

INDEX

TO

FALKLAND ISLANDS GAZETTE, 1940.

	Page.		Page.
Accounts—		Lowe, Rev. G. K., Member, Public Library & Museum Committee	182.
Comparative Statements of Revenue and Expenditure	49, 136, 222.	Luxton, K., Justice of the Peace	176.
Currency Note Security Fund	145.	Newing, A., Trustee, Stanley Cemetery	55.
Stanley Volunteer Fire Brigade	62.	" Mrs. A. Member, Public Library & Museum Committee	182.
Advisory Committee, appointment of	115.	O'Sullivan, D. W., Constable, Police Force	66.
Agricultural Notice	142.	Pitt, Capt. K. A. J., Assistant Postal Censor	116.
" Department, activities of	163.	Rice, R., Travelling Teacher	55.
Akcer, Monsieur Nebil Sureyya, Apptd. Consul-General of Turkey in London	56.	Roberts, Hon. D. W., Trustee, Stanley Cemetery	55.
Aldridge, W., Member, Stanley Common Committee	175.	" " Member, Legislative Council	66.
Anniversary of outbreak of War—Day of National Prayer	175.	Sedgwick, W. H., Member, Board of Assessors	41.
Appointments		Sheppard, C. F., R.S.M. Lieutenant, F.I.D.F.	163.
Aldridge, W., Member, Stanley Common Committee	175.	Sollis, D. J., Coxswain, Harbour Department	1.
Akcer, Monsieur Nebil Sureyya, Consul-General of Turkey in London	56.	Still, W. H. R., Confirmation of appointment as Dental Surgeon	89.
Barnes, Miss I., Nurse Probationer, K.E.M.H.	141.	Summers, W. J., Member, Stanley Common Committee	175.
Barlas, W., Lieutenant and Officer Commanding, Defence Force, South Georgia	67.	Swain, E., Chief Constable, Gaoler and Sanitary Inspector	66, 183.
Beaty, T., Officer-in-Charge, Agricultural Dept.	56.	" Mrs. S., Gaol Matron	66, 183.
Biggs, Hon. V. A. H., Member Board Health	41.	Thomson, Mrs. J. M., Member, Hospital Visiting Committee	59.
" " " " Board of Assessors	41.	Woodgate, Major J. A., Member, Executive Council	56.
" " " " Legislative Council	119.	" " " " Legislative Council	66, 183.
" " " Trustee, Stanley Cemetery	55.	" Mrs. J. A., Member, Hospital Visiting Committee	59.
" " " Visiting Justice of the Gaol	163.		
Biggs, W., Caretaker, K.E.M.H.	2.	Barlas, W., apptd. Lieut., F.I.D.F., & O/C., D.F., S. Georgia	67.
Biggs, E. G., Member, Stanley Common Committee	175.	Barnes, Miss I., apptd. Nurse Probationer, K.E.M.H.	141.
Bonner, A., Member, Stanley Common Committee	175.	Bank Notes, English, prohibition of importation of	167.
Cameron, Hon. N. K., Member, Legislative Council	119.	Beaty, T., apptd. Officer-in-Charge, Agricultural Dept.	56.
Campbell, T. W., Trustee, Stanley Cemetery	55.	Biggs, Hon. V. A. H., apptd. Member, Board of Assessors	41.
Cardinal, Hon. A. W., C.M.G., to act as Financial Secretary	118.	" " " " Member, Board of Health	41.
" " Deputy for H. E. the Governor	185.	" " " " Trustee, Stanley Cemetery	55.
Challen, G. L., Member, Board of Assessors	41.	" " " " Member, Legislative Council	119.
Cowan, D. K., Confirmation of appt. of Medical Officer	141.	" " " " Visiting Justice of the Gaol	163.
Creamer, J. D., Visiting Justice of the Gaol	163.	Biggs, W., apptd. Caretaker, K.E.M.H.	2.
Dunlop, E. F. J., Justice of the Peace	176.	Birthday Honours List, regarding publication of	90, 119.
Evans, T. D., Confirmation of appointment as Headmaster, Government School	56.	Parade, H. M. the King's	118.
Fleuret, Capt. A. I., Member of the British Empire (Military Division)	141.	Bombing attacks made upon their Majesties the King and Queen by the German Air Force	176.
Justice of the Peace	177.		
Frith, Hon. G. H. O.B.E., Financial Secretary	56.	Campbell, T. W., apptd. Trustee, Stanley Cemetery	55.
" " " " Member, Executive & Legislative Councils	59.	Cameron, Hon. N. K., apptd. Member, Legislative Council	119.
" " " " Competent Authority to deal with matters relating to Defence (Finance) Regs. 1939.	59.	Cardinal, Hon. A. W., C.M.G., Assumption of duties of Office as Colonial Secretary	63.
Gibbs, Dr. J. G., Director of Agriculture	116.	" " " " Apptd. to act as Financial Secretary	118.
Gowans, Miss M. F., Nurse-Matron, K.E.M.H.	56, 115.	" " " " Appt. Deputy for H.E. the Governor	183.
Hamilton, Mrs. J. E., Member, Hospital Visiting Committee	59.	Challen, G. L., Leave of absence	39.
Hamilton, Dr. J. E., Chairman, Public Library & Museum Committee	182.	" " Appt. Member, Board of Assessors	41.
Hamm, E. J., Travelling Teacher	55.	Civil Servants joining armed forces of His Majesty's, question of	118.
Hannaford, R. H., Acted as Supt. Stanley Fire Brigade	41.	Communication with friends in enemy countries	166, 60.
Hardy, L., Member, Library & Museum Committee	182.	Control of retail prices of goods	67, 89, 90, 115, 116, 119, 142, 166, 176, 205, 206.
Harding, H. C., Member, Board of Health	41.	X Conveyance of documents from and to the Colony otherwise than by post	182.
Henricksen, Mrs. C., Member, Board of Health	41.	Councils, Minutes of Legislative	3, 42, 95, 142.
Hennah, S., Confirmation of appointment as Travelling Teacher	56.	Cowan, D. K., Confirmation of appt. as Medical Officer	141.
Hirtle, Miss E., Clerk, Grade III.	39.	Craigie-Halkett, Hon. M. C., O.B.E., Retirement of	63.
Hoare, Hon. A. R., M.B.E., Custodian of Enemy Property	116.	" " " " Leave of absence	66.
" " " " Member, Executive Council	118.	Creamer, J. D., apptd. Visiting Justice of the Gaol	163.
Jones, W. D. A., Supervisor and Accountant, Treasury & Customs Department	90.	Customs entries required by importers	67.
" " Acting Collector of Customs	175.	Currency Note Security Fund	145.
Langdon, F. G., Member, Board of Health	41.	Daylight Saving	59, 166.
Lees, D., Member, Stanley Common Committee	175.	Day of National Prayer—Anniversary of the outbreak of War	175.
Lewis, W. J., Member, Public Library & Museum Committee	182.	Departure of Rear Admiral, South America Division	176.
Lloyd, Lord, G.C.S.I., etc., Secretary of State for the Colonies	89.	Documents, conveyance of to and from the Colony otherwise than by post	182.
		Dunlop, E. F. J., apptd. Justice of Peace	176.

INDEX—continued.

	Page.		Page.
Education Report, 1939	151.	Non-Combatants, passages of	2.
English Bank Notes, prohibition of importation of	167.	Note Security Fund	145, 246.
Estimates, Approval of	60, 63.	Notes for guidance of persons wishing to communicate with friends in Enemy countries	60, 166.
Evans, T. D., Confirmation of appt. as Headmaster, Govt. School	56.	Notice, Agricultural	142.
Experiments and Developments, Agricultural Department	163.	Orders —	
Falkland Islands Defence Force Club (Amendment)	Rules 180.	Defence (Finance) Regulations, 1939, Order made under	168, 169.
Falkland Islands Wool, purchase of by H. M. Govt.	63.	.. Regulations (Reciprocal Enforcement) Order, 1940	164.
.. .. Woolled Sheep skins, purchase of by H. M. Govt.	90.	Matrimonial Causes Order	166.
Financial Gifts to the Imperial Government	182.	Order declaring certain areas in the Colony to be prohibited areas	179.
Fleuret, Capt. A. I., apptd. M.B.E. (Military Division)	141.	Order for control of the retail sale of liquors in the town of Stanley during the visits of H. M. Ships or Fleet Auxiliaries	57, 61.
.. .. M.B.E., apptd. Justice of the Peace	177.	Order for Detention and Control of Enemy Subjects	211, 68, 133, 210.
Frith, Hon. G. H., O.B.E., apptd. Financial Secretary	56.	Order prohibiting the conveyance of any documents to or from the Colony otherwise than by post	188.
.. Member, Executive and Legislative Councils	59.	Order rescinding Order made on 13th Sept. 1939, for the Detention and Control of certain Enemy Subjects	91.
.. Competent Authority to deal with matters relating to Defence (Finance) Regulations, 1939	59.	Post Office (Poundage Fees) Amendment Order, 1940	92.
.. Leave of absence	118.	.. .. (Rates of Postage and Fees) Order, 1940	170.
Gibbs, Dr. J. G., apptd. Director of Agricultural	116.	Trading with the Enemy (Specified Persons) Order, 1940	61.
Gowans, Miss M. F., apptd. Nurse-Matron. K.E.M.H.	56, 115.	.. .. (Amendment)	68.
Hamilton, Mrs. J. E., apptd. Member, Hospital Visiting Committee	59.	(No. 1.) Order, 1940	94.
.. .. Dr. J. E., apptd. Chairman, Public Library & Museum Committee	182.	Trading with the Enemy (No. 2.) Order, 1940	168.
Hamm, E. J., apptd. Travelling Teacher	55.	Trading with the Enemy (No. 3.) Order, 1940	177.
Hannaford, R. H., acted as Superintendent of Stanley Volunteer Fire Brigade	40.	Trading with the Enemy (No. 4.) Order, 1940	206.
Harding, H. C., apptd. Member, Board of Health	41.	Visiting Forces (British Commonwealth) (Application to the Colonies, etc.), Order in Council, 1940	206.
Hardy, L., apptd. Member, Public Library and Museum Committee	182.	Ordinances —	
Hennah, S., Confirmation of appt. as Travelling Teacher	56.	No. 20 of 1939, Income Tax, 1939	7.
Henricksen, Mrs. C., apptd. Member, Board of Health	41.	No. 1 of 1940, The Matrimonial Causes, 1940	43, 75, 97.
Hirtle, Miss E., apptd. Clerk, Grade III	39.	.. 2 .. Children and Young Persons, 1940	81, 103.
His Majesty's forces, question of Civil Servants joining	118.	.. 3 .. Defence Force (Amendment) 1940	88, 106.
Hoare, Hon. A. R., M.B.E., apptd. Custodian of Enemy property	116.	.. 4 .. Administration of Estates by Consular Officers, 1940	86, 107.
.. apptd. Member, Executive Council	118.	.. 5 .. Public Officers (Change of Designations), 1940	85, 109.
Holidays, Public list of	40.	.. 6 .. Income Tax (Amendment), 1940	84, 110.
Honours List, regarding publication of	90, 119.	.. 7 .. The Appropriation (1941), 1940	201, 225.
Importation of English Bank Notes, prohibition of	167.	.. 8 .. The Income Tax (Amendment, No. 2.), 1940	191, 227.
Income Tax Rules	123.	.. 9 .. The Tariff (Import Duties) Amendment, 1940	203, 231.
Jones, W. D. A., apptd. Supervisor & Accountant, Treasury & Customs Dept.	90.	.. 10 .. Supplementary Appropriation (1939), 1940	161, 233.
.. .. to act Collector of Customs	175.	.. 11 .. The Trading with the Enemy (Amendment), 1940	197, 235.
Jury List, 1940	35, 52.	.. 12 .. The Matrimonial Causes (Amendment), 1940	189, 240.
Justices of the Peace, revised list of	181.	.. 13 .. The Pensions (Amendment) 1940	194, 241.
Langdon, F. G., apptd. Member, Board of Health	41.	.. 14 .. Merchant Shipping (International Labour Convention) (Repeal), 1940	114, 244.
Lees, D., apptd. Member, Stanley Common Committee	175.	.. 15 .. The Tariff (Export Duties) Amendment 1940	190, 245.
Legislative Council, Minutes of	3, 42, 95.	Trading with the Enemy (Amendment.) 1940	114.
Lewis, W. J., apptd. Member, Public Library & Museum Committee	182.	No. 2 of 1939, Non-disallowance of	90.
Leave of Absence —		.. 5 .. " " " " " "	40.
Challen, G. L.	39.	.. 7 .. " " " " " "	40.
Craigie-Halkett, Hon. M. C., O.B.E.	66.	.. 8 .. " " " " " "	40.
Frith, Hon. G. H., O.B.E.	118.	.. 9 .. " " " " " "	164.
Mercer, A.	2.	.. 11 .. " " " " " "	142.
Miller, Miss M. S. J.	66.	.. 12 .. " " " " " "	142.
Rumbolds, W. C.	2.	.. 13 .. " " " " " "	142.
Weir, Hon. D. S. A.	56.	.. 14 .. " " " " " "	89.
List of members, Stanley Common Committee	175.	.. 15 .. " " " " " "	166.
Licences, Publican's and Billiard Table	6.	.. 16 .. " " " " " "	142.
List of Medical Practitioners	40.	.. 17 .. " " " " " "	142.
List of Ministers registered for celebrating marriages	39.	.. 18 .. " " " " " "	116.
Lloyd, Lord. G.C.S.I., etc., apptd. Secretary of State for the Colonies	89.	.. 19 .. " " " " " "	205.
Lowe, Rev. G. K. apptd. Member, Public Library and Museum Committee	182.	.. 20 .. " " " " " "	176.
Medical Practitioners, list of	40.	.. 1 .. 1940 " " " " " "	181.
Mercer, A., Leave of absence	2.	.. 3 .. " " " " " "	182.
Messages —		.. 4 .. " " " " " "	206.
From Secretary of State to H. E. the Governor	117.	.. 5 .. " " " " " "	181.
Departure of Rear Admiral, South America Division	176.	O'Sullivan, D. W., apptd., Constable, Police Force	66.
Outrages bombing attacks made upon their Majesties the King and Queen by the German Air Force	176.	Parade, H. M. the King's Birthday	118.
Meteorological Observations	139.	Passages of Non-Combatants	2.
Miller, Miss M. S. J., Leave of absence	66.	Pensionable Offices in the Colony, additions to	212.
Ministers, list of for celebrating marriages	39.	Pitt, K. A. J., Packet Licence granted to	62.
Minutes of Legislative Council Meetings	3, 42, 95, 142.	.. .. apptd. Assistant Postal Censor	116.
Newing, A., appt. Trustee, Stanley Cemetery	55.		
.. Mrs. A., apptd. Member, Public Library and Museum Committee	182.		

INDEX—Continued.

	Page.		Page.
Postal facilities available for despatching correspondence, etc., from U. K. to prisoners of war and civilians interned abroad	64, 166.	Rice, R., apptd. Travelling Teacher	55.
Prohibition of Importation of English Banks Notes	167.	Roberts, Hon. D. W., apptd. Trustee, Stanley Cemetery	55.
Prohibition of subscription towards a presentation to a Government Official on his leaving the Colony finally	182.	" " " " Member, Legislative Council	66.
Probate Notices	2, 41, 60, 183, 119, 142, 177.	Rules, Income Tax	123.
Proclamations—		" Falkland Islands Defence Force Club (Amendment)	180.
No. 1 of 1940,	42.	" made by H. E. the Governor in Council with reference to Fees in Prize Court Cases	93.
" 2 " "	120.	Rumbolds, W. C., Leave of absence	2.
" 3 " "	121.	Savings Bank Report, 1939	157.
" 4 " "	122.	Sedgwick W. H., apptd. Member, Board of Assessors	41.
" 5 " "	177.	Sheppard, R.S.M., C. F., apptd. Lieutenant, F.I.D.F.	163.
" 6 " "	183.	Sollis, D. J., apptd. Coxswain, Harbour Department	1.
Proclamation specifying the articles to be treated as Contraband of War, in the War with Italy	166.	Stanley Rates, 1940	1.
Provident Fund, Govt. Employees, Report on, 1939	148.	Stanley Volunteer Fire Brigade, Accounts of	62.
Public Holidays, List of	40.	Stanley Common Committee, List of members	175.
Purchase of Falkland Islands Wool by H. M. Government	63.	Still, W. H. R., Confirmation of appt. as Dental Surgeon	89.
" " " " Woolled sheep skins by H. M. Government	90.	Summers, W. J., apptd. Member, Stanley Common Committee	175.
Regulations—		Swain, E., apptd. Chief Constable, Gaoler and Sanitary Inspector	66, 183.
Defence (Finance) Regulations, 1940	169, 67, 135.	" Mrs. S., apptd. Gaol Matron	66, 183.
" " " " 1939, Orders made under	168, 169.	Telegrams, private radio, transmission of to neutral ships	67.
Regulations (Reciprocal Enforcement)		Thomson, Mrs. J. M., Member Hospital Visiting Committee	59.
Order 1940	164.	Visiting Justices of the Gaol, appointment of	163.
X F. Is. Defence (Amendment) (No. 2) Regulations, 1940	143.	Vital Statistics,	112.
X " " " (No. 3) " "	186.	Weir, Hon. D. S. A., Leave of absence	56.
X " " " (No. 4) " "	189.	Woodgate, Major J. A., apptd. Member, Executive Council	56.
" " " Regulations 1940	69, 134.	" " " " " " Legislative Council	66, 182.
Pensions (Amendment No. 2) Regulations, 1940	212.	" Mrs. J. A. apptd. Member Hospital Visiting Committee	59.
Retail prices of goods, control of	67, 89, 90, 115, 116, 119, 142, 166, 176, 205, 206.	Wool, purchase of Falkland Islands, by H. M. Govt.	63.
Securities (Restrictions and Returns) (Amendment) Regulations, 1940	187.	Woolled Sheep skins, purchase of Falkland Islands by H. M. Govt.	90.
Reports—			
Education, 1939	151.		
Financial, 1939	213.		
Government Employees' Provident Fund, 1939	148.		
Savings Bank, 1939	157.		



The Falkland Islands Gazette

Published by Authority.

VOL. XLIX.

JANUARY 1, 1940.

No. 1.

GOVERNMENT NOTICES.

No. 80. Colonial Secretary's Office,
Stanley, Falkland Islands.
6th December, 1939.

His Excellency the Governor directs the publication for general information, of the following resolution adopted at the meeting of the Legislative Council held on the 5th of December, 1939:-

"Be it resolved that under the provisions of "the Stanley Rating Ordinance, 1928, this Council "hereby sanctions the following rate to be charged "for the year 1940, on house property in the Town of "Stanley, namely, Two Shillings for every Twenty "Shillings of the annual value of such house "property."

By Command,

M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P. 209/38.

No. 81. Colonial Secretary's Office,
Stanley, Falkland Islands.
9th December, 1939.

His Excellency the Governor has been pleased to confirm the appointment of

MR. DENNIS JOHN SOLLIS,

as Coxswain in the Harbour Department, with effect from 5th of June, 1939.

By Command,

M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P. P/227.

No. 82. Colonial Secretary's Office,
Stanley, Falkland Islands,
9th December, 1939.

His Excellency the Governor has been pleased to appoint

MR. WILLIAM BIGGS.

to be Caretaker at the King Edward VII Memorial Hospital, with effect from the 1st of December, 1939.

By Command,

M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P. P/210.

No. 83. Colonial Secretary's Office,
Stanley, Falkland Islands,
13th December, 1939.

It is hereby notified, for general information, that

MR. ALEXANDER MERCER,

Supervisor, Electrical & Telegraphs Department, was absent on vacation leave from the 25th of April to the 4th of December, 1939, both dates inclusive.

MR. WILLIAM CHARLES RUMBOLDS.

Customs Officer, South Georgia, was absent on vacation leave from the 23rd of April to the 4th of December, 1939, both dates inclusive.

By Command,

M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P. L/118 & L/26.

No. 84. Colonial Secretary's Office,
Stanley, Falkland Islands,
14th December, 1939.

It is hereby notified, for general information, that if it is found possible the s.s. "Lafonia" will call at certain Ports on the East and West Falkland on her way from Montevideo for the purpose of bringing in persons who were evacuated and wish to return to Stanley.

The Government will pay the passages of evacuees returning.

By Command,

M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P. S/35/39.

In the Supreme Court of the Falkland Islands.
John Walsh of Stanley, Falkland Islands,
deceased.

Whereas Robert Reive, of Stanley, Falkland Islands, an Executor of the Estate of the deceased, has applied for Letters of Administration to administer the Estate of deceased.

These are therefore to warn the next-of-kin and the creditors that the prayer of the Petitioner will be granted provided no caveat be entered in the Supreme Court within twenty-one days of the date hereof.

The deceased died leaving a Will dated 3rd April, 1936.

W. D. A. JONES,

Registrar, Supreme Court.

Stanley, Falkland Islands.

6th December, 1939.

S.C. 19/39.

LEGISLATIVE COUNCIL.

Minutes of Meeting held on 5th December, 1939.

1. The minutes of the meeting held on the 8th of September, 1939, were confirmed.
2. Major the Honourable J. A. Woodgate, Executive Engineer, the Honourable R. C. Pole-Evans, and the Honourable D. W. Roberts, after taking the prescribed oaths, assumed their seats at the Council.
3. The Honourable the Colonial Secretary, by command, laid on the Table the following papers :
 - (i) Copies of all Regulations, Proclamations, Orders and Bye-laws made or approved by the Governor in Executive Council since the Meeting of the Legislative Council held on the 31st of May, 1939.
 - (ii) Copies of despatches received from the Secretary of State intimating the non-disallowance by His Majesty of Ordinances, Nos. 17 of 1938 and 3 and 4 of 1939.
 - (iii) Comparative Statements of Revenue and Expenditure of the Colony and the Dependencies for the periods 1st January to 31st March and 1st January to 30th June, 1939.
 - (iv) Annual Report by the Local Auditor on the Revenue and Expenditure of the Colony for the year 1938.

4. The Honourable the Colonial Secretary moved and the Honourable the Senior Medical Officer seconded, the adoption of the following Resolution :

“WHEREAS additional provision is required for the service of the Colony and its Dependencies for the year ended the 31st of December, 1939.

“BE IT RESOLVED -

“This Council hereby sanctions the expenditure from public funds of the sum of THREE THOUSAND EIGHT HUNDRED AND SEVENTY-SEVEN POUNDS, NINETEEN SHILLINGS AND NINE PENCE (£3,877 : 19 : 9) to meet the several charges itemized in the accompanying schedule.”

The Resolution was adopted.

5. The Honourable the Colonial Secretary moved the adoption of the following Resolution :

“BE IT RESOLVED that under the provisions of the Stanley Rating Ordinance, 1928, this Council hereby sanctions the following rate to be charged for the year 1940, on house property in the Town of Stanley, namely, Two shillings for every Twenty shillings of the annual value of such house property.”

The Honourable the Senior Medical Officer seconded and the Resolution was adopted.

6. On the motion of the Honourable the Colonial Secretary seconded by the Honourable the Senior Medical Officer the following Resolution was adopted :

“WHEREAS a state of war exists between His Majesty King George VI. and Germany.

“AND WHEREAS it has become necessary to provide additional funds for the defence of the Colony and other emergency measures.

“NOW, THEREFORE, this Council Resolves, that the additional sum of FIVE THOUSAND POUNDS (£5,000) shall be expended on this service during the year 1939, over and above the sum of FIVE THOUSAND POUNDS (£5,000) voted by this Council on the 8th of September, 1939, and the sums provided in the estimates of expenditure for the year 1939.”

7. The Honourable the Colonial Secretary moved and the Honourable the Senior Medical Officer seconded, the *first* reading of the Bill "To provide for the service of the year 1940".

On further motion made and seconded the Standing Orders were suspended and the Bill was read a *second* time and committed.

Clause 1 was agreed to.

On motion made consideration of Clause 2 was postponed until after consideration of the Schedule.

Clause 2 was recommitted and agreed to.

The Enacting Clause and Title were agreed to.

The Council resumed.

The Bill was then read a *third* time and passed.

8. On the motion of the Honourable the Colonial Secretary seconded by the Honourable the Senior Medical Officer, the Bill "To amend the Tariff Ordinance, 1900, as amended by the Tariff (Import Duties) Amendment Ordinances 1929 and 1931", was read a *first* time.

On further motion made and seconded the Standing Orders were suspended and the Bill was read a *second* time and committed.

Clauses 1 and 2 were agreed to.

Clause 3 was deleted from the Bill.

The Enacting Clause and Title were agreed to.

The Council resumed.

The Bill was then read a *third* time as amended and passed.

9. The Honourable the Colonial Secretary moved the *first* reading of the Bill "To amend the Tariff Ordinance, 1900, as amended by the Tariff (Export Duties) Amendment Ordinances 1923 and 1924".

The Honourable the Senior Medical Officer seconded.

On further motion made and seconded the Standing Orders were suspended and the Bill was read a *second* time and committed.

Clauses 1 and 2 were agreed to.

The Enacting Clause and Title were agreed to.

The Council resumed.

The Bill was then read a *third* time and passed.

10. The Honourable the Colonial Secretary moved and the Honourable A. R. Hoare seconded, the *first* reading of the Bill "To provide for the prohibition or restriction of the exportation or importation of goods during any public emergency."

On further motion made and seconded the Standing Orders were suspended and the Bill was read a *second* time and committed.

Clauses 1 to 12 were agreed to.

The Enacting Clause and Title were agreed to.

The Council resumed.

The Bill was then read a *third* time and passed.

11. On the motion of the Honourable the Colonial Secretary, seconded by Major the Honourable J. A. Woodgate, the Bill "To impose penalties for trading with the enemy, to make provision as respects the property of enemies and enemy subjects, and for purposes connected with the matters aforesaid", was read a *first* time.

On further motion made and seconded the Standing Orders were suspended and the Bill was read a *second* time and committed.

Clauses 1 to 16 were agreed to.

The Enacting Clause and Title were agreed to.

The Council resumed.

The Bill was then read a *third* time and passed.

12. The Honourable the Colonial Secretary moved the *first* reading of the Bill "To make provision for the supply of Electricity for Lighting and other purposes in the town of Stanley".

Major the Honourable J. A. Woodgate seconded.

On further motion made and seconded the Standing Orders were suspended and the Bill was read a *second* time and committed.

Clauses 1 and 2 were agreed to.

Clause 3 was amended by the addition thereto of the following marginal note : "Power to make regulations", and agreed to.

Clause 4 was agreed to.

The Enacting Clause and Title were agreed to.

The Council resumed.

The Bill was then read a *third* time and passed as amended.

13. The Honourable the Colonial Secretary moved and the Honourable V. A. H. Biggs seconded, the *first* reading of the Bill "To prohibit the sale of Cigarettes or Cigarette Papers to Children and Young Persons".

On further motion made and seconded the Standing Orders were suspended and the Bill was read a *second* time and committed.

Clauses 1 to 5 were agreed to.

Clause 6 was deleted from the Bill.

The Enacting Clause and Title were agreed to.

The Council resumed.

The Bill was then read a *third* time and passed as amended.

14. On the motion of the Honourable the Colonial Secretary seconded by the Honourable the Senior Medical Officer, the Bill "To amend the Licensing Ordinance, 1882", was read a *first* time.

On further motion made and seconded the Standing Orders were suspended and the Bill was read a *second* time and committed.

Clause 1 was amended by the substitution in line 2 of the figures "1939" for the figures "1882", and agreed to.

Clauses 2 and 3 were agreed to.

The Enacting Clause and Title were agreed to.

The Council resumed.

The Bill was then read a *third* time and passed as amended.

15. The Honourable the Colonial Secretary moved the *first* reading of the Bill "To amend the Immigration (Restriction) Ordinance, 1936".

The Honourable A. R. Hoare seconded.

On further motion made and seconded the Standing Orders were suspended and the Bill was read a *second* time and committed.

Clauses 1 and 2 were agreed to.

The Enacting Clause and Title were agreed to.

The Council resumed.

The Bill was then read a *third* time and passed.

16. The Honourable the Colonial Secretary moved and the Honourable the Senior Medical Officer seconded, the *first* reading of the Bill "To regulate the slaughtering of Stock "and to provide for the inspection of Slaughter-houses".

On further motion made and seconded the Standing Orders were suspended and the Bill was read a *second* time and committed.

Clauses 1 to 24 were agreed to.

The Enacting Clause and Title were agreed to.

The Council resumed.

The Bill was then read a *third* time and passed.

The Council adjourned *sine die*.

Renewal of Licences under the provisions of The Licensing Ordinance, 1882.

T A K E N O T I C E .

That under the provisions of the Licensing Ordinance, 1882, application has been made for the renewal of the PUBLICANS' RETAIL and BILLIARD TABLE Licences for the half-year ending 30th June, 1940, by :—

Gilchrist, Arthur J.	"Globe Hotel"	Publicans' Licence
" "	" "	Billiard " "
Hardy, A. P.	"Rose Hotel"	Publicans' Licence
Perry, George	"Ship Hotel"	Publicans' Licence
Wilson, Mrs. Elizabeth	"Stanley Arms"	Publicans' Licence
" " "	" "	Billiard " "

and providing that no objections be taken to the granting of these licences before the 31st December, 1939, the same will be renewed for the half-year ending 30th June, 1940.

W. D. A. JONES,
for Colonial Treasurer.

The Treasury,
Stanley, Falkland Islands.
1st December, 1939.

[L.S.]



FALKLAND ISLANDS.

Ordinance No. 20 of 1939.

I ASSENT,

H. HENNIKER HEATON,

Governor.

30th December, 1939.

An Ordinance

To impose a Tax upon Incomes and to
Regulate the Collection thereof.

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

Enacting Clause.

1. This Ordinance may be cited as the "Income Tax Ordinance, 1939.

Short Title.

2. In this Ordinance, unless the context otherwise requires:—

Interpretation.

"Commissioner" means the Commissioner of Income Tax charged with the administration of this Ordinance.

"Company" means any company incorporated or registered under any law in force in the Colony, and any company which, though incorporated or registered outside the Colony, carries on business or has an office or place of business therein.

"Person" includes a body of persons.

"Body of persons" means any body politic or corporate any company or partnership or society of persons whether corporate or incorporate.

"Incapacitated person" means any infant, lunatic, idiot, or insane person.

"Prescribed" means prescribed by rule under this Ordinance.

"Year of assessment" means the period of twelve months beginning on the 1st day of January, 1940, and each subsequent period of twelve months.

"Chargeable income" means the aggregate amount of the income of any person from the sources specified in Section 5 remaining after allowing the appropriate deductions and exemptions under this Ordinance.

ADMINISTRATION.

Appointment and
duty of Commissioner
etc.

3. (1) For the due administration of this Ordinance the Governor shall appoint a Commissioner of Income Tax, and such collectors and officers as may be necessary to collect receive and account for the income tax.

(2) The said Commissioner shall prepare assessment lists and shall generally carry out the provisions and exercise the powers delegated to or vested in him under this Ordinance.

(3) The said Commissioner shall be a person holding public office in the Government Service of the Colony.

(4) There shall be paid to such Commissioner for his services under this Ordinance such remuneration as the Governor with the approval of the Legislative Council may from time to time direct.

Official Secrecy.

4. (1) Every person having any official duty or being employed in the administration of this Ordinance shall regard and deal with all documents, information, returns, assessment lists, and copies of such assessment lists relating to the income or items of income of any such person, as secret and confidential, and shall make and subscribe a declaration in the form prescribed to that effect before a Justice of the Peace.

(2) Every person having possession of or control over any documents, information, returns, or assessment lists, or copies of such lists relating to the income or items of income of any person, who at any time communicates or attempts to communicate such information or anything contained in such documents, returns, lists, or copies to any person -

(a) Other than a person to whom he is authorized by the Governor to communicate it; or

(b) Otherwise than for the purpose of this Ordinance,
shall be guilty of an offence against this Ordinance.

IMPOSITION OF INCOME TAX.

Charge of Income
Tax.

5. Income Tax shall, subject to the provisions of this Ordinance, be payable at the rate or rates specified hereafter for the year of assessment commencing on the first day of January, 1940, and for each subsequent year of assessment upon the income of any person accruing in, derived from, or received in the Colony in respect of -

(a) Gains or profits from any trade, business, profession or vocation, for whatever time such business, trade, profession or vocation may have been carried on or exercised.

(b) Gains or profits from any employment, including the estimated annual value of any quarters or board or residence or of any other allowance granted in respect of employment whether in money or otherwise.

(c) The annual value of land and improvements thereon used by or on behalf of the owner or used rent free by the occupier for enjoyment and not for the purpose of gain or profit such annual value being deemed to be five per centum of the capital value of such land and improvements.

(d) Dividends, interest, or discounts.

(e) Any pension charge or annuity.

- (f) Rents, royalties, premiums, and any other profits arising from property.

6. Tax shall be charged, levied and collected for each year of assessment upon the chargeable income of any person for the year immediately preceding the year of assessment.

Basis of Assessment.

7. Where the Commissioner is satisfied that any person usually makes up the accounts of his trade or business on some day other than that immediately preceding any year of assessment, the Commissioner shall permit the gains or profits of that trade or business to be computed for the purposes of this Ordinance upon the income of the year terminating on that day in the year immediately preceding the year of assessment on which the accounts of the said trade or business have been usually made up; Provided that in no case where the Commissioner has permitted the gains or profits of any trade or business to be computed on any such date as aforesaid shall any change be subsequently made without prior notice in writing to the Commissioner and subject to such adjustment of income tax as the Commissioner may determine.

Special periods of Assessment.

EXEMPTIONS.

8. There shall be exempt from the tax :-

Exemptions.

- (a) The official emoluments received by the Officer Administering the Government.
- (b) The income of any local authority in so far as such income is not derived from a trade or business carried on by the local authority.
- (c) The income of any statutory or registered building or friendly society.
- (d) The income of any ecclesiastical, charitable or educational institution of a public character in so far as such income is not derived from a trade or business carried on by such institution.
- (e) The emoluments payable to members of the permanent Consular Services of foreign countries in respect of their offices or in respect of services rendered by them in their official capacity.
- (f) The emoluments payable from Imperial Funds to members of His Majesty's Forces and to persons in the permanent service of the Imperial Government in the Colony in respect of their offices under the Imperial Government.
- (g) Wound and disability pensions granted to members of His Majesty's Forces.
- (h) Gratuities granted to members of His Majesty's Forces in respect of war services.
- (i) The income of the Government Savings Bank.

Provided that nothing in this section shall be construed to exempt in the hands of the recipients any dividends, interest, bonuses, salaries or wages paid wholly or in part out of the income so exempted.

9. The Governor may by proclamation published in the Gazette provide that the interest payable on any loan charged on the public revenue of the Colony shall be exempted from the tax, either generally or only in respect of interest payable to persons not resident in the Colony; and such interest shall as from the date and to the extent specified in the proclamation be exempt accordingly.

Government Loans.

ASCERTAINMENT OF CHARGEABLE INCOME.

Deductions allowed.

10. (1) For the purpose of ascertaining the chargeable income of any person there shall be deducted all out-goings and expenses wholly and exclusively incurred during the year preceding the year of assessment by such person in the production of the income, including:—

- (a) Sums payable by such person by way of interest upon any money borrowed by him, where the Commissioner is satisfied that the interest was payable on capital employed in acquiring the income.
- (b) Rent paid by any tenant of land or buildings occupied by him for the purpose of acquiring the income.
- (c) Where any person engaged in any trade, business, profession or vocation has expended any sum in replacing any plant or machinery which was used or employed in such trade, business, profession or vocation, and which has become obsolete, an amount equivalent to the cost of the machinery replaced, after deducting from that such sum as shall represent the total depreciation which has occurred by reason of exhaustion or wear and tear since the date of purchase of such plant and machinery and any sum realised by the sale thereof.
- (d) Any sum expended for repair of premises, plant and machinery employed in acquiring the income, or for the renewal, repair or alteration of any implement, utensil or article so employed.
- (e) Bad debts incurred in any trade, business, profession or vocation, proved to the satisfaction of the Commissioner to have become bad during the year immediately preceding the year of assessment, and doubtful debts to the extent that they are respectively estimated to the satisfaction of the Commissioner to have become bad during the said year notwithstanding that such bad or doubtful debts were due and payable prior to the commencement of the said year, provided that all sums recovered during the said year on account of amounts previously written off or allowed in respect of bad or doubtful debts shall for the purposes of this Ordinance be treated as receipts of the trade, business, profession or vocation for that year.
- (f) Such other deductions as may be prescribed by any rule made under this Ordinance.

(2) The Governor in Council may by rules provide for the method of calculating or estimating the deductions allowed or prescribed under this section.

Allowance for wear and tear.

11. In ascertaining the chargeable income of any person engaged in a trade, business, profession or vocation, there shall be allowed as a deduction a reasonable amount for the exhaustion, wear and tear of property owned by him, including plant and machinery, arising out of the use or employment of such property in the trade, business, profession or vocation during the year immediately preceding the year of assessment.

Deductions not to be allowed.

12. For the purpose of ascertaining the chargeable income of any person no deduction shall be allowed in respect of:—

- (a) Domestic or private expenses.

- (b) Any disbursements or expenses not being money wholly and exclusively laid out or expended for the purpose of acquiring the income.
- (c) Any capital withdrawn or any sum employed or intended to be employed as capital.
- (d) Any capital employed in improvements.
- (e) Any sum recoverable under an insurance or contract of indemnity.
- (f) Rent of or cost of repairs to any premises or part of premises not paid or incurred for the purpose of producing the income.
- (g) Any amounts paid or payable in respect of the United Kingdom income tax or super-tax or Empire income tax as defined by this Ordinance.

13. Where the amount of a loss incurred in the year preceding any year of assessment in any trade, business, profession or vocation carried on by any person either solely or in partnership is such that it cannot be wholly set-off against his income from other sources for the same year, the amount of such loss shall to the extent to which it is not allowed against his income from other sources for the same year be carried forward and shall, subject as hereinafter provided, be set off against what would otherwise have been his chargeable income for the next five years in succession, provided that the amount of any such loss allowed to be set-off in computing the chargeable income of any year shall not be set-off in computing the chargeable income of any other year and provided also that in no case shall such set-off be allowed to an extent which would reduce the tax payable for any year of assessment to less than one-half of the amount which would have been payable had the set-off not been allowed.

Allowance of trade losses.

14. (1) For the purpose of ascertaining the chargeable income of any individual there shall be allowed in respect of so much of the income as is earned a sum equal to one-tenth of the amount of such earned income, provided that such deduction shall not in the case of any individual exceed one hundred pounds; and provided also that where a loss arises in the exercise of any trade, business, profession or vocation or a loss is brought forward from a previous year under section 13 of this Ordinance, no deduction shall be allowed except in respect of the amount, if any, by which the earned income exceeds such loss or the aggregate amount of such losses, as the case may be.

Deductions in respect of earned income.

(2) For the purposes of this section the expression "earned income" means any income arising in respect of any gains or profits immediately derived by the individual from any trade, business, profession, employment or vocation carried on or exercised by him either as an individual or in the case of a partnership as a partner personally acting therein, or in respect of any pension, superannuation, or other allowance given in respect of past services of the individual or of the husband or parent of the individual or given to the individual in respect of the past services of any deceased person, whether the individual or husband or parent of the individual shall have contributed to such pension, superannuation or other allowance or not, after deducting the expenses referred to in sections 10 and 11 of this Ordinance, but before allowing the other deductions to be made in arriving at chargeable income.

15. In ascertaining the chargeable income of an individual who proves to the satisfaction of the Commissioner that he had during

Deduction for wife.

the year of assessment his wife living with him or wholly maintained by him there shall be a deduction of fifty pounds.

Deduction for children.

16. In ascertaining the chargeable income of an individual who proves to the satisfaction of the Commissioner that he had a child or children living and under the age of sixteen years at the commencement of the year preceding the year of assessment, there shall be allowed a deduction of twenty five pounds in respect of every such child.

The expression "child" and "children" in this section include a step-child or step-children but do not include an illegitimate child or illegitimate children.

Deduction in respect of life insurance, and contribution to a Pension Fund.

17. In ascertaining the chargeable income of any person who

- (a) shall have made insurance on his life or the life of his wife in any insurance company or
- (b) shall have made an annual contribution to a Pension Fund or such other fund as the Governor may consider as equivalent to a Pension Fund—

there shall be allowed a deduction of the annual amount of the premium paid by him for such insurance or contribution as aforesaid: Provided that no such deduction shall be allowed in respect of any such annual amount of the premium or contribution beyond an amount equal to one-sixth part of the chargeable income of such person estimated in accordance with the provisions of this Ordinance before making the deductions specified in this section and in sections 15 and 16 of this Ordinance.

Special provisions as to certain companies and businesses.

(a) Insurance companies other than life insurance companies.

18. Notwithstanding anything to the contrary contained in this Ordinance, it is hereby provided that:—

- (a) In the case of an insurance company (other than a life insurance company) where the gains or profits accrue in part outside the Colony, the gains or profits on which tax is payable shall be ascertained by taking the gross premiums and interest and other income received or receivable in the Colony (less any premiums returned to the insured and premiums paid on re-insurances), and deducting from the balance so arrived at a reserve for unexpired risks at the percentage adopted by the company in relation to its operations as a whole for such risks at the end of the year preceding the year of assessment, and adding thereto a reserve similarly calculated for unexpired risks outstanding at the commencement of the year preceding the year of assessment, and from the net amount so arrived at deducting the actual losses (less the amount recovered in respect thereof under re-insurance), the agency expenses in the Colony and a fair proportion of the expenses of the head office of the company.

(b) Life insurance companies.

- (b) In the case of a life insurance company, whether mutual or proprietary, the gains or profits on which tax is payable shall be the invested income less the management expenses (including commission):

Provided that where such a company received premiums outside the Colony, the gains or profits shall be the same proportion of the total investment income of the company as the premiums received in the Colony bore to the total premiums received after deducting

from the amount so arrived at the agency expenses in the Colony and a fair proportion of the expenses of the head office of the company.

19. In ascertaining the chargeable income of a company registered in the Colony the majority of the shares being held by individuals who are resident in the Colony there shall be allowed a deduction of twenty per cent in respect of the amount of such income.

Income of a company.

20. The income of a married woman living with her husband, shall for the purposes of this Ordinance, be deemed to be the income of the husband and shall be charged in the name of the husband and not in her name nor in that of her trustee, provided that that part of the total amount of tax charged upon the husband which bears the same proportion to that total amount as the amount of the income of the wife bore to the amount of the total income of the husband and wife may, if necessary, be collected from the wife, notwithstanding that no assessment has been made upon her.

Wife's income.

RATE OF TAX.

21. The tax upon the chargeable income shall be charged at the following rates:—

Rates of tax.

On the first £150 of such income	...	Nil.
In respect of the excess over £150		
For every pound of the first £100	...	1/-
" " " " next £250	...	1/3
" " " " " £250	...	1/6
" " " " " £250	...	2/-
For every pound on all amounts above £1,000		2/6

22. (1) Every company which is registered in the Colony shall deduct from the amount of any dividend paid to any shareholder tax at the rate paid or payable by the company as reduced by any relief granted under sections 19, 46 and 47 of this Ordinance on the income out of which such dividend is paid, provided that where tax is not paid or payable by the company on the whole income out of which the dividend is paid the deduction shall be restricted to that portion of the dividend which is paid out of income on which tax is paid or payable by the company.

Deduction of tax from dividends of companies.

(2) Every such company shall upon payment of a dividend furnish each shareholder with a certificate setting forth the amount of the dividend paid to that shareholder and the amount of tax which the company has deducted in respect of that dividend.

23. Any tax which a company has deducted under the last preceding section from a dividend paid to a shareholder, and any tax applicable to the share to which any person is entitled in the income of a body of persons assessed under this Ordinance, shall, when such dividend or share is included in the chargeable income of such shareholder or person, be set off for the purposes of collection against the tax charged on that chargeable income.

Deducted tax to be set off.

24. Tax shall not be payable in respect of any income arising out of the Colony and received therein by any person who is in the Colony for some temporary purpose only and not with any intent to establish his residence therein and who has not actually resided in the Colony at one or more times for a period equal in the whole to six months in the year preceding the year of assessment.

Temporary residents.

TRUSTEES, AGENTS, ETC.

Chargeability of trustees etc.

25. A receiver appointed by the Court, trustee, guardian, curator, or committee, having the direction, control, or management of any property or concern on behalf of any incapacitated person shall be chargeable to tax in like manner and to the like amount as such person would be chargeable if he were not an incapacitated person.

Chargeability of agent of person residing out of the Colony.

26. (1) A person not resident in the Colony (hereinafter in this section referred to as a non-resident person), whether a British subject or not, shall be assessable and chargeable in the name of his trustee, guardian, or committee, or of any attorney, factor, agent, receiver, branch, or manager, whether such attorney, factor, agent, receiver, branch or manager has the receipt of the income or not, in like manner and to the like amount as such non-resident person would be assessed and charged if he were resident in the Colony and in the actual receipt of such income: Provided that in the case of any individual who is not a British subject, no deduction shall be allowed in respect of earned income or in respect of wife or child or in respect of life insurance.

A non-resident person shall be assessable and chargeable in respect of any income arising, whether directly or indirectly, through or from any attorneyship, factorship, agency, receivership, branch, or management, and shall be so assessable and chargeable in the name of the attorney, factor, agent, receiver, branch, or manager.

(2) Where a non-resident person, not being a British subject, or a firm or company whose principal place of business is situated in His Majesty's Dominions or in territory under His Majesty's protection, or a branch thereof, carries on business with a resident person, and it appears to the Commissioner that owing to the close connection between the resident person and the non-resident person and to the substantial control exercised by the non-resident person over the resident person, the course of business between those persons can be so arranged and is so arranged, that the business done by the resident person in pursuance of his connection with the non-resident person produces to the resident person either no profits or less than the ordinary profits which might be expected to arise from that business, the non-resident person shall be assessable and chargeable to tax in the name of the resident person as if the resident person were an agent of the non-resident person.

(3) Where it appears to the Commissioner, or to the Judge by whom an appeal is heard, that the true amount of the gains or profits of any non-resident person chargeable with tax in the name of a resident person cannot be readily ascertained, the Commissioner or Judge may if he thinks fit, assess and charge the non-resident person on a fair and reasonable percentage of the turnover of the business done by the non-resident person through or with the resident person in whose name he is chargeable as aforesaid, and in such case the provisions of this Ordinance relating to the delivery of returns or particulars by persons acting on behalf of others shall extend so as to require returns or particulars to be furnished by the resident person of the business so done by the non-resident person through or with the resident person, in the same manner as returns or particulars are to be delivered by persons acting for incapacitated or non-resident persons of income to be charged: Provided that the amount of the percentage shall in each case be determined, having regard to the nature of the business and shall, when determined by the Commissioner, be subject to an appeal to the Judge as provided by section 43 of this Ordinance.

(4) Nothing in this section shall render a non-resident person chargeable in the name of a broker or general commission agent

or other agent where such broker or general commission agent or other agent is not an authorised person carrying on the regular agency of the non-resident person, or a person chargeable as if he were an agent in pursuance of subsections (2) and (3) of this section, in respect of gains or profits arising from sales or transactions carried through such a broker or agent.

(5) The fact that a non-resident person executes sales or carries out transactions with other non-residents in circumstances which would make him chargeable in pursuance of subsections (2) and (3) of this section in the name of a resident person shall not of itself make him chargeable in respect of gains or profits arising from these sales or transactions.

(6) Where a non-resident person is chargeable to tax in the name of any attorney, factor, agent, receiver, branch or manager, in respect of any gains or profits arising from the sale of goods or produce manufactured or produced out of the Colony by the non-resident person, the person in whose name the non-resident person is so chargeable may, if he thinks fit, apply to the Commissioner or, in the case of an appeal, to the Judge, to have the assessment to tax in respect of those gains or profits made or amended on the basis of the profits which might reasonably be expected to have been earned by a merchant or, where the goods are retailed by or on behalf of the manufacturer or producer, by a retailer of the goods sold, who have bought from the manufacturer or producer direct, and on proof to the satisfaction of the Commissioner or Judge of the amount of the profits on the basis aforesaid, the assessment shall be made or amended accordingly.

27. The person who is chargeable in respect of an incapacitated person, or in whose name a non-resident person is chargeable, shall be answerable for all matters required to be done by virtue of this Ordinance for the assessment of the income of any person for whom he acts and for paying the tax chargeable thereon.

Acts, etc., to be done by trustees, etc.

28. Every person who in whatever capacity is in receipt of any money or value being income arising from any of the sources mentioned in this Ordinance or belonging to any other person who is chargeable in respect thereof or who would be so chargeable if he were resident in the Colony and not an incapacitated person shall, whenever required to do so by any notice from the Commissioner prepare and deliver within the period mentioned in such notice a list signed by him containing :-

Statement to be prepared by trustees, etc.

- (a) A true and correct statement of all such income;
- (b) The name and address of every person to whom the same shall belong and such other information as the Commissioner may deem necessary for the purposes of this Ordinance;

and the provisions of this Ordinance with respect to the failure to deliver lists or particulars in accordance with a notice from the Commissioner shall apply to any such list.

29. The manager or other principal officer of every corporate body of persons shall be answerable for doing such acts, matters and things as are required to be done by virtue of this Ordinance for the assessment of such body and payment of the tax.

Manager of corporate bodies of persons.

30. Every person answerable under this Ordinance for the payment of tax on behalf of another person may retain out of any money coming to his hands on behalf of such other person so much thereof as shall be sufficient to pay such tax; and shall be and

Indemnification of representative.

is hereby indemnified against any person whatsoever for all payments made by him in pursuance and by virtue of this Ordinance.

Deceased persons.

31. When any person dies during the year preceding the year of assessment and such person would but for his death have been chargeable to tax for the year of assessment or when any person dies during the year of assessment or within two years after the expiration thereof and no assessment has been made upon him for that year the personal representative of such person shall be liable to and charged with the payment of the tax with which such person would have been chargeable, and shall be answerable for doing all such acts, matters and things as such person if he were alive would be liable to do under this Ordinance, provided that in the case of a person dying during the year preceding the year of assessment if his personal representative distributes his estate before the commencement of the year of assessment such personal representative shall pay the tax at the rate or rates in force at the date of distribution of the estate, if the rate of tax for the year of assessment has not been fixed at that date.

Deductions of and accounting for tax on mortgage and debenture interest.

32. (1) Where any person pays mortgage or debenture interest to a person not resident in the Colony and is entitled to deduct such interest under section 10 (1) (a) of this Ordinance, he shall upon paying the interest deduct therefrom tax at the rate of two shillings on every pound of such interest, and shall forthwith render an account to the Commissioner of the amount so deducted, and every such amount shall be a debt from him to the Government of the Colony and shall be recoverable as such.

(2) In the case of a company the account aforesaid shall be rendered by the manager or other principal officer of the company.

(3) Any person who fails or neglects to render an account due under this section, shall be guilty of an offence against this Ordinance.

GENERAL POWERS OF COMMISSIONER.

Notices of chargeability and returns.

33. (1) It shall be the duty of every person chargeable with tax to give notice to the Commissioner within four months after the commencement of any year of assessment that he is so chargeable.

(2) The Commissioner may by notice in writing require any person to furnish him within a reasonable time with a return of income and such particulars as may be required for the purposes of this Ordinance with respect to the income for which such person is chargeable.

(3) Any person who fails or neglects to give such notice of chargeability or to furnish such return or particulars shall be guilty of an offence against this Ordinance.

Official information and official secrecy.

34. (1) The Commissioner may require any officer in the employment of the Government or any public body to supply such particulars as may be required for the purposes of this Ordinance and which may be in the possession of such officer, provided that no such officer shall by virtue of this section be obliged to disclose any particulars as to which he is under any statutory 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 enquiry, that such person has no chargeable income.

(3) Where the employer, agent, contractor or other person is a body of persons the manager or other principal officer shall be deemed to be the employer for the purposes of this section, and any director of a company, or person engaged in the management of a company, shall be deemed to be a person employed.

35. Where a trade, business, profession or vocation is carried on by two or more persons jointly – Partnerships.

(1) The income of any partner from the partnership shall be deemed to be the share to which he was entitled during the year preceding the year of assessment in the income of the partnership (such income being ascertained in accordance with the provisions of this Ordinance) and shall be included in the return of income to be made out by such partner under the provisions of this Ordinance.

(2) (a) The precedent partner, that is to say, the partner who of the partners resident in the Colony –

- (i) Is first named in the agreement of partnership; or
- (ii) If there be no agreement is named singly or with precedence to other partners in the usual name of the firm, or
- (iii) Is the precedent acting partner if the partner named with precedence is not an acting partner,

shall, when required by the Commissioner, make and deliver a return of the income of the partnership for any year, such income being ascertained in accordance with the provisions of this Ordinance, and declare therein the names and addresses of the other partners in the firm together with the amount of the share of the said income to which each partner was entitled for that year.

(b) Where no partner is resident in the Colony, the return shall be made and delivered by the attorney, agent, manager or factor of the firm resident in the Colony.

(c) 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 return required under this section.

Signature of notices.

36. (1) Every notice to be given by the Commissioner under this Ordinance shall be signed by the Commissioner or by some person or persons from time to time appointed by him for that purpose, and every such notice shall be valid if the signature of the Commissioner or of such person or persons is duly printed or written thereon, provided that any notice in writing under this Ordinance to any person requiring him to furnish particulars to the Commissioner, or any notice under this Ordinance requiring the attendance of any person or witness before the Commissioner, shall be personally signed by the Commissioner or by any person duly authorised by him.

(2) A signature attached to any notice and purporting to be the signature of any person so appointed shall be taken to be the signature of that person until the contrary be shown.

Service of notices.

37. Notice may be served on a person either personally or by being sent through registered post to his last known business or private address, and shall in the latter case be deemed to have been served, not later than the tenth day succeeding the day on which the notice would have been received in the ordinary course by post, and in proving such service it shall be sufficient to prove that the letter containing the notice was properly addressed and posted.

ASSESSMENTS.

Commissioner to make assessments.

38. (1) The Commissioner shall proceed to assess every person chargeable with the tax as soon as may be after the expiration of the time allowed to such person for the delivery of his return.

(2) Where a person has delivered a return the Commissioner may—

- (a) Accept the return and make an assessment accordingly; or
- (b) Refuse to accept the return, and, to the best of his judgment, determine the amount of the chargeable income of the person and assess him accordingly.

(3) Where a person has not delivered a return and the Commissioner is of the opinion that such person is liable to pay tax, he may, according to the best of his judgment, determine the amount of the chargeable income of such person and assess him accordingly; but such assessment shall not affect any liability otherwise incurred by such person by reason of his failure or neglect to deliver a return.

Additional assessments.

39. Where it appears to the Commissioner that any person liable to tax has not been assessed or has been assessed at a less amount than that which ought to have been charged, the Commissioner may, within two years after the expiration thereof, assess such amount or additional amount, as according to his judgment ought to have been charged, and the provisions of this Ordinance as to notice of assessment, appeal and other proceedings under this Ordinance shall apply to such assessment or additional assessment and to the tax charged thereunder.

List of persons assessed and notices of assessment.

40. (1) The Commissioner shall as soon as possible prepare lists of persons assessed to tax.

(2) Such lists (herein called the assessment lists) shall contain the names and addresses of the persons assessed to tax, the amount of the chargeable income of each person, the amount of tax payable by him, and such other particulars as may be prescribed.

41. For the purpose of facilitating the assessment of the income of persons residing in the United Kingdom the Governor may appoint an agent in the United Kingdom who shall make enquiries on behalf of the Commissioner in respect of any such person as may apply to be dealt with through such agent, and shall ascertain and report to the Commissioner the amount of the chargeable income of such person in accordance with this Ordinance and shall forward to the Commissioner the accounts and computations upon which his report is based. The Commissioner on receipt of the report shall enter the amount reported in the assessment list: Provided that if it appears to the Commissioner that any error has occurred in the accounts or computation he may refer the report back for further consideration; and provided also that nothing in this section shall prevent the appeal to the Judge conferred by section 43 of this Ordinance.

Appointment of agent
in the United
Kingdom.

42. (1) The Commissioner shall cause to be served personally on or sent by registered post to each person whose name appears on the assessment lists a notice addressed to him at his usual place of abode or business, stating the amount of his chargeable income and the amount of tax payable by him, and informing him of his rights under the next subsection.

Power of Commission-
er to revise assess-
ments in case of
objection.

(2) If any person disputes the assessment he may apply to the Commissioner by notice of objection in writing, to review and to revise the assessment made upon him. Such application shall state precisely the grounds of his objections to the assessment and shall be made within two months from the date of the service of the notice of assessment: Provided that the Commissioner upon being satisfied that owing to absence from the Colony, sickness or other reasonable cause, the person disputing the assessment was prevented from making the application within such period, shall extend the period as may be reasonable in the circumstances.

(3) On receipt of the notice of objection referred to in subsection (2) of this section, the Commissioner may require the person giving the notice of the objection to furnish such particulars as the Commissioner may deem necessary with respect to the income of the person assessed and to produce all books or other documents in his custody or under his control relating to such income, and may summon any person who, he thinks, is able to give evidence respecting the assessment to attend before him and may examine such person (except the clerk, agent, servant, or other person confidentially employed in the affairs of the person to be charged) on oath or otherwise.

(4) In the event of any person assessed, who has objected to an assessment made upon him, agreeing with the Commissioner as to the amount at which he is liable to be assessed, the assessment shall be amended accordingly, and notice of the tax payable shall be served upon such person:

Provided always that in the event of any person who, under subsection (2) of this section, has applied to the Commissioner for a revision of the assessment made upon him failing to agree with the Commissioner as to the amount at which he is liable to be assessed his right of appeal to the Judge under the provisions of this Ordinance, against the assessment made upon him, shall remain unimpaired.

43. (1) Any person who, being aggrieved by an assessment made upon him, has failed to agree with the Commissioner in the

Appeals against
assessments.

manner provided in subsection (4) of the preceding section, may appeal against the assessment to the Judge in Chambers upon giving notice in writing to the Commissioner within thirty days from the date of the refusal of the Commissioner to amend the assessment as desired.

Provided that, notwithstanding the lapse of such period of thirty days, any person may appeal against the said assessment if he shows to the satisfaction of the Judge that, owing to absence from the Colony, sickness or other reasonable cause he was prevented from giving notice of appeal within such period, and that there has been no unreasonable delay on his part.

(2) Every person appealing shall attend before the Judge in person on the day and at the time fixed for the hearing of his appeal :

Provided always that if it be proved to the satisfaction of the Judge that owing to the absence from the Colony, sickness, or other reasonable cause, any person is prevented from attending in person at the hearing of his appeal on the day and at the time fixed for that purpose, the Judge may postpone the hearing of the appeal for such reasonable time as he thinks necessary for the attendance of the appellant, or he may admit the appeal to be made by any agent, clerk, or servant of the appellant, on his behalf.

(3) Ten clear days' notice shall, unless rules made hereunder otherwise provide, be given to the Commissioner of the date fixed for the hearing of the appeal.

(4) The onus of proving that the assessment complained of is excessive shall be on the appellant.

(5) If the Judge is satisfied that the appellant is overcharged he may reduce the amount of the assessment by the amount of the overcharge, and if he is satisfied that the appellant is undercharged, he may increase the amount of the assessment by the amount of the undercharge.

(6) Notice of the amount of tax payable under the assessment as determined by the Judge shall be served by the Commissioner upon the appellant.

(7) All appeals shall be heard in camera, unless the Judge shall, on the application of the appellant, otherwise direct.

(8) The costs of the appeal shall be in the discretion of the Judge hearing the appeal, and shall be a sum fixed by the Judge.

(9) The Judge may make rules governing such appeals and providing for the method of tendering evidence.

(10) The decision of the Judge shall be final: provided that the Judge if he so desires may, and on the application of the appellant, or of the Commissioner shall state a case on a question of law for the decision of His Majesty in Council under the provisions of the Privy Council Appeals Ordinance.*

* Cap. 155.

Errors etc., in assessments and notices.

44. (1) No assessment, warrant or other proceeding, purporting to be made in accordance with the provisions of this Ordinance shall be quashed, or deemed to be void or voidable, for want of form, or be affected by the reason of a mistake, defect or omission therein, if the same is in substance and effect in conformity with or according to the intent and meaning of this Ordinance or any Ordinance amending the same, and if the person assessed or intended to be assessed or affected thereby is designated therein according to common intent and understanding.

- (2) An assessment shall not be impeached or affected –
- (a) By reason of a mistake therein as to –
 - (i) The name or surname of a person liable; or
 - (ii) The description of any income; or
 - (iii) The amount of tax charged;
 - (b) By reason of any variance between the assessment and the notice thereof :

Provided that in cases of assessment the notice thereof shall be duly served on the person intended to be charged, and such notice shall contain, in substance and effect, the particulars on which the assessment was made.

45. The production of any document under the hand of the Commissioner or of any person or persons appointed by him purporting to be a copy of or extract from any return or assessment shall in all Courts and in all proceedings be sufficient evidence of the original, and the production of the original shall not be necessary; and all courts shall in all proceedings take judicial notice of the signature of the Commissioner or of any person or persons appointed by him either to the original or to such copy or extract.

Evidence.

RELIEF IN CASES OF DOUBLE TAXATION.

