

O

LAWS  
OF THE  
FALKLAND  
ISLANDS

VOL. II  
IMPERIAL  
LEGISLATION  
& SUBSIDIARY  
LEGISLATION

8





**THE LAWS OF THE  
FALKLAND ISLANDS**

THE NEW YORK  
PUBLIC LIBRARY



**THE LAWS  
OF THE COLONY OF  
THE FALKLAND ISLANDS  
AND ITS DEPENDENCIES**

CONTAINING  
**THE ORDINANCES AND SUBSIDIARY LEGISLATION**  
AND A SELECTION FROM THE  
**IMPERIAL LEGISLATION**

IN FORCE ON  
The 31st Day of DECEMBER 1950

REVISED EDITION

PREPARED UNDER THE AUTHORITY OF THE  
REVISED EDITION OF THE LAWS ORDINANCE

BY

**R. W. S. WINTER, Esq.**

SOLICITOR OF THE SUPREME COURT  
*lately Legal Adviser Falkland Islands*

AND

**Sir HENRY WEBB, Kt., K.C.**

*lately Chief Justice of the Tanganyika Territory*

---

IN TWO VOLUMES

**VOLUME II—SELECTED IMPERIAL LEGISLATION  
AND SUBSIDIARY LEGISLATION**

---

**Price per set of two volumes : £8 8s. 0d.**

To be purchased from the Crown Agents for the Colonies, 4 Millbank, London, S.W.1

PRINTED BY  
VACHER & SONS LIMITED, 10 GREAT SMITH STREET, LONDON, S.W.1  
1951

*Appointed by the Governments of the Colony of the Falkland Islands and its  
Dependencies the Government Printers of this Edition within the meaning of the  
Evidence (Colonial Statutes) Act, 1907.*

(iii)



\*DATES OF COMING INTO FORCE  
OF REVISED EDITION

	Proclamation	Effective Date	Gazette
COLONY			
DEPENDENCIES			

CORRIGENDA

The words "Part I" should be substituted for the words "Part III" on pages (vii) and I and the words "Part II" should be substituted for the words "Part IV" on pages (viii) and 107.

\* *Note*.—Provision is made in section 10 (1) of the Revised Edition of the Laws Ordinance for bringing this Revised Edition into force in the Colony by proclamation, and this provision also applies to the Dependencies. A note of the relevant proclamations may conveniently be inserted in this panel.

## **VOLUME II**

**SELECTED IMPERIAL LEGISLATION  
AND SUBSIDIARY LEGISLATION**



# SECRET

THE SECRETARY OF THE ARMY  
WASHINGTON, D. C.

# CONTENTS

## VOLUME II

### PART III

*Note.*—This Part contains the Letters Patent, Royal Instructions and a selection from the Orders-in-Council that apply to the Falkland Islands.

#### IMPERIAL LEGISLATION

	Page
Air Navigation (Application of Acts) Order-in-Council, 1937	65
Arbitration (Foreign Awards) No. 3 Order-in-Council, 1931	76
Arbitration (Foreign Awards) No. 4 Order-in-Council, 1931	78
Continental Shelf Order-in-Council, 1950	24
Geneva Convention Act, 1937 (Colonies) Order-in-Council, 1937	80
Legislative Council Order-in-Council, 1948-1950	25
Letters Patent, 1908 (Dependencies)	9
Letters Patent, 1917 (Dependencies)	12
Letters Patent, 1948	3
Merchant Shipping (Registration of Government Vessels) Order-in-Council, 1925	82
Reciprocal Enforcement of Judgements Order-in-Council, 1923	119
Royal Instructions, 1948	13
Seal Fisheries (Crown Colonies and Protectorates) Order-in-Council, 1913	86
Visiting Forces (British Commonwealth) (Application to the Colonies, etc.) Order-in-Council, 1940	89
Whaling Industry (Regulation) Act (Newfoundland, Colonies, Protectorates and Mandated Territories) Order-in-Council, 1936	92



## PART IV

*Note.*—This Part contains the Rules, Regulations, Orders, etc., made under the authority of certain Ordinances. Concerning the application of subsidiary legislation to the Dependencies, see section 4 of the Application of Colony Laws Ordinance, Cap. 1 (D.S.).

### SUBSIDIARY LEGISLATION

	Page
Administration of Estates Rules, 1949 ...	109
Air Transport (Licensing of Air Services) Regulations, 1948	67
Board of Health By-Laws, 1937 ...	237
Court Fees (Civil Cases) Rules, 1949 ...	128
Crown Reserves Notice, 1950 ...	202
Currency Notes Rules, 1939 ...	135
Customs Order, 1948 ...	141
Customs Regulations, 1948 ...	145
Dairy Produce Inspection Regulations, 1938 ...	153
Defence Force Regulations, 1946-1950 ...	158
Diplomatic Privileges (United Nations Educational, Scientific and Cultural Organisation) Order, 1950 ...	173
Diplomatic Privileges (International Labour Organisation) Order, 1950 ...	174
Diplomatic Privileges (International Civil Aviation Organisation) Order, 1950 ...	176
Diplomatic Privileges (Food and Agricultural Organisation) Order, 1950 ...	178
Diplomatic Privileges (World Health Organisation) Order, 1950 ...	179
Dogs Rules, 1949 ...	181
Efficiency Decoration Regulations, 1935 ...	159
Efficiency Medal Regulations, 1935 ...	165
Fisheries Regulations, 1944 ...	183
Harbour Regulations, 1944 ...	183
Harbour, Port Foster, Order, 1948 ...	188
Harbour and Port Foster Regulations, 1948 ...	188
Income Tax Order, 1949-1950 ...	190
Income Tax Rules, 1940 ...	191
King Edward Hospital Regulations, 1943 ...	255
Leave and Passage Regulations ...	95

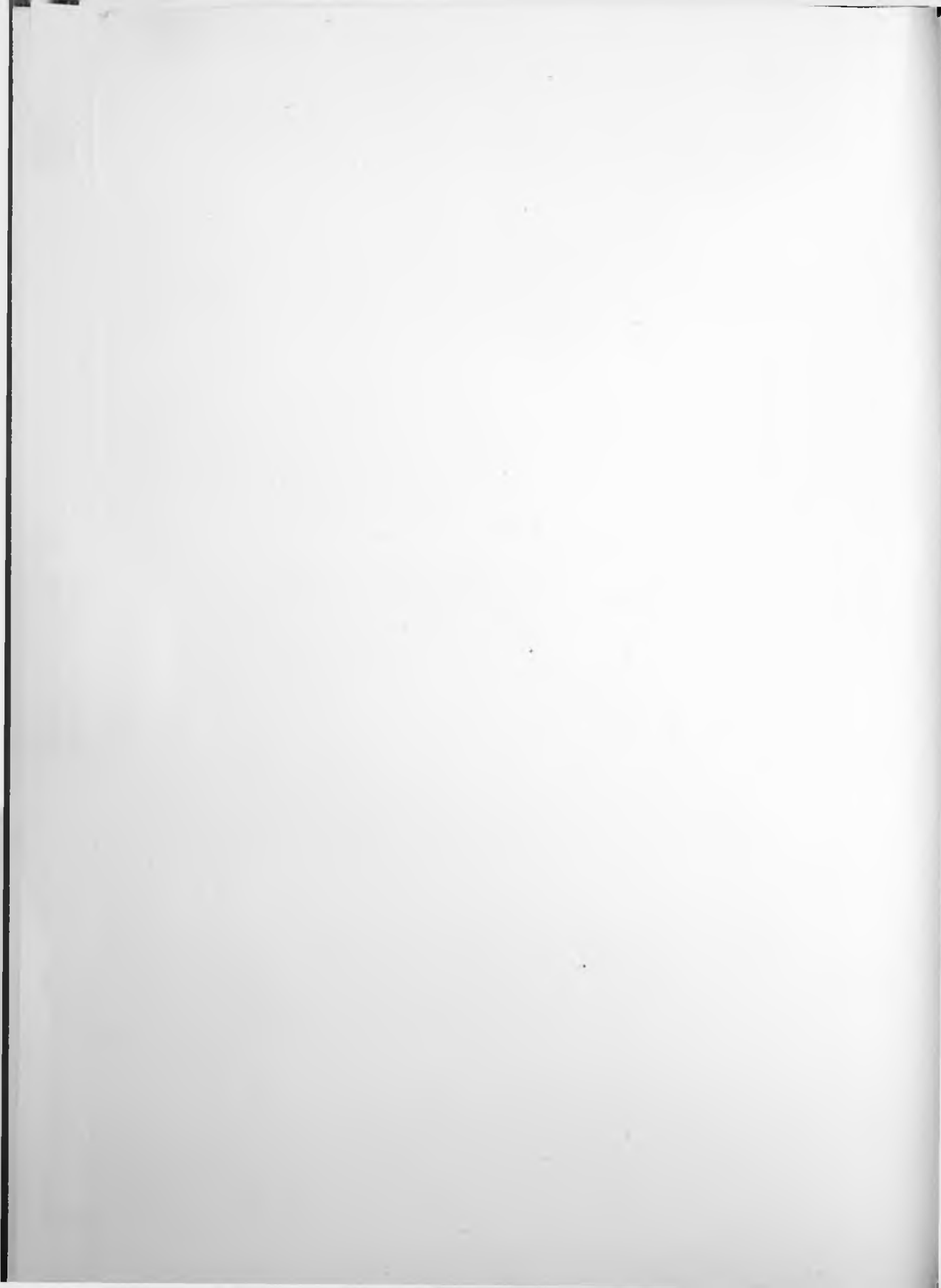
Legislative Council Standing Rules and Orders, 1949 ...	Page 43
Licensing Regulations, 1949 ...	204
Livestock Quarantine Regulations, 1947 ...	205
Maintenance Orders (Facilities for Enforcement) Proclamation, 1929 ...	211
Medical Fees Regulations, 1947-1950 ...	256
Oil, etc. (Export) Regulations, 1948 ...	147
Patent Regulations, 1932 ...	102
Peat Bank Rules, 1924 ...	202
Penguin Regulations, 1914 ...	328
Pensions Regulations, 1949 ...	212
Petrol Storage By-Laws (Stanley Town Council) ...	303
Plant Disease Regulations, 1947 ...	225
Post Office Order, 1949-1950 ...	230
Prison Regulations, 1949 ...	228
Privy Council Appeals Rules, 1949 ...	133
Radio-Active Minerals Order, 1948 ...	262
Registration Regulations, 1949 ...	263
Registration of United Kingdom Trade Marks (Scale of Fees), 1949 ...	270
Road Traffic Regulations, 1948 ...	270
Rules of the Supreme Court ...	115
Savings Bank Rules, 1936 ...	281
Schools Regulations, 1949 ...	181
Seal Reserve Notice, 1922 ...	86
Shipworkers Protection Regulations, 1949 ...	286
Stanley Common Rules, 1949 ...	321
Stanley Town Council (Public Health) By-Laws ...	305
Stanley Water Supply Regulations ...	317
Telephone and Telegraph Rules, 1949 ...	234
Travelling and Subsistence Allowances Rules, 1936 ...	105
Whaling Regulations, 1936 ...	323
Wireless Telegraphy Regulations, 1926 ...	329
Workmen's Compensation Regulations, 1948 ...	341
Index ...	373





**PART III**

**LETTERS PATENT, ROYAL INSTRUCTIONS AND  
ORDERS IN COUNCIL.**





## FALKLAND ISLANDS.

Letters Patent passed under the Great Seal of the Realm constituting the Office of Governor and Commander-in-Chief of the Colony of the Falkland Islands, and making provision for the Government thereof.

Dated 13th December, 1948.

GEORGE THE SIXTH, by the Grace of God of Great Britain, Ireland and the British Dominions beyond the Seas King, Defender of the Faith. To all to whom these Presents shall come, Greeting !

WHEREAS by Letters Patent under the Great Seal dated the 25th day of February, 1892 (as amended by like Letters Patent dated the 19th day of September, 1914) (hereinafter together called "The Letters Patent of 1892 and 1914") the Office of Governor and Commander-in-Chief in and over Our Colony of the Falkland Islands and its Dependencies is constituted, and provision is made for the Government thereof :

AND WHEREAS by further Letters Patent under the Great Seal dated the 21st day of July, 1908, it was declared that the groups of islands known as South Georgia, the South Orkneys, the South Shetlands and the Sandwich Islands and the Territory known as Graham's Land (as therein defined) should become Dependencies of Our said Colony, and that the Governor and Commander-in-Chief of Our said Colony should be the Governor and Commander-in-Chief of such Dependencies, with all such powers of government and legislation in respect thereof as are from time to time vested in him in respect of Our said Colony :

AND WHEREAS by like Letters Patent dated the 28th day of March, 1917 (hereinafter called "The Letters Patent of 1917") it was declared that the Dependencies of Our said Colony should be deemed to include all such islands and territories as were therein defined :

AND WHEREAS We are minded to make other provision for the matters aforesaid :

NOW KNOW YE that We, by virtue and in exercise of the powers in that behalf by the British Settlements Acts, 1887 and 1945, and otherwise in Us vested, do declare Our will and pleasure as follows :—

Interpre-  
tation.

1. (1) In these Letters Patent, unless the context otherwise requires—

“the appointed day” means the day appointed under Article 2 of these Letters Patent ;

“the Colony” means Our Colony of the Falkland Islands ;

“the Dependencies” means the Dependencies of Our Colony of the Falkland Islands as defined in the Letters Patent of 1917 ;

“the Executive Council” means the Executive Council constituted by these Letters Patent ;

“the Gazette” means the Falkland Islands Government Gazette ;

“the Governor” means the Governor and Commander-in-Chief of the Colony and the Dependencies, and includes the Officer for the time being administering the Government and, to the extent to which a Deputy for the Governor is authorised to act, that Deputy ;

“the Public Seal” means the Public Seal of the Colony ;

“Secretary of State” means one of Our Principal Secretaries of State.

52 & 53  
Vict. c. 63.

(2) Save as in these Letters Patent otherwise provided or required by the context, the Interpretation Act, 1889, shall apply for the interpretation of these Letters Patent as it applies for the interpretation of an Act of Parliament.

Short title  
and com-  
mencement.

2. These Letters Patent may be cited as the Falkland Islands Letters Patent, 1948, and shall come into operation on a date to be appointed by the Governor by Proclamation published in the Gazette.

Revocation  
of Letters  
Patent of  
1892 and  
1914.

3. The Letters Patent of 1892 and 1914 are hereby revoked, but without prejudice to any appointment lawfully made, or to any other thing lawfully done thereunder.

Office of  
Governor and  
Commander-  
in-Chief  
constituted.

4. There shall be a Governor and Commander-in-Chief in and over the Colony and the Dependencies, and appointments to the said Office shall be made by Commission under Our Sign Manual and Signet.

5. We do hereby authorise, empower and command the Governor to do all things belonging to his Office in accordance with these Letters Patent, such Commission as aforesaid, such Instructions as may from time to time be given to him by Us under Our Sign Manual and Signet or through a Secretary of State, and such Orders in Our Privy Council and other laws as may from time to time be in force.

Governor's  
Authority.

6. Every person appointed to fill the Office of Governor shall, with all due solemnity, before entering on any of the duties of his Office, cause the Commission appointing him to be Governor to be read and published in the presence of such members of the Executive Council as shall be in attendance, which being done, he shall then and there take before them the Oath of Allegiance and the Oath for the due execution of the Office of Governor in the forms set out in the Schedule to these Letters Patent, which Oaths the senior Member of the Executive Council there present is hereby required to administer.

Publication  
of Governor's  
Commission  
and taking  
of oaths.

7. (1) 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.

Succession to  
Government.

(2) Before assuming the administration of the Government any such person shall in the form and manner prescribed in Article 6 of these Letters Patent, take the Oaths therein directed to be taken by the Governor; which being done, We do hereby authorise, empower and command such person, subject if he is appointed as aforesaid under Our Sign Manual and Signet, to the terms of his appointment, during Our pleasure, to do all things that belong to the Office of Governor as provided in these Letters Patent.

(3) Any such person as aforesaid shall not continue to administer the Government after the Governor or some other person having a prior right to administer the same has notified that he is about to assume the administration.

(4) The Governor or any other person as aforesaid shall not be regarded as absent from the Colony or prevented from, or incapable of, acting in the duties of his Office for the purposes of this Article during his passage either from one part of the Colony to another, or from the Colony to the Dependencies, or when there is a subsisting appointment of a Deputy under the next succeeding Article of these Letters Patent.

Appointment  
of Deputy to  
Governor.

8. (1) Whenever the Governor has occasion to be absent from the seat of Government but not from the Colony, or to be absent from the Colony for a period which he has reason to believe will be of short duration, or whenever by reason of illness which he has reason to believe will be of short duration he considers it desirable so to do, he may, by Instrument under the Public Seal, appoint any person in the Colony to be his Deputy during such absence or illness, and in that capacity to exercise and perform for and on behalf of the Governor during such absence or illness all such powers and functions vested in the Governor as shall be specified in such Instrument.

(2) By the appointment of a Deputy as aforesaid the power and authority of the Governor shall not be in any way affected otherwise than as We may at any time hereafter think proper to direct; and every such Deputy shall conform to and observe all such instructions as the Governor shall from time to time address to him for his guidance.

(3) Any appointment under this Article may at any time be revoked by the Governor or by a Secretary of State, and, in case of absence as aforesaid, shall cease and determine upon the return of the Governor to the seat of Government or to the Colony, as the case may be.

Executive  
Council.

9. (1) There shall be an Executive Council in and for the Colony and for the Dependencies, and the said Council shall consist of such persons, appointed in such manner, as We shall direct by Instructions under Our Sign Manual and Signet.

(2) The Members of the Executive Council shall hold their places in the Council during Our pleasure and, subject thereto, for such period and upon such conditions as may be specified in such Instructions as aforesaid.

(3) The Executive Council shall not be disqualified for the transaction of business by reason of any vacancy among the Members thereof; and any proceedings therein shall be valid notwithstanding that some person attended the Council or took part in the proceedings thereof who was not entitled to do so.

10. (1) Subject to the provisions of these Letters Patent, it shall be lawful for the Governor to make laws for the peace, order and good government of the Dependencies.

Governor's  
power to make  
laws for the  
Dependencies.

(2) Every such law shall come into operation on the date on which it is enacted, or, if it shall be provided, either in the law or in some other enactment, that it shall come into operation on some other date, on that date.

11. Subject to the provisions of these Letters Patent the Governor shall, in the making of laws for the Dependencies, conform as nearly as may be to the directions contained in any Instructions under Our Sign Manual and Signet which may from time to time be addressed to the Governor in that behalf.

Royal  
Instructions.

12. (1) Any law made by the Governor under the provisions of Article 10 of these Letters Patent may be disallowed by Us through a Secretary of State.

Disallowance  
of Laws.

(2) Whenever any law has been disallowed by Us, the Governor shall cause notice of disallowance to be published in the Gazette.

(3) Every law so disallowed shall cease to have effect as soon as notice of such disallowance shall be published as aforesaid; and thereupon any enactment repealed or amended by, or in pursuance of, the law so disallowed shall have effect as if such law had not been made. Subject as aforesaid, the provisions of sub-section (2) of section 38 of the Interpretation Act, 1889, shall apply to such disallowance as they apply to the repeal of an Act of Parliament.

52 & 53  
Vict. c. 63.

13. The Governor may constitute and appoint in Our name and on Our behalf all such Judges and other Officers as may lawfully be constituted or appointed by Us, all of whom, unless otherwise provided by law, shall hold their offices during Our pleasure.

Appointment  
of Officers.



## Discipline.

14. Subject to the provisions of any law for the time being in force and to such Instructions as may from time to time be given to him by Us through a Secretary of State, the Governor may, for cause shown to his satisfaction, dismiss or suspend from the exercise of his office any person holding any public office in the Colony or the Dependencies or take such other disciplinary action as may seem to him desirable.

## Grant of Pardon.

15. When any offence has been committed for which the offender may be tried in the Colony or the Dependencies, the Governor may, as he shall see fit, in Our name and on Our behalf, grant a pardon to any accomplice in such offence who shall give such information as shall lead to the conviction of the principal offender, or of any one of such principal offenders if more than one; and may grant to any offender convicted of any such offence in any Court within the Colony or the Dependencies, a pardon, either free or subject to lawful conditions, or any respite, either indefinite or for such period as the Governor may think fit, of the execution of any sentence passed on such offender and may remit the whole or any part of such sentence or of any penalties or forfeitures otherwise due to Us.

## Disposal of Lands.

16. Subject to any law for the time being in force and to any Instructions given to him by Us under Our Sign Manual and Signet or through a Secretary of State, the Governor may, in Our name and on Our behalf, make and execute, under the Public Seal, grants and disposition of any lands or other immovable property within the Colony or the Dependencies which may be lawfully granted or disposed of by Us.

## Public Seal.

17. The Governor shall keep and use the Public Seal for sealing all things whatsoever that shall pass the said Seal.

## Officers and Others to obey the Governor.

18. We do hereby require and command all Our Officers, Civil and Military, and all the other inhabitants of the Colony and the Dependencies to be obedient, aiding and assisting unto the Governor.

## Reservation of power to amend or revoke Letters Patent.

19. We do hereby reserve to Ourselves, Our Heirs and Successors full power and authority to revoke, add to or amend these Letters Patent as to Us or Them shall seem fit.

In Witness whereof We have caused these Our Letters to

be made Patent. Witness Ourselves at Westminster this thirteenth day of December in the thirteenth year of Our reign.

By Warrant under the King's Sign Manual.

NAPIER.

**THE SCHEDULE.**

**Oath of Allegiance.**

I, ....., do swear that I will be faithful and bear true allegiance to His Majesty King George VI, His Heirs and Successors, according to law. So help me God.

**Oath for the due Execution of the Office of Governor.**

I, ....., do swear that I will well and truly serve His Majesty King George VI, His Heirs and Successors, in the Office of Governor. So help me God.

**LETTERS PATENT, 1908.**

**Dependencies.**

[Published in the Gazette on 1st September, 1908.]

Letters Patent passed under the Great Seal of the United Kingdom, appointing the Governor of the Colony of the Falkland Islands to be Governor of South Georgia, the South Orkneys, the South Shetlands, the Sandwich Islands, and Graham's Land, and providing for the Government thereof as Dependencies of the Colony.

EDWARD THE SEVENTH, by the Grace of God of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India : To all to whom these Presents shall come, Greeting.

Dated 21st  
July, 1908.

WHEREAS the groups of islands known as South Georgia, the South Orkneys, the South Shetlands, and the Sandwich Islands, and the territory known as Graham's Land, situated in the South Atlantic Ocean to the south of the fiftieth parallel of south latitude, and lying between the twentieth and the eightieth degrees of west longitude, are part of Our Dominions, and it is expedient that provision should be made

for their government as Dependencies of Our Colony of the Falkland Islands.

South  
Georgia,  
South  
Orkneys,  
etc., to be  
Dependencies  
of the  
Falkland  
Islands.

1. Now we do hereby declare that from and after the publication of these Our Letters Patent in the Government Gazette of Our Colony of the Falkland Islands the said groups of islands known as South Georgia, the South Orkneys, the South Shetlands, and the Sandwich Islands, and the said territory of Graham's Land shall become Dependencies of Our said Colony of the Falkland Islands.

Appointment  
of Governor  
of the Falk-  
land Islands  
to be Gover-  
nor of the  
Dependencies.

2. And We do hereby further declare that from and after such publication as aforesaid the Governor and Commander-in-Chief of Our Colony of the Falkland Islands for the time being (hereinafter called the Governor) shall be the Governor of South Georgia, the South Orkneys, the South Shetlands, and the Sandwich Islands, and the territory of Graham's Land (all of which are hereinafter called the Dependencies) ; and We do hereby vest in him all such powers of government and legislation in and over the Dependencies as are from time to time vested in Our said Governor in and over Our Colony of the Falkland Islands, subject, nevertheless, to any instructions which may from time to time be hereafter given him under Our Sign Manual and Signet, or through one of Our Principal Secretaries of State, and to such laws as are now or shall hereafter be in force in the said Dependencies.

Powers and  
legislation.

Temporary  
administration  
during  
Governor's  
absence.

3. In the event of the death or incapacity of the Governor, or in the event of his absence from Our Colony of the Falkland Islands otherwise than for the purpose of visiting the Dependencies, the Officer for the time being Administering the Government of Our said Colony shall be Governor for the time being of the Dependencies.

Executive  
Council.

4. There shall be an Executive Council for the Dependencies, and the said Council shall consist of such persons as shall from time to time constitute the Executive Council of Our Colony of the Falkland Islands ; and the said Council shall exercise the same functions in regard to all matters arising in connection with the Dependencies as are exercised by the Executive Council of Our Colony of the Falkland Islands in regard to matters arising in connection with Our said Colony.

5. It shall be, and shall be deemed always to have been, competent for the Governor, by and with the advice and consent of the Legislative Council of Our Colony of the Falkland Islands, to make laws for the peace, order, and good government of the Dependencies.

Legislation.

6. The Governor is and shall be deemed always to have been, authorised and empowered to make and execute, in Our name and on Our behalf, grants and dispositions of any Lands which may lawfully be granted or disposed of by Us within the Dependencies, either in conformity with Instructions under Our Sign Manual and Signet, or through one of Our Principal Secretaries of State, or in conformity with such laws as may from time to time be in force in the Dependencies.

Governor  
empowered  
to make  
grants of  
Lands.

7. We do hereby reserve to Us, Our Heirs and Successors, full power and authority from time to time to revoke, alter, or amend these Our Letters Patent as to Us or Them shall seem meet.

Power  
reserved to  
His Majesty  
to revoke,  
alter or amend  
present  
Letters Patent.

8. The Governor shall cause these Our Letters Patent to be published in the Government Gazette of Our Colony of the Falkland Islands, and the same shall thereupon come into force.

Publication  
in Gazette.

In Witness whereof We have caused these Our Letters to be made Patent. Witness Ourself at Westminster, this Twenty-first day of July, in the Eighth year of Our Reign.

By Warrant under the King's Sign Manual.

MUIR MACKENZIE.

**Note.**—Articles 4 and 5: see now Articles 9 and 10 of the Falkland Islands Letters Patent, 1948. *Supra* pp. 6 and 7.

**LETTERS PATENT, 1917.****Dependencies.**

[Published in the Gazette on 14th June, 1917.]

**Letters Patent passed under the Great Seal of the United Kingdom, providing for the further Definition and Administration of certain Islands and Territories as Dependencies of the Colony of the Falkland Islands.**

Dated 28th  
March, 1917.

**GEORGE THE FIFTH** by the Grace of God of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India: To all to whom these Presents shall come, Greeting.

WHEREAS doubts have arisen as to the limits of the groups of islands known as South Georgia, the South Orkneys, the South Shetlands, and the Sandwich Islands, and the territory of Graham Land otherwise known as Graham's Land; and whereas it is expedient that provision should be made for the government, not only of these islands and territory but also of certain other Our islands and territories adjacent thereto as Dependencies of Our Colony of the Falkland Islands:

1. Now We do hereby declare that from and after the publication of these Our Letters Patent in the Government Gazette of Our Colony of the Falkland Islands, the Dependencies of Our said Colony shall be deemed to include and to have included all islands and territories whatsoever between the 20th degree of West longitude and the 50th degree of West longitude which are situated south of the 50th parallel of South latitude; and all islands and territories whatsoever between the 50th degree of West longitude and the 80th degree of West longitude which are situated south of the 58th parallel of South latitude.

2. And We do hereby vest in the Governor and Commander-in-Chief of Our Colony of the Falkland Islands all such powers and authorities in and over the lands hereby included in the Dependencies of Our said Colony as are



exercised by him over the Dependencies in virtue of certain Letters Patent bearing date at Westminster the Twenty-first day of July 1908.

3. We do hereby reserve to Ourselves, Our heirs and successors, full power and authority from time to time to revoke, alter or amend these Our Letters Patent as to Us or them shall seem meet.

4. The Governor shall cause these Our Letters Patent to be published in the Government Gazette of Our Colony of the Falkland Islands and the same shall thereupon come into force.

In witness whereof We have caused these Our Letters to be made Patent. Witness Ourselves at Westminster the Twenty-eighth day of March in the Seventh Year of Our Reign.

By Warrant under the King's Sign Manual.

SCHUSTER.

## INSTRUCTIONS

**passed under the Royal Sign Manual and Signet to the Governor and Commander-in-Chief of the Colony of the Falkland Islands and Dependencies thereof.**

Dated 13th December, 1948.

GEORGE R.

INSTRUCTIONS to Our Governor and Commander-in-Chief in and over Our Colony of the Falkland Islands and the Dependencies thereof or other Officer for the time being Administering the Government of Our said Colony and Dependencies.

WHEREAS by the Falkland Islands Letters Patent, 1948 (hereinafter called "the Letters Patent"), We have ordered and declared that there shall be a Governor and Commander-in-Chief (hereinafter called "the Governor") in and over Our Colony of the Falkland Islands and the Dependencies thereof (hereinafter respectively called "the Colony" and "the Dependencies") :

AND WHEREAS certain Instructions and Additional Instructions under the Royal Sign Manual and Signet (hereinafter called "the existing Instructions") were issued to the Governor on the following dates, that is to say : on the twenty-eighth day of February, 1920, and the first day of February, 1941 :

AND WHEREAS We are minded to issue fresh Instructions under Our Sign Manual and Signet for the guidance of the Governor and any other Officer who may administer the Government of the Colony and the Dependencies :

NOW, THEREFORE, as from a date to be appointed by the Governor by Proclamation published in the Gazette, We do hereby revoke the existing Instructions, but without prejudice to any appointment lawfully made or any other thing lawfully done thereunder, and instead thereof We do hereby direct and enjoin and declare Our Will and pleasure as follows :—

Governor to  
administer  
Oaths.

1. The Governor may, whenever he thinks fit, require any person in the public service to take the Oath of Allegiance in the form prescribed by the Letters Patent together with such oath or oaths as may from time to time be prescribed by any law in force in the Colony, in the form prescribed by any such law. The Governor is to administer such oaths or cause them to be administered by some public officer of the Colony.

Instructions  
to be observed  
by Deputy.

2. (1) Whenever there is a subsisting appointment of a Deputy to the Governor under the Letters Patent, these Instructions, so far as they apply to any matter or thing to be done, or any powers or functions to be exercised or performed, by such Deputy, shall be deemed to be addressed to, and shall be observed by, such Deputy.

(2) Any such Deputy may, if he thinks fit, apply to Us through a Secretary of State for instructions in any matter ; but he shall forthwith transmit to the Governor a copy of every despatch or other communication so addressed to Us.

Constitution  
Executive  
Council.

3. The Executive Council shall consist of—

(1) The persons for the time being lawfully discharging the functions of Colonial Secretary, of Senior

Medical Officer, and of Agricultural Officer, who shall be styled *ex-officio* Members ; and

- (2) such other persons, as may from time to time be appointed by Us by any Instructions or Warrants under Our Sign Manual and Signet, or as the Governor, in pursuance of Instructions from Us, through a Secretary of State, may from time to time appoint by Instrument under the Public Seal (hereinafter called "Appointed Members") or as may be appointed temporary Members by the Governor in manner hereinafter appearing.

4. (1) An Appointed Member of the Executive Council shall vacate his seat at the end of three years from the date of the Instrument by which he is appointed, or at such earlier date as may be provided in that Instrument, or before either such date if—

Tenure of office.

- (a) being a person holding an office of emolument under the Crown in the Colony at the date of his appointment to the Executive Council (hereinafter called "an Official Appointed Member"), he shall cease so to hold office ; or
- (b) being a person not holding an office of emolument under the Crown in the Colony at the date of his appointment to the Executive Council (hereinafter called "an Unofficial Appointed Member"), he shall be appointed permanently to any office of emolument under the Crown in the Colony ; or
- (c) without the permission of the Governor, he shall be absent from the Colony ; or
- (d) by writing under his hand addressed to the Governor he shall resign his seat in the Executive Council, and, in the case of an Official Appointed Member, his resignation shall be accepted by the Governor.

(2) If any person is appointed to be a temporary Member of the Executive Council and his temporary appointment is immediately followed by his definitive appointment as an Appointed Member, the said period of three years shall be reckoned from the date of the Instrument by which he is appointed a temporary Member.

(3) Any person vacating a seat as an Appointed Member may be again appointed from time to time.

(4) If an Unofficial Appointed Member shall be appointed temporarily to any office of emolument under the Crown in the Colony or to act in any such office, he shall not sit as a Member or take part in the proceedings of the Executive Council by virtue of his appointment as an Unofficial Appointed Member so long as he continues to hold or act in that office.

(5) The Governor may, by Instrument under the Public Seal, declare any Appointed Member to be incapable of discharging his functions as a Member of the Executive Council, and thereupon such Member shall not sit or take part in the proceedings of the Executive Council until he is declared, in manner aforesaid, again to be capable of discharging his said functions.

(6) The Governor may, by Instrument under the Public Seal, suspend any Appointed Member of the Executive Council from the exercise of his functions as such, and thereupon such Member shall not sit in or take part in the proceedings of the Executive Council so long as his suspension remains in force. Every such suspension shall forthwith be reported by the Governor to Us through a Secretary of State, and shall remain in force until it shall be removed by the Governor by Instrument under the Public Seal or by Us through a Secretary of State, or the person suspended ceases to be a Member of the Executive Council.

Temporary  
appointments.

5. (1) Whenever there shall be a vacancy in the number of persons sitting in the Executive Council by reason of the fact that—

- (a) an *ex-officio* Member is administering the Government; or
- (b) one person is lawfully discharging the functions of more than one of the offices set out in paragraph (1) of Clause 3 of these Instructions; or
- (c) an Appointed Member is lawfully discharging the functions of any such office; or
- (d) no person is lawfully discharging the functions of one of these offices; or

- (e) the seat of an Appointed Member is vacant from any cause ; or
- (f) an Appointed Member is unable to sit in the Executive Council in consequence of a declaration by the Governor, as provided in these Instructions, that he is incapable of discharging his functions as a Member ; or
- (g) an Appointed Member is unable to sit in the Executive Council in consequence of his suspension as provided in these Instructions ; or
- (h) a Member is absent from the Colony ; or
- (i) an Unofficial Appointed Member has been appointed temporarily to an office of emolument under the Crown in the Colony, or to act in any such office ;

the Governor may, by Instrument under the Public Seal, appoint a person to be a temporary Member for the period of such vacancy.

(2) If the vacancy is in the number of *ex-officio* Members, the person so appointed shall be a person holding an office of emolument under the Crown in the Colony.

(3) Every person so appointed shall, so long as his appointment shall subsist, be to all intents and purposes an Appointed Member ; and, subject to the provisions of this clause, the provisions of Clause 4 of these Instructions shall apply accordingly.

(4) The Governor shall forthwith report any such temporary appointment to Us through a Secretary of State. Any such temporary appointment may (without prejudice to anything done by virtue thereof) be disallowed by Us through a Secretary of State or revoked by the Governor by Instrument under the Public Seal.

(5) A temporary appointment shall cease to have effect on notification by the Governor to the person appointed of disallowance by Us or of revocation by the Governor, or on supersession of the appointment by the definitive appointment of a person to fill the vacancy, or when the vacancy shall otherwise cease to exist.

6. Whenever the Governor desires to obtain the advice of any person in the Colony or the Dependencies touching Our

Extraordinary  
Members.



affairs therein, he may summon, in writing, for such special occasion, any such person as an Extraordinary Member of the Executive Council.

**Precedence.**

7. The Members of the Executive Council shall have seniority and precedence as We may specially assign, and in default thereof :

First, the *ex-officio* Members, in the order in which their offices are referred to in paragraph (1) of Clause 3 of these Instructions ;

Secondly, the Appointed Members, according to the date of the Instruments by which they were respectively appointed, or, if appointed on the same day, in such order as the Governor may assign ; and

Thirdly, the Extraordinary Members, according to the date of the Instruments by which they were respectively appointed, or, if appointed on the same day, in such order as the Governor may assign.

**Summoning  
and  
Quorum.**

8. (1) The Executive Council shall not be summoned except by the authority of the Governor.

(2) No business except that of adjournment shall be transacted if objection is taken by any Member present that there are less than two Members present besides the Governor or Member presiding.

**Governor  
to attend  
and preside.**

9. The Governor shall, so far as it is practicable, attend and preside at all meetings of the Executive Council and in his absence such Member as the Governor may appoint or, in the absence of such Member or if no Member be so appointed, the Senior Member of the Executive Council actually present shall preside.

**Governor  
to consult  
Executive  
Council.**

10. In the exercise of his powers and the performance of his duties the Governor shall consult with the Executive Council, except in cases—

- (a) which are of such nature that, in his judgment, Our service would sustain material prejudice by consulting the Executive Council thereon ; or
- (b) in which the matters to be decided are, in his judgment, too unimportant to require their advice ; or

- (c) in which the matters to be decided are, in his judgment, too urgent to admit of their advice being given by the time within which it may be necessary for him to act.

In every case falling within paragraph (c) of this clause, the Governor shall as soon as practicable communicate to the Executive Council the measures which he shall have adopted, with the reasons therefor.

11. The Governor shall alone be entitled to submit questions to the Executive Council; but if the Governor shall decline to submit any question to the Executive Council when requested in writing by any Member so to do, it shall be competent to such Member to require that there be recorded upon the Minutes his written application, together with the answer returned by the Governor thereto.

Governor  
to propose  
questions.

12. (1) The Governor may act in opposition to the advice given to him by the Members of the Executive Council, if he shall in any case consider it right so to do; but in any such case he shall report the matter to Us, through a Secretary of State, at the first convenient opportunity, with the reasons for his action.

Governor  
may act in  
opposition to  
Executive  
Council.

(2) Whenever the Governor shall so act against the advice of the Executive Council it shall be competent to any Member to require that there be recorded upon the Minutes any advice or opinion he may give upon the question with the reasons therefor.

13. (1) Minutes shall be kept of all the proceedings of the Executive Council and at every meeting of the Council the Minutes of the last preceding Meeting shall be confirmed, with or without amendment as the case may require, before proceeding to the despatch of any other business.

Minutes.

(2) Twice in each year a full transcript of all Minutes of the Executive Council for the preceding half year shall be transmitted to Us through a Secretary of State.

14. The Governor shall forthwith communicate to the Executive Council these Our Instructions and all such others as he shall, from time to time, find convenient for Our service to impart to the Executive Council.

Governor to  
communicate  
Instructions  
to the  
Executive  
Council.

Rules for  
the enactment  
of laws

15. In the making of laws the Governor and the Legislative Council shall observe, as far as practicable, the following rules :—

- (1) All laws shall be styled "Ordinances" and, save as otherwise provided by any Order in Our Privy Council, the words of enactment shall be "Enacted by the Governor of the Colony of the Falkland Islands with the advice and consent of the Legislative Council thereof" :

Provided that in the case of any Ordinance made by the Governor for the Dependencies the words of enactment shall be "Enacted by the Governor of the Falkland Islands and the Dependencies thereof".

- (2) All Ordinances shall be distinguished by titles, and shall be divided into successive sections consecutively numbered, and to every section there shall be annexed in the margin a short indication of its contents.
- (3) The Ordinances of each year shall be distinguished by consecutive numbers, commencing in each year with the number one.

Ordinances passed by the Legislative Council and assented to by the Governor shall be dated as of the day on which assent of the Governor is given, but, whatever that day may be, shall be numbered as of the year in which they are passed.

Ordinances made by the Governor for the Dependencies shall be collected and published in a separate series.

Ordinances reserved by the Governor for the signification of Our pleasure and assented to by Us shall be dated as of the day and numbered as of the year on and in which they became law.

- (4) Matters having no proper relation to each other shall not be provided for by the same Ordinance ; no Ordinance shall contain anything foreign to what the title of the Ordinance imports ; and no provision having indefinite duration shall be included in any Ordinance expressed to have limited duration.

16. The Governor shall not, without having previously obtained instructions through a Secretary of State, enact any Ordinance or assent to any Bill within any of the following classes, unless such Ordinance or Bill contain a clause suspending the operation thereof until the signification of Our pleasure thereon, that is to say—

Certain Bills  
not to be  
assented to  
without  
Instructions.

- (1) any Ordinance or Bill for the divorce of married persons ;
- (2) any Ordinance or Bill whereby any grant of land or money, or other donation or gratuity, may be made to himself ;
- (3) any Ordinance or Bill affecting the currency of the Colony or the Dependencies or relating to the issue of Bank Notes ;
- (4) any Ordinance or Bill establishing any banking association or altering the constitution, rights or duties of any banking association ;
- (5) any Ordinance or Bill imposing differential duties ;
- (6) any Ordinance or Bill the provisions of which shall appear to him to be inconsistent with obligations imposed upon Us by Treaty ;
- (7) any Ordinance or Bill interfering with the discipline or control of Our forces by land, sea or air ;
- (8) any Ordinance or Bill of an extraordinary nature and importance whereby Our prerogative, or the rights or property of Our subjects not residing in the Colony or the Dependencies, or the trade, transport or communications of any part of Our dominions or any territory under Our protection or any territory in which We may for the time being have jurisdiction may be prejudiced ;
- (9) any Ordinance or Bill whereby persons of any community or religion may either—
  - (a) be subjected or made liable to disabilities or restrictions to which persons of other communities or religions are not made liable : or

- (b) become entitled to any privilege or advantage which is not conferred on persons of other communities or religions ;
- (10) any Ordinance or Bill containing provisions to which Our assent has once been refused or which have been disallowed by Us ;

Provided that, if the Governor shall have satisfied himself that urgent necessity requires that any such Ordinance or Bill (other than one appearing to him to be inconsistent with obligations imposed upon Us by Treaty) be brought into immediate operation, he may enact such Ordinance or assent to such Bill, as the case may be, but he shall, at the earliest opportunity, transmit the Ordinance to Us together with his reasons for so assenting.

**Private Bills.**

17. (1) Every Bill (not being a Government measure) intended to affect or benefit some particular person, association, or corporate body, shall contain a clause saving the rights of Us, Our Heirs and Successors, all bodies politic and corporate, and all others except such as are mentioned in the Bill and those claiming by, from or under them.

(2) No such Bill shall be introduced into the Legislative Council until due notice has been given by not less than three successive publications of the Bill in the Gazette ; and the Governor shall not assent thereto in Our name unless it has been so published. A certificate under the hand of the Governor signifying that such publication has been made shall be transmitted to Us with the Bill or Ordinance.

**Ordinances  
to be sent  
through  
Secretary  
of State.**

18. When any Ordinance shall have been enacted, the Governor shall forthwith transmit to Us, through a Secretary of State, for the signification of Our pleasure, a transcript in duplicate of the Ordinance, duly authenticated under the Public Seal and by his own signature, together with an explanation of the reasons and occasion for the enactment of the Ordinance.

**Ordinances  
to be  
published.**

19. As soon as practicable after the commencement of each year, the Governor shall cause a complete collection of all Ordinances enacted during the preceding year to be published for general information.

20. (1) Before disposing of any lands to Us belonging in the Colony or the Dependencies, the Governor shall cause such reservations to be made thereout as he may think necessary for any public purpose.

Disposition  
of Crown  
Lands.

(2) The Governor shall not, directly or indirectly, purchase for himself any land or building in the Colony or the Dependencies to Us belonging without Our special permission given through a Secretary of State.

21. Every appointment by the Governor of any person to any office or employment shall, unless otherwise provided by law, be expressed to be during pleasure only.

Appointments  
to be during  
pleasure.

22. (1) Whenever any offender shall have been condemned by the sentence of any court in the Colony or the Dependencies to suffer death, the Governor shall cause a written report of the case of such offender to be taken into consideration at a meeting of the Executive Council.

Regulation  
of power of  
pardon in  
capital cases.

(2) The Governor shall not pardon or reprieve any such offender unless it shall appear expedient to him so to do upon receiving the advice of the Executive Council thereon ; but he is to decide either to extend or withhold a pardon or reprieve, according to his own deliberate judgment, whether the Members of the Executive Council concur therein or otherwise. Whenever he shall decide any such question in opposition to the judgment of the majority of the Members thereof, he shall enter his reasons at length in the Minutes of the Executive Council.

23. The Governor shall forward to Us each year, through a Secretary of State, the annual book of returns commonly called the Blue Book, relating to Revenue and Expenditure, Public Works, Legislation, Civil Establishment, Pensions, Population, Schools, Course of Exchange, Imports and Exports, Agricultural Produce, Manufactures, and other matters in the said Blue Book more particularly specified with reference to the state and condition of the Colony and the Dependencies.

Blue Book.

24. Except in circumstances in which he is not regarded as absent from the Colony for the purposes of the Letters Patent, the Governor shall not quit the Colony without having first

Governor's  
absence.



obtained leave from Us for so doing through a Secretary of State.

Interpre-  
tation.

25. (1) In these Instructions, unless the context otherwise requires—

“the Executive Council” means the Executive Council established by the Falkland Islands Letters Patent, 1948;

“the Gazette” means the Falkland Islands Government Gazette;

“the Legislative Council” means the Legislative Council of the Colony established by the Falkland Islands (Legislative Council) Order in Council, 1948;

“the Public Seal” means the Public Seal of the Colony;

“Secretary of State” means one of Our Principal Secretaries of State.

(2) For the purposes of these Instructions, any reference to any public officer by the term designating his office means the officer for the time being lawfully discharging the functions of that office.

(3) For the purposes of these Instructions a person shall not be deemed to hold an office of emolument under the Crown in the Colony by reason only that he is in receipt of a pension or other like allowance in respect of service under the Crown; and if it shall be declared by any law for the time being in force in the Colony or the Dependencies that an office shall not be an office of emolument under the Crown in the Colony for all or any of the purposes of these Instructions, these Instructions shall have effect as if such law were enacted in these Instructions.

Given at Our Court at St. James's this thirteenth day of December, 1948, in the thirteenth year of Our Reign.

## **THE FALKLAND ISLANDS (CONTINENTAL SHELF) ORDER IN COUNCIL.**

[21st December, 1950.]

WHEREAS it is desirable to extend the boundaries of the Colony of the Falkland Islands so as to include the continental shelf contiguous to the coasts of the Colony:

NOW, THEREFORE, His Majesty, in pursuance of the powers conferred upon Him by the Colonial Boundaries Act, 1895, and of all other powers enabling Him in that behalf, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows :—

1. This Order may be cited as the Falkland Islands (Continental Shelf) Order in Council, 1950.

2. The boundaries of the Colony of the Falkland Islands are hereby extended to include the area of the continental shelf being the sea-bed and its subsoil contiguous to the coasts of the Falkland Islands. The boundary of such area shall be from a position on the 100 fathom line 110 nautical miles 023 degrees true from Jason West Cay (the Westernmost of the Jason Islands, latitude 50 degrees, 58 minutes South, longitude 61 degrees 27 minutes West approximately), following the 100 fathom line as shown on Admiralty Chart No. 2202B round the northern, eastern, southern and western sides of the Falkland Islands to a position 20 nautical miles 278 degrees true from Jason West Cay, thence by a straight line crossing in its narrowest part the area where the depths are less than 100 fathoms, in a 032 degree true direction for 115 nautical miles to the starting point.

3. Nothing in this Order shall be deemed to affect the character as high seas of any waters above the continental shelf and outside the limits of territorial waters.

E. C. E. LEADBITTER.

**THE FALKLAND ISLANDS (LEGISLATIVE COUNCIL) ORDER IN COUNCIL, 1948-1950.**

26th November, 1948.

21st July, 1950.

WHEREAS by Letters Patent under the Great Seal dated the 25th day of February, 1892 (hereinafter called "the Letters Patent of 1892"), provision is made for the constitution and powers of the Legislative Council of the Colony of the Falkland Islands :

AND WHEREAS it is expedient to make other provision for the constitution and powers of the said Legislative Council :

50 & 51  
Vict. c. 54.  
9 & 10  
Geo. 6. c. 7

NOW, THEREFORE, His Majesty by virtue and in exercise of the powers vested in Him by the British Settlements Acts, 1887 and 1945, and of all other powers enabling Him in that behalf, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows :—

### Part I.

#### PRELIMINARY.

Interpreta-  
tion.

1. (1) In this Order, unless the context otherwise requires—

“the appointed day” means the day appointed under section 2 of this Order ;

“the Colony” means the Colony of the Falkland Islands ;

“the Council” means the Legislative Council of the Colony of the Falkland Islands constituted by this Order ;

“the Dependencies” means the Dependencies of the Falkland Islands as defined in Letters Patent passed under the Great Seal dated the 28th day of March, 1917 ;

“the Executive Council” means the Executive Council for the time being of the Colony ;

“the Gazette” means the Falkland Islands Government Gazette ;

“the Governor” means the Governor and Commander-in-Chief of the Colony and the Dependencies, and includes any Officer for the time being administering the Government and, to the extent to which a Deputy for the Governor is authorised to act, that Deputy ;

“the Governor in Council” means the Governor acting with the advice of the Executive Council, but not necessarily in accordance with that advice nor necessarily in such Council assembled ;

“meeting” means any sitting or sittings of the Council commencing when the Council first meets after being

summoned at any time and terminating when the Council is adjourned *sine die* or at the conclusion of a session ;

"the Public Seal" means the Public Seal of the Colony ;

"Secretary of State" means one of His Majesty's Principal Secretaries of State ;

"session" means the meetings of the Council commencing when the Council first meets after being constituted under this Order, or after its prorogation or dissolution at any time, and terminating when the Council is prorogued or is dissolved without having been prorogued ;

"sitting" means a period during which the Council is sitting continuously without adjournment, and includes any period during which the Council is in Committee.

(2) The rules set out in the Schedule to this Order shall apply for the interpretation of the expression "ordinarily resided" in paragraph (g) of section 11 of this Order.

(3) For the purposes of this Order, any reference to any public officer by the term designating his office means the person for the time being lawfully discharging the functions of that office.

(4) For the purposes of this Order, a person shall not be deemed to hold an office of emolument under the Crown in the Colony by reason only that he is in receipt of a pension or other like allowance in respect of service under the Crown ; and if it shall be declared by any law for the time being in force in the Colony that an office shall not be an office of emolument under the Crown in the Colony for all or any of the purposes of this Order, this Order shall have effect accordingly as if such law were enacted therein.

(5) The Interpretation Act, 1889, shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

52 & 53  
Vict. c. 63.

2. This Order may be cited as the Falkland Islands (Legislative Council) Order in Council, 1948-1950. It shall be published in the Gazette and, save as otherwise expressly provided in this Order, shall come into operation on the first day of January, 1949.

Short title  
and com-  
mencement.

## Part II.

## THE LEGISLATIVE COUNCIL.

Establish-  
ment of  
Legislative  
Council.

3. There shall be a Legislative Council in and for the Colony constituted in accordance with the provisions of this Order.

Composition  
of Legislative  
Council.

4. The Council shall consist of—

- (a) the Governor, as President ;
- (b) three *ex-officio* Members ;
- (c) three Nominated Official Members ;
- (d) two Nominated Unofficial Members ; and
- (e) four Elected Members.

*Ex-officio*  
Members.

5. The *ex-officio* Members shall be the Colonial Secretary, the Senior Medical Officer and the Agricultural Officer.

Nominated  
Official and  
Nominated  
Unofficial  
Members.

6. (1) The Nominated Official Members shall be persons holding office of emolument under the Crown in the Colony and shall be appointed by the Governor by Instrument under the Public Seal in pursuance of His Majesty's instructions through a Secretary of State.

(2) The Nominated Unofficial Members shall be persons not holding any office of emolument under the Crown in the Colony and shall be appointed by the Governor by Instrument under the Public Seal in pursuance of His Majesty's instructions through a Secretary of State.

Elected  
Members.

7. The Elected Members shall be persons qualified in accordance with the provisions of this Order and elected in the manner provided by any law for the time being in force in the Colony.

Extra-  
ordinary  
Members.

8. The Governor may summon any person to any meeting of the Council, notwithstanding that such person may not be a member of the Council when, in the opinion of the Governor, the business before the Council renders the presence of such person desirable. Any person so summoned shall be entitled to take part in the proceedings of the Council relating to the business in respect of which he is summoned as if he were a Member of the Council, except that he shall not have the right to vote in the Council.

9. (1) Subject to the provisions of this Order, every Nominated Member of the Council shall hold his seat in the Council during His Majesty's pleasure.

Tenure of  
Nominated  
and Elected  
Members.

(2) Every Nominated or Elected Member shall in any case cease to be a Member at the next dissolution of the Council after his appointment or election, or previously thereto if his seat shall become vacant under the provisions of this Order, but, if qualified, shall be eligible for reappointment or re-election from time to time.

(3) The Governor may, by Instrument under the Public Seal, declare any Nominated Member to be incapable of discharging his functions as a Member, and thereupon such Member shall not sit or vote in the Council until he is declared, in manner aforesaid, again to be capable of discharging his said functions.

(4) The Governor may, by Instrument under the Public Seal, suspend any Nominated Member from the exercise of his functions as a Member. Every such suspension shall forthwith be reported by the Governor to His Majesty through a Secretary of State, and shall remain in force until it shall be removed by the Governor by Instrument under the Public Seal or by His Majesty through a Secretary of State, or the person suspended ceases to be a Member.

10. Subject to the provisions of section 11 of this Order, any person who is a British subject of the age of twenty-one years or upwards shall be qualified to be a Nominated Member or an Elected Member of the Council, and no other persons shall be qualified to be appointed or elected thereto or, having been so appointed or elected, shall sit or vote in the Council or in any Committee thereof.

Qualifications  
for Nominated  
and Elected  
Membership.

11. No person shall be qualified to be appointed as a Nominated Member or elected as an Elected Member or, having been so appointed or elected, shall sit or vote in the Council, who at the time of appointment or election—

Disqualifi-  
cations for  
Nominated  
and Elected  
Membership.

- (a) is, by virtue of his own act, under any acknowledgment of allegiance, obedience or adherence to a foreign Power or State ; or
- (b) is an undischarged bankrupt, having been declared a bankrupt under any law in force in any part of

His Majesty's dominions or in any territory under His Majesty's protection or in any territory in which His Majesty has from time to time jurisdiction ; or

- (c) has, in any part of His Majesty's dominions or in any territory under His Majesty's protection or in any territory in which His Majesty has from time to time jurisdiction, been sentenced to death or to imprisonment (by whatever name called) for a term exceeding six months, and has not either suffered the punishment to which he was sentenced or such other punishment as may by competent authority have been substituted therefor or received a free pardon ; or
- (d) has been declared to be of unsound mind under any law in force in the Colony ; or
- (e)
  - (i) in the case of a Nominated Unofficial Member, is a party to, or a partner in a firm, or a director or manager of a company, which is a party to, any subsisting contract with the Government of the Colony for or on account of the public service and has not disclosed to the Governor the nature of such contract and his interest, or the interest of such firm or company, therein ; or
  - (ii) in the case of an Elected Member, is a party to, or a partner in a firm, or a director or manager of a company, which is a party to, any subsisting contract with the Government of the Colony for or on account of the public service and has not published within one month before the day of election in the Gazette and in a newspaper circulating in the electoral district for which he is a candidate a notice setting out the nature of such contract and of his interest, or of the interest of such firm or company, therein ; or
- (f) holds any office of emolument under the Crown in the Colony, or
- (g) in the case of an Elected Member—

- (i) is not qualified to be registered as an elector under the provisions of any law for the time being in force in the Colony or, being so qualified, is not so registered ; or
- (ii) is disqualified for election by any law for the time being in force in the Colony by reason of his holding, or acting in, any office the functions of which involve—
  - (a) any responsibility for, or in connection with, the conduct of any election, or
  - (b) any responsibility for the compilation or revision of any electoral register, or
- (iii) has not ordinarily resided in the Colony for a period of not less than twelve months ; or
- (h) is disqualified for membership of the Council by any law for the time being in force in the Colony relating to offences connected with the election of Elected Members.

12. (1) The seat of a Nominated Member or of an Elected Member of the Council shall become vacant—

Vacation of  
seats.

- (a) upon his death ; or
- (b) if he shall be absent from two consecutive meetings of the Council without having obtained from the Governor, before the termination of either of such meetings, permission to be or to remain absent therefrom ; or
- (c) if he shall do, concur in or adopt any act done with the intention that he shall become a subject or citizen of any foreign Power or State ; or
- (d) if he shall, by writing under his hand directed to the Governor, resign his seat in the Council and, in the case of a Nominated Official Member, his resignation shall be accepted by the Governor ; or
- (e) if, being an Elected Member, he shall be appointed to any office of emolument under the Crown ; or
- (f) if, being a Nominated Unofficial Member, he shall be appointed permanently to any office of emolument under the Crown in the Colony ; or



- (g) if, being a Nominated Unofficial Member, he shall become an Elected Member ; or
- (h) if he shall become disqualified from being registered as an elector under the provisions of any law of the Colony in that behalf, or, not being so disqualified, shall cease to be registered as such ; or
- (i) if he shall otherwise cease to be qualified for election or appointment under the provisions of this Order.

(2) If any Nominated Unofficial Member shall be appointed temporarily to, or to act in, any office of emolument under the Crown in the Colony, he shall not sit or vote in the Council by virtue of his appointment as a Nominated Unofficial Member so long as he continues to hold, or to act in, that office.

(3) Subject to the provisions of this Order, all questions which may arise as to the right of any person to be or remain an Elected Member shall be determined by the Supreme Court of the Colony in accordance with the provisions of any law for the time being in force in the Colony.

(4) All questions which may arise as to the right of any person to be or remain a Nominated Member shall be referred to and decided by the Governor in Council.

Temporary  
Members.

13. (1) Whenever there shall be a vacancy in the number of persons sitting as *ex-officio* or Nominated Members of the Council by reason of the fact that—

- (a) an *ex-officio* or Nominated Official Member is administering the Government of the Colony ; or
- (b) one person is lawfully discharging the functions of more than one of the offices referred to in section 5 of this Order ; or
- (c) no person is lawfully discharging the functions of one of those offices ; or
- (d) any such office has ceased to exist ; or
- (e) a Nominated Member is unable to sit or vote in the Council in consequence of a declaration by the Governor, as provided in this Order, that he is incapable of discharging his functions as a Member ; or

- (f) a Nominated Member is suspended, as provided in this Order, from the exercise of his functions as a Member ; or
- (g) a Member is absent from the Colony ; or
- (h) a Nominated Unofficial Member is temporarily appointed to, or to act in, an office of emolument under the Crown in the Colony ; or
- (i) the seat of a Nominated Unofficial Member is vacant for any cause other than the dissolution of the Council,

the Governor may by Instrument under the Public Seal appoint a person to be a temporary Member for the period of such vacancy.

(2) If the vacancy is in the number of persons sitting in the Council as *ex-officio* or Nominated Official Members, the person appointed shall be a person holding office of emolument under the Crown in the Colony ; and if the vacancy is in the number of persons sitting in the Council as Nominated Unofficial Members, the person appointed shall be a person qualified for appointment as a Nominated Unofficial Member.

(3) If a person is appointed under the provisions of this section to be a temporary Member to fill a vacancy in the number of persons sitting in the Council as *ex-officio* or Nominated Official Members, then, so long as his appointment shall subsist, the provisions of this Order shall, subject to the provisions of this section, apply to him as if he were a Nominated Official Member.

(4) If a person is appointed under the provisions of this section to be a temporary Member to fill a vacancy in the number of persons sitting in the Council as Nominated Unofficial Members, then, so long as his appointment shall subsist, he shall be to all intents and purposes a Nominated Unofficial Member and, subject to the provisions of this section, the provisions of sections 9 and 12 of this Order shall have effect accordingly.

(5) The Governor shall forthwith report every temporary appointment made under this section to His Majesty through a Secretary of State and such appointment may (without prejudice to anything done by virtue thereof) be revoked by the Governor by Instrument under the Public Seal.

(6) A temporary appointment made under this section shall cease to have effect on notification by the Governor to the person appointed of revocation by the Governor, or on supersession of the appointment by the definitive appointment of a person to fill the vacancy, or when the vacancy shall otherwise cease to exist.

Presiding in  
Legislative  
Council.

14. The Governor, if present, shall preside at meetings of the Council, and in his absence such Member as the Governor may from time to time appoint in writing, or in the absence of the Member so appointed or if no Member be so appointed, the Member present who stands first in order of precedence shall preside.

Precedence  
of Members.

15. (1) After the Governor, the Members of the Council shall take precedence among themselves as His Majesty may specially assign, and in default thereof as follows :—

First, the *ex-officio* Members in the order in which their offices are referred to in section 5 of this Order ;

Secondly, the Nominated Official Members in such order as the Governor may direct ;

Thirdly, the Nominated Unofficial Members and the Elected Members, according to the length of time during which they have been continuously Members of the Council, Members appointed or elected at the same time taking precedence amongst themselves in such order as the Governor may direct.

(2) For the purposes of this section—

(a) Members appointed and Members elected to the Council as first constituted under this Order shall be deemed to have been appointed or elected on the date on which the report of the return of the first successful candidate for election is made to the Governor ; and

(b) in ascertaining the period during which a person has continuously been a Member of the Council—

(i) no account shall be taken of any interval between the vacation by that person of his seat in the Council in consequence of the expiration of his tenure of office or a dissolution of the Council and the date of his reappointment or

re-election to fill a vacancy in the Council caused by that expiration of tenure or that dissolution ; and

- (ii) if any person having been, for any period immediately before the appointed day, a Member of the Legislative Council constituted by the Letters Patent of 1892, is appointed or elected as a Member by virtue of the first appointments or elections to the Council after the appointed day, he shall be deemed to have been a Member of the Council so constituted for that period ; and no account shall be taken of any interval between the day preceding the appointed day and the date upon which he is first appointed or elected to the Council, or of any interval in his membership of the Legislative Council constituted by the Letters Patent of 1892 between the expiration of his tenure of office and his appointment or election to fill the vacancy thereby caused.

16. (1) Whenever the seat of an Elected Member becomes vacant, a fresh election shall be held to fill the vacancy in accordance with the provisions of this Order. Filling of Vacancies.

(2) Whenever the seat of a Nominated Member becomes vacant, the vacancy shall be filled by appointment by the Governor in accordance with the provisions of this Order.

### **Part III.**

#### **LEGISLATION AND PROCEDURE OF LEGISLATURE**

17. Subject to the provisions of this Order, it shall be lawful for the Governor, with the advice and consent of the Council, to make laws for the peace, order and good government of the Colony. Power to make laws.

18. Subject to the provisions of this Order and of the Standing Rules and Orders of the Council, any Member may introduce any Bill or propose any motion for debate in, or may present any petition to, the Council, and the same shall be debated and disposed of according to the Standing Rules and Orders : Introduction of Bills, etc.

Provided that, except with the recommendation or consent of the Governor signified thereto, the Council shall not proceed upon any Bill, amendment, motion or petition which, in the opinion of the Governor or other Presiding Member, would—

- (a) dispose of or charge any public revenue or public funds of the Colony or revoke or alter any disposition thereof or charge thereon, or impose, alter or repeal any rate, tax or duty ;
- (b) suspend the Standing Rules and Orders of the Council or any of them.

**Voting.**

19. (1) All questions proposed for decision in the Council shall be determined by a majority of the votes of the Members present and voting.

(2) The Governor shall not have an original vote, but if upon any question the votes shall be equally divided, he shall have a casting vote.

(3) In the absence of the Governor, the Presiding Member shall have an original vote and, if upon any question the votes shall be equally divided, shall also have a casting vote.

**Vacancies and Quorum.**

20. (1) The Council shall not be disqualified for the transaction of business by reason of any vacancy among the Members ; and any proceedings therein shall be valid notwithstanding that some person who was not entitled to do so sat or voted in the Council or otherwise took part in the proceedings.

(2) No business except that of adjournment shall be transacted if objection is taken by any Member present that there are less than six Members present besides the Governor or other Presiding Member.

**Royal Instructions.**

21. Subject to the provisions of this Order the Governor and the Council shall, in the transaction of business and the making of laws, conform as nearly as may be to the directions contained in any Instructions under His Majesty's Sign Manual and Signet which may from time to time be addressed to the Governor in that behalf.

22. (1) No Bill shall become a law until either the Governor shall have assented thereto in His Majesty's name and on His Majesty's behalf and shall have signed the same in token of such assent, or His Majesty shall have given His assent thereto through a Secretary of State.

Assent to  
Bills.

(2) When a Bill is presented to the Governor for his assent, he shall, according to his discretion, but subject to the provisions of this Order and of any Instructions addressed to him under His Majesty's Sign Manual and Signet or through a Secretary of State, declare that he assents, or refuses his assent, thereto, or that he reserves the Bill for the signification of His Majesty's pleasure.

(3) A law assented to by the Governor shall come into operation on the date on which such assent shall be given or, if it shall be enacted, either in the law or in some other enactment (including any enactment in force on the appointed day), that it shall come into operation on some other date, on that date.

(4) A Bill reserved for the signification of His Majesty's pleasure shall become a law so soon as His Majesty shall have given His assent thereto, through a Secretary of State, and the Governor shall have signified such assent by Proclamation in the Gazette. Every such law shall come into operation on the date of such Proclamation or, if it shall be enacted, either in the law or in some other enactment (including any enactment in force on the appointed day), that it shall come into operation on some other date, on that date.

23. (1) Any law to which the Governor shall have given his assent may be disallowed by His Majesty through a Secretary of State.

Disallowance  
of laws.

(2) Whenever any law has been disallowed by His Majesty, the Governor shall cause notice of such disallowance to be published in the Gazette.

(3) Every law so disallowed shall cease to have effect as soon as notice of such disallowance shall be published as aforesaid; and thereupon any enactment repealed or amended by, or in pursuance of, the law disallowed shall have effect as if such law had not been made. Subject as aforesaid, the provisions of sub-section (2) of section 38 of the Interpretation Act, 1889, shall apply to such disallowance as they apply to the repeal of an Act of Parliament.

52 & 53  
Vict. c. 63.

**Sittings and Sessions.**

24. (1) The sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation published in the Gazette.

(2) There shall be a Session of the Council once at least in every year, so that a period of twelve months shall not intervene between the last sitting in one Session and the first sitting in the next Session.

**Standing Rules and Orders.**

25. (1) Subject to the provisions of this Order and of any Instructions under His Majesty's Sign Manual and Signet, the Council may from time to time make, amend and revoke Standing Rules and Orders for the regulation and orderly conduct of their proceedings and the despatch of business, to provide for the giving of notice of the provisions of Bills and for the presentation thereof to the Governor for assent ; but no such Rules or Orders shall have effect until they shall have been approved by the Governor.

(2) Until other provision is made under this section, the Standing Rules and Orders of the Legislative Council constituted under the Letters Patent of 1892, as in force immediately before the appointed day, shall, with the necessary modifications and adaptations, be the Standing Rules and Orders of the Council ; and the said Standing Rules and Orders may be amended or revoked by Standing Rules and Orders made under the preceding sub-section.

**Prorogation and dissolution.**

26. (1) The Governor may at any time by Proclamation published in the Gazette, prorogue or dissolve the Council.

(2) On dissolution, all Members shall vacate their seats, and the Council shall be reconstituted by election and appointment in accordance with the provisions of this Order at such time, within three months of every dissolution, as the Governor shall by Proclamation published in the Gazette appoint.

(3) The Governor shall dissolve the Council at the expiration of four years from the date of the report to him of the return of the first successful candidate at the last preceding General Election, if it shall not have been sooner dissolved.

**Oath of Allegiance.**

27. Except for the purpose of enabling this section to be complied with, no Member of the Council shall sit or vote

therein or in any Committee thereof until he shall have taken and subscribed before the Governor, or some person authorised by the Governor in that behalf, the following oath :—

“I, A.B., do swear that I will be faithful and bear true allegiance to His Majesty King George the Sixth, His Heirs and Successors according to law. So help me God.”

Provided that every person authorised by law to make an affirmation instead of taking an oath in legal proceedings may make such affirmation in like terms instead of the said oath.

#### **Part IV.**

##### **MISCELLANEOUS.**

28. Provision may be made, by or in pursuance of any law enacted under this Order, for the election of Elected Members of the Council, including (without prejudice to the generality of the foregoing power but subject to the provisions of this Order) the following matters, that is to say :—

Laws as to  
Elections.

- (a) the delimitation of electoral areas ;
- (b) the qualifications and disqualifications of voters ;
- (c) the ascertainment of the qualifications of voters ;
- (d) the registration of voters ;
- (e) the holding of elections ;
- (f) the determination of all questions which may arise as to the right of any person to be or remain an Elected Member ;
- (g) the definition and trial of offences in relation to elections and the imposition of penalties therefor, including disqualification for Membership of the Council, or for registration as a voter, or for voting of any persons concerned in any such offence ;
- (h) the filling by appointment by the Governor or otherwise of any vacancy in the number of persons sitting in the Council as Elected Members by reason of the fact that no person has been nominated for election to fill the vacancy.

