to be just having regard to all the circumstances, including, if relevant, the matters mentioned in section 28 (3) above; and the agreement shall have effect thereafter as if any alteration made by the order had been made by agreement between the parties and for valuable consideration.

(3) Where the court decides to alter, by order under this section, an agreement by inserting provision for the making or securing by one of the parties to the agreement of periodical payments for the maintenance of the other party or by increasing the rate of the periodical payments which the agreement provides shall be made by one of the parties for the maintenance of the other, the term for which the payments or, as the case may be, the additional payments attributable to the increase are to be made under the agreement as altered by the order shall be such term as the court may specify, subject to the following limits, that is to say —

- (a) where the payments will not be secured, the term shall be so defined as not to extend beyond the death of either of the parties to the agreement or the remarriage of the party to whom the payments are to be made;
- (b) where the payments will be secured, the term shall be so defined as not to extend beyond the death or remarriage of that party.

(4) Where the court decides to alter, by order under this section, an agreement by inserting provision for the making or securing by one of the parties to the agreement of periodical payments for the maintenance of a child of the family or by increasing the rate of the periodical payments which the agreement provides shall be

made or secured by one of the parties for the maintenance of such a child, then, in deciding the term for which under the agreement as altered by the order the payments, or as the case may be, the additional payments attributable to the increase are to be made or secured for the benefit of the child, the court shall apply the provisions of section 32 (2) and (3) above as to age limits as if the order in question were a periodical payments or secured periodical payments order in favour of the child.

(5) For the avoidance of doubt it is hereby declared that nothing in this section or in section 37 above affects any power of the court before which any proceedings between the parties to a maintenance agreement are brought under any other enactment (including a provision of this Ordinance) to make an order containing financial arrangements or any right of either party to apply for such an order in such proceedings.

39. (1) Where a maintenance agreement within the meaning of section 37 above provides for the continuation of payments under the agreement after the death of one of the parties and that party dies domiciled in the Colony, the surviving party or the personal representatives of the deceased party may, subject to subsections (2) and (3) below, apply to the court for an order under section 38 above.

(2) An application under this section shall not, except with the permission of the court, be made after the end of the period of six months from the date on which representation in regard to the estate of the deceased is first taken out.

(3) If a maintenance agreement is altered by the court on an application made in pursuance of subsection (1) above, the like consequences shall ensue as if the alteration has been made immediately before the death by agreement between the parties and for valuable consideration.

(4) The provisions of this section shall not render the personal representatives of the deceased liable for having distributed any part of the estate of the deceased after the expiration of the period of six months referred to in subsection (2) above on the ground that they ought to have taken into account the possibility that the court might permit an application by virtue of this section to be made by the surviving party after that period; but this subsection shall not prejudice any power to recover any part of the estate so distributed arising by virtue of the making of an order in pursuance of this section.

#### MISCELLANEOUS AND SUPPLEMENTAL

40. (1) For the purposes of this section "financial relief" means relief under any of the provisions of sections 25, 26, 27, 30, 34 (except subsection (5)) and 38 above, and any reference in this section to defeating a person's claim for financial relief is a reference to preventing financial relief from being granted to that person, or to that person for the benefit of a child of the family, or reducing the amount of any financial relief which might be so granted, or frustrating or impeding the enforcement of any order which might be or has been made at his instance under any of those provisions.

(2) Where proceedings for financial relief are brought by one person against another, the court may, on the application of the first-mentioned person —

(a) if it is satisfied that the other party to the proceedings is, with the intention of defeating the claim for financial relief, about to make any disposition or to transfer out of the jurisdiction or otherwise deal with any property, make such order as it thinks fit for restraining the other party from so doing or otherwise for protecting the claim;

(b) if it is satisfied that the other party has, with that intention, made a reviewable disposition and that if the disposition were set aside financial relief or different financial relief would be granted to the applicant, make an order setting aside the disposition;

(c) if it is satisfied, in a case where an order has been obtained under any of the provisions mentioned in subsection (1) above by the applicant against the other party, that the other party has, with that intention, made a reviewable disposition, make an order setting aside the disposition;

and an application for the purposes of paragraph (b) above shall be made in the proceedings for the financial relief in question.

(3) Where the court makes an order under subsection (2) (b) or (c) above setting aside a disposition it shall give such consequential directions as it thinks fit for giving effect to the order (including directions requiring the making of any payments or the disposal of any property).

(4) Any disposition made by the other party to the proceedings for financial relief in question (whether before or after the commencement of those proceedings) is a reviewable disposition for the purposes of subsections (2) (b) and (c) above unless it was made for valuable consideration (other than marriage) to a person who, at the time of the disposition, acted in relation to it in good faith and without notice of any intention on the part of the other party to defeat the applicant's claim for financial relief.

(5) Where an application is made under this section with respect to a disposition which took place less than three years before the date of the application or with respect to a disposition or other dealing with property which is about to take place and the court is satisfied —

(a) in a case falling within subsection (2) (a) or (b) above, that the disposition or other dealing would (apart from this section) have the consequence, or

(b) in a case falling within subsection (2) (c) above, that the disposition has had the consequence,

of defeating the applicant's claim for financial relief, it shall be presumed, unless the contrary is shown, that the person who disposed of or is about to dispose of or deal with the property did so or, as the case may be, is about to do so, with the intention of defeating the applicant's claim for financial relief.

(6) In this section "disposition" does not include any provision contained in a will or codicil but, with that exception, includes any conveyance, assurance or gift of property of any description, whether made by an instrument or otherwise.

(7) The provisions of this section shall not apply to a disposition made more than three years before the commencement of this Ordinance.

41. (1) Where —

(a) a periodical payments or secured periodical payments order in favour of a party to a marriage (hereafter in this section referred to as "a payments order") has ceased to have effect by reason of the remarriage of that party, and

(b) the person liable to make payments under the order or his or her personal representatives made payments in accordance with it in respect of a period after the date of the remarriage in the mistaken belief that the order was still subsisting,

the person so liable or his or her personal representatives shall not be entitled to bring proceedings in respect of a cause of action arising

Alteration of agreements  
by court after death of  
one party.

1973 c. 18 s. 36 (1) (4)  
(6)

Avoidance of transactions  
intended to prevent or  
reduce financial relief.  
1973 c. 18 s. 37

Orders for repayment in  
certain cases of sums  
paid after cessation of  
order by reason of  
remarriage.

1973 c. 18 s. 38

out of the circumstances mentioned in paragraphs (a) and (b) above against the person entitled to payments under the order or her or his personal representatives, but may instead make an application against that person or her or his personal representatives under this section.

(2) On an application under this section the court may order the respondent to pay to the applicant a sum equal to the amount of the payments made in respect of the period mentioned in subsection (1) (b) above or, if it appears to the court that it would be unjust to make that order, it may either order the respondent to pay to the applicant such lesser sum as it thinks fit or dismiss the application.

(3) An application under this section may be made in proceedings in the court for leave to enforce, or the enforcement of, payment of arrears under the order in question.

(4) An order under this section for the payment of any sum may provide for the payment of that sum by instalments of such amount as may be specified in the order.

(5) No officer of the court to whom payments under an order to which this section applies are required to be made shall be liable for any act done by him in pursuance of the order after the date on which that order ceased to have effect by reason of the remarriage of the person entitled to payments under it, if, but only if, the act was one which he would have been under a duty to do had the order not ceased to have effect as aforesaid and the act was done before notice in writing of the fact that the person so entitled had remarried was given to him by or on behalf of that person, the person liable to make payments under the order or the personal representatives of either of those persons.

42. The fact that a settlement or transfer of property had to be made in order to comply with a property adjustment order shall not prevent that settlement or transfer from being a settlement of property to which section 42 (1) of the Bankruptcy Act 1914 (avoidance of certain settlements) applies.

43. Where the court makes an order under this part of this Ordinance requiring payments (including a lump sum payment) to be made, or property to be transferred to a party to a marriage and the court is satisfied that the person in whose favour an order is made is incapable, by reason of mental derangement within the meaning of the Mental Treatment Ordinance, of managing and administering his or her property and affairs then, the court may order the payments to be made, or as the case may be, the property to be transferred, to such persons having charge of that person as the court may direct.

#### PART IV

##### PROTECTION, CUSTODY, ETC., OF CHILDREN

44. (1) The court shall not make absolute a decree of divorce or of nullity of marriage, or grant a decree of judicial separation, unless the court, by order, has declared that it is satisfied —

- (a) that for the purposes of this section there are no children of the family to whom this section applies; or
- (b) that the only children who are or may be children of the family to whom this section applies are the children named in the order and that —
  - (i) arrangements for the welfare of every child so named have been made and are satisfactory or are the best that can be devised in the circumstances; or
  - (ii) it is impracticable for the party or parties appearing before the court to make any such arrangements; or
- (c) that there are circumstances making it desirable that the

decree should be made absolute or should be granted, as the case may be, without delay notwithstanding that there are or may be children of the family to whom this section applies and that the court is unable to make a declaration in accordance with paragraph (b) above.

(2) The court shall not make an order declaring that it is satisfied as mentioned in subsection (1) (c) above unless it has obtained a satisfactory undertaking from either or both of the parties to bring the question of the arrangements for the children named in the order before the court within a specified time.

(3) If the court makes absolute a decree of divorce or of nullity of marriage, or grants a decree of judicial separation, without having made an order under subsection (1) above the decree shall be void but, if such an order was made, no person shall be entitled to challenge the validity of the decree on the ground that the conditions prescribed by subsections (1) and (2) above were not fulfilled.

(4) If the court refuses to make an order under subsection (1) above in any proceedings for divorce, nullity of marriage or judicial separation, it shall, on an application by either party to the proceedings, make an order declaring that it is not satisfied as mentioned in that subsection.

(5) This section applies to the following children of the family, that is to say —

(a) any minor child of the family who at the date of the order under subsection (1) above is —

- (i) under the age of fifteen, or
- (ii) receiving instruction at an educational establishment or undergoing training for a trade, profession or vocation, whether or not he is also in gainful employment; and

(b) any other child of the family to whom the court by an order under that subsection directs that this section shall apply; and the court may give such a direction if it is of opinion that there are special circumstances which make it desirable in the interest of the child that this section should apply to him.

(6) In this section "welfare", in relation to a child, includes the custody and education of the child and financial provision for him.

45. (1) The court may make such order as it thinks fit for the custody and education of any child of the family who is under the age of eighteen —

- (a) in any proceedings for divorce, nullity of marriage or judicial separation, before or on granting a decree or at any time thereafter (whether, in the case of a decree of divorce or nullity of marriage, before or after the decree is made absolute);
- (b) where any such proceedings are dismissed after the beginning of the trial, either forthwith or within a reasonable period after the dismissal;

and in any case in which the court has power by virtue of this subsection to make an order in respect of a child it may instead, if it thinks fit, direct that proper proceedings be taken for making the child a ward of court.

(2) Where the court makes an order under section 30 above, the court shall also have power to make such order as it thinks fit with respect to the custody of any child of the family who is for the time being under the age of eighteen; but the power conferred by this subsection and any order made in exercise of that power shall have effect only as respects any period when an order is in force under that section and the child is under that age.

Settlement, etc., made in compliance with a property adjustment order may be avoided on bankruptcy of settlor.  
1973 c. 18 s. 39

Payments, etc., under order made in favour of persons suffering from mental derangement.  
1973 c. 18 s. 40

(Cap. 46)

Restrictions on decrees for dissolution, annulment or separation affecting children.  
1973 c. 18 s. 41

Orders for custody and education of children in cases of divorce, etc., and for custody in cases of neglect.  
1973 c. 18 s. 42



(3) Where the court grants or makes absolute a decree of divorce or grants a decree of judicial separation, it may include in the decree a declaration that either party to the marriage in question is unfit to have the custody of the children of the family.

(4) Where a decree of divorce or of judicial separation contains such a declaration as is mentioned in subsection (3) above, then, if the party to whom the declaration relates is a parent of any child of the family, that party shall not, on the death of the other parent, be entitled as of right to the custody or the guardianship of that child.

(5) Where an order in respect of a child is made under this section, the order shall not affect the rights over or with respect to the child of any person, other than a party to the marriage in question, unless the child is the child of one or both of the parties to that marriage and that person was a party to the proceedings on the application for an order under this section.

(6) The power of the court under subsection (1)(a) or (2) above to make an order with respect to a child shall be exercisable from time to time; and where the court makes an order under subsection (1)(b) above with respect to a child it may from time to time until that child attains the age of eighteen make a further order with respect to his custody and education.

(7) The court shall have power to vary or discharge an order made under this section or to suspend any provision thereof temporarily and to revive the operation of any provision so suspended.

Power to commit children  
to care of other person.  
1973 c. 18 s. 43

46. (1) Where the court has jurisdiction by virtue of this Part of this Ordinance to make an order for the custody of a child and it appears to the court that there are exceptional circumstances making it impracticable or undesirable for the child to be entrusted to either of the parties of the marriage, the court may if it thinks fit make an order committing the care of the child to any other person.

(2) While an order made by virtue of this section is in force with respect to a child, the child shall continue in the care of the other person notwithstanding any claim by a parent or other person.

(3) An order made by virtue of this section shall cease to have effect as respects any child when he becomes eighteen, and the court shall not make an order committing a child to the care of any other person under this section after he has become seventeen.

Power to provide for  
supervision of children.  
1973 c. 18 s. 44

47. (1) Where the court has jurisdiction by virtue of this Part of this Ordinance to make an order for the custody of a child and it appears to the court that there are exceptional circumstances making it desirable that the child should be under the supervision of an independent person, the court may, as respects any period during which the child is, in exercise of that jurisdiction, committed to the custody of any person, order that the child be under the supervision of an independent person.

(2) Where a child is under the supervision of an independent person in pursuance of this section the jurisdiction possessed by the court to vary any financial provision order in the child's favour or any order made with respect to his custody or education under this Part of this Ordinance shall, subject to any rules of court, be exercisable at the instance of the court.

(3) The court shall have power from time to time by an order under this section to vary or discharge any provision made in pursuance of this section.

## PART V

### RECOGNITION OF OVERSEAS DIVORCES AND LEGAL SEPARATIONS

Recognition in the Colony  
of overseas divorces and  
legal separations.  
1971 c. 53 s. 2

48. Sections 49 to 51 shall have effect, subject to section 54 below, as respects the recognition in the Colony of the validity of

overseas divorces and legal separations, that is to say, divorces and legal separations which —

- (a) have been obtained by means of judicial or other proceedings in any country outside the Colony; and
- (b) are effective under the law of that country.

49. (1) The validity of an overseas divorce or legal separation shall be recognised if, at the date of the institution of the proceedings in the country in which it was obtained —

Grounds for recognition.  
1971 c. 53 s. 3

- (a) either spouse was habitually resident in that country; or
- (b) either spouse was a national of that country.

(2) In relation to a country the law of which uses the concept of domicile as a ground of jurisdiction in matters of divorce or legal separation, subsection (1)(a) of this section shall have effect as if the reference to habitual residence included a reference to domicile within the meaning of that law.

(3) In relation to a country comprising territories in which different systems of law are in force in matters of divorce or legal separation, the foregoing provisions of this section (except those relating to nationality) shall have effect as if each territory were a separate country.

50. (1) Where there have been cross-proceedings, the validity of an overseas divorce or legal separation obtained either in the original proceedings or in the cross-proceedings shall be recognised if the requirements of paragraph (a) or (b) of section 49(1) above, are satisfied in relation to the date of the institution either of the original proceedings or of the cross-proceedings.

Cross-proceedings and  
divorce following legal  
separation.  
1971 c. 53 s. 4

(2) Where a legal separation the validity of which is entitled to recognition by virtue of the provisions of section 49 above or of subsection (1) of this section is converted, in the country in which it was obtained, into a divorce, the validity of the divorce shall be recognised whether or not it would itself be entitled to recognition by virtue of those provisions.

51. (1) For the purpose of deciding whether an overseas divorce or legal separation is entitled to recognition by virtue of this Part, any finding of fact made (whether expressly or by implication) in the proceedings by means of which the divorce or legal separation was obtained and on the basis of which jurisdiction was assumed in those proceedings shall —

Proof of facts relevant to  
recognition.  
1971 c. 53 s. 5

- (a) if both spouses took part in the proceedings, be conclusive evidence of the fact found; and
- (b) in any other case, be sufficient proof of that fact unless the contrary is shown.

(2) In this section "finding of fact" includes a finding that either spouse was habitually resident or domiciled in, or a national of, the country in which the divorce or legal separation was obtained; and for the purpose of subsection (1)(a) of this section, a spouse who has appeared in judicial proceedings shall be treated as having taken part in them.

52. (1) In this section "the common law rules" means the rules of law relating to the recognition of divorces or legal separations obtained in the country of the spouses' domicile or obtained elsewhere and recognised as valid in that country.

Existing common law and  
statutory rules.  
1971 c. 53 s. 6

(2) In any circumstances in which the validity of a divorce or legal separation obtained in a country outside the Colony would be recognised by virtue only of the common law rules if either —

- (a) the spouses had at the material time both been domiciled in that country; or

(b) the divorce or separation were recognised as valid under the law of the spouses' domicile,  
its validity shall also be recognised if subsection (3) below is satisfied in relation to it.

(3) This subsection is satisfied in relation to a divorce or legal separation obtained in a country outside the Colony if either —

- (a) one of the spouses was at the material time domiciled in that country and the divorce or separation was recognised as valid under the law of the domicile of the other spouse; or
- (b) neither of the spouses having been domiciled in that country at the material time, the divorce or separation was recognised as valid under the law of the domicile of each of the spouses respectively.

(4) For any purpose of subsection (2) or (3) above "the material time", in relation to a divorce or legal separation, means the time of the institution of proceedings in the country in which it was obtained.

(5) Sections 48 to 51 above are without prejudice to the recognition of the validity of divorces and legal separations obtained outside the Colony by virtue of the common law rules (as extended by this section), or of any enactment other than this Ordinance; but, subject to this section, no divorce or legal separation so obtained shall be recognised as valid in the Colony except as provided by those sections.

53. Where the validity of a divorce obtained in any country is entitled to recognition by virtue of sections 48 to 51 or section 52 (2) above, or by virtue of any rule or enactment preserved by section 52 (5) above, neither spouse shall be precluded from re-marrying in the Colony on the ground that the validity of the divorce would not be recognised in any other country.

54. (1) The validity of a divorce or legal separation obtained outside the Colony shall not be recognised in the Colony if it was granted or obtained at a time when, according to the law of the Colony (including its rule of private international law and the provisions of this Part), there was no subsisting marriage between the parties.

(2) Subject to subsection (1) of this section, recognition by virtue of sections 48 to 51 or section 52 (2) above, or of any rule preserved by section 52 (5) thereof of the validity of a divorce or legal separation obtained outside the Colony may be refused if, and only if —

- (a) it was obtained by one spouse —
  - (i) without such steps having been taken for giving notice of the proceedings to the other spouse as, having regard to the nature of the proceedings and all the circumstances, should reasonably have been taken; or
  - (ii) without the other spouse having been given (for any reason other than lack of notice) such opportunity to take part in the proceedings as, having regard to the matters aforesaid, he should reasonably have been given; or

(b) its recognition would manifestly be contrary to public policy.

(3) Nothing in this Part shall be construed as requiring the recognition of any findings of fault made in any proceedings for divorce or separation or of any maintenance, custody or other ancillary order made in any such proceedings.

55. (1) In this Part, "country" includes a colony or other dependent territory of the United Kingdom but for the purposes of this Part a person shall be treated as a national of such a colony or dependent territory only if it has a law of citizenship or nationality separate from that of the United Kingdom and he is a citizen or national of that colony or dependent territory under that law.

(2) The provisions of this Part relating to overseas divorces and legal separations and other divorces and legal separations obtained outside the Colony apply to a divorce or legal separation obtained before the commencement of this Ordinance as well as to one obtained on or after that date and, in the case of a divorce or legal separation obtained before that date —

- (a) require, or, as the case may be, preclude, the recognition of its validity in relation to any time before that date as well as in relation to any subsequent time; but
- (b) do not affect any property rights to which any person became entitled before that date or apply where the question of the validity of the divorce or legal separation has been decided by the court before that date.

## PART VI

### MISCELLANEOUS AND SUPPLEMENTAL

56. (1) Any person who is a British subject, or whose right to be deemed a British subject depends wholly or in part on his legitimacy or on the validity of any marriage, may, if he is domiciled in the Colony or claims any real or personal estate situate in the Colony, apply by petition to the court for a decree declaring that he is the legitimate child of his parents, or that the marriage of his father and mother or of his grandfather and grandmother was a valid marriage or that his own marriage was a valid marriage.

(2) Any person claiming that he or his parent or any remoter ancestor became or has become a legitimated person may apply by petition to the court in the manner prescribed by rules of court, for a decree declaring that he or his parent or remoter ancestor, as the case may be, became or has become a legitimated person.

In this subsection "legitimated person" means a person legitimated by the Legitimacy Act 1926, and includes a person recognised under section 8 of that Act as legitimated.

(3) Any person who is domiciled in the Colony or claims any real or personal estate situate in the Colony may apply to the court for a decree declaring his right to be deemed a British subject.

(4) Applications to the court under the preceding provisions of this section may be included in the same petition, and on any application under the preceding provisions of this section the court shall make such decree as it thinks just, and the decree shall be binding on Her Majesty and all other persons whatsoever, so however that the decree shall not prejudice any person —

- (a) if it is subsequently proved to have been obtained by fraud or collusion; or
- (b) unless that person has been given notice of the application in the manner prescribed by rules of court or made a party to the proceedings or claims through a person so given notice or made a party.

(5) A copy of every application under this section and of any affidavit accompanying it shall be delivered to the Chief Secretary at least one month before the application is made, and the Chief Secretary shall be a respondent on the hearing of the application and on any subsequent proceedings relating thereto.

(6) Where any application is made under this section, such persons as the court hearing the application thinks fit, shall, subject to rules of court, be given notice of the application in the manner

Interpretation and transitional provisions.  
1971 c. 53 s. 10 (3) & (4)

Declaration of legitimacy, etc.  
1973 c. 18 s. 45

Non-recognition of divorce by third country no bar to remarriage.  
1971 c. 53 s. 7

Exceptions from recognition.  
1971 c. 53 s. 8



prescribed by rules of court, and any such persons may be permitted to become parties to the proceedings and to oppose the application.

(7) No proceedings under this section shall affect any final judgment or decree already pronounced or made by the court.

(8) The court may direct that the whole or any part of the proceedings shall be heard in camera, and an application for a direction under this subsection shall be heard in camera unless the court otherwise directs.

57. (1) The evidence of a husband or wife shall be admissible in any proceedings to prove that marital intercourse did or did not take place between them during any period.

(2) In any proceedings for nullity of marriage, evidence on the question of sexual capacity shall be heard in camera unless in any case the judge is satisfied that in the interests of justice any such evidence ought to be heard in open court.

58. (1) Where in a petition for divorce or judicial separation, or in any other pleading praying for either form of relief, one party to a marriage alleges that the other has committed adultery, he or she shall make the person alleged to have committed adultery with the other party to the marriage a party to the proceedings unless excused by the court on special grounds from doing so.

(2) Rules of court may, either generally or in such cases as may be prescribed by the rules, exclude the application of subsection (1) above where the person alleged to have committed adultery with the other party to the marriage is not named in the petition or other pleading.

(3) Where in pursuance of subsection (1) above a person is made a party to proceedings for divorce or judicial separation, the court may, if after the close of the evidence on the part of the person making the allegation of adultery it is of opinion that there is not sufficient evidence against the person so made a party, dismiss him or her from the suit.

(4) Rules of court may make provision, in cases not falling within subsection (1) above, with respect to the joinder as parties to proceedings under this Ordinance of persons involved in allegations of adultery or other improper conduct made in those proceedings, and with respect to the dismissal from such proceedings of any parties so joined; and rules of court made by virtue of this subsection may make different provision for different cases.

(5) In every case in which adultery with any party to a suit is alleged against any person not made a party to the suit or in which the court considers, in the interest of any person not already a party to the suit, that that person should be made a party to the suit, the court may if it thinks fit allow that person to intervene upon such terms, if any, as the court thinks just.

59. The Governor in Council may make rules for the better carrying out of the purposes and provisions of this Ordinance and in particular, but without prejudice, may make rules —

- (a) as to all matters of procedure under this Ordinance;
- (b) prescribing the forms to be used under this Ordinance;
- (c) with regard to any matter as to which rules may be made under this Ordinance;
- (d) prescribing the fees and costs to be paid, charged or allowed under this Ordinance.

60. The Matrimonial Causes Ordinance is repealed.

61. Without prejudice to the provisions of section 38 of the Interpretation Act 1889 (which relates to the effect of repeals) nothing in the repeal made by this Ordinance shall affect any application made, proceeding begun, or made or deemed to have been made, or direction given or deemed to have been given, under any provisions of the Matrimonial Causes Ordinance repealed by this Ordinance, and subject to the provisions of this Ordinance —

- (a) every such application or proceeding which is pending at the commencement of this Ordinance shall have effect as if made or begun under the corresponding provision of this Ordinance; and
- (b) every such order or direction shall, if in force at the commencement of this Ordinance, continue in force.

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

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. LEG/10/25.

Repeal.  
Cap. 44.  
Transitional provisions  
and savings.  
Cap. 44.

Evidence.  
1973 c. 18 s. 48

Parties to proceedings  
under this Ordinance.  
1973 c. 18 s. 49

Matrimonial causes rules.

Assented to in Her Majesty's name this 8th day of January 1980.

J. R. W. PARKER,  
*Governor.*

LS

No. 15



1979

Colony of the Falkland Islands

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF

**Her Majesty Queen Elizabeth II.**

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

### An Ordinance

**To amend the Family Allowances Ordinance 1960.** Title.

*(1st January 1980)*

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited as the Family Allowances (Amendment) Ordinance 1979 and shall come into operation on the 1st day of January 1980. Short title and commencement.

2. Section 3 of the principal Ordinance is amended in subsection (2) by deleting "two pounds" and "four pounds" and substituting the following respectively — Amendment of section 3. (9 of 1960)

"£2.50" and "£5.00".

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.

R. BROWNING,  
*Clerk of Councils.*

Ref. TRE/10/1.

Assented to in Her Majesty's name this 8th day of January 1980.

J. R. W. PARKER,  
*Governor.*



No. 16



1979

Colony of the Falkland Islands

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

An Ordinance  
To amend the Maintenance Orders  
(Reciprocal Enforcement) Ordinance 1979.

(21st January 1980)

Title.

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited as the Maintenance Orders  
(Reciprocal Enforcement) (Amendment) Ordinance 1979.

Short title.

2. Section 9 of the principal Ordinance is amended in subsection (1) by deleting "Subject to subsection (2) below, a registered order" and substituting the following —

Amendment of section 9.  
(No. 1 of 1979)

"A registered 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.

R. BROWNING,  
*Clerk of Councils.*

Ref. LEG/10/34.

Assented to in Her Majesty's name this 8th day of January 1980.

J. R. W. PARKER,  
*Governor.*



No. 17



1979

Colony of the Falkland Islands

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**  
JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

**An Ordinance**  
**To amend the Education Ordinance 1967.** Title.

(21st January 1980)

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited as the Education (Amendment) Ordinance 1979. Short title.

2. Section 3 of the principal Ordinance is repealed and replaced by the following new section — Repeal and replacement of section 3.  
(14 of 1967)

"Age of entry.

3. (1) A child shall be entered as a pupil at a recognised school on the first day of the term in which he shall attain the age of five years:

Provided that a child who has attained the age of four years may, with the approval of the Superintendent, be entered as a pupil at a recognised school on the first day in any term.

(2) For the purposes of this section "term" includes any subsequent holiday period."

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.

R. BROWNING,  
*Clerk of Councils.*

Ref. EDU/10/1.

Assented to in Her Majesty's name this 8th day of January 1980.

J. R. W. PARKER,  
*Governor.*

LS

No. 18



1979

Colony of the Falkland Islands

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

**An Ordinance**  
**To amend the Stanley Rates Ordinance** Title.  
**1973.**

*(1st January 1980)*

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands.

- |  |   |
|--|---|
| 1. This Ordinance may be cited as the Stanley Rates (Amendment) (No. 2) Ordinance 1979 and shall come into operation on the 1st day of January 1980. | Short title and commencement.           |
| 2. Section 13 of the principal Ordinance is amended by deleting "poverty" and substituting the following —<br>"financial circumstances".             | Amendment of section 13.<br>(5 of 1973) |
| 3. Section 30 of the principal Ordinance is amended in subsection (2) by deleting "£1.00" and substituting the following —<br>"£2.00".               | Amendment of section 30.                |

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

R. BROWNING,  
*Clerk of Councils.*

Ref. TRE/2/20.



Assented to in Her Majesty's name this 8th day of January 1980.

J. R. W. PARKER,  
*Governor.*

LS

No. 19



1979

Colony of the Falkland Islands

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

## An Ordinance

# Further to amend the Income Tax Ordinance.

Title.

(1st January 1980)

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited as the Income Tax (Amendment) (No. 2) Ordinance 1979 and shall apply to assessments for the year of assessment commencing on the 1st day of January 1980 and to all subsequent years of assessment.

Short title and commencement.

2. Section 12 of the principal Ordinance is amended —

Amendment of section 12.  
(Cap. 32)

(a) by deleting the full stop at the end of paragraph (g) and substituting a semi-colon; and

(b) by adding after paragraph (g) the following new paragraph:

“(h) any amount paid or payable under section 5 of the Medical Services Levy Ordinance 1979.”

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.

R. BROWNING,  
*Clerk of Councils.*

Ref. INC/10/5.

Assented to in Her Majesty's name this 8th day of January 1980.

J. R. W. PARKER,  
*Governor.*

LS

No. 20



1979

Colony of the Falkland Islands

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

An Ordinance

To make provision with respect to the storage and use of gas and for purposes connected therewith. Title.

(21st January 1980)

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited as the Gas Ordinance 1979. Short title.
2. No person shall land, introduce, use or keep in the Colony any gas except in accordance with this Ordinance and any regulations made thereunder. Restriction on the keeping etc.. of gas.
3. (1) The Governor in Council may make regulations for the purpose of securing that the public is as far as practicable protected from any personal injury, fire, explosion or other dangers arising from the conveyance, storage, distribution or use of gas. Safety regulations.  
(2) Without prejudice to the generality of subsection (1) above, any regulations made under this section may make provision for empowering any Inspector appointed under such regulations, with such other persons (if any) as may be necessary, —
  - (a) to enter any premises for the purpose of inspecting any gas fitting on the premises, any flue or means of ventilation used in connection with any such gas fitting, or any service pipe or other apparatus (not being a gas fitting) which is on the premises;

- (b) where he so enters any such premises, to examine or apply any test to any such object as is mentioned in paragraph (a) above and (where the object is a gas fitting) to verify that supply of air is available for it, with a view to ascertaining whether the provisions of any regulations made under this section have been complied with or whether the object is in such a condition, or (in the case of a gas fitting) the supply of air available for it is so inadequate, that it (or, in the case of a flue or means of ventilation, the gas fitting in connection with which it is used) is likely to constitute a danger to any person or property; and
- (c) where in his opinion it is necessary to do so for the purpose of averting danger to life or property to disconnect and seal off any gas fitting or any part of the gas supply system on the premises.

Penalties.

4. Regulations made under the provisions of this Ordinance may provide that any person contravening or failing to comply with any provision of the regulations shall be guilty of an offence and liable on summary conviction to a fine not exceeding £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.

R. BROWNING,  
*Clerk of Councils.*

Ref. FUE/10/5.

Assented to in Her Majesty's name this 8th day of January 1980.

