

Tobacco forming an ingredient in sheep wash, or hop powder manufactured in bond in the United Kingdom.

All articles imported or taken out of bond for the use of the Governor of the Colony and for the use of Her Majesty's Army and Navy.

The Governor, Military and Naval Departments and Messes purchasing any article whatsoever, duty paid, shall be entitled to have the same refunded out of the Public Treasury on the certificate of the Governor or the Officer in command of any Military or Naval Department, or of any of Her Majesty's Ships of War.

The Consulates 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 Her Majesty's Government for the use of Her 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 Consulates.

THIRD SCHEDULE.

EXPORT DUTIES.

Article.	Quantity.	Rate of Duty.
Wool	Per lb.	One twentieth of a penny.
Sheep skins	Each	One half-penny.
Living sheep	"	" " "
Hides	"	Three pence.
Whale oil	Barrel (40 gallons)	" "

INTERPRETATION AND GENERAL LAW.

Ordinance No. 3 of 1900.

As amended by No. 5 of 1902, No. 6 of 1906, and No. 6 of 1908.

[22nd May, 1900.]

Be it enacted by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows:—

Legal
publications.

1. The printing at the Government printing office, or by a duly authorised printer of any duly

enacted Ordinance of the Falkland Islands, or of any official document countersigned by the Colonial Secretary, or by any person duly authorised thereunto by the Governor shall be in law a sufficient publication and promulgation of the same.

2. Every Ordinance shall take effect on the day on which such Ordinance is sealed unless a contrary intention shall be expressed therein.

When
Ordinance
takes effect.

3. Copies of existing Ordinances and of any Ordinances hereafter enacted printed at the Government printing office, or by any printer duly authorised to print the same, shall be received as evidence of the passing and promulgation thereof in any Court of civil or criminal jurisdiction within this Colony :

What copies
are legal.

Provided that they are not at variance with the record copies passed under the Seal of the Colony.

4. The draft of every Ordinance shall be published in the *Gazette*, and a copy thereof shall be affixed to the notice board in Stanley for the inspection of the public for one week before its introduction : and copies of every such draft shall be purchasable from the Government printer, or other person duly authorised to sell the same for such sum as the Governor may from time to time direct, not exceeding threepence for each page, and the purchaser of any such draft may, without further payment, demand from the seller so authorised, at any time within six months of such purchase, and so soon as copies of the Ordinance are printed, a true copy of the Ordinance as passed :

Drafts to be
posted,
published, and
may be bought.

Provided always that in any case in which the Governor in Council thinks it urgently necessary to dispense with such publication and public notification, and with the sale of such draft, he may do so.

5. An intimation of the disallowance by Her Majesty of any Ordinance shall be published in the *Gazette*, or in some local newspaper.

Disallowance.

All Ordinances
may be
inspected.

6. A copy of every Ordinance shall be available for public inspection during office hours in the Court House or other place appointed by the Governor.

Rules, etc., to
be recorded.

7. Two copies of all orders, rules, regulations and by-laws, scales of fees, charges and fines made by the Governor or Governor in Council, shall be signed by the Governor, and one filed in the Supreme Court, and one in the Colonial Secretary's office, and copies of all such orders, rules, regulations, by-laws and scales printed by order of the Government shall be received in evidence.

Repeals do not
revive.

8. Whenever any Ordinance repealing in whole or in any part any former enactment is itself repealed, such last repeal shall not revive the enactment or part before repealed, unless words be added reviving such enactment or part.

Rules made
may be revoked.

9. When any person is empowered to make any orders, rules, regulations or by-laws, or to fix any scale of charges, fees or fines, it shall be implied that such person may revoke, alter or vary the same from time to time as occasion may require, unless it shall appear from the terms used, that such power is intended to be exercised finally in the first instance.

When rules
survive the
repeal of an
Ordinance.

10. All orders, rules, regulations, by-laws and scales of fees, charges or fines, made or prescribed under any Act or Ordinance prior to its repeal, shall, if the repealing Ordinance provides for making orders, rules, regulations or by-laws, or prescribing scales of fees, charges or fines, remain in force after such repeal until they are revoked or superseded by orders, rules, regulations, by-laws, or scales of fees, charges or fines made or prescribed under and by virtue of the repealing Ordinance, and they may be read with such verbal alterations as may be required to make them applicable to the requirements of the repealing Ordinance.

Rules, etc., as
valid as
Ordinances.

11. All orders, rules, regulations, by-laws made, and all scales of fees, charges or fines prescribed under or by virtue of any Ordinance shall come into force on publication of the same, and shall be bind-

ing in the same manner and to the same extent as if they formed part of such Ordinance, and shall be subject to disallowance by Her Majesty.