29. (1) Provision may be made at any time before the appointed day by laws made under the Letters Patent of

Transitional  
Provisions as  
to Elections.



1892, and at any time after the appointed day and before the first sitting of the Council under this Order by Proclamation by the Governor published in the Gazette, in respect of all or any of the matters specified in section 28 of this Order.

(2) The expression "any law for the time being in force in the Colony", wherever it occurs in this Order, shall include any law or Proclamation made under this section.

(3) It shall not be necessary for any law enacted in accordance with the provisions of this section to be reserved for the signification of His Majesty's pleasure.

(4) Every Proclamation made under sub-section (1) of this section shall have the force of law and may be amended, added to or revoked by further Proclamations within the period specified in that sub-section.

(5) This section shall come into operation on the day after the day upon which this Order shall have been laid before both Houses of Parliament.

Penalty for  
unqualified  
person sitting  
or voting.

30. (1) Any person who—

- (a) having been elected or appointed a Member of the Council, but not having been at the time of such election or appointment qualified to be so elected or appointed, shall sit or vote in the Council; or
- (b) shall sit or vote in the Council after his seat thereon has become vacant or he has become disqualified from sitting or voting therein,

knowing or having reasonable grounds for knowing, that he was so disqualified or that his seat has become vacant, as the case may be, shall be liable to a penalty not exceeding twenty pounds for every day upon which he so sits or votes.

(2) The said penalty shall be recoverable by action in the Supreme Court of the Colony at the suit of the Colonial Secretary.

Removal of  
difficulties.

31. (1) If any difficulty shall arise in bringing into operation any of the provisions of this Order, or in giving effect to the purposes thereof, a Secretary of State may, by Order, make such provision as seems to him necessary or expedient for the purpose of removing the difficulty and may by such Order amend or add to any provision of this Order:

Provided that no Order shall be made under this section later than the first day of January, 1950.

(2) Any Order made under this section may be amended, added to, or revoked by a further Order, and may be given retrospective effect to a day not earlier than the date of this Order.

(3) This section shall come into operation on the day after the day upon which this Order shall have been laid before both Houses of Parliament.

32. (1) His Majesty hereby reserves to Himself, His Heirs and Successors, power, with the advice of His or Their Privy Council, to revoke, add to or amend this Order, as to Him or Them shall seem fit. Powers reserved to His Majesty.

(2) Nothing in this Order shall affect the powers of His Majesty in Council to make laws from time to time for the peace, order and good government of the Colony.

E. C. E. LEADBITTER.

**SCHEDULE.**

1. Subject to the provisions of rules 2, 3, 4 and 5 of this Schedule, the question of whether a person is or was ordinarily resident at any material time or during any material period shall be determined by reference to all the facts of the case.

2. The place of ordinary residence of a person is, generally, that place which is the place of his habitation or home, whereto, when away therefrom, he intends to return. In particular when a person usually sleeps in one place and has his meals or is employed in another place, the place of his ordinary residence is where he sleeps.

3. Generally, a person's place of ordinary residence is where his family is; if he is living apart from his family, with the intent to remain so apart from it in another place, the place of ordinary residence of such person is such other place. Temporary absence from a place of ordinary residence does not cause a loss or change of place of ordinary residence.

4. Any person who has more than one place of ordinary residence may elect in respect of which place he desires to be registered.

5. Any person, who at any time is serving in the armed forces of the Crown, shall be deemed to be ordinarily resident during the period of such service in the place in which he so resided immediately before he entered on such service, unless he has thereafter established some other ordinary residence elsewhere.

**EXPLANATORY NOTE.**

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order in Council provides for the establishment of a reformed Legislative Council which will legislate for the Colony of the Falkland Islands. It will be presided over by the Governor, and will consist of six official Members and six unofficial Members of whom four will be elected by popular vote.

## STANDING RULES AND ORDERS

of the Legislative Council Constituted under the Falkland Islands (Legislative Council) Order in Council, 1948.

1. Not less than twenty-one days before the date appointed by the Governor pursuant to the provisions of section 24 of the Falkland Islands (Legislative Council) Order in Council, 1948, for a meeting of the Council, the Clerk of the Council (hereinafter called the Clerk) shall notify each Member resident in Stanley by written notice and each Member resident outside Stanley by telegraph specifying the date and time of such meeting. Notice of Meetings.

Provided that in the case of any emergency, of which the Governor shall be the sole judge, a meeting may be summoned on such shorter notice as he may determine.

2. The proceedings and debates of the Council shall be in the English language. Language.

3. (1) Two clear days before the date of the meeting the Clerk shall distribute to Members a paper, to be known as the Order Paper, shewing the business of the meeting. Duties of the Clerk.

(2) The Clerk shall keep the Minutes of the Proceedings of the Council and of Committees of the whole Council, and shall circulate to Members a copy of such Minutes as soon as practicable after the conclusion of each Meeting.

(3) The Minutes shall record the names of Members attending, and all decisions of the Council, whether made formally or informally.

(4) In the case of a division of the Council or a Committee of the whole Council, the Minutes shall include the numbers voting for and against the question, and the names of Members so voting.

(5) The Clerk shall be responsible for the custody of the votes, records, bills and other documents laid before the Council, which shall be open to inspection by Members at all reasonable times, and by other persons under such arrangements as may be sanctioned by the President.

4. (1) If at any time the attention of the President is directed to the fact that a quorum is not present, he shall Quorum.

direct Members to be summoned and if at the expiration of two minutes a quorum be not present, he shall adjourn the Council without question put.

(2) If the absence of a quorum be noticed in Committee of the whole Council, the Chairman shall proceed in the manner prescribed in paragraph (1) of this Order, and if a quorum be not present, the Council shall be resumed and the president shall forthwith count the Council. If a quorum be not then present, the Council shall be adjourned as provided in paragraph (1) of this Order, but if a quorum be then present, the Council shall forthwith again resolve itself into Committee.

Order of  
Business.

5. (1) Subject to the provisions of paragraph (3) of this Order, the business shall be transacted in the following order :—

- (a) Prayers ;
- (b) Oath of Allegiance of new Members ;
- (c) Confirmation of Minutes ;
- (d) Announcements ;
- (e) Petitions ;
- (f) Papers to be laid on the Table ;
- (g) Questions ;
- (h) Motions ;
- (i) Bills.

(2) Government motions and Bills shall take precedence on the Order Paper over all other motions and Bills, unless the President otherwise directs in any particular case.

(3) The order of business as prescribed in paragraph (1) of this Order may be altered, by leave of the President, for good cause shown.

Confirmation  
of Minutes.

6. (1) The Clerk shall read the Minutes of the previous sitting unless such minutes have been previously circulated, and the President shall put the question that the Minutes as read or circulated be confirmed.

(2) No debate shall be allowed on such question except as to any proposed amendment or as to the accuracy of the Minutes.

(3) The Minutes when confirmed shall be signed by the President.

7. (1) Every petition must be presented by a Member who shall be responsible for seeing that it complies with the following provisions (otherwise it will not be received by the Council), namely— Petitions.

- (a) it is addressed to the Council ;
- (b) it is properly and respectfully worded ;
- (c) it concludes with a prayer setting forth the general object of the petition ;
- (d) no documents are attached ;
- (e) when asking for a grant of public money or the release of a debt to public funds, the recommendation of the Governor thereto has been signified ;
- (f) it has at least one signature on the sheet on which the prayer of the petition appears, and has at least the prayer at the head of each subsequent sheet of signatures.

(2) In presenting a petition a Member shall confine himself to a statement of the persons from whom it comes, the number of signatures attached to it and the material allegations and requests contained in it.

(3) All petitions shall be ordered to lie upon the Table without question put unless the Member presenting it move for it to be read, printed, or referred to a Select Committee. In making such a Motion the Member shall state concisely his reason therefor.

(4) No debate shall be permitted on such motion, nor shall any other Member speak upon, or in relation to, such petition except to second such motion formally.

(5) Such motion being seconded, the question shall be put whether the petition shall be dealt with as proposed in the motion.

(6) If a motion that a petition be read is carried, the Clerk shall read the petition.

8. (1) All papers shall be presented by the Colonial Secretary who may make a short explanatory statement of their contents. Papers to be laid on the Table.

(2) Their presentation shall be entered upon the Minutes.

(3) All papers shall be ordered to lie upon the Table without question put, and any motion for the printing thereof shall be determined without amendment or debate.

(4) All Rules, Regulations and Orders made by the Governor in Council under the authority of an Ordinance, which are not subject to the approval of the Legislative Council, shall be laid on the Table as soon as practicable after being made.

Notices of  
Motions.

9. (1) Notice shall be given of any motion which it is proposed to make with the exception of the following :—

- (a) A motion for the amendment of the Minutes.
- (b) A motion for the adjournment of the Council or of a Debate.
- (c) A motion for the suspension of any Standing Rule or Order.
- (d) A motion that a petition or other papers be read or printed.
- (e) A motion for the reference of any matter to a Committee.
- (f) A motion for the adoption, modification or rejection of the report of a Committee.
- (g) A motion that the report of a Select Committee be referred to a Committee of the whole Council.
- (h) A motion for the withdrawal of strangers.
- (i) A motion made when the Council is in Committee.
- (j) A motion for the amendment of a motion.
- (k) A motion for the suspension of a Member.
- (l) A motion for the Reading of a Bill.
- (m) A motion for the withdrawal of a Bill.
- (n) A motion in respect of which a certificate of urgency signed by the Governor has been laid on the Table.
- (o) A motion for the adoption of a report of a Standing Committee on Finance.

(2) A member may, during a meeting, give notice of a motion which he proposes to make, and may mention the

meeting at which he desires to make it. No debate shall be allowed on the giving of such notice, and the terms of the proposed motion shall be reduced into writing and handed to the Clerk.

(3) Notice of intention to make a motion, if not given at a meeting as provided in paragraph (2) of this Order, shall be sent in writing to the Clerk ten days at least before the meeting at which such motion is to be made, and the Clerk shall upon receipt of such notice forthwith communicate it to the President.

10. (1) Questions may be put to official Members relative to public affairs with which they are officially connected, proceedings pending in the Council, or any matter of administration for which such Members are responsible. Questions to Members.

(2) Questions may also be put to other Members relating to a Bill, motion, or other public matter connected with the business of the Council, for which such Members are responsible.

(3) A Member who wishes to ask a question shall give notice of such question fourteen clear days at least before the meeting at which it is to be asked :

Provided that a question may be asked without giving such notice if it is of an urgent character and the Member has obtained the leave of the President to ask it.

(4) Every question shall be put in writing and delivered to the Clerk of the Council and, unless an oral answer is desired, the answer shall be circulated with the Order Paper and recorded in the Minutes.

(5) A Member who desires an oral answer to a question shall mark his notice with an asterisk and a written reply shall be read by the Member to whom it is addressed.

(6) The number of questions to which a Member may ask for oral answer is limited to three in one meeting.

(7) A question must not be made the pretext for a debate, nor can a question fully answered be asked again during the same session.

(8) A Member may ask a supplementary question for the purpose of further elucidating any matter of fact regarding which an answer has been given ; but a supplementary



question must not be used to introduce matter not included in the original question.

(9) Questions must comply with the following rules :—

- (a) A question may not include the names of persons or statements of fact unless they be necessary to make the question intelligible and can be authenticated, nor contain charges which the Member who asks the question is not prepared to substantiate.
- (b) A question may not contain arguments, expressions of opinion, inferences, imputations, epithets, or controversial, ironical or offensive expressions, or hypothetical cases.
- (c) No question may be asked which raises an issue already decided, or which has been answered substantially in the current session.
- (d) A question may not be asked regarding proceedings in a Committee of the Council which have not been placed before the Council by a report from that Committee.
- (e) A question may not solicit an expression of opinion, the solution of an abstract legal case, or an answer to a hypothetical proposition.
- (f) A question may not be asked which makes or implies charges of a personal character or which reflects upon character or conduct except of persons in their official or public capacity.
- (g) Reference may not be made to any matter on which a judicial decision is pending in such a way as may prejudice the interests of parties thereto.
- (h) A question reflecting on the character or conduct of any person whose conduct can only be challenged in a substantive motion may not be asked.
- (i) Questions of excessive length may not be asked.

(10) The President shall be the sole judge of the propriety and admissibility of a question, and he may disallow any question which, in his opinion, does not conform with the rules set forth in paragraph (9) of this Order or is otherwise an abuse of the right to ask questions, and further he may disallow a question on the ground that the answer thereto

would disclose matter which it would be contrary to public policy to disclose.

(11) Where a question is not answered at a meeting at which such question is asked, the answer shall be circulated as soon as it is ready and shall also be printed in the Order Paper for the next ordinary meeting of the Council.

11. In speaking to any proposition under consideration of the Council or a Committee of the whole Council, the following rules shall be strictly observed :— Rules of Debate.

- (1) A Member desiring to speak shall rise in his place and address his observations to the President or Chairman.
- (2) If two or more Members rise at the same time, the President or Chairman shall call on the Member who first catches his eye.
- (3) A Member should not read his speech, but he may read extracts from written or printed papers in support of his argument, and may refresh his memory by reference to notes.
- (4) A Member must confine his observations to the subject under discussion.
- (5) A Member shall not refer to any matter on which a judicial decision is pending in such a way as may prejudice the interests of parties thereto.
- (6) A Member shall not attempt to revive in any debate a matter upon which the Council has come to a conclusion during the current session.
- (7) No Member shall impute improper motives to any other Member.
- (8) Except when the Council is in Committee, no Member shall speak more than once on any proposition before the Council except in explanation (as provided in paragraph (9) of this Order) or to a point of order or, in the case of the mover of a substantive motion, in reply, but any Member may formally second a motion or amendment without prejudice to his right to speak at a later period of the debate.

- (9) A Member who has spoken to a question may again be heard to offer explanation of some material part of his speech which has been misunderstood, but he must not introduce new matter.
- (10) A Member who has spoken may speak again when a new question has been proposed from the Chair, such as a proposed amendment or a motion for the adjournment of the Debate.
- (11) His Majesty's name shall not be used to influence the Council.
- (12) The conduct of His Majesty, Members of the Royal Family, the Governor, Members of the Council and Judges or other persons engaged in the administration of justice shall not be raised except upon a substantive motion after notice; and in any amendment, question to a Member or remarks in a debate on a motion dealing with any other subject, any reference to the conduct of any of the persons aforesaid shall be out of order.
- (13) Every amendment shall, if required by the President or Chairman, as the case may be, be put in writing and handed to the Clerk by the Member proposing it.
- (14) No Member shall interrupt another who is speaking except by rising to a point of order.
- (15) Whenever the President or Chairman rises during a debate, any Member then speaking, or offering to speak, shall immediately resume his seat, and the Council or Committee shall maintain silence so that the President or Chairman may be heard without interruption.
- (16) No Member shall refer to another Member by name, but shall allude to—
  - (a) *ex-officio* Members and Nominated Official Members by the designation of their offices;
  - (b) a Nominated Unofficial Member appointed by the Governor pursuant to the provisions of section 6 (2) of the Falkland Islands (Legislative Council) Order in Council, 1948, as the

First or Second Nominated Unofficial Member as the case may be ;

- (c) Elected Members, by reference to the territory or township they represent and in the case of the Elected Members for Stanley, by reference to the order of precedence among them.

12. (1) Debate upon any motion, bill or amendment shall be relevant to such motion, bill or amendment, except in the case of a motion for the adjournment of the Council.

Relevancy in Debate.

(2) When a motion is made for the adjournment of a debate or of the Council during any debate, or in Committee that the Chairman do report progress or do leave the Chair, the debate upon such a motion shall be confined to the matter of such motion ; and a Member who has made or seconded such a motion shall not be entitled to move or second any similar motion during the same debate.

(3) Where an amendment proposes to leave out words and insert other words instead of them, debate upon the first question proposed on the amendment may include both the words proposed to be left out and those proposed to be inserted.

(4) On an amendment proposing to leave out words or to insert words, debate shall be confined to the omission or insertion of such words respectively.

13. (1) Subject to paragraph (2) of this Order, no member shall be entitled to address the Council or a Committee of the whole Council for more than thirty minutes on any subject.

Time Limit of Speeches.

(2) The mover of an original Motion shall be entitled to forty-five minutes for his opening speech and the Council or a Committee of the whole Council may at any time by Motion made and carried without amendment or debate, extend the time limited by this Order. The President's or the Chairman's ruling, as the case may be, as to the time taken by any member shall be final.

14. (1) It shall be out of order to make a motion or move an amendment in anticipation of the subject matter of a Bill or other business on the Order Paper ; and an amendment

Anticipation.

shall also be out of order if it deals with the subject matter of a motion of which notice has been given.

(2) A notice of motion or an amendment of which notice has been given shall not be anticipated in a debate upon a motion for the adjournment of the Council or in any other debate.

**Termination  
of Debate.**

15. (1) No Member may speak to any question after the same has been fully put by the President or Chairman.

(2) A question is fully put when the President or Chairman has collected the voices both of the Ayes and of the Noes.

**Personal  
Explanation.**

16. By the indulgence of the Council, a Member may make a personal explanation, although there be no question before the Council; but no debatable matter may be brought forward or debate arise upon the explanation.

**Responsibility  
for Order.**

17. The President in Council and the Chairman in any Committee shall be responsible for the observance of the rules or order in the Council and Committee respectively, and their decision upon any point of order shall not be open to appeal and shall not be reviewed by the Council except upon a substantive motion made after notice.

**Point of  
Order.**

18. (1) Any Member deviating from the provisions of these Rules and Orders may be immediately called to order by the President or Chairman, or by a Member rising to a point of order. A Member rising to a point of order shall simply direct attention to the point he desires to bring to notice and submit it to the President or Chairman for decision.

(2) When the question of order has been stated, the Member who raises it shall resume his seat, and no other Member, except with the leave of the President or Chairman, shall rise until the President or Chairman has decided the question, after which the Member who was addressing the Council or Committee at the time the question was raised shall be entitled to proceed with his speech, giving effect to the ruling from the Chair.

**Breaches of  
Order.**

19. (1) If a Member shows disregard for the authority of the Chair or abuses the rules of the Council by persistently

and wilfully obstructing the business of the Council, or otherwise, the President shall direct the attention of the Council to the incident mentioning by name the Member concerned. A motion may then be made upon which the President shall forthwith put the question, no amendment, or adjournment, or debate being allowed, "That such Member be suspended from the service of the Council". If such an offence has been committed in a Committee of the whole Council, the Chairman shall forthwith suspend the proceedings of the Committee and resume in Council; and the President shall, on a motion being made thereupon, put the same question, without amendment, adjournment, or debate, as if the offence had been committed in the Council itself.

(2) Not more than one Member shall be named at the same time, unless several Members present together have jointly disregarded the authority of the Chair.

(3) If a Member be suspended under the provisions of this Order his suspension shall last until determined by the Council.

(4) The President or Chairman, after having called the attention of the Council or Committee to the conduct of a Member who persists in irrelevance or tedious repetition either of his own arguments or of the arguments used by other Members in debate, may direct the Member to discontinue his speech.

(5) The President or Chairman shall order Members whose conduct is grossly disorderly to withdraw immediately from the Council Chamber for the remainder of the meeting.

(6) If a direction to withdraw under paragraph (5) of this Order be not complied with at once or if on any occasion the President or Chairman deem that his powers under that paragraph are inadequate, he may name such Member or Members in pursuance of paragraph (1) of this Order.

(7) Members who are suspended under paragraph (1) of this Order or are directed to withdraw under paragraph (5) shall withdraw forthwith from the precincts of the Council Chamber.

(8) The President or Chairman acting under paragraph (1) or (5) of this Order may direct such steps to be taken as are required to enforce his order.

(9) Nothing in this Order shall be deemed to prevent the Council from proceeding against any Member for any breach of order not specified herein or from proceeding in any other way it thinks fit in dealing with the breaches of order herein mentioned.

(10) In the case of grave disorder arising in the Council or Committee, the President or Chairman, as the case may be, may if he thinks it necessary to do so, adjourn the Council or Committee, without question put, or suspend any meeting for a time to be named by him.

**Voting.**

20. (1) At the conclusion of a debate the question shall be put by the President or Chairman and the votes may be taken by voices Aye and No, and the result shall be declared by the President or Chairman, but any Member may claim a division when the votes shall be taken by the Clerk asking each Member separately how he desires to vote and recording the votes accordingly.

(2) In taking the division the names of Members shall be called in order of precedence commencing with the junior Member. In every Committee the Chairman shall vote last.

(3) When a division is claimed either in Council or in any Committee, every Member present shall, unless he expressly state that he declines to vote, record his vote either for the Ayes or Noes. The Clerk shall enter on the Minutes the record of each Member's vote and shall add a statement of the names of Members who declined to vote.

(4) As soon as the Clerk has collected the votes the President or Chairman shall state the numbers voting for the Ayes and the Noes respectively and shall then declare the result of the division or give his casting vote as the case may be.

(5) If a Member state that he voted in error or that his vote has been counted wrongly, he may claim to have his vote altered, provided that such request is made as soon as the President or Chairman has announced the numbers and before he has declared the result of the division.

(6) A Member shall not vote on any subject in which he has a direct personal pecuniary interest, but a motion to disallow a Member's vote on this ground shall be made only as soon as the numbers of the Members voting on the ques-

tion have been declared. If the motion for the disallowance of a Member's vote is agreed to, the President or Chairman shall direct the Clerk to correct the numbers voting in the division accordingly. In deciding whether a motion for the disallowance of a Member's vote shall be proposed from the Chair, the President or Chairman shall have regard to the character of the question upon which the division was taken and to the consideration whether the interest therein of the Member whose vote is challenged is direct and pecuniary and not an interest in common with the rest of His Majesty's subjects and whether his vote was given on a matter of state policy.

21. (1) A meeting of the Council may be adjourned at any time by the President, or by a vote of the majority of the Members present. Adjournment.

(2) A motion for the adjournment of the Council, if supported by at least four Members, may be made at any time, and shall take precedence of all other business.

(3) The President may at any time suspend a meeting.

22. (1) A motion for the adjournment of the Council, if made for the purpose of discussing a definite matter of urgent public importance, shall not be made without the leave of the Council. Motions for  
Adjournment  
for Purposes  
of Debate.

(2) Leave to make such motion must be asked after all questions have been disposed of and before any other business has been entered upon.

(3) A Member who desires to make such motion shall hand a written statement of the matter proposed to be discussed to the President who, if he thinks that it is in order, shall read it out and ascertain whether the Member has the leave of the Council.

(4) If the President is satisfied that the motion may properly be made and the leave of the Council in that behalf is granted, the motion shall be considered forthwith.

(5) The right to move the adjournment of the Council for the purpose of discussing a definite matter of urgent public importance is subject to the following restrictions:—

(a) Not more than one such motion may be made at one meeting.



- (b) Not more than one matter may be discussed on the same motion.
- (c) The discussion on the motion must not raise any question which can only be debated on a substantive motion after notice.

Notices of  
Bills.

23. (1) Save as otherwise provided by sub-clause (2) of clause 17 of the Instructions under the Royal Sign Manual and Signet dated the 13th day of December, 1948, every Bill shall, before its introduction into the Council, be published in an issue of the Gazette, and a printed copy of the Bill shall be distributed to each Member by the Clerk at least two days before its introduction :

Provided that if a certificate of urgency signed by the Governor is laid on the table, any Bill mentioned in such certificate may be introduced into the Council without either such publication or such distribution.

(2) Every Bill shall be accompanied by a memorandum, signed by the Colonial Secretary in the case of a Government Bill and by the mover in the case of a non-Government Bill, stating concisely the objects of and the reasons for the Bill.

Special Provi-  
sions Regard-  
ing Non-  
Government  
Bills.

24. (1) A Member desiring to introduce a non-Government Bill shall apply to the Council by motion for leave to do so, and such motion shall contain the title of the proposed Bill.

(2) If leave to introduce the Bill is granted, the Member in charge of the Bill shall deliver a copy thereof to the Clerk, and such Bill shall thereafter be dealt with in the manner provided in these Standing Rules and Orders with respect to Bills generally.

Method of  
Reading Bills.

25. A Bill may be read by reading the title of the Bill only.

First Reading  
of a Bill.

26. Every Bill introduced into Council shall be read a first time, and the Member who moves the first reading of the Bill shall give an exposition of its provisions, but there shall be no further debate on it at the first reading and, if the motion is duly seconded, the question "That the Bill be now read a first time" shall be put.

27. (1) On a motion being made and seconded that a Bill be now read a second time, there shall be a debate on the general merits and principles of the Bill, and after others (if any) have spoken, the Member who moved the first reading of the Bill may reply.

Second  
Reading  
of a Bill.

(2) On the second reading of a Bill, an amendment may be proposed to the question "That the Bill be now read a second time" to leave out the word "now" and add at the end of the question "upon this day three months" or some other date, or an amendment may be moved to leave out all the words after the word "That" in order to add words stating the object and motive on which the opposition to the Bill is based, but such words must be strictly relevant to the Bill and must not deal with its details.

(3) Similar amendments may be moved on the third reading of a Bill.

28. (1) When a Bill has been read a second time it shall stand committed to a Committee of the whole Council, unless the Council on motion refer it to a Select Committee. Such motion shall not require notice, must be made immediately after the Bill is read a second time and may be proposed by any Member

Committee  
of a Bill.

(2) When a Bill has been referred to a Select Committee, no further proceedings shall be taken thereon until the Select Committee have presented their report to the Council.

(3) A Bill having been read a second time, the Committee Stage may be taken forthwith or at some subsequent time, and at the time at which the Committee Stage is to be taken, the Council shall, without question put, resolve itself into Committee for the purpose of considering the Bill.

29. A committee to which a Bill is committed shall have power to make such amendments therein as they think fit, provided the amendments be relevant to the subject matter of the Bill; but if any such amendments shall not be within the title of the Bill, they shall amend the title accordingly, and shall report the same specially to the Council.

Scope of  
Amendments  
in Committee.

Procedure in  
Committee  
on a Bill.

30. (1) The principle of a Bill shall not be discussed in Committee but only its details.

(2) The Chairman of the Committee or the Clerk shall read the number or the marginal note of each clause in succession or the first and last numbers of a group of clauses.

(3) The enacting clause of the Bill shall be read first.

(4) All amendments proposed to the Bill either in Committee of the whole Council or in a Select Committee shall, if the Chairman so require, be handed to him in writing.

(5) No amendment shall be moved which is inconsistent with any clause already agreed upon or any decision already come to by the Committee, and the Chairman may at any time during the discussion of a proposed amendment withdraw it from the consideration of the Committee, if in his opinion the discussion has shown that the amendment violates the provisions of this Order.

(6) A clause may be postponed, unless upon an amendment thereto a question shall have been fully put from the Chair.

(7) Postponed clauses shall be considered after the remaining clauses of the Bill have been considered and before new clauses are brought up.

(8) If a clause be disagreed to, a new clause instead thereof may be brought up after the remaining clauses of the Bill have been disposed of.

(9) New clauses may be offered before the Schedules to the Bill are considered, and shall be read the first time without question put. The questions which follow thereupon shall be "That the clause be read a second time" and "That the clause (or the clause as amended) be added to the Bill".

(10) New Schedules may be offered after the Schedules to the Bill have been disposed of, and shall be treated in the same manner as new clauses.

(11) When every clause and Schedule and proposed new clause or Schedule have been dealt with, the preamble, if there be one, shall be considered and the question put "That this be the Preamble of the Bill".

(12) If any amendment be necessary to the title of the Bill, it shall be made at the conclusion of the proceedings detailed above.

(13) Before the proceedings have terminated, any member may move to report progress, or in a Select Committee to adjourn; and if such motion be carried, the Select Committee shall adjourn to a day to be fixed by the Member in charge of the Bill, and in Committee of the whole Council the Council shall resume and a day for the resumption of the proceedings shall be named by the President.

(14) A Select Committee when reporting a Bill may make a special report to the Council explaining its proceedings on the Bill.

31. When a Bill has been settled in Committee of the whole Council, the Council shall resume without question put; and thereupon the Member in charge of the Bill shall report that the Bill has passed through the Committee with or without amendment, as the case may be.

Report  
Stage.

32. (1) When a Bill has been reported from a Committee of the whole Council, it may on motion made be read a third time forthwith, or if the Council so direct, the third reading may be postponed. When the motion for the third reading of a Bill is put, the question shall be "That the Bill be now read a third time and passed".

Third  
Reading  
of a Bill.

(2) If, on a motion for the third reading of a Bill, any Member desires to amend or delete any provision contained in the Bill, or to insert any new provision therein, he may move that the Bill be recommitted, and if the motion be agreed to, the Council shall resolve itself into Committee, and any proposed alteration may be discussed. The Council may then resume, and the Bill may be read a third time or the third reading may be postponed.

(3) Amendments for the corrections of error or oversight may, with the President's permission, be made before the question for the third reading of the Bill is put, but no amendments of a material character shall be proposed, and on this point the President's decision shall be final.

(4) When a Bill has been read the third time and passed, a printed copy shall, as soon as practicable, be submitted to the Governor for his assent.

**Withdrawal  
of Bills.**

33. (1) The Member in charge of a Bill may make a motion without notice for its withdrawal at any stage of the Bill.

(2) If an interval of six calendar months elapses after any reading of a Bill without further action being taken on such Bill, such Bill shall be deemed to be withdrawn, unless the Council otherwise resolves.

**Bills of the  
same Subject  
Matter.**

34. More than one Bill of the same subject matter may be introduced but, when the second reading of a Bill has been agreed to or negatived, the question shall not be proposed for the second reading of another Bill of the same subject matter during the same session, and the President shall direct that the other Bill be withdrawn.

**Bills Affecting  
Private  
Rights.**

35. (1) Notice of every non-Government Bill intended to affect or benefit some particular person, association or corporate body shall be given by advertising in the Gazette and in at least one newspaper circulating in the Colony, one month at least before application is made to the Council for leave to introduce the Bill, a concise statement of its general nature and objects. This provision shall not affect the publication required by sub-clause (2) of clause 17 of the Instructions under the Royal Sign Manual and Signet dated the 13th day of December, 1948.

(2) Every such Bill shall, after being read a second time, be referred to a Select Committee.

(3) Every Select Committee on such a Bill shall require proof of the facts and other allegations set forth in the Bill as showing that it is expedient that the Bill should be passed, and may take such oral or other evidence as it may deem requisite; and thereafter if the Committee finds that the said facts and allegations have not been proved, it shall report accordingly; but if it finds that the said facts and allegations have been proved, it shall consider the several clauses of the Bill, and may strike out clauses, add new clauses, and make any other amendments which it may deem necessary, and shall describe the purport of any new clauses

and other amendments in its report to the Council. No new clause which is foreign to the import of the notice given pursuant to paragraph (1) of this Order shall be inserted in such Bill.

(4) Any Bill which the President may consider to affect prejudicially individual rights or interests shall be referred to a Select Committee, before which any party whose rights or interests are so affected may appear.

36. (1) When any Bill, or clause of a Bill, or motion is under consideration in the Council or a Committee thereof, an amendment may be proposed to such Bill, clause or motion if it be relevant to the Bill, clause or motion to which it is proposed.

Relevancy of Amendments.

(2) An amendment may be proposed to any amendment proposed from the Chair if it be relevant to the original amendment.

(3) In Committee on a Bill, a new clause may be proposed if it be relevant to the subject matter of the Bill, and when a new clause has been read a second time, an amendment may be proposed to it if the amendment be relevant to the new clause.

(4) A new clause or an amendment shall not require notice.

37. A motion or amendment shall not be debated nor proposed from the Chair in Council unless it has received a seconder, but in Committee a seconder shall not be required for a new clause or any amendment. A motion which has not been seconded shall be deemed to have been resolved in the negative, and a note to that effect shall be entered in the Minutes.

Seconding of Motions and Amendments.

38. (1) A motion or amendment may be withdrawn at the request of the mover if, on the President or Chairman asking whether it be the pleasure of the Council or Committee that the motion or amendment be withdrawn, there is no dissentient.

Withdrawal of Motions and Amendments.

(2) A motion which has been withdrawn may be proposed again at any time during the session ; but no motion shall be proposed which is the same in substance as any motion which, during the same session, has been resolved in the affirmative or negative.

Select  
Committee.

39. (1) The Member moving for the appointment of a Select Committee shall, in the absence of any special appointment by the President, be Chairman, and the Committee shall consist of such Members as may be appointed by the President. Any Member may suggest the addition of any other Member or Members to the Select Committee.

(2) In the absence of the Chairman, the senior official Member on the Committee shall act as Chairman.

(3) Unless the President otherwise directs, three Members, or, if the number of the Select Committee does not exceed four, two Members, shall form a quorum.

(4) The deliberations of a Select Committee shall be confined to the matter referred to it by the Council and any extension or limitation thereof made by the Council, and, in the case of a Select Committee on a Bill, to the Bill committed to it and relevant amendments.

(5) A Select Committee may continue its investigations although the Council is in recess; and the President may, in the case of the death or unavoidable absence of a Member, appoint another Member of the Council to take the place of such Member on the Committee. Every appointment under this paragraph shall be announced to the Council at its next meeting.

(6) Select Committees shall have a right to the services of a clerk.

(7) When it is intended to examine any witnesses before a Select Committee, the Member of the Council or party requiring such witnesses shall deliver to the clerk to the Committee, two days at least before the day appointed for their examination, a list containing the names, residences, and occupations of such witnesses. The evidence of every witness shall be taken down in writing and signed by him. The witness shall be at liberty to suggest corrections.

(8) Any Member dissenting from the opinion of a majority of a Select Committee may put in a written statement of his reasons for such dissent, and such statement shall be appended to the report of the Committee.

(9) The Chairman of a Select Committee shall have an original vote and, in the event of an equality of votes, a casting vote.

40. (1) The report of a Select Committee shall be presented by the Chairman, and shall be laid upon the Table or otherwise dealt with, as the Council may direct.

Reports of  
Select  
Committees.

(2) A Select Committee to which a Bill has been referred shall present a report to the Council explaining their recommendations, and if the said recommendations involve any considerable amendments, a reprint of the Bill, or of such part thereof as the Committee may consider necessary, shall be attached to the report, and a copy of the report and of the Bill or of such part so amended shall be distributed to every Member of the Council.

(3) A Bill reported from a Select Committee shall stand committed to a Committee of the whole Council without question put.

41. (1) There shall be a Standing Finance Committee of which the Colonial Secretary and all Unofficial Members of the Council shall be Members.

Standing  
Finance  
Committee.

(2) The Colonial Secretary shall be Chairman.

(3) The Committee shall meet on the last Friday in each month and at such times as may be determined by the Chairman.

(4) The Chairman and two members shall constitute a quorum. In the event of an equality of votes, the Chairman shall have a casting vote in addition to his original vote.

(5) The Committee will consider votes for supplementary or unforeseen expenditure relating to the Estimates of the Colony's Expenditure or the Estimates of Development and Welfare Expenditure, and such other financial matters as may from time to time be referred to it by the Governor.

42. (1) At each Meeting of the Council the Report of the Standing Finance Committee detailing the items of expenditure approved by it since the last meeting of the Council and also any items of expenditure proposed to the Committee which have not received its approval shall be presented.

(2) Except when the Report deals with expenditure proposed to, but not approved of by, the Committee, the question "That the Report of the Standing Committee on



Finance be adopted" shall be put without debate, unless at least three Members present otherwise demand.

Select Committee on the Estimates.

43. (1) When the annual Appropriation Bill has been read a second time, the Colonial Secretary will move that the Bill be referred to a Select Committee. Normally, this Select Committee will consist of the Members who are members of the Standing Finance Committee referred to in Order 41, but the President may propose that other Members shall be members of the Select Committee.

(2) The Select Committee on the Estimates will review the Estimates of the Colony but not the Estimates of the Dependencies.

Publication of Evidence and Proceedings in Committees.

44. (1) The evidence taken before any Committee of the Council and any documents presented to such Committee which have not been reported to the Council shall not be published by any Member of such Committee or by any other person.

(2) The deliberations of any Select Committee or of the Standing Finance Committee which have not been reported to the Council shall not be published by any Member of such Committee or by any other person without leave of the President.

Absence of Members.

45. Any Member who is prevented from attending a meeting of the Council shall acquaint the Clerk as early as possible of his inability to attend.

Strangers.

46. (1) Strangers may be present in the Council Chamber in the place set apart for them, but must withdraw when called upon to do so by the President or, if the Council is in Committee, by the Chairman.

(2) No strangers shall be present at a meeting of any Select Committee or the Standing Finance Committee without the permission of the Chairman.

Suspension of Standing Rules and Orders.

47. Any of these Standing Rules and Orders may be suspended with the consent of the President and the majority of Members present.

48. (1) An official report of the Proceedings of the Council shall be prepared under the supervision of the President. The report shall be published in such form as the President may direct, and a copy thereof shall be sent to each Member as soon as practicable after the conclusion of each meeting.

Official  
Reports of  
Proceedings.

(2) If a Member disputes the correctness of the record of any speech in any material particular, the President shall rule thereon and shall direct publication of the speech in accordance with his ruling. The President shall announce his ruling at the next meeting of the Council, and his ruling shall be final.

49. (1) In cases of doubt, these Standing Rules and Orders shall be interpreted in the light of the relevant practice of the Commons House of Parliament of Great Britain and Northern Ireland.

Practice of  
House of  
Commons.

(2) In any matter for which these Standing Rules and Orders do not provide, the said practice shall be followed, but no restriction which the House of Commons has introduced by Standing Order shall be deemed to extend to the Council or its Members until the Council has provided by Standing Order for such restriction.

50. The Standing Rules and Orders of the Legislative Council heretofore in force are hereby revoked.

Revocation of  
Previous  
Standing  
Rules and  
Orders.

## THE COLONIAL AIR NAVIGATION (APPLICATION OF ACTS) ORDER IN COUNCIL.

13th April, 1937.

WHEREAS by Section 4 of the Air Navigation Act, 1920, as amended by the Air Navigation Act, 1936, it is provided that His Majesty may by Order in Council direct that any of the provisions of the said Air Navigation Act, 1920, other than Section 4, shall extend, with such exceptions, adaptations and modifications, if any, as may be specified in the Order, to the Isle of Man, any of the Channel Islands. any colony, any British protectorate or any territory in respect of which a mandate on behalf of the League of Nations has been

accepted by His Majesty and is being exercised by His Majesty's Government in the United Kingdom :

AND WHEREAS by Section 35 of the Air Navigation Act, 1936, it is provided that that Act shall be construed as one with the Air Navigation Act, 1920 :

AND WHEREAS it is expedient to extend certain of the provisions of the Air Navigation Act, 1920, amended as aforesaid, and certain of the provisions of the Air Navigation Act, 1936, to certain colonies and British protectorates and to certain territories in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty and is being exercised by His Majesty's Government in the United Kingdom :

NOW, THEREFORE, His Majesty, by virtue of and in exercise of the powers in this behalf by the Air Navigation Act, 1920, or otherwise in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows :—

1. This Order may be cited as "The Colonial Air Navigation (Application of Acts) Order, 1937".
2. (1) In this Order and its schedules, unless the context otherwise requires—

"Colony" means and includes for the purposes of this Order any of the colonies, protectorates or mandated territories mentioned in the second schedule hereto ;

"the Convention" means the Convention for determining by a common agreement certain uniform rules with respect to international air navigation signed on behalf of His Majesty in Paris on the thirteenth day of October, 1919 ;

"Governor" means the officer for the time being administering the Government of the Colony ;

"the principal Act" means the Air Navigation Act, 1920 ;

"the Acts" means the principal Act and the Air Navigation Act, 1936.

- (2) The Interpretation Act, 1889, shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. The provisions of Sections 1, 2, 3, 7, 8, 9, 10, 11, 12, 12A, 14, 17, and 18 of the principal Act and of Sections 4, 5, 13, 14, 30, and 34 of the Air Navigation Act, 1936, adapted and modified as set out in the first schedule hereto, shall be and hereby are extended to the colonies mentioned in the second schedule hereto.

4. The Air Navigation (Colonies and Protectorates) Order in Council, 1922, and the Air Navigation (Mandated Territories) Order in Council, 1927, are hereby revoked.

M. P. A. HANKEY.

## SECOND SCHEDULE.

*(inter alia)*

Falkland Islands.

## REGULATIONS.

Made by the Governor in Council under Section 5 of the Air Navigation Act, 1936, as applied to the Colony and its Dependencies Colonial Air Navigation (Application of Acts) Orders, 1937 to 1947.

No. 13 of 1948.

### Part I.

#### PRELIMINARY.

1. These regulations may be cited as the Air Transport (Licensing of Air Services) Regulations. Short title.

2. In these regulations and the schedules thereto, unless the context otherwise requires— Interpretation.

“air service” means any service performed by any aircraft for hire or reward :

Provided that a member of a club carried in an aircraft belonging to the club for the purpose of instruction shall not, if the instructor is also a member of the club, be deemed to be carried for hire or reward, notwithstanding that payment is made for such instruction or carriage ;

“the Convention on International Civil Aviation” and “the International Air Services Transit Agreement”

mean respectively, the Convention and the Agreement so styled which were signed at Chicago on behalf of the Government of the United Kingdom on the 7th December, 1944 ;

"licence" means a licence granted under regulation 5 of these regulations ;

"permit" means a permit granted under regulation 18 of these regulations ;

"scheduled journey" means one of a series of journeys which are undertaken between the same two places and which together amount to a systematic service operated in such a manner that the benefits thereof are available to members of the public from time to time seeking to take advantage of them ;

"the three Corporations" means the British Overseas Airways Corporation established in pursuance of the British Overseas Airways Act, 1939, and the British European Airways Corporation and the British South American Airways Corporation established in pursuance of the Civil Aviation Act, 1946.

## Part II.

### LICENCES FOR SCHEDULED JOURNEYS.

Application  
of Part II.

3. This part of these regulations shall not apply to the carriage of passengers, mail or cargo by air for hire or reward upon journeys other than scheduled.

Flying with-  
out licence  
an offence.

4. (1) Subject to the provisions of these regulations, it shall not be lawful for any person to use any aircraft for the carriage in the Colony of passengers, mail or cargo for hire or reward upon any scheduled journey between two places, of which at least one is in the Colony except under, and in accordance with the provisions of, a licence granted by the Governor in Council.

(2) Any person who uses any aircraft in contravention of the provisions of this regulation shall be liable on conviction in the case of a first offence to a fine not exceeding five hundred pounds or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment, and in the case of a second or subsequent offence to a fine

not exceeding five thousand pounds or to imprisonment for a term not exceeding two years or to both such fine and such imprisonment.

(3) The provisions of this regulation shall not apply in respect of the aircraft of any State, which is a party to the International Air Services Transit Agreement, which fly across the Colony without landing, or land in the Colony in accordance with the provisions of that Agreement.

5. (1) The Governor in Council may grant to any person applying therefor a licence to carry passengers, mail or cargo by air for hire or reward on such scheduled journeys, and subject to such conditions, as may be specified in the licence.

Grant of  
licence by  
Governor in  
Council.

(2) The Governor in Council may attach such conditions to any licence as he may think fit having regard to the nature and circumstances of the application therefor.

(3) It shall be a condition of every licence that

- (a) the holder of the licence and any person having a financial interest in the business of the holder of the licence shall refrain from stipulating that any other person shall
  - (i) refuse booking facilities to any other holder of a licence ;
  - (ii) grant such facilities to any other holder only on onerous terms ; and
- (b) the holder of the licence shall perform all such reasonable services as the Postmaster may from time to time require in regard to the conveyance of mails (and of any persons who may be in charge thereof) upon journeys made under the licence. The remuneration for any such service shall be such as may be from time to time determined by agreement between the Postmaster and the holder of the licence.
- (c) In the event of any dispute between the Postmaster and the holder of a licence as to the remuneration for any services performed under paragraph 5 (b) of this regulation the matter shall be referred to arbitration in accordance with the provisions of the Arbitration Act, 1889, and any act replacing or amending that Act.

Form of  
application  
for licence.

6. Applications for licences shall be made in the form and manner, and shall contain the particulars prescribed in the schedule hereto. Every applicant shall furnish to the Governor in Council such further information as he may require in relation to the application.

Inquiry may  
be held.

7. The Governor in Council may, if he thinks fit, for the purposes of determining applications for licences, order that a public or private inquiry be held.

Licence  
conditions.

8. In exercising his discretion to grant, or to refuse, a licence and his discretion to attach conditions to any licence the Governor in Council will have regard to the co-ordination and development of air services generally with the object of ensuring the most effective service to the public while avoiding uneconomical overlapping and generally to the interests of the public, including those of persons requiring or likely to require facilities for air transport, as well as those of persons providing such facilities. In particular the Governor in Council will have regard to the following matters :

- (a) the existence of other air services in the area through which the proposed services are to be operated ;
- (b) the demand for air transport in that area ;
- (c) the degree of efficiency and regularity of the air services, if any, already provided in that area, whether by the applicant or by other operators ;
- (d) the period for which such services have been operated by the applicant or by other operators ;
- (e) the extent to which it is probable that the applicant will be able to provide a satisfactory service in respect of safety, continuity, regularity of operation, frequency, punctuality, reasonableness of charges, and general efficiency ;
- (f) the financial resources of the applicant ;
- (g) the type of aircraft proposed to be used ;
- (h) the remuneration and general conditions of employment of aircrew and other personnel employed by the applicant.

9. The Governor in Council may grant licences to remain in force for such period, not exceeding five years, as he may in each case determine, commencing on the date on which the licence is expressed to take effect :

Period of  
licence.

Provided that if, on the date of the expiration of a licence, an application to the Governor in Council is pending for the grant of a new licence in substitution for an existing licence held by the applicant, the existing licence shall continue in force until the application is granted or refused.

10. The Governor in Council may if he thinks fit, pending the determination of an application for a licence, grant to the applicant a provisional licence which shall remain in force until the application is determined.

Provisional  
licence

11. The decisions of the Governor in Council on applications for licences and on revocation or suspension of licences will be published in the Gazette.

Publication of  
decisions of  
Governor in  
Council.

12. (1) Subject to the provisions of paragraph (2) of this regulation, the Governor in Council may revoke or suspend a licence—

Revocation  
and suspen-  
sion of  
licence.

(a) if the holder of the licence has, since the licence was granted, been convicted of an offence against regulations 4 or 17 of these regulations ; or

(b) where the holder of the licence is a body corporate, if any officer of that body corporate has, since the licence was granted, been convicted, in his capacity as such officer, of an offence against regulations 4 or 17 of these regulations ; or

(c) if the holder of the licence has failed to comply with any condition subject to which the licence was granted.

(2) Before revoking or suspending any licence under sub-paragraph (c) paragraph (1) of this regulation, the Governor in Council will give to the holder of the licence notice specifying the grounds upon which it is proposed to revoke or suspend the licence, and will not revoke or suspend the licence, unless he is satisfied, after a public inquiry if the holder of the licence so requires, that owing to the frequency of the failure on the part of the holder to comply with conditions or to the failure having been wilful, the licence should be revoked or suspended.



(3) The expression "officer" in sub-paragraph (b) of paragraph (1) of this regulation means a Director, General Manager, Secretary or other similar officer and includes any persons, who with the authority of the body corporate, acts as such officer.

**Surrender of  
licence.**

13. A licence may at any time be surrendered by the holder to the Governor in Council for cancellation. If, during the currency of a licence, the holder applies to the Governor in Council for a new licence in substitution for the current licence, he shall, if a new licence is granted, surrender the current licence for cancellation on the date from which the new licence is expressed to take effect.

**Licence fees.**

14. (1) There shall be paid to the Treasurer in respect of every licence a fee of ten pounds in respect of each year or part of a year for the term of which the licence is expressed to remain in force.

(2) There shall be paid to the Treasurer in respect of any provisional licence granted under regulation 10 of these regulations a fee of two pounds.

(3) No refund of any fee paid in respect of the grant of a licence shall be made, whether on the surrender of the licence or otherwise, save where a licence is surrendered before its normal date of expiry upon the grant of a new licence authorising a service over the same route, in which case there shall be refunded the sum of ten pounds for each full year of the unexpired period of the licence but the holder shall in addition to the normal fee for the new licence pay the special additional fee of two pounds.

**Returns by  
licence  
holders.**

15. Every holder of a licence shall make a return in writing to the Colonial Secretary giving, in respect of the month to which the return relates, the particulars set out in the schedule hereto with regard to all air services authorised by the licence.

Such return shall be sent to the Colonial Secretary not later than two months after the expiration of the month to which the return relates.

**Part III.**

**PERMITS FOR JOURNEYS OTHER THAN SCHEDULED  
JOURNEYS.**

16. This part of these regulations shall not apply to the carriage of passengers, mail or cargo by air for hire or reward on scheduled journeys.

Application of  
Part III.

17. (1) Subject to the provisions of these regulations, it shall not be lawful for any person to use any aircraft for the provision of any air service in the Colony except under, and in accordance with the conditions of, a permit granted by the Governor in Council.

Flying with-  
out a permit  
an offence.

(2) Any person who uses any aircraft in contravention of the provisions of this regulation shall be liable on conviction in the case of the first offence to a fine not exceeding two hundred and fifty pounds or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment and in the case of a second or subsequent offence to a fine not exceeding two thousand pounds or to imprisonment for a term not exceeding two years or to both such fine and such imprisonment.

(3) The provisions of this regulation shall not apply in respect of the aircraft of any State, which is a party to the Convention on International Civil Aviation, which fly across the Colony without landing or land in the Colony for non-traffic purposes only.

18. (1) The Governor in Council may grant to any person applying therefor a permit to use aircraft for the provision in the Colony of such air services (other than such a service as is referred to in paragraph (1) of regulation 4 of these regulations) for such period and on such conditions as may be specified in the permit.

Grant of  
permit by  
Governor in  
Council.

(2) The Governor in Council may attach such conditions to any permit as he may think fit having regard to the nature and circumstances of the application therefor.

19. Applications for permits shall be made in such form, and shall contain such information as the Governor in Council may require.

Form of  
application  
for permit.

Revocation  
and suspen-  
sion of  
permit.

20. (1) The Governor in Council may revoke or suspend any permit—

- (a) if the holder of the permit has, since the permit was granted, been convicted of an offence against regulation 4 or 17 of these regulations ; or
- (b) where the holder of the permit is a body corporate, if any officer of that body corporate has, since the permit was granted, been convicted, in his capacity as such officer, of an offence against regulation 4 or 17 of these regulations ; or
- (c) if the holder of the permit has failed to comply with any condition subject to which the permit was granted.

(2) The expression "officer" in paragraph (1) of this regulation means a Director, General Manager, Secretary or other similar officer and includes any person who, with the authority of the body corporate, acts as such officer.

#### Part IV.

##### GENERAL PROVISIONS.

Licensee shall  
comply with  
law of air  
navigation  
and air  
transport.

21. It shall be a condition of every licence or permit that the requirements of any law or instrument having the force of law, for the time being in force in the Colony, relating to air navigation or air transport shall be complied with at all times during the currency of the licence or permit in connection with all journeys made under the licence or permit.

Licence not  
transferable.

22. A licence or permit shall not be capable of being transferred or assigned :

Provided that in the event of the death, incapacity, bankruptcy, sequestration or liquidation of the holder of a licence or permit, or of the appointment of a receiver or manager or trustee in relation to the business of the holder of a licence or permit the person for the time being carrying on that business shall, if within fourteen days of his commencing so to do, he makes application to the Governor in Council for a new licence or permit, be entitled to provide the air services authorised by the existing licence or permit subject to the conditions thereof, until the application is determined.

23. Nothing in these regulations shall require the disclosure by any applicant for a licence or permit to any person other than the Governor in Council of information as to the financial resources of the applicant.

Financial resources to be disclosed to Governor in Council only.

24. Nothing in these regulations shall confer upon the holder of a licence or permit or upon any other person any right to the continuance of any benefits arising from the provisions of these regulations or from any licence or permit granted thereunder or from any conditions attached to any such licence or permit.

Benefit under regulations shall not continue.

25. (1) Proceedings for an offence against these regulations shall not be instituted except with the consent of the Governor.

Proceedings.

(2) Where an offence against these regulations has been committed by a body corporate, every person who, at the time of the commission of the offence was a Director, General Manager, Secretary or other similar officer of the body corporate, or was purporting to act in any such capacity, shall be deemed to be guilty of that offence, unless he proves that the offence was committed without his consent or connivance and that he exercised all such diligence to prevent the commission of the offence as he ought to have exercised having regard to the nature of his functions in that capacity and to all the circumstances.

## Part V.

### EXEMPTIONS.

26. Nothing in these regulations shall apply to—

Non-applicability of regulations.

- (a) any of the three Corporations in respect of such journeys, on such routes, as the Governor may from time to time specify ;
- (b) any air transport operator whose principal place of business is in a country other than
  - (i) the United Kingdom ; or
  - (ii) a territory for whose foreign relations His Majesty's Government in the United Kingdom is responsible ;

in respect of journeys performed by such operator in accordance with the provisions of any agreement for the time being

in force between His Majesty's Government in the United Kingdom and the Government of that country.

#### SCHEDULE.

1. Particulars required on application for licences under regulation 6.
  - (1) Full name, address, occupation, nationality and age of applicant and types of aircraft flown with flying hours.
  - (2) Full details of aircraft to be flown in Colony: type, manufacture, engines, horsepower, load and passenger capacity, fuel load, hours flown, safety devices, etc.
  - (3) Schedule of proposed routes, flying times, fares, etc.
  - (4) Any other particulars.
2. Particulars required with regard to air services under regulation 15.
  - (1) Routes with sketch map.
  - (2) Schedule of flights.
  - (3) Passengers and fares.
  - (4) Cargo and rates.
  - (5) Any other particulars.

The following Orders in Council relating to Air Transport also apply to the Colony and the Dependencies:—

The Carriage by Air (Colonies, Protectorates and Mandated Territories) Order, 1934.

The Carriage by Air (Parties to Convention) Order, 1939.

The Colonial Air Navigation Order, 1949.

#### THE ARBITRATION (FOREIGN AWARDS) No. 3 ORDER IN COUNCIL.

7th October, 1931.

WHEREAS a Convention on the Execution of Arbitral Awards was, on the twenty-sixth day of September, nineteen hundred and twenty-seven, signed at Geneva on behalf of His Majesty :

AND WHEREAS by subsection (1) of section one of the Arbitration (Foreign Awards) Act, 1930, it is provided that Part I of that Act applies to any award made after the twenty-eighth day of July, nineteen hundred and twenty-four—

- (a) in pursuance of an agreement for arbitration to which the protocol set out in the Schedule to the Arbitration Clauses (Protocol) Act, 1924, applies; and
- (b) between persons of whom one is subject to the jurisdiction of some one of such Powers as His Majesty, being satisfied that reciprocal provisions have been made, may by Order in Council declare to be parties to the said Convention and of whom the other is subject to the jurisdiction of some other of the Powers aforesaid; and
- (c) in one of such territories as His Majesty, being satisfied that reciprocal provisions have been made, may by Order in Council declare to be territories to which the said Convention applies;

AND WHEREAS His Majesty is satisfied that reciprocal provisions have been made, as aforesaid by the Foreign Powers set out in the first column of Part II of the Schedule to this Order and as respects the territories belonging to such Powers set out in the second column of that part:

NOW THEREFORE, His Majesty, by and with the advice of the Privy Council, in pursuance of the powers conferred upon Him by the said Act and of all other powers enabling Him in that behalf, is pleased to declare, and it is hereby declared as follows:—

1. The Powers set out in the first column of the Schedule to this Order are parties to the said Convention.
2. The territories set out in the second column of the said Schedule are territories to which the said Convention applies.
3. This Order may be cited as the Arbitration (Foreign Awards) No. 3 Order, 1931, and shall come into force on the 13th day of October, 1931.

M. P. A. HANKEY.

**SCHEDULE.**

First column.	Second Column.
Powers parties to the Convention.	Territories to which the Convention applies.

**Part I.**

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India.	Northern Rhodesia. Mauritius.
---	----------------------------------

**Part II.**

His Majesty the King of Roumania.	Roumania.
His Majesty the King of Siam.	Siam.

**ARBITRATION.****THE ARBITRATION (FOREIGN AWARDS) No. 4 ORDER IN COUNCIL.**

17th December, 1931.

WHEREAS a Convention on the Execution of Arbitral Awards was, on the twenty-sixth day of September, nineteen hundred and twenty-seven, signed at Geneva on behalf of His Majesty :

AND WHEREAS by subsection (1) of section one of the Arbitration (Foreign Awards) Act, 1930, it is provided that Part I of that Act applies to any award made after the twenty-eighth day of July, nineteen hundred and twenty-four—

- (a) in pursuance of an agreement for arbitration to which the protocol set out in the Schedule to the Arbitration Clauses (Protocol) Act, 1924, applies ; and
- (b) between persons of whom one is subject to the jurisdiction of some one of such Powers as His Majesty, being satisfied that reciprocal provisions have been made, may by Order in Council declare to be parties to the said Convention and of whom the other is subject to the jurisdiction of some other of the Powers aforesaid ; and

- (c) in one of such territories as His Majesty, being satisfied that reciprocal provisions have been made, may by Order in Council declare to be territories to which the said Convention applies :

AND WHEREAS His Majesty is satisfied that reciprocal provisions have been made as aforesaid by the Foreign Powers set out in the first column of the Schedule to this Order and as respects the territories belonging to such Powers set out in the second column of that Schedule :

NOW, THEREFORE, His Majesty, by and with the advice of the Privy Council, in pursuance of the powers conferred upon Him by the said Act and of all other powers enabling Him in that behalf, is pleased to declare, and it is hereby declared as follows :—

1. The Powers set out in the first column of the Schedule to this Order are parties to the said Convention.
2. The territories set out in the second column of the said Schedule are territories to which the said Convention applies.
3. This Order may be cited as the Arbitration (Foreign Awards) No. 4 Order, 1931, and shall come into force on the 18th day of December, 1931.

M. P. A. HANKEY.

SCHEDULE.

First Column. Powers parties to the Convention.	Second Column. Territories to which the Convention applies.
The President of the Czechoslovak Republic.	Czechoslovakia.
The President of the Finnish Republic.	Finland.
Her Majesty the Queen of the Netherlands.	The Netherlands.



*Geneva Convention Act, 1937 (Colonies)*  
*Order in Council.*

---

THE GENEVA CONVENTION ACT, 1937 (COLONIES)  
ORDER IN COUNCIL.

21st December, 1937.

WHEREAS by the Geneva Convention Act, 1937, (a) provision has been made to enable effect to be given to Article twenty-eight of the International Convention for the amelioration of the condition of the wounded and sick in armies in the field done at Geneva on the twenty-seventh day of July, nineteen hundred and twenty-nine, and for purposes connected therewith :

AND WHEREAS by section 3 of the said Act it is provided that His Majesty may by Order in Council provide that Section 1 of the said Act shall extend, subject to such modifications (if any) as may be specified in the Order, *inter alia* to any Colony :

AND WHEREAS it is expedient that section 1 of the said Act should be extended to the Colonies named in the Schedule to this Order, and that certain modifications should be made with regard to the application of the said Section 1 to such Colonies :

NOW, THEREFORE, His Majesty, by virtue and in exercise of the powers in this behalf by the said Act or otherwise vested in His Majesty, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows :—

1. This Order may be cited as "The Geneva Convention Act, 1937, (Colonies) Order in Council, 1937".
2. Subject to the following modifications Section 1 of the Geneva Convention Act, 1937, shall extend to the Colonies named in the Schedule to this Order :—
  - (1) The powers by the said Section 1 vested in the Board of Trade shall be vested in the Governor in Council, or, if there shall be no Executive Council in the Colony, in the Governor.

- (2) Proceedings under the said Section 1 shall not be instituted without the consent of the Principal Law Officer of the Colony, or, if there shall be no such Law Officer, of the Colonial or Chief Secretary.

M. P. A. HANKEY.

**SCHEDULE.**  
(*inter alia*)

Falkland Islands and Dependencies.

**MAINTENANCE ORDERS (FACILITIES FOR  
ENFORCEMENT) ORDER IN COUNCIL, 1922.**

6th February, 1922.

WHEREAS by the Maintenance Orders (Facilities for Enforcement) Act, 1920, provision has been made for the enforcement in England and Ireland of Maintenance Orders made by a Court in any part of His Majesty's Dominions outside the United Kingdom to which the said Act extends :

AND WHEREAS by the said Act it is amongst other things provided that where His Majesty is satisfied that reciprocal provisions have been made by the Legislature of any part of His Majesty's Dominions outside the United Kingdom for the enforcement within that part of Maintenance Orders made by Courts within England and Ireland, His Majesty may by Order in Council extend the said Act to that part, and thereupon that part shall become a part of His Majesty's Dominions to which the said Act extends :

AND WHEREAS His Majesty is satisfied that the Legislatures of the parts of His Majesty's Dominions outside the United Kingdom hereinafter mentioned have made reciprocal provisions for the enforcement within those parts of Maintenance Orders made by Courts within England and Ireland :

NOW, THEREFORE, His Majesty, by virtue and in exercise of the powers by the above recited Act in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows :

The Maintenance Orders (Facilities for Enforcement) Act, 1920, shall apply to the parts of His Majesty's Dominions outside the United Kingdom hereunder mentioned :

Basutoland.                      The Falkland Islands.

ALMERIC FITZROY.

**MERCHANT SHIPPING (REGISTRATION OF  
FALKLAND ISLANDS GOVERNMENT SHIPS) ORDER.**

Order in Council under section 80 of the Merchant Shipping Act, 1906 (6 Edw. 7. c. 48) making Regulations as to the Registration of Vessels in the Service of the Government of the Colony of the Falkland Islands.

25th June, 1925.

WHEREAS by Section 80 of the Merchant Shipping Act, 1906, power is given to His Majesty by Order in Council to make regulations with respect to the manner in which Government ships may be registered as British ships for the purpose of the Merchant Shipping Acts :

AND WHEREAS by the said Section it is provided that those Acts shall, subject to any exceptions and modifications which may be made by Order in Council, either generally or as respects any special class of Government ships, apply to Government ships registered in accordance with such regulations as if they were registered in manner provided by those Acts :

AND WHEREAS the provisions of section 1 of the Rules Publication Act, 1893, (a) have been complied with ;

NOW, THEREFORE, His Majesty, by virtue of the powers in this behalf by the said Act, or otherwise in Him vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, that the following regulations shall have effect as regards any Government ships in the service of the Government of the Colony of the Falkland Islands (hereinafter referred to as the Colonial Government) :—

(a) 56-7 V. c. 66.

1. An application for registry of a Government ship in the service of the Colonial Government shall be made in writing under the hand of the Colonial Secretary of the Falkland Islands or other officer of the Colonial Government nominated by the Governor, or by one of the Crown Agents for the Colonies. Such application shall contain the following particulars :—

- (a) A statement of the name and description of the ship.
- (b) A statement of the time when and place where the ship was built, or, if the ship was foreign built and the time and place of building are unknown, a statement to that effect and of her foreign name.
- (c) A statement of the nature of the title to the said ship, whether by original construction by or for the Colonial Government, or by purchase, capture, condemnation, or otherwise, and a list of the documents of title, if any, in case she was not originally constructed by or for the Colonial Government.
- (d) A statement of the name of the Master.

2. The Registrar, on receiving such application in respect of a Government ship in the service of the Colonial Government, shall—

- (a) enter the ship in the Register Book as belonging to “His Majesty, represented by the Government of the Colony of the Falkland Islands” and shall also enter therein :
- (b) the name of the port to which she belongs ;
- (c) the particulars stated in the application for registration ;
- (d) the details comprised in the Surveyor’s Certificate.

3. On the registry of a Government ship in the service of the Colonial Government the Registrar shall retain in his possession the Surveyor’s Certificate and the application for registry and any documents of title mentioned in such application.

4. Upon the transfer of a registered Government ship in the service of the Colonial Government by Bill of Sale, the Colonial Government shall be the transferors, and the Bill of Sale shall be in Form A in the proper form prescribed under the Merchant Shipping Act, 1894, (a) hereinafter called the

(a) 57-S V. c. 60.

principal Act, omitting the covenant therein contained. Any such Bill of Sale shall be signed by the Colonial Secretary or other officer or Crown Agent as aforesaid on behalf of the Colonial Government.

5. The application for a Certificate of Sale referred to in sections 39 to 42 and sections 44 to 46 of the principal Act, may be made in respect of a Government ship in the service of the Colonial Government by the Colonial Secretary or other officer or Crown Agent as aforesaid on behalf of the Colonial Government.

6. The person to whom the management of any Government ship in the service of the Colonial Government is entrusted by the Colonial Government shall be registered as provided by section 59 (2) of the principal Act.

7. Where any provision of the Merchant Shipping Acts which by virtue of the Merchant Shipping Act, 1906, and this Order in Council is applicable to Government ships in the service of the Colonial Government imposes any duty or liability or confers any right or power upon or contemplates any act being performed by the owner of a ship such duty, liability, right, or power shall, subject always to the other provisions of this Order in Council be carried out, borne, or exercised by the Colonial Government on behalf of His Majesty.

8. In this Order in Council the term Merchant Shipping Acts shall mean and include any of the Merchant Shipping Acts, any provision of which is by virtue of the Merchant Shipping Act, 1906, and this Order applicable to Government ships.

9. The following sections and provisions of the Merchant Shipping Acts shall not apply to Government ships in the service of the Colonial Government registered in pursuance of this Order, namely :—

- (a) The Merchant Shipping Act, 1894—Sections 1, 8 to 12, 427 to 431.

The provisions of Part II of the Act relating to the requirement of officers to hold certificates of

competency and the production of those certificates.

- (b) The Merchant Shipping (Mercantile Marine Fund) Act, 1898, (a)—Sections 3 and 5.
- (c) The Merchant Shipping Act, 1906—Sections 25 and 27.

Provided always that no provision of the Merchant Shipping Acts which, according to a reasonable construction, would not apply in the case of Government ships in the service of the Colonial Government, shall be deemed to apply to such ships by reason only that its application is not hereby expressly excluded.

10. Anything required or authorised by this Order in Council to be done by the Colonial Government may be done by the Colonial Secretary or other officer or Crown Agent as aforesaid.

M. P. A. HANKEY.

### JUDGMENTS (RECIPROCAL ENFORCEMENT) ORDER.

Order in Council extending Part II of the Administration of Justice Act, 1920 (10 & 11 Geo. 5, c. 81) to the Falkland Islands and Fiji, and the Colonies of Gambia and Kenya.

4th May, 1923.

WHEREAS by Part II of the Administration of Justice Act, 1920, provision has been made for the reciprocal enforcement of judgments in the United Kingdom and in other parts of His Majesty's Dominions :

AND WHEREAS by the said Act it is amongst other things provided that where His Majesty is satisfied that reciprocal provisions have been made by the Legislature of any part of His Majesty's Dominions outside the United Kingdom for the enforcement within that part of His Dominions of judgments obtained in the High Court in England, the Court of Session in Scotland, and the High Court in Ireland, His Majesty may by Order in Council

(a) 61-2 V. c. 44.

declare that the said part of that Act shall extend to that part of His Dominions and that on any such Order being made the said part of that Act shall extend accordingly :

AND WHEREAS on the 6th day of December, 1922, the Irish Free State was established under the provisions of an Act of Parliament shortly entitled the Irish Free State Constitution Act, 1922 (Session 2) : (a)

AND WHEREAS His Majesty is satisfied that the Legislatures of the parts of His Majesty's Dominions outside the United Kingdom hereinafter mentioned have made reciprocal provisions for the enforcement within those parts of judgments obtained in the High Court in England, the Court of Session in Scotland, and the High Court in Ireland :

NOW, THEREFORE, His Majesty, by virtue and in exercise of the powers by the above-recited Act in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows :—

1. Part II of the Administration of Justice Act, 1920, shall extend to the parts of His Majesty's Dominions outside the United Kingdom hereunder mentioned :—

The Falkland Islands.

Fiji.

The Colony of the Gambia.

The Colony of Kenya.

2. Nothing in this Order shall affect the registration or enforcement in the Irish Free State of any judgment in pursuance of Part II of the said Act.

ALMERIC FITZROY

**SEAL FISHERIES (CROWN COLONIES AND  
PROTECTORATES) ORDER IN COUNCIL, 1913.**

11th April, 1913.

WHEREAS by section 3 of the Seal Fisheries (North Pacific) Act, 1912, all persons were prohibited from using any port within the United Kingdom for the purposes of pelagic sealing contrary to an Order in Council made under the Seal Fisheries (North Pacific) Acts, 1895 and 1912 :

(a) 13 G. 5, sess. 2, c. 1.