46. (1) Any person who has paid, by deduction or otherwise, or is liable to pay tax under this Ordinance for any year of assessment on part of his income and who proves to the satisfaction of the Commissioner that he paid by deduction or otherwise or is liable to pay income tax in the United Kingdom for that year in respect of the same part of his income, shall be entitled to relief from tax under this Ordinance paid or payable by him on that part of his income at a rate equal to the amount by which the rate of tax appropriate to his case under this Ordinance exceeds half the appropriate rate of United Kingdom tax. If, however, the rate of tax appropriate to his case under this Ordinance exceeds the appropriate rate of United Kingdom tax he shall be entitled only to relief at a rate equal to half the appropriate rate of United Kingdom tax.

Relief in respect of
United Kingdom
Income Tax.

(2) For the purposes of this section a certificate issued by or on behalf of the Commissioners of Inland Revenue in the United Kingdom shall be receivable in evidence to show what is the appropriate rate of United Kingdom tax in any particular case.

(3) For the purposes of this section the expression "rate of tax" when applied to tax paid or payable under this Ordinance means the rate determined by dividing the amount of tax paid or payable for the year (before the deduction of the relief granted under this section) by the amount of the income in respect of which the tax paid or payable under this Ordinance has been charged for that year except that where the income which is the subject of a claim to relief under this section is computed by reference to the provisions of section 26 of this Ordinance on an amount other than the ascertained amount of the actual profits, the rate of tax shall be determined by the Commissioner.

47. (1) If any person resident in the Colony who has paid, by deduction or otherwise, or is liable to pay, tax under this Ordinance for any year of assessment on any part of his income, proves to the satisfaction of the Commissioner that he has paid by deduction or otherwise, or is liable to pay, Empire income tax for that year in respect of the same part of his income, he shall be entitled to relief

Relief in respect of
Empire Income Tax.

from tax in the Colony paid or payable by him on that part of his income at a rate thereon to be determined as follows :—

- (a) If the Empire rate of tax does not exceed one-half of the rate of tax appropriate to his case under this Ordinance in the Colony the rate at which relief is to be given shall be the Empire rate of tax;
- (b) In any other case the rate at which relief is to be given shall be half the rate of tax appropriate to his case under this Ordinance.

(2) If any person not resident in the Colony who has paid, by deduction or otherwise, or is liable to pay, tax under this Ordinance for any year of assessment on any part of his income, proves to the satisfaction of the Commissioner that he has paid, by deduction or otherwise, or is liable to pay Empire income tax for that year of assessment in respect of the same part of his income, he shall be entitled to relief from tax paid or payable by him under this Ordinance on that part of his income at a rate thereon to be determined as follows :—

- (a) If the Empire rate of tax appropriate to his case does not exceed the rate of tax appropriate to his case under this Ordinance, the rate at which relief is to be given shall be one-half of the Empire rate of tax;
- (b) If the Empire rate of tax appropriate to his case exceeds the rate of tax appropriate to his case under this Ordinance, the rate at which relief is to be given shall be equal to the amount by which the rate of tax appropriate to his case under this Ordinance exceeds one half of the Empire rate of tax.

(3) For the purposes of this section, Empire income tax means any income tax charged under any law in force in any part of His Majesty's Dominions or in any place under His Majesty's protection (other than the United Kingdom or this Colony), provided that the legislature of that part or place has provided for relief in respect of tax charged on income both in that part or place and this Colony in a manner similar to that provided in this section.

(4) For the purposes of this section the rate of tax under this Ordinance shall be computed in the manner provided by subsection (3) of the last preceding section of this Ordinance and the Empire rate of tax shall be computed in a similar manner.

(5) Where a person is for any year of assessment resident both in the Colony and in a part or place in which Empire income tax is charged, he shall for the purposes of this section be deemed to be resident where during that year he resides for the longer period.

Official secrecy.

48. Where, under any law in force in any part of His Majesty's Dominions or in any place under His Majesty's protection, provision is made for the allowance of relief from income tax in respect of the payment of income tax in this Colony, the obligation as to secrecy imposed by section 4 of this Ordinance shall not prevent the disclosure to the authorised officers of the Government in that part of His Majesty's Dominions or in that place under His Majesty's protection of such facts as may be necessary to enable the proper relief to be given in cases where relief is claimed from income tax in that part or place aforesaid.

COLLECTION AND REPAYMENT OF TAX.

49. (1) The Commissioner shall from time to time deliver to the Collector certified extracts from the assessment lists containing the names and addresses of the persons assessed together with the amount payable by each person.

Extracts from assessment lists to be sent to Collector.

(2) Collection of tax shall in cases where notice of an objection or an appeal has been given remain in abeyance until such objection or appeal is determined.

Procedure in cases where objection or appeal is pending.

Provided that the Collector may in any such case enforce payment of that portion of the tax (if any) which is not in dispute.

50. Tax shall be payable within sixty days after service of a notice of assessment under section 42 of this Ordinance.

Time within which payment is to be made.

51. If any tax is not paid within the period prescribed in section 50 of this Ordinance—

Penalty for non-payment of tax; and enforcement of payment.

(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 collection and recovery of such sum;

(b) The Commissioner or any Collector appointed under this Ordinance 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 Collector may proceed to enforce payment as hereafter provided.

52. Where payment of tax in whole or in part has been held over pending the result of a notice of objection or of an appeal, the tax outstanding under the assessment as determined on such objection or appeal as the case may be shall be payable within thirty days from the receipt by the person assessed of the notification of the tax payable, and if such tax is not paid within such period the provisions of the last preceding section shall apply.

Collection of tax after determination of objection or appeal.

53. Tax may be sued for and recovered in a Court of Competent Jurisdiction by the Commissioner or any Collector in his official name with full costs of suit from the person charged therewith as a debt due to the Government of the Colony as well as by the means hereafter provided.

Suit for tax by Collector.

54. (1) If it is proved to the satisfaction of the Commissioner that any person for any year of assessment has paid tax, by deduction or otherwise, in excess of the amount with which he is properly chargeable, such person shall be entitled to have the amount so paid in excess refunded. Every claim for repayment under this section shall be made within two years from the end of the year of assessment to which the claim relates. The Commissioner shall give a certificate of the amount to be repaid and upon the receipt of the certificate the Financial Secretary shall cause repayment to be made in conformity therewith.

Repayment of tax.

(2) Except as regards sums repayable on an objection or appeal, no repayment shall be made to any person in respect of any year of assessment as regards which that person has failed or neglected to deliver a return or has been assessed in a sum in excess of the amount contained in his return, provided that he has received notice of the assessment made upon him for that year: unless it is proved to the satisfaction of the Commissioner that such failure or

neglect to deliver a true and correct return did not proceed from any fraud or wilful act or omission on the part of that person.

PROCEEDINGS FOR THE RECOVERY OF INCOME TAX.

Notice to be given to tax defaulters.

55. The Commissioner shall on such day in each year as the Governor in Council may direct cause to be inserted in three consecutive issues of the Gazette a notice to the effect that warrants will be issued for the recovery of all income tax together with the fines due thereon which may after a day set out in the said notice remain unpaid. The day set out in the said notice shall not be less than one month from the first publication of the said notice and such publication shall be a sufficient notice to all defaulters.

Collector to issue warrants against goods for recovery of taxes.

56. The Collector shall, on such day in each year as the Governor in Council may direct, issue to any person whom he may employ as bailiff for this purpose (hereinafter referred to as "bailiff") warrants directing and authorising him in manner hereinafter provided to make a levy upon the goods of all defaulters for the payment of taxes and fines thereon unpaid in the previous year. And the Collector may thereafter issue another warrant or other warrants directed to any bailiff to recover any tax and fines still outstanding and due from a defaulter named in a warrant previously issued by him.

Power for Financial Secretary to sell lands or houses chargeable.

Provided always that it shall be lawful for the Financial Secretary under the provisions of section 64 hereof, to proceed to sell or issue a praecipe authorising the sale of any land or house chargeable with the unpaid taxes and the fines and expenses thereon accrued, at any time.

Withdrawal of execution and institution of proceedings before Magistrate.

57. (1) Notwithstanding that the name of a person who has made default in the payment of the tax shall have been included in a list to any warrant or praecipe authorising a levy as provided in the last section, it shall be lawful for the Financial Secretary, at his discretion, at any time that such tax remains unpaid, to cause the operation of the said warrant or praecipe to be suspended as against such defaulter and in lieu thereof to apply to the Magistrate for a summons directing the defaulter to attend before the Magistrate, at a time to be named in the summons, to show cause why he should not be ordered to pay the amount aforesaid, as a Judgment debt, and it shall be lawful for the Magistrate in his discretion to issue such summons and cause the same to be served and to deal with the defaulter in such manner as is next hereinafter provided.

(2) Notice of any application intended to be made under this section shall be given by the Financial Secretary to the Colonial Secretary.

JUDGMENT DEBTOR PROCESS.

Magistrate may order payment of tax, etc., into Court.

58. If a summons for enabling the defaulter to show cause as mentioned in the last preceding section is issued, it shall be lawful for the Magistrate on the date named in the summons or at any other date to which the hearing may be adjourned, to order the defaulter to pay into Court the amount of the unpaid tax and fines, and such costs and expenses as may have been incurred, or to order him to pay into Court any part of such amount which the Magistrate may deem the defaulter able to pay or arrange for paying, within seven days of the order or within such extended time as may be determined by the Magistrate, and either in a lump sum or by instalments.

Imprisonment for failure to obey order.

59. (1) If the person summoned as aforesaid fails to comply with the summons without lawful excuse or if he makes default in payment into Court in the manner aforesaid, it shall be lawful for

the Magistrate to commit such person to prison without hard labour for a term not exceeding six weeks or until payment of the sum ordered to be paid (if paid before the expiration of such term) :

Provided that no such committal shall be ordered for default in payment as aforesaid unless it be proved to the satisfaction of the Magistrate that the person making default either has, or has had since the date of the order, the means to pay the sum in respect of which he has made default, and has refused or neglected, or refuses or neglects, to pay the same.

Proviso.

(2) Proof of the means of the person making default may be given in such manner as the Magistrate thinks just, and, for the purposes of such proof, the debtor and any witnesses may be summoned and their attendance enforced by the same processes as in cases in which the Magistrate has summary jurisdiction in criminal matters, and such debtor and witnesses may be examined on oath.

Proof as to means of defaulter.

(3) Every order of committal under this section shall be issued, obeyed, and executed in manner similar to commitments by the Magistrate in the exercise of his summary jurisdiction in criminal cases.

Order of committal.

(4) Imprisonment under this section shall not operate as a satisfaction or extinguishment of the judgment debt.

Imprisonment not to extinguish liability.

60. In any event of the defaulter paying the whole of the amount ordered to be paid as aforesaid, the Magistrate shall remit to the Treasury the amount so paid, deducting such part thereof as may represent the Court costs.

Debtor paying whole of amount ordered to be paid.

PROCEEDINGS BY WAY OF DISTRESS.

61. (1) For the purpose of levying any distress the bailiff shall execute a warrant issued to him by the Collector according to the tenor thereof, and such warrant shall be in the form set out in the First Schedule hereto.

Form and scope of warrant.

(2) On payment of the tax and fines and expenses accrued thereon, the bailiff shall give acquittances under his hand unto the persons who pay the same on numbered (counterfoil) receipt forms with which the bailiff shall be supplied by the Collector, and shall pay over to the Treasury all money received by him under this Ordinance.

Bailiff to give receipts upon payment to him of taxes, etc.

62. When any goods or chattels are distrained on, they shall, after due notice given in the Gazette be sold by the bailiff at public auction in such a manner as is usual in sales under executions issuing out of the Magistrate's Court. Until the sale, the goods shall remain in the custody of the bailiff by whom the levy is made. The money arising from the sale shall be paid over by the bailiff to the Treasury after deducting therefrom all reasonable and necessary charges and expenses attending the levy and sale which may be allowed by the Financial Secretary; and these proceeds of sale shall be applied by the Financial Secretary towards satisfaction of the unpaid tax, fines, and the surplus (if any) shall be restored on demand to the owner of the goods distrained: Provided as follows:—

Sale of goods levied on and disposal of proceeds.

- (a) Tools of trade, bedding and wearing apparel amounting in all to the value of ten pounds shall be exempted from execution.
- (b) After a levy it shall be lawful for the owner of the goods seized to redeem the same at any time before the time appointed for the sale by paying to the

bailiff the full amount of the tax and fines thereon, together with all costs and expenses incurred in relation thereto by the date of such payment.

- (c) If at such public auction there shall be no bids sufficient to cover the tax, fines, costs and expense, the unsold goods shall become the property of the King for the use of the Government of this Colony.

Bailiff's fees.

63. The bailiff's fees which may be included in a claim of levy under a warrant may be in such sum and according to such scale as is fixed from time to time by the Governor in Council. All such fees shall be paid by the defaulters against whom warrants are issued, and the Governor in Council may award to any bailiff such proportion thereof as he shall think fit.

EXECUTION AGAINST LANDS OR HOUSES.

Failing to recover on goods the Financial Secretary to sell realty of defaulter.

64. (1) If the amount of the taxes due and recoverable from a defaulter and of the fines, costs and expenses chargeable as aforesaid have not been, or in the opinion of the Financial Secretary cannot be, raised by the sale of the goods of defaulter as aforesaid, the Financial Secretary may put up for sale either the whole of any lands or houses in the Colony to which the defaulter is beneficially entitled, or such part thereof as in the discretion of the Financial Secretary may be selected and marked off as sufficient to realize the required amount.

After failure to recover against goods and lands of defaulter Financial Secretary to sell the property charged which had passed out of possession.

(2) In default of satisfaction of the debt by any such sale as aforesaid, then if the lands or houses charged with the payment of unpaid income tax had passed out of the possession of the defaulter before the date of the said sale and consequently such last mentioned lands or houses had not been levied as aforesaid, the Financial Secretary may in the last instance proceed to levy and sell the lands or houses last mentioned.

Form of praecipe for sale of lands.

(3) The Financial Secretary may issue a praecipe to levy the tax by the sale of the lands or houses therein mentioned which praecipe shall be in the form set out in the Second Schedule hereto.

Notice to be served on defaulter before sale of realty.

65. (1) Before proceeding with the sale of any land or house as aforesaid the Financial Secretary or the officer conducting such sale shall serve or cause to be served on the person in default a notice in the form set out in the Third Schedule hereto.

(2) Except in cases specially sanctioned by the Financial Secretary, or the said officer, every such notice shall be served personally on the person in default.

(3) Whenever the Financial Secretary or the said officer shall have reason to think that the person in default is avoiding service of the notice, or that neither he nor his authorised agent can be found, the Financial Secretary or officer may order the notice to be affixed in some conspicuous manner to the property with respect to which the praecipe to levy has been issued.

(4) The server or bailiff serving any such notice personally shall endeavour to explain its purport fully to the person upon whom it is served.

(5) The bailiff or server of such notice shall write upon it the date when it is served by him, and shall enter upon a counter-foil of the notice or upon some other record the date and manner of service and the place where it was made.

(6) Any person duly served but failing to make such statement as aforesaid within the time and in the manner prescribed shall be liable on summary conviction to a fine not exceeding five pounds unless he prove either that, previous to the notice being served, he had paid the tax or fine, or that no tax or fine was or is due from him.

66. (1) When the whole of any land or any house in respect of which levy has been made, has been offered for sale and no bid made for it equal to or in excess of the tax, fines, costs and charges thereon, the same shall be liable to forfeiture at the discretion of the Governor in Council: Provided, however, that as a condition precedent to the forfeiture the Financial Secretary shall cause to be served on the defaulter a notice that such land or house is liable to forfeiture within one month from the date of the service of the notice, if the amount due be not paid.

On abortive sale of realty and continued default in payment. property to vest in Crown.

(2) When any land or house has been declared by the Governor in Council to be forfeited the same shall vest in His Majesty, his heirs and successors for the use of the Government of this Colony.

(3) The Financial Secretary shall forward to the Registrar of the Court for the purposes of registration a statement in form to be prescribed by the Governor, which statement shall contain the particulars of the land or house, the name of the person in default, the amount due, the date of abortive sale, and the date of the service of the notice of liability to forfeiture.

(4) The registration of the statement shall constitute an indefeasible title.

67. In all cases of the sale of lands or houses under this Ordinance the following shall be the conditions of sale:-

Conditions of sale.

(1) The purchaser buys at his own risk as to the provisions of the law necessary to authorise the sale having been complied with. Those who intend to purchase shall be allowed access to all documents which show that such provisions have been complied with.

(2) The purchaser shall not require any proof (beyond the Assessment List, and the praecipe with the list of defaulters' notices with service) of the identity of the contents, dimensions, or other particulars of the "property" offered for sale with that advertised.

(3) The highest bidder for each lot may be the purchaser. Should any dispute arise as to any bidding, the property may again be put up for sale.

(4) The reserve price will be the amount of the tax, costs, and charges.

(5) The advance on the bidding may be declared by the officer conducting the sale on putting up the specific lot. No bid shall be retracted without the consent of the said officer.

(6) Immediately after the sale, the purchaser shall pay to the Treasury, or to the officer who conducts the sale, a deposit of his bid; and the balance within seven days thereafter. In default of payment of the deposit, the property shall be offered for sale immediately and any subsequent bid by the person who has made default as aforesaid, shall be ignored or refused. If the purchaser

fails to complete his purchase within seven days, the deposit shall be forfeited, and the property shall be reoffered for sale, when any deficiency on the first bid may be recovered from the first bidder as a debt.

(7) Except in special cases to which the Governor may give his sanction, conveyance for lands, tenements and hereditaments will only be executed on the prescribed form.

(8) Conveyances will not be executed until one month has elapsed from the date of sale, and during this period the right is reserved for the Governor to cancel the sale.

Effect of execution sales with regard to title.

68. (1) All sales of any lands or houses charged with the payment of unpaid income tax, shall, provided that the provisions of this Ordinance have been duly complied with, operate to confer on the purchaser as indefeasible title thereto, free from all encumbrances. All sales of lands or houses other than those hereinbefore specified shall have the effect of conveying to the purchaser the right, title, and interest therein of the person who has made default in the payment of the tax :

Provisos.

Provided always that no purchaser shall have, or be capable of granting, any title to any land, house or goods purchased under the powers of this Ordinance, if the purchase shall have been made with the intent to defraud creditors, or as agent or trustee for the tax-payer in default, or for his wife or family :

Provided further that any such sale to the tax-payer in default shall be void.

Persons having a charge on properties may pay the tax and recover from the owner.

(2) Any person having a charge or debt by way of specialty or otherwise upon any property of the person named in the Assessment List may pay the tax, fines, costs and expenses properly due under this Ordinance by such person named as aforesaid, and shall be entitled to add the moneys thus paid to such charge or debt as aforesaid, and thereupon the increased charge or debt shall bear the same interest and may be enforced and recovered in the same manner as the original charge or debt.

Form of conveyance.

69. Where any land or house is sold hereunder, the Financial Secretary shall execute and deliver on completion a conveyance thereof to the purchaser in the form set out in the Fourth Schedule hereto.

Disposal of surplus proceeds of sale.

70. Any surplus moneys arising on any sales under this Ordinance, after payment of the tax, fines and costs, shall be paid by the Financial Secretary to the owner of the property sold, if known; and if not known, then they shall be at the disposal of the Governor in Council on the application of any person entitled, for six years from the day of sale, after which they shall be appropriated to the general revenue of the Colony :

Provided always that if the Financial Secretary has notice that any person other than the owner of the property sold has a claim to the said surplus moneys or any part thereof, either by way of mortgage or other legal incumbrance, the Financial Secretary may send to the said owner, by post, a letter addressed to him at his last known place of abode stating that the said moneys or some specified part thereof will be paid to such claimant, mortgagee, or incumbrancer, unless the owner informs the Financial Secretary within ten days from the date of the said letter that he does not admit the said claim. If no reply is received from the owner within the time aforesaid, the surplus moneys, or such part thereof as is specified in the said letter, may be paid to the said claimant by the

Financial Secretary. If the owner denies the said claim, then the Financial Secretary shall pay the surplus moneys to the Registrar of the Supreme Court, to be placed by the latter to the credit of an account in Court, to abide the settlement by the Court of the question as to what person is entitled to the same. The Financial Secretary shall not be held responsible for any payment made by him under the provisions of this section.

CLAIMS BY THIRD PARTIES.

71. If any person (other than the person making default as aforesaid) claims that he is the owner of any goods or lands which are levied upon, as belonging to a party who is named in the Assessment List such person, or any solicitor on his behalf, may file an affidavit in the Supreme Court—

Affidavit by a person not the defaulter, claiming the property levied upon.

- (a) Specifying which of the goods or lands he claims as his property;
- (b) Stating full particulars of his title thereto; and
- (c) Stating the value of the property.

72. If any such person, either at the time of or subsequent to the filing of the affidavit as aforesaid, gives security by bond with two sureties (such bonds being hereby exempted from stamp duty) to the satisfaction of the Registrar of the Supreme Court in a sum of one hundred pounds, conditioned to secure, first, either the total amount of taxes, fines, costs, and expenses unpaid or such part thereof as may be equivalent to the value of the property claimed; and, secondly, all costs of the legal proceedings incidental to the trial of the issue hereinafter mentioned, the Registrar shall notify the Financial Secretary to discontinue his levy upon such of the goods and lands as are specified in the affidavit until the determination of the issue hereinafter mentioned.

Discontinuance of levy upon bond being given by claimant, etc.

73. (1) At any time within seven days after receipt of the notification of the levy being discontinued the Financial Secretary may abandon the levy altogether, and thereupon shall notify the Registrar and the claimant that the levy is wholly withdrawn and that no further legal proceedings will take place.

Abandonment of levy or setting cause down for trial.

(2) If no notice of abandonment is given by the Financial Secretary in the manner aforesaid, the Registrar shall set the matter down for trial at the next sitting of the Supreme Court (Summary Jurisdiction) held not later than two weeks subsequent to security being so given.

74. At the hearing the issue shall be whether or no the claimant has made out his title to the goods or lands specified in the affidavit, and whether the value thereof has been correctly stated in the affidavit; and, upon the issues being determined, the Court shall order the bond to be enforced or cancelled, as the case may be.

Issue at trial.

75. Throughout the proceedings in the case of the goods being claimed as aforesaid the bailiff by whom the levy was made, or, in the case of lands being claimed, the Financial Secretary, shall be the defendant, all steps may be taken and things done as in ordinary cases before the said Court:

Procedure to be same as in ordinary cases.

Provided that the defendant shall not be ordered to pay any costs unless the Court is of the opinion that he has been guilty of wilful neglect or misconduct.

76. No summons, process or other document issued by or for any person acting under this Ordinance shall be subject to stamp duty.

Exemption from stamp duties.

Onus probandi.

77. The burden of proof of exemption from or abatement of the tax levied under this Ordinance shall lie on the party claiming the exemption or abatement.

Prosecutions to commence within six years.

78. Any prosecutions instituted against any person for the commission of any offence against the provisions of this Ordinance shall be commenced within six years from the time of the offence committed and not afterwards.

GENERAL.**Penalties for offences.**

79. Any person guilty of an offence against this Ordinance shall be liable on summary conviction to a fine not exceeding one hundred pounds and in default of payment to imprisonment with or without hard labour for any term not exceeding six months.

False statements and returns.

80. (1) Any person who, for the purpose of obtaining any deduction, rebate, reduction or repayment in respect of tax for himself or for any other person, or who in any return, account or particulars made or furnished with reference to tax, knowingly makes any false statement or representations and—

(2) Any person who aids, abets, assists, counsels, incites or induces another person:—

(a) To make or deliver any false return or statement under this Ordinance; or

(b) To keep or prepare any false accounts or particulars concerning any income on which tax is payable under this Ordinance;

shall be liable on summary conviction to a fine not exceeding one hundred pounds or to imprisonment with or without hard labour for a term not exceeding six months.

Saving for criminal proceedings.

81. The provisions of this Ordinance shall not affect any criminal proceedings under any other Ordinance or Law.

Impeding or obstructing Commissioner or Officers.

82. Any person who obstructs or impedes or insults or molests a Commissioner, Collector or other officer lawfully authorised by this Ordinance or any amendment thereto in the discharge of his duties or in his official capacity or in the exercise of his powers shall be guilty of an offence against this Ordinance.

Transfer of property to evade taxation.

83. Any person who, after the 1st day of July, 1940, has reduced or shall reduce his income by the transfer or assignment of any real or personal, movable or immovable property to any member of the family of such person shall nevertheless be liable to be taxed as if such transfer or assignment had not been made, unless the Commissioner is satisfied that such transfer or assignment was not made for the purpose of evading the taxes imposed under this Ordinance or any part thereof.

Rules.

84. (1) The Governor in Council may from time to time make rules generally for carrying out the provisions of this Ordinance, and may, in particular, by those rules provide—

(a) For the form of returns, claims, statements and notices under this Ordinance;

(b) For the deduction and payment of tax at the source in respect of emoluments and pensions payable out of the revenue of the Colony;

(c) Any such matters as are authorised by this Ordinance to be prescribed.

(2) All rules purporting to be made in pursuance of this section shall be published in the Gazette and shall come into operation on such publication or at such other time as may be named in such rules.

(3) If any person fails to comply with or contravenes the provisions of any rule made under this Ordinance he shall be guilty of an offence against this Ordinance.

(4) All rules made under this Ordinance shall be judicially noticed.

85. The Governor in Council may remit the whole or any part of the income tax payable by any person if he is satisfied that it would be just and equitable to do so. Notice of such remission shall be published in the Gazette. Power to remit.

Passed by the Legislative Council this 28th day of December, 1939.

A. I. FLEURET,
Clerk of the Legislative Council.

Assented to by the Governor and given under the Public Seal of the Colony this 30th day of December, 1939.

M. C. CRAIGIE-HALKETT,
Colonial Secretary.

FIRST SCHEDULE.

Section 62.

Warrant to levy.

UNDER THE INCOME TAX ORDINANCE, 1939.

FALKLAND ISLANDS.

By Financial Secretary of the Colony of the Falkland Islands.

To a bailiff appointed by the said Financial Secretary in this behalf.

WHEREAS the several persons named in the List attached to this Warrant are respectively liable in respect of Income Tax to pay the several amounts set opposite their names respectively in such List.

AND WHEREAS default has been made in payment of the same YOU are therefore hereby enjoined and required to make demand of the several sums mentioned in the said List from the persons liable therefor or on the premises charged with the assessment, as the case may require, and upon payment thereof, to give acquittances under your hand unto the several persons who shall pay the same; and if any sum or sums remain unpaid after demand duly made by you then you are hereby enjoined and required to levy upon each and every of the persons named in the List such sums of money as shall be sufficient to pay the amount set opposite to the names of such persons in the said List together with the cost attending any levy and any sale thereon or any and all other proceedings consequent thereon. And of your proceedings herein you are forthwith to make your Return to me.

Given under my hand at Stanley, Falkland Islands, the day of 19 .

Financial Secretary.

SECOND SCHEDULE.

Section 64.

Præcipe to levy by sale of land or house.

UNDER THE INCOME TAX ORDINANCE, 1939.

FALKLAND ISLANDS.

By Financial Secretary of the Falkland Islands.

To

WHEREAS the lands or houses of the several persons named in the List to this Warrant attached are respectively liable under for the several amounts set opposite their respective names.

AND WHEREAS the lands or houses named in the said List are likewise respectively liable for the amount aforesaid whether or not the persons named are in possession thereof. And Whereas default hath been made in payment of the said amounts You are therefore hereby enjoined and required to levy upon and sell the lands of which the several persons named in the said List are possessed, or a sufficient part thereof, to satisfy the amounts set opposite their respective names as aforesaid together with the costs attending any such levy and sale and all other proceedings consequent thereon.

And in default of satisfaction thereby, then, if the persons named are not now in possession of the lands or houses named in the said List, you are hereby enjoined and required to levy upon the lands or houses last mentioned. And of your proceedings herein you are to make Returns to me at the end of every calendar month commencing from the date hereof until your final Return which you are to make to me on or before the thirtieth day of April next.

Given under my hand at Stanley, Falkland Islands, the day of 19 .

Financial Secretary.

Jury List for the year 1940.

The following list of the persons liable under the provisions of the Jury Ordinance, 1901 to serve as Jurors for the year 1940 is published in accordance with the fourth section of the Ordinance.

Any objection thereto will be heard and determined in the Magistrate's Court on the 15th of January, 1940.

A. R. HOARE,

Police Magistrate.

1. McAskill, John	60. Perry, Chris.	119. Anderson, Richard G.	178. Biggs, Basil W.
2. Stewart, Gordon	61. Stewart, Alex.	120. Johnson, Peter	179. Newman, Henry
3. Etheridge, Arthur	62. Skilling, Thos.	121. Newman, Wilfred L.	180. Hall, J.
4. Rutter, Arthur	63. Lang, W. A.	122. Ford, Chas. W.	181. Hewitt, James
5. Henrickson, Albert J.	64. Goodwin, James	123. Jones, William J.	182. Biggs, Alfred
6. Goodwin, Bert.	65. Anderson, Wm. J. S.	124. Cletheroe, Cyril J.	183. Lanning, George
7. Porter, Charles	66. Cheek, A. E.	125. Morrison, Stewart	184. Halliday, W. J.
8. Pearson, Robert	67. Hall, Arthur W.	126. Grant, L. J.	185. McAtasney, E. J.
9. Stewart, D. W. H.	68. McAskill, Donald W.	127. McLeod, George	186. Hills, A. H.
10. McKay, Gideon	69. Llamosa, Arthur Jas.	128. Cheek, Fred J.	187. Robson, R. L.
11. Hutchinson, E. J.	70. Pettersson, E.	129. McKenzie, William	188. Reive, L. L.
12. Betts, Allan Sturlee	71. Parring, Francis G.	130. Larsen, Richard	189. Harvey, Claude J.
13. Whitney, F. E.	72. Lee, Edwin T.	131. Middleton, James	190. Bundes, R. J. C.
14. Binnie Jas (Jr)	73. Johnson, Fred. W.	132. Biggs, Herbert R.	191. Lindenberg, K. N. J.
15. McKay, George	74. Smith, John C.	133. Hollen, Henry D.	192. Halliday, S. S.
16. Turner, L. McI.	75. Lee, Alfred F.	134. Biggs, T. M. V.	193. Burridge, Walter
17. Barnes, A. Jur.	76. Peck, A. F.	135. Betts, Keith C.	194. Smith, Ludwick C.
18. Short, Fredk. G.	77. Simpson, A. S.	136. Clifton, Jas. Henry	195. Binnie, Albert F.
19. Dickson, Chas.	78. Skilling, A. G.	137. Duncan, David John	196. Bender, J. P. K.
20. Kevill, William	79. Llamosa, G. A.	138. Jaffray, A.	197. Elliott, Birt
21. Butler, George	80. Hall, G. F.	139. Skilling, Chas. J.	198. McLeod, Murdo
22. Summers, Stanley F.	81. Kiddle, W. E.	140. Roberts, W. E.	199. Burns, William
23. Binnie, William	82. Nilsson, W.	141. McDermid, M.	200. Summers, William
24. Goodwin, John K.	83. Lansdowne, K. V. B.	142. Robson, Geo. (Jr.)	201. Duncan, William
25. McKay, Donald	84. Cletheroe, A.	143. Luxton, Markham	202. Newman, Silas
26. Summers, V.	85. McGill, M.	144. Lyse, Sidney R.	203. Duncan, Peter R.
27. Berntsen, F. G.	86. Luxton, Keith	145. Summers, E. L. G.	204. Watson, James
28. Carey, Raymond F.	87. Pole-Evans, D. M.	146. Dickson, E. T. C.	205. Anderson, Samuel
29. Jones, Chris. F.	88. Morrison, Donald E.	147. Coutts, John	206. Paulini, H. Wm.
30. Dixon, P. S.	89. Clifton, Hugh E.	148. McMillan, Ian	207. Short, John G. A.
31. Browning, David L.	90. Lellman, K. V.	149. Hollen, James J.	208. Clifton, William
32. McRae, Farquhar W.D.	91. Rowlands, W. J.	150. Sornsen, Ellis L.	209. McGill, Kenneth N.
33. Lang, John S.	92. Lee, William H.	151. Anderson, Samuel A.	210. Pearson, W.
34. Goodwin, Rupert	93. Davis, Arthur H.	152. Butler, Jos. T. J.	211. McLeod, Donald
35. Sornsen, Andrew A.	94. Llamosa, Wm. J.	153. Browning, Frederick	212. Phillips, Albert J.
36. White, William M.	95. Simpson, F. F.	154. McGill, Geoff. S.	213. Williams, S. R. H.
37. Clement, Jas. T.	96. Goodwin, Ernest	155. Noble, Arthur	214. Cartmell, William J.
38. Jones, Albert H.	97. Watson, Thos. D.	156. McRae, Donald Alex	215. McPherson, John
39. Duncan, David H.	98. Blakely, Adam K.	157. Robinson, P.	216. Jaffray, William
40. Enestrom, Edgar W.	99. Alazia, Albert F.	158. Biggs, Edward D.	217. Summers, Wm. E.
41. Halliday, Andrew J.	100. Browning, John	159. Short, George H.	218. Clement, Wickham
42. Berntsen, Lars M.	101. Earle, Arthur	160. Kiddle, Peter	219. Curran, Joseph
43. McRae, Duncan	102. Hooley, Jack C.	161. Yates, Alex.	220. Curran, Henry
44. McMillan, William	103. Bennett, Stanley	162. Robson, James	221. Bound, H. J. L.
45. Middleton, Stewart	104. Larsen, Richard	163. Halkett, Cecil M.	222. Smith, Frank
46. Hannaford, Robert F.	105. Oliver, Charles	164. Lang, Frank	223. Hills, Richard W.
47. Gilruth, Thos	106. Nilsson, W. A.	165. Davis, Benjamin C.	224. McCarthy, Charles
48. Rumbolds, R.	107. Sarney, H.	166. Rowlands, Jas. G.	225. Watson, Jas. H.
49. Parrin, M.	108. Middleton, Jas. S.	167. Biggs, Bernard Noel	226. McLeod, Donald
50. Perry, J. J.	109. Pitaluga, Arthur	168. Lyse, Charles W.	227. Gleadell, Sidney M.
51. Clifton, Thos.	110. Betts, Alan S.	169. Goss, Sidney	228. Pedersen, J. H. S.
52. Goodwin, V. S.	111. Anderson, Alfred	170. Hall, Albert H.	229. Morrison, Finlay
53. Curran, John	112. Biggs, Horace W.	171. Blyth, Fredk J. K.	230. Stewart, S. A.
54. Sprules, Gilbert E.	113. Halliday, J. H.	172. Perry, Jas. J.	231. Middleton, David
55. Jennings, Clifford W.	114. Parrin, W.	173. McAtasney, Brian N.	232. Bain, Alex
56. Lee, Henry J.	115. Newing Walter	174. King, Alf. B.	233. Finlayson, Roderick
57. Miller, D. H.	116. Craig, Peter	175. Biggs, Edward John	234. Kiddle, Sydney B.
58. Courtney, Ray S.	117. Hardy, P. L.	176. Peck, Percy P.	235. Hollen, Thomas
59. Paice, William N.	118. Steen, R. B.	177. Biggs, Leslie E.	236. Biggs, John F.

Jury List continued :—

237. Berntsen, Alex	309. Anderson, Ludwic R.	381. Lee, Thomas F.	453. McPhee, Kenneth J.
238. Britton, William F.	310. Stewart, David G.	382. Robson, Tom	454. Davis, W. J.
239. Berntsen, Jas. L.	311. Alazia, Arthur J.	383. Porter, Arthur	455. Simpson, Geo. H.
240. McMullen, John D.	312. Perry, Charles	384. Betts, William D. N.	456. Williams, John D.
241. McKay, James R.	313. Barnes, Arthur J. (Jr.)	385. Thompson, George	457. Bonner, Samuel
242. Alazia, George James	314. Reive, John	386. Fraia, Harry	458. Steel, Alex J.
243. Smith, David R.	315. Pitaluga, Alex	387. Braxton, T. N.	459. Cletheroe, John R.
244. Kiddle, Donald J.	316. Lyse, Ernest Louis	388. Hutchinson, Robt.	460. Hansen, Fred H.
245. King, Cecil F.	317. Fleuret Clovis	389. Mercer, John	461. Binnie, Horace Jas.
246. Biggs, M. W.	318. McKay, John	390. Wilson, Edward	462. Hennah, T. H. H.
247. May, Archie G. A.	319. Ashley, John R.	391. Gleadell, Jas R.	463. Osborne, John
248. Berntsen, William	320. May, Fredk. C.	392. Campbell, John M.	464. Peck, Desmond P.
249. McCarthy, William	321. Reive, George	393. Thomson, John McD.	465. Watts, John
250. McLeod, Roderick	322. Bender, Chris. P. W.	394. Myles, W. B.	466. Buse, Ralph
251. Morrison, Donald F.	323. Osborne, G. H.	395. Dettleff, Hansen	467. Paice, C. J. B.
252. Cartmell, Robert	324. Coutts, Alex.	396. Kenny, Norman D.	468. Davis, John
253. Jaffray, John S.	325. Ashley, Alfred G.	397. O'Sullivan, D. W.	469. Thompson, Harry
254. Williams, Ralph M.	326. Peck, Victor H.	398. McCullum, Allan A.	470. Paice, Nat. T.
255. Stewart, James H.	327. Campbell, Thos. W.	399. Gleadell, Frank R.	471. Biggs, Bernard C.
256. Shedden, Alex. A.	328. Berntsen Alex. J.	400. Summers, Sidney R.	472. Browning, Jos.
257. Hirtle, Wallace	329. Kelway, George	401. Barnes, John S.	473. Bonner, Henry J.
258. Alazia, John	330. Evans, John D. C.	402. Aldridge, Ernest J.	474. May, Alfred M. W.
259. Berntsen, Stanley G.	331. Poole, Charles	403. Hirtle, J. R.	475. Clarke, John H. A.
260. Henrickson, Albert	332. Perry, George	404. Hills, William	476. Gleadell, Ernest C.
261. Harvey, William	333. Summers, Vere F.	405. Shade, Harry	477. Goss, James
262. McKay, Richard	334. Smith Andrew C.	406. Buse, F.	478. Browning, Jas S.
263. Phillips, Jesse	335. Allan, Chas. G.	407. McKay, David	479. Sornsen, C. Ed.
264. McLeod, Archibald	336. Creece, Martin G.	408. Hutchinson, W. J.	480. Henrickson, C. W.
265. Middleton, James	337. Hardy, Herbert H.	409. Peck Betts, James	481. Smith, William
266. Smith, John F.	338. Henrickson, Martin	410. Biggs, Wm. Jas	482. Biggs, Herbert P.
267. Morrison, Murdo	339. Biggs, Eric G. J.	411. Hutchinson, Keith R.	483. Felton, A. A.
268. Hardy, A. L.	340. Kirk, William J.	412. Campbell, Ray	484. Dixon, E. V.
269. Paulini, Ralph	341. Watts Jas.	413. Kiddle, Alb. S.	485. White, Frank
270. Stacey, David C.	342. Miller, Sidney	414. Davis Fred. S.	486. Biggs, Arthur S. L.
271. Nicholson, Leslie H.	343. Paice, E. R. B.	415. Coleman, Fred. A.	487. Bowles, W. J.
272. Lellman, Edward F.	344. Lellman, Victor J.	416. Wagborn, Harry	488. Hills, Albert R.
273. Hirtle, E. R.	345. Turner, John	417. Gleadell, W. G.	489. Sedgwick, H. H.
274. Bonner, A. M., (Jr.)	346. Jones, Ivor Hugh	418. Aldridge, Thomas G.	490. Blyth, John
275. Shorey, William	347. Parrin, N. G.	419. Skilling, John O.	491. Halliday, J. A. L.
276. Shackel, Alex.	348. McLaren, Reuben	420. Browning, Wm. C.	492. Aldridge, L. W.
277. McLeod, John	349. Blyth, Alfred John	421. Allan, W. J.	493. Dettleff, Henry
278. Morrison, Wm.	350. Finlayson, Alex. Jas.	422. Smith, Geo. D.	494. Hansen, Rupert
279. Peck, Bert H.	351. Buckley, Philip E.	423. Rowlands, Jas. H.	495. Goss, J. N.
280. Hannaford, R. H.	352. Andreason, S. V. Y.	424. White, J. W.	496. Lellman, Albert F. F.
281. Evans, M. E.	353. Kelway, Edward G.	425. Biggs, Des. V. A.	497. Reive, William J.
282. Grierson, W. J.	354. Robson, Edward	426. Luxton, Stan. C.	498. Lyse, Markham O.
283. Cartmell, Henry G.	355. Smith, Percy S.	427. Sedgwick, A.	499. Wallin, Richard
284. Sornsen, G. A.	356. Aldridge, Harold J.	428. Newing, George	500. Napier, Herbert M.
285. Goodwin James	357. Goodwin, Thos. Jas.	429. Berntsen, Nat.	501. Harries, John J.
286. McKenzie, Alex. (Jr.)	358. Berntsen, Ed. F.	430. Allan, Hector	502. McCarthy, M. Jnr.
287. Summers, Alex. W.	359. Anderson, Henry J.	431. Cletheroe, Alb. R.	503. Watts, Walter
288. Anderson, Jas. A.	360. Summers, E. N.	432. Jennings, Henry G.	504. Aiken, John
289. McKay, James J.	361. Bundes, Jeff.	433. Browning, Henry	505. McKay, Thomas
290. Summers, Albert	362. Lees, David	434. Peck, Andrew	506. McLeod, Lachlan
291. Biggs, Hubert	363. Pearson, George	435. Sedgwick, Bertram	507. Sedgwick, L. A.
292. Carey, Chas. W.	364. McGill, John	436. Bonner, Fred	508. Hardy, Thomas
293. Barnes, Richard	365. Bennett, Harold	437. Jones, Sidney J.	509. Hills, G. N.
294. Morrison, Wm. A.	366. Summers, E. V.	438. Atkins, Stanley P.	510. Bonner, Richard L.
295. Anderson, Peter	367. Aldridge, Stephen	439. Skilling, Chas. R.	511. Berntsen, Bernard E.
296. Stewart, H. W. A.	368. Goodwin, John	440. Cletheroe, Leslie	512. Watson, D. R.
297. Johnson, Victor	369. Watts, Jas.	441. Atkins, Richard	513. Betts, C. S.
298. Hookings, Alfred	370. Kirk, John Albert	442. Clifton, Albert	514. Etheridge, Alex S.
299. Bradfield, Chas. H.	371. Biggs, Carl P.	443. Clark, James	515. Biggs, Alex M.
300. Morrison, Roderick J.	372. Halliday, John J.	444. McGill, K.	516. Alazia, William C.
301. Reive, Peter	373. Bonner, Bruce	445. Lindenberg, J. E. T.	517. Paulini, George L.
302. Goodwin, William	374. Stewart, W. H.	446. Brechin, Gregor	518. Skilling Percival
303. Short, Richard F.	375. Cletheroe, Stanley	447. McLeod, Donald J.	519. Barnes, Fred W.
304. Smith, Jas. H.	376. Summers, Walter J.	448. Kiddle, Robert	520. Bonner, Andreas
305. Kiddle, Stephen H.	377. Jennings, F. G. J.	449. Grant, Reg. L.	521. Clifton, James
306. Robson, Walter C.	378. Peck, Jas P.	450. Duffin, Harry	522. Grant, Louis
307. Martin, Geo. A.	379. Miller, John	451. Betts, A. J.	523. Barnes, Sylvester
308. Hardy, Fred J.	380. Bennett, George A.	452. Aldridge, Sidney G.	524. Kelway, Fred A.

Jury List continued :—

525. Challen, Gordon L.	545. Gleadell, Bertram	565. Clifton, Jos. E.	585. Johnson, S. H.
526. Ryan, John S.	546. Jones, John F. C.	566. Scott, William E.	586. Goodwin, David
527. Rowlands, Conrad	547. McAtasney, William	567. Morrison, Donald J.	587. Dettleff, Jas.
528. Summers, Alfred D.	548. Petterssen, John S. P.	568. Ratcliffe, Howard	588. Hooley, T. V.
529. Dettleff, Thomas O.	549. Yates, Robert	569. Allan, Frederick	589. Binnie, Nesbit
530. Biggs, Martin W. H.	550. Sedgwick, Wm. H.	570. Ratcliffe, Jas.	590. Nunn, Henry
531. Meirhoffer, George	551. King, Fred H.	571. Lee, Jas. W. T.	591. Blyth, Jas.
532. Mercer, Alex.	552. Summers, Aubrey V.	572. Ferguson, John	592. Petterssen, A. R. A.
533. Bowles, G. E.	553. Lehen, Dennis	573. Clifton, Chas	
534. Watson, Wm. H. C.	554. Anderson, Louis	574. Lee, Phillip R.	
535. Smith, Jas A.	555. Johnson, Howard W.	575. Perry, W. J.	
536. Faria, Joseph	556. Harris, W. C. H. G.	576. Short, George Chas.	
537. Bender, Sidney C.	557. Summers, Leslie W.	577. Duncan, Howard E.	
538. Bonner, Albert	558. Barnes, Frank	578. Betts, F. C.	
539. Reive, Robert	559. Smith, Jas.	579. Anderson, Thos.	
540. Kirk, W. E.	560. Bradbury, Cecil	580. Halliday, Guy P.	
541. Newman, St. Joseph	561. Hansen, George	581. Johnson, Eric Thos.	
542. Crawford, Ed. S.	562. Blyth, Alex. L.	582. Pitaluga, Jas. A.	
543. Lellman, F. T.	563. Morrison, Norman	583. Anderson, John	
544. Aldridge, W. T.	564. Porter, Howard	584. May, Horace	



The Falkland Islands Gazette

Published by Authority.

VOL. XLIX.

FEBRUARY 1, 1940.

No. 2.

GOVERNMENT NOTICES.

No. 1. Colonial Secretary's Office,
Stanley, Falkland Islands.
2nd January, 1940.

With reference to Government Notice No. 24 of the 25th April, 1939, it is hereby notified for general information that

MR. G. L. CHALLEN.

General Foreman of Works, Public Works Department, was absent on vacation leave from the 25th April to the 4th December, 1939, both dates inclusive.

By Command,

M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P. L/84.

No. 2. Colonial Secretary's Office,
Stanley, Falkland Islands.
2nd January, 1940.

His Excellency the Governor has been pleased to appoint

MISS EDNA HIRTLE,

Clerk, Grade IV, in the public service of the Colony, to be temporarily and provisionally,

Clerk, Grade III, with effect from the 1st of September, 1939.

By Command,

M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P. P/174.

No. 3. Colonial Secretary's Office,
Stanley, Falkland Islands,
4th January, 1940.

The following list of Ministers of Religion who have been registered as Ministers for celebrating marriages, is published in accordance with the provisions of Section 6 of the Marriage Ordinance, 1902 :—

The Right Reverend John Reginald Weller	Lord Bishop of the Falkland Islands.
The Reverend Gerald K. Lowe	Senior Chaplain of Christ Church Cathedral.
The Reverend Hugh Drumm	Priest in Charge of St. Mary's Church.
Pastor Walter Forrest McWhau	Minister of the Non-Conformist Church.
Pastor Ernest John Brain	Minister of the Non-Conformist Church.

By Command,

M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P. 20/28.

No. 4. Colonial Secretary's Office.
Stanley, Falkland Islands.
8th January, 1940.

The following list containing the names and qualifications of Medical Practitioners, Midwives and Dentists, registered to practice in the Colony and the Dependencies is published in accordance with Section 3 of the Medical Practitioners, Midwives and Dentists Ordinance, 1914.

By Command,

M. C. CRAIGIE-HALKETT.

Colonial Secretary.

M.P. 21/28.

A. REGISTERED TO PRACTISE IN THE COLONY
AND DEPENDENCIES.

Name.	Qualification.	Date of Qualification
<i>Medical Practitioners</i>		
Kinneard, George	M.D., M.C.P. & S. (Man.) C.P.H. (Johns Hopkins) Cert. L.S.H. & T.M.	1922. 1933. 1929.
Cowan, David Kellock	L.R.C.P. & S. (Edin.) L.D.S., R.C.S. (Edin.)	1931.
Dunlop Eric Fergus John	M.B., Ch.B. (Edin.) Dip. T.D.D. Wales	1929. 1933.
Dowds, John Alexander	M.B. Ch.B. B.A.O.	1939.
<i>Dental Surgeon.</i>		
Still, William Henry Roland	L.D.S., R.C.S. (Eng.)	1936.
<i>Midwives.</i>		
Gowans, Mary F.	Certified Midwife	1935.
Henricksen, Agnes	Certified Midwife	1929.

B. REGISTERED TO PRACTISE IN THE
DEPENDENCIES.

<i>Medical Practitioners</i>		
Will, Peder	Diploma of University of Christiania.	1902.
Sverdrup, Harald Ulrik	do.	1917.
Longva, Bernt Peder Berntsen	do.	1925.
Refsum, Erling	University of Norway.	1927.
Augensen, Kaare	Doctor of Medi- cine, Fredrick's University of Oslo, Norway.	1920.
Shand, Peter Kenneth	M.B., Ch.B., (Edin.)	1928.
Horne, Falk	Doctor of Medi- cine, Fredrick's University of Oslo, Norway.	1931.
Baltzern, Rolf	do.	1933.
Vold, Haakon Ingier	do.	1932.

No. 5. Colonial Secretary's Office,
Stanley, Falkland Islands.
8th January, 1940.

It is hereby notified, for general information, that on the following dates in 1940 the Public Offices will be closed :-

New Year's Day	Monday, 1st January.
Good Friday	Friday, 22nd March.
Easter Monday	Monday, 25th March.
Empire Day	Friday, 24th May.
King's Birthday	Thursday, 13th June.
August Holiday	Monday, 5th August.
Christmas Holidays	Wednesday, 25th December. Thursday, 26th December. Friday, 27th December.

By Command,

M. C. CRAIGIE-HALKETT.

Colonial Secretary.

M.P. 291/33.

No. 6. Colonial Secretary's Office,
Stanley, Falkland Islands.
8th January, 1940.

It is hereby notified, for general information, that

MR. R. H. HANNAFORD.

acted as Superintendent of the Stanley Volunteer Fire Brigade, during the absence on leave of Mr. G. L. Challen, from the 25th April to 4th December, 1939, both dates inclusive.

By Command,

M. C. CRAIGIE-HALKETT.

Colonial Secretary.

M.P. 73/36.

No. 7. Colonial Secretary's Office,
Stanley, Falkland Islands.
9th January, 1940.

His Excellency the Governor directs it to be notified, for general information, that intimation has been received from the Right Honourable the Secretary of State for the Colonies to the effect that His Majesty will not be advised to exercise his power of disallowance in respect of the following Ordinances of the Legislature of the Falkland Islands :-

Ordinance No. 5 of 1939, entitled "An Ordinance to legalize certain payments made in the year One thousand Nine hundred and Thirty-eight in excess of the Expenditure sanctioned by Ordinance No. 3 of 1937."

Ordinance No. 7 of 1939, entitled "An Ordinance to repeal the Workmen's Compensation Ordinance, 1936, and to amend the Workmen's Compensation Ordinance, 1937."

Ordinance No. 8 of 1939, entitled "An Ordinance to control Telegraphy and similar methods of communication."

By Command,

M. C. CRAIGIE-HALKETT.

Colonial Secretary.

M.P's. 73/39., 489/27. & 59/39.

No. 8. Colonial Secretary's Office,
Stanley, Falkland Islands.
22nd January, 1940.

Under the provisions of the Public Health Ordinance, No. 5 of 1894, as amended by the Public Health (Amendment) Ordinance, No. 7 of 1937, His Excellency the Governor has been pleased to appoint

The Honourable the Senior Medical Officer, <i>President</i>	} <i>Ex-officio members.</i>
The two Medical Officers	
The Executive Engineer	
The Honourable V. A. H. Biggs, J.P.	
Mr. F. G. Langdon, J.P.	
Mr. H. C. Harding, J.P.	
Mrs. C. Henriksen	

to be members of the Board of Health for the Colony of the Falkland Islands for the year, 1940.

By Command,

M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P. 600/29.

No. 9. Colonial Secretary's Office,
Stanley, Falkland Islands.
22nd January, 1940.

Under the provisions of Section 3 of the Stanley Rating Ordinance, 1928, His Excellency the Governor has been pleased to appoint :-

The Executive Engineer (*Chairman*)
The Officer-in-Charge of the Treasury
The Honourable V. A. H. Biggs, J.P.
Mr. W. H. Sedgwick
Mr. G. L. Challen

to be Members of the Board of Assessors for the year 1940.

By Command,

M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P. 597/29.

PROBATE NOTICE.

In the Supreme Court of the Falkland Islands.

Ernest Arthur Dettleff of Stanley, Falkland Islands, deceased.

Whereas Harry Dettleff, of Stanley, Falkland Islands, a brother of the above-named deceased, has applied for Letters of Administration to administer the Estate of deceased.

These are therefore to warn the next-of-kin and the creditors that the prayer of the Petitioner will be granted provided no caveat be entered in the Supreme Court within twenty-one days of the date hereof.

The deceased died leaving no Will.

W. D. A. JONES,
Registrar, Supreme Court.

Stanley, Falkland Islands,

3rd January, 1940.

S.C. 20/39.

No. 1.

Proclamation

1940.

H. HENNIKER HEATON,
Governor.

In virtue of the powers in me vested by the Customs Ordinance, 1903, as amended by the Customs (Amendment) Ordinance, 1933, and otherwise, I, SIR HERBERT HENNIKER HEATON, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies, do proclaim and order and it is hereby proclaimed and ordered as follows :—

Proclamation, No 1 of 1936, made by me on the 2nd day of September, 1936, prohibiting the export, including re-export, to Spain of arms and war materials, aeroplanes, aeroplane motors separate parts thereof, and munitions, is hereby repealed.

Given at Government House, Stanley, this 10th day of January, 1940.

By His Excellency's Command,
M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P. 83/33.

LEGISLATIVE COUNCIL

Minutes of Meeting held on 28th December, 1939.

1. The minutes of the meeting held on the 5th of December, 1939, were confirmed.
2. The Honourable the Colonial Secretary moved and the Honourable the Senior Medical Officer seconded, the *first* reading of the Bill "To impose a Tax upon Incomes and to Regulate the Collection thereof".

On further motion made and seconded the Standing Orders were suspended and the Bill was read a *second* time and committed.

Clauses 1 to 85 were agreed to.

The Schedules were agreed to.

The Enacting Clause and Title were agreed to.

The Council resumed.

The Bill was then read a *third* time and passed.

The Council adjourned *sine die*.

A Bill

To amend the Law relating to Marriage and Divorce.

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

Enacting Clause.

1. This Ordinance may be cited as “The Matrimonial Causes Ordinance, 1938.”

Short Title.

2. (i) The Supreme Court hereinafter called “the Court” shall have jurisdiction to make decrees of divorce, of nullity of marriage and of judicial separation in accordance with the provisions of this Ordinance.

Jurisdiction.

(ii) Such jurisdiction shall extend—

- (a) in proceedings for divorce and nullity of marriage, to cases in which the parties to the marriage are domiciled in the Falkland Islands.
- (b) in proceedings for judicial separation, to cases in which the parties to the marriage are domiciled or resident in the Falkland Islands at the time of the institution of the suit.

(iii) In the exercise of such jurisdiction the Court shall subject to the provisions of this Ordinance act and give relief on principles which in the opinion of the Court are as nearly as may be conformable to the principles on which the High Court of Justice in England acts and gives relief in Matrimonial Causes.

DISSOLUTION OF MARRIAGE.

3. A petition for divorce may be presented to the Court either by the husband or wife on the ground that the respondent—

Grounds of petition for divorce.

- (a) has since the celebration of marriage committed adultery; or
- (b) has deserted the petitioner without cause for a period of at least three years immediately preceding the presentation of the petition; or
- (c) has since the celebration of the marriage treated the petitioner with cruelty; or
- (d) is to the satisfaction of the Court incurably of unsound mind and has been continuously under care and treatment for a period of at least five years immediately preceding the presentation of the petition;

and by the wife on the ground that her husband has since the celebration of the marriage been guilty of rape, sodomy or bestiality.

Definition of "care and treatment" in relation to insanity.

4. For the purposes of the preceding section a person of unsound mind shall be deemed to be under care and treatment while he is detained in pursuance of any order made under the provisions of the Lunacy Ordinance, 1894.

Duty of Court on presentation of petition for divorce.

5. (1) On a petition for divorce it shall be the duty of the Court to enquire, so far as it reasonably can, into the facts alleged and whether there has been any connivance or condonation on the part of the petitioner and whether any collusion exists between the parties and also to enquire into any countercharge which is made against the petitioner.

(2) If the Court is satisfied on the evidence that -

- (i) the case for the petitioner has been proved; and
- (ii) where the ground of the petition is adultery, the petitioner has not in any manner been accessory to, or connived at, or condoned the adultery, or where the ground of the petition is cruelty the petitioner has not in any manner condoned the cruelty; and
- (iii) the petition is not presented or prosecuted in collusion with either the respondent or the co-respondent;

the Court shall pronounce a decree of divorce, but if the Court is not satisfied with respect to any of the aforesaid matters it shall dismiss the petition :

Provided that the Court shall not be bound to pronounce a decree of divorce and may dismiss the petition if it finds that the petitioner has been guilty of unreasonable delay in presenting or prosecuting the petition or during the marriage been guilty of adultery or where the ground of the petition is adultery or unsoundness of mind or desertion the petitioner has been guilty of such wilful neglect or misconduct as has conduced to the adultery or unsoundness of mind or desertion.

Husband may claim damages from adulterer.

6. (i) Any husband may, either in a petition for divorce or for judicial separation or in a petition to the Court limited to such object only, claim damages from any person on the ground of his having committed adultery with the wife of such petitioner.

(ii) Such petition shall be served on the alleged adulterer and the wife, unless the Court dispenses with such service or directs some other service to be substituted.

(iii) The damages to be recovered on any such petition shall be ascertained by the said Court, although the respondents or either of them may not appear.

(iv) After the decision has been given the Court may direct in what manner such damages shall be paid or applied.

7. (1) Whenever in any petition presented by a husband the alleged adulterer has been made a co-respondent and the adultery has been established, the Court may order the co-respondent to pay the whole or any part of the costs of the proceedings. Costs against co-respondent.

(2) The co-respondent shall not be ordered to pay the petitioner's costs –

- (a) if the respondent was at the time of the adultery living apart from her husband and leading the life of a prostitute; or
- (b) if the co-respondent had not at the time of the adultery reason to believe the respondent to be a married woman.

8. In any suit instituted for divorce in which on the petition of a husband the alleged adulterer is made a co-respondent or in which on the petition of a wife the person with whom the husband is alleged to have committed adultery is made a respondent, the Court may, after the close of the evidence for the petitioner, direct the co-respondent or the respondent, as the case may be, to be dismissed from the proceedings if the Court is of opinion that there is not sufficient evidence against him or her. Dismissal of co-respondent or respondent from proceedings.

9. In any suit instituted for divorce if the respondent opposes the relief sought on the ground of the adultery, cruelty or desertion without reasonable excuse of the petitioner, the Court may in such suit give the respondent, on his or her application, the same relief to which he or she would have been entitled in case he or she had presented a petition seeking such relief. Grant of relief to respondent if petition opposed.

NULLITY OF MARRIAGE.

10. Any husband or wife may present a petition to the Court praying that his or her marriage may be declared null and void. Petition for nullity of marriage.

11. (1) Such decree may be made on any of the following grounds – Grounds of decree.

- (a) that the respondent was impotent at the time of the marriage and at the time of the institution of the suit ;
- (b) that the parties are within the prohibited degrees of consanguinity or affinity, whether natural or legal ;
- (c) that the former husband or wife of either party was living at the time of the marriage and the marriage with such former husband or wife was then in force ;
- (d) that the consent of either party to the marriage was obtained by force or fraud in any case in which the marriage might be annulled by the law in England ;
- (e) that the marriage has not been consummated owing to the wilful refusal of the respondent to consummate the marriage ;
- (f) that either party was of unsound mind at the time of the marriage ;
- (g) that the respondent was at the time of the marriage suffering from venereal disease in a communicable form ;
- (h) that the respondent was at the time of the marriage pregnant by some person other than the petitioner ;

- (j) that the marriage is invalid by the law of the Colony.

Provided that in the cases specified in paragraphs (f), (g) and (h) of this sub-section the Court shall not grant a decree, unless it is satisfied—

- (i) that the petitioner was at the time of the marriage ignorant of the facts alleged;
- (ii) that proceedings were instituted within a year from the date of the marriage;
- (iii) that marital intercourse with the consent of the petitioner has not taken place since the discovery by the petitioner of the grounds for a decree:

(2) Any child born of a marriage avoided pursuant to sections (d), (f) or (g) of the last foregoing sub-section shall be a legitimate child of the parties thereto notwithstanding that the marriage is so avoided and any child born of a marriage avoided pursuant to section (c) shall be a legitimate child of the parties where it is adjudged that the subsequent marriage was contracted in good faith and with the full belief of the parties that the former husband or wife was dead, notwithstanding that the marriage is so avoided.

DECREE ABSOLUTE.

When decree is to be made absolute.

12. (1) A decree of divorce or nullity of marriage may be made absolute after the expiration of such time, not less than three months from the pronouncing thereof, as is prescribed or as is fixed by the Court in any suit.

(2) During that period any person may in such manner as is prescribed or as is directed by the Court in any suit, shew cause why the decree should not be made absolute by reason of the same having been obtained by collusion or by reason of material facts not being brought before the Court.

(3) On cause being so shewn the Court shall make the decree absolute, or reverse the decree nisi, or require further inquiry or otherwise deal with the case as justice demands.

(4) The Court may order the costs arising from such cause being shewn to be paid by such parties or such one or more of them including a wife if she has separate property, as it thinks fit.

