

- (a) the country, State or Sovereign thereof or any person resident therein, or
- (b) any body or corporation which is incorporated under the law of that country or State or is under the control of that country, State or the Sovereign thereof or any person resident therein,

in so far as the order -

- (i) requires the person to whom the order is given to make any payment or to part with any gold or securities, or
- (ii) requires any change to be made in the person to whose credit any sum of money is to stand or to whose order any gold or securities are to be held."

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

J. BOUND,
Clerk of the Legislative Council.

R.C. 0078/D/II.

Assented to in Her Majesty's name this 16th day of January, 1954.

MILES CLIFFORD,
Governor.

[L.S.]



No. 4

1954.

Colony of the Falkland Islands.

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

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,
Governor.

An Ordinance

To make better provision for the constitution, organisation and discipline of the Local Armed Force in the Colony.

[1st January, 1954]

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

1. This Ordinance may be cited as the Defence Force Ordinance, 1954.

2. In this Ordinance and in any Regulations or Rules made thereunder unless the context otherwise requires -

"Appointments" includes accoutrements and equipment of every kind other than clothing.

"Commandant" means the Officer for the time being in command of the Defence Force.

"Efficiency" or "efficient" means the standard of efficiency fixed by the Governor in Council by Regulations under this Ordinance.

"Officer" means a person holding the Governor's commission as an Officer in the Force.

"Regulations" and "Standing Orders" and "Rules" mean respectively regulations and standing orders and rules made under the provisions of this Ordinance.

"Superior Officer", when used in relation to a member of the Force, includes a warrant officer and a non-commissioned officer.

"Unit" means unit forming part of the Force.

"Member" means a person commissioned or enrolled as a member of the Force.