J. R. W. PARKER,  
*Governor.*

LS



No. 21

1979

Colony of the Falkland Islands

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**  
JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

## An Ordinance To amend the Licensing Ordinance.

Title.

(1st January 1980)

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited as the Licensing (Amendment) Ordinance 1979 and shall come into operation on the 1st day of January 1980. Short title and commencement.
2. Section 3 of the principal Ordinance is amended — Amendment of section 3.
  - (a) in subsection (1) by adding at the end thereof, the following —  
“11. Residential licence ... .. £30”;
  - (b) in subsection (2), by inserting after “restaurant”, the following —  
“residential”.
3. Section 7 of the principal Ordinance is amended in subsection (1) by inserting after “restaurant”, the following —  
“residential”. Amendment of section 7.
4. Section 10 of the principal Ordinance is amended in subsection (1) by inserting after “restaurant”, the following —  
“residential”. Amendment of section 10.

5. The principal Ordinance is amended by adding after section 13A, the following new section —

"Residential  
licence.

13B. A residential licence —

- (a) may be granted for premises bona fide used, or intended to be used, for the purpose of habitually providing for reward board and lodging, including breakfast and one other at least of the customary main meals; and
- (b) is subject to the condition that intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons residing there or their private friends bona fide entertained by them at their own expense, and for consumption by such a person or his private friend so entertained by him either on the premises or with a meal supplied at but to be consumed off the premises."

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.

R. BROWNING,  
*Clerk of Councils.*

Ref. LEG/10/33.

Assented to in Her Majesty's name this 8th day of January 1980.

J. R. W. PARKER,  
*Governor.*

LS



No. 22

1979

Colony of the Falkland Islands

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

### An Ordinance

### To amend the Non-contributory Old Age Pensions Ordinance.

(1st January 1980)

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited as the Non-contributory Old Age Pensions (Amendment) (No. 2) Ordinance 1979 and shall come into operation on the 1st day of January 1980.

Short title and commencement.

2. Section 4 of the principal Ordinance is amended —

Amendment of section 4.  
(7 of 1961)

(a) by deleting the semi-colon at the end of paragraph (aa) and substituting a full stop;

(b) by deleting paragraphs (b) to (d) inclusive.

3. The principal Ordinance is amended by adding after section 4 the following new section —

Addition of new section  
4A.

"Power of  
Governor  
in Council.

4A. Notwithstanding the provisions of section 4 of this Ordinance the Governor in Council may grant a pension to any person, in exceptional financial circumstances, who has attained the age of 70 years."

4. The Schedule to the principal Ordinance is amended by deleting "Married man" and substituting the following —

Amendment of Schedule.

"Married man living with or maintaining his wife".

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.

R. BROWNING,  
*Clerk of Councils.*

Ref. TRE/2/2.

Assented to in Her Majesty's name this 8th day of January 1980.

J. R. W. PARKER,  
*Governor.*

LS

No. 23



1979

Colony of the Falkland Islands

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.

*Governor.*

### An Ordinance

To provide for regulating pensions which  
may be granted to unestablished locally recruited  
Government Employees.

Title.

(1st January 1978)

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited as the Pensions (Unestablished Locally Recruited Government Employees) Ordinance 1979.

Short title.

2. This Ordinance shall apply to all unestablished locally recruited employees in Government service on or after the 1st day of January 1978 to whom the provisions of the Pensions Ordinance 1965 or any Ordinance amending or replacing that Ordinance do not apply.

Application.

(6 of 1965)

3. There shall be charged and paid out of the revenue of the Colony all such sums as may from time to time be granted by way of pension to unestablished locally recruited Government employees in pursuance of regulations made under this Ordinance.

Pensions to be a charge on revenue of Colony.

4. The Governor in Council may make regulations for the purpose of carrying out or giving effect to the principles and provisions of this Ordinance.

Regulations.

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.

R. BROWNING,  
*Clerk of Councils.*

Ref. TRE/2/27.



Assented to in Her Majesty's name this 26th day of January 1979.

J. R. W. PARKER,  
*Governor.*

LS

No. DS 1



1979

Falkland Islands Dependencies

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

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

*(1st January 1979)*

WHEREAS the Income Tax Ordinance, an Ordinance of the Colony of the Falkland Islands, applies to the Dependencies of the Colony of the Falkland Islands by virtue of subsection (1) of section 6 of the Application of Colony Laws Ordinance:

AND WHEREAS it is desirous to amend the said Ordinance in its application to the Dependencies of the Colony of the Falkland Islands:

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 Income Tax (Amendment) Ordinance 1979, and shall apply to assessments for the year of assessment commencing on the 1st day of January 1979 and to the subsequent years of assessment.

2. Section 21 of the Income Tax Ordinance is amended in subsection (1) by deleting from "On every" to "50 per cent" and substituting the following —

"On every pound of —

the first £3,000 ...	...	15 per cent
the remainder ...	...	20 per cent."

Promulgated by the Governor on the 26th day of January 1979.

JOHN MASSINGHAM,  
*Chief Secretary.*

Ref. LEG/10/37.

Title.

Date of commencement.

Preamble.

Cap. 1 D.S.

Short title and commencement.

Amendment of section 21.  
Cap. 32.



Falkland Islands Dependencies

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.  
JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

An Ordinance

To legalise certain payments made in the year 1974/75 in excess of the Expenditure sanctioned by Ordinance No. DS 4 of 1974.

Title.

WHEREAS it is expedient to make further provision for the service of the Falkland Islands Dependencies for the period first day of July 1974 to the thirtieth day of June 1975.

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 —

1. This Ordinance may be cited for all purposes as the Supplementary Appropriation (Dependencies) (1974/75) Ordinance 1979.

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 1974 to the thirtieth day of June 1975, 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 1974 to 30th June 1975.

SCHEDULE

Schedule.

Head of Service				Amount
South Georgia Expenditure				
A. Personal Emoluments	...	...	...	81
B. Other Charges	...	...	...	3,961
				£ 4,042

Enacted this 19th day of March 1979.

J. R. W. PARKER,  
*Governor.*



Ref SG/14/4.



## Falkland Islands Dependencies

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

### An Ordinance

To legalise certain payments made in the year 1977/78 in excess of the expenditure sanctioned by Ordinance No. DS 4 of 1977.

Title.

WHEREAS it is expedient to make further provision for the service of the Falkland Islands Dependencies for the period first day of July 1977 to the thirtieth day of June 1978.

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 —

1. This Ordinance may be cited for all purposes as the Supplementary Appropriation (Dependencies) (1977-78) Ordinance 1979.

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 1977 to the thirtieth day of June 1978, 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 1977 to 30th June 1978.

### SCHEDULE

Schedule.

Head of Service	Amount
South Georgia Expenditure	
B. Other Charges	22,395
	<hr/>
	£ 22,395

Enacted this 19th day of March 1979.

J. R. W. PARKER,  
*Governor.*



Ref. SG/14/6.



## Falkland Islands Dependencies

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF

**Her Majesty Queen Elizabeth II.**

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.

*Governor.*

### An Ordinance

To provide for the service between the first day of July 1978 and the thirtieth day of June 1979.

Title.

(1st July 1978)

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—

1. This Ordinance may be cited for all purposes as the Appropriation (Dependencies) (1978-79) Ordinance 1979.

Short title.

2. The Governor may cause to be issued out of Public Revenue and other funds of the Dependencies and applied to the service of the period ending the thirtieth day of June 1979 a sum not exceeding Ninety-three thousand, six hundred and eighty-five 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 1978 to the thirtieth day of June 1979.

Appropriation of £93,685 for the service of the year ending 30th June 1979.

### SCHEDULE

Schedule.

	Head of Service	Amount
A.	Personal Emoluments	690
B.	Other Charges	42,995
C.	Special Expenditure	50,000
Total Expenditure		£ 93,685

Enacted this 19th day of March 1979.

J. R. W. PARKER,  
*Governor.*



Ref. SG/14/7.

# FALKLAND ISLANDS

## PROTECTION OF WRECKS ORDINANCE 1977

(No. 12 of 1977)

### Protection of Wrecks (Designation) Order 1979

No. 1 of 1979.

IN EXERCISE of the powers conferred by section 3 (1) of the Protection of Wrecks Ordinance 1977 the Governor's Deputy has made the following order —

1. This order may be cited as the Protection of Wrecks (Designation) Order 1979. Citation.

2. An area within 100 yards of the centre of the site of the vessel Capricorn lying wrecked in Stanley Harbour, Falkland Islands, is hereby designated as a restricted area within the meaning of section 3 of the Protection of Wrecks Ordinance 1977. Designation of restricted area.

*By Command,*

D. R. MORRISON,  
*for Chief Secretary.*

23rd February 1979.

Ref. LEG/10/45.



# FALKLAND ISLANDS

## Evidence (Proceedings in Other Jurisdictions) Act 1975

(1975 c. 34)

# ORDER

(under section 10 (3) of the Act)

No. 2 of 1979.

J. R. W. PARKER,  
*Governor.*

IN EXERCISE of the powers conferred by section 10 (3) of the Evidence (Proceedings in Other Jurisdictions) Act 1975 and the Evidence (Proceedings in Other Jurisdictions) (Falkland Islands and Dependencies) Order 1978, the Governor with the approval of the Secretary of State, has made the following order —

1975 c. 34 S.I. 1891 of  
1978.

1. This order may be cited as the Evidence (Proceedings in Other Jurisdictions) Act 1975 (Commencement) Order 1979.

2. The said Act shall come into force on 21st March 1979 for the purposes of sections 1 to 3 and 5 to 10 of, and Schedules 1 and 2 to, the said Act, with the exceptions, adaptations and modifications specified in the Schedule to the said Order.

*By Command,*

J. D. MASSINGHAM,  
*Chief Secretary.*

19th March 1979.

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### EXPLANATORY NOTE

*(This Note is not part of the Order)*

This Order provides that the Evidence (Proceedings in Other Jurisdictions) Act 1975 shall come into force on 21st March 1979 for the purposes of all such provisions thereof as have by Order of Her Majesty the Queen in Council been extended to the Colony and its Dependencies.

Ref. LEG/10/46.

## FALKLAND ISLANDS

### FUGITIVE OFFENDERS ACT 1967 (1967 c. 68)

### Fugitive Offenders (Designated Commonwealth Countries) (Amendment) Order 1979.

No. 3 of 1979.

J. R. W. PARKER,  
*Governor.*

IN EXERCISE of the powers conferred by section 2 (1) of the Fugitive Offenders Act 1967, (as modified and adapted by the Fugitive Offenders (Falkland Islands and Dependencies) Order 1968) the Governor, with the approval of the Secretary of State, has made the following order —

1. This order may be cited as the Fugitive Offenders (Designated Commonwealth Countries) (Amendment) Order 1979. Citation.

2. The Schedule to the principal Order is amended —

Amendment of Schedule.  
(1 of 1977)

- (a) by inserting after "The Republic of Cyprus" the following —  
"Commonwealth of Dominica";
- (b) by inserting after "Singapore" the following —  
"Solomon Islands"; and
- (c) by inserting after "Trinidad and Tobago" the following —  
"Tuvalu".

*By Command,*

F. E. BAKER,  
*Chief Secretary.*

14th May 1979.

Ref. LEG/10/22/C.

# FALKLAND ISLANDS

## BRITISH NATIONALITY ORDINANCE

(Cap. 6)

### British Nationality (Fees) Order 1979

No. 4 of 1979.

J. R. W. PARKER,  
Governor.

IN EXERCISE of the powers conferred by section 4 of the British Nationality Ordinance, the Governor in Council has made the following order —

1. This order may be cited as the British Nationality (Fees) Order 1979 and shall come into operation on the 1st day of July 1979. Citation.

2. The British Nationality Ordinance is amended by deleting the Schedule and substituting the following — Amendment of Schedule.

#### " SCHEDULE

(Section 3)

#### Table of Fees

Matter in which fee may be taken		Amount of Fee	To whom fee is to be paid
		£	
1.	Registration under s.5A (1) of the British Nationality Act 1948 ... ..	37.50	Financial Secretary
*2.	Registration as a citizen under s.5A (2) of the British Nationality Act 1948 ... ..	90.00	The same
3.	Registration as a citizen under s.6 (1) of the British Nationality Act 1948 ... ..	37.50	The same
4.	Registration of a woman as a citizen under s.6 (2) of the British Nationality Act 1948 ... ..	37.50	The same
5.	Grant of a certificate of naturalization under s.10 of the British Nationality Act 1948—		
	(a) To a British protected person ... ..	90.00	The same
	(b) To an alien ... ..	90.00	The same
6.	Registration as a citizen under s.12 (6) of the British Nationality Act 1948 ... ..	37.50	The same
7.	Registration of a declaration of intention to resume British Nationality under s.16 (2) of the British Nationality Act 1948 ... ..	37.50	The same
8.	Grant of a certificate of citizenship in case of doubt under s.25 of the British Nationality Act 1948 ... ..	90.00	The same
9.	Registration of declaration of intent to resume citizenship under s.4 (2) of the Cyprus Act 1960 ... ..	37.50	The same
10.	Registration as a citizen under s.1 of the British Nationality Act 1964 ... ..	37.50	The same
11.	Registration of a stateless person of full age as a citizen under s.1 of the British Nationality (No. 2) Act 1964 ... ..	37.50	The same
12.	Registration of a woman as a British subject under s.1 of the British Nationality Act 1965 ... ..	37.50	The same
13.	Supplying a certified true copy of any notice, certificate, order, declaration or entry given, granted or made under the British Nationality Act 1948 ... ..	5.00	The same
14.	Witnessing the signing of an application or declaration mentioned in paragraph 4 of Schedule 1 to the British Nationality Regulations 1978 ... ..	1.00	If the application or declaration is witnessed or the oath administered by a commissioner for oaths or notary public, to the commissioner or notary public
15.	Administering the oath of allegiance ... ..	1.00	

\* Where a husband and wife apply at the same time for registration as citizens of the United Kingdom and Colonies under section 5A (2) of the 1948 Act or for the grant of certificates of naturalization and are residing together at the time of the applications and the fee payable in respect of the husband's registration or certificate is paid, the fee payable in respect of the wife's registration or certificate shall be £37.50."

Saving.

3. Any fee payable in respect of an application for the grant of a certificate of naturalization made prior to the coming into operation of this order shall be payable at the rate specified in the Schedule to the principal Ordinance as if this order had not been made.

Made by the Governor in Council the 6th day of June 1979.

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. LEG/10/19.

## FALKLAND ISLANDS

### POST OFFICE ORDINANCE

(Chapter 52)

## Post Office (Amendment) Order 1979

No. 5 of 1979.

J. R. W. PARKER,  
*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 (Amendment) Order 1979 and shall come into operation on the 1st day of October 1979.

Citation and commencement.

2. Paragraph 2 of the principal order is amended in subparagraph (a) by deleting "8p" and "9p" and substituting the following respectively —

Amendment of paragraph 2.  
(4 of 1976)

"9p" and "10p"

Made by the Governor in Council this 22nd day of August 1979.

R. BROWNING,  
*Clerk of Councils.*

Ref. P & T/2/9c.

# FALKLAND ISLANDS

## MAINTENANCE ORDERS (RECIPROCAL ENFORCEMENT) ORDINANCE 1979

### Maintenance Orders (Designation of Reciprocating Countries)

#### ORDER 1979

No. 6 of 1979.

J. R. W. PARKER,  
*Governor.*

IN EXERCISE of the powers conferred by sections 3 and 18 of the Maintenance Orders (Reciprocal Enforcement) Ordinance 1979, the Governor in Council has made the following order — (1 of 1979)

1. This order may be cited as the Maintenance Orders (Designation of Reciprocating Countries) Order 1979. Citation.

2. The countries specified in the Schedule hereto are hereby designated as reciprocating countries for the purposes of the Maintenance Orders (Reciprocal Enforcement) Ordinance 1979. Designated Countries.

3. Proclamations 2 of 1929, 3 of 1954, 5 of 1954, 2 of 1955, 5 of 1962, 2 of 1963 and 4 of 1970, are cancelled. Cancellation of Proclamations.

#### SCHEDULE

(para 2)

##### Australia

Capital Territory  
New South Wales  
Northern Territory  
Queensland  
South Australia  
Tasmania  
Victoria  
Western Australia

##### Bailiwick of Guernsey

##### Isle of Man

##### Jersey

##### New Zealand

##### United Kingdom.

Made by the Governor in Council this 22nd day of August 1979.

R. BROWNING,  
*Clerk of Councils.*

Ref. LEG/10/34.



## FALKLAND ISLANDS

# PROCLAMATION

No. 1 of 1979

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.

BY HIS EXCELLENCY JAMES ROLAND WALTER PARKER, ESQUIRE, Companion of the Most Distinguished Order of Saint Michael and Saint George, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, and Vice-Admiral of the same.

WHEREAS it is provided by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders 1948 to 1977 that the sittings of the Legislative Council shall be held at such times and places as the Governor shall from time to time appoint by proclamation published in the Gazette:

NOW, THEREFORE, I, JAMES ROLAND WALTER PARKER, do hereby PROCLAIM that the next sitting of the Legislative Council of the Falkland Islands shall be held at 10.00 o'clock in the forenoon of Monday, the 12th day of February 1979 at the Court and Council Chambers in the town of Stanley in the Falkland Islands.

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, Falkland Islands this 16th day of January in the year of Our Lord One thousand nine hundred and seventy-nine.



J. R. W. PARKER,  
*Governor.*

GOD SAVE THE QUEEN

Ref. LEG/35/1. II.

# FALKLAND ISLANDS

## PROCLAMATION

No. 2 of 1979

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.

BY HIS EXCELLENCY JAMES ROLAND WALTER PARKER, ESQUIRE, Companion of the Most Distinguished Order of Saint Michael and Saint George, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, and Vice-Admiral of the same.

WHEREAS it is provided by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders 1948 to 1977 that the sittings of the Legislative Council shall be held at such times and places as the Governor shall from time to time appoint by proclamation published in the Gazette:

NOW, THEREFORE, I, JAMES ROLAND WALTER PARKER, do hereby PROCLAIM that the next sitting of the Legislative Council of the Falkland Islands shall be held at 10.00 o'clock in the forenoon of Wednesday, the 20th day of June 1979 at the Court and Council Chambers in the town of Stanley in the Falkland Islands.

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, Falkland Islands this 28th day of May in the year of Our Lord One thousand nine hundred and seventy-nine.



J. R. W. PARKER,  
*Governor.*

GOD SAVE THE QUEEN

Ref. LEG/35/1. II.

# PROCLAMATION

No. 3 of 1979

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.

BY HIS EXCELLENCY JAMES ROLAND WALTER PARKER, ESQUIRE, Companion of the Most Distinguished Order of Saint Michael and Saint George, Officer 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, and Vice-Admiral of the same.

WHEREAS it is provided by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders 1948 to 1977 that the sittings of the Legislative Council shall be held at such times and places as the Governor shall from time to time appoint by proclamation published in the Gazette:

NOW, THEREFORE, I, JAMES ROLAND WALTER PARKER, do hereby PROCLAIM that the next sitting of the Legislative Council of the Falkland Islands shall be held at 9.30 o'clock in the forenoon of Thursday, the 20th day of December 1979 at the Court and Council Chambers in the town of Stanley in the Falkland Islands.

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, Falkland Islands this 29th day of November in the year of Our Lord One thousand nine hundred and seventy-nine.



J. R. W. PARKER,  
*Governor.*

GOD SAVE THE QUEEN



BY THE QUEEN  
A PROCLAMATION

Determining the Specifications and Designs for, and Giving  
Currency to, Gold and Silver Coins in Our Colony of the  
Falkland Islands

*ELIZABETH R.*

We, in exercise of the powers conferred by section 11 of the Coinage Act 1870, section 2 (3) of the Decimal Currency Act 1967, and of all other powers enabling Us in that behalf, do hereby, by and with the advice of Our Privy Council, proclaim, direct and ordain as follows —

1. This Proclamation shall be published in the Official Gazette of the Falkland Islands and shall come into force there on the date of such publication.

2. (1) New coins of the following denominations shall be made at Our Mint —

- (a) gold coins of the denomination of one hundred and fifty pounds;
- (b) silver coins of denominations of ten pounds and five pounds.

(2) The coins shall be of the standard weight, standard diameter and standard fineness specified in the Schedule hereto.

(3) In the making of the coins a remedy (that is to say, a variation from the standard weight, diameter and fineness specified as aforesaid) shall be allowed of an amount not exceeding the amount specified in the said Schedule.

3. The designs for the said coins shall be as follows —

- (a) Every gold and silver coin shall have for the obverse impression Our Effigy with the inscription

“QUEEN ELIZABETH THE SECOND”

- (b) The reverse impressions shall be as follows —

- (i) one hundred and fifty pounds: in the centre a fur seal on a foreground of rock with wavelets beyond, with the inscription “FALKLAND ISLANDS” to the left and above, the inscription “£150” below, and the date of the year to the right;
- (ii) ten pounds: in the centre two steamer ducks standing on a foreground of rock with wavelets beyond, with the inscription “FALKLAND ISLANDS” to the left and above, the inscription “£10” below, and the date of the year to the right;
- (iii) five pounds: in the centre a humpback whale in a background of water, with the inscription “FALKLAND ISLANDS” to the left and above, the inscription “£5” below, and the date of the year to the right.

- (c) Every gold and silver coin shall have a graining on the edge.

4. The said coins shall be current within Our Colony of the Falkland Islands.

SCHEDULE

Metal and Denomination	Standard weight (grams)	Standard diameter (millimetres)	Standard Fineness	Remedy Allowance		
				Weight (grams)	Diameter (millimetres)	Millesimal Fineness
GOLD						
One hundred and fifty pounds	33.437	34	Nine-tenths gold, one-tenth silver; or millesimal fineness 900	plus 0.420	0.127	1
SILVER						
Ten pounds	35	42	Thirty-seven-fortieths silver, three-fortieths alloy; or millesimal fineness 925	plus 0.712	0.127	3
Five pounds	28.28	36.61		plus 0.600	0.127	3

Given at Our Court at Windsor Castle, this eleventh day of April in the year of our Lord One thousand nine hundred and seventy-nine and in the twenty-eighth year of Our Reign.

GOD SAVE THE QUEEN

FALKLAND ISLANDS



BY THE QUEEN  
A PROCLAMATION

Modifying the Application of the Coinage Act 1870  
to Our Colony of the Falkland Islands

ELIZABETH R.

We, in exercise of the powers conferred by section 11 of the Coinage Act 1870 and of all other powers enabling Us in that behalf, do hereby, by and with the advice of Our Privy Council, proclaim, direct and ordain as follows—

1. This Proclamation shall be published in the Official Gazette of the Falkland Islands and shall come into force there on the date of such publication.
2. So much of section 3 of the Coinage Act 1870 as requires coins of denominations other than those mentioned in the First Schedule to that Act to be of a weight and fineness or composition determined by reference to coins of the denominations so mentioned shall apply only to silver coins of the Queen's Maundy money, and accordingly in that section (as amended) for the words "If any coin of gold or any silver coin" there shall be substituted the words "If any silver coin".
3. In section 4 of the Coinage Act 1870 after the words "in accordance with the provisions of this Act" there shall be inserted the words "or of a proclamation made in pursuance of this Act".

Given at Our Court at Windsor Castle, this eleventh day of April in the year of our Lord One thousand nine hundred and seventy-nine and in the twenty-eighth year of Our Reign.

GOD SAVE THE QUEEN



FALKLAND ISLANDS

WIRELESS TELEGRAPHY ORDINANCE
(Chapter 78)

Wireless Telegraphy (Amendment) Regulations 1979

No. 1 of 1979. J. R. W. PARKER
Governor.

IN EXERCISE of the powers conferred by section 4 of the Wireless Telegraphy Ordinance, the Governor in Council has made the following regulations —

1. These regulations may be cited as the Wireless Telegraphy (Amendment) Regulations 1979, and shall be deemed to have come into operation on the 1st day of January 1979. Citation and commencement.

2. Regulation 10 of the principal regulations is amended by — Amendment of regulation 10.
(a) deleting the full stop at the end of paragraph (vi) and substituting a semicolon; and Cap. 78 sub. leg.
(b) by inserting after paragraph (vi) the following new paragraph —
“(vii) in the form of Schedule 1 c for a special 2-metre band licence.”.

3. Regulation 11 of the principal regulations is amended by — Amendment of regulation 11.
(a) deleting the full stop at the end of paragraph (vii) and substituting a semicolon; and
(b) by inserting after paragraph (vii) the following new paragraph —
“(viii) five pounds for a special 2-metre band licence.”.

4. The principal regulations are amended by the addition after Schedule 1b of the following new Schedule — Addition of new Schedule 1c.

“SCHEDULE 1 c
FORM W. T. 1 c No. ....
FALKLAND ISLANDS
Wireless Telegraphy Ordinance
SPECIAL 2-METRE BAND LICENCE

.....
of .....

is hereby licensed, subject to the conditions as from time to time approved by the Governor in Council —

- (a) to possess and operate the following equipment —
CALL SIGN MANUFACTURER MODEL SERIAL NUMBER
- (b) to use the station for the purpose of communicating, within the Colony, with other persons similarly licensed, amateur stations or the Government radio telephone service.

CONDITIONS

This licence is valid for one year.

Dated this ..... day of ..... 19.....

Chief Secretary.”.

Made by the Governor in Council this 24th day of January 1979.

W. A. ETHERIDGE,
Clerk of Councils.

## FALKLAND ISLANDS

### Road Traffic (Removal of Vehicles) Regulations 1979.

#### Arrangement of Regulations.

##### Regulation

1. Citation and commencement.
2. Interpretation.
3. Removal of vehicles from roads, parking places and public places.
4. Duties of police officers.
5. Method of removal of vehicle.
6. Charges for removal and custody of vehicle.
7. Application of proceeds of sale.
8. Recoupment of unpaid expenses.
9. Disposal of unclaimed funds.
10. Penalty.

# ROAD TRAFFIC ORDINANCE

(Chapter 60)

## Road Traffic (Removal of Vehicles) Regulations 1979.

No. 2 of 1979.

J. R. W. PARKER,  
*Governor.*

IN EXERCISE of the powers conferred by section 18 of the Road Traffic Ordinance, the Governor in Council has made the following regulations —

Citation and commencement.

1. These regulations may be cited as the Road Traffic (Removal of Vehicles) Regulations 1979, and shall come into operation on the 1st day of June 1979.

Interpretation.

2. (1) In these regulations, unless the context otherwise requires —

“vehicle” shall include any load carried thereby.

(2) References to the removal of a vehicle from a road, parking or other public place are references to the removal of that vehicle from that road, parking place or other public place to a place on a road, parking place or other public place where that vehicle may lawfully be parked and does not cause unnecessary obstruction or danger to other persons using that road, parking place or other public place.

(3) References to the removal or making arrangements for the safe custody of a vehicle shall respectively include references to removing or making arrangements for the safe custody of any load carried by the vehicle.

Removal of vehicles from roads, parking places and public places.

3. (1) It shall be the duty of the owner, driver or other person in charge of any vehicle —

- (a) when the vehicle has broken down on a road in such circumstances that the defects cannot be remedied within a reasonable time or the presence of the vehicle is likely unnecessarily to obstruct or to cause danger to the other persons using the road; or
- (b) when required to do so by a police officer on the ground that the vehicle has been permitted to remain at rest on a road, parking place or other public place in such a position or in such condition or in such circumstances as to be likely to cause danger or obstruction to other persons using the road, parking place or other public place, or has been permitted to remain at rest on a road, parking place or other public place in contravention of any relevant statutory prohibition or restriction,

to remove or take all reasonable steps to secure the removal of such vehicles as soon as possible.

(2) For the purpose of sub-paragraph (b) of paragraph (1) of this regulation a vehicle which has broken down or has remained at rest for any period in any position on a road, parking place or other public place shall be treated as if it had been permitted to remain at rest in that position throughout that period.

Duties of police officers.

4. It shall be the duty of a police officer or any person duly authorized by the Chief Police Officer to take all reasonable steps to remove or to employ some other person to remove, and, where necessary, to provide for the safe custody or (with the approval of the Chief Police Officer) for the destruction, sale or disposal of any vehicle,

if he has reason to believe —

- (a) that the owner or the driver or other person in control or in charge thereof has failed to take all reasonable steps to remove it or cause it to be removed in accordance with the provisions of regulation 3; or
- (b) that the vehicle has been abandoned:

Provided that a vehicle shall not be destroyed or sold or disposed of as aforesaid until notice of the intended destruction, sale or disposal thereof shall have been given by the Chief Police Officer in the Gazette and unless such vehicle be not removed within two days after the date of publication of such notice.

5. Any person removing a vehicle under these regulations may do so by towing or driving the vehicle or in such other manner as he may think necessary to enable him to remove it as aforesaid.

Method of removal of vehicle.

6. (1) The fixed charge for the removal of a vehicle shall be £5.

Charges for removal and custody of vehicle.

(2) The scale of charges, by reference to which the charge payable in respect of any period during which a vehicle is in the custody of the police shall be ascertained, is the following, that is to say, £2 for each period of twenty-four hours or part of such period reckoned from noon on the day following the day on which the vehicle was removed in pursuance of these regulations:

Provided that where a vehicle is in the custody of the police in a place which is closed on the day following the day on which the vehicle was removed as aforesaid up to noon, then for the purpose of calculating the said scale it shall be reckoned from noon on the first day on which the said place is open at any time before noon for the claiming of any vehicle held in custody at that place.

7. Upon the sale of a vehicle with the approval of the Chief Police Officer, the proceeds of sale shall be applied in or towards the satisfaction of any costs incurred in connection with the disposal thereof and of any charge payable in respect of the vehicle under these regulations.

Application of proceeds of sale.

8. In the event of any such costs incurred in connection with the disposal of the vehicle not being satisfied by virtue of regulation 7, the Chief Police Officer may recoup those costs so far as not satisfied from the person who was the last owner of the vehicle before it was removed in pursuance of these regulations.

Recoupment of unpaid expenses.

9. Any sums received by the Chief Police Officer on a sale of the vehicle, after deducting any sum applied thereout by virtue of regulation 7, shall be payable within a period of one year from the date of the sale of the vehicle to any person to whom, but for such sale, the vehicle would have belonged, and in so far as any such sums are not claimed within the said period they shall be paid into general revenue.

Disposal of unclaimed funds.

10. Any person who contravenes any of the provisions of regulation 3 shall be guilty of an offence and liable on summary conviction to a fine of £50.

Penalty.

Made by the Governor in Council this 27th day of March 1979.

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. POL/10/5.

# FALKLAND ISLANDS

## ELECTRICITY SUPPLY ORDINANCE

(Chapter 23)

### Electricity Supply (Amendment) Regulations 1979

No. 3 of 1979.

J. R. W. PARKER,  
*Governor.*

IN EXERCISE of the powers conferred by section 3 of the Electricity Supply Ordinance, the Governor in Council has made the following regulations —

1. These regulations may be cited as the Electricity Supply (Amendment) Regulations 1979. Citation.
2. Regulation 2 of the principal regulations is amended in the definition of "public safety" by deleting "or by the Stanley Town Council". Amendment of regulation 2.
3. Regulation 18 of the principal regulations is amended by deleting "Power and Electrical Department" and substituting the following —  
"Public Works Department". Amendment of regulation 18.
4. Regulation 23 of the principal regulations is amended by deleting "Power and Electrical Department" and substituting the following —  
"Public Works Department". Amendment of regulation 23.
5. Regulation 25 of the principal regulations is amended by deleting "£5" and substituting the following —  
"£10.00". Amendment of regulation 25.
6. Regulation 29 of the principal regulations is amended by deleting "ten shillings" and substituting the following —  
"£2.00". Amendment of regulation 29.
7. Regulation 34 of the principal regulations is amended —  
(a) by deleting "£50" and substituting the following —  
"£100.00"; and  
(b) by deleting "£10" wherever it occurs and substituting the following —  
"£20.00". Amendment of regulation 34.
8. The principal regulations are amended by deleting "Superintendent" wherever it occurs and substituting the following —  
"Director". General amendment.