(5) When a decree nisi has been made and the petitioner fails to move within a reasonable time to have such decree made absolute, the Court may dismiss the suit.

PRESUMPTION OF DEATH.

Proceedings for decree of presumption of death and divorce.

13. (1) Any married person who alleges that reasonable grounds exist for supposing that the other party to the marriage is dead may present a petition to the Court to have it presumed that the other party is dead and to have the marriage dissolved, and the Court, if satisfied that such reasonable grounds exist, may make a decree of presumption of death and of divorce.

(2) In any such proceedings the fact that for a period of seven years or upwards the other party to the marriage has been continually absent from the petitioner, and the petitioner has no reason to believe that the other party has been living within that time, shall be evidence that he or she is dead unless the contrary be proved.

JUDICIAL SEPARATION.

14. The Court may make a decree of judicial separation on the petition of either the husband or the wife on any ground upon which it may make a decree of divorce. Grounds for judicial separation.

15. (1) The property of a wife who at the time of her death is judicially separated from her husband shall in case she dies intestate, devolve as if her husband had been then dead. Property of wife after judicial separation.

(2) Where, upon any such judicial separation, alimony has been decreed or ordered to be paid to the wife and the same is not duly paid by the husband he shall be liable for necessaries supplied for her use.

(3) Nothing in this section shall prevent the wife from joining, at any time during such separation, in the exercise of any joint power held by herself and her husband.

16. The Court shall have power on due cause being shewn to reverse a decree of judicial separation. Power to reverse a decree.

ALIMONY.

17. (1) In any suit under this Ordinance the wife may present a petition for alimony pending the suit. Alimony *pendente lite*.

(2) Such petition shall be served on the husband and the Court may make such order on the husband for payment to the wife of alimony as it deems just.

18. The Court may, if it shall see fit, on any decree absolute for divorce or for nullity of marriage or on any decree of judicial separation obtained by the wife order that the husband shall secure to the wife such gross sum of money, or such annual sum of money for any term not exceeding her life, as, having regard to her fortune, if any, to the ability of the husband, and to the conduct of the parties it shall deem reasonable, or the Court may make an Order on the husband for the payment to the wife during their joint lives of such monthly or weekly sum for her maintenance and support as the Court may think reasonable. Permanent Alimony.

Provided always that if the husband shall from any cause become unable to make such payments, it shall be lawful for the Court to discharge or modify the Order or temporarily to suspend the same as to the whole or any part of the money so ordered to be paid, and again to revive the same Order wholly or in part, as to the Court shall seem fit.

CUSTODY OF CHILDREN.

19. The Court after a final decree of judicial separation, nullity of marriage, or divorce, may, upon application by petition for this purpose, make from time to time all such orders and provisions with respect to the custody maintenance and education of the children, the marriage of whose parents was the subject of the decree or for placing such children under the protection of the Court, as the Court shall see fit. Custody of Children.

Provided that the term for which any sum of money is secured for the benefit of a child shall not extend beyond the date when the child will attain twenty-one years of age.

PROCEDURE.

20. Subject to the provisions herein all proceedings under Procedure.

this Ordinance shall be regulated by the Administration of Justice Ordinance, 1901.

Sittings in camera.

21. The whole or any part of any proceeding under this Ordinance may be heard, if the Court thinks fit, within closed doors.

Coming into force.

22. This Ordinance shall come into force on a day to be fixed by the Governor by Proclamation in the Government Gazette.

Passed by the Legislative Council this day of
 , 1940.

Clerk of the Legislative Council.

Assented to by the Governor and given under the Public Seal of the Colony this day of , 1940.

Colonial Secretary.

Comparative statement of the Estimated and Actual Revenue and Expenditure under various Heads for the Dependencies for the Three Quarters ended 30th September, 1939.

REVENUE.

Receipts.	£ Estimated 1939.	Amount received to 30th Sept., 1939.	Receipts for same period, 1938.	More than £ estimated 1939.	Less than £ estimated 1939.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1. Customs Duties :					
(a) Imports	397 10 0	42 6 2	54 7 11	.....	355 3 10
(b) Exports	8850 0 0	8071 7 6	5934 3 4	.....	778 12 6
2. Port & Tonnage Dues	150 0 0	160 0 0	120 0 0	10 0 0	.....
3. Internal Rev. Licences	870 0 0	157 15 0	157 5 0	.....	712 5 0
4. Fees, Fines, etc.	341 5 0	269 5 0	268 14 4	.....	72 0 0
5. Rents ...	1125 0 0	500 0 0	1 0 0	.....	625 0 0
6. Miscellaneous	7 10 0	2851 9 5	.....	2843 19 5	.....
Total Ordinary Revenue £	11741 5 0	12052 3 1	6535 10 7	2853 19 5	2543 1 4
Research Fund		6873 1 4			
£		18925 4 5			

Surplus of Assets on 1st January, 1939.

Research Fund ... £200666 17 5
£200666 17 5.

EXPENDITURE.

Payments.	£ Estimated 1939.	Amount paid to 30th Sept., 1939.	Payments for same period, 1938.	More than £ estimated 1939.	Less than £ estimated 1939.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1. Personal:-					
South Georgia	1473 0 0	1396 13 0	1431 2 5	.....	76 7 0
General	153 15 0	62 10 0	80 12 11	.....	91 5 0
2. Other Charges:-					
(a) South Georgia	532 10 0	406 7 2	503 11 3	.....	126 2 10
(b) South Shetlands	15 0 0	.....	.....	.....	15 0 0
General	7593 15 0	8338 3 2	6261 12 3	744 8 2	.....
Total Ordinary Expenditure	9768 0 0	10203 13 4	8276 18 10	744 8 2	308 14 10
3. Extraordinary:-					
(a) South Georgia	.....	.....	.....	.....	.....
(b) South Shetlands	.....	.....	.....	.....	.....
Miscellaneous	.....	.....	.....	.....	.....
£	9768 0 0	10203 13 4	8276 18 10	744 8 2	308 14 10
5. Research Fund		24051 18 4			
Total Expenditure ...		£ 34255 11 8			

Surplus of Assets on 30th September, 1939.

Research Fund ... £183488 0 5.
General Account ... £ 1848 9 9.
£185336 10 2.

Examined,
A. R. HOARE,
Local Auditor.

W. D. A. JONES,
for Colonial Treasurer.

**Comparative statement of the Estimated and Actual
the Falkland Islands for the Three
REVENUE.**

RECEIPTS.	Estimated 1939.	Amount received to 30th Sept., 1939.	Receipts for same period, 1938.	More than estimated, 1939.	Less than estimated, 1939.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Balance on 1st Jan., 1939	.....	5492 19 9	.....	.....	.....
1. Customs Duties	10687 10 0	10493 15 2	13564 4 6	.....	193 14 10
2. Port Dues	123 15 0	74 13 0	86 13 0	.....	49 2 0
3. Internal Revenue	1233 15 0	1249 11 1	1196 10 5	15 16 1	.....
4. Fees, Fines, &c.	2298 15 0	1945 15 3	3069 0 2	.....	352 19 9
5. Interest	10912 10 0	10118 19 9	9975 2 5	.....	793 10 3
6. Post Office	2025 0 0	973 10 5	15702 17 9	.....	1051 9 7
7. Telegraphs & Telephones	1921 10 0	1564 11 6	1583 6 3	.....	356 18 6
8. Rents	945 0 0	628 1 2	796 8 0	.....	316 18 10
9. Miscellaneous	6720 0 0	9048 6 0	1770 17 4	2328 6 0	.....
10. Contribution from Dependencies	4500 0 0	5851 9 5	3500 0 0	1351 9 5	.....
Total Ordinary Rev. Falklands	41367 15 0	41948 12 9	51244 19 10	3695 11 6	3114 13 9
Land Sales Fund	2834 5 0	6515 3 7	3037 6 9	3680 18 7	.....
Marine Insurance Fund	140 5 0	193 6 11	190 1 0	53 1 11	.....
Reserve Fund	.....	.....	16000 0 0	.....	.....
Total ... £	44342 5 0	48657 3 3	70472 7 7	7429 12 0	3114 13 9
Dependencies Revenue	.....	12052 3 1	Surplus of Assets 1st January, 1939.		
Research Fund	.....	6873 1 4			
Investments Realized	.....	101308 13 11	Land Sales Fund ... £265265 11 8 General Revenue balance a/c 15543 7 5 £280808 19 1		
Farm & Building Loans	.....	759 6 8			
Advances Repaid	.....	1422 15 6			
Deposits Received	.....	57555 0 8			
Remittances Received	.....	43688 12 10			
Total	£	272316 17 3			
Balance brought down 1st January, 1939	£	5492 19 9			
Total	£	277809 17 0			

Distribution of Cash Balance 1st January, 1939 :—

Colonial Treasury	£3450 3 3
Crown Agents	1735 3 9
South Georgia	307 12 9

£5492 19 9.

Examined.

A. R. HOARE.

Local Auditor.

M.P. 172/31.

Revenue and Expenditure under various Heads for
Quarters ended 30th September, 1939.

EXPENDITURE.

PAYMENTS.	£ Estimated, 1939.			Amount paid to 30th Sept., 1939.			Payments for same period 1938.			More than £ estimated, 1939.			Less than £ estimated, 1939.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1. Pensions ...	1552	10	0	1927	11	11	1121	7	5	375	1	11	.....	
2. The Governor ...	2024	5	0	2059	6	2	2029	9	7	35	1	2	.....	
3. Colonial Secretary ...	2073	15	0	1915	3	8	1949	13	2	.....			158	11	4
4. Treasury & Customs ...	1125	0	0	788	18	2	1275	16	8	.....			336	1	10
5. Audit ...	193	10	0	262	0	0	101	14	6	68	10	0	.....	
6. Post Office ...	2590	10	0	1815	1	2	2543	18	4	.....			775	8	10
7. Wireless & Electrical ...	2627	5	0	2564	14	4	2568	19	0	.....			62	10	8
8. Harbour ...	826	10	0	876	10	11	769	9	4	50	0	11	.....	
9. Legal ...	138	15	0	272	2	9	91	16	0	133	7	9	.....	
10. Police & Prisons ...	761	5	0	795	16	7	694	4	4	34	11	7	.....	
11. Medical ...	4923	0	0	4390	15	6	4042	16	2	.....			532	4	6
12. Education ...	2349	0	0	2387	12	4	1989	19	11	38	12	4	.....	
13. Ecclesiastical ...	216	15	0	153	0	0	153	0	0	.....			63	15	0
14. Naturalist ...	97	10	0	112	13	10	32	11	9	15	3	10	.....	
15. Military ...	1382	5	0	1503	9	4	714	13	5	121	4	4	.....	
16. Agriculture ...	5001	0	0	7818	3	8	5187	8	9	2817	3	8	.....	
17. Miscellaneous ...	4166	5	0	4507	12	6	5722	11	2	341	7	6	.....	
18. Public Works Department	2531	5	0	2258	4	9	2579	13	10	.....			273	0	3
19. Public Works Recurrent	5212	10	0	5476	12	5	10441	6	3	264	2	5	.....	
Total Ordinary Expenditure ... £	39792	15	0	41885	10	0	44010	9	7	4294	7	5	2201	12	5
20. Public Works Extraordinary	1547	5	0	2162	8	8	8070	3	4	615	3	8	.....	
Appendix Reserve Fund	.....			.....			16000	0	0	.....			.....
Military & War	.....			2013	6	6	.....			2013	6	6	.....	
Total Falklands	£ 41340	0	0	46061	5	2	68080	12	11	6922	17	7	2201	12	5
Land Sales Fund ...	.....			3663	13	8	Surplus of Assets on the 30th September, 1939.								
Dependencies Payments ...	.....			10203	13	4									
Research Fund ...	.....			24051	18	4	Land Sales Fund ... £268117 1 7								
Investments made ...	.....			60565	9	0									
Advances made ...	.....			1432	15	1	General Revenue Balance 1/1/39. £15543 7 5								
Deposits Repaid ...	.....			51378	15	8									
Remittances made ...	.....			71644	15	10	Deduct Deficit 30/9/39. 2264 2 8								
							13279 4 9								
							£281396 6 4								
Total ...	£ 269002	6	1												
Balance on 30th September, 1939 ...	8807	10	11												
Total	£ 277809	17	0												

Distribution of Cash Balance 30th September, 1939 :-

Colonial Treasury ...	£ 5095	0	11
Crown Agents ...	3589	17	8
South Georgia ...	122	12	4
	£8807	10	11.

W. D. A. JONES,
for Colonial Treasurer.

Jury List for the year 1940.

The following list of the persons liable under the provisions of the Jury Ordinance, 1901 to serve as Jurors for the year 1940 is published in accordance with the fourth section of the Ordinance.

A. R. HOARE.

Police Magistrate.

1. McAskill, John	60. Perry, Chris.	119. Anderson, Richard G.	178. Biggs, Basil W.
2. Stewart, Gordon	61. Stewart, Alex.	120. Johnson, Peter	179. Newman, Henry
3. Etheridge, Arthur	62. Skilling, Thos.	121. Newman, Wilfred L.	180. Hall, J.
4. Rutter, Arthur	63. Lang, W. A.	122. Ford, Chas. W.	181. Hewitt, James
5. Henrickson, Albert J.	64. Goodwin, James	123. Jones, William J.	182. Biggs, Alfred
6. Goodwin, Bert.	65. Anderson, Wm. J. S.	124. Cletheroe, Cyril J.	183. Lanning, George
7. Porter, Charles	66. Cheek, A. E.	125. Morrison, Stewart	184. Halliday, W. J.
8. Pearson, Robert	67. Hall, Arthur W.	126. Grant, L. J.	185. McAtasney, E. J.
9. Stewart, D. W. H.	68. McAskill, Donald W.	127. McLeod, George	186. Hills, A. H.
10. McKay, Gideon	69. Llamasa, Arthur Jas.	128. Cheek, Fred J.	187. Robson, R. L.
11. Hutchinson, E. J.	70. Pettersson, E.	129. McKenzie, William	188. Reive, J. L.
12. Betts, Allan Sturdee	71. Parring, Francis G.	130. Larsen, Richard	189. Harvey, Claude J.
13. Whitney, F. E.	72. Lee, Edwin T.	131. Middleton, James	190. Bundes, R. J. C.
14. Binnie, Jas (Jr)	73. Johnson, Fred. W.	132. Biggs, Herbert R.	191. Lefevre, H. V.,
15. McKay, George	74. Smith, John C.	133. Hollen, Henry D.	192. Halliday, S. S.
16. Turner, L. McL.	75. Lee, Alfred F.	134. Biggs, T. M. V.	193. Burridge, Walter
17. Barnes, A. Jnr.	76. Peck, A. F.	135. Betts, Keith C.	194. Smith, Ludwick C.
18. Short, Fredk. G.	77. Simpson, A. S.	136. Clifton, Jas. Henry	195. Binnie, Albert F.
19. Dickson, Chas.	78. Skilling, A. G.	137. Duncan, David John	196. Bender, J. P. K.
20. Kevill, William	79. Llamasa, G. A.	138. Jaffray, A.	197. Elliott, Birt
21. Butler, George	80. Hall, G. F.	139. Skilling, Chas. J.	198. McLeod, Murdo
22. Summers, Stanley F.	81. Kiddle, W. E.	140. Roberts, W. E.	199. Burns, William
23. Binnie, William	82. Nilsson, W.	141. McDermid, M.	200. Summers, William
24. Goodwin, John K.	83. Lansdowne, K. V. B.	142. Robson, Geo. (Jr.)	201. Duncan, William
25. McKay, Donald	84. Cletheroe, A.	143. Luxton, Markham	202. Newman, Silas
26. Summers, V.	85. McGill, M.	144. Lyse, Sidney R.	203. Duncan, Peter R.
27. Berntsen, F. G.	86. Luxton, Keith	145. Summers, E. L. G.	204. Watson, James
28. Carey, Raymond F.	87. Pole-Evans, D. M.	146. Dickson, E. T. C.	205. Anderson, Samuel
29. Jones, Chris. F.	88. Morrison, Donald E.	147. Coutts, John	206. Paulini, H. Wm.
30. Dixon, P. S.	89. Clifton, Hugh E.	148. McMillan, Ian	207. Short, John G. A.
31. Browning, David L.	90. Lellman, K. V.	149. Hollen, James J.	208. Clifton, William
32. McRae, Farquhar W.D.	91. Rowlands, W. J.	150. Sornsen, Ellis L.	209. McGill, Kenneth N.
33. Lang, John S.	92. Lee, William H.	151. Anderson, Samuel A.	210. Pearson, W.
34. Goodwin, Rupert	93. Davis, Arthur H.	152. Butler, Jos. T. J.	211. McLeod, Donald
35. Sornsen, Andrew A.	94. Llamasa, Wm. J.	153. Browning, Frederick	212. Phillips, Albert J.
36. White, William M.	95. Simpson, F. F.	154. McGill, Geoff. S.	213. Williams, S. R. H.
37. Clement, Jas. T.	96. Goodwin, Ernest	155. Noble, Arthur	214. Cartmell, William J.
38. Jones, Albert H.	97. Watson, Thos. D.	156. McRae, Donald Alex	215. McPherson, John
39. Duncan, David H.	98. Blakely, Adam K.	157. Robinson, P.	216. Jaffray, William
40. Enestrom, Edgar W.	99. Alazia, Albert F.	158. Biggs, Edward D.	217. Summers, Wm. E.
41. Halliday, Andrew J.	100. Browning, John	159. Short, George H.	218. Clement, Wickham
42. Berntsen, Lars M.	101. Earle, Arthur	160. Kiddle, Peter	219. Curran, Joseph
43. McRae, Duncan	102. Hooley, Jack C.	161. Yates, Alex.	220. Curran, Henry
44. McMillan, William	103. Bennett, Stanley	162. Robson, James	221. Bound, H. J. L.
45. Middleton, Stewart	104. Larsen, Richard	163. Halkett, Cecil M.	222. Smith, Frank
46. Hannaford, Robert F.	105. Oliver, Charles	164. Lang, Frank	223. Hills, Richard W.
47. Gilruth, Thos	106. Nilsson, W. A.	165. Davis, Benjamin C.	224. McCarthy, Charles
48. Rumbolds, R.	107. Sarney, H.	166. Rowlands, Jas. G.	225. Watson, Jas. H.
49. Parrin, M.	108. Middleton, Jas. S.	167. Biggs, Bernard Noel	226. McLeod, Donald
50. Perry, J. J.	109. Pitaluga, Arthur	168. Lyse, Charles W.	227. Gleadell, Sidney M.
51. Clifton, Thos.	110. Betts, Alan S.	169. Goss, Sidney	228. Pedersen, J. H. S.
52. Goodwin, V. S.	111. Anderson, Alfred	170. Hall, Albert H.	229. Morrison, Finlay
53. Curran, John	112. Biggs, Horace W.	171. Blyth, Fredk J. K.	230. Stewart, S. A.
54. Sprules, Gilbert E.	113. Halliday, J. H.	172. Perry, Jas. J.	231. Middleton, David
55. Jennings, Clifford W.	114. Parrin, W.	173. McAtasney, Brian N.	232. Bain, Alex
56. Lee, Henry J.	115. Newing, Walter	174. King, Alf. B.	233. Finlayson, Roderick
57. Miller, D. H.	116. Craig, Peter	175. Biggs, Edward John	234. Kiddle, Sydney B.
58. Courtney, Ray S.	117. Hardy, P. L.	176. Peck, Percy P.	235. Hollen, Thomas
59. Paice, William N.	118. Steen, R. B.	177. Biggs, Leslie E.	236. Biggs, John F.

Jury List continued :—

237. Berntsen, Alex	309. Anderson, Ludwic R.	381. Lee, Thomas F.	453. McPhee, Kenneth J.
238. Britton, William F.	310. Stewart, David G.	382. Robson, Tom	454. Davis, W. J.
239. Berntsen, Jas. L.	311. Alazia, Arthur J.	383. Porter, Arthur	455. Simpson, Geo H.
240. McMullen, John D.	312. Perry, Charles	384. Betts, William D. N.	456. Williams, John D.
241. McKay, James R.	313. Barnes, Arthur J.(Jr.)	385. Thompson, George	457. Bonner, Samuel
242. Alazia, George James	314. Reive, John	386. Fraja, Harry	458. Steel, Alex J.
243. Smith, David R.	315. Pitaluga, Alex	387. Braxton, T. N.	459. Cletheroe, John R.
244. Kiddle, Donald J.	316. Lyse, Ernest Louis	388. Hutchinson, Robt.	460. Hansen, Fred H.
245. King, Cecil F.	317. Fleuret Clovis	389. Mercer, John	461. Binnie, Horace Jas.
246. Biggs, M. W.	318. McKay, John	390. Wilson, Edward	462. Hennah, T. H. H.
247. May, Archie G. A.	319. Ashley, John R.	391. Gleadell, Jas R.	463. Osborne, John
248. Berntsen, William	320. May, Fredk. C.	392. Campbell, John M.	464. Peck, Desmond P.
249. McCarthy, William	321. Reive, George	393. Thomson, John McD.	465. Watts, John
250. McLeod, Roderick	322. Bender, Chris. P. W.	394. Myles, W. B.	466. Buse, Ralph
251. Morrison, Donald F.	323. Osborne, G. H.	395. Dettleff, Hansen	467. Paice, C. J. B.
252. Cartmell, Robert	324. Coutts, Alex.	396. Kenny, Norman D.	468. Davis, John
253. Jaffray, John S.	325. Ashley, Alfred G.	397. O'Sullivan, D. W.	469. Thompson, Harry
254. Williams, Ralph M.	326. Peck, Victor H.	398. McCullum, Allan A.	470. Paice, Nat. T.
255. Stewart, James H.	327. Campbell, Thos. W.	399. Gleadell, Frank E.	471. Biggs, Bernard C.
256. Shedden, Alex. A.	328. Berntsen Alex. J.	400. Summers, Sidney R.	472. Browning, Jos.
257. Hirtle, Wallace	329. Kelway, George	401. Barnes, John S.	473. Bonner, Henry J.
258. Alazia, John	330. Evans, John D. C.	402. Aldridge, Ernest J.	474. May, Alfred M. W.
259. Berntsen, Stanley G.	331. Poole, Charles	403. Hirtle, J. R.	475. Clarke, John H. A.
260. Henrickson, Albert	332. Perry, George	404. Hills, William	476. Gleadell, Ernest C.
261. Harvey, William	333. Summers, Vere F.	405. Slade, Harry	477. Goss, James
262. McKay, Richard	334. Smith Andrew C.	406. Buse, F.	478. Browning, Jas S.
263. Phillips, Jesse	335. Allan, Chas. G.	407. McKay, David	479. Sornsen, C. Ed.
264. McLeod, Archibald	336. Creece, Martin G.	408. Hutchinson, W. J.	480. Henrickson, C. W.
265. Middleton, James	337. Hardy, Herbert H.	409. Peck Betts, James	481. Smith, William
266. Smith, John F.	338. Henrickson, Martin	410. Biggs, Wm. Jas	482. Biggs, Herbert P.
267. Morrison, Murdo	339. Biggs, Eric G. J.	411. Hutchinson, Keith R.	483. Felton, A. A.
268. Hardy, A. L.	340. Kirk, William J.	412. Campbell, Ray	484. Dixon, E. V.
269. Paulini, Ralph	341. Watts Jas.	413. Kiddle, Alb. S.	485. White, Frank
270. Stacey, David C.	342. Miller, Sidney	414. Davis Fred. S.	486. Biggs, Arthur S. L.
271. Nicholson, Leslie H.	343. Paice, E. R. B.	415. Coleman, Fred. A.	487. Bowles, W. J.
272. Lellman, Edward F.	344. Lellman, Victor J.	416. Waghorn, Harry	488. Hills, Albert R.
273. Hirtle, E. R.	345. Turner, John	417. Gleadell, W. G.	489. Sedgwick, H. H.
274. Bonner, A. M., (Jr.)	346. Jones, Ivor Hugh	418. Aldridge, Thomas G.	490. Blyth, John
275. Shorey, William	347. Parrin, N. G.	419. Skilling, John O.	491. Halliday, J. A. L.
276. Shackel, Alex.	348. McLaren, Reuben	420. Browning, Wm. C.	492. Aldridge, L. W.
277. McLeod, John	349. Blyth, Alfred John	421. Allan, W. J.	493. Dettleff, Henry
278. Morrison, Wm.	350. Finlayson, Alex. Jas.	422. Smith, Geo. D.	494. Hansen, Rupert
279. Peck, Bert H.	351. Buckley, Philip E.	423. Rowlands, Jas. H.	495. Goss, J. N.
280. Hannaford, R. H.	352. Andreason, S. V. Y.	424. White, J. W.	496. Lellman, Albert F. F.
281. Evans, M. E.	353. Kelway, Edward G.	425. Biggs, Des. V. A.	497. Reive, William J.
282. Grierson, W. J.	354. Robson, Edward	426. Luxton, Stan. C.	498. Lyse, Markham O.
283. Cartmell, Henry G.	355. Smith, Percy S.	427. Sedgwick, A.	499. Wallin, Richard
284. Sornsen, G. A.	356. Aldridge, Harold J.	428. Newing, George	500. Napier, Herbert M.
285. Goodwin James	357. Goodwin, Thos. Jas.	429. Berntsen, Nat.	501. Harries, John J.
286. McKenzie, Alex. (Jr.)	358. Berntsen, Ed. F.	430. Allan, Hector	502. McCarthy, M. Jnr.
287. Summers, Alex. W.	359. Anderson, Henry J.	431. Cletheroe, Alb. R.	503. Watts, Walter
288. Anderson, Jas. A.	360. Summers, E. N.	432. Jennings, Henry G.	504. Aiken, John
289. McKay, James J.	361. Bundes, Jeff.	433. Browning, Henry	505. McKay, Thomas
290. Summers, Albert	362. Lees, David	434. Peck, Andrew	506. McLeod, Lachlan
291. Biggs, Hubert	363. Pearson, George	435. Sedgwick, Bertram	507. Sedgwick, L. A.
292. Carey, Chas. W.	364. McGill, John	436. Bonner, Fred	508. Hardy, Thomas
293. Barnes, Richard	365. Bennett, Harold	437. Jones, Sidney J.	509. Pitt, K. A. J.
294. Morrison, Wm. A.	366. Summers, E. V.	438. Atkins, Stanley P.	510. Bonner, Richard L.
295. Anderson, Peter	367. Aldridge, Stephen	439. Skilling, Chas. R.	511. Berntsen, Bernard E.
296. Stewart, H. W. A.	368. Goodwin, John	440. Cletheroe, Leslie	512. Watson, D. R.
297. Johuson, Victor	369. Watts, Jas.	441. Atkins, Richard	513. Betts, C. S.
298. Hookings, Alfred	370. Kirk, John Albert	442. Clifton, Albert	514. Etheridge, Alex S.
299. Bradfield, Chas. H.	371. Biggs, Carl P.	443. Clark, James	515. Biggs, Alex M.
300. Morrison, Roderick J.	372. Halliday, John J.	444. McGill, K.	516. Alazia, William C.
301. Reive, Peter	373. Bonner, Bruce	445. Lindenberg, J. E. T.	517. Paulini, George L.
302. Goodwin, William	374. Stewart, W. H.	446. Brechin, Gregor	518. Skilling Percival
303. Short, Richard F.	375. Cletheroe, Stanley	447. McLeod, Donald J.	519. Barnes, Fred W.
304. Smith, Jas. H.	376. Summers, Walter J.	448. Kiddle, Robert	520. Bonner, Andreas
305. Kiddle, Stephen H.	377. Jennings, F. G. J.	449. Grant, Reg. L.	521. Clifton, James
306. Robson, Walter C.	378. Peck, Jas P.	450. Duffin, Harry	522. Grant, Louis
307. Martin, Geo. A.	379. Miller, John	451. Betts, A. J.	523. Barnes, Sylvester
308. Hardy, Fred J.	380. Bennett, George A.	452. Aldridge, Sidney G.	524. Kelway, Fred A.

Jury List continued :—

525. Challen, Gordon L.	545. Gleadell, Bertram	565. Clifton, Jos. E.	585. Johnson, S. H.
526. Ryan, John S.	546. Jones, John F. C.	566. Scott, William E.	586. Goodwin, David
527. Rowlands, Conrad	547. McAtasney, William	567. Morrison, Donald J.	587. Dettleff, Jas.
528. Summers, Alfred D.	548. Petterssen, John S. P.	568. Ratcliffe, Howard	588. Hooley, T. V.
529. Dettleff, Thomas O.	549. Yates, Robert	569. Allan, Frederick	589. Binnie, Nesbit
530. Biggs, Martin W. H.	550. Sedgwick, Wm. H.	570. Ratcliffe, Jas.	590. Nunn, Henry
531. Meirhoffer, George	551. King, Fred H.	571. Lee, Jas. W. T.	591. Blyth, Jas.
532. Mercer, Alex.	552. Summers, Aubrey V.	572. Ferguson, John	592. Petterssen, A. R. A.
533. Bowles, G. E.	553. Lehen, Dennis	573. Clifton, Chas	593. Milne, Andres
534. Watson, Wm. H. C.	554. Anderson, Louis	574. Lee, Phillip R.	
535. Smith, Jas A.	555. Johnson, Howard W.	575. Perry, W. J.	
536. Faria, Joseph	556. Harris, W. C. H. G.	576. Short, George Chas.	
537. Bender, Sidney C.	557. Summers, Leslie W.	577. Duncan, Howard E.	
538. Bonner, Albert	558. Barnes, Frank	578. Betts, F. C.	
539. Reive, Robert	559. Smith, Jas.	579. Anderson, Thos.	
540. Kirk, W. E.	560. Bradbury, Cecil	580. Halliday, Guy P.	
541. Newman, St. Joseph	561. Hansen, George	581. Johnson, Eric Thos.	
542. Crawford, Ed. S.	562. Blyth, Alex. L.	582. Pitaluga, Jas. A.	
543. Lellman, F. T.	563. Morrison, Norman	583. Anderson, John	
544. Aldridge, W. T.	564. Porter, Howard	584. May, Horace	



The Falkland Islands Gazette

Published by Authority.

VOL. XLIX.

MARCH 1, 1940.

No. 3.

GOVERNMENT NOTICES.

No. 10. Colonial Secretary's Office,
Stanley, Falkland Islands.
6th February, 1940.

His Excellency the Governor directs the publication for general information, of the present Board of Trustees of the Stanley Cemetery, as constituted under Section 6 of the Stanley Cemetery Ordinance, 1914.

The Trustees are as follows :

Ex-officio. The Honourable the Colonial Secretary.
The Incumbent of Christ Church Cathedral.
The Priest in Charge of Saint Mary's Church in Stanley.
The Minister attached to the Baptist Church.
The Honourable D. W. Roberts, Unofficial Member of the Legislative Council.
The Honourable V. A. H. Biggs, Unofficial Member of the Legislative Council.
Appointed by the Governor. A. Newing, Esq.
T. W. Campbell, Esq.

By Command,
M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P. 749/25.

No. 11. Colonial Secretary's Office,
Stanley, Falkland Islands.
14th February, 1940.

His Excellency the Governor has been pleased to appoint

MR. RAYMOND RICE,

to be a Travelling Teacher in the Falkland Islands with effect from the 8th of February, 1940.

By Command,

M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P. P/233.

No. 12. Colonial Secretary's Office,
Stanley, Falkland Islands.
14th February, 1940.

His Excellency the Governor has been pleased to appoint

MR. EDWARD JEFFERY HAMM,

to be a Travelling Teacher in the Falkland Islands with effect from the 8th February, 1940.

By Command,

M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P. P/232.

No. 13. Colonial Secretary's Office,
Stanley, Falkland Islands.
15th February, 1940.

It is hereby notified, for general information, that His Majesty the King has been pleased to give direction for the definitive appointment of

MAJOR JAMES AUSTEN WOODGATE, A.R.I.B.A.,
as a Member of the Executive Council for a period of three years from the 2nd of October, 1939.

By Command,
M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P. 81/33.

No. 14. Colonial Secretary's Office,
Stanley, Falkland Islands.
15th February, 1940.

His Excellency the Governor directs it to be notified, for general information, that

MONSIEUR NEBIL SUREYYA AKCER,
has been appointed Consul-General of Turkey in London, with jurisdiction in the Colonies, Protectorates, and Mandated Territories the Mandate for which is exercised by His Majesty's Government in the United Kingdom, with the exception of Cyprus, Palestine and Trans-Jordan.

By Command,
M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P. 18/37.

No. 15. Colonial Secretary's Office,
Stanley, Falkland Islands,
20th February, 1940.

His Excellency the Governor has been pleased to appoint

THE HONOURABLE
GEOFFREY HAMMOND FRITH, O.B.E.
to be Financial Secretary, with effect from the 17th of January, 1940.

By Command,
M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P. P/226.

No. 16. Colonial Secretary's Office,
Stanley, Falkland Islands.
26th February, 1940.

His Excellency the Governor has been pleased to appoint

THOMAS BEATY, ESQUIRE, B.Sc.,
Inspector of Stock, to be Officer-in-Charge of the Agricultural Department, with effect from the 21st of February, 1940.

By Command,
M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P. P/220.

No. 17. Colonial Secretary's Office,
Stanley, Falkland Islands.
26th February, 1940.

It is hereby notified, for general information, that His Excellency the Governor has been pleased to confirm the appointment of

THOMAS DANIEL EVANS, ESQUIRE,
as Headmaster, Government School, Stanley, with effect from the 4th of February, 1939.

By Command,
M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P. P/152.

No. 18. Colonial Secretary's Office,
Stanley, Falkland Islands.
26th February, 1940.

His Excellency the Governor has been pleased to appoint

MISS MARY FRANCES GOWANS,
to be Nurse-Matron of the King Edward VII Memorial Hospital on probation for a period of six months, with effect from the 1st of November, 1939.

By Command,
M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P. P/223.

No. 19. Colonial Secretary's Office,
Stanley, Falkland Islands.
26th February, 1940.

With reference to Government Notice, No. 21 of the 27th of March, 1939, His Excellency the Governor has been pleased to confirm the appointment of

MR. SAMUEL HENNAH,
as a Travelling Teacher, West Falkland, with effect from the 26th of February, 1939.

By Command,
M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P. P/224.

No. 20. Colonial Secretary's Office,
Stanley, Falkland Islands.
26th February, 1940.

His Excellency the Governor directs the publication of the following grant of leave to

THE HONOURABLE D. S. A. WEIR,
Agricultural Adviser.

Vacation Leave. 7 months; inclusive of the time taken on the voyage to New Zealand, with effect from the 21st of February, 1940.

By Command,
M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P. P/190.

Order for the control of the retail sale of liquors in the town of Stanley during visits of His Majesty's Ships or Fleet Auxiliaries.

WHEREAS a National Emergency exists rendering it necessary to take steps for the control of the retail sale of liquors in the town of Stanley during the visits and stay at Port Stanley of His Majesty's Ships or Fleet Auxiliaries.

NOW THEREFORE under the authority of the Emergency (Powers) Defence Act, United Kingdom, 1939, and Part VI. of the Falkland Islands Defence Regulations, 1939, it is hereby ordered as follows :-

1. During the visits and stay at Port Stanley of His Majesty's Ships or Fleet Auxiliaries no person, company, or mercantile firm, or the agent of such company, or mercantile firm, duly licensed or authorised to sell liquors in the town of Stanley by retail shall sell such liquors on any lawful day between the hours of 1 p.m. and 9 a.m.

2. No person holding a publican's retail licence shall sell or dispose of liquors for conveyance or consumption off the premises.

Any person who refuses or fails to comply with this Order shall be liable on summary conviction to a fine not exceeding Ten pounds. On a second conviction such person shall be liable to a fine not exceeding Twenty pounds.

This Order shall remain in force for the whole duration of the war, unless in the meantime rescinded or otherwise modified.

M. C. CRAIGIE-HALKETT,
Colonial Secretary.
(Competent Authority.)

Stanley.

12th December, 1939.

M.P. 211/39.



The Falkland Islands Gazette

Published by Authority.

VOL. XLIX.

APRIL 1, 1940.

No. 4.

GOVERNMENT NOTICES.

No. 21. Colonial Secretary's Office,
Stanley, Falkland Islands.
28th February, 1940.

Under Section 7 of the King Edward Hospital Ordinance, 1916, His Excellency the Governor has been pleased to appoint the following to be the Visiting Committee for the Hospital for the year 1940 :-

MRS. J. A. WOODGATE, (*Chairman*)
MRS. J. E. HAMILTON
MRS. J. M. THOMSON,

By Command,
M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P. 596/29.

No. 22. Colonial Secretary's Office,
Stanley, Falkland Islands.
14th March, 1940.

It is hereby notified, for general information, that His Majesty the King has been pleased to give directions for the definitive appointment of

THE HONOURABLE
GEOFFREY HAMMOND FRITH, O.B.E.,
Financial Secretary, as a Member of the Executive and Legislative Councils of the Colony.

By Command,
M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P's. 41/29. & 81/33.

No. 23. Colonial Secretary's Office,
Stanley, Falkland Islands,
18th March, 1940.

DAYLIGHT SAVING.

With reference to Government Notice, No. 48 of the 19th of August, 1939, it is hereby notified, for general information, that the period determined for Daylight Saving during the current summer will expire at midnight on Saturday the 30th of March, 1940, when Stanley time will revert to the local mean.

By Command,
M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P. 492/27.

No. 24. Colonial Secretary's Office,
Stanley, Falkland Islands.
20th March, 1940.

Under the provisions of Section 3 (i) of the Falkland Islands Defence Regulations, 1939, His Excellency the Governor has been pleased to appoint

THE HONOURABLE
GEOFFREY HAMMOND FRITH, O.B.E.,
to be the Competent Authority for the purposes of dealing with matters relating to the Defence (Finance) Regulations, 1939.

By Command,
M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P. S/29/39.

No. 25. Colonial Secretary's Office,
Stanley, Falkland Islands,
23rd March, 1940.

His Excellency the Governor directs the publication for general information of the following Notes for the guidance of persons wishing to communicate with friends in enemy countries or a country in the occupation of the enemy.

By Command,

M. C. CRAIGIE-HALKETT,
Colonial Secretary.

1. Letters should be written in English or German without the address of the sender, and must contain nothing but matter of personal interest. No enclosure of the following nature is permitted - **any printed matter, map, plan, sketch, drawing, print, photograph or other descriptive or pictorial representation, or postage or revenue stamp.** No reference should be made to any phase of the war. No mention may be made in such letters of any office of Thos. Cook & Son, Ltd., at home or abroad.

2. Communications must be as brief as possible in order to avoid delay in censoring.

3. Letters must be placed in an open envelope fully addressed to the addressee.

4. The envelope containing the letter should be placed in an outer envelope and sent to the Chief Censor, Stanley, together with the name and full address of the sender **in block letters** on a separate sheet of paper, and an open addressed envelope for the forwarding of a reply, should one be received from the correspondent. The correspondent in Germany should be informed, if he wishes to send a reply, that the reply should be addressed to the sender care of Post Box 601 Amsterdam.

5. The communication must be accompanied by a fee of 2/- plus a sum sufficient to cover cost of postage to the United Kingdom. The fee of 2/- will cover

- (1) The postage of one envelope containing one communication to the neutral country from the United Kingdom.
- (2) Postage from the neutral country to the enemy country.
- (3) In case a reply is sent from the correspondent in the enemy country, the fee also includes postage from the neutral country to Messrs. Cook's Head Office.
- (4) Letters exceeding one ounce in weight will be subject to an additional charge.
- (5) Thos. Cook & Son, Ltd., undertake this transaction at the sole risk in all respects of the party requiring their services, and on the express understanding that no action will lie against them by reason of any act or default on their part or on the part of any person or agent employed by them.

(6) Money cannot be sent to Germany in letters as mentioned above, but it is possible to obtain permission from the Controller. Trading with the Enemy Branch, to send money in cases where the Authorities consider such course to be warranted. Normally such permission is only granted where the recipient is a British subject or a widow of British birth. Thos. Cook & Son, Ltd., can give information as to arrangements for obtaining licences for such remittances, and for the transmission of payments if the licence is granted.

(7) Communications for Prisoners of War (*i.e.* British and Allied Naval Military and Air Force Prisoners and civilian internees) must **not** be sent under the foregoing arrangement, but forwarded in accordance with the regulations to be obtained at any Post Office.

No. 26. Colonial Secretary's Office,
Stanley, Falkland Islands,
27th March, 1940.

His Excellency the Governor directs it to be notified, for general information, that the Right Honourable the Secretary of State for the Colonies has approved the Estimates of Revenue and Expenditure of the Colony of the Falkland Islands and its Dependencies for the year 1940.

By Command,

M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P. 135/39.

PROBATE NOTICE.

In the Supreme Court of the Falkland Islands.

Charles Percy Enestrom of Stanley, Falkland Islands, deceased.

Whereas Edgar William Enestrom, of Stanley, Falkland Islands, son of the above-named deceased, has applied for Letters of Administration to administer the Estate of deceased.

These are therefore to warn the next-of-kin and the creditors that the prayer of the Petitioner will be granted provided no caveat be entered in the Supreme Court within twenty-one days from the date hereof.

The deceased died leaving no Will.

W. D. A. JONES,
Registrar, Supreme Court.

Stanley, Falkland Islands,

16th March, 1940.

S.C. 5/40.

Trading with the Enemy Ordinance, 1939.

The Trading with the Enemy (specified persons) Order, 1940.

H. HENNIKER HEATON,
Governor.

In pursuance of the powers vested in him by Section 3 (2) of the Trading with the Enemy Ordinance, 1939, His Excellency the Governor is pleased to order and it is hereby ordered as follows:-

1. Each of the persons specified in the Schedule to the Trading with the Enemy (Specified Persons) Order of the United Kingdom, 1939, as amended by the Trading with the Enemy (Specified Persons) (Amendment) Order, 1939, and the Trading with the Enemy (Specified Persons) (Amendment) (No. 2) and (No. 3) Orders, 1939, shall for the purposes of the Trading with the Enemy Ordinance of the Falkland Islands No. 18 of 1939, be deemed to be an enemy within the meaning of that Ordinance during such period as this Order shall in relation to such person remain in force.

2. This Order may be cited as the Trading with the Enemy (Specified Persons) Order, 1940, and shall come into operation from this date.

By Command,
M. C. CRAIGIE-HALKETT,
Colonial Secretary.

Stanley,
14th March, 1940.
M.P. S/10/39.

Order to amend the order dated the 12th December, 1939, for the control of the retail sale of liquor in the town of Stanley during the visits of His Majesty's Ships or Fleet Auxiliaries.

Under the authority of the Emergency (Powers) Defence Act, United Kingdom, 1939, and Part VI of the Falkland Islands Defence Regulations, 1939, it is hereby ordered:-

1. Paragraph 2 of the Order dated the 12th of December, 1939, shall be modified as follows:-

Persons holding a Publican's retail licence may sell up to a quart of draught beer to Stanley residents between noon and 1 p.m. every day including Sundays for consumption off the premises.

This Order shall remain in force until rescinded or otherwise modified.

M. C. CRAIGIE-HALKETT,
Colonial Secretary.
(Competent Authority.)

STANLEY,
20th March, 1940.
M.P. 211/39.

Stanley Volunteer Fire Brigade.

—:0:—

Statement of Income and Expenditure.

RECEIPTS.			PAYMENTS.		
1939.			1939.		
1st January	Balance	£676 : 2 : 0	1st January to 30th September :		
31st December :			Salaries	£ 54 : 15 : 0	
Contributions from			Colonial Government		
Insurance Companies	174 : 9 : 4		Materials, Lighting etc.	90 : 0 : 7	
Bank Interest	20 : 9 : 4		Sundry payments	1 : 17 : 0	
			Balance on 31st Dec., 1939 :—		
			Bank	£717 : 13 : 10	
			Cash	6 : 14 : 3	
				724 : 8 : 1	
		£871 : 0 : 8		£871 : 0 : 8	

Examined,

A. R. HOARE,

Local Auditor.

21st February, 1940.

V. A. H. BIGGS,

Treasurer.

19th February, 1940.

Granting of Licences under the provisions of The Licensing Ordinance, 1882.

TAKE NOTICE.

That under the provisions of the Licensing Ordinance, 1882, application has been made for the granting of a Packet Licence to

CAPTAIN K. A. J. PITT,

of the s.s. "Fitzroy", and provided that no objection be taken to the granting of this Licence before the 2nd day of April, 1940, the same will be issued for the year ending 18th March, 1941.

G. H. FRITH,

Financial Secretary.

The Treasury,
Stanley, Falkland Islands.
23rd March, 1940.

C.S.M.P. 348/31.



The Falkland Islands Gazette

Published by Authority.

VOL. XLIX.

MAY 1, 1940.

No. 5.

GOVERNMENT NOTICES.

No. 26. Colonial Secretary's Office,
Stanley, Falkland Islands.
27th March, 1940.

His Excellency the Governor directs it to be notified, for general information, that the Right Honourable the Secretary of State for the Colonies has approved the Estimates of Revenue and Expenditure of the Colony of the Falkland Islands and its Dependencies for the year 1940.

By Command,
M. C. CRAIGIE-HALKETT,
Colonial Secretary.

M.P. 135/39.

No. 27. Colonial Secretary's Office,
Stanley, Falkland Islands.
1st April, 1940.

With reference to Government Notice of the 2nd of January 1940, His Excellency the Governor directs it to be notified, for general information, that

ALLAN WOLSEY CARDINALL, ESQ., C.M.G.,
arrived in the Colony on the 31st of March, 1940,
and has this day assumed the duties of his office.

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. P/226.

No. 28. Colonial Secretary's Office,
Stanley, Falkland Islands.
4th April, 1940.

It is hereby announced that His Majesty's Government has undertaken to purchase the whole exportable surplus of Falkland Islands wool for the duration of the war and one year thereafter at the average price of 11.218 pence per pound in store at Stanley, the seller bearing all expenses including insurance up to the time at which the

wool leaves the store.

The price quoted will be subject to deduction of the appraising expenses of the seller's broker and the local export duty.

The wool has to be graded and packed by the owner in accordance with established pre-war practice.

The purchases are on the same general conditions as for Australian and New Zealand producers.

The Ministry and wool producers undertake at the request of either party to exchange views on questions of the price for the following year in the light of changes in economic conditions.

Any net profit realised on raw wool sold by the Ministry will be shared equally between the Ministry and the producer after the closing of final accounts. Any loss will be borne by the Ministry. The Colonial Government accepts responsibility for the equitable division of the sellers share among Falkland Island owners.

No export licences will be granted for wool not sold to the Ministry of Supply.

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. S/1/40.

No. 29. Colonial Secretary's Office,
Stanley, Falkland Islands.
4th April, 1940.

It is hereby notified, for general information, that

MONTAGU CECIL CRAIGIE-HALKETT, ESQ., O.B.E.,
Colonial Secretary, retired from the Colonial Service on the 31st of March, 1940.

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. P/9.

No. 30.

Colonial Secretary's Office,
Stanley, Falkland Islands.
10th April, 1940.

His Excellency the Governor directs the publication for general information of the following leaflet which has been issued by the General Post Office, London, regarding the postal facilities available for despatching correspondence and parcels from the United Kingdom to prisoners of war and civilians interned abroad

By Command.

A. W. CARDINALL.

Colonial Secretary.

M.P. 146/39.

COMMUNICATION WITH PRISONERS OF WAR INTERNED ABROAD.

1. Subject to the restrictions set forth in the following Regulations, Letters, Post-cards and Parcels may be sent free of all postal charges to Prisoners of War (of whatever Nationality) interned abroad whether in enemy or neutral countries. In the following paragraphs the term "Prisoners of War" includes all interned persons, naval, military, air force, or civilian. The arrangements outlined in paragraphs 8 and 9 apply only to British (including Dominion and Colonial) prisoners of war.

LETTER POST.

2. Letters must have on the outside flap of the envelope the name and address of the sender except in the case of a member of His Majesty's Forces who must not give his address. Such member, if he has a relative or friend in this country to whose care a reply can be sent, must give the address of the relative or friend and arrange for letters so addressed to be forwarded to him.

3. The words "Prisoners of War Post" should be written in the top left hand corner of the cover.

4. The address of Letters and Post-cards, whether for officers, other ranks or civilians, must be in the following form and must be written distinctly in INK. The address should be written on the letter itself as well as on the cover. The place of internment, if known, should always be stated.

FORM OF ADDRESS.

- (i) Navy, Army, or Air Force number,* rank, initials and name.
- (ii) British (or French etc.) Prisoner of War.
- (iii) Prisoner of War number.
- (iv) Camp No. or place of internment.
- (v) Country.

* In the case of Naval ratings or other ranks of the Army or Royal Air Force.

EXAMPLES OF ADDRESS.

Prisoners of War Post.

No. P/J.L. 125001 A.B. J. Smith.

(or) No. 123456 Corporal T. Atkins.

(or) No. 567089 Leading Aircraftman K. Jones.

British Prisoner of War, No.....

Camp No. or place of internment.
Germany.

5. No attempt should be made to communicate with Prisoners of War through intermediaries in neutral countries.

6. Letters should not exceed two sides of a sheet of note-paper and should be clearly written; otherwise they are liable to delay and may even not be delivered by the authorities in the country to which they are addressed.

7. Letters and Post-cards must not contain any information that might be of use to the enemy. No reference to the naval, military, economic or political situation, or to naval or military movements or organisations is allowed. Photographs, picture postcards, or pictorial representations of any kind must not be sent. Any enclosure whatever in a letter may entail delay.

PARCEL POST.

8. *Parcels for British (including Dominion and Colonial) Prisoners of War in Germany.*

(i) *Parcels containing food (except bar chocolate) cannot be sent by relatives or friends to the above mentioned prisoners. Persons desiring to send such parcels to a Prisoner of War in Germany*

should send money for the purpose to the Secretary, Prisoners of War Department, British Red Cross Society and Order of St. John of Jerusalem, the Lord Chamberlain's Office, St. James's Palace, London, S.W. 1. Letters addressed to the British Red Cross Society must be prepaid.

(ii) *Personal Parcels.*

(a) The relatives of a Prisoner of War interned in Germany are allowed to send a "personal" parcel once every three months through the British Red Cross Society. Such parcels must bear a special label, for which application should be made to the British Red Cross Society; unless they bear such a label they cannot be accepted. The address on the Red Cross label which will be completed by the Society before issue will be in the following form:—

No. P/J.I. 125001 A.B. J. Smith.

(or) No. 123456 Corporal T. Atkins.

(or) No. 567089 Leading Aircraftman K. Jones,
British Prisoner of War in Germany,
c/o Prisoners of War, Wounded and Missing Department,
St. James's Palace, (Friary Court)
London, S.W. 1.

The British Red Cross Society will repack the parcels, under the supervision of a representative of the Censorship, before despatch abroad and withdraw any prohibited articles for return to the sender.

(b) In addition the name and address of the sender must be clearly shown on the cover unless the sender is a member of His Majesty's Forces who, instead of his own address, should give that of a relative or friend in the United Kingdom to whose care any prohibited articles may be returned.

(c) A parcel may not weigh more than 11 lb. Packing in the same manner as in the inland service will suffice. Customs Declarations and Despatch Notes are not required.

(d) A list of the contents should be inserted inside the parcel.

(e) *Prohibited Articles:* The following articles may not be sent in a "personal" parcel to a prisoner of war in Germany.

(i) Cigarettes, cigarette papers or food (except bar chocolate) (see paragraph 8 (i)).

(ii) Photographic apparatus, field glasses, sextants, compasses, electric torches, and other instruments of use for military and naval purposes.

(iii) Medical comforts and drugs.

(iv) Any of the Articles mentioned in paragraph 9 (e) below as prohibited from despatch to prisoners of war in neutral countries.

(f) The Prisoners of War Department, British Red Cross Society, will be prepared to suggest articles which are suitable for inclusion in "personal" parcels.

9. *Parcels for British (including Dominion and Colonial) Prisoners of War in neutral countries.*

(a) Parcels for Prisoners of War in neutral countries must be forwarded through the Prisoners of War Department, British Red Cross Society, where they will be repacked before despatch abroad and any prohibited articles withdrawn for return to the senders. A parcel should bear on the cover the complete address of the prisoner as for letters (see paragraph 4) with the addition of the words:—

c/o Prisoners of War, Wounded and Missing Department,
British Red Cross Society and Order of St. John,
St. James's Palace (Friary Court),
London, S.W. 1.

(b) In addition the name and address of the sender must be clearly shown on the cover unless the sender is a member of His Majesty's Forces who, instead of his own address, should give that of a relative or friend in the United Kingdom to whose care any prohibited articles may be returned.

(c) A parcel may not weigh more than 11 lb. Packing in the same manner as in the inland service will suffice. Customs Declarations and Despatch notes are not required.

(d) A list of the contents should be inserted inside the parcel.

(e) *Prohibited Articles:* The following articles must not be included in a parcel for a prisoner of war interned in a neutral country:—

(i) Written communications (letters must be sent separately by letter post).

(ii) Printed matter (except authorised forms of acknowledgment sent by a British Red Cross packing organisation.)

(iii) Pictorial illustrations and photographs.

(iv) Money.

(v) Stationery, stamps, playing cards.

(vi) Tins or other receptacles which cannot conveniently be opened for inspection.

(vii) Spirits or solidified spirit for cooking stoves, matches, or other inflammable material.

MISCELLANEOUS.

10. *Printed Matter*: Members of the public desiring to have books, packs of cards or games sent to Prisoners of War in enemy or neutral countries may give orders for their despatch to holders of special permits issued by the Censorship (in most cases publishers or newsagents). Newspapers and periodicals may be ordered in the same way for despatch to Prisoners of War in neutral countries, but not to prisoners of war in Germany. Holders of permits can accept only orders for despatch: they can in no case accept printed matter for forwarding.

11. Customs Duty is not normally levied on parcels addressed to Prisoners of War.

GENERAL POST OFFICE.

January, 1940.

No. 31. Colonial Secretary's Office,
Stanley, Falkland Islands.
10th April, 1940.

His Excellency the Governor has been pleased to make the following appointment under Clause XVI of the Instructions, passed under the Royal Sign Manual and Signet, to the Governor and Commander-in-Chief of the Colony of the Falkland Islands, dated the 28th of February, 1920:

MAJOR THE HONOURABLE

JAMES AUSTEN WOODGATE, A.R.I.B.A.,

to be provisionally a member of the Legislative Council, with effect from the 4th of December, 1939.

By Command,

A. W. CARDINALL,

Colonial Secretary.

M.P. 41/29.

No. 32. Colonial Secretary's Office,
Stanley, Falkland Islands.
10th April, 1940.

His Excellency the Governor directs it to be notified, for general information, that His Majesty the King has been graciously pleased to confirm the appointment of

THE HONOURABLE DAVID WILLIAM ROBERTS,

to be provisionally a Member of the Legislative Council, and to give instructions for the definitive appointment of Mr. Roberts as a Member of the Council for a period of five years, which shall be reckoned from the 6th of November, 1939.

By Command,

A. W. CARDINALL,

Colonial Secretary.

M.P. 41/29.

No. 33. Colonial Secretary's Office,
Stanley, Falkland Islands,
16th April, 1940.

His Excellency the Governor has been pleased to appoint

MR. DOMINIC WILLIAM O'SULLIVAN

on Agreement for a period of three years, to be a Constable in the Falkland Islands Police Force, with effect from the 16th of April, 1940.

By Command,

A. W. CARDINALL,

Colonial Secretary.

M.P. P/24.

No. 34. Colonial Secretary's Office,
Stanley, Falkland Islands.
16th April, 1940.

His Excellency the Governor directs the publication of the following grant of leave to MONTAGU CECIL CRAIGIE-HALKETT, ESQ., O.B.E., Colonial Secretary, on his retirement from the Public Service.

Vacation Leave. 180 days; exclusive of the time taken on the voyage to the United Kingdom, not exceeding twenty-eight days, with effect from the 1st of April, 1940.

By Command,

A. W. CARDINALL,

Colonial Secretary.

M.P. L/9.

No. 35. Colonial Secretary's Office,
Stanley, Falkland Islands.
16th April, 1940.

His Excellency the Governor directs the publication of the following grant of leave to

MISS MARY SARAH JANE MILLER,

Junior Nurse, King Edward VII Memorial Hospital.

Vacation Leave. 120 days; exclusive of the time taken on the voyage to and from the United Kingdom, not exceeding twenty-eight days in either direction, with effect from the 16th of April, 1940.

By Command,

A. W. CARDINALL,

Colonial Secretary.

M.P. L/153.

No. 36. Colonial Secretary's Office,
Stanley, Falkland Islands.
18th April, 1940.

It is hereby notified, for general information, that His Excellency the Governor has been pleased to make the following appointments with effect from the 15th of April, 1940:

MR. EMMANUEL SWAIN

to act as Chief Constable and Gaoler and Sanitary Inspector.

MRS. S. SWAIN

to act as Gaol Matron.

By Command,

A. W. CARDINALL,

Colonial Secretary.

M.P. P/37.

No. 37. Colonial Secretary's Office,
Stanley, Falkland Islands.
22nd April, 1940.

Prices of all articles are forthwith taken under the control of the Competent Authority appointed to carry out the regulations in Part VI of the Falkland Islands Defence Regulations, 1939.

No increase in retail prices of any goods may be made over the price prevailing on April 22nd, 1940, until further notice.

A. W. CARDINALL,
Colonial Secretary.
(Competent Authority).

M.P. 177/39.

No. 38. Colonial Secretary's Office,
Stanley, Falkland Islands.
23rd April, 1940.

It is hereby notified, for general information, that the Governor has been pleased to delegate to the Treasury all such powers as may be exercised on His Excellency's behalf under the provisions of the Defence (Finance) Regulations, 1939, and any subsequent amendments to the said Regulations.

Government Notice No. 24 of the 20th of March, 1940, is hereby cancelled.

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. 8/29/39.

No. 39. Colonial Secretary's Office,
Stanley, Falkland Islands.
25th April, 1940.

His Excellency the Governor has been pleased to make the following appointment in the Falkland Islands Defence Force under Section 7 (1) of the Defence Force Ordinance, 1920, with effect from the 24th of April, 1940 :-

WILLIAM BARLAS, ESQUIRE, J.P.,

to be an Officer with the rank of Lieutenant, and to be Officer Commanding the Defence Force in the Dependency of South Georgia.

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. 1/32.

No. 40. Colonial Secretary's Office,
Stanley, Falkland Islands.
25th April, 1940.

It is hereby notified, for general information, that private radio telegrams may now be accepted for transmission to neutral ships but not to British or allied ships.

Private radio telegrams mean messages concerning private and personal affairs in no way connected with business or owners or agents.

Such radio telegrams can only be accepted at the risk of the sender, must be written in plain English or French and are subject to censorship.

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. 146/39.

No. 41. Colonial Secretary's Office,
Stanley, Falkland Islands.
26th April, 1940.

In accordance with the provisions of Section 41 (c) of the Falkland Islands Defence Regulations, 1939, all importers will in future be required to produce with their Customs entries, (i) copies of invoices covering all goods imported, and (ii) a schedule of freight, insurance and handling charges on the proper form (copies of which can be obtained from the Colonial Secretary's Office).

By Command,
A. W. CARDINALL,
Colonial Secretary.
(Competent Authority.)

M.P. 177/39.

Trading with the Enemy Ordinance, 1939.

The Trading with the Enemy (specified persons) (Amendment) (No. 1) Order, 1940.

H. HENNIKER HEATON,
Governor.

In pursuance of the powers vested in him by Section 3 (2) of the Trading with the Enemy Ordinance, 1939, His Excellency the Governor is pleased to order and it is hereby ordered as follows:-

1. Each of the persons specified in the Schedule to the United Kingdom Trading with the Enemy (Specified Persons) (Amendment) (No. 4) Order, 1939, as amended by the Trading with the Enemy (Specified Persons) (Amendment) (No. 1) Order, 1940, shall for the purposes of the Falkland Islands Trading with the Enemy Ordinance No. 18 of 1939, be deemed to be an enemy within the meaning of that Ordinance during such period as this Order shall in relation to such person remain in force.

2. The Trading with the Enemy (Specified Persons) Order, 1940, of March 14th, 1940, is hereby revoked.

3. This Order may be cited as the Trading with the Enemy (Specified Persons) (Amendment) (No. 1) Order, 1940, and shall come into operation on the tenth day of April, 1940.

Dated this ninth day of April, 1940.

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. S/10/39.

(N.B.—The Schedule referred to above can be seen on application at the Colonial Secretary's Office.)

Falkland Islands Defence Regulations.

Order for Detention and Control of Enemy Subjects.

H. HENNIKER HEATON,
Governor.

In exercise of the powers in him vested by the Falkland Islands Defence Regulations, 1939, His Excellency the Governor is pleased to order and it is hereby ordered as follows:-

1. That the enemy subject whose name is set out below shall be detained until this Order is rescinded or otherwise varied:-

From Norwegian s.s. "Vinga".

Member of crew - Heinz Gunther Noher.

2. That the said enemy subject shall be detained under the command and control of the Officer Commanding the Falkland Islands Defence Force.

By Command,
A. W. CARDINALL,
Colonial Secretary.

Stanley,

21st April, 1940.

M.P. 176/39.

Falkland Islands Defence (Amendment) Regulations, 1940.

H. HENNIKER HEATON,

Governor.

His Excellency the Governor, under the authority of the Emergency Powers (Defence) Act of the United Kingdom, 1939, is pleased to order, and it is hereby ordered as follows:-

1. These Regulations may be cited as the Defence (Amendment) Regulations, 1940, and shall come into operation forthwith.

Citation and date of coming into operation.