AND WHEREAS by section 4 of the Seal Fisheries (North Pacific) Act, 1912, the importation of the skins of seals captured in contravention of any such Order as last aforesaid was prohibited :

AND WHEREAS by section 5 (1) of the said Act it was enacted that His Majesty might by Order in Council extend the provisions of the two hereinbefore recited sections to any part of His Majesty's Dominions outside the United Kingdom, to any British Protectorate, and to Cyprus, subject to such modifications and adaptations as might appear to him to be necessary :

AND WHEREAS by treaty, grant, usage sufferance, or other lawful means His Majesty the King has jurisdiction in and over Cyprus and within the Dominions of His Highness the Sultan of Zanzibar :

AND WHEREAS it is desirable that the provisions of the sections 3 and 4 of the Seal Fisheries (North Pacific) Act, 1912, should be extended to the Colonies and Protectorates enumerated in the Schedule to this Order and to Cyprus and to the dominions of the Sultan of Zanzibar subject to the modifications and adaptations hereinafter contained :

NOW, THEREFORE, His Majesty, by virtue and in exercise of the powers in this behalf by the Seal Fisheries (North Pacific) Act, 1912, the Foreign Jurisdiction Act, 1890, or otherwise in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows :—

1. This Order may be cited as the Seal Fisheries (Crown Colonies and Protectorates) Order in Council, 1913.

2. The word "Zanzibar" in this Order shall have the same meaning as in the Zanzibar Order in Council, 1906.

3. From and after the commencement of this Order sections 3 and 4 of the Seal Fisheries (North Pacific) Act, 1912, shall apply to the Colonies and Protectorates enumerated in the Schedule to this Order and to Cyprus and to Zanzibar (all of which Colonies and Protectorates and Cyprus and Zanzibar are hereinafter referred to as "Territories affected") subject to the following modifications and adaptations, that is to say :—



- (i) For the words "The United Kingdom" in section 3 (1) of the said Act there shall be deemed to be substituted in the case of each Territory affected the name of such Territory.
- (ii) In section 3 (2) of the said Act for the words "Secretary of State" wherever such words occur in the case of all Territories affected other than Zanzibar there shall be deemed to be substituted the words "Officer administering the Government", and in the case of Zanzibar the words "His Majesty's Agent and Consul-General for Zanzibar", and for the words "The Board of Trade or any officer of the Board" the words "any customs officer".
- (iii) In section 4 of the said Act there shall be deemed to be substituted for the words "section 42 of the Customs Consolidation Act, 1876", a reference to the enactment in force in the Territory affected whereby the importation of goods is prohibited or restricted and such enactment shall apply accordingly.

4. This Order shall be published in the Government Gazette of each of the Territories affected other than Zanzibar and shall thereupon come into operation in such Territory. In the case of Zanzibar, this Order shall be published at Zanzibar in such manner as the Secretary of State shall direct by His Majesty's Agent and Consul-General and shall thereupon come into operation.

ALMERIC FITZROY.

#### SCHEDULE.

List of British Colonies, etc., to which Section 3 and 4 of the Seal Fisheries (North Pacific) Act, 1912, apply :—  
(*Inter alia*).

Falkland Islands.

#### Sections 3 and 4 Seal Fisheries (North Pacific) Act, 1912.

Prohibition  
of using  
ports for  
purposes of  
pelagic sealing  
contrary to  
Order.  
57 & 58  
Vict. c. 60.

3. (1) If any person uses any port within the United Kingdom for the purpose of equipping any ship intended to be used or employed in killing, taking, or hunting seals in contravention of any such Order as aforesaid, he shall be guilty of any offence, and shall be liable to be dealt with as if such offence were an offence declared to be a misdemeanour by the Merchant Shipping Act, 1894, and the ship and her equipment and everything on board thereof shall be subject to forfeiture to His Majesty.

(2) If the Secretary of State is satisfied that there is reasonable cause for believing that a ship has been or is being equipped contrary to

this section, the Secretary of State may authorise the Board of Trade, or any officer of the Board, to seize and detain the ship. Where such an authority is given, the ship may be seized and detained in like manner as if it were liable to seizure and detention under the Merchant Shipping Acts, 1894 to 1907.

(3) For the purposes of this section, "equipping" in relation to a ship shall include the furnishing of a ship with any tackle, apparel, furniture, provisions, munitions, fuel or stores, or any other thing which is used in or about a ship for the purpose of fitting or adapting her for the sea or for killing, taking, or hunting seals.

4. Skins of seals taken in contravention of any such Order as aforesaid, and skins of seals identified as being of the species known as *Callorhinus alascanus*, *Callorhinus ursinus*, and *Callorhinus kurlensis*, and belonging to the American, Russian, or Japanese herds, except such as are taken under the authority of the respective Powers to which the breeding grounds of such herds belong and have been officially marked and certified as having been so taken, shall, subject to the provisions of this section, be deemed to be included in the table of prohibitions and restrictions contained in section forty-two of the Customs Consolidation Act, 1876, and that section shall apply accordingly.

Prohibition of importation of skins of seals captured in contravention of Order.

39 & 40  
Vict. c. 36.

#### Notice.

The following are declared to be Seal Reserves under the provisions of Section 7 of the Seal Fishery (Consolidation) Ordinance, 1921:—

The territorial waters of the Colony.  
Elephant Jason Island.  
Bird Island.  
Volunteer Rocks.  
Beauchene Island.

### VISITING FORCES (BRITISH COMMONWEALTH) (APPLICATION TO THE COLONIES, ETC.) ORDER IN COUNCIL, 1940.

24th July, 1940.

WHEREAS by sub-sections (1) and (2) of section 5 of the Visiting Forces (British Commonwealth) Act, 1933 (hereinafter called "the Act"), it is provided that His Majesty may as regards any Colony by Order in Council direct that the provisions of sections 1 to 3 of the Act, or such of those provisions as may be specified in the Order, shall, subject to such adaptations and modifications as may be so specified, apply

in that Colony in relation to forces visiting that Colony and in relation to deserters and absentees without leave, as they apply in the United Kingdom ; and that His Majesty may as regards any Colony by Order in Council direct that the provisions of section 4 of the Act shall, with such exceptions and subject to such adaptations and modifications as may be specified in the Order, apply in relation to all or any of the forces raised in that Colony, and in relation to officers and members thereof, as they apply in relation to home forces and officers and members thereof :

AND WHEREAS by virtue of sub-section (3) of section 5 and section 6 of the Act the powers aforesaid may likewise be exercised in respect of any territory which is under His Majesty's protection, including any territory in respect of which a mandate on behalf of the League of Nations is being exercised by His Majesty's Government in the United Kingdom :

NOW, THEREFORE, His Majesty, in pursuance of sections 5 and 6 of the Act and of all other powers enabling Him in that behalf, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows :—

Short title.

1. This Order may be cited as the Visiting Forces (British Commonwealth) (Application to the Colonies, etc.) Order in Council, 1940.

Interpretation, etc.

2. (1) In this Order—

“territory” means a territory mentioned in the First Schedule to this Order ; and in the application of the Act under this Order to any territory “the territory” means that territory ;

“Governor”, in relation to any territory, means the person administering the government of the territory or, in the case of Zanzibar, the British Resident or the person lawfully discharging his functions ;

“Colonial forces” means, in relation to any territory any naval, military, or air forces raised in the territory, including any police force or other body raised therein which, by virtue of any law in force in the territory, has become a naval, military or air force ; and “Colonial force” includes any body, contingent or detachment of any Colonial forces, wherever serving :

Provided that where any Colonial forces or force raised in one territory shall be present in some other territory, such forces or force shall, for the purposes of this definition in so far as it relates to sections 1 to 3 of the Act as applied by this Order, be deemed to have been raised in that other territory.

(2) Subject to the provisions of this Order, sections 1 to 4 of the Act as applied by this Order shall be construed in accordance with the provisions of section 8 of the Act, except that—

- (a) the definition of "visiting force" shall have effect as if for the words "with the consent of His Majesty's Government in the United Kingdom lawfully present in the United Kingdom" there were substituted the words "lawfully present in the territory"; and
- (b) the definition of "member" shall have effect as if the word "territory" were substituted for the words "United Kingdom".

(3) An Order under the Act as applied by this Order may be revoked or varied by a subsequent Order.

(4) The Interpretation Act, 1889, shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. Sections 1, 2 and 3 of the Act shall, subject to the adaptations and modifications specified in Article 2 and the Second Schedule to this Order, apply in each territory in relation to forces visiting the territory and in relation to deserters and absentees without leave, as they apply in the United Kingdom.

Application  
of Sections  
1 to 3 of  
the Act.

4. Section 4 of the Act shall, subject to the adaptations and modifications specified in Article 2 and the Third Schedule to this Order, apply in relation to Colonial forces raised in any territory and in relation to officers and members thereof, as they apply in relation to home forces as defined in the Act and officers and members thereof.

Application  
of Section 4  
of the Act.

**FIRST SCHEDULE.***(Inter alia).*

Falkland Islands.

Reference in this Schedule to any territory of which there are Dependencies shall be construed as including a reference to such Dependencies.

**SECOND SCHEDULE.****Adaptations and Modifications of Sections One, Two and Three of the Act.**

1. All reference to the United Kingdom shall be construed as references to the territory.
2. All references to home forces or a home force shall be construed as including references to Colonial forces or a Colonial force, as the case may be.
3. In sub-section (5) of Section one the words " the Governor " shall be substituted for the words " the Admiralty, Army Council or Air Council, as the case may be ".
4. In sub-section (1) of Section two—
  - (a) the words " the Governor may by Order " shall be substituted for the words " His Majesty may by Order in Council ";
  - (b) the word " Officer " shall be substituted for the word " Minister " wherever it occurs; and
  - (c) the last paragraph shall be omitted.

**THE WHALING INDUSTRY (REGULATION) ACT  
(NEWFOUNDLAND, COLONIES, PROTECTORATES  
AND MANDATED TERRITORIES) ORDER.**

3rd July, 1936.

WHEREAS by section 13 of the Whaling Industry (Regulation) Act, 1934 <sup>(a)</sup> (hereinafter referred to as "the Act") it is enacted that His Majesty may by Order in Council direct that the provisions of the Act shall extend, with such exceptions, adaptations or modifications, if any, as may be specified in the Order, to the Isle of Man, any of the Channel Islands, Newfoundland or to any Colony :

AND WHEREAS by section 13 of the Act it is further enacted that the Foreign Jurisdiction Act, 1890 <sup>(b)</sup> shall

(a) (24 & 25 Geo. 5. c. 49.

(b) 53 & 54 Vict. c. 37.

have effect as if the provisions of the Act were included among the enactments which, by virtue of section 5 of the said Foreign Jurisdiction Act, may be extended by Order in Council to foreign countries in which for the time being His Majesty has jurisdiction :

AND WHEREAS by section 11 of the Act it is enacted that His Majesty may by Order in Council direct that any provision of the Act which is expressed to apply only to British ships shall, subject to such exceptions, adaptations or modifications (if any) as may be specified in the Order, apply also to other ships, being ships registered in or licensed under the law of any Colony or British Protectorate, or any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty and is being exercised by His Majesty's Government in the United Kingdom :

AND WHEREAS by section 12 of the Act it is enacted that His Majesty may by Order in Council direct that subject to such conditions, if any, as may be specified in the Order, any of the provisions contained in sections 1 to 11 of the Act which restricts the taking or killing of whales or the use of ships shall not apply in relation to anything done within the coastal waters of

(a) a country or part of His Majesty's dominions to which the Act may be extended by virtue of section 13 thereof, or

(b) a British protected state,

if there is in force, as respects those coastal waters, a provision of the local law which appears to His Majesty substantially to correspond with the aforesaid provision of the Act :

AND WHEREAS it is expedient that the provisions of the Act should extend to Newfoundland and the territories mentioned in the First Schedule to this Order, subject to the exceptions, adaptations and modifications specified in this Order :

AND WHEREAS it is expedient that the provisions of the Act which are expressed to apply only to British ships should apply to other ships registered in or licensed under the law of any territory mentioned in the First Schedule to this Order :

AND WHEREAS it appears to His Majesty that in respect of the coastal waters of the territories mentioned in the

Second Schedule to this Order there are provisions of the local law substantially corresponding with the provisions of sections 3 and 4 of the Act :

AND WHEREAS it is expedient that the said sections of the Act should not apply in relation to anything done within the coastal waters of the territories mentioned in the said Second Schedule : NOW, THEREFORE, His Majesty, by and with the advice of His Privy Council, is pleased to direct, and it is hereby directed, as follows :—

1. The provisions of the Act (except sections 9 (2) and 15, and except in so far as the Act requires, authorises, prohibits, or restricts the doing of anything in the United Kingdom or in the coastal waters thereof) shall extend to Newfoundland and the territories mentioned in the First Schedule to this Order, subject to the following adaptations and modifications, that is to say :—

- (a) For the words "Summary Jurisdiction Acts" in section 10 (2) of the Act there shall be substituted the words "law relating to summary jurisdiction" ;
- (b) In the proviso to section 10 (2) for the words "those Acts" there shall be substituted the words "that law" ; and for the words "United Kingdom" there shall be substituted "Newfoundland" or the name of the territory as the case may be :
- (c) The provisions of the Act shall not apply to aborigines dwelling on the coasts of any of the territories mentioned in the First Schedule to this Order provided that—
  - (1) they only use canoes, pirogues or other exclusively native craft propelled by oars or sails ;
  - (2) they do not carry firearms ;
  - (3) they are not in the employment of persons other than aborigines ;
  - (4) they are not under contract to deliver the products of their whaling to any third person.

2. The provisions of the Act which are expressed to apply only to British ships shall apply to other ships registered in or licensed under the law of any territory mentioned in the First Schedule to this Order.

3. Sections 3 and 4 of the Act shall not apply in relation to anything done within the coastal waters of any territory mentioned in the Second Schedule to this Order.

4. This Order may be cited as the Whaling Industry (Regulation) Act (Newfoundland, Colonies, Protectorates and Mandated Territories) Order, 1936.

M. P. A. HANKEY.

---

**FIRST SCHEDULE.**

*(Inter alia).*

Falkland Islands and Dependencies.

**SECOND SCHEDULE.**

*(Inter alia).*

Falkland Islands and Dependencies.

**LEAVE AND PASSAGE REGULATIONS, 1937-1942.**

1. These regulations shall apply to the following officers serving in the Colony:— Application of Regulations.

- (i) Officers on the permanent establishment who are not domiciled in the Colony, and whose tour commenced before 1st January, 1948.
- (ii) Officers on the permanent establishment who are domiciled in the Colony and have not less than six years resident service, and whose service commenced before 1st January, 1948, and who have elected to remain on the conditions of service existing before that date.

2. In these regulations—

Definitions.

the term "free passage" means a passage between the Colony and the United Kingdom provided by and at the expense of the Government;

the term "Government" means the Government of the Colony;

the term "minimum tour" means a tour of twenty-four months in the case of Class A officers and thirty-six months in the case of Class B officers;

the term "officer" means an officer to whom these regulations for the time being apply;



the term "Class A officer" means an officer substantively holding any of the posts named in Schedule A of these regulations ;

the term "Class B officer" means an officer substantively holding any post not named in Schedule A of these regulations ;

the term "tour" means a period during which an officer resides in the Colony, counting from the date of disembarkation or arrival until the date of embarkation or departure, and includes any period of local leave even if spent outside the Colony ;

the term "vacation leave" means leave with full salary following a tour, at the rate of five days in respect of each completed month of resident service in the case of Class A officers and four days in respect of each completed month of resident service in the case of Class B officers.

Leave granted  
by the  
Governor.

3. Unless otherwise stated in these regulations, leave is granted by the Governor at his discretion.

Service  
qualifying for  
leave.

4. Except as provided in regulation 6 an officer shall not be granted vacation leave until he has completed a minimum tour and shall not ordinarily be called upon to serve a tour exceeding thirty-six months in the case of Class A officers and forty-eight months in the case of Class B officers. Within this limit the length of a tour shall be at the discretion of the Governor in each case, provided that the Governor may as an exceptional measure direct that a Class A officer or a Class B officer should serve a longer tour than thirty-six months or forty-eight months respectively, if necessary in the public interest.

Vacation  
leave on  
conclusion  
of tour.

5. On the conclusion of a tour of service as determined in accordance with regulation 4, an officer shall ordinarily be granted vacation leave.

Vacation  
leave before  
completion  
of minimum  
tour.

6. An officer may be granted vacation leave before completing a minimum tour—

- (a) on medical grounds ;
- (b) on the ground of urgent private affairs ;
- (c) on the ground of public interest ;

- (d) prior to retirement, subject, if the officer is retiring at his own request, to the approval of the Secretary of State.

7. (1) Extensions of leave with full salary may be granted on the ground of ill health to any officer for any period not exceeding six calendar months, and when there is reason to believe that the officer will ultimately be fit for further service, for a further period with half salary not exceeding six calendar months. Extensions of leave.

(2) An officer who is required to undertake, or who undertakes with the approval of the Governor, any duty or course of study while on vacation leave may be granted such extension of leave, if any, with full salary as is necessary to enable him to complete the duty or course, and to enjoy an aggregate period of leave (exclusive of the period occupied by the voyages between the Colony and the United Kingdom) clear of duty or study equal to half the period of vacation leave granted to him.

(3) Extensions of leave may also be granted to officers on the ground of public interest. Unless otherwise directed, such extensions will be granted with full salary.

(4) Extensions of leave granted on any grounds other than those mentioned above in this regulation will be without salary.

(5) Extensions of leave will date from the expiration of the original leave and not from the date on which the officer would have had to embark if his leave had not been extended.

(6) Extensions of leave under this regulation may be granted by the Secretary of State.

8. (1) An officer who is granted leave under the foregoing regulation will be granted, in addition, leave with full pay for the period of his voyage between the Colony and the United Kingdom, subject to a maximum period of twenty-eight days, if the officer does not proceed by a route which is approved as a normal route. Leave for voyage.

(2) An officer who is granted leave under the foregoing regulations and who proceeds to some country other than the United Kingdom will ordinarily be granted, in addi-

tion, leave for the period of the journeys to and from the country to which he proceeds, or for twenty-eight days, whichever is the less.

New tour  
started after  
leave.

9. An officer who is granted vacation leave will begin a new tour on his return to the Colony.

Officer's  
passages.

10. An officer whose initial emoluments are not less than £200 per annum or an officer whose initial emoluments are less than £200 per annum but who is not domiciled in the Colony will be provided with free passages; all other officers whose initial emoluments are less than £200 per annum and who are not provided for above will be eligible to receive half the cost of such passages, or if they prefer it to receive free passages on their return journey, by a route approved as a normal route, on every occasion on which they are granted leave, except (a) when proceeding on leave on urgent private affairs or other special grounds before having completed a minimum tour, or on returning from such leave, and (b) on leaving the Colony prior to retirement at their own request before having completed a minimum tour:

Provided that all other officers who have completed a tour of not less than seven years will be eligible to be provided with free intermediate passages (subject to a maximum of three full passages) as defined in regulation 14 (b).

This proviso shall not affect any officer who prior to the passing of these regulations enjoyed higher privileges.

Wife's  
passage.

11. Subject to the exceptions in regulation 10, a free passage by a route approved as a normal route will be provided by the Government for the wife of an officer and two children under the age of 18 (subject to a maximum of two full passages), who accompany him to, or join him in, the Colony with the permission (if required) of the Government, once in each direction in respect of each tour.

Normal  
routes.

12. The routes approved as normal routes for the purposes of these regulations between the Colony and the United Kingdom are as follows:—

(a) Stanley—Montevideo—United Kingdom.

(b) Stanley—United Kingdom.

13. (1) If an officer or the wife of an officer, who is eligible for a free passage under regulations 10 and 11, is permitted to travel by a route which has not been approved as a normal route, he (or she) will be granted reasonable travelling expenses (i.e., cost of steamer, air, or rail passages, but not incidental expenses) provided that in the absence of special circumstances the cost to the Government shall not exceed the cost which would have been incurred had he (or she) proceeded by an approved normal route. A similar principle will be followed in the case of a person who is eligible for an allowance under regulation 15 or 16.

Abnormal routes.

(2) An officer, should he so desire, may travel by a cheaper grade of accommodation than that to which he is entitled under these regulations for the purpose of applying the savings to the cost of passages for his wife or children to or from the United Kingdom when there is no provision under these regulations for the grant of such passages at the public charge.

14. The grades of accommodation approved for officers travelling by the normal routes between the Colony and the United Kingdom are as follows:—

Grade of accommodation.

- (a) Officers whose initial salaries are not less than £600 per annum, 1st Class by the Falkland Islands Company's vessel and Highland vessel of the Royal Mail Line:

Provided that officers who have enjoyed the privilege of a first class passage under the former regulations shall not be affected by the above subsection.

- (b) Officers whose initial salaries are not less than—  
£400: 1st Class by Falkland Islands Company's vessel and 2nd Class by "A" vessel of the Royal Mail Line;

£200: 1st Class by Falkland Islands Company's vessel and Intermediate Class by Highland vessel of the Royal Mail Line;

All others: Intermediate by Falkland Islands Company's vessel and Highland vessel of the Royal Mail Line:

Provided that officers who have hitherto been entitled to and have taken advantage of the provision of a better class of accommodation by the Falklands Islands Company's vessel than that permissible under these regulations will retain the same privileges as in the past.

Passages in respect of leave on urgent private affairs.

15. (1) An officer who is granted leave on urgent private affairs or other special grounds before completing a minimum tour of service may be granted an allowance towards the cost of his passage from the Colony to the United Kingdom bearing the same proportion to half the cost of a return passage by an approved normal route and grade as the number of months of resident service which he has completed during his last tour bears to a minimum tour, and a similar allowance in respect of his wife and children if they accompany or follow him.

(2) On returning from such leave a similar allowance will be payable in respect of his own passage and in respect of his wife's and children's passages if she or they accompany him or join him in the Colony in the course of his next tour.

Passages on voluntary retirement before completing minimum tour.

16. An allowance as provided in regulation 15 (1) may be granted in respect of passages for himself and his wife and children from the Colony to an officer who is retiring at his own request and is granted vacation leave under regulation 6 (d).

Leave spent elsewhere than in the United Kingdom.

17. (1) If an officer is granted vacation leave to be spent elsewhere than in the United Kingdom, the particular arrangements to be made in his case with regard to the period of leave allowed in respect of voyages, and the passage allowance in respect of himself and his wife and children, shall be determined by the Governor: subject, except as provided below, to the expense incurred by the Colony not exceeding that which would have been incurred if the officer had proceeded to the United Kingdom.

(2) If the officer's home is in the country to which he is permitted to proceed on leave, the arrangements will be made with due consideration of the desirability of his being enabled to reach his home without undue expense and to spend a reasonable time there.

18. (1) An officer who is granted leave and who is leaving the Colony on final retirement will be granted, in addition, leave with full salary for the period of the homeward journey, and a free passage to the United Kingdom provided that he avails himself of such passage within six months after the cessation of duty or within the period of ordinary leave earned by him, whichever is the longer, but not otherwise.

Voyage leave and free passages to officers leaving Colony on final retirement.

(2) An officer who takes leave prior to his retirement in the Colony may be granted a free passage to the United Kingdom, provided that he avails himself of such passage within six months after the cessation of duty or within the period of ordinary leave earned by him, whichever is the longer, but not otherwise.

19. An officer may at the discretion of the Governor and without prejudice to ordinary vacation leave be granted local leave on full salary for a period not exceeding twenty-one days during and in respect of each two years resident service. Such leave may be spent at any place away from Headquarters in the Colony or in South America, but may not follow or be followed immediately by ordinary vacation leave.

Local leave.

20. Nothing in these regulations shall give any officer a right to any leave, passage, or other privileges.

Leave not a right.

21. The Secretary of State may at any time revoke, alter, add to, or amend these regulations.

Power to vary regulations.

#### SCHEDULE A.

Colonial Secretary.  
Colonial Treasurer.  
Senior Medical Officer.  
Medical Officers.  
Dental Surgeon.  
Superintendent of Education.  
Director of Public Works.  
Magistrate, South Georgia.  
Clerk to Magistrate, South Georgia.  
Customs Officer, South Georgia.  
Wireless Operator, 1st Class, South Georgia.  
One Operator, 2nd Class, South Georgia.  
Constable, South Georgia.

**RULES RELATIVE TO THE GRANTING OF PATENTS  
FOR INVENTIONS MADE BY CIVIL SERVANTS.**

1. Any Government officer who has made an invention
  - (a) may, at his own expense, and
  - (b) shall, at the expense of the Government if so required by the Governor, lodge an application for provisional protection with the Registrar of Patents, and shall at the same time send a copy of the application to the Governor through the head of his Department. The Governor shall decide as expeditiously as possible whether the invention shall be regarded as secret, and his decision shall be forthwith communicated to the head of the officer's Department for the information of the officer.
  
2. (1) As soon as practicable, the Governor shall decide whether the officer shall or shall not be allowed controlling rights in the patent, and his decision shall be communicated to the head of the officer's Department for the information of the officer.  
  
(2) Pending the decision of the Governor as to such controlling rights, all rights in the invention shall be deemed to belong to and to be held in trust for the Government.
  
3. If the Governor decides that the officer shall be allowed controlling rights in the patent, the following provisions shall apply :—
  - (a) The officer shall, subject to the provisions of rule 1 of these rules, be responsible for all expenditure in taking out the patent.
  - (b) The Governor may attach to his decision such conditions as he may think fit and, in particular, may reserve to the Government a right of user of the invention free of royalty, or a right to a share of any commercial proceeds, or both such rights.
  - (c) The officer may, whether any rights are reserved under paragraph (b) of this rule or not, apply to the Awards Committee as constituted under paragraph 7 of these rules (hereinafter referred to as "the Committee") through the head of his Department for an award in respect of his invention.

- (d) The question whether an award shall be made, the amount thereof, and, if a share of commercial proceeds is reserved to the Government, the amount of such share shall be determined by the Governor after investigation by the Committee.
- (e) A reservation to the Government of user of the invention free of royalty under paragraph (b) of this rule may include a like reservation to His Majesty's Government in the United Kingdom, or the Government of any British Colony or Protectorate or any territory in respect of which His Majesty's Government in the United Kingdom exercises a mandate.

4. If the Governor decides that the officer shall not be allowed controlling rights in the patent, the following provisions shall apply:—

- (a) The officer shall assign all his rights in the invention to the Government.
- (b) The Government shall be responsible for all expenditure in taking out the patent.
- (c) The Governor shall decide whether the officer shall or shall not be allowed a share of any commercial proceeds.
- (d) The officer may, whether he is allowed a share in the commercial proceeds or not, apply to the Committee through the head of his Department for an award in respect of his invention.
- (e) The question whether an award shall be made, the amount thereof, and, if the Governor decides that the officer shall be allowed a share in the commercial proceeds, the amount of such share shall be determined by the Governor after investigation by the Committee.

5. In the event of a material change taking place in the circumstances which existed at the time when an award or allocation of commercial proceeds was made, the original decision may be modified by the Governor after further investigation by the Committee:



Provided that, in any such modification of the original decision, the amount of an award which has been paid shall not be reduced.

6. Where an invention is in all respects alien to the employment of the officer he shall normally be granted the full rights in such an invention.

7. There shall be constituted for the purposes of these rules an Awards Committee which shall consist of such persons as the Governor may from time to time by notice in the Gazette appoint.

8. An officer shall be entitled at his own expense to appear personally before the Committee or to be represented in such manner as the Committee may approve.

9. All conclusions of the Committee shall be embodied in recommendations which shall be forwarded to the Governor.

10. The Committee may make rules for regulating their proceedings, but no such rules shall come into force until they shall have been approved by the Governor.

11. (a) Any reasonable expenses to which an officer may have been put in connection with his inventions shall be taken into account.

(b) The reservation of a right of user free of royalty to His Majesty's Government in the United Kingdom or the Government of any other territory mentioned in rule 3 (c) shall not be taken into account, but if and when such right shall be exercised by any such Government, a material change shall, for the purpose of rule 5, be deemed to have taken place.

12. Nothing in these rules shall affect the duties and liabilities of any Government officer under the provisions of the Official Secrets Acts.

**TRAVELLING AND SUBSISTENCE ALLOWANCE  
RULES.**

**To Officers travelling on duty, within the limits of the  
Colony, including the Dependencies.**

**Travelling Allowance.** The actual cost of the means of transport employed shall be paid. Such transport shall be by first class in the case of officers with commencing salary of not less than £400 per annum and by second class in the case of other officers.

**Subsistence Allowance.** The undermentioned rates shall be paid in each case in respect of every night spent by an officer away from his usual headquarters—

- (a) His Excellency the Governor : £1 10s. 0d.
- (b) Members of the Executive and Legislative Councils : £1 0s. 0d.
- (c) Unofficial Members of the Executive and Legislative Councils visiting Stanley for the purpose of attending meetings : £1 0s. 0d.
- (d) Officers with commencing salary of not less than £400 per annum : 10/-.
- (e) Other officers : 6/-.

These allowances shall not be paid to an officer—

- (a) whose salary is fixed on such a basis as to include an allowance for the cost of necessary travelling on duty ;
- (b) in respect of any night—
  - (i) on which the officer is the guest of a resident of the Colony ;
  - (ii) when the officer is in receipt of a passage at Government expense on board a vessel in Colonial waters.



**PART IV**  
**PROCLAMATIONS, RULES, REGULATIONS**  
**AND ORDERS**



## CHAPTER 1.

## ADMINISTRATION OF ESTATES.

## RULES MADE BY THE GOVERNOR IN COUNCIL.

## Section 22.

No. 3 of 1949.

1. These rules may be cited as the Administration of Estates Rules. Short title.

2. The forms of Petition, Estate Duty Affidavit, Administration Bond, Affidavit verifying administrator's account, and Grant set out in the First Schedule hereto with such variations as the circumstances may require shall be used in all cases of application for, and upon grant of, Probate or Letters of Administration. Forms.

3. The fees set out in the Second Schedule shall be paid in connection with the application for, grant of, or resealing Probate or Letters of Administration. These fees will include all work done in the office of the Supreme Court in connection with the application, grant or resealing. No grant shall be made until these fees have been paid. Fees.

## FIRST SCHEDULE.

## PETITION.

To His Honour the Judge.

The Supreme Court of the Falkland Islands.

THE HUMBLE PETITION of  
Sheweth

1. (hereinafter called the deceased)  
of Falkland Islands died at on the day of 19  
leaving a Will dated 19  
intestate leaving no Will

2. There  $\frac{\text{is}}{\text{are}}$  a widow, children, sons, and daughters,  
surviving the deceased.

3. Your Petitioner  $\frac{\text{is}}{\text{are}}$  the (sole) Executor(s) under the said Will

*or*

The deceased did not appoint an executor of his said Will

*or*

The executor(s) of the said Will did not survive the deceased,  
*or* have renounced probate.

4. Your Petitioner is the \_\_\_\_\_ of the deceased.

5. Your Petitioner therefore prays that

Probate of the said Will of the deceased

Letters of Administration

Letters of Administration with the said Will annexed

} may be

granted to him to administer to the estate of the deceased.

6. I swear that if { Probate of the said Will of the deceased  
Letters of Administration  
Letters of Administration with the said Will  
annexed

are granted to me I will well and faithfully administer the said estate  
according to law.

.....  
*Petitioner.*

Sworn before me this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
at \_\_\_\_\_

.....  
*A Justice of the Peace.*

#### **Administration Bond.**

KNOW ALL MEN by these presents, sealed with my seal, and signed  
with my hand this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, that I,  
of \_\_\_\_\_ Falkland Islands, am held and firmly bound unto the  
Judge of the Supreme Court of the Colony in the sum of \_\_\_\_\_ pounds  
of lawful money of the Colony to be paid by me, my heirs, executors  
and administrators.

WHEREAS \_\_\_\_\_ hath been appointed Administrator of the  
estate of \_\_\_\_\_ who died at \_\_\_\_\_ Falkland Islands,  
on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

NOW THEREFORE the conditions of this obligation are such that if  
the said \_\_\_\_\_ shall duly administer the estate aforesaid  
according to law and render to the Judge of the Supreme Court a true

and complete inventory of all and singular the estate and effects of the said \_\_\_\_\_ within six months from the date hereof and swear to and render to the Judge of the Supreme Court a true and just account of the administration of the estate on or before the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ that is within one year of the date hereof then this obligation shall become void and of no effect, or otherwise be and remain in full force, and virtue.

IN WITNESS whereof the said \_\_\_\_\_  
has hereunto set his hand and seal at \_\_\_\_\_ Falkland Islands,  
her \_\_\_\_\_  
the date first above written.

Signed sealed and delivered  
in the presence of \_\_\_\_\_

.....  
*A Justice of the Peace.*

---

**In the Supreme Court of the Falkland Islands.**

**Estate Duty Affidavit.**

In the Estate of \_\_\_\_\_ (hereinafter called the deceased)  
of \_\_\_\_\_ Falkland Islands, who died at \_\_\_\_\_ on the  
day of \_\_\_\_\_ 19 \_\_\_\_\_

---

I \_\_\_\_\_ of \_\_\_\_\_  
\*(Executor of the Will of the deceased) \*(Administrator of the Estate  
of the deceased) make oath and say as follows:

1. That the particulars and value thereof shewn in the Exhibits A and B annexed hereto and signed by me are those of the estate of the said deceased so far as I have been able to trace and are true to the best of my knowledge and belief.

2. That to the best of my knowledge and belief there is no other property forming part of the estate of the said deceased.

Sworn at \_\_\_\_\_ Falkland Islands the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_  
Before me

.....  
*A Justice of the Peace.*

\* Delete as required.



**A.**

In the Estate of  
Exhibit A to the affidavit of

deceased.

	£	s.	d.		£	s.	d.
Cash in hand				Debts owing by deceased			
Cash in bank				Funeral expenses (with receipted bill)			
Furniture, implements of trade, etc.							
Clothing and personal effects							
† Debts owing to the deceased							
† Shares, etc.							
† Money advanced on mortgage, etc.							
† Provident Fund, etc.							
† Life Insurance							
† Leasehold lands and houses							
† Horses, sheep, cattle							
† Motor cars, etc.							
† Stock in trade							
† Good will of business							
† Any other personal property							

**B.**

In the estate of  
Exhibit B to the affidavit of

deceased.

**Real Estate.**

	£	s.	d.		£	s.	d.
Houses (giving particulars)				Mortgages or other encumbrances (giving particulars)			
Freehold lands (giving particulars)							

**Affidavit verifying administrator's account.**

In the Supreme Court of the Falkland Islands. (PROBATE)

In the estate of

deceased.

I,

the administrator of the estate

of the said deceased, make oath and say as follows :

1. The account marked A exhibited to this affidavit is my account of the estate of the intestate and contains a true account of all and every sum of money received by me or any person to my order up to and including the date hereof.

2. The several sums of money mentioned in the said account as having been paid and allowed have been actually and truly paid and allowed for the several purposes mentioned in the said account.

† Give full particulars.

3. The said account is just and true in all and every the items and particulars therein contained, according to the best of my knowledge and belief.

Sworn by the said

at

the                      day of                      19

Before me

.....  
*A Justice of the Peace.*

\_\_\_\_\_  
In the Supreme Court of the Falkland Islands.

Grant of

\* Probate

\* Letters of Administration

\* is hereby granted to                      †  
are

to administer the estate of

who died on the                      day of                      19

Oath having been made by the person to whom Probate is  
these Letters are granted

that the value of the estate does not exceed £                      and that the estate will be administered according to law and that a full and complete inventory of the estate will be filed in the Supreme Court within six months from the date hereof and that a complete account of the administration of the estate will be filed in the Supreme Court within one year from the date hereof.

.....19.....

.....  
*Judge.*

\* Delete as required.

† "Sole Executor" or "with the Will annexed the Executor having died  
refused to act"

or "one of the Executors, power being reserved of making a like grant to

..... the other Executor".

**SECOND SCHEDULE.****I. Grant of Probate or Letters of Administration.**

Non-contentious and Resealing under Section 21 of the Administration of Estates Ordinance.

		£	s.	d.
When the net estate is under the value of	£100	10	0	
Exceeding £100 but not exceeding	£300	1	0	0
„ £300 „ „ „	£500	1	10	0
„ £500 „ „ „	£1,000	2	10	0
„ £1,000 „ „ „	£3,000	5	0	0
„ £3,000 „ „ „	£5,000	6	0	0
„ £5,000 „ „ „	£7,500	6	15	0
„ £7,500 „ „ „	£10,000	7	10	0
„ £10,000 „ „ „	£12,500	8	0	0
„ £12,500 „ „ „	£15,000	8	5	0
„ £15,000 „ „ „	£20,000	9	10	0
„ £20,000 „ „ „	£25,000	10	0	0
„ £25,000 „ „ „	£30,000	10	10	0
„ £30,000 „ „ „	£35,000	11	10	0
„ £35,000 „ „ „	£40,000	12	10	0
„ £40,000 „ „ „	£45,000	13	10	0
„ £45,000 „ „ „	£50,000	14	10	0
„ £50,000 „ „ „	£60,000	16	0	0
„ £60,000 „ „ „	£75,000	18	0	0
„ £75,000 „ „ „	£100,000	24	0	0
for each £50,000 or part thereof of the net estate above £100,000		10	0	0

**II. Grant of Probate or Letters of Administration.****Contentious.**

	£	s.	d.
1. On entering caveat	1	0	
2. On settling a citation	10	0	
3. On application for summons	2	0	
4. Service of citation, writ, summons or order, in Stanley	2	6	
5. „ „ „ „ „ „ „ „ outside Stanley	5	0	
6. On filing petition under Sections 7, 8, or 20 of the Administration of Estates Ordinance (when disputed)	10	0	
7. On filing affidavit of service of citation or summons	2	0	
8. On entering an appearance, each person	2	6	
9. On setting down a case for hearing	10	0	
10. Hearing fee	1	0	0
If the hearing occupies more than five hours, for each additional hour	5	0	

In addition to the fees shewn in this Schedule there shall be paid 5/- the cost of each notice appearing in the Gazette.

**CHAPTER 2.***No Subsidiary Legislation.*

**CHAPTER 3.**  
**ADMINISTRATION OF JUSTICE.**  
**RULES OF THE SUPREME COURT.**

Section 68.

No. 3 of 1949.

1. These rules may be cited as the Rules of the Supreme Court. Short title.

**Part I.**

CIVIL CASES (OTHER THAN MATRIMONIAL).

2. (1) Every matter, other than an action, shall be brought before the Supreme Court by Petition delivered to the Registrar and if approved by the Judge shall be heard on the appointed day by him. Procedure on Petition.

(2) Except where an injunction is sought a Petition shall not be heard less than seven days after a copy thereof has been served on every person in the Colony affected thereby. Judge may order amendment of Petition or any pleading or that it be struck out.

3. The Judge may order that a Petition or any pleading be amended or struck out on the ground that it discloses no reasonable cause of action, that it is frivolous, vexatious or scandalous.

4. Any person directly affected by any matter before the Supreme Court may at any time before hearing apply on motion to the Supreme Court for the postponement of the hearing thereof and the Judge may make such order thereon and as to costs and security as he may deem fit. Postponement of Hearing.

5. A writ shall be in the Form A set out in the Schedule hereto and shall be served on the defendant by or on behalf of the Plaintiff. Writ.

6. A defendant shall within eight days if resident in Stanley, or sixty days if resident outside Stanley, after service of the writ, inclusive of the day of service, deliver to the Registrar and serve or cause to be served on the plaintiff his defence to the action. Defence.

7. The plaintiff may within eight days if resident in Stanley, or sixty days if resident outside Stanley, after service of the defence, including the day of service deliver to the Registrar and serve or cause to be served on the defendant his reply to the defence. Reply.

Judgment in  
default of  
defence.

8. If no defence is delivered and served within the time specified in rule 6 the plaintiff shall be at liberty after filing an affidavit of Service, to apply to the Judge to sign final judgment and the Judge may make such order as to judgment as he may deem just.

Setting down  
for trial.

9. Either party may after delivery of the reply, or after the time provided therefor under rule 7 has elapsed, apply to the Registrar for the case to be set down for hearing and the Registrar shall notify both parties of the date fixed by the Judge :

Provided that either party may apply for a postponement thereof subject to such terms as the Judge may impose.

Non-  
attendance  
of parties.

10. (1) Where the plaintiff fails to attend the hearing the defendant shall be entitled to final judgment.

(2) Where the defendant fails to attend the plaintiff shall on proving his case be entitled to final judgment.

Retrial.

11. Where the plaintiff or defendant fails to appear at the hearing he shall be at liberty within six days of the date thereof to apply that the judgment be set aside and the Judge make an order for retrial or otherwise on such terms and conditions as he may deem fit.

Retrial.

12. An application for retrial shall be made by petition stating the grounds on which it is based, filed with the Registrar within three weeks after Judgment and served forthwith on the other parties to the suit.

Signing  
judgment.

13. The successful party in an action shall be entitled to sign judgment and issue execution six days after the trial unless application shall have been made for a re-trial, or stay of execution.

Sale by  
sheriff.

14. (1) The sheriff shall, when he cannot effect a sale of any property seized by him without a sacrifice of the reasonable value thereof, apply to the Judge for directions and for an order for delay and for enlarging the time for returning the writ.

(2) The sheriff shall cause a notice giving the time, place and particulars of sale of goods seized under execution to be fixed on the public notice board at Stanley and at such other places as he may decide.

**Part II.**

## MATRIMONIAL CASES.

15. Proceedings shall be commenced by delivering to the Registrar a Petition in the Form B set out in the Schedule hereto together with an affidavit by the petitioner verifying the facts of which he has personal knowledge and deposing as to his belief in the truth of the other facts alleged therein. The Registrar shall thereupon issue the notices to appear in the Form C set out in the Schedule hereto.

Petition.

16. The petitioner shall serve or cause to be served personally on the respondent and every co-respondent named in the petition notice to appear, together with a copy of the petition certified by the Registrar, and shall within seven days of service in Stanley or thirty days of such service in any other part of the Colony file with the Registrar an affidavit of service.

Service of  
petition, etc.

17. A respondent, co-respondent or any person named in a petition may within fourteen days of the service of such petition if served in Stanley, or sixty days if served in any other part of the Colony, file with the Registrar an answer to the petition and shall with every answer which contains matter other than a simple denial of the facts stated in the petition, file an affidavit verifying such other matter so far as he has personal knowledge and deposing to his belief in the truth of the rest of such other matters and shall serve on the petitioner forthwith a copy of such answer and affidavit and a notice to appear.

Answer.

18. (1) No reply shall be filed without leave of the Judge except where relief is claimed in the answer in which case a reply may be filed with the Registrar and the petitioner shall within fourteen days of the delivery of the answer forthwith serve a copy of such reply on the respondent.

Reply.

(2) No subsequent pleading shall be filed without leave of the Judge.

19. When a person is charged with adultery with any party to a case in which the Judge may consider, in the interest of any person not already a party to the suit, that that person should be made a party the Judge may allow that person to intervene upon such terms, if any, as he may deem just.

Power to  
allow  
intervention.

Setting down  
for trial.

20. Any party may after delivery of the reply or the expiration of the time provided therefor under rule 18 (1) apply to the Registrar for the case to be set down for hearing and the Registrar shall notify all parties of the date fixed by the Judge :

Provided that any party may apply for a postponement thereof subject to such terms as the Judge may impose.

Intervention  
against  
making  
absolute a  
decree *nisi*.

21. (1) Any person desiring to shew cause against making absolute a decree *nisi* shall file with the Registrar an affidavit setting forth the facts upon which he relies and forthwith serve a copy thereof on the party in whose favour the decree has been pronounced.

(2) The party in whose favour the decree has been pronounced may within fourteen days after delivery of the said affidavit file with the Registrar an affidavit in answer and forthwith serve a copy thereof on the person showing cause and the person showing cause may within fourteen days of such service file and serve as aforesaid an affidavit in reply.

Decree  
absolute.

22. An application to make absolute a decree *nisi* for dissolution of marriage shall be made in writing to the Registrar. The decree shall be pronounced in open Court.

### Part III.

#### ENFORCEMENT OF MAINTENANCE ORDERS.

Prescribed  
officer.

23. The prescribed officer for the enforcement of maintenance orders shall be—

- (a) if the order be made in the Supreme Court, the Registrar, or
- (b) if the order be made in a Court of Summary Jurisdiction, the Magistrate.

Provisional  
orders.

Chapter 42.

24. The copy of a provisional order made by a Court in any part of His Majesty's Dominions outside the United Kingdom to which the Maintenance Orders (Facilities for Enforcement) Ordinance (in this Part called "the Ordinance") applies shall be sent to the Magistrate with the accompanying documents and a requisition for a summons.

25. The Magistrate shall notify the Governor and the Court issuing the order his decision on a provisional order made outside the Colony.

Notice of  
decision.

26. When an order has been registered in the Court of Summary Jurisdiction at Stanley or a provisional order has been confirmed by that Court under the Ordinance all payments under the order shall be made to the prescribed officer.

Payments  
into Court  
under order.

27. All monies collected under an order as provided by rule 26 shall be paid to the Treasury for transmission through the Crown Agents for the Colonies to the officer specified by the Court issuing the order.

Transmission  
of monies  
collected.

28. When a provisional order made in the Colony under the Ordinance has been remitted to the Court of Summary Jurisdiction making the order for the purpose of taking further evidence the Magistrate or Justice shall notify the person on whose behalf the order was made the particulars of the further evidence required and the time and place fixed for taking it.

When further  
evidence  
required.

#### Part IV.

##### RECIPROCAL ENFORCEMENT OF JUDGMENTS.

29. In this Part the expression "the Ordinance" means the Reciprocal Enforcement of Judgments Ordinance and the definitions contained in section 5 of the Ordinance shall apply to this Part of these rules.

Definition.  
Chapter 56.

30. An application under the Ordinance for leave to have a Judgment obtained in a superior Court in any part of His Majesty's Dominions outside the United Kingdom to which the Ordinance applies registered in the Supreme Court shall be made *ex parte* or by summons to the Judge. If the application is made *ex parte* the Judge made direct a summons to be issued.

Application.

31. The application shall be supported by an affidavit of the facts exhibiting the judgment or a verified or certified or otherwise duly authenticated copy thereof and stating that to the best of the information and belief of the deponent the

The affidavit



judgment creditor is entitled to enforce the judgment and the judgment does not fall within any of the cases in which under the Ordinance a judgment cannot properly be ordered to be registered. The affidavit must also, so far as the deponent can, give the full name, title, trade or business and usual or last known place of abode or business of the judgment creditor and judgment debtor respectively.

Title of  
affidavit  
and  
summons.

32. The affidavit and the summons (if any) shall be intituled "In the Matter of the Reciprocal Enforcement of Judgments Ordinance, and in the matter of a Judgment of the ..... (describing the Court) obtained in ..... (describing the cause or matter) and dated the ..... day of ..... 19...".

Service of  
summons.

33. The Summons (if any) for leave to register shall be an originating summons and (unless otherwise ordered by the Judge) shall be served in the same manner as a writ of summons is required to be served. The judgment debtor shall not be required to enter any appearance thereto.

The Order.

34. Any order giving leave to register shall be drawn up by or on behalf of the judgment creditor and when the order is made on a summons the order shall be served on the judgment debtor, but where the order is made on an *ex parte* application no service of the order on the judgment debtor shall be required.

Form of  
Order.

35. The order giving leave to register the judgment shall state the time within which the judgment debtor is to be entitled to apply to set aside the registration. Such time where the judgment debtor is, or is ordinarily resident in the Colony shall ordinarily be sixty days, and when the judgment debtor is or is ordinarily resident out of the Colony shall depend on the distance from the Colony of the place where the judgment debtor resides and the postal facilities between the Colony and that place, and shall ordinarily be the same time as is limited for entering appearance after service out of the jurisdiction of a writ of summons or notice thereof.

The Register.

36. The register of judgments ordered to be registered under the Ordinance shall be kept by the Registrar. The judgment shall be registered therein in accordance with the order giving leave to register it.

37. There shall be entered in the register the date of the order for registration and of the registration, the name, title, trade or business and usual or last known place of abode or business of the judgment debtor and judgment creditor and the amount for which the judgment is signed and any special directions in the order for registration as to such registration and/or execution thereon and the particulars of any execution issued thereon.

Form of  
Register.

38. Notice in writing of the registration of the judgment must be served on the judgment debtor within a reasonable time after such registration. Such notice shall (in the absence of an order by the Judge as to the mode of service thereof) be served on the judgment debtor by personal service (with power to order substituted service or service out of the jurisdiction or both) as in the case of a writ of summons, but the Judge may at any stage of the proceedings authorise or direct some other mode of service and if he does so the service shall be effected in accordance with such authority or direction.

Notice of  
registration.

39. The notice of registration shall contain full particulars of the judgment registered and of the order for such registration and shall state the name and address of the judgment creditor on whom and at which service of any summons issued by the judgment debtor may be served. The notice shall state that the defendant is entitled, if he has grounds for doing so, to apply to set aside the registration and shall also state the number of days for applying to set aside the registration limited by the order giving leave to register.

Form of  
notice.

40. The party serving the notice shall, within three days at most after such service, endorse on the notice or a copy or duplicate thereof the day of the month and week of the service thereof, otherwise the judgment creditor shall not be at liberty to issue execution on the judgment; and every affidavit of service of such notice shall mention the day on which such endorsement was made. This rule shall apply to substituted as well as other service. The three days limited by this rule may under special circumstances be extended by order of the Judge.

Endorsement  
of service.

41. The judgment debtor may at any time, within the time limited by the order giving leave to register, after service on him of the notice of the registration of the judgment apply by

Application  
to set aside  
registration.

summons to the Judge to set aside the registration or to suspend execution on the judgment, and the Judge on such application, if satisfied that the case comes within one of the cases in which under section 2 (2) of the Ordinance no judgment can be ordered to be registered or that it is not just or convenient that the judgment should be enforced in the Colony or for other sufficient reason, may order that the registration be set aside or execution on the judgment suspended either unconditionally or on such terms as he thinks fit and either altogether or until such time as he shall direct :

Provided that the Judge may allow the application to be made at any time after the expiration of the time herein mentioned.

Summons to  
set aside.

42. The summons referred to in rule 41 shall be an ordinary summons intituled in the same manner as the affidavit referred to in rule 32.

Execution.

43. No execution shall issue on a judgment registered under the Ordinance until after the expiration of the time limited by the order giving leave to register, and after service on the judgment debtor of notice of the registration thereof :

Provided that the Judge may at any time order that execution shall be suspended for a longer time.

Affidavit  
of service.

44. Any party desirous of issuing execution on a judgment registered under the Ordinance must produce to the proper officer an affidavit of the service of the notice of registration.

Form of Writ  
of Execution.

45. A writ of execution on a judgment registered under the Ordinance may be thus varied : instead of "which said sum of money and interest were lately before us in the Supreme Court" &c., insert "which said sum of money and interest were lately in . . . (describing the Court in which the judgment was obtained)" &c., "and which judgment has been duly registered in our Supreme Court pursuant to the Reciprocal Enforcement of Judgments Ordinance".

Certified  
copy of  
Judgment.

46. Any application under section 3 of the Ordinance for a certified copy of a judgment obtained in the Supreme Court shall be made *ex parte* to the Registrar on an affidavit made by the judgment creditor giving the particulars of the

judgment and shewing that the judgment debtor is resident in some (state what) part of His Majesty's Dominions outside the Colony to which the Ordinance extends and stating to the best of his information and belief the title, trade, business or occupation of the judgment creditor and judgment debtor respectively and their respective usual or last known places of abode or business.

47. The certified copy of the judgment shall be an office copy and shall be sealed with the seal of the Supreme Court and shall be certified by the Registrar as follows :—

“I certify that the above copy of the judgment is a true copy of a judgment obtained in the Supreme Court in the Falkland Islands and this copy is issued in accordance with section 3 of the Reciprocal Enforcements of Judgments Ordinance.

(Signed).....  
Registrar of the Supreme Court  
in the Falkland Islands.

## Part V.

### GENERAL.

48. The offices of the Supreme Court shall be open daily (Sundays and public holidays excepted) from 9 a.m. to 12.30 p.m. and 2 p.m. to 4.30 p.m. except Saturdays when the hours shall be from 9 a.m. to 1 p.m. Office Hours.

49. The Registrar shall enter in the Action Book all writs, petitions and other proceedings in all actions and other matters commenced or referred to the Supreme Court. Action Book.

50. Any plaintiff or petitioner who is unable to serve or cause to be served a writ or petition upon any defendant or co-respondent personally may apply to the Judge for an order for substituted or other service and shall file in support of the application an affidavit setting forth the grounds on which it is made. Substituted service.

51. The Judge shall, where the party to any proceedings is or is ordinarily resident out of the Colony, state the time within which such party shall be served and file proceedings, as the case may be, regard being had to the distance from the Colony of the place where the party is or resides and the postal facilities between the Colony and that place. Extended time for service, etc., when party resident outside the Colony.

**Procedure  
on trial.**

52. The plaintiff shall state his case to the Court and call his witnesses who shall be subject to cross-examination and re-examination, then the defendant shall state his case and call his witnesses, who shall be subject as aforesaid. The plaintiff shall have the final address except when the defendant does not call any witnesses, other than give evidence himself when he shall have the final address after the plaintiff.

**Evidence  
of persons  
leaving  
Colony.**

53. When it is probable that a person who would be a witness in a case pending in the Supreme Court may leave the Colony before the case can be brought to trial the party requiring him may apply to the Registrar to have the evidence of that person taken before the Judge and shall forthwith give notice of such application to the opposite party, and the Registrar shall notify both parties of the day fixed by the Judge to hear such evidence. No such evidence shall be used unless the opposite party has had an opportunity of cross-examining the witness.

**Evidence by  
affidavit.**

54. Evidence may be given by affidavit in the case of witnesses absent from the Colony but the Judge may on the application of any party or at his own discretion direct that any such witness shall be examined by commission.

**New Trial.**

55. (1) An application for a new trial may be made on the day of the trial if both parties are present or within twelve days from the day of the trial.

(2) Except where the application is made on the day of the trial the applicant shall, not less than six clear days before the hearing of the application, file with the Registrar and give to the opposite party notice in writing of the application stating the grounds thereof.

(3) The notice shall not operate as a stay of proceedings unless the Court otherwise orders.

(4) On receipt of the notice the Registrar shall unless otherwise ordered, retain any money in court until the application has been heard.

(5) An order for a new trial shall be in Form D in the Schedule.

56. The Registrar shall fix a date for the taxation of costs and shall tax the same but no costs shall be taxed unless the bill of costs has been delivered to the opposite party more than forty-eight hours before the date fixed for taxation.

Taxation  
of costs.

57. Any person may with the consent of the Judge sue or defend as a poor person (without paying fees) :

Suing or  
defending as  
a poor person.

Provided he satisfies the Judge that—

- (a) he is not worth a sum exceeding £50 (excluding wearing apparel, tools of trade and the subject matter of such proceedings) ; and
- (b) his usual income from all sources does not exceed £2 a week ; and
- (c) in matrimonial cases, where the wife is the poor person, in addition to (a) and (b) that the poor person and her husband are not worth the amount specified in (a) and their joint income does not exceed the amount specified in (b) ; and
- (d) he has reasonable grounds for taking or defending or being a party to proceedings in the Supreme Court.

58. In all matters of practice and procedure not repugnant to or provided for in these rules, the practice and procedure of the High Court of Justice in England, shall, as far as possible, be adopted.

Other  
practice, etc.,  
of High Court  
of Justice to  
apply.

## Form A.

## WRIT.

GEORGE VI. by the Grace of God of the United Kingdom of Great Britain, and Ireland  
and of the British Dominions beyond the Seas King, Defender of the Faith.

To ..... of ..... in the Colony of the Falkland Islands.  
WE command you that within eight days (sixty days if residing outside Stanley) after the service of this writ on you,  
inclusive of the day of such service you do enter or cause to be entered a defence to the complaint of .....  
and take notice, that in default of your so doing the Plaintiff may proceed to Judgment and Execution.

The complaint set forth is

On all writs for debt or damages  
the following shall be endorsed:

Plaintiff claims £ ..... and  
£ ..... for costs.

If these amounts be paid into Court  
within seven days further proceedings  
will be stayed, but the defendant may  
apply to have the costs taxed, and if  
more than one-sixth be disallowed the  
Plaintiff shall pay his own costs. If  
the Defendant pays into Court three  
days at least before trial a sum less  
than that claimed but equal to or  
greater than the amount for which  
judgment is thereafter given he shall  
be entitled to recover his costs from  
the Plaintiff as from the date of such  
payment.

Witness His Honour ..... Judge of the Falkland Islands, this ..... day of ..... 19.....  
This writ must be served within twelve months from the date hereof.

.....  
Registrar.

## Form B.

## Divorce and Matrimonial Causes.

To His Honour the Judge.

- The                      day of                      19                      sheweth—  
 The Petition of *A.B.* of                      day of                      19                      ,  
 1. That your petitioner was on the                      day of                      19                      ,  
     lawfully married to *C.B.*, then *C.D.*, [Spinster or Widow] at the  
     *Parish Church of, etc.*  
     [*Here state where the marriage took place*]
2. That after his said marriage your petitioner lived and cohabited  
     with his said wife at                      and at                      , and  
     that your petitioner and his said wife have had issue of their said  
     marriage                      children to wit :  
     [*Here state the names and ages of the children of the marriage*]
3. That on the                      day of                      19                      , and on other  
     days between that day and                      , the said *C.B.*,  
     at                      in                      committed adultery with *R.S.*
4. [*Here set out in detail in separate paragraphs the alleged matrimonial  
     offences or other ground upon which relief is sought*].

Your petitioner therefore humbly prays—

That your Honour will be pleased to decree :

[*Here set out the relief sought*].

And that your Petitioner may have such further and other relief in  
 the premises as may seem fit.

[*Petitioner's signature*]

## Form C.

In the Supreme Court

Falkland Islands

To ..... of .....

TAKE NOTICE that you are required within eight days (thirty days  
 if residing outside Stanley) after service hereof upon you, inclusive of the  
 day of service to make answer to this petition (answer) and that in default  
 of your so doing the Court will proceed to hear the petition (answer) and  
 pronounce judgment, your absence notwithstanding.

Dated at Stanley, Falkland Islands, the ..... day of .....

19.....

.....  
Registrar.



## Form D.

## Order for New Trial.

[Title]

On the application of the

IT IS ORDERED that upon

[Here set out the terms and conditions on which the order is made]

the Judgment in this Action, and all subsequent proceedings thereon be  
 set aside and a New Trial had between the parties on the                      day  
 of    19                      at the hour of                      in  
 the    noon.

Dated this                      day of    19

.....  
 Registrar.

## Court Fees Rules.

No. 1 of 1949. Section 68.

- |                                |   |
|--------------------------------|---|
| Short title.                   | 1. These Rules may be cited as the Court Fees (Civil Cases) Rules.  |
| Supreme Court.                 | 2. The fees prescribed in the first schedule to these rules are payable in all civil actions and matters (other than Probate actions) commenced in the Supreme Court. |
| Court of Summary Jurisdiction. | 3. The fees prescribed in the second schedule to these rules are payable in all civil actions and matters commenced in a Court of Summary Jurisdiction.               |
| Notarial.                      | 4. The fees prescribed in the third schedule are payable on the specified notarial acts performed by a notary public.   |
| When fees are payable.         | 5. All fees shall be paid before the pleading is entered or the process prepared or issued.   |
| Calculation of fees.           | 6. For the purpose of calculation of poundage for fees a part of a £ shall be considered to be £1.  |

## FIRST SCHEDULE.

	£	s.	d.
Fee 1. On sealing writ ... ..	15	0	
2. On filing a divorce petition ...	10	0	
3. „ „ an amended writ ... ..	2	6	
4. „ „ an amended divorce petition ... ..	2	6	
5. For citation, first (divorce) ...	12	0	
6. For citation, second and subsequent ... ..	8	0	
7. On entering reply (divorce) ...	8	0	
8. For certifying copy of divorce petition ... ..	4	0	
9. On filing affidavit ... ..	2	0	
10. For each witness summons ...	4	0	
11. On entering defence in action ...	5	0	
12. On entering reply in action ...	5	0	
13. On setting down case for trial ...	1	0	0
If the trial or hearing occupies more than five hours, for each additional complete hour a further fee of ... ..			
	5	0	
14. On entering or sealing a judgment decree or order ... ..	1	0	0
<b>Note.</b> —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.			
15. On filing a notice of appeal to the Supreme Court ... ..	1	0	0
16. On application for leave to issue a third party notice ... ..	5	0	
17. On application for leave to issue execution ... ..	1	0	0 for every £ of the first £100 of the Judgment Order and 6d. for every additional £.

18. On the issue of a warrant of execution ... ..	1	0	for every £ of the first £100 and 6d. for every additional £ for which the warrant issues.
19. On the issue of a warrant for possession			
(1) not for the recovery of a sum of money ... ..	10	0	
(2) for the recovery of a sum of money in addition to possession ... ..	10	0	in addition to 1/- for every £ of the first £100 and 6d. for each additional £ for which the warrant issues.
20. On the issue of a warrant of delivery ... ..	1	0	for every £ of the first £100 and 6d. for each additional £ of the value of the goods to be delivered and costs and damages.
21. For an office copy of the Judge's note ... ..	1	0	for each folio of 72 words.
22. For leave to appeal to the Privy Council including recognisance and sealing ... ..	20	0	0
23. Taxing costs ... ..	1	0	for every £4 or part thereof allowed.
24. Reviewing costs ... ..	1	0	0
25. Warrant for absconding debtors	1	0	0
26. Power of attorney under Seal of the Colony ... ..	1	0	0

## SECOND SCHEDULE.

£ s. d.

Fee 1. On entering a complaint :

(1) for the recovery of a sum of			
money not exceeding £2 ...	2	0	
exceeding £2, not exceeding £5	3	0	
" £5 " " £10	5	0	
" £10 " " £15	7	0	
" £15 " " £20	9	0	
" £20 " " £25	10	0	
" £25 " " £30	13	0	
" £30 " " £35	15	0	
" £35 " " £40	17	0	
" £40 " " £50	19	0	
" £50 ... ..	1	1	0

(2) for recovery of land :

(a) on expiration of term or  
notice to quit ... .. 5 0

(b) on forfeiture for non-pay-  
ment of rent ... .. fee 1 (1) calcu-  
lated on rent in  
arrear.

(3) for delivery of goods ... .. fee 1 (1) calcu-  
lated on value of  
goods.

(4) for any other remedy or relief 1 0 0

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 ... .. 2/6.

**Note.**—The above fees include  
preparation and service of sum-  
mons, 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 counter-claim ... ..                   | The fee payable under Fee 2.  |
| 6. On application for an order for the attendance of a judgment debtor | 2/6.  |
| 7. On application for leave to issue execution ... ..                  | 6d. for every £1 of the Judgment Order. Maximum 5/-.                                  |
| 8. On the issue of a warrant of execution                              | 6d. for every £1 for which the warrant issues. Maximum 10/6.                          |
| 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. Maximum 10/6.                             |
| (2) for the recovery of a sum of money in addition to possession       | Fee 9 (1) in addition to 6d. for every £1 for which the warrant issues. Maximum 15/-. |
| 10. On the issue of a warrant of delivery                              |   |
| (1) not for the recovery of damages or costs ... ..                    | 6d. for every £1 of the value of the goods to be delivered. Maximum 10/-.             |
| (2) for recovery of damages or costs in addition to delivery ... ..    | Fee 10 (1) in addition to 6d. in every £1 for which the warrant issues. Maximum 15/-. |
| 11. On issue of a judgment summons ...                                 | 6d. for every £2 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 ... | 3d. for every £1 for which the order issues. Maximum 10/6.                            |
| 14. On entering garnishee proceedings ...                              | Fee 1 (1).  |

- |   |                                    |
|---|------------------------------------|
| 15. On hearing garnishee proceedings ...                | Fee 4.                             |
| 16. On the issue of a witness summons                   | 1/-.                               |
| 17. For an office copy of a Magistrate's<br>note ... .. | 6d. for each folio of 72<br>words. |

### THIRD SCHEDULE.

1. Power of Attorney ... ..	10	0
2. Noting a Protest ... ..	1	1 0
3. Extending a Protest ... ..	2	2 0
4. For each copy of Protest ... ..	1	1 0
5. Protesting Bill of Exchange, Promissory Note ... ..	15	0

### PRIVY COUNCIL APPEALS RULES.

No. 2 of 1949.

1. These Rules may be cited as the Privy Council Appeals Rules. Short title.

2. The preparation of records and cases in appeals to His Majesty in Council shall be in accordance with these Rules.

3. The Registrar, as well as the parties and their legal agents, shall endeavour to exclude from the record all documents (more particularly such as are merely formal) that are not relevant to the subject-matter of the appeal, and, generally, to reduce the bulk of the record as far as practicable, taking special care to avoid the duplication of documents and the unnecessary repetition of headings and other merely formal parts of documents; but the documents omitted to be copied or printed shall be enumerated in a list to be placed after the index or at the end of the record.

Irrelevant documents to be excluded from the record.

4. Where in the course of the preparation of a record one party objects to the inclusion of a document on the ground that it is unnecessary or irrelevant, and the other party insists upon its being included, the record as finally printed shall, with a view to the subsequent adjustment of the costs of and

Cases in which there is a conflict between parties as to the relevancy of a document.

incidental to such document, indicate in the index of papers, or otherwise, the fact that, and the party by whom, the inclusion of the document was objected to.

The record to be printed.

5. The record shall be printed in accordance with the rules set forth in the Schedule hereto. It may be so printed either in the Colony or in England.

Duty of the Registrar when the record is to be printed in England.

6. Where the record is to be printed in England, the Registrar shall, at the expense of the appellant, transmit to the Registrar of the Privy Council one certified copy of such record, together with an index of all the papers and exhibits in the case. No other certified copies of the record shall be transmitted to the agents in England by or on behalf of the parties to the appeal.

Duty of Registrar when the record is not printed in England.

7. When the record is not printed in England the Registrar shall, at the expense of the appellant, transmit to the Registrar of the Privy Council forty copies of such record, one of which copies he shall certify to be correct by signing his name on, or initialling, every eighth page thereof and by affixing thereto the seal of the Supreme Court.

When part of the record is printed in England and part out of England.

8. When part of the record is printed outside England and part of the record is to be printed in England rules 6 and 7 above shall, as far as practicable apply to such parts respectively.

Case of each party to be printed.

9. The case of each party to the appeal shall be printed in accordance with the rules set forth in the Schedule hereto, every tenth line thereof being numbered in the margin, and shall be signed by at least one of the counsel who attends at the hearing of the appeal, or by the party himself if he conducts his appeal in person.

Preparation of the case.

10. The case shall consist of paragraphs numbered consecutively and shall state, as concisely as possible, the circumstances out of which the appeal arises, the contentions to be urged by the party lodging the same, and the reasons of appeal. References by page and line to the relevant portions of the record as printed shall, as far as practicable, be printed in the margin, and care shall be taken to avoid, as far as possible, reprinting long extracts from the record.

**SCHEDULE.**

1. Records and cases shall be printed in the form known as demy quarto (i.e. 54 ems in length and 42 in width).
2. The size of the paper used shall be such that the sheet, when folded and trimmed, will be 11 inches in height and 8½ inches in width.
3. The type to be used in the text shall be Pica type, but Long Primer shall be used in printing accounts, tabular matter and notes.
4. The number of lines in each page of Pica type shall be 47 or thereabouts, and every tenth shall be numbered in the margin.

**CHAPTERS 4 to 14.**

*No Subsidiary Legislation.*

**CHAPTER 15.**

**CURRENCY NOTES.**

**RULES MADE BY THE GOVERNOR IN COUNCIL.**

**Section 13.**

1. These rules may be cited as the Currency Notes Rules. Short title.
2. In these rules—Definition.

“the Ordinance” means the Currency Notes Ordinance;

“Commissioner” means the Commissioner of Currency.
3. The Commissioner shall be a Currency Officer for the purposes of these rules and he may appoint such other persons to be Currency Officers as the Governor may approve. Currency Officers.
4. All unissued currency notes, and all currency notes withdrawn from circulation by the Commissioner and selected for re-issue in accordance with rule 17, shall be kept in a strong fireproof vault (hereinafter referred to as “the Custody of currency notes.”).



vault ") having each of its entrances secured by three different locks, the keys of which shall be held respectively by the Colonial Treasurer and such two of the Currency Officers as the Governor may from time to time appoint.