12. Whenever it is provided by any law that any person committing any offence may be taken into custody, and no person is specially empowered to make such arrest, it shall be lawful for any constable, or for any other person duly authorised by the Governor in writing, to make such arrest.

Who may
arrest.

13. No order, judgment, warrant, or other proceeding made, or purporting to be made, under or concerning the conviction or committal of any offender shall be quashed or vacated for want of form only.

Want of form
does not
invalidate.

14. No process or proceeding shall be set aside on account of any verbal or technical error or mistake only, and it shall be competent for the Court to decide what is a verbal or technical error or mistake in any action or proceeding, and all errors or mistakes which are not calculated to misinform or mislead the opposite party shall in every instance be deemed merely verbal or technical.

Errors do not
invalidate.

15. It shall be lawful for the Governor to appoint such persons as may be required to carry out the duties connected with any Ordinance save where any appointment is specially vested in some other person, and all appointments so made by the Governor shall be subject to the approval of the Secretary of State, and shall be during pleasure only.

Appointments.

16. The powers and duties conferred and imposed by any Ordinance upon the holder of any office, which has been abolished, or may hereafter cease to exist, or which has been or may be in any way amalgamated with some other office or the duties of which have devolved upon some other person, may be lawfully exercised and performed by any person duly authorised from time to time by the Governor in writing to perform the same, and any person appointed to act in any office may lawfully exercise all the powers attached to such office.

How duties of
abolished office
performed.
An acting
officer has full
powers.

How duties
imposed by Act
are performed.

17. The powers and duties conferred and imposed by any Act upon the holder of any office which does not exist in this Colony may be lawfully exercised and performed by any person duly authorised from time to time by the Governor in that behalf.

Officer acting.

18. When reference to any public officer is made, such reference shall include the person for the time being lawfully exercising the duties and functions of such officer.

Governor may
fill vacancies
caused by
neglect.

19. Whenever under any Ordinance duties and powers are imposed or conferred upon any persons to be elected or appointed, and such elections or appointments have not been made as required, or the persons elected or appointed have declined to act, and whenever any vacancy is caused by death, it shall be lawful for the Governor to appoint some person to discharge such duties and exercise such powers until there shall be some person duly elected or appointed and willing to act.

Dividing Colony
into districts.

20. Whenever it may be found convenient for the more efficient carrying out of any Ordinance or other purpose that the Colony should be divided into districts, it shall be lawful for the Governor in Council by order to divide the Colony into as many districts as may be deemed advisable, and from time to time to re-divide, sub-divide, or alter the boundaries of any such districts.

Precedence on
Boards.

21. The precedence of the members of any Commission of Inquiry or Board shall be determined by the dates of their appointment, or when all are appointed on the same day by the order in which their names appear in the *Gazette* or instrument appointing them, and unless otherwise specially provided the senior member shall be the chairman.

Violating order
made by
Governor.

22. Any person who shall be guilty of any violation of an order made by the Governor, or the Governor in Council under any Ordinance for which no penalty is prescribed by such Ordinance shall be liable to a penalty not exceeding twenty-five pounds.

23. Any person wilfully obstructing the carrying out of the provisions of any Ordinance, or of any order made thereunder shall be liable to a penalty not exceeding five pounds.

Obstructing.

24. Any person who shall neglect to comply with, or who shall offend against any of the provisions of any Ordinance for the breach of which no penalty is therein provided, may be summoned before any Justice, and on conviction shall be liable to a penalty not exceeding two pounds, and in default of the payment of such penalty the Justice may issue a warrant for the levying thereof by distress and sale, or may commit the offender to prison with or without hard labour, for any period not exceeding six months unless such penalty be sooner paid.

Penalty two pounds where none is specified.

25. Any person summarily convicted may, subject to the provisions of Sections 25 and 26 of the Administration of Justice Ordinance, appeal to the Supreme Court, provided he give to the Justice notice in writing of such appeal, and of the ground thereof, within seven days of such conviction and enter into a recognisance with one sufficient surety to prosecute such appeal at the next sitting of the Supreme Court, and such person may thereupon be admitted to bail.

Appeal.

26. The Governor in Council may, with the approval of the Secretary of State, from time to time declare any place within the Colony to be a town and define the extent, limits, and boundaries of such town, and of its suburbs, and may, with the like approval, vary or alter the extent, limits, and boundaries so defined :

Township may be defined.