2. The Defence Regulations 1939 (hereinafter referred to as "the principal Regulations") shall have effect as if there were made therein the amendments which by the following provisions of this order are directed to be made in the Regulations.

3. Regulation 17 of the principal Regulations is hereby revoked and replaced by the following Regulations:-

Replacement of Reg. 17 of the principal Regulations.

Detention orders.

"17. (1) If the Governor has reasonable cause to believe any person to be of hostile origin or associations or to have been recently concerned in acts prejudicial to the public safety or the defence of the realm or in the preparation or instigation of such acts and that by reason thereof it is necessary to exercise control over him, he may make an order against that person directing that he be detained.

(2) At any time after an order has been made against any person under this Regulation, the Governor may direct that the operation of the order be suspended subject to such conditions -

- (a) prohibiting or restricting the possession or use by that person of any specified articles;
- (b) imposing upon him such restrictions as may be specified in the direction in respect of his employment or business, and in respect of his association or communication with other persons;

as the Governor thinks fit; and the Governor may revoke any such direction if he is satisfied that the person against whom the order was made has failed to observe any condition so imposed, or that the operation of the order can no longer remain suspended without detriment to the public safety or the defence of the realm.

(3) For the purposes of this Regulation, there shall be one or more advisory committees consisting of persons appointed by the Governor; and any person aggrieved by the making of an order against him, by a refusal of the Governor to suspend the operation of the order, by any condition attached to a direction given by the Governor or by the revocation of any such direction, under the powers conferred by this Regulation, may make his objections to such a committee.

(4) It shall be the duty of the Governor to secure that any person against whom an order is made under this Regulation shall be afforded the earliest possible opportunity of making to the Governor representations in

writing with respect thereto and that he shall be informed of his right, whether or not such representations are made, to make his objections to such an advisory committee either in person or with the leave of the committee by counsel, solicitor, or agent.

(5) Any meeting of an advisory committee held to consider such objections as aforesaid shall be presided over by a chairman nominated by the Governor and it shall be the duty of the chairman to inform the objector of the grounds on which the order has been made against him and to furnish him with such particulars as are in the opinion of the chairman sufficient to enable him to present his case.

(6) The Governor shall report to the Secretary of State as to the action taken under this Regulation (including the number of persons detained under orders made thereunder) and as to the number of cases, if any, in which he has declined to follow the advice of any such advisory committee as aforesaid.

(7) If any person fails to comply with a condition attached to a direction given by the Governor under paragraph (2) of this Regulation that person shall, whether or not the direction is revoked in consequence of the failure, be guilty of an offence against this Regulation.

(8) Any person detained in pursuance of this Regulation shall be deemed to be in lawful custody and shall be detained in such place as may be authorised by the Governor and in accordance with instructions issued by him.

Prisoners
of war, etc.

17A. (1) No person shall –

- (a) knowingly assist a prisoner of war to escape from custody, or knowingly harbour an escaped prisoner of war; or
- (b) give an escaped prisoner of war any assistance with intent thereby to prevent, hinder or interfere with the apprehension of the prisoner.

(2) The Governor may by order provide –

- (a) for regulating access to, and the conduct of persons in, places in the Colony where prisoners of war are detained, and for prohibiting or regulating the despatch or conveyance from outside such places to or for prisoners of war therein, of any such articles as may be specified in the order;
- (b) for prescribing conditions to be observed in connection with the employment of, or the provision of board and lodging for, prisoners of war in the Colony while elsewhere than in places for the detention of prisoners of war.

(3) This Regulation shall apply in relation to any person in respect of whom there is in force an order for his detention made under this part of these Regulations or in exercise of the prerogative of the Crown as it applies in relation to a prisoner of war.

(4) No proceedings shall be taken by virtue of this Regulation, against a person in respect of any act done by him when he is himself a prisoner of war.

(5) The operation of the Prisoners of War (Escape) Act of the United Kingdom 1812, shall be suspended during the continuance in force of this Regulation."

4. Regulation 21 of the principal Regulations is hereby amended by the deletion of the words "endeavour to cause disaffection among any" in the first line and the substitution therefor of the words "endeavour to seduce from their duty".

Amendment of Reg. 21 of principal Regulations.

5. After Regulation 22 (1) of the principal Regulations there shall be inserted the following :-

Amendment of Reg. 22 of the principal Regulations.

(2) The Governor may make provision by order for preventing or restricting the publication in the Colony of matters as to which he is satisfied that the publication, or, as the case may be, the unrestricted publication, thereof would or might be prejudicial to defence or the efficient prosecution of the war, and an order under this paragraph may contain such incidental and supplementary provisions as appear to the Governor to be necessary or expedient for the purpose of the order (including provisions for securing that documents, pictorial representations, photographs or cinematograph films shall, before publication, be submitted or exhibited to such authority or person as may be specified in the order).

(3) Where any person is convicted by a superior court of an offence against this Regulation by reason of his having published a newspaper, the Governor may by order direct that, during such period as may be specified in the order, that person shall not publish any newspaper in the Colony.

(4) In this Regulation -

- (a) the expression "public opinion" includes the opinion of any section of the public;
- (b) The expression "cinematograph film" includes a sound track and any other article on which sounds have been recorded for the purpose of their being reproduced in connection with the exhibition of such a film;
- (c) The expression "publication" means, in relation to a cinematograph film, the exhibition of the film to the public, and includes the mechanical or electrical reproduction of any sounds in connection with the exhibition of the film as aforesaid; and
- (d) The expression "newspaper" includes any journal, magazine or other periodical publication.

Display of
flags &c.

22A. The Governor may by order prohibit the display by any person in public of any flag, banner or emblem as to which the Governor is satisfied that the display thereof as aforesaid would be likely to cause a disturbance of the public order or to promote disaffection; and any such order may be made so as to apply either generally or to a specified area.

Replacement of Reg.
24 of principal Regu-
lations.

6. Regulation 24 of the principal Regulations is hereby revoked and replaced by the following Regulation:-

Sabotage.

24. (1) No person shall do any act with intent to impair the efficiency or impede the working or movement of any vessel, aircraft, vehicle, machinery, apparatus or other thing used or intended to be used in His Majesty's service or in the performance of essential services, or to impair the usefulness of any works, structure or premises used or intended to be used as aforesaid:

Provided that a person shall not be guilty of an offence against this Regulation by reason only of his taking part in, or peacefully persuading any other person to take part in a strike.

(2) The preceding provisions of this Regulation shall apply in relation to any omission on the part of a person to do anything which he is under a duty, either to the public or to any person to do, as they apply in relation to the doing of any act by a person.

(3) Any person convicted on indictment of an offence against this Regulation shall be liable to penal servitude for any term not exceeding fourteen years or to a fine not exceeding five hundred pounds or to both such penal servitude and such fine.

(4) The operation of the Dockyards &c., Protection Act of the United Kingdom, 1772, shall be suspended during the continuance in force of this Regulation.

7. After Regulation 33 of the principal Regulations there shall be inserted the following Regulations:-

Employ-
ment in
British
ships and
aircraft.

33A. (1) The competent authority, if it appears to that authority to be necessary or expedient in the interests of the defence of the realm or the efficient prosecution of the war so to do, may, as respects any class of British ships other than Dominion ships, make provision by order -

- (a) for securing that, subject to any exemptions for which provision may be made by the order, any such class of persons as may be specified in the order shall not be employed on board ships to which the order applies;
- (b) for prohibiting the employment of any persons or class of persons on board such ship unless they are holders of certificates of identity issued in such form and manner as may be prescribed by the order, and for determining the circumstances in which certificates of identity may be granted and revoked under the order;

and an order under this Regulation may be made so as to restrict the employment of persons either in any capacity or in such capacity as may be specified in the order, and so as to restrict the employment of persons on such British ships as aforesaid either wherever they may be or while in such waters, or engaged in such trades or on such voyages, as may be so specified.

(2) The preceding provisions of this Regulation shall apply in relation to aircraft as they apply in relation to ships, except that any reference in those provisions to the competent authority shall be construed as a reference to the Governor.

(3) In this Regulation and in Regulations 33 and 33B, the expression "competent authority" means an officer duly authorised by the Governor.

Employ-
ment
abroad of
agents for
ships and
aircraft.

33B. (1) The competent authority, with a view to preventing the employment abroad, in connection with the management of British ships, of enemy aliens, or persons connected with an enemy, may by order direct that, as from such date as may be specified in the order, the owner, manager or charterer of any British ship being a person resident in the Colony or a corporation incorporated under the law of the Colony, shall not employ in any foreign country or territory, in connection with the management of the ship, any person other than a person approved for the purpose by the competent authority; and an order under this Regulation may be made so as to apply either generally to employment in all foreign countries or territories or to employment in such foreign countries or territories, or such class of foreign countries or territories, as may be specified in the order.

(2) The preceding provisions of this Regulation shall apply in relation to aircraft, as they apply in relation to ships, except that any reference in those provisions to the competent authority shall be construed as a reference to the Governor.

8. After Regulation 60 of the principal Regulations there shall be inserted the following :

Amendment of Reg.
60 of principal Regu-
lations.

(2) Rules made under this Regulation shall make provision for securing:—

- (a) that no photograph of a person taken in pursuance of the powers conferred by this Regulation shall be published except for the purpose of tracing that person, and that no copy of any such photograph shall be shown to any person except a person officially authorised to see it; and
- (b) that all photographs (both negatives and copies) and all documents relating to the measurement and identification of any person taken or made in pursuance of the said powers shall, unless that person has been convicted of an offence to which this Part of these Regulations applies, be destroyed as soon as may be after the expiration of the Emergency Powers Defence Act of the United Kingdom, 1939.

9. After the word "examine" in the last line of Regulation 61 of the principal Regulations there shall be added the words "and if any person fails to furnish or produce any information or article in his possession in pursuance of a request duly made to him under this Regulation he shall be guilty of an offence against this Regulation", and after this Regulation there shall be inserted the following :—

Amendment of Reg.
61 of principal Regu-
lations.

(2) A prosecution in respect of an offence against this Regulation shall not be instituted except by, or with the consent of, the Governor.

Applying Section 10
of Ordinance No. 3 of
1900.

10. (1) Section 10 of the Interpretation and General Law Ordinance No. 3 of 1900, shall apply with respect to the revocation by this order of any provisions of any previous order as it applies to the repeal by any Ordinance passed after the commencement of that Ordinance or any other enactment.

(2) Any order, rules or appointments made, permit granted, warrant issued or directions or authority given, by virtue of any provisions of any order revoked by this order which is in force at the date of coming into operation of this order shall continue in force and have effect as if made, granted, issued or given by virtue of this order; but if or in so far as any such order, rule, appointment, permit, warrant direction or authority is inconsistent with the provisions of this order it shall be revoked as soon as may be after the coming into operation of this order.

By Command,

M. C. CRAIGIE-HALKETT,

Colonial Secretary.

29th March, 1940.

A Bill

To amend the Law relating to Marriage and Divorce.

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

Enacting Clause.

1. This Ordinance may be cited as "The Matrimonial Causes Ordinance, 1940."

Short Title.

2. (i) The Supreme Court hereinafter called "the Court" shall have jurisdiction to make decrees of divorce, of nullity of marriage and of judicial separation in accordance with the provisions of this Ordinance.

Jurisdiction.

(ii) Such jurisdiction shall extend—

- (a) in proceedings for divorce and nullity of marriage, to cases in which the parties to the marriage are domiciled in the Falkland Islands.
- (b) in proceedings for judicial separation, to cases in which the parties to the marriage are domiciled or resident in the Falkland Islands at the time of the institution of the suit.

(iii) In the exercise of such jurisdiction the Court shall subject to the provisions of this Ordinance act and give relief on principles which in the opinion of the Court are as nearly as may be conformable to the principles on which the High Court of Justice in England acts and gives relief in Matrimonial Causes.

DISSOLUTION OF MARRIAGE.

3. (1) No petition for divorce shall be presented to the Court unless at the date of the presentation of the petition three years have passed since the date of the marriage :

Restriction on petitions for divorce during first three years after marriage.

Provided that a judge of the Court may, upon application being made to him in accordance with rules of court, allow a petition to be presented before three years have passed on the ground that the case is one of exceptional depravity on the part of the respondent, but if it appears to the court at the hearing of the petition, that the petitioner obtained leave to present the petition by any misrepresentation or concealment of the nature of the case, the court may, if it pronounces a decree nisi, do so subject to the condition that no application to make the decree absolute shall be made until after the expiration of three years from the date of the marriage, or may dismiss the petition, without prejudice to any petition which may be brought after the expiration of the said three years upon the same, or substantially the same, facts as those proved in support of the petition so dismissed.

(2) In determining any application under this section for leave to present a petition before the expiration of three years from the date of the marriage, the judge shall have regard to the interests of any children of the marriage and to the question whether there is reasonable probability of a reconciliation between the parties before the expiration of the said three years.

(3) Nothing in this section shall be deemed to prohibit the presentation of a petition based upon matters which have occurred before the expiration of three years from the date of the marriage.

**Grounds of petition
for divorce.**

4. A petition for divorce may be presented to the Court either by the husband or wife on the ground that the respondent –

- (a) has since the celebration of marriage committed adultery; or
- (b) has deserted the petitioner without cause for a period of at least three years immediately preceding the presentation of the petition; or
- (c) has since the celebration of the marriage treated the petitioner with cruelty; or
- (d) is to the satisfaction of the Court incurably of unsound mind and has been continuously under care and treatment for a period of at least five years immediately preceding the presentation of the petition;

and by the wife on the ground that her husband has since the celebration of the marriage been guilty of rape, sodomy or bestiality.

**Definition of "care
and treatment" in
relation to insanity.**

5. For the purposes of the preceding section a person of unsound mind shall be deemed to be under care and treatment while he is detained in pursuance of any order made under the provisions of the Lunacy Ordinance, 1894.

**Duty of Court on
presentation of petition
for divorce.**

6. (1) On a petition for divorce it shall be the duty of the Court to enquire, so far as it reasonably can, into the facts alleged and whether there has been any connivance or condonation on the part of the petitioner and whether any collusion exists between the parties and also to enquire into any countercharge which is made against the petitioner.

(2) If the Court is satisfied on the evidence that –

- (i) the case for the petitioner has been proved; and
- (ii) where the ground of the petition is adultery, the petitioner has not in any manner been accessory to, or connived at, or condoned the adultery, or where the ground of the petition is cruelty the

petitioner has not in any manner condoned the cruelty; and

- (iii) the petition is not presented or prosecuted in collusion with either the respondent or the co-respondent;

the Court shall pronounce a decree of divorce, but if the Court is not satisfied with respect to any of the aforesaid matters it shall dismiss the petition :

Provided that the Court shall not be bound to pronounce a decree of divorce and may dismiss the petition if it finds that the petitioner has been guilty of unreasonable delay in presenting or prosecuting the petition or during the marriage been guilty of adultery or where the ground of the petition is adultery or unsoundness of mind or desertion the petitioner has been guilty of such wilful neglect or misconduct as has conduced to the adultery or unsoundness of mind or desertion.

7. (i) Any husband may, either in a petition for divorce or for judicial separation or in a petition to the Court limited to such object only, claim damages from any person on the ground of his having committed adultery with the wife of such petitioner.

Husband may claim damages from adulterer.

(ii) Such petition shall be served on the alleged adulterer and the wife, unless the Court dispenses with such service or directs some other service to be substituted.

(iii) The damages to be recovered on any such petition shall be ascertained by the said Court, although the respondents or either of them may not appear.

(iv) After the decision has been given the Court may direct in what manner such damages shall be paid or applied.

8. (1) Whenever in any petition presented by a husband the alleged adulterer has been made a co-respondent and the adultery has been established, the Court may order the co-respondent to pay the whole or any part of the costs of the proceedings.

Costs against co-respondent.

(2) The co-respondent shall not be ordered to pay the petitioner's costs -

- (a) if the respondent was at the time of the adultery living apart from her husband and leading the life of a prostitute; or
- (b) if the co-respondent had not at the time of the adultery reason to believe the respondent to be a married woman.

9. In any suit instituted for divorce in which on the petition of a husband the alleged adulterer is made a co-respondent or in which on the petition of a wife the person with whom the husband is alleged to have committed adultery is made a respondent, the Court may, after the close of the evidence for the petitioner, direct the co-respondent or the respondent, as the case may be, to be dismissed from the proceedings if the Court is of opinion that there is not sufficient evidence against him or her.

Dismissal of co-respondent or respondent from proceedings.

10. In any suit instituted for divorce if the respondent opposes the relief sought on the ground of the adultery, cruelty or desertion without reasonable excuse of the petitioner, the Court may in such suit give the respondent, on his or her application, the same relief to which he or she would have been entitled in case he or she had presented a petition seeking such relief.

Grant of relief to respondent if petition opposed.

NULLITY OF MARRIAGE.

Petition for nullity of marriage.

11. Any husband or wife may present a petition to the Court praying that his or her marriage may be declared null and void.

Grounds of decree.

12. (1) Such decree may be made on any of the following grounds –

- (a) that the respondent was impotent at the time of the marriage and at the time of the institution of the suit ;
- (b) that the parties are within the prohibited degrees of consanguinity or affinity, whether natural or legal ;
- (c) that the former husband or wife of either party was living at the time of the marriage and the marriage with such former husband or wife was then in force ;
- (d) that the consent of either party to the marriage was obtained by force or fraud in any case in which the marriage might be annulled by the law in England ;
- (e) that the marriage has not been consummated owing to the wilful refusal of the respondent to consummate the marriage ;
- (f) that either party was of unsound mind at the time of the marriage ;
- (g) that the respondent was at the time of the marriage suffering from venereal disease in a communicable form ;
- (h) that the respondent was at the time of the marriage pregnant by some person other than the petitioner ;
- (j) that the marriage is invalid by the law of the Colony.

Provided that in the cases specified in paragraphs (f), (g) and (h) of this sub-section the Court shall not grant a decree, unless it is satisfied –

- (i) that the petitioner was at the time of the marriage ignorant of the facts alleged ;
- (ii) that proceedings were instituted within a year from the date of the marriage ;
- (iii) that marital intercourse with the consent of the petitioner has not taken place since the discovery by the petitioner of the grounds for a decree ;

(2) Any child born of a marriage avoided pursuant to sections (d), (f) or (g) of the last foregoing sub-section shall be a legitimate child of the parties thereto notwithstanding that the marriage is so avoided and any child born of a marriage avoided pursuant to section (c) shall be a legitimate child of the parties where it is adjudged that the subsequent marriage was contracted in good faith and with the full belief of the parties that the former husband or wife was dead, notwithstanding that the marriage is so avoided.

DECREE ABSOLUTE.

When decree is to be made absolute.

13. (1) A decree of divorce or nullity of marriage may be made absolute after the expiration of such time, not less than three months from the pronouncing thereof, as is prescribed or as is fixed by the Court in any suit.

(2) During that period any person may in such manner as is prescribed or as is directed by the Court in any suit, shew cause why the decree should not be made absolute by reason of the same

having been obtained by collusion or by reason of material facts not being brought before the Court.

(3) On cause being so shewn the Court shall make the decree absolute, or reverse the decree nisi, or require further inquiry or otherwise deal with the case as justice demands.

(4) The Court may order the costs arising from such cause being shewn to be paid by such parties or such one or more of them including a wife if she has separate property, as it thinks fit.

(5) When a decree nisi has been made and the petitioner fails to move within a reasonable time to have such decree made absolute, the Court may dismiss the suit.

PRESUMPTION OF DEATH.

14. (1) Any married person who alleges that reasonable grounds exist for supposing that the other party to the marriage is dead may present a petition to the Court to have it presumed that the other party is dead and to have the marriage dissolved, and the Court, if satisfied that such reasonable grounds exist, may make a decree of presumption of death and of divorce.

Proceedings for decree of presumption of death and divorce.

(2) In any such proceedings the fact that for a period of seven years or upwards the other party to the marriage has been continually absent from the petitioner, and the petitioner has no reason to believe that the other party has been living within that time, shall be evidence that he or she is dead unless the contrary be proved.

JUDICIAL SEPARATION.

15. The Court may make a decree of judicial separation on the petition of either the husband or the wife on any ground upon which it may make a decree of divorce.

Grounds for judicial separation.

16. (1) The property of a wife who at the time of her death is judicially separated from her husband shall in case she dies intestate, devolve as if her husband had been then dead.

Property of wife after judicial separation.

(2) Where, upon any such judicial separation, alimony has been decreed or ordered to be paid to the wife and the same is not duly paid by the husband he shall be liable for necessaries supplied for her use.

(3) Nothing in this section shall prevent the wife from joining, at any time during such separation, in the exercise of any joint power held by herself and her husband.

17. The Court shall have power on due cause being shewn to reverse a decree of judicial separation.

Power to reverse a decree.

ALIMONY.

18. (1) In any suit under this Ordinance the wife may present a petition for alimony pending the suit.

Alimony pendente lite.

(2) Such petition shall be served on the husband and the Court may make such order on the husband for payment to the wife of alimony as it deems just.

19. The Court may, if it shall see fit, on any decree absolute for divorce or for nullity of marriage or on any decree of judicial separation obtained by the wife order that the husband shall secure

Permanent Alimony.

to the wife such gross sum of money, or such annual sum of money for any term not exceeding her life, as, having regard to her fortune, if any, to the ability of the husband, and to the conduct of the parties it shall deem reasonable, or the Court may make an Order on the husband for the payment to the wife during their joint lives of such monthly or weekly sum for her maintenance and support as the Court may think reasonable.

Provided always that if the husband shall from any cause become unable to make such payments, it shall be lawful for the Court to discharge or modify the Order or temporarily to suspend the same as to the whole or any part of the money so ordered to be paid, and again to revive the same Order wholly or in part, as to the Court shall seem fit.

CUSTODY OF CHILDREN.

Custody of Children.

20. The Court after a final decree of judicial separation, nullity of marriage, or divorce, may, upon application by petition for this purpose, make from time to time all such orders and provisions with respect to the custody maintenance and education of the children, the marriage of whose parents was the subject of the decree or for placing such children under the protection of the Court, as the Court shall see fit.

Provided that the term for which any sum of money is secured for the benefit of a child shall not extend beyond the date when the child will attain twenty-one years of age.

PROCEDURE.

Procedure.

21. Subject to the provisions herein all proceedings under this Ordinance shall be regulated by the Administration of Justice Ordinance, 1901.

Sittings in camera.

22. The whole or any part of any proceeding under this Ordinance may be heard, if the Court thinks fit, within closed doors.

Coming into force.

23. This Ordinance shall come into force on a day to be fixed by the Governor by Proclamation in the Government Gazette.

Passed by the Legislative Council this day of
, 1940.

Clerk of the Legislative Council.

Assented to by the Governor and given under the Public
Seal of the Colony this day of , 1940.

Colonial Secretary.

A Bill

To provide for the prevention of cruelty and exposure to moral and physical danger to children and young persons.

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

Enacting Clause.

1. This Ordinance may be cited as the Children and Young Persons Ordinance, 1940.

Short Title.

2. (1) If any person who has attained the age of sixteen years and has the custody, charge, or care of any child or young person under that age, wilfully assaults, ill-treats, neglects, abandons, or exposes him to be assaulted, ill-treated, neglected, abandoned, or exposed, in a manner likely to cause him unnecessary suffering or injury to health (including injury to or loss of sight or hearing or limb, or organ of the body, and any mental derangement), that person shall be guilty of a misdemeanour, and shall be liable—

Cruelty to persons under sixteen.

- (a) on conviction on indictment, to a fine not exceeding one hundred pounds, or alternatively, or in default of payment of such a fine, or in addition thereto, to imprisonment for any term not exceeding two years;
- (b) on summary conviction, to a fine not exceeding twenty-five pounds, or alternatively, or in default of payment of such a fine, or in addition thereto, to imprisonment for any term not exceeding six months.

(2) For the purposes of this section —

- (a) a parent or other person legally liable to maintain a

child or young person shall be deemed to have neglected him in a manner likely to cause injury to his health if he has failed to provide adequate food, clothing, medical aid or lodging for him, or if, having been unable otherwise to provide such food, clothing, medical aid or lodging, he has failed to take steps to procure it to be provided;

- (b) where it is proved that the death of an infant under three years of age was caused by suffocation (not being suffocation caused by disease or the presence of any foreign body in the throat or air passages of the infant) while the infant was in bed with some other person who has attained the age of sixteen years, that other person shall, if he was, when he went to bed, under the influence of drink, be deemed to have neglected the infant in a manner likely to cause injury to its health.

(3) A person may be convicted of an offence under this section -

- (a) notwithstanding that actual suffering or injury to health, or the likelihood of actual suffering or injury to health, was obviated by the action of another person;
- (b) notwithstanding the death of the child or young person in question.

(4) Upon the trial of any person who has attained the age of sixteen years and is indicted for infanticide or for the manslaughter of a child or young person under the age of sixteen years of whom he had the custody, charge or care, it shall be lawful for the jury, if they are satisfied that he is guilty of an offence under this section to find him guilty of that offence.

(5) If it is proved that a person convicted under this section was directly or indirectly interested in any sum of money accruing or payable in the event of the death of the child or young person, and has knowledge that that sum of money was accruing or becoming payable, then -

- (a) in the case of a conviction on indictment, the maximum amount of the fine which may be imposed under this section shall be two hundred pounds, and the court shall have power, in lieu of awarding any other penalty under this section, to sentence the person convicted to penal servitude for any term not exceeding five years; and
- (b) in the case of a summary conviction, the court in determining the sentence to be awarded shall take into consideration the fact that the person was so interested and had such knowledge.

(6) For the purposes of the last foregoing sub-section :-

- (a) a person shall be deemed to be directly or indirectly interested in a sum of money if he has any share in or any benefit from the payment of that money, notwithstanding that he may not be a person to whom it is legally payable; and
- (b) a copy of a policy of insurance, certified to be a true copy by an officer or agent of the insurance company granting the policy, shall be evidence that the child or young person therein stated to be insured has in

fact been so insured, and that the person in whose favour the policy has been granted is the person to whom the money thereby insured is legally payable.

(7) Nothing in this section shall be construed as affecting the right of any parent, teacher, or other person having the lawful control or charge of a child or young person to administer punishment to him.

Passed by the Legislative Council this day of
 , 1940.

Clerk of the Legislative Council.

Assented to by the Governor and given under the Public Seal of the Colony this day of , 1940.

Colonial Secretary.

A Bill

To provide for the change of official designations appearing in enactments.

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

1. This Ordinance may be cited as the The Public Officers Short Title. (Change of Designations) Ordinance, 1940.

2. "Enactment" means any Ordinance and includes any Order in Council, order, proclamation, rule, regulation, commission, bye-law, or notice made or issued under an Ordinance. Interpretation.

3. Whenever any designation among those of the Public Officers set out in the first column of the Schedule hereto appears in any enactment in force or in any instrument of appointment effective at the date of the commencement of this Ordinance, it shall be replaced by the corresponding designation set out in the second column of that Schedule.

Substitution of new designations of Public Officers.

4. Whenever any change of any designation of any Public Officer is made at any future time, the Governor, if occasion requires may, by order, make any necessary substitution in or addition to the Schedule, and the provisions of the immediately preceding section shall apply accordingly in conformity with every such substitution or addition as regards any enactment in force or instrument of appointment effective at the date of such order.

Passed by the Legislative Council this day of
 , 1940.

Clerk of the Legislative Council.

Assented to by the Governor and given under the Public Seal of the Colony this day of , 1940.

Colonial Secretary.

SCHEDULE (Section 3)

Colonial Treasurer.	Financial Secretary.
Director of Public Works.	Executive Engineer.
Chief Clerk, Treasury.	Supervisor and Accountant.

A Bill

To give effect to the provisions of certain Treaties of Commerce and Navigation.

Preamble.

WHEREAS it is expedient that effect should be given in the Colony of the Falkland Islands and its Dependencies to the provisions of certain Treaties of Commerce and Navigation mentioned in the Schedule hereto :—

Enacting Clause.

NOW THEREFORE 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 :—

Short Title.

1. This Ordinance may be cited as the Administration of Estates by Consular Officers Ordinance, 1940.

Administration of Estates by Consular Officers.

2. Whenever any subject or citizen of any State mentioned in the first column of the Schedule hereto—

(a) dies within the Colony, or

(b) dies outside the Colony leaving property within the Colony,

and no person is present in the Colony at the time of his death who is rightfully entitled to administer the estate of such deceased person, the Consul, Vice-Consul, or Consular Agent of such State within the Colony may take possession and have the custody of the property of such deceased person, and may apply the same in payment of his debts and funeral expenses, and may retain the surplus for the benefit of the persons entitled thereto; but such Consul, Vice-Consul, or Consular Agent shall immediately apply for, and shall be entitled to obtain from the Court, Letters of Administration of the property of such deceased person, limited in such manner and for such time as to the Court shall seem fit.

Variation of Schedule.

3. It shall be lawful for the Governor by order published



The Falkland Islands Gazette

Published by Authority.

Vol. XLIX.

JUNE 1, 1940.

No. 6.

GOVERNMENT NOTICES.

No. 42. Colonial Secretary's Office,
Stanley, Falkland Islands.
13th May, 1940.

With reference to Government Notice No. 32 dated the 22nd April, 1940, it is hereby announced that the following maximum prices for essential articles have been fixed by the Competent Authority. Such prices will remain in force until further notice.

It must be remembered that these prices are maximum and retailers can always sell below them.

	s.	d.
Meat Extract: Swift's 280 grms.	3.	0. each.
" " " 110 "	1.	7. "
Carrots, fresh imported		3½. lb.
Cabbage, " "		3. "
Oats	16.	3. per 50
		kilo bag.
Pollard	10.	1. per 45
		kilos.
Bacon, Swift's mild cured	1.	9½. lb.
Cod Liver Oil, 8 oz. bottles	1.	8½. per bot.

By Command,
A. W. CARDINALL,
Competent Authority.

M.P. 88/40.

No. 43. Colonial Secretary's Office,
Stanley, Falkland Islands,
14th May, 1940.

His Excellency the Governor directs it to be notified, for general information, that intimation has been received from the Right Honourable the Secretary of State for the Colonies to the effect that His Majesty will not be advised to exercise his power of disallowance in respect of the following Ordinance of the Legislature of the Falk-

land Islands :-

Ordinance, No. 14 of 1939, entitled "An Ordinance to provide for the service of the year, 1940."

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. 135/39.

No. 44. Colonial Secretary's Office,
Stanley, Falkland Islands.
15th May, 1940.

His Excellency the Governor has been pleased, with the sanction of the Secretary of State for the Colonies, to give directions that

WILLIAM HENRY ROLAND STILL, ESQ.,
L.D.S., R.C.S.,

should be confirmed in his appointment as Dental Surgeon, with effect from the 17th of February, 1937.

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. P/193.

No. 45. Colonial Secretary's Office,
Stanley, Falkland Islands.
15th May, 1940.

His Excellency the Governor directs it to be notified, for general information, that His Majesty the King has been pleased to entrust to the care of the Right Honourable Lord Lloyd, G.C.S.I., etc., as one of the Principal Secretaries of State, the Seals of the Colonial Department.

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. 92/40.

No. 46. Colonial Secretary's Office,
Stanley, Falkland Islands.
16th May, 1940.

With reference to Government Notice No. 42 dated the 13th May, 1940, it is hereby announced that the following maximum prices for essential articles have been fixed by the Competent Authority. Such prices will remain in force until further notice.

It must be remembered that these prices are maximum and retailers can always sell below them.

	s.	d.
Persil, small		7. pkt.
Rinso, standard		7. "
Lux "		7. "
Icing Sugar, 7 lb. tins		7½. per lb.
Eggs, fresh imported	1.	10. " doz.

By Command,

A. W. CARDINALL,

Competent Authority.

M.P. 88/40.

No. 47. Colonial Secretary's Office,
Stanley, Falkland Islands.
17th May, 1940.

With reference to Government Notice No. 46 dated the 16th May, 1940, it is hereby announced that the following maximum prices for essential articles have been fixed by the Competent Authority. Such prices will remain in force until further notice.

It must be remembered that these prices are maximum and retailers can always sell below them.

	s.	d.
Tea, Assam	2.	8. lb.
Sardines, Otago brand	1.	9. tin.
Coffee, Dos Americanos	1.	8. lb.
Ham, Picnic	2.	3. lb.
" Plumrose	2.	9. lb.
Ham Rolls, 4 lb. tin	5.	9. tin.
Dates, Turbin bulked		6. lb.
Currants, 1 lb. tin	1.	4. tin.
Olive Oil, 20 oz. bottle	4.	9. bot.
Macaroni, horseshoe	1.	1. lb.

By Command,

A. W. CARDINALL,

Competent Authority.

M.P. 88/40.

No. 48. Colonial Secretary's Office,
Stanley, Falkland Islands.
22nd May, 1940.

With reference to Government Notice No. 29 of the 4th of April, it is hereby announced that His Majesty's Government has undertaken to purchase the whole exportable surplus of Falkland Islands woolled sheep skins for the duration of the war and one wool year thereafter at the flat rate of 6.955 pence per pound in store at Stanley, the seller bearing all expenses in storage including insurance up to the time at which the skins leave the store.

The price quoted will also cover appraising expenses and selling broker's charges.

With the exception that there will be no clause providing for profits share, the terms of the proposed contract for sheep-skins which will be drawn up, will be identical with those already agreed upon for the purchase of Falkland Islands wool.

No export licences will be granted for sheep-skins not sold to the Ministry of Supply.

By Command,

A. W. CARDINALL,

Colonial Secretary.

M.P. S/1/40.

No. 49. Colonial Secretary's Office,
Stanley, Falkland Islands.
25th May, 1940.

Under the provisions of Section 3 (1) of the Income Tax Ordinance, 1939, His Excellency the Governor has been pleased to appoint

WILFRED DAVID ARNOLD JONES, ESQUIRE,

Supervisor and Accountant, Treasury and Customs Department, to be Commissioner of Income Tax, with effect from the 25th of May, 1940.

By Command,

A. W. CARDINALL,

Colonial Secretary.

No. 50. Colonial Secretary's Office,
Stanley, Falkland Islands.
25th May, 1940.

It is announced officially that publication of the Honours List which would in the ordinary course have taken place on the day appointed for the observance of His Majesty's Birthday, Thursday, June 13th, is necessarily postponed for a few weeks owing to changes in the administration at home.

By Command,

A. W. CARDINALL,

Colonial Secretary.

M.P. C/6/40.

No. 51. Colonial Secretary's Office,
Stanley, Falkland Islands.
28th May, 1940.

His Excellency the Governor directs it to be notified, for general information, that intimation has been received from the Right Honourable the Secretary of State for the Colonies to the effect that His Majesty will not be advised to exercise his power of disallowance in respect of the following Ordinance of the Legislature of the Falkland Islands :-

Ordinance, No. 2 of 1939, entitled "An Ordinance to repeal and re-enact with modifications the provisions of the Infanticide Ordinance, 1934".

By Command,

A. W. CARDINALL,

Colonial Secretary.

M.P. 57/32.

Order.Falkland Islands Defence Regulations.

H. HENNIKER HEATON,

Governor.

In exercise of the powers in him vested by the Falkland Islands Defence Regulations, 1939, His Excellency the Governor is pleased to order and it is hereby ordered as follows:-

The Order made on the 13th day of September, 1939, for the detention and control of certain enemy subjects therein mentioned to wit:-

Ex-German vessel "Carl Fritzen".

Officers -	A. Hamann.	H. Warncke.
	G. Peter.	O. Gloystein.
	K. Kilius.	K. Hyde.
	H. Sankowsky.	J. Diercksen.
	H. Riese.	
Crew -	Hand Gualmann	Friedrich Witt.
	Heinz Iesch.	Otto Koch.
	Gerhard Hoffman.	Walter Schulz.
	Walter Wurn.	Herbert Blank.
	August Weber.	Werner Kohnke.
	Fritz Schellhase.	Johannes Bitzner.
	Ludwig Eiermann Heizer.	Gunter Heinrich.
	Johannes Wohlers.	Gunter Simon.
	Paul Kotzner.	Wilhelm Lehnert.
	Paul Reimer.	August Schutte.
	Theodor Czapule.	Hermann Johann.
	August Riesberg.	Emil Baum.

is hereby rescinded.

By Command,

A. W. CARDINALL,

Colonial Secretary.

Stanley,

29th April, 1940.

M.P. 176/39.

Order of His Excellency the Governor in Council.

H. HENNIKER HEATON,
Governor.

In exercise of the powers vested in him by the Post Office Ordinance, 1898, and with the advice of the Executive Council the Governor is pleased to order, and it is hereby ordered, as follows :—

1. This Order may be cited as “The Post Office (Poundage Fees) Amendment Order, 1940” and shall be read and construed as one with the Order made by the Governor in Executive Council on the 3rd day of October, 1930, as amended by the Post Office (Rates of Postage and Fees) Amendment Order, 1932.

2. The Heading “BRITISH POSTAL ORDERS” of section 1 of the Order made by the Governor in Executive Council on the 3rd day of October, 1930, is hereby repealed and replaced by the following :—

BRITISH POSTAL ORDERS.

The following are the amounts for which British Postal Orders are issued, together with the poundage fees payable in respect of each order.

<u>Amount of Order.</u>		<u>Poundage.</u>
s.	d.	d.
	6.	2.
1.	0.	2.
1.	6.	3.
2.	0.	3.
2.	6.	3.
3.	0.	3.
4.	0.	3.
5.	0.	3.
6.	0.	4.
7.	6.	4.
9.	0.	4.
10.	0.	4.
10.	6.	4.
12.	0.	4.
15.	0.	4.
17.	6.	4.
20.	0.	4.
21.	0.	4.

The value of a Postal Order may be increased by an amount not exceeding 5d. (excluding fractions of a penny) by affixing Falkland Islands postage stamps, in number not more than the number of spaces provided on the face of the order. Stamps perforated with initials or marks, or embossed or impressed stamps cut out of envelopes, postcards, etc., will not be accepted for this purpose.

3. This Order shall come into force on the 1st day of June, 1940.

Made by the Governor in Executive Council at a Meeting held on the 11th day of May, 1940.

A. I. FLEURET,
Clerk of the Executive Council.

Rules made by His Excellency the Governor in Council
with reference to Fees in Prize Court Cases.

H. HENNIKER HEATON,
Governor.

WHEREAS by virtue of section 7 (i) of the Colonial Courts of Admiralty Act, 1890, the Supreme Court is authorized to make rules touching the practice and procedure on fees and costs of the said Court in its Prize Court Jurisdiction.

AND WHEREAS the Governor in Council may by virtue of the provisions of section 33 of the Administration of Justice Ordinance, 1901, make rules with reference to Fees of Court and costs, it is hereby ordered that :—

1. The fees to be taken in prize matters in the Supreme Court by the Court and its Officers shall be those laid down in Appendix B of the Statutory Rules and Orders, 1939, made by Order in Council dated October 19th, 1939, by the King's Most Excellent Majesty in Council.

By Command,

A. W. CARDINALL,
Colonial Secretary.

Stanley,

11th May, 1940.

M.P. S/32/39.

Trading with the Enemy Ordinance, 1939.

The Trading with the Enemy (specified persons) (Amendment) (No. 2) Order, 1940.

H. HENNIKER HEATON,

Governor.

In pursuance of the powers vested in him by Section 3 (2) of the Trading with the Enemy Ordinance, 1939, His Excellency the Governor is pleased to order and it is hereby ordered as follows:—

1. Each of the persons specified in the Schedule to the United Kingdom Trading with the Enemy (Specified Persons) (Amendment) (No. 4) Order, 1939, as varied by the Trading with the Enemy (Specified Persons) (Amendment) (No. 1) Order, 1940, the Trading with the Enemy (Specified Persons) (Amendment) (No. 2) Order, 1940, and the Trading with the Enemy (Specified Persons) (Amendment) (No. 3) Order, 1940, shall for the purposes of the Falkland Islands Trading with the Enemy Ordinance, No. 18 of 1939, be deemed to be an enemy within the meaning of that Ordinance during such period as this Order shall in relation to such person remain in force.

2. The Trading with the Enemy (Specified Persons) (Amendment) (No. 1) Order, 1940, of the 9th of April, 1940, is hereby revoked.

3. This Order may be cited as the Trading with the Enemy (Specified Persons) (Amendment) (No. 2) Order, 1940, and shall come into operation on the 14th day of May, 1940.

Dated this 14th day of May, 1940.

By Command,

A. W. CARDINALL,

Colonial Secretary.

M.P. S/10/39.

(N.B.—The Schedule referred to above can be seen on application at the Colonial Secretary's Office.)

LEGISLATIVE COUNCIL.

Minutes of Meeting held on 16th May, 1940.

1. The Honourable A. W. Cardinall, C.M.G., Colonial Secretary, and the Honourable G. H. Frith, O.B.E., Financial Secretary, after taking the prescribed oaths, assumed their seats at the Council.

2. The minutes of the meeting held on the 28th of December, 1939, were confirmed.

3. The Honourable the Colonial Secretary, by command, laid on the Table the following papers :

- (i) Copies of all Regulations, Proclamations, Orders and Bye-laws made or approved by the Governor in Executive Council since the last meeting of the Legislative Council.
- (ii) Copies of despatches received from the Secretary of State intimating the non-disallowance by His Majesty of Ordinances Nos, 5, 7, 8, 14 and 18 of 1939.

4. The Honourable the Financial Secretary, by command, laid on the Table the papers enumerated below :

- (i) Comparative Statements of Revenue and Expenditure for the Colony and the Dependencies for the period 1st January to 30th September, 1939.
- (ii) Comparative Statement of Revenue and Expenditure for the 'Discovery' Investigations for the year ended the 31st of December, 1938.
- (iii) Estimate of the 'Discovery' Committee's expenditure for the year 1940.

5. The Honourable the Colonial Secretary moved and the Honourable the Financial Secretary seconded, the adoption of the following Resolution :

"WHEREAS additional provision is required for the service of the Colony and its Dependencies for the year ended the 31st of December, 1939.

"BE IT RESOLVED -

"This Council hereby sanctions the expenditure from public funds of the sum of SIX HUNDRED AND EIGHTY-FIVE POUNDS, SIX SHILLINGS AND TEN PENCE (£685 : 6 : 10) to meet the several charges itemized in the accompanying schedule."

The Resolution was adopted.

6. On the motion of the Honourable the Colonial Secretary seconded by the Honourable the Financial Secretary, the Bill "To amend the Law relating to Marriage and Divorce", was read a *first* time.

On further motion made and seconded the Standing Orders were suspended and the Bill was read a *second* time and committed.

Clauses 1 to 23 were agreed to.

The Enacting Clause and Title were agreed to.

The Council resumed.

The Bill was then read a *third* time and passed.

7. The Honourable the Colonial Secretary moved the *first* reading of the Bill "To provide for the prevention of cruelty and exposure to moral and physical danger to children and young persons".

The Honourable the Financial Secretary seconded.

On further motion made and seconded the Standing Orders were suspended and the Bill was read a *second* time and committed.

Clauses 1 and 2 were agreed to.

The Enacting Clause and Title were agreed to.

The Council resumed.

The Bill was then read a *third* time and passed.

8. The Honourable the Colonial Secretary moved and the Honourable the Financial Secretary seconded, the *first* reading of the Bill "To amend the Income Tax Ordinance, 1939".

On further motion made and seconded the Standing Orders were suspended and the Bill was read a *second* time and committed.

Clauses 1 and 2 were agreed to.

The Enacting Clause and Title were agreed to.

The Council resumed.

The Bill was then read a *third* time and passed.

9. On the motion of the Honourable the Colonial Secretary seconded by the Honourable the Financial Secretary the Bill "To provide for the change of official designations appearing in enactments", was read a *first* time.

On further motion made and seconded the Standing Orders were suspended and the Bill was read a *second* time and committed.

Clauses 1 to 4 were agreed to.

The Schedule was agreed to.

The Enacting Clause and Title were agreed to.

The Council resumed.

The Bill was then read a *third* time and passed.

10. The Honourable the Colonial Secretary moved the *first* reading of the Bill "To give effect to the provisions of certain Treaties of Commerce and Navigation".

The Honourable the Financial Secretary seconded.

On further motion made and seconded the Standing Orders were suspended and the Bill was read a *second* time and committed.

Clauses 1 to 3 were agreed to.

The Schedule was agreed to.

The Enacting Clause, Preamble and Title were agreed to.

The Council resumed.

The Bill was then read a *third* time and passed.

11. On the motion of the Honourable the Colonial Secretary seconded by Major the Honourable J. A. Woodgate, the Bill "To amend the Defence Force Ordinance, 1920, as amended by the Falkland Islands Defence Force (Amendment) Ordinance, 1938", was read a *first* time.

On further motion made and seconded the Standing Orders were suspended and the Bill was read a *second* time and committed.

Clauses 1 to 3 were agreed to.

The Enacting Clause and Title were agreed to.

The Council resumed.

The Bill was then read a *third* time and passed.

The Council adjourned *sine die*.

[L.S.]



FALKLAND ISLANDS.

Ordinance No. 1 of 1940.

I ASSENT,

H. HENNIKER HEATON,

Governor.

22nd May, 1940.

An Ordinance

To amend the Law relating to Marriage and Divorce.

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

Enacting Clause.

1. This Ordinance may be cited as "The Matrimonial Causes Ordinance, 1940."

Short Title.

2. (i) The Supreme Court hereinafter called "the Court" shall have jurisdiction to make decrees of divorce, of nullity of marriage and of judicial separation in accordance with the provisions of this Ordinance.

Jurisdiction.

(ii) Such jurisdiction shall extend—

- (a) in proceedings for divorce and nullity of marriage, to cases in which the parties to the marriage are domiciled in the Falkland Islands.
- (b) in proceedings for judicial separation, to cases in which the parties to the marriage are domiciled or resident in the Falkland Islands at the time of the institution of the suit.

(iii) In the exercise of such jurisdiction the Court shall subject to the provisions of this Ordinance act and give relief on principles which in the opinion of the Court are as nearly as may be conformable to the principles on which the High Court of Justice in England acts and gives relief in Matrimonial Causes.

DISSOLUTION OF MARRIAGE.

3. (1) No petition for divorce shall be presented to the Court unless at the date of the presentation of the petition three years have passed since the date of the marriage:

Restriction on petitions for divorce during first three years after marriage.

Provided that a judge of the Court may, upon application being made to him in accordance with rules of court, allow a petition to be presented before three years have passed on the ground that the case is one of exceptional depravity on the part of the respondent, but if it appears to the court at the hearing of the petition, that the petitioner obtained leave to present the petition by any misrepresentation or concealment of the nature of the case, the court may, if it pronounces a decree nisi, do so subject to the condition that no application to make the decree absolute shall be made until after the expiration of three years from the date of the marriage, or may dismiss the petition, without prejudice to any petition which may be brought after the expiration of the said three years upon the same, or substantially the same, facts as those proved in support of the petition so dismissed.

(2) In determining any application under this section for leave to present a petition before the expiration of three years from the date of the marriage, the judge shall have regard to the interests of any children of the marriage and to the question whether there is reasonable probability of a reconciliation between the parties before the expiration of the said three years.

(3) Nothing in this section shall be deemed to prohibit the presentation of a petition based upon matters which have occurred before the expiration of three years from the date of the marriage.

**Grounds of petition
for divorce.**

4. A petition for divorce may be presented to the Court either by the husband or wife on the ground that the respondent –

- (a) has since the celebration of marriage committed adultery; or
- (b) has deserted the petitioner without cause for a period of at least three years immediately preceding the presentation of the petition; or
- (c) has since the celebration of the marriage treated the petitioner with cruelty; or
- (d) is to the satisfaction of the Court incurably of unsound mind and has been continuously under care and treatment for a period of at least five years immediately preceding the presentation of the petition;

and by the wife on the ground that her husband has since the celebration of the marriage been guilty of rape, sodomy or bestiality.

**Definition of "care
and treatment" in
relation to insanity.**

5. For the purposes of the preceding section a person of unsound mind shall be deemed to be under care and treatment while he is detained in pursuance of any order made under the provisions of the Lunacy Ordinance, 1894.

**Duty of Court on
presentation of peti-
tion for divorce.**

6. (1) On a petition for divorce it shall be the duty of the Court to enquire, so far as it reasonably can, into the facts alleged and whether there has been any connivance or condonation on the part of the petitioner and whether any collusion exists between the parties and also to enquire into any countercharge which is made against the petitioner.

(2) If the Court is satisfied on the evidence that –

- (i) the case for the petitioner has been proved; and
- (ii) where the ground of the petition is adultery, the petitioner has not in any manner been accessory to, or connived at, or condoned the adultery, or where the ground of the petition is cruelty the

petitioner has not in any manner condoned the cruelty; and

- (iii) the petition is not presented or prosecuted in collusion with either the respondent or the co-respondent;

the Court shall pronounce a decree of divorce, but if the Court is not satisfied with respect to any of the aforesaid matters it shall dismiss the petition :

Provided that the Court shall not be bound to pronounce a decree of divorce and may dismiss the petition if it finds that the petitioner has been guilty of unreasonable delay in presenting or prosecuting the petition or during the marriage been guilty of adultery or where the ground of the petition is adultery or unsoundness of mind or desertion the petitioner has been guilty of such wilful neglect or misconduct as has conduced to the adultery or unsoundness of mind or desertion.

7. (i) Any husband may, either in a petition for divorce or for judicial separation or in a petition to the Court limited to such object only, claim damages from any person on the ground of his having committed adultery with the wife of such petitioner.

Husband may claim damages from adulterer.

(ii) Such petition shall be served on the alleged adulterer and the wife, unless the Court dispenses with such service or directs some other service to be substituted.

(iii) The damages to be recovered on any such petition shall be ascertained by the said Court, although the respondents or either of them may not appear.

(iv) After the decision has been given the Court may direct in what manner such damages shall be paid or applied.

8. (1) Whenever in any petition presented by a husband the alleged adulterer has been made a co-respondent and the adultery has been established, the Court may order the co-respondent to pay the whole or any part of the costs of the proceedings.

Costs against co-respondent.

(2) The co-respondent shall not be ordered to pay the petitioner's costs -

- (a) if the respondent was at the time of the adultery living apart from her husband and leading the life of a prostitute; or
- (b) if the co-respondent had not at the time of the adultery reason to believe the respondent to be a married woman.

9. In any suit instituted for divorce in which on the petition of a husband the alleged adulterer is made a co-respondent or in which on the petition of a wife the person with whom the husband is alleged to have committed adultery is made a respondent, the Court may, after the close of the evidence for the petitioner, direct the co-respondent or the respondent, as the case may be, to be dismissed from the proceedings if the Court is of opinion that there is not sufficient evidence against him or her.

Dismissal of co-respondent or respondent from proceedings.

10. In any suit instituted for divorce if the respondent opposes the relief sought on the ground of the adultery, cruelty or desertion without reasonable excuse of the petitioner, the Court may in such suit give the respondent, on his or her application, the same relief to which he or she would have been entitled in case he or she had presented a petition seeking such relief.

Grant of relief to respondent if petition opposed.

NULLITY OF MARRIAGE.

Petition for nullity of marriage.

11. Any husband or wife may present a petition to the Court praying that his or her marriage may be declared null and void.

Grounds of decree.

12. (1) Such decree may be made on any of the following grounds—

- (a) that the respondent was impotent at the time of the marriage and at the time of the institution of the suit ;
- (b) that the parties are within the prohibited degrees of consanguinity or affinity, whether natural or legal ;
- (c) that the former husband or wife of either party was living at the time of the marriage and the marriage with such former husband or wife was then in force ;
- (d) that the consent of either party to the marriage was obtained by force or fraud in any case in which the marriage might be annulled by the law in England ;
- (e) that the marriage has not been consummated owing to the wilful refusal of the respondent to consummate the marriage ;
- (f) that either party was of unsound mind at the time of the marriage ;
- (g) that the respondent was at the time of the marriage suffering from venereal disease in a communicable form ;
- (h) that the respondent was at the time of the marriage pregnant by some person other than the petitioner ;
- (j) that the marriage is invalid by the law of the Colony.

Provided that in the cases specified in paragraphs (f), (g) and (h) of this sub-section the Court shall not grant a decree, unless it is satisfied—

- (i) that the petitioner was at the time of the marriage ignorant of the facts alleged ;
- (ii) that proceedings were instituted within a year from the date of the marriage ;
- (iii) that marital intercourse with the consent of the petitioner has not taken place since the discovery by the petitioner of the grounds for a decree ;

(2) Any child born of a marriage avoided pursuant to sections (d), (f) or (g) of the last foregoing sub-section shall be a legitimate child of the parties thereto notwithstanding that the marriage is so avoided and any child born of a marriage avoided pursuant to section (c) shall be a legitimate child of the parties where it is adjudged that the subsequent marriage was contracted in good faith and with the full belief of the parties that the former husband or wife was dead, notwithstanding that the marriage is so avoided.

DECREE ABSOLUTE.

When decree is to be made absolute.

13. (1) A decree of divorce or nullity of marriage may be made absolute after the expiration of such time, not less than three months from the pronouncing thereof, as is prescribed or as is fixed by the Court in any suit.

(2) During that period any person may in such manner as is prescribed or as is directed by the Court in any suit, shew cause why the decree should not be made absolute by reason of the same

having been obtained by collusion or by reason of material facts not being brought before the Court.

(3) On cause being so shewn the Court shall make the decree absolute, or reverse the decree nisi, or require further inquiry or otherwise deal with the case as justice demands.

(4) The Court may order the costs arising from such cause being shewn to be paid by such parties or such one or more of them including a wife if she has separate property, as it thinks fit.

(5) When a decree nisi has been made and the petitioner fails to move within a reasonable time to have such decree made absolute, the Court may dismiss the suit.

PRESUMPTION OF DEATH.

14. (1) Any married person who alleges that reasonable grounds exist for supposing that the other party to the marriage is dead may present a petition to the Court to have it presumed that the other party is dead and to have the marriage dissolved, and the Court, if satisfied that such reasonable grounds exist, may make a decree of presumption of death and of divorce.

Proceedings for decree of presumption of death and divorce.

(2) In any such proceedings the fact that for a period of seven years or upwards the other party to the marriage has been continually absent from the petitioner, and the petitioner has no reason to believe that the other party has been living within that time, shall be evidence that he or she is dead unless the contrary be proved.

JUDICIAL SEPARATION.

15. The Court may make a decree of judicial separation on the petition of either the husband or the wife on any ground upon which it may make a decree of divorce.

Grounds for judicial separation.

16. (1) The property of a wife who at the time of her death is judicially separated from her husband shall in case she dies intestate, devolve as if her husband had been then dead.

Property of wife after judicial separation.

(2) Where, upon any such judicial separation, alimony has been decreed or ordered to be paid to the wife and the same is not duly paid by the husband he shall be liable for necessities supplied for her use.

(3) Nothing in this section shall prevent the wife from joining, at any time during such separation, in the exercise of any joint power held by herself and her husband.

17. The Court shall have power on due cause being shewn to reverse a decree of judicial separation.

Power to reverse a decree.

ALIMONY.

18. (1) In any suit under this Ordinance the wife may present a petition for alimony pending the suit.

Alimony pendente lite.

(2) Such petition shall be served on the husband and the Court may make such order on the husband for payment to the wife of alimony as it deems just.

19. The Court may, if it shall see fit, on any decree absolute for divorce or for nullity of marriage or on any decree of judicial separation obtained by the wife order that the husband shall secure

Permanent Alimony.

to the wife such gross sum of money, or such annual sum of money for any term not exceeding her life, as, having regard to her fortune, if any, to the ability of the husband, and to the conduct of the parties it shall deem reasonable, or the Court may make an Order on the husband for the payment to the wife during their joint lives of such monthly or weekly sum for her maintenance and support as the Court may think reasonable.

Provided always that if the husband shall from any cause become unable to make such payments, it shall be lawful for the Court to discharge or modify the Order or temporarily to suspend the same as to the whole or any part of the money so ordered to be paid, and again to revive the same Order wholly or in part, as to the Court shall seem fit.

CUSTODY OF CHILDREN.

Custody of Children.

20. The Court after a final decree of judicial separation, nullity of marriage, or divorce, may, upon application by petition for this purpose, make from time to time all such orders and provisions with respect to the custody maintenance and education of the children, the marriage of whose parents was the subject of the decree or for placing such children under the protection of the Court, as the Court shall see fit.

Provided that the term for which any sum of money is secured for the benefit of a child shall not extend beyond the date when the child will attain twenty-one years of age.

PROCEDURE.

Procedure.

21. Subject to the provisions herein all proceedings under this Ordinance shall be regulated by the Administration of Justice Ordinance, 1901.

Sittings in camera.

22. The whole or any part of any proceeding under this Ordinance may be heard, if the Court thinks fit, within closed doors.

Coming into force.

23. This Ordinance shall come into force on a day to be fixed by the Governor by Proclamation in the Government Gazette.

Passed by the Legislative Council this 16th day of May, 1940.

A. I. FLEURET,

Clerk of the Legislative Council.

Assented to by the Governor and given under the Public Seal of the Colony this 22nd day of May, 1940.

A. W. CARDINALI,

Colonial Secretary.

[L.S.]



FALKLAND ISLANDS.

Ordinance No. 2 of 1940.

I ASSENT,

H. HENNIKER HEATON,

Governor.

22nd May, 1940.

An Ordinance

To provide for the prevention of cruelty and exposure to moral and physical danger to children and young persons.

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

Enacting Clause.

1. This Ordinance may be cited as the Children and Young Persons Ordinance, 1940.

Short Title.

2. (1) If any person who has attained the age of sixteen years and has the custody, charge, or care of any child or young person under that age, wilfully assaults, ill-treats, neglects, abandons, or exposes him to be assaulted, ill-treated, neglected, abandoned, or exposed, in a manner likely to cause him unnecessary suffering or injury to health (including injury to or loss of sight or hearing or limb, or organ of the body, and any mental derangement), that person shall be guilty of a misdemeanour, and shall be liable -

Cruelty to persons under sixteen.

(a) on conviction on indictment, to a fine not exceeding one hundred pounds, or alternatively, or in default of payment of such a fine, or in addition thereto, to imprisonment for any term not exceeding two years;

(b) on summary conviction, to a fine not exceeding twenty-five pounds, or alternatively, or in default of payment of such a fine, or in addition thereto, to imprisonment for any term not exceeding six months.

(2) For the purposes of this section -

(a) a parent or other person legally liable to maintain a

child or young person shall be deemed to have neglected him in a manner likely to cause injury to his health if he has failed to provide adequate food, clothing, medical aid or lodging for him, or if, having been unable otherwise to provide such food, clothing, medical aid or lodging, he has failed to take steps to procure it to be provided;

- (b) where it is proved that the death of an infant under three years of age was caused by suffocation (not being suffocation caused by disease or the presence of any foreign body in the throat or air passages of the infant) while the infant was in bed with some other person who has attained the age of sixteen years, that other person shall, if he was, when he went to bed, under the influence of drink, be deemed to have neglected the infant in a manner likely to cause injury to its health.

(3) A person may be convicted of an offence under this section –

- (a) notwithstanding that actual suffering or injury to health, or the likelihood of actual suffering or injury to health, was obviated by the action of another person;
- (b) notwithstanding the death of the child or young person in question.

(4) Upon the trial of any person who has attained the age of sixteen years and is indicted for infanticide or for the manslaughter of a child or young person under the age of sixteen years of whom he had the custody, charge or care, it shall be lawful for the jury, if they are satisfied that he is guilty of an offence under this section to find him guilty of that offence.

(5) If it is proved that a person convicted under this section was directly or indirectly interested in any sum of money accruing or payable in the event of the death of the child or young person, and has knowledge that that sum of money was accruing or becoming payable, then –

- (a) in the case of a conviction on indictment, the maximum amount of the fine which may be imposed under this section shall be two hundred pounds, and the court shall have power, in lieu of awarding any other penalty under this section, to sentence the person convicted to penal servitude for any term not exceeding five years; and
- (b) in the case of a summary conviction, the court in determining the sentence to be awarded shall take into consideration the fact that the person was so interested and had such knowledge.

(6) For the purposes of the last foregoing sub-section :–

- (a) a person shall be deemed to be directly or indirectly interested in a sum of money if he has any share in or any benefit from the payment of that money, notwithstanding that he may not be a person to whom it is legally payable; and
- (b) a copy of a policy of insurance, certified to be a true copy by an officer or agent of the insurance company granting the policy, shall be evidence that the child or young person therein stated to be insured has in

fact been so insured, and that the person in whose favour the policy has been granted is the person to whom the money thereby insured is legally payable.

(7) Nothing in this section shall be construed as affecting the right of any parent, teacher, or other person having the lawful control or charge of a child or young person to administer punishment to him.

Passed by the Legislative Council this 16th day of May, 1940.

A. I. FLEURET,

Clerk of the Legislative Council.

Assented to by the Governor and given under the Public Seal of the Colony this 22nd day of May, 1940.

A. W. CARDINALL,

Colonial Secretary.

[L.S.]



FALKLAND ISLANDS.

Ordinance No. 3 of 1940.

I ASSENT,

H. HENNIKER HEATON,

Governor.

22nd May, 1940.

An Ordinance

To amend the Defence Force Ordinance, 1920, as amended by the Falkland Islands Defence Force (Amendment) Ordinance, 1938.

Enacting Clause.

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:—

Short Title.

1. This Ordinance may be cited as the Defence Force (Amendment) Ordinance, 1940, and shall be read and construed as and with the Defence Force Ordinance, 1920, as amended by the Falkland Islands Defence Force (Amendment) Ordinance, 1938.