Issue of  
currency  
notes.

5. All currency notes on first issue shall be issued so far as possible in the order of their serial numbers.

Re-issue of  
currency  
notes.

6. The re-issue of currency notes selected for re-issue under rule 17, shall be preferred to the issue of currency notes not previously issued.

Minimum sum  
to be  
exchanged for  
currency  
notes or  
sterling.

7. The minimum sum which any person shall be entitled, under the provisions of the first proviso to section 6 of the Ordinance, to lodge with the Crown Agents for the Colonies, or with the Commissioner, for the purpose of obtaining sterling, or currency notes, as the case may be, shall be £40.

Rate of  
commission  
to be  
charged.

8. The rate of commission which the Commissioner shall be entitled to charge and levy from any person obtaining currency notes or sterling under the second proviso to section 6 of the Ordinance, until further notice, shall be one per cent.

Forged and  
counterfeit  
notes.

9. The Commissioner may for the purposes of verification and inquiry impound any currency note which he has good reason to believe to be forged, counterfeited or altered.

Denomina-  
tions, size,  
etc., of  
currency  
notes.

10. (1) The denominations and size of currency notes which may be issued under the Ordinance shall be as follows :—

Denominations

Size

£5

£1

10/-

}

5 $\frac{3}{4}$  inches by 3 $\frac{5}{8}$  inches

(2) In addition to the pictorial and decorative elements the front of the currency notes shall include—

- (a) a conspicuous inset reproduction of the King's head;
- (b) the denomination in figures and in words;
- (c) the words "The Government of the Falkland Islands", and the words "These notes are legal tender for the payment of any amount";

- (d) a facsimile signature of the Commissioner, with the date of issue ;
- (e) the series index and serial number at the left hand top corner and at the right hand bottom corner.

11. The Commissioner may from time to time redeem worn or damaged currency notes and issue in exchange new currency notes of an equivalent aggregate value, but not necessarily of the same denominations.

Withdrawal of  
damaged or  
worn currency  
notes.

12. The accounting and book-keeping necessary to recording in the Colony the transactions of the Note Security Fund shall be performed by or under the directions of the Treasurer to the Government.

Accounting  
and  
book-keeping.

13. The Commissioner shall cause books to be kept to be called the Currency Note Register, the Register of Currency Note Issues, and the Register of Cancelled and Destroyed Notes.

Books to be  
kept.

14. When currency notes are supplied to the Commissioner, or issued, withdrawn from circulation, re-issued, cancelled or destroyed in accordance with these rules, an entry shall forthwith be made in the Currency Note Register and signed by at least two Currency Officers, showing the date and nature of each such transaction, the denominations and total number of the notes involved and the denominations and total number of all notes supplied to the Commissioner, issued, remaining unissued, withdrawn from circulation, re-issued, cancelled, kept for destruction in accordance with the provisions of regulation 20 (3) or destroyed in the manner prescribed by these rules up to and including the transaction which is then being recorded.

Currency  
note  
register.

15. (1) In the Register of Currency Note Issues there shall be recorded in respect of each prefix number of a series the total number of the currency notes issued or re-issued by the Currency Board, the total number of notes withdrawn from circulation by the Currency Board and selected for re-issue, and the total number of notes cancelled or destroyed by the Currency Board, together with the date of issue, re-issue, withdrawal from circulation, cancellation or destruction, and the balance of currency notes in circulation.

Register of  
currency  
note issues.

(2) In addition, when any currency note has been so destroyed, a line shall be drawn through the whole entry in the register relating to that note.

Register of  
cancelled and  
destroyed  
notes.

16. In the register of cancelled and destroyed notes there shall be recorded the serial numbers of notes cancelled or destroyed together with the date of cancellation or destruction.

Classification  
of currency  
notes with-  
drawn from  
circulation.

17. When any currency notes are withdrawn from circulation by the Commissioner the notes shall forthwith be classified either for re-issue or for destruction.

Re-issue of  
currency  
notes.

18. All currency notes selected for re-issue under rule 17 shall be placed in the vault and kept in the manner prescribed in rule 4, but they shall be kept separate from the currency notes previously unissued.

Cancellation  
of currency  
notes.

19. When any currency note has been selected for destruction under rule 17 it shall forthwith be cancelled in the presence of at least two Currency Officers by stamping, perforating, cutting or otherwise defacing the note in such manner as the Commissioner may approve, and any portion of such note which may have been removed shall be burnt in the presence of the same Currency Officers.

Destruction  
of cancelled  
currency  
notes.

20. (1) After cancellation, currency notes shall be arranged as far as possible consecutively according to their series in bundles of 100 notes and their numbers recorded in the Register of Cancelled and Destroyed Notes in accordance with the provision of rule 16.

(2) After the currency notes have been classified, bundled and recorded, they shall be handed to at least two Currency Officers none of whom shall have acted previously in respect of the same notes under the previous provision of this rule. The currency notes after being checked by them shall if possible be immediately destroyed in their presence by fire, in an incinerator provided for the purpose, and the Currency Officers shall immediately after the destruction sign a certificate in a form to be approved by the Commissioner showing the total number and value of the notes destroyed under each prefix letter of a series.

(3) If any currency notes are not destroyed by fire immediately after they are handed to and checked by the Currency Officers in accordance with the previous provisions of this rule, the Currency Officers shall certify the records in the Register of Cancelled and Destroyed Notes and seal and date the bundles of currency notes which shall forthwith be placed in the vault and there kept until it is convenient to destroy them.

(4) When the sealed bundles of cancelled currency notes are withdrawn from the vault, the notes shall be checked against the records in the Register of Cancelled and Destroyed Notes by at least two Currency Officers who shall be the Currency Officers who had sealed the bundles if those officers are available; the notes shall then be destroyed in their presence in accordance with the provisions of paragraph (2) hereof, and they shall sign a certificate in the Register of Cancelled and Destroyed Notes as provided in that paragraph.

21. (1) There shall be a Board of Survey appointed by the Governor, which shall consist of at least two members neither of whom shall be a Currency Officer or an officer of the Treasury, and which shall examine the stocks of notes held by the Commissioner, whether unissued, awaiting re-issue or awaiting destruction.

Board of  
Survey.

(2) The local auditor, whether or not he is a member of the Board of Survey shall be notified of every survey to be held and shall be entitled to be present, either in person, or by his officers, at any survey.

(3) Ordinary surveys shall be held at least quarterly, and surprise surveys shall be held by the Board of Survey when required to do so by the Governor. At least one surprise survey shall be held in every year.

(4) At any survey the Board of Survey may accept any sealed package of notes without counting the contents thereof, if the seals are apparently intact, and the package bears the seal of—

(a) the Crown Agents for the Colonies, or

(b) the unbroken seal of previous Boards of Survey,  
or

(c) in the case of bundles of cancelled currency notes, two Currency Officers.

(5) A report of each survey, containing a list of all packages of notes and showing how far the packages have been accepted or counted shall be forwarded by the Board of Survey to the Colonial Secretary for the information of the Governor, and the Colonial Secretary shall furnish copies of the report to the Auditor and the Commissioner.

(6) All books and documents in which are any account, minute or memorandum relating to the Currency Notes Security Fund, or whatever else shall tend to secure a true account of the transactions of the Commissioner, shall be at all times open to examination by the Board of Survey.

Annual  
estimates of  
expenditure.

22. The Commissioner shall submit annually for the approval of the Governor estimates of expenditure during the year, and the Governor's prior sanction for any supplementary provision shall be obtained.

Encashment  
of notes of  
series "A"  
and "B".

23. Notwithstanding that currency notes of the "A" and "B" series issued under the Falkland Islands Currency Notes Order, 1899, were withdrawn from circulation on the 1st of January, 1935, and ceased to be legal tender as from that date, such notes if presented at the Treasury, Stanley, shall be encashed in legal tender of the equivalent aggregate value.

## CHAPTER 16.

## CUSTOMS.

ORDER MADE BY THE GOVERNOR IN COUNCIL AND  
CONFIRMED BY LEGISLATIVE COUNCIL.

No. 6 of 1948.  
No. 9 of 1948.

## Section 6.

Short title.

1. This Order may be cited as the Customs Order.
2. The following import duties of customs shall be payable :—

ARTICLES		Rate of Duty
1. Matches, for every gross of boxes not exceeding 10,000 matches ... Matches, for every gross of boxes exceeding 10,000 matches per 10,000 matches, and so on in proportion Provided that the tariff of import duties on matches manufactured in and consigned from any part of the British Empire shall be at One Half of the General Tariff.	as stated per gross boxes not exceeding 10,000 matches	10/-
2. Spirits, wines, malted liquors : (a) On rum, not exceeding the strength of 20 per cent. under proof, and in proportion for any greater strength than 20 per cent. under proof.	per gallon	36/-
(b) On all other spirits, not exceeding the strength of 20 per cent. under proof, and in proportion for any greater strength than 20 per cent. under proof, including mixtures and preparations containing spirits as ascertained by Sikes' Hydrometer.	" "	52/-
(c) On British wines and all other unenumerated and unexempted beverages not liable to spirit duty.		
In cask ... ..	per gallon	4/6
In bottle ... ..	per dozen litres	13/3
" " ... ..	" " qts.	9/9
" " ... ..	" " pts.	5/-

ARTICLES		Rate of Duty
On other wines.		
In cask ... ..	per gallon	6/6
In bottle ... ..	per dozen litres	19/6
" " ... ..	" " qts.	14/3
" " ... ..	" " pts.	7/3
(d) On malt liquor, mum, spruce, cider, perry.		
In cask ... ..	per gallon	1/-
In bottle ... ..	per doz. reputed	
" " ... ..	qts.	2/-
" " ... ..	" " pts.	1/-
3. Tobacco : Products of the British Empire. Manufactured from tobacco which is the produce of the British Empire.		
(a) Cigars ... ..	per pound	19/3
(b) Cigarettes ... ..	" "	9/6
(c) Cut and manufactured tobacco, snuff, and all other unexempted tobacco ... ..	" "	5/7
On other tobaccos.		
(a) Cigars ... ..	" "	20/-
(b) Cigarettes ... ..	" "	10/-
(c) Cut and manufactured tobacco, snuff, and all other unexempted tobacco ... ..	" "	6/-

Export duties. 3. The following export duties shall be payable in lieu of any duties payable prior hereto :—

Order No. 9  
of 1948.

On wool—

When the average gross selling price per lb. of the whole Falkland Islands clip does not exceed 10d., 25d. per lb.

When the average gross selling price per lb. of the whole Falkland Islands clip exceeds 10d. but does not exceed 20d., 5d. per lb.

When the average gross selling price per lb. of the whole Falkland Islands clip exceeds 20d. but does not exceed 30d., 75d. per lb.

When the average gross selling price per lb. of the whole Falkland Islands clip exceeds 30d. but does not exceed 40d., 1d. per lb.

When the average gross selling price per lb. of the whole Falkland Islands clip exceeds 40d. but does not exceed 50d., 1.5d. per lb.

When the average gross selling price per lb. of the whole Falkland Islands clip exceeds 50d. but does not exceed 60d., 2d. per lb.

When the average gross selling price per lb. of the whole Falkland Islands clip exceeds 60d., 2.5d. per lb.

**On Whale Oil and Seal Oil—**

The duty shall be assessed on the average market price per ton for the season of first grade oil and shall be at the rate of 6d. per barrel of 40 gallons for each £5 or part of £5 of such average market price.

This duty will be levied on all whale oil produced within the Colony or its territorial waters or within any of the Dependencies or their territorial waters.

On all Whale and Seal products other than oil, sixpence per one hundred lb. weight or part thereof.

On Tallow, Hides and Skins, two and a half per centum of the selling price of such goods. Order No. 9  
of 1948.

From and after the date of commencement of operation of a Freezer in the Colony the following export duty shall be payable— Order No. 5  
of 1949.

On live sheep, two shillings per sheep.

In the event of any difference of opinion arising as to the market price of any substance named in this Order the decision of the Governor in Council shall be final.

4. The following articles shall be exempt from import duties imposed by the Customs Ordinance or any amendment thereof and by this Order:— Import Duty  
exemptions

All articles imported or taken out of bond for the use of the Governor or in recognised messes, camps and canteens by His Majesty's Navy or by overseas units of His Majesty's Army or Air Force, and all articles imported for exportation or for shipment as stores by His Majesty's Navy.

Military, Air and Naval Departments and messes purchasing any articles whatsoever duty paid for consumption within their own camps, messes or canteens shall



be entitled to have the duty refunded out of the Public Treasury on the certificate of the Officer in command of any Military, Air or Naval Department, or of any of His Majesty's Ships of war.

All dutiable goods imported or taken out of bond for use on board merchant vessels outside the territorial waters of the Colony and its Dependencies subject to such conditions and limitations as to quantities as the Collector of Customs shall prescribe.

Consuls de Carrière in this Colony of any foreign countries in which is accorded, or in which hereafter may be accorded to British Consular Officers the privilege of exemption from Customs Duties in respect of official goods imported into such foreign countries by His Majesty's Government for the use of His Majesty's Consulates, shall have a like privilege granted to them of exemption from any duties that may be levied in this Colony on goods which may be imported by their respective governments as *bona-fide* official supplies for the use of such Consuls.

Any article whatsoever imported for use of the Falkland Islands Dependencies Survey.

Ethyl Alcohol imported with the approval of the Senior Medical Officer.

Perfumed Spirits and Cologne Water, fortified lime-juice not exceeding 15 per cent. proof spirit, and all mineral waters including material for manufacturing the same; provided that such material shall not exceed 99 per cent. of proof spirit content.

Naptha or methylic alcohol in its crude state and not fit for use as a potable spirit or for admixture with a potable spirit.

Tobacco forming an ingredient in sheep-wash, or hop-powder manufactured in bond in the United Kingdom.

Wines imported for sacramental purposes on proof to the Collector that they shall be used as such.

Application.

5. This Order shall apply to the Dependencies.

**Regulations made by the Governor in Council.****Section 230.**

No. 8 of 1948.

1. These regulations may be cited as the Customs Regulations and shall apply to the Dependencies.

Short title.

2. The hours of duty of Customs Officers shall be :—

Customs officers :  
hours of duty.**Indoor.**

Weekdays : 9.00 a.m. to 12.30 p.m.

2.00 p.m. to 5.00 p.m.

(the period 12.30 p.m.—2.00 p.m. being allowed for meals).

Saturdays : 9.00 a.m. to 1.00 p.m.

**Outdoor.**

Weekdays : 7.30 a.m. to 4.30 p.m.

Saturdays : 7.30 a.m. to 1.00 p.m.

Subject to such intervals for meals as may be approved by the Collector of Customs or Deputy Collector of Customs.

3. Any person requiring the services of a Customs Officer otherwise than within the hours specified in the above regulations (the approval of the Collector of Customs having been first obtained) shall pay fees at the following rates in respect of each officer so required :—

Fees payable  
for services  
outside hours  
of duty.

(a) On weekdays (not being office holidays)—

- (i) Between the hour of 6.00 a.m. and the hour appointed for the commencement of duty and after the appointed hours of duty to 8.00 p.m., two shillings and threepence for every hour or part of an hour :
- (ii) Between the hours of 8.00 p.m. and 6.00 a.m., three shillings and sixpence for every hour or part of an hour.

Provided that unless the service be continuous with the end or beginning of the hours of routine duty the minimum charge shall be for two hours.

On Sundays, Christmas Day, and office holidays—

- (iii) Between 6.00 a.m. and 8.00 p.m., seven shillings and sixpence for the first two hours or part of two hours, and two shillings and sixpence for every hour or part of an hour thereafter.
- (iv) Between 8.00 p.m. and 6.00 a.m., ten shillings and sixpence for the first two hours or part of two hours, and three shillings and sixpence for every hour or part of an hour thereafter.

When the services of an officer extend from one period of time into the other the longer time served in either shall govern the amount of the fee to be paid in respect of the Officer's overtime for the first two hours or part of two hours.

- (b) **Collector of Customs.** When the personal services of the Collector of Customs are required by any person out of the hours appointed for Indoor Duties, double the above rates will be charged.
- (c) For the single act of entering or clearing or of entering and at the same time clearing a vessel, provided that the Officer's services be not otherwise required and charged for under section (a) above—

On Weekdays, ten shillings and sixpence.

On Sundays, Christmas Day, and office Holidays, fifteen shillings.

Whale  
catchers, etc.

4. In the case of a whale catcher or whale catchers being entered or cleared together with, and at the same time as, a whale factory or steamer belonging to the same company, the inclusive fee for each factory or steamer and catchers shall be full rate and a half.

Payment to  
Customs  
Officers.

5. Fees paid under these regulations may be paid by the Treasurer to the officer in respect of whose services the fees were originally paid into the Treasury.

**Export Regulations.**

No. 7 of 1948.  
No. 10 of 1948.  
Short Title.

1. These regulations may be cited as the Export Regulations.

2. In these regulations "Oil" includes oil from whales, whalebone, sperm oil, spermaceti, seals and any oil product from whales or seals.

Definition.

3. (1) Any person exporting oil, whale or seal products, tallow, hides and skins, or wool, shall within six calendar months from the date of the clearance of the exporting vessel, deliver to the Collector of Customs, Stanley, a certificate in the appropriate form prescribed in the Schedule hereto and shall make and sign a declaration to the truth of the said Certificate.

Certificate of Landing to be delivered to the Collector.

(2) The said certificate may be delivered by a duly authorized agent for and on behalf of the exporter ; and the Collector may, when it shall not be reasonably possible in his opinion for the exporter to deliver the certificate within the period above prescribed, grant an extension of the period within which the certificate shall be delivered.

Collector may grant extension of the period required for delivery of certificate.

4. The certificate shall, in the case of oil, state the quantity of oil in barrels of 40 gallons as well as in the measure used at the port of discharge, and in the case of wool, the station mark on the bales and the number of bales landed, with the gross weight, tare and net weight in pounds, and the total weight of wool in pounds landed, and in the case of whale or seal products, tallow, hides and skins the exporter's mark, the number and weight of containers and the total gross weight, tare and net weight of whale or seal products landed.

Particulars required to be shown on certificate.

5. A separate certificate will be required in respect of oil, whale or seal products, tallow, hides and skins, or wool landed at each port of landing or discharge outside the Colony. No certificate in respect of a consignment of wool shall cover wool from more than one station.

Separate certificates required in certain cases.

6. Any person exporting wool, tallow, hides, skins, or any other product of any kind whatsoever upon which an export duty is assessed on the selling price, shall within six calendar months from the date of clearance of the exporting vessel (or any extension of such period as the Collector of Customs shall agree) deliver to the Collector of Customs, Stanley, a certificate of sale in the Form E in the Schedule hereto and shall make and sign a declaration as to the truth of the said

certificate. No certificate shall cover produce from more than one station.

**Penalty.** 7. Any person not complying with any of the foregoing requirements shall commit an offence against the Customs Ordinance.

**Dependencies.** 8. These regulations shall apply to the Dependencies.

### THE EXPORT REGULATIONS.

#### Form A.

#### Wool. Certificate of Landing.

Schedule A of the Export Regulations.

To be delivered to the Collector of Customs, Stanley, Falkland Islands, within six calendar months from the date of clearance of the exporting vessel.

Exporting Vessel .....	Master's Name .....
Port and Date .....	Port and Dates .....
of Shipment .....	of Discharge .....
Sheep Station from which wool is consigned .....	
Name and Address of Consignee .....	

#### Quantity of Wool Discharged.

Station mark on bales .....	
Number of bales .....	
Gross weight in lbs. ....	
Tare in lbs. ....	
Net weight of Wool in lbs. ....	
Total weight of wool in lbs. landed.....	

I solemnly declare that the foregoing particulars are to the best of my knowledge and belief true and accurate, and that I have fully described and set forth all the wool liable to export duty on export from the Colony of the Falkland Islands, and shipped on board the S.S. "....." at ..... on the ..... day of..... 19....., and declared to by me as the exporter, under the Export Regulations.

(Signed).....

*Exporter or Agent*

Date..... 19.....

#### Certificate No.....

I certify that the above is a correct statement of all the wool entered and cleared as entered at this port, from the above mentioned vessel, and bearing the station mark shown hereon.

(Signed).....

*Authorised Officer*

In case of a Port outside the United Kingdom.

I certify that the above is the signature of the ..... Customs Officer at the Port of .....

(Signed).....

*British Consular Officer*

## THE EXPORT REGULATIONS.

## Form B.

## Whale Oil or Seal Oil. Certificate of Landing.

## Schedule B of the Export Regulations.

To be delivered to the Collector of Customs, Stanley, Falkland Islands, within six calendar months from the date of clearance of the exporting vessel.

Exporting Vessel ..... Master's Name .....

Port and Date ..... Port and Dates .....

of Shipment ..... of Discharge .....

Name and Address of Consignee.....

State whether or not all the oil shipped is .....  
covered by this certificate. If any part of the .....  
shipment has been landed elsewhere mention .....  
must be made of the other ports and dates of .....  
discharge .....

## Quantity of Oil Discharged.

Number of barrels	Quantity in measure in use at port of Discharge*	Quantity in English gallons
..... containing	.....	.....
Number of drums		
..... containing	.....	.....
Bulk oil discharged from ship's tanks	.....	.....

Total quantity discharged (in English Gallons)

\*Note.—The only measure recognised by law for the payment of duty is the barrel of 40 gallons. The Customs Department, however, accept the following rates for conversion into gallons, viz.: 9.25 lb. or 4.546 litres or 4.196 kilogrammes = 1 gallon.

I solemnly declare that the foregoing particulars are to the best of my knowledge and belief true and accurate, and that (with the exception of the oil landed at.....†) I have fully described and set forth all the whale and seal oil liable to export duty on export from the Colony of the Falkland Island and Dependencies, and shipped on board the S.S. "....." at..... on the..... day of

† To be omitted if cargo discharged at one port only.

..... 19....., and declared to by me as the exporter,  
under the Export Regulations.

(Signed).....  
*Exporter or Agent*

Date..... 19.....

**Certificate No.**.....

I certify that the above is a correct statement of all the oil entered  
and cleared as entered at this port, from the above mentioned vessel.

(Signed).....  
*Authorised Officer*

In case of a Port out-  
side the United King-  
dom.

I certify that the above is the signature of  
the ..... Customs Officer at the  
Port of .....

(Signed).....  
*British Consular Officer*

## THE EXPORT REGULATIONS.

### Form C.

#### Whale or Seal Products. Certificate of Landing.

Schedule C of the Export Regulations.

To be delivered to the Collector of Customs, Stanley, Falkland Islands,  
within six calendar months from the date of clearance of the exporting  
vessel.

Exporting Vessel .....	Master's Name .....
Port and Date .....	Port and Dates .....
of Shipment .....	of Discharge .....
Name and Address of Consignee .....	

#### Quantity of Whale or Seal Products Discharged.

Station mark on bags	...	...	...	...	...	...	...
Number of bags	...	...	...	...	...	...	...
Gross weight in lbs.	...	...	...	...	...	...	...
Tare in lbs.	...	...	...	...	...	...	...
Net weight of products in lbs.	...	...	...	...	...	...	...
Total weight of products in lbs. landed	.....						

I solemnly declare that the foregoing particulars are to the best of  
my knowledge and belief true and accurate, and that I have fully  
described and set forth all the Whale or Seal Products liable to  
export duty on export from the Colony of the Falkland Islands and  
Dependencies, and shipped on board the S.S. "....."

at ..... on the ..... day of ..... 19.....,  
and declared to by me as the exporter, under the Export Regulations.

(Signed).....

*Exporter or Agent*

Date..... 19.....

**Certificate No.**.....

I certify that the above is a correct statement of all the products landed or discharged at this port, from the above mentioned vessel, and bearing the station mark shown hereon.

(Signed).....

*Authorised Officer*

In case of a Port outside the United Kingdom.

I certify that the above is the signature of the ..... Customs Officer at the Port of .....

(Signed).....

*British Consular Officer*

## THE EXPORT REGULATIONS.

### Form D.

#### Tallow, Hides and Skins. Certificate of Landing.

Schedule D of the Export Regulations.

To be delivered to the Collector of Customs, Stanley, Falkland Islands, within six calendar months from the date of clearance of the exporting vessel.

Exporting Vessel ..... Master's Name .....

Port and Date ..... Port and Date  
of Shipment ..... of Discharge .....

Name and Address of Consignee .....

#### Quantity Discharged.

Station mark on containers	...	...	...	...	...
Number of containers	...	...	...	...	...
Gross weight in lbs.	...	...	...	...	...
Tare in lbs.	...	...	...	...	...
Net weight of products in lbs.	...	...	...	...	...
Total weight of products in lbs. landed	.....				

I solemnly declare that the foregoing particulars are to the best of my knowledge and belief true and accurate, and that I have fully described and set forth all the Tallow, Hides and Skins liable to export duty on export from the Colony of the Falkland Islands and Dependencies, and shipped on board the S.S. "....." at..... on the ..... day of ..... 19....., and declared to by me as the exporter, under the Export Regulations.

(Signed).....

*Exporter or Agent*

Date..... 19.....



## Certificate No.....

I certify that the above is a correct statement of all the products landed or discharged at this port, from the above mentioned vessel, and bearing the station mark shown hereon.

(Signed).....

*Authorised Officer*

In case of a Port outside the United Kingdom,

I certify that the above is the signature of the ..... Customs Officer at the Port of .....

(Signed).....

*British Consular Officer*

## THE EXPORT REGULATIONS.

## Form E.

## Certificate of Sale.

(Where an export duty of customs is chargeable on the actual sale value of the produce in the country of destination, this certificate shall be completed and delivered to the Collector of Customs, Stanley, Falkland Islands within six calendar months of the date of clearance of the exporting vessel.)

Exporting Vessel ..... Master's Name .....

Port and Date ..... Port and Dates  
of Shipment ..... of Discharge .....

Name and Address of Consignee .....

Name and Address of Broker or Agent .....

## Details of Produce Sold and Price Obtained at Sale, etc.

Station marks .....			
Marks	Quantity in lbs. weight	Gross Price obtained	Duty Payable
.....	.....	.....	£.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
Total weight	.....	Total Duty due	£.....

I solemnly declare that the foregoing particulars are to the best of my knowledge and belief true and accurate.

Date.....

*Exporter*

I certify that the above is a correct statement of the products sold at a sale held at ..... on the ..... of ..... 19.....

*Broker or Agent*

**CHAPTER 17.**  
**DAIRY PRODUCE.**

REGULATIONS.

Section 13.

1. These regulations may be cited as the Dairy-Produce Inspection Regulations. Short Title.

2. Every owner of a cow-shed or other building or place where cows are stalled or kept for the purpose of milking, the milk or cream from which is disposed of by sale solely or partly for consumption in the Colony, shall register such building as a dairy with the Agricultural Officer. Registration.

3. The application for registration shall be in the form set forth in the Schedule and shall be lodged annually with the Agricultural Officer not later than the first day of December in each year; and in the case of new buildings erected or dairying operations commenced after the 1st December in any year, at least one month prior to the completion of such building or the commencement of such operations, as the case may be. Applications.

4. Every certificate of registration shall be in the form set forth in the Schedule hereto. The certificate of registration may be withheld pending the completion of the premises sought to be registered in accordance with these regulations. Certificates of registration.

5. There will be no fee payable and every registration shall continue in force until the 31st December following the date of registration. Fees.

6. No person shall occupy or use any premises as a dairy unless— Occupation or use of premises as a dairy.

(a) in every building where cattle are stalled over the night the available air-space for each animal is not less than 500 cubic feet;

(b) the ground space of every such building, including the stalls, is floored to the satisfaction of the inspector, and is constructed with open drains and gutters running the whole length thereof along and immediately behind the stalls, and extending beyond the cow-shed;

- (c) Every shed or stable where cows are kept is lighted, ventilated, and cleansed to the satisfaction of the inspector ;
- (d) each shed or stable where cows are kept has the walls and roofs thoroughly coated with a sufficient coating of lime whitewash, and is recoated in a similar manner at least every year, or oftener if directed by the inspector ;
- (e) all droppings, manure, excrement, filth, and other impurities or offensive matter are scraped, swept, or otherwise collected together, and removed immediately before each milking from cow-sheds used merely for the daily milking of cattle, and in the case of any other cow-sheds at intervals throughout the day, and always immediately before milking is commenced ; every stock-yard or milking-yard is at all times kept drained, cleaned and in a sanitary condition to the satisfaction of the inspector ;
- (f) every cow-shed and every milk-house or building where milk is kept or stored is well and properly drained to the satisfaction of the inspector ; no such shed, house or building shall drain into any place into which any offensive matter shall be discharged, or directly into any sewer, unless such sewer be properly trapped to the satisfaction of the inspector.

Articles likely  
to endanger  
purity of milk.

7. No person shall allow to remain within any dairy any article of a character likely to endanger the purity of the milk deposited or stored therein.

Cleansing of  
utensils.

8. All cans or other vessels whatsoever used in or about any dairy, whether for receiving or storing or in the distribution of milk, shall be thoroughly cleansed within four hours of having been used for any purpose whatsoever, by first being rinsed with cold water, then scalded with hot water (or steamed), scoured, and afterwards rinsed with clean water and carefully dried.

Cleansing of  
conveyances.

9. All conveyances used for the conveyance of milk shall from time to time be thoroughly cleansed to the satisfaction of the inspector.

10. No person shall take milk from any cow whose milk is intended to be sold or used for human consumption, nor permit any such milk to be taken, until the udder and teats of such cow have been thoroughly cleansed.

Cleansing of  
cows' udders.

11. Before commencing to milk any cow the hands of the person milking must be thoroughly washed and kept cleansed, etc., until the milking and handling of milk is finished for the time being.

Cleanliness of  
milkers.

12. Every owner or occupier of a dairy shall provide in, upon, or about his dairy premises, and shall upon demand show to the inspector, sufficient facilities for boiling the water required for all purposes mentioned in these regulations.

Facilities for  
heating water.

13. All milk intended for human food shall, immediately after milking, be removed from the milking-shed, or stock-yard, and once at least carefully strained through some apparatus sufficient for the purpose and then cooled to a temperature of not more than 65°.

Cooling of  
milk.

14. An owner or occupier of a dairy who is suffering from an infectious disease, or who has been recently in contact with a person so suffering, shall not milk any cow or handle any vessel used for or containing milk for sale or in any way take part in the conduct of his trade or business of dairyman or milk vendor so far as regards the production, distribution or storage of milk, nor shall he permit any other person so suffering, or having been recently in contact with a person so suffering, to take part or assist in his business as aforesaid, until in each case all danger of communication of infection to milk, or of its contamination, has ceased.

General  
health of  
persons work-  
ing in and  
about a dairy.

15. The owner or occupier of a dairy shall forthwith notify the inspector if any member of his family or any person employed about a farm is suffering from any contagious disease.

Contagious  
diseases.

16. If the inspector considers it advisable in the interests of the public health, he shall notify the owner or occupier of such dairy that the dairy-produce of such dairy shall not be removed therefrom; or he may give such other notification as he thinks necessary in the interests of public health. Such notification shall remain in force until cancelled by the inspector.

Removal of  
dairy produce.

Milk from  
unregistered  
dairy not to  
be used.

17. No owner or occupier shall supply for sale to others, sell, or expose in or about any dairy premises for sale, or mix with milk produced for sale on any dairy premises occupied by him, any milk produced at, in, upon, or about any dairy premises, cow-shed, or dairy which is not registered in accordance with these regulations.

Service of  
notice or  
other  
document.

18. Any notice or other document required to be served upon any owner, occupier of premises, or purveyor of milk under these regulations shall be deemed to be sufficiently served either by giving the same to him personally or by leaving the same at his usual or last known place of abode with any person there appearing to be over the age of fourteen years.

### SCHEDULE.

#### Application for Registration of a Dairy.

I, ..... of ..... do hereby apply to register the undermentioned premises as a dairy under the Dairy Produce Ordinance and the regulations for the time being in force thereunder. The particulars of such premises are as follows :—

#### Premises to be Registered.

Situation .....  
 Building at present used as .....  
 Material of roof and walls .....  
 Material of floor .....  
 Length ..... ft.  
 Width ..... ft.  
 Height of front wall ..... ft.  
 Height of back wall ..... ft.  
 Height of centre of roof from floor ..... ft.  
 Whether closed or partly open .....  
 Number of stalls .....  
 Approximate number of cows milked .....  
 Particulars of Stock-yard—  
     Size of enclosure .....  
     Nature and material of fence .....  
 Milk-house—  
     Material of building .....  
     Distance from cow-shed ..... ft.  
     Distance from stock-yard ..... ft.  
     Distance from other buildings ..... ft.  
     If being part of another building, state full particulars.  
 The following particulars are submitted, viz.—  
     Calf-pens, whether under same roof as cow-shed or detached .....  
     Fodder-shed, whether under same roof as cow-shed or detached .....  
     Water-supply—how obtained .....  
     Food-supply—how obtained .....  
     How manure disposed of .....

## Drainage—

How constructed .....  
Where discharged .....

## Water Closet, etc.—

Distance from cow-shed ..... ft.  
Distance from stock-yard ..... ft.  
Distance from milk-house ..... ft.  
Whether flushed with water or otherwise .....

Dated this ..... day of ....., 19.....

.....  
(Signature of Applicant.)

**Certificate of Registration of a Dairy.**

Certificate No. ....

I hereby certify that the premises of .....  
of ....., described in application dated .....  
and situated in Stanley,  
are registered as a Dairy under the Dairy Produce Ordinance and the  
regulations relating to the inspection and registration of dairies for the  
time being in force thereunder.

Dated this ..... day of ....., 19.....

.....  
*Inspector.*  
Agricultural Department,  
Stanley.

**Application for Renewal of Certificate of Registration of a Dairy.**

I, ..... of .....  
hereby apply for a renewal of the Certificate of Registration in respect of  
my Dairy.

I certify that no alterations other than those approved by the  
Inspector have been made to such Dairy since the issue of the above-  
mentioned Certificate.

The average number of cows kept is .....

Dated this ..... day of ....., 19.....

.....  
(Signature of Applicant.)

**CHAPTER 18.***No Subsidiary Legislation.*

## CHAPTER 19.

## DEFENCE FORCE.

No. 1 of 1946. REGULATIONS MADE BY THE GOVERNOR IN COUNCIL.

No. 1 of 1950. Section 33.

Short Title. 1. These regulations may be cited as the Defence Force Regulations.

Compulsory Parades. 2. The Force shall muster for the following compulsory parades during each year :—

(a) For trained members. Twelve compulsory instructional parades, each of two hours' duration, the annual musketry classification, the annual ceremonial parade on the occasion of the Birthday of His Majesty the King, and a maximum of four ceremonial parades as may be ordered by the Commanding Officer.

(b) For first year recruits. Twenty compulsory parades, each of one hour's duration and twelve instructional parades, each of two hours' duration, the annual musketry classification, the annual ceremonial parade on the occasion of the Birthday of His Majesty the King, if specifically detailed so to do, and a maximum of four ceremonial parades as may be ordered by the Commanding Officer.

Efficiency. 3. Any member of the Force shall be deemed to be efficient in drill if he has attended *all* compulsory parades during the year as laid down in paragraph 2, and in musketry if he has qualified as at least a second class shot.

Promotion of Officers. 4. Officers on being gazetted Second-Lieutenants may, on the recommendation of the Commanding Officer and Adjutant and subject to efficient service, be promoted to Lieutenant after two years' commissioned service.

Confidential Reports. 5. The Commanding Officer shall submit to His Excellency the Governor a confidential report on each officer in the Force in January each year. Such reports shall be read to the officer concerned before submission.

---

REGULATIONS RELATING TO THE AWARD OF THE  
EFFICIENCY DECORATION.

1. The Efficiency Decoration is a reward to an officer for long and meritorious service of proved capacity in the authorized Auxiliary Forces of the Empire (or their Reserves) and is governed by the Royal Warrant dated the 23rd of September, 1930.

2. Commissioned officers of the Falkland Islands Defence Force (or its Reserves) who on or after the 23rd of September, 1930, have completed 20 years' qualifying service as hereinafter defined shall be eligible for the award of the Decoration.

3. The subsidiary title of the Decoration awarded to officers who complete the requisite period of qualifying service while serving in the Falkland Islands Defence Force (or its Reserves) shall be "Falkland Islands" and the words "Falkland Islands" shall be inscribed on the bar brooch of the Decoration so awarded.

4. An officer on whom the Decoration is conferred is entitled to the addition after his name of the letters "E.D."

5. Qualifying service is defined and shall be reckoned as follows:—

(a) Commissioned service—

- (i) on the active list of the Falkland Islands Defence Force;
- (ii) in Reserves to the Falkland Islands Defence Force but only such commissioned service as may have been rendered while those Reserves performed annual training equivalent to that normally carried out by their parent Force, provided the officer concerned also performed such training;
- (iii) in other authorised Auxiliary Forces of the Empire including their Reserves and associated Cadet or Officers' Training Corps, such service in every case having been qualifying



service in accordance with the regulations under the Royal Warrant of the 23rd of September, 1930, and applicable to the Force in which or with whose Reserves or associated Cadet or Officers' Training Corps the service was rendered ;

- (iv) other than that covered by sub-paragraphs (ii) and (iii) in any Reserve Forces mentioned in those sub-paragraphs during their embodiment, the exact period only of the embodied service rendered being reckoned as single qualifying service.
- (b) Commissioned service in West Africa (except that performed by natives of West Africa) will reckon two-fold as qualifying service, but any period spent on leave therefrom will reckon only as single qualifying service.
- (c) Half of any time during which an officer may have served on the active list after attaining the age of 17 years—
  - (i) in the ranks of the Falkland Islands Defence Force, or of any other authorised Auxiliary Forces of the Empire (including their Reserves), such service to be qualifying service in accordance with the Efficiency Decoration regulations of those forces ;
  - (ii) in the ranks of or as a cadet in any Cadet Corps or Officers' Training Corps in the Empire in accordance with the Efficiency Decoration Regulations applicable to the Force or Forces with which such Corps is associated, shall reckon as qualifying service.
- (d) War Service—
  - (i) An officer of the Defence Force who was called out for service under Proclamation No. 6 of 1939 shall be allowed to count his embodied commissioned service twofold as qualifying service towards the award of the Efficiency Decoration.

- (ii) A warrant officer, non-commissioned officer or man who was serving in the Defence Force on 2nd September, 1939, and called out for service under Proclamation No. 6 of 1939 and subsequently granted a commission in the Defence Force shall count his embodied service in the ranks as full but not double qualifying service for the award of the Efficiency Decoration.
- (iii) In these regulations "embodied service" shall mean service from the date of calling up to actual date of disembodiment of the individual concerned.
- (e) Nothing in these regulations shall permit any service to reckon more than two-fold as qualifying service for the Decoration.
- (f) Service requisite to qualify for the Decoration shall not necessarily be continuous.
- (g) Service on the permanent staff of the Falkland Islands Defence Force by members of the permanent Forces of the Empire, except such service as may be covered by sub-paragraph (d) above, and (except as provided in sub-paragraphs (a) (ii) and (iv) above), service in any Reserve or Auxiliary Force in the Falkland Islands involving a liability for service only and no liability for training in peace, shall not reckon as qualifying service for the Decoration.
- (h) In the case of recipients of the Volunteer Officers' Decoration, the Territorial Decoration, or the Colonial Auxiliary Forces Officers' Decoration, no period of service in the Force in which they qualified for any of the said Decorations shall be reckoned as qualifying for the Efficiency Decoration.
- (i) Subject to the provisions of the preceding sub-paragraph (h), an officer already in possession of the Volunteer Officers' Decoration, the Territorial Decoration, or the Colonial Auxiliary Forces Officers' Decoration, or any Long Service and Good Conduct or Efficiency Medal and Clasps will be

eligible to receive the Efficiency Decoration and to wear both, provided that he has completed the full periods of qualifying service for both awards and that no qualifying service towards one award is permitted to count towards the other.

- (i) Except as admissible under this paragraph, service in the ranks will not be deemed to be qualifying service.

6. An officer who has the requisite qualifying service must be recommended by the Commanding Officer of the unit in which he completes the period of service requisite to qualify for the Decoration.

7. Applications for the Decoration should be made in writing by the Commanding Officer of the Falkland Islands Defence Force (or its Reserves) in which the officer recommended for the Decoration is or was serving when he completed the period of qualifying service, and should be supported by a statement of the officer's service in Form A appended to these regulations. The Commanding Officer will forward his recommendation through the usual channel of correspondence to the Governor, accompanied in each case by a statement certifying that the officer recommended holds (or has held) a commission in the Falkland Islands Defence Force (or its Reserves), that he has completed the qualifying period of 20 years meritorious service, that he is an efficient and thoroughly capable officer of proved capacity, and that he is in every way deserving of the Efficiency Decoration.

Grant of  
Decoration.

8. The Decoration will be awarded on the authority of the Governor or Officer Administering the Government and a notification of its award will be published in the Falkland Islands Government Gazette. A register of awards of the Decoration will be kept at the Headquarters of the Falkland Islands Defence Force.

9. Honorary Colonels and Acting Chaplains holding Commissions who have the qualifying service are also eligible.

10. When the Decoration has been lost and it is desired to replace it, a declaration must be made before a magistrate stating the circumstances under which the loss occurred, and the rank, name, and corps of the officer to whom the Decoration belonged. This declaration will be forwarded to the Governor through the usual channel of correspondence in the case of an officer who is still serving, and direct in the case of an officer who has retired. The Decoration will be replaced, on payment, if the explanation as to loss is considered satisfactory.

Loss and  
replacement.

11. A recipient of the Decoration who suffers death by sentence of a Military Court, or is dismissed or removed from his corps or regiment for misconduct shall forfeit the Decoration unless the Governor shall otherwise direct.

Forfeiture and  
restoration.

A recipient of the Decoration who has been convicted of an offence of the following nature, viz., treason, sedition, mutiny, cowardice, desertion, or disgraceful conduct of an unnatural kind (under section 18 (5) of the Army Act), or who, while subject to military law, is convicted by the civil power, shall be liable, at the discretion of the Governor, to forfeit the Decoration.

A Decoration forfeited under the preceding regulations may be restored by the Governor at his discretion.

A notice of forfeiture or of restoration shall in every case be published in the Government Gazette.



Where war service is claimed as double qualifying service a separate certificate by the applicant for the Decoration will be afforded to that effect setting out the circumstances, e.g., that he actually served outside the territory or Colony of the Forces of which he was a member or that he signed or otherwise accepted before 4th November, 1945, an obligation to do so.

---

REGULATIONS RELATING TO THE AWARD OF THE  
EFFICIENCY MEDAL.

1. The Efficiency Medal and Clasps are awarded as a reward for long and efficient service to warrant officers, non-commissioned officers, and men of the authorised Auxiliary Forces of the Empire (and their Reserves) ; their award is governed by the Royal Warrant dated the 23rd of September, 1930.

2. Warrant officers, non-commissioned officers, and men of the Falkland Islands Defence Force (and its Reserves) who on or after the 23rd of September, 1930, have completed 12 years' qualifying service as hereinafter defined shall be eligible for the award of the Medal. A clasp to be worn on the ribbon of the Medal will be awarded to those who, having been awarded the Medal, complete a total of 18 years' qualifying service, and a further clasp on completing 24 years' qualifying service.

3. The subsidiary title of the Medal awarded to warrant officers, non-commissioned officers, and men who complete the requisite period of qualifying service while serving in the Falkland Islands Defence Force (and its Reserves) shall be "Falkland Islands" and the words "Falkland Islands" shall be inscribed on the bar mount of the Medal so awarded.

4. (1) "Efficient Service" shall mean service attaining the standard of efficiency as fixed from time to time by the Governor in Council by regulations under the Defence Force Ordinance, 1920.

(2) Service as described below shall be regarded as qualifying service, provided that none of it has been previously counted as qualifying service for the grant of any other Long Service, Good Conduct, or Efficiency Medal or Clasp—

- (a) Service in the ranks on the active list of the Falkland Islands Defence Force, such service having been efficient in accordance with the regulations governing service in such Force.
- (b) Service in the ranks of any Reserves to the aforesaid Force such as may have been rendered while these Reserves performed annual training equivalent to that normally carried out by their parent Force, provided the individual concerned also performed such training and that efficiency is determined by the standard required for the latter Force.
- (c) Service in the ranks of other authorised Auxiliary Naval, Military, or Air Forces of the Empire in which training in peace time is a prescribed condition of service, as well as service in any Reserves to these forces, subject to the same conditions as in (2) (b), such service in both cases having been qualifying service in accordance with the regulations under the Royal Warrant of the 23rd of September, 1930, applicable to the Force in which or with whose Reserves the service was rendered.
- (d) Service in the ranks of a Cadet Corps or as a cadet in an Officers' Training Corps in any of His Majesty's Dominions, Colonies, or territories under His Majesty's protection, such service being qualifying service in accordance with the regulations under the Royal Warrant of the 23rd of September, 1930, applicable to the Auxiliary Forces of the Dominion or territory in which the service was rendered.
- (e) Service in any Forces mentioned in (2) (a), (2) (b), and (2) (c) during their embodiment, other than service covered by those sub-paragraphs, the exact period of such embodiment only being counted, provided always both as regards this service and that referred to in sub-paragraphs (2) (a), (2) (b), and (2) (c), that a period of two months' embodied service in any calendar year reckoned from the 1st of January to the 31st of December will be allowed to count as the equivalent of efficient service for that year.

(f) Service on the permanent staff of the Falkland Islands Defence Force by members of the permanent Forces of the Empire, except such service as may be covered by sub-paragraph (g) below, and [except as provided in sub-paragraph (b)] service in any Reserve or Auxiliary Force in the Falkland Islands involving a liability for service only and no liability for annual training in peace shall not reckon as qualifying service for the Medal or clasps.

(g) War Service—

- (i) Warrant officers, non-commissioned officers, and men of the Defence Force who were called out for service under Proclamation No. 6 of 1939 shall be allowed to count their embodied service twofold as qualifying service towards the award of the Efficiency Medal and clasps thereto.
- (ii) Warrant officers, non-commissioned officers, and men of the Defence Force who served not less than two months in each calendar year in the ranks with any of His Majesty's Forces during the World War 1939-45 shall be allowed to count as the equivalent of two annual "trainings", but not more than two "trainings" (including equivalent service) shall be counted in any one year for the purpose of these regulations.
- (iii) Warrant officers, non-commissioned officers, and men of the Defence Force who were discharged from His Majesty's Forces during the World War 1939-45 because of wounds or illness contracted on service and subsequently during the period of embodiment referred to in (i) above voluntarily re-enlisted in the Defence Force shall be allowed to count their embodied service twofold as qualifying service as aforesaid.
- (iv) Officers, warrant officers, non-commissioned officers, and men of the Defence Force who served as officers on the active list of any of His



Majesty's Armed Forces shall, subject to the provisions of these regulations, be eligible for the award of the Efficiency Medal and clasps and to be allowed to count their service as officers as qualifying service for the Medal and clasps except that officers who before 2nd September 1939 had qualified for the award of the Efficiency Decoration shall not be eligible for the Medal and clasps unless they are qualified under these regulations.

- (v) Any person who under (iv) above receives an Efficiency Medal or clasp and is or subsequently becomes entitled to an Efficiency Decoration shall not be permitted to wear such Medal and clasp with the Efficiency Decoration except under the conditions laid down in regulation 5 (i) of the regulations relating to the award of the Efficiency Decoration.
- (vi) In these regulations "embodied service" shall mean service from the date of calling up to actual date of disembodiment of the individual concerned.
- (h) Service in West Africa (except that performed by natives of West Africa) will reckon double towards qualifying service, but any period spent on leave therefrom will reckon only as single qualifying service.
- (i) No service shall count more than twofold towards the award of the Medal and clasps.
- (j) Continuity of service—
  - (a) Service must have been rendered continuously except—
    - (i) during the period 4th August 1914 to 31st December 1921, or
    - (ii) when given in different authorised Auxiliary, Naval, Military, or Air Forces not in the same portion of the Empire, provided that the break does not exceed 12 months, or

- (iii) when given in the Falkland Islands Defence Force (and its Reserves) provided that the break does not exceed six months and is not due to any fault of the individual.
- (b) The following periods, although inadmissible as qualifying service (save in the circumstances hereinbefore described) will not be reckoned as breaking continuity of service—
  - (i) Service in the Royal Navy, Regular Army, Royal Air Force, or in a permanent Force of a Dominion, Colony or territory under His Majesty's protection, or in the Reserves of such Forces, or in the Reserves of any authorised Auxiliary Force of the Empire.
  - (ii) Intervals between service in the Royal Navy, Regular Army, Royal Air Force, or in a permanent Force of a Dominion, Colony, or territory under His Majesty's protection, or in an authorised Auxiliary Force of the Empire, during the period 4th August 1914 to 31st December 1921.
  - (iii) Service of men of the Falkland Islands Defence Force (including its Reserves) whilst released from military service for the purpose of being employed on work of national importance, which will be defined as occasion arises, during a period of embodiment.
  - (iv) Periods of desertion or absence without leave of men of the Falkland Islands Defence Force (including its Reserves) during the embodiment or training either in camps or barracks, provided that they continue to serve after their offence has been dealt with.
  - (v) Periods of detention or imprisonment during annual training or embodiment.

5. The Efficiency Medal will be worn suspended on the left breast by a green ribbon, one inch and a quarter in width, with yellow stripes down the edges, but the recipient of any other Long Service, Good Conduct or Efficiency Medal will only be permitted to wear the Efficiency Medal (with or without clasps) with them if he has completed the full period of qualifying service in respect of each Medal or clasp.

Wearing  
of roses.

6. In undress and service uniform when ribbons only are worn, the grant of clasps will be denoted by the wearing on the ribbon of small silver roses, one or more according to the number of clasps awarded. The rose (or roses) will not be worn on the ribbon when the Medal is worn.

Applications  
for the  
Efficiency  
Medal and  
clasps.

7. Application for the Medal and/or clasps should be made in writing by the Commanding Officer of the Falkland Islands Defence Force (or its Reserves) in which the warrant officer, non-commissioned officer, or man is or was serving when he completed the period of qualifying service, and should be supported by a statement in Form A appended to these regulations of his service qualifying for the Medal and/or clasps. The Commanding Officer will forward his recommendation through the usual channel of correspondence to the Governor together with a certificate that the person recommended has completed the qualifying period of 12, 18 or 24 years' efficient service and that he is in every way deserving of the Efficiency Medal or clasp.

Grant of the  
Medal and  
clasps.

8. The Medal and/or clasps will be awarded on the authority of the Governor or Officer Administering the Government and a notification of such awards will be published in the Government Gazette.

Loss and  
replacement.

9. When a Medal or clasp has been lost and it is desired to replace it, a declaration must be made before a magistrate stating the circumstances under which the loss occurred, and the rank, name and corps of the person to whom the Medal or clasp belonged. This declaration should be forwarded to the Governor through the usual channels of correspondence in the case of a member who is still serving, and direct in the case of a person who has retired. The Medal and any clasp or clasps lost therewith will be replaced, on payment, if the explanation as to loss is considered satisfactory.

10. (a) A recipient of the Medal who suffers death by sentence of a Military Court or is dismissed or removed from his corps or regiment for misconduct shall forfeit the Medal, and any clasp or clasps awarded to him, unless the Governor shall otherwise direct. Forfeiture and restoration.
- (b) A recipient of the Medal who has been convicted of an offence of the following nature, viz., treason, sedition, mutiny, cowardice, desertion, or disgraceful conduct of an unnatural kind (under section 18 (5) of the Army Act), or who, while subject to military law, is convicted by the civil power, shall be liable at the discretion of the Governor to forfeit the Medal and any clasp or clasps awarded to him.
- (c) A Medal and any clasps so forfeited may be restored by the Governor at his discretion.
- (d) A notice of forfeiture or of restoration shall in every case be published in the Government Gazette.

**Form A.**

**THE EFFICIENCY MEDAL.**

**Falkland Islands.**

Statement of service of .....  
of the ..... Corps.

N.B.—Service which under the Royal Warrant and the regulations made thereunder is to count as two-fold should be shown in the first place by the actual dates of such service, but only the equivalent single service for qualifying purposes should be carried forward as service in the " Total Qualifying Service " column.

Unit	Rank	Service qualifying two-fold			Single qualifying service		Total qualifying service			Remarks
		From	To	Particulars War service, West Africa service, or as the case may be	From	To	Years	Months	Days	
						Total				

I certify that the above is a correct statement of the service of .....; that such service has been efficient service as officially recognised ; and that his total qualifying service amounts to ..... years ..... months ..... days.

(Signed) .....

*Officer Commanding.*

.....Corps.

This statement is to be completed by the Commanding Officer of the Auxiliary Force in which the period of qualifying service is completed. Where the period of qualifying service is in more than one Auxiliary Force the Commanding Officer signing the statement must satisfy himself that all service reckoned is qualifying service, and as to the period to be so reckoned.

Where war service is claimed as double qualifying service a separate certificate by the applicant for the Medal will be afforded to that effect setting out the circumstances, e.g., that he actually served outside the territory or Colony of the Forces of which he was a member or that he signed or otherwise accepted before 4th November, 1945, an obligation to do so.

CHAPTER 20.

DIPLOMATIC PRIVILEGES (EXTENSION).

ORDER.

[1st May, 1950]

Section 2.

1. This Order may be cited as the Diplomatic Privileges (United Nations Educational, Scientific and Cultural Organisation) Order.

2. The United Nations Educational, Scientific and Cultural Organisation (hereinafter referred to as "the Organisation") shall have the legal capacities of a body corporate and the privileges and immunities set out in Part I of the Ordinance.

3. (1) Except in so far as any privilege or immunity is waived in the case of representatives of member Governments by the Governments whom they represent, in the case of the President of the Conference, by the Organisation, and in the case of members of the Executive Board by the Executive Board of the Organisation, representatives of member Governments, the President of the Conference of the Organisation and members of the Executive Board of the Organisation shall enjoy the privileges and immunities set out in Part II of the Schedule to the Ordinance. The provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the Colony.

(2) For the purpose of the application of this Order the expression representatives of member Governments shall be deemed to include their official staffs, accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations.

(3) The provisions of the preceding paragraphs of this Article shall not confer any immunity or privilege upon any person as a representative of His Majesty's Government in the Colony or a member of the staff of such representative or any person who is a British subject and who is not a representative of a Government of His Majesty other than His Majesty's Government in the Colony or a member of the staff of and accompanying any such representative.

4. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, the Secretary General and Deputy Secretary General of the Organisation and their spouses and children under the age of 21 years shall respectively enjoy the privileges and immunities set out in Parts II and IV of the Schedule to the Ordinance.

5. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, persons employed on missions on behalf of the Organisation shall enjoy the privileges and immunities set out in Part II of the Schedule to the Ordinance.

6. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, all officials of the Organisation (other than those referred to in Article 4 above) shall enjoy the privileges and immunities set out in Part III of the Schedule to the Ordinance.

7. The names of the persons to whom the provisions of Articles 3, 4, 5 and 6 of this Order apply shall be set forth in a list compiled and published from time to time by the Governor under section 3 (3) of the Ordinance and such list shall shew in regard to each person the date as from which for the purposes of this Order, he first held the office or employment in question, and the date when he ceased to hold that office or employment.

ORDER.

[1st May, 1950]

## Section 2.

1. This Order may be cited as the Diplomatic Privileges (International Labour Organisation) Order.

2. The International Labour Organisation (hereinafter referred to as "the Organisation") shall have the legal capacities of a body corporate and the privileges and immunities set out in Part I of the Ordinance.

3. (1) Except in so far as any privilege or immunity is waived in the case of representatives of member Governments by the Governments whom they represent, and in the case of members and deputy members of the Governing Body of the organisation and their substitutes by the Governing Body, representatives of member Governments and the employers' and workers' members and deputy members of the Governing Body of the organisation and their substitutes shall enjoy the privileges and immunities set out in Part II of the Schedule to the Ordinance. The provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the Colony.

(2) For the purpose of the application of this Order the expression representatives of member Governments shall be deemed to include their official staffs, accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations.

(3) The provisions of the preceding paragraphs of this Article shall not confer any immunity or privilege upon any person as a representative of His Majesty's Government in the Colony or a member of the staff of such representative or any person who is a British subject and who is not a representative of a Government of His Majesty other than His Majesty's Government in the Colony or a member of the staff of and accompanying any such representative.

4. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, the Director-General, Deputy Director-General and Assistant Director-General of the Organisation and their spouses and children under the age of 21 years, shall respectively enjoy the privileges and immunities set out in Parts II and IV of the Schedule to the Ordinance.

5. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, persons (other than officials of the Organisation) serving on committees of, or employed on missions on behalf of the Organisation shall enjoy the privileges and immunities set out in Part II of the Schedule to the Ordinance.



6. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, all officials of the Organisation (other than those referred to in Article 4 above) shall enjoy the privileges and immunities set out in Part III of the Schedule to the Ordinance.

7. The names of the persons to whom the provisions of Articles 3, 4, 5 and 6 of this Order apply shall be set forth in a list compiled and published from time to time by the Governor under section 3 (3) of the Ordinance and such list shall shew in regard to each person the date as from which for the purposes of this Order, he first held the office or employment in question, and the date when he ceased to hold that office or employment.

### Order.

[1st May, 1950]

#### Section 2.

1. This Order may be cited as the Diplomatic Privileges (International Civil Aviation Organisation) Order.

2. The International Civil Aviation Organisation (hereinafter referred to as "the Organisation") shall have the legal capacities of a body corporate and the privileges and immunities set out in Part I of the Ordinance.

3. (1) Except in as far as in any particular case any privilege or immunity is waived by the member Governments whom they represent, representatives of member Governments to the Council of the Organisation shall enjoy the privileges and immunities set out in Part II of the Schedule to the Ordinance. The provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the Colony.

(2) For the purpose of the application of this Order the expression representatives of member governments shall be deemed to include their official staffs, accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations.

(3) The provisions of the preceding paragraphs of this Article shall not confer any immunity or privilege upon any person as a representative of His Majesty's Government in the Colony or a member of the staff of such representative or any person who is a British subject and who is not a representative of a Government of His Majesty other than His Majesty's Government in the Colony or a member of the staff of and accompanying any such representative.

4. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, the Secretary-General or the Deputy Secretary-General of the Organisation and the President of the Council of the Organisation and their spouses and children under the age of 21 years shall respectively enjoy the privileges and immunities set out in Parts II and IV of the Schedule to the Ordinance.

5. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, persons (other than officials of the Organisation) serving on committees of, or employed on missions on behalf of the Organisation shall enjoy the privileges and immunities set out in Part II of the Schedule to the Ordinance.

6. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, all officials of the Organisation (other than those referred to in Article 4 above) shall enjoy the privileges and immunities set out in Part III of the Schedule to the Ordinance.

7. The names of the persons to whom the provisions of Articles 3, 4, 5 and 6 of this Order apply shall be set forth in a list compiled and published from time to time by the Governor under section 3 (3) of the Ordinance and such list shall shew in regard to each person the date as from which for the purposes of this Order, he first held the office or employment in question, and the date when he ceased to hold that office or employment.

**Order.**

[1st May, 1950]

**Section 2.**

1. This Order may be cited as the Diplomatic Privileges (Food and Agricultural Organisation) Order.

2. The Food and Agricultural Organisation (hereinafter referred to as "the Organisation") shall have the legal capacities of a body corporate and the privileges and immunities set out in Part I of the Ordinance.

3. (1) Except in so far as any privilege or immunity is waived in the case of representatives of member Governments by the Governments whom they represent and in the case of the Chairman of the Council of the Organisation by the Council of the Organisation, representatives of member Governments and the Chairman of the Council shall enjoy the privileges and immunities set out in Part II of the Schedule to the Ordinance. The provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the Colony.

(2) For the purpose of the application of this Order the expression representatives of member Governments shall be deemed to include their official staffs, accompanying them as such representatives as delegates, deputy delegates, advisers, technical experts or secretaries of delegations.

(3) The provisions of the preceding paragraphs of this Article shall not confer any immunity or privilege upon any person as a representative of His Majesty's Government in the Colony or a member of the staff of such representative or any person who is a British subject and who is not a representative of a Government of His Majesty other than His Majesty's Government in the Colony or a member of the staff of and accompanying any such representative.

4. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, the Director-General, Deputy Director-General of the Organisation and their spouses and children under the age of 21 years shall respectively enjoy the privileges and immunities set out in Parts II and IV of the Schedule to the Ordinance.

5. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, persons (other than officials of the Organisation) serving on committees of, or employed on missions on behalf of the Organisation shall enjoy the privileges and immunities set out in Part II of the Schedule to the Ordinance.

6. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, all officials of the Organisation (other than those referred to in Article 4 above) shall enjoy the privileges and immunities set out in Part III of the Schedule to the Ordinance.

7. The names of the persons to whom the provisions of Articles 3, 4, 5 and 6 of this Order apply shall be set forth in a list compiled and published from time to time by the Governor under section 3 (3) of the Ordinance and such list shall shew in regard to each person the date as from which for the purposes of this Order, he first held the office or employment in question, and the date when he ceased to hold that office or employment.

### **Order.**

[1st May, 1950]

### **Section 2.**

1. This Order may be cited as the Diplomatic Privileges (World Health Organisation) Order.

2. The World Health Organisation (hereinafter referred to as "the Organisation") shall have the legal capacities of a body corporate and the privileges and immunities set out in Part I of the Ordinance.

3. (1) Except in so far as in any particular case any privilege or immunity is waived, in the case of representatives of member Governments by the member Governments whom they represent, and in the case of persons designated to serve on the Executive Board of the Organisation and their alternates and advisers by the Executive Board, representatives

of member Governments and persons designated to serve on the Executive Board of the Organisation and their alternates and advisers shall enjoy the privileges and immunities set out in Part II of the Schedule to the Ordinance. The provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the Colony.

(2) For the purpose of the application of this Order the expression representatives of member Governments shall be deemed to include their official staffs, accompanying them as such representatives as delegates, deputy delegates, advisers, technical experts or secretaries of delegations.

(3) The provisions of the preceding paragraphs of this Article shall not confer any immunity or privilege upon any person as a representative of His Majesty's Government in the Colony or a member of the staff of such representative or any person who is a British subject and who is not a representative of a Government of His Majesty other than His Majesty's Government in the Colony or a member of the staff of and accompanying any such representative.

4. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, the Director-General or Deputy Director-General of the Organisation and their spouses and children under the age of 21 years shall respectively enjoy the privileges and immunities set out in Parts II and IV of the Schedule to the Ordinance.

5. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, persons (other than officials of the Organisation) serving on committees of, or employed on missions on behalf of the Organisation shall enjoy the privileges and immunities set out in Part II of the Schedule to the Ordinance.

6. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, all officials of the Organisation (other than those referred to in Article 4 above) shall enjoy the privileges and immunities set out in Part III of the Schedule to the Ordinance.

7. The names of the persons to whom the provisions of Articles 3, 4, 5 and 6 of this Order apply shall be set forth in a list compiled and published from time to time by the

Governor under section 3 (3) of the Ordinance and such list shall shew in regard to each person the date as from which for the purposes of this Order, he first held the office or employment in question, and the date when he ceased to hold that office or employment.

## CHAPTER 21.

### DOGS.

#### RULES.

No. 5 of 1949.

#### Section 13.

1. These rules may be cited as the Dogs Rules.

Short Title.

2. Each licence shall state the number of dogs for which licence fees have been paid. One licence shall cover any number of dogs.

Licences.

3. The following fees shall be payable :—

Fees.

Annual licence for each dog or bitch, eight shillings.

Inspection of register by a member of the public, one shilling.

## CHAPTER 22.

### EDUCATION.

#### SCHOOLS REGULATIONS.

#### Section 10.

1. These regulations may be cited as the Schools Regulations.

Short title.

2. (1) The hours of attendance at recognised schools shall be in accordance with the time table prepared by the Superintendent of Education and approved by the Governor.

Hours of attendance.

(2) Teachers shall open schools punctually at the time fixed by the time tables.

(3) Teachers shall register the attendance of children at each morning and afternoon session and shall not register an attendance where a child arrives more than fifteen minutes after the commencement of the session.

School  
holidays.

3. (1) The regular School holidays shall be—  
(a) Saturdays and public holidays ;  
(b) the week following the last Friday in June and the week following the last Friday in September. Seven weeks commencing with the week in which Christmas Day falls.

(2) No other holidays shall be given without the sanction of the Governor.

Closure due  
to disease.

4. The Governor may close schools temporarily on account of epidemic disease or other sufficient cause.

Schemes  
of work.

5. Time tables and schemes of work shall be prepared in advance by the head teacher of each school and submitted to the Superintendent of Education for his approval.

Log Books.

6. (1) The head teacher in each school shall maintain a Log Book containing daily entries as to the progress and all other facts connected with the school and teachers.

(2) An entry shall not be removed or altered otherwise than by a subsequent entry.

Accounts

7. The accounts of Government schools shall be kept by the Superintendent of Education in the book and forms supplied for that purpose and in the manner approved by the Governor.

Materials.

8. The cost of all material used in the instruction of handicrafts other than that which the headmaster shall decide is necessary for the purpose of instruction shall be borne by the parent of the child or the person receiving such instruction.

Continuation  
classes.

9. (1) Such children as a headmaster may select shall, and any person over school leaving age may, attend Continuation Classes subject, in the case of a person over school leaving age, to his paying in advance 2/6 on Monday of each week he attends, and subject also to his being liable to be instantly dismissed from such classes, if in the opinion of the headmaster he is not availing himself of the instruction provided.

(2) Persons over school leaving age may elect to receive instruction in all or any of the following subjects: reading, writing, mathematics, a language, domestic science, needlework, woodwork and gardening.

---

CHAPTERS 23 to 26.  
*No Subsidiary Legislation.*

---

CHAPTER 27.  
FISHERIES.  
REGULATIONS.

Section 3.

No. 2 of 1944.

1. These regulations may be cited as the Fisheries Regulations. Short title.

2. In these regulations "fish" means any member of the salmon family, commonly known as salmon, trout, sea trout or char, but does not include *Aplochitonidae*, commonly known as "trout" in the Colony, or *Galaxiidae*, commonly known as "minnows" in the Colony. Definition.

3. Any person who—

General  
protection of  
fish.

- (a) fishes for any fish ; or
- (b) wilfully disturbs any spawn or spawning fish ;  
or
- (c) wilfully disturbs any bed, bank, or shallow in  
or on which any spawn or spawning fish may  
be,

unless authorised by the Governor for the purpose of scientific research on the development or extension or increase of the stock of fish, shall commit an offence.

4. Fishing by any means above the bridge at the Wireless Station in the stream known as the Moody Brook and all or any of its tributaries is prohibited.

Moody Brook  
Reserve.

---

CHAPTERS 28 and 29.  
*No Subsidiary Legislation.*

---

CHAPTER 30.  
HARBOURS.  
REGULATIONS.

Section 3.

No. 1 of 1944.  
No. 9 of 1949.

1. These regulations may be cited as the Harbour Regulations. Short title.



Prohibited  
area for  
mooring and  
anchoring.

2. No vessel, hulk or boat shall be moored or be anchored in or be moored or anchored so as to swing within any part of the northern half of Stanley Harbour nor in that area of the said harbour bounded on the east by a line running north from the west side of Hebe Street and on the west by a line running north through the centre of the Cathedral Tower, except with the written approval of the Harbour Master.

Movement in  
the harbour.

3. No ship or hulk shall be moved in the harbour save under the direction, or with the permission in writing, of the Harbour Master, and a fee of £1 (one pound) shall be paid for every such permission, unless such removal has been ordered by the Harbour Master. Any hulk having fixed moorings may return thereto without additional fee.

Discharging  
cargo into  
hulks.

4. In every case where it may be necessary to change the position of a vessel or hulk for the purpose of receiving or discharging cargo, or for any other purpose, such vessel or hulk must be moved under the direction of the Harbour Master.

Lights on  
vessels at  
anchor.

5. Vessels at anchor outside the limits assigned to hulks shall exhibit, from sunset to sunrise, the following light or lights :—

A vessel under one hundred and fifty feet in length, when at anchor, shall carry forward, where it can best be seen, but at a height not exceeding twenty feet above the hull, a white light, in a lantern so constructed as to show a clear, uniform and unbroken light, visible all round the horizon at a distance of, at least, one mile.

A vessel of one hundred and fifty feet or upwards in length, when at anchor, shall carry in the forward part of the vessel, at a height of not less than twenty feet and not exceeding forty feet above the hull, a white light in a lantern so constructed as to show a clear, uniform and unbroken light visible all round the horizon at a distance of, at least, one mile, and at or near the stern of the vessel, and at such height that it shall not be less than fifteen feet lower than the forward light, another similar light.