	<p>"The Force" means the Defence Force established by this Ordinance, or any unit thereof.</p> <p>"The Army Act" means the Army Act, 1881 (44 and 45 Vic. C. 58) and includes all Acts amending or substituted for the same and also all Articles of War in force thereunder.</p> <p>"Queen's Regulations" means Her Majesty's Regulations and Orders in force for the time being for Her Majesty's Regular Forces.</p>	
Establishment of Defence Force.	<p>3. (1) ESTABLISHMENT AND ORGANISATION.</p> <p>There shall be raised and maintained a Defence Force for service in the Colony and its Dependencies, which shall consist of such units as the Governor may from time to time determine, and each such unit shall be designated by such title, and shall consist of such establishment, as the Governor shall direct.</p>	Rank and precedence of officers.
Application to existing Force.	<p>(2) The provisions of this Ordinance shall apply to all persons who at the date of the commencement thereof are serving on the Active List or have been posted to the Retired List as officers or members in the Defence Force established under the Defence Force Ordinance (Chapter 19), and all such persons shall be deemed to have been appointed under this Ordinance with the rank held by them respectively in such Defence Force at the date aforesaid.</p>	Officers' powers of command.
Constitution of Force.	<p>4. (1) It shall be lawful for the Governor on behalf of Her Majesty to accept the services of any male person desiring to join the Force and offering his services to Her Majesty.</p> <p>(2) Nothing herein contained shall be deemed to render it obligatory upon the Governor to accept the services of any person.</p> <p>(3) The Governor may appoint such honorary members as he may deem fit.</p>	Duties of officers.
Constitution and disbandment of units.	<p>5. The Governor -</p> <p>(1) may constitute any unit; and</p> <p>(2) may disband any unit constituted under this Ordinance and cause any of the members thereof to be transferred to another unit; and</p> <p>(3) may continue under this Ordinance any unit which previously existed under the Ordinance repealed by this Ordinance.</p>	Cancellation of Commission.
Entry on Muster Roll.	<p>6. (1) The name of every person whose services have been accepted by the Governor as a member of the Force shall be entered by the Commandant on the Muster Roll of the Force which shall be kept by him.</p>	Warrant Officers and Non-commissioned Officers.
Oath.	<p>(2) Every person whose services have been accepted as above shall upon admission to the Force take the oath or make the declaration set forth in the Schedule to this Ordinance, to be administered by a Magistrate or Justice of the Peace or by an Officer of the Force.</p>	Liability for service and training.
Command.	<p>7. The Force shall be under the supreme command of the Governor, and under the command of the Commandant, who shall be responsible to the Governor for the instruction, training and discipline of the Force, and for all Government moneys, stores and property committed to his charge.</p>	Uniform.
Officers.	<p>8. (1) The Officers of the Force shall be commissioned by the Governor, and any such commission shall not be deemed to be vacated by the death, transfer, or retirement from office of the Governor by whom it was issued.</p>	Officers Uniforms.
Commandant.	<p>(2) The Governor shall appoint one of such officers to be the Commandant of the Force, and may remove him from his command and appoint some other officer to be Commandant in his place.</p>	Arms and equipment etc. remain property.
Local rank of Commandant.	<p>(3) The Commandant shall be granted such local rank as the Governor may determine.</p>	Cost of repairs.
	<p>(4) Officers commissioned under sub-section (1) of this section shall be appointed to ranks in the Force. The titles of ranks of officers in the Force will be the same as those of officers in Her Majesty's Regular Forces.</p> <p>Officers of the Force when serving with, attached to, or acting in combination with Her Majesty's Regular Forces will take rank and precedence below officers of corresponding rank in Her Majesty's Regular Forces.</p> <p>(5) The power of command to be exercised by officers of the Force will extend over all officers lower in rank or junior in seniority in their unit and over all other ranks in the Force. It will also extend over such officers of any other unit in the Force lower in rank or junior in seniority as may be attached for duty to, or specially placed under the command of officers of a unit or formation.</p> <p>(6) The duties of officers of the Force shall be the same as those prescribed in the Queen's Regulations so far as the same can be made applicable and as laid down in Regulations made under this Ordinance.</p> <p>9. The Governor may cancel the commission of any officer at any time: provided that such commission shall not be cancelled unless the holder thereof has been notified in writing of any complaint or charge made, and of the action proposed to be taken against him, and has been called upon to show cause in relation thereto.</p> <p>10. The appointment and promotion of warrant officers and non-commissioned officers shall be vested in the Commandant.</p> <p>11. Every member shall be liable to undergo such training as may from time to time be prescribed.</p> <p>12. (1) Members, other than officers, shall wear such uniform as the Governor shall direct, which shall be supplied to them on their enrolment and renewed at the public expense as the Commandant shall decide.</p> <p>(2) Officers shall provide and maintain at their own expense such uniform as the Governor shall direct: provided that the Governor may grant an allowance to an officer in respect thereof.</p> <p>13. (1) All arms, ammunition, musical instruments, clothing, appointments and necessaries issued on loan to any member of the Force shall be and remain the property of the Government and shall be produced, exhibited and delivered to the Commandant or to any person authorised by him to inspect or receive the same.</p> <p>(2) Every member shall pay to the Commandant the cost of repairing or replacing any rifle or appointments damaged, destroyed or lost by such member.</p> <p>14. Subject as hereinafter mentioned any member may, except when on active service, and except when the sections relating to compulsory service under this Ordinance are in force, quit the Force on complying with the following conditions :-</p> <p>(i) he shall give the Commandant one month's notice in writing of his intention to quit the Force: provided that the Commandant may in his discretion dispense with such notice;</p> <p>(ii) he shall deliver up in good order (fair wear and tear only excepted) all arms, clothing and appointments being public property or property of the Force issued to him; and</p> <p>(iii) he shall pay all money due or becoming due by him under the rules of the Force either before or at the time or by reason of his quitting the Force;</p> <p>and thereupon he shall be struck off the muster roll of the Force by the Commandant.</p>	Right of member to quit Force.

The Retired List.

Retired List.

15. (1) Any member who has been returned with efficiency for at least eighteen years or has been returned with efficiency for at least twelve years and has attained the age of forty-one years

- (a) may at any time thereafter on application in writing to the Commandant be posted to the Retired List and his name shall thereupon be removed from the Active List,
- (b) may at any time thereafter for any reason which the Commandant may deem sufficient, subject to the approval of the Governor, be posted to the Retired List and his name shall thereupon be removed from the Active List.

(2) Any member who

- (a) has been returned with efficiency for at least five years and has been certified by a Medical Officer to be debarred from further service with the Force by reason of physical disability, not being the result of his own misconduct, or
- (b) while on service with the Force, suffers a disability, not being the result of his own misconduct, and has been certified by a Medical Officer to be debarred in consequence from further service with the Force,

shall be posted to the Retired List and his name removed from the Active List.