Made by the Governor in Council this 27th day of March 1979.

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. ELE/10/1.

# FALKLAND ISLANDS

## HARBOUR ORDINANCE (Chapter 30)

### Harbour (Amendment) Regulations 1979

No. 4 of 1979.

J. R. W. PARKER,  
*Governor.*

IN EXERCISE of the powers conferred by section 3 of the Harbour Ordinance, the Governor in Council has made the following regulations —

1. These regulations may be cited as the Harbour (Amendment) Regulations 1979 and shall come into operation on the 1st day of October 1979.

Citation and commencement.

2. Schedule III to the principal regulations is amended by deleting Item 1 and substituting the following —

Amendment of Schedule III.

(Cap. 30 sub. leg.)

#### "1. HARBOUR DUES

(1) The following harbour dues shall be payable on all vessels arriving in the Colony —

	£
Yachts	Free
Vessels under 15 tons	Free
Vessels of 15 tons and up to 50 tons	80
Vessels of over 50 tons and up to 500 tons	100
Vessels of over 500 tons and up to 800 tons	110
Vessels of over 800 tons and up to 1,000 tons	140
Vessels of over 1,000 tons and up to 1,500 tons	160
Vessels of over 1,500 tons and up to 2,000 tons	200
Vessels of over 2,000 tons and up to 5,000 tons	240
Vessels of over 5,000 tons and up to 7,000 tons	300
Vessels of over 7,000 tons and up to 10,000 tons	450
Vessels of over 10,000 tons and up to 15,000 tons	550
Vessels of over 15,000 tons and up to 20,000 tons	650
Vessels of over 20,000 tons	750
Locally registered vessels normally employed in trading	Free

(2) Double the harbour dues prescribed under (1) above shall be payable on every passenger vessel carrying more than 12 passengers arriving in the Colony.

(3) An additional charge shall be made in respect of any vessel which shall remain in harbour for a period of more than 24 hours for every additional and consecutive period of 24 hours or part thereof at the rate of one half of the harbour dues prescribed in (1) or (2) above."

Made by the Governor in Council this 22nd day of August 1979.

R. BROWNING,  
*Clerk of Councils.*

Ref. CUS/10/3



# FALKLAND ISLANDS

## PUBLIC HEALTH ORDINANCE (Chapter 54)

### Medical Fees Regulations 1979

No. 5 of 1979.

J. R. W. PARKER,  
*Governor.*

IN EXERCISE of the powers conferred by section 55 of the Public Health Ordinance, the Governor in Council has made the following regulations —

Cap. 54.

1. These regulations may be cited as the Medical Fees Regulations 1979.

Short title.

2. These regulations shall be deemed to have come into effect on the 1st July 1979.

Date of coming into force.

3. "Medical Officer" means a qualified medical practitioner registered under the Medical Practitioners, Midwives and Dentists Ordinance and employed by Government.

Definitions.

"Normally resident" means a person who normally resides in the Colony, or is in the Colony under a contract of service to an employer who has a place of business in the Colony, or has resided in the Colony for a continuous period of not less than one year since arriving in or last returning to the Colony.

4. There shall be no charges levied under Schedules A, B and C in respect of persons normally resident in the Colony or persons subject to the payment of the Medical Services Levy or persons who are specifically exempt under the Medical Services Levy Ordinance 1979 from paying a levy.

Exemptions.

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. Charges levied in accordance with these regulations may be remitted in whole or in part by the Governor.

Remission of charges.

7. The Medical Fees Regulations 1973 are hereby revoked.

Revocation.  
(5 of 1973)

#### SCHEDULE A

##### Scale of charges for Medical Services performed outside the King Edward VII Memorial Hospital

1. (1) The following charges shall be made when a medical officer is requested to visit a ship —

Visits to ships.

- (a) in Stanley Harbour or Port William £75;
- (b) elsewhere in the Colony £250;
- (c) for each patient seen £20.

(2) Transport to and from the ship shall be provided by the Master of the ship.

2. Attendance by a medical officer to a person not normally resident in the Colony the charge shall be £7.50 per visit:

Attendance by a Medical Officer.

Provided that such fee may be doubled in the case of a visit between 7.0 p.m and 7.0 a.m. if, in the opinion of the medical officer, the circumstances do not warrant a night call.

3. Use of Ambulance. £25 (fixed fee) for each journey.

Ambulance.

## SCHEDULE B

### Scale of Fees Charged to Out-patients and to Persons admitted as In-patients at the King Edward VII Memorial Hospital

#### OUT-PATIENTS

Out-patient fees.

1. In the case of a person not normally resident in the Colony the charge for each consultation shall be £7.50. Special services may be charged at a higher rate.

#### IN-PATIENTS

In-patient fees.

2. In the case of a person not normally resident in the Colony the following rate shall be charged which shall be inclusive of medical care and attention and maintenance, but shall not include medicines, dressings, laboratory charges, and charges for X-ray examinations or operations. These latter charges will be made separately —  
£30 per day or part day.

Maternity fees.

3. Maternity patients not normally resident in the Colony shall be charged at the following rate which shall be inclusive of all medical attention, treatment and maintenance —  
£100 to £500.

In the event of any patient remaining in the Hospital after an initial period of ten days a daily charge of £30 will be made.

X-ray examinations.

4. The following charge shall be made in respect of persons not normally resident in the Colony for X-ray examinations —  
£10 per X-ray plate exposed.

Surgical operations.

5. The following charges shall be made in respect of persons not normally resident in the Colony for surgical operations —

Minor operations	£25
Major operations (which shall include abdominal operations)	£100 to £500 inclusive of any necessary anæsthetic.

Blood transfusions.

6. Blood transfusions in respect of persons not normally resident in the Colony shall be charged at the rate of £15 per unit of blood (1 pint).

## SCHEDULE C

### Charges for Medicines and Drugs

Charges for preparations.

1. All preparations, including antibiotics, shall be charged for at rates that shall take into account the landed cost of such preparations and the quantity prescribed.

## SCHEDULE D

### Dental Fees

The following dental fees shall be charged —

1. All persons including those normally resident in the Colony —

The cost of supplying special compounds and precious metals and the additional work involved.

2. The following charges shall be levied on persons not normally resident in the Colony —

(a) For each consultation	£7.50;
(b) X-ray	£10.00;
(c) Special dental treatment	£10.00 to £30.00;
(d) Dental appliances	£10.00 to £30.00.

N.B. It should be noted that no dental fees other than in 1 above are payable by persons normally resident in the Colony or persons subject to the Medical Services Levy or persons who are specifically exempted under the Medical Services Levy Ordinance from paying a levy.

## SCHEDULE E

### Reductions, Exceptions, Special Cases and Miscellaneous Charges

1. The Senior Medical Officer may, at his discretion, remit up to half of any fee or charge levied in accordance with this Schedule and the Governor may remit more than half. Remission of fees.

2. Persons who are admitted to the Stanley Hospital but who are not classified as a patient by the Senior Medical Officer shall be required to pay a board and lodging charge of £3 per day. This section also applies to Camp residents waiting to return to Camp. Board and lodgings.

3. Special medical comforts, wines, spirits and any special apparatus or food shall be paid for by the patient concerned. Special comforts.

4. Spectacles shall be charged for at landed cost. Spectacles.

## SCHEDULE F

### Camp Medical and Dental Services

1. The following benefits shall be available to persons resident in the Camp —

#### MEDICAL FLIGHTS

(a) Medical flights are made at the request of the Senior Medical Officer. Applications for medical flights should be sent to the Senior Medical Officer and not to the Air Service. All bookings received by the Air Service from farm managers or private individuals will be treated as private bookings and charged as such.

(b) There is no charge against a patient proceeding to Stanley Hospital for the treatment or control of Tuberculosis, the full cost both ways being met from the Medical Department votes.

(c) There is no charge against a patient for emergency cases to Stanley for Hospital treatment but 25% of the air fare is charged to the patient for the return flight. The inward flight and the balance of the return flight are charged to Medical Department votes.

(d) Non-urgent medical cases travel both ways at assisted passage rates i.e. 25% of the air fare payable by the patient and 75% by the Medical Department.

2. Transport for medical and dental officers will normally be provided by Government, but where a medical or dental officer is on a progressive tour, farms are expected to assist by conveying the officer to the next farm. No charges are to be raised for this transport.

3. All farm facilities required by a visiting medical or dental officer are to be provided free of charge by the farm.

4. Itinerant dental officers are personally responsible for any charges raised in respect of board and lodging.

## SCHEDULE G

### Medical Treatment Overseas

1. The Senior Medical Officer is authorized to recommend to a patient who is *normally resident* in the Colony that he or she should proceed to Argentina for specialist treatment the cost of which shall be paid by the Falkland Islands Government.

2. The cost of such treatment shall be limited to —

(a) return passages to Argentina excluding Stanley Airport tax;

(b) landing expenses in Argentina and taxi hire to the hospital;

(c) charges raised by the hospital and doctors in Argentina. The grade of accommodation in the hospital will generally be in the general wards, but this is a matter for the doctor in the hospital who will take into account the nature of the patient's illness;

(d) where the patient is not an in-patient in Argentina a subsistence allowance will be provided by the Falkland Islands Government. The rate of the allowance will be a single daily rate laid down by the Chief Secretary.

3. Any person proceeding to Argentina for medical treatment under the provisions of this Schedule shall not be required to reimburse the Falkland Islands Government the charges for the treatment referred to in paragraph 2 of this Schedule.

4. The question of whether or not a patient should be recommended to seek specialist advice or treatment abroad rests with the Senior Medical Officer, and patients seeking such advice or treatment without his recommendation are not entitled to any assistance from public funds.

Made by the Governor in Council this 22nd day of August 1979.

R. BROWNING,  
*Clerk of Councils.*

Ref. MED/2/2.

FALKLAND ISLANDS

REGISTRATION ORDINANCE  
(Chapter 57)

Registration (Amendment) Regulations 1979

No. 6 of 1979.

J. R. W. PARKER,  
*Governor.*

IN EXERCISE of the powers conferred by section 12 of the Registration Ordinance, the Governor in Council has made the following regulations —

1. These regulations may be cited as the Registration (Amendment) Regulations 1979 and shall come into operation on the 1st day of October 1979.

Citation and commencement.

2. The Second Schedule to the principal regulations is deleted and replaced by the following —

Deletion and replacement of Schedule.  
(Cap. 57 sub. leg.)

"SECOND SCHEDULE		(s.s. 4 and 7)
REGISTRAR GENERAL'S AND REGISTRAR'S FEES		£.p.
1. Searching registers of births, deaths and marriages for each name in each register within 10 years	...	.30
2. Searching registers of births, deaths and marriages for each name in each register every additional year	...	.15
3. For a certified copy of each entry in the said registers	...	.75
4. For registering an instrument not more than five folios	...	3.10
5. For each additional folio	...	.30
CLERGYMAN'S FEES		
1. Searching the registers of baptisms and burials for each name in each register within ten years	...	.30
2. For each name in each register every additional year	...	.15
3. For a certified copy of each entry in the said registers	...	.75"

Made by the Governor in Council this 22nd day of August 1979.

R. BROWNING,  
*Clerk of Councils.*

Ref. LEG/31/3.

# FALKLAND ISLANDS

## WIRELESS TELEGRAPHY ORDINANCE (Chapter 78)

### Wireless Telegraphy (Amendment) (No. 2) Regulations 1979

No. 7 of 1979.

J. R. W. PARKER,  
*Governor.*

IN EXERCISE of the powers conferred by section 4 of the Wireless Telegraphy Ordinance, the Governor in Council has made the following regulations —

1. These regulations may be cited as the Wireless Telegraphy (Amendment) (No. 2) Regulations 1979 and shall come into operation on the 1st day of April 1980.

Citation and commencement.

2. Regulation 11 of the principal regulations is amended in paragraph (v) by deleting "two pounds" and substituting the following —  
"four pounds".

Amendment of regulation 11.  
(Cap. 78 sub. leg.)

Made by the Governor in Council this 22nd day of August 1979.

R. BROWNING,  
*Clerk of Councils.*

Ref. TEL/10/2.

# FALKLAND ISLANDS

## WILD ANIMALS AND BIRDS PROTECTION ORDINANCE (No. 15 of 1964)

### Penguin and Albatross (Amendment) Regulations 1979

No. 8 of 1979.

J. R. W. PARKER,  
*Governor.*

IN EXERCISE of the powers conferred by section 16 of the Wild Animals and Birds Protection Ordinance, the Governor in Council has made the following regulations —

1. These regulations may be cited as the Penguin and Albatross (Amendment) Regulations 1979 and shall come into operation on the 1st day of October 1979.

Citation and commencement.

2. Regulation 3 of the principal regulations is amended by deleting "50p" and substituting the following —

Amendment of regulation 3.  
(4 of 1964)

"£1.00".

Made by the Governor in Council this 22nd day of August 1979.

R. BROWNING,  
*Clerk of Councils.*

Ref. FIS/10/1.



# FALKLAND ISLANDS

## ROAD TRAFFIC ORDINANCE

(Chapter 60)

### Road Traffic (Amendment) Regulations 1979

No. 9 of 1979.

J. R. W. PARKER,  
*Governor.*

IN EXERCISE of the powers conferred by section 18 of the Road Traffic Ordinance, the Governor in Council has made the following regulations —

1. These regulations may be cited as the Road Traffic (Amendment) Regulations 1979 and shall come into operation on the 1st day of October 1979.

Citation and commencement.

2. Regulation 4 of the principal regulations is amended in paragraph (3) by deleting "75p" and substituting the following —  
"£1.00".

Amendment of regulation  
4.  
(Cap. 60 sub. leg.)

Made by the Governor in Council this 22nd day of August 1979.

R. BROWNING,  
*Clerk of Councils.*

Ref. POL/10/5.

# FALKLAND ISLANDS

## SAVINGS BANK ORDINANCE

(Chapter 61)

### Savings Bank Rules 1979

No. 1 of 1979.

J. R. W. PARKER,  
*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 Rules 1979 and shall come into operation on the 1st day of April 1979.

Citation and commencement.

2. In these rules, unless the context otherwise requires —

Interpretation.

“charitable society” means any charitable or provident institution or society and includes a charitable donation or bequest for the maintenance, education or benefit of the poor and any fund of such a nature as the Financial Secretary in his absolute discretion shall deem proper to be deposited in the Savings Bank;

“friendly society” means a society legally registered in the manner required by law or Ordinance in force relating to friendly societies.

3. The Savings Bank shall be at the Public Treasury, Stanley, and shall be open daily each week (Saturdays, Sundays, Christmas Day, Good Friday and Public Holidays excepted) for the transaction of business from 8.30 a.m. to noon and from 1.15 p.m. to 3.00 p.m.

Situation of office and hours of business.

4. (1) Deposits may be of any amount, provided that —

Limit of deposits.

(a) the total amount standing in the name of any one depositor in the books of the Savings Bank shall not exceed £35,000; and

(b) the permission of the Financial Secretary shall be obtained for the Deposit of fractions of one pound.

(2) The Governor in Council may approve of the said limit being exceeded in the case of deposits made by local societies and provident funds.

#### BY WHOM DEPOSITS MAY BE MADE

5. Deposits may be made by and in the name of —

General description of depositor.

(a) a person of full age and not under legal disability;

(b) a married woman; and

(c) a minor of seven years of age and upwards.

6. Deposits may be made on behalf and in the name of an infant under seven years of age by one of the parents of such infant or by any other person.

Infants under seven.

7. Deposits may be made in the joint names of two or more persons entitled to make a deposit.

Joint accounts.

8. Deposits may be made in the name of one or more persons as trustees for another person or persons whose names shall also be entered in the title of the account.

Trust accounts.

9. Deposits may be made by a friendly society through its trustees either in the name of such society or in the names of such trustees, the full name of the society being entered in the title of the account.

Friendly societies.

Charitable societies.

10. Deposits may be made, subject to the approval of the Financial Secretary in each case, by the trustees or treasurer of a charitable society.

Corporations.

11. Deposits may be made, subject to the approval of the Financial Secretary in each case, in the name of a body corporate.

Deposits to the credit of more than one account.

12. (1) No depositor in the Savings Bank shall, without the approval of the Financial Secretary, make deposits to the credit of more than one account in the Bank.

(2) This rule shall not apply to deposits made in the name of any person as trustee for another person also named in the title of the account nor to friendly societies.

(3) Any person offending against this rule shall be liable to forfeit any amount illegally deposited either as to the whole thereof, or to such extent as the Governor may think just in the circumstances of the case.

#### PROCEDURE ON MAKING DEPOSITS

Declaration.

13. (1) Subject to the provisions of these rules, a depositor on making a first deposit and whenever thereafter he is required so to do, shall specify his christian name and surname, occupation and residence and shall make and sign a declaration in duplicate in the proper form.

(2) Where a first deposit is made by a friendly society, charitable society or corporation, the declaration aforesaid shall be made by the trustees or other proper officials, as the case may be, of such society or corporation and shall contain such signatures and any other information that the Financial Secretary may require, including the persons by whom the deposits of the society or corporation are to be withdrawn. The Trustees or other proper officials, as the case may be, may from time to time by such notice as the Financial Secretary deems sufficient strike off the names of any persons by whom the deposits of such society or corporation may be withdrawn and may specify other persons in lieu thereof or in addition thereto and such other persons shall sign the said notice.

(3) Such declaration shall be witnessed by one of the following persons —

- (a) the Savings Bank official receiving the deposit;
- (b) some other Savings Bank official;
- (c) a minister of any religious denomination;
- (d) a justice of the peace;
- (e) a commissioner for oaths; or
- (f) any other person appointed by the Financial Secretary in that behalf.

Declaration in case of infant under seven.

14. (1) When a first deposit is made on behalf and in the name of an infant under seven years of age, such declaration as aforesaid shall be made by the person making the deposit, and such person shall specify at the foot of such declaration the day on which the said infant will attain the age of seven years.

(2) When deposits are made in the name of an infant under seven years of age, as soon as such infant attains the age of seven years he shall, when required by the Financial Secretary, make such declarations as aforesaid.

Declaration in case of trust accounts.

15. When the first deposit is made in the name of one person as trustee for another person whose name is also entered in the title of the account such declaration as aforesaid shall be made by the trustee.

16. (1) When a first deposit is made a numbered book (in these rules referred to as the pass book) shall be handed to the depositor. Depositor's book.

(2) The amount of every deposit shall be entered by the officer receiving the same in the pass book.

(3) No charge shall be made for a pass book except where expressly provided by these rules.

(4) Every pass book shall be deemed to be the property of the Financial Secretary and shall be delivered up as and when required by the Financial Secretary.

#### WITHDRAWALS

17. (1) Subject to the provisions of these rules, any depositor wishing to withdraw the whole or any part of the sum deposited by him — Procedure.

(a) shall make application at the Savings Bank on the proper form, which in the case of a person who cannot write, shall be attested by some person authorized by these rules to witness a declaration on first deposit, or if the depositor be resident out of the Colony, then by some duly constituted authority of the place in which he resides;

(b) may authorize payment to be made to a third person by cheque in the proper form and in such a case payment shall be made to no person other than the person named therein.

(2) A printed copy of the proper withdrawal form may be obtained from the Savings Bank.

(3) Cheque books may be obtained from the Savings Bank on the payment of a fee approved by the Financial Secretary.

(4) The paying officer shall make a receipt on the withdrawal form or cheque, as the case may be, for the sum therein specified from the depositor or the person named in the cheque to receive the said amount, and such receipt shall be a good discharge to the Financial Secretary for the sum specified in the form or cheque.

(5) Payment of a withdrawal may be delayed for four days except in the case of amounts of £5,000 or under.

(6) The paying officer shall enter the amount repaid in the depositor's pass book.

(7) Where the person wishing to make a withdrawal cannot write, he shall, when he presents the withdrawal form for payment, affix his mark to the receipt at the foot of the form, in the presence of some person who is known to the paying officer, and who can identify the person applying for the money or the person named in the form.

(8) In any case in which the Financial Secretary considers it to be desirable and expedient to do so, he may at his discretion vary the procedure of withdrawal and the method of payment described by these rules and dispense with all or any of the requirements therein contained and may effect payment by means of such document as he may think fit.

18. An application for the withdrawal of money deposited by or in the name of a minor shall be made by such minor if he is fourteen years of age or upwards and his receipt shall be a good discharge to the Financial Secretary for the sum specified in the withdrawal form. Withdrawals from accounts of minors.

19. (1) An application to withdraw money deposited in the joint names of two or more persons shall be made by all such persons or the survivor among such persons. Withdrawals from joint accounts.

Withdrawals from trust accounts.

Payments out from account of minors under fourteen.

Payments out from accounts of insane and incapacitated depositors.

Transmission of pass books.

Lost pass books.

Forms.

Revocation.  
(Cap. 61 sub. leg.)

(2) The Financial Secretary may require proof of survivorship to his satisfaction.

(3) The withdrawal form issued on such application shall be made in the names of the applicants, and their receipt shall be a good discharge to the Financial Secretary for the sum stated in the warrant.

20. (1) An application to withdraw money deposited in the name of one or more persons as trustees shall be made jointly by all the persons named in the title of the account, or by the survivor among such persons.

(2) The Financial Secretary may require proof of survivorship to his satisfaction.

(3) The withdrawal form issued on such application shall be made out in the names of the applicants, and their receipt shall be a good discharge to the Financial Secretary for the sum so paid.

21. Where it is proved to the satisfaction of the Financial Secretary that any deposit standing in the name of an infant under the age of fourteen years is urgently needed for the maintenance, education or benefit of such infant, or that from any other circumstances it is expedient that such deposit or any part thereof be withdrawn, the Financial Secretary may pay such deposit or any part thereof to any person who may satisfy the Financial Secretary that he will apply such money for the benefit of such infant, and the receipt of such person shall be a good discharge to the Financial Secretary for sums so paid.

22. Where a depositor has become insane or otherwise incapacitated, but no order of court as to the application of his property has been made, the Financial Secretary may, when it is proved to his satisfaction that it is just and expedient so to do, pay the deposit standing in the name of the depositor, or any part thereof, to any suitable person whom he shall judge proper to dispose of it for the benefit of the insane or incapacitated person, and the receipt of such person shall be a good discharge to the Financial Secretary for the sum so paid.

#### MISCELLANEOUS

23. Every depositor shall once a year, on the 30th day of June, and at any other time when required by the Financial Secretary, forward his pass book to the Financial Secretary, in order that the entries in the books of the Financial Secretary, and that the interests due to the depositor may be inserted in the book.

24. If any depositor shall lose his pass book, application shall be made by him to the Financial Secretary who may, if he thinks fit, make a charge for the new pass book.

25. The Financial Secretary may draw up and put into use all such forms as may be necessary for the proper carrying out of the business of the Savings Bank.

26. The Savings Bank Rules are revoked.

Made by the Governor in Council this 24th day of January 1979.

W. A. ETHERIDGE,  
Clerk of Councils.

Ref. TRE/10/2.

## FALKLAND ISLANDS

### ADMINISTRATION OF ESTATES ORDINANCE

(Chapter 1)

## Administration of Estates (Amendment) Rules 1979

No. 2 of 1979.

J. R. W. PARKER,  
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. These rules may be cited as the Administration of Estates (Amendment) Rules 1979 and shall come into operation on the 1st day of October 1979.

Citation and commencement.

2. The Second Schedule to the principal rules is amended by deleting Part II and substituting the following —

Amendment of Second Schedule.  
(Cap. 1 sub. leg.)

#### "PART II

Rule 3.

The following fees shall be taken in respect of the contentious items set out in this Part of this Schedule —

ITEM	FEE
	£.p
1. On signing, settling, or approving an advertisement ...	1.00
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 ...	.50
And in addition thereto for each exhibit therein referred to and required to be marked ...	.20
3. On settling and sealing a citation ...	.50
4. For a photographic copy of all or part of any document, for each photographic sheet —	
(a) not over foolscap size ...	.20
(b) over foolscap size ...	.40
5. On setting down an action for trial or hearing ...	8.00
6. Hearing fee ...	8.00
7. On entering an appeal to the Court of Appeal —	
From an interlocutory order ...	6.00
From a final order ...	14.00
8. On drawing up and entering judgment, decrees and orders ...	4.00
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 ...	1.00
10. On a search for an appearance or an affidavit, and inspecting the same ...	.10
11. On any other search including inspection, for each hour or part of an hour ...	.25
12. On sealing a subpoena for witnesses, for each witness ...	1.00
13. On taxing a bill ...	.10
for every £4 or part thereof allowed	
14. On sealing a writ of summons or commencement of action ...	8.00
15. On sealing a concurrent reward or amending writ ...	.50
16. On sealing a writ of execution or attachment ...	1.00
17. On bespeaking a request for service out of jurisdiction ...	.10"

Made by the Governor in Council this 22nd day of August 1979.

R. BROWNING,  
Clerk of Councils.

Ref. LEG/10/6.

FALKLAND ISLANDS

ADMINISTRATION OF JUSTICE ORDINANCE  
(Chapter 3)

Court Fees (Civil Cases) (Amendment) Rules 1979

No. 3 of 1979.

J. R. W. PARKER,  
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. These rules may be cited as the Court Fees (Civil Cases) (Amendment) Rules 1979 and shall come into operation on the 1st day of October 1979.

Citation and commencement.

2. The First, Second and Third Schedules to the principal rules are deleted and the following substituted —

Deletion and substitution of Schedules.  
(Cap. 3 sub. leg.)

“FIRST SCHEDULE (Rule 2)

ITEM	FEE
	£ p
1. On sealing writ ... ..	10.00
2. On filing a divorce petition ... ..	10.00
3. On presenting a petition except where Fee 2 is payable ...	8.00
4. On sealing an originating notice of motion ... ..	12.00
5. On amending a writ, petition or originating notices of motion ...	1.00
6. For citation, first (divorce) ... ..	2.00
7. For citation, second and subsequent ... ..	1.40
8. On entering reply (divorce) ... ..	2.00
9. For certifying copy of divorce petition ... ..	.50
10. On filing affidavit ... ..	.50
11. For each witness summoned ... ..	.50
12. On entering defence in action ... ..	2.00
13. On entering reply in action ... ..	2.00
14. On setting case down for trial ... ..	10.00
15. Entering or sealing a judgment decree or order ... ..	10.00
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.	
16. On sealing a commission or letters of request for the examination of witnesses abroad ... ..	4.00
17. On examination of a witness, including a judgment debtor, before an officer of the Court ... ..	4.00
18. On signing, settling or approving an advertisement ... ..	1.00
19. For a certificate under the hand of the Judge or the Registrar where no other fee is prescribed ... ..	.50
20. On a certificate by the Registrar as to a judgment or order ...	2.00
21. For a photographic copy of all or any part of any document, for each photographic sheet —	
(a) not over foolscap size ... ..	.20
(b) over foolscap size ... ..	.40
22. For a typewritten copy of any document (subject to a minimum of 25p) ... ..	.08 for each folio of 72 words
23. On filing a notice of appeal to the Supreme Court and setting the appeal down for hearing ... ..	12.00
24. On an application to issue a third party notice ... ..	4.00



25.	Registration of a judgment under the Reciprocal Enforcement of Judgments Ordinance (Cap. 56) or of the Foreign Judgments (Reciprocal Enforcement) Ordinance 1959	...	...	...	2.00
26.	On application for leave to issue execution	...	...	...	.10
27.	On the issue of a warrant of execution	...	...	...	.10 for every £ of the first £100 and .05p for every additional £ for which the warrant issues.
28.	On the issue of a warrant of possession —				
	(a) not for the recovery of a sum of money	...	...	...	1.00
	(b) for the recovery of a sum of money in addition to possession	...	...	...	1.00 in addition to .10p for every £ of the first £100 and .05p for each additional £ for which the warrant issues.
29.	On the issue of a warrant of delivery	...	...	...	.10 for every £ of the first £100 and .05p 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	...	...	...	.10 for each folio of 72 words.
31.	For leave to appeal to the Privy Council including recognizance and sealing	...	...	...	40.00
32.	On filing a notice of appeal to the Falkland Islands Court of Appeal	...	...	...	12.00
33.	Taxing costs	...	...	...	.10 for every £4.00 or part thereof allowed.
34.	Reviewing costs	...	...	...	2.00
35.	Warrant for absconding debtor	...	...	...	2.00

## SECOND SCHEDULE

(Rule 3)

Fee 1. On entering a complaint.		£	p
(1)	for the recovery of a sum of money		
	not exceeding ... ..	£2.00	.40
	exceeding £2.00 but not exceeding ... ..	£5.00	.60
	„ £5.00 „ „ „ ... ..	£10.00	1.00
	„ £10.00 „ „ „ ... ..	£25.00	1.50
	„ £25.00 „ „ „ ... ..	£50.00	4.00
	„ £50.00 „ „ „ ... ..	£100.00	10.00
	„ £100.00 „ „ „ ... ..	£250.00	24.00
	„ £250.00 „ „ „ ... ..	£500.00	48.00
	„ £500.00 „ „ „ ... ..	£1,000.00	100.00
(2)	for recovery of land:		
	(a) on expiration of term of notice to quit ... ..		2.50
	(b) on forfeiture for non-payment of rent ... ..		Fee 1 (1) calculated on rent in arrear.
(3)	for delivery of goods ... ..		Fee 1 (1) calculated on value of goods.
(4)	for any other remedy or relief ... ..		10.00
2.	On filing a counterclaim ... ..		The difference between the fee which would have been payable had the counterclaim been an original claim and the fee paid by the plaintiff.
3.	On application for leave to issue a third party notice ... ..		1.00
	NOTE: The above fees include preparation and service of summons, etc.		
4.	(1) On the hearing of a trial or action ... ..		An amount equal to that paid under Fee 1.
	(2) If the amount claimed and fees are paid into Court more than 2 days before the hearing ... ..		One quarter of Fee 4 (1).
	(3) If the defendant does not appear or consents to judgment for the plaintiff in Court ... ..		One half of Fee 4 (1).

5.	On the trial or hearing of a counterclaim	...	...	...	The fee payable under Fee 2.
6.	On application for an order for the attendance of a judgment debtor	...	...	...	4.00
7.	On application for leave to issue execution	...	...	...	.20 for every £1.00 of the Judgment Order.
8.	On the issue of a warrant of execution	...	...	...	.20 for every £1.00 for which the warrant issues.
9.	On the issue of a warrant of possession:				
	(1) not for the recovery of a sum of money	...	...	...	Fee 1 (2) or 1 (3) whichever is applicable.
	(2) for the recovery of a sum of money in addition to possession				Fee 9 (1) in addition to .10p for every £1.00 for which the warrant issues.
10.	On the issue of a warrant of delivery:				
	(1) not for the recovery of damages or costs	...	...	...	.20 for every £1.00 of the value of the goods to be delivered.
	(2) for the recovery of damages or costs in addition to delivery				Fee 10 (1) in addition to .20p in every £1.00 for which the warrant issues.
11.	On issue of a judgment summons	...	...	...	.20 for every £2.00 or part thereof for which the summons issues.
12.	On hearing of a judgment summons	...	...	...	Fee 11.
13.	On issue of an order for commitment made on a judgment summons	...	...	...	.20 for every £1.00 for which the order issues.
14.	On entering garnishee proceedings	...	...	...	Fee 1 (1).
15.	On hearing garnishee proceedings	...	...	...	Fee 4.
16.	On the issue of witness summons	...	...	...	.50p
17.	For an office copy of a Magistrate's note	...	...	...	.40 for each folio of 72 words.