Lighters or  
vessels under  
way.

6. All vessels shall when under way in the hours of darkness in the harbour carry in the fore part of the vessel, and at a height of not less than nine feet above the gunwale

- (a) a bright white light of such a character as to be visible at a distance of not less than two miles, and
- (b) green and red sidelights of such a character as to be visible at a distance of not less than one mile, or a combined lantern shewing a green light and a red light from right ahead to two points abaft the beam on their respective sides :

Provided that small vessels, without masts, may carry the white light at a height of less than nine feet above the gunwale, but it shall be carried above the combined lantern mentioned in (b) above.

7. Rowing boats, whether under oars or sail, shall have ready at hand a lantern showing a white light which shall be temporarily exhibited in sufficient time to prevent collision.

Lights on  
rowing boats.

8. No person shall collect, remove or cause to be removed any timber or wood, for any purpose whatsoever, from the foreshores of the harbour without the written permission of the Harbour Master.

Collection of  
timber.

9. No sand, stone or gravel shall be taken or removed from the foreshore of the harbour of Stanley save with the written permission of the Harbour Master, and for every ton of sand, stone or gravel so taken or removed, the sum of one shilling shall be paid to the Harbour Master.

Removal of  
sand, etc.

10. Masters of vessels who may require a lighter for the disposal of ashes, dunnage, rubbish, etc., shall apply to the Harbour Master, who will cause a lighter to be placed alongside the vessel for that purpose.

Lighter for  
rubbish, etc.

11. Masters of vessels who may wish to discharge ballast shall communicate with the Harbour Master who will direct the disposal of same.

Discharging  
of ballast.

12. Masters of vessels who may desire to haul up on the beaches of the harbour any boat or craft shall apply to the Harbour Master who will direct where such boat or craft shall be placed.

Beaching  
craft.

Materials left  
on jetty.

13. No sand, shingle, gravel or tussac shall be allowed to remain upon any Government jetty or landing-place within two yards from the edge of such jetty or landing-place.

Employing of  
local labour.

14. The owner or master, or other person in charge of any ship trading to ports in the Colony, shall, on the arrival of such vessel at Port Stanley for the purpose of loading or unloading cargo, employ only local stevedores in respect of the processes of loading or unloading, moving or handling cargo in or on such vessels at the rates specified in the First Schedule hereto :

Provided that this regulation shall not apply to home trade ships, whose crews normally work as stevedores when engaged in the inter-island trade, or to men who are in the regular employment of the owners or agents of such ships, but shall apply to casual labourers who may be employed, from time to time, on such ships :

Provided further that employment of local stevedores shall be compulsory only when such stevedores are obtainable at the rates specified in the Schedule hereto.

Firing or  
throwing  
stones at  
birds, etc., in  
the harbour.

15. No person shall discharge any fire-arm at, or throw any stone or other missile at, any seabird or wild animal within the limits of the harbour, provided that nothing in this section shall serve to prohibit birds or animals from being killed for the protection of property, or obtained by, or with the authority of the Agricultural Officer for scientific purposes.

Scale of  
charges.

16. The scale of charges and rules for the use of the Government slipway shall be as shewn in the Second Schedule hereto.

Penalty for  
any breach of  
any  
regulation.

17. Any person who is guilty of any breach of any regulation shall be liable to a fine not exceeding five pounds.

## SCHEDULE I.

	Ordinary 8-hr. working day	Overtime on week-days, after ordinary 8-hr. day	Sundays, Good Fridays and Christmas Days
Vessels from over- seas not normally employed in the inter-island trade of the Colony.	2/- per hour	3/- per hour	Flat rate of 4/- per hour
Home trade ships.	1 8½ per hour	2/7 per hour	Flat rate of 3/5 per hour

Current cost of living bonus shall be paid in addition to the above rates.

Double time will be paid for work performed after midnight provided such work is commenced before midnight and is continuous.

When handling loose coal a flat rate of 4d. per hour extra on the above rates will be paid.

## SCHEDULE II.

The following scale of charges and rules for the use of the Government slipway in the Dockyard, Stanley, have been approved by His Excellency the Governor:—

## Scale of Charges.

For boats under 10 tons				For other craft			
Per day	...	...	5/-	Per day	...	...	£1
Per week	...	...	£1	Per week	...	...	£3
Per month	...	...	£2	Per month	...	...	£5

(The days on which the slipway is occupied and vacated shall be reckoned as full days.)

## Rules.

1. Applications for the use of the slipway shall be made to the Harbour Master.

2. The slipway shall be allotted at and for such times as are convenient to the Harbour Department and, as far as possible, according to the order in which applications are received.

3. Work on craft, including slipping and launching, shall be carried out between the hours of 7.30 a.m. and 4.30 p.m. on weekdays, and between the hours of 7.30 a.m. and noon on Saturdays. Work beyond these hours may be allowed at the discretion of the Harbour Master. An additional charge of 5/- an hour, or part of an hour, will be made for slipping or launching outside the usual working hours.

4. Three clear hours notice must be given of intended launching.

5. The Government will not hold itself responsible for loss or damage to craft, or for injury to persons using the slipway.

ORDER DECLARING PORT FOSTER TO BE A  
HARBOUR.

No. 1 of 1948.

In pursuance of the powers vested in him by section 2 of the Harbour Ordinance, His Excellency the Governor, with the advice and consent of the Executive Council, is pleased to direct that PORT FOSTER, DECEPTION ISLAND, SOUTH SHETLANDS, be declared a Harbour from the 10th January, 1948.

Made in Executive Council this 10th day of January, 1948.

By command,

A. B. MATHEWS,

Colonial Secretary.

PORT FOSTER HARBOUR.

REGULATIONS.

No. 1 of 1948. Section 3.

Short title. 1. These regulations may be cited as the Port Foster Harbour Regulations.

Mooring and anchorage. 2. No vessel or boat shall be moored or anchored in the harbour without the consent of the Harbour Master. Any vessel or boat shall immediately be moved upon the order of the Harbour Master to any mooring or anchorage approved by him.

Hulks. 3. No hulk shall have any fixed moorings without the written permission of the Harbour Master.

Lights on vessels at anchor. 4. Vessels at anchor outside the limit assigned to hulks shall exhibit, from sunset to sunrise, the following light or lights :—

(a) A vessel under one hundred and fifty feet in length, when at anchor, shall carry forward, where it can best be seen, but at a height not exceeding twenty feet above the hull, a white light, in a lantern so

constructed as to show a clear, uniform and unbroken light, visible all round the horizon at a distance of at least one mile.

- (b) A vessel of one hundred and fifty feet or upwards in length, when at anchor, shall carry in the forward part of the vessel, at a height of not less than twenty feet and not exceeding forty feet above the hull, a white light in a lantern so constructed as to show a clear, uniform and unbroken light visible all round the horizon at a distance of, at least, one mile, and at or near the stern of the vessel, and at such a height that it shall not be less than fifteen feet lower than the forward light, another similar light.

5. All vessels shall when under way in the hours of darkness in the harbour carry in the fore part of the vessel and at a height of not less than nine feet above the gunwale—

Lighters  
or vessels  
under way.

- (a) a bright white light of such a character as to be visible at a distance of not less than two miles, and  
(b) green and red side lights of such a character as to be visible at a distance of not less than one mile, or a combined lantern showing a green light and a red light from right ahead to two points abaft the beam on their respective sides :

Provided that small vessels, without masts, may carry the white light at a height at less than nine feet above the gunwale, but it shall be carried above the combined lantern mentioned in (b) above.

6. Rowing boats, whether under oars or sail, shall have a lantern showing a white light which shall be exhibited in sufficient time to prevent collision.

Lights on  
rowing boats.

7. (a) No person shall collect, remove or cause to be removed any timber or wood, for any purpose whatsoever, from the foreshore of the harbour without the written permission of the Harbour Master.

Collection  
of timber.

- (b) No person shall remove any iron, steel, metal or wood work from the old whaling factory without the written consent of the Harbour Master.

8. (a) No person shall remove any sand, stone, or gravel from the foreshore of the harbour without the written permission of the Harbour Master.

Removal of  
sand, etc.

- (b) Every person permitted to remove sand and stone or gravel shall pay to the Harbour Master one shilling for each ton removed by him.

Fresh  
water.

9. No person shall take fresh water without the consent of the Harbour Master.

Ballast,  
rubbish.

10. (a) No ballast, dunnage, ashes or rubbish of any description shall be thrown into the water within 400 yards of low water mark.

- (b) Ballast and waste oil shall be discharged in accordance with the directions of the Harbour Master.

Beaching  
craft.

11. All boats or craft shall be beached in accordance with the directions of the Harbour Master.

Firing  
or throwing  
stones at  
birds, etc.,  
in the  
Harbour.

12. No person shall discharge any firearm at, or throw any stone or other missile at, any seabird or wild animal within the limits of the harbour :

Provided that nothing in this section shall serve to prohibit birds or animals from being killed for the protection of property, or obtained by, or with the authority of, the Agricultural Officer for scientific purposes.

Harbour  
rent.

13. Every boat or craft shall pay harbour rates at the rate of one penny per ton her net registered tonnage for every day or part of a day she remains in the harbour.

## CHAPTER 31.

### *No Subsidiary Legislation.*

## CHAPTER 32.

### INCOME TAX.

#### ORDER.

No. 1 of 1949.  
No. 6 of 1950.

In exercise of the powers vested in him by the Income Tax Ordinance, 1939, as amended by Income Tax (Amendment) Ordinance, 1949, and with the advice of the Executive Council, His Excellency the Governor is pleased to order and it is hereby ordered :

That under and by virtue of the Double Taxation Relief (Taxes on Income) (Falkland Islands) Order, 1949, arrangements have been made with His Majesty's Government with a view to affording relief from double taxation in relation to Income Tax and any tax of a similar character imposed by the laws of the United Kingdom and that those arrangements shall have effect from the 1st day of January, 1949.

## INCOME TAX.

### RULES.

#### Section 89.

1. Every person liable to pay income tax shall on or before the 30th day of April in each year deliver to the Income Tax Commissioner a true and correct return of all income from all sources in the form hereinafter prescribed.

2. The following forms shall be the forms used by the Commissioner in pursuance of the duties under the Income Tax Ordinance.

3. The tax on mortgage or debenture interest as provided for by section 32 shall be payable to the Treasurer within seven days from the date of rendition of the account to the Commissioner.

4. All allowances in respect of wear and tear under sections 10 (1) (c) and 11 shall be calculated on the written down or diminished value of the machinery or plant. Such written down value shall be arrived at by deducting year by year from the original cost of the machinery or plant the annual wear and tear, calculated at the percentage rates allowed by the Commissioner, which has occurred since the purchase of such machinery or plant, and the allowance for wear and tear when so arrived at shall be included as a trade expense of the year the profits and gains of which are chargeable under this Ordinance, and in which year such machinery or plant were in actual use.



5. No deduction for wear and tear shall be allowed for any year if the deduction, when added to the deductions allowed on that account for any previous years to the person by whom the business or trade is carried on, will make the aggregate amount of the deductions exceed the actual cost to such person or lessor of the machinery or plant, including in that actual cost any expenditure in the nature of capital expenditure on the machinery or plant by way of renewal, improvement or re-instatement. If for the purpose of any allowance under this section the Commissioner is satisfied that, owing to the absence of full records, the precise date or dates of the original purchase or the cost price of any machinery or plant cannot be furnished, he may to the best of his judgment and from such information as is available, make an approximate estimate of the present written down or diminished value from cost on which to make the percentage allowance.

6. For the purpose of ascertaining the chargeable income of any person there shall be a deduction allowed for annuities [section 10 (1) (/)].

7. Where any mortgage or debenture interest forms part of the chargeable income of any person resident out of the Colony and the tax provided by Section 32 of the Ordinance has been deducted and paid to the Treasurer by the person paying such mortgage or debenture interest, the amount so paid to the Treasurer shall be set off for the purposes of collection against the tax charged on that chargeable income.

8. The Treasurer shall deduct from any emoluments or pensions payable out of the revenue of the Colony income tax due and payable by any person entitled to receive such emoluments or pension provided that the Governor may authorise such deduction be made by such monthly deductions as he thinks fit.

Form No. 1.

**INCOME TAX ORDINANCE.**

Section 33 (2).

**Notice requiring a Return to be made.**

To.....

of.....

TAKE notice that you are required to make and deliver to the Income Tax Commissioner at the Treasury, Stanley, within                      days after the date of the service of this notice on you a Return of your income in respect of the year ended on the 31st day of December, 19                      .

Dated this                      day of                      19                      .

.....  
*Commissioner.*

N.B.—1. All Returns shall be made on the prescribed forms, which may be obtained at the Treasury, Stanley.

Form No. 1.

(Duplicate)—To be returned to the Commissioner after the affidavit of service has been sworn to.

**INCOME TAX ORDINANCE.**

Section 33 (2).

**Notice requiring a Return to be made.**

To.....

of.....

TAKE notice that you are required to make and deliver to the Income Tax Commissioner at the Treasury, Stanley, within                      days after the date of service of this notice on you a Return of your income in respect of the year ended on the 31st day of December, 19                      .

Dated this                      day of                      19                      .

.....  
*Commissioner.*

N.B.—1. All Returns shall be made on the prescribed forms, which may be obtained at the Treasury, Stanley.

## AFFIDAVIT OF SERVICE.

I \_\_\_\_\_ of \_\_\_\_\_  
 make oath and say that I served a true copy of the foregoing notice on  
 \_\_\_\_\_ of \_\_\_\_\_  
 on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
 by delivering the same to him personally, *or*\* by leaving the same at his  
 place of abode at \_\_\_\_\_ with one \_\_\_\_\_

Sworn to before me this \_\_\_\_\_  
 day of \_\_\_\_\_ 19\_\_\_\_

.....  
*Deponent.*

*J.P.* .....

\* Strike out the description not applicable to the manner in which the service was effected.

N.B.—The person serving the notice should explain its purport to the person to whom it is delivered.

No. of Assessment \_\_\_\_\_

Form No. 2.

..... 19.....

Confidential.

## INCOME TAX ORDINANCE.

Name in full \_\_\_\_\_

(Taxpayer, Firm or Company.)

Address \_\_\_\_\_

## Statutory Declaration.

I,  
 of  
 as the\*

do hereby solemnly and sincerely declare that the statement or statements herein, or herein referred to and appended hereto, is a full, just and true return of the whole of \_\_\_\_\_ income from every source whatsoever in respect of the year ended on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, estimated to the best of my knowledge and belief, according to the

directions and rules of the said Ordinance. I make this Declaration conscientiously believing the same to be true and just in every particular, and I am well aware that if there is any statement in this declaration which is false in fact, which I know or believe to be false or do not believe to be true, I am liable to a fine not exceeding £100 or to imprisonment with or without hard labour for a term not exceeding six months.

Declared before me this ..... day of ..... 19  
↑.....

\*State whether the Return is made—

- (i) On your own behalf.
- (ii) As the Precedent Partner for the time being of a Firm.
- (iii) As the secretary or other responsible officer of any Corporate Body.
- (iv) As the Attorney, Agent, Factor, Trustee, Manager, etc., and for whom.
- (v) As Trustee, Executor, Administrator, etc., and for which Estate, etc.

N.B.—In the case of a Firm, the General Declaration above must be made by the Precedent Partner for the time being, or in cases where none of the partners is resident in the Colony, by the Attorney, Manager, Agent, etc.

†This declaration may be made before a Justice of the Peace, a Notary Public, a Minister of Religion, the Income Tax Collector, or the Head of a Government Department.

If no income is returnable under any of the Heads below, the word "None" should be entered in the money column (3). In no case must such column be left blank.

Column 1	Income in respect of the year 19	Amount Chargeable Column 3
	Source of Income under each Head Column 2	
1	Income accruing, derived or received from rents, royalties and other profits arising from property. Net Income as per statement attached hereto .....	
2	Annual value of land and improvements thereon used by or on behalf of the owner or used rent free by the occupier, for the purpose of residence or enjoyment and not for the purpose of gain or profit, such annual value deemed to be 5% of the capital value £ .....	
3	Profits derived from the working of farm or the occupation and cultivation of land of every description. Net income as per statement attached hereto .....	
4	Estimated value of produce consumed on farm by taxpayer and his family .....	
5	From dealing in livestock .....	
6	From salary as .....	
	(State Name of Employer)	
7	Annual value of any quarters or board or residence or of any other allowance granted in respect of employment whether in money or otherwise .....	
8	Income of wife (as per statement attached) .....	
9	Pensions received from .....	
10	Income derived from the profession of a .....	
11	As a .....	
	(State name of trade or business)	
12	As a partner in the firm of .....	
13	As Agent for .....	
14	From investments in Savings Bank .....	
	..... Debentures, Stocks or Bonds .....	
	..... Mortgages, Loans, etc. ....	
	(Statement to be attached setting out fully the amount and nature of investments)	
15	From other sources not enumerated above as per statement enclosed .....	
	Total Taxable Income	
16	Income not accruing in, derived from, or received in the Colony, as per statement attached, for which I claim exemption under Section 5 .....	
17	Interest on loans charged on the Public Revenue of the Colony which is exempted from taxation (Section 9) (as per statement attached) .....	
	Total income from all sources £	

Page 3 of Form 2.

Under the Provisions of the said Ordinance I hereby claim the following deductions from the above income:—

1. As a resident/or British subject (Section 21) ... .. £150 : 0 : 0
2. In respect of premium paid to ..... Insurance Company/or to the Widows' and Orphans' Pension Fund in the Colony of ..... in the year ended 19 .., for Insurance on my life/or on the life of my wife (Section 17) ... .. £.....
3. Children under 16 years of age living on the commencement of the year preceding the year of assessment as follows :—

Name of child	Date of Birth	Present age

4. For my wife (Section 15) ... .. £.....
5. Income Tax paid in the United Kingdom/or as per certificate attached (Sections 46 and 47) ... .. £.....
6. 1/10th of my earned income (Section 14) ... .. £.....
7. Trade losses on ..... during the year 19 (Section 13) £.....
- Total deductions claimed ... .. £.....

#### Net Chargeable Income.

Total Taxable Income ... .. £.....  
 Less Total Deductions Claimed ... .. £.....  
 Net Chargeable Income for the year 19 ... .. £.....

**N.B.—Those portions of the return not applicable to taxpayer's case should be struck out.**

Whenever practicable, a statement must always be enclosed with this Return showing how the net amount of income was arrived at. In cases where proper books of account are kept, a certified copy of the **Profit and Loss Account and the Balance Sheet** must be enclosed.



Form No. 3.

## INCOME TAX ORDINANCE.

Notice to Employer to Deliver Statement as to the Persons  
Employed by Him.To  
of

Take notice that you are hereby required to deliver to me, within        days after the date of the service of this notice upon you, a full and correct statement, as required by section thirty-four of the Income Tax Ordinance, of the names and places of abode of, and the salary or wages paid to, all the persons employed by you or the

Dated this                      day of                      19        .

.....  
*Commissioner*

N.B.—Section Thirty-four of the Ordinance is as follows:—

34. (1) The Commissioners may require any officer in the employment of the Government or any municipality or other public body to supply such particulars as may be required for the purposes of this Ordinance and which may be in the possession of such officer, provided that no such officer shall by virtue of this section be obliged to disclose any particulars as to which he is under any statutory obligation to observe secrecy.

(2) Every employer, agent, contractor, or other person when required to do so by notice from the Commissioner shall within the time limited by the notice, prepare and deliver for any year a return containing—

- (a) the names and places of residence of all persons employed by him; and
- (b) the payments and allowances made to those persons in respect of that employment, except persons who are not employed in any other employment, and whose remuneration in the employment for the year does not exceed eighty pounds
- (c) the names and places of residence of all persons with whom he has entered into a contract for the performance of any work or for delivery of any produce or goods and the amount advanced or paid in respect of such contract either in cash or in goods or merchandise; and
- (d) such other information as the Commissioner may deem necessary from time to time for the purposes of this Ordinance;

and the provisions of this Ordinance with respect to the failure to deliver returns or particulars in accordance with a notice from the Commissioner shall apply to any such return or returns.

Provided that an employer, agent, contractor, or other person shall not be liable to any penalty for omitting from any such return the name or place of residence of any person employed by him and not employed in any other employment if it appears to the Commissioner on inquiry that such person has no chargeable income.

(3) Where employer, agent, contractor or other person is a body of persons the manager or other principal officer shall be deemed to be the employer for the purposes of this section, and any director of a company, or person engaged in the management of a company, shall be deemed to be a person employed.

[Over]





Form No. 4.

File No.....

**INCOME TAX ASSESSMENT NOTICE**

Stanley.....19

To.....

PLEASE TAKE NOTICE that under the provisions of the Income Tax Ordinance you are assessed for the 19        taxation period in the sum of £        being the amount of tax payable on a chargeable income of £

This assessment is payable at the Colonial Treasury, Stanley (sections 42 and 54) within thirty days after the service of this notice upon you.

If you dispute this assessment you may apply to the Commissioner by notice of objection in writing, to review and to revise the assessment made upon you. Such application shall state precisely the grounds of your objections to the assessment and shall be made within fifteen days from the date of service of this notice of assessment: provided that the Commissioner upon being satisfied that your absence from the Colony, sickness or other reasonable cause, prevented your making the application disputing the assessment within such period, shall extend the period as may be reasonable in the circumstances.

.....  
*Income Tax Commissioner*

Date of payment .....

Counterfoil Receipt No. ....

**Instructions to Taxpayer**

N.B.—This notice is to be produced when making payment.

Section 55: If any tax is not paid within the period prescribed in section 50 of this Ordinance:

- (a) a sum equal to five per centum of the amount of the tax payable shall be added thereto and the provisions of this Ordinance relating to the collection and recovery of tax shall apply to the recovery of such sum;
- (b) the Commissioner shall serve a demand note upon the person assessed, and if payment is not made within thirty days from the date of the service of such demand note, the Commissioner may proceed to enforce payment as hereafter provided.

---

**CHAPTERS 33 to 35.***No Subsidiary Legislation.*

## CHAPTER 36.

## LAND.

[1st August, 1950.]

## Section 21.

## NOTICE

Declaring the islands South Jason, Flat Jason, Elephant Jason, North Fur, South Fur and the adjacent islets to be Crown Reserves.

In exercise of the powers in him vested by section 21 of the Land Ordinance, His Excellency the Governor, by and with the advice of the Executive Council, hereby declares the undermentioned islands and the adjacent islets to be Crown Reserves :—

South Jason.

Flat Jason.

Elephant Jason.

North Fur.

South Fur.

## PEAT BANKS RULES.

## Section 48.

Short Title.

1. These rules may be cited as the Peat Banks Rules.

Officer  
responsible for  
observance  
of rules.

2. There shall be an officer in charge of the peat banks, hereinafter referred to as the officer-in-charge, who shall be directly responsible to the Executive Engineer for the satisfactory observance of these rules.

Apportion-  
ment of peat  
banks.

3. The use of the peat banks in the vicinity of Stanley is apportioned as follows :—

(a) A peat bank is allotted to each dwelling house in Stanley. The recognized allotment of banks is recorded on a list which may be inspected at the office of the Executive Engineer.

- (b) A limited number of peat banks is available for allotment to persons who are desirous of cutting peat for sale.

4. The quantity of fuel which may be taken from any peat bank during a season shall be determined by the Executive Engineer and shall be published in a list which may be inspected at his office :

Quantity of peat which can be cut in a season.

Provided that, during the season following the allotment of a bank, double the quantity stated in the list may be cut and stacked, in order to allow of one season's peat being in hand.

5. Except as hereinafter provided, the peat cut from any bank allotted under rule 3 (a) shall only be consumed within the premises to which the bank has been allotted :

Peat to be consumed in premises to which bank has been allotted.

Provided that the officer-in-charge may grant permission to a householder, on application, to cut from his bank a quantity of peat for sale, not exceeding 75 cubic yards. This permission will only be granted in exceptional cases where neither the privileges of the owner of the house, nor the value of the neighbouring banks will be prejudicially affected.

6. The allotment of peat banks as provided for in rule 3 (b) shall be made on application to the officer-in-charge, and, if approved, the applicant's name shall be registered. All such applications must be renewed annually, the banks reverting to the Crown at the end of each season. The peat stacked on these banks must be removed early in the season following that on which it is cut, if not previously disposed of.

Applications for banks from which to cut peat for sale.

7. All peat must be cut out to bottom and the ends of banks where the peat runs out must also be cut until a sound bottom is obtained. No bank shall be regarded as exhausted until all broken parts have been cleared and the ground left clear of peat. No new bank will be finally allotted unless this rule has been observed.

Banks must be exhausted before being abandoned.

8. The peat bank faces shall not be deeper than four feet. Where the bank is over four feet, the face shall be worked back in step formation, the first cut being three feet deep and being carried back for a distance of fifteen feet before the second cut is commenced.

Depth of bank faces.

9. Persons cutting in a bank, or opening a bank, must rickle all the peat cut and, if unable to remove the peat during the season, must cause it to be stacked, clear of banks and

Banks must be cleared of loose peat.

cart tracks. The peat so stacked must be removed during the next season. Failure to observe this rule will render the bank holder liable to the forfeiture of the peat cut and remaining on the ground.

Disposal of  
top sods.

10. All top sods, after being removed from the top of the bank, must be properly laid under foot, so as to form the top sod of the next cut or the top soil of a hard bottom.

Water must  
not be allowed  
to accumulate  
in trenches.

11. Banks must be drained, as far as possible, and water in any quantity, which would become a source of danger, must not be allowed to lodge in the trenches, and trenches must be left in such a condition as not to render them liable to flood.

Penalty  
for non-  
observance  
of rules.

12. If any person disobeys or fails to comply with any of these rules or to carry out any proper directions of the Executive Engineer in relation to the peat banks, the Governor in Council may order the reversion to the Crown of the use of the peat bank in respect of which an offence is committed.

Saving  
clause.

13. Nothing in these rules shall limit in any degree the right of the Crown to resume any peat bank or part thereof at any time and without compensation, where the public interest so requires.

## CHAPTER 37.

### *No Subsidiary Legislation.*

---

## CHAPTER 38.

### LICENSING.

### REGULATIONS.

No. 13 of 1949.

#### Section 33.

1. These regulations may be cited as the Licensing Regulations.

2. Any licensed person who shall sell intoxicating liquor to any member of His Majesty's Armed Forces or to any member of the crew, other than a resident in the Colony, of any vessel entering Stanley Harbour, for consumption off licensed premises, or to any person well knowing or having

good reason to believe that such liquor is required for consumption off licensed premises by such members of His Majesty's Armed Forces, or by the crew of any vessel entering Stanley Harbour, shall commit an offence and shall be liable on summary conviction to the penalties set out in section 79 of the Licensing Ordinance, and shall be liable to forfeit his licence.

3. The licensed premises known as the "Mon-Star Hotel" shall be open on Sunday from 12 noon until 2.30 p.m. and from 4.30 p.m. until 10 p.m. but in all other respects shall comply with the hours specified in section 35 of the Ordinance.

### CHAPTER 39.

#### *No Subsidiary Legislation.*

### CHAPTER 40.

#### LIVE STOCK.

##### REGULATIONS.

##### Section 43.

No. 6 of 1947.

No. 14 of 1949.

1. These regulations may be cited as the Live Stock Quarantine Regulations.

Short Title.

2. Any person intending to import any animal shall before it is ordered give notice in the form set out in Schedule A to the Chief Inspector of Stock, and such forms completed in duplicate shall be delivered to the Chief Inspector at least two months before the animals to be ordered are expected to arrive in the Colony.

Notice of intention to import before animals are ordered.  
Schedule A.

3. Ships carrying animals shall enter at Port Stanley for the purpose of examination, except where the importer of such animals or his agent has previously obtained special permission from the Government to enter at some other port.

Importing vessels to enter at Port Stanley except by special permission.

4. Special permission may be granted when a definite date of arrival is stated and seven days of grace will be allowed but at the end of that time a new application for special permission must be made.

Seven days limit.

5. Every animal imported into the Colony from a British or Colonial port shall be accompanied by a health certificate

Certificates of health compulsory.

signed by a qualified veterinary surgeon of the district in which it was purchased, and if any animal is imported into the Colony from a foreign port, it shall be accompanied by a written declaration from the exporter made before a British Consular Officer to the effect that the animal was free, on embarkation, from any infectious or contagious disease and was not, within thirty days preceding shipment, in direct or indirect contact with infected stock.

Sheep must be drenched for internal parasites before shipment.

6. Sheep must be accompanied by a certificate signed by a veterinary surgeon (or if none reside in the district, a stock inspector) of the district from which they were purchased, certifying that within thirty days before shipment each sheep was drenched twice for the eradication of stomach, intestinal and lung worm and liver fluke, and the certificate must specify the treatment employed to this end.

Cattle to be certified free from tuberculosis, contagious abortion, mammitis, etc.

7. Cattle must be accompanied by a certificate signed by a qualified veterinary surgeon (or if none reside in the district, a stock inspector) of the district from which the animal was purchased certifying that within thirty days preceding shipment each animal has been subject to serological and/or bacteriological tests for, and has been found to be free from, tuberculosis, contagious abortion, contagious mammitis and any other disease which the inspectors may designate.

Dogs to be inoculated against distemper, and treated for parasites.

8. Dogs must be accompanied by a certificate signed by a qualified veterinary surgeon certifying that within thirty days preceding shipment the animal has been immunised to distemper, drenched to eradicate stomach and intestinal worms and is free from ecto-parasites, and the certificate must indicate the treatment employed to this end.

Evidence of freedom from specific disease on demand.

9. The inspector may, within seventeen days after receiving a notification as prescribed by regulation 2, require any animal to be accompanied by additional evidence of freedom from such specific diseases as the conditions in the exporting country for the time being make desirable.

Certificate of quarantine during transshipment.

10. If transhipped at an intermediate port or ports, each consignment of animals must be accompanied by a declaration made before a British Consular Officer at each port of transshipment, stating the precautions that were taken to prevent the animals from contracting disease during transshipment, and the manner and place in which the animals were held and fed pending re-shipment.

11. No hay, straw, fodder or other similar substance that has been used for the food or bedding of animals being imported, or otherwise for or about such animals, shall be imported, but unbroken bales to which the animals have not had access may be imported, subject to conditions imposed by the inspector, if the said bales are accompanied by a written declaration from the exporter made before a British Magistrate, or a British Consular Officer at the port of shipment certifying that the hay, straw or fodder is from a district which has been free from foot and mouth disease for the past twenty-four months :

Importation  
of fodder and  
litter  
restricted.

Provided that when any hay, straw or fodder is imported for the purpose of feeding animals in quarantine and it has not been possible to obtain the declaration hereinbefore provided for, the Agricultural Officer may authorise such hay, straw or fodder to be landed and used in the quarantine area only.

12. Notwithstanding anything to the contrary in any Ordinance, an inspector shall board and inspect every vessel carrying stock and shall examine every animal and all fodder and litter accompanying the animals or consigned to an address within the Colony or Dependencies.

Duties of  
Inspectors.

13. An inspector may—

Powers of  
Inspectors.

- (1) prohibit the landing of any animal which, in his opinion, would be a source of danger to animals in the Colony ;
- (2) order any animal to be destroyed either on board ship or after being landed, but such order in all cases must be sanctioned by the Governor before being carried into effect ;
- (3) order any animal to be conveyed or driven to and confined in any area set apart as a quarantine station, treat such animal for the eradication of any disease, and keep it in quarantine until a written order for its release is given by him, or until its destruction is sanctioned by the Governor ;
- (4) order that all or any parts of any vessel carrying stock shall be cleansed and disinfected to his satisfaction at the expense of the importer ;



- (5) prohibit the landing of fittings, pens, hurdles, utensils, or other articles which have been used for or about any animal ;
- (6) prohibit the landing of any hay, straw, fodder or any substance or article which in his opinion may carry disease and order its destruction.

Expenses  
payable by  
importer.

14. All expenses incurred in the destruction or keeping in quarantine by order of an inspector, or in the dipping, attendance on or feeding of any animals, or in the destruction of any hay, straw, fodder, or any substance or article under these regulations, shall be payable by the importer and the Government will not compensate the importer for any loss sustained.

Importation  
of sheep from  
South  
America.

15. The foregoing regulations shall apply to the importation of sheep from South America subject to the following provisions :—

Schedule B.

- (1) The exporter of the sheep shall make a declaration in the form annexed hereto (Schedule B) with respect to the sheep which it is intended to import and the declaration shall be made before a British Consular Officer and countersigned by the inspector before the sheep are landed.
- (2) The sheep shall be landed on a quarantine station or upon an island approved by the inspector, and shall remain in quarantine for ninety days.
- (3) The sheep shall be dipped a first time within a week of being landed at the quarantine station, and another three times at intervals of ten to fourteen days :

Provided that the inspector may at his discretion postpone the first dipping and have the sheep shorn in which case the wool so removed shall be rendered non-effective or, if necessary, be destroyed.

- (4) Before the sheep are released from quarantine they shall be marked with a yellow ruddle.

16. All sheep which are transhipped at any port in South America in the course of importation into the Colony shall be treated in the same manner as sheep which are imported into the Colony from South America, provided that the Chief Inspector of Stock, if satisfied as to the method of transhipment in the said port, may in his discretion dispense with or modify all or any of the provisions of regulation 15, and provided the term exporter of the sheep in regulation 15 (1) shall be deemed to include, where necessary, the agent for the exporter or importer at the port of transhipment.

Sheep  
transhipped  
in South  
America  
during  
importation.

17. Where ordered the minimum periods of quarantine shall be as set forth in Schedule C.

Periods of  
quarantine.  
Schedule C.

18. Notwithstanding anything to the contrary in these regulations any animal brought to the Colony from the United Kingdom without transhipment and without having landed at any intermediate port may be landed in the Colony and subjected to domestic quarantine in a place approved by the Chief Inspector of Stock :

Provided that—

- (a) there is presented to the Chief Inspector of Stock before the landing of the animal a certificate of health from a veterinary surgeon practising in the United Kingdom ;
- (b) the voyage from the United Kingdom to the Colony has exceeded twenty-one days ;
- (c) the inspector satisfies himself as to the health of the animal before it is landed in the Colony ;
- (d) the animal has not been in contact with any animal coming or brought on board the ship at an intermediate port.

19. In the event of any animals being imported in an aircraft, these regulations shall apply, and shall be read and construed as if the word "aircraft" were substituted for the word "ship" wherever the word "ship" appears.

**SCHEDULE A.**

Regulation 2.

**Proposed Importation.**

I hereby give notice that I propose to import into the Falkland Islands the following live animals:—

1. Number and description :
2. Where purchased (Country and locality) :
3. Port of shipment :
4. Port at which vessel will enter Falkland Islands :
5. Approximate date of arrival :
6. First port or place at which any animal will be landed :
7. Name of person in the Falkland Islands  
to whom the animals will be consigned :

N.B.—This notice, of which printed copies may be obtained on application, must be completed in duplicate and forwarded to the Chief Inspector of Stock, Stanley, in order to reach him **at least two months** before the livestock is expected to arrive in the Colony.

**SCHEDULE B.**

Regulation 15 (1).

**Declaration referring to South America.**

I.....do solemnly and sincerely declare that the undermentioned sheep are to the best of my knowledge and belief free from all infectious and contagious diseases and were so at the time of shipment to the Falkland Islands and have not within six months immediately preceding the date hereof been in direct or indirect contact with stock infected with any such diseases and consist of :—

Number	Sexes	Breeds	Brands and Marks
--------	-------	--------	------------------

and I further solemnly and sincerely declare that to the best of my knowledge and belief no disease of any animals has existed for six months previous to the shipment of the above mentioned sheep at the place or adjacent thereto from which the said stock are bought and that they have (not) on the way to the port of shipment been driven over any roads open to any sheep which may have been infected with any contagious or infectious disease and/or that the vehicles in which they have been transported to the ship were disinfected with a scab and lice killing preparation before the sheep were loaded thereon, and I make this declaration conscientiously believing the same to be true.

Declared at ..... this ..... day of  
(Signature) .....

**SCHEDULE C.**

Regulation 17.

**Minimum Periods of Quarantine.**

Cattle	...	...	28 days, or until July (Warble).
Horses	...	...	14 days.
Sheep	...	...	28 days.
Pigs	...	...	30 days.
Goats	...	...	30 days.
Dogs	...	...	90 days.
Other animals	...	...	30 days.

The initial date of Quarantine may be taken from the date of departure of the ship from the port at which the animals were last loaded if the inspector considers such a step expedient.

**CHAPTER 41.***No Subsidiary Legislation.*

CHAPTER 42.

MAINTENANCE ORDERS.  
(FACILITIES FOR ENFORCEMENT.)

PROCLAMATION.

No. 2 of 1929.

WHEREAS by section 12 of the Maintenance Orders (Facilities for Enforcement) Ordinance, it is provided that "where the Governor is satisfied that reciprocal provisions have been made by the Legislature of any British possession or any territory under His Majesty's protection for the enforcement within such possession or territory of maintenance orders made by Courts in the Falkland Islands, the Governor may by Proclamation extend the Maintenance Orders (Facilities for Enforcement) Ordinance to maintenance orders made by Courts within such possession or territory, and thereupon the said Ordinance shall apply to such maintenance orders as if they had been made in England or Ireland,"

AND WHEREAS the Governor is satisfied that the Governor-General of the Commonwealth of Australia is prepared to make reciprocal provisions for the enforcement within the territory for the Seat of Government of the Commonwealth of Australia of maintenance orders made by Courts in the Falkland Islands,

NOW, THEREFORE, the Governor by virtue and in exercise of the powers vested in him by the Maintenance Orders (Facilities for Enforcement) Ordinance, is pleased to order, and it is hereby ordered as follows:

The Maintenance Orders (Facilities for Enforcement) Ordinance shall extend to maintenance orders made by Courts within the Territory for the Seat of Government of the Commonwealth of Australia in like manner as it applies to maintenance orders made in England or Ireland.

**God Save The King.**

Given at Government House, Stanley, this 12th day of March, in the Year of Our Lord One thousand Nine hundred and Twenty-nine.

By Command of His Excellency the Governor,

J. M. ELLIS,  
Colonial Secretary.

[See also the Rules of the Supreme Court, under Chapter 3, page 118].

## CHAPTERS 43 to 48.

*No Subsidiary Legislation.*

## CHAPTER 49.

## PENSIONS.

## REGULATIONS.

## Section 3.

Short title.

1. These regulations may be cited as the Pensions Regulations.

Interpretation.

2. In these regulations unless the context otherwise requires—

“qualifying service” means service which may be taken into account in determining whether an officer is eligible by length of service for pension, gratuity or other allowance ;

“pensionable service” means service which may be taken into account in computing pension under these regulations ;

“the Ordinance” means the Pensions Ordinance.

## Part II.

## OFFICERS WITHOUT OTHER PUBLIC SERVICE.

Application of Part II.

3. Save when the Governor in Council in any special case otherwise directs, this part of these regulations shall not apply in the case of any officer transferred to or from the service of the Colony from or to other public service except for the purpose of determining whether such officer would have been eligible for pension or gratuity, and the amount of pension or gratuity for which the officer would have been eligible, if the service of the officer had been wholly in the Colony.

Pensions to whom and at what rates to be granted.

4. Subject to the provisions of the Ordinance and of these regulations, every officer holding a pensionable office in the Colony, who has been in the service of the Colony in a civil capacity for ten years or more, may be granted on retirement a pension at the annual rate of one seven-hundred-and-twentieth of his pensionable emoluments for each complete month of his pensionable service.

Gratuities where length of service does not qualify for pension

5. Every officer, otherwise qualified for a pension, who has not been in the service of the Colony in a civil capacity

for ten years, may be granted on retirement a gratuity not exceeding five times the annual amount of the pension which, if there had been no qualifying period, might have been granted to him under regulation 4 of these regulations.

### Part III.

#### TRANSFERRED OFFICERS.

6. This Part of these regulations shall apply only in the case of an officer transferred to or from the service of the Colony from or to other public service.

Application  
of Part III.

7. In this Part and Part IV of these regulations—

Interpre-  
tation.

“Scheduled Government” means the Government of any territory, or any authority, mentioned in the schedule to these regulations and includes the Government of Ceylon, in respect of any officer appointed to the service of that Government prior to the 4th February, 1948, and the Government of Palestine, in respect of any officer appointed to the service of that Government prior to the 15th May, 1948;

“service in the Group” means service under the Government of the Colony and under a Scheduled Government or Scheduled Governments.

8. (1) Where the other public service of an officer to whom this Part of these regulations applies has been wholly under one or more Scheduled Governments and his aggregate service would have qualified him had it been wholly in the Colony for a pension under the Ordinance, he may, on his retirement from the public service in circumstances in which he is permitted by the law or regulations of the service in which he is last employed to retire on pension or gratuity, be granted in respect of his service in the Colony a pension of such an amount as shall bear the same proportion to the amount of pension for which he would have been eligible had his service been wholly in the Colony, as the aggregate amounts of his pensionable emoluments during his service in the Colony shall bear to the aggregate amounts of his pensionable emoluments throughout his service in the Group.

Pension for  
service wholly  
within the  
Group.

(2) In determining for the purposes of this regulation the pension for which an officer would have been eligible if his service had been wholly in the Colony—

(a) in the application of regulation 16, his emoluments shall be determined by reference to the pensionable

emoluments enjoyed by him at the date of retirement from the public service or during the three years preceding that date, as the case may be, except that where the officer is not serving under a Scheduled Government at that date, the date upon which he was last transferred from the service of a Scheduled Government shall be deemed to be the date of his retirement for the purposes of this subparagraph ;

- (b) no regard shall be had to an additional pension under regulation 20 or regulation 21 ;
- (c) regard shall be had to the condition that pension may not exceed two-thirds of his highest pensionable emoluments ;
- (d) no period of other public service under a Scheduled Government in respect of which no pension or gratuity is granted to him shall be taken into account.

(3) For the purpose of this regulation the aggregate amount of an officer's pensionable emoluments shall be taken as the total amount of pensionable emoluments which he would have received or enjoyed had he been on duty on full pay in his substantive office or offices throughout his period of service in the Group subsequent to the attainment of the age of 20 years :

Provided that :

- (a) in calculating the aggregate amount of his pensionable emoluments, no account shall be taken of any service under Scheduled Government in respect of which no pension or gratuity is granted to him ;
- (b) where under regulation 17 one half only of any service in a civil capacity otherwise than in a pensionable office is taken into account as pensionable service, one half only of the officer's aggregate pensionable emoluments during that service shall be taken into account for the calculation aforesaid.

Pension where  
other service  
not within  
the Group.

9. (1) Where the other public service of an officer to whom this Part of these regulations applies has not included service under any of the scheduled Governments, and his aggregate service would have qualified him, had it been wholly in the Colony, for a pension under these regulations,

he may, on his retirement from the public service in circumstances in which he is permitted by the law or regulations of the service in which he is last employed to retire on a pension or gratuity, be granted in respect of his service in the Colony a pension at the annual rate of one seven-hundred-and-twentieth of his pensionable emoluments for each complete month of his pensionable service in the Colony.

(2) Where the officer is not in the service of the Colony at the time of such retirement, his pensionable emoluments for the purpose of the preceding paragraph shall be those which would have been taken for the purpose of computing his pension if he had retired from the public service and been granted a pension at the date of his last transfer from the service of the Colony.

10. Where a part only of the other public service of an officer to whom this Part of these regulations applies has been under one or more of the scheduled Governments, the provisions of regulation 8 shall apply ; but in calculating the amount of pension, regard shall be had only to service in the Group.

Pension when other service both within and not within the Group.

11. Where an officer to whom this Part of these regulations applies retires from the public service in circumstances in which he is permitted by the law or regulations of the service in which he is last employed to retire on pension or gratuity, but has not been in the public service in a civil capacity for ten years, he may be granted in respect of his service in the Colony a gratuity not exceeding five times the annual amount of the pension which, if there had been no qualifying period, might have been granted to him under regulation 8, 9 or 10, as the case may be.

Gratuities where length of service does not qualify for pension.

#### Part IV.

##### GENERAL.

12. (1) Subject to the provisions of these regulations, qualifying service shall be the inclusive period between the date on which an officer begins to draw salary in respect of public service and the date of his leaving the public service, without deduction of any period during which he has been on leave.

General rules as to qualifying service and pensionable service.



(2) No period which is not qualifying service by virtue of the foregoing paragraph shall be taken into account as pensionable service.

(3) No period during which the officer was not in public service shall be taken into account as qualifying service or as pensionable service.

Continuity  
of service.

13. (1) Except as otherwise provided in these regulations only continuous service shall be taken into account as qualifying service or as pensionable service :

Provided that any break in service caused by temporary suspension of employment not arising from misconduct or voluntary resignation shall be disregarded for the purpose of this paragraph.

(2) An officer—

- (a) whose pension has been suspended under section 11 of the Ordinance or under a corresponding provision in any law or regulation relating to the grant of pensions in respect of public service ; or
- (b) who has retired from the public service without pension on account of ill-health, abolition of office, or reorganisation designed to effect greater efficiency or economy, and has subsequently been re-employed in the public service ; or
- (c) who has left pensionable service under the Teachers (Superannuation) Act, 1925, with a view to entering public service not being service pensionable under the said Act and has, not later than three months after leaving such first mentioned service, received any salary in respect of employment in public service not so pensionable,

may, if the Governor in Council thinks fit, be granted the pension or gratuity for which he would have been eligible if any break in his public service immediately prior to such suspension, re-employment or employment had not occurred, such pension to be in lieu of—

- (i) any pension previously granted to him from the funds of the Colony, and

- (ii) any gratuity so granted which is required to be refunded as a condition of the application to the officer of this regulation.

but additional to any gratuity so granted which is not required to be refunded as aforesaid.

14. No period during which an officer shall have been absent from duty on leave without salary shall be taken into account as pensionable service unless such leave shall have been granted on grounds of public policy with the approval of the Secretary of State.

Leave  
without  
salary.

15. Where an officer, during some period of his service, has been on the active list of the Royal Navy, the Army or the Royal Air Force, and pension contributions have been paid in respect of that period from the funds of the Colony or of any scheduled Government and have not been refunded, such period shall not be taken into account as pensionable service.

Service in  
His Majesty's  
Forces.

16. For the purpose of computing the amount of an officer's pension or gratuity—

Emoluments  
to be taken for  
computation  
of pensions,  
etc.

- (1) in the case of an officer who has held the same office for a period of three years immediately preceding the date of his retirement, the full annual pensionable emoluments enjoyed by him at that date in respect of that office shall be taken ;
- (2) in the case of an officer who at any time during such period of three years has been transferred from one office to another, but whose pensionable emoluments have not been changed by reason of such transfer or transfers, the full annual pensionable emoluments enjoyed by him at the date of his retirement in respect of the office then held by him shall be taken ;
- (3) in other cases one third of the aggregate pensionable emoluments enjoyed by the officer in respect of his service during the three years of his service immediately preceding the date of his retirement shall be taken :

Provided that—

- (i) if such one third is less than the highest

annual pensionable emoluments enjoyed by him at the date of any transfer within such period of three years those pensionable emoluments shall be taken ; and

- (ii) if such one third is less than the annual pensionable emoluments which would have been enjoyed by him at the date of his retirement, if he had continued to hold any office from which he has been transferred at any time during such period of three years and had received all increments which, in the opinion of the Governor in Council, would have been granted to him, the annual pensionable emoluments which would have been so enjoyed shall be taken ;
- (iii) for the purpose of calculating pensionable emoluments under this paragraph, the officer shall be deemed to have been on duty on full pensionable emoluments throughout the said three years.

Service in a  
non-pension-  
able office.

17. Only service in a pensionable office shall be taken into account as pensionable service :

Provided that—

- (1) Where a period of service in a civil capacity otherwise than in a pensionable office is immediately followed by service in a pensionable office and the officer is confirmed therein, such period shall, with the approval of the Governor in Council, be so taken into account ;
- (2) any break in service which may be disregarded under the provisions of regulation 13 of these regulations may likewise be disregarded in determining for the purposes of the preceding proviso whether one period of service immediately follows another period of service ;
- (3) where an officer has been transferred from a pensionable office in which he has been confirmed to a non-pensionable office and subsequently retires

either from a pensionable office or a non-pensionable office, his service in the non-pensionable office may, with the approval of the Governor in Council, be taken into account as though it were service in the pensionable office which he held immediately prior to such transfer, and at the pensionable emoluments which were payable to him at the date of transfer ;

- (4) where a period of service in a non-pensionable office is taken into account under this regulation, the officer shall, during that period, be deemed for the purpose of regulations 6, 20 and 21 of these regulations to be holding a pensionable office, and where that period is taken into account under the preceding proviso, to have been confirmed therein.

18. Any period during which an officer has performed only acting service in an office may be taken into account as pensionable service (subject, if the office is a non-pensionable office, to the provisions of the preceding regulation) if the period of such acting service—

- (1) is not taken into account as part of his pensionable service in other public service, and
- (2) is immediately preceded or followed by service in a substantive capacity in a pensionable office under the same government or authority,

and not otherwise.

19. Save as otherwise provided in these regulations, there shall not be taken into account as pensionable service—

- (1) any period of service while the officer was under the age of twenty years, or
- (2) any period of service while on probation or agreement, unless without break of service he is confirmed in a pensionable office in the public service :

Provided that any break of service which may be disregarded under the provisions of regulation 13 of these regulations may likewise be disregarded in determining whether the officer is confirmed in a pensionable office without break of service.

**Part V.**

## SUPPLEMENTARY.

Abolition of  
office and re-  
organization.

20. If an officer holding a pensionable office retires from the public service in consequence of the abolition of his office or for the purpose of facilitating improvements in the organization of the Department by which greater efficiency or economy may be effected,

- (1) he may, if he has been in the public service for less than ten years, be granted in lieu of any gratuity under regulation 5 or regulation 11 of these regulations, a pension under regulation 4, 8, 9 or 10, as the case may be, as if the words "for ten years or more" were omitted from regulation 4;
- (2) he may, if he retire from the service of the Colony, be granted an additional pension at the annual rate of one sixtieth of his pensionable emoluments for each complete period of three years' pensionable service :

Provided that—

- (a) the addition shall not exceed ten sixtieths ; and
- (b) the addition together with the remainder of the officer's pension shall not exceed the pension for which he would have been eligible if he had continued to hold the office held by him at the date of his retirement, and retired on reaching the age at which he may be required to retire without the approval of the Secretary of State, having received all increments for which he would have been eligible by that date.

Officers  
retiring on  
account of  
injuries.

21. (1) If an officer holding a pensionable office in which he has been confirmed is permanently injured—

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

- (i) he may, if his retirement is thereby necessitated or materially accelerated and he has been in the public service for less than ten years, be granted, in lieu of any gratuity under regulation 5 or regulation 11 of these regulations, a pension under regulation 4, 8, 9, or 10, as the case may be, as if the words "for ten years or more" were omitted from the said regulation 4 ;
- (ii) he may, if so injured while in the service of the Colony, be granted on retirement an additional pension at the annual rate of the proportion of his actual pensionable emoluments at the date of his injury appropriate to his case as shown in the following table :—

When his capacity to contribute to his own support is—

slightly impaired, five sixtieths ;

impaired, ten sixtieths ;

materially impaired, fifteen sixtieths ;

totally destroyed, twenty sixtieths :

Provided that the amount of the additional pension may be reduced to such an extent as the Governor in Council shall think reasonable where the injury is not the cause or the sole cause of retirement.

(2) An officer so injured while in the service of the Colony, not holding a pensionable office, or holding a pensionable office in which he has not been confirmed, may be granted on retirement a pension of the same amount as the additional pension which might be granted to him under paragraph (1) of this regulation if his office were a pensionable office and he had been confirmed therein. The provisions of regulation 22 shall not apply to a pension granted under this paragraph.

(3) If an officer proceeding by a route approved by the Governor to or from the Colony at the commencement or termination of his service therein, or of a period of leave therefrom, is permanently injured as the result of damage to the vessel or vehicle in which he is travelling, or of any act of violence directed against such vessel or vehicle, and the Governor is satisfied that such damage or act is attributable to circumstances arising out of war in which His Majesty may be engaged, such officer shall be deemed, for the purposes of this regulation, to have been injured in the circumstances described in paragraph (1) of this regulation.

(4) An officer who is permanently injured while travelling by air in pursuance of official instructions shall be deemed to have been injured in the circumstances detailed in (a) and (c) of paragraph (1) :

Provided that in such a case and if (b) is also satisfied the rates of pension prescribed in that paragraph shall be seven and a half sixtieths, fifteen sixtieths, twenty-two and a half sixtieths and thirty sixtieths respectively.

(5) Neither sub-paragraph (ii) of paragraph (1) nor paragraph (2) of this regulation shall apply in the case of an officer selected for appointment to the service of the Colony who, in consequence of his injury, is entitled to compensation under the Workmen's Compensation Ordinance, or any Ordinance amending or replacing that Ordinance.

Gratuity and  
reduced  
pension.

22. (1) An officer to whom a pension is granted under the Ordinance shall, if he has exercised his option as hereinafter provided, but not otherwise, be paid in lieu of such pension a pension at the rate of three-fourths of such pension together with a gratuity equal to ten times the amount of the annual reduction so made in the pension.

(2) The option referred to in paragraph 1 of this regulation shall be exercisable, and if it has been exercised may be revoked, not later than the day immediately preceding the date of such officer's retirement :

Provided that the Governor may, if it appears to him equitable in all the circumstances so to do, allow him to exercise the option or revoke an option previously exercised at any time between that date and the actual date of award of pension under this Ordinance.

(3) Subject to the provisions of paragraph 2 of this regulation, if an officer has exercised the option his decision shall be irrevocable so far as concerns any pension to be granted to him under the Ordinance.

(4) If an officer who has not exercised the option dies after he has finally retired but before a pension has been awarded under the Ordinance, it shall be lawful for the Governor in Council to grant a gratuity and a reduced pension as provided in paragraph 1 of this regulation, as if the officer before his death had exercised the option.

(5) The date of the exercise of the option by an officer shall be deemed to be the date of the receipt of his written notification addressed either to the Colonial Secretary or to the Crown Agents for the Colonies.

(6) A re-employed officer or pensioner shall be deemed to have exercised, or not to have exercised, in respect of his service subsequent to re-employment, the said option, according as he exercised, or did not exercise, such option in respect of his previous service even if, in respect of such previous service, the option was not available to him.

23. (1) An officer holding a non-pensionable office who is not eligible for pension (other than a pension under regulation 21) or otherwise eligible for gratuity from the funds of the Colony may—

Gratuities for officers who have served in non-pensionable offices.

- (a) if he has been in the public service for not less than seven years and is removed from the service of the Colony in consequence of the abolition of his office, or for the purpose of facilitating improvements in the organization of the department to which he belongs, by which economy can be effected ; or
- (b) if he has been in the public service for not less than fifteen years and he retires in any of the other cases mentioned in section 6 of the Ordinance other than that mentioned in paragraphs (6) and (7) thereof,

be granted, if the Governor in Council thinks fit, a compassionate gratuity equal to one week's pay for each year of his service in the Colony which would be pensionable service if he were eligible for pension under these regulations.

(2) For the purpose of this regulation—



- (a) "pay" includes any allowance which the Governor in Council may think fit to include ;
- (b) regulation 13 may be disregarded, but directions may be given by the Governor in Council, either generally or in any particular case, for disregarding periods of service prior to breaks of three years or more, to dismissal for misconduct or to voluntary resignation, or periods during which an officer has served less than a number of days prescribed in the directions, and such directions shall have effect as if they were contained in this regulation ;
- (c) an officer who, having held a non-pensionable office, is serving on probation in a pensionable office, shall be deemed to hold a non-pensionable office and his pay shall be deemed to be the pensionable emoluments of the pensionable office or the pay last received by him in respect of his service in a non-pensionable office, whichever shall be the greater.

#### SCHEDULE.

Regulation 8.

Aden	Kenya
Bahamas	Kenya and Uganda Railways and Harbour Administration
Barbados	Leeward Islands
Basutoland	Malayan Establishment
Bechuanaland Protectorate	Malta
Bermuda	Mauritius
British Guiana	Nigeria
British Honduras	Northern Rhodesia
British Solomon Islands Protectorate	Nyasaland
Cayman Islands	Palestine
Ceylon	St. Helena
Colonial Audit Department (Home Establishment)	St. Lucia
Crown Agents for the Colonies	St. Vincent
Cyprus	Seychelles
Dominica	Sierra Leone
Federated Malay States	Somaliland
Fiji	Straits Settlements
Gambia	Tanganyika Territory
Gibraltar	Trinidad
Gilbert and Ellice Islands Colony	Turks and Caicos Islands
Gold Coast	Uganda
Grenada	United Kingdom of Great Britain and Northern Ireland
Hong Kong	Zanzibar
Jamaica	

CHAPTER 50.  
PLANT DISEASE.

## REGULATIONS.

No. 4 of 1947.

Short title.

## Section 3.

1. These regulations may be cited as the Plant Importation Regulations.

2. The Agricultural Officer shall be the prescribing authority.

Prescribing authority.

3. The Governor may appoint duly qualified persons who shall be termed Plant Inspectors to enforce the provisions of the Plant Disease Regulation Ordinance and of the regulations made under it. The Agricultural Officer shall be Chief Plant Inspector and all Customs Officers shall be Plant Inspectors.

Inspectors.

4. An inspector shall inspect all plants set out in the First Schedule and Third Schedule on their arrival in the Colony, and may inspect any other plant, seed, container, or covering imported into the Colony.

Duty to inspect on arrival.

5. For the purpose of these regulations, Plant Inspectors may board and inspect any ship on arrival in the Colony if there is reason to believe that such a ship has on board any plants, seed, soil, containers or coverings intended for importation into the Colony, and Plant Inspectors may enter land, enclosures or buildings (but not dwelling houses), and if any person impedes or obstructs or refuses such boarding of a ship or such entry to a Plant Inspector who states his business it shall be an offence.

Powers of Inspectors.

6. An inspector may—

(a) detain any plant, seed, soil, container, or covering which, if permitted to enter, would, in his opinion, bring about the introduction of pests or plant disease such as would endanger the healthy growth of plants customarily grown in the Colony or intended to be grown therein;

(b) with the approval of the Agricultural Officer, order any plant to be planted for a period not exceeding twenty-four calendar months in a specified place set apart and used for the time being as a plant quarantine station;

Quarantine.

Treatment  
or destruction  
by fire.

- (c) order or apply any treatment that may be necessary to destroy any pest or disease which he identifies or believes to be present on or in any plant, seed, soil, container, or covering, and if no such treatment exists, or if there is danger that a pest or plant disease may escape into the Colony before such treatment can be applied, he shall order the complete destruction by fire of such plant, seed, soil, packing material, container, or covering and shall ensure the complete destruction of the pest or plant disease.

Free imports.  
Second  
Schedule.

7. With the exception of the plants and seeds specified in the Second Schedule no plant, seed or soil may be imported without a permit from the prescribing authority.

Permit  
necessary to  
import plants.

8. Applications for permits shall be made in writing and shall state—

- (a) the full name and address of the applicant;
- (b) name and address of the person from whom it is proposed to obtain the plants, seeds or soil and the source of them, including locality and nursery if known;
- (c) the botanical or the generally accepted popular names of plants, and the number of each variety it is desired to import.
- (d) the locality in which it is proposed to grow the plants or seeds or use the soil, etc.
- (e) any other information which may be specifically required by the prescribing authority.

Health  
certificate  
required.

9. Plants and tubers specified in the Third Schedule may not be imported unless—

Third  
Schedule.

- (a) they are accompanied by a certificate issued by or on behalf of the Government of the country of origin and stating that the plants were free from pests and diseases including virus disease when examined not more than fourteen days before shipment and that reasonable precautions were taken to prevent the plants becoming infected after the examination; and unless—

- (b) there is in the Colony an officer competent to identify pests and diseases when the plants or tubers arrive :

Provided that plants or tubers accompanied by certificates issued by or on behalf of a British or United States of America Government Authority may be imported in the absence of such an officer.

10. All reasonable costs incurred in the examination, treatment, or destruction of plants, seeds or soil shall be borne by the importer notwithstanding that the plants, seeds or soil may have been destroyed, and the costs may be recovered as a civil debt in a Court of Summary Jurisdiction :

Costs of examination and treatment recoverable from importer.

Provided that the Governor may, if he sees fit, direct that no charge be made.

11. No claim for compensation shall lie for any loss incurred through the action of any inspector acting in good faith under the authority of the Plant Disease Regulation Ordinance.

No compensation.

12. Plants, seeds or soil shall normally be imported into the Colony at Stanley, but may be imported at any other place under such conditions as the Agricultural Officer may impose.

Port of entry.

13. Any person importing any plant, seed or soil contrary to these regulations shall commit an offence and shall, on conviction, be liable to a fine not exceeding £50.

Penalty.

#### SCHEDULE I.

1. Seedlings and plants of forest trees.
2. Plant stocks and cuttings of fruit trees.
3. Plants and cuttings of small fruits (for example, currants, strawberries, raspberries and gooseberries).
4. Potatoes and other tubers.

Regulation 4.

#### SCHEDULE II.

1. Vegetable seeds.
2. Flower seeds.
3. Agricultural seeds (pasture and crop).
4. Seeds of small fruits.

Regulation 7.

#### SCHEDULE III.

1. Potatoes.
2. Jerusalem artichokes.
3. Strawberry plants.
4. Raspberry plants.
5. Currant plants.

Regulation 9.

## CHAPTER 51.

## POLICE AND PRISONS.

## PRISON REGULATIONS.

No. 1 of 1949. Section 16.

Short title.

1. These regulations may be cited as the Prison Regulations.

Prison books.

2. The Gaoler shall keep—

- (a) an Admissions Book in which he shall enter the name of every person on admission to prison ;
- (b) a Conduct Book giving particulars of the conduct of each prisoner ;
- (c) A Property Book in which shall be entered all property taken from a prisoner on his admission ;
- (d) an Official Visitors' Book which is to be signed by all official visitors to the prison who may make such remarks and suggestions therein as they may deem fit.

Search.

3. All prisoners shall be searched on admission, and subsequently when necessary, and deprived of all articles and civil apparel except in the cases of a prisoner committed in respect of a civil debt or charge or one awaiting execution, who shall be permitted to wear his civil clothing.

Bedding, etc.

4. Each prisoner shall be supplied with a palliasse, pannikin, fork and spoon and sufficient blankets on his admission.

Cells.

5. (1) Two prisoners only shall not at any time be kept in a cell.

(2) Prisoners convicted of felony shall not, if practicable, be kept in the same cell as other prisoners.

Diet.

6. (1) The diet of prisoners shall be in accordance with that described by the Senior Medical Officer. A copy of the diet table shall be hung in the Prison day room.

(2) Prisoners committed for trial or for debt may purchase food for their own use and not more than one pint of beer or wine a day for consumption by each prisoner so committed. Spirits shall not be purchased.

(3) Spirits and tobacco shall not be conveyed into a prison except for the use of a prisoner on the written order of the Senior Medical Officer.

7. Prisoners shall rise at 6 a.m. and shall be locked in their cells at 8 p.m. Hours.

8. Prisoners shall carry out work as directed by the Colonial Secretary and shall comply with the following time table :— Work.

(a) They will rise and dress, sweep out and tidy their cells and perform such other work as directed until breakfast.

(b) After breakfast until 12 noon work in or out of doors.

(c) From 12 to 12.30 p.m. dinner. From 12.30 to 1 p.m. clean day room and gaol.

(d) From 1 p.m. to 4.30 p.m. work in or out of doors.

(e) From 4.30 p.m. to 8 p.m. carry peat, supper and recreation.

(f) On Saturday afternoon clean the gaol, wash their clothes and such other work as may be directed.

9. (1) Prisoners at work in the cells, and those not on hard labour or in solitary confinement shall exercise for one hour daily in the prison yard, weather permitting. Exercise.

(2) All prisoners other than those in solitary confinement shall exercise in the prison yard for one hour on Sunday, weather permitting.

10. (1) In every case of an offence against good order and prison discipline the Gaoler shall take such steps as may be necessary to enforce discipline and report the matter to the Magistrate forthwith. Offences.

(2) One Member of the Board of Visiting Justices may adjudicate upon minor offences but serious offences shall be dealt with by the full Board.

11. Prisoners sentenced to solitary confinement shall be locked up in separate cells which they shall not leave except Solitary confinement.

in the custody of a prison officer. Their meals shall be taken in their cells.

Female  
prisoners.

12. Female prisoners shall be kept separate from male prisoners at all times except during the performance of divine service when they shall be under the charge of the prison matron.

Letters.

13. A prisoner shall not be allowed to write more than one letter or to receive more than one letter a month. All such letters shall be censored by the Gaoler.

Visitors.

14. Good conduct prisoners only will be allowed not more than one visitor a month with the permission of the Gaoler. Visits will only be made on Saturdays between 1 p.m. and 2 p.m., and shall be limited to 15 minutes, except in cases of extreme urgency when the Gaoler may, at his discretion, vary the day and hour of the visit.

Medical  
inspection.

15. The Senior Medical Officer shall carry out a medical inspection of the prison and all prisoners once a week.

Official  
visitors.

16. The Colonial Secretary, Senior Medical Officer and every Justice shall have free access to the prison and all prisoners therein at all times.

Remission.

17. A prisoner with a sentence of more than one month may earn by good conduct and industry a remission of four days in each month.

Discharge.

18. Prisoners shall be discharged at noon on the day of their release.

## CHAPTER 52.

### POST OFFICE.

#### ORDER BY THE GOVERNOR IN COUNCIL.

No. 3 of 1949.  
No. 7 of 1950.

#### Section 4.

Short title.

1. This Order may be cited as the Post Office Order.

Rules, rates  
of postage  
and fees.

2. From and after the date of publication of this Order the following rules, rates of postage and fees shall be in force :—

Rates of  
postage  
letters.

(a) On inland postal packets the rate shall be 1d. per ounce or part of an ounce. On postal packets sent

from any place within the Colony and its Dependencies to the United Kingdom or to any part of the British Empire the rate shall be two and a half pennies per ounce or part of an ounce. To other parts of the world the rate shall be 3d. for the first ounce and 2d. for each additional ounce or part of an ounce.

- (b) On post cards and letter cards to the United Kingdom or to any part of the British Commonwealth the rate shall be 1d. ; reply post card 2d. To other parts of the world the rate shall be 2d. ; reply post cards 4d.

Post Cards  
and  
Letter Cards.

- (c) To all parts of the world :—

Books and  
Newspapers.

Newspapers, private papers, and books,  
per 2 ounces ... .. ½d.

Commercial papers (with minimum of  
3d.), per 2 ounces ... .. ½d.

Patterns and samples (with minimum of  
1d.), per 2 ounces ... .. ½d.

Blind Literature, per 2 lb. ... .. ½d.

The inland rate shall be 1d. for the first 4 ounces  
and ½d. for each additional 2 ounces or part  
thereof up to 2 lb.

- (d) On packets not exceeding 2 lb. weight and dimensions not exceeding 18 ins. by 8 ins. by 4 ins., or if in roll form 18 ins. in length by 6 ins. in diameter, the rate shall be 1d. for each 2 ounces or part thereof with a minimum charge of 5d. The charge for clearance in case of dutiable goods shall be 6d. per packet.

Small packets.

- (e) On insured boxes which shall not exceed 2 lb. in weight or 12 ins. by 8 ins. by 4 ins. in dimension the rate shall be 3d. for each 2 ounces or part thereof with a minimum charge of 1/-.

Insured boxes.



## Parcel Post.

## (f) Parcel Post rates :—

## To the United Kingdom—

Not over 3 lb.	...	...	...	...	2/3
" " 7 "	...	...	...	...	3/9
" " 11 "	...	...	...	...	5/6
" " 22 "	...	...	...	...	9/-

## Inland Parcel Post rates—

Not over 2 lb.	...	...	...	...	9d.
" " 5 "	...	...	...	...	1/-
" " 8 "	...	...	...	...	1/3
" " 11 "	...	...	...	...	1/6
" " 22 "	...	...	...	...	3/-

Cash on  
delivery  
service.

- (g) There shall be a charge of 4d. for each parcel delivered in Stanley and the United Kingdom. There shall also be a special fee calculated on the trade charge at the rate of 4½d. for the first £ of the trade charge and 2½d. for each succeeding £ or part thereof of the trade charge up to a maximum amount of £40 trade charge. This fee will also be charged in the United Kingdom on parcels for delivery in Stanley.

## Insurance.

- (h) The fee shall be 9d. for each £12 of declared value or part thereof with a maximum declared value of £50.