(3) Previous service in the Royal Navy, the Regular Army, the Royal Air Force or any other permanent or auxiliary Military Force of the Commonwealth may be taken into consideration for the purpose of sub-sections (1) and (2) of this section.

(4) Every member on the Retired List may, at any military function or on any occasion when uniform is permitted to be worn, and with the approval of the Commandant, wear the uniform and badges of the substantive rank held by him at the time when he was posted to the Retired List. He shall wear the letters "R.L." below the badge of the Force worn on the shoulder straps.

(5) Any member on the Retired List may enjoy the privileges of the Defence Force Clubs as though he were an active member of the Force.

(6) Notwithstanding anything contained in this section any member who was posted to the Reserve Section of the Force under the provisions of the Defence Force Ordinance, 1920, as amended by the Defence Force (Amendment) Ordinance, 1938, may at the discretion of the Commandant be posted to the Retired List.

Active Service.

Governor may call out Force.

16. (1) The Governor may by Proclamation call out the Force or any unit or part thereof for active service, whenever it appears to him advisable to do so by reason of the existence of a state of war, or of any hostile invasion (or apprehended danger thereof), or in the event of any internal emergency threatening the security of life or property to quell which the available civil force is deemed by him inadequate.

Members to attend call.

(2) Every member so called out shall attend in obedience to the call and shall assemble at such place and perform such services as may be directed by the Governor.

Member called out deemed on active service.

(3) Every member so called out shall for the purposes of this Ordinance be deemed to be on active service. If any such member, not incapacitated by infirmity for service, refuses or neglects so to assemble as required by the Governor he shall be deemed to be a deserter.

(4) The period of such service shall continue so long as the Governor shall consider necessary, and shall end only by order of the Governor.

Period of active service.

(5) Nothing in this Ordinance shall render any member liable to serve or proceed on duty beyond the limits of the Colony or its Dependencies without his consent.

Liable to serve in Colony and its Dependencies.

17. The Commandant may, when the Force or any part thereof is called out for active service, impress motor vehicles, horses, carts, riding and driving gear and boats and their accessories, or any articles as the service may require.

Impressment of motor vehicles etc.

Compulsory Service.

18. (1) In the event of the Defence Force being called out for active service as hereinbefore provided, and the Governor considering it expedient that the numerical strength of the Force should be increased, he may by Proclamation call upon and require every male person over the age of eighteen and under the age of fifty-one years resident in the Colony, not being a member of the Force or exempt under the next succeeding section, to join and serve with the Force so called out, and every such person shall be required to assemble at such place and perform such service as may be directed by the Governor and shall be subject to the provisions of this Ordinance and shall serve as a member of the Force accordingly.

Application of compulsory service.

(2) Every person who, having been called out for service under the preceding sub-section, shall without lawful excuse fail to assemble at the time and place required or to perform such service as he shall have been from time to time directed to perform, shall be deemed to be a deserter.

19. The Governor in Council may exempt any person or class of persons from service in the Force.

Exemption from service.

Immunities.

20. (1) No action shall lie against any member of the Force, nor shall he be subject to any penalty or punishment, for any act or thing done by him in the execution of his duty as a member of the Force: provided that the act or thing was done in pursuance of a lawful command given to him by the Governor or a Magistrate or his superior officer or in defence of his post or person, or otherwise in the lawful performance of his duty.

Immunities of members.

(2) No action shall be brought against any person for anything done by him under this Ordinance unless the same shall be commenced within three months after the act complained of was committed, nor unless notice in writing of such action shall have been given at least one month before such action was commenced.

(3) No plaintiff in an action brought against any person in respect of any act performed under this Ordinance shall succeed unless he prove that such act was done maliciously, or without reasonable cause, or that it was carried out with gross negligence.

(4) Nothing in this Ordinance contained shall exempt any person from being prosecuted, tried and convicted before the ordinary tribunals of the Colony for any felony misdemeanour or offence against any law for the time being in force in the Colony: provided that no person shall be punished twice for the same offence.

21. (1) A member other than an officer shall, when he is on parade, or undergoing training, or wearing uniform, or performing any duty under this Ordinance, be deemed to have committed an offence if he, when he is not subject to the Army Act, does any of the following acts, namely -

Offences.