### THIRD SCHEDULE

(Rule 4)

	£	p
1. Power of Attorney ... ..	5.00	
2. Noting a Protest ... ..	10.50	
3. Extending a Protest ... ..	22.00	
4. For each copy of a Protest ... ..	10.50	
5. Protesting Bill of Exchange, Promissory Note ... ..	7.50	
6. Any other notarial act not specified above ... ..	2.00	."

Made by the Governor in Council this 22nd day of August 1979.

R. BROWNING,  
*Clerk of Councils.*

Ref. LEG/10/7.

# FALKLAND ISLANDS

## INCOME TAX ORDINANCE

(Chapter 32)

### Income Tax (Annual Values) Rules 1979

(under sections 5 (b) (ii) and 5 (c) of the Ordinance)

No. 4 of 1979.

J. R. W. PARKER,  
*Governor.*

IN EXERCISE of the powers conferred by sections 5 (b) (ii) and 5 (c) of the Income Tax Ordinance, the Governor in Council has made the following rules — Cap. 32.

1. (1) These rules may be cited as the Income Tax (Annual Values) Rules 1979. Citation and commencement.

(2) The provisions of these Rules shall have effect with respect to tax chargeable for the year of assessment commencing on the 1st day of January 1980 and for all subsequent years of assessment.

2. For the purposes of prescribing the annual value of any allowance in respect of employment received otherwise than in money, the following shall be deemed to be chargeable income under section 5 (b) (ii) of the Income Tax Ordinance — Allowances.

- (a) the estimated value of any light, power or fuel supplied free of charge by an employer;
- (b) the value of any board, lodging 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.

3. The following values are hereby prescribed for the purposes of sections 5 (b) (ii) and 5 (c) of the Income Tax Ordinance — Values.

- |  |                |      |
|--|----------------|------|
| (i) Farm manager's house outside Stanley   | ...            | £200 |
| (ii) Married employee with outside house   | ...            | Nil  |
| (iii) Employee with settlement house   | ... ..         | £100 |
| (iv) Single employee in outside house  | ... ..         | Nil  |
| (v) Single employee in cookhouse   | ... ..         | £40  |
| (vi) Ships' personnel  | ... ..         | £240 |
| (vii) Servants living in   | ... ..         | £160 |
| (viii) Staff, other than servants, living in institutional accommodation —   |                |      |
| (a) Accommodation, including fuel,   |                |      |
| light or power   |                | £160 |
| (b) Food per adult person  |                | £180 |
| (ix) Persons provided with free fuel in Stanley  | ...            | £75  |
| (x) Persons provided with free light or power  |                |      |
| in Stanley   |                | £30  |
| (xi) Employee provided with free board and lodging in Stanley other than those living in institutional accommodation — |                |      |
| (a) Single employee  | ... ..         | £350 |
| (b) Married couples  | ... ..         | £450 |
| (c) Married couples with children  | £450 + £50     |      |
|  | for each child |      |

(xii) Persons provided with a house in Stanley —

CATEGORY (A)

A house in which any person can be expected to live —

Furnished £4.50 per room per month

Unfurnished £3.50 per room per month

CATEGORY (B)

A house, equal in all respects to those in category (A) but which has permanent disadvantages, such as semi-detached properties with over-thin dividing walls —

Furnished £4.00 per room per month

Unfurnished £3.10 per room per month

CATEGORY (C)

Other houses lacking privacy and which have to be decorated by the occupant —

Furnished £3.10 per room per month

Unfurnished £2.50 per room per month.

Exclusion of bathroom,  
etc.

4. For the purposes of these Rules a room shall not include a garage, outbuilding, porch, bathroom, hall or passage, and no house shall be deemed to contain more than seven rooms.

Revocation.  
(1 of 1977)

5. The Income Tax (Annual Values) Rules 1977 are revoked.

Made by the Governor in Council on the 11th day of September 1979.

R. BROWNING,  
*Clerk of Councils.*

Ref. INC/10/5/II.

## FALKLAND ISLANDS

### LOANS ORDINANCE 1979

### Resolution of the Legislative Council

No. 1 of 1979.

J. R. W. PARKER,  
*Governor.*

RESOLUTION made and passed by the Legislative Council under section 3 of the Loans Ordinance 1979 on the 14th day of February 1979.

THIS RESOLUTION may be cited as the Green Patch Farm Loan Resolution 1979 and shall come into operation on the 14th day of February 1979.

RESOLVED, in exercise of the powers conferred by section 3 of the Loans Ordinance 1979, that the Financial Secretary be authorized to raise an internal loan, not exceeding in total £170,000, for the purpose of purchasing Green Patch Farm.

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. TRE/10/8.

# FALKLAND ISLANDS

## LOANS ORDINANCE 1979

### Resolution of the Legislative Council

No. 2 of 1979.

J. R. W. PARKER,  
*Governor.*

RESOLUTION made and passed by the Legislative Council under section 3 of the Loans Ordinance 1979 on the 25th day of June 1979.

THIS RESOLUTION may be cited as the Housing Loan Resolution 1979.

RESOLVED, in exercise of the powers conferred by section 3 of the Loans Ordinance 1979, that the Financial Secretary be authorized to raise an internal loan for the purpose of purchasing and erecting dwelling houses not exceeding in total £100,000.

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. HOU/13/7.

# FALKLAND ISLANDS

## CUSTOMS ORDINANCE

(Chapter 16)

### Resolution of the Legislative Council

No. 3 of 1979.

J. R. W. PARKER,  
*Governor.*

RESOLUTION made and passed by the Legislative Council under section 5 of the Customs Ordinance on the 25th day of June 1979.

THIS RESOLUTION may be cited as the Customs (Amendment of Duties) Resolution 1979 and shall come into operation on the 25th day of June 1979.

Citation and commencement.

IT IS HEREBY RESOLVED in exercise of the powers conferred by section 5 of the Customs Ordinance that paragraph 2 of the Customs Ordinance be amended —

Amendment of paragraph 2.

- (a) in item 1 by deleting "33p" and substituting the following —  
"40p";
- (b) in item 5 (b) by deleting "£3.30" and substituting the following —  
"£3.50"; and
- (c) in item 5 (c) by deleting "£2.80" and substituting the following —  
"£3.10".

W. A. ETHERIDGE,  
*Clerk of Councils.*

Ref. CUS/10/1.



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STATUTORY INSTRUMENTS

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1979 No. 577

**COPYRIGHT**

**The Copyright (International Conventions)  
(Amendment) Order 1979**

<i>Made</i> - - - - -	<i>23rd May 1979</i>
<i>Laid before Parliament</i>	<i>31st May 1979</i>
<i>Coming into Operation</i>	<i>21st June 1979</i>

At the Court at Buckingham Palace, the 23rd day of May 1979

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. This Order may be cited as the Copyright (International Conventions) (Amendment) Order 1979, and shall come into operation on 21st June 1979.

2. The Copyright (International Conventions) Order 1972 (b) shall be further amended by the inclusion in Schedule 2 (which names the countries party to the Universal Copyright Convention but not members of the Berne Copyright Union) of a reference in the left-hand column to El Salvador and in relation thereto in the right-hand column the date 21st June 1979.

3. This Order shall extend to all the countries mentioned in the Schedule hereto.

N. E. LEIGH,  
*Clerk of the Privy Council.*

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(a) 1956 c. 74.

(b) S.I. 1972/673, to which there are amendments not relevant to the subject-matter of this Order.

**SCHEDULE**

**COUNTRIES TO WHICH THIS ORDER EXTENDS**

Bermuda.  
Belize.  
British Virgin Islands.  
Cayman Islands.  
Falkland Islands and Dependencies.  
Gibraltar.  
Hong Kong.  
Isle of Man.  
Montserrat.  
St. Helena and its Dependencies.

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**EXPLANATORY NOTE**

*(This Note is not part of the Order.)*

This Order further amends the Copyright (International Conventions) Order 1972. It takes account of the accession of El Salvador to the Universal Copyright Convention.

The Order extends to dependent countries of the Commonwealth to which the 1972 Order extends.



Colony of the  
Falkland Islands and Dependencies

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Ordinances,  
Orders, Proclamations, etc.  
1980

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"    "    2    "    "	Savings Bank (Amendment) Rules 1980

Assented to in Her Majesty's name this 28th day of January 1980.

J. R. W. PARKER,  
*Governor.*

LS

No. 1



1980

Colony of the Falkland Islands

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**  
JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.  
*Governor.*

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

*(1st January 1980)*

Title.  
  
Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited as the Income Tax (Amendment) Ordinance 1980 and shall apply to assessments for the year 1980 and to subsequent years of assessment.

Short title and commencement.

2. Section 2 of the principal Ordinance is amended —
- (a) by inserting after the definition of “body of persons” the following new definition —
- “housing loan” means any money advanced to a resident not exceeding £10,000, for the purpose of building, adding to or purchasing a dwelling house in the Colony;
- (b) by deleting the definitions of “The Commonwealth” and “Commonwealth income tax”.

Amendment of section 2.  
(Cap. 32)

3. The principal Ordinance is amended by adding after section 8 the following new section —

Addition of new section 8A.

“Pioneer  
enterprise.

8A. Where, having regard to the economic and other benefits likely to accrue to the Colony, the Governor in Council is of the opinion that it would be in the public interest to do so, he may by order declare

any person who proposes to undertake any trade or business —

- (a) which is not being carried on in the Colony on a scale adequate to the economic interests of the Colony; and
- (b) for which in the opinion of the Governor in Council there are favourable prospects for development,

to be a pioneer enterprise to which the tax concessions specified in the Fifth Schedule to this Ordinance shall apply:

Provided that a person engaging in a trade or business shall not be declared a pioneer enterprise unless the Governor in Council is satisfied that the capital to be effectively employed in the trade or business is adequate.”.

Amendment of section 10.

4. Section 10 of the principal Ordinance is amended by inserting after paragraph (a) the following new paragraph —

“(aa) sums payable by such person by way of interest upon any housing loan (no reduction will be allowed under this paragraph when the dwelling house is unoccupied):

Provided that not more than one deduction, whether under this paragraph or paragraph (a) above, shall be allowed;”.

Amendment of section 11.

5. Section 11 of the principal Ordinance is amended by inserting after “Sixth” the following —  
“or Seventh”.

Repeal and replacement of section 14.

6. Section 14 of the principal Ordinance is repealed and replaced by the following new section —

“Deduction in respect of earned income.

14. (1) Where a husband and wife are assessed jointly there shall be allowed for the purpose of ascertaining the chargeable income of the husband in respect of so much of the income as is earned by his wife her actual earnings, subject to a maximum of £1,040:

Provided that when a loss arises in the exercise of any trade, business, profession or vocation or a loss is brought forward from a previous year under section 13 of this Ordinance, no deduction shall be allowed except in respect of the amount, if any, by which the earned income exceeds such loss or the aggregate amount of such losses, as the case may be.

(2) For the purposes of this section and of section 20 of this Ordinance the expression “earned income” means any income arising in respect of any gains or profits immediately derived by the individual from any trade, business, profession, employment or vocation carried on or exercised by her either as an individual or in the case of a partnership as a partner personally acting therein, or in respect of any pension, superannuation, or other allowance given in respect of past services of the individual, whether the individual shall have contributed to such pension, superannuation or other allowance or not, after deducting the expenses referred to in sections 10 and 11 of this Ordinance.”.

Amendment of section 15.

7. Section 15 of the principal Ordinance is amended —

- (a) in subsection (1), by deleting “£350” and substituting the following —  
“£600”;

- (b) in subsection (2), by deleting “£175” and substituting the following —  
“£350”;

- (c) in subsection (3) (a) —

- (i) by deleting “£500” and substituting the following —  
“£600”;

- (ii) by deleting “£300” and substituting the following —  
“£350”;

- (d) in subsection (4), by deleting “£400” and substituting the following —  
“£1,040”;

- (e) by deleting subsection (5).

8. Section 16 of the principal Ordinance is amended —

Amendment of section 16.

- (a) in subsection (1), by deleting “£300” and substituting the following —  
“£350”;

- (b) in paragraph (i) of the proviso to subsection (1), by deleting “£320” and substituting the following —  
“£380”.

9. Section 16A of the principal Ordinance is amended by deleting “£1,050” wherever it occurs and substituting the following —  
“£2,000”.

Amendment of section 16A.

10. Section 20 of the principal Ordinance is repealed and replaced by the following new section —

Repeal and replacement of section 20.

“Married women.

20. (1) The income of a married woman shall for the purposes of this Ordinance be deemed to be the income of her husband and shall be charged in the name of the husband and not in her name nor in that of her trustee:

Provided that that part of the total amount of tax charged upon the husband which bears the same proportion to that total amount as the amount of the income of the wife bore to the amount of the total income of husband and wife, may if necessary, be collected from the wife, notwithstanding that no assessment has been made upon her.

(2) A married woman separated from her husband under an order of a court of competent jurisdiction or a written agreement or in such circumstances that the Commissioner considers that the separation is likely to be permanent shall be treated as an unmarried person.

(3) A married woman in receipt of earned income and her husband may elect to be assessed separately. In the case of such election the following provisions shall apply —

- (a) both husband and wife shall be assessed for tax as single persons and shall be entitled to the personal relief for single persons;
- (b) the additional relief for a wife under section 15 (1) of this Ordinance shall not be granted;
- (c) the reliefs provided for under sections 15 (3), 16 and 17 shall be granted to the husband only;
- (d) the husband’s income shall include all income of his wife other than her earnings;
- (e) the wife shall not be entitled to the earned income relief provided for under section 14 of this Ordinance;



(4) An election for separate assessment under this section shall be made jointly by the husband and wife in writing to the Commissioner not later than the 1st day of April in the year immediately following the year of income:

Provided that if no election having been made by the parties concerned the Commissioner may tax both parties individually or jointly whichever is to the advantage of the taxpayers subject to the agreement of both parties.

(5) When an election is made in respect of any year it shall be irrevocable in respect of that year and such election shall continue to apply in respect of subsequent years until the election is jointly revoked by the husband and wife.

(6) When an election is revoked after the 1st day of April in any year the revocation shall not have effect in respect of that year but shall affect subsequent years.

(7) Revocation of an election shall not be a bar to further election."

Amendment of section 21.

11. Section 21 of the principal Ordinance is amended —

(a) in subsection (1), by deleting from "on every" to "50 per cent" and substituting the following —

"On every pound of —

the first	£500 of chargeable income	20 per cent
the next	£500 „ „	25 per cent
„ „	£4,500 „ „	30 per cent
„ „	£2,000 „ „	40 per cent
the remainder of chargeable income		50 per cent."

(b) by repealing subsection (2) and substituting the following subsections —

"(2) Subject to subsection (2A) or (2B) below the chargeable income of a company shall be charged at the standard rate of 52 per cent on every pound of the chargeable income thereof.

(2A) A company whose total chargeable income does not exceed £60,000 shall be charged at the rate of 42 per cent.

(2B) A company whose total chargeable income exceeds £60,000 but does not exceed £100,000 shall be entitled to marginal relief by subtracting from the full liability at 52 per cent three-twentieths of the difference between chargeable income and £100,000."

Repeal and replacement of sections 22 and 23.

12. Sections 22 and 23 of the principal Ordinance are repealed and replaced by the following —

"Taxation of dividends.

22. (1) When a dividend is paid to a shareholder by a company registered in the Colony that shareholder shall be entitled to a tax credit at the rate of thirty-seventieths of the dividend paid to him.

(2) The amount of the dividend and the tax credit shall be added to the other income of the shareholder in arriving at his total income for tax purposes and he shall be assessed for tax on this amount less allowable deduction. There shall be deducted from the amount of tax so assessed the amount of the tax credit and, should the net amount of tax then payable be less than the amount of the tax credit, the difference shall be refunded to him."

13. Section 32 of the principal Ordinance is repealed and replaced by the following —

Repeal and replacement of section 32.

"INTEREST WITHHOLDING TAX AND TAXATION OF ROYALTIES AND MANAGEMENT FEES

Interest withholding tax.

32. (1) Notwithstanding anything to the contrary in the other provisions of this Ordinance, there shall be paid a tax, to be known as interest withholding tax, in respect of the payments specified in subsection (2) of this section at the rate of ten per cent of the gross amount payable.

(2) Such tax shall be payable in respect of —

- (a) any payment of interest made to a person not resident in the Colony;
- (b) any loan, advance or other like payment made to a person not resident in the Colony unless such loan, advance or other like payment is made at an interest rate in excess of such per cent per annum as may from time to time be prescribed by the Governor in Council and that interest is liable to tax in the Colony:

Provided that when any such loan, advance or other like payment is subsequently repaid the Commissioner shall refund any tax found to have been paid in excess of the amount properly payable.

(3) For the purpose of this section the term "interest" means income from debt claims of every kind, whether or not carrying a right to participate in the debtor's profits, and in particular income from government securities and income from bonds or debentures including premiums and prizes attaching to such securities, bonds or debentures.

(4) The tax shall be payable by and recoverable from —

- (a) the person making the payment of interest to which subsection (2) (a) of this section applies; or
- (b) in the case of any loan, advance or like payment covered by subsection (2) (b) of this section the person granting the loan or making the advance or like payment,

and shall be paid to the Commissioner within thirty days of the date of payment of interest or of the granting of a loan or making an advance or like payment. Failure to make payment by due date shall be an offence.

Royalties.

32A. (1) Notwithstanding anything to the contrary in the other provisions of this Ordinance, royalties arising in the Colony and paid to a person not resident in the Colony shall bear tax at the rate of ten per cent of the gross amount of the royalties.

(2) For the purpose of this section the term "royalties" means payments of any kind received as a consideration for the use of, or the right to use, any copyright of literary, artistic or scientific work, any patent, trade mark, design or model, plan, secret formula or process, or for the use of, or the right to use, industrial, commercial or scientific equipment, or for information concerning industrial, commercial or

scientific experience, and rights to variable or fixed payments as consideration for the working of or the right to work mineral or mineral oil deposits sources and other natural resources.

(3) The tax shall be payable by and recoverable from the person paying the royalty and shall be paid to the Commissioner within thirty days of the date of payment of the royalty. Failure to make payment by due date shall be an offence.

Management Fees.

32B. (1) Notwithstanding anything to the contrary in the other provisions of this Ordinance, management fees and any such sums paid or credited for the management of or supervision in connection with the carrying on of a trade or business to the extent that such fees, payments or credits do not constitute reimbursement of expenditure that is —

(a) of a kind that is tax deductible under this Ordinance; and

(b) incurred in relation to the fees, payments or credits by the person receiving them,

shall bear tax at the rate of fifteen per cent.

(2) For the purpose of this section the term "management fees" means payments of any kind to any person, other than to an employee of the person making the payments, for or in respect of, the provision of industrial, scientific or commercial advice, or management or technical services, or similar services or facilities.

(3) The tax shall be payable by and recoverable from the person paying the fees or making the payments or credits and shall be paid to the Commissioner within thirty days of the date of payment of the fees or of making the payments or credits. Failure to make payment by due date shall be an offence."

Repeal of sections 46, 47 and 48.

14. Sections 46, 47 and 48 of the principal Ordinance are repealed.

Amendment of section 49.

15. Section 49 of the principal Ordinance is amended —

(a) by deleting subsections (2) and (3); and

(b) by renumbering subsection (1) as section 49.

Addition of new section 50A.

16. The principal Ordinance is amended by adding after section 50 the following new section —

"Unilateral tax credit.

50A. (1) Where any person resident in the Colony proves that he had paid, by deduction or otherwise, overseas tax on any part of his income which arises from a source outside the Colony and which is also chargeable to Colony tax, he shall be entitled to a credit against such Colony tax equal to the overseas tax or the Colony tax on that part of his income whichever is the less.

(2) For the purpose of this section "overseas tax" means an income tax or tax of a similar character imposed by the laws of any territory outside the Colony other than a territory with the Government of which arrangements have been made which have effect under section 49.

(3) For the purpose of calculating the amount of any credit under this section the provisions of subsections (2) to (10) of section 50 shall apply as if references therein to arrangements having effect under section 49 were references to this section and as if reference to foreign tax were references to overseas tax."

17. The Fifth Schedule to the principal Ordinance is repealed and replaced by the following new Schedule —

Repeal and replacement of Fifth Schedule.

#### "FIFTH SCHEDULE Section 8A.

Tax-free concessions.

1. Any person who has been declared a pioneer enterprise in accordance with the provisions of section 8A of this Ordinance shall be exempt from tax in respect of the profits derived from specified trade or business for a period of five years from the date when his trade or business commences or the first day of production, whichever date is the earlier:

Provided that the declaration of a pioneer enterprise may be extended by the Governor in Council for a further period not exceeding three years in which case the extent of the exemption from tax shall be such as the Governor in Council determines:

Provided also that no tax concession shall be granted for any year unless the Commissioner is satisfied that —

(a) in the case of a person the same person to whom the concession was granted continues the trade or business; or

(b) in the case of a partnership at least thirty per cent of the partners are the same as on the date when the concession was granted and in the case of a company at least thirty per cent or more of the voting power or the right to receive dividends is held by the same person or persons as on the date when the concession was granted:

Provided further that the Governor in Council shall have power to waive the requirements of the preceding proviso if he deems fit.

Depreciation.

2. There shall, during the period of the concession, be deducted from or charged to the income, as the case may be, of a pioneer enterprise the maximum amounts authorized in respect of depreciation under section 11 of this Ordinance:

Provided that there shall be no obligation to claim initial allowances but an election not to do so shall continue for the whole of the period of the concession.

End of tax concession period.

3. If the end of the tax concession period does not coincide with the end of the accounting period of the pioneer enterprise, the profits or gains for the accounting period in which the last day of the tax concession falls will be apportioned between the parts of the accounting periods which precede and follow the end of such tax concession period on a time basis.

Calculation of income.

4. The income of any trade or business declared by the Governor in Council to be a pioneer enterprise shall be calculated separately from the income of any other trade or business carried on by the person, partnership or company by whom the pioneer enterprise is owned.

Application for  
declaration of  
a pioneer  
enterprise.

5. (1) Application for a declaration under Section 8A of this Ordinance shall be made to the Governor in Council through the Financial Secretary by the person who carries on or intends to carry on the trade or business.

(2) Every such application shall provide full information about the enterprise, including —

- (a) the nature of the trade or business;
- (b) a description of the benefits to the Colony to be expected;
- (c) the estimated amount of the capital to be employed;
- (d) the conditions under which workers will be employed, an estimate of their number and provision for their housing; and
- (e) such other particulars as the Financial Secretary may require.

Approval.

6. The Governor in Council may make a declaration of a pioneer enterprise subject to such conditions he thinks fit.

Accounts.

7. The annual accounts of an approved pioneer enterprise shall be audited by an auditor approved by the Financial Secretary and such accounts and any other information requested shall be delivered to the Commissioner within six months of the end of each accounting period.

Offences

8. Any person failing to furnish accounts by the due date or to provide information requested by the Commissioner shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding £1,000.

Revocation.

9. (1) The Governor in Council may revoke a declaration made under section 8A of this Ordinance if —

- (a) he is satisfied that the person concerned has furnished incorrect or misleading information or has in any way misrepresented the facts or has failed to submit audited accounts or other information requested; or
- (b) he is satisfied that the person concerned has failed to comply with any conditions laid down under paragraph 6 of this Schedule or with any other provisions of this Schedule.

(2) Such revocation may be from any date and may apply from the date of commencement of the tax concession if the Governor in Council considers this to be appropriate.

Dividends.

10. Upon the agreement of the Commissioner of the amount of the profits of a pioneer enterprise to be exempt from tax under this section or upon final determination of that amount on appeal, the amount thereof in the case of a company may be credited by the company to a special account and the amount of any dividend paid out of that account to the company's shareholders shall be exempt from tax in the hands of such shareholders:

Provided that no such exemption shall apply to a dividend declared more than two years after the end of the tax concession period specified in paragraph 1 of this Schedule, including any extension of the tax concession period approved by the Governor in Council under the proviso to paragraph 1 of this Schedule.”.

18. The principal Ordinance is amended by adding after the Sixth Schedule the following new Schedule —

Addition of Seventh  
Schedule.

## “SEVENTH SCHEDULE Section 11.

### DEPRECIATION

Interpretation.

1. In this Schedule —

“expenditure”, in relation to the cost of a capital asset, means the amount spent upon the provision of that asset by the person claiming the depreciation deduction, reduced by the amount of any grant, subsidy or contribution towards that cost made by any other person or authority;

“written-down value”, in relation to a capital asset, means the amount of the expenditure upon that asset less the sum of any wear and tear and depreciation deductions made in respect of that asset for all earlier years or which could have been made if the asset had been employed continuously since the expenditure was incurred in the production of income.

Deduction.

2. Where a person referred to in section 11 employs during the year immediately preceding the year of assessment in the course of his trade, business, profession or vocation any of the capital assets specified in paragraph 3 of this Schedule, there shall be allowed, upon his making a claim thereto, a deduction on account of the depreciation of such assets (in this Schedule referred to as a “depreciation deduction”).

Depreciation  
allowances.

3. The following depreciation allowances shall be given for capital expenditure incurred on projects commenced after the 1st January 1979 —

- (a) on machinery and plant (other than ships, motor vehicles and aircraft) and agricultural tractors an initial allowance in the year in which the expenditure is incurred of up to 100%; where the full 100% is not claimed, in subsequent years a writing down allowance of 25% per annum of the written-down value of the asset shall be given;
- (b) on ships - an initial allowance of up to 50% and thereafter a writing down allowance of 10% per annum of the written-down value of the asset shall be given;
- (c) on aircraft - a writing down allowance of 15% per annum of the written-down value of the asset shall be given;
- (d) on motor vehicles (other than agricultural tractors) a writing down allowance of 25% per annum of the written-down value of the asset shall be given;
- (e) on industrial buildings used for the purpose of productive manufacturing or processing, mining or fishing - an initial allowance of up to 30% and thereafter a writing down allowance of 10% per annum of the written-down value of the asset shall be given;
- (f) on hotel buildings - an initial allowance of up to 20% and thereafter a writing down allowance of 10% per annum of the written-down value of the asset shall be given;

- (g) on agricultural buildings - an initial allowance of up to 30% and thereafter a writing down allowance of 10% per annum of the written-down value of the asset shall be given;
- (h) on other buildings including housing - a writing down allowance of 10% per annum of the written-down value of the asset shall be given.

Balancing deduction.

4. Where during the year immediately preceding the year of assessment a capital asset in respect of which a wear and tear or a depreciation deduction has been made is sold, scrapped or destroyed and the amount of the sale proceeds or insurance recoveries is less than the written-down value, there shall be made a deduction equal to the amount of the deficiency.

Balancing charge.

5. Where during the year immediately preceding the year of assessment a capital asset in respect of which a wear and tear or a depreciation deduction has been made is sold, scrapped or destroyed and the amount of the sale proceeds or insurance recoveries is more than the written-down value, the amount of the excess (or the total amount of all wear and tear and depreciation deductions made, if less) shall be additional income chargeable to tax for that year of assessment.

Buildings.

6. Where a building is bought or sold together with land the Commissioner shall make such apportionment of the total sum as is just for the purpose of arriving at the separate value of the building.

Agricultural buildings.

7. For the purposes of this Schedule agricultural buildings do not include offices, shops on farm settlements, storehouses (except where they are used solely to store agricultural produce). The cost of a building shall not include the cost or value of the land on which it is built.

New ventures.

8. Where a company undertakes a new industrial, commercial or other venture, it shall, before qualifying for the allowance referred to in paragraph 3 of this Schedule, be required to form a separate company which shall be taxed separately from any existing company."

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.

R. BROWNING,  
*Clerk of Councils.*

Ref. INC/10/5/II.

Assented to in Her Majesty's name this 2nd day of July 1980.

R. M. HUNT,  
*Governor.*

LS



No. 2

1980

Colony of the Falkland Islands

IN THE TWENTY-NINTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

REX MASTERMAN HUNT, C.M.G.  
*Governor.*

## An Ordinance

To provide for the service of the year 1980/81. Title.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited for all purposes as the Short title.  
Appropriation (1980-81) Ordinance 1980.

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 1980 to 30th June 1981, a sum not exceeding Three million, four hundred and seventy-five thousand, nine hundred and twenty-five 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 1980-81.

Appropriation of  
£3,475,925 for the service  
of the year 1980-81.



## SCHEDULE

Number	HEAD OF SERVICE	£
I.	The Governor ... ..	40,225
II.	Agriculture ... ..	16,145
III.	Aviation ... ..	302,289
IV.	Customs and Harbour ... ..	68,182
V.	Education ... ..	223,640
VI.	Medical ... ..	257,381
VII.	Meteorological ... ..	21,588
VIII.	Military ... ..	7,805
IX.	Miscellaneous ... ..	32,265
X.	Pensions and Gratuities ... ..	58,000
XI.	Police and Prisons ... ..	37,611
XII.	Posts and Telecommunications ... ..	191,500
XIII.	Public Works ... ..	254,253
XIV.	Public Works Recurrent ... ..	212,610
XV.	Public Works Special ... ..	93,495
XVI.	Secretariat, Treasury and Central Store ... ..	193,721
XVII.	Overseas Passages ... ..	153,230
XVIII.	Social Welfare ... ..	90,530
XIX.	Supreme Court and Legal ... ..	17,850
XX.	Training ... ..	12,000
Total Ordinary Expenditure ...		2,284,320
Development A	Expenditure to be met from Colony funds ...	370,835
Development B	Expenditure to be met from U.K. Aid ...	520,770
Total Ordinary and Development Expenditure ...		3,175,925
XXI.	Transfer to Development Fund ... ..	300,000
TOTAL EXPENDITURE ... ..		£ 3,475,925

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.

R. BROWNING,  
*Clerk of Councils.*

Ref. TRE/14/15.

Assented to in Her Majesty's name this 2nd day of July 1980.

R. M. HUNT,  
*Governor.*

LS

No. 3



1980

Colony of the Falkland Islands

IN THE TWENTY-NINTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

REX MASTERMAN HUNT, C.M.G.

*Governor.*

### An Ordinance

To legalise certain payments made in the year 1978/79 in excess of the Expenditure sanctioned by Ordinance No. 1 of 1978. Title.

WHEREAS it is expedient to make further provision for the service of the Colony for the period 1st July 1978 to 30th June 1979. Preamble.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited for all purposes as the Supplementary Appropriation (1978-79) Ordinance 1980. Short title.

2. The sums of money set forth in the Schedule hereto having been expended for the services herein mentioned beyond the amounts granted for those services by the Ordinance providing for the service for the period 1st July 1978 to 30th June 1979, 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 1978 to 30th June 1979.



SCHEDULE

Number	HEAD OF SERVICE	Amount
FALKLAND ISLANDS		
III.	Aviation ... ..	13,595
VII.	Meteorological ... ..	308
IX.	Miscellaneous ... ..	28,446
XII.	Posts & Telecommunications ... ..	9,849
XVI.	Secretariat, Treasury & Central Store ... ..	23,182
		£ 75,380

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.

R. BROWNING,  
Clerk of Councils.

Ref. TRE/14/13.

Assented to in Her Majesty's name this 2nd day of July 1980.

R. M. HUNT,  
Governor.



No. 4

1980

Colony of the Falkland Islands

IN THE TWENTY-NINTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.  
REX MASTERMAN HUNT, C.M.G.  
Governor.

An Ordinance  
Further to amend the Old Age Pensions  
Ordinance 1952.

(7th July 1980) Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited as the Old Age Pensions (Amendment) Ordinance 1980 and shall come into operation on the 7th day of July 1980. Short title and commencement.

2. Section 6 (2) of the principal Ordinance is amended — Amendment of section 6. (3 of 1952)
- (a) in paragraph (a) by deleting “£1.20” and substituting the following —  
“£1.30”;
  - (b) in paragraph (b) by deleting “£1.80” and substituting the following —  
“£2.00”; and
  - (c) in paragraph (c) by deleting “£3.00” and substituting the following —  
“£3.30”.