## Registration.

- (i) The fees for registration shall be :—

To all parts of the world (including Inland)	...	...	...	...	3d.
Advice of delivery of registered or insured articles, applied for at time of posting	...	...	...	...	5d.
Enquiry for a postal packet, and advice of delivery of registered articles applied for after posting	...	...	...	...	6d.

Compensa-  
tion.

- (k) The maximum limit of compensation for the loss of a registered article is £2 18s. 0d. Registration in the international service does not give any title to compensation for loss or damage of the contents of any registered letter or packet as distinct from the loss

of the entire packet. Under an exceptional arrangement, however, with the General Post Office, London, compensation may, as an act of grace, be paid up to a maximum of £2 18s. 0d. in cases where the contents of a registered letter or packet, posted to an address in the United Kingdom, are lost.

- (l) The rate of poundage on International and foreign money orders shall be 6d. for each £ or part thereof of the first £3 of the order and 3d. for each additional £ or part thereof up to a maximum amount of £40 on each order. The fee for an Advice of Payment is 3d. International and foreign money orders.
- (m) The rate of poundage on British Postal Orders shall be :— British Postal Orders.
  - 2d. for an order not exceeding 1/-.
  - 3d. for an order not exceeding 5/-.
  - 4d. for an order not exceeding 21/- (maximum).

The value of a Postal Order may be increased by affixing Falkland Islands postage stamps, in number not more than the number of spaces provided on the face of the order, to an amount not exceeding 5d. (excluding fractions of a penny) on Postal Orders of denominations up to and including 5/-, and to an amount not exceeding 11d. on Postal Orders of higher value. Stamps perforated with initials or marks, or embossed or impressed stamps cut out of envelopes, postcards, etc., will not be accepted for this purpose.

- (n) Air Letters will only be accepted when written on the authorised form and addressed to the United Kingdom or any part of the British Commonwealth. The fee, including postage rate, shall be 6d. Air Letters.

If two or more postage stamps are affixed to, or an enclosure is placed in the letter, it will be forwarded by surface mail.

- (o) Postal matter for onward transmission by air from Montevideo to any destination for which air mail services may be available shall be accepted at Stanley, Fox Bay and South Georgia post offices. Air mail.

The fees for air mail matter shall be the sterling

equivalent at the current rate of exchange of those from time to time in force from Montevideo to the nearest 1d. in addition to the rates of postage provided for in paragraph 2 of this Order.

### Telephone and Telegraph Rules.

Wires under  
supervision  
of P. & T.

1. Every telephone and telegraph line or wire erected shall be subject to the control of the Supervisor of Posts and Telegraphs (hereinafter called "the Supervisor").

No private  
line without  
approval of  
Governor.

2. Any person who shall erect any telephone or telegraph or electrical line or wire without the approval of the Governor first obtained shall commit an offence and shall be liable to a fine not exceeding twenty-five pounds and the Court may order that such line or wire shall be forfeited.

Applications  
for telephone.

3. Every application for a telephone shall be made to the Supervisor and upon the application being approved the applicant shall enter into an agreement to pay rent for a period not less than one year.

Telephone  
rentals.

4. (1) The rentals for subscribers on the Stanley Telephone Circuit shall be—

- (a) if on a single line : £5 5s. 0d. per annum for each instrument ;
- (b) if on a party line serving two instruments : £3 10s. 0d. per annum for each instrument ;
- (c) if on a party line serving three instruments : £3 0s. 0d. per annum for each instrument ;
- (d) if on a party line serving four or more instruments : £2 10s. 0d. per annum for each instrument.

Power of  
Governor to  
reduce or  
remit in  
individual  
cases.

(2) Rentals shall be paid in advance.

5. The Governor may reduce or remit the rentals in rule 4 in any individual case as he may deem fit.

6. (1) The rentals for each extension operated by switch to other premises occupied by the subscriber in Stanley shall be— Rental for extensions.

(a) when not more than 110 yards from the original instrument: £1 10s. 0d. per annum;

(b) when not more than 440 yards from the original instrument: £2 10s. 0d. per annum.

(2) No extension shall be granted in respect of any premises more than 440 yards from the original instrument nor to premises not in the occupation of the subscriber.

(3) The rentals shall be paid in advance.

7. The rental shall include (except in the case of Camp and private lines) fixing and maintaining the necessary wire and instruments and all calls. Rental includes maintenance.

8. Calls may be originated and received at the Public Call Box at the Exchange, Stanley, on prepayment to the operator of 3d. for each service not exceeding five minutes and 3d. for each succeeding five minutes or part thereof. Call Box rate.

9. A subscriber shall be responsible to the Government for the proper care of the telephone receiver and all other telephone equipment installed on the premises occupied by him, and shall be liable for any damage thereto unless caused by circumstances beyond his control. Damage to telephone equipment.

10. (1) Any private long distance line on East Falkland may, with the permission of the Governor and at the expense of the owner, be connected with the Telephone Exchange, Stanley. Private telephone lines.

(2) The subscription for such connection shall be £5 5s. 0d. per annum for each separate Camp Station, whether connected to the Exchange, Stanley, by direct private line or by an extended line. The subscription shall be paid in advance, and will include any farm cottage belonging to the Camp Station connected with the private line.

(3) Every telephone instrument on a private long distance line connected with the Telephone Exchange, Stanley, shall be fitted with an inter-through switch, and the nearest instrument in actual circuit along the line from the Exchange shall be the instrument for the call.

(4) The Government and, subject to any objection on the part of the owner, any subscriber to the Telephone Exchange, Stanley, may use, free of charge, any private long distance line connected with the Telephone Exchange.

Maintenance  
of private  
lines.

11. All instruments, wire and accessories on any private line or any private long distance line shall be supplied at the cost of the owner of the line, and the line, instruments, etc., shall be erected and maintained by the owner at his entire cost.

Non-interfer-  
ence with  
Government  
equipment.

12. Any person other than a Government employee who shall make any alteration to or connection with a Government wire or instrument shall commit an offence and shall be liable, in addition to the cost of reinstatement of such wire or instrument, to a fine not exceeding five pounds.

Urgent Calls

13. No call, except for medical or police services, shall be made between the hours of 10 p.m. and 8 a.m.

Maintenance  
of service.

14. Government will maintain the telephone circuit in Stanley but shall not be held responsible for a breakdown in the service owing to any cause whatsoever nor shall any subscriber be entitled to claim rebate in the rental in respect thereof.

Complaints.

15. Subscribers shall report any complaints and irregularities to the Supervisor.

Non-payment  
of rent.

16. (1) In the event of any subscriber not paying the relative rentals provided for under these rules within one month of the due date of payment his wire shall, without further notice to him, be disconnected and shall not be reconnected until he has paid the said rent and a reconnection fee of 5/-.

(2) Should any subscriber not pay the said rent within three months of the said date of payment the Government will remove his instrument and all telephone wires in connection therewith, and the instrument shall not be reinstalled until the said rent and all costs of reinstatement have been paid.

(3) In addition to such disconnection or removal Government may claim a proportionate part of the rent of the instrument for the period during which it has been installed on a subscriber's premises.

17. In these rules where the context so admits —

Interpreta-  
tion.

“subscriber” means the person who is responsible to Government for the telephone rental under these rules ;

“private long distance line” means a telephone line extending beyond Stanley erected and maintained by the owner at his entire cost.

### CHAPTER 53.

#### *No Subsidiary Legislation.*

### CHAPTER 54.

#### PUBLIC HEALTH.

#### BOARD OF HEALTH BY-LAWS.

#### Section 18.

1. These by-laws may be cited as the Board of Health By-laws. Short Title.

2. In these by-laws—

Definition.

“ashpit” means any receptacle whether movable or fixed, for the deposit or house refuse, dust, ashes or rubbish ;

“public water main, drain or sewer” means any water main, drain or sewer maintained for the public by the Government ;

“pail” includes any receptacle in which night soil is deposited.

3. The following shall be the duties of any inspector appointed under these by-laws. Duties of  
inspector.

- (i) He shall perform under the general direction of the Board all the duties imposed upon him by the Public Health Ordinance and by these by-laws.
- (ii) He shall keep a diary for the information of all members of the Board of Health, containing full particulars of all inspections made by him.
- (iii) He shall furnish monthly reports to the Senior Medical Officer, and shall render such information as he may be able to furnish with respect to any matter to which the duties of an inspector relate.

He shall attend meetings of the Board when required.

He shall if directed by the Board to do so, superintend the due execution of all works which may be undertaken under the Board's direction.

He shall cause to be removed from all public drains, water-courses, gutters, ditches, streets, lanes or roads any noxious matter which may be found therein.

He shall make frequent visits of inspection to all bakehouses.

In all matters, not specifically provided for in these by-laws, he shall observe and execute all the lawful orders and directions of the Board applicable to his office.

#### Buildings.

Senior Medical Officer and medical officers to have power of entry.

4. The Senior Medical Officer or any medical officer duly authorised by him shall be empowered to enter any building, house or premises at any time for the purpose of the enforcement of the provisions of the Public Health Ordinance, and of any by-laws made thereunder.

Appointment of sub-committee, and duties of same.

5. A sub-committee of the Board of Health may be appointed by the Board, subject to the approval of the Governor, for the following purposes with a view to the care and preservation of the public health :—

- (a) Consideration of plans and application for new buildings.
- (b) Supervision of such buildings during the course of construction.
- (c) Inspection of completed buildings prior to occupation.
- (d) Inspection of houses and premises with a view to making recommendations as to their structural and sanitary condition.
- (e) Such other duties of a similar description as the Board of Health may think fit and proper for the care and preservation of the public health.

6. This sub-committee shall normally consist of the Chairman of the Board of Health, the Executive Engineer, and one other member, and the sub-committee shall be empowered to enter buildings or premises for the purposes specified at reasonable times between the hours of sunrise and sunset, due notice being given to the occupier beforehand.

Constitution.  
Power of  
entry.

7. Any person wilfully obstructing the sub-committee in their discharge of these duties shall be guilty of an offence against these by-laws.

Penalty for  
obstruction

8. No person shall erect or begin to erect any building until he has—

No building  
to be erected  
without  
permission.

- (a) made application to the Board ;
- (b) furnished the Board with the drawings and other documents specified in the following By-laws ; and
- (c) obtained from the Board a written permit to be called a "Building Permit", signed by the President of the Board on behalf of the Board, to erect the building.

9. Any person who intends to erect a building shall, except where otherwise provided, furnish the Board with—

Descriptions  
of drawings  
and  
documents  
required.

- (a) drawings showing elevations, sections and plans of every floor of the intended building drawn to a scale of not less than one inch to every eight feet ;
- (b) a block plan showing the position of the intended building and of the buildings already existing (if any) on the proposed site, the boundaries of the proposed site, and the position of any buildings immediately adjoining the proposed site as well as the name of the owner of such building. The block plan shall also show the proposed lines of the water supply and the drainage of the intended building ; and
- (c) a description in writing of the materials with which it is proposed to erect the intended building and to construct the water supply and drainage of the intended building.



Drawings to be in duplicate and to be signed.

10. Every document or drawing specified in the foregoing by-law shall be forwarded to the Board in duplicate and one copy of every such drawing or document shall be retained by the Board and shall become the property of the Board. Every such drawing or document or duplicate copy thereof shall be signed by the person who furnishes the same or by his duly appointed agent.

Power of entry.

11. The Board shall have the power to inspect any building in respect of which a Building Permit has been granted under these by-laws in the course of erection and on completion and if any portion or detail thereof is in contravention of the provisions of any of these by-laws the Board may by written notice require the person erecting the building to make within a time to be specified in the notice such alterations as may be necessary to ensure compliance with the provisions of these by-laws.

Erection without or contrary to permit.

12. If any person erects or begins to erect any building and has not first obtained a Building Permit under these by-laws or if any person in the erection of any building in respect of which a Building Permit has been granted under these by-laws contravenes any of the provisions of these by-laws or fails to comply with any written notice duly served upon him, the Board may by written notice require him to demolish and remove the building or any portion thereof or to make any such alterations in the building as the Board may prescribe, within a time to be specified in the notice, and in the same or another notice the Board may notify him that if the requirements of the Board are not satisfied within the time specified the Board will enter upon the building and carry out the said demolition, removal, or alteration and will recover from him all costs and expenses rightly incurred by the Board on that behalf.

Building to be erected within reasonable time.

13. If any building in respect of which a Building Permit has been granted under these by-laws is not completed within a reasonable time in the opinion of the Board the Board may give notice in writing to the person to whom the said Building Permit has been granted that unless he completes the building on or before a date to be specified in the notice the said Building Permit shall be deemed to have lapsed ; provided

that nothing in this by-law shall prevent any person from making a fresh application for a Building Permit in the manner prescribed in these by-laws.

14. No person shall occupy or shall allow to be occupied any new building until the building has been certified by the Board to be in the opinion of the Board in every respect fit for occupation and in the case of a dwelling house fit for human habitation.

Occupation of  
new buildings.

15. Where any building has been erected either precedent to or under these by-laws no person shall alter the building in such a way that the same as altered would, if at first so erected, have been in contravention of any of the provisions of these by-laws, and no person shall, except with the permission in writing and upon such terms as the Board may prescribe, use the building or allow the building, being the owner thereof, to be used otherwise than for the purposes specified or indicated in the original application and plans in respect thereof as made and furnished to the Board.

No building  
to be altered.

16. No alteration shall be made in the plans or details of any building to be erected as approved by the Board except with the permission in writing of the Board.

No alteration  
in plans.

17. The site of a building in respect of which a Building Permit has been granted under these by-laws shall be prepared by removing all animal or vegetable matter and shall be dug out to such depth as the Board may consider necessary.

Preparation  
of site.

18. Every wall of a building erected under these by-laws shall be constructed so as to rest upon proper footings.

Footings.

19. All concrete used in the erection of a building under these by-laws shall be composed of clean gravel, broken hard brick, broken stone or other hard material approved by the Board and shall be well mixed with freshly burned lime or good cement in the proportion of at least one to six.

Concrete.

20. The underside of any floor joist or plate of a building erected under these by-laws shall be at least 6 inches above the surface of the underlying gravel and shall be efficiently

Air space  
under floors.

ventilated by the insertion of air bricks, gratings or two inch slots left in the concrete foundations of outer and sleeper walls.

Stability of materials.

21. The several timbers and materials of a timber framed building erected under these by-laws shall be of such size and strength as the Board may consider necessary to secure due stability.

Damp Courses.

22. Any stone or brick building erected under these by-laws for use as a dwelling house shall be constructed with a damp proof course of durable material impervious to moisture. The damp proof course may consist of sheet lead, asphalt three quarters of an inch in thickness, neat cement three quarters of an inch in thickness, slabs embedded in the cement or such other materials as the Board may approve.

Stove Piping.

23. A pipe for the purpose of conveying smoke or other products of combustion shall not be fixed in any building erected under these by-laws unless it is fixed at a distance of at least eight inches from any combustible substance and such combustible substance is protected with asbestos sheeting or steel plate so as to leave an air space at the least of half an inch between such combustible substance and the said asbestos sheeting or steel plate.

Chimneys.

24. Where a chimney is built against a wooden building erected under these by-laws the back of the chimney shall be built of brickwork not less than nine inches in thickness from the floor level to the height of one foot above the arch bar and the remaining portion of the back and the other sides of the chimney shall be built of brickwork not less than four and a half inches in thickness.

Flues against rendered, pargetted or lined.

25. The inside of every brick smoke flue in any building erected under these by-laws shall throughout the whole extent thereof be rendered, pargetted or lined with lime mortar.

Flues to be woodwork similarly to be treated.

26. Where any brick smoke flue in any building erected under these by-laws passes through any floor or roof or behind or against any woodwork the outside of such brick flue shall be similarly rendered, pargetted, or lined with lime mortar or cement.

27. In any building erected under these by-laws the floor under every oven, copper, steam boiler or stove for the combustion of solid fuel and the floor around the same shall for a space of one foot and three inches be formed of materials of an incombustible and non-heat conducting nature.

Floors under  
ovens, stoves,  
etc., etc.

28. In any building erected under these by-laws a slab of stone, tiles, bricks, or other incombustible substance shall be laid level with the floor before the opening of every chimney for half the width at the least of the chimney breast jamb on either side of such opening and one foot four inches at the least wide at the breast thereof.

Hearths.

29. The backyard of any building erected under these by-laws for domestic use shall be provided with a pathway extending along and adjacent to the back of the premises and such pathway shall be constructed of concrete flat bricks or rubble bedded in cement and sand or other approved materials and such pathway shall not be less than four feet in width and shall slope half an inch to the foot from the building and shall be drained so as to discharge into the nearest public drain.

Backyard  
pavings.

30. Any building erected under these by-laws shall be provided with gutters and down pipes, which may be of cast iron, steel, zinc or wood and in every case shall be efficiently jointed with red lead or other suitable composition and shall be laid with a true and even fall of at least one inch in ten feet towards the outlet at the head of the down pipe. The gutters shall be supported at intervals of not more than four feet on strong brackets which shall be securely fastened. Every outlet for waste water shall be connected to the nearest public drain in such manner as may be directed by the Board.

Gutters and  
down pipes.

31. In any building erected under these by-laws the floor of every water-closet and of every earth closet shall be smooth and made of non-absorbent materials, shall be in every part under or forming the bottom of the receptacle for filth at least three inches above the surface of the adjoining ground and shall have a fall of at least half an inch to the foot.

Closets.

**Water-Closets.**

32. In any building erected under these by-laws every water-closet shall be so constructed so as to comply with the following requirements where applicable :—

- (1) If the water-closet is within the building, one of its sides at least shall be an external wall.
- (2) If the water-closet has no external door, it shall be provided with a window of an area not less than one and a half square feet exclusive of the frame set in an exterior wall.
- (3) If the water closet has an external door it shall be provided with a sufficient opening for light and ventilation as near to the top of the door or external wall as practicable.
- (4) It shall be provided with a separate cistern or flushing box of adequate capacity.
- (5) No part of the water-closet apparatus other than the cistern or flushing box shall be directly connected with any pipe leading from a public water-main.
- (6) It shall be provided with a pan, basin or other suitable receptacle of non-absorbent material so constructed as to receive and retain a sufficient quantity of water adequately to seal or to trap such pan, basin or other receptacle and to allow any filth to fall free from the sides directly into the water.
- (7) It shall be provided with suitable apparatus for the effectual application of the water in the cistern or flushing box to the pan, basin or other receptacle and for the prompt and effectual flushing and cleansing of the pan.
- (8) No container or similar fitting shall be fitted under the pan, basin or other receptacle.
- (9) A water-closet built in a house shall not open directly out of any main room.

**Earth-Closets.**

33. In any building erected under these by-laws every closet for pails shall not be less than six feet distant from any dwelling house or public building or any building in which any person is employed in any trade or business, shall be

provided with a window of an area not less than one and a half square feet, exclusive of frame, set in an external wall, shall be provided with a moveable metal pail for the deposit of filth of a capacity sufficient in the opinion of the Board to meet the requirements of the occupier of the building, and shall have facilities for the removal of filth without being carried through any dwelling house, public building or any building in which any person is employed in any trade or business.

34. Any building erected under these by-laws shall be provided with an ashpit or receptacle for ashes and other non-liquid refuse to the satisfaction of the Board. Such ashpit shall be maintained by the owner of the building in good order to the satisfaction of the Board and shall—

Ashpits.

- (1) be constructed at the least ten feet from any dwelling house, public building, or any building in which any person is employed in any trade or business ;
- (2) be so constructed as to afford ready means for cleansing and removing its contents without being carried through any dwelling house, public building, or any building in which any person is employed in any trade or business ;
- (3) be of such cubic capacity not less than twelve feet as is sufficient to contain all dust, ashes and dry refuse which may accumulate therein during the period of one month ;
- (4) be constructed with walls of metal, stones or brick bound together with mortar or cement or otherwise made of non-absorbent materials ;
- (5) be constructed with doors capable of being securely closed and fastened to prevent the escape of the contents ;
- (6) be properly roofed with non-inflammable materials.

35. In any building erected under these by-laws any room intended to be used as a living room shall not be less than seven feet from floor to ceiling and shall have a clear superficial floor area of not less than one hundred square feet and any room intended to be used as a sleeping room shall have a clear superficial floor area of not less than sixty square

Height and  
area of rooms.

feet for every person sleeping therein subject to a total floor area of not less than one hundred square feet. For the purpose of this by-law two children under twelve years of age shall be reckoned as one person.

Light and  
ventilation.

36. In any building erected under these by-laws any room intended to be used as a living or sleeping room shall be ventilated and lighted to the satisfaction of the Board, by means of a window or windows in an external wall. The area of such window or windows clear of the frame or frames shall equal at the least one tenth of the superficial floor area. One half of every such window shall open and the opening shall extend to the top. Any room without a fireplace and flue which is intended to be used as a living or sleeping room shall have a special ventilation opening in size at the least one hundred square inches.

Drains.

37. Any drain constructed for the drainage of any building whether erected under these by-laws or already existing, shall be constructed of good sound pipes formed of glazed stoneware, heavy cast iron or other suitable material to the satisfaction of the Board. Such drain shall be of adequate size in the opinion of the Board and if constructed or adapted for the purpose of conveyance of sewage shall have an external diameter of not less than four inches and shall be laid with a sufficient fall in the opinion of the Board and with socketted or otherwise watertight joints. No such drain shall be so constructed as to pass under any building or part of a building except in a case where no other mode of construction is practicable and if any such drain shall be so constructed as to pass under any building or part of a building such drain shall be so laid in the ground that there shall be a distance at the least of the full diameter thereof between the top of such drain and the surface of the ground under the building or part of the building aforesaid. No such drain shall be constructed in a manner so as to allow any inlet to be made to such drain within the building except any inlet which may be necessary from the apparatus of any water-closet or slop sink constructed to be used within the building for the reception of liquid or solid filth.

Drains to be  
approved by  
the Executive  
Engineer on  
behalf of the  
Board.

38. No drain constructed for the drainage of any building, whether erected under these by-laws or already existing, shall be covered up unless it has been inspected, tested and

approved by the Executive Engineer on behalf of the Board to whom three days' notice at the least beforehand shall be given of the intention so to cover up.

39. Any waste pipe from any bath or lavatory basin or any other pipe for the conveyance of foul or wash water in any building shall be trapped and taken through an external wall and shall discharge in the open air over a trapped gully with proper grating to the satisfaction of the Board, and any overflow pipe from any cistern or water-closet shall be taken through an external wall and shall discharge in the open air.

Waste and  
overflow pipes.

40. All connections made from any building to any water-main, drain or sewer shall be made by the Executive Engineer or his duly authorised agent or agents on behalf of the Board and the cost of every such connection shall be payable to the Executive Engineer by the owner of the building to which such connection is made and no unauthorised person shall interfere in any way with any public water-main, drain or sewer.

Connections  
to public  
drains.

41. No stable, cowshed, fowl house, fowl coop, pig sty or any building in which any animal or bird is intended to be kept shall be erected within a distance of thirty feet from any dwelling house or in any position where in the opinion of the Board it is or is likely to become a nuisance or injurious to the public health.

Stables.

42. Any barrel, cistern or tank intended to hold water for drinking or domestic purposes shall be provided with a good and sufficient cover to the satisfaction of the Board and where any barrel, cistern or tank is constructed or adapted for the storage of water for drinking purposes it shall not be connected directly with any water-closet.

Tanks.

43. Where it is shown to the satisfaction of the Board that any house, building or other structure of any kind is so ruinous as to be dangerous to the public safety the Board may serve upon the owner of such house, building or other structure a notice in writing requiring him to begin to shore up, secure or otherwise make safe such house, building or structure to the satisfaction of the Board, or to begin to demolish and remove such house, building or structure within seven days of the receipt of the said notice, and to

Demolition  
of ruinous  
buildings.



continue so to shore up, secure or otherwise make safe or to demolish and remove without intermission until the requirements of the Board are finally completed, and to complete finally the requirements of the Board within a time to be specified in the notice, and if after the lapse of seven days from the receipt of the said notice or of the time specified the owner of such house, building or structure fails in due manner to comply with the requirements of the Board, the Board may thereupon carry out the work of demolition and removal prescribed and may recover from the owner of such house, building or structure the cost properly incurred in connection with the work of demolition and removal.

Vacation of  
dangerous  
building.

44. Where any house, building or structure in the opinion of the Board is in a dangerous condition or is endangered by the condition of any other building the Board may require the occupier of such house, building or structure to vacate it and if a requirement of the Board to vacate any house, building or structure under this By-law is not forthwith complied with the Board may bring the matter before a Court and upon sufficient cause being shown may obtain from the Court an order for the ejection from the house, building or structure of the occupier thereof.

### **Sanitation.**

Animals.

45. No horse, cow, sheep, pig, fowl, duck, goose or other similar domesticated animal or bird shall be kept within a distance of thirty feet from any dwelling house or in any place where in the opinion of the Board it is or is likely to become a nuisance or injurious to the public health.

Yards.

46. If the back premises of any house or building are, or any passage leading thereto is, in a dirty or insanitary condition or improperly drained or of such construction as to render a dirty or insanitary condition likely to exist, the Board may serve upon the owner or the occupier of the premises or the passage a notice in writing requiring him to remedy the said condition or defect in drainage or construction within a time to be specified in the notice and if the owner or occupier as aforesaid fails to comply with the notice or with any part thereof he shall be guilty of an offence against these by-laws.

47. Night soil shall be removed and deposited in a manner approved by a medical officer. Removal of night soil.

48. The occupier of any premises in or on which there is any escape of night soil, urine or filth of similar description from any latrine, closet or urinal shall be guilty of an offence against these by-laws. Escape of night soil prohibited.

49. Any person who deposits any night soil, urine or filth of similar description in any ashpit or in any hole or place or digs or constructs any hole or place for the reception of any night soil, urine or filth of similar description except with the permission of the Board in writing or throws any night soil, urine or filth of similar description or allows any night soil, urine or filth of similar description to be deposited or to flow on any yard, plot, street, footpath or public place or into any drain not constructed for the reception of night soil, urine or filth of similar description shall be guilty of an offence against these by-laws. Disposal of night soil prohibited.

50. The occupier of any premises to which is attached any closet or closets not flushed with water, shall— Requirements in respect of earth closets.

- (1) provide every such closet with a movable metal pail for the deposit of night soil of a capacity sufficient in the opinion of the Board to satisfy the requirements of the household ;
- (2) cause the seat or sides of every such closet to be so constructed as to admit of the convenient removal of such pail ;
- (3) provide every seat with a close fitting lid which shall be kept shut ;
- (4) cause every such closet to be provided with sufficient peat coom, dry earth, ashes, or other deodorant and with suitable means for the effectual application of such material to the contents of the pail used in such closet ;
- (5) afford proper facilities to the servants of the Government engaged in removing night-soil for gaining access to the premises.

Ashpits to be emptied.

51. (1) The occupier of any premises shall, once at least in every month, remove from such premises the contents of any ashpit belonging thereto.

(2) The deposit of any wet refuse, vegetable or animal matter in ashpits is prohibited.

Disposal of refuse prohibited.

52. Any person who throws or deposits or causes to be thrown or deposited any accumulation of dust, refuse, garbage or decaying animal, vegetable or other noxious matter in or upon any street, footpath, or other public place shall be guilty of an offence against these by-laws. Any such accumulation in the immediate vicinity of any building or premises shall be *prima facie* evidence that it has been there thrown or deposited by the occupier of such building or premises.

Quarries and excavations.

53. Any person who without the permission of the Board in writing makes any quarry, excavation, or hole in the ground of a description likely to be injurious or dangerous to the public health or safety shall be guilty of an offence against these by-laws. Where the permission of the Board is given such quarry, excavation or hole in the ground shall be made subject to any condition with regard to the fencing, lighting, filling up, or otherwise making secure thereof which the Board may consider necessary in the interest of the public health and safety.

Damage to streets and watermains.

54. Any person who wilfully or negligently damages or otherwise interferes with any public street, footpath, watermain, drain or sewer in such a manner as to cause injury or danger to the public health shall be guilty of an offence against these by-laws.

### Infectious Diseases.

Persons responsible for notification of infectious diseases.

55. Persons responsible for notification are :—

- (a) Managers of a station.
- (b) Head of the family, parent or guardian.
- (c) Person present in attendance on the patient.
- (d) Occupier of the building.

56. The occupier of any dwelling house in which a case of a disease which appears to be infectious occurs, or the parents or guardian of any child suffering from a disease which appears to be infectious, shall, within twenty-four hours of the appearance of such disease, notify the Senior Medical Officer of the appearance of such disease.

Infectious diseases to be notified.

57. Any person, on whose premises any case of a disease of a contagious or infectious nature occurs, shall take whatever precautions the Board may deem necessary to order such person to adopt for the purpose of preventing the spread of such contagious or infectious disease.

Precautions deemed necessary by Board to be taken.

58. If the Board considers it necessary to order the destruction of any article, in order to prevent the spread of any disease, the owner of such article shall be entitled to receive compensation not exceeding five pounds, with the sanction of the Governor in Council.

Compensation to be paid for destruction of articles by order of the Board.

59. Books from public or circulating libraries shall not be used by persons suffering from any contagious or infectious disease. If such a book has been exposed to infection, it must not be returned to the library until it has been disinfected by an inspector, who may destroy the book if he thinks fit on payment to the library of its value.

Disinfection of library books.

60. The Senior Medical Officer or medical officers shall severally have power to isolate any persons suffering from an infectious disease and may order the removal to an isolation hospital or building set aside for such a purpose of any person suffering from an infectious disease, and that person will remain in isolation until such time as the said officers may consider advisable.

Isolation of infected cases

61. In the case of any widespread infectious disease in Stanley or any other town or any station or premises, a medical officer may, with the approval of the Governor declare the town, station or premises to be in quarantine until such time as it is deemed to be clear of the said infection. A copy of such a declaration shall be published in the Gazette and affixed to the public notice boards in Stanley.

Town, Station or premises to be quarantined on the approval of the Governor.

Penalty for  
breaking  
bounds.

62. Any person leaving a town, station, or any premises declared to be infected as in the last preceding section without a written permit from a medical officer stating that, to the best of his knowledge and belief, such person is free from infection, shall be guilty of an offence against these by-laws.

Notice of  
infected areas.

63. The Senior Medical Officer or any medical officer authorised by him may give notice in writing to the manager of any station or occupier of any premises in the Colony or Dependencies, declaring such station or premises or any portion thereof to be infected or free from infection and a copy of such notice shall be published in the Gazette and on the Public Notice Boards.

Disposal of  
infected  
bodies with  
subsequent  
disinfection.

64. (i) No person without sanction in writing from the Senior Medical Officer or medical officer may keep unburied, elsewhere than in a public mortuary or in a room not used at the time as a dwelling place, sleeping place, or workroom, for more than 48 hours after death the body of any person who has died from any infectious disease.
- (ii) Unless the Senior Medical Officer or medical officer so authorises, the body of any person who has died from any infectious disease in a hospital may not be removed from such hospital except for the purpose of being taken direct to some place of burial.
- (iii) In the case of a contravention of (i) above, or of a dead body likely to endanger the inmates of a house, the Senior Medical Officer or medical officer may apply to the magistrate or a justice of the peace for an order for its removal within a fixed time to any available mortuary, and in the case of the body of any person who has died of any infectious disease the magistrate or justice of the peace may direct the body to be buried immediately.
- (iv) Any public conveyance used for the conveyance of a body dead of any infectious disease, must be disinfected immediately afterwards.

- (v) Every person in charge of premises in which is lying a body dead of any dangerous infectious disease must take all reasonable steps to prevent persons from coming into contact with the body unnecessarily.
- (vi) Any person who knowingly lets any house or part of a house in which an infectious person has been without having the premises and articles therein disinfected, as testified by the certificate of a medical officer, shall commit an offence.

### General.

65. If the owner of any animal which dies within the limits of the Common or of Stanley shall fail to bury the carcase of such animal within forty-eight hours of its death to a depth of at least three feet the inspector, on receipt of information to such effect shall serve on him a notice in writing calling upon him to bury the carcase within a further period of forty-eight hours and if the owner as aforesaid shall still fail to bury the carcase within such period the inspector shall forthwith cause the carcase to be buried and the owner shall pay to the inspector on demand the cost of burial, not exceeding one pound.

Burial of  
carcases  
compulsory.

66. The owner or occupier of any premises shall take such steps as may from time to time be necessary and reasonably practicable to keep such premises free from rats and mice.

Premises to  
be kept free  
from rats and  
mice.

67. Any person who shall—

- (a) discharge or deposit in or upon any public road or street or in any water course, drain or ditch any stones, earth, weeds, sweepings, filth, paper, rags, or rubbish of any kind ; or
- (b) drive or lead or take horses, cattle or vehicles over open drains, or tether horses or cattle in the vicinity of such drains, or
- (c) carry on any noxious or offensive trade which in the opinion of the Board may be injurious to public health, without the permission in writing of the Board first obtained, or neglect, fail or omit to observe or comply with the terms and conditions of such permission, or

Discharging  
filth, etc.

Driving ani-  
mals over  
drains.

Obnoxious  
trades.

Markets.

- (d) hold any market without the permission of the Board in writing first obtained, or neglect, fail or omit to observe or comply with the terms and conditions of such permission

shall commit an offence.

Protection of  
water supply.

68. The owner or occupier of any premises who shall not—

- (a) keep in a thorough state of cleanliness and repair all water courses, open ditches, or gutters upon his premises and prevent the accumulation of noxious matter by removing it to a place of deposit as the Board may order ;
- (b) protect the water supply to such premises in such manner as the Board may consider necessary to secure the utmost possible purity

shall commit an offence.

Control of  
new burial  
grounds.

69. If it shall become necessary to alter the existing burial grounds or to lay out any new burial grounds, the plans for the alterations or the laying out of the same shall be submitted by the Cemetery Trustees or Committee of Management to the Board for its approval and shall be subject to the approval of the Governor in Council.

Control over  
vessels in  
the Harbour.

70. An inspector may board and inspect any vessel other than one of H.M.'s ships and report in writing to the Senior Medical Officer, and the Board may make such order for cleaning and disinfecting the vessel as the Board may deem fit. Any owner or master of such vessel who neglects, fails or omits to comply with any order of the Board shall commit an offence.

- 71.(a) By-laws 55 to 65 inclusive shall be in force in Stanley but otherwise these by-laws shall be in force in the areas outside Stanley only ;
- (b) By-laws 5, 8—16 inclusive and 38 shall not come into force until the Governor in Council shall so order :

Provided that the plans of any building to be used as a dwelling house and of the drainage in connec-

tion therewith shall be submitted to and approved by the Board before any person shall begin to erect such building ;

- (c) any person who shall neglect, fail or omit to submit plans as required under (b) hereof shall commit an offence.

### **Hospital Regulations.**

#### **Section 57.**

No. 1 of 1943.

1. These regulations may be cited as the King Edward VII Memorial Hospital Regulations.

2. The Nurse Matron of the Hospital shall be responsible to the Senior Medical Officer for the proper nursing care of the inmates ; for the domestic cleanliness of the Hospital and for the general observance of the rules by every nurse, servant, patient and visitor.

3. Every patient shall be admitted to and discharged from the Hospital by the Senior Medical Officer. The Senior Medical Officer may grant applications for admission to Hospital at his discretion.

4. Visitors to the inmates of general wards of the Hospital, unless by the express permission of the Senior Medical Officer, shall not be admitted save on such days and between such hours as the Senior Medical Officer may from time to time permit.

Patients who occupy a private ward may receive visitors between certain hours on every day of the week provided always that this does not inconvenience the Hospital staff in the nursing care of the patient.

The Senior Medical Officer may at his discretion forbid all visitors or limit the number of visitors or the length of visits to patients whether in general or private wards.

5. Any patient who in the opinion of the Senior Medical Officer misbehaves or breaks the regulations or refuses the medical treatment ordered may be discharged from the Hospital.



6. Any person who enters the King Edward Memorial Hospital, or the adjacent premises without just or reasonable cause, or having gained admission refuses to leave immediately when requested to do so by the Senior Medical Officer or Nursing Sister on duty at the time, commits an offence.

7. Any patient, visitor or other person who refuses to leave the Hospital when requested to do so by the Senior Medical Officer or Nursing Sister on duty may be evicted.

8. Any patient or visitor who carries food or drink into the Hospital without the previous consent of the Nurse-Matron commits an offence.

9. Any person who conceals food or drink while in the Hospital commits an offence.

10. Anyone who commits an offence under these regulations shall be liable to prosecution before a Court of Summary Jurisdiction.

#### **Medical Fees Regulations.**

**Short Title.**

1. These regulations may be cited as the Medical Fees Regulations.

**Definitions.**

2. In these regulations—

“medical officer” means a qualified medical practitioner employed by the Government;

“household” means those living under one roof as a family;

“subscriber” means a household, the head of which subscribes an annual sum towards the cost of Government medical service;

“child” means a person under 15 years of age;

“Government servant” means any person appointed to an established post and whose appointment is published in the Gazette;

“Government employee” means any employee not so appointed whose wages are paid from “Other Charges”:

Provided that any Government employee having the same privileges in respect of medical fees as Government servants on the 1st of May, 1938, shall not be deprived of such privileges while in the employment of the Government ;

“normal visit” means the professional visit ordinarily paid by a medical officer to a household in Stanley.

3. Charges levied under these regulations may be remitted in whole or in part by the Governor. Remission of Charges.

4. Charges shall be paid or arranged for, save in emergencies, at the time or before the service is rendered. Charges to be paid at time or before service rendered.

5. Persons not normally resident in the Colony shall, at the discretion of the Senior Medical Officer, be liable to pay double the charges provided for in Schedules A, B, D and E hereof. Persons not normally resident in Colony.  
No. 2 of 1948.

6. The following schedules of charges shall apply :— Fees to be charged.

#### SCHEDULE A.

##### Scale of Charges for Medical Services performed outside the King Edward Memorial Hospital.

1. Attendance by a medical officer at the household of a person in Stanley whose income exceeds £200, but is less than £500, between 7.0 a.m. and 7.0 p.m. :—

- (a) For the first visit 2/6.
- (b) For each subsequent visit 1/6.

2. Attendance by a medical officer at the household of a person in Stanley whose income exceeds £200, but is less than £500, between 7.0 a.m. and 7.0 p.m. :—

- (a) For the first visit 5/-.
- (b) For each subsequent visit 2/6.

3. Attendance by a medical officer at the household of a person in Stanley whose income exceeds £500 per annum, between 7.0 a.m. and 7.0 p.m. :—

- (a) For the first visit 7/6.
- (b) For each subsequent visit 5/-.

4. Attendance by a medical officer at the household of a person during the night 7.0 p.m. to 7.0 a.m. shall be double the charge made for a day visit.

5. Requests for visits, except in cases of emergency, shall be made to the K.E.M. Hospital by noon for a visit on the same day, otherwise double fees may be charged, as for night visits.

6. Attendance by a Sister or Staff Nurse at the residence of any person in Stanley:—

(a) For the first visit 1/- to 15/-.

(b) For each subsequent visit 1/- to 5/-.

7. (a) When a Nursing Sister or Staff Nurse is employed on full time service outside the King Edward Memorial Hospital but in Stanley, a charge of 9/- to 15/- per day shall be made and the Nurse shall be provided by her employer with suitable board and lodging free of charge.

(b) When the same service as in (7) (a) is performed outside Stanley, free transport and free board and lodging shall be provided for the Nurse, and there shall be payable in advance a charge of 3/- to 15/- per day.

8. When a medical officer is required to remain with a case in excess of the time spent in a normal visit, renders special service or treatment, performs any kind of operation, obstetrical or surgical, a fee varying from £1 to £20 may be charged at the discretion of the Senior Medical Officer.

9. When a medical officer visits a patient outside Stanley who is not a subscriber to a Government Medical Service, there shall be made, in addition to medical charges, a *one-way* mileage charge of 3/- per mile or, in lieu, transport both ways shall be provided, as required by the Senior Medical Officer.

10. When a medical officer is requested to visit a ship in Stanley Harbour or elsewhere there shall be made a charge of £1 1s. for the first patient and 5/- for each additional patient seen. When the ship is in Port William the charges shall be £1 10s. 6d. and 7/6 respectively.

Free transport to the ship shall be provided by the Master where necessary.

#### SCHEDULE B.

##### Scale of Fees chargeable at the King Edward Memorial Hospital.

1. Medical consultation as an out-patient:—

(a) For the first consultation 1/6 to 5/-.

(b) For subsequent consultations 1/- to 3/-.

2. Special services, diagnostic, medical, surgical or laboratory, as an out-patient, 1/6 to £2, depending on the character of the work at the discretion of the medical officer doing the work.

3. For ordinary medical attendance:—

- (a) In-patient in a general ward, 2/- per day.
- (b) In-patient in a private ward, 3/- per day.

4. (a) For special services in addition to attendance, diagnostic, medical, surgical or therapeutic, a special service charge shall be made depending on the nature of the work done, status of the patient, etc. This charge shall include post-operative attendance fees.

- (b) Maternity patients who have attended the ante-natal clinic and are admitted as in-patients shall pay an inclusive fee of £4 4s. in the general ward or £6 6s. in a private ward.

5. There shall normally be no charge for ordinary medicines or dressings supplied to an in-patient but a charge shall lie where these are unusual in quantity or type and shall be such as the Senior Medical Officer may consider appropriate.

### SCHEDULE C.

#### Fees for Maintenance.

1. Persons normally resident in the Colony admitted to a general ward shall be charged 8/- per day, or £2 2s. per week, and odd days in excess of a week 8/- per day; if admitted to a private ward, 10/- per day or £3 3s. per week and odd days in excess of a week, 10/- per day.

2. Camp subscribers shall be charged general maintenance fees on the same scale as ordinary residents in the Colony.

3. Persons not normally resident in the Colony shall be charged 10/6 per day when admitted to a general ward or 20/- per day or £5 5s. per week when admitted to a private ward.

4. Half fees shall be charged for the maintenance of children.

5. At his discretion the Senior Medical Officer may remit half of any of the fees set forth in Schedules B and C and the Governor may remit more than half, but there shall be no remission of fees charged with respect to private wards.

### SCHEDULE D.

#### Dental Fees.

1. Scaling and polishing, or scaling and polishing with gum treatment, 2/6 to 7/6.

2. Fillings:—

- (a) Amalgam, 2/6 to 10/-.
- (b) Cement, 5/- to 10/-.

- \* (c) Gold, but excluding cost of gold, 10/6 to £1 1s.
- (d) Temporary, 2/-.
- 3. Root treatment, per tooth, 7/6 to £2 2s.
- \*4. Crowning, per tooth, £2 2s. to £5 5s.
- 5. Extractions:—
  - (a) Under local anæsthetic, per tooth, from 1/- to £2 10s.
  - (b) With general anæsthetic, per tooth, 2/-, but in no case in excess of 30/-. This does not include a fee for anæsthesia and for maintenance if the patient is admitted to the Hospital.
- 6. Children:—Scaling, polishing, gum treatment, amalgam and cement fillings, extractions under local anæsthetic, free. Any treatment more extensive shall require half the usual charges for adults. Children of parents whose income exceeds £200 per annum, half adult fees.
- \*7. Dentures:—
  - (a) Full upper or lower denture, £3 3s. to £5 5s.
  - (b) Partial denture, £1 1s. to £2 2s.
  - (c) Repairs to fractured dentures, up to 15/-, without guarantee of resultant repair.
  - (d) Additions on partial dentures, per tooth, 1/- to 2/-.
  - (e) Obturator in addition to the plate, £1 1s. to £2 2s.
  - (f) Splints, vulcanite or metal, each £1 1s. to £2 2s.
- Note.**—Special compounds including acrylic resin, *double*, and precious metals, *treble* the fees above.
- 8. Visits in Stanley, in addition to any work, 2/6 to 10/-.
- Special visits outside Stanley:—Transport shall be provided free for the dentist and a fee charged for his time from £1 1s. to £10 10s.

## SCHEDULE E.

### Miscellaneous Charges.

- 1. General anæsthesia, including spinal anæsthesia and intravenous anæsthesia, 10/6 to 21/- regardless of the purpose for which it is required. No special fee for local anæsthetic.
- 2. For examination for Benefit Societies, with a certificate, 10/6.
- 3. For examination for Life Assurance with a certificate, 31/6.
- 4. Vaccination against smallpox and immunisation against any disease, free.
- 5. Medical comforts, wines, spirits, any special apparatus, food or medicines shall be paid for by the patient.

6. Common galenical prescriptions :—

Bottle of 10 ozs. in  $\frac{1}{2}$  oz. doses, 1/6 to 3/-.

Common ointments, per oz., 3d.

Common liniments, per oz., 3d. to 6d.

Common tablets and pills, per doz., 2d.

Other preparations shall be charged according to cost and quantity.

7. The following charges for radiography shall be made:—

(a) Simple screening, 5/- to 20/-.

(b) Skiagram, 5/- to 20/-.

(c) Barium series, 10/6 to 42/-.

8. Physiotherapy treatment, i.e., radiant heat, vapour baths, etc., Out-patients, 1/- per session. In-patients no charge.

9. For use of the medical car as an ambulance or conveyance, 2/6 to 21/- depending on time and distance.

## SCHEDULE F.

### Scale of Charges for Special Classes.

1. Government servants—No charge shall lie against a Government servant for the cost of medical care except :—

(a) For maintenance in the King Edward Memorial Hospital, when half the normal charges shall be collected.

(b) For dental charges of a special character, indicated in the Schedule by an asterisk, when half the normal charges shall be collected.

(c) For general anæsthesia and special services as outlined in Schedule B (4) or B (2), half the normal charges.

(e) Ambulance charge, see Schedule E (9).

(d) Medical comforts, see Schedule E (5).

2. Wives and children of Government servants, excluding those gainfully employed, shall be treated as Government servants.

3. Recognised Ministers of Religion and Sisters of Charity shall be similarly regarded.

4. Camp subscribers :—With the exception of the charges prescribed in Schedule B (4) (b), no charges shall lie for medical services under Schedules A, B and E.

5. Government employees :—As for Government servants, as in Section 1 above.

6. Children :—Half the normal charges.

7. No charge for medical or dental care shall lie against a member of the Falkland Islands Defence Force when on active service except :—

- (a) In the case of a man who has been technically embodied but is not actually serving with the Force, when the regulations for civilians shall apply.
- (b) In the case of a man who requires medical or dental treatment for conditions ante-dating enlistment and not arising from military service.

Members of the Falkland Islands Defence Force injured while on duty with the Force, except as a result of their own misconduct, who, in the opinion of the Senior Medical Officer require treatment in Hospital, shall receive free hospital maintenance in a private ward in the case of a commissioned officer and in a public ward for all other ranks.

## CHAPTER 55.

### RADIO-ACTIVE MINERALS.

#### ORDER.

No. 10 of 1948. Section 13.

In exercise of the powers vested in him by section 13 of the Radio-Active Minerals Ordinance and with the advice and consent of the Executive Council His Excellency the Governor is pleased to order and it is hereby ordered that the Schedule to the said Ordinance shall be amended to read as follows :—

- (1) Any mineral containing uranium or thorium and, in particular and without prejudice to the generality of this paragraph, the substances hereinafter set out in this schedule.
- (2) Minerals of the pitchblende group, including pitchblende, uraninite, urlichite, broeggerite, cleveite, and related mineral species.
- (3) Secondary uranium minerals including tobernite, autunite, uranite, rutherfordine, uranophane, gummite, thorogummite, uranocircite, kasolite, becquerelite, and other silicates, hydrates, carbonates, phosphates or arsenates of uranium.
- (4) Carnotite, tyuyamunite, and related uranium-bearing vanadate ores.

- (5) Uranium-bearing niobate-titanate-tantalate ores, including euxenite, polycrase, blomstrandine, priorite, samarskite, fergusonite, betafite and related minerals.

- (6) Monazite, thorite, and thorianite.

Made by the Governor in Executive Council on the 20th day of December, 1948.

## CHAPTER 56.

### *No Subsidiary Legislation.*

---

## CHAPTER 57.

### REGISTRATION.

#### REGULATIONS.

No. 2 of 1949.

Short title.

General Index  
Books,  
Records,  
Registers, etc

#### Section 12.

1. These regulations may be cited as the Registration Regulations.

2. (1) The Registrar General shall maintain—

- (a) General Index Books which shall contain a complete record of all instruments relating to grants of Crown land numbered consecutively in the order they are presented for registration. Each entry shall be signed by the party registering the instrument.
- (b) Record Books which shall contain complete copies of all registered instruments entered and numbered consecutively in the order in which they are received in the Central Registry.

(2) The name of every party to each instrument shall be entered in the index to the General Index Book and the Record Book containing the registration thereof.

(3) The Registrar General shall certify on each instrument the date of registration thereof and such certificate shall be admissible in evidence.

3. The Registrar General shall also maintain separate registers of births, stillbirths, deaths and marriages numbered consecutively in the forms A, B, C and D as set out in the First Schedule and indexed alphabetically in the name of the person whose birth, marriage or death is registered.



Baptised name  
may be added  
to Register  
within six  
months.

4. The person procuring the name given in baptism to a child whose birth has been registered, may within six months of registration register that the child was baptised with such name, provided that he delivers to the Registrar General or Registrar with whom the birth was registered a certificate of baptism in the form E set out in the First Schedule, signed by the minister performing the rite within seven days thereof, and pays the appropriate fees set out in the Second Schedule hereto, and provided also that there shall be no erasure in the original registration.

Medical  
certificate  
in case of  
death.

5. In the case of death of any person who has been attended by a medical practitioner that practitioner shall (except when an inquest is held on the body) sign a certificate stating to the best of his knowledge and belief the cause of death and hand the same to the person responsible for giving information concerning the death, who shall upon giving such information deliver that certificate to the Registrar General or nearest Registrar, and the cause of death stated in that certificate shall be entered in the register together with the name of the certifying medical practitioner.

Annual  
registration  
returns.

6. On or before the 15th day of January in each year every Registrar appointed under the Registration Ordinance shall forward to the Registrar General a true copy of all entries made in the registers of births and deaths during the preceding year, and the Registrar General shall on or before that date lay before the Governor an abstract of the number of births, deaths and marriages registered during such year.

Searches  
and fees.

7. (1) The Registrar General shall permit any person to search the indexes of all certified copies of the registers of births, stillbirths, marriages and deaths and have a certified copy of any entry in the said certified copy during the usual office hours upon payment of the appropriate fee set out in the Second Schedule hereto.

(2) A Minister of Religion or Registrar shall permit any person to search a register during reasonable hours and to have a copy certified under his hand of any entry upon payment of the appropriate fee set out in the Second Schedule hereto.

(3) All fees received by the Registrar General or any Registrar shall be paid to the Colonial Treasury.

## FIRST SCHEDULE.

## Form A.

## Registry of Birth.

No.	When Born	Name (if any)	Sex	Name and Surname of Father	Name and Maiden Name of Mother	Rank or Profession of Father	Signature, Description, and Residence of Informant	When Registered	Signature of Registrar	Baptismal Name if added after Registration of Birth

.....  
Registrar General

Stanley..... 19.....



**Form C.**  
**Registry of Death.**

No.	When died	Name and Surname	Sex	Age	Rank or Profession and Country	Cause of Death	Signature, description and residence of Informant	When Registered	Signature of Registrar

Stanley..... 19.....

.....  
*Registrar General*

**Form D.  
Marriage Certificate.**

No.	When Married	Christian and Surname in full	"Under" or "above" the age of 21	Condition Bachelor, Spinster, Widower or Widow	Rank or Profession and Country	Father's Christian and Surname in full	Father's Rank or Profession	Where Married

This Marriage was solemnized  
between us

.....  
.....  
.....

In the presence of us

.....  
.....  
.....

.....  
.....  
.....

Married by me

Signature.....

Title.....



## CHAPTER 59.

### REGISTRATION OF UNITED KINGDOM TRADE MARKS.

#### Scale of Fees prescribed under Section 13.

	£	s.	d.
For Registration of a Trade Mark and Issue of Certificate ... ..	1	0	0
For Entry in the Register of an Assignment or a Transmission of a Trade Mark ... ..	1	0	0
For Renewal of a Trade Mark ....	1	0	0
For Cancellation of the Registration of a Trade Mark ... ..	5	0	
For a Correction in connection with a Registration of a Trade Mark, or for an Entry in the Register of a change in the name or address of a person registered as the proprietor of a Trade Mark ... ..	5	0	

## CHAPTER 60.

### ROAD TRAFFIC.

#### REGULATIONS.

No. 12 of 1948. Section 18.

Short title.

1. These regulations may be cited as the Road Traffic Regulations.

Registration  
of motor  
vehicles.

2. (1) Application for registration shall be made in the applicant's handwriting to the Chief Constable on the Form A set out in the Schedule.

(2) The prescribed identification mark shall be a plate of a size, shape and material approved by the Chief Constable bearing in white on a black background the number assigned to the particular motor vehicle by the Chief Constable.

(3) The prescribed positions shall be—

- (a) on the front and on the back of the vehicle except in the case of a trailer when the identification mark shall be on the back of the vehicle only and except as provided in sub-paragraph (b) hereof be exhibited so that in normal daylight the figures of the front and the rear identification mark shall be easily distinguishable by an observer in front of or behind the vehicle as the case may be at a distance of 60 feet in the case of a motor cycle or invalid carriage and 75 feet in every other case ;
- (b) in the case of a motor cycle or an invalid carriage the front identification mark shall be so fixed that from whichever side the vehicle is viewed the figures on one or other face of the plate are easily distinguishable although they may not be distinguishable from the front of the vehicle.

(4) A motor vehicle shall not be registered or used on a road if—

- (a) its nett weight exceeds 8 cwts. and it is incapable of travelling backwards and forwards under its own power ;
- (b) its chassis weight exceeds 30 cwts. unless it has been registered prior to the date of these regulations.

3. (1) Application for a motor vehicle or trailer licence shall be made to the Chief Constable in the Form B set out in the Schedule. Motor vehicle  
or trailer  
licence.

(2) No trailer which together with its load exceeds 30 cwts. shall be used on a road.

4. (1) Application for a driver's licence shall be made to the Chief Constable in the applicant's handwriting in the Form C set out in the Schedule and a fee of 5/- shall be paid with each application. Driver's  
licence.

(2) Every applicant for a driver's licence shall, unless he held a driver's licence on the 1st day of January, 1948, or a licence to drive issued in the United Kingdom, be tested by the Chief Constable at the time of application.



(3) Driver's licences shall be renewed and the licence fee of 5/- paid annually on the 1st day of January in every year.

(4) A provisional driver's licence shall be subject to the following conditions:—

- (a) In the case of a motor cycle to which a sidecar is not attached the holder shall not carry a passenger other than the holder of a driver's licence for at least two years immediately preceding such carrying or one who has passed the test provided for in section 5 (3) of the Road Traffic Ordinance.
- (b) In the case of every other motor vehicle the holder shall drive only when under the supervision of the holder of a driver's licence for at least two years immediately preceding such driving or one who has passed the test provided for in section 5 (3) of the Road Traffic Ordinance, who shall be present in the vehicle with him.

Third party  
insurance.

5. (1) A policy of insurance shall be one issued by an Insurance Company registered in the United Kingdom and shall insure such persons or classes of persons as may be specified in the policy in respect of any liability which may be incurred by them in respect of the death of or bodily injury to any person caused by or arising out of the use of the vehicle on a road:

Provided that such a policy shall not be required to cover

- (a) liability in respect of the death of or personal injury to a person in the employment of the person insured arising out of and in the course of his employment; or
- (b) except in the case of a vehicle in which passengers are carried for hire or by reason of or in pursuance of a contract of employment, liability in respect of the death of or bodily injury to persons being carried in or upon or getting on to or alighting from the vehicle at the time of the occurrence of the event out of which the claim arises; or
- (c) any contractual liability.

(2) The policy of insurance shall provide for the payment to the hospital for treatment of any person who has died or received bodily injury arising out of the use of a motor vehicle on a road the hospital scale of charges in respect thereof.

(3) The policy of insurance shall be produced to the Chief Constable on application for a motor vehicle licence under regulation 3.

6. Every vehicle shall be fitted with an instrument capable of giving audible and sufficient warning of its approach or position provided that the Chief Constable may prohibit the use of any instrument which in his opinion might cause annoyance to the public. Warning instrument.

7. (1) Whenever a motor vehicle is on a road between one hour after sunset and one hour before sunrise it shall carry Lights.

- (a) a lamp so contrived as to illuminate every figure of the identification mark exhibited on the back of the vehicle or trailer attached thereto and to render them easily distinguishable in the absence of fog by an observer behind the vehicle 50 feet in the case of a motor cycle or invalid carriage and 60 feet in every other case; and
- (b) two lamps fixed on opposite sides of the vehicle each showing to the front a white light visible from a reasonable distance, provided that a motor cycle shall show one such light as aforesaid and that if a sidecar is attached to a motor cycle the sidecar shall carry one lamp on the nearside showing to the front a white light visible from a reasonable distance, and
- (c) one lamp showing to the rear a red light visible from a reasonable distance,

and every such lamp shall be kept lighted and in an efficient state and shall be attached to the vehicle in the position required by the Chief Constable.

(2) No vehicle shall carry a lamp showing a red light to the front.

(3) No vehicle shall carry any light other than a red light to the rear.

(4) No light shewn by a vehicle other than a dipping head light shall be moved by swivelling, deflecting or otherwise while the vehicle is in motion.

(5) No lamp showing a light to the front shall be used on any vehicle unless such lamp is so constructed, fitted and maintained that the beam of light therefrom

(a) is permanently deflected downwards to such an extent that it is at all times incapable of dazzling any person standing on the same horizontal plane as the vehicle at a greater distance than 25 feet from the lamp whose eyelevel is not less than 3 ft. 6 ins. above that plane, or

(b) can be deflected downwards or both downwards and to the left at the will of the driver in such a manner as to render it incapable of dazzling any such person in the circumstances aforesaid, or

(c) can be extinguished by the operation of a device which at the same time causes beams of light to be emitted from the lamp which complies with subparagraph (a) of this regulation, or

(d) can be extinguished by the operation of a device which at the same time either deflects the beam of light from another lamp downwards or both downwards and to the left in such manner as to render it incapable of dazzling any such person in the circumstances as aforesaid.

(6) Whenever a trailer is on a road between one hour after sunset and one hour before sunrise it shall carry the lamps prescribed in paragraph (1) (a) and (c) of this regulation and every such lamp shall be kept lighted and in an efficient state and attached to the vehicle in the position required by the Chief Constable.

Paragraph 5 of this regulation shall not apply to any lamp fitted with an electric bulb if the power of the bulb does not exceed 7 watts and the lamp is fitted with frosted glass or other material which has the effect of diffusing the light.

8. Every motor vehicle other than a motor cycle shall be equipped with a reflecting mirror which is to be fitted in such manner that the driver may observe any overtaking traffic. Mirrors.

9. The glass of wind screens and windows facing to the front of any vehicle shall be safety glass. Safety glass.

10. An efficient automatic windscreen wiper shall be fitted to every motor vehicle which is so constructed that the driver cannot by opening the windscreen or otherwise obtain an adequate view to the front of the vehicle without looking through the windscreen. Windscreen wipers.

11. All motor vehicles shall have efficient silencers fitted for reducing the noise made by the escape of exhaust gases. Silencers.

12. No motor vehicle or trailer shall be driven on any road unless it is fitted with pneumatic tyres : Tyres.

Provided that in case of particular vehicles, or particular classes of motor vehicles, the Governor may authorise the issue of special permits allowing the use of solid tyres of soft or elastic material. Such tyres shall conform in all respects to such conditions as may be prescribed.

13. (1) Every motor vehicle shall be equipped with two entirely independent braking systems, or with one efficient braking system having two independent means of operation, in each case so designed and constructed that the failure of any single portion of any braking system shall not prevent the brakes on two wheels, or, in the case of a vehicle having less than four wheels, on one wheel, from operating effectively so as to bring the vehicle to rest within a reasonable distance : Brakes.

Provided that in the case of a single braking system, the two means of operation shall not be deemed to be otherwise than independent solely by reason of the fact that they are connected either directly or indirectly to the same cross shaft.

(2) In the case of a motor vehicle having more than three wheels and equipped with two independent braking systems, each such system shall be so designed and constructed, that if the brakes thereof act either directly or indirectly on two wheels, they shall act on two wheels on the same axle.

(3) Where, in the case of a single braking system, the means of operation are connected directly or indirectly to the same cross shaft, the brakes applied by one of such means shall act on all of the wheels of the motor vehicle directly and not through the transmission gear.

(4) In all cases the brakes operated by one of the means of operation shall be applied by direct mechanical action without the intervention of any hydraulic, electric, or pneumatic device.

(5) In all cases the brakes operated by one of the means of operation shall act directly upon the wheels and not through the transmission gear.

(6) Every trailer having four or more wheels shall have an efficient braking system the brakes of which act upon

(a) at least two wheels in the case of a trailer having not more than four wheels, and

(b) at least four wheels in the case of a trailer having more than four wheels, so constructed that the

brakes are capable of being set so as effectually to prevent two at least of the wheels from revolving when the trailer is not being drawn.

(7) In all cases where the braking system on a trailer having four or more wheels cannot be operated from the tractor vehicle, a person shall be carried on the trailer for the purpose of operating the braking system on the trailer.

(8) Except in the case of motor cycles with or without sidecars attached, every motor vehicle shall be equipped with a braking system so designed and constructed that it can be set so as effectually to prevent two at least, or in the case of a vehicle with only three wheels, one of the wheels from revolving when the vehicle is not being driven or is left unattended.

**Inspection  
and tests.**

14. (1) The Chief Constable may direct that an inspection and test of any motor vehicle be carried out prior to issuing a licence or during the period when a licence is in force. Such inspection or test shall be carried out at the expense of the owner of the vehicle and if the vehicle is considered by the inspecting officer to be dangerous or unfit for

use no licence shall issue or a licence if in force shall be suspended until the inspecting officer certifies (Form E in Schedule) that the vehicle is fit for use.

(2) The Executive Engineer or his representative shall be the inspector for the purpose of the foregoing section and shall be empowered to carry out such inspections or tests of motor vehicles as may be considered necessary for the purpose of these regulations.

(3) The fee to be charged for each inspection or test shall be such sum not exceeding one pound as the Governor may direct.

(4) A motor vehicle licence shall not be issued in respect of any motor vehicle so tested until it has been certified as fit to be licensed and any licence issued in respect thereof shall be suspended until all defects in the vehicle are remedied or such licence may be revoked :

Provided that any person aggrieved by any refusal to grant, suspension of or revocation of a licence may appeal to the Magistrate who may make such order as he thinks fit.

15. (1) No person in charge of a motor vehicle shall

Duties of  
Driver.

- (a) cause or permit the vehicle or trailer to stand on a road so as to cause an unnecessary obstruction thereof ;
- (b) leave the vehicle without having stopped the engine and set the brake so as effectually to prevent the vehicle from being moved.

(2) A person while actually driving a motor vehicle shall

- (a) when any accident occurs whereby damage or injury is caused to any person, vehicle, bicycle, horse, cattle, ass, mule, sheep, pig, goat or dog, stop and give his name and address, and the name and address of the owner and the identification marks of the vehicle to any person having reasonable grounds for requiring him so to do ;
- (b) in the case of an accident as aforesaid, if he does not for any reason give his name and address to any person as aforesaid, report the accident to the police station as soon as practicable and in any case within 24 hours of the occurrence thereof ;

- (c) comply with every road sign erected by the Government or Stanley Town Council and with any signal by a police officer in uniform ;
- (d) not carry a load the weight, position or condition of which would, in the opinion of the Chief Constable, constitute a danger to other users of a road.

### SCHEDULE.

#### Form A.

#### Application for Registration of a Motor Vehicle.

I hereby declare that I am entitled to the possession of the motor vehicle described below, and apply to be registered as the owner thereof:—

1. Full name of owner
2. Address of owner
3. Name of manufacturer
4. Description of vehicle (1)
5. Manufacturer's number of chassis
6. Manufacturer's number of engine
7. Horse-power
8. Type of body (2):—
  - Description
  - Colour
  - Number of Seats
9. Description of side-car (3)
10. Nett weight cwts. qrs. lbs.
11. Gross weight (4) cwts. qrs. lbs.
12. Number of passengers which it is proposed to carry
13. Description of Tyres
14. Place where vehicle will usually be kept
15. Purpose for which vehicle will be used:—
  - (a) Private use
  - (b) Conveyance of goods (Load area sq. ft.)
  - (c) Conveyance of goods and passengers (5)

And I hereby declare that the described motor vehicle has not previously been registered in the Falkland Islands, and that the above particulars are true and accurate in every respect.

Dated

19

.....  
(Signature of Applicant)

- Notes.**—
- (1) State whether the vehicle is a motor cycle, etc.
  - (2) In the case of motor cycles, particulars under this head need not be given.
  - (3) Particulars only required in case of motor cycles.
  - (4) "Gross Weight" means the unladen weight plus the weight which the vehicle is carrying when fully laden.
  - (5) Refers to motor vehicles primarily designed for the purpose of carrying goods, but on which it is also desired to carry passengers.

**Form B.****Application for a Motor Vehicle/Trailer Licence.**

I hereby declare that I am the owner of the motor vehicle/trailer described below, and apply for a licence expiring on 19 .

1. Full name of owner
  2. Address of owner
  3. Description of vehicle/trailer
  4. Identification mark
  5. Horse-power
  6. (For commercial vehicles) Load area sq. ft.
  7. Number of wheels
  8. Description of tyres
  9. Amount payable
- Dated 19

.....  
(Signature of Applicant)

**Form C.****Application for a Driver's Licence. (1)**

To the Chief Constable at

1. I, (2) of  
hereby apply for a driver's licence to drive (3)
2. I was born at (4) on the (5)
3. I am not suffering from any physical or mental disability which prevents me from driving in a safe and proper manner.
4. I have never before applied for or been granted or refused or disqualified for obtaining a driver's licence, or
- 4a. I was first granted a driver's licence on at
5. Particulars of any endorsement of any driver's licence held or previously held by me
6. Particulars of any disqualification for obtaining a driver's licence (Court by which, date on which, and period for which such disqualification was imposed)
7. And I hereby declare that the above particulars are true and accurate in every respect.

Dated 19

.....  
(Signature of Applicant)

- 
- (1) Application form to be completed in applicant's own hand-writing.
  - (2) Full name and address.
  - (3) State class of vehicle, i.e., "motor cycle" or any class of "motor vehicle".
  - (4) Place of birth.
  - (5) Date of birth.



## Form D.

No.....

## Driving Licence.

(Name)

(Address)

is hereby licensed to drive a motor vehicle/cycle subject to the conditions stated overleaf.

This licence expires on

19

Fee 5/- paid.

Dated

19

.....  
Chief Constable.

## Form E.

## Certificate of Fitness.

## Description of Vehicle.

1. Name of owner
2. Address of owner
3. Identification mark
4. Purpose for which to be used

I hereby certify that I have examined the above vehicle, and find that it complies with the provisions of the Road Traffic Ordinance, and the regulations made thereunder, and is fit to be licensed as a

(Insert any special conditions necessary in the interests of safety).

or

I hereby certify that I have examined the above vehicle, and find that it is unfit to be licensed as a by reasons of the following irremediable defects, viz.:—

or

I hereby certify that I have examined the above vehicle, and find that it is unfit to be licensed as a by reasons of the following remediable defects, viz.:—

Dated

19

.....  
(Signature)

The above-mentioned defects have now been remedied to my satisfaction.

Dated

19

.....  
(Signature)

CHAPTER 61.  
SAVINGS BANK.

RULES.

Section 14.

1. In these rules "Savings Bank" means the Savings Bank established by the Savings Bank Ordinance. Definition.

2. The Savings Bank shall be at the Public Treasury, Stanley, and shall be open daily each week (Sundays, Christmas Day, Good Friday and Public Holidays excepted) for the transaction of business from 10 a.m. to 3 p.m. and on Saturdays from 10 a.m. to 12 noon. Hours of business.

3. Every depositor, on making a first deposit in the Savings Bank, shall be supplied, free of charge, with a Pass Book, and shall be required to state his christian name and surname, occupation and residence (to the officer appointed to receive the deposit), and to sign his name in the place provided for the depositor's signature in the Pass Book. If the depositor cannot write, his mark shall be taken and witnessed by the Colonial Treasurer or an officer of his department. Method of making deposits.

If the depositor is unable to attend personally at the Savings Bank, his signature or mark may be witnessed by a Justice of the Peace or a Minister of Religion recognised by the Government, or by a landed proprietor, or lessee of Crown Lands, or his manager in the district in which the depositor resides. The particulars of the deposit together with the money to be deposited shall then be forwarded to the Colonial Treasurer to be dealt with according to the Savings Bank Rules.