- (i) strikes, or uses or offers violence to, or uses threatening or insubordinate language to, or behaves with

- contempt to, his superior officer; or
- (ii) disobeys any standing order of, or lawful command given by, his superior officer; or
 - (iii) is drunk; or
 - (iv) being a warrant officer or a non-commissioned officer, strikes or ill-treats any person subject to military law or to this Ordinance who is his subordinate in rank or position; or
 - (v) strikes, or uses or offers violence, to any person whether subject to military law or not in whose military custody he is placed, and whether such person is or is not his superior officer; or
 - (vi) resists an escort whose duty it is to arrest him or detain him in military custody; or
 - (vii) being under arrest or detention or otherwise in lawful military custody escapes or attempts to escape; or
 - (viii) falsely personates any other person at any parade or on any occasion when such other person is required by this Ordinance or by Regulations made thereunder to do any act or attend at any place.
- (2) A member, other than an officer, whether he is on parade or not, shall be deemed to have committed an offence if he, when he is not subject to the Army Act, does any of the following acts, namely -
- (i) without sufficient cause fails to appear at the place of parade at the time fixed or to attend at any place in his capacity as a member of the Force when duly required so to attend, or when on parade without sufficient cause quits the ranks; or
 - (ii) when in charge of any property belonging to Government or to the Force makes away with, or is concerned in making away with, or wilfully injures, any such property; or
 - (iii) by culpable neglect loses, or causes injury to any such property as is mentioned in sub-paragraph (ii); or
 - (iv) when it is his official duty to make a declaration respecting any matter, makes a declaration respecting such matter which he either knows or believes to be false or does not believe to be true; or
 - (v) knowingly makes against any person subject to military law or to this Ordinance an accusation which he either knows or believes to be false or does not believe to be true; or
 - (vi) fails to return in good order the arms, ammunition, uniform and appointments issued to him when required to return them; or
 - (vii) fails to attend before the Commandant when called on to do so; or
 - (viii) is guilty of any act, conduct, disorder or neglect to the prejudice of good order and military discipline.
- (3) An officer in uniform, whether or not doing duty as an officer, shall be deemed to have committed an offence and shall be liable to be dealt with for such offence if -
- (i) he is drunk,
 - (ii) he is guilty of conduct unbecoming the character of an officer and a gentleman.

22. (1) Subject to the provisions hereinafter contained the Commandant may impose the following punishments upon members of the Force - admonition, reprimand, severe reprimand, fine, reduction in rank, expulsion from the Force.

(2) Any member of the Force, other than an officer, who commits an offence under section 21 may be ordered by the Commandant to pay a fine not exceeding £15, or, if he is a warrant officer or a non-commissioned officer, to be reduced in rank.

(3) A fine not exceeding £3 may be imposed by the Commandant after a summary trial by him.

(4) A fine exceeding £3 shall not be imposed by the Commandant unless the offence shall first have been investigated, and the person charged therewith found guilty, by a Court of Inquiry.

(5) An appeal to the Governor shall lie in every case where the fine imposed exceeds £3 or reduction in rank is ordered.

23. (1) The Commandant may, subject to such appeal to the Governor as is hereinafter mentioned, discharge from the Force any member thereof, and strike him off the strength, either for disobedience to orders by such member while on duty with the Force, or for neglect of duty or misconduct by him as a member of the Force, or for other sufficient cause, the existence and sufficiency of such cause to be judged by the Commandant or, in case of an appeal, by the Governor.

(2) Any member who feels aggrieved by such discharge may appeal to the Governor at any time within fourteen days after such discharge and the Governor may cancel or confirm such discharge or give such other directions with reference thereto as to him may seem just and proper, and his determination shall be binding on all persons.

(3) The Commandant may honourably discharge from the Force any member who is about to leave the Colony, or who has failed to be returned with efficiency during any one year through no fault of his own.

(4) A member who is discharged from the Force shall be liable to deliver up in good order, fair wear and tear only excepted, all arms, ammunition, uniform and appointments, being public property or the property of the Force, issued to him, and to pay all moneys due or becoming due by him under this Ordinance or under the regulations, either before or at the time or by reason of his discharge.