Provided that in no case shall any portion of the boundary of the town be more than two miles, or of the suburbs more than six miles from the centre of the town.

27. It shall be lawful for the Governor from time to time, as he shall see fit, to nominate and appoint persons to constitute a commission to inquire into and take evidence on oath upon any subject as shall to him seem necessary.

Appointment of Commission of Inquiry.

Construction.

Interpretation.

Meaning of words.

28. In the construction of Ordinances, whether passed before or after the commencement of this Ordinance, the following rules shall be observed, unless otherwise expressly provided for, or unless such construction would be inconsistent with the intention of the Ordinance or repugnant to the context, that is to say :—

(a) The words "Queen" or "Her Majesty" shall include Her Majesty, her heirs or successors.

"Act" shall mean any Act of Parliament in force in this Colony.

"The Colony" shall mean the Colony of the Falkland Islands and their Dependencies.

"Colonial Waters" shall mean the sea adjacent to this Colony over which Her Majesty has or may have jurisdiction.

"Dues" shall include duties, taxes, and rates.

"Estate" shall include any estate or interest, charge, right, title, claim, demand, lien or encumbrance at law or in equity.

"Folio" shall mean 72 words.

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

"Governor in Council" shall mean the Governor acting by and with the advice of the Executive Council.

"The *Gazette*" shall mean the Government *Gazette* of the Colony.

"Harbour" shall mean the landlocked water lying to the west and south-west of a line drawn from Cape Pembroke to William Point, and any port hereafter defined and declared a harbour by the Governor in Council.

"Justice" shall mean Justice of the Peace.

"Lands" shall include messuages, tenements, hereditaments, houses and buildings.

"Law" shall include Act, Ordinance, Order in Council, rule, regulation, by-law or proclamation, in force for the time being.

"Magistrate" shall mean a Stipendiary Magistrate of this Colony or of any district thereof.

"Master" in relation to a ship, shall include any person having charge, control or command of a ship.

"Month" shall mean a calendar month, and "Year" a calendar year.

"Order in Council" shall mean an Order made by the Queen in Council.

"Oath" or "Affidavit" shall include affirmation or declaration in cases where by law an affirmation or declaration may be substituted for an oath or affidavit and "Sworn" shall in like cases include "Affirmed."

"Owner" shall include the agent, manager or beneficiary occupier.

"Person" shall include any body of persons corporate or unincorporate.

"Property" shall include goods, chattels, money, valuable securities, documents, and every other matter or thing, whether real or personal, upon or with respect to which any offence may be committed.

"Police Officer" or "Constable" shall include any one appointed to act as such, or as a special constable, and any one acting in aid or under the direction of any such person.

"Registrar" shall mean Registrar of the Supreme Court.

"The Secretary of State" shall mean Her Majesty's principal Secretary of State for the Colonies.

"A Secretary of State" shall mean one of Her Majesty's principal Secretaries of State.

"Summary Conviction" shall mean any conviction obtained under and by virtue of any law for the time being conferring on a Magistrate, or Justice, the power of summary jurisdiction.

"Stanley" shall mean any land, or districts situate on the south side of the harbour and within two miles of the Cathedral, and the land

reserved for naval purposes commonly known as "Navy Point," being all that lot or parcel of land situate on the north side of Stanley Harbour, bounded on the north by Port William, on the south by Stanley Harbour, on the east by the Narrows, and extending westward for a distance of about 81 chains, containing 145 acres.

"Suburban land" or "Suburbs" shall mean (1) the land or districts outside Stanley bounded on the south and east by Port Harriet and the sea, on the west by a line drawn from a point on the Murrel River commonly known as "Furze Bush" to the summit of Mount Harriet and thence along the eastern boundary of No. 1 section to the head of Port Harriet, and on the north by the Murrel River and Port William, and (2) any land or districts outside the limits of any place hereafter declared to be a town, and within the limits of its suburbs as defined by the Governor under Section 26 of this Ordinance.

"Town" shall mean Stanley as defined in this Ordinance, or land within the limits of any place hereafter declared to be a town under Section 26 of this Ordinance.

"Vessel" shall include every description of ship, boat, lighter, or floating water tank.

"Warrant" shall mean warrant under the hand of the person issuing the same.

(b) The imposition of a penalty shall not relieve any person from liability to answer for special damages to a person injured.

(c) When forms are prescribed slight deviations therefrom, not affecting the substance or calculated to mislead, shall not vitiate them.

(d) When no forms are given in any Ordinance, and forms are required, such forms shall be used as the Governor may direct.