3. Section 6A (2) of the principal Ordinance is amended by deleting “£3.00” and substituting the following — Amendment of section 6A.  
“£3.30”.

Amendment of Schedule.

4. The Schedule to the principal Ordinance is amended by deleting "£15.00", "£10.00", "£10.00" and "£10.00" and substituting the following respectively —

"£16.50", "£11.00", "£11.00" and "£11.00".

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.

R. BROWNING,  
*Clerk of Councils.*

Ref. TRE/2/1.

Assented to in Her Majesty's name this 2nd day of July 1980.

R. M. HUNT,  
*Governor.*

LS



No. 5

1980

Colony of the Falkland Islands

IN THE TWENTY-NINTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

REX MASTERMAN HUNT, C.M.G.  
*Governor.*

### An Ordinance

Further to amend the Non-contributory Old  
Age Pensions Ordinance 1961. Title.

(7th July 1980)

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited as the Non-contributory Old Age Pensions (Amendment) Ordinance 1980 and shall come into operation on the 7th day of July 1980. Short title and commencement.

2. The Schedule to the principal Ordinance is amended by deleting "£12.00", "£9.00" and "£9.00" and substituting the following respectively — Amendment of Schedule.

"£13.50", "£10.00" and "£10.00".

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.

R. BROWNING,  
*Clerk of Councils.*

Ref. TRE/2/2.

Assented to in Her Majesty's name this 2nd day of July 1980.

R. M. HUNT,  
*Governor.*



No. 6



1980

Colony of the Falkland Islands

IN THE TWENTY-NINTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

REX MASTERMAN HUNT, C.M.G.

*Governor.*

### An Ordinance

Further to amend the Family Allowances  
Ordinance 1960. Title.

*(1st January 1981)*

*Date of commencement.*

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited as the Family Allowances (Amendment) Ordinance 1980 and shall come into operation on the 1st day of January 1981.

*Short title and commencement.*

2. Section 3 (2) of the Family Allowances Ordinance 1960 is amended by deleting “£2.50” and “£5.00” and substituting the following respectively —

*Amendment of section 3.  
(9 of 1960)*

“£3.00” and “£6.00”.

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.

R. BROWNING,  
*Clerk of Councils.*

Ref. TRE/10/1.

Assented to in Her Majesty's name this 2nd day of July 1980.

R. M. HUNT,  
*Governor.*



No. 7



1980

Colony of the Falkland Islands

IN THE TWENTY-NINTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

REX MASTERMAN HUNT, C.M.G.  
*Governor.*

An Ordinance  
Further to amend the Licensing Ordinance.

Title.

(18th July 1980)

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited as the Licensing (Amendment) Ordinance 1980.

Short title.

2. Section 13A of the principal Ordinance is amended by deleting subsection (1) and substituting the following —

Amendment of section 13A.  
(Cap. 38)

“(1) A restaurant licence —

- (a) is granted for premises structurally adapted and bona fide used, or intended to be used, for the purpose of habitually providing the customary main meal at midday or in the evening, or both, for the accommodation of persons frequenting the premises; and
- (b) is subject to the condition that intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking meals there and for consumption by such a person as an ancillary to his meal.”.

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.

R. BROWNING,  
*Clerk of Councils.*

Ref. LEG/10/33.

Assented to in Her Majesty's name this 2nd day of July 1980.

R. M. HUNT,  
*Governor.*



No. 8



1980

Colony of the Falkland Islands

IN THE TWENTY-NINTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**

REX MASTERMAN HUNT, C.M.G.  
*Governor.*

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

*(1st January 1981)*

Title.

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited as the Income Tax (Amendment) (No. 2) Ordinance 1980 and shall come into operation on the 1st January 1981 and shall apply to assessments for the year of assessment commencing on the 1st January 1981 and to subsequent years of assessment.

Short title and commencement.

2. Section 14 of the principal Ordinance is amended in subsection (1), by deleting "£1,040" and substituting the following —

Amendment of section 14.  
(Cap. 32)

"£1,200";

3. Section 15 of the principal Ordinance is amended —

Amendment of section 15.

(a) in subsection (1), by deleting "£600" and substituting the following —

"£700";

(b) in subsection (2), by deleting "£350" and substituting the following —

"£400";

(c) in subsection (3)(a), by deleting "£600" and "£350" and substituting the following respectively —

"£700" and "£400"; and



- (d) in subsection (4) by deleting "£1,040" and substituting the following —  
"£1,200".

Amendment of section 16.

4. Section 16 of the principal Ordinance is amended —

- (a) in subsection (1), by deleting "£350" and substituting the following —  
"£400"; and  
(b) in paragraph (i) of the proviso to subsection (1), by deleting "£380" and substituting the following —  
"£440".

Amendment of section 16A.

5. Section 16A of the principal Ordinance is amended by deleting "£2,000" wherever it occurs and substituting the following —  
"£2,350".

Amendment of section 49.

6. Section 49 of the principal Ordinance is amended —

- (a) by being renumbered as subsection (1) thereof; and  
(b) by renumbering subsections (4), (5) and (6) as (2), (3) and (4) 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.

R. BROWNING,  
*Clerk of Councils.*

Ref. INC/10/5.

Assented to in Her Majesty's name this 16th day of May 1980.

R. M. HUNT,  
*Governor.*

LS



No. DS 1

1980

Falkland Islands Dependencies

IN THE TWENTY-NINTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

REX MASTERMAN HUNT, C.M.G.

*Governor.*

## An Ordinance

### To apply certain Laws of the Colony 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 —

1. This Ordinance may be cited as the Application of Colony Laws Ordinance 1980 and shall come into operation on the 16th day of May 1980.

Short title and commencement.

2. The Ordinances of the Colony specified in the first and second columns of the Schedule to this Ordinance are applied to the Dependencies, subject to such adaptations, qualifications and exceptions as local circumstances may render necessary.

Application of Colony Ordinances.

#### SCHEDULE

(Section 2)

Number	Short title
11 of 1979	Firearms (Amendment) Ordinance 1979.
14 of 1979	Matrimonial Causes Ordinance 1979
16 of 1979	Maintenance Orders (Reciprocal Enforcement) (Amendment) Ordinance 1979.

Promulgated by the Governor on the 16th day of May 1980.

F. E. BAKER,  
*Chief Secretary.*

Ref. LEG/10/37.

# FALKLAND ISLANDS

## POST OFFICE ORDINANCE

(Chapter 52)

### Post Office (Amendment) Order 1980

No. 1 of 1980.

R. M. HUNT,  
*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 (Amendment) Order 1980 and shall come into operation on the 15th day of April 1980. Citation and commencement.

2. Paragraph 2 of the principal Order is amended in subparagraph (p) by deleting "10p", "15p" and "20p" and substituting the following respectively — Amendment of paragraph 2 (p).  
(4 of 1976)

"20p", "20p" and "27p".

Made by the Governor in Council this 9th day of April 1980.

R. BROWNING,  
*Clerk of Councils.*

Ref. P & T/2/5.

## FALKLAND ISLANDS

### FUGITIVE OFFENDERS ACT 1967

(1967 c. 68)

### Fugitive Offenders (Designated Commonwealth Countries) (Amendment) Order 1980

No. 2 of 1980.

R. M. HUNT,  
*Governor.*

IN EXERCISE of the powers conferred by section 2 (1) of the Fugitive Offenders Act 1967, (as modified and adapted by the Fugitive Offenders (Falkland Islands and Dependencies) Order 1968) (S. I. 1968 No. 113) the Governor, with the approval of the Secretary of State, has made the following order —

1. This order may be cited as the Fugitive Offenders (Designated Commonwealth Countries) (Amendment) Order 1980. Citation.

2. The Schedule to the principal order is amended —

Amendment of Schedule.  
(1 of 1977).

(a) by inserting after "Kenya" the following —

"Kiribati" and

(b) by inserting after "Independent State of Papua New Guinea" the following —

"Saint Lucia.

Saint Vincent and the Grenadines.".

*By Command,*

F. E. BAKER,

*Chief Secretary.*

13th May 1980.

Ref. LEG/10/22C.

## FALKLAND ISLANDS

### IMMIGRATION ORDINANCE 1965

#### The Francisco Edgardo Burgos Deportation Order 1980.

No. 3 of 1980.

R. M. HUNT,  
*Governor.*

IN EXERCISE of the powers conferred on the Governor in Council in Sections 2 and 17 (1) of the Immigration Ordinance 1965 it is hereby ordered as follows —

1. This order may be cited as the Francisco Edgardo Burgos Deportation Order 1980.
2. Francisco Edgardo Burgos has been declared by the Governor in Council to be an undesirable immigrant and his presence in the Colony is hereby unlawful.
3. It is further ordered that the said Francisco Edgardo Burgos shall, upon the completion of his sentence of nine months imprisonment, imposed on the 28th April 1980, by the Supreme Court of the Falkland Islands, forthwith leave the Falkland Islands and shall thereafter remain out of the Falkland Islands and its Dependencies.

Made at Stanley this 16th day of June 1980.

R. BROWNING,  
*Clerk of Councils.*

Ref. LEG/12/3.

FALKLAND ISLANDS

INCOME TAX ORDINANCE

(Cap. 32)

Income Tax (Pioneer Enterprise) (Fellmongery) Order 1980.

No. 4 of 1980.

R. M. HUNT,  
*Governor.*

IN EXERCISE of the powers conferred by section 8A of the Income Tax Ordinance, the Governor in Council has made the following order —

1. This order may be cited as the Income Tax (Pioneer Enterprise) (Fellmongery) Order 1980. Citation.

2. Holmsted Blake & Company Limited's fellmongery operations are hereby declared to be a pioneer enterprise for the purposes of the Income Tax Ordinance. Declaration of pioneer enterprise.

Made by the Governor in Council this 16th day of September 1980.

P. T. KING,  
*Clerk of Councils.*

Ref. INC/29/1.



# FALKLAND ISLANDS

## PROCLAMATION

No. 1 of 1980

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.

BY HIS HONOUR FRANCIS EUSTACE BAKER, ESQUIRE, Officer of the Most Excellent Order of the British Empire, Acting Governor of the Colony of the Falkland Islands and its Dependencies, and Vice-Admiral of the same.

WHEREAS by Article 7 (1) of the Falkland Islands Letters Patent 1948 to 1962, under the Great Seal of the United Kingdom of Great Britain and Northern Ireland, 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 JAMES ROLAND WALTER PARKER, ESQUIRE, Companion of the Most Distinguished Order of Saint Michael and Saint George, Officer 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, and Vice-Admiral of the same, 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 the Colony in the absence of the Governor:

NOW, THEREFORE, I, FRANCIS EUSTACE BAKER, Chief Secretary of the Colony, the Senior Member of the Executive Council aforesaid, do hereby proclaim and make known that, in pursuance of the said Article 7 (1) of the said Letters Patent and having taken the oaths prescribed by law, I have this day assumed the administration of the Government of the Colony.

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, this 31st day of January in the Year of Our Lord One thousand Nine hundred and Eighty.



F. E. BAKER,  
*Acting Governor.*

GOD SAVE THE QUEEN

# FALKLAND ISLANDS

## PROCLAMATION

No. 2 of 1980

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.

BY HIS EXCELLENCY REX MASTERMAN HUNT, 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, and Vice-Admiral of the same.

WHEREAS it is provided by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders 1948 to 1977 that the sittings of the Legislative Council shall be held at such times and places as the Governor shall from time to time appoint by proclamation published in the Gazette:

NOW, THEREFORE, I, REX MASTERMAN HUNT, do hereby PROCLAIM that the next sitting of the Legislative Council of the Falkland Islands shall be held at 10.00 o'clock in the forenoon of Tuesday the 17th day of June 1980 at the Court and Council Chambers in the town of Stanley in the Falkland Islands.

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, Falkland Islands this 19th day of May in the Year of Our Lord One thousand nine hundred and eighty.



R. M. HUNT,  
*Governor.*

GOD SAVE THE QUEEN

Ref. LEG/35/1. II.

PROCLAMATION

No. 3 of 1980

Made under section 35 of the Customs Ordinance, (Chapter 16)

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.

BY HIS EXCELLENCY REX MASTERMAN HUNT, 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, and Vice-Admiral of the same.

WHEREAS it is provided by section 35 of the Customs Ordinance that it shall be lawful for the Governor from time to time by proclamation to prohibit the importation, carriage coastwise or exportation of any goods whatsoever, and any such proclamation may prohibit importation, carriage coastwise or exportation until the revocation thereof, or during such period as may be specified therein, and may absolutely prohibit importation, carriage coastwise or exportation, or may prohibit importation, carriage coastwise or exportation except in compliance with any conditions which may be specified in the proclamation, or importation from or exportation to any particular place named in the proclamation:

NOW, THEREFORE, I, REX MASTERMAN HUNT, do hereby PROCLAIM as follows—

1. Subject to paragraph 2 below all goods are prohibited to be exported to any destination in Iran other than —

- (a) those of a description set out in Part I below of the Schedule to this Proclamation;
- (b) those of a description set out in Part II of the Schedule to this Proclamation and sold or supplied for use solely or mainly for medical or surgical purposes.

2. Nothing in paragraph 1 above shall prohibit the exportation of any goods under the authority of a licence granted by the Governor provided that all conditions attaching to the said licence are complied with.

3. Any licence granted by the Governor in pursuance of paragraph 2 above may be modified or revoked by him at any time.

SCHEDULE

PART I

Paragraph 1. (a)

ITEM	Description of Goods
A. FOODSTUFFS	
1.	Live animals; animal products.
2.	Vegetable products.
3.	Animal and vegetable fats and their cleavage products; prepared edible fats; animal and vegetable waxes.
4.	Prepared foodstuffs; beverages, spirits and vinegar.
5.	Raw materials for food and drink.
6.	Casein, caseinates and other casein derivatives, for use in foodstuffs.
B. MEDICAL PRODUCTS	
7.	Acetylsalicylic acid and its salts.
8.	Sulphonamides.
9.	Provitamins and vitamins, natural or reproduced by synthesis (including natural concentrates), derivatives thereof used primarily as vitamins, and intermixtures of the foregoing, whether or not in any solvent.
10.	Hormones, natural or reproduced by synthesis derivatives thereof, used primarily as hormones; other steroids used primarily as hormones.

ITEM	Description of Goods
11.	Antibiotics.
12.	Pharmaceutical products.
13.	Products for cleaning and fixing dentures.
14.	Medical soaps.
15.	Preparations known as "dental wax" or as "dental impression compounds".
16.	Disinfectants intended to destroy pathogenic germs.
17.	Preparations for pharmaceutical and surgical uses.
18.	Heparin.
19.	Pharmaceutical articles of unhardened vulcanized rubber.
20.	Surgical gloves of unhardened vulcanized rubber.
21.	Knitted or crocheted elastic or rubberized stockings and other pharmaceutical articles (e.g. elastic knee-caps and belts.)
22.	Test-tubes and similar containers for the conveyance or packing of tablets.
23.	Pharmaceutical glassware.
24.	Blanks for corrective spectacle lenses.
25.	Medical and surgical sterilizing apparatus.
26.	Invalid carriages, whether or not motorized or otherwise mechanically propelled.
27.	Parts of invalid carriages, falling within Item No. 26.
28.	Contact lenses, spectacle lenses.
29.	Frames and mountings and parts thereof, for spectacles.
30.	Corrective spectacles.
31.	Medical, dental, surgical and veterinary instruments and appliances.
32.	Mechano-therapy appliances (excluding gas masks and similar respirators).
33.	Orthopaedic appliances.
34.	Apparatus based on the use of X-rays.
35.	Clinical thermometers.
36.	Medical, dental, surgical or veterinary furniture; dentists' and similar chairs with mechanical elevating, rotating or reclining movements; parts of the foregoing articles.

PART II

Paragraph 1 (b)

ITEM	Products which can be used for Medical Purposes
1.	Petroleum jelly.
2.	Paraffin wax.
3.	Inorganic chemicals.
4.	Organic chemicals (other than products in Part I of this Schedule).
5.	Sunflower seed extracts.
6.	Dyes for microscopic slides.
7.	Plates and film in the flat for radiography.
8.	Sensitized film for radiography.
9.	Plates, unperforated film.
10.	Cinematograph film.
11.	Preservative articles.
12.	Prepared culture media.
13.	Preparations of vitamins.
14.	Cellulose wadding.
15.	Sanitary towels and tampons.

ITEM	Products which can be used for Medical Purposes
16.	Wadding for bandages.
17.	Medical containers for conveyance or packing of goods.
18.	Laboratory and hygienic glassware; glass ampoules.
19.	Machinery and equipment for distilling.
20.	Incubation furnaces and ovens.
21.	Microscopes and parts thereof.
22.	Magnifying glasses.
23.	Analytical balances and parts and accessories thereof.
24.	Instruments and apparatus (other than mechanical and electrical) for physical and chemical analysis.
25.	Electrical or electronic instruments and apparatus.

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, this Fifth day of August in the Year of Our Lord One thousand Nine hundred and Eighty.



R. M. HUNT,  
Governor.

GOD SAVE THE QUEEN

## FALKLAND ISLANDS

# PROCLAMATION

No. 4 of 1980

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.

BY HIS EXCELLENCY REX MASTERMAN HUNT, 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, and Vice-Admiral of the same.

WHEREAS it is provided by section 2 of the Place-Names Ordinance 1956 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. 5 of 1977 should be added to and altered:

NOW, THEREFORE, I, REX MASTERMAN HUNT do hereby DECLARE the place-names in the Dependencies of the Colony of the Falkland Islands, listed in the Gazetteer of the Falkland Islands Dependencies (South Georgia and the South Sandwich Islands) (First Supplement to First Edition) published by Her Majesty's Stationery Office, London, and dated the 1st November 1979 to be accepted as place-names for official use.

Given under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, this 16th day of December in the Year of Our Lord One thousand Nine hundred and Eighty.



R. M. HUNT,  
*Governor.*

GOD SAVE THE QUEEN



# FALKLAND ISLANDS

## PROCLAMATION

No. 5 of 1980

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.

BY HIS EXCELLENCY REX MASTERMAN HUNT, 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, and Vice-Admiral of the same.

WHEREAS it is provided by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders 1948 to 1977 that the sittings of the Legislative Council shall be held at such times and places as the Governor shall from time to time appoint by proclamation published in the Gazette:

NOW, THEREFORE, I, REX MASTERMAN HUNT, do hereby PROCLAIM that the next sitting of the Legislative Council of the Falkland Islands shall be held at 10.00 o'clock in the forenoon of Tuesday, the 6th day of January 1981 at the Court and Council Chambers in the town of Stanley in the Falkland Islands.

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, Falkland Islands this 15th day of December in the Year of Our Lord One thousand nine hundred and eighty.

LS

R. M. HUNT,  
*Governor.*

GOD SAVE THE QUEEN

Ref. LEG/35/1.II.

# FALKLAND ISLANDS

## STANLEY AIRPORT (REGULATIONS) ORDINANCE 1977

### Stanley Airport (Amendment) Regulations 1980

No. 1 of 1980.

R. M. HUNT,  
*Governor.*

IN EXERCISE of the powers conferred by section 4 of the Stanley Airport (Regulations) Ordinance 1977, the Governor in Council has made the following regulations —

1. These regulations may be cited as the Stanley Airport (Amendment) Regulations 1980 and shall come into operation on the 1st September 1980.

Citation and commencement.

2. Schedule B to the principal regulation is amended in subparagraph (a) of paragraph 1 by deleting "£2.00" and substituting the following —

Amendment of Schedule B.  
(1 of 1978)

"£3.00".

Made by the Governor in Council this 19th day of August 1980.

P. T. KING,  
*Clerk of Councils.*

## FALKLAND ISLANDS

### PUBLIC HEALTH ORDINANCE (Chapter 54)

## Medical Fees (Amendment) Regulations 1980

No. 2 of 1980.

R. M. HUNT,  
*Governor.*

IN EXERCISE of the powers conferred by section 55 of the Public Health Ordinance, the Governor in Council has made the following regulations —

1. These regulations may be cited as the Medical Fees (Amendment) Regulations 1980 and shall be deemed to have come into effect on 1st July 1980. Citation and commencement.

2. Schedule E to the principal regulations is amended by adding the following at the end of paragraph 4 — Amendment of Schedule E.  
(1 of 1979)

“Spectacles provided for children under the age of 16 years shall be free of charge.”.

Made by the Governor in Council this 19th day of August 1980.

P. T. KING,  
*Clerk of Councils.*

# FALKLAND ISLANDS

## CUSTOMS ORDINANCE

(Chapter 16)

### Resolution of the Legislative Council

No. 1 of 1980.

R. M. HUNT,  
*Governor.*

RESOLUTION made and passed by the Legislative Council under section 5 of the Customs Ordinance on the 23rd day of June 1980.

THIS RESOLUTION may be cited as the Customs (Amendment of Duties) Resolution 1980 and shall come into operation on the 23rd day of June 1980.

Citation and commencement.

IT IS HEREBY RESOLVED in exercise of the provisions conferred by section 5 of the Customs Ordinance that paragraph 2 of the Customs Order be amended —

Amendment of paragraph 2.  
(Cap. 16 sub. leg.)

- (a) in item 2 by deleting “£15.00” and substituting the following —  
“£16.50”;
- (b) in item 3 by deleting “90p” and substituting the following —  
“£1.06”;
- (c) in item 4 by deleting “£1.10” and substituting the following —  
“£1.30”;
- (d) in item 5 (a) by deleting “£5.00” and substituting the following —  
“£5.50”;
- (e) in item 5 (b) by deleting “£3.50” and substituting the following —  
“£3.80”; and
- (f) in item 5 (c) by deleting “£3.10” and substituting the following —  
“£3.40”.

R. BROWNING,  
*Clerk of Councils.*

Ref. CUS/10/1.

# FALKLAND ISLANDS

## POST OFFICE ORDINANCE

(Chapter 52)

### Telephone and Telegraph (Amendment) Rules 1980

No. 1 of 1980.

R. M. HUNT,  
*Governor.*

IN EXERCISE of the powers conferred by section 4 of the Post Office Ordinance the Governor in Council has made the following rules —

1. These rules may be cited as the Telephone and Telegraph (Amendment) Rules 1980 and shall come into operation on the 1st day of January 1981. Citation and commencement.
2. Paragraph (1) of rule 5 of the Telephone and Telegraph Rules 1973 is amended as follows — Amendment of rule 5.  
(1 of 1973)
  - (a) in sub-paragraph (a) by deleting “£21.00” and “£6.00” and substituting the following respectively —  
“£25.00” and “£7.00”;
  - (b) in sub-paragraph (b) by deleting “£15.00” and substituting the following —  
“£18.00”;
  - (c) in sub-paragraph (c) by deleting “£12.00” and substituting the following —  
“£14.50”; and
  - (d) in sub-paragraph (d) by deleting “£9.00” and substituting the following —  
£10.50”.
3. Paragraph (1) of rule 8 is amended as follows — Amendment of rule 8.
  - (a) in sub-paragraph (a) by deleting “£6.00” and substituting the following —  
“£7.00”; and
  - (b) in sub-paragraph (b) by deleting “£9.00” and substituting the following —  
“£10.50”.
4. Paragraph (3) of rule 8 is amended by deleting “£2.00” and substituting the following —  
“£2.50”.
5. Rule 10 is amended by deleting “5p” where it occurs and substituting the following —  
“6p”. Amendment of rule 10.
6. Paragraph (2) of rule 12 is amended by deleting “£42” and substituting the following —  
“£50.00”. Amendment of rule 12.
7. Paragraph (1) of rule 18 is amended by deleting “£5.00” and substituting the following —  
“£6.00”. Amendment of rule 18.

Made by the Governor in Council this 14th day of July 1980.

P. T. KING,  
*Clerk of Councils.*



# FALKLAND ISLANDS

## SAVINGS BANK ORDINANCE (Chapter 61)

### Savings Bank (Amendment) Rules 1980

No. 2 of 1980.

R. M. HUNT,  
*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 1980 and shall come into operation on the 19th August 1980. Citation and commencement.
2. Rule 16 of the principal rules is amended — Amendment of rule 16.  
(Cap. 61 sub. leg.)
  - (a) by deleting paragraph (2); and
  - (b) by re-numbering paragraphs (3) and (4) as (2) and (3) respectively.
3. Rule 17 of the principal rules is amended — Amendment of rule 17.
  - (a) in paragraph (4) —
    - (i) by deleting “paying officer” and substituting the following —  
“payee”; and
    - (ii) by deleting “from the depositor or the person named in the cheque to receive the said amount”;
  - (b) by deleting paragraph (6); and
  - (c) by re-numbering paragraphs (7) and (8) as (6) and (7) respectively.
4. Rule 19 of the principal rules is amended — Amendment of rule 19.
  - (a) in paragraph (1) by inserting at the end, of the following —  
“unless arrangements have been made for any one of the depositors to act independently of each other in which case any one of the depositors may make application to withdraw money deposited in the joint names of two or more persons”; and
  - (b) in paragraph (3) —
    - (i) by inserting before “names” the following —  
“name or”; and
    - (ii) by inserting after “and” the following —  
“his or”.

Made by the Governor in Council this 19th day of August 1980.

P. T. KING,  
*Clerk of Councils.*



Colony of the  
Falkland Islands and Dependencies

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Ordinances,  
Orders, Proclamations, etc.  
1981

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Assented to in Her Majesty's name this 21st day of January 1981.

R. M. HUNT,  
*Governor.*

LS

No. 1



1981

Colony of the Falkland Islands

IN THE TWENTY-NINTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

REX MASTERMAN HUNT, C.M.G.

*Governor.*

**An Ordinance  
To amend the Trespass Ordinance.**

*(26th January 1981)*

Title.

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited as the Trespass (Amendment) Ordinance 1981. Short title.

2. Section 2 of the principal Ordinance is amended in the definition of "Common" by inserting after "west" the following — Amendment of section 2.  
(Cap. 74)  
"and Cape Pembroke Peninsula".

3. Section 11 of the principal Ordinance is amended by deleting "regulations" and substituting the following — Amendment of section 11.  
"rules".

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

P. T. KING,  
*Clerk of Councils.*

Assented to in Her Majesty's name this 21st day of January 1981.

R. M. HUNT,  
*Governor.*

LS

No. 2



1981

Colony of the Falkland Islands

IN THE TWENTY-NINTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

REX MASTERMAN HUNT, C.M.G.  
*Governor.*

### An Ordinance

To amend the Stanley Common Ordinance 1963. Title.

(26th January 1981)

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited as the Stanley Common (Amendment) Ordinance 1981. Short title.

2. Section 2 of the principal Ordinance is amended by inserting after "west" the following —  
"and Cape Pembroke Peninsula". Amendment of section 2. (7 of 1963)

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

P. T. KING,  
*Clerk of Councils.*



Assented to in Her Majesty's name this 21st day of January 1981.

R. M. HUNT,  
*Governor.*

LS

No. 3



1981

Colony of the Falkland Islands

IN THE TWENTY-NINTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**  
REX MASTERMAN HUNT, C.M.G.  
*Governor.*

### An Ordinance

To amend the Interpretation and General  
Clauses Ordinance 1977. Title.

(11th July 1977)

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited as the Interpretation and General Clauses (Amendment) Ordinance 1981 and shall be deemed to have come into operation on the 11th day of July 1977.

Short title and commencement.

2. Section 81A of the principal Ordinance is amended in subsection (1) by deleting the following —

Amendment of section 81A.

“common law and the”.

(14 of 1977)

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

P. T. KING,  
*Clerk of Councils.*

Assented to in Her Majesty's name this 21st day of January 1981.

R. M. HUNT,  
*Governor.*

LS

No. 4



1981

Colony of the Falkland Islands

IN THE TWENTY-NINTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

REX MASTERMAN HUNT, C.M.G.  
*Governor.*

### An Ordinance

To amend the Registration of United Kingdom  
Patents Ordinance. Title.

(26th January 1981)

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited as the Registration of United Kingdom Patents (Amendment) Ordinance 1981. Short title.

2. Section 6 of the principal Ordinance is amended —

Amendment of section 6.  
(Cap. 58)

- (a) by being renumbered as subsection (1) thereof;
- (b) by deleting "date of the patent" and substituting the following —  
"commencement of the term of the patent";
- (c) in the proviso by inserting after "Provided that" the following —  
"subject to subsection (2) of this section"; and
- (d) by inserting the following new subsection —

"(2) Where a certificate of registration in the Colony has been issued not more than six months after the grant of the patent in the United Kingdom an action for infringement may also be brought in respect of any manufacture, use or sale of the invention in the Colony after the date of publication of the application for the patent in the

(1977 c. 37)

United Kingdom in like manner and subject to the same conditions and restrictions applying to proceedings in the United Kingdom by virtue of section 69 of the Patents Act 1977."

Amendment of section 9.

3. Section 9 of the principal Ordinance is amended by deleting "by way of disclaimer, correction or explanation."

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

P. T. KING,  
*Clerk of Councils.*

Assented to in Her Majesty's name this 22nd day of June 1981.

R. M. HUNT,  
*Governor.*

LS

No. 5

1981



Colony of the Falkland Islands

IN THE THIRTIETH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**  
REX MASTERMAN HUNT, C.M.G.  
*Governor.*

### An Ordinance

To provide for the service of the year 1981-82. Title.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited for all purposes as the Short title.  
Appropriation (1981-82) Ordinance 1981.

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 1981 to 30th June 1982, a sum not exceeding Three million, four hundred and fifty-four thousand, one hundred and ninety-five 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 1981-82.

Appropriation of  
£3,454,195 for the service  
of the year 1981-82.

## SCHEDULE

Number	HEAD OF SERVICE	£
I.	The Governor ... ..	41,540
II.	Agriculture ... ..	27,572
III.	Aviation ... ..	283,763
IV.	Customs and Harbour ... ..	57,283
V.	Education ... ..	256,274
VI.	Medical ... ..	269,772
VII.	Meteorological ... ..	18,269
VIII.	Military ... ..	7,827
IX.	Miscellaneous ... ..	41,128
X.	Pensions and Gratuities ... ..	78,294
XI.	Police and Prisons ... ..	35,463
XII.	Posts and Telecommunications ... ..	280,316
XIII.	Public Works ... ..	303,077
XIV.	Public Works Recurrent ... ..	243,520
XV.	Public Works Special ... ..	51,410
XVI.	Secretariat, Treasury and Central Store ... ..	184,268
XVII.	Overseas Passages ... ..	115,134
XVIII.	Social Welfare ... ..	76,102
XIX.	Supreme Court and Legal ... ..	28,992
XX.	Training ... ..	11,000
Total Ordinary Expenditure ... ..		2,411,004
Development A		
	Expenditure to be met from Colony funds ... ..	485,191
Development B		
	Expenditure to be met from U.K. Aid ... ..	533,000
TOTAL ORDINARY AND DEVELOPMENT EXPENDITURE ... ..		3,429,195
XXI.	Transfer to Development Fund ... ..	25,000
TOTAL EXPENDITURE ... ..		£ 3,454,195

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.

R. BROWNING,  
*Clerk of Councils.*

Ref. TRE/14/16.

Assented to in Her Majesty's name this 22nd day of June 1981.

R. M. HUNT,  
*Governor.*

LS



No. 6

1981

Colony of the Falkland Islands

IN THE THIRTIETH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

REX MASTERMAN HUNT, C.M.G.  
*Governor.*

### An Ordinance

To legalise certain payments made in the year 1979-80 in excess of the Expenditure sanctioned by Ordinance No. 6 of 1979. Title.