Amending Section
3 (1).

2. Section 3 (1) of the Defence Force Ordinance, 1920, is hereby amended by the deletion of the words "British subject" in the second line and the substitution of the word "person" therefor.

Amending Schedule
A.

3. Schedule A to the Defence Force Ordinance, 1920, is hereby amended by the addition of the following words as a footnote:—

The words "and bear true allegiance" in line three should be deleted if the person whose services have been accepted as a member of the Defence Force is not a British subject.

Passed by the Legislative Council this 16th day of May, 1940.

A. I. FLEURET,

Clerk of the Legislative Council.

Assented to by the Governor and given under the Public Seal of the Colony this 22nd day of May, 1940.

A. W. CARDINALI,

Colonial Secretary.

[L.S.]



FALKLAND ISLANDS.

Ordinance No. 4 of 1940.

I ASSENT,

H. HENNIKER HEATON,

Governor.

22nd May, 1940.

An Ordinance

To give effect to the provisions of certain Treaties of Commerce and Navigation.

WHEREAS it is expedient that effect should be given in the Colony of the Falkland Islands and its Dependencies to the provisions of certain Treaties of Commerce and Navigation mentioned in the Schedule hereto :-

Preamble.

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

Enacting Clause.

1. This Ordinance may be cited as the Administration of Estates by Consular Officers Ordinance, 1940.

Short Title.

2. Whenever any subject or citizen of any State mentioned in the first column of the Schedule hereto -

Administration of Estates by Consular Officers.

(a) dies within the Colony, or

(b) dies outside the Colony leaving property within the Colony,

and no person is present in the Colony at the time of his death who is rightfully entitled to administer the estate of such deceased person, the Consul, Vice-Consul, or Consular Agent of such State within the Colony may take possession and have the custody of the property of such deceased person, and may apply the same in payment of his debts and funeral expenses, and may retain the surplus for the benefit of the persons entitled thereto; but such Consul, Vice-Consul, or Consular Agent shall immediately apply for, and shall be entitled to obtain from the Court, Letters of Administration of the property of such deceased person, limited in such manner and for such time as to the Court shall seem fit.

3. It shall be lawful for the Governor by order published

Variation of Schedule.

in the Official Gazette to vary the Schedule—

- (a) by deleting therefrom any State when the provision of the Treaty with that State mentioned in the Schedule shall have ceased to have effect;
- (b) by adding thereto any State with whom His Majesty shall make a Treaty of Commerce and Navigation containing provision similar to any of the provisions mentioned in the Schedule.

Passed by the Legislative Council this 16th day of May, 1940.

A. I. FLEURET,
Clerk of the Legislative Council.

Assented to by the Governor and given under the Public Seal of the Colony this 22nd day of May, 1940.

A. W. CARDINALL,
Colonial Secretary.

SCHEDULE.

Name of State.	Title of Treaty.	Date of Treaty.	Provision.
Estonia	Treaty of Commerce and Navigation between the United Kingdom and Estonia.	18th January, 1926.	Article 22.
Finland	Treaty of Commerce and Navigation between the United Kingdom and Finland.	14th December, 1923.	Article 19. (third paragraph).
Greece	Treaty of Commerce and Navigation between the United Kingdom and Greece.	16th July, 1926.	Article 23.
Hungary	Treaty of Commerce and Navigation between the United Kingdom and Hungary.	23rd July, 1936.	Article 14.
Japan	Treaty of Commerce and Navigation between the United Kingdom and Japan.	3rd April, 1911.	Article 5.
Thailand	Treaty of Commerce and Navigation between the United Kingdom and Siam (Thailand).	23rd November, 1937.	Article 19.
Turkey	Treaty of Commerce and Navigation between the United Kingdom and Turkey.	1st March, 1930.	Article 28.
Yugoslavia	Treaty of Commerce and Navigation between the United Kingdom and the Kingdom of the Serbs, Croats and Slovenes.	12th May, 1927.	Article 24.

[L.S.]



FALKLAND ISLANDS.

Ordinance No. 5 of 1940.

I ASSENT,

H. HENNIKER HEATON,
Governor.

22nd May, 1940.

An Ordinance

To provide for the change of official designations appearing in enactments.

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

Enacting Clause.

1. This Ordinance may be cited as the The Public Officers (Change of Designations) Ordinance, 1940.

Short Title.

2. "Enactment" means any Ordinance and includes any Order in Council, order, proclamation, rule, regulation, commission, bye-law, or notice made or issued under an Ordinance.

Interpretation.

3. Whenever any designation among those of the Public Officers set out in the first column of the Schedule hereto appears in any enactment in force or in any instrument of appointment effective at the date of the commencement of this Ordinance, it shall be replaced by the corresponding designation set out in the second column of that Schedule.

Substitution of new designations of Public Officers.

4. Whenever any change of any designation of any Public Officer is made at any future time, the Governor, if occasion requires may, by order, make any necessary substitution in or addition to the Schedule, and the provisions of the immediately preceding section shall apply accordingly in conformity with every such substitution or addition as regards any enactment in force or instrument of appointment effective at the date of such order.

Future changes in designation of Public Officers.

Passed by the Legislative Council this 16th day of May, 1940.

A. I. FLEURET,

Clerk of the Legislative Council.

Assented to by the Governor and given under the Public Seal of the Colony this 22nd day of May, 1940.

A. W. CARDINALL,

Colonial Secretary.

SCHEDULE (Section 3)

Colonial Treasurer.	Financial Secretary.
Director of Public Works.	Executive Engineer.
Chief Clerk, Treasury.	Supervisor and Accountant.

[L.S.]



FALKLAND ISLANDS.

Ordinance No. 6 of 1940.

I ASSENT,

H. HENNIKER HEATON,

Governor.

22nd May, 1940.

An Ordinance

To amend the Income Tax Ordinance,
1939.

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

Short Title.

1. This Ordinance may be cited as the Income Tax (Amendment) Ordinance 1940, and shall be read and construed as one with the Income Tax Ordinance, 1939, hereinafter referred to as the Principal Ordinance.

Repeal of Section 21
of Principal Ordinance
and substitution
of new section.

2. Section 21 of the Principal Ordinance is hereby repealed and in place thereof the following section shall have effect:—

21. (1) The Tax upon the chargeable income of every person other than a company shall be charged at the following rates:—

Rate of tax upon persons other than companies.

On the first £150 of such income	...	Nil.
In respect of the excess over £150		
For every pound of the first £100	...	1/-
" " " " " next £250	...	1/3
" " " " " " £250	...	1/6
" " " " " " £250	...	2/-
For every pound on all amounts above £1,000		2/6

(2) The Tax upon the chargeable income of a company shall be charged at the rate of two shillings and six pence on every £ of the chargeable income thereof.

Flat rate of tax on company.

Passed by the Legislative Council this 16th day of May, 1940.

A. I. FLEURET,

Clerk of the Legislative Council.

Assented to by the Governor and given under the Public Seal of the Colony this 22nd day of May, 1940.

A. W. CARDINALI,

Colonial Secretary.

Vital Statistics for the Falkland Islands for the year ended 31st December, 1939.

—::o::—

Births.

	Males.	Females.	Total.
Stanley	23	20	43
Darwin & East Falkland	1	—	1
West Falkland	3	—	3
	<hr/> 27	<hr/> 20	<hr/> 47

The number of births registered in the previous year was 41.

Deaths.

	Males.	Females.	Total.
Stanley	11	4	15
Darwin & East Falkland	1	—	1
West Falkland	—	1	1
	<hr/> 12	<hr/> 5	<hr/> 17

The number of deaths registered in the previous year was 20.

Marriages.

	Anglican.	Roman Catholic.	Non-conformist.	Registrar.	Total.
Stanley	4	0	2	5	11
Darwin & East Falkland	—	—	—	1	1
West Falkland	—	—	—	2	2
	<hr/> 4	<hr/> 0	<hr/> 2	<hr/> 8	<hr/> 14

The number of marriages performed in the previous year was 14.

Arrivals in the Colony.

The number of arrivals in the Colony during the year was 103 males and 62 females or a total of 165 against 77 males and 52 females or a total of 129 in the preceding year.

Departures from the Colony.

The number of departures from the Colony during the year was 97 males and 51 females or a total of 148 as against 95 males and 72 females or a total of 167 in the preceding year.

General.

The estimated population of the Falkland Islands on the 1st of January 1939 was 1308 males 1070 females or a total population of 2378.

The population on the 31st December 1939 was 2425 as shewn below :—

		Males.	Females.	Total.
Estimated population				
on the 31st December 1938	...	1308	1070	2378
Add arrivals during year	... ..	103	62	165
		1411	1132	2543
Deduct departures during year	...	97	51	148
		1314	1081	2395
Add births during year	... ..	27	20	47
		1341	1101	2442
Deduct deaths during year	... ..	12	5	17
Totals	...	1329	1096	2425
Birth rate per 1,000	...	males 11.13	females 8.25	
Death rate per 1,000	...	... 7.01		
Population per sq. mile	...	... .53		

Dependencies.

Marriages registered during year	...	nil
Births registered during year	...	nil
Deaths registered during year	...	1

The resident population at South Georgia during the year was estimated at 700.

A. R. HOARE,

Registrar General.

Stanley, Falkland Islands,

15th April, 1940.

A Bill

To repeal the Merchant Shipping (International Labour Convention) Ordinance, 1938.

Enacting Clause.

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 :—

Short Title.

1. This Ordinance may be cited as the “Merchant Shipping (International Labour Convention) (Repeal) Ordinance, 1940.

Repeal of Ordinance.
No. 15 of 1938.

2. The Merchant Shipping (International Labour Convention) Ordinance, 1938, is hereby repealed.

Passed by the Legislative Council this day of
 , 1940.

Clerk of the Legislative Council.

Assented to by the Governor and given under the Public Seal of the Colony this day of , 1940.

Colonial Secretary.

A Bill

To amend the Trading with the Enemy Ordinance, 1939.

Enacting Clause.

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:—

Short Title.

1. This Ordinance may be cited as the "Trading with the Enemy (Amendment) Ordinance, 1940", and shall be read and construed as one with the Trading with the Enemy Ordinance, 1939 (hereinafter referred to as the Principal Ordinance.)

Repeal of Sections 6
and 9 of Ordinance.
No. 1 of 1939.

2. Sections 6 and 9 of the Principal Ordinance which relate to (a) transfer and allotment of securities and (b) provisions with respect to money payable to, or received by, a Clearing Officer, are hereby repealed.

Passed by the Legislative Council this day of
 , 1940.

Clerk of the Legislative Council.

Assented to by the Governor and given under the Public Seal of the Colony this day of , 1940.

Colonial Secretary.



The Falkland Islands Gazette

Published by Authority.

VOL. XLIX.

JULY 1, 1940.

No. 7.

GOVERNMENT NOTICES.

No. 52. Colonial Secretary's Office,
Stanley, Falkland Islands.
30th May, 1940.

With reference to Government Notice No. 47 dated the 17th May, 1940, it is hereby announced that the following maximum prices for essential articles have been fixed by the Competent Authority. Such prices will remain in force until further notice.

It must be remembered that these prices are maximum and retailers can always sell below them.

	s.	d.
Eggs, fresh imported	2.	0. doz.
Cabbage, " "		4. lb.

By Command,
A. W. CARDINALL,
Competent Authority.

M.P. 88/40.

No. 53. Colonial Secretary's Office,
Stanley, Falkland Islands,
30th May, 1940.

Under the provisions of Regulation 17 of the Defence Regulations, 1939, His Excellency the Governor has been pleased to appoint an Advisory Committee, for the purposes of that Regulation, consisting of the following persons:

The Colonial Secretary, *Chairman.*
The Naval Officer-in-Charge.
The Officer Commanding.
The Falkland Islands Defence Force.

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. S/7/39.

No. 54. Colonial Secretary's Office,
Stanley, Falkland Islands.
15th May, 1940.

With reference to Government Notice No. 52 dated the 30th May, 1940, it is hereby announced that the following maximum prices for essential articles have been fixed by the Competent Authority. Such prices will remain in force until further notice.

It must be remembered that these prices are maximum and retailers can always sell below them.

	£	s.	d.
Coal	7.	10.	0. per ton.
Cheese, Cheddar Roll		7.	9. " cwt.
Milk, unsweetened, Coronet,		1.	7. " lb.
" condensed (sweetened)		9.	4. " doz.
Diploma		8.	3. " doz.
Boots, rubber, ladies			
and childrens			
Childs 4-9's		4.	10. per pr.
Maids 10-2's		6.	4. " "
Ladies 3-7's		7.	5. " "

By Command,
A. W. CARDINALL,
Competent Authority.

M.P. 88/40.

No. 55. Colonial Secretary's Office,
Stanley, Falkland Islands.
4th June, 1940.

With reference to Government Notice, No. 18 of the 26th of February, 1940, His Excellency the Governor has been pleased to confirm the appointment of

MISS MARY FRANCES GOWANS,
as Nurse-Matron of the King Edward VII Memorial Hospital, with effect from the 1st of November, 1939.

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. P/223.

No. 56. Colonial Secretary's Office,
Stanley, Falkland Islands.
5th June, 1940.

His Excellency the Governor has been pleased to appoint

DR. JAMES GORDON GIBBS, M.Agr., SC.,
Ph.D., (Minn). Dip. Agr., (Linc., N.Z.),

of the Scientific and Industrial Research Department, Palmerston North, New Zealand, to be Director of Agriculture, with effect from the 28th of May, 1940.

By Command,

A. W. CARDINALL,
Colonial Secretary.

M.P. P/235.

No. 57. Colonial Secretary's Office,
Stanley, Falkland Islands.
6th June, 1940.

His Excellency the Governor directs it to be notified, for general information, that intimation has been received from the Right Honourable the Secretary of State for the Colonies to the effect that His Majesty will not be advised to exercise his power of disallowance in respect of the following Ordinance of the Legislature of the Falkland Islands :-

Ordinance, No. 18 of 1939, entitled "An Ordinance to impose penalties for trading with the enemy, to make provision as respects the property of enemies and enemy subjects, and for purposes connected with the matters aforesaid".

By Command,

A. W. CARDINALL,
Colonial Secretary.

M.P. S/10/39.

No. 58. Colonial Secretary's Office,
Stanley, Falkland Islands.
6th June, 1940.

In exercise of the powers in him vested by Section 8 (i) of the Trading with the Enemy Ordinance, No. 18 of 1939, His Excellency the Governor is pleased hereby to make the following appointment :-

THE HONOURABLE

ALBERT RAWLINSON HOARE, M.B.E.,
to be Custodian of enemy property for the Colony of the Falkland Islands, with effect from the 5th of June, 1940.

By Command,

A. W. CARDINALL,
Colonial Secretary.

M.P. S/10/39.

No. 59. Colonial Secretary's Office,
Stanley, Falkland Islands.
6th June, 1940.

With reference to Government Notice No. 54 dated the 30th May, 1940, it is hereby announced that the following maximum prices for essential articles have been fixed by the Competent Authority. Such prices will remain in force until further notice.

It must be remembered that these prices are

maximum and retailers can always sell below them.

	£	s.	d.
Marmalade, Liptons 7 lb tins	5.	2.	per tin.
" " "Little Chip" 2 lb jar	2.	4.	per jar.
Jam, Chivers, Strawberry, 2 lb tin	1.	11.	per tin.
" " Liptons, 7 lb tins,			
Household	4.	6.	" "
Mixed Fruit	4.	6.	" "
Apricot	5.	4.	" "
Greengage	5.	4.	" "
Plum & Apple	4.	8.	" "
Strawberry	5.	11.	" "
Raspberry	5.	9.	" "
Blackcurrant	6.	8.	" "
Strawberry & Gooseberry	5.	0.	" "
Flour, Uruguayan 0000, 70k bags	1.	3.	6. bag.
Cheese, Chedlet.	1.	10.	" lb.
Cocoa, Lion.	1.	0.	" tin.
Tea, Green label, 1 lb packet	2.	10.	" lb.
Raisins, bulked.	1.	0.	" "
Dates, Turbin.	7.	"	" "
Currants, bulked.	1.	0.	" "
Dried Apricots	1.	8.	" "
Dried Pears	1.	2.	" "
Sugar, Cube, 1 lb packet		5.	" pkt.
Iceing Sugar		8.	" lb
Sago, Mortons, 2 lb tins	2.	9.	" tin.
Matches, wood, Army & Navy	1.	3.	dozen boxes.
Wheat, 70 kilo bags	1.	0.	3. per bag.
Candles, "Ship", 1 lb packets	1.	0.	" pkt.
Paraffin (in cases) 2, 4 gal. tins	19.	0.	" case.

By Command,

A. W. CARDINALL,
Competent Authority.

M.P. 88/40.

No. 60. Colonial Secretary's Office,
Stanley, Falkland Islands.
8th June, 1940.

Under the provisions of Regulation 5 (i) of the Defence Regulations, 1939, the Governor has been pleased to appoint

CAPTAIN KEITH ALAN JOHN PITT,

to be an Assistant Postal Censor with effect from the 10th of June, 1940.

By Command,

A. W. CARDINALL,
Colonial Secretary.

M.P. S/37/40.

No. 61. Colonial Secretary's Office,
Stanley, Falkland Islands.
8th June, 1940.

In reference to Government Notice, No. 54 control prices order, the item "rubber boots" refers to the brand NIOBY only.

By Command,

A. W. CARDINALL,
Competent Authority.

M.P. 88/40.

No. 62. Colonial Secretary's Office,
Stanley, Falkland Islands.
8th June, 1940.

His Excellency the Governor directs the publication, for general information, of the following Circular telegram which has been received from the Right Honourable the Secretary of State for the Colonies.

By Command.

A. W. CARDINALL,
Colonial Secretary.

M.P. 163/39.

Telegram received from Secretary of State for
the Colonies by His Excellency the Governor
on 5th June, 1940.

1. The deepening gravity of the situation with which the whole Empire is faced today calls for greatest possible effort from all its people. The response made so far by the Colonial Empire to the war leaves no doubt in the minds of H.M. Government that co-operation and help from every part of it will be readily forthcoming in the common task which still lies ahead. The anxiety of those overseas at present is, in fact, to know how they can most effectively make their contribution.

2. I will try to show in this telegram the general direction in which Colonial effort can now best be applied. In doing so I realise general remarks made in a brief space cannot apply with equal generality to individual territories.

3. My predecessor in a communication to Colonial Governments dated September 15th, 1939, suggested a general line of policy to be pursued in conditions then obtaining. He expressed the hope that subject to certain overriding considerations existing activities of the various Governments would be continued: and he emphasized his anxiety to see social services and development activities disturbed as little as possible and to avoid retrenchment of personnel.

4. The development of German blitzkrieg has now transformed the perspective in which these matters must be regarded. The former policy must be reviewed in the light of the new situation. We must now envisage a supreme effort in the next few months: and we must therefore concentrate more exclusively than hitherto on whatever will contribute to our effective war strength in immediate future.

5. In economic sphere the general aim of policy should be to bring the maximum positive contribution of the Colonies to immediate war effort in the way of supplies: and to reduce to the minimum their demands on resources in men, material and money which are or might be made available either at home or overseas.

In particular:—

- (a) Colonies of which raw materials are of importance to war efforts, including of course those for "Hard" currencies, should aim at maintenance production at whatever level may be indicated from time to time as being that necessary to Allied requirements. It will be appreciated that owing to ever changing circumstances optimum level of production of individual commodities for war purposes may alter rapidly.

- (b) Most Colonies can give substantial assistance by refraining from making demands for non-essential imports of every kind from sterling or non sterling sources but especially of imports involving use of iron and steel unless they are required for production in immediate future of material of essential war-time value to this country.
- (c) The maximum development of the production of foodstuffs to meet local demands for consumption should continue to be vigorously pursued.
- (d) It may no longer be possible for market or shipping to be provided to the same extent as formerly for Colonial commodities which are not of the first degree of importance to the United Kingdom.

6. Colonies can help from the Military as well as economic standpoint by reducing as far as possible any diversion, direct or indirect, of manpower from war effort in this country. As far as Government personnel is concerned, this end has in many colonies been served by release of civilian officers for local military duties which would otherwise have to be performed by officers sent from this country. The resulting deficiency of staff can in some degree be counteracted, as in this country, by curtailment of leave and longer hours of work. I hope to send you at an early date a further telegram regarding personnel and man power.

7. These changes in direction of our effort must inevitably affect proposals for Colonial development and welfare contained in the statement of policy issued by H.M. Government last February (Cd. 6175). The Colonial development Bill has already received its second reading in the House of Commons. But it is clear in the present circumstances it will not be possible to make any substantial progress in this policy. It must be assumed that assistance would for the present be given only for urgent purposes and for schemes which can be carried out from local resources of personnel and materials. Many Colonial Governments will not at present be in a position to prepare development programmes: though I am anxious where this can be done without detriment to war effort the preparation of plans for the future should be continued.

8. It is inevitable that the new conditions must entail not only postponement of progress but some curtailment in existing social and other services. But I should greatly deplore it if war were made the occasion for closing down services which can consistently with above principle be kept in being. Every effort should therefore be made to maintain them, provided that they do not detract from the maximum war effort.

9. In Colonies where the only reason for curtailing these services would be difficulty in providing money the possibility of imposing or increasing direct taxation, as in this country, upon those best able to bear it, will be examined. In many Colonies the response to new war taxation has been most public-spirited; and I have no doubt the same spirit will be shown in assuring further burden which present grave situation may entail.

No. 63. Colonial Secretary's Office,
Stanley, Falkland Islands.
10th June, 1940.

His Excellency the Governor directs it to be notified, for general information, that on the occasion of His Majesty's Birthday a Ceremonial Parade will be held at 11.0 a.m. on Thursday the 13th of June, 1940.

The Parade will form up on Ross Road facing Victory Green and will comprise the Falkland Islands Defence Force.

It is desired that all Government officials and as many members of the public as possible should be present.

By Command,

A. W. CARDINALL.

Colonial Secretary.

M.P. 41/37.

No. 64. Colonial Secretary's Office,
Stanley, Falkland Islands.
10th June, 1940.

It is hereby notified, for general information, that His Excellency the Governor has been pleased to appoint

THE HONOURABLE A. W. CARDINALL, C.M.G.,
Colonial Secretary, to act as Financial Secretary (Unpaid) in addition to his own duties, with effect from the 12th of June, 1940.

By Command,

A. W. CARDINALL.

Colonial Secretary.

M.P. P/231.

No. 65. Colonial Secretary's Office,
Stanley, Falkland Islands.
13th June, 1940.

His Excellency the Governor directs the publication of the following grant of leave to

G. H. FRITH, ESQ., O.B.E.,

Financial Secretary.

Vacation Leave. 30 days: exclusive of the time taken on the voyage to Grand Turk, West Indies, not exceeding twenty-eight days, with effect from the 12th of June, 1940.

By Command,

A. W. CARDINALL.

Colonial Secretary.

M.P. P/226.

No. 66. Colonial Secretary's Office,
Stanley, Falkland Islands.
13th June, 1940.

With reference to Government Notice, No. 40 of the 15th of June, 1939, it is hereby notified, for general information, that His Majesty the King has been pleased to give directions for the appointment of

ALBERT RAWLINSON HOARE, ESQUIRE,
M.B.E., J.P.,

to be a member of the Executive Council for a

further period of one year, with effect from the 13th of June, 1940.

By Command,

A. W. CARDINALL.

Colonial Secretary.

M.P. 81/33.

No. 67. Colonial Secretary's Office,
Stanley, Falkland Islands,
18th June, 1940.

The question of civil servants of all classes joining the armed forces of His Majesty has recently been reviewed and reconsidered by the Secretary of State for the Colonies.

The conclusion reached is that in general there is at present no difficulty in obtaining in the United Kingdom all the men that can be equipped and absorbed in the fighting services. In these circumstances it would be contrary to the public interest to reduce the efficiency of the Colonial Service or to deplete potential reserves of power in Colonies by releasing men for the armed forces in Great Britain.

It is emphasised that the first duty of men who can be spared from their several civil occupations in the Colonies is to service with such local forces as there exist. Although these local forces may have little chance at present of active service they fulfil essential purposes (a) defence, including discouragement to potential raiders (b) internal security and (c) training and provision of reinforcements when required. They must not overlook the possibilities of operations having to be undertaken in tropical or semi-tropical climates and in that event there would be an urgent need of personnel accustomed to such climates and with colonial experience. In the meantime by remaining in their various colonies they can make considerable contribution to the common effort.

So far as is possible therefore it is considered that all essential public services should be maintained and that the capacity of colonies to support and defend themselves as well as to produce raw materials of importance to war effort should not be jeopardised by diversion of personnel whether official or unofficial. In each case the decision as to where a man should serve must be determined by the public interest and not by preference of the individual concerned; the desires of so many men, who are called upon to remain at their civil post for duty and cannot share in the war, command the fullest appreciation and sympathy of the Secretary of State but he appeals to them to carry on in the assurance that they are of service where they are most needed and that if occasion arises they will be called upon for other duties.

Several civil officers on leave (especially medical officers) have applied for permission to join the armed forces but the Secretary of State has informed them that their duty is to return to their Colony.

By Command,

A. W. CARDINALL.

Colonial Secretary.

M.P. S/39/39.

No. 68. Colonial Secretary's Office,
Stanley, Falkland Islands.
20th June, 1940.

In reference to Government Notice, No. 59 dated the 6th June, 1940, it is hereby announced that the following maximum prices for essential articles have been fixed by the Competent Authority. Such prices will remain in force until further notice.

It must be remembered that these prices are maximum and retailers can always sell below them.

	s.	d.
Sultanas	1.	0. per lb.

By Command,

A. W. CARDINALL,
Colonial Secretary.

M.P. 88/40.

No. 69. Colonial Secretary's Office,
Stanley, Falkland Islands.
25th June, 1940.

With reference to Government Notice, No. 68 of the 6th of May, 1935, it is hereby notified, for general information, that His Majesty the King has been pleased to give directions for the following appointments to the Legislative Council of the Falkland Islands:—

NORMAN KIETH CAMERON, ESQUIRE, J.P.,
and

VINCENT ARTHUR HENRY BIGGS, ESQUIRE, J.P.,
to be Members for a further period of five years, with effect from the 6th of May, 1940.

By Command,

A. W. CARDINALL,
Colonial Secretary.

M.P. 41/29.

No. 70. Colonial Secretary's Office,
Stanley, Falkland Islands,
26th June, 1940.

With reference to Government Notice, No. 50 of the 25th of May, 1940, it is stated officially that the military section of the postponed Honours List will be published on Thursday, July 11th. It is not proposed to announce a list of civil Honours until some more appropriate time which will not, in any event, be before New Year 1941.

By Command,

A. W. CARDINALL,
Colonial Secretary.

M.P. C/6/40.

PROBATE NOTICES.

In the Supreme Court of the Falkland Islands.

William Stewart, of Stanley, Falkland Islands, deceased.

Whereas William John Hutchinson, Attorney for Henry William Alfred Stewart, son of the said William Stewart, has applied for Letters of Administration to administer the Estate of deceased.

These are therefore to warn the next-of-kin and the creditors that the prayer of the Petitioner will be granted provided no caveat be entered in the Supreme Court within twenty-one days from the date hereof.

The deceased died leaving no Will.

W. D. A. JONES,
Registrar, Supreme Court.

Stanley, Falkland Islands.

2nd May, 1940.

S.C. 6/40.

In the Supreme Court of the Falkland Islands.

Estate Earl Stanley Bound Pitaluga, of Rincon Grande, East Falkland Island.

Whereas Arthur Isadore Fleuret, Attorney for Gertrude Greta Millicent Pitaluga relict of the deceased, has applied for letters of Administration to administer the estate of the deceased.

These are therefore to warn the next-of-kin and the creditors that the prayer of the Petitioner will be granted provided no caveat be entered in the Supreme Court within twenty-one days of the date hereof.

The deceased died leaving no Will.

W. D. A. JONES,
Registrar, Supreme Court.

Stanley, Falkland Islands,

21st June, 1940.

S.C. 8/40.

No. 2.

Proclamation.

1940.

Declaration of War.

IN THE NAME of His Majesty GEORGE VI., by the Grace of God of Great Britain, Ireland and the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India, &c., &c., &c.

H. HENNIKER HEATON. *By His Excellency* SIR HERBERT HENNIKER HEATON, *Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies and Vice Admiral thereof.*

[L.S.]

I, SIR HERBERT HENNIKER HEATON, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief and Vice Admiral of the Colony of the Falkland Islands and its Dependencies, do hereby proclaim that a state of war exists between His Majesty the King and Italy.

GOD SAVE THE KING.

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 11th day of June, in the year of Our Lord One thousand Nine hundred and forty.

By Command,

A. W. CARDINALL,

Colonial Secretary.

No. 3.

Proclamation

1940.

IN THE NAME of His Majesty GEORGE VI., by the Grace of God of Great Britain, Ireland and the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India, &c., &c., &c.

H. HENNIKER HEATON. *By His Excellency* SIR HERBERT HENNIKER HEATON, *Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies, &c., &c., &c.*

[L.S.]

WHEREAS by Ordinance, No. 1 of 1940, entitled "An Ordinance to amend the Law relating to Marriage and Divorce", it is among other things enacted that the said Ordinance shall come into force on a day to be fixed by the Governor by Proclamation in the Government Gazette.

NOW, THEREFORE, I do Order and Proclaim, and it is hereby ordered and proclaimed, that the above-recited Ordinance shall come into force on the twelfth day of June, 1940.

GOD SAVE THE KING.

Given at Government House, Stanley, this twelfth day of June, in the Year of Our Lord One thousand Nine hundred and Forty.

By His Excellency's Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. 17/38.

No. 4.

Proclamation

1940.

Institution of Prize Court.

IN THE NAME of His Majesty GEORGE VI., by the Grace of God of Great Britain, Ireland and the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India, &c., &c., &c.

H. HENNIKER HEATON. *By His Excellency SIR HERBERT HENNIKER HEATON, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies, and Vice Admiral thereof.*

[L.S.]

I, SIR HERBERT HENNIKER HEATON, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Vice Admiral of the Colony of the Falkland Islands and its Dependencies, do hereby proclaim that a state of war exists between His Majesty the King and Italy, and do hereby notify, declare and make known that the Supreme Court of the Falkland Islands is a Prize Court to take cognizance of and judicially to proceed upon all and all manner of Captures, Recaptures, Seizures, Prizes and reprisals of all Ships, Vessels and Goods seized and taken which are or shall be brought within the limits of the said Court.

GOD SAVE THE KING.

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 15th day of June, in the Year of Our Lord One thousand Nine hundred and forty.

By Command.

A. W. CARDINALL,

Colonial Secretary.

Rules made by the Governor in Council under the powers conferred by section 84 of the Income Tax Ordinance No. 20 of 1939.

H. HENNIKER HEATON

Governor.

1. Every person liable to pay income tax shall on or before the 31st day of August, 1940, and on or before the 30th day of April in each subsequent 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 No. 20 of 1939.

3. The tax on mortgage or debenture interest as provided for by Section 32 shall be payable to the Financial Secretary 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 of 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) (f)).

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 Financial Secretary by the person paying such mortgage or debenture interest, the amount so paid to the Financial Secretary shall be set off for the purposes of collection against the tax charged on that chargeable income.

8. It shall be lawful for the Financial Secretary to 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 it shall be lawful for the Governor to authorise that such deduction may be made by such monthly deductions as he thinks fit.

Made by the Governor in Executive Council at a meeting held on the 11th day of May, 1940.

A. I. FLEURET,

Clerk of the Executive Council.

FALKLAND ISLANDS.

Form No. 1.

Income Tax Ordinance, 1939.

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.

(Duplicate): To be returned to the Commissioner, after the affidavit of service has been sworn to.

(Duplicate) To be returned to the Commissioner, after the affidavit of service has been sworn to.

FALKLAND ISLANDS.

Form No. 1.

Income Tax Ordinance, 1939. 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.

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.

FALKLAND ISLANDS.

No. of Assessment

Form No. 2.

.....19.....

C O N F I D E N T I A L .**INCOME TAX ORDINANCE—Ordinance No. 20 of 1939.**

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 (Section 80).

Declared before me this

day of

19

†.....

†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.

*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, &c., 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, &c.

PAGE 2 OF FORM 2.

If no income is returnable under any of the Heads below, the words "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 Source of Income under each Head Column 2	Amount Chargeable Column 3
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 live stock	
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. 1/10 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 & Loss Account and the Balance Sheet** must be enclosed.

FALKLAND ISLANDS.

Form No. 3.

INCOME TAX ORDINANCE—Ordinance No. 20 of 1939.

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-five 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 enquiry, that such person has no chargeable income.

(3) Where the employer, agent, contractor or other person is a body of persons the manager or other principal officer shall be deemed to be the employer for the purposes of this section, and any director of a company, or person engaged in the management of a company, shall be deemed to be a person employed.

[OVER]

ORIGINAL
To be returned to taxpayer.

FALKLAND ISLANDS.

Form No. 4.

File No.....

INCOME TAX ASSESSMENT NOTICE.

Stanley,.....19

To.....

PLEASE TAKE NOTICE that under the provisions of the Income Tax Ordinance — Ordinance No 20 of 1939 — 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 50), 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 :

B.—Both copies of this notice are to be produced when making payment.

Section 51: If any tax is not paid within the period prescribed in section fifty 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.

DUPLICATE.

To be retained by Commissioner.

FALKLAND ISLANDS.

Form No. 4.

File No.....

INCOME TAX ASSESSMENT NOTICE.

Stanley.....19

To.....

.....

PLEASE TAKE NOTICE that under the provisions of the Income Tax Ordinance — Ordinance No 20 of 1939 — 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 50), 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 :

B.—Both copies of this notice are to be produced when making payment.

Section 51: If any tax is not paid within the period prescribed in section fifty of this Ordinance :

- (a) a sum equal to five per centum of the amount of the tax payable shall be added thereto and the provisions of this Ordinance relating to the collection and recovery of tax shall apply to the recovery of such sum :
- (b) the Commissioner shall serve a demand note upon the person assessed, and if payment is not made within thirty days from the date of the service of such demand note, the Commissioner may proceed to enforce payment as hereafter provided.

Falkland Islands Defence Regulations.

Order for Detention and Control of Enemy Subjects.

H. HENNIKER HEATON,
Governor.

In exercise of the powers conferred on him by Regulation 17 (1) of the Falkland Islands Defence Regulations, 1939, His Excellency the Governor is pleased to order and it is hereby ordered as follows :—

1. That the enemy subject whose name is set out below shall be detained until this Order is rescinded or otherwise varied :—

From Weddell Island, West Falkland.

Otto Ripp.

2. That the said enemy subject shall be detained under the command and control of the Officer Commanding the Falkland Islands Defence Force.

By Command,
A. W. CARDINALL,
Colonial Secretary.

Stanley,

29th May, 1940.

M.P. 176/39.

Falkland Islands Defence (Amendment) (No. 1) Regulations, 1940.

H. HENNIKER HEATON,
Governor.

His Excellency the Governor under the authority of the
Emergency Powers (Defence) Act of the United Kingdom, 1939, is
pleased to order and it is hereby ordered as follows:—

Citation and date of
coming into opera-
tion.

1. These Regulations may be cited as the Defence (Amendment) (No. 1) Regulations, 1940, and shall come into operation forthwith.

2. The Defence Regulations, 1939, (hereinafter referred to as the Principal Regulations) shall have effect as if there were made therein the amendments which by the following provisions of this Order are directed to be made in the Regulations.

Amendment of Regu-
lation 5 of Principal
Regulations.

3. After paragraph (4) of Regulation 5 of the Principal Regulations there shall be inserted the following paragraph

“(5) Postal packets of any description whatsoever which may be in course of, or intended for transmission to, from, or through, the Colony shall bear on their outside cover the name and address of the sender.”

Amendment of Regu-
lation 17 of Principal
Regulations.

4. After paragraph (1) of Regulation 17 of the Principal Regulations there shall be inserted the following paragraph

“(1A) If the Governor has reasonable cause to believe any person to have been or to be a member of or to have been or to be active in the furtherance of objects of any such organization as in hereinafter mentioned, and that it is necessary to exercise control over him, he may make an order against that person directing that he be detained.

The organizations hereinbefore referred to are any organizations in respect of which the Governor is satisfied either that

- (a) the organization is subject to foreign control or influence, or
- (b) the persons in control of the organization have or have had association with persons concerned in Governments of or in sympathy with the system of the Government of any powers with which His Majesty is at war,

and in either case that there is danger of the utilization of the organization for purposes prejudicial to public safety, the defence of the realm, the maintenance of public order, the efficiency of the prosecution of any war in which His Majesty may be engaged, or the maintenance of supplies or services essential to the life of the community”.

Amendment of Regu-
lation 22 of Principal
Regulations.

5. Regulation 22 (1) of the Principal Regulations is hereby amended by the deletion of the words “Attorney General” in lines 10 and 11 and the substitution therefor of the words “Legal Adviser”.

By Command,

A. W. CARDINALL,
Colonial Secretary.

29th May, 1940.

Defence (Finance) (Amendment) Regulations, 1940.

H. HENNIKER HEATON,
Governor.

Under the authority of the Emergency Powers (Defence) Act, United Kingdom, 1939, the Governor is pleased to make the following regulations :—

1. These Regulations may be cited as the “Securities (Restrictions and Returns) Regulations, 1940”.

2. No person being an owner of securities of the classes to which these regulations apply shall on or after the date of these regulations unless permission has previously been granted by or on behalf of the Treasury, sell transfer or do anything which involves the creation of a charge on any securities of the said classes.

3. The owners of any securities of the said classes shall before the expiration of 30 days from the date of these regulations make a return to the Treasury (on a form which may be obtained from that Department) giving the following particulars with respect to those securities, that is to say,

- (a) the full name and address of the owner by whom or on whose behalf the Return is made,
- (b) a description of the security in full,
- (c) the nominal amount of the security,
- (d) the place where the security is deposited,
- (e) the full name and address of the person for whose account the security is held (if other than the owner making the return.)

4. The classes of securities to which these regulations apply are the following, that is to say, Securities in respect of which the principal, interest or dividends, are payable in the currency of any of the following countries

Argentina
Belgium
Canada
France
Holland and the Dutch East Indies
Norway
Sweden
Switzerland
United States of America

or in respect of which the holder has an option to require the payment of principal, interest or dividends in the currency of any of those countries.

Dated this thirtieth day of May, 1940.

By Command,

A. W. CARDINALL,
Colonial Secretary.

**Comparative statement of the Estimated and Actual
the Falkland Islands for the Year**

REVENUE.

RECEIPTS.	Estimated 1939.	Amount received to 31st Dec., 1939.	Receipts for same period, 1938.	More than estimated, 1939.	Less than estimated, 1939.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Balance on 1st Jan., 1939	.....	5492 19 9	.....	.....	.....
1. Customs Duties	14250 0 0	12919 13 8	14447 4 6	.....	1330 6 4
2. Port Dues	165 0 0	74 13 0	113 10 0	.....	90 7 0
3. Internal Revenue	1645 0 0	1391 3 1	1338 19 1	.....	253 16 11
4. Fees, Fines, &c.	3065 0 0	2373 2 2	3520 12 5	.....	691 17 10
5. Interest	14550 0 0	14140 12 5	14152 15 7	.....	409 7 7
6. Post Office	2700 0 0	1388 3 11	16500 10 6	.....	1311 16 1
7. Telegraphs & Telephones	2562 0 0	4037 14 9	2847 18 6	1475 14 9	.....
8. Rents	1260 0 0	1105 7 0	1127 12 0	.....	154 13 0
9. Miscellaneous	8960 0 0	10587 3 1	2580 2 7	1627 3 1	.....
10. Contribution from Dependencies	6000 0 0	6570 18 2	4989 11 3	570 18 2	.....
Total Ordinary Rev. Falklands £	55157 0 0	54588 11 3	61618 16 5	3673 16 0	4242 4 9
Land Sales Fund	3779 0 0	7316 16 1	8934 2 8	3537 16 1	.....
Marine Insurance Fund	187 0 0	199 16 0	193 3 0	12 16 0	.....
Reserve Fund	.....	.....	16000 0 0	.....	.....
Col. Development Fund	.....	145 0 0	3200 0 0	145 0 0	.....
Total ... £	59123 0 0	62250 3 4	89946 2 1	7369 8 1	4242 4 9
Dependencies Revenue	.....	13737 15 6	<p style="text-align: center;">Surplus of Assets 1st January, 1939.</p> <hr/> <p>Land Sales Fund ... £265265 11 8</p> <p>General Revenue balance a/c 15543 7 5</p> <hr/> <p>£280808 19 1</p>		
Research Fund	.....	8323 12 0			
Investments Realized	.....	125604 9 0			
Farm & Building Loans	.....	856 6 8			
Advances Repaid	.....	3150 8 11			
Deposits Received	.....	94223 12 11			
Remittances Received	.....	49237 1 4			
Investments Adjustment A/c	.....	16908 6 10			
Total ... £	.....	374291 16 6			
Balance brought down 1st January, 1939	.....	£ 5492 19 9			
Total ... £	.....	379784 16 3			

Distribution of Cash Balance 1st January, 1939 :—

Colonial Treasury	£3450 3 3
Crown Agents	1735 3 9
South Georgia	307 12 9
	<hr/> £5492 19 9.

Examined.

A. R. HOARE.

Local Auditor.

Revenue and Expenditure under various Heads for
ended 31st December, 1939.

EXPENDITURE.

PAYMENTS.	Estimated, 1939.			Amount paid to 31st Dec., 1939.			Payments for same period 1938.			More than estimated, 1939.			Less than estimated, 1939.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1. Pensions	2070	0	0	2458	10	10	1993	0	11	388	10	10			
2. The Governor	2699	0	0	2700	7	7	2745	2	9	1	7	7			
3. Colonial Secretary	2765	0	0	2583	19	7	2677	15	10				181	0	5
4. Treasury & Customs	1500	0	0	1180	1	9	1827	19	6				319	18	3
5. Audit	258	0	0	361	18	7	132	19	6	103	18	7			
6. Post Office	3454	0	0	3378	18	0	3394	4	8				75	2	0
7. Wireless & Electrical	3503	0	0	3765	17	7	3423	16	0	262	17	7			
8. Harbour	1102	0	0	1115	14	2	1012	17	5	13	14	2			
9. Legal	185	0	0	312	2	7	116	16	0	127	2	7			
10. Police & Prisons	1015	0	0	1043	4	3	975	10	9	28	4	3			
11. Medical	6564	0	0	6288	17	9	5322	2	3				275	2	3
12. Education	3132	0	0	3077	3	7	2833	17	4				54	16	5
13. Ecclesiastical	289	0	0	289	0	0	289	0	0						
14. Naturalist	130	0	0	177	16	4	38	14	0	47	16	4			
15. Military	1843	0	0	1912	18	3	1250	13	11	69	18	3			
16. Agriculture	6668	0	0	8772	16	9	6580	3	5	2104	16	9			
17. Miscellaneous	5555	0	0	6871	2	10	7934	0	6	1316	2	10			
18. Public Works Department	3375	0	0	3149	14	4	3364	15	9				225	5	8
19. Public Works Recurrent	6950	0	0	6577	10	0	12248	14	11				372	10	0
Total Ordinary Expenditure	£ 53057	0	0	56017	14	9	58162	5	5	4464	9	9	1503	15	0
20. Public Works Extraordinary	2063	0	0	2755	10	3	10560	0	2	692	10	3			
Appendix Reserve Fund							16000	0	0						
Military & War				11985	10	6				11985	10	6			
Colonial Development Fund				145	0	0	3200	0	0	145	0	0			
Total Falklands	£ 55120	0	0	70903	15	6	87922	5	7	17287	10	6	1503	15	0
Land Sales Fund				3664	3	11	Surplus of Assets on the 31st December, 1939.								
Dependencies Payments				13737	15	6	Land Sales Fund			£268918	3	10			
Research Fund				32784	16	10	General Revenue								
Investments made				63504	5	3	Balance 1/1/39.	£15543	7	5					
Advances made				9116	10	2	Deficit 31/12/39.	16170	4	3					
Deposits Repaid				80004	11	4	Depreciation of								
Remittances made				78571	19	7	Investments								
Investments Adjustment A/c				16908	6	10	31/12/39.	6614	9	8					
General Revenue Balance A/c.				6614	9	8	Total Deficit	22784	13	11					
Depreciation of Investments							Deduct								
							Balance 1/1/39	15543	7	5					
Total	£ 375810	14	7	379784	16	3	Net Deficit	7241	6	6	7241	6	6		
Balance on 31st December, 1939				3974	1	8					£261676	17	4		
Total	£ 379784	16	3												

Distribution of Cash Balance 31st December, 1939:—

Colonial Treasury	£ 2719	7	3
Crown Agents	1182	8	9
South Georgia	72	5	8
	£3974	1	8.

A. W. CARDINALL,
Acting Financial Secretary.

Comparative statement of the Estimated and Actual Revenue and Expenditure under various Heads for the Dependencies for the Year ended 31st December, 1939.

REVENUE.

Receipts.	Estimated 1939.	Amount received to 31st Dec., 1939.	Receipts for same period, 1938.	More than estimated 1939.	Less than estimated 1939.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1. Customs Duties :					
(a) Imports	530 0 0	582 15 5	548 11 7	52 15 5	.....
(b) Exports	11800 0 0	8116 12 6	8326 7 2	.....	3683 7 6
2. Port & Tonnage Dues	200 0 0	280 0 0	200 0 0	80 0 0	.....
3. Internal Rev. Licences	1160 0 0	557 15 0	510 15 0	.....	602 5 0
4. Fees, Fines, etc.	455 5 0	549 3 2	528 10 6	94 3 2	.....
5. Rents ...	1500 0 0	800 0 0	502 0 0	.....	700 0 0
6. Miscellaneous	10 0 0	2851 9 5	841 0 8	2841 9 5	.....
Total Ordinary Revenue £	15655 0 0	13737 15 6	11457 4 11	3068 8 0	4985 12 6
Research Fund		8323 12 0			
£		22061 7 6			

Surplus of Assets on 1st January, 1939.

Research Fund ... £200666 17 5
£200666 17 5.

EXPENDITURE.

Payments.	Estimated 1939	Amount paid to 31st Dec., 1939.	Payments for same period, 1938	More than estimated 1939.	Less than estimated 1939.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1. Personal:-					
South Georgia	1964 0 0	1922 14 1	1927 1 10	.....	41 5 11
General	205 0 0	125 0 0	98 19 7	.....	80 0 0
2. Other Charges:-					
(a) South Georgia	710 0 0	739 19 3	537 1 6	29 19 3	.....
(b) South Shetlands	20 0 0	.....	.....	.....	20 0 0
General	10125 0 0	10950 2 2	8894 2 0	825 2 2	.....
Total Ordinary Expenditure	13024 0 0	13737 15 6	11457 4 11	855 1 5	141 5 11
3. Extraordinary:-					
(a) South Georgia	.....	.....	.....	.....	.....
(b) South Shetlands	.....	.....	.....	.....	.....
Miscellaneous	.....	.....	.....	.....	.....
£	13024 0 0	13737 15 6	11457 4 11	855 1 5	141 5 11
5. Research Fund		32784 16 10			
Total Expenditure ...		£ 46522 12 4			

Surplus of Assets on 31st December, 1939.

Research Fund ... £176205 12 7.
£176205 12 7.

Examined,

A. R. HOARE,
Local Auditor.

A. W. CARDINALL,
Acting Financial Secretary.

METEOROLOGICAL OBSERVATIONS taken at STANLEY, FALKLAND ISLANDS, during the Year ended 31st December, 1939.
 Latitude $51^{\circ} 41\frac{3}{4}'$ South. Longitude $57^{\circ} 51\frac{1}{4}'$ West.

MONTHS.	MEAN PRESSURE IN MILLIBARS.	AIR TEMPERATURE (F°).								PRECIPITATION IN INCHES.			VAPOUR PRESSURE IN MILLIBARS.	RELATIVE HUMIDITY SATURATION = 100.	AMOUNT OF CLOUD.	MEAN SUNSHINE (hours and tenths.)	WEATHER. Number of days of					WIND. Number of Observations of																	
		DRY BULB.	WET BULB.	MEANS OF		ABSOLUTE MAX. AND MIN.				TOTAL.	GREATEST FALL.	DATE.					MEAN FORCE.	N.	N.N.E.	N.E.	E.N.E.	E.	E.S.E.	S.E.	S.S.E.	S.	S.S.W.	S.W.	W.S.W.	W.	W.N.W.	N.W.	N.N.W.	CALM.					
				MAX.	MIN.	MAX.	DATE.	MIN.	DATE.																														
January ...	996.8	49.3	46.6	55	42	69	18th	32	12th	3.50	.41	7th	9.7	81	8.5	4.4	21	—	—	—	17	3.0	3	—	3	—	4	—	2	—	3	—	7	—	2	—	7	—	—
February ...	999.9	50.5	47.0	55	42	62	7th	35	1st 18th 19th	1.10	.19	8th	9.4	73	6.5	6.1	19	—	—	1	8	3.4	1	1	2	—	—	—	1	2	—	5	2	10	1	3	—	—	
March ...	1000.2	47.1	44.5	51	40	63	22nd	35	14th	2.96	.35	5th	8.9	80	6.0	5.1	23	—	—	3	7	3.2	2	—	3	—	1	—	—	2	—	9	1	6	1	6	—	—	
April ...	1003.7	43.2	41.5	47	37	55	14th	29	10th	4.13	1.80	24th	8.1	84	6.0	3.5	21	—	—	2	9	3.5	3	—	1	—	—	—	4	—	3	—	8	1	4	—	6	—	—
May ...	1001.1	38.3	36.9	41	33	50	3rd	25	20th	3.11	.50	14th	6.9	83	7.0	1.6	29	9	—	3	13	3.2	—	—	4	—	—	—	—	3	—	10	3	8	—	1	1	1	
June ...	1003.4	34.9	33.9	38	30	45	1st	20	26th	1.91	.33	4th	6.2	90	6.2	1.9	29	15	—	6	11	3.1	2	—	—	—	1	—	2	—	3	—	5	—	11	1	4	—	1
July ...	1003.7	36.2	34.9	40	31	44	7th 15th 21st	21	14th	1.87	.36	26th	6.4	88	5.6	2.2	22	4	—	6	9	3.5	1	—	—	—	—	—	—	2	—	5	1	15	1	4	—	2	
August ...	1004.6	34.3	33.4	38	29	43	15th 28th	18	18th	1.94	.30	22nd 23rd	6.1	90	6.2	2.6	25	12	—	2	12	2.9	2	1	3	1	—	—	—	2	—	2	2	12	1	3	1	1	
September	1006.5	39.9	38.6	44	33	50	16th 22nd 24th	28	10th 11th 13th	1.49	.20	3rd	7.4	88	5.0	4.8	15	5	—	9	8	4.3	4	—	—	—	—	—	—	—	4	2	11	1	7	1	—		
October ...	1006.8	42.5	40.1	47	36	55	22nd	30	2nd 24th	1.29	.16	29th	7.4	81	6.8	4.8	15	—	—	3	16	3.8	5	1	2	—	1	—	—	3	—	1	3	5	—	8	1	1	
November ...	998.5	43.9	40.7	48	36	60	14th	28	6th	4.62	.90	30th	7.3	75	6.9	4.4	20	2	1	1	13	3.9	1	1	3	2	—	—	—	2	—	6	3	8	1	3	—	—	
December ...	1005.9	47.1	43.9	52	40	65	26th	31	3rd	3.45	.86	15th	8.3	74	7.4	4.8	22	—	1	1	18	4.2	—	1	1	—	—	—	—	5	—	7	4	7	1	5	—	—	
Means.	1002.6	42.2	40.1	46	35	55	—	27	—	2.61	.53	—	7.6	82	6.5	3.8	21	4	.16	3	11.7	3.5	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—		

Stanley, Falkland Islands.

D. S. A. WEIR,
Agricultural Adviser.

METEOROLOGICAL OBSERVATIONS taken at Cumberland Bay, during the year 1939.

MONTH.	AIR PRESSURE.					AIR TEMPERATURES.					PSYCHROMETER.		RAINFALL.			WEATHER.			SUNSHINE.
	MEAN.	HIGHEST & LOWEST.				MEAN.	MAX. AND MIN.				VAPOUR PRESSURE.	RELATIVE HUMIDITY.	TOTAL.	GREATEST FALL.	DATE.	DAYS OF RAIN.	DAYS OF SNOW & SLEET.	DAYS OF FOG.	DAYS.
		HIGHEST.	DATE.	LOWEST.	DATE.		MAX.	DATE.	MIN.	DATE.									
January ...	744.70	757.10	27th	719.00	29th	3.38C	11.7	2nd	- 0.7	12th	4.65	79.6	4.31"	1.43"	28th	7	4	2	17
February ...	747.81	760.00	24th	726.70	19th	5.56"	16.2	24th	- 1.0	3rd	5.22	76.2	5.57"	1.78"	11th	11	4	7	19
March ...	745.92	762.30	16th	723.10	7th	2.93"	12.0	23rd	- 2.8	16th	4.36	76.2	9.77"	3.08"	6th	7	5	3	22
April ...	748.28	766.30	17th	725.60	9th	2.85"	15.8	1st	- 5.9	11th	4.25	74.9	4.89"	2.78"	4th	6	3	5	19
May ...	742.97	765.30	8th	715.30	16th	-1.37"	5.0	11th	- 8.8	25th	3.24	78.2	5.66"	2.52"	15th	2	10	2	17
June ...	745.16	763.00	15th	717.00	25th	-2.11"	7.8	1st	- 8.2	14th	2.97	74.3	3.38"	1.16"	8th	2	9	1	3
July ...	746.54	765.90	3rd	725.40	24th	-2.44"	6.6	16th	- 7.9	24th	2.96	74.0	5.26"	1.72"	31st	1	13	0	8
August ...	746.62	768.30	26th	723.70	16th	-6.19"	4.2	16th	-14.6	22nd	2.16	72.7	4.08"	1.85"	15th	1	11	0	15
September	748.94	776.50	2nd	723.30	25th	-1.25"	7.0	20th	- 9.8	26th	3.08	71.5	5.92"	2.39"	6th	2	7	1	26
October ...	752.82	769.00	10th	732.70	26th	1.38"	10.0	29th	- 5.3	4th	3.76	74.6	1.89"	0.70"	31st	4	5	3	19
November	739.56	759.70	22nd	717.90	7th	1.20"	8.4	17th	- 3.6	25th	3.50	69.5	4.89"	1.80"	6th	3	12	0	20
December ...	744.77	760.30	14th	728.80	28th	2.94"	15.0	15th	- 4.2	7th	4.29	75.8	1.07"	0.38"	1st	5	3	0	24
Year.	746.17					0.57 C.	33.06 F.				3.70	74.8	56.69"			51	86	24	209



The Falkland Islands Gazette

Published by Authority.

VOL. XLIX.

AUGUST 1, 1940.

No. 8.

GOVERNMENT NOTICES.

No. 71. Colonial Secretary's Office,
Stanley, Falkland Islands.
1st July, 1940.

His Excellency the Governor has been pleased to appoint

MISS ISABEL BARNES

to be a Nurse-Probationer in the King Edward Memorial Hospital, Stanley, with effect from the 1st of July, 1940.

By Command,

A. W. CARDINALL,
Colonial Secretary.

M.P. P/237.

No. 72. Colonial Secretary's Office,
Stanley, Falkland Islands.
10th July, 1940.

His Excellency the Governor has been pleased, with the sanction of the Secretary of State for the Colonies, to give directions that

DAVID KELLOCK COWAN, ESQUIRE,
L.R.C.P. & S., (ED.), L.D.S., R.C.S., (ED.),

should be confirmed in his appointment as Medical Officer, with effect from the 5th of December, 1936.

By Command,

A. W. CARDINALL,
Colonial Secretary.

M.P. P/191.

No. 73. Colonial Secretary's Office,
Stanley, Falkland Islands,
11th July, 1940.

His Excellency the Governor directs the publication of the following notice:—

“His Majesty the King has been pleased to appoint

CAPTAIN ARTHUR ISADORE FLEURET

to be a Member (Military Division) of the Most Excellent Order of the British Empire.”

His Excellency the Governor has especial pleasure in making the above announcement as the Honour conferred is a compliment not only to Captain Fleuret, M.B.E., Adjutant, Falkland Islands Defence Force, but to all members of that Force in token of the services they have rendered to the Empire.

By Command,

A. W. CARDINALL,
Colonial Secretary.

No. 74. Colonial Secretary's Office,
Stanley, Falkland Islands,
17th July, 1940.

His Excellency the Governor directs it to be notified, for general information, that intimation has been received from the Right Honourable the Secretary of State for the Colonies to the effect that His Majesty will not be advised to exercise his power of disallowance in respect of the following Ordinances of the Legislature of the Falk-

land Islands :-

Ordinance No. 11 of 1939, entitled "An Ordinance to amend the Immigration (Restriction) Ordinance, 1936".

Ordinance No. 12 of 1939, entitled "An Ordinance to amend the Licensing Ordinance, 1882."

Ordinance No. 13 of 1939, entitled "An Ordinance to amend the Tariff Ordinance, 1900, as amended by the Tariff (Export Duties) Amendment Ordinances, 1923 and 1924."

Ordinance No. 16 of 1939, entitled "An Ordinance to prohibit the sale of Cigarettes or Cigarette Papers to Children and Young Persons."

Ordinance No. 17 of 1939, entitled "An Ordinance to provide for the prohibition or restriction of the exportation or importation of goods during any public emergency."

By Command,

A. W. CARDINALL,

Colonial Secretary.

M.P's. 160/35., 144/39., D/8/35.,
66/39., S/43A/39.

No. 75. Colonial Secretary's Office,
Stanley, Falkland Islands.
20th July, 1940.

With reference to Government Notice No. 68 dated the 20th June, 1940, it is hereby announced that the following maximum prices for essential articles have been fixed by the Competent Authority. Such prices will remain in force until further notice.

It must be remembered that these prices are maximum and retailers can always sell below them.

	£	s.	d.
Coffee, El Chana, 5 kilo tins	1.	10.	lb.
Oats, Stormking 80 kilo bags	1.	1.	0. bag.
Chilian House Coal	3.	16.	0. ton.
		4.	6. cwt.
Rubber, Boots —			
Red Diamond, Knee	1.	0.	3. pair.
Super Shefford "		16.	3. "
" " Hip	1.	5.	6. "

By Command,

A. W. CARDINALL,

Competent Authority.

M.P. 88/40.

No. 76. Colonial Secretary's Office,
Stanley, Falkland Islands.
24th July, 1940.

It is hereby notified for general information that maximum prices for essential foodstuffs, clothing and household goods are controlled by the Competent Authority in Port Stanley.

The same authority controls the prices

throughout the Colony. Farm Managers and Store Keepers outside Stanley are authorised to charge not more than 5% above c.i.f. to cover the ordinary expenses, wastage, etc.

By Command,

A. W. CARDINALL,

Colonial Secretary.

M.P. 80/40.

PROBATE NOTICE.

In the Supreme Court of the Falkland Islands.

*Mrs. Annie Finlay Morrison of Stanley,
Falkland Islands, deceased.*

Whereas Ellis Ludwig Sornsen, of Stanley, Falkland Islands, Executor of the above-named deceased, has applied for Letters of Administration to administer the Estate of deceased.

These are therefore to warn the next-of-kin and the creditors that the prayer of the Petitioner will be granted provided no caveat be entered in the Supreme Court within twenty-one days from the date hereof.

The deceased died leaving a Will dated 6th July, 1938.

W. D. A. JONES,

Registrar, Supreme Court.

Stanley, Falkland Islands.

8th July, 1940.

S.C. 8/40.

AGRICULTURAL NOTICE.

Agricultural Department,

Stanley, Falkland Islands.

12th July, 1940.

In accordance with the provisions of Section 14 of the Live Stock Ordinance, 1901, it is hereby notified for general information that the following earmark has been approved and registered for sheep on Salvador Station - "Front Bayonet" - for rams and wethers on the off ear and for females on the near ear.

The former mark for this Station - "Fore P" is hereby cancelled.

J. G. GIBBS,

Director of Agriculture.

Falkland Islands Defence (Amendment) (No. 2) Regulations, 1940.

H. HENNIKER HEATON,
Governor.

His Excellency the Governor under the authority of the Emergency Powers (Defence) Act of the United Kingdom, 1939, is pleased to order and it is hereby ordered as follows :—

1. These Regulations may be cited as the Defence (Amendment) (No. 2) Regulations, 1940, and shall come into operation forthwith.

2. The Defence Regulations, 1939, (hereinafter referred to as the Principal Regulations) shall have effect as if there were made therein the amendments which by the following provisions of this order are directed to be made in the Regulations.

3. After Regulation 22 of the Principal Regulations there shall be inserted the following Regulations :—

"Publishing reports
and statements.

22A. (1) Subject as hereinafter provided, any person publishing any report or statement relating to matter connected with the war which is likely to cause alarm or despondency shall be liable on summary conviction to imprisonment for a term not exceeding one month or to a fine not exceeding Fifty pounds or to both such imprisonment and such fine :

Provided that a person shall not be convicted for an offence against this Regulation if he proves—

- (a) that he had reasonable cause to believe that the report or statement was true; and
- (b) that publication thereof was not malicious and ought fairly to be excused.

(2) Nothing in this Regulation shall apply to any report or statement made by or to any servant of His Majesty or Constable in the course of his duty as such.

(3) A prosecution in respect of an offence against this Regulation shall not, be instituted by a Constable."

4. Regulation 22A of the Principal Regulations shall be renumbered 22B.

Dated this twenty-second day of July, 1940.