(e) Whenever any Court or person shall be authorised by law to hear, inquire into or determine any matter or thing, a power and authority to take evidence and to administer an oath shall be implied, and any person giving false evidence

Penalty no bar
to suit for
special
damages.

Forms.

Perjury.

may be prosecuted for perjury in like manner as if such false evidence had been given in any trial before the Supreme Court.

(f) Whenever any Court or person is authorised by law to hear, inquire into, or determine any matter or thing, a power and authority to call for the production of any paper or document shall be implied.

Documents may be called for.

(g) When the number to constitute a quorum of any Board under any law shall not be prescribed, a majority of the Board shall be a quorum, and the chairman shall only have an equal vote with other members, except where there is an equality of votes, and in such cases he shall have a second or casting vote.

Quorum.

(h) When a power is conferred upon a person by the word "may," or by the words "it shall be lawful," or by the words "it shall or may be lawful," such power may be exercised or not at discretion.

May.

(i) Words in the singular shall include the plural, words in the plural shall include the singular, and words importing the masculine gender shall include females.

Singular includes plural.

(j) Words purporting to give authority to three or more persons shall be construed as giving authority to a majority of such persons.

(k) When authority to make appointments is conferred, it shall include the power to fill up vacancies caused by death, resignation, removal or refusal to act.

Vacancies.

(l) All dues, fees, fines, penalties, or forfeitures, or the proceeds thereof upon sale and all casual revenues of the Crown (other than droits of the Crown and droits of Admiralty), or so much thereof respectively as shall not be otherwise expressly applied and appropriated shall be paid into the Treasury for the public uses of this Colony, and the support of the Government thereof, provided that the Secretary of State may authorise the refund of any fee to any officer.

All fines and fees paid into Treasury.

Distances how
measured.

29. In the measurement of any distance for the purpose of this and of any future Ordinance such distance shall, unless the contrary intention appears, be measured in a straight line on a horizontal plane.

Summary
jurisdiction.

30. Unless otherwise expressly provided—

(a) And if any forfeitures, dues, penalties, sums of money, or expenses imposed or made payable under any Ordinance, be not immediately paid, a Justice may issue a warrant for the levying thereof by distress and sale, or in the case of a penalty, may commit the offender to prison, with or without hard labour, for any period not exceeding six months, unless such penalty be sooner paid.

Informations
must be within
12 months.

(b) All informations and proceedings in respect of offences against any Ordinance shall be commenced within twelve calendar months after the offences thereby respectively charged shall have been committed.

Fresh contra-
vention after
7 days.

(c) Any person may be convicted of a fresh contravention of any Ordinance, who does not carry out the order of any Justice, within seven days of such order; and any person who within twelve months is again convicted under that Ordinance shall be liable to a penalty not exceeding twice the limit fixed in that Ordinance for a first conviction, and for a third or subsequent conviction three times that amount.

Informers.

(d) Any person giving such information as shall lead to the conviction of any person under any law may be awarded any sum not exceeding one-half of any fine imposed in such case, as the Governor may approve.

Law of England
in force.

31. Subject to all local Ordinances and Orders in Council for the time being in force, the common law, the doctrines of equity, and the statutes of general application which were in force in England on the 22nd day of May, 1900, are and shall be in force in this Colony, but so far only as the circumstances of the Colony and its inhabitants and the limits of the Colonial jurisdiction permit, and sub-

ject to such qualifications as local circumstances render necessary.

32. Unless otherwise provided by local Ordinance or Order in Council the procedure of the High Court of Justice in England shall as far as possible be adopted in the Supreme Court; the procedure in a Police Magistrate's Court in England shall as far as possible be adopted in a Magistrate's Court; and the procedure in a County Court in England shall as far as possible be adopted in any Court for the recovery of small debts.

Procedure.

33. This Ordinance may be cited as "The Interpretation and General Law Ordinance, 1900."

Short title.

ALIENS.

Ordinance No. 5 of 1900.

[27th July, 1900.]

An Ordinance relating to Aliens, Destitute Immigrants and to the Naturalisation of Foreign Subjects.

Be it enacted by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows :—

1. An alien who has resided in this Colony or who has been in the service of the Crown for a term in either case of not less than three years, and who when naturalised intends to reside in this Colony or to serve under the Crown, may apply to the Governor in Council for a certificate of naturalisation.

Qualifications for naturalisation.

2. The applicant shall support his application (as in the first Schedule hereto) by such evidence as the Governor in Council may require, and the Governor in Council, if satisfied with the evidence adduced, shall take the case of the applicant into consideration, and may grant or withhold a certificate

Form of application, evidence as to.

Certificate.