4. Deposits may be made by a trustee on behalf of another person or persons in the joint names of such trustee and the person or persons on whose account such moneys shall be so deposited, but repayment of the same or any part thereof shall not be made without the receipt and receipts of both or all of the said parties, or the survivor or survivors, or the executors or administrators of such survivor, whose receipt and receipts, either personally, or by agent appointed by Power of Attorney, which Power of Attorney may be executed by an infant of or exceeding the age of 14 years, shall alone be a valid discharge, except in cases of insanity, or imbecility Deposits made by trustees.

of the party on whose behalf the deposits were made, when the Colonial Treasurer may, on proof of the fact to his satisfaction, allow repayment to be made to the trustee alone.

Deposits  
by minors.

5. Deposits may be made by or for the benefit of any person under 21 years of age and repayment shall be made to such minor of the age of 10 years or more in the same manner as if he were of full age.

Deposits by  
married  
women.

6. Deposits may be made by married women, and deposits so made, or made by women who shall afterwards marry, will be repaid to any such woman.

Deposits by  
Friendly  
Societies,  
etc.

7. Deposits may be made by the trustee of any Friendly Society, or of any Charitable or Provident Society, or Penny Savings Bank, within the Colony of the Falkland Islands, provided always that such deposits shall not be of less amount than one shilling, or of any sum not a multiple thereof, and that a copy of the rules of such Society or Penny Savings Bank shall be deposited with the Colonial Treasurer, with the names and addresses of the trustees thereof.

Limit of  
Deposits.

8. Deposits in the Savings Bank shall not in the aggregate exceed the sum of £7,500 in respect of one or more accounts held by any one depositor :

Provided that the Governor in Council may approve of the said limit being exceeded in the case of investments on account of local Societies and Provident Funds.

Form of  
withdrawal.

9. Any depositor wishing to withdraw the whole or any part of the sum standing to his credit in the Savings Bank, shall make application to the Colonial Treasurer on the form prescribed in the Schedule to these rules.

Withdrawals.

10. Every withdrawal from the Savings Bank shall be paid to the depositor in person, or to the person duly authorised by him to receive the same, and receipts shall be given by the depositor, or by the person authorised, as the case may be, for every payment made to him.

An authorisation to receive payment from the Savings Bank shall be signed in the presence of a Justice of the Peace, a Minister of Religion recognized by the Government, or a

landed proprietor or lessee of Crown Lands or his manager in the District in which the depositor resides. If the depositor be out of the Colony, his signature shall be verified by some constituted authority of the place in which he resides.

11. Applications to withdraw money deposited by any Friendly, Charitable, or Provident Society, or Penny Savings Bank, shall be signed by two of the trustees of any such Society or Penny Savings Bank, or, when there is no trustee, then by the treasurer, and the names of the trustee or treasurer or other officer of the Society authorised to receive the amount to be withdrawn, shall be stated in the notice of withdrawal, and the warrant for payment of the amount shall be made out in the name of such trustee, treasurer or officer, and the receipt of such person apparently authorised shall be a sufficient discharge for the same.

Withdrawals  
by Friendly  
Societies, etc.

12. No deposit shall be for any sum less than one shilling, and no withdrawals shall be for less amounts than one shilling unless to close the account.

Amount of  
deposit and  
withdrawals.

13. All Pass Books shall be forwarded to the Colonial Treasurer annually on the anniversary of the date on which the account was opened in order that the entries in such books may be compared with the entries in the books of the Colonial Treasurer, and that the interest due to the depositor may be inserted in his book.

Rendition of  
Pass Books  
for the  
purpose of  
making  
entries.

14. In case any depositor shall die leaving any sum of money in the Savings Bank, the same shall only be paid to the executor or administrator on the production of the Probate of the will, or Letters of Administration of the estate or effects of the deceased depositor to the Colonial Treasurer :

Payment of  
deposits on  
death of  
depositor.

Provided always that if the sum of money, with interest, due to such depositor at the time of his death shall not exceed fifty pounds, and if Probate of his will or Letters of Administration be not produced to the Colonial Treasurer or if notice in writing of the existence of a will and intention to prove the same, or to take out Letters of Administration, be not given to the Colonial Treasurer, at his office, within the period of one month after the death of the depositor ; or if such notice be given, but such will be not proved, or Letters of Administration be not taken out, and the Probate or Letters of Administration (as the case may be) be not produced to the

Colonial Treasurer within the period of two months from the death of the depositor, it shall be lawful for the Colonial Treasurer after such period of ONE OR TWO months (as the case may be) to pay and divide such funds at his discretion, to or amongst the widow or relatives of the deceased depositor, or any, or more of them; or, if he shall think proper, according to the Statute of Distributions.

Payment of deposits where depositor being illegitimate shall die intestate.

15. If any depositor, being illegitimate, shall die intestate leaving any person or persons who, but for the illegitimacy of such depositor, and of such person or persons, would be entitled to the money due to such deceased depositor, it shall be lawful for the Colonial Treasurer with the authority in writing of the Judge of the Supreme Court, to pay the money of such deceased depositor to any one or more of the persons who, in his opinion, would have been entitled to the same, according to the Statute of Distributions, if such depositor and such person or persons had been legitimate.

Payment of deposits if depositor shall become insane.

16. If any depositor shall become insane or otherwise incapacitated to act, and the same shall be proved to the satisfaction of the Colonial Treasurer and if the Colonial Treasurer shall be satisfied of the urgency of the case, he may pay from time to time out of the funds of such depositor to any persons whom he shall judge proper, and the receipt of such person shall be a good discharge for the same.

Penalty for contravention of rules.

17. Any person contravening the provisions of these rules shall on summary conviction be liable to a fine not exceeding one hundred pounds.

Transactions with other Post Office Savings Banks.

18. The Colonial Treasurer is authorised to enter into an arrangement with the Post Office Savings Bank of the United Kingdom or with the Government Savings Bank of any British Dominion, Colony, Protected State, or Protectorate, or any territory in respect of which a mandate on behalf of the League of Nations is being exercised by His Majesty, or any foreign country, for the transfer of any sums standing to the credit of depositors from such Savings Banks to the Savings Bank, and *vice versa*, and prescribe conditions for such transfers.

19. No money shall be paid from the Savings Book without the production of the depositor's pass book and application for withdrawal made on the prescribed form. Payments may be made, when convenient to the Colonial Treasurer, at the time of application, provided nevertheless that the Colonial Treasurer may in the exercise of his discretion require on the receipt of the application for withdrawal the following periods of delay :—

Periods  
allowed for  
payment of  
withdrawals.

For any sum of money not exceeding ten pounds (£10),  
Two days.

For any sum of money exceeding ten pounds (£10),  
Four days.

Provided always, that in case of the withdrawal of any sum exceeding Fifty Pounds (£50), payment may be made by a Bill of Exchange at par, drawn by the Colonial Treasurer on the Crown Agents for the Colonies in London, payable Thirty days after sight, or in cash from the Treasury chest, at the discretion of the Colonial Treasurer. In case of payment by Bill of Exchange, the withdrawal will be complete on the day of the date of such Bill.

#### SCHEDULE.

Falkland Islands Savings Bank.

P.V. No.....

S.B. No.....

#### Form of Withdrawal.

Depositor's Book  
No.....

(Date) ..... day of ..... 19.....

*To the Colonial Treasurer, Stanley, Falkland Islands.*

Insert at (a) the amount to be withdrawn, except when closing account; then insert the words "the balance, including interest."

I hereby give notice that I wish to withdraw the amount of (a) ..... from my Deposit Account bearing the above number in the Books of the Savings Bank, and I request that payment of the said amount be made

\* to me in person

\*Words not applicable to be struck out.

\*to ..... who is authorised to receive the same on my behalf and that the said amount be debited to my deposit account.

.....  
(Signature)

.....  
(Address)

*N.B.—If payment is to be made to any person other than the Depositor himself this form of withdrawal must be signed by the depositor in the presence of a witness under Regulation 10 (see back hereof).*

I certify that I am personally acquainted with  
 ..... who is the possessor of Savings Bank  
 Deposit Book No. .... now produced to me and  
 that <sup>he</sup> has affixed <sup>his signature</sup>  
<sup>she</sup> her mark to this form of  
 withdrawal in my presence.

Witness.....

Qualification.....

---

**Authority for Payment.**

Depositor's Book No.....

Payment of the sum of .....  
 is authorised to be made as requested, entry of the sum being duly made  
 in the Depositor's Pass Book and receipts being given for the same.

Balance £.....s.....d.....

*Colonial Treasurer.*

Interest £.....s.....d.....

Total £.....s.....d.....

Date..... 19.....

---

**Depositor's Receipt.**

I hereby acknowledge the receipt of the above-named sum of .....

£.....s.....d.....

*Signature of Depositor or of  
 person authorised by him.*

*Printed copies of this Form may be obtained at the Savings Bank  
 for transactions with the Bank.*

**CHAPTERS 62 and 63.**

*No Subsidiary Legislation.*

---

**CHAPTER 64.**

**SHIPWORKERS PROTECTION.**

**REGULATIONS.**

No. 7 of 1949. Section 2.

These regulations may be cited as the Shipworkers  
 Protection Regulations.

**Definitions.**

In these regulations—

“processes” means the process of loading, unloading,  
 moving and handling goods in, on, or at any dock, wharf

or jetty or scows and the processes of loading, unloading and coaling any ship in any dock or harbour ;

"person employed" means a person employed in the processes ;

"prescribed" means prescribed by the Governor in Council ;

"hatch" means an opening in a deck used for the purpose of the processes or for trimming, or for ventilation ;

"hatchway" means the whole space within the square of the hatches from the top deck to the bottom of the hold ;

"lifting machinery" means cranes, winches, hoists, derrick booms, derrick and mast bands, goose necks, eyebolts, and all other permanent attachments to the derricks, masts and decks used in hoisting or lowering in connection with the processes ;

"pulley block" means pulley, block, gin or similar gear, other than a crane block specially constructed for use with a crane to which it is permanently attached ;

"shallow water" includes any of the following parts of a non-tidal river, or inland navigation—

- (a) any part having no means of access to tidal waters except through a lock not exceeding ninety feet in length.
- (b) any part not in frequent use for the processes ; and
- (c) any part at which the depth of water within fifteen feet of the edge does not ordinarily exceed five feet.

#### **Duties.**

- (a) It shall be the duty of the person having the general management and control of a dock, wharf or jetty to comply with Part I of these regulations :

Provided that if any other person has the exclusive right to occupation of any part of the dock, wharf or jetty, and has the general management and control of such part, the duty in respect of that part shall devolve upon that other person ; and further provided that this



part of these regulations shall not apply to any shallow water.

- (b) It shall be the duty of the owner, master, or officer in charge of a ship to comply with Part II of these regulations.
- (c) It shall be the duty of the owner of machinery or plant used in the processes, and in the case of machinery or plant carried on board a ship not being registered in the Colony or the United Kingdom it shall also be the duty of the master of such ship to comply with Part III of these regulations.
- (d) It shall be the duty of every person who by himself, his agents or workmen carries on the processes, and of all agents, workmen and persons employed by him in the processes to comply with Part IV of these regulations.
- (e) It shall be the duty of all persons, whether owners, occupiers or persons employed to comply with Part V of these regulations.
- (f) Part VI of these regulations shall be complied with by the persons on whom the duty is placed in that Part.

#### **Part I.**

1. Every regular approach over a dock, wharf or jetty which persons employed have to use for going to or from a working place at which the processes are carried on and every such working place on shore shall be maintained with due regard to the safety of the persons employed.

In particular the following parts shall, as far as is practicable having regard to the traffic and working, be securely fenced so that the height of the fence shall be in no place less than two feet six inches, and the fencing shall be maintained in good condition ready for use :—

- (1) All breaks, dangerous corners, and other dangerous parts or edges of a dock, wharf or jetty.
- (2) Both sides of such footways over bridges, caissons, and dock gates as are in general use by persons employed, and each side of the entrance at each end of such footway for a sufficient distance not exceeding five yards.

2. Provision for the rescue from drowning of persons employed shall be made and maintained, and shall include—

- (1) A supply of life-saving appliances, kept in readiness on the wharf or jetty which shall be reasonably adequate having regard to all the circumstances ;
- (2) means at or near the surface of the water at reasonable intervals for enabling a person immersed to support himself or escape from the water, which shall be reasonably adequate having regard to all the circumstances.

3. All places in which persons are employed and any dangerous parts of the regular road or way over a dock, wharf or jetty forming the approach to any such place from the nearest highway shall be sufficiently lighted.

4. (1) A sufficient number of first-aid boxes or cupboards of a standard to be prescribed shall be provided at every working place and, if more than one is provided, at reasonable distances from each other.

(2) A first-aid box or cupboard shall be marked plainly with a white cross on a red ground.

5. Nothing except appliances or requisites for first-aid shall be kept in a first-aid box or cupboard.

6. A first-aid box or cupboard shall be kept stocked and in good order and shall be placed under the charge of a responsible person who shall always be readily available during working hours. Such person shall be a person trained in first-aid.

## **Part II.**

7. If a ship is lying at a wharf or jetty for the purpose of loading or unloading or coaling, there shall be safe means of access for the use of persons employed at such times as they have to pass from the ship to the shore or from the shore to the ship as follows :—

- (1) Where reasonably practicable the ship's accommodation ladder or a gangway or a similar construction not less than twenty-two inches wide, properly

secured, and fenced throughout on each side to a clear height of two feet nine inches by means of upper and lower rails, taut ropes or chains or by other equally safe means, except that in the case of the ship's accommodation ladder such fencing shall be necessary on one side only provided that the other side is properly protected by the ship's side.

- (2) In other cases a ladder of sound material and adequate length which shall be properly secured to prevent slipping :

Provided that nothing in this regulation shall be held to apply to cargo stages or cargo gangways if other proper means of access is provided in conformity with these regulations :

Provided also that as regards any sailing vessel not exceeding 250 tons net registered tonnage and any steam vessel not exceeding 150 tons gross registered tonnage this regulation shall not apply if and while the conditions are such that it is possible without undue risk to pass to and from the ship without the aid of any special appliances.

8. If a ship is alongside any other ship, vessel, or boat, and persons employed have to pass from one to the other, safe means of access shall be provided for their use, unless the conditions are such that it is possible to pass from one to the other without undue risk without the aid of any special appliance.

If one of such ships, vessels, or boats is a sailing barge, flat, keel, lighter or other similar vessel of relatively low freeboard, the means of access shall be provided by the ship which has the higher freeboard.

9. (1) If the depth from the level of the deck to the bottom of the hold exceeds five feet, there shall be maintained safe means of access from the deck to the hold in which work is being carried on.

(2) Save as hereinafter provided, such access shall be afforded by ladder, and by ladder cleats or cups on the coamings, and shall not be deemed to be safe—

- (a) unless the ladders between the lower decks are in the same line as the ladder from the top deck, if the same is practicable having regard to the position of the lower hatch or hatches ;
- (b) unless the ladders provide a foothold of a depth, including any space behind the ladder, of not less than  $4\frac{1}{2}$  inches for a width of 10 inches, and a firm handhold ;
- (c) unless the cleats or cups provided on coamings—
  - (i) provide a foothold of a depth, including any space behind the cleats or cups, of not less than  $4\frac{1}{2}$  inches for a width of 10 inches, and a firm handhold ;
  - (ii) are so constructed as to prevent a man's foot slipping off the side ;
  - (iii) are placed vertically one above the other and in the same line as the ladders to which they give access ;
- (d) unless the cargo is stowed sufficiently far from the ladder to leave at each rung of the ladder foothold of a depth, including any space behind the ladder, of not less than  $4\frac{1}{2}$  inches for a width of 10 inches, and a firm handhold ;
- (e) unless there is room to pass between a winch or other obstruction and the coamings at the place where the ladder leaves the deck ;
- (f) if the ladder is recessed under the deck more than is reasonably necessary to keep the ladder clear of the hatchway :

Provided that such access may be afforded—

- (i) where the provision of a ladder on a bulkhead or in a trunk hatchway can be shown to be reasonably impracticable, by cleats or cups complying with the requirements of paragraph (c) ;
- (ii) by ladders or steps, separate from any hatchway or sloping from deck to deck,

if such ladders or steps comply with the requirements of paragraphs (b), (d) and (e).

10. When the processes are being carried on—

- (1) the places in the hold and on the decks where work is being carried on,
- (2) the means of access provided in pursuance of regulations 7 and 8, and
- (3) all parts of the ship to which persons employed may be required to proceed in the course of their employment,

shall be efficiently lighted, due regard being had to the safety of the ship and cargo, of all persons employed and of the navigation of other vessels, and to regulations made by the Governor-in-Council.

11. All fore and aft beams and thwartship beams used for hatch covering shall have suitable gear for lifting them on and off without it being necessary for any person to go upon them to adjust such gear.

12. All hatch coverings shall be kept plainly marked to indicate the deck and hatch to which they belong and their position therein :

Provided that this regulation shall not apply in cases where the hatch coverings of a ship are interchangeable or, in respect of marking the position, where all hatch coverings of a hatch are interchangeable.

This regulation shall apply to fore and aft beams and to thwartship beams as it applies to hatch coverings.

13. All fore and aft beams and thwartship beams used for hatch covering and all hatch coverings shall be maintained in good condition.

14. Adequate hand grips shall be provided on all hatch coverings having regard to their size and weight, unless the construction of the hatch or the hatch coverings is of a character rendering the provision of hand grips unnecessary.

15. Where the working space around a hatch is less than two feet wide, such provision shall be made as will enable persons employed to remove and replace in safety all fore and aft beams and thwartship beams used for hatch covering and all hatch coverings.

### Part III.

16. (1) All lifting machinery shall have been tested and examined by a competent person in the manner set out in the Schedule to these regulations before being taken into use.

(2) (a) All derrick and permanent attachments, including bridle chains, to the derrick, mast and deck, used in hoisting or lowering shall be inspected once in every twelve months and be thoroughly examined once at least in every four years.

(b) All other lifting machinery shall be thoroughly examined once at least every twelve months.

(c) For the purposes of this regulation thorough examination means a visual examination, supplemented if necessary by other means such as a hammer test, carried out as carefully as the conditions permit, in order to arrive at a reliable conclusion as to the safety of the parts examined; and if necessary for the purpose, parts of the machine gear must be dismantled.

17. (1) No chain, ring, hook, shackle, swivel or pulley block shall be used in hoisting or lowering unless it has been tested and examined by a competent person in the manner set out in the Schedule to these regulations.

(2) All chains, other than bridle chains attached to derricks or masts, and all rings, hooks, shackles and swivels used in hoisting or lowering shall, unless they have been subjected to such other treatment as may be prescribed, be effectually annealed under the supervision of a competent person and at the following intervals:—

(a) Half inch and smaller chains, rings, hooks, shackles and swivels in general use, once at least in every six months.

- (b) All other chains, rings, hooks, shackles and swivels in general use, once at least in every twelve months :

Provided that in the case of such gear used solely on cranes and other hoisting appliances worked by hand, twelve months shall be substituted for six months in paragraph (a) and two years for twelve months in paragraph (b).

Provided also that where the Executive Engineer is of opinion that, owing to the size, design, material or infrequency of use of any such gear or class of such gear, the requirement of this regulation as to annealing is not necessary for the protection of persons employed, he may by certificate in writing (which he may in his discretion revoke) exempt such gear or class of gear from such requirement subject to such conditions as may be specified in such certificate.

(3) All chains, other than bridle chains attached to derricks or masts, and all rings, hooks, shackles, swivels and pulley blocks shall be inspected by a competent person immediately before each occasion on which they are used in hoisting or lowering, unless they have been inspected within the preceding three months.

(4) All chains, rings, hooks, shackles or swivels used in hoisting or lowering which have been lengthened, altered or repaired by welding shall before being taken into use be adequately tested and re-examined.

18. (1) No rope shall be used in hoisting or lowering unless—

(a) it is of suitable quality and free from patent defect, and

(b) in the case of wire rope, it has been examined and tested by a competent person in the manner set out in the Schedule to these regulations.

(2) Every wire rope in general use for hoisting or lowering shall be inspected by a competent person once at least in every three months :

Provided that after any wire has broken in such rope it shall be inspected once at least in every month.

(3) No wire rope shall be used in hoisting or lowering if in any length of eight diameters the total number of visible broken wires exceeds ten per cent. of the total number of wires, or the rope shows signs of excessive wear, corrosion or other defect which, in the opinion of the person who inspects it, renders it unfit for use.

(4) A thimble or loop splice made in any wire rope shall have at least three tucks with a whole strand of the rope and two tucks with one half of the wires cut out of each strand. The strands in all cases shall be tucked against the lay of the rope :

Provided that this regulation shall not operate to prevent the use of another form of splice which can be shown to be as efficient as that laid down in this regulation.

19. For the purposes of regulations 16, 17 and 18, a person shall not be deemed to be a competent person if and in so far as the Executive Engineer has given notice in writing that such person is in his opinion not technically qualified to carry out the tests, examinations or annealing required by these regulations :

Provided that any person whom the Executive Engineer may thus declare not to be competent shall have the right to appeal against such declaration to the Governor in Council whose decision shall be final.

20. (1) Certificates in the prescribed forms and containing the prescribed particulars with regard to the tests, examinations, inspections, annealing or other treatment required under regulations 16, 17 (1) and (2) and 18 (1) shall be obtained, and entered in or attached to the prescribed register before the machinery, chain, rope or other gear to which the certificate refers is subsequently taken into use in connection with the processes.

(2) The prescribed register with the certificates required to be attached to it shall be kept on the premises unless some other place has been approved in writing by the Executive Engineer.

21. No pulley block shall be used in hoisting or lowering unless the safe working load is clearly stamped upon it.



22. Means shall be provided to enable any person using a chain or wire rope sling to ascertain the safe working load for such chain or sling under such conditions as it may be used.

- (1) As regards chain slings, such means shall consist of marking the safe working load in plain figures or letters upon the sling or upon a tablet or ring of durable material attached securely thereto.
- (2) As regards wire rope slings, such means shall consist of either the means specified in paragraph (1) above or a notice or notices, so exhibited as to be easily read by any person concerned, stating the safe working loads for the various sizes of wire rope slings used.

23. Chains shall not be shortened by tying knots in them, and suitable packing shall be provided to prevent the links coming into contact with sharp edges of loads of hard material.

24. All motors, cog-wheels, chain and friction gearing, shafting, live electric conductors and steam pipes shall (unless it can be shown that by their position and construction they are equally safe to every person employed as they would be if securely fenced) be securely fenced so far as is practicable without impeding the safe working of the ship.

25. Cranes and winches shall be provided with such means as will reduce to a minimum the risk of the accidental descent of a load while being raised or lowered; in particular, the lever controlling the link motion reversing gear of a crane or winch shall be provided with a suitable spring or other locking arrangement.

26. The driver's platform on every crane or tip driven by mechanical power shall be securely fenced and shall be provided with safe means of access. In particular, where access is by a ladder—

- (1) the sides of the ladder shall extend to a reasonable distance beyond the platform or some other suitable handhold shall be provided;

- (2) the landing place on the platform shall be maintained free from obstruction ;
- (3) in cases where the ladder is vertical and exceeds thirty feet in height, a resting place shall be provided approximately midway between the platform and the foot of the ladder.

27. Every crane and derrick shall have the safe working load plainly marked upon it, and every shore crane, if so constructed that the safe working load may be varied by the raising or lowering of the jib or otherwise, shall have attached to it an automatic indicator of safe working loads :

Provided that, in cases where the jib may be raised or lowered, provision on the crane of a table showing the safe working loads at the corresponding inclinations or radii of the jib shall be considered sufficient compliance.

28. Adequate measures shall be taken to prevent exhaust steam from, and so far as is practicable live steam to, any crane or winch obscuring any part of the decks, gangways, stages, wharf, or jetty where any person is employed in the processes.

29. Appropriate measures shall be taken to prevent the foot of a derrick being accidentally lifted out of its socket or support.

#### **Part IV.**

30. Precautions shall be taken to facilitate the escape of the workers when employed in a hold or on 'tween decks in dealing with coal or other bulk cargo.

31. (1) No lifting machinery, chains or other lifting appliance shall be loaded beyond the safe working load, except that a crane may be loaded beyond the safe load in exceptional cases to such extent and subject to such conditions as may be approved by the engineer in charge or other competent person, if on each occasion—

- (a) the written permission of the owner or his responsible agent has been obtained ;
- (b) a record of the overload is kept :

Provided also that, where the load upon a single sheave pulley block is attached to the pulley block instead of to the chain or rope passing round the sheave, the load on the pulley block shall be deemed for the purposes of this regulation to be half the actual load.

(2) No load shall be left suspended from a crane, winch, or other machine unless there is a competent person actually in charge of the machine while the load is so left.

32. No person under 16 years of age and no person who is not sufficiently competent and reliable shall be employed as driver of a crane or winch, whether driven by mechanical power or otherwise, or to give signals to a driver, or to attend to cargo falls on winch-ends or winch-bodies.

33. Where goods are placed on a wharf or jetty other than a wharf or jetty in shallow water—

(1) a clear passage leading to the means of access to the ship required by regulation 7 shall be maintained on the wharf or jetty; and

(2) if any space is left along the edge of the wharf or jetty it shall be at least three feet wide and clear of all obstructions other than fixed structures, plant and appliances in use.

34. (1) No deck-stage or cargo-stage shall be used in the processes unless it is substantially and firmly constructed and adequately supported, and, where necessary, securely fastened.

(2) No truck shall be used for carrying cargo between ship and shore on a stage so steep as to be unsafe.

(3) Any stage which is slippery shall be made safe by the use of sand or otherwise.

35. (1) If any hatch of a hold accessible to any person employed, and exceeding five feet in depth, measured from the level of the deck in which the hatch is situated to the bottom of the hold, is not in use for the passage of goods, coal

or other material, or for trimming, and the coamings are less than two feet six inches in height, such hatch shall either be fenced to a height of three feet or be securely covered :

Provided that this requirement shall not apply—

- (a) to vessels not exceeding 200 tons net registered tonnage which have only one hatchway ;
- (b) to any vessel during meal times or other short interruptions of work during the period of employment.

(2) Hatch coverings shall not be used in the construction of deck or cargo stages, or for any other purpose which may expose them to damage.

(3) Hatch coverings shall be replaced on the hatches in the positions indicated by the markings made thereon in pursuance of regulation 12.

36. No cargo shall be loaded or unloaded by a fall or sling at any intermediate deck unless either the hatch at that deck is securely covered or a secure landing platform of a width not less than that of one section of hatch coverings has been placed across it :

Provided that this regulation shall not apply to any process of unloading the whole of which will be completed within a period of half an hour.

37. When the working space in a hold is confined to the square of the hatch, hooks shall not be made fast in the bands or fastenings of bales of cotton, wool, cork, gunny bags or other similar goods, nor shall can hooks be used for raising or lowering a barrel when, owing to the construction or condition of the barrel or of the hooks, their use is likely to be unsafe.

Nothing in this regulation shall apply to breaking out or making up slings.

38. When work is proceeding on any skeleton deck, adequate staging shall be provided unless the space beneath the deck is filled with cargo to within a distance of two feet of such deck.

39. Where stacking, unstacking, stowing or unstowing of cargo or handling in connection therewith cannot be safely carried out unaided, reasonable measures to guard against accident shall be taken by shoring or otherwise.

40. The beams of any hatch in use for the processes shall, if not removed, be adequately secured to prevent their displacement.

41. When cargo is being loaded or unloaded by a fall at a hatchway, a signaller shall be employed, and where more than one fall is being worked at a hatchway, a separate signaller shall be employed to attend to each fall :

Provided—

(a) that this regulation shall not apply in cases where a barge, lighter or other similar vessel is being loaded or unloaded if the driver of the crane or winch working the fall has a clear and unrestricted view of those parts of the hold where work is being carried on ;

(b) that where the Executive Engineer is of opinion that, owing to the nature of the crane or winch or other appliance in use or by reason of any special arrangements, the requirements of this regulation are not necessary for the safety of persons employed he may by certificate in writing (which he may in his discretion revoke) suspend such requirements subject to such conditions as may be specified in such certificate.

42. When any person employed has to proceed to or from a ship by water for the purposes of carrying on the processes proper measures shall be taken to provide for his safe transport. Vessels used for this purpose shall be in charge of a competent person, shall not be over-crowded, and shall be properly equipped for safe navigation and maintained in good condition.

#### Part V.

43. No person shall, unless duly authorised or in case of necessity, remove or interfere with any fencing, gangway, gear, ladder, hatch covering, means of life-saving appliances, lights, marks, stages or other things whatsoever required by

these regulations to be provided. If removed, such things shall be restored at the end of the period during which their removal was necessary by the persons last engaged in the work that necessitated such removal.

44. The fencing required by regulation 1 shall not be removed except to the extent and for the period reasonably necessary for carrying on the work of the dock or ship, or for repairing any fencing. If removed it shall be restored forthwith at the end of that period by the persons engaged in the work that necessitated its removal.

45. Every person employed shall use the means of access provided in accordance with regulations 7, 8 and 9, and no person shall authorise or order another to use means of access other than those provided in accordance therewith.

46. No person shall go upon the fore and aft beams or thwartship beams for the purpose of adjusting the gear for lifting them on and off nor shall any person authorise or order another to do so.

## **Part VI.**

47. No employer of persons in the processes shall allow machinery or gear to be used by such persons which does not comply with Part III of these regulations.

48. If the persons whose duty it is to comply with regulations 7, 8 and 11 fail so to do, then it shall also be the duty of the employers of the persons employed for whose use the means of access and the lights are required, to comply with the said regulations within the shortest time reasonably practicable after such failure.

49. The prescribed register shall, on the application of the Executive Engineer be produced by the person in charge thereof; if it relates to the lifting machinery and other gear of a ship and is kept on the ship, it shall be produced, together with the certificate of the ship's register, by the person for the time being in charge of the ship.

**SCHEDULE.****Manner of Test and Examination Before Taking Lifting Machinery  
and Gear into use.**

Regulations 16 (a), 17 (a) and 18 (a).

(a) Every winch with the whole of the gear accessory thereto (including derricks, goose necks, eye-plates, eye-bolts or other attachments) shall be tested with a proof load which shall exceed the safe working load as follows:—

Safe working load	Proof load
Up to 20 tons ... ..	25 per cent in excess
20—50 tons ... ..	5 tons in excess
Over 50 tons ... ..	10 per cent. in excess

The proof load shall be applied either—

- (i) by hoisting movable weights, or
- (ii) by means of a spring or hydraulic balance or similar appliance, with the derrick at an angle to the horizontal which shall be stated in the certificate of the test.

In the former case, after the movable weights have been hoisted, the derrick shall be swung as far as possible in both directions. In the latter case, the proof load shall be applied with the derrick swung as far as practicable first in one direction and then in the other.

(b) Every crane and other hoisting machine with the accessory gear shall be tested with a proof load which shall exceed the safe working load as follows:—

Safe working load	Proof load
Up to 20 tons ... ..	25 per cent. in excess
20—50 tons ... ..	5 tons in excess
Over 50 tons ... ..	10 per cent. in excess

The said proof load shall be hoisted and swung as far as possible in both directions. In the case of a jib-crane, if the jib has a variable radius, it shall be tested with a proof load as defined above at the maximum and minimum radii of the jib. In the case of hydraulic cranes or hoists, where, owing to the limitations of pressure, it is impossible to hoist a load of 25 per cent in excess of the safe working load, it shall be sufficient to hoist the greatest possible load.

(c) Every article of loose gear (whether it is accessory to a machine or not) shall be tested with a proof load at least equal to that shown against the article in the following table:—

Article of gear	Proof load
Chain ... ..	Twice the safe working load
Ring ... ..	
Hook ... ..	
Shackle ... ..	
Swivel ... ..	
Pulley Blocks—	
Single Sheave Block ... ..	Four times the safe working load
Multiple Sheave Block with safe working load up to and including 20 tons ... ..	Twice the safe working load
Multiple Sheave Block with safe working load over 20 tons up to and including 40 tons ... ..	20 tons in excess of the safe working load
Multiple Sheave Block with safe working load over 40 tons ... ..	One and a half times the safe working load

Provided that where the Executive Engineer is of opinion that, owing to the size, design, construction, material or use of any such loose gear or class of such gear, any of the above requirements are not necessary for the protection of persons employed, he may by certificate in writing (which he may in his discretion revoke) exempt such gear or class of gear from such requirement, subject to such conditions as may be stated in the certificate.

(d) After being tested as aforesaid, all machines with the whole of the gear accessory thereto and all loose gear shall be examined, the sheaves and the pins of the pulley blocks being removed for the purpose, to see that no part is injured or permanently deformed by the test.

(e) In the case of wire ropes, a sample shall be tested to destruction and the safe working load shall not exceed one-fifth of the breaking load of the sample tested.

## CHAPTERS 65 to 67.

### *No Subsidiary Legislation.*

## CHAPTER 68.

### BY-LAWS MADE BY THE STANLEY TOWN COUNCIL AND APPROVED BY THE GOVERNOR IN COUNCIL.

#### Section 84.

1. These by-laws may be cited as the Petrol Storage By-laws. Short title.

2. In these by-laws where the context so admits— Definitions.

“licensed warehouse” means a warehouse licensed by the Council for the storage of petrol;



"petrol" means petroleum which when tested gives off an inflammable vapour at a temperature of less than 73 degrees Fahrenheit.

Storage on landing.

3. All petrol landed at Stanley shall immediately be stored in a licensed warehouse at the expense of the importer.

Prohibition of smoking.

4. No person shall smoke or shall have a naked light within 30 yards of any place where petrol is being landed or stored.

Licence to store.

5. No person shall store petrol without a licence first obtained from the Council. Every such licence shall be in respect of the premises or tank in which the petrol is stored. No petrol shall be stored in other than a licensed warehouse or tank. This by-law shall not apply where the amount of petrol kept does not exceed four imperial gallons.

Licence to sell.

6. No person shall deal in or sell petrol without a licence first obtained from the Council.

Breach of licence conditions.

7. The Council may impose such licence fees and such licence conditions as it may think fit as a precaution against fire, and any licensee neglecting or failing to comply therewith shall commit an offence and upon conviction therefor the Council may forthwith rescind the licence granted to him.

Pumps.

8. No person shall erect any pump for the storage or supply of petrol until the site thereof has been approved by the Chief Constable, Stanley, and the construction and operation thereof have been approved by the Council.

Power to inspect.

9. The Council may by its officials, servants or agents at all reasonable hours inspect any place or receptacle in which petrol is stored. Any person who shall obstruct, hinder or delay them in so doing shall commit an offence.

#### SCHEDULE OF LICENCE FEES.

##### Petrol Storage By-Laws.

	£	s.	d.
Licence to import petrol from any source into the Town of Stanley ... ..	5	0	0
Licence to store petrol in a warehouse approved by the Council ... ..		nil	
Licence to store petrol in a fixed pump ... ..		nil	
Licence to deal in or sell petrol ... ..		nil	

**PETROL LICENCE CONDITIONS.**

1. No person shall in any licensed warehouse—
  - (a) have any matches or any implements for producing flame or fire;
  - (b) bring or use any artificial light of any description except a light incapable of igniting an inflammable vapour outside of the lamp itself.
2. An adequate quantity of sand in suitable receptacles to the satisfaction of the Council shall be maintained in every licensed warehouse.
3. All petrol stored in tins or drums shall be kept and stored in a non-inflammable room fitted with a non-inflammable door approved by the Council.
4. Any tin or drum found to be in a leaking or damaged condition shall immediately be removed to a place of safety in the open air.

**PUBLIC HEALTH BY-LAWS MADE BY THE  
STANLEY TOWN COUNCIL AND APPROVED  
BY THE GOVERNOR IN COUNCIL.**

**Section 84.**

1. These by-laws may be cited as the Stanley Town Council (Public Health) By-laws. Short title.

2. In these by-laws unless the context otherwise requires— Definitions.

“ashpit” means any receptacle, whether movable or fixed, for the deposit of house refuse, dust, ashes or rubbish;

“Council” means the Stanley Town Council;

“inspector” means any person appointed by the Council with the approval of the Governor to carry out the provisions of these By-laws;

“occupier” means, in the case of any premises or part of any premises, the person in occupation or having the management or control thereof either on his own account or as agent for some other person;

“pail” includes any receptable in which night soil is deposited;

“public water main, drain or sewer” means any water main, drain or sewer maintained by the Council;

“premises” means any property in Stanley owned or occupied by any person, firm or company.

**Nuisances.**

Powers of  
Inspector.

3. An inspector shall, for the purposes of these by-laws—
- (1) enter and inspect at all reasonable hours any premises in which he has reason to believe a nuisance is being committed and require the abatement of such nuisance ;
  - (2) enter and inspect all bakehouses, slaughterhouses and premises wherein food for sale or distribution for human consumption is manufactured or prepared in Stanley ;
  - (3) cause to be removed any noxious matter from all public drains, water courses, gutters, ditches, streets, roads or lanes ;
  - (4) enter and inspect between sunrise and sunset once in every two months the yards and outbuildings of all premises and forthwith report any nuisance to the Town Clerk.

**Buildings.**

4. If any building or house used or intended to be used for human habitation or any part thereof is unfit for human habitation as being injurious or likely to be injurious to the health of any person inhabiting the same, the Council shall issue an order prohibiting the use for human habitation of such building or house or part thereof :

Provided that if any such building or house or part thereof is subsequently rendered fit for human habitation the Council may revoke such order.

Permission  
for new  
buildings.

5. No person shall erect or begin to erect any building until he has—

- (1) applied to the Council for permission so to do ;
- (2) furnished the Council with—
  - (a) drawings, showing elevations, sections, and plans of every floor of the intended building drawn to a scale of not less than one inch to every eight feet ;

- (b) a block plan showing the position of the intended building and of the buildings already existing, if any, on the proposed site, the boundaries of the proposed site, and the position of any building immediately adjoining the proposed site, as well as the name of the owner of such building. The block plan shall also show the proposed lines of the water supply and the drainage of the intended building and the lines of any public water main or sewer with which it is intended to connect the water supply and the drainage of the intended building; and
  - (c) a description in writing of the materials with which it is proposed to erect the intended building and to construct the water supply and drainage of the intended building.
- (3) obtained a permit to build signed by the Town Clerk.

6. Every document specified in the foregoing by-law shall be forwarded to the Council in duplicate, and one copy of every such drawing or document shall be retained by the Council and shall become the property of the Council. Every such drawing or document or duplicate copy thereof shall be signed by the person who furnished the same or by his duly appointed agent.

7. (1) Any official duly authorised in writing by the Chairman of the Council shall have power to enter any building or premises in the course of erection for the purpose specified at reasonable times between the hours of sunrise and sunset after having given due notice to the occupier thereof.

Power  
of entry.

(2) Any person wilfully obstructing any such authorised person shall commit an offence against these by-laws.

8. If any person—

- (a) erects or begins to erect any building without having obtained a permit to build under by-law 5 ;  
or

Erection  
without or  
contrary to  
permit.

- (b) having obtained such permit contravenes any of the provisions of these by-laws, or fails to erect such building according to the plans and particulars approved by the Council, or fails to comply with any written notice signed by the Town Clerk requiring him within the time specified in the notice to make such alterations as may be necessary to ensure compliance with the provisions of these by-laws,

the Council may by notice signed by the Town Clerk require him to demolish and remove the building or any part thereof within the time specified in the notice, and should he fail to comply therewith the Council will by its servants, agents and workmen carry out such demolition, removal or alteration, and the Council is hereby empowered to recover from such person all costs and expenses in connection therewith.

Building to  
be erected  
within  
reasonable  
time.

9. The Council may, when it decides that a building will not be completed within a reasonable time, give notice signed by the Town Clerk to the person to whom the permit to build has been granted requiring him to complete the building on or before the date specified in the notice otherwise the Council will withdraw the permit :

Provided that nothing in this by-law shall prevent any person from making a fresh application for a permit to build.

Occupation  
of new  
buildings.

10. No person shall occupy or permit to be occupied any new building until it has been certified by the Council to be fit for occupation and in the case of a dwelling house fit for human habitation.

Preparation  
of site.

11. The site of a building in respect of which a building permit has been granted under these by-laws shall be prepared by removing all animal or vegetable matter and shall be dug out to such depth as the Council may consider necessary.

Footings.

12. Every wall of a building shall be constructed so as to rest upon proper footings.

13. All concrete used in the erection of a building shall be composed of clean gravel, broken hard brick, broken stone or other hard material approved by the Council and shall be well mixed with freshly burned lime or good cement in the proportion of at least one to six.

Concrete.

14. The underside of any floor joist or plate of a building shall be at least six inches above the surface of the underlying gravel and shall be efficiently ventilated by the insertion of air bricks, gratings or two inch slots left in the concrete foundations of outer and sleeper walls.

Air space  
under floors.

15. The timbers and materials of a timber framed building shall be of such size and strength as the Council may consider necessary to secure due stability.

Stability of  
materials.

16. Any stone or brick building erected for use as a dwelling house shall be constructed with a damp proof course of durable material impervious to moisture. The damp proof course may consist of sheet lead, asphalt three quarters of an inch in thickness, neat cement three quarters of an inch in thickness, slabs embedded in the cement or such other materials as the Council may approve.

Damp  
courses.

17. A pipe for the purpose of conveying smoke or other products of combustion shall not be fixed in any building unless it is fixed at a distance of at least eight inches from any combustible substance and such combustible substance is protected with asbestos sheeting or steel plate so as to leave an air space at least of half an inch between such combustible substance and the said asbestos sheeting or steel plate.

Stove  
piping.

18. Where a chimney is built against a wooden building the back of the chimney shall be built of brickwork not less than nine inches in thickness from the floor level to the height of one foot above the arch bar, and the remaining portion of the back and the other sides of the chimney shall be built of brickwork not less than four and a half inches in thickness.

Chimneys.

19. The inside of every brick smoke flue in any building shall throughout the whole extent thereof be rendered, pargetted or lined with lime mortar.

Flues to be  
rendered,  
pargetted  
or lined.

Flues against  
woodwork  
similarly to  
be treated.

20. Where any brick smoke flue in any building passes through any floor or roof or behind or against any woodwork the outside of such brick flue shall be rendered, pargetted or lined with lime mortar or cement.

Floors under  
ovens, stoves,  
etc.

21. The floor under every oven, copper, steam boiler, or stove for the combustion of solid fuel in any building, and the floor around the same, shall for a space of one foot and three inches be formed of materials of an incombustible and non-heat conducting nature.

Hearths.

22. A slab of stone, tiles, bricks or other incombustible substance shall be laid level with the floor before the opening of every chimney in any building for half the width at the least of the chimney breast jamb on either side of such opening and one foot four inches at the least wide at the breast thereof.

Backyard  
pavings.

23. In any building erected under these by-laws for domestic use the backyard thereof shall be provided with a pathway extending along and adjacent to the back of the premises, and such pathway shall be constructed of concrete, flat bricks or rubble bedded in cement and sand or other approved materials, and shall not be less than two feet six inches in width, and shall slope half an inch to the foot from the building, and shall be drained so as to discharge into the nearest public drain.

Gutters and  
down pipes.

24. Every building shall be provided with gutters and down pipes which shall be of cast iron, steel, zinc or wood and in every case shall be efficiently jointed with red lead or other suitable composition ; the gutters shall be laid with a true and even fall of at least one inch in ten feet towards the outlet at the head of the down pipe, and shall be supported at intervals of not more than four feet on strong brackets which shall be securely fastened. Every outlet for waste water shall be connected to the nearest public drain in such manner as may be directed by the Council.

Water closets.

25. Every water closet shall be so constructed as to comply with the following requirements where applicable—

- (1) the floor shall be a smooth and consolidated surface ;

- (2) if the water closet is within a building one of its sides at least shall be an external wall ;
- (3) if the water closet has no external door it shall be provided with a window of an area not less than one and a half square feet exclusive of the frame, set in an exterior wall ;
- (4) if the water closet has an external door it shall be provided with a sufficient opening for light and ventilation as near to the top of the door or external wall as practicable ;
- (5) it shall be provided with a separate cistern or flushing box of adequate capacity ;
- (6) no part of the water closet apparatus other than the cistern or flushing box shall be directly connected with any pipe leading from a public water main ;
- (7) it shall be provided with a pan, basin or other suitable receptacle of non-absorbent material so constructed as to receive and retain a sufficient quantity of water adequately to seal or to trap such pan, basin or other receptacle and to allow any filth to fall free from the sides directly into the water ;
- (8) it shall be provided with suitable apparatus for the effectual application of the water in the cistern or flushing box to the pan, basin or other receptacle and for the prompt and effectual flushing and cleansing of the pan ;
- (9) no container or similar fitting shall be fitted under the pan, basin or other receptacle ;
- (10) water closets built in a house shall not open directly out of any main room.

26. Any room intended to be used as a living room shall not be less than seven feet from floor to ceiling and shall have a clear superficial floor area of not less than one hundred square feet, and any room intended to be used as a sleeping room shall have a clear superficial floor area of not less than sixty square feet for every person sleeping therein subject to a total floor area of not less than one hundred square feet. For the purpose of this by-law two children under twelve years of age shall be reckoned as one person.

Height and  
area of  
rooms.



Light and  
ventilation.

27. Any room intended to be used as a living or sleeping room shall be ventilated and lighted to the satisfaction of the Council, by means of a window or windows in an external wall. The area of such window or windows clear of the frame or frames shall equal at the least one tenth of the superficial floor area. One half of every such window shall open and the opening shall extend to the top. Any room without a fire-place and flue which is intended to be used as a living or sleeping room shall have a special ventilation opening in size at least one hundred square inches.

## Drains.

28. (1) Any drain for the drainage of any building, whether erected under these by-laws or already existing, shall be constructed of good, sound pipes formed of glazed stoneware, cast iron or other suitable material to the satisfaction of the Council. Such drain shall be of adequate size in the opinion of the Council and if constructed or adapted for the purpose of the conveyance of sewage shall have an external diameter of not less than four inches and shall be laid with a sufficient fall in the opinion of the Council and with socketted or otherwise watertight joints. No such drain shall be so constructed as to pass under any building or part of a building except in a case where no other mode of construction is practicable, and if any such drain shall be constructed so as to pass under any building or part of a building such drain shall be so laid in the ground that there shall be a distance equal at the least to the full diameter thereof between the top of such drain and the surface of the ground under the building or part of the building aforesaid. No such drain shall be constructed in such manner as to allow any inlet to be made to such drain within the building except any inlet which may be necessary from the apparatus of any water closet or slop sink constructed to be used within the building for the reception of solid or liquid filth.

(2) No drain shall be covered up until it has been approved by the Council to whom at least three days' notice in writing shall have been given of intention to cover up.

Waste and  
overflow  
pipes.

29. Every waste pipe from any bath or lavatory basin, or any other pipe for the conveyance of foul or wash water in any building, whether erected under these by-laws or already existing, shall be trapped and taken through an external wall and shall discharge in the open air over a trapped gully with

proper grating to the satisfaction of the Council, and any overflow pipe from any cistern or water closet shall be taken through an external wall and shall discharge in the open air.

30. No stable, cowshed, fowl house, fowl coop, pigsty or other building in which any animal or bird is intended to be kept shall be erected within a distance of thirty feet from any dwelling house, or in any position where in the opinion of the Council it is, or is likely to become, a nuisance or injurious to the public health. Stables.

31. Every barrel, cistern or tank intended to hold water for drinking or domestic purposes shall be provided with a good and sufficient cover to the satisfaction of the Council, and where any barrel, cistern or tank is constructed for the storage of water for drinking purposes it shall not be connected directly with any water closet. Tanks.

32. Where it is shown to the satisfaction of the Council that any house, building or other structure of any kind is so ruinous as to be dangerous to the public safety the Council may serve upon the owner of such house, building or structure a notice in writing requiring him to begin to shore up, secure or otherwise make safe such house, building or structure to the satisfaction of the Council, or to begin to demolish and remove such house, building or structure within seven days of the receipt of the said notice, and to continue so to shore up, secure or otherwise make safe, or to demolish or remove, without intermission until the requirements of the Council are finally completed, and to complete finally the requirements of the Council within a time to be specified in the notice, and if after the lapse of seven days from the receipt of the said notice or of the time specified the owner of such building or structure fails in due manner to comply with the requirements of the Council, the Council may thereupon carry out the work of demolition and removal prescribed, and may recover from the owner of such house, building or structure the cost properly incurred in connection with the work of demolition or removal. Demolition of ruinous buildings.

33. Where any house, building or structure in the opinion of the Council is in a dangerous condition, or is endangered by the condition of any other building, the Council may require the occupier of such house, building or structure to Vacation of dangerous buildings.

vacate it, and if a requirement of the Council to vacate any house, building or structure under this by-law is not forthwith complied with the Council may bring the matter before a Court of Summary Jurisdiction and upon sufficient cause being shown may obtain from the Court an order for the ejection from such house, building or structure of the occupier thereof.

### Sanitation.

#### Animals.

34. No horse, cow, sheep, pig, fowl, duck, goose or other similar domesticated animal or bird shall be kept within a distance of thirty feet from any dwelling house or in any other place if in the opinion of the Council it is or is likely to become a nuisance or injurious to the public health.

35. If the premises at the rear of any house or building or any passage leading thereto is in a dirty or insanitary condition, or improperly drained, or of such construction as to cause a dirty or insanitary condition, the Council may serve upon the owner or occupier of the premises or passage a notice in writing requiring him to remedy the said condition or defect in drainage or construction within a time to be specified in the notice, and if the owner or occupier fails to comply with the notice or with any part thereof he shall be guilty of an offence against these by-laws.

#### Night soil, etc.

36. Night soil shall be removed and deposited in a manner approved by the Council, and any person who fails to comply with the requirements of the Council, or allows any night soil, urine or filth of a similar description to escape from any latrine, closet or urinal, or to be deposited or flow on any yard, plot, street, footpath or public place, or into any drain not constructed for the reception of night soil, urine, or filth of a similar description shall be guilty of an offence against these by-laws.

#### Requirements in respect of earth closets.

37. The occupier of any premises to which is attached any closet or closets not flushed with water shall—

- (1) provide every such closet with a movable metal pail for the deposit of night soil of a capacity sufficient in the opinion of the Council to satisfy the requirements of the household;

- (2) cause the seat or sides of every such closet to be so constructed as to admit of the convenient removal of such pail;
- (3) provide every seat with a close fitting lid which shall be kept shut;
- (4) cause every such closet to be provided with sufficient peat coom, dry earth or other deodorant and with suitable means for the effectual application of such material to the contents of the pail used in such closet;
- (5) afford proper facilities to the servants of the Council engaged in removing night soil for gaining access to the premises;

38. Any occupier of any premises who fails to sort his garbage or waste material in a manner approved by the Council or to place the same in a location and in a receptacle satisfactory to the Council shall commit an offence against these by-laws. Garbage.

39. Any person who throws or deposits, or causes to be thrown or deposited, any accumulation of dust, garbage or decaying animal, vegetable or other noxious matter in or upon any street, footpath or other public place shall be guilty of an offence against these by-laws. Any such accumulation in the immediate vicinity of any building or premises shall be *prima facie* evidence that it has been thrown or deposited by the occupier of such building or premises. Disposal  
of refuse  
prohibited.

### General.

40. Any person who without the permission of the Council in writing makes any quarry, excavation or hole in the ground of a description likely to be injurious or dangerous to the public health or safety shall be guilty of an offence against these by-laws. Where the permission of the Council is given as aforesaid such quarry, excavation or hole in the ground shall be made subject to any condition with regard to the fencing, lighting, filling up or otherwise making secure thereof which the Council may consider necessary in the interest of the public health and safety. Quarries and  
excavations.

Premises to  
be kept free  
from rats and  
mice.

41. The owner or occupier of any premises shall take such steps as may from time to time be necessary and reasonably practical to keep such premises free from rats and mice.

42. The owner or occupier of any premises who shall not—

- (1) keep in a thorough state of cleanliness and repair all water-courses, open ditches or gutters upon his premises and prevent the accumulation of noxious matter by the removal thereof to any place of deposit which the Council may order ;
- (2) protect the water supply attached to such premises in such a way as may be considered necessary by the Council to secure the utmost purity

shall commit an offence against these by-laws.

43. Any person who shall—

- (1) discharge or deposit in or on any public road or street, or in any water-course, drain or ditch, any stones, earth, weeds, sweepings, filth, paper, rags or rubbish of any kind ; or
- (2) drive or lead or take horses, cattle, or vehicles over open drains, or tether horses or cattle in the vicinity of such drains ; or
- (3) carry on any noxious or offensive trade which in the opinion of the Council may be injurious to public health without the permission of the Council in writing first obtained, or neglect, fail or omit to observe or comply with the terms and conditions of such permission ; or
- (4) hold any market without permission of the Council in writing first obtained, or neglect, fail or omit to observe or comply with the terms and conditions of such permission ; or
- (5) store any manure or other waste material for sale or any other purpose (except for the personal use of the owner or occupier), and any such owner or occupier who shall store any manure or waste material other than in a manner approved by the Council ;

shall commit an offence against these by-laws.

44. Any person who contravenes or evades or attempts to contravene or evade any by-law for which no penalty is provided, or who aids or abets any contravention or evasion or attempted contravention, shall be liable on summary conviction to a penalty not exceeding two pounds, and in case of a continuous offence to a penalty not exceeding five shillings for each day on which such offence continues after written notice of the said offence or order from the Council has been served upon him.

## CHAPTER 69.

### *No Subsidiary Legislation.*

## CHAPTER 70.

### STANLEY WATERWORKS.

#### REGULATIONS.

1. These regulations may be cited as the Stanley Water Supply Regulations. Short title.

2. Connections for the supply of water from the waterworks to any private property for domestic or for other than domestic purposes shall not be made except on the order of the Water Authority. Connections to private property for domestic or for other than domestic purposes.

3. Any owner of private property who is desirous of laying connections for the supply of water from the waterworks to his property for domestic or for other than domestic purposes shall make an application in writing to the Water Authority, and shall state full particulars of the property concerned and of the nature of the supply desired. Application for connections how to be made.

4. The Water Authority may grant or refuse any application for the supply of water from the waterworks to any private property for domestic or for other than domestic purposes, subject to the approval of the Governor, and shall not be called upon to assign any reason for the grant or refusal of any such application. Grant of application subject to the approval of the Governor.

5. The annual rate to be paid by the owner of any private property in respect of connections for the supply of water from the waterworks to such private property for domestic purposes shall be one shilling for every twenty shillings of Annual rate payable for connections to private property.

the annual value of such private property as assessed in accordance with the provisions of the Stanley Rates Ordinance, and shall be additional to any rate paid under that Ordinance ; and for other than domestic purposes shall be at a rate to be assessed according to the purpose for which the water is required.

Connections  
to be at  
owner's  
expense

6. Connections for the supply of water from the waterworks to any private property for domestic or for other than domestic purposes shall be laid at the expense of the owner thereof and no expense shall fall thereby on the Water Authority.

Connections  
where to  
be made.

7. The Water Authority shall convey water in the waterworks to the boundary of the private property and the owner of the private property shall lay the connections from the boundary :

Provided that the Water Authority shall make the junction between the waterworks and the connections and that the Water Authority may at his discretion and for his convenience lay on the private property any pipe, cock, valve, or other appliance as may be required for the connections, that such pipe, cock, valve or other appliance shall remain the property of the Water Authority, and that the Water Authority shall at any reasonable time have ready access thereto.

Connections  
not to be  
laid or put  
into use,  
except on  
order of  
Water  
Authority.

8. Connections for the supply of water from the waterworks to private property for domestic or for other than domestic purposes shall conform in all respects with the requirements of the Water Authority and shall not be laid or put into use except on the order of the Water Authority.

Pipes and  
fittings  
to be of  
approved  
type.

9. Only pipes and fittings of a type approved by the Water Authority shall be permitted to be laid as part of any connections to private property from the waterworks.

Pipes and  
fittings to be  
protected  
against frost.

10. All pipes and fittings being a part of any connections to private property from the waterworks shall be adequately protected against frost. Where any pipes or fittings are laid in the ground they shall be not less than one foot and six

inches below the surface of the ground and where any pipes or fittings are exposed they shall be lagged or boxed in with packing to the satisfaction of the Water Authority.

11. No person shall tap any main being a part of the waterworks or shall interfere in any way with any valve on any main being a part of the waterworks except on the order of the Water Authority.

Tapping  
of mains  
prohibited.

12. If any tap or any pipe being a part of any connections to private property from the waterworks shall be found to be leaky or defective the owner thereof shall be held responsible, and shall cause such tap or pipe to be replaced or repaired within a reasonable period after the receipt of a written notice to such effect from the Water Authority.

Tap or pipe  
found leaky.

13. No person who shall have laid connections to his private property for the supply thereto of water from the waterworks for domestic or for other than domestic purposes shall make use of the water thereby supplied for any purposes other than the purposes for which the water is supplied.

Water not to  
be used for  
other  
purposes.

14. No person shall take water from the public fountains being part of the waterworks for irrigation or gardening or for any purposes other than domestic.

Water not to  
be taken from  
public foun-  
tains for other  
than domestic  
purposes.

15. If the Water Authority shall perform any work on behalf of any person in respect of the installation, maintenance, replacement, or repair of any connections for the supply of water from the waterworks to the private property of such person for domestic or for other than domestic purposes, the Water Authority shall receive in payment from such person for such work the actual cost thereof and in addition an amount not exceeding ten per cent. of such actual cost.

Payment for  
work per-  
formed for  
private  
persons by  
Water  
Authority.

16. No person shall tamper or in any way interfere with any fire hydrant, cock, valve or other appliance forming part of the waterworks except on the order of the Water Authority or for some lawful and necessary purpose as on the outbreak of fire.

Interference  
with fire  
hydrants,  
valves, etc.,  
prohibited.



Water  
Authority  
may cut off  
supply.

17. The Water Authority may at any time and for any period cut off the supply of water from the waterworks to any connections to private property—

- (1) if he is satisfied that any nuisance liable to pollute the water in the waterworks or to cause damage to the waterworks exists on any private property or in any connections thereto, until such time as the nuisance shall have been removed or remedied by the owner of such private property.
- (2) whenever any connections to private property are out of repair or are not in conformity with the provisions of these regulations and are liable to cause waste of the water from the waterworks, or to pollute the water in the waterworks, and the necessary repairs or alterations thereto have not been effected within a reasonable period after the receipt by the owner of such private property of a written notice to such effect from the Water Authority, until such time as the necessary repairs or alterations shall have been effected by the owner of such private property.
- (3) whenever the available supply is insufficient by reason of drought or any other unavoidable circumstances.
- (4) whenever it shall be necessary or expedient for the purpose of repairing, cleaning, or altering the waterworks, or of carrying out any work on the waterworks or on any connections therefrom.
- (5) in any case of the continued breach or violation of any of the provisions of the Stanley Water Works Ordinance, and of any regulations made thereunder.

---

**CHAPTERS 71 to 73.**

*No Subsidiary Legislation.*

## CHAPTER 74.

## STANLEY COMMON.

## RULES.

## Section 11.

1. These rules may be cited as the Stanley Common Rules. Short title.

2. In these rules—

Definitions.

“cattle” means any cow, heifer or calf ;

“brand” means any distinguishing mark, letter or number or combination thereof distinctly and permanently impressed or made upon any cattle ;

“owner” means any owner of cattle or his manager or agent.

3. (1) An owner licensed to graze cattle on Stanley Common shall cause all his cattle over the age of six months to be earmarked or branded with a mark or brand approved by the Agricultural Officer in such a manner as the Agricultural Officer shall direct before such cattle are grazed on the Common. Compulsory marking or branding.

(2) Any owner who—

(a) fails, neglects or omits to mark or brand his cattle as aforesaid, or

(b) marks or brands any cattle with any brand other than one approved by the Agricultural Officer, or

(c) marks or brands any cattle other than in a manner directed by the Agricultural Officer,

shall commit an offence.

4. No cattle shall be grazed on the Common before they have been examined, tested and declared by a Stock Inspector to be free from ring-worm and any other infectious or contagious disease, including tuberculosis. Examination before going on to Common.

Bull calves  
to be  
castrated.

5. No bull calf over the age of three months shall be grazed on the Common unless it shall have been castrated.

Animals  
grazing on  
reserved land.

6. Any cattle or horses found grazing on land which is not open for public grazing shall be impounded but may be released from the pound upon the owner paying a fee of two shillings and sixpence for removing each animal to the part open for public grazing :

Provided that owners of Camp horses may graze such horses on the Western section of the Common during sports week.

Removal,  
destruction,  
etc., of  
animals.

7. The Agricultural Officer may order the removal, isolation, treatment, disposal or destruction, at the expense of the owner, of any animal suffering, or suspected to be suffering, from any contagious disease :

Provided that the owner of any animal so destroyed may be compensated in a sum equal to two-thirds the value of the animal at the time of its destruction, but compensation shall not exceed the sum of five pounds for each animal.

Burying  
animals on  
Common.

8. Any person who shall bury any animal on the Common shall report such burial to the Agricultural Officer within seven days of the date thereof.

Penalty.

9. Any person not complying with or offending against these rules shall be liable, on summary conviction, to a fine not exceeding ten pounds.

---

## CHAPTER 75.

### *No Subsidiary Legislation.*

CHAPTER 76.  
WHALE FISHERY.

## Section 11.

1. These regulations may be cited as the Whaling Regulations. Short title.

2. (1) The expression "Whaling Officer" as used in these Regulations shall mean such officer as the Governor may appoint to enforce the provisions of the Whale Fishery (Consolidation) Ordinance. Definitions of Whaling Officer and holders of licences.

(2) The term "holder of a lease of a land site" and "holder of a licence" shall include the manager of the factory or ship used for taking and treating whales in respect of which a lease or licence is held.

3. Licences authorising a ship or factory to be used for taking and treating whales may be issued for and in respect of the following places :— Places for which licences may be issued and period of validity.

- (a) Falkland Islands
- (b) South Georgia
- (c) South Shetlands
- (d) South Orkneys
- (e) South Sandwich Islands

and shall be valid for the period from the 16th October to the 16th April following.

4. The fees to be paid in respect of the granting of licences for the use of ships shall be— Fees for licences.

- (a) in the case of a licence authorising the use of a ship for treating whales the sum of £100, and
- (b) in the case of a licence authorising the use of a ship for taking whales the sum of £50.

Conditions  
relative to  
the issue of  
licences.

5. Every person desiring to obtain a licence for taking and treating whales shall apply in writing to the Colonial Secretary and shall give the following particulars:—

- (a) If an individual, his full name, nationality, description and address.
- (b) If a private company, the full name, nationality, description and address of each partner, and if a limited company, the same particulars regarding each director.
- (c) The names and description of all ships to be employed.
- (d) The carrying capacity of the ship to be used for treating whales.
- (e) The number and cubic capacity of all open and pressure boilers.
- (f) In the case of a ship or factory for treating whales, the full description and particulars of the plant.

The applicant shall shew to the satisfaction of the Governor that he possesses or commands sufficient working capital to ensure the proper working of the licence applied for.

Applications  
for licences.

6. Applications for licences shall so far as possible be delivered at the Colonial Secretary's Office on or before the first day of May preceding the season during which the applicant proposes to operate.

Governor  
may refuse  
to grant  
licence.

7. The Governor may in the exercise of his discretion refuse to grant a licence to an applicant without giving any reason for refusal.

Licence not  
transferable  
without  
approval of  
Governor.

8. A licence shall not be transferable unless the approval of the Governor has been first applied for and obtained.

Conditions  
relative to  
provision and  
maintenance  
of spare  
catcher.

9. The holder of a licence authorising the use of whale catchers may be allowed to maintain a spare whale catcher for use in the event of a licensed catcher being laid up for repairs, subject to the following conditions:—

- (i) Payment of a fee of £50 a season.

- (ii) Such spare catcher shall be kept without a gun, whale rope or similar necessities for taking whales, when not in use.
- (iii) Notification shall be given to a whaling officer before the spare catcher shall be used, with full particulars as to the nature of the repairs required for the licensed catcher and an estimate of the number of days required to effect repairs. During such period the gun and whaling gear shall be removed from the licensed catcher.

10. A whale catcher shall not be used, without the sanction of the Whaling Officer, to take whales or attempt to take whales until such time as the ship or factory for which it operates is ready to utilise immediately any whales taken.

Whale catcher not to be employed until ship is ready to utilise carcasses.

11. The number of flensed carcasses of whales waiting to be dealt with at one time, either at a factory, or attached to any ship or buoy shall not exceed twenty.

Flensed carcasses not to exceed 20 at any one time.

12. The Whaling Officer may prohibit the use of any licensed whale catcher for taking whales, when, in his opinion the further taking of whales would lead to an accumulation of whaling matter that could not be utilised without undue waste.

Whaling Officer may prohibit the use of any whale catcher.

13. Pressure boilers shall not be used for storing oil until the taking of whales has ceased for the season.

Pressure boilers.

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

Rendition by manager of Statistical Returns.

- (a) The date when and the position where the whale was taken.
- (b) The species and sex of the whale.
- (c) The length measured in accordance with regulation 17 hereof.
- (d) Whether the whale contained a foetus or foetuses.

- (e) The length and sex of foetus or foetuses (if any) found in the whale.
- (f) Whether the whale was producing milk.
- (g) For each day—
  - the number of whales of each species delivered to the ship ;
  - the number of whales treated ;
  - the yield of oil of each grade produced ; and
- (h) For each week—
  - the quantity produced, if any, of meal, guano or other products specified separately.

Returns (a) to (f) shall be arranged so far as possible in the chronological order of the taking of the whales.

Bays and anchorages shall not be used for mooring carcasses without permission of Whaling Officer.

15. The holder of a lease of a land site for a factory for treating whales shall not have the right to use any bays or anchorages for the purpose of mooring whales without the sanction of the Whaling Officer first being applied for and obtained.

Moorings, etc., expenses in connection with removal of to be borne by licensee.

16. The holder of a licence shall at his own expense remove or alter the position of any moorings laid down in the waters of the Colony and its Dependencies, or on land, on being required to do so by the Whaling Officer.

Immature whales.

17. (a) For the purposes of section 3 of the Whale Fishery (Consolidation) Ordinance, whales of the under-mentioned species shall be deemed to be immature if they are less than the lengths set out below in relation to each species, viz.,

- (i) Blue Whale, 70 feet,
- (ii) Fin Whale, 55 feet,
- (iii) Humpback Whale, 35 feet,
- (iv) Sperm Whale, 35 feet,

except that blue whales of not less than 65 feet, fin whales of not less than 50 feet and sperm whales of not less than 30 feet in length may be taken for delivery to land stations provided that the meat of such whales is to be used for local consumption as human or animal food.

In this regulation—

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

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

the expression "Humpback Whale" means any whale known by any of the names, bunch, humpback, humpback whale, humpbacked whale, hump whale or hunchbacked whale ;

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

(b) Such length shall in each case be the distance measured on the level in a straight line between the tip of the upper jaw and the notch between the flukes of the tail.

18. The holder of a licence who commits or allows or negligently suffers a person employed by him to commit a breach of these regulations shall be liable to a penalty not exceeding fifty pounds for each offence, and any person employed by him who commits a breach of these regulations shall be liable to a penalty of fifty pounds for each offence.

Penalty for  
breach of  
regulations.

19. Any person who refuses to obey the lawful order of the Whaling Officer shall be deemed to have committed a breach of these regulations and shall be liable to the penalties set forth in the preceding regulation.

Penalty for  
breach of  
lawful orders  
issued by  
Whaling  
Officer.

20. These regulations shall apply to the Dependencies.

Application.



## CHAPTER 77.

## WILD ANIMALS AND BIRDS PROTECTION.

## PENGUIN REGULATIONS.

## Section 11.

1. The period for which licences to take penguins' eggs may be issued shall be—

- (a) in the case of Gentoo penguins from the 1st day of October to the 31st day of October in every year ;
- (b) in the case of other penguins from the 1st day of October to the 31st day of December in every year.

2. All licences shall be available only for those rookeries specified thereon.

3. All applications for licences shall be made either personally or in writing and shall reach the Colonial Secretary, or other officer authorised by the Ordinance to issue licences, not later than the 1st day of October.

4. The fee payable in respect of licences to take penguins' eggs shall be as follows :—

For a licence to take not more than 1,000 eggs, 5/-.

For a licence to take more than 1,000 eggs, 5/- for the first thousand, and 5/- for every additional thousand or part thereof.

5. Every licensee shall, at a date not earlier than the 1st January or later than the 1st February, make in writing to the Colonial Secretary, or other person authorised by the Ordinance to issue licences, a declaration of the number of eggs taken during the past season and of the localities from which the eggs were taken.