By Command,
A. W. CARDINALL,
Colonial Secretary.

LEGISLATIVE COUNCIL

Minutes of Meeting held on 26th June, 1940.

1. The minutes of the meeting held on the 16th of May, 1940, were confirmed.
2. The Honourable the Colonial Secretary moved and the Honourable the Senior Medical Officer seconded the adoption of the following Resolution :-

“WHEREAS the Colony of the Falkland Islands is desirous of sharing in the burdens cast upon the Imperial Government by the War;

“NOW, THEREFORE, this Council resolves, on behalf of the people of the Colony of the Falkland Islands, that Stock to the redemption value of £50,000 shall be transferred from the Colony to the Imperial Government as a contribution towards the purchase of aircraft for use in His Majesty's Forces”.

The Honourable D. W. Roberts stated that he was fully in favour of the transfer but asked whether it would not be possible for a like amount to be transferred from “Discovery” funds.

His Excellency replying said that money in the Research and Development Fund could not be drawn upon in this manner as it had been collected for the specific purpose of Research work and investigation in connection with the whaling industry.

The Honourable V. A. H. Biggs, on behalf of the public said that he wished to support whole-heartedly the motion and had hoped that a larger sum could have been offered to the Imperial Government. He realized, that that was not possible on account of the financial position of the Colony. He added that the public heartily supported the proposed transfer.

The Resolution was agreed to unanimously.

The Council adjourned *sine die*.

Currency Note Security Fund.

::O::

Colonial Treasury,
Stanley, Falkland Islands,
18th June, 1940.

The Honourable,
The Colonial Secretary,
Stanley.

Sir,

In conformity with the provisions of the Falkland Islands Currency Notes Ordinance, 1930, I have the honour to submit a statement of transactions during the period 1st January to 31st December, 1939, inclusive.

2. The year commenced with a currency note circulation amounting in value to £24,500, and ended with a nett increase of £500. The transactions are summarised in the following table :—

Denomination.	Notes in Circulation 1/1/39.	Value. £	Issues & replacements.	Value. £	Cancelled and withdrawn from circulation.	Value. £	Notes in circulation 31/12/39.	Value. £
£5 Series "A"	2	—	—	—	—	—	2	—
" " "B"	12	—	—	—	—	—	12	—
" " "C"	1,648	—	1	—	150	—	1,499	—
	—	£ 8,310	—	£ 5	—	£ 750	—	£ 7,565.
£1 Series "A"	57	—	—	—	—	—	57	—
" " "B"	129	—	—	—	1	—	128	—
" " "C"	14,441	—	2,471	—	1,641	—	15,271	—
	—	£14,627	—	£2,471	—	£1,642	—	£15,456.
10/- Series "C"	3,096	—	1,401	—	569	—	3,928	—
	—	£ 1,548	—	£ 700/10/-	—	£284/10/-	—	£ 1,964.
5/- Series "A"	31	—	—	—	—	—	31	—
" " "B"	29	—	—	—	—	—	29	—
	—	£ 15	—	—	—	—	—	£ 15.
Total	...	£24,500	—	£3,176/10/-	—	£2,676/10/-	—	£25,000.

(1)

(1)

(1) Includes contra entries of £670 in respect of damaged notes withdrawn from circulation and simultaneously replaced by new notes.

3. The value of currency notes lodged with the Commissioner during the year by persons desiring to receive sterling in London was £8,045, yielding a commission of £80 : 9 : 0.

4. The total dividends earned by investments amounted to £1,037 : 15 : 10, which was credited direct to Revenue.

5. On the 31st December, 1939, the sum of £697 : 11 : 8 was debited to the Fund in respect of depreciation of investments held on behalf of the fund at that date.

6. At the close of the year the sum of £874 : 2 : 8 was charged to Falkland Islands expenditure and credited to the Note Security Fund in order to bring the balance of the latter to a figure equivalent to 110% of the Note Issue.

7. Statements of Receipts and Payments and of the Investments held at the end of the period under review are appended.

I have the honour to be,

Sir,

Your obedient servant,

A. W. CARDINALL,

Ag. Financial Secretary.

Note Security Fund.

Statement of transactions 1st January to 31st December, 1939.

RECEIPTS.	PAYMENTS.
1939.	
1st January. To Balance £26950 : 0 : 0.	By Dividends to F. Is. Revenue £1037 : 15 : 10.
1% Commission received on transfers to London 80 : 9 : 0.	Sterling payments by Crown Agents, London 7545 : 0 : 0.
Currency lodged for payment in London 8045 : 0 : 0.	Decrease of Note Issue 2006 : 10 : 0.
Dividends received during year 1037 : 15 : 10.	Clerical assistance 4 : 4 : 0.
Increase of Note Issue 2506 : 10 : 0.	Charges, freight, insurance &c. on currency notes 202 : 16 : 0.
Transfer from Falkland Is. Funds (<i>See F. Is. Expenditure</i>) 874 : 2 : 8.	Depreciation of Investments 697 : 11 : 8.
<u>£39493 : 17 : 6.</u>	Balance 28000 : 0 : 0.
	<u>£39493 : 17 : 6.</u>

Balance :-

Market value of Investments	£26,064 : 12 : 1.
Liquid balance	1,435 : 7 : 11.
Remittances in transit	500 : 0 : 0.
	<u>£28,000 : 0 : 0.</u>

Note Security Fund 1939.

NAME OF STOCK.		%	FACE VALUE OF STOCK.			COST OF STOCK.			MARKET VALUE OF INVESTMENTS, 31ST DECEMBER, 1939.			
			£	s.	d.	£	s.	d.	Price.	£	s.	d.
Kenya	1946/56	6	3184	19	10	3315	1	10	109½	3487	11	4
Queensland	1922/47	3	900	0	0	842	17	7	92½	832	10	0
Nigeria	1955	3	2781	2	11	1925	13	3	91½	2544	15	0
Funding Loan	1956/61	2½	2893	1	3	2547	14	2	86½	2502	10	0
Jamaica	1956/61	3	2020	4	0	2000	0	0	90	1818	3	7
Nigeria	1947/57	5	600	0	0	594	0	0	105½	633	0	0
"	1963	4	1842	16	7	1617	1	4	101½	1870	9	5
Kenya	1950	4½	2021	5	3	1945	6	6	104½	2212	4	5
Nigeria	1950/60	5	3000	0	0	3282	10	0	105½	3165	0	0
New Zealand	1949	5	2518	13	0	2510	7	9	101½	2556	8	7
Canada*	1930/50	3½	1019	8	4	1039	7	11	100	1019	8	4
Tasmania	1940/50	4	1444	4	8	1476	5	6	98½	1422	11	5
Joint Colonial Fund			24225	15	10	23096	5	10		23964	12	1
			2100	0	0	2100	0	0		2100	0	0
			26325	15	10	25196	5	10		26064	12	1
Book value			...	...	...	26762	3	9				
Market value of Investments			...	...	...	26064	12	1				
Depreciation			...	...	...	£ 697	11	8				

* Not quoted in Stock Exchange List 29/12/39.

Report on the Government Employees' Provident Fund for the year ended 31st December. 1939.

—:~::~:—

Colonial Treasury,
Stanley,
27th June, 1940.

The Honourable,
The Colonial Secretary,
Stanley.

Sir,

In accordance with Section 4 (6) of Ordinance No. 8 of 1938, I have the honour to submit a report on the transactions of the Government Employees' Provident Fund for the year ended 31st December, 1939.

Appended are the following statements of account :—

- (i) Abstract of Revenue and Expenditure, Deposits and withdrawals, Investments, Investments Adjustment, Capital, and statement of Assets and Liabilities.
- (ii) Nominal value, cost and market value of investments at the 31st December, 1939.

During the period under review compulsory deposits, including arrears, amounted to £1,896 : 11 : 8, voluntary deposits to £71 : 8 : 0, and accrued interest to £94 : 15 : 3, which with bonus equivalent to compulsory deposits, resulted in a total credit of £3,959 : 6 : 7 to depositors. Withdrawals totalled £136 : 13 : 9.

The amount standing to the credit of depositors at the close of the year is shewn in the following statement :—

Balance 1st January, 1939	...	...	£2,864 : 19 : 10.
Add credits as detailed above	...	...	3,959 : 6 : 7.
		Total credits	£6,824 : 6 : 5.
Deduct withdrawals (closed accounts)	...	...	136 : 13 : 9.
Balance due to depositors at 31st December, 1939			£6,687 : 12 : 8.

Investments, of a redemption value of £6,165 : 7 : 1 and costing £6,250 : 13 : 9 made and held by the Crown Agents for the Colonies for and on behalf of the Fund, are detailed in the statement forwarded herewith. The revenue from investments was £131 : 18 : 10.

In conformity with C.R. 275 the Fund's investments were re-valued at the prices quoted in the London market at the close of the year. Depreciation amounted to £42 : 7 : 2, and this sum was charged direct to the Fund, thereby reducing the assets to a figure less by £5 : 3 : 7 than the liabilities.

Four accounts were closed leaving 101 accounts current at the close of the year.

I have the honour to be,

Sir,

Your obedient servant,

W. D. A. JONES,
for Financial Secretary.

The Government Employees' Provident Fund accounts for the year ended 31st December, 1939.

Revenue and Expenditure Account.

To Interest on closed accounts	10 : 8	By interest on Investments	131 : 18 : 10
.. Interest credited to Depositors' A/cs	94 : 4 : 7		
.. Capital Account	37 : 3 : 7		
	<u>£113 : 18 : 10</u>		<u>£131 : 18 : 10</u>

Deposits and Withdrawals Account.

To Balance 1/1/39.	2,864 : 19 : 10	By Withdrawal	136 : 13 : 9
.. Compulsory deposits and arrears	1,896 : 11 : 8	.. Balance credit of Depositors	6,687 : 12 : 8
.. Voluntary deposits	71 : 8 : 0		
.. Bonus	1,896 : 11 : 8		
.. Interest on current accounts	94 : 4 : 7		
.. Interest on closed accounts	10 : 8		
	<u>£6,824 : 6 : 5</u>		<u>£6,824 : 6 : 5</u>

Investment Account.

To balance 1/1/39.	2,536 : 16 : 2	By sundry sales	2,057 : 18 : 10
.. sundry purchases	5,714 : 10 : 5	.. depreciation	42 : 7 : 2
		.. balance, market value 31/12/39.	6,151 : 0 : 7
	<u>£8,251 : 6 : 7</u>		<u>£8,251 : 6 : 7</u>

Investment Adjustment Account.

To depreciation of Investments	42 : 7 : 2	By transfer to Capital A/c	42 : 7 : 2
	<u>£42 : 7 : 2</u>		<u>£42 : 7 : 2</u>

Capital Account.

To withdrawals	136 : 13 : 9	By balance 1/1/39.	2,864 : 19 : 10
.. Investment Adj. Account	42 : 7 : 2	.. Revenue & Expenditure A/c.	37 : 3 : 7
.. balance 31/12/39.	6,682 : 9 : 1	By deposits, bonus, and interest	3,959 : 6 : 7
	<u>£6,861 : 10 : 0</u>		<u>£6,861 : 10 : 0</u>

Statement of Assets and Liabilities.

LIABILITIES.		ASSETS.	
Amount due to Depositors	6,687 : 12 : 8	Market value of Investments	6,151 : 0 : 7
		Cash in hands of Treasurer	531 : 8 : 6
		Surplus of Liabilities over Assets	5 : 3 : 7
	<u>£6,687 : 12 : 8</u>		<u>£6,687 : 12 : 8</u>

(Note.—There is also a contingent liability of £48 : 9 : 1 in respect of a transfer from Falkland Islands Funds in 1938).

INVESTMENTS.

Government Employees' Provident Fund Account, 1939.

NAME OF STOCK.		%	FACE VALUE OF STOCK.			COST OF STOCK.			MARKET VALUE OF INVESTMENTS.			
			£	s.	d.	£	s.	d.	Price.	£	s.	d.
British Guiana*	1959/69	3	1,835	: 0	: 5	1,713	: 18	: 10	—	1,713	: 18	: 10
Sierra Leone	1958/63	3½	1,461	: 3	: 5	1,483	: 14	: 10	98½	1,439	: 5	: 1
Gold Coast	1956	4½	2,043	: 1	: 11	2,257	: 17	: 5	106½	2,175	: 17	: 11
New Zealand	1947	4½	826	: 1	: 4	795	: 2	: 8	99½	821	: 18	: 9
			6,165	: 7	: 1	6,250	: 13	: 9		6,151	: 0	: 7
			Book Value			6,193	: 7	: 9				
			Market Value			6,151	: 0	: 7				
			Depreciation			£42	: 7	: 2				

* Not quoted in Stock Exchange List for 29/12/39.

X Report on Education in the Colony for 1939

—:O:—

Preface

The population of the Falkland Islands is all-British and numbers about 2400, and educational provision is correspondingly limited. Nearly half the people live in the one town of Stanley, the rest being scattered either in small settlements or isolated shepherds' houses over an area nearly the size of Yorkshire. The whole country outside Stanley is called the camp. Education is compulsory between the ages of five and fourteen. The educational facilities fall under three groups:

- (1) Schools in Stanley
- (2) A school at Darwin, the largest settlement outside Stanley
- (3) Itinerant tuition in the camp.

(1) **STANLEY.** A Government school is maintained from public funds. The curriculum and time table are much the same as in an English primary school, including religious instruction, and in addition there is a full-time Continuation Class which provides a two-year course of further education. In 1924 a scheme was instituted to assist parents in the camp to send their children to Stanley for schooling. The children were boarded and lodged in a Government hostel and taught in the school at an inclusive charge of ten shillings a month: or, if accommodated in private houses, the Government made a grant towards the cost. In 1929 the hostel was closed owing to lack of support. The maintenance grants still remain, averaging about twenty a year, with a tendency to increase.

There is also a Convent School taught by Roman Catholic Sisters. It is not under Government control or inspection and receives no grant from public funds.

(2) **DARWIN.** The Falkland Islands Company maintains a school for the children of its employees. It is not assisted or inspected by Government.

(3) **THE CAMP.** Five itinerant teachers are provided by Government, two on the East Falkland and three on the West. The teachers travel on horseback from house to house, usually staying a fortnight at each. The houses are isolated, and the teacher may have to travel for several hours before he reaches the next place where his services are required. Each man has a district which he covers three or four times a year. He sends a fortnightly report to Stanley giving a detailed account of the work done, a list of books or materials wanted, and so on. The Headmaster of the Government School makes tours of inspection during the school summer holidays, normally visiting every child under tuition once every two years. In addition to the Government staff, the Falkland Islands Company maintains three camp teachers for work on its extensive farms on the East Falkland: as with the Company's school at Darwin, their work is not subject to Government inspection.

Administration and Staffing

1. The authorised teaching establishment of the Government school for 1939 was as follows:

A Headmaster	} Certificated by the Board of Education or the Scottish Education Department
An Assistant Master	
Two Assistant Mistresses	
A Second Assistant Master	} Locally Trained
An Assistant Teacher	
Three Supplementary Teachers	

2. There were the following changes in staff during the year:

- (1) Mr. T. D. Evans, the new Headmaster, arrived early in February ready for the opening of the school year.

- (2) A travelling teacher was appointed locally in February to make up the full complement of three teachers for the West Falkland.
- (3) The travelling teacher on the East Falkland left in June owing to ill-health.

3. The number of travelling teachers authorised for the East Falkland was raised from one to two for 1939. It was not found possible to fill the second appointment during the year, and as stated above the teacher who had been working on the East Falkland had to leave the service. Two teachers arrived from England to fill the vacancies in February 1940.

4. In February 1939 nearly all the farm managers from the West Falkland were in Stanley for a Stock Show. They all attended a meeting presided over by the Director of Education to discuss means of improving the provision of education for camp children. The newly appointed Headmaster was also present. The meeting unanimously agreed on a body of constructive proposals, which were afterwards approved by Government. They involved a considerable increase in expenditure and have not yet been put into operation.

School Attendance

5. (1) Government School, Stanley :	Boys	Girls	Total
Number on Roll 31 December 1939	101	69	170
Average Number on Roll during 1939	109.4	73.3	182.7
Average Attendance for 1939	106.4	70.6	177.0
Percentage of Average Attendance			96.5
(2) Roman Catholic School, Stanley :			
Number on Roll 31 December 1939	11	44	55
Average Attendance for 1939	9	43	52
(3) F. I. Company's School, Darwin :			
Number on Roll 31 December 1939	11	9	20
(4) Government Travelling Teachers :			
Number under tuition in 1939	40	36	76
(5) F. I. Company's Travelling Teachers :			
Number under tuition in 1939	23	21	44

Finance

6. The expenditure under Head XII Education of the annual estimates of expenditure was £3075 : 17 : 7 as compared with £2836 : 17 : 4 in 1938. The revenue collected in 1939 amounted to £152 : 17 : 9 as against £124 : 13 : 4 in 1938. Details of expenditure and revenue in 1939 are as follows :

Expenditure	£	s	d
1. Personal Emoluments	2296	17	4
2. Other Charges	779	0	3
	3075	17	7
Revenue			
1. School Fees	131	10	0
2. Sale of School Material	21	7	9
	152	17	9

Government School

7. All the pupils were medically and dentally examined during the year. A free daily issue of two halfpints of milk and a dose of cod liver oil was given to about 35 pupils.

8. Carpentry, cookery and gardening were taught. The physical training was in

accordance with the current Board of Education syllabus, and included apparatus work and folkdancing. Football, hockey and netball were played regularly. Lessons in hygiene were given to the senior boys and girls separately.

9. An open day and exhibition of work was held in November at which more than two hundred parents and friends attended.

A. R. HOARE,

Director of Education.

28th June 1940.

TABLES 1 to 14

The following tables are omitted :

1. Abstract of institutions and pupils (information is in Report)
5. Numbers of institutions and pupils (do)
6. Results of public examinations (none)
7. Numbers and qualifications of teachers (information is in Report)
9. Expenditure on institutions maintained by local public funds (none)
10. " " " " from aided funds (none)
12. Teachers by nationality (does not apply)
13. Administrative staff (information is in Report)
14. Educational institutions managed by other Government Departments (none)

TABLE 2

PERCENTAGE OF POPULATION ENROLLED IN INSTITUTIONS MAINTAINED OR AIDED
FROM COLONIAL REVENUES AND LOCAL PUBLIC FUNDS.

		Population (according to the latest accessible estimate)	Total number of pupils enrolled in maintained and aided institutions	Percentage
European	Male	1329	141	11
	Female	1096	105	10
		<u>2425</u>	<u>246</u>	<u>10</u>

TABLE 3

SCHOLARS BY SCHOOL YEARS AND AGES ON 31ST DECEMBER 1939 IN INSTITUTIONS MAINTAINED OR AIDED FROM COLONIAL REVENUES OR LOCAL PUBLIC FUNDS, AND IN UNAIDED BUT INSPECTED INSTITUTIONS

Primary Schools										
Age	Year of School Course									
	Cont. Class	Std. 6	Std. 5	Std. 4	Std. 3	Std. 2	Std. 1	Infants	Totals	
	m. f.	m. f.	m. f.	m. f.	m. f.	m. f.	m. f.	m. f.	m. f.	
16	- 1								- 1	
15	2 6			- 1					2 7	
14	4 1	- 2							4 3	
13	1 1	6 -	6 2	5 1					18 4	
12		1 2	3 1	4 1	2 1	1 -			11 5	
11			- 2	4 4	3 3	1 1	1 1		9 11	
10				3 3	3 4	3 1	2 -		11 8	
9					4 1	4 4	1 -	3 -	12 5	
8						6 2	7 1	- 2	13 5	
7							1 3	5 4	6 7	
6								10 4	10 4	
5								5 8	5 8	
4								- 1	- 1	
	7 9	7 4	9 5	16 10	12 9	15 8	12 5	23 19	101 69	
	16	11	14	26	21	23	17	42	170	

TABLE 4

ABSTRACT STATEMENT OF GROSS EXPENDITURE FROM COLONIAL REVENUES AND
LOCAL PUBLIC FUNDS ON EDUCATION FOR THE OFFICIAL YEAR

Note: All expenditure is from Colonial Revenue

<i>Total Direct Expenditure on Education :</i>				£	s.	d.
Primary Schools	...	...	...	2688	13	11
<i>Total Indirect Expenditure on Education :</i>						
				£	s.	d.
Apparatus	...	...		164	13	8
Board & Lodging	...	...		202	10	11
Miscellaneous	...	...		19	19	1
				<hr/>		
					387	3 : 8
				<hr/>		
				£3075	17	7
				<hr/>		

TABLE 8

GROSS EXPENDITURE ON INSTITUTIONS MAINTAINED BY GOVERNMENT AND
GROSS AND NET COST PER PUPIL

School Education General : Primary Schools

			£	s.	d.
Personal Emoluments (Staff)	...	...	2296	17	4
Other Charges	...	...	779	0	3*
			<hr/>		
		Total	£3075	17	7
Gross annual cost per enrolled pupil to Colonial Revenues	...		£11	18	5
Total Receipts :		£	s.	d.	
Fees	...	131	10	0	
Sale of School Material	...	21	7	9	
		<hr/>			£152 : 17 : 9
		<hr/>			
Net annual cost per enrolled pupil	...		£11	6	7
		<hr/>			

*This includes £202 : 10 : 11 for Board and Lodging

TABLE 11

STATEMENT OF FEE RATES, RULES GOVERNING EXEMPTION FROM FEES, AND SCHOLARSHIPS

The following fees are charged at the Government School :

Each pupil in the Continuation Class	...	1s	0d	a week
Each pupil below the C.C. and above Std. 1	...		6d	„
Each pupil below Std. 2	...		3d	„

provided that the total fees payable in respect of the children of any one family shall not exceed the rate of one shilling weekly.

Exemptions are made for fatherless children and in a small number of other cases where there is inability to pay. Similar charges and conditions are in force at the Roman Catholic School in Stanley. At the Darwin school and for children taught by Travelling Teachers there are no fees.

Report on the Government Savings Bank for the period 1st October, 1938 - 31st December, 1939.

::0::

Colonial Treasury,
Stanley, Falkland Islands.
2nd July, 1940.

The Honourable,
The Colonial Secretary,
Stanley,

Sir,

In accordance with the provisions of the Savings Bank Ordinance, 1936, and the Amendment thereto enacted in 1939, which was designed to bring the Bank's and the Colony's financial year into coincidence, I have the honour to submit a report covering the period 1st October, 1938 - 31st December, 1939, inclusive.

2. During the 15 months there were 1397 deposits and 619 withdrawals. The average monthly deposits amounted to £2,327 : 0 : 2 against average monthly withdrawals of £2,166 : 16 : 11.

3. The number of depositors increased during the period of account by 50 as follows :—

Number of depositors on 30/9/38.	...	...	1085
Accounts opened	...	...	101
Accounts closed	...	...	51
Number of depositors on 31st Dec., 1939	...	...	1135.

On 31st December, 1939, the average amount standing to the credit of each depositor was £184 : 1 : 3, or about £86 per head of the population.

4. Accrued interest totalled £6,049 : 4 : 10. The deposits and accrued interest exceeded withdrawals by £8,451 : 13 : 9, leaving a balance of £208,912 : 4 : 10 due to depositors as detailed hereunder :—

Amount standing to credit of depositors 30/9/38.	...	£200,460 : 11 : 1.
Deposits received	...	34,905 : 2 : 9.
Interest credited to depositors' accounts	...	6,049 : 4 : 10.
	Total	£241,414 : 18 : 8.
Less withdrawals	...	32,502 : 13 : 10.
Balance due to depositors on 31st December, 1939	...	£208,912 : 4 : 10.

5. The total sum expended by the Crown Agents, from time to time, under Section 11 (i) of the Ordinance in the purchase of approved securities of a face value of £207,644 : 7 : 8 amounted to £203,590 : 9 : 9. Income from this source amounted to £9,995 : 9 : 11.

6. Appended are statements showing :—

- (i) Nominal value, cost and market value of Investments, held on behalf of the Savings Bank Fund on 31st December, 1939.
- (ii) Monthly summary of transactions.
- (iii) Abstract of Revenue and Expenditure, Deposits and Withdrawals, Investment Adjustment Account, Reserve Account, and statement of Assets and Liabilities at the close of the financial period.

7. It will be observed that the assets of the Savings Bank exceed the liability to depositors by £17,047 : 17 : 7 or 8.16%

8. In accordance with instructions the contingent liability of £4,596 : 17 : 11, appearing in a footnote to the 1938 accounts, was liquidated by transfer of an equivalent sum to Falkland Islands funds

I have the honour to be,

Sir,

Your obedient servant,

W. D. A. JONES,

for Financial Secretary.

Government Savings Bank.

Year ended 31st December, 1939.

(Accounting Period 1/10/38. – 31/12/39.)

REVENUE AND EXPENDITURE ACCOUNT.

	£	s.	d.		£	s.	d.
To Interest on closed A/cs.	112	11	3	By Interest on Investments	9,995	9	11
.. Interest capitalised and credited to Depositors' A/cs.	5,936	13	7	.. Balance transferred to Capital A/c.	1025	12	10
.. Refund to F. I. Govt. of amount transferred in 1937	4,596	17	11				
.. Proportion of salaries etc. @ £300 p.a.	375	0	0				
	£11,021	2	9		£11,021	2	9

ACCOUNT OF DEPOSITS AND WITHDRAWALS.

To Balance – Credit of Depositors at 30/9/38.	200,460	11	1	By withdrawals	32,502	13	10
.. Deposits	34,905	2	9	.. balance – Credit of Depositors' A/cs.	208,912	4	10
.. Interest credited to Depositors' A/cs.	6,049	4	10				
	£241,414	18	8		£241,414	18	8

INVESTMENT ADJUSTMENT ACCOUNT.

To depreciation of Investments	£5,803	17	6	By transfer to Capital A/c.	£5,803	17	6
--------------------------------	--------	----	---	-----------------------------	--------	----	---

RESERVE ACCOUNT.

To Investment Adj. A/c.	5,803	17	6	By Balance 30/9/38.	23,877	7	11
.. Revenue & Expenditure A/c.	1,025	12	10				
.. Balance 31/12/39.	17,047	17	7				
	£23,877	7	11		£23,877	7	11

STATEMENT OF ASSETS AND LIABILITIES.

LIABILITIES.				ASSETS.			
Amount due to Depositors	208,912	4	10	Market Value of Investments	204,887	4	9
Reserve	17,047	17	7	Cash	21,072	17	8
	£225,960	2	5		£225,960	2	5

W. D. A. JONES,
for Financial Secretary.

SAVINGS BANK, 1938-39.

—:0:—

Monthly Summary of Transactions for the Year ended 31st December, 1939.

Date.	Deposits.			Withdrawals.			Difference.			TOTAL.			Interest.			Accounts Opened.	Accounts Closed.	No. of Deposits.	No. of With- drawals.	
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.					
Balance ... 1938.										200,460	11	1								
October ...	1,280	10	3	1,804	11	8	—	524	1	5	199,936	9	8			7	4	57	47	
November ...	1,614	8	2	2,284	8	10	—	670	0	8	199,266	9	0			1	4	43	41	
December ... 1939.	4,158	15	4	3,792	7	0	+	366	8	4	199,632	17	4			9	3	103	49	
January ...	809	2	6	2,449	12	0	—	1,640	9	6	197,993	18	4	1	10	6	5	4	53	54
February ...	1,981	2	0	1,305	2	7	+	675	19	5	198,670	9	11		12	2	7	2	102	56
March ...	3,426	6	0	1,663	17	7	+	1,762	8	5	200,435	5	11	2	7	7	11	2	140	30
April ...	1,369	0	4	4,047	6	10	—	2,678	6	6	197,768	7	9	11	8	4	13	8	76	51
May ...	1,710	11	10	1,399	8	2	+	311	3	8	198,079	12	11		1	6	2	2	77	37
June ...	2,693	13	0	1,123	15	3	+	1,569	17	9	199,649	11	2			6	7	1	115	39
July ...	1,295	5	5	6,293	17	3	—	4,998	11	10	194,721	5	5	70	6	1	1	7	73	58
August ...	1,702	15	0	1,036	2	11	+	666	12	1	195,395	19	1	8	1	7	2	7	76	37
September ...	4,433	14	6	677	0	0	+	3,756	14	6	199,152	13	7			16			210	29
October ...	1,417	4	7	1,632	2	4	—	214	17	9	198,941	5	4	3	9	6	6	2	68	32
November ...	3,556	10	1	1,458	3	2	+	2,098	6	11	201,054	5	9	14	13	6	5	4	74	34
December ...	3,456	3	9	1,534	18	3	+	1,921	5	6	208,912	4	10	5,936	13	7	9	1	130	25
£	34,905	2	9	32,502	13	10	+	2,402	8	11				6,049	4	10	101	51	1397	619

INVESTMENTS. SAVINGS BANK FUND.

31st December, 1939.

Name of Stock.		%	Face Value of Stock.			Cost of Stock.			Market Value on 31st December, 1939.			
			£	s.	d.	£	s.	d.	Price.	£	s.	d.
South Africa	1953/73. ...	3½	8315	14	6	8503	6	1	98	8419	8	3
Ceylon	1954/59. ...	3½	3379	18	0	1821	1	3	98½	3329	4	0
Funding Loan	1960/90. ...	4	3967	1	0	4481	3	8	107	4244	14	10
Nigeria	1963. ...	4	8007	17	4	7337	18	4	101½	8127	19	8
Queensland	1922/47. ...	3	446	0	7	344	13	9	92½	412	11	6
Nigeria	1955. ...	3	19579	15	7	18894	12	6	91½	17915	9	11
Funding Loan	1956/61. ...	2½	10284	3	7	8859	16	2	86½	8895	16	4
Gold Coast	1956. ...	4½	5775	4	8	6156	7	1	106½	6150	12	6
New Zealand	1947. ...	4½	1045	0	0	1132	14	3	99½	1039	15	6
British Guiana	1949/69. ...	5	14000	0	0	13847	18	0	105½	14910	0	0
Kenya	1948/58. ...	5	1898	7	1	1893	15	10	106½	2021	14	11
New Zealand	1952/55. ...	3	6044	16	10	5901	8	7	83½	5047	8	10
Australia	1940/60. ...	4¾	4802	5	8	5042	13	8	100½	4826	5	11
Ceylon	1960/70. ...	5	2000	0	0	1980	0	0	108½	2170	0	0
Nigeria	1950/60. ...	5	11000	0	0	10890	0	0	105½	11605	0	0
New Zealand	1949. ...	5	10631	11	5	10542	10	9	101½	10791	0	11
Consols	1957 o/a ...	4	4078	4	7	4521	16	1	103½	4220	19	4
Ceylon	1965. ...	4½	5064	6	11	4825	5	9	107½	5444	3	5
Kenya	1961/71. ...	4½	2000	0	0	1970	0	0	108½	2170	0	0
Northern Rhodesia	1950/70. ...	5	5235	11	1	4999	19	1	108½	5680	11	6
Uganda	1951/71. ...	5	10000	0	0	9600	0	0	108½	10850	0	0
India	1948 o/a ...	3	3913	17	8	2446	18	9	70½	2759	5	9
Palestine Gtd. Stock	1942/67. ...	5	12506	11	9	13866	18	7	105½	13194	9	0
Gold Coast	1960/70. ...	4½	1896	4	11	2128	18	2	107½	2038	9	3
New Zealand	1939/45. ...	3½	6881	18	8	6815	5	3	99½	6847	10	6
Kenya	1957/67. ...	3½	5000	0	0	4925	0	0	98½	4925	0	0
Canada*	1930/50. ...	3½	13032	2	8	13257	5	0	100	13032	2	8
India	1949/52. ...	3	5070	6	4	5159	9	6	92	4664	13	10
Com. of Australia	1948/53. ...	3¾	5175	5	10	5408	10	7	94½	4890	13	0
Ceylon	1959/64. ...	3	3381	11	8	3338	12	0	90	3043	8	6
Com. of Australia	1955/58. ...	3	11136	16	7	10468	15	2	83½	9299	5	1
Gold Coast	1945/70. ...	6	568	18	5	634	3	5	110	625	16	3
New Zealand	1955/60. ...	3½	667	9	8	622	19	11	88½	590	14	5
Nigeria	1949/79. ...	6	857	4	8	970	12	7	113½	972	19	2
Total ...			207644	7	8	203590	9	9		204887	4	9
Book Value ...			208501	19	9							
Market Value ...			204887	4	9							
Depreciation ...			£ 3614	15	0							

* Not quoted in Stock Exchange List 29/12/39.

A Bill

To legalise certain payments made in the year One thousand Nine hundred and Thirty-nine in excess of the Expenditure sanctioned by Ordinance No. 14 of 1938.

WHEREAS it is expedient to make further provision for the service of the Colony for the year 1939.

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

1. This Ordinance may be cited for all purposes as the Short Title. "Supplementary Appropriation (1939) Ordinance, 1940."

<p>2. The sums of money set forth in the Schedule hereto having been expended for the services therein mentioned beyond the amounts granted for those services by the Ordinance providing for the service of the year One thousand Nine hundred and Thirty-nine, the same are hereby declared to have been duly laid out and expended for the service of the Colony in that year, and are hereby approved, allowed and granted in addition to the sums mentioned for those services in the said Ordinance.</p>	<p>Appropriation of excess of expenditure for the year 1939.</p>
--	--

Passed by the Legislative Council this day of
 , 1940.

Clerk of the Legislative Council.

Assented to by the Governor and given under the Public
Seal of the Colony this day of , 1940.

Colonial Secretary.

Schedule.

SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
	FALKLAND ISLANDS.			
I.	Pensions	388	10	10
II.	The Governor	1	7	7
V.	Audit	103	18	7
VII.	Electrical and Telegraphs	262	17	7
VIII.	Harbour	13	14	2
IX.	Legal	127	2	7
X.	Police and Prisons	28	4	3
XIV.	Naturalist	47	16	4
XV.	Military	69	18	3
XVI.	Agriculture	2104	16	9
XVII.	Miscellaneous	1316	2	10
	Total Ordinary Expenditure	£ 4464	9	9
XX.	Public Works Extraordinary	692	10	3
XXI.	Military & War	11985	10	6
	Colonial Development Fund	145	0	0
APPENDIX I	Land Sales Fund	364	3	11
	Total	£ 17651	14	5



The Falkland Islands Gazette

Published by Authority.

VOL. XLIX.

SEPTEMBER 2, 1940.

No. 9.

GOVERNMENT NOTICES.

No. 77. Colonial Secretary's Office,
Stanley, Falkland Islands.
6th August, 1940.

His Excellency the Governor has been pleased to make the following appointment in the Falkland Islands Defence Force under Section 7 (1) of the Defence Force Ordinance, 1920, with effect from the 6th of August, 1940 :-

REGIMENTAL SERGEANT MAJOR
C. F. SHEPPARD.

to be an Officer with the rank of Lieutenant.

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. P/192.

No. 78. Colonial Secretary's Office,
Stanley, Falkland Islands.
7th August, 1940.

Under the provisions of the Gaol Ordinance, 1898, His Excellency the Governor has been pleased to appoint

The Magistrate,
The Honourable V. A. H. Biggs, J.P.
J. D. Creamer, Esq., J.P.

to be the Visiting Justices of the Gaol, Stanley, until the 31st of December, 1940.

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. 97/49.

No. 79. Colonial Secretary's Office,
Stanley, Falkland Islands.
19th August, 1940.

The following extract from a report on the activities of the Agricultural Department during the period 1st January to 30th June, 1940, is published for general information.

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. 118/40.

EXPERIMENTS AND DEVELOPMENTS.

The number of men employed by the Department was considerably reduced and work was consequently curtailed and was restricted almost entirely to the care of the various vegetable plots under cultivation. Owing to the extremely cold spring and wet summer the crops of vegetables were very disappointing on all but a few plots such as the hospital garden and the plot in front of the Agricultural Adviser's house. Government House lawn, which was put into potatoes, yielded a total crop of only 25 cwts. *i.e.* about 4 tons per acre, but this was considerably better than other potato patches such as a plot near Hutchinson's slaughter house which yielded only about 4 cwts. of saleable potatoes from an area of one acre, and a plot of newly broken ground at the quarantine station which yielded still less.

Vegetables have been sold to the total value of £63. 2s. 4d. much of this total being accounted for by sales to the various ships that have visited Stanley. The local demand for fresh vegetables in summer time appears to be very small indeed.

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. Any person committing an offence against any Defence Regulation in force in any country to which this Order applies, being a Regulation — Reciprocal enforcement of Defence Regulations.

- (a) imposing or providing for the imposition of prohibitions, restrictions or obligations in relation to ships or vessels; or
- (b) authorising the doing of anything in relation to ships or vessels; or
- (c) imposing or providing for the imposition of prohibitions, restrictions or obligations on the owner, charterer, master or person having the possession or management of a ship or vessel, or on a person on board or lawfully engaged to serve on board a ship or vessel ;

may be apprehended, tried and punished for that offence in any other country to which this Order applies as if he had committed an offence against the corresponding Defence Regulation in force in that other country, or if there is no corresponding Regulation in force in that other country, as if he had committed an offence against a Defence Regulation in force in that other country which contains no special provisions as respects the trial and punishment thereof.

2. This Order applies to the United Kingdom and every other country in which Defence Regulations are for the time being in force by virtue of subsection (i) of section four of the Emergency Powers (Defence) Act, 1939. Countries to which Order applies.

3. (1) This Order may be cited as the Defence Regulations (Reciprocal Enforcement) Order, 1940. Short title and interpretation.

(2) In this Order the expression "country" includes a territory, and the expression "ship or vessel" includes a ship or vessel under construction.

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

No. 82.

Colonial Secretary's Office,
Stanley, Falkland Islands.
19th August, 1940.

His Excellency the Governor directs the publication for general information, of the following Order made by His Majesty in Council on the 29th of May, revoking the Order in Council dated the 28th of November, 1899, and making provision for the trial of matrimonial causes in the Colony of the Falkland Islands.

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. 17/38.

AT THE COURT AT BUCKINGHAM PALACE.

The 29th day of May, 1940.

PRESENT,

The King's Most Excellent Majesty.

Lord President.

Lord Snell.

Secretary Sir John Anderson.

Sir George Rankin.

WHEREAS by an Order in Council dated the 28th day of November, 1899, provision was made for the trial of matrimonial causes in the Colony of the Falkland Islands, and, provision having now been made for this purpose by the Matrimonial Causes Ordinance, 1940, enacted by the Governor and Legislative Council of the Colony, it is expedient to revoke the Order in Council:

NOW, THEREFORE, His Majesty is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, that as from the day on which the Matrimonial Causes Ordinance, 1940, comes into operation the said Order in Council shall be revoked.

No. 83. Colonial Secretary's Office.
Stanley, Falkland Islands.
20th August, 1940.

With reference to Government Notice No. 75 dated the 20th July, 1940, it is hereby announced that the following maximum prices for essential articles have been fixed by the Competent Authority. Such prices will remain in force until further notice.

It must be remembered that these prices are maximum and retailers can always sell below them.

	s.	d.
Petrol, shell 5 litres	2.	4. per 5 litres.
Sheets, W.H.S. 70" x 90"	13.	4. " pair.
" " 80" x 100"	16.	0. " "

By Command,

A. W. CARDINALL,

Competent Authority.

M.P. 88/40.

No. 84. Colonial Secretary's Office,
Stanley, Falkland Islands.
20th August, 1940.

With reference to Government Notice, No. 25 of the 23rd of March, 1940, it is hereby notified for general information that letters on purely personal matters may be forwarded through agencies of T. Cook and Son to persons residing in Belgium, Czechoslovakia, Danzig, Denmark, German occupied France, Germany, Holland, Italy, Italian possessions, Luxemburg, Norway, German occupied Poland and Channel Islands. The conditions are as before except as follows:—

Letters must be in English or in the language of the country for which they are intended (except Czech. Erasures are not permitted and letters must omit the sender's address. No reference is allowed to any localities or journeys in Great Britain. Where replies are required they should be addressed to the Sender, c/o Post Box 506, Lisbon. (Lissabon in the case of letters from Germany or German occupied territory).

By Command,

A. W. CARDINALL,

Colonial Secretary.

M.P. 146/39.

No. 85. Colonial Secretary's Office.
Stanley, Falkland Islands.
21st August, 1940.

His Excellency the Governor directs it to be notified, for general information, that intimation has been received from the Right Honourable the Secretary of State for the Colonies to the effect that His Majesty will not be advised to exercise his power of disallowance in respect of the following Ordinance of the Legislature of the Falkland Islands:—

Ordinance No. 15 of 1939, entitled "An Ordinance to make provision for the supply of Electricity for Lighting and other purposes in the town of Stanley".

By Command,

A. W. CARDINALL,

Colonial Secretary.

M.P. 202/37.

No. 86. Colonial Secretary's Office,
Stanley, Falkland Islands.
21st August, 1940.

DAYLIGHT SAVING.

It is hereby notified, for general information, that under the Daylight Saving System, Government time will this year be advanced one hour from the local mean, at midnight, Saturday/Sunday, the 28th/29th of September, 1940.

By Command,

A. W. CARDINALL,

Colonial Secretary.

M.P. 492/27.

No. 87.

Colonial Secretary's Office
Stanley, Falkland Islands.
21st August, 1940.

His Excellency the Governor directs the publication, for general information, of the following Proclamation made by His Majesty the King on the 11th of June, 1940 :—

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. 142/40.

BY THE KING

A Proclamation

Specifying the Articles to be treated as Contraband
of War in the War with Italy.

GEORGE R.I.

WHEREAS, by reason of a declaration of War by Italy against Us, a state of War exists between Us and Italy :

AND WHEREAS it is necessary to specify the articles which it is Our intention to treat as Contraband of War :

NOW, THEREFORE, We do hereby Declare, by and with the advice of our Privy Council, that during the continuance of the War, or until We do give further public notice, the Proclamation issued on September 3rd, 1939, wherein were specified the articles which it is Our intention to treat as Contraband of War during the continuance of the War with Germany, shall be deemed to specify the articles which it is our intention to treat as Contraband of War during the continuance of the War with Italy.

Given at Our Court at Buckingham Palace, this eleventh day of June, in the year of our Lord one thousand nine hundred and forty, and in the fourth year of Our Reign.

GOD SAVE THE KING.

No. 88.

Colonial Secretary's Office,
Stanley, Falkland Islands.
23rd August, 1940.

The importation of English Bank Notes has been prohibited into the United Kingdom from other parts of the sterling area (except Eira); but notes bought within a Colonial Dependency may be imported when forwarded by the Colonial Control, which in the Falkland Islands is the Financial Secretary.

As a result of the foregoing restriction it is hereby notified that it will be an offence against the Defence Regulations of the Falkland Islands to import into the Falkland Islands Bank of England, Scottish and Northern Ireland Bank notes excepting under licence of the Competent Authority (Financial Secretary).

There are however exempted from this order the import into the Falkland Islands of such notes from Uruguay and Chile and by H.M. Ships.

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. S/20/39.

No. 89.

Colonial Secretary's Office,
Stanley, Falkland Islands.
27th August, 1940.

With reference to Government Notice, No. 88 of the 23rd of August, 1940, it is hereby notified, for general information, that the importation into the Falkland Islands of Bank of England, Scottish and Northern Ireland Bank Notes, from Uruguay and Chile, is prohibited unless they were posted on or before the 27th of August or are brought into the Colony by a person who has not been in any territory outside the sterling area since the 27th of August, 1940.

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. S/29/39.

The Trading with the Enemy (specified persons) (Amendment) (No. 2) Order, 1940.

H. HENNIKER HEATON,
Governor.

In pursuance of the powers vested in him by Section 3 (2) of the Trading with the Enemy Ordinance, 1939, His Excellency the Governor is pleased to order and it is hereby ordered as follows:—

1. Each of the persons specified in the Schedule to the United Kingdom Trading with the Enemy (Specified Persons) (Amendment) (No. 4) Order, 1940, as varied by the Trading with the Enemy (Specified Persons) (Amendment) (No. 5) Order, 1940, and the Trading with the Enemy (Specified Persons) (Amendment) (No. 6) Order, 1940, shall for the purposes of the Falkland Islands Trading with the Enemy Ordinance, No. 18 of 1939, be deemed to be an enemy within the meaning of that Ordinance during such period as this Order shall in relation to such person remain in force.

2. The Trading with the Enemy (Specified Persons) (Amendment) (No. 2) Order, 1940, of the 14th of May, 1940, is hereby revoked.

3. This Order may be cited as the Trading with the Enemy (Specified Persons) (Amendment) (No. 3) Order, 1940, and shall come into operation on the 19th day of August, 1940.

Dated this 17th day of May, 1940.

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. S/10/39.

(N.B.—The Schedule referred to above can be seen on application at the Colonial Secretary's Office.)

Defence (Finance) Regulations, 1939.

Order by His Excellency the Governor.

H. HENNIKER HEATON,
Governor.

Under the authority of the Defence (Finance) Regulations, 1939, as amended by the Defence (Finance) Amendment Regulations, 1940, His Excellency the Governor is pleased to order the exemption from the provisions of Regulation 3 (1) (c) (importation of Bank of England, Scottish and Northern Ireland Bank Notes) of importations from Uruguay and Chile and by His Majesty's Ships.

Dated this 21st day of August, 1940.

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. S/29/39.

Defence (Finance) (Amendment) Regulations, 1940.

H. HENNIKER HEATON,
Governor.

Under the authority of the Emergency Powers (Defence) Act, United Kingdom, 1939, the Governor is pleased to make the following regulations :—

1. These Regulations may be cited as the “Defence (Finance) Amendment Regulations, 1940”.

2. Regulation 3 sub-section (1) of the Defence (Finance) Regulations, 1939, is hereby amended by the addition thereto of the following paragraph :—

- (c) Import into the Colony of the Bank of England, Scottish and Northern Ireland Bank Notes, excepting under licence of the Competent Authority (Financial Secretary).

Dated this 21st day of August, 1940.

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. S/29/39.

Defence (Finance) Regulations, 1939.

Order by His Excellency the Governor.

H. HENNIKER HEATON,
Governor.

1. Under the authority of the Defence (Finance) Regulations, 1939, as amended by the Defence (Finance) Amendment Regulations, 1940, His Excellency the Governor is pleased to order the exemption from the provisions of Regulations (3) (i) (c) (importation of Bank of England, Scottish and Northern Ireland Bank Notes) of importations by His Majesty's Ships and of importations from Uruguay and Chile provided the Bank Notes from Uruguay and Chile were posted on or before the 27th of August, 1940, or are importations brought into the Colony by a person who has not been in any territory outside the sterling area since the 27th of August, 1940.

2. The Order made by the Governor on the 21st of August, 1940, is hereby revoked.

Dated this 27th day of August, 1940.

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. S/29/39.

Order of His Excellency the Governor in Council.

H. HENNIKER HEATON,

Governor.

In exercise of the powers vested in him by the Post Office Ordinance, 1898, and with the advice of the Executive Council, His Excellency the Governor is pleased to order, and it is hereby ordered that :—

1. This Order may be cited as the Post Office (Rates of Postage and Fees) Order, 1940.

2. On and after the 1st of September, 1940, the following rates of postage and fees shall be in force :—

LETTERS.

Sent from the Colony to the United Kingdom and other parts of the British Empire and Egypt. 1d. per ounce or part of an ounce.

To all other parts of the world 3d. for the first ounce and 2d. for each additional ounce or fraction of an ounce.

POST CARDS AND LETTER CARDS.

To the United Kingdom and other parts of the British Empire and Egypt. 1d. Reply Post Cards, 2d.

To all other parts of the world, 2d. Reply Post Cards 4d.

BOOKS AND NEWSPAPERS.

To all parts of the world.

Newspapers, private papers, and books, per 2 ozs. ...	...	1d.
Commercial Papers (with minimum of 3d.) per 2 ozs. ...	...	1d.
Patterns and Samples (with minimum of 1d.) per 2 ozs. ...	...	1d.
Blind Literature, per 2 lbs. ...	...	1d.

SMALL PACKETS.

1d. per 2 ounces, with a minimum charge of 5d.

Clearance of small packets containing dutiable goods, 6d.

(The limit of weight is 2 lbs. The maximum dimensions are 18 inches by 8 inches by 4 inches or if in roll form 18 inches in length by 6 inches in diameter.)

INSURED BOXES.

3d. per 2 ounces with a minimum of 1/-.

(An insured box must not exceed 2 lbs in weight and must not measure more than 12 inches in length, 8 inches in breadth, and 4 inches in height.)

PARCEL POST.

To the United Kingdom direct.

Weighing not over 3 lbs. ...	...	1s. 9d.
Over 3 lbs. but not over 7 lbs. ...	...	3s. 3d.
" 7 " " " " 11 "	...	4s. 6d.
" 11 " " " " 22 "	...	8s. 0d.

To and from the United Kingdom via Montevideo.

Weighing not over 3 lbs.	...	...	2s.	3d.
Over 3 lbs. but not over 7 lbs.	...	...	3s.	9d.
" 7 " " " 11 "	...	...	5s.	6d.
" 11 " " " 22 "	...	...	9s.	0d.

Compensation for loss or damage of uninsured parcels :—

For a parcel not exceeding 11 lbs., not to exceed	£1.	0s.	0d.
For a parcel exceeding 11 lbs., not to exceed	£1.	12s.	0d.

CASH ON DELIVERY SERVICE.

For parcels delivered in Stanley, for each parcel	...	4d.
For parcels delivered in the United Kingdom, for each parcel	...	4d.

Special Cash on Delivery fees for parcels to the United Kingdom :—

Trade charge not exceeding.	Fee.	Trade charge not exceeding.	Fee.
£	s. d.	£	s. d.
1	4½	21	4 6½
2	7	22	4 9
3	9½	23	4 11½
4	1 0	24	5 2
5	1 2½	25	5 4½
6	1 5	26	5 7
7	1 7½	27	5 9½
8	1 10	28	6 0
9	2 0½	29	6 2½
10	2 3	30	6 5
11	2 5½	31	6 7½
12	2 8	32	6 10
13	2 10½	33	7 0½
14	3 1	34	7 3
15	3 3½	35	7 5½
16	3 6	36	7 8
17	3 8½	37	7 10½
18	3 11	38	8 1
19	4 1½	39	8 3½
20	4 4	40	8 6

The foregoing Special Cash on Delivery fees are also charged in the United Kingdom on parcels for delivery at Stanley.

INSURANCE ON LETTERS, PARCELS AND BOXES.

The maximum amount of insurance is £50 and the fee is 9d. per £12 of declared value or portion thereof.

REGISTRATION.

To all parts of the world	...	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.

PAYMENT FOR LOSS.

The maximum limit of compensation for the loss of a registered article is £2. Registration in the international service does not give any title to compensation for loss or damage of the contents of any registered letter or packet as distinct from the loss of the entire packet. Under an exceptional arrangement, however, with the General Post Office, London, compensation may, as an act of grace, be paid up to a maximum of £2 in cases where the contents

of a registered letter or packet, posted to an address in the United Kingdom, are lost.

IMPERIAL REPLY COUPONS.

Imperial Reply Coupons valid for exchange within the British Empire may be obtained at the Post Office, Stanley, at a price of 2½d. for each Coupon. These Coupons may be exchanged in any part of the British Empire for a postage stamp or stamps representing the postage on a single rate letter to a destination within the Empire. Coupons are valid for six months exclusive of the month of issue.

INTERNATIONAL AND FOREIGN MONEY ORDERS.

The maximum amount allowed for a single Money Order is £40.

Rates of Poundage will be charged as follows :—

For sums not exceeding.	Poundage.	For sums not exceeding.	Poundage.
£	s. d.	£	s. d.
1	6	21	6 0
2	1 0	22	6 3
3	1 6	23	6 6
4	1 9	24	6 9
5	2 0	25	7 0
6	2 3	26	7 3
7	2 6	27	7 6
8	2 9	28	7 9
9	3 0	29	8 0
10	3 3	30	8 3
11	3 6	31	8 6
12	3 9	32	8 9
13	4 0	33	9 0
14	4 3	34	9 3
15	4 6	35	9 6
16	4 9	36	9 9
17	5 0	37	10 0
18	5 3	38	10 3
19	5 6	39	10 6
20	5 9	40	10 9

The Remitter of a money Order may, if he so desires, obtain an Advice of Payment. The fee payable for this service is 3d.

BRITISH POSTAL ORDERS.

The following are the amounts for which British Postal Orders are issued, together with the poundage fees payable in respect of each order.

Amount of Order.	Poundage.	Amount of Order.	Poundage.
s. d.	d.	s. d.	d.
6	2	6 0	4
1 0	2	7 6	4
1 6	3	9 0	4
2 0	3	10 0	4
2 6	3	12 0	4
3 0	3	15 0	4
4 0	3	20 0	4
5 0	3	21 0	4

The value of a Postal Order may be increased by affixing Falkland Islands postage stamps, in number not more than the number of spaces provided on the face of the order, by an amount not exceeding 5d. (excluding fractions of a penny) on Postal Orders of denominations up to and including 5/-, and to an amount not exceeding 11d. on Postal Orders of higher value. Stamps perforated with initials or marks, or imbossed or impressed stamps cut out of envelopes, postcards, etc., will not be accepted for this purpose.

INLAND POSTAGE.

Letters 1d. per ounce or part of an ounce. Post Cards 1d. Reply Post Cards 2d.

Newspapers, books, etc. :—

Not exceeding 4 ounces in weight	...	...	1d.
Exceeding 4 ounces but not exceeding 6 ounces	...	...	1½d.
Exceeding 6 ounces but not exceeding 8 ounces	...	...	2d.

and so on at the rate of ½d. for every subsequent 2 ounces or fraction of 2 ounces up to 2 lbs.

INLAND PARCEL POST.

For a parcel not exceeding 2 lbs. in weight	...	...	9d.
Exceeding 2 lbs. but not exceeding 5 lbs.	...	...	1s. 0d.
" 5 " " " " 8 "	...	...	1s. 3d.
" 8 " " " " 11 "	...	...	1s. 6d.
" 11 " " " " 22 "	...	...	3s. 0d.

INLAND REGISTRATION.

Any letter, parcel or other postal packet may be registered. The fee for registration is 3d.

3. The Order made by the Governor in Council on the 3rd day of October, 1930, relating to rates of postage and fees, the Post Office (Rates of Postage and Fees) Amendment Order, 1932, and the Post Office (Poundage Fees) Amendment Order, 1940, are hereby cancelled.

Made by the Governor in Executive Council at a meeting held on the 28th day of August, 1940.

A. I. FLEURET,

Clerk of the Executive Council.

M.P. 363/30.





The Falkland Islands Gazette

Published by Authority.

VOL. XLIX.

OCTOBER 1, 1940.

No. 10.

GOVERNMENT NOTICES.

No. 90. Colonial Secretary's Office,
Stanley, Falkland Islands.
30th August, 1940.

It is hereby notified, for general information, that His Excellency the Governor has been pleased to appoint

WILFRED DAVID ARNOLD JONES, ESQ.,
to act as Collector of Customs, Treasury & Customs Department, with effect from the 1st of August, 1940.

By Command,

A. W. CARDINALL,
Colonial Secretary.

M.P. P/71.

No. 91. Colonial Secretary's Office,
Stanley, Falkland Islands.
3rd September, 1940.

It is hereby notified, for general information, that it is the desire of His Majesty the King that Sunday, September 8th, being the first Sunday after the anniversary of the outbreak of War should be a Day of National Prayer.

Special services will be held at the Cathed-

ral, St. Mary's Chapel and the Tabernacle. It is hoped that members of Councils, Heads of Departments and members of the general public will make it possible to attend.

By Command,

A. W. CARDINALL,
Colonial Secretary.

M.P. 96/40.

No. 92. Colonial Secretary's Office,
Stanley, Falkland Islands.
4th September, 1940.

His Excellency the Governor has been pleased to appoint

MR. W. ALDRIDGE

MR. A. BONNER

MR. E. G. BIGGS

MR. D. LEES

and MR. W. J. SUMMERS

to be members of a Committee to advise on matters relating to the Stanley Common for a period of one year with effect from the 2nd of September, 1940.

By Command,

A. W. CARDINALL,
Colonial Secretary.

M.P. 134/35.

No. 93. Colonial Secretary's Office,
Stanley, Falkland Islands.
5th September, 1940.

With reference to Government Notice No. 83 dated the 20th of August, 1940, it is hereby announced that the following maximum prices for essential articles have been fixed by the Competent Authority. Such prices will remain in force until further notice.

It must be remembered that these prices are maximum and retailers can always sell below them.

	s.	d.
Currants, Mortons	2.	11. 2 lb. pkt.
" " " "	1.	6. 1 lb. "
Prunes, "Santa Clara"	1.	0. per lb. "
Dried Fruit Salad, Eills.	1.	2. " "
Margarine "Stork" $\frac{1}{2}$ lb. packets	1.	4. " "

By Command,

A. W. CARDINALL,

Competent Authority.

M.P. 88/40.

No. 94. Colonial Secretary's Office,
Stanley, Falkland Islands.
11th September, 1940.

His Excellency the Governor directs the publication of the following telegraphic correspondence between His Excellency and the Rear Admiral, South America Division:—

From the Governor.

On the eve of your departure after this full year of successful guardianship in war of all Imperial interests in these seas the Falkland Islands wish you Godspeed and thank you profoundly.

To the Governor.

Very many thanks to you and all Falkland Isles for so many kindnesses over past four years. Good-bye and good luck to all.

By Command,

A. W. CARDINALL,

Colonial Secretary.

M.P. 182/37.

No. 95. Colonial Secretary's Office,
Stanley, Falkland Islands.
16th September, 1940.

His Excellency the Governor directs it to be notified, for general information, that intimation has been received from the Right Honourable the Secretary of State for the Colonies to the effect that His Majesty will not be advised to exercise his power of disallowance in respect of the following Ordinance of the Legislature of the Falkland Islands:—

Ordinance No. 20 of 1939, entitled "An Ordinance to impose a Tax upon Incomes and to Regulate the Collection thereof".

By Command,

A. W. CARDINALL,

Colonial Secretary.

M.P. 68/40.

No. 96. Colonial Secretary's Office,
Stanley, Falkland Islands.
19th September, 1940.

With reference to Government Notice No. 93 dated the 5th of September, 1940, it is hereby announced that the following maximum prices for

essential articles have been fixed by the Competent Authority. Such prices will remain in force until further notice.

It must be remembered that these prices are maximum and retailers can always sell below them.

	s.	d.
Matches, wood, Army & Navy	16.	9. per gross.
Margarine, Jurgins, 2 lb. tin	1.	5. " pkt.
Marmalade, Liptons 2 lb tin	2.	5. " tin.
Jam, Hartleys, 2 lb. tin	1.	6. per tin.
" Liptons, 7 lb tins.	1.	11. per tin.
Apricot	5.	7. " "
Plum	5.	1. " "
Strawberry	6.	2. " "
Mixed Fruit	4.	9. " "
Household	4.	9. " "
Plum & Apple	5.	1. " "
Raspberry	6.	4. " "
Blackcurrant	6.	11. " "
Strawberry & Gooseberry	5.	3. " "

By Command,

A. W. CARDINALL,

Competent Authority.

M.P. 88/40.

No. 97. Colonial Secretary's Office,
Stanley, Falkland Islands.
23rd September, 1940.

The Governor directs the publication of the following telegraphic correspondence between His Excellency and the Right Honourable the Secretary of State for the Colonies relative to the outrageous bombing attacks made upon Their Majesties the King and Queen by the German Air Force.

By Command,

A. W. CARDINALL,

Colonial Secretary.

M.P. 164/39.

From the Governor to the Secretary of State for the Colonies on the 13th September, 1940.

The people of the Falkland Islands wish to express their deepest gratitude for their Majesties preservation from an attack serving only to deepen the horror and detestation of German villainess.

From the Secretary of State for the Colonies to the Governor on the 22nd September, 1940.

Your telegram has been laid before the King who has commanded me to convey to the people of the Falkland Islands an expression of His sincere thanks for the message.

Their Majesties are deeply touched by the concern for their safety and welfare which is being shown by so many of their people in all parts of the Empire.

No. 98. Colonial Secretary's Office,
Stanley, Falkland Islands.
25th September, 1940.

His Excellency the Governor has been pleased to appoint

ERIC FERGUS JOHN DUNLOP, ESQ., M.B., Ch.B.,
and

KEITH LUXTON, ESQ.,

to be Justices of the Peace for the Colony, with effect from the 24th of September, 1940.

By Command,

A. W. CARDINALL,

Colonial Secretary.

M.P. 30/28.

No. 99. Colonial Secretary's Office,
Stanley, Falkland Islands.
26th September, 1940.

His Excellency the Governor has been pleased to appoint

ARTHUR ISADORE FLEURET, ESQUIRE, M.B.E.,
to be a Justice of the Peace for the Colony, with
effect from the 26th of September, 1940.

By Command,

A. W. CARDINALL,
Colonial Secretary.

M.P. 30/28.

PROBATE NOTICES.

In the Supreme Court of the Falkland Islands.

*Estate Henriette Josephine Ricketts, of Sea Lion
Island, East Falkland Island.*

Whereas David William Roberts, Executor of
the Will of the above-named deceased, has applied
for Letters of Administration to administer the
estate of the deceased.

These are therefore to warn the next-of-kin
and the creditors that the prayer of the Petitioner
will be granted provided no caveat be entered in
the Supreme Court within twenty-one days from
the date hereof.

The deceased died leaving a Will dated the
27th May, 1936.

W. D. A. JONES,
Registrar, Supreme Court.

Stanley, Falkland Islands.

26th August, 1940.

S.C. 11/40.

In the Supreme Court of the Falkland Islands.