WHEREAS it is expedient to make further provision for the service of the Colony for the period 1st July 1979 to 30th June 1980. Preamble.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited for all purposes as the Supplementary Appropriation (1979-80) Ordinance 1981. Short title.

2. The sums of money set forth in the Schedule hereto having been expended for the services herein mentioned beyond the amounts granted for those services by the Ordinance providing for the service for the period 1st July 1979 to 30th June 1980, 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 1979 to 30th June 1980.

# SCHEDULE

Number	HEAD OF SERVICE	Amount
FALKLAND ISLANDS		
III.	Aviation ... ..	87,913
IX.	Miscellaneous ... ..	337
X.	Pensions and Gratuities ... ..	8,474
XII.	Posts and Telecommunications ... ..	7,435
XVI.	Secretariat, Treasury and Central Store ... ..	18,350
XIX.	Supreme Court and Legal ... ..	4,567
XXI.	Transfer to Oil Stocks Replacement Fund ... ..	80,000
	Transfer to Development Fund ... ..	82,733
		<b>£ 289,809</b>

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.

R. BROWNING,  
*Clerk of Councils.*

Ref. TRE/14/14.

Assented to in Her Majesty's name this 22nd day of June 1981.

R. M. HUNT,  
*Governor.*



No. 7

1981

Colony of the Falkland Islands

IN THE THIRTIETH YEAR OF THE REIGN OF

**Her Majesty Queen Elizabeth II.**

REX MASTERMAN HUNT, C.M.G.  
*Governor.*

## An Ordinance

To facilitate the borrowing of money on the security of farming stock and other agricultural assets, and for purposes connected therewith. Title.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited as the Agricultural Loans Ordinance 1981. Short title.

2. (1) It shall be lawful for a farmer as defined by this Ordinance by instrument in writing to create in favour of an authorised lender as so defined a charge (hereinafter referred to as an agricultural charge) on all or any of the farming stock and other agricultural assets belonging to him as security for sums advanced or to be advanced to him or paid or to be paid on his behalf by the authorised lender and interest, commission and charges thereon. Agricultural charges on farming stock and assets.

(2) An agricultural charge may be either a fixed charge, or a floating charge, or both a fixed and a floating charge.

(3) The property affected by a fixed charge shall be such property forming part of the farming stock and other agricultural assets belonging to the farmer at the date of the charge as may be specified in the charge, but may include —

(a) in the case of live-stock, any progeny thereof which may be born after the date of the charge; and



- (b) in the case of agricultural plant, any plant which may whilst the charge is in force be substituted for the plant specified in the charge.

(4) The property affected by a floating charge shall be the farming stock and other agricultural assets from time to time belonging to the farmer, or such part thereof as is mentioned in the charge.

(5) The principal sum secured by an agricultural charge may be either a specified amount, or a fluctuating amount not exceeding at any one time such amount (if any) as may be specified in the charge.

(6) An agricultural charge may be in such form and made upon such conditions as the parties thereto may agree, and sureties may be made parties thereto.

(7) For the purposes of this Ordinance —

“Farmer” means any person (not being an incorporated company or society) who, as tenant or owner of an agricultural holding, cultivates the holding for profit; and “agriculture” and “cultivation” shall be deemed to include horticulture, and the use of land for any purpose of husbandry, inclusive of the keeping or breeding of live-stock, poultry or bees, and the growth of fruit, vegetables, and the like;

“authorised lender” means the Government of the Colony of the Falkland Islands or any firm, incorporated company, or society approved by the Governor in Council;

“Farming stock” means crops or horticultural produce, whether growing or severed from the land, and after severance whether subjected to any treatment or process of manufacture or not; live-stock, including poultry and bees, and the produce and progeny thereof; any other agricultural or horticultural produce whether subjected to any treatment or process of manufacture or not; seeds and manures; agricultural vehicles, machinery, and other plant; agricultural tenant’s fixtures and other agricultural fixtures which a tenant is by law authorised to remove;

“Other agricultural assets” means any right of a tenant to compensation under any enactment for improvements, damage by game, disturbance or otherwise, and any other tenant right.

Effect of fixed charge.

3. (1) A fixed charge shall, so long as the charge continues in force, confer on the authorised lender the following rights and impose upon the authorised lender the following obligations, that is to say —

- (a) a right, upon the happening of any event specified in the charge as being an event authorising the seizure of property subject to the charge, to take possession of any property so subject;
- (b) where possession of any property has been so taken, a right, after an interval of thirty clear days or such less time as may be allowed by the charge, to sell the property either by an auction or, if the charge so provides, by private treaty, and either for a lump sum payment or payment by instalments;
- (c) an obligation, in the event of such power of sale being exercised, to apply the proceeds of sale in or towards the discharge of the moneys and liabilities secured by the charge, and the cost of seizure and sale, and to pay the surplus (if any) of the proceeds to the farmer.

(2) A fixed charge may by express provision to that effect in the instrument creating such charge and shall in the case of a floating charge that has become a fixed charge by virtue of section four of this Ordinance impose on the farmer during the existence of the charge the following obligations —

- (a) an obligation whenever he sells any of the property, or receives any money in respect of other agricultural assets comprised in the charge, forthwith to pay to the authorised lender the amount of the proceeds of the sale or the money so received, except to such extent as the charge otherwise provides or the authorised lender otherwise allows; the sums so paid to be applied, except so far as otherwise agreed, by the authorised lender in or towards the discharge of moneys and liabilities secured by the charge;
- (b) an obligation in the event of the farmer receiving any money under any policy of insurance on any of the property comprised in the charge, or any money paid by way of compensation under any enactment in respect of the destruction of any livestock comprised in the charge, or by way of compensation under any enactment in respect of the destruction of any crops comprised in the charge, forthwith to pay the amount of the sums so received to the authorised lender, except to such extent as the charge otherwise provides or the authorised lender otherwise allows; the sums so paid to be applied, except so far as otherwise agreed by the authorised lender in or towards the discharge of the moneys and liabilities secured by the charge.

(3) Subject to compliance with the obligations so imposed a fixed charge shall not prevent the farmer selling any of the property subject to the charge, and neither the purchaser, nor in the case of a sale by auction, the auctioneer, shall be concerned to see that such obligations are complied with notwithstanding that he may be aware of the existence of the charge.

(4) Where any proceeds of sale which in pursuance of such obligation as aforesaid ought to be paid to the authorised lender are paid to some other person, nothing in this Ordinance shall confer on the authorised lender a right to recover such proceeds from that other person unless the authorised lender proves that such other person knew that the proceeds were paid to him in breach of such obligation as aforesaid, but such other person shall not be deemed to have such knowledge by reason only that he has notice of the charge.

4. An agricultural charge creating a floating charge shall have the like effect as if the charge had been created by a duly registered debenture issued by a company:

Effect of floating charge.

Provided that —

- (a) the charge shall become a fixed charge upon the property comprised in the charge as existing at the date of its becoming a fixed charge —
  - (i) upon a receiving order in bankruptcy being made against the farmer;
  - (ii) upon the death of the farmer;
  - (iii) upon the dissolution of partnership in the case where the property charged is partnership property;
  - (iv) upon notice in writing to that effect being given by the authorised lender on the happening of any event which by virtue of the charge confers on the authorised lender the right to give such a notice;
- (b) the farmer, whilst the charge remains a floating charge may by express provision to that effect in the instrument creating such charge be subject to an obligation to pay over to the authorised lender the amount received by him by way of proceeds of sale, in respect of other agricultural assets, under policies of insurance, or by way of compensation, and the last foregoing section shall apply accordingly; Provided that if so provided by the instrument creating the

charge it shall not be necessary for a farmer to comply with such obligation if and so far as the amount so received is expended by him in the purchase of farming stock which on purchase becomes subject to the charge.

Supplemental provisions  
as to agricultural charges.

5. (1) An agricultural charge shall have effect notwithstanding anything in the Bills of Sale Acts, 1878 and 1882, and shall not be deemed to be a bill of sale within the meaning of those Acts.

(2) Agricultural charges shall in relation to one another have priority in accordance with the times at which they are respectively registered under this Ordinance.

(3) Where an agricultural charge creating a floating charge has been made, an agricultural charge purporting to create a fixed charge on, or a bill of sale comprising any of the property comprised in the floating charge shall, as respects the property subject to the floating charge, be void so long as the floating charge remains in force.

(4) Farming stock subject to an agricultural charge shall not for the purposes of section thirty-eight of the Bankruptcy Act, 1914, be deemed to be goods in the possession, order, or disposition of the farmer, in his trade or business, by the consent and permission of the true owner thereof under such circumstances that he is the reputed owner thereof.

(5) Where a farmer who is adjudged bankrupt has created in favour of a bank an agricultural charge on any of the farming stock or other agricultural assets belonging to him, and the charge was created within three months of the date of the presentation of the bankruptcy petition and operated to secure any sum owing to the authorised lender immediately prior to the giving of the charge, then, unless it is proved that the farmer immediately after the execution of the charge was solvent, the amount which but for this provision would have been secured by the charge shall be reduced by the amount of the sum so owing to the authorised lender immediately prior to the giving of the charge, but without prejudice to the authorised lender's right to enforce any other security for that sum or to claim payment thereof as an unsecured debt.

(6) Where after the passing of this Ordinance the farmer has mortgaged his interest in the land comprised in the holding, then, if growing crops are included in an agricultural charge, the rights of the authorised lender under the charge in respect of the crops shall have priority to those of the mortgagee, whether in possession or not, and irrespective of the dates of the mortgage and charge.

(7) An agricultural charge shall be no protection in respect of property included in the charge which but for the charge would have been liable to distress for rent, taxes, or rates.

Registration of agricultural  
charges.

6. (1) Every agricultural charge shall be registered under this Ordinance within twenty-eight clear days after the execution thereof, and, if not so registered, shall be void as against any person other than the farmer:

Provided that the Supreme Court on proof that omission to register within such time as aforesaid was accidental or due to inadvertence may extend the time for registration on such terms as the Court thinks fit.

(2) The Registrar General shall keep a register of agricultural charges in such form and containing such particulars as may be prescribed.

(3) Registration of an agricultural charge shall be effected by sending by post or delivering to the Registrar General a copy or memorandum of the instrument creating the charge and such particulars of the charge as may be prescribed, together with any prescribed fee; and the Registrar General shall enter the particulars in the register and shall file the copy or memorandum.

(4) The register kept and the copies or memoranda filed under this section shall at all reasonable times be open to inspection by any person on payment (except where the inspection is made by or on behalf of an authorised lender) of any prescribed fee, and any person inspecting the register or any such filed copy or memorandum on payment (except as aforesaid) of any prescribed fee may make copies or extracts therefrom.

(5) Any person may on payment of any prescribed fee require to be furnished with a copy of any entry in the register or of any filed copy or memorandum or any part thereof certified to be a true copy by the Registrar General.

(6) Registration of an agricultural charge may be proved by the production of a certified copy of the entry in the register relating to the charge, and a copy of any entry purporting to be certified as a true copy by the Registrar General shall in all legal proceedings be evidence of the matters stated therein without proof of the signature or authority of the person signing it.

(7) Registration of an agricultural charge under this section shall be deemed to constitute actual notice of the charge, and of the fact of such registration, to all persons and for all purposes connected with the property comprised in the charge, as from the date of registration or other prescribed date, and so long as the registration continues in force:

Provided that, where an agricultural charge created in favour of an authorised lender is expressly made for securing a current account or other further advances, the authorised lender, in relation to the making of further advances under the charge, shall not be deemed to have notice of another agricultural charge by reason only that it is so registered if it was not so registered at the time when the first-mentioned charge was created or when the last search (if any) by or on behalf of the authorised lender was made, whichever last happened.

(8) The Governor in Council may make regulations prescribing anything which under this section is to be prescribed and generally as to the keeping of the register and the filing of memoranda, the removal of entries from the register on proof of discharge, and the rectification of the register.

7. (1) It shall not be lawful to print for publication or publish any list of agricultural charges.

Restriction on publication  
of agricultural charges.

(2) If any person acts in contravention of this section, he shall in respect of each offence be liable on summary conviction to a fine not exceeding £200:

Provided that no person other than a proprietor, editor, master printer, or publisher, shall be liable to be convicted under this section.

(3) No prosecution for an offence under this section shall be commenced without the consent of the Governor in Council.

(4) For the purpose of this section, "publication" means the issue of copies to the public, and "publish" has a corresponding meaning, and without prejudice to the generality of the foregoing definition the confidential notification by an association representative of a particular trade to its members trading or carrying on business in the district in which property subject to an agricultural charge is situate of the creation of the charge shall not be deemed to be publication for the purposes of this section.

8. If, with intent to defraud, a farmer who has created an agricultural charge —

Frauds by farmers.

(a) fails to comply with the obligations imposed by this Ordinance as to the payment over to the authorised lender of any sums received by him by way of proceeds of sale, or in respect of other agricultural assets, or under a policy of insurance or by way of compensation; or

(b) removes or suffers to be removed from his holding any property subject to the charge;  
he shall be guilty of a misdemeanour and liable on conviction on indictment to a fine not exceeding £500 or imprisonment for a term not exceeding six months, or on second or subsequent offence to both fine and imprisonment.

Rights of tenants.

9. Any farmer being the tenant of an agricultural holding shall have the right to create an agricultural charge notwithstanding any provision in his contract of tenancy to the contrary.

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.

R. BROWNING,  
*Clerk of Councils.*

Ref. AGR/10/6.

Assented to in Her Majesty's name this 22nd day of June 1981.

R. M. HUNT,  
*Governor.*

LS



No. 8

1981

Colony of the Falkland Islands

IN THE THIRTIETH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

REX MASTERMAN HUNT, C.M.G.

*Governor.*

An Ordinance  
To amend the Road Traffic Ordinance.

Title.

(1st January 1982)

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited as the Road Traffic (Amendment) Ordinance 1981 and shall come into operation on the 1st day of January 1982.

Short title and commencement.

2. The principal Ordinance is amended by adding, after section 12, the following new sections —

Addition of new sections 12A and 12B.  
(Cap. 60)

"Wearing of protective headgear.  
1972 C.20 s.32.

12A. (1) The Governor in Council may make regulations requiring, subject to such exceptions as may be specified in the regulations, persons driving or riding (otherwise than in side-cars) on motor cycles of any class specified in the regulations to wear protective headgear of such description as may be so specified.

(2) Regulations under this section may make different provision in relation to different circumstances.

(3) Any person who drives or rides on a motor cycle in contravention of regulations under this section shall be guilty of an offence.

Protective helmets for motor cyclists.  
1972 C.20 s.33.

12B. (1) The Governor in Council may make regulations prescribing (by reference to shape, construction or any other quality) types of helmet recommended as affording protection to persons on or in motor cycles, or motor cycles of different classes, from injury in the event of accident.

FALKLAND ISLANDS

Printed at the Government Printing Office by V. T. King.

(2) If a person sells, or offers for sale, a helmet as a helmet for affording protection as aforesaid, and the helmet is neither —

- (a) of a type prescribed under this section, nor
- (b) of a type authorised under regulations made under this section and sold or offered for sale subject to any conditions specified in the authorisation,

he shall be guilty of an offence.”.

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.

R. BROWNING,  
*Clerk of Councils.*

Assented to in Her Majesty's name this 22nd day of June 1981.

R. M. HUNT,  
*Governor.*

LS

No. 9



1981

Colony of the Falkland Islands

IN THE THIRTIETH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**

REX MASTERMAN HUNT, C.M.G.  
*Governor.*

**An Ordinance  
To amend the Road Traffic Ordinance.**

(26th June 1981)

Title.

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited as the Road Traffic (Amendment) (No. 2) Ordinance 1981.

Short title.

2. Section 2 of the principal Ordinance is amended in the definition of "Road" by inserting after "boundary thereof" the following —

Amendment of section 2.  
(Cap. 60)

"and shall also include the Stanley to Darwin Road".

3. Section 8 of the principal Ordinance is amended by deleting subsection (3) and substituting the following —

Amendment of section 8.

"(3) drives a motor vehicle —

(a) on a road in Stanley at a speed greater than twenty-five miles per hour, or

(b) on a road outside the boundary of Stanley at a speed greater than fifty miles per hour; 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.

R. BROWNING,  
*Clerk of Councils.*

Assented to in Her Majesty's name this 22nd day of June 1981.

R. M. HUNT,  
*Governor.*



No. 10



1981

Colony of the Falkland Islands

IN THE THIRTIETH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**

REX MASTERMAN HUNT, C.M.G.  
*Governor.*

**An Ordinance**  
**To amend the Workmen's Compensation** Title.  
**Ordinance 1960.**

*(26th June 1981)*

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited as the Workmen's Compensation (Amendment) Ordinance 1981. Short title.

2. Section 2 of the principal Ordinance is amended in the proviso to the definition of "workman" in subsection (1) by the deletion therefrom of the words "(e) a member of the employer's family dwelling in his house; or". Amendment of section 2. (1 of 1960)

—  
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.

R. BROWNING,  
*Clerk of Councils.*

Ref. LEG/10/1.



Assented to in Her Majesty's name this 22nd day of June 1981.

R. M. HUNT,  
*Governor.*



No. 11



1981

Colony of the Falkland Islands

IN THE THIRTIETH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

REX MASTERMAN HUNT, C.M.G.  
*Governor.*

### An Ordinance

To amend the Family Allowances Ordinance 1960. Title.

*(1st January 1982)*

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited as the Family Allowances (Amendment) Ordinance 1981 and shall come into operation on the 1st day of January 1982.

Short title and commencement.

2. Section 3 (2) of the Family Allowances Ordinance 1960 is amended by deleting "£3.00" and "£6.00" and substituting the following respectively —

Amendment of section 3.  
(9 of 1960)

"£3.50" and "£7.00".

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.

R. BROWNING,  
*Clerk of Councils.*

Ref. TRE/10/1.

Assented to in Her Majesty's name this 22nd day of June 1981.

R. M. HUNT,  
*Governor.*



No. 12



1981

Colony of the Falkland Islands

IN THE THIRTIETH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

REX MASTERMAN HUNT, C.M.G.  
*Governor.*

An Ordinance  
To amend the Old Age Pensions Ordinance 1952. Title.

(6th July 1981)

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited as the Old Age Pensions (Amendment) Ordinance 1981 and shall come into operation on the 6th day of July 1981. Short title and commencement.

2. Section 6 (2) of the principal Ordinance is amended — Amendment of section 6. (3 of 1952)
- (a) in paragraph (a) by deleting “£1.30” and substituting the following —  
“£1.50”;
  - (b) in paragraph (b) by deleting “£2.00” and substituting the following —  
“£2.30”; and
  - (c) in paragraph (c) by deleting “£3.30” and substituting the following —  
“£3.80”.

3. Section 6A (2) of the principal Ordinance is amended by deleting “£3.30” and substituting the following — Amendment of section 6A.  
“£3.80”.

Amendment of Schedule.

4. The Schedule to the principal Ordinance is amended by deleting "£16.50", "£11.00", "£11.00" and "£11.00" and substituting the following respectively —

"£19.50", "£13.00", "£13.00" and "£13.00".

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.

R. BROWNING,  
*Clerk of Councils.*

Ref. TRE/2/1.

Assented to in Her Majesty's name this 22nd day of June 1981.

R. M. HUNT,  
*Governor.*

LS



No. 13

1981

Colony of the Falkland Islands

IN THE THIRTIETH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

REX MASTERMAN HUNT, C.M.G.  
*Governor.*

### An Ordinance

To amend the Non-contributory Old Age Pensions Ordinance 1961. Title.

(6th July 1981)

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited as the Non-contributory Old Age Pensions (Amendment) Ordinance 1981 and shall come into operation on the 6th day of July 1981. Short title and commencement.

2. The Schedule to the principal Ordinance is amended by deleting "£13.50", "£10.00" and "£10.00" and substituting the following respectively — Amendment of Schedule.

"£16.00", "£12.00" and "£12.00".

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.

R. BROWNING,  
*Clerk of Councils.*

Ref. TRE/2/2.

Assented to in Her Majesty's name this 22nd day of June 1981.

R. M. HUNT,  
*Governor.*



No. 14



1981

Colony of the Falkland Islands

IN THE THIRTIETH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**  
REX MASTERMAN HUNT, C.M.G.  
*Governor.*

**An Ordinance  
To amend the Estate Duty Ordinance.**

*(15th June 1981)*

Title.

Date of commencement.

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited as the Estate Duty (Amendment) Ordinance 1981, and shall come into operation on the 15th day of June 1981.

Short title and commencement.

2. Section 4 of the principal Ordinance is amended in subsection (1) by deleting "£5,000" and substituting the following —  
"£15,000".

Amendment of section 4.  
(Cap. 25)

Repeal and replacement  
of Schedule.

3. The Schedule to the principal Ordinance is repealed and replaced by the following new Schedule —

"SCHEDULE  
RATE OF ESTATE DUTY (s. 4 (1))

Where the principal value of the estate £		Estate duty shall be payable at the rate per cent of	
Exceeds 15,000 and does not exceed 17,500	...	...	3
Exceeds 17,500 and does not exceed 20,000	...	...	4
Exceeds 20,000 and does not exceed 25,000	...	...	5
Exceeds 25,000 and does not exceed 30,000	...	...	6
Exceeds 30,000 and does not exceed 35,000	...	...	7
Exceeds 35,000 and does not exceed 40,000	...	...	8
Exceeds 40,000 and does not exceed 50,000	...	...	9
Exceeds 50,000	...	...	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.

R. BROWNING,  
*Clerk of Councils.*

Assented to in Her Majesty's name this 22nd day of June 1981.

R. M. HUNT,  
*Governor.*

LS



No. 15 1981

Colony of the Falkland Islands

IN THE THIRTIETH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

REX MASTERMAN HUNT, C.M.G.  
*Governor.*

An Ordinance  
To amend the Road Traffic Ordinance.

(1st January 1982)

ENACTED by the Legislature of the Colony of the Falkland Islands.

1. This Ordinance may be cited as the Road Traffic (Amendment) (No. 3) Ordinance 1981 and shall come into operation on the 1st day of January 1982.

2. Section 4 of the principal Ordinance is amended by deleting subsection (1) and substituting the following —

"(1) There shall be charged, levied and paid in respect of every motor vehicle or trailer (except those mentioned in subsection (3)) used on a road, duty at the following rates —

	Annual rates
Motor cycles	£4.00.
Cars/Landrovers/Vans	£10.00.
Lorries/Tractors and other heavy vehicles	£16.00.
Trailers	£1.00.

It shall be lawful for the Legislative Council from time to time by resolution to vary the rates imposed by this subsection."

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.

R. BROWNING,  
*Clerk of Councils.*



Assented to in Her Majesty's name this 8th day of April 1981.

R. M. HUNT,  
*Governor.*



No. DS 1



1981

Falkland Islands Dependencies

IN THE THIRTIETH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

REX MASTERMAN HUNT, C.M.G.  
*Governor.*

An Ordinance

To apply certain Laws of the Colony 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 —

1. This Ordinance may be cited as the Application of Colony Laws Ordinance 1981 and shall come into operation on the 8th day of April 1981.

Short title and commence-  
ment

2. The Ordinances of the Colony specified in the first and second columns of the Schedule to this Ordinance are applied to the Dependencies, subject to such adaptations, qualifications and exceptions as local circumstances may render necessary.

Application of Colony  
Ordinances.

SCHEDULE

(Section 2)

Number	Short title
1 of 1979	Maintenance Orders (Reciprocal Enforcement) Ordinance 1979
5 of 1979	Pensions (Amendment) Ordinance 1979
1 of 1980	Income Tax (Amendment) Ordinance 1980 (except sections 2 (b), 4, and 11 (a))
8 of 1980	Income Tax (Amendment) (No. 2) Ordinance 1980
4 of 1981	Registration of United Kingdom Patents (Amendment) Ord., 1981

Promulgated by the Governor on the 8th day of April 1981.

F. E. BAKER,  
*Chief Secretary.*

Ref. LEG/10/37.

# FALKLAND ISLANDS

## POST OFFICE ORDINANCE

(Chapter 52)

### POST OFFICE ORDER 1981

No. 1 of 1981.

R. M. HUNT,  
*Governor.*

IN EXERCISE of the powers conferred by Section 4 of the Post Office Ordinance the Governor in Council has made the following order — Cap. 52.

1. This order may be cited as the Post Office Order 1981. Short title.

2. Unless the context otherwise requires — Definitions.

“aerogramme” means an airmail letter consisting of a single sheet of paper suitably folded and gummed on all sides, as approved by the Post Office;

“inland” means the Colony of the Falkland Islands, its Dependencies and the British Antarctic Territory; and

“printed paper” means a document which is produced by some mechanical process other than typewriting.

3. The rates of postage on the various categories of postal matter shall be as shown in the First, Second and Third Schedules to this Order and shall be effective from and after the dates shown thereon. Postage rates.

4. The maximum weight for the following postal articles, for any destination, shall be — Weight limitations.

(a) Letters	...	...	...	...	4lb.
(b) Printed papers	...	...	...	...	4lb.
(c) Small packets	...	...	...	...	2lb.
(d) Literature for the blind	...	...	...	...	15lb.
(e) Postal parcels	...	...	...	...	22lb.

5. (1) Aerogrammes will only be accepted when written on the authorised form. Aerogrammes.

(2) An aerogramme shall not contain any enclosure.

6. (1) A class of postal packets called ‘small packets’ is authorised with the object of affording facilities, in the international service, for the transmission of small articles of merchandise in the letter mails. The exchange of small packets is limited to those countries which have agreed to participate in the service. Small packets.

(2) The prohibitions applicable to letter post shall apply also to the service of small packets. In addition, the following shall be specially excluded from transmission in small packets —

- (a) letters, notes or documents having the character of actual and personal correspondence including tapes, discs or wires bearing recordings of current and personal messages (this prohibition shall not apply to open invoices reduced to the simplest form, the address of the addressee, the description of the article and the sender’s address);
- (b) coins;
- (c) banknotes;
- (d) currency notes;
- (e) negotiable instruments payable to bearer;
- (f) platinum, gold or silver, manufactured or not;
- (g) precious stones;
- (h) jewels and other valuable articles; and
- (i) postage stamps, whether obliterated or not.

(3) Small packets shall be packed in such a manner as to be easily examined. In addition, the name and address of the sender shall be shown on the outside of the packet and each packet shall be conspicuously marked SMALL PACKET in the top left-hand corner.

(4) Small packets may be registered but not insured.

Exemptions from postage.

7. The following letters shall not be subject to any postage —

- (a) letters on official business, posted in the Colony of the Falkland Islands or its Dependencies, from a department of the Government, including the Government Savings Bank, marked ON HER MAJESTY'S SERVICE and bearing in the lower left-hand corner the departmental stamp; and
- (b) letters on postal business posted in the Colony of the Falkland Islands or its Dependencies.

Unpaid or underpaid postage.

8. (1) Where the postage payable on any postal packet has not been prepaid or has not been fully prepaid, the following surcharge shall be payable —

- (a) in the case of an overseas postal packet, the surcharge calculated according to the Detailed Regulations of the Universal Postal Union; and
- (b) in the case of an inland postal packet, double the postage or double the deficiency as the case may be.

(2) An airmail packet on which no part, or part only, of the postage payable thereon has been paid may be dealt with as if it were not an airmail packet.

Undelivered parcels.

9. (1) Any parcel not collected within three months from the posting of a notification of arrival may be returned to the sender or otherwise disposed of as the Postmaster thinks fit.

(2) Any fee payable under this section shall be payable in cash in such manner as the Postmaster may direct.

Registration.

10. (1) The fees for registration shall be —

- (a) Inland ... .. 10p
- (b) Overseas ... .. 20p

(2) The fees for requesting advice of delivery of a registered or insured postal packet shall be —

- (a) applied for at the time of posting 10p
- (b) applied for after posting ... .. 12p

(3) The registration fee and the postage on a registered postal packet shall be prepaid.

(4) The maximum limit of compensation for the loss of a registered postal packet shall be —

- (a) Inland ... .. £5.00
- (b) Overseas ... .. £10.00.

Cash on delivery parcels.

11. (1) For cash on delivery parcels a fee of 10p for each parcel delivered in the Colony shall be payable and, in addition, there shall be a special fee calculated on the value of the trade charge at the rate of 4p for the first pound and 2p for each succeeding pound or part thereof.

(2) The trade charge on any one parcel shall not exceed £100.

Postal orders.

12. (1) The rates of poundage on British Postal Orders shall be —

Denomination		Poundage
20p to £1 (inclusive)	... ..	26p.
£2 to £10 (inclusive)	... ..	35p.

(2) The value of a postal order may be increased by affixing postage stamps not exceeding two in number and not exceeding a total of 4½p in value:

Provided that no payment shall be made by or on behalf of the Postmaster in respect of —

- (a) a stamp not affixed in the space provided for the purpose on the postal order; or
- (b) a stamp which is not a stamp for the time being authorised or required to be used for the purpose of the Post Office; or
- (c) a stamp which has been cut out of any postal packet, document, instrument, envelope or other cover, or which is perforated with initials or marks.

13. (1) The fee for insurance shall be 12p for the first £14 of the declared value and 7p for every additional £14 or part thereof. Insurance.

(2) The insurance service shall be restricted to letters and parcels sent direct to the United Kingdom.

(3) The maximum insured value permitted shall not exceed £100.

14. The sender of a parcel or of a small packet referred to in this Order addressed to a place outside the Colony must make a customs declaration stating the full address, the nature, value and the net weight of the contents. Customs declaration.

15. The postage rates on all categories of mail addressed to Argentina shall be the same as those specified for the inland service. Postage rates to Argentina.

16. The Post Office Order 1976 is hereby rescinded. Rescission.

#### FIRST SCHEDULE

Section 3.

AIRMAIL RATES — To all countries.

Effective from and after 15th April 1981.

Letters	...	13p per ½ oz. or part thereof.
Postcards	...	10p.
Printed Papers	...	8p per ½ oz. or part thereof.
Small Packets	...	8p per ½ oz. or part thereof.
Aerogrammes, large	...	12p.
Aerogrammes, small	...	11p.
Air Parcels	}	Not over 1 lb. £2.85.
to the United Kingdom		Each additional 1 lb. or part thereof £1.50.

#### SECOND SCHEDULE

Section 3.

SURFACE MAIL RATES — To all countries.

Effective from and after 15th April 1981.

Not over	Letters	Printed Papers	Small Packets
1 oz.	11 p.	6 p.	—
4 oz.	26 p.	12 p.	12 p.
8 oz.	53 p.	22 p.	22 p.
1 lb.	101 p.	40 p.	40 p.
2 lb.	176 p.	66 p.	66 p.
4 lb.	286 p.	92 p.	—
Postcards	...	...	8 p.
Literature for the blind	...	...	free.

Parcels — Direct to the United Kingdom				
Not over 2 lb.	...	...	...	£2.75
Not over 7 lb.	...	...	...	£3.95
Not over 11 lb.	...	...	...	£5.20
Not over 22 lb.	...	...	...	£7.70.

Section 3.

THIRD SCHEDULE

INLAND RATES

Effective from and after 20th January 1981.

Not over	Letters	Printed Papers
1 oz.	3p.	—
2 oz.	6p.	3p.
4 oz.	8p.	4p.
8 oz.	15p.	6p.
1 lb.	28p.	11p.
2 lb.	48p.	18p.
4 lb.	78p.	26p.
Postcards	...	2p.
Literature for the blind	...	free.
Parcels		
Not over 2 lb.	...	15p.
Not over 4 lb.	...	25p.
Not over 7 lb.	...	30p.
Not over 11 lb.	...	40p.
Not over 22 lb.	...	75p.

Made by the Governor in Council this 20th day of January 1981.

P. T. KING,  
Clerk of Councils.

# FALKLAND ISLANDS

## MERCHANT SHIPPING

### The Merchant Shipping (Oil Pollution) (Falkland Islands) (Amendment) Order 1981 (Commencement No. 1) Order 1981.

No. 2 of 1981.