6. All licensees bringing eggs into Stanley shall notify the Chief Constable, and it shall be lawful for the Chief Constable or other person duly authorised by the Colonial Secretary to inspect any eggs so imported.

7. Any licensee who commits or allows or negligently suffers a person employed by him to commit a breach of these regulations shall be liable to a penalty not exceeding £5 for each offence, and the licensee shall at the same time become liable to the immediate forfeiture of his licence and of any claim to a licence in the future. Any person employed by the licensee who commits a breach of these regulations shall be liable to the same penalty.

## CHAPTER 78.

### WIRELESS TELEGRAPHY.

#### REGULATIONS.

##### Section 4.

1. These regulations may be cited as the "Wireless Telegraphy Regulations". Short title.

2. In these regulations the term "Colonial Secretary" shall include any person duly authorised by the Colonial Secretary to act in his behalf for the purpose of these regulations; the term "convention" shall mean the International Telecommunication Convention (Atlantic City, 1947); and the term "wireless telegraphy", where the context so admits, shall include wireless telephony. Definitions.

3. All apparatus for wireless telegraphy on board a merchant ship in the territorial waters of the Colony shall be worked so as not to interfere with (a) naval signalling; or (b) the working of any wireless telegraphy station lawfully established, installed, or worked in the Colony or the territorial waters thereof, and in particular the said apparatus shall be so worked as not to interrupt or interfere with the transmission of any messages between wireless telegraphy stations established on land and wireless telegraphy stations established on ships at sea. Apparatus on merchant ships not to interfere with naval signalling or other established station.

4. No apparatus for wireless telegraphy on board a merchant ship shall be worked or used whilst such ship is in any of the harbours of the Colony without a permit in writing from the Colonial Secretary. Apparatus on merchant ships not to be worked in harbours of Colony without permission.

Governor  
may make  
further regu-  
lations in  
emergency.

5. If at any time in the opinion of the Governor an emergency has arisen in which it is expedient for the public service that His Majesty's Government should have control over the transmission of messages by wireless telegraphy, the use of wireless telegraphy on board merchant ships whilst in the territorial waters of the Colony shall be subject to such further rules as may be made by the Governor from time to time, and such rules may prohibit or regulate such use in all cases or in such cases as may be deemed desirable.

Regulations  
not to apply  
in case of  
signals of  
distress.

6. These regulations shall not apply to the use of wireless telegraphy for the purpose of making or answering signals of distress.

Cancellation  
of licence  
or permit  
granted  
under  
regulations.

7. Any licence or permit granted under these regulations shall be liable to modification, suspension or cancellation at any time by notice in writing from the Colonial Secretary.

Foreign  
warships in  
harbour of  
Colony to  
conform with  
special regu-  
lations.

8. Foreign men-of-war and service aircraft accompanying them lying in any harbour in the Colony shall conform with the following regulations :—

- (i) They shall not transmit on 600 metres except for the purpose of making or answering signals of distress.
- (ii) They shall not interfere with naval, army or air force signalling or with any fixed shore station.
- (iii) They shall discontinue transmission on request from—
  - (a) any naval authority ;
  - (b) the port authority ; or
  - (c) any fixed shore station.
- (iv) They shall not protract signalling, using apparatus transmitting other than from continuous waves.
- (v) They shall consult the Senior Naval Officer if a British or Dominion fleet or warship is lying in the harbour.

Applications  
to be made  
to Colonial  
Secretary.

9. Any person desirous of obtaining a licence or permit under the Wireless Telegraph Ordinance, or these regulations, shall apply in writing to the Colonial Secretary, stating full particulars of—

- (i) the nature and purpose of the licence sought ;
- (ii) the place or ship in respect of which a licence is desired ; and
- (iii) the apparatus which it is proposed to install or work.

10. A licence or permit granted under these regulations shall be— Form of licence or permit.

- (i) in the form of Schedule 1 for a land station ;
- (ii) in the form of Schedule 2 for a ship station ;
- (iii) in the form of Schedule 3 for a broadcast receiving station ; and
- (iv) in the form of Schedule 4 for permits under regulation 4.

11. A licence or permit shall be subject in all respects to the provisions of the Wireless Telegraphy Ordinance, and of the regulations made thereunder, and to the conditions specified in the licence or permit. It shall be valid for a period of one year, unless otherwise stated, on payment of a fee of— Conditions, Validity, and Fees payable.

- (i) one pound for a land station ;
- (ii) one pound for a ship station ;
- (iii) five shillings for an experimental station ;
- (iv) ten shillings for a broadcast receiving station ; and
- (v) ten shillings for a permit under regulation 4.

Form W.T.1.

No. ....

## SCHEDULE 1.

### FALKLAND ISLANDS.

#### The Wireless Telegraphy Ordinance.

LICENCE to establish a wireless telegraphy station in the Colony.  
of  
is hereby granted a licence, subject in all respects to the provisions of the Wireless Telegraphy Ordinance, 1925, and of the Regulations made thereunder, and to the conditions herein specified, to establish, maintain and work a wireless telegraphy station at  
for the purpose of

In this licence where the context so admits or requires the term " wireless telegraphy " includes wireless telephony.

This licence is valid for the period one year ending on the \_\_\_\_\_ of \_\_\_\_\_, 19\_\_\_\_, and is liable to modification, suspension, or cancellation at any time by notice in writing from the Colonial Secretary.

The licensee shall pay to the Colonial Treasurer the sum of One Pound on the grant of this licence.

Given at Stanley the \_\_\_\_\_ of \_\_\_\_\_ 19\_\_\_\_

*Colonial Secretary.*

Schedule to Form W.T.1.

Description of Land Station and apparatus in respect of which licence is granted.

Name of Station	Character of Apparatus		
	Maximum range of signalling	Power (Current and Voltage)	Source of Power

In this licence the term apparatus for wireless telegraphy includes apparatus for wireless telephony where the context so admits or requires.

The fee payable to the Colonial Treasurer on the grant of this licence is One Pound.

Given at Stanley this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

*Colonial Secretary.*

#### General Conditions.

1. The apparatus to be used shall be as specified in the Schedule hereto and shall not be altered without the permission in writing of the Colonial Secretary.

2. The station shall not be worked for any purpose other than that specified herein.

3. The station shall be worked in such a way as not to interfere with naval signalling or with the working of any other station lawfully established in the Colony or in the territorial waters thereof.

4. The station shall be open at all reasonable times to inspection by the Supervisor of Posts and Telegraphs or by any person duly authorised by him.

5. The licensee shall not divulge or allow to be divulged to any person other than a duly authorised officer of the Government of the Colony, or to a competent legal tribunal, or make any use whatsoever of any messages received by means of the station other than in pursuance of the purpose for which the licence is granted.

6. The licensee shall give all possible assistance to the Government of the Colony when required in any matter of public business.

**Special Conditions.**

Form W.T.2.

No. ....

**SCHEDULE 2.**

**FALKLAND ISLANDS.**

**The Wireless Telegraphy Ordinance.**

**LICENCE to establish apparatus for wireless telegraphy on board a merchant ship registered in the Colony.**

of \_\_\_\_\_ is hereby granted  
a licence, subject in all respects to the provisions of the Wireless Telegraphy Ordinance, and of the Regulations made thereunder, and to the conditions specified herein, to

- (i) Establish, install and work for the purpose hereinafter mentioned at the ship station or stations specified in the Schedule hereto apparatus for wireless telegraphy of the kind specified in the Schedule hereto (which apparatus is hereinafter referred to as the licensed apparatus).

Provided that—

- (a) Each ship station shall comply in all respects with the provisions of any Rules from time to time made by the Board of Trade under the Merchant Shipping (Wireless Telegraphy) Act, 1919.
- (b) The apparatus installed at each ship station shall be of the character specified in the Schedule opposite to the name of each station.
- (c) The sending apparatus used at each ship station shall be of such a character that the waves emitted are as pure and as little damped as possible and the receiving apparatus used at the said station or stations shall be of such a character as to afford the greatest possible protection from disturbance during the reception of signals.
- (d) The licensed apparatus shall be so constructed as to be capable of using any of the wavelengths specified for mobile services in Article 28 of the Radio Regulations annexed to the Convention.
- (ii) Send and receive messages by means of the licensed apparatus between the said ship stations and also between the said ship stations and coast and other ship stations. Provided that the licensee shall not, except with the permission in writing of the Colonial Secretary, at any time send spoken messages from the said ship stations or send or receive messages from and at the said ship stations when in any of the harbours of the Colony.

This licence is valid during the period of one year terminating on the day of 19 and thereafter unless and until this licence shall be determined by notice in writing from the Colonial Secretary to the licensee.

#### **General Conditions.**

1. The licensed apparatus shall not be used by the licensee or by any other person either on behalf or by permission of the licensee for the despatch or receipt of messages except messages authorised by this licence.
2. (i) The licensed apparatus shall not without the permission of the Colonial Secretary be altered in respect to any of the particulars mentioned in the Schedule hereto.

- (ii) The licensee shall at all times indemnify the Government against all actions, claims or demands which may be brought or made by any corporation, company or person in respect of any injury arising from any act licensed or permitted by these presents.
  - 3. (i) The licensee shall not (either by himself or by any person acting on his behalf or by his permission) by the transmission of any message by means of the licensed apparatus or otherwise by the use of the licensed apparatus interfere with naval signalling.
  - (ii) Whenever the operators at any of the said ship stations of the licensee perceive through the medium of the instruments used by them that naval signalling is proceeding, they shall refrain from using the licensed apparatus until all indication that naval signalling is proceeding shall have ceased.
  - (iii) The licensee and any person acting on his behalf or by his permission shall if so required in writing by the Colonial Secretary cease to use the licensed apparatus for such period (not exceeding        hours in any one day) as may be specified by the Admiralty.
  - (iv) If the Governor is of opinion that the working of the licensed apparatus at any station specified in the Schedule hereto is inconsistent with the free use of naval signalling the licensee shall when required in writing by the Colonial Secretary close the said station.
  - (v) These provisions for the protection of naval signalling shall be construed to be without prejudice to the generality of any other provisions of this licence.
4. For the purpose of this licence the licensee shall observe the Convention and the Radio Regulations annexed thereto so far as the said Convention and Regulations are capable of being applied to wireless telegraphy in common with ordinary land and submarine telegraphy.
5. The licensee shall observe the provisions of the Radio Regulations annexed to the Convention.
6. The licensee shall so far as possible receive from ships and light stations all requests for assistance and all signals of distress and shall answer such requests and signals and send them with the least possible delay to the proper authorities by means of the licensed apparatus or any other means in the power of the licensee.
7. The licensee shall not divulge to any person (other than properly authorised officials of the Government or a competent legal tribunal) or make any use whatever of any messages coming to the knowledge of the licensee and not intended for receipt by means of the licensed apparatus.
8. The Supervisor of Posts and Telegraphs or any person authorised by him in writing may from time to time and at all reasonable



times enter upon any of the stations in the possession or occupation of the licensee either solely or jointly with any other person or persons for the purpose of inspecting and may inspect any apparatus fixed or being in such stations respectively for the purpose of sending or receiving messages by wireless telegraphy, and all other telegraphic instruments and apparatus fixed or being in such stations respectively, and the working and use of such apparatus and telegraphic instruments respectively, and the licensee shall afford all requisite and proper facilities for such inspection and shall secure to the Supervisor of Posts and Telegraphs or any person authorised by him in writing the right for the purpose aforesaid of entry from time to time and on such of the stations as may be in the possession or occupation of any person or persons other than the licensee.

9. The Colonial Secretary may at any time in his absolute discretion give notice in writing to determine these presents and the licence or permission hereby given at the end of one calendar month from the date of such notice, and at the expiration of that period the licence or permission hereby granted shall cease and determine accordingly but without prejudice to any remedy of the Colonial Secretary under any covenant or provision herein contained on the part of the licensee to be observed and performed.

10. In case of any breach, non-observance, or non-performance by or on the part of the licensee of any of the covenants or conditions herein contained and on the part of the licensee to be observed and performed, the Colonial Secretary may in writing revoke and determine these presents and the said licensed powers and authorities hereinbefore granted and each and every of them, and thereupon these presents and the said licences, powers and authorities and each and every of them shall absolutely cease determine and become void : Provided always that no such revocation or determination as aforesaid shall prejudice or affect any right of action or remedy which shall have accrued or shall thereafter accrue to either of the parties hereto under the covenants herein contained.

11. Nothing in these presents shall prejudice or affect the right of the Governor from time to time to establish, extend, maintain and work any system or systems of telegraphic communication (whether of a like nature to that hereby licensed or otherwise) in such manner as he shall in his discretion think fit, neither shall anything herein contained prejudice or affect the right of the Governor from time to time to enter into agreement for or to grant licences relative to the working and use of telegraphs (whether of a like nature to those hereby licensed or otherwise) or the transmission of messages in any part of the Colony by means of wireless telegraphy or by any other means with or to any person or persons whomsoever upon such terms as he shall in his discretion think fit.

12. Subject to the provisions of this licence the licensee shall transmit messages by means of the licensed apparatus on equal terms without favour or preference whether as regards rates of charges, order of transmission, or otherwise. Provided always that signals of distress and messages in connection therewith shall receive priority over all other

messages and that the order of transmission of such other messages shall be governed by the Radio Regulations and additional Regulations annexed to the Convention.

13. The licensee shall charge rates not in excess of half of the rates charged to the ordinary public in respect of messages transmitted on behalf of His Majesty's Government or the Government of any British Possession or Protectorate.

**Special Conditions.**

Schedule to Form W.T.2.

DESCRIPTION OF SHIP STATIONS AND APPARATUS IN RESPECT OF WHICH LICENCE IS GRANTED.

	Name of ship on which station is established
	Call Sign
	Frequencies (Wave-lengths)
	Power in the aerial in K/ws.
	Normal Power of radiation expressed in metre-amperes
	Nature of Service
	Hours of Service (No. of Operators)
	Ship charge, per word in francs
	(a) Port of Registry (b) Gross Tonnage
	Name and Address of Registered Owners
	Date on which it is proposed to install the apparatus
	Make and type of apparatus. Input power of transmitter and frequency range of receiver
	If Direction Finding or Auto Alarm
	Administration or private enterprise to which accounts must be addressed. If the accounting authority is not the operating company, name of the latter should be given
	Remarks

Form W.T.3.

No. ....

**SCHEDULE 3.****FALKLAND ISLANDS.****The Wireless Telegraphy Ordinance.**

LICENCE to establish a Broadcast Receiving Station.  
of is hereby  
granted a licence, subject in all respects to the provisions of the Wireless  
Telegraphy Ordinance and of the Regulations made thereunder, and to  
the conditions specified herein, to establish and maintain a wireless station  
for the purpose of receiving messages at

This licence is valid for the period of one year ending on the  
of 19 and is liable to cancellation at  
any time by notice in writing from the Colonial Secretary.

A fee of Ten Shillings is payable to the Colonial Treasurer on the grant  
of this licence.  
Stanley.

19

*Colonial Secretary.*

**Note.**—If it is desired to continue to maintain the station after the  
date of the expiration of this licence a fresh licence must be  
taken out within one month.

**General Conditions.**

1. The licensee shall not use or allow the station to be used for any  
purpose other than the reception of broadcast wireless messages.

2. Any receiving set and any of the following parts, viz.: amplifiers  
(valve or other), telephone head receivers, loud speakers and valves  
used under this licence must be approved by the Supervisor of Posts  
and Telegraphs.

3. The station shall not be used in such a way as to cause interference  
with the working of other stations. In particular, valves must not be  
connected in such a manner as to be capable of causing the aerial to  
oscillate.

4. The combined height and length of the external aerial (where one  
is employed) shall not exceed 100 feet. An aerial which crosses above  
or is liable to fall upon or be blown on to any overhead power wire or  
telephone wire must be guarded to the reasonable satisfaction of the  
owner of the wire concerned.

5. The licensee shall not divulge or allow to be divulged to any person  
other than a duly authorised officer of the Government or to a competent  
legal tribunal or make any use whatsoever of any message received by  
means of the station other than time signals, musical performances and  
messages transmitted for general reception.

6. The station shall be open to inspection at all reasonable times by the Supervisor of Posts and Telegraphs or by an officer duly authorised by him in that behalf.

**Special Conditions.**

Form W.T.4.

No.....

**SCHEDULE 4.**

**The Wireless Telegraphy Ordinance.**

**PERMIT to work and use apparatus for wireless telegraphy on board a merchant ship in the harbours of the Colony granted under section 4 of the Wireless Telegraphy Regulations.**

Permission is hereby granted for the working and using of apparatus for wireless telegraphy on board the ships of specified in the Schedule hereto whilst such ships are in any of the harbours of the Colony subject nevertheless to the following conditions, namely:—

**General Conditions.**

1. This permit is subject in all respects to the provisions of the Wireless Telegraphy Ordinance, and of the Regulations made thereunder.
2. The term apparatus for wireless telegraphy in this permit includes apparatus for wireless telephony.
3. All such vessels shall obey promptly the "Naval Silence" sign (— . . — . . — . . —) and thereupon shall not work their wireless telegraphy apparatus until after the "Message Complete" sign (. . . — . —) shall have been made.
4. The grantee shall give all possible assistance to the Government of the Colony when required in any matter of public business.
5. This permit is liable to modification, suspension or cancellation at any time by notice in writing from the Colonial Secretary.

6. This permit is valid for the period of one year ending on the  
of , 19 , on the  
payment of the sum of **Ten Shillings** to the Colonial Treasure.

**Special Conditions.**

Given at Stanley, the

of

. 19

*Colonial Secretary.*

**CHAPTER 79.**

**WORKMEN'S COMPENSATION.**

**REGULATIONS.**

**Section 33.**

No. 9 of 1948.

1. These regulations shall be cited as the Workmen's  
Compensation Regulations. Short title.

2. Unless the context otherwise admits—

Definitions.

“the Ordinance” means the Workmen's Compensa-  
tion Ordinance;

“form” means a form in these regulations.

**Part I.**

**PROCEDURE.**

3. Any application made under section 22 of the Ordin- Applications.  
ance shall, unless the Commissioner otherwise directs, be  
made on forms A, B or C as the case may be, signed by the  
applicant and filed with the Registrar.

The Registrar shall forthwith inform the Commissioner of any such application.

Examination  
of applicant.

4. The Commissioner may examine an applicant on oath and shall record any such examination in the manner provided in section 25 of the Ordinance.

Summary  
dismissal of  
application

5. The Commissioner shall consider the application and the record of the substance of any examination of the applicant, and may summarily dismiss the application if, for reasons to be recorded, he is of opinion that there are not sufficient grounds for proceeding thereon, and the Registrar shall forthwith notify the applicant or the legal practitioner or other person acting on behalf of the applicant of such summary dismissal of the application.

Preliminary  
inquiry into  
application.

6. If the application is not dismissed under regulation 5, the Commissioner may direct the Registrar to call upon the applicant to produce to the Registrar evidence in support of the application before calling upon any other party, and, if upon considering such evidence the Commissioner is of opinion that there is no case for the relief claimed he may dismiss the application with a brief statement of his reasons for so doing.

Notice to  
opposite  
party.

7. If the Commissioner does not dismiss the application under regulation 5 or regulation 6, the Registrar shall cause to be served on the party from whom the applicant claims relief (hereinafter referred to as the respondent) a copy of the application, and may, if he thinks fit, call upon the respondent to file a written statement dealing with the claim within such time as the Registrar may fix.

Statement of  
respondent.

8. The respondent may, and if so required by the Registrar, shall, within such time as the Registrar may fix, file a written statement dealing with the claim raised in the application, and any such written statement shall form part of the record.

Indemnity  
under section  
12 (2) of the  
Ordinance.

9. Where the respondent claims that if compensation is recovered against him he will be entitled under section 12, sub-section (2) of the Ordinance to be indemnified by a person not being a party to the case (hereinafter referred to as the third party), he shall, within ten days after being served

with the copy of the application, file a notice of such claim with the Registrar, and the Registrar shall thereupon cause a copy of the notice of such claim in Form D to be served on the third party, and may, if he thinks fit, call upon him to file a written statement dealing with the claim raised in the application within such time as the Registrar may direct.

10. If the respondent or the third party fails to file a statement dealing with the claim within the time directed by the Registrar, or by the Commissioner on an application to enlarge the time, he shall be taken to admit the claim. Failure of respondent or third party to file statement.

11. If the respondent or the third party admits the claim, he may at any time before the first hearing— Claim admitted.

(a) where the application is made by an injured workman—

(i) file with the Registrar a notice that he submits to an order for the payment of a half-monthly sum, to be specified in such notice ; or

(ii) file with the Registrar a notice that he submits to an order for the payment of a lump sum, to be specified in the notice, and pay such sum into Court. ;

(b) where the application is made on behalf of the dependants of a deceased workman, or for the settlement of the sum payable in respect of medical attendance and the burial of a deceased workman who leaves no dependants, file with the Registrar a notice that he admits liability, and pay into Court such sum of money as he considers sufficient to cover his liability in the circumstances of the case.

12. Where it is necessary to proceed to a hearing, the Registrar shall fix a date and place for disposing of the application and of the claim for indemnity, if any, and cause notice thereof to be served on the different parties in Form E calling upon them to attend and to produce any evidence which they may wish to tender. Hearing.

13. If at the hearing or any adjournment thereof the applicant does not appear the Commissioner shall dismiss Non-appearance of applicant.



the application unless he is satisfied there is reasonable cause for such non-appearance when he may adjourn the hearing on such terms as to costs or otherwise as he may deem just.

Non-appearance of respondent or third party.

14. If at the hearing or any adjournment thereof the respondent or third party does not appear the Commissioner may proceed to hear the case in his absence unless he is satisfied there is reasonable cause for such non-appearance when he may adjourn the hearing on such terms as to costs or otherwise as he may deem just.

Local inspection.

15. (1) The Commissioner may at any time enter the place where the workman was injured, or where the workman ordinarily performed his work, for the purpose of making a local inspection :

Provided that the Commissioner shall not enter any premises of any industrial establishment except during the ordinary working hours of that establishment, save with the permission of the employer or of some person directly responsible to him for the management of the establishment.

(2) The Commissioner shall give the parties or their representatives notice of his intention to conduct a local inspection, unless in his opinion the urgency of the case renders the giving of such notice impracticable.

(3) Such notice may be given orally or in writing, and, in the case of an employer, may be given to any person upon whom notice of a claim can be served under section 10 of the Ordinance, or to the representative of any such person.

(4) Any party or the representative of any party, may accompany the Commissioner at a local inspection.

Connected cases.

16. Where two or more cases pending before the Commissioner arise out of the same accident, and any issue involved is common to two or more such cases, such cases may, so far as the evidence bearing on such issue is concerned, be taken together.

Witnesses.

17. The Registrar shall upon application by any party issue summons for the appearance of witnesses on payment of the prescribed fees and expenses unless the Commissioner considers the appearance of such witnesses unnecessary.

## 18. (1) The Commissioner shall—

Record of  
findings and  
orders.

- (a) record concisely his findings and his reasons for such findings;
- (b) at the time of making his order pronounce his decision and thereafter no addition or alteration shall be made to the order other than the correction of a clerical or arithmetical mistake arising from an accidental slip or omission.

(2) Orders shall be in one of the forms in Form F with any necessary variations.

## 19. (1) Any document to be filed under these regulations may be so filed by delivering it at the office of the Registrar.

Filing and  
service of  
documents.

(2) There shall be filed with the original document as many copies of the document as there are persons on whom copies of the documents are to be served, and in addition a copy for the use of the Commissioner.

(3) Any document to be served under the Ordinance or these regulations upon any person shall be served—

- (a) upon the Crown, by service upon the Head of the Government Department in which the applicant was employed at the time of the accident, or by leaving it at the office of such Head of Department;
- (b) upon an individual, by service upon him personally or by leaving it with a responsible person at his last known place of abode or business;
- (c) upon a corporate body by service on the Secretary or by leaving it with a responsible person at the Registered Office of such corporate body;
- (d) upon a Club by service on the Secretary or any member of the Managing Committee;
- (e) upon the master of a ship or a person belonging to a ship, by service on such master or person, or by leaving the document for such master or person on board the ship with the person being or appearing to be in command or charge of the ship, or where no such person can be found, by fixing a copy of the document to the mast of the ship.

(4) All service shall be effected—

- (a) in Stanley and its immediate vicinity by a member of the police force ;
- (b) out of Stanley and its immediate vicinity by a person appointed by the Registrar who shall make a return of the service within two days in the case of service in Stanley and within fourteen days in the case of service out of Stanley in Form G, sworn before a justice of the peace.

Application of  
Magistrate's  
Court Rules.

20. Save as otherwise expressly provided in the Ordinance or these regulations, the Rules of the Magistrate's Court as to enforcing the attendance of witnesses, compelling the production of documents and material objects, administering oaths, taking evidence, amending any defect or error in any proceeding, enlarging the time appointed for taking any proceeding or doing any act, and the representation of persons under disability shall, with the necessary modifications, apply to proceedings before the Commissioner.

Apportion-  
ment of com-  
pensation.

21. The provisions of this part of these regulations shall, as far as may be, apply in any proceedings relating to the apportionment of compensation among dependants of a deceased workman.

## **Part II.**

### **EMPLOYER.**

Right to file  
memorandum.

22. Any employer to whom notice of an accident has been given may at any time, notwithstanding the fact that no claim for compensation has been instituted in respect of such accident, file with the Registrar a memorandum, supported by an affidavit made by himself or by any person having knowledge of the facts stated in the memorandum, embodying the circumstances or cause of the accident and such memorandum shall be recorded by the Registrar.

## **Part III.**

### **MEDICAL EXAMINATION.**

Submission  
to medical  
examination.

23. A workman who is required by section 11, sub-section (1), of the Ordinance to submit himself for medical examination shall be bound to do so in accordance with the regulations contained in this Part and not otherwise.

24. When such workman is present on the employer's premises, and the employer offers to have him examined free of charge by a qualified medical practitioner who is so present, the workman shall submit himself for examination forthwith.

Examination  
on employer's  
premises.

25. In cases to which regulation 24 does not apply, the employer may—

Examination  
in other  
cases.

- (a) send the medical practitioner to the place where the workman is residing for the time being, in which case the workman shall submit himself for medical examination on being requested to do so by the medical practitioner; or
- (b) send to the workman an offer in writing to have him examined free of charge by a qualified medical practitioner, in which case the workman shall submit himself for medical examination at the employer's premises, or at such other place in the vicinity as is specified in such offer, and at such time as is so specified :

Provided that—

- (i) the time so specified shall not, save with the express consent of the workman, be between the hours of 7 p.m. and 8 a.m.; and
- (ii) in cases where the workman's condition renders it impossible or inadvisable that he should leave the place where he is residing for the time being, he shall not be required to submit himself for medical examination save at such place of residence.

26. A workman who is in receipt of a half monthly payment shall not be required to submit himself for medical examination elsewhere than at the place where he is residing for the time being more than twice in the first month following the accident or more than once in any subsequent month.

Restriction on  
number of  
examinations.

27. If a workman whose right to compensation has been suspended under section 11, sub-section (2) or (3), of the Ordinance, subsequently offers himself for medical examination, his examination shall take place on the employer's premises or at such other place in the vicinity as may be fixed by the employer.

After suspen-  
sion of right  
to compen-  
sation.

**Part IV.****MEMORANDUM OF AGREEMENT.**

Form.

28. A memorandum of agreement sent to the Commissioner under section 28 (1) of the Ordinance shall, unless the Commissioner otherwise directs, be in duplicate and conform with Forms H, J, and K as the circumstances may require.

Where  
Commissioner  
proposes to  
record  
memorandum.

29. (1) The Commissioner shall, unless he considers that there are grounds for refusing to record a memorandum of agreement, direct the Registrar to fix a day for recording the same, and the Registrar shall accordingly issue a notice in writing in Form L to the parties concerned that in default of objections the Commissioner proposes to record the memorandum on the day so fixed, provided that the notice may be communicated orally to any parties who are present at the time when notice in writing would otherwise issue.

(2) On the date so fixed the Commissioner shall direct the Registrar to record the memorandum unless, after hearing any of the parties who appear and desire to be heard, he considers that it ought not to be recorded :

Provided that the issue of a notice under sub-section (1) of this regulation shall not be deemed to prevent the Commissioner from refusing to record the memorandum on the date so fixed, even if no objection be made by any party concerned.

(3) If on such date the Commissioner decides that the memorandum ought not to be recorded, he shall inform the parties present of his decision and of the reasons therefor, and if any party desiring the memorandum to be recorded is not present, the Registrar shall send information to that party in Form M.

Where  
Commissioner  
considers he  
should refuse  
to record.

30. (1) Where the Commissioner considers there are grounds for refusing to record a memorandum of agreement the Registrar shall fix a date for hearing the party or parties desiring the memorandum to be recorded, and the Registrar shall inform such party or parties and, if the Commissioner thinks fit, any other party concerned, of the date so fixed and of the grounds on which the Commissioner considers that the memorandum should not be recorded.

(2) If the parties to be informed are not present, a written notice shall be sent to them in Form N or Form O, as the case may be, and the date fixed in such notice shall be not less than seven days after the date of the issue of the same.

(3) If on the date fixed under sub-section (1) of this regulation the party or parties desiring the memorandum to be recorded show adequate cause for recording the same, the Commissioner may, if information has already been given to all the parties concerned, direct the Registrar to record the agreement. If information has not been given to all such parties, he shall proceed in accordance with regulation 29.

(4) If, on the date so fixed, the Commissioner refuses to record the memorandum, the Registrar shall send notice in Form M to any party who did not receive information under sub-section (1) of this regulation.

31. (1) If in any case the Commissioner refuses to record a memorandum of agreement, he shall briefly record his reasons for such refusal.

On refusal to record.

(2) If the Commissioner refuses to record a memorandum of agreement, he shall not make any order directing the payment of any sum or amount over and above the sum specified in the agreement, unless opportunity has been given to the party liable to pay such sum to show cause why it should not be paid.

(3) Where the agreement is for the redemption of half-monthly payments by the payment of a lump sum, and the Commissioner considers that the memorandum of agreement should not be recorded by reason of the inadequacy of the amount of such sum as fixed in the agreement, he shall record his estimate of the probable duration of the disablement of the workman.

32. In recording a memorandum of agreement, the Registrar shall enter the same in a register in Form P and shall endorse a copy of the memorandum, to be retained by him, as follows :—

Registration.

“This memorandum of agreement bearing Serial No.  
of 19 in the register of agreements has  
been recorded this day of 19

(Signature)

Registrar.”

**Part V.****DEPOSIT OF COMPENSATION.**

Under section  
8 (1) of the  
Ordinance.

33. An employer depositing compensation under section 8, sub-section (1), of the Ordinance, shall furnish therewith a statement in Form Q and shall be given a receipt in Form R.

(2) If, in the statement above referred to, the employer indicates that he desires to be made a party to the distribution proceedings, the Commissioner shall, before allotting the sum deposited as compensation, afford to the employer an opportunity of establishing that the person or persons to whom he proposes to allot such sum is or are not dependants of the deceased workman.

(3) The statement of disbursements to be furnished on application by the employer under section 8, sub-section (5), of the Ordinance, shall be in Form S.

Publication  
of lists of  
deposits.

34. The Registrar shall cause to be displayed in a prominent position outside his office an accurate list of the deposits received by him under section 8, sub-section (1), of the Ordinance, of the depositors, and of the workmen in respect of whose death the deposits have been made.

Where no  
compensation  
deposited.

35. (1) Where a dependant of a deceased workman claims that compensation is payable in respect of the death of the workman, and no compensation has been deposited in accordance with section 8, sub-section (1), of the Ordinance in respect thereof, the dependant may apply to the Commissioner for the issue of an order requiring the employer to deposit compensation in accordance with the said sub-section :

Provided that no such application shall be entertained unless the applicant certifies therein that he has requested the employer to deposit compensation and that the employer has refused or omitted to do so.

(2) The Commissioner shall dispose of such application in accordance with the provisions of Part I of these regulations provided that—

(a) the Commissioner may, at any time, cause notice to be given in such manner as he thinks fit to all or any of the dependants of the deceased workman

who have not joined in the application, requiring them, if they desire to join therein, to appear before him on a date specified in this behalf ;

- (b) any dependant to whom such notice has been given and who fails to appear and to join in the application on the date specified in a notice shall not be permitted thereafter to claim that the employer is liable to deposit compensation, unless he satisfies the Commissioner that he was prevented by any sufficient cause from appearing when the cause was called on for hearing.

(3) If, after completing the inquiry into the application, the Commissioner issues an order requiring the employer to deposit compensation in accordance with section 8 sub-section (1), of the Ordinance, nothing in sub-section (2) of this regulation shall be deemed to prohibit the allotment of any part of the sum deposited as compensation to a dependant of the deceased workman who failed to join in the application.

36. An employer depositing compensation in accordance with section 8, sub-sections (2) or (3), of the Ordinance, shall furnish therewith a statement in Form T and shall be given the receipt in Form U.

Deposit under  
section 8 (2)  
and (3) of the  
Ordinance.

37. Money deposited under section 8 of the Ordinance may be invested in the name of the Registrar in the Government Savings Bank.

Investment.

### **Part VI.**

#### **REVIEW OF HALF YEARLY PAYMENTS AND COMMUTATION THEREOF.**

38. Application in Form V for review of a half-monthly payment under section 6 of the Ordinance may be made without being accompanied by medical certificate—

Application  
for review  
without  
medical  
certificate.

- (a) by the employer, on the ground that since the right to compensation was determined the workman's wages have increased ;
- (b) by the workman, on the ground that since the right to compensation was determined his wages have diminished ;



- (c) by the workman, on the ground that the employer, having commenced to pay compensation, has ceased to pay the same, notwithstanding the fact that there has been no change in the workman's condition such as to warrant such cessation ;
- (d) by the workman, on the ground that he has ceased, since the right to compensation was determined, to be a minor ;
- (e) either by the employer or by the workman on the ground that the determination of the rate of compensation was obtained by fraud or undue influence or other improper means.

Procedure on  
application  
for review.

39. If, on examining an application for review by an employer in which the reduction or discontinuance of half-monthly payments is sought, it appears to the Commissioner that there is reasonable ground for believing that the employer has a right to such reduction or discontinuance, he may at any time issue an order withholding the half-monthly payments in whole or in part pending his decision on the application.

Procedure  
on applica-  
tion for com-  
mutation.

40. Where application is made to the Commissioner under section 7 of the Ordinance for the redemption of a right to receive half-monthly payments by the payment of a lump sum, the Commissioner shall form an estimate of the probable duration of the disablement, and shall award a sum equivalent to the total of the half-monthly payments which would be payable for the period during which he estimates that the disablement will continue, less one half per cent. of that total for each month comprised in that period :

Provided that fractions of a shilling included in the sum so computed shall be disregarded :

Provided also that when the Commissioner is unable to form an approximate estimate of the probable duration of the disablement he may from time to time postpone a decision on the application for a period not exceeding two months at any one time.

**Part VII.**

**REGISTRAR.**

41. The Registrar shall endorse the date of filing or issuance on all proceedings and notices filed with or issued by him. Proceedings.

42. In recording an order of the Commissioner under section 27 of the Ordinance, directing the payment of compensation or the variation of the amount or rate of compensation previously ordered or settled by agreement, the Registrar shall enter such order in a register in the Form W, and shall endorse on a copy of the order to be retained by him as follows :— Registration of orders.

“This order bearing Serial No.                      of 19                      in the  
Register of Orders has been recorded in such Register  
this                      day of                      , 19                      .  
(Signature)                      Registrar.”

43. The Registrar shall enter all proceedings hereafter to be commenced in a Cause Book, the form of which shall be prescribed by the Commissioner ; any entry made therein shall be examined with the original document the day after such entry is made, and such entry shall be evidence of the document having been filed. Cause Book

44. The Registrar shall keep the registers prescribed by regulations 32 and 42 and shall make the appropriate entries therein in accordance with the requirements of the said regulations. Registers.

45. The Registrar shall keep proper indexes of the titles of all applications filed with or delivered to him so that the same may be conveniently referred to when required ; and such indexes shall at all times during office hours be accessible to the public on payment of the prescribed fee. Indexes.

46. The Registrar shall, on a request in writing giving sufficient particulars and on payment of the prescribed fee, cause a search to be made in the Cause Books or Registers under his custody, and issue a certificate of the result of the search. Searches.

47. Any person may, on payment of the prescribed fee, inspect the file of documents or proceedings in any matter. Inspection of files.

**Part VIII.****COSTS.****Costs.**

48. (1) Any costs incidental to any proceedings before the Commissioner directed to be paid by one party to another shall, in default of agreement between the parties as to the amount of such costs, be taxed by the Commissioner according to the scale of costs applicable to actions in the Magistrate's Court; and the statutory provisions and rules for the time being in force as to the allowance and taxation of costs in such actions shall, with the necessary modifications, apply accordingly.

(2) When proceedings are taken for which no provision is made in these regulations, reasonable costs may be allowed in respect of such proceedings, not exceeding those which may under the scales of costs be allowed in respect of proceedings of a like nature.

(3) The Commissioner, in dealing with the question of costs, may take into consideration any offer of compensation proved to have been made on behalf of the employer.

**Exemptions.**

49. If the Commissioner is satisfied that the applicant is unable, by reason of poverty, to pay the prescribed fees, he may remit any or all of such fees. If the case is decided in favour of the applicant the prescribed fees which, had they not been remitted would have been due to be paid, may be added to the costs of the case and recovered in such manner as the Commissioner in his order regarding costs may direct.

**Part IX.****FEES.****Fees.**

50. The following fees shall be paid respectively on each application, search or inspection made under the Ordinance or these regulations:—

(1) Applications for compensation—

(a) Where compensation is claimed in the  
form of recurring payments ... .. 5/-

- (b) Where compensation is claimed in the form of a lump sum, 2/6 where the sum does not exceed £50, plus 2/6 for each additional sum of £50 or fraction thereof (maximum 10/-).
- (2) Application for commutation—
- (a) By agreement between the parties ... 2/6
- (b) In all other cases ... 5/-
- (3) Applications for the deposit of compensation—
- (a) Under section 8 (1) of the Ordinance Nil
- (b) In all other cases, in respect of each person to whom compensation is payable ... 2/6
- (4) Applications for distribution by dependants, for each dependant ... 2/6 up to 15/-
- (5) Applications for review—
- (a) Where the review claimed is the continuance, increase, decrease or ending of half-monthly payments ... 2/6
- (b) Where the half-monthly payments are sought to be converted into a lump sum ... 5/-
- (c) In all other cases ... 5/-
- (6) Applications for the registration of agreement—
- (a) Where the application or the memorandum of agreement is signed by both parties ... Nil
- (b) In all other cases ... 5/-
- (7) Applications to summon witnesses—
- For every witness ... 1/-
- (8) Applications for indemnification ... 10/-
- (9) Applications for the recovery of compensation—
- (a) Under an order already made by the Commissioner ... 2/6

(b) In all other cases—

The same fee as is payable on a similar application for compensation.

- |  |     |
|--|-----|
| (10) All applications not otherwise provided for   | 2/6 |
| (11) For service of any notice or process ...  | 2/6 |
| (12) For search in indexes of titles of applications filed ... ..  | 2/6 |
| (13) For search in Cause Books or Registers and issuing certificate of result of search under the hand of the Registrar ... .. | 2/6 |
| (14) For inspecting file of documents or proceedings ... ..  | 2/6 |

### Part X.

#### FORMS.

Forms.

51. Where the forms in the schedule to these regulations are not applicable, forms of the like character, with such variations as the circumstances may require, may be used in proceedings under the Ordinance.

### SCHEDULE.

#### Form A.

(See Regulation 3)

#### APPLICATION FOR COMPENSATION BY WORKMAN.

To the Commissioner for Workmen's Compensation,  
residing at  
, applicant

versus

residing at  
, respondent.

It is hereby submitted that—

(1) the applicant, a workman employed by (a contractor with) the respondent, on the            day of            19           , received personal injury by accident arising out of and in the course of his employment.

The cause of the injury was (here insert briefly in ordinary language the cause of the injury).

(2) the applicant sustained the following injuries, namely:—

(3) the monthly wages of the applicant amount to £ \_\_\_\_\_; the applicant is  $\frac{\text{over}}{\text{under}}$  the age of 18 years.

\* (4) (a) Notice of the accident was served on the       day of

(b) Notice was served as soon as practicable.

(c) Notice of the accident was not served (in due time) by reason of

\* (5) the applicant is accordingly entitled to receive—

(a) half-monthly payments of £                      from the day of  
19                      to

(b) a lump sum payment of £

(6) the applicant has taken the following steps to secure a settlement by agreement, namely \_\_\_\_\_ but it has proved impossible to settle the question in dispute because \_\_\_\_\_

\*You are therefore requested to determine the following questions in dispute, namely:—

(a) whether the applicant is a workman within the meaning of the Ordinance;

(b) whether the accident arose out of or in the course of the applicant's employment;

(c) whether the amount of compensation claimed is due, or any part of that amount;

(d) whether the respondent is liable to pay such compensation as is due;

(e) &c. (as required)

Dated this            day of            19

*Applicants.*

To  
of

I do hereby require you to file with me the undersigned Registrar a written statement dealing with the claim against you in the above application within \_\_\_\_\_ days after service thereof on you.

And further take notice that if you fail to forward the statement in writing an order may be made against you in default.

Dated this            day of            19

Registrar.

\* Strike out the clauses which are not applicable.

**Form B.**

(See Regulation 3)

**APPLICATION FOR COMPENSATION BY DEPENDANTS.**

To the Commissioner for Workmen's Compensation,

residing at

, applicant

versus

residing at

, respondent.

It is hereby submitted that—

(1) a workman employed by (a contractor with) the respondent on the      day of      19      , received personal injury by accident arising out of and in the course of his employment resulting in his death on the      day of 19      . The cause of the injury was (here insert briefly in ordinary language the cause of the injury).

(2) The applicant(s)  $\frac{\text{is a}}{\text{are}}$  dependant(s) of the deceased workman, being his

(3) The monthly wages of the deceased amounted to £

The deceased was  $\frac{\text{over}}{\text{under}}$  the age of 18 years at the time of his death.

- \* (4) (a) Notice of the accident was served on the      day of  
 (b) Notice was served as soon as practicable.  
 (c) Notice of the accident was not served (in due time) by reason of

(5) The deceased before his death received as compensation the total sum of £

(6) The applicant(s)  $\frac{\text{is}}{\text{are}}$  accordingly entitled to receive a lump sum payment of £

(7) The applicant(s)  $\frac{\text{has}}{\text{have}}$  requested the respondent to deposit compensation and the latter has  $\frac{\text{refused}}{\text{omitted}}$  to do so.

\*You are therefore requested to determine the following questions in dispute, namely:—

- (a) Whether the deceased was a workman within the meaning of the Ordinance;
- (b) Whether the accident arose out of and in the course of the deceased's employment;
- (c) Whether the amount of compensation claimed is due, or any part of that amount;
- (d) Whether the respondent is liable to pay such compensation as is due;

- (e) Whether the applicant(s)  $\frac{\text{is a}}{\text{are}}$  dependant(s) of the deceased;  
 (f) How the compensation, when deposited, should be distributed;  
 (g) &c. (as required).

*Applicant.*

Dated the      day of      , 19      .  
 \* Strike out the clauses which are not applicable.

To  
 of

I do hereby require you to file with me the undersigned Registrar a written statement dealing with the claim against you in the above application within      days after service thereof on you.

And further take notice that if you fail to forward the statement in writing an order may be made against you in default.

Dated this      day of      19      .

*Registrar.*

**Form C.**

(See Regulation 3)

**APPLICATION FOR COMMUTATION.**

(Under section 3 of the Workmen's Compensation Ordinance)

To the Commissioner for Workmen's Compensation,  
 residing at  
 . applicant

versus

residing at  
 . respondent.

It is hereby submitted that—

(1) The applicant  
 respondent has been in receipt of half-monthly payments from      to      in respect of temporary disablement by accident arising out of and in the course of his employment.

(2) The applicant is desirous that the right to receive half-monthly payments should be redeemed.

(3) (a) The respondent is unwilling to agree to the redemption of the right to receive half-monthly payments.

(b) The parties have been unable to agree regarding the sum for which the right to receive half-monthly payments should be redeemed.

You are therefore requested to make an order—

(a) directing that the right to receive half-monthly payments should be redeemed.

(b) fixing a sum for the redemption of the right to receive half-monthly payments.

Date

*Applicant.*



**Form D.**

(See Regulation 9)

**NOTICE.**

Whereas a claim for compensation has been made to the Commissioner for Workmen's Compensation by \_\_\_\_\_ applicant, against \_\_\_\_\_ and the said \_\_\_\_\_ has claimed that you are liable under section 12 (2) of the Workmen's Compensation Ordinance to indemnify him against any compensation which he may be liable to pay in respect of the aforesaid claim, you are hereby informed that you may appear before the Commissioner for Workmen's Compensation at \_\_\_\_\_ o'clock on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ at \_\_\_\_\_ and contest the claim for compensation made by the said applicant or the claim for indemnity made by the respondent. In default of your appearance you will be deemed to admit the validity of any award made against the respondent and your liability to indemnify the respondent for any compensation recovered from him.

Dated

19 \_\_\_\_\_

*Registrar.*

To  
of

I do hereby require you to file with me the undersigned Commissioner a written statement dealing with the claim against you in the above application within \_\_\_\_\_ days after service thereof on you.

And further take notice that if you fail to forward the statement in writing an order may be made against you in default.

Dated this \_\_\_\_\_ day of \_\_\_\_\_

19 \_\_\_\_\_

*Commissioner.***Form E.**

(See Regulation 12)

**NOTICE TO APPLICANT OF DAY UPON WHICH HEARING  
WILL BE PROCEEDED WITH.**

**The Workmen's Compensation Ordinance.**

\_\_\_\_\_ residing at \_\_\_\_\_  
versus \_\_\_\_\_, applicant

\_\_\_\_\_ residing at \_\_\_\_\_  
\_\_\_\_\_, respondent.

Take notice that the Commissioner will proceed with the hearing of the application in this matter at \_\_\_\_\_ on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_ at the hour of \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon.

Dated this

day of

19 \_\_\_\_\_

*Registrar.*

**NOTICE TO RESPONDENT OF DAY UPON WHICH HEARING  
WILL BE PROCEEDED WITH.**

**The Workmen's Compensation Ordinance.**

residing at  
, applicant  
versus

residing at  
, respondent.

Take notice that the Commissioner will proceed with the hearing of the application in the matter at \_\_\_\_\_ on \_\_\_\_\_ the day of \_\_\_\_\_ at the hour of \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, and that if you do not attend at the time and place above mentioned such order will be made and proceedings taken as the Commissioner may think just and expedient.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

To  
of

*Registrar.*

**Form F.**

(See Regulation 18)

**ORDER.**

(NOTE.—These forms are intended for use in ordinary cases only)

I. In case of application for half-monthly payment of compensation. Having duly considered the matters submitted to me, I do hereby order as follows:—

*(Here insert any introductory recitals of findings on which the order is made which the Commissioner may think fit)*

1. I order that the respondent C.D. do pay the applicant A.B. the half-monthly sum of £ \_\_\_\_\_ as compensation for personal injuries caused to the said A.B. on the \_\_\_\_\_ day of \_\_\_\_\_ by injury arising out of and in the course of his employment as a workman employed by the said respondent, such half-monthly payment to commence as from the \_\_\_\_\_ day of \_\_\_\_\_, and to continue during the total (or partial) incapacity of the said A.B. for work, or until the same shall be ended, diminished, increased or redeemed in accordance with the provisions of the Workmen's Compensation Ordinance.

2. And I order that the said C.D. do forthwith pay to the said A.B. the sum of £ \_\_\_\_\_ being the amount of such half-monthly payments calculated from the \_\_\_\_\_ day of \_\_\_\_\_ until the \_\_\_\_\_ day of \_\_\_\_\_ and do thereafter pay \_\_\_\_\_ the said sum of \_\_\_\_\_ to the said A.B. on the \_\_\_\_\_ and \_\_\_\_\_ days of each month.

3. And I order that the said C.D. do pay to the applicant his costs of or incidental to the proceedings, such costs, in default of agreement between the parties as to the amount thereof, to be taxed under the scale of costs applicable to actions in the Magistrate's Court, and to be paid by the said C.D. within 14 days of the date of the certificate of the result of such taxation.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

*Commissioner.*

## II. In case of application by Dependents.

Having duly considered the matters submitted to me, I do hereby order as follows:—

*(Here insert any introductory recitals of findings on which the order is made which the Commissioner may think fit)*

1. I order that the respondent C.D. do pay the sum of £                      to the dependants of A.B., late of                      deceased, as compensation for the injury resulting to such dependants from the death of the said A.B. which took place on the                      day of                      from injury caused to the said A.B. on the                      day of                      by accident arising out of and in the course of his employment as a workman employed by the said respondent.

2. And I declare that the persons hereinafter named are entitled to share in such compensation as dependants of the said A.B., that is to say J.B. the widow of the said A.B. and *(name the other persons)*.

3. *(Add if so found)* And I declare that G.H. the                      of the said A.B. is not entitled to share in such compensation as a dependant of the said A.B.

4. And I order that the said sum of £                      be apportioned between the said J.B. and                      in the proportions following, that is to say:—

I apportion the sum of £                      to and for the benefit of the said J.B. and the sum of £                      to and for the benefit of the said

5. And I order that the said C.D. do pay the said sum of £                      within 14 days from the date of this order.

6. And I order that the said J.B. and the said                      or any of them, be at liberty to apply to me from time to time for any further or other order as to the application of any of the said sums which may be ordered to be invested and the interest accruing thereon.

7. And I order that the said C.D. do pay to the applicants their costs of and incident to these proceedings, etc.

Dated this                      day of                      , 19                     

*Commissioner.*

## III. In case of application by person to whom expenses of medical attendance or burial are due.

Having duly considered the matters submitted to me, I do hereby order as follows:—

*(Here insert any introductory recitals of findings on which the order is made which the Commissioner may think fit)*

1. I order that the respondent C.D. do pay the sum of £                      for or towards the expenses of medical attendance on and the burial of A.B., late of                      deceased, who died on the day of                      from injury caused on the day of                      by accident arising out of and in the course of the employment of the said A.B. as a workman employed by the said C.D.

2. And I declare that the persons hereinafter named are entitled to share in such compensation, that is to say:—

The applicant E.F. in respect of charges amounting to £  
due to (or payable by) him for medical attendance on the said A.B.,  
and the applicant G.H. in respect of charges amounting to £  
due to him for the burial of the said A.B.

Dated this                      day of                      , 19

*Commissioner.*

(NOTE.—The above forms will serve as guides for framing orders in other cases)

## Form G.

(See Regulation 19)

## The Workmen's Compensation Ordinance.

RETURN OF SERVICE OF PROCESS FROM THE  
COMMISSIONER FOR WORKMEN'S COMPENSATION.

Name of Applicant	Name of Respondent	Document Served	Date of Service	Place of Service	Mode of Service

I do swear that the above return of service is true and in accordance with the facts of such service.

(Signed)

*Deponent.*

Sworn before me by the above-named deponent this                  day of  
                                  . 19                  .

(Signed)

Magistrate  
Justice of the Peace

**Form H.**

(See Regulation 28)

**MEMORANDUM OF AGREEMENT.**

It is hereby submitted that on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, personal injury was caused to \_\_\_\_\_, residing at \_\_\_\_\_ by accident arising out of and in the course of employment in \_\_\_\_\_. The said injury has resulted in temporary disablement to the said workman whereby it is estimated that he will be prevented from earning more than \_\_\_\_\_ of his previous \_\_\_\_\_ any wages for a period of \_\_\_\_\_ months. The said workman has been in receipt of half-monthly payments which have continued from the \_\_\_\_\_ day of \_\_\_\_\_ amounting to £ \_\_\_\_\_ in all. The said workman's monthly wages are estimated at £ \_\_\_\_\_.  
 The workman \_\_\_\_\_ is over the age of 18 years  
 \_\_\_\_\_ will reach the age of 18 years on \_\_\_\_\_

It is further submitted that \_\_\_\_\_ the employer of the said workman has agreed to pay, and the said workman has agreed to accept the sum of £ \_\_\_\_\_ in full settlement of all and every claim under the Workmen's Compensation Ordinance, in respect of all disablement of a temporary nature arising out of the said accident whether now or hereafter to become manifest. It is therefore requested that this memorandum be duly recorded.

It is further submitted that the employer has paid and/or agreed to pay the sum of £ \_\_\_\_\_ as costs.

Dated \_\_\_\_\_

Signature of employer \_\_\_\_\_

Witness \_\_\_\_\_

Signature of workman \_\_\_\_\_

Witness \_\_\_\_\_

[NOTE.—An application to register an agreement can be presented under the signature of one party, provided that the other party has agreed to the terms. But both signatures should be appended (whenever possible).]

Receipt (to be filled in when the money has actually been paid).

In accordance with the above agreement, I have this day received the sum of £ \_\_\_\_\_

*Workman.*

Dated \_\_\_\_\_

19 \_\_\_\_

The money has been paid and this receipt signed in my presence.

*Witness.*

**Form J.**

(See Regulation 28)

**MEMORANDUM OF AGREEMENT.**

It is hereby submitted that on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, personal injury was caused to \_\_\_\_\_, residing at \_\_\_\_\_ by accident arising out of and in the course of his employment in \_\_\_\_\_. The said injury has resulted in permanent disablement to the said workman of the following nature, namely:—

The said workman's monthly wages are estimated at £ \_\_\_\_\_

The workman is over the age of 18 years.  
will reach the age of 18 years on \_\_\_\_\_

The said workman has, prior to the date of this agreement, received the following payments, namely:—

It is further submitted that \_\_\_\_\_, the employer of the said workman, has agreed to pay, and the said workman has agreed to accept the sum of £ \_\_\_\_\_ in full settlement of all and every claim under the Workmen's Compensation Ordinance in respect of the disablement stated above and all disablement now manifest. It is therefore requested that this memorandum be duly recorded.

It is further submitted that the employer has paid and/or agreed to pay the sum of £ \_\_\_\_\_ as costs.

Dated \_\_\_\_\_

Signature of employer \_\_\_\_\_

Witness \_\_\_\_\_

Signature of workman \_\_\_\_\_

Witness \_\_\_\_\_

[NOTE.—An application to register an agreement can be presented under the signature of one party, provided that the other party has agreed to the terms. But both signatures should be appended (whenever possible).]

Receipt (to be filled in when the money has actually been paid).

In accordance with the above agreement, I have this day received the sum of £ \_\_\_\_\_

*Workman.*

Dated \_\_\_\_\_ 19\_\_\_\_

The money has been paid and this receipt signed in my presence.

*Witness.*

**Form K.**

(See Regulation 28)

**MEMORANDUM OF AGREEMENT.**

It is hereby submitted that on the            day of            19            ,  
personal injury was caused to            , residing at            ,  
by accident arising out of and in the course  
of his employment in            . The said injury has  
resulted in temporary disablement to the said workman, who is at present  
in receipt of wages amounting to £            per month. The said work-  
man's monthly wages prior to the accident are estimated at £            .  
The workman is subject to a legal disability by reason of

It is further submitted that the employer of the workman has agreed  
to pay and            on behalf of the said workman has  
agreed to accept half-monthly payments at the rate of            for  
the period of the said temporary disablement. This agreement is subject to  
the condition that the amount of the half-monthly payments may be  
varied in accordance with the provisions of the Workmen's Compensation  
Ordinance on account of an alteration in the earnings of the said workman  
during disablement. It is further stipulated that all rights of commuta-  
tion under section 7 of the said Ordinance are unaffected by this agree-  
ment. It is therefore requested that this memorandum be duly recorded.

It is further submitted that the employer has paid and/or agreed to  
pay the sum of £            as costs.

Dated

Signature of employer

Witness

Signature of workman

Witness

[NOTE.—An application to register an agreement can be presented  
under the signature of one party, provided that the other party has agreed  
to the terms. But both signatures should be appended (whenever possible).]

Receipt (to be filled in when the money has actually been paid).

In accordance with the above agreement, I have this day received  
the sum of £           

*Workman.*

Dated

19

The money has been paid and the receipt signed in my presence.

*Witness.*

**Form L.**

(See Regulation 29)

Whereas an agreement to pay compensation is said to have been reached between \_\_\_\_\_ and \_\_\_\_\_

And whereas \_\_\_\_\_ <sup>had</sup>/<sub>have</sub> applied to the Commissioner for registration of the agreement under section 28 of the Workmen's Compensation Ordinance, Notice is hereby given that the said agreement will be taken into consideration by the Commissioner at \_\_\_\_\_ o'clock on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ and that any objections to the registration of the said agreement should be made on the date and at the place aforesaid. In the absence of valid objections it is the Commissioner's intention to proceed to the registration of the agreement.

Dated \_\_\_\_\_ 19\_\_\_\_

*Registrar.*

**Form M.**

(See Regulations 29 and 30)

Take notice that registration of the agreement to pay compensation said to have been reached between you and \_\_\_\_\_ the \_\_\_\_\_, 19\_\_\_\_, has been refused by the Commissioner for Workmen's Compensation for the following reasons, namely:—

Dated \_\_\_\_\_ 19\_\_\_\_

*Registrar.*

**Form N.**

(See Regulation 30)

Whereas an agreement to pay compensation is said to have been reached between \_\_\_\_\_ and \_\_\_\_\_

And whereas \_\_\_\_\_ <sup>has</sup>/<sub>have</sub> applied to the Commissioner for registration of the agreement under section 28 of the Workmen's Compensation Ordinance, and whereas it appears to the Commissioner that the said agreement ought not to be registered for the following reasons, namely:—

An opportunity will be afforded to you of showing cause at \_\_\_\_\_ o'clock on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ why the said agreement should be registered. If no adequate cause is shown on that date, registration of the agreement will be refused.

Dated \_\_\_\_\_ 19\_\_\_\_

*Registrar.*





**Form Q.**

(See Regulation 33)

**DEPOSIT OF COMPENSATION FOR FATAL ACCIDENT.**

(Section 8 (1) of the Workmen's Compensation Ordinance).

Compensation amounting to £                      is hereby presented for  
deposit in respect of injuries resulting in the death of  
residing at                      which occurred on                      19  
His monthly wages were estimated at                      . He was  $\frac{\text{over}}{\text{under}}$  the  
age of 18 years at the time of his death.

The said workman had, prior to the date of his death, received the  
following payments, namely:—

amounting in all to

*Employer.*

Dated                      , 19                      .

(To be added if desired)

I desire to be made a party to the proceedings  
for distribution of the aforesaid compensation.

*Employer.*

**Form R.**

(See Regulation 33)

**RECEIPT FOR COMPENSATION.**

(Deposited under Section 8 (1) of the Workmen's Compensation  
Ordinance).

Book No.

Receipt No.

Register No.

Depositor

Deceased workman

Date of deposit                      19                      .

Sum deposited £

*Registrar.*

**Form S.**

(See Regulation 33)

**STATEMENT OF DISBURSEMENTS.**

(Section 8 (5) of the Workmen's Compensation Ordinance).

Serial No

Depositor

Amount deposited £

Date		£	s.	d.
	Funeral expenses paid			
	Compensation paid to the following dependants.			
	Name Relationship			
	Total			

Dated

, 19

*Registrar.***Form T.**

(See Regulation 36)

**DEPOSIT OF COMPENSATION FOR NON-FATAL ACCIDENTS.**

(Section 8 (2) and (3) of the Workmen's Compensation Ordinance).

Compensation amounting to £ \_\_\_\_\_ is hereby presented for  
 deposit in respect of permanent injuries sustained by

residing at \_\_\_\_\_ which occurred on

19

Dated

, 19

*Employer.*

**Form U.**

(See Regulation 36)

**RECEIPT FOR COMPENSATION.**

(Deposit under Section 8 (2) or (3) of the Workmen's Compensation Ordinance).

Book No.	Receipt No.	Register No.
Depositor		
In favour of		
Date of deposit	19	
Sum deposited £		

*Registrar.*

**Form V.**

(See Regulation 38)

**APPLICATION FOR REVIEW OF HALF-MONTHLY PAYMENT.**

To the Registrar,

	residing at
	, applicant
versus	
	residing at
	, respondent.

Application is hereby made for the review (termination, diminution, increase, or redemption *as the case may be*) of the half-monthly payment payable to the said \_\_\_\_\_ in respect of personal injury caused to him by accident arising out of and in the course of his employment.

Particulars are hereto appended.

**Particulars.**

1. Name and address of injured workman.
2. Name and place of business of employer by whom compensation is payable.
3. Date and nature of accident.
4. Amount of half-monthly payment and date from which it commenced.
5. Relief sought by applicant (*whether* termination, diminution, increase, or redemption).
6. Grounds of application.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

(Signed)

*Applicant.*



## INDEX

	A.	PAGE
Administration of Estates Rules	...	109
Administration of Justice. Rules of Supreme Court	...	115
Evidence, by affidavit	...	R. 54
of persons leaving the Colony	...	R. 53
Fees, Supreme Court	...	Sch. I
Subordinate Courts	...	Sch. II
Maintenance Orders	...	R. 23-28
Matrimonial Cases	...	R. 15-22
Reciprocal Enforcement of Judgments	...	R. 29-47
Service	...	R. 50, 51
Air Transport (Licensing of Air Services) Regulations	...	67
Arbitration (Foreign Awards) No. 3 Order in Council	...	76
"    "    "    "    4    "    "    "    "    "    "    "    "	...	78
	B.	
Births, Registration Regulations	...	263
Board of Health By-Laws	...	237
Buildings, new	...	R. 4-44, 71
Infectious diseases	...	R. 55-64
Sanitation	...	R. 45-54
Ships, control over	...	R. 70
Streets, sewers, water-mains, damaging	...	R. 54
	C.	
Colonial Air Navigation (Application of Acts) Order in Council	...	65
Continental Shelf Order in Council	...	24
Court Fees Rules	...	128
Crown Reserves Notice	...	202
Currency Notes Rules	...	135
Customs Order	...	141
Regulations	...	145
	D.	
Dairy Produce Regulations	...	153
Deaths, Registration Regulations	...	263
Defence Force Regulations	...	158
Efficiency Decoration Regulations	...	159
Efficiency Medal Regulations	...	165
Dental Fees	...	259
Diplomatic Privileges (Extension)	...	
U.N. Educational, etc., Organisation Order	...	173
International Labour Organisation Order	...	174
International Civil Aviation Organisation Order	...	176
Food and Agricultural Organisation Order	...	178
World Health Organisation Order	...	179
Dogs Rules	...	181
	E.	
Education. Schools Regulations	...	181
Efficiency Decoration Regulations	...	159
Efficiency Medal Regulations	...	165
Export Regulations	...	147
	F.	
Fisheries Regulations	...	183
	G.	
Geneva Convention (Colonies) Order in Council	...	80
Government Ships Registration Order in Council	...	82
	H.	
Harbour Regulations	...	183
Port Foster Harbour Order	...	188
Regulations	...	188
Hospital Regulations	...	255
Fees	...	258

	PAGE
<b>I.</b>	
Income Tax Order ...	190
"    "    Rules ...	191
Infectious Diseases ...	250
Instructions, Royal ...	13
<b>J.</b>	
Judgments (Reciprocal Enforcement) Order in Council ...	85
"    "    "    Rules ...	119
<b>L.</b>	
Land. Crown Reserves Notice ...	202
"    Peat Banks Rules ...	202
Leave and Passage Regulations ...	95
Legislative Council Order in Council ...	25
Assent to Bills ...	Art. 22
Date of coming into force of Ordinances ...	Art. 22 (3) (4)
Disallowance of Ordinance ...	Art. 23
Dissolution ...	Art. 26
Elected Members ...	Art. 7, 9
Disqualification ...	Art. 11
Qualification ...	Art. 10
Vacation of Seat ...	Art. 12, 16
<i>Ex officio</i> Members ...	Art. 5
Extraordinary Members ...	Art. 8
Interpretation ...	Art. 1
Legislation ...	Art. 17-27
Legislative Council ...	Art. 3, 4
Nominated Members ...	Art. 6, 9
Disqualification ...	Art. 11
Qualification ...	Art. 10
Vacation of seat ...	Art. 12, 16
Precedence of Members ...	Art. 15
President ...	Art. 14
Procedure ...	Art. 17-27
Prorogation ...	Art. 26
Sittings and Sessions ...	Art. 24
Standing Rules and Orders ...	Art. 25
Temporary Members ...	Art. 13
Unqualified person sitting or voting ...	Art. 20
Penalty ...	Art. 30
Vacation of Seats ...	Art. 12, 16
Legislative Council Standing Rules and Orders ...	43
Letters Patent. Dependencies ...	9, 12
Falkland Islands ...	3
Dependencies. Legislation for ...	Art. 10-12
Executive Council ...	Art. 9
Government. Succession to ...	Art. 7
Governor. Appointment and authority ...	Art. 4-6
"    Dependencies, power to legislate for ...	Art. 10-12
"    Deputy to ...	Art. 8
Lands, disposal of ...	Art. 16
Officers, appointment, etc., of ...	Art. 13, 14
Pardon, power of ...	Art. 15
Licensing Regulations ...	204
Live Stock Quarantine Regulations ...	205
<b>M.</b>	
Maintenance Orders (Facilities for Enforcement) Order in Council ...	81
Proclamation ...	211
Rules ...	118
Marriages, Registration Regulations ...	263
Matrimonial Cases. Rules of Court ...	117
Medical Fees Regulations ...	256
Merchant Shipping (Registration of Government Ships) Order in Council ...	82
<b>P.</b>	
Patents Rules (Civil Servants) ...	102
Peat Banks Rules ...	202

	PAGE
Penguin Regulations	328
Pensions Regulations	212
Petrol Storage By-Laws	303
Plant Importation Regulations	225
Port Foster Order	188
"    "    Harbour Regulations	188
Post Office Order	230
Prison Regulations	228
Privy Council Appeals Rules	133
Public Health. Board of Health By-Laws	237
Stanley By-Laws	305

#### Q.

Quarantine Regulations (See Chap. 54 Sch. II. Vol. 1, p. 498)	
Live Stock	205

#### R.

Radio-Active Minerals Order	262
Reciprocal Enforcement of Judgments Order in Council	85
Rules	118
Registration Regulations	263
Births, Deaths and Marriages	Reg. 3-7
Crown Lands, Grants of	Reg. 2
Instruments	Reg. 2
Road Traffic Regulations	270
Royal Instructions	13
Appointments	Art. 21
Bills not to be assented to	Art. 16
Blue Book	Art. 23
Crown Lands, disposal of	Art. 20
Executive Council	Art. 3-14
Governor, absence of	Art. 24
Interpretation	Art. 25
Legislation	Art. 15-19
Pardon	Art. 22
Rules of Court	115
Affidavit, evidence by	R. 54
Evidence, persons leaving Colony, of	R. 53
Fees, Subordinate Courts	Sch. II
"    Supreme Court	Sch. I
Maintenance Orders	R. 23-28
Matrimonial Cases	R. 15-22
New trial	R. 55
Poor persons	R. 57
Reciprocal Enforcement of Judgments	R. 29-47
Retrial	R. 11, 12
Service	R. 50, 51

#### S.

Savings Bank Rules	281
Schools Regulations	181
Seal Fisheries (Colonies, etc.) Order in Council	86
Seal Reserve Notice	89
Shipworkers Protection Regulations	286
Standing Rules and Orders of Legislative Council	43
Stanley Common Rules	321
Stanley Town Council (Petrol Storage) By-Laws	303
(Public Health) By-Laws	305
Buildings	R. 4-33
Nuisances	R. 3
Penalties	R. 44
Sanitation	R. 34-39
Stanley Water Supply Regulations	317
Supreme Court Rules	115

#### T.

Telephone and Telegraph Rules	234
Trade Marks Registration Fees	270
Travelling and Subsistence Allowance Rules	105



	PAGE
V.	
Visiting Forces Order in Council	89
W.	
Whaling Industry (Regulation) Act Order in Council	92
Whaling Regulations	323
Wharfage Regulations (See Vol. I. p. 249)	
Wireless Telegraphy Regulations	329
Workmen's Compensation Regulations	341
Commutation of payments	Reg. 40
Compensation, deposit of	Reg. 33-37
Costs	Reg. 48, 49
Fees	Reg. 50
Medical examination	Reg. 23-27
Memorandum of agreement	Reg. 28-32
by employer	Reg. 22
Procedure	Reg. 3-21
Registrar, duties	Reg. 32, 41-47
Review	Reg. 38, 39
Searches	Reg. 46