*Guy Halliday of Stanley, Falkland Islands,
deceased.*

Whereas Annie Halliday, of Stanley, Falk-
land Islands, Mother of the above-named deceased,
has applied for Letters of Administration to ad-
minister the Estate of the Deceased.

These are therefore to warn the next-of-kin
and the creditors that the prayer of the Petitioner
will be granted provided no caveat be entered in
the Supreme Court within twenty-one days of the
date hereof.

The Deceased died leaving no Will.

W. D. A. JONES,
Registrar, Supreme Court.

Stanley, Falkland Islands,

19th September, 1940.

S.C. 14/40.

No. 5.

Proclamation

1940.

Prohibition of Importation of Aluminium into the Colony.

IN THE NAME of His Majesty GEORGE VI., by the Grace of God of Great Britain,
Ireland and the British Dominions beyond the Seas, King, Defender of the Faith, Emperor
of India, &c., &c., &c.

H. HENNIKER HEATON. *By His Excellency SIR HERBERT HENNIKER
HEATON, Knight Commander of the Most
Distinguished Order of Saint Michael and
Saint George, Governor and Commander-in-
Chief in and over the Colony of the Falkland
Islands and its Dependencies, &c., &c., &c.*

[L.S.]

In virtue of the powers in me vested by Section 2 of the Exports and Imports
(Emergency Powers) Ordinance, 1939, I, SIR HERBERT HENNIKER HEATON,
Knight Commander of the Most Distinguished Order of Saint Michael and Saint George,
Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its
Dependencies, do hereby proclaim and order and it is hereby proclaimed and ordered that the
importation into the Colony of the Falkland Islands of Aluminium for non-essential purposes
is prohibited.

GOD SAVE THE KING.

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

By Command,

A. W. CARDINALL,
Colonial Secretary.

M.P. S/43A/39.

The Trading with the Enemy (specified persons) (Amendment) (No. 4) Order, 1940.

H. HENNIKER HEATON,
Governor.

In pursuance of the powers vested in him by Section 3 (2) of the Trading with the Enemy Ordinance, 1939, His Excellency the Governor is pleased to order and it is hereby ordered as follows:—

1. Each of the persons specified in the Schedule to the United Kingdom Trading with the Enemy (Specified Persons) (Amendment) (No. 4) Order, 1940, as varied by the Trading with the Enemy (Specified Persons) (Amendment) (No. 5) Order, 1940, the Trading with the Enemy (Specified Persons) (Amendment) (No. 6) Order, 1940, the Trading with the Enemy (Specified Persons) (Amendment) (No. 7) Order, 1940, and the Trading with the Enemy (Specified Persons) (Amendment) (No. 8) Order, 1940, shall be deemed to be an enemy during such period as this Order shall in relation to such persons remain in force.

2. The Trading with the Enemy (Specified Persons) (Amendment) (No. 3) Order, 1940, of the 17th of May, 1940, is hereby revoked.

3. This Order may be cited as the Trading with the Enemy (Specified Persons) (Amendment) (No. 4) Order, 1940, and shall come into operation on the 6th day of September, 1940.

Dated this 5th day of September, 1940.

By Command,

A. W. CARDINALL,

Colonial Secretary.

M.P. S/10/39.

(N.B.—The Schedule referred to above can be seen on application at the Colonial Secretary's Office.)

Falkland Islands Defence Regulations.

Order declaring certain Areas in the Colony to be Protected Areas.

H. HENNIKER HEATON,
Governor.

In exercise of the powers in him vested by Regulation No. 28 of the Falkland Islands Defence Regulations, 1939, His Excellency the Governor is pleased to order and it is hereby ordered as follows :—

1. That the areas specified in the subjoined Schedule are protected areas and the entry of all persons into those areas except Officers and men of the Falkland Islands Defence Force and such other persons as may from time to time be given permission in writing by the Officer Commanding the Falkland Islands Defence Force, is strictly forbidden.

2. Persons acting in contravention of this Order will do so at their own peril and risk.

Dated this tenth day of September, 1940.

By Command,
A. W. CARDINALL,
Colonial Secretary.

SCHEDULE.

The following are the areas referred to in the Order :—

1. Wireless Telegraph Station and its surrounding fenced enclosure.
2. Within 250 yards of the Summit of Sapper Hill.
3. Within 400 yards of Canopus Hut.
4. Navy Point east of Agricultural Department Experimental ground.
5. Within 500 yards of Cape Pembroke Lighthouse, Tussac Point, Arrow Point and the Summit of Signal Hill (Mount Low).

The Falkland Islands Defence Force Club (Amendment) Rules.

1. Rule No. 1 of the Falkland Islands Defence Force Club Rules made on the 29th of May, 1929, is hereby repealed and replaced by the following :—

“1. The Club shall be called the Falkland Islands Defence Force Club, and shall consist of

“(a) Members at the date of the passing of these Rules.

“(b) Members of the Force, whether registered on the Active, Reserve, or Retired lists.

“(c) Holders of the Long Service Medal.

“(d) Members of the Falkland Islands Volunteer Force awarded the 1914 Service Badge.

“Provided that the following may be admitted as temporary members :—

“(a) Warrant and Petty Officers of His Majesty's Navy, N.C.O's of the Army, the Royal Marines and Air Force being on full pay whilst in Stanley.

“(b) Persons not resident in the town of Stanley, with the approval of the Committee and on payment of a fee of 5/- per month or part thereof.

“(c) It shall be within the discretion of the managing Committee, during the the present war, to admit for membership on formal application and election the ratings of any of H.M. Ships or Auxiliaries stationed in Stanley or other naval personnel permanently engaged in shore duties in the Colony; and

“(d) It shall be at the absolute discretion of the Managing Committee at any time to withdraw temporary membership”.

Made at a Committee Meeting held at Headquarters on the 23rd day of September, 1940, under the provisions of the Defence Force Ordinance, 1920.

Transmitted to the Governor for his approval this 24th day of September, 1940.

J. A. WOODGATE,

Major, Officer Commanding,

Falkland Islands Defence Force.

Approved,

H. HENNIKER HEATON,

Governor.

24th September, 1940.



The Falkland Islands Gazette

Published by Authority.

VOL. XLIX.

NOVEMBER 1, 1940.

No. 11.

GOVERNMENT NOTICES.

No. 100. Colonial Secretary's Office,
Stanley, Falkland Islands.
30th September, 1940.

His Excellency the Governor directs it to be notified, for general information, that intimation has been received from the Right Honourable the Secretary of State for the Colonies to the effect that His Majesty will not be advised to exercise his power of disallowance in respect of the following Ordinances of the Legislature of the Falkland Islands :-

Ordinance No. 1 of 1940, entitled "An Ordinance to amend the Law relating to Marriage & Divorce."

Ordinance No. 5 of 1940, entitled "An Ordinance to provide for the change of official designations appearing in enactments."

By Command.

A. W. CARDINALL,
Colonial Secretary.

M.P. Nos. 17/38 & 28/40.

No. 101. Colonial Secretary's Office,
Stanley, Falkland Islands.
30th September, 1940.

With reference to Government Notice No. 3 of the 4th of January, 1937, His Excellency the Governor directs the publication, for general information, of the following revised list of Justices of the Peace of the Colony and its

Dependencies at this date.

By Command.

A. W. CARDINALL,
Colonial Secretary.

M.P. 30/28.

Name.	Place of Residence.	Date of Appointment.
EAST FALKLAND.		
Hon. V. A. H. Biggs.	Stanley.	12th May, 1937.
D. K. Cowan, Esq.,	"	24th May, 1939.
J. D. Creamer, Esq.,	"	6th May, 1935.
Capt. A. I. Fleuret,	"	
M.B.E.,	"	26th Sept., 1940.
R. Greenshields.	"	27th Nov., 1936.
Dr. J. E. Hamilton.	"	14th Nov., 1919.
Hon. A. R.	"	
Hoare, M.B.E.	"	15th June, 1928.
A. Newing, Esq.	"	6th May, 1935.
M. Robson, Esq.	"	12th Aug., 1920.
J. Robertson, Esq.	"	22nd June, 1911.
Hon. D. W. Roberts.	"	24th May, 1939.
" G. J. Felton.	Teal Inlet.	22nd June, 1911.
" N. K. Cameron.	Port San Carlos.	6th May, 1935.
F. G. Langdon, Esq.	Fitzroy.	22nd June, 1911.
G. M. Goddard, Esq.	Darwin.	25th Feb., 1932.
J. R. Robson, Esq.	Port Louis.	14th Nov., 1934.
WEST FALKLAND.		
K. Luxton, Esq.	The Chartres.	24th Sept., 1940.
Hon. R. C.	"	
Pole-Evans, O.B.E.	Port Howard.	22nd June, 1921.
A. G. Barton, Esq.	Pebble Island.	15th July, 1931.
E. F. J. Dunlop, Esq.	Fox Bay East.	24th Sept., 1940.
H. C. Harding, Esq.	Hill Cove.	27th Nov., 1936.
C. H. Robertson, Esq.	Port Stephens.	27th Nov., 1936.
J. Hansen, Esq.	Carcass Island.	7th Nov., 1938.
DEPENDENCIES.		
W. Barlas, Esq.	South Georgia.	20th April, 1918.
W. C. Rumbolds, Esq.	" "	12th Mch., 1937.

No. 102. Colonial Secretary's Office,
Stanley, Falkland Islands.
4th October, 1940.

His Excellency the Governor directs it to be notified, for general information, that intimation has been received from the Right Honourable the Secretary of State for the Colonies to the effect that His Majesty will not be advised to exercise his power of disallowance in respect of the following Ordinance of the Legislature of the Falkland Islands :-

Ordinance No. 3 of 1940, entitled 'An Ordinance to amend the Defence Force Ordinance, 1920, as amended by the Falkland Islands Defence Force (Amendment) Ordinance, 1938.'

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. 610/21.

No. 103. Colonial Secretary's Office,
Stanley, Falkland Islands.
8th October, 1940.

With reference to Government Notice No. 31 of the 10th of April, 1940, His Excellency the Governor directs it to be notified, for general information, that His Majesty the King has been pleased to give instructions for the definitive appointment of

MAJOR THE HONOURABLE
JAMES AUSTEN WOODGATE, A.R.I.B.A.,

as a member of the Legislative Council for a period of five years which shall be reckoned from the 4th of December, 1939.

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. 41/29.

No. 104. Colonial Secretary's Office,
Stanley, Falkland Islands
14th October, 1940.

It is hereby notified for general information that intimation has been received from the Secretary of State to the effect that His Majesty's Government have been deeply gratified by the many generous financial gifts for the prosecution of the war which are being made from all parts of the Colonial Empire. Such gifts range from sums remitted by Colonial Governments to those sent by small communities and private persons and they present to the world a striking picture of generosity, loyalty and firmness of purpose.

Experience has disclosed some diversity of method in remitting these gifts from the Colonies. For example, some are remitted by the donors via banks to His Majesty's Treasury, and some through Colonial Governments to the Crown Agents.

Some uniformity is desirable in order to lessen and simplify the work entailed and to expedite the sending of telegrams acknowledging the gifts.

The most convenient method is by remittance through the Crown Agents, not only in the case of sums contributed by Colonial Governments, but also, so far as may be found possible, in the case of gifts from private bodies or persons. This

arrangement will also make it easier to keep a complete official record of such gifts. The Falkland Islands Government would be grateful therefore if gifts of money from private sources in the Colony (whether for the general prosecution of the war or for specific purposes such as purchase of aircraft) could be paid to the Colonial Government for remittance via the Crown Agents.

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. 114/40.

No. 105. Colonial Secretary's Office,
Stanley, Falkland Islands.
20th September, 1940.

With reference to Government Notice No. 77 of the 1st of November, 1937, His Excellency the Governor directs the publication, for general information, of the following list of members of the Committee for the care and management of the Public Library and Museum appointed under Section 3 of the Library and Museum Ordinance, 1918, for a period of three years from the 1st of October, 1940:-

DR. J. E. HAMILTON, D.Sc., F.L.S., F.Z.S., F.R.G.S., (<i>Chairman.</i>)	} (<i>Members.</i>)
MR. W. J. LEWIS	
MRS. A. NEWING	
REV. G. K. LOWE	
MR. L. HARDY.	

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. 172/25.

No. 106. Colonial Secretary's Office,
Stanley, Falkland Islands.
14th October, 1940.

Attention is drawn to the Order made by His Excellency the Governor on the 14th of October, 1940, relative to the conveyance of documents from and to the Colony otherwise than by post.

Any member of the crew of the "Lafonia", "Fitzroy", or other vessel going to the Coast who carries a letter, etc., in contravention of the Order will be liable to 3 months imprisonment or a fine of £100 and any person giving a letter to carry will be liable to the same penalty.

By Command,
A. W. CARDINALL,
Colonial Secretary.

M.P. 8/7/39.

No. 107. Colonial Secretary's Office,
Stanley, Falkland Islands.
15th October, 1940.

His Excellency the Governor directs it to be notified, for general information, that several instances have occurred in recent years in which members of the public have been invited to subscribe towards a presentation to a Government official on his leaving the Colony finally.

Officers are prohibited by Regulation from receiving such presents without the special permission of the Secretary of State previously obtained. The Regulation applies not only to officers themselves but also to members of their families.

As a general rule it is desirable to discourage the collection of subscriptions for a presentation to an officer. Ample recognition can be extended by a memorial or address if the public so desire.

By Command,

A. W. CARDINALI,

Colonial Secretary.

M.P. 428/30.

No. 108.

Colonial Secretary's Office,
Stanley, Falkland Islands.
18th October, 1940.

With reference to Government Notice No. 36 of the 18th of April, 1940, it is hereby notified, for general information that His Excellency the Governor has been pleased to make the following appointments with effect from the 12th of October, 1940:-

MR. EMMANUEL SWAIN

to be Chief Constable and Gaoler and Sanitary Inspector,

MRS. S. SWAIN

to be Gaol Matron.

By Command,

A. W. CARDINALI,

Colonial Secretary.

M.P. Nos. P/37 & P/236.

PROBATE NOTICE.

In the Supreme Court of the Falkland Islands.

George Norman Hills, of Stanley, Falkland Islands, deceased.

Whereas Albert Henry Hills, of Stanley, Falkland Islands, Father of the above-named deceased, has applied for Letters of Administration to administer the Estate of the Deceased.

These are therefore to warn the next-of-kin and the creditors that the prayer of the Petitioner will be granted provided no caveat be entered in the Supreme Court within twenty-one days of the date hereof.

The Deceased died leaving no Will.

W. D. A. JONES,

Registrar, Supreme Court.

Stanley, Falkland Islands,

2nd October, 1940.

S.C. 16/40.

No. 6.

Proclamation.

1940.

Prohibition of exportation of certain valuables from the Colony.

IN THE NAME of His Majesty GEORGE VI., by the Grace of God of Great Britain, Ireland and the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India, &c., &c., &c.

H. HENNIKER HEATON. *By His Excellency SIR HERBERT HENNIKER HEATON, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies &c., &c., &c.*

[L.S.]

In virtue of the powers in me vested by Section 2 of the Exports and Imports (Emergency Powers) Ordinance, 1939, I, SIR HERBERT HENNIKER HEATON, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies, do hereby proclaim and order and it is hereby proclaimed and ordered that the exportation from the Colony of the Falkland Islands to all destinations including sterling areas of Furskins and goods manufactured from Furskins; Antiques; Works of Arts; Diamonds, precious and semi-precious stones; Jewellery Gold and Platinum; Watches with cases of precious metal; and Postage Stamps is prohibited:

Provided always that this Order shall not apply to exports, expressly permitted by licence from the Competent Authority.

GOD SAVE THE KING.

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 1st day of October, in the year of Our Lord One thousand Nine hundred and forty.

By Command,

A. W. CARDINALL,

Colonial Secretary.

M.P. No. S/43A/39.

Instrument under the Public Seal of the Colony of the Falkland Islands appointing ALLAN WOLSEY CARDINALL, ESQUIRE, Companion of the Most Distinguished Order of Saint Michael and Saint George, to be the Deputy for the Governor of the said Colony.

H. HENNIKER HEATON.

His Excellency SIR HERBERT HENNIKER HEATON, *Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies to* ALLAN WOLSEY CARDINALL, *Companion of the Most Distinguished Order of Saint Michael and Saint George, Colonial Secretary of the said Colony, Greeting.*

[L.S.]

WHEREAS by certain Letters Patent passed under the Great Seal of the United Kingdom and bearing date the 19th day of September, 1914, it is provided that in the event of the Governor of the Colony of the Falkland Islands and its Dependencies having occasion at any time to be temporarily absent for a short period from the seat of Government, or to leave the Colony for the purpose of visiting any Dependency thereof, he may, by an Instrument under the Public Seal of the Colony, appoint any person to be his deputy during such temporary absence, and in that capacity to exercise, perform, and execute for and on behalf of the Governor during such temporary absence, but no longer, all such powers and authorities by the said Letters Patent or otherwise vested in the Governor as shall in and by such Instrument be specified and limited, but no others ;

AND WHEREAS, I shall have occasion to leave Stanley on the 28th of October, 1940, for the purpose of visiting certain places on the East Falkland Island.

NOW, THEREFORE, I, SIR HERBERT HENNIKER HEATON, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, do hereby appoint you ALLAN WOLSEY CARDINALL, Colonial Secretary of the said Colony, to be my deputy within the said Colony during my temporary absence from Stanley as aforesaid and in that capacity to exercise, perform and execute for me and on my behalf during such temporary absence, all such powers and authorities by the above recited Letters Patent or otherwise vested in me, but subject always to the provisions of the said Letters Patent and to such instructions as you shall receive from me from time to time for your guidance

Given under my hand and the Public Seal of the Colony this twenty-sixth day of October, 1940.

By His Excellency's Command,

A. W. CARDINALI,

Colonial Secretary.

Falkland Islands Defence (Amendment) (No. 3) Regulations, 1940.

H. HENNIKER HEATON,
Governor.

His Excellency the Governor under the authority of the Emergency Powers (Defence) Act of the United Kingdom, 1939, is pleased to order and it is hereby ordered as follows :—

1. These Regulations may be cited as the Defence (Amendment) (No. 3) Regulations, 1940, and shall come into operation forthwith.

2. The Defence Regulations, 1939, (hereinafter referred to as the Principal Regulations) shall have effect as if there were made therein the amendments which by the following provisions of this order are directed to be made in the Regulations.

3. After Regulation 33B of the Principal Regulations there shall be inserted the following Regulation :—

“Detention of ships
under foreign flags.”

“33C. (1) The Competent Authority, if it appears to that
“authority to be necessary or expedient so to do in the interests of
“public safety, the defence of the realm or the efficient prosecution
“of the war or for maintaining supplies and services essential to the
“life of the community, may give directions

“(a) as respects any class of ships or aircraft in the Col-
“ony, that no ship or aircraft of that class shall leave
“any port or place in the Colony at which it may be.

“(b) as respects any particular ships or aircraft at any
“port or place in the Colony that the ships or aircraft
“shall not leave that port or place, except with per-
“mission granted by such authority or person as may
“be specified in the directions.

“(2) If any ship or aircraft leave or attempts to leave any
“port or place in contravention of an order made under this Regula-
“tion the master of the ship or the pilot of the aircraft, as the case
“may be, shall be guilty of an offence against this Regulation.

“(3) Any person acting on behalf of His Majesty may, in
“relation to any ship or aircraft, take such steps and use such force,
“as may appear to that person to be reasonably necessary for securing
“compliance with any order under this Regulation relating to the
“ship or aircraft, or, where an offence against this Regulation has
“occurred in the case of the ship or aircraft, for enabling proceedings
“in respect of the offence to be effectually taken.”

4. For Regulation 36 of the Principal Regulations there shall be substituted the following Regulation :—

“Desertion from ships.
&c.”

“36. (1) No person lawfully engaged to serve on board
“any ship to which this Regulation applies shall —

“(a) neglect or refuse without reasonable cause to join his
“ship or to proceed to sea in his ship; or

“(b) desert or be absent without leave from his ship; or

“(c) be absent without leave from his duty at any time.

“(2) Nothing in the foregoing provisions of this Regulation
“shall be taken to prejudice the provisions of section two hundred
“and twenty-one of the Merchant Shipping Act, 1894, relating to
“forfeiture of effects or wages for desertion or absence without leave.

“(3) Where an authorised officer has reason to believe that any person has, in the Colony, contravened the provisions of paragraph (1) of this Regulation, that person may be conveyed on board his ship by or under the direction of that officer.

“(4) For the purpose of the last foregoing paragraph the following persons shall be authorised officers, that is to say, the master of the ship, any mate of the ship, the person having the management of the ship, any constable, any commissioned officer in His Majesty’s forces and any superintendent within the meaning of the Merchant Shipping Act, 1894.

“(5) In relation to ships to which this Regulation applies, the last two foregoing paragraphs shall have effect –

“(a) in the case of a British ship, in substitution for the provisions of section two hundred and twenty-one of the Merchant Shipping Act, 1894; and

“(b) in the case of a ship belonging to a subject of a foreign country to which section two-hundred and thirty-eight of that Act for the time being applies, in substitution for the provisions of subsections (2) and (3) of that section.

“(6) No person lawfully engaged to serve on board any ship to which this Regulation applies, shall join his ship, or be whilst on board his ship, in a state of drunkenness so that the performance of his duties or the navigation of the ship is thereby impeded.

“(7) The ships to which this Regulation applies are –

“(a) every ship belonging to His Majesty and every ship, whether British or foreign, chartered or requisitioned by or on behalf of His Majesty; and

“(b) every ship in respect of which there is for the time being in force a licence granted in pursuance of an order made under Regulation forty-six of these Regulations.”

Dated this fourth day of October, 1940.

By Command,

A. W. CARDINALI,

Colonial Secretary.

M.P. S/7/39.

Securities (Restrictions and Returns) (Amendment) Regulations, 1940.

H. HENNIKER HEATON,

Governor.

Under the authority of the Emergency Powers (Defence) Act, United Kingdom, 1939, the Governor is pleased to make the following regulations:—

1. These Regulations may be cited as the Securities (Restrictions and Returns) (Amendment) Regulations, 1940.

2. Regulation No. 4 of the Securities (Restrictions and Returns) Regulations, 1940, is hereby amended by the addition thereto of the following countries:-

Belgian Congo.
Netherlands East Indies.
Netherlands West Indies.
Newfoundland.
Panama.
Philippine Islands.
Portugal.

Dated this fourth day of October, 1940.

By Command,

A. W. CARDINALL,

Colonial Secretary.

M.P. S/19/40.

Defence Regulations, 1939.

Order by His Excellency the Governor.

H. HENNIKER HEATON,

Governor.

His Excellency the Governor in pursuance of the powers vested in him by Regulation No. 6 of the Defence Regulations, 1939, is pleased to order and it is hereby ordered, as follows:-

1. Except with the permission in writing of the Competent Authority no documents, pictorial representation or photograph or other article whatsoever recording information shall be sent or conveyed from the Colony to any destination outside the Colony otherwise than by post, or conveyed into the Colony otherwise than by Post. (Document includes letters and postcards).

2. No person shall have any article in his possession for the purpose of sending or conveying it in contravention of this order.

3. This Order shall not apply to ships papers or documents relating to cargo ordinarily entrusted to the master of a vessel by the ship owners or agents.

4. This Order applies to all persons entering or leaving the Colony and includes both members of the crew and passengers on any vessel.

5. Any person handing any member of the crew or passenger on any vessel leaving the Colony or receiving from any member of the crew or passenger on any vessel arriving in the Colony any article mentioned in this Order shall be guilty of an offence against this Order.

Dated this 14th day of October, 1940.

By Command,

A. W. CARDINALL,

Colonial Secretary.

M.P. S/7/39.

A Bill

To amend the Income Tax Ordinance, 1939, as amended by the Income Tax (Amendment) Ordinance, 1940.

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

Enacting Clause.

1. This Ordinance may be cited as the Income Tax (Amendment, No. 2) Ordinance, 1940, and shall be read and construed as one with the Income Tax Ordinance, 1939, (hereinafter referred to as the Principal Ordinance) as amended by the Income Tax (Amendment) Ordinance, 1940.

Short Title.

2. Sub-section (1) of Section 4 of the Principal Ordinance is hereby amended by the deletion of the word "such" in line 5.

Amendment of Section 4 of Ordinance. No. 20 of 1939.

3. Section 8 of the Principal Ordinance is hereby amended by the deletion of sub-section (a) and the substitution therefor of the following subsection.

Amendment of Section 8 of Ordinance. No. 20 of 1939.

"(a) The official emoluments received by the Officer Administering the Government during the period in which he is administering the Government and the emoluments drawn by the Governor himself while on leave".

4. Section 18 of the Principal Ordinance is hereby amended by the insertion of the following additional sub-sections:—

Amendment of Section 18 of Ordinance. No. 20 of 1939.

"(c) In the case of a shipowner, the gains or profits of his business as a shipowner, shall, if he produces or causes to be produced to the Commissioner the certificate mentioned in sub-section (d) of this section, be taken to be a sum bearing the same ratio

to the sums payable in respect of fares or freight for passengers, goods or mails shipped in the Colony as his total profits for the relevant accounting period shown by that Certificate bear to the gross earnings for that period.

(d) The certificate shall be a certificate by the Taxing Authority of the place in which the principal place of business of the shipowner is situated and shall state-

(1) that the shipowner has furnished to the satisfaction of that Authority account of the whole of his business: and

(2) the ratio of the gains or profits for the relevant accounting period as computed according to the Income Tax law of that place (after deducting interest on any money borrowed and employed in acquiring the gains and profits) to the gross earnings of the shipowner's fleet or vessel for that period.

(e) If the gains or profits of a shipowner have for the purpose of assessment in the Colony under this Ordinance been computed on any basis other than the ratio of the gains or profits shown by a Certificate as aforesaid and an assessment has been made accordingly, the shipowner shall upon production of such a certificate at any time within two years from the end of the year of assessment be entitled to such adjustment as may be necessary to give effect to the said certificate and to have any tax paid in excess refunded.

(f) In this section the expression "shipowner" means means an owner or charterer of ships whose principal place of business is situated outside the Colony, but in a part of His Majesty's protection."

Amendment of Section 43 of Ordinance No. 20 of 1939.

5. Section 43 of the Principal Ordinance is hereby amended by the insertion of the following additional sub-section:-

"(11) Notwithstanding anything contained in sub-section (2) of Section 49 of this Ordinance if the Judge is satisfied that tax in accordance with his decision upon the appeal may not be recovered the Judge may require the appellant forthwith to furnish such security for payment of the tax, if any, which may become payable by the appellant as may seem to the Judge to be proper. If such security is not given the tax assessed shall become payable forthwith and shall be recoverable in the manner prescribed by Section 53 of this Ordinance."

Addition of new Section.

6. The following section shall be inserted in the Principal Ordinance as Section 47a :-

"Time limit for repayment of clauses.

47a. A claim for relief under Section 46 or Section 47 of this Ordinance shall be made within two years from the end of the year of assessment to which it relates:

Provided that such a claim, though not made within the said period of two years, shall be admitted if made within six years from the end of the said year and within six months from the date upon which the relevant amount of United Kingdom income tax or of Empire income tax, as the case may be, has been ascertained."

7. The following Section shall be inserted in the Principal Ordinance as Section 54A:—

Addition of new Section.

"Fugitive"
tax-payers.

54A. (1) If in any particular case the Commissioner has reason to believe that a person who has been assessed to tax may leave the Colony before such tax becomes payable under the provisions of Section 50 or Section 52 of this Ordinance without having paid such tax he may by notice in writing to such person demand payment of such tax within the time to be limited in such notice. Such tax shall thereupon be payable at the expiration of the time so limited and shall in default of payment unless security for payment thereof be given to the satisfaction of the Commissioner be recoverable forthwith in the manner prescribed by Section 53 of this Ordinance.

(2) If in any particular case the Commissioner has reason to believe that tax upon any chargeable income may not be recovered he may at any time and as the case may require:—

- (a) forthwith by notice in writing require any person to make a return and to furnish particulars of any such income within the time to be specified in such notice.
- (b) make an assessment upon such person in the amount of the income returned or if default is made in making such return or the Commissioner is dissatisfied with such return in such amount as the Commissioner may think reasonable;
- (c) by notice in writing to the person assessed require that security for the payment of the tax assessed be forthwith given to his satisfaction.

(3) If in any particular case the Commissioner has reason to believe that tax upon any income which would upon the issue of a proclamation imposing tax for any year of assessment become chargeable to such tax may not be recovered he may at any time:—

- (a) by notice in writing to the person by whom the tax would be payable determine a period for which tax shall be charged and require such person to render within the time specified therein returns and particulars of such income for that period;
- (b) make an assessment upon such person in the amount of the income returned or if default is made in making a return or the Commissioner is dissatisfied with such return in such amount as the Commissioner may think reasonable. Such assessment shall be made at the rate of tax imposed by the past preceding proclamation.

(4) Notice of any assessment made in accordance with the provisions of sub-sections (2) and (3) of this Section shall be given to the person assessed, and any tax so assessed (in accordance with the provisions of sub-sections (2) and (3) of this Section) shall be payable on demand made in writing under the hand of the Commissioner and shall in default of payment unless security for the payment thereof be given to the satisfaction of the Commissioner be recoverable forthwith in the manner prescribed by Section 53 of this Ordinance.

(5) Any person who has paid the tax in accordance with a demand made by the Commissioner or who

has given security for such payment under sub-sections (2) and (3) of this Section shall have the rights of objection and appeal conferred by Sections 42 and 43 of this Ordinance and the amount paid by him shall be adjusted in accordance with the result of any such objection or appeal.

(6) The provisions of sub-sections (2) and (3) of this Section shall not affect the powers conferred upon the Commissioner by Section 39 of this Ordinance."

Passed by the Legislative Council this day of
1940.

Clerk of the Legislative Council.

Assented to by the Governor and given under the Public
Seal of the Colony this day of 1940.

Colonial Secretary.

A Bill

To amend the Pensions Ordinance, 1937.

Enacting Clause.

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 :—

Short Title.

1. This Ordinance may be cited as "The Pensions (Amendment) Ordinance, 1940" and shall be read and construed as one with the Pensions Ordinance, 1937, hereinafter referred to as the Principal Ordinance.

Repeal of Section 19
of Ordinance No. 5 of
1937.

2. Section 19 of the Principal Ordinance is hereby repealed and in place thereof the following Section shall have effect:—

Pensions to
dependants
when an offi-
cer is killed
on duty.

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

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

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

- (i) if the deceased officer leaves a widow, a pension to her, while unmarried and of good character, at a rate not exceeding ten sixtieths of his annual pensionable emoluments at the date of the injury or fifteen pounds a year, whichever is the greater;
- (ii) if the deceased officer leaves a widow to whom a pension is granted under the preceding paragraph and a child or children, a pension in respect of

each child, until such child attains the age of eighteen years, of an amount not exceeding one eighth of the pension prescribed under the preceding paragraph;

- (iii) if the deceased officer leaves a child or children, but does not leave a widow or no pension is granted to the widow, a pension in respect of each child, until such child attains the age of eighteen years, of double the amount prescribed by the preceding paragraph;
- (iv) if the deceased officer leaves a child or children and a widow to whom a pension is granted under paragraph (i) of this subsection, and the widow subsequently dies, a pension in respect of each child as from the date of the death of the widow until such child attains the age of eighteen years, of double the amount prescribed in paragraph (ii) of this subsection;
- (v) if the deceased officer does not leave a widow, or if no pension is granted to his widow, and if his mother was wholly or mainly dependent on him for her support, a pension to the mother, while of good character and without adequate means of support, of an amount not exceeding the pension which might have been granted to his widow;

Provided that—

- A. pension shall not be payable under this paragraph at any time in respect of more than six children; and
- B. in the case of a pension granted under paragraph (v) of this subsection if the mother is a widow at the time of the grant of the pension and subsequently remarries such pension shall cease as from the date of re-marriage; and if it appears to the Secretary of State at any time that the mother is adequately provided with other means of support, such pension shall cease as from such date as the Secretary of State may determine;
- C. a pension granted to a female child under this section shall cease upon the marriage of such child under the age of eighteen years;
- D. No pension shall be granted under this section in cases where the dependants of a deceased officer receive compensation under the provisions of the Workmen's Compensation Ordinance, 1937;

(2) In the case of an officer not holding a pensionable office, the expression "pensionable emoluments" in the preceding subsection shall mean the emoluments enjoyed by him which would have been pensionable emoluments if the office held by him had been a pensionable office.

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

- (a) a posthumous child;
- (b) a step-child or illegitimate child born before the date of the injury and wholly or mainly dependent upon the deceased officer for support, and

- (c) an adopted child, adopted in a manner recognised by law, before the date of the injury, and dependent as aforesaid.

(4) If an officer proceeding by a route approved by the Governor to or from the Colony at the commencement or termination of his service therein or of a period of leave therefrom, dies as 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 which His Majesty may be engaged, such officer shall be deemed, for the purposes of this section, to have died in the circumstances described in subsection (1) of this section.

Passed by the Legislative Council this day of
, 1940.

Clerk of the Legislative Council.

Assented to by the Governor and given under the Public
Seal of the Colony this day of , 1940.

Colonial Secretary.

A Bill

To amend the Trading with the Enemy Ordinance, 1939.

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

Enacting Clause.

1. This Ordinance may be cited as the Trading with the Enemy (Amendment) Ordinance, 1940, and shall be read and construed as one with the Trading with the Enemy Ordinance, 1939, (hereinafter referred to as the Principal Ordinance.)

Short Title.

2. (1) In subsection (1) of Section 2 of the Principal Ordinance after the words "any person who trades with" there shall be inserted the words "or attempts to trade with," and after paragraph (b) of subsection (2) of that Section there shall be inserted the words "And any reference in this Ordinance to an attempt to trade with the enemy shall be construed accordingly."

Trading with the enemy.

(2) Proceedings in respect of an offence of trading with the enemy alleged to have been committed by any person may be taken before the appropriate court in the Colony having jurisdiction in the place where that person is for the time being.

(3) The following subsection shall be inserted after subsection (3) of Section 2 of the Principal Ordinance:—

"(3a) In any proceedings for an offence of trading with the enemy, the fact that any document has been despatched addressed to a person in enemy territory shall, unless the contrary is proved, be evidence, as against any person who was a party to the despatch of the document, that the person to whom the document was despatched was an enemy."

Amendment of Section 3 of Ordinance No. 18 of 1939.

3. Subsection (1) of Section 3 of the Principal Ordinance shall be amended as follows:-

- (a) At the end of paragraph (c) the word "or" shall be omitted and after paragraph (d) there shall be inserted the following words:-

"and

(e) as respects any business carried on in enemy territory, any individual or body of persons (whether corporate or unincorporate) carrying on that business;"

- (b) for the words "does not include any person by reason only that he is an enemy subject" there shall be substituted the words "does not include any individual by reason only that he is an enemy subject."

Control of Businesses.

4. After Section 4 of the Principal Ordinance there shall be inserted the following Section:-

"Power to control and wind up businesses."

4a. (1) Where any business is being carried on in the Colony by, or on behalf of, or under the direction of, persons all or any of whom are enemies or enemy subjects or appear to the Governor to be associated with enemies, the Governor may, if he thinks it expedient so to do, make-

- (a) an order (hereafter in this section referred to as a "restriction order") prohibiting the carrying on the business either absolutely or except for such purposes and subject to such conditions as may be specified in the order; or
- (b) an order (hereafter in this section referred to as a "winding up order") requiring the business to be wound up,

and the making of a restriction order as respects any business shall not prejudice the power of the Governor if he thinks it expedient so to do, at any subsequent date to make a winding up order as respects that business.

(2) Where an order under subsection (1) of this section is made as respects any business, the Governor may, by that or a subsequent order, appoint a controller to control and supervise the carrying out of the order, and in the case of a winding up order, to conduct the winding up of the business, and may confer on the controller any such powers in relation to the business as are exercisable by a liquidator in the voluntary winding up of a company in relation to the company (including power in the name of the person carrying on the business or in his own name, and by deed or otherwise, to convey or transfer any property, and power to apply to the court to determine any question arising in the carrying out of the order), and may by the order confer on the controller such other powers as the Governor thinks necessary or convenient for the purpose of giving full effect to the order.

(3) Where a restriction order or a winding up order is made as respects any business, the distribution of any assets of the business which are distributed while the order is in force shall be subject to the same rules as to preferential payments as are applicable to the distribution of the assets of a company which is being wound up,

and the said assets of the business shall, so far as they are available for discharging unsecured debts be applied in discharging unsecured debts due to creditors of the business who are not enemies in priority to unsecured debts due to any other creditors, and any balance, after providing for the discharge of all liabilities of the business, shall be distributed among the persons interested in the business in such manner as the Governor may direct:

Provided that the provisions of this subsection shall, in their application to the distribution of any money or other property which would, in accordance with those provisions, fall to be paid or transferred to an enemy, whether as a creditor or otherwise, have effect subject to the provisions of section eight of this Ordinance (which relates to the collection of enemy debts and the custody of enemy property) and of any order made under that section.

(4) Where any business for which a controller has been appointed under this section has assets in enemy territory, the controller shall, if in his opinion it is practicable so to do, cause an estimate to be prepared—

- (a) of the value of those assets;
- (b) of the amount of any liabilities of the business to creditors, whether secured or unsecured who are enemies;
- (c) of the amount of the claims of persons who are enemies to participate, otherwise than as creditors of the business, in any distribution of assets of the business made while an order under subsection (1) of this section is in force as respects the business;

and, where such an estimate is made, the said liabilities and claims shall, for the purposes of this section, be deemed to have been satisfied out of the said assets of the business in enemy territory, or to have been satisfied thereout so far as those assets will go, and only the balance (if any) shall rank for satisfaction out of the other assets of the business:

(5) Where an estimate has been prepared under the last preceding subsection, a certificate of the controller as to the value or amount of any assets, claims or liabilities to which the estimate relates shall be conclusive for the purpose of determining the amount of the assets of the business available for discharging the other liabilities of the business and for distribution amongst other persons claiming to be interested in the business.

Provided that nothing in this subsection shall affect the rights of creditors of, and other persons interested in the business against the assets of the business in enemy territory.

(6) The Governor may, on an application made by the controller appointed under this section, after considering the application and any objections which may be made by any person who appears to him to be interested, by order grant the controller a release, and an order of the Governor under this subsection shall discharge the controller from all liability in respect of any act done or default made by him in the exercise and performance of his powers and duties as controller; but any such order may be revoked by the Governor on proof that it

was obtained by fraud or by suppression or concealment of any material fact.

(7) If any person contravenes, or fails to comply with, the provisions of any order made under subsection (1) of this section, he shall be guilty of an offence of trading with the enemy.

(8) Where an order under subsection (1) of this section has been made as respects a business carried on by any individuals or by a company, no bankruptcy petition, or petition for sequestration or summary sequestration against the individuals, or petition for the winding up of the company, shall be presented, or resolution for the winding up of the company passed, or steps for the enforcement of the rights of any creditors of the individuals or company taken without the consent of the Governor, but where the business is carried on by a company the controller may present a petition for the winding up of the company by the court, and the making of an order under this section shall be a ground on which the company may be wound up by the court.

(9) Where an order is made under this section appointing a controller for any business, any remuneration of, and any costs, charges and expenses incurred by, the controller, and any other costs, charges and expenses incurred in connection with the control and supervision of the carrying out of the order, shall, to such amount as may be certified by the custodian of enemy property, be defrayed out of the assets of the business, and as from the date of the certificate, be charged on those assets in priority to any other charges thereon."

Provisions as to
custodians.

5. (1) The rights, powers, duties and liabilities which may be conferred and imposed by the Governor on custodians of enemy property under subsection 1 of section 8 of the Principal Ordinance shall, where it appears to the Governor that it is expedient that any business should be carried on or continue to be carried on in or from the Colony, include such rights, powers, duties and liabilities as respects the property and money mentioned in paragraph (d) of the said subsection (1) as, in the opinion of the Governor, are necessary or expedient in order to enable that business so to be carried on.

(2) The power of the Governor under the said subsection (1) shall include power, where a custodian dies or for any other reason ceases to hold office as such, by order to vest in his successor any property or right which was vested in the first mentioned custodian at the time of his dying or ceasing to hold office.

Repeal of Sections 6
and 9 of Ordinance.
No. 18 of 1939.

6. Sections 6 and 9 of the Principal Ordinance which relate to (a) transfer and allotment of securities and (b) provisions with respect to money payable to, or received by, a Clearing Office, are hereby repealed.

Certain areas to be
treated as enemy ter-
ritory.

7. After subsection 1 of Section 14 of the Principal Ordinance there shall be inserted the following subsection:-

"(1a) The Governor may, by order direct that the provisions of this Ordinance shall apply in relation to any area specified in the order as they

apply in relation to enemy territory, and the said provisions shall apply accordingly."

Passed by the Legislative Council this day of
, 1940.

Clerk of the Legislative Council.

Assented to by the Governor and given under the Public
Seal of the Colony this day of 1940.

Colonial Secretary.

A Bill

To provide for the service of the year
1941.

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

Enacting Clause.

1. This Ordinance may be cited for all purposes as "the Appropriation (1941) Ordinance, 1940".

Short Title.

2. The Governor may cause to be issued out of the Public Revenue and other funds of the Colony and applied to the service of the year ending the 31st December, 1941, a sum not exceeding Ninety thousand Six hundred and Fifteen pounds, which sum is granted and shall be appropriated for the purposes and to defray the charges of the several services expressed and particularly mentioned in the Schedule hereto which will come in course of payment during the year 1941.

Appropriation of
£90,615 for service of
year 1941.

Passed by the Legislative Council this day of
, 1940.

Clerk of the Legislative Council.

Assented to by the Governor and given under the Public
Seal of the Colony this day of , 1940.

Colonial Secretary.

Schedule.

SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
FALKLAND ISLANDS.				
I.	Pensions	2974	0	0
II.	The Governor	2785	0	0
III.	Colonial Secretary	2744	0	0
IV.	Treasury and Customs	1286	0	0
V.	Audit	258	0	0
VI.	Post Office	4280	0	0
VII.	Electrical and Telegraphs	3499	0	0
VIII.	Harbour	1176	0	0
IX.	Legal	185	0	0
X.	Police and Prisons	974	0	0
XI.	Medical	6492	0	0
XII.	Education	3471	0	0
XIII.	Ecclesiastical	289	0	0
XIV.	Naturalist	420	0	0
XV.	Military	868	0	0
XVI.	Agriculture	5401	0	0
XVII.	Miscellaneous	4868	0	0
XVIII.	Public Works	3835	0	0
XIX.	Public Works Recurrent	7525	0	0
Total Ordinary Expenditure		£ 53330	0	0
XX.	Public Works Extraordinary	2808	0	0
XXI.	Military War Expenditure	20675	0	0
XXII.	Land Sales Fund	1381	0	0
Total Expenditure chargeable to Revenue		£ 78194	0	0
DEPENDENCIES.				
I.	Ordinary Expenditure	12421	0	0
Total		£ 90615	0	0



The Falkland Islands Gazette Extraordinary

Published by Authority.

VOL. XLIX.

NOVEMBER 16, 1940.

No. 12.

A Bill

To amend the Tariff Ordinance 1900,
as amended by the Tariff (Import Duties)
Amendment Ordinances 1929, 1931, 1933
and 1939.

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

Enacting Clause.

1. This Ordinance may be cited as the "Tariff (Import Duties) Amendment Ordinance 1940", and shall be read and construed as one with the Tariff Ordinance 1900.

Short Title.

Repeal and Replacement of First Schedule to Tariff Ordinance 1900.

2. The First Schedule to the Tariff Ordinance 1900, as amended by the Tariff (Import Duties) Amendment Ordinances 1929, 1931, 1933 and 1939, is hereby repealed and replaced by the Schedule hereto annexed.

Passed by the Legislative Council this day of
1940.

Clerk of the Legislative Council.

Assented to by the Governor and given under the Public
Seal of the Colony this day of 1940.

Colonial Secretary.

FIRST SCHEDULE.

TARIFF OF IMPORT DUTIES.

On Spirits, not exceeding the strength of proof, as ascertained by Sikes' Hydrometer, and in proportion for any greater strength than strength of proof, including mixtures and preparations containing spirits, per gallon	...	1	6	0
On Wine in cask, per gallon	...		5	0
" " in bottle, per doz. litres	...		15	0
" " " " " " reputed quarts	...		11	0
" " " " " " " pints	...		5	6
On British Wines and all other unenumerated and unexempted beverages not liable to spirit duty,				
In cask per gallon	...		3	0
In bottle per dozen litres	...		8	9
" " " " reputed quarts	...		6	6
" " " " " pints	...		3	3
On Malt liquor, muni, spruce, cider and perry,				
In cask, per gallon	...		1	0
In bottle per dozen reputed quarts	...		2	0
" " " " " pints	...		1	0
On cigars per lb.	...		8	0
On cigarettes, cut and manufactured tobacco and snuff, per lb.	...		5	0
On all other unexempted tobacco per lb.	...		4	0

Provided that the tariff of import duties on cigars and on cigarettes, cut and manufactured tobacco and snuff shall be at nine-tenths of the aforesaid tariff where such cigars, cigarettes, cut and manufactured tobacco and snuff are manufactured in any part of the British Empire from tobacco which is the produce of any part of the British Empire.

On matches, for every gross of boxes, not exceeding 10,000 matches	...	10	0
For every gross of boxes exceeding 10,000 matches, per 10,000 matches, and so in proportion	...	10	0

Provided that the tariff of import duties on matches which are manufactured in and consigned from the United Kingdom or any part of the British Empire shall be at one half of the aforesaid tariff.



The Falkland Islands Gazette

Published by Authority.

VOL. XLIX.

DECEMBER 2, 1940.

No. 13.

GOVERNMENT NOTICES.

No. 109. Colonial Secretary's Office,
Stanley, Falkland Islands.
9th November, 1940.

His Excellency the Governor directs it to be notified, for general information, that intimation has been received from the Right Honourable the Secretary of State for the Colonies to the effect that His Majesty will not be advised to exercise his power of disallowance in respect of the following Ordinance of the Legislature of the Falkland Islands :-

Ordinance No. 19 of 1939, entitled "An Ordinance to regulate the slaughtering of Stock and to provide for the inspection of Slaughterhouses."

By Command.
A. W. CARDINALL,
Colonial Secretary.

M.P. 235/38.

No. 110. Colonial Secretary's Office,
Stanley, Falkland Islands.
12th November, 1940.

With reference to Government Notice No. 96 dated the 19th of September, 1940, it is hereby announced that the following maximum prices for essential articles have been fixed by the Competent Authority. Such prices will remain in force until further notice.

It must be remembered that these prices are maximum and retailers can always sell below them.

	s.	d.
Butter, Tulipan	2.	1. per lb.
Petrol, Energina	2.	6. " 5 litres.
Paraffin, draft	2.	2. " gallon
" 8 gal. cases	19.	6. " case.

By Command,
A. W. CARDINALL,
Colonial Secretary.
(Competent Authority.)

M.P. 88/40.

No. 111. Colonial Secretary's Office,
Stanley, Falkland Islands.
13th November, 1940.

His Excellency the Governor directs it to be notified, for general information, that intimation has been received from the Right Honourable the Secretary of State for the Colonies to the effect that His Majesty will not be advised to exercise his power of disallowance in respect of the following Ordinance of the Legislature of the Falkland Islands:—

Ordinance No. 4 of 1940, entitled "An Ordinance to give effect to the provisions of certain Treaties of Commerce and Navigation".

By Command,

A. W. CARDINALL,

Colonial Secretary.

M.P. 38/40.

No. 112. Colonial Secretary's Office,
Stanley, Falkland Islands.
16th November, 1940.

In reference to Government Notice No. 110 dated the 12th November, 1940, it is hereby announced that the following maximum prices for essential articles have been fixed by the Competent Authority. Such prices will remain in force until further notice.

It must be remembered that these prices are maximum and retailers can always sell below them.

	£	s.	d.
House Coal, British.	9.	1.	0. per ton.
	9.	3.	„ cwt.

By Command,

A. W. CARDINALL,

Colonial Secretary.

(Competent Authority.)

M.P. 88/40.

No. 113.

Colonial Secretary's Office,
Stanley, Falkland Islands.
16th November, 1940.

His Excellency the Governor directs the publication, for general information, of the following order made by His Majesty in Council, under Sections 5 and 6 of the Visiting Forces (British Commonwealth) Act, 1933.

By Command,

A. W. CARDINALL,

Colonial Secretary.

M.P. 169/40.

AT THE COURT AT BUCKINGHAM PALACE.

The 24th day of July, 1940

Present.

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by subsections (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 one to three 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 four 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 subsection (3) of section five and section six 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 five and six 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:—

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

2. (1) In this Order—

Interpretation, etc.

“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 one to three 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 one to four of the Act as applied by this Order shall be construed in accordance with the provisions of section eight 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 one, two and three 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.

E. C. E. LEADBITTER.

FIRST SCHEDULE.

Aden (Colony and Protectorate).	Nigera :—
Bahamas.	(a) Colony.
Barbados.	(b) Protectorate.
Bermuda.	(c) Cameroons under British Mandate.
British Guiana.	Northern Rhodesia.
British Honduras.	Nyasaland Protectorate.
Ceylon.	Palestine (excluding Trans-Jordan).
Cyprus.	St. Helena.
Falkland Islands.	Seychelles.
Fiji.	Sierra Leone (Colony and Protectorate).
Gambia (Colony and Protectorate).	Somaliland Protectorate.
Gibraltar.	Straits Settlements.
Gold Coast :—	Tanganyika Territory.
(a) Colony.	Trinidad and Tobago.
(b) Ashanti.	Uganda Protectorate.
(c) Northern Territories.	Western Pacific
(d) Togoland under British Mandate.	(a) British Solomon Islands Protectorate.
Hong Kong.	(b) Gilbert and Ellice Islands Colony.
Jamaica (including Turks and Caicos Islands and the Cayman Is.).	(c) Pitcairn Island.
Kenya (Colony and Protectorate).	(d) Any other Colony, or territory under His Majesty's protection, in or in relation to which jurisdiction may lawfully be exercised under the Pa- cific Order in Council, 1893.
Leeward Islands :—	Windward Islands :—
Antigua.	Dominica
Montserrat.	Grenada.
St. Christopher and Nevis.	St. Lucia.
Virgin Islands.	St. Vincent.
Malta.	Zanzibar Protectorate.
Mauritius.	

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 references 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 subsection (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 subsection (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.

5. In subsection (2) of Section two—

- (a) the words “the Governor by Order” shall be substituted for the words “His Majesty by Order in Council”;
- (a) the words “such person as may be specified in the Order” shall be substituted for the words “a Secretary of State or the Admiralty”;
- (c) the words “the Governor may” shall be substituted for the words “His Majesty may”; and
- (d) the words “be agreed between the Governor of the territory” shall be substituted for the words “with the consent of the Treasury, be agreed between the Secretary of the State or the Admiralty”.

6. The proviso to subsection (3) of Section two shall in so far as it relates to enactments being statutes or parts of statutes made in the territory, have effects as if the words “the Governor may by Order” were substituted for the words “His Majesty may by Order in Council”.

7. In subsection (4) of Section two the words “or Order” shall be inserted between the words “Order in Council” and “under”.

8. In subsection (1) of Section three, the words “Order in Council” shall be construed as including any Order in Council made under that subsection before the date of this Order.

9. In subsection (4) of Section three, the words “the Governor” shall be substituted for the words “the Secretary of the Admiralty, the Secretary of the Army Council, or the Secretary of the Air Council”.

THIRD SCHEDULE.

ADAPTATIONS AND MODIFICATIONS OF SECTION FOUR OF THE ACT.

1. The expressions “Colonial forces” and “Colonial force” shall be substituted for the expressions “home forces” and “home force” wherever they occur.

2. In subsection (2) —

- (a) the words “The Governor” shall be substituted for the words “The Admiralty, Army Council or Air Council, as the case may be”; and
- (b) the words “the disposal of the Government of the territory” shall be substituted for the words “their disposal”.

3. For subsection (3) the following subsection shall be substituted :—

“(3) Whilst a member of another force is by virtue of this section attached temporarily to a Colonial force, he shall be treated, and shall have the like powers of command and punishment over members of the Colonial force to which he is attached, and shall be subject in all respects to the law relating to the discipline and administration of that force, as if he were a member of that force of relative rank;

Provided that the Governor may by Order direct that in relation to members of a force of any part of the Commonwealth specified in the Order, such law shall apply with such exceptions and subject to such adaptations and modifications as may be so specified.”

4. In subsection (5) the words “by Order of the Governor” shall be substituted for the words “by Order of the Admiralty, the Army Council or the Air Council, according as the home force is a naval, a military or an air force”.

Order.

Falkland Islands Defence Regulations.

H. HENNIKER HEATON,
Governor.

In exercise of the powers in him vested by the Falkland Islands Defence Regulations, 1939, His Excellency the Governor is pleased to order and it is hereby ordered as follows :—

The Orders made on the 3rd of September, 1939, and the 21st of April, 1940, for the detention and control of certain enemy subjects therein mentioned, to wit :—

ANDREAS SOLLNER, member of the crew of the British vessel "Lafonia".

HEINZ GUNTHER NOHER, member of the crew of the Norwegian vessel "Vinga".

are hereby rescinded.

Dated this 26th day of October, 1940.

By Command,

A. W. CARDINALL,
Colonial Secretary.

M.P. 176/39.

Order.

Falkland Islands Defence Regulations.

H. HENNIKER HEATON,
Governor.

WHEREAS by orders dated the 3rd of September, 1939, and the 21st of April, 1940, the enemy subjects whose names are set out below were detained under the command and control of the Officer Commanding the Falkland Islands Defence Force;

ANDREAS SOLLNER, member of the crew of the British vessel "Lafonia".

HEINZ GUNTHER NOHER, member of the crew of the Norwegian vessel "Vinga".

AND WHEREAS it appears to the Governor that it is expedient in the interests of the public safety and the defence of the realm that the said enemy subjects should be detained but that their detention in the Colony is inexpedient;

AND WHEREAS arrangements have been made with the Union of South Africa for the removal of the said enemy subjects to that country and for their detention therein;

NOW, THEREFORE, His Excellency the Governor, in exercise of the powers in him vested by the Falkland Islands Defence Regulations, 1939, is pleased to order and it is hereby ordered that the said enemy subjects shall be placed on board the British ship "Lafonia" and be detained under the command and control of the master and after their arrival in the Union of South Africa be delivered over to the charge of the Union Authorities.

Dated this 26th day of October, 1940.

By Command,

A. W. CARDINALL,
Colonial Secretary.

M.P. 176/39.

Order.

Falkland Islands Defence Regulations.

H. HENNIKER HEATON,
Governor.

In exercise of the powers in him vested by the Falkland Islands Defence Regulations, 1939, His Excellency the Governor is pleased to order and it is hereby ordered as follows :—

The Order made on the 29th of May, 1940, for the detention and control of the person therein mentioned, to wit :—

EDWARD JEFFERY HAMM,

is hereby rescinded.

Dated this 26th day of October, 1940.

By Command,

A. W. CARDINALL,
Colonial Secretary.

M.P. S/34/40.

Order.

Falkland Islands Defence Regulations.

H. HENNIKER HEATON,
Governor.

WHEREAS by an Order dated the 29th day of May, 1940, one EDWARD JEFFERY HAMM, a British Subject, was detained under the command and control of the Officer Commanding the Falkland Islands Defence Force;

AND WHEREAS it appears to the Governor that it is expedient in the interests of the public safety and the defence of the realm that the said British Subject should be detained but that his detention in the Colony is inexpedient;

AND WHEREAS arrangements have been made with the Union of South Africa for the removal of the said British Subject to that Country and for his detention therein;

NOW, THEREFORE, His Excellency the Governor in exercise of the powers in him vested by the Falkland Islands Defence Regulations, 1939, is pleased to order and it is hereby ordered that the said British Subject shall be placed on board the British ship "Lafonia" and be detained under the command and control of the Master and after his arrival in the Union of South Africa be delivered over to the charge of the Union Authorities.

Dated this 26th day of October, 1940.

By Command,

A. W. CARDINALL,
Colonial Secretary.

M.P. S/34/40.

Regulations made by the Governor in Council under Section 3 of the Pensions Ordinance, 1937.

H. HENNIKER HEATON,
Governor.

Short Title.

1. These Regulations may be cited as "The Pensions (Amendment No. 2) Regulations, 1940."

Amendment of
Regulation No. 12 of
Pensions Regulations,
1937.

2. Regulation No. 12 is hereby amended by the addition thereto of the following new paragraph :

"(4) 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 to 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."

Made by the Governor in Executive Council at a meeting held on the 16th day of November, 1940.

A. I. FLEURET,
Clerk of the Executive Council.

M.P. 157/40.

Notification.

H. HENNIKER HEATON,
Governor.

In virtue of the powers vested in him by Section 2 of the Pensions Ordinance, 1937, and otherwise, the Governor, with the advice and consent of the Executive Council, is pleased hereby to declare to be pensionable the undermentioned offices in the Public Service of the Colony :—

MEDICAL

... ..

Nurse-Matron.
Nursing Sister.

Government House,
Stanley, Falkland Islands.
16th November, 1940.

Financial Report for the year 1939.

::O::

Colonial Treasury,

Stanley, Falkland Islands,

6th November, 1940.

The Honourable,

The Colonial Secretary,

Sir,

I have the honour to submit the following report on the financial transactions of the Colony and its Dependencies for and in respect of the year ended 31st December, 1939. :-

The Falkland Islands.

2. The year's account summarised is as follows:-

Excess of Assets over Liabilities 1st January 1939.	...	£280,808 : 19 : 1
---	-----	-------------------

REVENUE.

Total Ordinary	£54,588 : 11 : 3
----------------	-----	-----	-----	-----	------------------

Land Sales Fund:-

Land Purchases	£7171 : 16 : 1
----------------	-----	-----	-----	-----	----------------

Colonial Development Fund

(Refund of Advances)	145 : 0 : 0	£7,316 : 16 : 1	£61,905 : 7 : 4
----------------------	-------------	-----------------	-----------------

£342,714 : 6 : 5

EXPENDITURE.

Ordinary	£56,017 : 14 : 9
----------	-----	-----	-----	-----	------------------

Extraordinary	2,755 : 10 : 3
---------------	-----	-----	-----	-----	----------------

Extraordinary

Military and War	11,985 : 10 : 6
------------------	-----	-----	-----	-----	-----------------

£70,758 : 15 : 6

GENERAL REVENUE BALANCE.

Depreciation of Investments	£6,614 : 9 : 8
-----------------------------	-----	-----	-----	-----	----------------

£6,614 : 9 : 8

Land Sales Fund	3,664 : 3 : 11
-----------------	-----	-----	-----	-----	----------------

£81,037 : 9 : 1

Excess of Assets 31st December, 1939	£261,676 : 17 : 4
--------------------------------------	-----	-----	-----	-----	-------------------

Nett result of Year's working - Decrease of Assets	£19,132 : 1 : 9
--	-----	-----	-----	-----	-----------------

3. It will be observed that Ordinary Revenue was less than Ordinary Expenditure by £1429 : 3 : 6. Total expenditure chargeable to revenue, however, created a nett deficit of £16,170 : 4 : 3. Details thereof are given later in this report.

4. The decrease in the Surplus of Assets is accounted for in the main by (i) the extraordinary expenditure (£11,986) on Military & War services during the period September - December, 1939, and (ii) the depreciation of Investments amounting to £6,614.

5. DEPENDENCIES. Ordinary Revenue amounted to £13,737 : 15 : 6, or £1,917 : 4 : 6 less than estimated, expenditure corresponds with the actual revenue.

6. GOVERNMENT EMPLOYEES PROVIDENT FUND. At the close of the year the assets of the Government Employees' Provident Fund amounted to £6,682 : 9 : 1 against liabilities (amount due to depositors) of £6,687 : 12 : 8; the excess of liabilities, viz £5 : 3 : 7 is explained in the detailed report already submitted to you.

7. GEORGIA MARINE INSURANCE FUND. The balance of the Fund stood at £392 : 19 : 0, an increase of £199 : 16 : 0 on the figure for 1938, and is accounted for by the annual credit of £187, plus the capitalised interest on investments.

8. GOVERNMENT SAVINGS BANK. A detailed report of the transactions of the Savings Bank Fund has been rendered. The period of accounting was altered by Savings Bank (Amendment) Ordinance, 1939, to coincide with the Colony's Financial year, and this was effected during 1939.

The balance on the 31st December, 1939, was £225,960 : 2 : 5 made up as follows:—

Due to depositors	£208,912 : 4 : 10
Reserve	17,047 : 17 : 7
	<hr/>
	£225,960 : 2 : 5

The Reserve it will be noted represents approximately 8% of the sum due to depositors.

9. NOTE SECURITY FUND. The Fund's assets were £28,000 at the close of the year and fully covered the note issue amounting to £25,000, as well as contingent liabilities. A detailed report of the Commissioner's transactions has been rendered in conformity with the Currency Notes Ordinance, 1930.

10. THE DEPENDENCIES RESEARCH AND DEVELOPMENT FUND. The balance of the Fund was £176,205 : 12 : 7 as detailed hereunder:—

Balance — 1st January, 1939 £200,666 : 17 : 5

Receipts.

Interest on Investments 8,323 : 12 : 0

£208,990 : 9 : 5

Payments.