R. M. HUNT,  
Governor.

IN EXERCISE of the powers conferred by paragraph 2 of Part I of the Schedule to the Merchant Shipping (Oil Pollution) (Falkland Islands) (Amendment) Order 1981, the Governor has made the following order —

1. This Order may be cited as the Merchant Shipping (Oil Pollution) (Falkland Islands) (Amendment) Order 1981 (Commencement No. 1) Order 1981. Citation.

2. Part I of the Schedule to the Merchant Shipping (Oil Pollution) (Falkland Islands) (Amendment) Order 1981 shall come into force on the 8th day of April 1981. Commencement of Part I of Schedule.

31st March 1981.

By Command,  
F. E. BAKER,  
Chief Secretary.

STATUTORY INSTRUMENTS

1981 No. 218

**MERCHANT SHIPPING**

**The Merchant Shipping (Oil Pollution) (Falkland Islands)  
(Amendment) Order 1981**

*Made - - - - 18th February 1981*

*Laid before Parliament 26th February 1981*

*Coming into Operation 20th March 1981*

At the Court at Buckingham Palace, the 18th day of February 1981

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by section 18(1) of the Merchant Shipping (Oil Pollution) Act 1971(a), section 20(1) of the Merchant Shipping Act 1974(b), section 38(5) of the Merchant Shipping Act 1979(c) and section 738(1) of the Merchant Shipping Act 1894(d), and 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. This Order may be cited as the Merchant Shipping (Oil Pollution) (Falkland Islands) (Amendment) Order 1981 and shall come into operation on 20th March 1981.

2. The Merchant Shipping (Oil Pollution) (Falkland Islands) Order 1975(e) shall have effect subject to the amendments specified in the Schedule hereto.

N. E. LEIGH,  
*Clerk of the Privy Council.*

**SCHEDULE**

**Article 2**

**PART I**

**1. In Schedule I to the Order —**

**(1) In section 4 —**

(a) for the words "2,000 gold francs" and "210 million gold francs" in subsection (1)(b) there shall be substituted respectively the words "133 special drawing rights" and "14 million special drawing rights"; and

(b) subsections (3) to (5) shall cease to have effect.

**(2) In section 5, after subsection (2) there shall be inserted the following subsection —**

**(2A) A payment into court of the amount of a limit determined in pursuance of this section shall be made in sterling and —**

(a) for the purposes of converting such an amount from special drawing rights into sterling one special drawing right shall be treated as equal to such a sum in sterling as the International Monetary Fund have fixed as being the equivalent of one special drawing right for —

(i) the day on which the determination is made, or

(ii) if no sum has been so fixed for that day, the last day before that day for which a sum has been so fixed;

(b) a certificate given by or on behalf of the Colonial Treasury stating —

(i) that a particular sum in sterling has been so fixed for the day on which the determination was made, or

(a) 1971 c. 59.

(b) 1974 c. 43.

(c) 1979 c. 39.

(d) 1894 c. 60.

(e) S.I. 1975/2167.



- (ii) that no sum has been so fixed for that day and that a particular sum in sterling has been so fixed for a day which is the last day for which a sum has been so fixed before the day on which the determination was made,

shall be conclusive evidence of those matters for the purposes of this Act;

- (c) a document purporting to be such a certificate shall, in any proceedings, be received in evidence and, unless the contrary is proved, be deemed to be such a certificate.

(3) For the purposes of sections 10(2) and 11(1) references in Article VII of the International Convention on Civil Liability for Oil Pollution Damage signed in Brussels in 1969 to Article V of the Convention shall be construed as references to Article V as amended by Article II of the protocol dated 19th November 1976 to the Convention; and in section 14(2) for the words "Article V thereof" there shall be substituted the words "Article V of the Convention as amended by Article II of the protocol dated 19th November 1976 to the Convention".

2. The amendments to the Act specified in this Part of this Schedule shall come into force on such day as the Governor may by Order appoint.

## PART II

1. In Schedule 2 to the Order —

- (1) Section 1(6) and (7) shall cease to have effect.

(2) In section 2(7)(a) and in section 4(10) after the words "the Fund Convention" there shall be inserted the words "(as amended by Article III of the protocol dated 19th November 1976 to that Convention)".

- (3) At the end of section 4 there shall be inserted the following subsection —

(13) Any steps taken to obtain payment of an amount or a reduced amount in pursuance of such a judgment as is mentioned in subsection (12) above shall be steps to obtain payment in sterling; and —

- (a) for the purpose of converting such an amount from special drawing rights into sterling one special drawing right shall be treated as equal to such a sum in sterling as the International Monetary Fund have fixed as being the equivalent of one special drawing right for —

- (i) the day on which the judgment is given, or  
(ii) if no sum has been so fixed for that day, the last day before that day for which a sum has been so fixed;

- (b) a certificate given by or on behalf of the Colonial Treasury stating —

- (i) that a particular sum in sterling has been so fixed for the day on which the judgment was given, or  
(ii) that no sum has been so fixed for that day and that a particular sum in sterling has been so fixed for a day which is the last day for which a sum has been so fixed before the day on which the judgment was given,

shall be conclusive evidence of those matters for the purposes of this Act;

- (c) a document purporting to be such a certificate shall, in any proceedings, be received in evidence and, unless the contrary is proved, be deemed to be such a certificate.

(4) In section 5(1)(a) and (b) for the words "1,500 francs" and "2,000 francs" there shall be substituted respectively the words "100 special drawing rights" and "133 special drawing rights" and for the words "125 million francs" and "210 million francs" there shall be substituted respectively the words "8,333,000 special drawing rights" and "14 million special drawing rights".

- (5) At the end of section 5 there shall be inserted the following subsection —

(8) For the purpose of converting into sterling the amount in special drawing rights adjudged to be payable by the Fund by way of indemnity in such proceedings as are mentioned in subsection (4) of this section, paragraphs (a) to (c) of subsection (13) of section 4 of this Act shall have effect —

- (a) if the liability in question has been limited in pursuance of section 5 of the Merchant Shipping (Oil Pollution) Act 1971(a), as if —

- (i) for the reference in the said paragraph (a) to the amount there mentioned there was substituted a reference to the amount adjudged as aforesaid, and

- (ii) for any reference to the day on which the judgment is or was given there were substituted a reference to the day on which the determination of the limit was made in pursuance of the said section 5; and

- (b) if the liability in question has not been so limited, with the modification made by paragraph (a)(i) of this subsection and as if for any reference to the day on which the judgment is or was given there were substituted a reference to the day on which the said amount was so adjudged.

- (6) In section 6(5)(a) after the words "as set out" there shall be inserted the words "as amended".

(7) In Schedule 1 to the Act for the words "450 million francs" wherever they occur there shall be substituted the words "30 million special drawing rights" and for the words "900 million francs" there shall be substituted the words "60 million special drawing rights".

2. The amendments to the Act specified in this Part of this Schedule shall come into force on such day as the Governor may by Order appoint and such Order may contain such transitional provisions as the Governor considers appropriate.

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order amends the Merchant Shipping (Oil Pollution) (Falkland Islands) Order 1975, which extended to the Falkland Islands with the necessary adaptations, the provisions of the Merchant Shipping (Oil Pollution) Act 1971 and the provisions of Parts I and V of, and of Schedule 1 to, the Merchant Shipping Act 1974. It takes into account the amendment of these Acts in the United Kingdom by section 38 of the Merchant Shipping Act 1979. The Order gives effect in the Falkland Islands to the Protocol of 19th November 1976 to the International Convention on Civil Liability for Oil Pollution Damage of 29th November 1969 (Cmd. 7028) and the Protocol of 19th November 1976 to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage of 18th December 1971 (Cmd. 7029). The Protocols substitute special drawing rights for gold francs as the unit of account to be used in connection with each Convention.

# FALKLAND ISLANDS

## DOGS ORDINANCE

(Chapter 21)

### Hydatid Eradication (Dogs) Order 1981

No. 3 of 1981.

R. M. HUNT,  
*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 Hydatid Eradication (Dogs) Order 1981 and shall come into operation on the 1st day of July 1981.

2. In this order, unless the context otherwise requires —

“carcass” means the skinned or unskinned body of an herbivorous animal;

“herbivorous animal” shall include sheep, pigs, cattle, horses and guanaco.

3. The Governor may appoint a Chief Inspector and any number of Inspectors for the purpose of this order.

4. The owner or any person in charge of a dog shall be supplied, at cost price, only with such doses of a preparation as may be obtained from and administered by or under the direction of an Inspector or a resident Veterinary Surgeon and which shall be administered to the dog in his charge at such intervals and in such manner as specified by the Governor in Council.

5. An Inspector shall have the power to inspect any dog at any reasonable time.

6. The owner or any person in charge of a dog shall ensure that it is confined or securely tethered unless being worked or exercised under direct supervision.

7. The owner or any person in charge of a dog shall ensure that it is kept in a proper state of health and cleanliness.

8. Within the area of a settlement no carcass of any herbivorous animal shall be opened except in a place which is constructed in such a way as to prevent access by dogs and which has a drain constructed in such a way as to deny access to dogs, cats and birds. At an outside shepherd's house or other place outside a settlement, no carcass shall be opened except in a place as defined in the foregoing sentence without the written permission of the Chief Inspector. If the owner, lessee or tenant of any premises wishes to slaughter any herbivorous animal, he shall be liable to provide facilities to comply with this provision without delay and in any event within twelve months of the coming into operation of this order.

9. When an extraordinary number of herbivorous animals are slaughtered, the carcasses shall be stacked either in a dog-proof enclosure for a minimum of 28 days or at a place which has the written approval of the Chief Inspector.

10. No person shall feed or allow to be fed to any dog any liver, lung or heart of an herbivorous animal, nor shall any person allow any dog access to such liver, lung or heart of such animal.

11. Any person who opens the carcass of an herbivorous animal shall remove the liver, lungs and heart and shall dispose of them within an area to which access to dogs is prevented, preferably by burning to ash or by any other way approved in writing by the Chief Inspector.

12. It shall be the duty of any person who knows of a dead herbivorous animal within half a mile of a dwelling house to report its whereabouts without delay to the person responsible who shall, as soon as is practicable, arrange for the permanent disposal of such animal in such a way as to deny access to dogs.

13. The Governor in Council may grant special dispensation from any of the provisions of this order in certain circumstances.

14. The Chief Inspector or any Police Officer may, for the purpose of ascertaining adherence to the provisions of this order, at all reasonable times enter any land or premises.

15. Any person who obstructs or impedes any Police Officer or Inspector in the execution of his duty or contravenes any of the provisions of this order, shall commit an offence and shall be liable on summary conviction to a fine not exceeding £200 for a first offence or £500 for a second or each subsequent offence.

16. The Hydatid Eradication (Dogs) Order 1975 is cancelled.

13th May 1981.

Ref. AGR/10/4.

By Command,  
F. E. BAKER,  
Chief Secretary.

FALKLAND ISLANDS

POST OFFICE ORDINANCE  
(Chapter 52)

Post Office (Amendment) Order 1981

No. 4 of 1981.

F. E. BAKER,  
Acting Governor.

IN EXERCISE of the powers conferred by section 4 of the Post Office Ordinance the Acting Governor in Council has made the following order —

1. This order may be cited as the Post Office (Amendment) Order 1981. Citation.

2. Paragraph 4 of the principal Order is amended by deleting "22" and substituting the following —  
"44". Amendment of paragraph 4.  
(No. 1 of 1981)

3. The First, Second and Third Schedules to the principal Order are deleted and replaced by the following new Schedules — Replacement of Schedules.

" FIRST SCHEDULE

Paragraph 3.

AIRMAIL RATES — to all countries.

Effective from and after 15th April 1982.

Letters	...	...	17p per ½ oz. or part thereof.
Postcards	...	...	13p
Printed Papers	...	...	10p per ½ oz. or part thereof.
Small Packets	...	...	10p per ½ oz. or part thereof.
Aerogrammes, large	...	...	15p
Aerogrammes, small	...	...	14p
Air Parcels	Not over 1 lb. £3.55.		
to the United Kingdom	Each additional 1 lb. or part thereof £2.00.		

SECOND SCHEDULE

Paragraph 3.

SURFACE MAIL RATES — to all countries.

Effective from and after 15th April 1982.

Not over	Letters	Printed Papers	Small Packets
1 oz.	12 p.	6 p.	—
4 oz.	29 p.	13 p.	13 p.
8 oz.	58 p.	24 p.	24 p.
1 lb.	130 p.	43 p.	43 p.
2 lb.	192 p.	72 p.	72 p.
4 lb.	312 p.	101 p.	—
Postcards	...	...	8p.
Literature for the blind	...	...	free.

Parcels — direct to the United Kingdom.

Not over 2 lb.	...	...	£3.60
Not over 7 lb.	...	...	£5.05
Not over 11 lb.	...	...	£6.65
Not over 22 lb.	...	...	£9.65
Not over 33 lb.	...	...	£13.15
Not over 44 lb.	...	...	£16.70.

Paragraph 3.

### THIRD SCHEDULE

#### INLAND RATES

Effective from and after 1st November 1981.

Not over	Letters	Printed Papers
1 oz.	5 p.	—
4 oz.	12 p.	6 p.
8 oz.	24 p.	10 p.
1 lb.	46 p.	18 p.
2 lb.	80 p.	30 p.
4 lb.	130 p.	42 p.
Postcards ... ..	3p.	
Literature for the blind ...	free.	
Parcels.		
Not over 2 lb.	...	25 p.
Not over 7 lb.	...	50 p.
Not over 11 lb.	...	67 p.
Not over 22 lb.	...	125 p."

Made by the Acting Governor in Council this 2nd day of September 1981.

R. BROWNING,  
*Clerk of Councils.*

Ref. P & T/2/9.

## FALKLAND ISLANDS

# PROCLAMATION

No. 1 of 1981

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.

By HIS EXCELLENCY REX MASTERMAN HUNT, 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, and Vice-Admiral of the same.

WHEREAS it is provided by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders 1948 to 1977 that the sittings of the Legislative Council shall be held at such times and places as the Governor shall from time to time appoint by proclamation published in the Gazette:

NOW, THEREFORE, I, REX MASTERMAN HUNT, do hereby PROCLAIM that the next sitting of the Legislative Council of the Falkland Islands shall be held at 10.00 o'clock in the forenoon of Wednesday, the 7th day of January 1981 at the Court and Council Chambers in the town of Stanley in the Falkland Islands.

Proclamation No. 5 of 1980 is hereby cancelled.

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, Falkland Islands this 6th day of January in the Year of Our Lord One thousand nine hundred and eighty-one.

LS

R. M. HUNT,  
*Governor.*

GOD SAVE THE QUEEN

Ref. LEG/35/1. II.

## FALKLAND ISLANDS

# PROCLAMATION

No. 2 of 1981

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.

BY HIS EXCELLENCY REX MASTERMAN HUNT, 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, and Vice-Admiral of the same.

WHEREAS it is provided by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders 1948 to 1977 that the sittings of the Legislative Council shall be held at such times and places as the Governor shall from time to time appoint by proclamation published in the Gazette:

NOW, THEREFORE, I, REX MASTERMAN HUNT, do hereby PROCLAIM that the next sitting of the Legislative Council of the Falkland Islands shall be held at 10.00 o'clock in the forenoon of Tuesday, the 9th day of June 1981 at the Court and Council Chambers in the town of Stanley in the Falkland Islands.

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, Falkland Islands this 15th day of May in the Year of Our Lord One thousand Nine hundred and eighty-one.



R. M. HUNT,  
*Governor.*

GOD SAVE THE QUEEN

Ref. LEG/35/1. II.

# PROCLAMATION

No. 3 of 1981

Made under Section 35 of the Customs Ordinance (Chapter 16)

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.

BY HIS EXCELLENCY REX MASTERMAN HUNT, 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, and Vice-Admiral of the same.

WHEREAS it is provided by section 35 of the Customs Ordinance that it shall be lawful for the Governor from time to time by proclamation to prohibit the importation, carriage coastwise or exportation of any goods whatsoever, and any such proclamation may prohibit importation, carriage coastwise or exportation until the revocation thereof, or during such period as may be specified therein, and may absolutely prohibit importation, carriage coastwise or exportation, or may prohibit importation, carriage coastwise or exportation except in compliance with any condition which may be specified in the proclamation, or importation from or exportation to any particular place named in the proclamation:

NOW, THEREFORE, I, REX MASTERMAN HUNT, do hereby PROCLAIM as follows—

1. Subject to paragraph 2 below, the importation and the exportation of the following things are hereby prohibited, namely —

- a live or dead animal of any of the kinds to which Schedule 1 to this Proclamation for the time being applies;
- a live or dead plant of any of the kinds to which Schedule 2 to this Proclamation for the time being applies;
- an item to which Schedule 3 to this Proclamation for the time being applies;

2. Paragraph 1 above does not apply to the importation or exportation of anything under and in accordance with the terms of a licence issued by the Governor.

3. Proclamation No. 2 of 1976 is hereby cancelled.

## SCHEDULES

### SCHEDULE 1.

#### Animals the Importation and Exportation of which are restricted

This Schedule applies to the following kinds of animal, namely —

#### PART I.

#### MAMMALS

1. All kinds of mammal except the kinds specified in the first column below —

<i>Excepted kind</i>					<i>Common name or names</i>	
					MARSUPIALS	
Macropus giganteus	...	...	...	...	Eastern grey kangaroo	
Macropus fuliginosus	...	...	...	...	Western grey kangaroo	
					INSECTIVORES	
Talpa europaea	...	...	...	...	Common European mole	
					RABBITS AND HARES	
Lepus capensis	...	...	...	...	Brown hare	
Oryctolagus cuniculus	...	...	...	...	European rabbit (otherwise known as domestic rabbit)	
					RODENTS	
Sciurus carolinensis	...	...	...	...	Grey squirrel	
Sciurus vulgaris	...	...	...	...	Eurasian red squirrel	
Castor canadensis	...	...	...	...	Canadian beaver	
Rattus norvegicus	...	...	...	...	Common rat (otherwise known as laboratory rat)	
Rattus rattus	...	...	...	...	Ship rat (otherwise known as black rat)	
Mus musculus	...	...	...	...	House mouse (otherwise known as laboratory mouse)	
Meriones unguiculatus	...	...	...	...	Clawed jird (otherwise known as Mongolian gerbil)	



Any domestic form of <i>Mesocricetus auratus</i>	...	Domestic golden hamster
Any domestic form of <i>Ondatra zibethicus</i>	...	Domestic muskrat (otherwise known as musquash)
<i>Cavia porcellus</i>	...	Domestic guinea pig
Any domestic form of <i>Chinchilla laniger</i>	...	Domestic chinchilla
<i>Myocastor coypus</i>	...	Domestic coypu (otherwise known as nutria)

#### CARNIVORES

<i>Canis familiaris</i>	...	Domestic dog
<i>Vulpes vulpes</i>	...	Common fox and silver fox
<i>Alopex lagopus</i>	...	Arctic fox
<i>Procyon lotor</i>	...	North American raccoon
<i>Procyon cancrivorus</i>	...	Crab-eating raccoon
<i>Mustela vison</i>	...	North American mink
<i>Mustela furo</i>	...	Domestic ferret
<i>Martes zibellina</i>	...	Sable
<i>Felis catus</i>	...	Domestic cat

#### SEALS

<i>Callorhinus ursinus</i>	...	Northern fur seal
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#### ODD-TOED UNGULATES

<i>Equus caballus</i>	...	Domestic horse
<i>Equus asinus</i>	...	Domestic donkey
<i>Equus caballus x asinus</i>	...	Mule and hinny

#### EVEN-TOED UNGULATES

Any domestic form of <i>Sus scrofa</i>	...	Domestic pig
<i>Lama glama</i>	...	Domestic llama
<i>Lama pacos</i>	...	Domestic alpaca
Any domestic form of <i>Camelus bactrianus</i>	...	Domestic bactrian camel
<i>Camelus dromedarius</i>	...	Arabian camel
<i>Dama dama</i>	...	European fallow deer
Any domestic form of <i>Rangifer tarandus</i>	...	Domestic reindeer
Any domestic form of <i>Bubalus bubalis</i>	...	Domestic water buffalo
<i>Bos taurus</i>	...	Domestic ox
<i>Bos indicus</i>	...	Domestic zebu
<i>Bos frontalis</i>	...	Domestic gayal
Any domestic form of <i>Bos grunniens</i>	...	Domestic yak
Any domestic form of <i>Capra hircus</i>	...	Domestic goat
<i>Ovis aries</i>	...	Domestic sheep

#### BIRDS

2. All kinds of bird except the kinds specified in the first column below —

#### WATERFOWL

Any domestic form of <i>Anser anser</i>	...	Domestic goose
Any domestic form of <i>Anser cygnoides</i>	...	Chinese goose
Any domestic form of <i>Cairina moschata</i>	...	Muscovy duck
Any domestic form of <i>Anas platyrhynchos</i>	...	Domestic duck

#### GAMEBIRDS

<i>Perdix perdix</i>	...	Common partridge
<i>Alectoris</i>	...	Partridges
<i>Lophortyx californica</i>	...	California quail
<i>Colinus virginianus</i>	...	Bobwhite quail
<i>Coturnix</i>	...	Quails
<i>Excalfactoria chinensis</i>	...	Painted quail (otherwise known as blue-breasted quail)
<i>Bambusicola thoracica</i>	...	Bamboo partridge
<i>Gallus gallus</i>	...	Red junglefowl and domestic fowl
<i>Rollulus roulroul</i>	...	Roulroul partridge
<i>Phasianus colchicus</i>	...	Common pheasant (otherwise known as ring-necked pheasant)

<i>Phasianus versicolor</i>	...	Green pheasant
<i>Lophura nycthemera</i>	...	Silver pheasant
<i>Syrnaticus reveesi</i>	...	Reeve's pheasant
<i>Chrysolophus</i>	...	Golden pheasants and Lady Amherst's pheasants
<i>Pavo cristatus</i>	...	Indian peacock (otherwise known as blue peacock)
<i>Numida</i>	...	Spotted guineafowls
<i>Guttera</i>	...	
<i>Acryllium</i>	...	Turkey
Any domestic form of <i>Meleagris gallopavo</i>	...	

#### CRANES

<i>Grus antigone</i>	...	Sarus crane
<i>Balearica pavonina</i>	...	Crowned crane

#### BUTTON QUAILS

<i>Turnix</i>	...	Button quails
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#### RAILS

<i>Laterallus leucopyrrhus</i>	...	Red and white crane
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#### PIGEONS AND DOVES

<i>Columba livia</i>	...	Domestic pigeon
<i>Streptopelia orientalis</i>	...	Rufous turtle dove
<i>Streptopelia bitorquata</i>	...	Javanese turtle dove
<i>Streptopelia decaocto</i>	...	Collared dove
<i>Streptopelia capicola</i>	...	Ring-necked dove (otherwise known as Cape dove)
<i>Streptopelia tranquebarica</i>	...	Red turtle dove
<i>Streptopelia chinensis</i>	...	Spotted dove
<i>Turtur chalcospilos</i>	...	Green-spotted wood dove
<i>Chalcophaps indica</i>	...	Green-winged dove
<i>Geopelia striata</i>	...	Barred dove
<i>Geopelia cuneata</i>	...	Diamond dove
<i>Ocyphaps lophotes</i>	...	Crested bronzewing
<i>Phaps chalcoptera</i>	...	Common bronzewing
<i>Phaps elegans</i>	...	Brush bronzewing
<i>Zenaida auriculata</i>	...	Eared dove
<i>Columbina</i>	...	Small America ground doves
<i>Scardafella</i>	...	

#### PARROTS

<i>Trichoglossus haematodus</i>	...	Rainbow lorikeet
<i>Cacatua sulphurea</i>	...	Lesser sulphur-crested cockatoo
<i>Cacatua moluccensis</i>	...	Salmon-crested cockatoo
<i>Cacatua roseicapilla</i>	...	Galah (otherwise known as roseate cockatoo)
<i>Ara ararauna</i>	...	Blue and yellow macaw
<i>Ara chloroptera</i>	...	Red and green macaw
<i>Nandayus nenday</i>	...	Black-headed conure
<i>Myiopsitta monachus</i>	...	Monk parakeet (otherwise known as quaker parakeet)
<i>Cyanoliseus patagonus</i>	...	Patagonian conure
<i>Forpus</i>	...	Parrotlets
<i>Brotogeris</i>	...	Small South America parakeets
<i>Poicephalus rueppellii</i>	...	Ruppell's parrot
<i>Agapornis cana</i>	...	Madagascan lovebird
<i>Agapornis taranta</i>	...	Black-winged lovebird
<i>Agapornis roseicollis</i>	...	Rosy-faced lovebird
<i>Agapornis fischeri</i>	...	Fischer's lovebird
<i>Agapornis personata</i>	...	Masked lovebird
<i>Agapornis lilianae</i>	...	Nyasa lovebird
<i>Agapornis nigrigenis</i>	...	Black-cheeked lovebird
<i>Loriculus</i>	...	Hanging parrots
<i>Psittacula eupatria</i>	...	Alexandrine parrot
<i>Psittacula himalayana</i>	...	Slaty-headed parrot
<i>Psittacula cyanocephala</i>	...	Plum-headed parrot
<i>Psittacula roseata</i>	...	Blossom-headed parrot
<i>Psittacula longicauda</i>	...	Long-tailed parrot
<i>Psittacula alexandri</i>	...	Moustached parrot
<i>Amazona aestiva</i>	...	Blue-fronted Amazon
<i>Amazona ochrocephala</i>	...	Yellow-headed Amazon
<i>Neophema elegans</i>	...	Elegant parakeet
<i>Neophema chrysostoma</i>	...	Blue-winged parakeet
<i>Neophema pulchella</i>	...	Turquoise parakeet
<i>Neophema bourkii</i>	...	Bourke's parakeet
<i>Psephotus haematonotus</i>	...	Red-rumped parakeet
<i>Platycercus eximius</i>	...	Northern rosella
<i>Platycercus elegans</i>	...	Crimson rosella
<i>Nymphicus hollandicus</i>	...	Cockatiel
<i>Melopsittacus undulatus</i>	...	Budgerigar

#### STARLINGS

<i>Lamprotornis</i>	...	African glossy starlings
<i>Spreo superbus</i>	...	Superb starling
<i>Sturnus malabaricus</i>	...	Malabar starling
<i>Sturnus pagodarum</i>	...	Pagoda starling
<i>Sturnus roseus</i>	...	Rose-coloured starling
<i>Sturnus contra</i>	...	Pied starling
<i>Sturnus burmanicus</i>	...	Jerdon's starling
<i>Acridotheres</i>	...	Typical mynahs
<i>Gracula religiosa</i>	...	Hill mynah

#### CORVIDS

<i>Garrulus glandarius</i>	...	Jay
<i>Garrulus lanceolatus</i>	...	Lanceolated jay
<i>Cyanocorax yncas</i>	...	Green jay
<i>Urocissa erythrorhyncha</i>	...	Red-billed blue magpie
<i>Cissa chinensis</i>	...	Hunting cissa
<i>Dendrocitta vagabunda</i>	...	Rufous tree-pie
<i>Corvus</i>	...	Crows

BABBLERS				
Garrulax albogularis	...	...	...	White-throated laughing-thrush
Garrulax leucolophus	...	...	...	White-crested laughing-thrush
Garrulax monileger	...	...	...	Lesser necklaced laughing-thrush
Garrulax pectoralis	...	...	...	Greater necklaced laughing-thrush
Garrulax rufogularis	...	...	...	Rufous-chinned laughing thrush
Garrulax canorus	...	...	...	Hwamei laughing-thrush
Garrulax sannio	...	...	...	White-browed laughing-thrush
Garrulax erythrocephalus	...	...	...	Red-headed laughing-thrush
Leiothrix argenteauris	...	...	...	Silver-eared mesia
Leiothrix lutea	...	...	...	Pekin robin
Minla cyanouroptera	...	...	...	Blue-winged siva
Heterophasia capistrata	...	...	...	Black-headed sibia
Yuhina	...	...	...	Yuhinas
BULBULS				
Pycnonotus	...	...	...	Typical bulbuls
LEAFBIRDS				
Chloropsis aurifrons	...	...	...	Golden-fronted fruitsucker
Irena puella	...	...	...	Fairy bluebird
THRUSHES				
Copsychus saularis	...	...	...	Asian magpie-robin
Copsychus malabaricus	...	...	...	Shama
Zoothera citrina	...	...	...	Orange-headed ground thrush
FLYCATCHERS				
Niltava sundara	...	...	...	Rufous-bellied niltava
DUNNOCKS				
Prunella	...	...	...	Dunnocks
WHITE-EYES				
Zosterops palpebrosa	...	...	...	Oriental white-eye
Zosterops senegalensis	...	...	...	Yellow white-eye
TROUPIALS				
Icterus icterus	...	...	...	Troupial
FINCHES				
Serinus serinus	...	...	...	Common serin
Any domestic form of Serinus canaria	...	...	...	Canary
Serinus atrogularis	...	...	...	Yellow-rumped seed-eater
Carduelis sinica	...	...	...	Chinese greenfinch
Carduelis spinoides	...	...	...	Himalayan greenfinch
Spinus magellanicus	...	...	...	Black-headed siskin
Carpodacus erythrinus	...	...	...	Common rosefinch (otherwise known as scarlet grosbeak)
Coccothraustes personatus	...	...	...	Japanese grosbeak
Coccothraustes migratorius	...	...	...	Yellow-billed grosbeak
WAXBILLS				
Lagonosticta	...	...	...	Firefinches
Estrilda	...	...	...	Typical waxbills
Uraeginthus	...	...	...	Blue waxbills and violet-ears
Hypargos niveoguttatus	...	...	...	Peter's twispot
Amandava	...	...	...	Avadavats
Ortygospiza atricollis	...	...	...	Quail finch
Erythrura prasina	...	...	...	Pintailed parrotfinch
Lonchura malabarica	...	...	...	Indian silverbill
Lonchura cantans	...	...	...	African silverbill
Lonchura griseicapilla	...	...	...	Pearl-headed silverbill
Lonchura cucullata	...	...	...	Bronze-winged mannikin
Lonchura bicolor	...	...	...	Pied mannikin
Lonchura fringilloides	...	...	...	Magpie mannikin
Lonchura striata	...	...	...	Striated munia and Bengalese finch
Lonchura punctulata	...	...	...	Spotted munia
Lonchura malacca	...	...	...	Black-headed munia
Lonchura maja	...	...	...	White-headed munia
Lonchura castaneothorax	...	...	...	Chestnut-breasted finch
Aidemosyna modesta	...	...	...	Cherry finch (otherwise known as plum-capped finch)
Amadina erythrocephala	...	...	...	Red-headed finch
Amadina fasciata	...	...	...	Cutthroat
Padda oryzivora	...	...	...	Java sparrow
Emblema guttata	...	...	...	Spotted-sided finch (otherwise known as diamond finch)

Neochmia ruficauda	...	...	...	Star finch
Poephila guttata	...	...	...	Zebra finch
Poephila bichenovii	...	...	...	Double-barred finch
Poephila personata	...	...	...	Masked finch
Poephila acuticauda	...	...	...	Long-tailed finch
Poephila cincta	...	...	...	Black-throated finch (otherwise known as parson's finch)
Chloebia gouldiae	...	...	...	Gouldian finch
WEAVERS				
Passer luteus	...	...	...	Golden sparrow
Petronia xanthocollis	...	...	...	Yellow-throated sparrow
Sporopipes squamifrons	...	...	...	Scaly-crowned weaver
Ploceus philippinus	...	...	...	Baya weaver
Ploceus intermedius	...	...	...	Lesser masked weaver
Ploceus velatus	...	...	...	Greater masked weaver
Ploceus vitellinus	...	...	...	Vitelline masked weaver
Quelea cardinalis	...	...	...	Cardinal quelea
Euplectes anomalus	...	...	...	Bob-tailed wydah
Euplectes diadematus	...	...	...	Fire-fronted bishop
Euplectes gierowii	...	...	...	Black bishop
Euplectes nigroventris	...	...	...	Black-winged bishop
Euplectes aureus	...	...	...	Golden-backed bishop
Euplectes capensis	...	...	...	Yellow-rumped bishop
Euplectes axillaris	...	...	...	Fan-tailed wydah
Euplectes hartlaubi	...	...	...	Marsh bishop
Euplectes albonotatus	...	...	...	White-winged bishop
Euplectes progne	...	...	...	Long-tailed bishop
Euplectes jacksoni	...	...	...	Jackson's bishop
Vidua paradisaea	...	...	...	Paradise wydah
BUNTINGS				
Emberiza leucocephala	...	...	...	Pine bunting
Emberiza cia	...	...	...	Rock bunting
Emberiza hortulana	...	...	...	Ortolan bunting
Emberiza tahapisi	...	...	...	Cinnamon-breasted bunting
Emberiza elegans	...	...	...	Yellow-throated bunting
Emberiza aureola	...	...	...	Yellow-breasted bunting
Emberiza flaviventris	...	...	...	African golden-breasted bunting
Emberiza melanocephala	...	...	...	Black-headed bunting
Emberiza bruniceps	...	...	...	Red-headed bunting
Melophus lathamii	...	...	...	Crested bunting
Sicalis flaveola	...	...	...	Saffron finch
Tiaris	...	...	...	Grassquits
Paroaria	...	...	...	} Cardinals
Cardinalis	...	...	...	
Cyanerpes	...	...	...	Honeycreepers

## REPTILES

3. All kinds of reptile except the kinds specified in the first column below —

### GECKOS

Hemidactylus brookii	...	...	...	Brook's gecko
Hemidactylus flaviviridis	...	...	...	Bridled house gecko
Hemidactylus frenatus	...	...	...	
Hemidactylus mabouia	...	...	...	Moreau's gecko
Hemidactylus turcicus	...	...	...	Turkish gecko
Lygodactylus picturatus	...	...	...	Bibron's clawless gecko
Pachydactylus bibronii	...	...	...	
Tarentola mauritanica	...	...	...	Moorish gecko
Thecadactylus rapicauda	...	...	...	Turnip-tailed gecko (otherwise known as top-tailed gecko)

### AGAMIDS

Agama agama	...	...	...	Margouillat lizard (otherwise known as rainbow lizard)
Agama atricollis	...	...	...	Black-necked agama
Calotes cristatellus	...	...	...	Londok agama
Calotes versicolor	...	...	...	Harlequin lizard (otherwise known as bloodsucker lizard)

Leiolepis belliana	...	...	...	Bell's agama
Physignathus concinnus	...	...	...	