Discovery Committee £24,900 : 0 : 0

Sundry Expenses 1 : 18 : 6

Transferred to Dependencies' Revenue 2,851 : 9 : 5

Depreciation of Investments 5,031 : 8 : 11

£ 32,784 : 16 : 10

Balance at 31/12/39. £176,205 : 12 : 7

11. RESERVE FUND. There was no change in the F. Is. Reserve Fund during the period of review.

12. LAND SALES FUND. At the close of the year the balance of the Fund was £268,918 : 3 : 10, as shown by the following summary:—

Balance — 1st January, 1939 £265,265 : 11 : 8

Receipts.

Land Purchases £7,171 : 16 : 1

Refund of Advances, Improvement
of grasslands (See F. Is. Expenditure
Colonial Development Fund) 145 : 0 : 0

£ 7,316 : 16 : 1

Total £272,582 : 7 : 9

Payments.

Improvement of Grasslands
(Honorarium, Report and Incidental
Expenses) £ 314 : 3 : 11

Stock Investigation 3,300 : 0 : 0

Refund of land purchase 50 : 0 : 0

£ 3,664 : 3 : 11

Balance 31/12/39. £268,918 : 3 : 10

13. FARM AND BUILDING LOANS. On the 1st January, 1939 the balance outstanding was £3,357 : 13 : 4. Repayments during the year amounted to £856 : 6 : 8, leaving a balance of £2,501 : 6 : 8. Interest received and credited to Revenue totalled £128 : 9 : 9.

14. **INVESTMENTS.** In accordance with Col. Reg. 275 the Colony's investments were revalued at the current middle market prices in London at the close of the year, and resulted in a total depreciation of £6,614 : 9 : 8. This sum was debited to General Revenue Balance Account.

Similarly investments held on behalf of the Funds were written down by £9,386 : 2 : 9, the respective Funds bearing the charge.

The following table summarises the depreciation and the Funds affected :—

Colony's Investments.

Land Sales Fund	£5,543 : 14 : 7	
Georgia Marine Insurance Fund	11 : 0 : 9	
Reserve Fund	1,059 : 14 : 4	
		£6,614 : 9 : 8

Funds.

Savings Bank Fund	£3,614 : 15 : 0	
Government Employees' Provident Fund	42 : 7 : 2	
Research Fund	5,031 : 8 : 11	
Note Security Fund	697 : 11 : 8	
		£9,386 : 2 : 9

Total depreciation	£16,000 : 12 : 5
--------------------	-----	-----	-----	-----	------------------

Statements of the nominal and market value of all investments accompany this report.

15. **COLONIAL DEVELOPMENT FUND.** There was received during the year the sum of £145 to complete the free grant made from the Colonial Development Fund towards the cost of "Improvements to Grasslands" and the published report thereon.

The charges in respect of the report, including incidental expenses, amounted to £314 : 3 : 11 and were debited direct to Land Sales Fund; the grant quoted above was therefore credited to the latter as a reimbursement.

A detailed statement of the expenditure on the above service, from its inauguration in 1937 to date, is submitted herewith.

16. Appended is an abstract of Falkland Islands and Dependencies Expenditure for the year 1939. Comparative Statements of Revenue and Expenditure have already been furnished, while the statements required by Colonial Regulations 323 and 354 are submitted herewith.

17. The following table shows the trend of the Colony's Revenue and Expenditure during the past five years:—

	1935.	1936.	1937.	1938.	1939.
	£	£	£	£	£
Revenue :					
Ordinary (Recurrent)	49,633	57,944	69,656	61,619	54,588
Other Sources	180	6,561	15,943	8,934	7,317
Total ...	49,813	64,505	85,599	70,553	61,905
Expenditure :					
Ordinary (Recurrent)	44,829	41,114	68,248	58,162	56,018
Extraordinary expenditure	13,211	10,588	13,041	10,560	2,756
Military & War	—	—	—	—	11,986
Land Sales Fund	110	1,363	4,059	1,951	3,664
Depreciation of Investments	1766	—	—	—	—
Total ...	59,916	53,065	85,348	70,673	74,424
Surplus - Revenue over Expenditure ...	—	11,440	251	—	—
Deficit - Expenditure over Revenue ...	10,103	—	—	120	12,519
Assets over Liabilities at the close of the year ...	296,904	308,344	308,595	280,809	261,677

18. FALKLAND ISLANDS REVENUE. The Ordinary Revenue amounted to £54,588 : 11 : 3 or £568 : 8 : 9 less than estimated as follows:-

OVER THE ESTIMATE.

Head VII.	Telegraphs & Telephones	£1,475 : 14 : 9
IX.	Miscellaneous	1,627 : 3 : 1
X.	Contribution from Dependencies	570 : 18 : 2
Total		£3,673 : 16 : 0

UNDER THE ESTIMATE.

Head I.	Customs	£1,330 : 6 : 4
II.	Port Dues	90 : 7 : 0
III.	Internal Revenue	253 : 16 : 11
IV.	Fees, Fines &c.	691 : 17 : 10
V.	Interest	409 : 7 : 7
VI.	Post Office	1,311 : 16 : 1
VII.	Rents	154 : 13 : 0

Less than the Estimates £4,242 : 4 : 9

19. The following comments are submitted on the main items "Over" and "Under" the Estimates :—

Head VII. TELEGRAPHS & TELEPHONES. Over by £1,475 : 14 : 9. The excess is attributable mainly to the increases in wireless traffic and consumption of electricity yielding £1,262 : 11 : 5 and £179 : 18 : 10 respectively more than the estimates.

Head IX. MISCELLANEOUS. Over by £1,627 : 3 : 1. The principal excesses and the causes thereof are as follows :—

Sub-head 7. Savings Bank — over by £971 : 17 : 11. Due to the repayment of advance of £4,596 : 17 : 11 made in 1937.

Sub-head 17. Profit on Sale of Stock — £907 : 14 : 5. A new item due to profits £421 : 17 : 7 and £485 : 16 : 10 on sales of stock ex Land Sales and Reserve Funds respectively.

The total excess on this Head was £2,046 : 4 : 3, reduced to £1,627 : 3 : 1 by yields less than the Estimates on other sub-heads.

Head X. CONTRIBUTION FROM DEPENDENCIES. Over by £570 : 18 : 2. This excess was occasioned by the payment in 1939 of the shortfall of £2,851 : 9 : 5 in 1938. It should be noted, however, that the Dependencies' Revenue was insufficient to meet the approved contribution for 1939 by the sum of £2,280 : 11 : 3.

"UNDER" THE ESTIMATES.

Head I. CUSTOMS — Under by £1,330 : 6 : 4. (a) Under Import Duties shortfalls were recorded as follows :—

(i) Wine £120 : 15 : 8; (ii) Malt £126 : 13 : 3; (iii) Spirits £794 : 12 : 4. and are due in the cases of (i) and (iii) to a diminution in importations of approximately 50% as compared with the previous year. With regard to (ii) a shipment of beer which arrived at the end of the year was not cleared until 1940; the duty thereon would have resulted in the Estimate being exceeded by nearly £70.

(b) Export duties. Under by £558 : 12 : 1.

(i) Wool — Under by £406 : 5 : 0. The shortfall can be attributed to the fact that the usual shipment in the last quarter of the year was not made in 1939.

(ii) Seal Oil — Under by £152 : 7 : 1. The estimate was unrealisable on two counts (a) the disappointing oil yield, and (b) the unavoidable curtailment of the sealing season.

Actually the total shortfall under the Head was £1,600 : 13 : 4, which was reduced by an excess on "Tobacco" of £270 : 7 : 0 to the figure quoted above.

Head III. INTERNAL REVENUE – Under by £253 : 16 : 11. The principal shortfall is £207 in respect of “Stanley Rates” over-estimated at £1,080.

Head IV. FEES, &c. – Under by £691 : 17 : 10. Due mainly to shortfalls of £413 : 11 : 2 and £185 : 7 : 5 under “Supreme Court” and “Hospital & Medical” respectively. The latter is a consequence of the increased number of people entitled to free medical treatment.

Head V. INTEREST. Under by £409 : 7 : 7. Revenue under Sub-head 1, Land Sales Fund yielded £1,127 : 3 : 4 less than estimated, in consequence of the redemption of stocks and the re-investment of the proceeds at lower rates of interest.

Excesses of £187 : 15 : 10 and £597 : 1 : 3 on sub-heads “Note Security Fund” and “Joint Colonial Fund” respectively reduced the shortfall to the figure given above.

Head VI. POST OFFICE – Under by £1,311 : 16 : 1. The shortfall is more than accounted for by sub-head 1, “Sale of Stamps” which realised £1,319 : 16 : 11 less than the Estimate of £2,500.

20. EXPENDITURE. Expenditure totalled £70,758 : 15 : 6 or £15,638 : 15 : 6 more than the Estimate as follows :—

EXCESSES.

I. Pensions	£ 388 : 10 : 10
II. The Governor	1 : 7 : 7
V. Audit	103 : 18 : 7
VII. Electrical & Telegraphs	262 : 17 : 7
VIII. Harbour	13 : 14 : 2
IX. Legal	127 : 2 : 7
X. Police	28 : 4 : 3
XIV. Naturalist	47 : 16 : 4
XV. Military	69 : 18 : 3
XVI. Agriculture	2,104 : 16 : 9
XVII. Miscellaneous	1,316 : 2 : 10
XX. Public Works Extraordinary	692 : 10 : 3
XXI. Military & War	11,985 : 10 : 6
	<hr/>
	£17,142 : 10 : 6

SAVINGS.

III. Colonial Secretary	181 : 0 : 5
IV. Treasury	319 : 18 : 3
VI. Post Office	75 : 2 : 0
XI. Medical	275 : 2 : 3
XII. Education	54 : 16 : 5
XVIII. Public Works Department	225 : 5 : 8
XIX. Public Works Recurrent	372 : 10 : 0
	<hr/>
	£ 1,503 : 15 : 0
	<hr/>
Nett Excess	£15,638 : 15 : 6

21. The following explanations of the main excesses and savings are submitted :—

I. PENSIONS – Excess £388 : 10 : 10. Unestimated amounts of gratuities and pensions of officers retired during the year.

V. AUDIT. Nett Excess £103 : 18 : 7. An excess of £105 : 8 : 7 represents half the cost of the visit of the Assistant Director of Colonial Audit – unestimated, and is reduced to the nett excess by a saving of £1 : 10 : 0 on Contribution to Central Audit Office.

VII. ELECTRICAL & TELEGRAPHS – Excess £262 : 17 : 7. Excesses due to war requirements were recorded on the following sub-heads :— 2, Maintenance of W/T Station £204 : 19 : 3; 3, Telephones £152 : 1 : 11 and Extra Operating Assistance £70 : 12 : 3. A saving of £152 : 16 : 10 under 5, Electric Lighting, reduced the total excess to the figure of £262 : 17 : 7.

IX. LEGAL. Excess £127 : 2 : 7. Due to unforeseen transport charges under sub-head "2 Court & Coroner's expenses".

XVI. AGRICULTURE. Excess £2,104 : 16 : 9. The main excesses occur under sub-heads '6 Labour' £2268 : 14 : 9; and 'Purchase of Stock' (new item - unestimated) £210 : 0 : 6, and are in pursuance of the Government's approved agricultural policy, as well as providing full time employment of labour. Sundry savings of £488 : 0 : 7 reduced the over-expenditure of £2,592 : 17 : 4 to the nett figure of £2104 : 16 : 9.

XVII. MISCELLANEOUS. Excess £1,316 : 2 : 10. Over-expenditure on this Head amounted to £1,953 : 10 : 7 with savings of £637 : 7 : 9. The main contributory causes are as follows:-

<u>Sub-head.</u>		<u>Cause.</u>
Telegrams	£ 225 : 7 : 2	Generally increased traffic during the last quarter of the year.
Charitable Relief	177 : 7 : 5	Increased grants & additional charges.
Provident Fund	480 : 15 : 10	Bonus on unforeseen payments of arrears of contributions.
Note Security Fund	874 : 2 : 8	To provide legal cover for Note Issue as a consequence mainly of depreciation of investments.

XX. PUBLIC WORKS EXTRAORDINARY. Nett Excess £692 : 10 : 3 caused (i) by additional provision for 'Improved sanitation of workmens dwellings' £212 : 5 : 9, and 'Secretariat' £513 : 15 : 0; (ii) new works undertaken in the last quarter of the year, 'Roads to Peat Banks' £366 : 5 : 6, 'Alterations to W/T Station' £78 : 4 : 0, 'Erection of Canopus Hut' £250.

Savings on works partly undertaken or abandoned during the course of the year amounted to £748 : 14 : 9 and so reduced the over-expenditure of £1441 : 5 : 0 to £692 : 10 : 3.

XXI. MILITARY & WAR. New Head. Expenditure £11985 : 10 : 6.

Occasioned by the outbreak of hostilities. An analysis of the expenditure is given hereunder:-

Transport	£ 779 : 3 : 0
Buildings	1,446 : 16 : 10
Pay & allowances	6,990 : 14 : 9
Defence Works	883 : 5 : 2
Miscellaneous Stores	1,328 : 13 : 5
Evacuation Service	556 : 17 : 4
Total	£11985 : 10 : 6

SAVINGS.

III. COLONIAL SECRETARY. Nett. £181 : 0 : 5 Savings mainly under "Personal Emoluments" in consequence of the employment of Officers on military service.

IV. TREASURY AND CUSTOMS. Nett. £319 : 18 : 3 Gross savings on this Vote amounted to £579 : 9 : 5, of which the greater portion represented "Personal Emoluments" a consequence of the vacancy in the post of Financial Secretary. An excess of £259 : 11 : 2 on sub-head "Customs Drawbacks", due to refunds of duty on stores shipped for H. M. service, reduced the savings to the figure given above.

XI. MEDICAL. Nett £275 : 2 : 3. Gross Savings amounted to £563 : 15 : 8; the principal item being £443 : 4 : 11 under sub-head "Nutrition". Excesses on sundry sub-heads reduced the savings to £275 : 2 : 3.

XVII. PUBLIC WORKS DEPARTMENT. Nett £225 : 5 : 8. Savings effected as a result of vacancy in post of Executive Engineer not filled until late in the year.

XIX. PUBLIC WORKS RECURRENT. Nett Saving £372 : 10 : 0. Excesses on this vote totalled £615 : 17 : 0, against actual savings of £148 : 0 : 8. The principal excesses and savings are as follows:—

EXCESSES. 1 Roads Bridges and Drains £108 : 9 : 6, Repairs Govt. Buildings £112 : 12 : 1, Furniture Govt. Buildings £117 : 4 : 4, Upkeep of Motor transport £75 : 6 : 0, Peat Supply £50, Light and fuel Govt. Buildings £115 : 15 : 1.

SAVINGS. Sanitary Service £11 : 17 : 3, Furniture Govt. House, £32 : 2 : 9, Upkeep of Navigation Lights £18 : 12 : 5, and Purchase of Stores £50,. A credit to 20. Purchase of Stores, of £840 : 6 : 4, being the value of stores purchased in previous years and issued in the year under review converted an over expenditure of £467 : 16 : 4 into a nett saving on the vote of £372 : 10 : 0.

Dependencies.

22. REVENUE. Estimated £15,655 – Actual £13,737 : 15 : 6. Shortfalls exceeded Excesses by £1917 : 4 : 6. The principal shortfalls and excesses are given hereunder:—

SHORTFALLS.

EXPORT DUTIES. Whale and Seal oil £2,942 : 15 : 1; Guano £740 : 12 : 5; Internal Revenue – Whaling licences £600, Rents (Crown Lands) £700.

EXCESSES. Imports Tobacco £68 : 15 : 9; Tonnage dues £80; Shipping £110 : 14 : 2; Receipt from Research Fund (Arrears of Contribution from Dependencies to cost of Central Administration 1938) £2,851 : 9 : 5. In general, excluding the receipt from the Research Fund in respect of Arrears in 1938 of the Contribution to the Central Administration, it would seem that conditions in the Dependencies changed little from those obtaining in 1938 as is evidenced by the following comparative statement:—

I. CUSTOMS DUTIES.

	1939	1938
(a) Imports.	582 : 15 : 5	548 : 11 : 7
(b) Exports.	8,116 : 12 : 6	8,326 : 7 : 2
2. Port Duties.	280 : 0 : 0	200 : 0 : 0
3. Internal Revenue.	557 : 15 : 0	510 : 15 : 0
4. Fees & c.	549 : 3 : 2	528 : 10 : 6
5. Rents.	800 : 0 : 0	502 : 0 : 0
	<u>£10,886 : 6 : 1</u>	<u>£10,616 : 4 : 3</u>

EXPENDITURE. The estimated expenditure was £13,024 as against Actual £13,737 : 15 : 6. Ignoring the contra entry of £2,851 : 9 : 5 above referred to actual expenditure on general services in 1939 was £10,886 : 6 : 1 as compared with £10,616 : 4 : 3 in 1938, or equivalent to actual revenue.

Over expenditures on the several Heads exceeded shortfalls by £713 : 15 : 6 as shewn by the following table:—

OVER.

2. Light and Fuel	£ 84 : 15 : 0
3. Maintenance of Works, &c.	37 : 8 : 5
4. Furniture	10 : 11 : 11
14. Passages	152 : 17 : 6
17. Law Books	3 : 8 : 6
28. Pension – A. G. Bennett	68 : 14 : 2
30. Incidental Expenses	2 : 19 : 11
31. Alteration to Discovery Buildings	210 : 6 : 8
32. Provident Fund	115 : 15 : 10
33. Visit of Officer, Col. Audit Dept.	105 : 8 : 8
34. Arrears of Contribution to Central Administration	<u>2,851 : 9 : 5</u>
	£3,643 : 16 : 0

		UNDER.	
	Personal Emoluments	£	121 : 5 : 11
5.	Maintenance W/T. Station		62 : 18 : 2
6.	Fuel for Motor Boat		2 : 5 : 0
7.	Uniforms		5 : 4
8.	Bedding &c.		5 : 0 : 0
9.	Fire Insurance		1 : 9 : 0
10.	Casual labour		25 : 18 : 7
11.	Repairs to typewriters		5 : 0 : 0
12.	Maintenance, Lights		20 : 0 : 0
13.	Refund Customs Duties		100 : 0 : 0
15.	Travelling & Subsistence Allowance		10 : 0 : 0
16.	Contributions to Institutions		4 : 0 : 0
18.	Postal Stores		10 : 0 : 0
19.	Telegrams		50 : 16 : 0
20.	Whaling Officers Expenses		25 : 0 : 0
21.	Contribution to Central Administration		2,280 : 11 : 3
22.	Carriage of Mails		50 : 0 : 0
23.	Crown Agents Expenses		17 : 4 : 8
24.	Audit Expenses		1 : 10 : 0
25.	Medical Expenses		1 : 3 : 3
26.	Expenses Bisley Competition		125 : 0 : 0
27.	Pension - W. W. Stewart		13 : 4
29.	Binding Discovery Reports		10 : 0 : 0
			<hr/>
			£2,930 : 0 : 6
			<hr/>
		Nett Excess	£ 713 : 15 : 6
			<hr/>

It will be observed that the principal item in "Over" and "Under" concerns the contribution to the Central Administration, reference has already been made to the former, while the latter is due to the insufficiency of revenue to meet the charge. Legislation for the appropriation of this sum (£2,280 : 11 : 3) has been introduced.

23. Detailed statements of Revenue and Expenditure, together with explanations of excesses, have already been furnished.

I have the honour to be,

Sir,

Your obedient servant,

W. D. A. JONES,

for Financial Secretary.

ABSTRACT OF FALKLAND ISLANDS EXPENDITURE, 1939.

HEAD.	APPROVED ESTIMATE, 1939.			EXPENDITURE FOR 1939.					
	Personal	Other Charges.	Total.	Personal	Other Charges.	Total.			
	£	£	£	£ s. d.	£ s. d.	£ s. d.	£	s.	d.
I. Pensions ...	2070	—	2070	2458 10 10	.....	2458 10 10			
II. The Governor ...	2236	463	2699	2261 17 4	438 10 3	2700 7 7			
III. Colonial Secretary ...	2618	147	2765	2458 17 1	125 2 6	2583 19 7			
IV. Treasury & Customs	1305	195	1500	752 11 10	427 9 11	1180 1 9			
V. Audit ...	250	8	258	250 0 0	111 18 7	361 18 7			
VI. Post Office ...	654	2800	3454	653 15 3	2725 2 9	3378 18 0			
VII. Electrical & Telegraphs ...	2283	1220	3503	2282 14 3	1483 3 4	3765 17 7			
VIII. Harbour ...	620	482	1102	541 15 7	573 18 7	1115 14 2			
IX. Legal ...	165	20	185	165 0 0	147 2 7	312 2 7			
X. Police & Prisons	935	80	1015	986 6 9	56 17 6	1043 4 3			
XI. Medical ...	4149	2415	6564	4168 10 10	2120 6 11	6288 17 9			
XII. Education ...	2414	718	3132	2296 17 4	780 6 3	3077 3 7			
XIII. Ecclesiastical ...	14	275	289	14 0 0	275 0 0	289 0 0			
XIV. Naturalist ...	125	5	130	173 0 0	4 16 4	177 16 4			
XV. Military ...	300	1543	1843	500 0 0	1412 18 3	1912 18 3			
XVI. Agriculture ...	1508	5160	6668	1444 7 11	7328 8 10	8772 16 9			
XVII. Miscellaneous ...	—	5555	5555	.....	6871 2 10	6871 2 10			
XVIII. Public Works ...	2880	495	3375	2658 13 0	491 1 4	3149 14 4			
XIX. Public Works Recurrent ...	—	6950	6950	.....	6577 10 0	6577 10 0			
Total Ordinary Expenditure...	24526	28531	53057	24066 18 0	31950 16 9	56017 14 9			
XX. Public Works Extraordinary ...	—	2063	2063	.....	2755 10 3	2755 10 3			
Military & War ...	—	—	—	.....	11985 10 6	11985 10 6			
Total Falklands ...	24526	30594	55120	24066 18 0	46691 17 6	70758 15 6			
DEPENDENCIES.									
I. Ordinary Expenditure ...	2169	10855	13024	2047 14 1	11690 1 5	13737 15 6			
Total Dependencies ...	2169	10855	13024	2047 14 1	11690 1 5	13737 15 6			

**Comparative statement of the Estimated and Actual
the Falkland Islands for the Half Year**

REVENUE.

RECEIPTS.	½ Estimated 1940.	Amount received to 30th June, 1940.	Receipts for same period, 1939.	More than ½ estimated, 1940.	Less than ½ estimated, 1940.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Balance on 1st Jan., 1940		3974 1 8			
1. Customs Duties	8893 10 0	12354 4 8	9061 17 10	3460 14 8	
2. Port Dues	82 10 0	54 1 0	74 13 0		28 9 0
3. Internal Revenue	6167 10 0	901 7 4	1144 14 11		5266 2 8
4. Fees, Fines, &c.	1432 10 0	1346 8 4	1124 0 4		86 1 8
5. Interest	7275 0 0	6374 12 1	6479 14 9		900 7 11
6. Post Office	900 0 0	924 4 4	721 15 9	24 4 4	
7. Telegraphs & Telephones	3126 0 0	1805 19 5	1073 7 2		1320 0 7
8. Rents	630 0 0	497 9 5	465 4 3		132 10 7
9. Miscellaneous	1665 10 0	837 9 3	8869 15 4		828 0 9
10. Contribution from Dependencies	2500 0 0	3000 0 0	3000 0 0	500 0 0	
Land Sales	690 10 0	623 10 1			66 19 11
Total Ordinary Rev. Falklands	£ 33363 0 0	28719 5 11	32015 3 4	3984 19 0	8628 13 1
Land Sales Fund			6512 15 10		
Marine Insurance Fund		193 11 4	193 6 11	193 11 4	
Reserve Fund					
Col. Development Fund					
Total ... £	33363 0 0	28912 17 3	38721 6 1	4178 10 4	8628 13 1
Dependencies Revenue		9467 7 6	<p align="center">Surplus of Assets 1st January, 1940.</p> <hr/> <p>Land Sales Fund ... £268918 3 10</p> <p>General Revenue balance a/c Deficit 7241 6 6</p> <hr/> <p align="right">£261676 17 4</p>		
Research Fund		3932 11 11			
Investments Realized		42236 5 5			
Farm & Building Loans		515 6 8			
Advances Repaid		6269 2 4			
Deposits Received		46245 0 11			
Remittances Received		20041 6 9			
Land Sales Fund		623 10 1			
Total ... £	158243 8 10				
Balance brought down 1st January, 1940	£ 3974 1 8				
Total ... £	162217 10 6				

Distribution of Cash Balance 1st January, 1940:—

Colonial Treasury	£2719 7 3
Crown Agents	1182 8 9
South Georgia	72 5 8
	£3974 1 8.

Examined.

A. R. HOARE,

Local Auditor.

**Revenue and Expenditure under various Heads for
ended 30th June, 1940.**

EXPENDITURE.

PAYMENTS.	½ Estimated, 1940.			Amount paid to 30th June, 1940.			Payments for same period 1939.			More than ½ estimated, 1940.			Less than ½ estimated, 1940.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1. Pensions	1200	0	0	1054	8	8	1417	11	6	.....			145	11	4
2. The Governor	1330	0	0	1389	11	3	1385	3	0	59	11	3	.....	
3. Colonial Secretary	1697	10	0	1397	17	7	1234	7	8	.....			299	12	5
4. Treasury & Customs	521	0	0	648	9	9	528	3	9	127	9	9	.....	
5. Audit	128	0	0	129	10	0	197	10	0	1	10	0	.....	
6. Post Office	1737	0	0	964	3	9	1604	11	10	.....			772	16	3
7. Wireless & Electrical	1848	0	0	1935	2	10	1804	1	2	87	2	10	.....	
8. Harbour	522	10	0	620	7	7	602	17	9	97	17	7	.....	
9. Legal	92	10	0	96	13	4	208	5	3	4	3	4	.....	
10. Police & Prisons	508	10	0	455	9	5	486	12	4	.....			53	0	7
11. Medical	3099	10	0	3297	4	9	3253	1	1	197	14	9	.....	
12. Education	1590	0	0	1459	19	8	1558	13	9	.....			130	0	4
13. Ecclesiastical	144	10	0	149	10	0	142	10	0	5	0	0	.....	
14. Naturalist	127	10	0	125	0	0	16	0	0	.....			2	10	0
15. Military	10349	0	0	13025	14	6	1188	11	1	2676	14	6	.....	
16. Agriculture	2080	0	0	1536	0	6	4989	11	2	.....			543	19	6
17. Miscellaneous	2152	10	0	4357	1	6	3622	11	2	2204	11	6	.....	
18. Public Works Department	1864	0	0	1757	9	3	1553	14	4	.....			106	10	9
19. Public Works Recurrent	4485	0	0	5152	5	1	4051	15	4	667	5	1	.....	
Total Ordinary Expenditure ... £	35477	0	0	39551	19	5	29845	12	2	6129	0	7	2054	1	2
20. Public Works Extraordinary	1172	10	0	495	16	4	1499	17	8	.....			676	13	8
Land Sales	690	10	0	623	10	1	.....			.....			66	19	11
Total Falklands	£ 37340	0	0	40671	5	10	31345	9	10	6129	0	7	2797	14	9
Land Sales Fund ... ..	.....			.....			Surplus of Assets on the 30th June, 1940.								
Dependencies Payments ... ..	.....			5445	14	0	Land Sales Fund £269541 13 11								
Research Fund ... ..	.....			4100	15	2	General Revenue								
Investments made ... ..	.....			35222	6	4	Balance A/c.								
Advances made ... ..	.....			10988	14	11	1/1/40. Deficit £7241 6 6								
Deposits Repaid ... ..	.....			35380	13	9	Add								
Remittances made ... ..	.....			23909	0	5	Deficit 30/6/40. 7930 6 5								
							15171 12 11								
							£254370 1 0								
Total ...	£ 155718	10	5												
Balance on 30th June, 1940	.....			6499	0	1									
Total	£ 162217	10	6												

Distribution of Cash Balance 30th June, 1940:—

Colonial Treasury	£ 2843	2	1
Crown Agents	3599	6	7
South Georgia	56	11	5
	£6499	0	1.

A. W. CARDINALL,
Acting Financial Secretary.

Comparative statement of the Estimated and Actual Revenue and Expenditure under various Heads for the Dependencies for the Half Year ended 30th June, 1940.

REVENUE.

Receipts.	½ Estimated 1940.	Amount received to 30th June, 1940.	Receipts for same period, 1939.	More than ½ estimated 1940.	Less than ½ estimated 1940.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1. Customs Duties :					
(a) Imports	308 10 0	845 13 2	32 8 4	537 3 2	.....
(b) Exports	5900 0 0	7584 9 8	8018 11 1	1684 9 8	.....
2. Port & Tonnage Dues	125 0 0	120 0 0	160 0 0	.....	5 0 0
3. Internal Rev. Licences	580 0 0	162 5 0	157 15 0	.....	417 15 0
4. Fees, Fines, etc.	252 10 0	253 19 8	268 5 0	1 9 8	.....
5. Rents ...	750 0 0	501 0 0	.....	.....	249 0 0
6. Miscellaneous	5 0 0	.....	.....	.....	5 0 0
 Total Ordinary Revenue £	 7921 0 0	 9467 7 6	 8636 19 5	 2223 2 6	 676 15 0
 Research Fund		3932 11 11			
 £		13399 19 5			

Surplus of Assets on 1st January, 1940.

Research Fund	...	£176205 12 7	£176205 12 7.
---------------	-----	--------------	---------------

EXPENDITURE.

Payments.	½ Estimated 1940	Amount paid to 30th June, 1940.	Payments for same period, 1939	More than ½ estimated 1940.	Less than ½ estimated 1940.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1. Personal:-					
South Georgia	1050 0 0	907 15 8	894 14 11	.....	142 4 4
General	165 0 0	125 0 0	.....	.....	40 0 0
2. Other Charges:-					
(a) South Georgia	392 10 0	263 15 8	389 13 0	.....	128 14 4
(b) South Shetlands	10 0 0	.....	.....	.....	10 0 0
General	4544 0 0	4149 2 8	5148 11 4	.....	394 17 4
Total Ordinary Expenditure	6161 10 0	5445 14 0	6432 19 3	.....	715 16 0
3. Extraordinary:-					
(a) South Georgia	.....	.....	.....	.....	.....
(b) South Shetlands	.....	.....	.....	.....	.....
Miscellaneous	.....	.....	.....	.....	.....
£	6161 10 0	5445 14 0	6432 19 3	.....	715 16 0
 5. Research Fund		4100 15 2			
Total Expenditure	£	9546 9 2			

Surplus of Assets on 30th June, 1940.

Research Fund	...	£176037 9 4.	
General Account	...	4021 13 6.	£180059 2 10.

Examined,

A. R. HOARE,

Local Auditor.

A. W. CARDINALL,

Acting Financial Secretary.

[L.S.]



FALKLAND ISLANDS.

Ordinance No. 7 of 1940.

I ASSENT,

H. HENNIKER HEATON,

Governor.

28th November, 1940.

An Ordinance

To provide for the service of the year 1941.

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

Enacting Clause.

1. This Ordinance may be cited for all purposes as "the Appropriation (1941) Ordinance, 1940".

Short Title.

2. The Governor may cause to be issued out of the Public Revenue and other funds of the Colony and applied to the service of the year ending the 31st December, 1941, a sum not exceeding Ninety thousand Six hundred and Fifteen pounds, which sum is granted and shall be appropriated for the purposes and to defray the charges of the several services expressed and particularly mentioned in the Schedule hereto which will come in course of payment during the year 1941.

Appropriation of £90,615 for service of year 1941.

Passed by the Legislative Council this 26th day of November, 1940.

A. I. FLEURET,

Clerk of the Legislative Council.

Assented to by the Governor and given under the Public Seal of the Colony this 28th day of November, 1940.

A. W. CARDINALL,

Colonial Secretary.

Schedule.

SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
FALKLAND ISLANDS.				
I.	Pensions	2974	0	0
II.	The Governor	2785	0	0
III.	Colonial Secretary	2744	0	0
IV.	Treasury and Customs	1286	0	0
V.	Audit	258	0	0
VI.	Post Office	4280	0	0
VII.	Electrical and Telegraphs	3499	0	0
VIII.	Harbour	1176	0	0
IX.	Legal	185	0	0
X.	Police and Prisons	974	0	0
XI.	Medical	6492	0	0
XII.	Education	3471	0	0
XIII.	Ecclesiastical	289	0	0
XIV.	Naturalist	420	0	0
XV.	Military	868	0	0
XVI.	Agriculture	5401	0	0
XVII.	Miscellaneous	4868	0	0
XVIII.	Public Works	3835	0	0
XIX.	Public Works Recurrent	7525	0	0
	Total Ordinary Expenditure	£ 53330	0	0
XX.	Public Works Extraordinary	2808	0	0
XXI.	Military War Expenditure	20675	0	0
XXII.	Land Sales Fund	1381	0	0
	Total Expenditure chargeable to Revenue	£ 78194	0	0
DEPENDENCIES.				
I.	Ordinary Expenditure	12421	0	0
	Total	£ 90615	0	0

[L.S.]



FALKLAND ISLANDS.

Ordinance No. 8 of 1940.

I ASSENT,

H. HENNIKER HEATON,

Governor.

28th November, 1940.

An Ordinance

To amend the Income Tax Ordinance, 1939, as amended by the Income Tax (Amendment) Ordinance, 1940.

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

Enacting Clause.

1. This Ordinance may be cited as the Income Tax (Amendment, No. 2) Ordinance, 1940, and shall be read and construed as one with the Income Tax Ordinance, 1939, (hereinafter referred to as the Principal Ordinance) as amended by the Income Tax (Amendment) Ordinance, 1940.

Short Title.

2. Sub-section (1) of Section 4 of the Principal Ordinance is hereby amended by the deletion of the word "such" in line 5.

Amendment of Section 4 of Ordinance. No. 20 of 1939.

3. Section 8 of the Principal Ordinance is hereby amended by the deletion of sub-section (a) and the substitution therefor of the following subsection.

Amendment of Section 8 of Ordinance. No. 20 of 1939.

"(a) The official emoluments received by the Officer Administering the Government during the period in which he is administering the Government and the emoluments drawn by the Governor himself while on leave".

4. Section 18 of the Principal Ordinance is hereby amended by the insertion of the following additional sub-sections:—

Amendment of Section 18 of Ordinance. No. 20 of 1939.

"(c) In the case of a shipowner, the gains or profits of his business as a shipowner, shall, if he produces or causes to be produced to the Commissioner the certificate mentioned in sub-section (d) of this section, be taken to be a sum bearing the same ratio

to the sums payable in respect of fares or freight for passengers, goods or mails shipped in the Colony as his total profits for the relevant accounting period shown by that Certificate bear to the gross earnings for that period.

- (d) The certificate shall be a certificate by the Taxing Authority of the place in which the principal place of business of the shipowner is situated and shall state-
 - (1) that the shipowner has furnished to the satisfaction of that Authority account of the whole of his business; and
 - (2) the ratio of the gains or profits for the relevant accounting period as computed according to the Income Tax law of that place (after deducting interest on any money borrowed and employed in acquiring the gains and profits) to the gross earnings of the shipowner's fleet or vessel for that period.
- (e) If the gains or profits of a shipowner have for the purpose of assessment in the Colony under this Ordinance been computed on any basis other than the ratio of the gains or profits shown by a Certificate as aforesaid and an assessment has been made accordingly, the shipowner shall upon production of such a certificate at any time within two years from the end of the year of assessment be entitled to such adjustment as may be necessary to give effect to the said certificate and to have any tax paid in excess refunded.
- (f) In this section the expression "shipowner" means an owner or charterer of ships whose principal place of business is situated outside the Colony, but in a part of His Majesty's protection."

Amendment of Section 43 of Ordinance No. 20 of 1939.

5. Section 43 of the Principal Ordinance is hereby amended by the insertion of the following additional sub-section:-

"(11) Notwithstanding anything contained in sub-section (2) of Section 49 of this Ordinance if the Judge is satisfied that tax in accordance with his decision upon the appeal may not be recovered the Judge may require the appellant forthwith to furnish such security for payment of the tax, if any, which may become payable by the appellant as may seem to the Judge to be proper. If such security is not given the tax assessed shall become payable forthwith and shall be recoverable in the manner prescribed by Section 53 of this Ordinance."

Addition of new Section.

6. The following section shall be inserted in the Principal Ordinance as Section 47a :-

"Time limit for repayment of claims.

47a. A claim for relief under Section 46 or Section 47 of this Ordinance shall be made within two years from the end of the year of assessment to which it relates:

Provided that such a claim, though not made within the said period of two years, shall be admitted if made within six years from the end of the said year and within six months from the date upon which the relevant amount of United Kingdom income tax or of Empire income tax, as the case may be, has been ascertained."

7. The following Section shall be inserted in the Principal Ordinance as Section 54A:—

Addition of new Section.

“Fugitive”
tax-payers.

54A. (1) If in any particular case the Commissioner has reason to believe that a person who has been assessed to tax may leave the Colony before such tax becomes payable under the provisions of Section 50 or Section 52 of this Ordinance without having paid such tax he may by notice in writing to such person demand payment of such tax within the time to be limited in such notice. Such tax shall thereupon be payable at the expiration of the time so limited and shall in default of payment unless security for payment thereof be given to the satisfaction of the Commissioner be recoverable forthwith in the manner prescribed by Section 53 of this Ordinance.

(2) If in any particular case the Commissioner has reason to believe that tax upon any chargeable income may not be recovered he may at any time and as the case may require:—

- (a) forthwith by notice in writing require any person to make a return and to furnish particulars of any such income within the time to be specified in such notice.
- (b) make an assessment upon such person in the amount of the income returned or if default is made in making such return or the Commissioner is dissatisfied with such return in such amount as the Commissioner may think reasonable;
- (c) by notice in writing to the person assessed require that security for the payment of the tax assessed be forthwith given to his satisfaction.

(3) If in any particular case the Commissioner has reason to believe that tax upon any income which would upon the issue of a proclamation imposing tax for any year of assessment become chargeable to such tax may not be recovered he may at any time:—

- (a) by notice in writing to the person by whom the tax would be payable determine a period for which tax shall be charged and require such person to render within the time specified therein returns and particulars of such income for that period;
- (b) make an assessment upon such person in the amount of the income returned or if default is made in making a return or the Commissioner is dissatisfied with such return in such amount as the Commissioner may think reasonable. Such assessment shall be made at the rate of tax imposed by the past preceding proclamation.

(4) Notice of any assessment made in accordance with the provisions of sub-sections (2) and (3) of this Section shall be given to the person assessed, and any tax so assessed (in accordance with the provisions of sub-sections (2) and (3) of this Section) shall be payable on demand made in writing under the hand of the Commissioner and shall in default of payment unless security for the payment thereof be given to the satisfaction of the Commissioner be recoverable forthwith in the manner prescribed by Section 53 of this Ordinance.

(5) Any person who has paid the tax in accordance with a demand made by the Commissioner or who

has given security for such payment under sub-sections (2) and (3) of this Section shall have the rights of objection and appeal conferred by Sections 42 and 43 of this Ordinance and the amount paid by him shall be adjusted in accordance with the result of any such objection or appeal.

(6) The provisions of sub-sections (2) and (3) of this Section shall not affect the powers conferred upon the Commissioner by Section 39 of this Ordinance."

Passed by the Legislative Council this 26th day of November, 1940.

A. I. FLEURET,

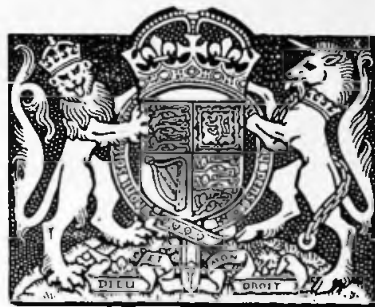
Clerk of the Legislative Council.

Assented to by the Governor and given under the Public Seal of the Colony this 28th day of November, 1940.

A. W. CARDINALL,

Colonial Secretary.

[L.S.]



FALKLAND ISLANDS.

Ordinance No. 9 of 1940.

I ASSENT,

H. HENNIKER HEATON,

Governor.

28th November, 1940.

An Ordinance

To amend the Tariff Ordinance 1900,
as amended by the Tariff (Import Duties)
Amendment Ordinances 1929, 1931, 1933
and 1939.

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

Enacting Clause.

1. This Ordinance may be cited as the "Tariff (Import
Duties) Amendment Ordinance 1940", and shall be read and con-
strued as one with the Tariff Ordinance 1900.

Short Title.

2. The First Schedule to the Tariff Ordinance 1900, as
amended by the Tariff (Import Duties) Amendment Ordinances
1929, 1931, 1933 and 1939, is hereby repealed and replaced by the
Schedule hereto annexed.

Repeal and Replace-
ment of First Sched-
ule to Tariff Ordin-
ance 1900.

Passed by the Legislative Council this 26th day of
November, 1940.

A. I. FLEURET,

Clerk of the Legislative Council.

Assented to by the Governor and given under the Public
Seal of the Colony this 28th day of November, 1940.

A. W. CARDINALI,

Colonial Secretary.

FIRST SCHEDULE.

TARIFF OF IMPORT DUTIES.

On Spirits, not exceeding the strength of proof, as ascertained by Sikes' Hydrometer, and in proportion for any greater strength than strength of proof, including mixtures and preparations containing spirits, per gallon	...	1	6	0
On Wine in cask, per gallon	...	...	5	0
" " in bottle, per doz. litres	...	...	15	0
" " " " " " reputed quarts	...	...	11	0
" " " " " " " pints	...	...	5	6
On British Wines and all other unenumerated and unexempted beverages not liable to spirit duty,				
In cask per gallon	...	...	3	0
In bottle per dozen litres	...	...	8	9
" " " " reputed quarts	...	...	6	6
" " " " " pints	...	...	3	3
On Malt liquor, mum, spruce, cider and perry,				
In cask, per gallon	...	...	1	0
In bottle per dozen reputed quarts	...	...	2	0
" " " " " pints	...	...	1	0
On cigars per lb.	...	...	8	0
On cigarettes, cut and manufactured tobacco and snuff, per lb.	...	...	5	0
On all other unexempted tobacco per lb.	...	...	4	0

Provided that the tariff of import duties on cigars and on cigarettes, cut and manufactured tobacco and snuff shall be at nine-tenths of the aforesaid tariff where such cigars, cigarettes, cut and manufactured tobacco and snuff are manufactured in any part of the British Empire from tobacco which is the produce of any part of the British Empire.

On matches, for every gross of boxes, not exceeding 10,000 matches	...	10	0
For every gross of boxes exceeding 10,000 matches, per 10,000 matches, and so in proportion	...	10	0

Provided that the tariff of import duties on matches which are manufactured in and consigned from the United Kingdom or any part of the British Empire shall be at one half of the aforesaid tariff.

[L.S.]



FALKLAND ISLANDS.

Ordinance No. 10 of 1940.

I ASSENT,

H. HENNIKER HEATON,

Governor.

28th November, 1940.

An Ordinance

To legalise certain payments made in the year One thousand Nine hundred and Thirty-nine in excess of the Expenditure sanctioned by Ordinance No. 14 of 1938.

WHEREAS it is expedient to make further provision for the service of the Colony for the year 1939.

Preamble.

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

Enacting Clause.

1. This Ordinance may be cited for all purposes as the "Supplementary Appropriation (1939) Ordinance, 1940.

Short Title.

2. The sums of money set forth in the Schedule hereto having been expended for the services therein mentioned beyond the amounts granted for those services by the Ordinance providing for the service of the year One thousand Nine hundred and Thirty-nine, the same are hereby declared to have been duly laid out and expended for the service of the Colony in that year, and are hereby approved, allowed and granted in addition to the sums mentioned for those services in the said Ordinance.

Appropriation of excess of expenditure for the year 1939.

Passed by the Legislative Council this 26th day of November, 1940.

A. I. FLEURET,

Clerk of the Legislative Council.

Assented to by the Governor and given under the Public Seal of the Colony this 28th day of November, 1940.

A. W. CARDINALL,

Colonial Secretary.

Schedule.

SCHEDULE.

Number.	Head of Service.	Amount.		
		£	s.	d.
	FALKLAND ISLANDS.			
I.	Pensions	388	10	10
II.	The Governor	1	7	7
V.	Audit	103	18	7
VII.	Electrical and Telegraphs	262	17	7
VIII.	Harbour	13	14	2
IX.	Legal	127	2	7
X.	Police and Prisons	28	4	3
XIV.	Naturalist	47	16	4
XV.	Military	69	18	3
XVI.	Agriculture	2104	16	9
XVII.	Miscellaneous	1316	2	10
	Total Ordinary Expenditure	£ 4464	9	9
XX.	Public Works Extraordinary	692	10	3
XXI.	Military & War	11985	10	6
	Colonial Development Fund	145	0	0
APPENDIX I	Land Sales Fund	364	3	11
	Total	£ 17651	14	5

[L.S.]



FALKLAND ISLANDS.

Ordinance No. 11 of 1940.

I ASSENT,

H. HENNIKER HEATON,

Governor.

28th November, 1940.

An Ordinance

To amend the Trading with the Enemy Ordinance, 1939.

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

Enacting Clause.

1. This Ordinance may be cited as the Trading with the Enemy (Amendment) Ordinance, 1940, and shall be read and construed as one with the Trading with the Enemy Ordinance, 1939, (hereinafter referred to as the Principal Ordinance.)

Short Title.

2. (1) In subsection (1) of Section 2 of the Principal Ordinance after the words "any person who trades with" there shall be inserted the words "or attempts to trade with," and after paragraph (b) of subsection (2) of that Section there shall be inserted the words "And any reference in this Ordinance to an attempt to trade with the enemy shall be construed accordingly."

Trading with the enemy.

(2) Proceedings in respect of an offence of trading with the enemy alleged to have been committed by any person may be taken before the appropriate court in the Colony having jurisdiction in the place where that person is for the time being.

(3) The following subsection shall be inserted after subsection (3) of Section 2 of the Principal Ordinance:—

"(3a) In any proceedings for an offence of trading with the enemy, the fact that any document has been despatched addressed to a person in enemy territory shall, unless the contrary is proved, be evidence, as against any person who was a party to the despatch of the document, that the person to whom the document was despatched was an enemy."

Amendment of Section 3 of Ordinance No. 18 of 1939.

3. Subsection (1) of Section 3 of the Principal Ordinance shall be amended as follows:—

- (a) At the end of paragraph (c) the word "or" shall be omitted and after paragraph (d) there shall be inserted the following words—

"and

(e) as respects any business carried on in enemy territory, any individual or body of persons (whether corporate or unincorporate) carrying on that business;"

- (b) for the words "does not include any person by reason only that he is an enemy subject" there shall be substituted the words "does not include any individual by reason only that he is an enemy subject."

Control of Businesses.

4. After Section 4 of the Principal Ordinance there shall be inserted the following Section:—

"Power to control and wind up businesses."

4a. (1) Where any business is being carried on in the Colony by, or on behalf of, or under the direction of, persons all or any of whom are enemies or enemy subjects or appear to the Governor to be associated with enemies, the Governor may, if he thinks it expedient so to do, make—

- (a) an order (hereafter in this section referred to as a "restriction order") prohibiting the carrying on the business either absolutely or except for such purposes and subject to such conditions as may be specified in the order; or
- (b) an order (hereafter in this section referred to as a "winding up order") requiring the business to be wound up,

and the making of a restriction order as respects any business shall not prejudice the power of the Governor if he thinks it expedient so to do, at any subsequent date to make a winding up order as respects that business.

(2) Where an order under subsection (1) of this section is made as respects any business, the Governor may, by that or a subsequent order, appoint a controller to control and supervise the carrying out of the order, and in the case of a winding up order, to conduct the winding up of the business, and may confer on the controller any such powers in relation to the business as are exercisable by a liquidator in the voluntary winding up of a company in relation to the company (including power in the name of the person carrying on the business or in his own name, and by deed or otherwise, to convey or transfer any property, and power to apply to the court to determine any question arising in the carrying out of the order), and may by the order confer on the controller such other powers as the Governor thinks necessary or convenient for the purpose of giving full effect to the order.

(3) Where a restriction order or a winding up order is made as respects any business, the distribution of any assets of the business which are distributed while the order is in force shall be subject to the same rules as to preferential payments as are applicable to the distribution of the assets of a company which is being wound up,

and the said assets of the business shall, so far as they are available for discharging unsecured debts be applied in discharging unsecured debts due to creditors of the business who are not enemies in priority to unsecured debts due to any other creditors, and any balance, after providing for the discharge of all liabilities of the business, shall be distributed among the persons interested in the business in such manner as the Governor may direct:

Provided that the provisions of this subsection shall, in their application to the distribution of any money or other property which would, in accordance with those provisions, fall to be paid or transferred to an enemy, whether as a creditor or otherwise, have effect subject to the provisions of section eight of this Ordinance (which relates to the collection of enemy debts and the custody of enemy property) and of any order made under that section.

(4) Where any business for which a controller has been appointed under this section has assets in enemy territory, the controller shall, if in his opinion it is practicable so to do, cause an estimate to be prepared—

- (a) of the value of those assets;
- (b) of the amount of any liabilities of the business to creditors, whether secured or unsecured who are enemies;
- (c) of the amount of the claims of persons who are enemies to participate, otherwise than as creditors of the business, in any distribution of assets of the business made while an order under subsection (1) of this section is in force as respects the business;

and, where such an estimate is made, the said liabilities and claims shall, for the purposes of this section, be deemed to have been satisfied out of the said assets of the business in enemy territory, or to have been satisfied thereout so far as those assets will go, and only the balance (if any) shall rank for satisfaction out of the other assets of the business:

(5) Where an estimate has been prepared under the last preceding subsection, a certificate of the controller as to the value or amount of any assets, claims or liabilities to which the estimate relates shall be conclusive for the purpose of determining the amount of the assets of the business available for discharging the other liabilities of the business and for distribution amongst other persons claiming to be interested in the business.

Provided that nothing in this subsection shall affect the rights of creditors of, and other persons interested in the business against the assets of the business in enemy territory.

(6) The Governor may, on an application made by the controller appointed under this section, after considering the application and any objections which may be made by any person who appears to him to be interested, by order grant the controller a release, and an order of the Governor under this subsection shall discharge the controller from all liability in respect of any act done or default made by him in the exercise and performance of his powers and duties as controller; but any such order may be revoked by the Governor on proof that it

was obtained by fraud or by suppression or concealment of any material fact.

(7) If any person contravenes, or fails to comply with, the provisions of any order made under subsection (1) of this section, he shall be guilty of an offence of trading with the enemy.

(8) Where an order under subsection (1) of this section has been made as respects a business carried on by any individuals or by a company, no bankruptcy petition, or petition for sequestration or summary sequestration against the individuals, or petition for the winding up of the company, shall be presented, or resolution for the winding up of the company passed, or steps for the enforcement of the rights of any creditors of the individuals or company taken without the consent of the Governor, but where the business is carried on by a company the controller may present a petition for the winding up of the company by the court, and the making of an order under this section shall be a ground on which the company may be wound up by the court.

(9) Where an order is made under this section appointing a controller for any business, any remuneration of, and any costs, charges and expenses incurred by, the controller, and any other costs, charges and expenses incurred in connection with the control and supervision of the carrying out of the order, shall, to such amount as may be certified by the custodian of enemy property, be defrayed out of the assets of the business, and as from the date of the certificate, be charged on those assets in priority to any other charges thereon."

Provisions as to
custodians.

5. (1) The rights, powers, duties and liabilities which may be conferred and imposed by the Governor on custodians of enemy property under subsection 1 of section 8 of the Principal Ordinance shall, where it appears to the Governor that it is expedient that any business should be carried on or continue to be carried on in or from the Colony, include such rights, powers, duties and liabilities as respects the property and money mentioned in paragraph (d) of the said subsection (1) as, in the opinion of the Governor, are necessary or expedient in order to enable that business so to be carried on.

(2) The power of the Governor under the said subsection (1) shall include power, where a custodian dies or for any other reason ceases to hold office as such, by order to vest in his successor any property or right which was vested in the first mentioned custodian at the time of his dying or ceasing to hold office.

Repeal of Sections 6
and 9 of Ordinance.
No. 18 of 1939.

6. Sections 6 and 9 of the Principal Ordinance which relate to (a) transfer and allotment of securities and (b) provisions with respect to money payable to, or received by, a Clearing Office, are hereby repealed.

Certain areas to be
treated as enemy ter-
ritory.

7. After subsection 1 of Section 14 of the Principal Ordinance there shall be inserted the following subsection:—

"(1a) The Governor may, by order direct that the provisions of this Ordinance shall apply in relation to any area specified in the order as they

apply in relation to enemy territory, and the said provisions shall apply accordingly."

Passed by the Legislative Council this 26th day of November, 1940.

A. I. FLEURET,

Clerk of the Legislative Council.

Assented to by the Governor and given under the Public Seal of the Colony this 28th day of November, 1940.

A. W. CARDINALL,

Colonial Secretary.

[L.S.]



FALKLAND ISLANDS.

Ordinance No. 12 of 1940.

I ASSENT,

H. HENNIKER HEATON,

Governor.

28th November, 1940.

An Ordinance

To amend the Matrimonial Causes Ordinance, 1940.

Enacting Clause.

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 :—

Short Title.

1. This Ordinance may be cited as the Matrimonial Causes (Amendment) Ordinance, 1940, and shall be read and construed as one with the Matrimonial Causes Ordinance, 1940, hereinafter referred to as the Principal Ordinance.

Amendment of Section 3 of Ordinance No. 1 of 1940.

2. The Proviso to sub-section (1) of Section 3 of the Principal Ordinance is hereby amended by the insertion of the words "exceptional hardship suffered by the petitioner or of" between the words "the case is one off" and the words "exceptional depravity" in line 4.

Passed by the Legislative Council this 26th day of November, 1940.

A. I. FLEURET,

Clerk of the Legislative Council.

Assented to by the Governor and given under the Public Seal of the Colony this 28th day of November, 1940.

A. W. CARDINALL,

Colonial Secretary.

[L.S.]



FALKLAND ISLANDS.

Ordinance No. 13 of 1940.

I ASSENT,

H. HENNIKER HEATON,
Governor.

28th November, 1940.

An Ordinance To amend the Pensions Ordinance, 1937.

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

Enacting Clause.

1. This Ordinance may be cited as "The Pensions (Amendment) Ordinance, 1940" and shall be read and construed as one with the Pensions Ordinance, 1937, hereinafter referred to as the Principal Ordinance.

Short Title.

2. Section 19 of the Principal Ordinance is hereby repealed and in place thereof the following Section shall have effect:—

Repeal of Section 19
of Ordinance No. 5 of
1937.

Pensions to
dependants
when an offi-
cer is killed
on duty.

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

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

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

- (i) if the deceased officer leaves a widow, a pension to her, while unmarried and of good character, at a rate not exceeding ten sixtieths of his annual pensionable emoluments at the date of the injury or fifteen pounds a year, whichever is the greater;
- (ii) if the deceased officer leaves a widow to whom a pension is granted under the preceding paragraph and a child or children, a pension in respect of

each child, until such child attains the age of eighteen years, of an amount not exceeding one eighth of the pension prescribed under the preceding paragraph;

- (iii) if the deceased officer leaves a child or children, but does not leave a widow or no pension is granted to the widow, a pension in respect of each child, until such child attains the age of eighteen years, of double the amount prescribed by the preceding paragraph;
- (iv) if the deceased officer leaves a child or children and a widow to whom a pension is granted under paragraph (i) of this subsection, and the widow subsequently dies, a pension in respect of each child as from the date of the death of the widow until such child attains the age of eighteen years, of double the amount prescribed in paragraph (ii) of this subsection;
- (v) if the deceased officer does not leave a widow, or if no pension is granted to his widow, and if his mother was wholly or mainly dependent on him for her support, a pension to the mother, while of good character and without adequate means of support, of an amount not exceeding the pension which might have been granted to his widow;

Provided that –

- A. pension shall not be payable under this paragraph at any time in respect of more than six children; and
- B. in the case of a pension granted under paragraph (v) of this subsection if the mother is a widow at the time of the grant of the pension and subsequently remarries such pension shall cease as from the date of re-marriage; and if it appears to the Secretary of State at any time that the mother is adequately provided with other means of support, such pension shall cease as from such date as the Secretary of State may determine;
- C. a pension granted to a female child under this section shall cease upon the marriage of such child under the age of eighteen years;
- D. No pension shall be granted under this section in cases where the dependants of a deceased officer receive compensation under the provisions of the Workmen's Compensation Ordinance, 1937:

(2) In the case of an officer not holding a pensionable office, the expression "pensionable emoluments" in the preceding subsection shall mean the emoluments enjoyed by him which would have been pensionable emoluments if the office held by him had been a pensionable office.

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

- (a) a posthumous child;
- (b) a step-child or illegitimate child born before the date of the injury and wholly or mainly dependent upon the deceased officer for support, and

- (c) an adopted child, adopted in a manner recognised by law, before the date of the injury, and dependent as aforesaid.

(4) If an officer proceeding by a route approved by the Governor to or from the Colony at the commencement or termination of his service therein or of a period of leave therefrom, dies as 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 section, to have died in the circumstances described in subsection (1) of this section.

Passed by the Legislative Council this 26th day of November, 1940.

A. I. FLEURET,

Clerk of the Legislative Council.

Assented to by the Governor and given under the Public Seal of the Colony this 28th day of November, 1940.

A. W. CARDINALL,

Colonial Secretary.

[L.S.]



FALKLAND ISLANDS.

Ordinance No. 14 of 1940.

I ASSENT,

H. HENNIKER HEATON,

Governor.

28th November, 1940.

An Ordinance

To repeal the Merchant Shipping (International Labour Convention) Ordinance, 1938.

Enacting Clause.

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 :—

Short Title.

1. This Ordinance may be cited as the "Merchant Shipping (International Labour Convention) (Repeal) Ordinance, 1940.

Repeal of Ordinance.
No. 15 of 1938.

2. The Merchant Shipping (International Labour Convention) Ordinance, 1938. is hereby repealed.

Passed by the Legislative Council this 26th day of November, 1940.

A. I. FLEURET,

Clerk of the Legislative Council.

Assented to by the Governor and given under the Public Seal of the Colony this 28th day of November, 1940.

A. W. CARDINALL,

Colonial Secretary.

[L.S.]



FALKLAND ISLANDS.

Ordinance No. 15 of 1940.

I ASSENT,

H. HENNIKER HEATON,

Governor.

28th November, 1940.

An Ordinance

To amend the Tariff Ordinance, 1900,
as amended by the Tariff (Export Duties)
Amendment Ordinances, 1923 and 1924.

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

Enacting Clause.

1. Notwithstanding any provisions to the contrary contained
in the Tariff Ordinance, 1900, as amended by the Tariff (Export
Duties) Amendment Ordinances, 1923 and 1924, the duty of Customs
to be raised, levied and collected upon whale oil and upon seal
oil which shall be raised in the Colony or in the Dependencies thereof
during the 1940-41 whaling season and during the 1941 sealing
season shall be fixed at the rate of one shilling and sixpence for each
barrel of forty gallons.

Rate of duty on export
of Whale and Seal oil
during the 1940-1941
whaling season and
1941 sealing season.

2. This Ordinance may be cited as the Tariff (Export
Duties) Amendment Ordinance, 1940" and shall be read and construed
as one with the Tariff (Export Duties) Amendment Ordinances,
1923 and 1924.

Short Title.

Passed by the Legislative Council this 26th day of
November, 1940.

A. I. FLEURET,

Clerk of the Legislative Council.

Assented to by the Governor and given under the Public
Seal of the Colony this 28th day of November, 1940.

A. W. CARDINAL,

Colonial Secretary.

Note Security Fund.

Abstract of Accounts as required under Section 13 of the Currency Notes Ordinance, 1930.

Half-year ended 30th June, 1940.

(a) Total amount of Currency Notes in Circulation :-

	Number of Notes.			Total.	Value. £
	Series A.	Series B.	Series C.		
£5	2	12	1499	1513	7565
£1	57	128	19771	19956	19956
10/-	—	—	3928	3928	1964
5/-	31	29	—	60	15
	90	169	25198	25457	29500

(b) Invested portion of Fund calculated on latest known market prices	£	s.	d.
...	28413	12	0.
Liquid portion of Fund	£4907	18	9.
Less Sterling transfer maturing	900	0	0.
	4007	18	9.
Total amount of Note Security Fund	£32421	10	9.

(c) List of Securities held by the Fund shewing in each case the nominal value and the latest known market price.

Name of Stock.		%	Face Value of Investments.			Price.	Market Value of Investments.		
			£	s.	d.		£	s.	d.
Kenya	1946/56	6	3184	19	10	109½	3487	11	4
Queensland	1922/47	3	900	0	0	94½	850	10	0
Nigeria	1955	3	2781	2	11	93½	2600	7	5
Funding Loan	1956/61	2½	2893	1	3	89	2574	16	6
Jamaica	1956/61	3	2020	4	0	92½	1868	13	8
Nigeria	1947/57	5	600	0	0	106½	639	0	0
"	1963	4	1842	16	7	105	1934	19	5
Kenya	1950	4½	2021	5	3	105½	2132	8	8
Nigeria	1950/60	5	3000	0	0	107½	3225	0	0
New Zealand	1949	5	2518	13	0	101½	2556	8	7
Tasmania	1940/50	4	1444	4	8	99	1429	15	10
War Loan	1955/59	3	1021	13	10	99¼	1014	0	7
Joint Colonial Fund			24228	1	4		24313	12	0
			4100	0	0		4100	0	0
			28328	1	4		28413	12	0

Examined

A. R. HOARE,
Local Auditor.

W. D. A. JONES,

for Commissioner of Currency.