### IGUANIDS

Anolis carolinensis	...	...	...	Carolina anole (otherwise known as green anole)
Tropidurus torquatus	...	...	...	Taraguira lizard (otherwise known as Wied's ring-necked lizard)

### TEIIDS

Ameiva ameiva	...	...	...	Surinam lizard
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LACERTIDS				
Acanthodactylus boskianus	...	...	...	Daudin's fringe-toed lizard
Acanthodactylus pardalis	...	...	...	Leopard fringe-toed lizard
Lacerta vivipara	...	...	...	Common lizard (otherwise known as viviparous lizard)
Podarcis muralis	...	...	...	Common wall lizard
Podarcis sicula	...	...	...	Italian wall lizard

CORDYLIDS				
Cordylus cordylus	...	...	...	Rough-scaled girdled lizard
Gerrhosaurus flavigularis	...	...	...	Yellow-throated plated lizard
Gerrhosaurus major	...	...	...	
Gerrhosaurus nigrigularis	...	...	...	Black-throated plated lizard
Platysaurus guttatus	...	...	...	

SKINKS				
Chalcides ocellatus	...	...	...	Ocellated skink
Mabuya mabouya	...	...	...	Raddi's skink
Mabuya multifasciata	...	...	...	Many-banded skink
Mabuya striata	...	...	...	Common two-striped skink
Mabuya varia	...	...	...	Savanna variable skink

ANGUIDS				
Anguis fragilis	...	...	...	Slow worm

TYPICAL SNAKES				
Boaedon fuliginosus	...	...	...	Common African house-snake
Coluber constrictor	...	...	...	American racer
Coluber viridiflavus	...	...	...	European whip-snake
Drymarchon corais	...	...	...	Indigo snake
Elaphe guttata	...	...	...	Corn snake
Elaphe obsoleta	...	...	...	American rat snake
Lampropeltis getulus	...	...	...	Common king snake
Malpolon monspessulana	...	...	...	Montpellier snake
Natrix maura	...	...	...	Viperine snake
Natrix natrix	...	...	...	European grass snake
Natrix rhombifera	...	...	...	Rhomb snake
Natrix sipedon	...	...	...	North American water snake
Natrix tessellata	...	...	...	Tessellated snake (otherwise known as diced snake)
Oxybelis aeneus	...	...	...	American vine snake
Oxybelis fulgidus	...	...	...	
Philothammus semivariegatus	...	...	...	
Spalerosophis diadema	...	...	...	Clifford's snake
Thamnophis sauritus	...	...	...	Ribbon snake
Thamnophis sirtalis	...	...	...	Common garter snake

TERRAPINS				
Chrysemys picta	...	...	...	Painted terrapin
Chrysemys scripta elegans	...	...	...	(otherwise known as Pseudemys scripta elegans)
Mauremys caspica leprosa	...	...	...	(otherwise known as Clemmys caspica leprosa)
	...	...	...	Spanish terrapin

SNAPPING TURTLES				
Chelydra serpentina	...	...	...	Common snapping turtle

#### AMPHIBIANS

4. All kinds of amphibian except the kinds specified in the first column below —

MOLE SALAMANDERS				
Ambystoma maculatum	...	...	...	American spotted salamander
Ambystoma tigrinum	...	...	...	Tiger salamander

NEWTS				
Salamandra salamandra	...	...	...	European spotted salamander
Triturus cristatus	...	...	...	Crested newt (otherwise known as warty newt)
Triturus helveticus	...	...	...	Palmate newt
Triturus vulgaris	...	...	...	Common newt (otherwise known as smooth newt)

TONGUE-LESS FROGS				
Xenopus laevis	...	...	...	African clawed toad

FIRE BELLIES AND MIDWIVES				
Bombina variegata	...	...	...	Yellow-bellied toad
Discoglossus pictus	...	...	...	Painted frog

#### TRUE TOADS

Atelopus ignescens	...	...	...	...
Bufo bufo	...	...	...	European common toad
Bufo marinus	...	...	...	Giant toad
Bufo melanostictus	...	...	...	Asian common toad
Bufo regularis	...	...	...	African square-marked toad
Bufo viridis	...	...	...	Green toad

#### NARROW-MOUTHED FROGS

Kaloula pulchra	...	...	...	Malayan bullfrog
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#### TRUE FROGS

Pyxicephalus delalandei	...	...	...	(otherwise known as Rana delalandei)
Rana angolensis	...	...	...	Delaland's burrowing frog
Rana cancrivora	...	...	...	Angola frog
Rana catesbeiana	...	...	...	Mangrove frog
Rana chalconota	...	...	...	American bullfrog
Rana esculenta	...	...	...	Edible frog
Rana ridibunda	...	...	...	Marsh frog
Rana temporaria	...	...	...	Common European frog

#### RHACOPHORINE TREE FROGS

Polypedctes leucomystax	...	...	...	(otherwise known as Rhacophorus leucomystax)
	...	...	...	Malayan tree frog

#### SEDGE FROGS

Hyperolius concolor	...	...	...	Hallowell's tree frog
Hyperolius nasutus	...	...	...	
Hyperolius picturatus	...	...	...	
Hyperolius pusillus	...	...	...	

#### ARROW-POISON FROGS

Dendrobates auratus	...	...	...	
Dendrobates histrionicus	...	...	...	

#### PARADOXICAL FROGS

Pseudis paradoxa	...	...	...	Paradoxical frog
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#### HYLID TREE FROGS

Hyla boans	...	...	...	Giant tree frog
Hyla cinerea	...	...	...	American green tree frog
Hyla crepitans	...	...	...	
Hyla crucifer	...	...	...	Spring peeper frog
Hyla meridionalis	...	...	...	Stripeless European tree frog
Hyla nasica	...	...	...	
Hyla rubra	...	...	...	Daudin's tree frog
Hyla versicolor	...	...	...	
Phrynohyas venulosa	...	...	...	Warty tree frog
Similsca baudini	...	...	...	Mexican tree frog

## PART II

### FISH

5. The kinds of fish specified in the first column below —

#### Restricted kind

#### Common name or names

STURGEONS				
Acipenser brevirostrum	...	...	...	Short nose sturgeon
Acipenser fulvescens	...	...	...	Lake sturgeon
Acipenser oxyrhynchus	...	...	...	Atlantic sturgeon
Acipenser sturio	...	...	...	Common sturgeon

#### BONYTONGUES

Arapaima gigas	...	...	...	Arapaima
Scleropages formosus	...	...	...	Asiatic bonytongue

#### SALMON

Coregonus alpenae	...	...	...	Longjaw cisco
Salmo chrysogaster	...	...	...	Mexican golden trout
Stenodus leucichthys leucichthys	...	...	...	Inconnu

#### CARP AND SUCKERS

Chamistes cujus	...	...	...	Cui-ui
Plagopterus argentissimus	...	...	...	Woundfin
Probarbus jullieni	...	...	...	Ikan temoleh
Ptychocheilus lucius	...	...	...	Colorado squawfish

TOOTHCARP				
Cynolebias constanciae	...	...	...	Annual killifish
Cynolebias marmoratus	...	...	...	
Cynolebias minimus	...	...	...	
Cynolebias opalescens	...	...	...	
Cynolebias splendens	...	...	...	
Xiphophorus couchianus	...	...	...	Monterrey platyfish

COELACANTHS				
Latimeria chalumnae	...	...	...	Coelacanth

AUSTRALIAN LUNGFISH				
Neoceratodus forsteri	...	...	...	Australian lungfish

CATFISH				
Pangasianodon gigas	...	...	...	Giant catfish

PERCH				
Stizostedion vitreum glaucum	...	...	...	Blue walleye

DRUMFISH				
Cynoscion macdonaldi	...	...	...	

## INSECTS

6. The kinds of insect specified in the first column below —

Restricted kind	Common name
BUTTERFLIES	
Ornithoptera	Birdwing butterflies
Trogonoptera	
Troides	
Parnassius apollo	Apollo butterfly

## MOLLUSCS

7. The kinds of mollusc specified below —

Restricted kind
FRESHWATER MUSSELS
Conradilla caelata
Cyprogenia aberti
Dromus dromas
Epioblasma florentina curtisi (otherwise known as Dysnomia florentina curtisi)
Epioblasma florentina florentina (otherwise known as Dysnomia florentina florentina)
Epioblasma sampsoni (otherwise known as Dysnomia sampsoni)
Epioblasma sulcata perobliqua (otherwise known as Dysnomia sulcata perobliqua)
Epioblasma torulosa gubernaculum (otherwise known as Dysnomia torulosa gubernaculum)
Epioblasma torulosa rangiana (otherwise known as Dysnomia torulosa rangiana)
Epioblasma torulosa torulosa (otherwise known as Dysnomia torulosa torulosa)
Epioblasma turgidula (otherwise known as Dysnomia turgidula)
Epioblasma walkeri (otherwise known as Dysnomia walkeri)
Fusconaia cuneolus
Fusconaia edgariana
Fusconaia subrotunda
Lampsilis brevicula
Lampsilis higginsii
Lampsilis orbiculata orbiculata
Lampsilis satura
Lampsilis virescens
Lexingtonia dolabelloides
Plethobasis cicatricosus
Plethobasis cooperianus
Pleurobema clava
Pleurobema plenum
Potamilus capax (otherwise known as Proptera capax)
Quadrula intermedia
Quadrula sparsa
Toxolasma cylindrella (otherwise known as Carunculina cylindrella)
Unio nickliniana (otherwise known as Megaloniaias nickliniana)
Unio tampicoensis tecomatensis (otherwise known as Lampsilis tampicoensis tecomatensis)
Villosa trabalis (otherwise known as Micromya trabalis)

## Restricted kind

### LAND SNAILS

Papustyla pulcherrima (otherwise known as Papuina pulcherrima)  
Paraphanta

### FRESHWATER SNAILS

Coahuilix hubbsi  
Cochliopina milleri  
Durangonella coahuilae  
Mexipyrigus carranzae  
Mexipyrigus churinceanus  
Mexipyrigus escobedae  
Mexipyrigus lugoi  
Mexipyrigus mojarralis  
Mexipyrigus multilineatus  
Mexithauma quadripaludium  
Nymphophilus minckleyi  
Paludiscala caramba

NOTE: The second column of this Schedule gives a common name or names, where available, and is included by way of guidance only; in the event of any dispute or proceedings, only the first column is to be taken into account.

## SCHEDULE 2

### Plants the importation and exportation of which are restricted

This Schedule applies to the kinds of plant specified in the second column below —

Family	Kind
Apocynaceae	Pachypodium
Araceae	Alocasia sanderana Alocasia zebrina Panax quinquefolius
Araliaceae	Araucaria araucana
Araucariaceae	Ceropegia
Asclepiadaceae	Frerea indica
Byblidaceae	Byblis
Cactaceae	Cactaceae
Caryocaraceae	Caryocar costaricense
Caryophyllaceae	Gymnocarpus przewalskii Melandrium mongolicum Silene mongolica Stellaria pulvinata
Cephalotaceae	Cephalotus follicularis
Chloanthaceae	Australian populations of all species
Compositae	Saussurea lappa
Cupressaceae	Fitzroya cupressoides Pilgerodendron uviferum
Cyatheaceae	Cyatheaceae
Cycadaceae	Cycadaceae
Dicksoniaceae	Dicksoniaceae
Didiereaceae	Didiereaceae
Dioscoreaceae	Dioscorea deltoidea
Euphorbiaceae	Any species of the genus Euphorbia which is a succulent
Fagaceae	Quercus copeyensis
Gentianaceae	Prepusa hookeriana
Gnetaceae	Gnetum montanum
Hammodoraceae	Anigozanthos Macropidia fuliginosa
Humiriaceae	Vantanea barbourii
Juglandaceae	Engelhardtia pterocarpa
Leguminosae	Ammopiptanthus mongolicus Cynometra hemitomophylla Platymiscium pleiostachyum Tachigalia versicolor Thermopsis mongolica
Liliaceae	Aloe
Magnoliaceae	Talauma hodgsonii
Melastomataceae	Lavoisiera itambana
Meliaceae	Guarea longipetiolata Swietenia humilis
Moraceae	Batocarpus costaricensis
Myrtaceae	Verticordia



Orchidaceae	...	...	...	...	...	Orchidaceae
Palmae	...	...	...	...	...	Areca ipot
						Chrysalidocarpus decipiens
						Chrysalidocarpus lutescens
						Neodopsis decaryi
						Phoenix hanceana var philippinensis
						Zalacca clemensiana
Papaveraceae	...	...	...	...	...	Meconopsis regia
Pinaceae	...	...	...	...	...	Abies guatemalensis
						Abies nebrodensis
Podocarpaceae	...	...	...	...	...	Podocarpus costalis
						Podocarpus nerifolius
						Podocarpus parlatoei
Portulacaceae	...	...	...	...	...	Anacampseros
Primulaceae	...	...	...	...	...	Cyclamen
Proteaceae	...	...	...	...	...	Orothammus zeyheri
						Protea odorata
						Banksia
						Conospermum
						Dryandra formosa
						Dryandra polycephala
						Xylomelum
Rubiaceae	...	...	...	...	...	Balmea stormae
Rutaceae	...	...	...	...	...	Boronia
						Crowea
						Geleznovia verrucosa
Saxifragaceae (Grossulariaceae)	...	...	...	...	...	Ribes sardoum
Solanaceae	...	...	...	...	...	Solanum sylvestre
Stangeriaceae	...	...	...	...	...	Stangeriaceae
Sterculiaceae	...	...	...	...	...	Basiloxylon excelsum
Tetracentraceae	...	...	...	...	...	Tetracentron
Thymelaeaceae	...	...	...	...	...	Pimelea physodes
Ulmaceae	...	...	...	...	...	Celtis aetnensis
Verbenaceae	...	...	...	...	...	Caryopteris mongolica
Welwitschiaceae	...	...	...	...	...	Welwitschiaceae
Zamiaceae	...	...	...	...	...	Zamiaceae
Zingiberaceae	...	...	...	...	...	Hedychium philippinense
Zygophyllaceae	...	...	...	...	...	Guaiacum sanctum

### SCHEDULE 3

#### Items the Importation and Exportation of which are restricted

This Schedule applies to the following items, namely —

1. The meat and offal of whales, porpoises and dolphins.
2. Whalebone, if unworked or simply prepared, and hair and waste of whale bone.
3. The fat and oil of whales, porpoises and dolphins, whether or not refined or modified, spermaceti wax and ambergris.
4. The extracts and juices of the meat of whales, porpoises and dolphins.
5. The whole or any part, or anything made wholly or partly therefrom, of any tusk of any of the following animals, namely —
  - (a) any animal of the family Elephantidae (elephants);
  - (b) any animal of the family Suidae (pigs);
  - (c) any animal of the species Monodon monoceros (narwhal);
  - (d) any animal of the species Odobenus rosmarus (walrus)
 and powder and waste of any tusk of any of the animals referred to in sub-paragraphs (a) to (d) of this paragraph.
6. The whole or any part, or anything made wholly or partly therefrom, of any tooth of any animal and powder and waste of any tooth of any animal.
7. (1) The whole or any part of the horns of any mammal to which Schedule 1 to this Act applies.  
(2) Anything made wholly or partly from the whole or any part of the horn or waste of the horn of any animal of the family Rhinocerotidae.
8. The stuffed head or the skull, together with the skin covering it, of any mammal or reptile to which Schedule 1 to this Act applies.
9. (1) Any furskin, skin or hide of a defined animal, if raw, tanned or dressed.  
(2) Any piece or cutting (including the head, tail and any paw) of any furskin, skin or hide of a defined animal.

(3) Tanned or dressed furskin of a defined animal or defined animals which are assembled in plates, rectangles, crosses, trapeziums or otherwise.

(4) Any rug, coverlet, coat, jacket, cape or stole or any other item of clothing made wholly or partly of any furskin of a defined animal (except where the furskin is trimming only).

(5) In this paragraph a defined animal means —

(a) any animal of the following families, namely —  
Felidae (cats) (except *Felis catus* (domestic cat))  
Ursidae (bears);

(b) any animal of the following sub-families, namely —  
Hemigalinae (civets and palm civets)  
Lutrinae (otters)  
Paradoxurinae (palm civets)  
Viverrinae (linsangs, civets and genets);

(c) any animal of the genus *Arctocephalus* (fur seals);

(d) any animal of the following species, namely —  
*Canis lupus* (wolf)  
*Colobus angolensis* (Angolan colobus)  
*Colobus guereza* (guereza)  
*Colobus polykomos* (western black and white colobus, otherwise known as ursine colobus)

*Crocota crocata* (spotted hyaena)

*Equus burchelli* (Common or Burchell's zebra)

*Equus grevyi* (Grevy's zebra)

*Equus zebra* (mountain zebra)

*Hyaena brunnea* (brown hyaena)

*Lama guanacoe* (Guanaco)

*Mungos mungo* (banded mongoose)

*Vicugna vicugna* (vicuna).

10. (1) The whole or any part of any raw hide or skin if fresh, salted, dried, pickled or limed and whether or not split and the leather of any animal of the families Elephantidae (elephants) and Macropodinae (wallabies and kangaroos).

(2) Any clothing (including footwear, watch straps and belts) and any wallet, purse, handbag, travelling bag, brief case, toilet case, suitcase or any other similar container made wholly or partly of the hide, skin or leather of any animal of the families Elephantidae (elephants) and Macropodinae (wallabies and kangaroos).

11. The skin and scales of any animal of the family Manidae (pangolins).

12. Hair, whether or not carded or combed, of any animal of the species *Vicugna vicugna* (vicuna).

13. Yarn made wholly or partly of hair of any animal of the species *Vicugna vicugna* (vicuna).

14. Fabric made wholly or partly of hair of any animal of the species *Vicugna vicugna* (vicuna) and any coat or jacket made wholly or partly of any such fabric.

15. Musk derived from any animal of the species *Moschus moschiferus* (musk deer).

16. (1) The whole or any part of any raw hide or skin, if fresh, salted, dried, pickled or limed and whether or not split, and the leather, of any animal of the class Reptilia (reptiles).

(2) Any clothing (including footwear, watch straps and belts) and any wallet, purse, handbag, travelling bag, brief case, toilet case, suitcase or any other similar container made wholly or partly of the hide, skin or leather of any animal of the class Reptilia.

17. (1) The whole or any part of the bony shell and its covering scales, if unworked, simply prepared or polished, of any of the order Testudinata (turtles, tortoises and terrapins).

(2) Anything made wholly or partly from the bony shell, its covering scales and the claws, of any member of the family Cheloniidae (sea turtles).

18. The meat and cartilage, including callipee and callipash, of any animal of the family Cheloniidae (sea turtles).

19. The whole shell of any animal of the species *Papustyla pulcherrima*, otherwise known as *Papuina pulcherrima* (green tree snail).

20. The casque (whether or not attached to the upper part of the bill) of any bird of the species *Rhinoplax vigil* (helmeted hornbill), or anything made wholly or partly therefrom.

21. (1) Plumage, that is to say, any feather or feathers, or any skin or any other part with any feathers on it, of any bird or birds, other than excepted plumage.

(2) In sub-paragraph (1) above, excepted plumage means —

(a) plumage which is that only of a bird of any of the following species, namely —

*Chrysolophus pictus* (golden pheasant)

*Gallus gallus* (red junglefowl and domestic fowl)

*Phasianus colchicus* (common pheasant, otherwise known as ring-necked pheasant)

*Stuthio camelus* (ostrich)

*Sturnus vulgaris* (starling);

- (b) plumage which is that only of a bird of any domestic form of any of the following species, namely —  
*Anas platyrhynchos* (domestic duck)  
*Anser anser* (domestic goose)  
*Anser cygnoides* (Chinese goose)  
*Cairina moschata* (Muscovy duck)  
*Columba livia* (domestic pigeon)  
*Meleagris gallopavo* (turkey)  
*Numida meleagris* (Guinea fowl);
- (c) plumage which consists only of the down feathers of any adult female bird of the species  
*Somateria mollissima* (eider duck);
- (d) plumage which consists only of the train feathers of any adult male bird of the species  
*Pavo cristatus* (Indian peacock);
- (e) plumage none of which falls outside paragraphs (a) to (d) above.
22. Anything made wholly or partly of plumage (within the meaning of paragraph 21 above and subject to the exception there stated).

23. Any egg, whether whole or blown, of any bird other than —

- (a) a bird of any of the following species, namely —  
*Alectoris chukar* (chukar)  
*Alectoris rufa* (red-legged partridge)  
*Coturnix japonica* (Japanese quail)  
*Gallus gallus* (red junglefowl and domestic fowl)  
*Perdix perdix* (common partridge);
- (b) a bird of any domestic form of any of the following species, namely —  
*Anas platyrhynchos* (domestic duck)  
*Anser anser* (domestic goose)  
*Anser cygnoides* (Chinese goose)  
*Cairina moschata* (Muscovy duck)  
*Meleagris gallopavo* (turkey)  
*Numida meleagris* (Guinea fowl).

24. The whole or any part of the wings or anything made wholly or partly therefrom of any member of the following genera, namely —

<i>Ornithoptera</i>	...	...	} Birdwing butterflies
<i>Trogonoptera</i>	...	...	
<i>Troides</i>	...	...	

25. The stem of any plant of any of the families Cyatheaceae and Dicksoniaceae (tree ferns).

NOTE: In this Schedule, any common name which appears in brackets after a scientific name is included by way of guidance only; in the event of any dispute or proceedings, only the scientific name concerned is to be taken into account.

Given under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, this 22nd day of June in the Year of Our Lord One thousand Nine hundred and Eighty-one.

LS

R. M. HUNT,  
Governor.

GOD SAVE THE QUEEN

## FALKLAND ISLANDS

# PROCLAMATION

No. 4 of 1981

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.

BY HIS HONOUR FRANCIS EUSTACE BAKER, ESQUIRE, Officer of the Most Excellent Order of the British Empire, Acting Governor of the Colony of the Falkland Islands and its Dependencies, and Vice-Admiral of the same.

WHEREAS by Article 7 (1) of the Falkland Islands Letters Patent 1948 to 1962, under the Great Seal of the United Kingdom of Great Britain and Northern Ireland, 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 REX MASTERMAN HUNT, 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, and Vice-Admiral of the same, 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 the Colony in the absence of the Governor:

NOW, THEREFORE, I, FRANCIS EUSTACE BAKER, Chief Secretary of the Colony, the Senior Member of the Executive Council aforesaid, do hereby PROCLAIM and make known that, in pursuance of the said Article 7 (1) of the said Letters Patent and having taken the oaths prescribed by law, I have this day assumed the administration of the Government of the Colony.

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, this 24th day of June in the Year of Our Lord One thousand Nine hundred and Eighty-one.

LS

F. E. BAKER,  
Acting Governor.

GOD SAVE THE QUEEN

Ref. GOV/19/1.



FALKLAND ISLANDS

PROCLAMATION

No. 5 of 1981

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.

BY HIS HONOUR FRANCIS EUSTACE BAKER, ESQUIRE, Officer of the Most Excellent Order of the British Empire, Acting Governor of the Colony of the Falkland Islands and its Dependencies and Vice-Admiral of the same.

WHEREAS by subsection (1) of section 26 of the Falkland Islands Legislative Council Orders 1948 to 1977 it is provided that the Governor may at any time by Proclamation published in the Gazette, prorogue or dissolve the Council:

AND WHEREAS it is necessary to make arrangements for a General Election within three months from the date of dissolution:

NOW, THEREFORE, I, FRANCIS EUSTACE BAKER, do hereby PROCLAIM the dissolution of the Legislative Council with effect from the 14th day of July 1981.

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands this 14th day of July 1981.



F. E. BAKER,  
*Acting Governor.*

GOD SAVE THE QUEEN

Ref. LEC/20/6.

## FALKLAND ISLANDS

# PROCLAMATION

No. 6 of 1981

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.

BY HIS EXCELLENCY REX MASTERMAN HUNT, 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, and Vice-Admiral of the same.

WHEREAS it is provided by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders 1948 to 1977 that the sittings of the Legislative Council shall be held at such times and places as the Governor shall from time to time appoint by proclamation published in the Gazette:

NOW, THEREFORE, I, REX MASTERMAN HUNT, do hereby PROCLAIM that the next sitting of the Legislative Council of the Falkland Islands shall be held at 10.00 o'clock in the forenoon of Thursday, the 5th day of November 1981 at the Court and Council Chambers in the town of Stanley in the Falkland Islands.

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, Falkland Islands this 15th day of October in the Year of Our Lord One thousand nine hundred and eighty-one.



R. M. HUNT,  
*Governor.*

GOD SAVE THE QUEEN

Ref. LEC/35/1. II.

FALKLAND ISLANDS

PROCLAMATION

No. 7 of 1981

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.

BY HIS EXCELLENCY REX MASTERMAN HUNT, 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, and Vice-Admiral of the same.

WHEREAS it is provided by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders 1948 to 1977 that the sittings of the Legislative Council shall be held at such times and places as the Governor shall from time to time appoint by proclamation published in the Gazette:

NOW, THEREFORE, I, REX MASTERMAN HUNT, do hereby PROCLAIM that the next sitting of the Legislative Council of the Falkland Islands shall be held at 9.30 o'clock in the forenoon of Tuesday, the 5th day of January 1982 at the Court and Council Chambers in the town of Stanley in the Falkland Islands.

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, Falkland Islands this 18th day of November in the Year of Our Lord One thousand nine hundred and eighty-one.



R. M. HUNT,  
*Governor.*

GOD SAVE THE QUEEN

Ref. LEC/35/1. II.

# FALKLAND ISLANDS

## CUSTOMS ORDINANCE

(Chapter 16)

### Resolution of the Legislative Council

No. 1 of 1981.

R. M. HUNT,  
*Governor.*

BE IT RESOLVED by the Legislative Council under section 5 of the Customs Ordinance as follows —

THIS RESOLUTION may be cited as the Customs (Amendment of Duties) Resolution 1981 and shall come into operation on the 15th day of June 1981.

Citation and commencement.

IT IS HEREBY RESOLVED in exercise of the provisions conferred by section 5 of the Customs Ordinance that paragraph 2 of the Customs Order be amended —

Amendment of paragraph 2.  
(Cap. 16 sub. leg.)

- (a) in item 1 by deleting “40p” and substituting the following —  
“48p”;
- (b) in item 2 by deleting “£16.50” and substituting the following —  
“£19.80”;
- (c) in item 3 by deleting “£1.06” and substituting the following —  
“£1.27”;
- (d) in item 4 by deleting “£1.30” and substituting the following —  
“£1.56”;
- (e) in item 5(a) by deleting “£5.50” and substituting the following —  
“£6.60”;
- (f) in item 5(b) by deleting “£3.80” and substituting the following —  
“£4.50”; and
- (g) in item 5(c) by deleting “£3.40” and substituting the following —  
“£4.00”.

R. BROWNING,  
*Clerk of Councils.*

# FALKLAND ISLANDS

## POST OFFICE ORDINANCE (Chapter 52)

### Telephone and Telegraph (Amendment) Rules 1981

No. 1 of 1981.

R. M. HUNT,  
*Governor.*

IN EXERCISE of the powers conferred by section 4 of the Post Office Ordinance the Governor in Council has made the following rules —

1. These rules may be cited as the Telephone and Telegraph (Amendment) Rules 1981 and shall come into operation on the 1st day of January 1982. Citation and commencement.

2. Paragraph (1) of rule 5 of the Telephone and Telegraph Rules 1973 is amended as follows — Amendment of rule 5.  
(1 of 1973)

- (a) in sub-paragraph (a) by deleting “£25.00” and “£7.00” and substituting the following respectively —  
“£30.00” and “£8.40”;
- (b) in sub-paragraph (b) by deleting “£18.00” and substituting the following —  
“£21.60”;
- (c) in sub-paragraph (c) by deleting “£14.50” and substituting the following —  
“£17.40”; and
- (d) in sub-paragraph (d) by deleting “£10.50” and substituting the following —  
“£12.60”.

3. Paragraph (1) of rule 8 is amended as follows —

Amendment of rule 8.

- (a) in sub-paragraph (a) by deleting “£7.00” and substituting the following —  
“£8.40”; and
- (b) in sub-paragraph (b) by deleting “£10.50” and substituting the following —  
“£12.60”.

4. Paragraph (3) of rule 8 is amended by deleting “£2.50” and substituting the following —  
“£3.00”.

5. Rule 10 is amended by deleting “6p” where it occurs and substituting the following —  
“7p”. Amendment of rule 10.

6. Paragraph (2) of rule 12 is amended by deleting “£50.00” and substituting the following —  
“£60.00”. Amendment of rule 12.

7. Paragraph (1) of rule 18 is amended by deleting “£6.00” and substituting the following —  
“£7.20”. Amendment of rule 18.

Made by the Governor in Council this 5th day of November 1981.

R. BROWNING,  
*Clerk of Councils.*

Ref. P & T/10/1.