24. (1) If any member of the Force when he is on parade, or undergoing training, or wearing uniform, or on duty with the Force or any unit thereof, disobeys any lawful order of any officer under whose command he then is, or is guilty of misconduct, the officer then in command of the Force, or any superior officer under whose command the Force or such unit thereof then is, may order the offender, if an officer, into arrest, and if not an officer, into the custody of any member of the Force: provided that the offender shall not be kept in such arrest or custody longer than during the time that the Force or such unit thereof as aforesaid shall remain on duty. For the purposes of this provision any such member while going to or returning from any place of exercise, drill, or assembly shall be deemed to be on duty so long as he continues to wear uniform.

(2) Every such arrest shall be forthwith reported to the Commandant or such other officer as may be prescribed in that behalf by the Regulations.

25. (1) The Army Act, shall, as to the provisions therein contained respecting discipline, apply to all members of the Force when -

- (a) attached to or otherwise acting as part of any of Her Majesty's Regular Forces; or

(b) called out for full time or part time active service

subject to the following modifications – the words “the Force” shall be read therein for the words “Regular Forces”, the words “member of the Force” for the words “officer or soldier”, and the word “Governor” for the words “Her Majesty” and “Secretary of State”. Provided that no sentence of a Court Martial on a member of the Force shall be executed until the findings and sentence have been confirmed by the Governor.

(2) Notwithstanding the provisions contained in the preceding sub-section no officer or member of the Force shall be liable to be punished for any offence both under the provisions of this Ordinance and under the provisions of the Army Act.

(3) Nothing in this section contained shall be deemed to limit or derogate from the power given by section one hundred and seventy-seven of the Army Act to the General Officer Commanding Her Majesty's Forces with which the Force is serving of making such exceptions or modifications as in the same section are referred to.

Financial.

Capitation grant.

26. It shall be lawful for the Colonial Treasurer, subject to the Regulations and on the warrant of the Governor, to pay annually out of the Revenue of the Colony to the Commandant for the purposes of the Force capitation grants, not exceeding the following rates :-

For every Member of the Force qualifying in any year as efficient :-

- (a) in drilling the sum of thirty shillings (30/-);
- (b) in both drilling and musketry the sum of two pounds (£2).

Travelling expenses of members.

27. Whenever any member shall be called out under this Ordinance on active service away from his place of residence he shall be entitled to receive, if willing to do so, his travelling expenses from and to such residence, and it shall be lawful for the Governor to fix the rate and amount of such expenses.

Pay and allowances on active service.

28. Every member called out under this Ordinance on active service shall receive from the Government such pay and allowances, quartering and billeting as the Governor shall from time to time direct, and while in receipt of such will not be entitled to claim pay from his employer, except at such times and under such conditions as are hereinafter specified.

Relief to families of members called out on active service.

29. Every member who, when called out under this Ordinance on active service, shall leave a wife, or a wife and family, shall during the period of absence on such active service be entitled to relief for his wife and family, and it shall be lawful for the Governor to fix the amount of such relief consideration being given to the amount of the pay and allowances granted to the member himself under the preceding section.

Pensions to members disabled on service and to widows and families of those killed on service.

30. Every member of the Force who shall have received wounds or injuries when called out under this Ordinance on active service, and the widows and families of all such members who may have been killed or have died within twelve months after having been wounded of wounds received during such active service, or have died within twelve months from illness directly traceable to fatigue or exposure incident to such active service, shall be entitled to such pensions or gratuities as shall be fixed by the Governor in Council.

Employer to pay members temporarily released from Military Duty.

31. (1) Any person may apply in writing to the Commandant for the temporary release from military duty of some member or members of the Force; such application shall be referred by the Commandant to the Colonial Secretary and, if endorsed by

him to the effect that such release is required for the performance of some work of immediate importance, the Commandant may thereupon release from military duty such member or members for such period or periods respectively as he shall think fit.

(2) During the period for which a member is so released from military duty no payment shall be made by the Government to or in respect of him under section 27 or 28 hereof, but the applicant shall be responsible for paying him full wages at the current rate for the work upon which he is employed, or, if he is an employee of the applicant, at the contract rate subsisting between them.

32. (1) All moneys subscribed by or for the use of the Force or any club of the Force, and all effects and other property belonging to the Force or any club of the Force, and the exclusive right to sue for and recover current subscriptions, arrears of subscriptions and other moneys due to the Force or to any club of the Force, shall vest in the Commandant for the time being and his successors in office, with power for him and them to bring actions, to make contracts and conveyances and to do all other lawful things in respect of or relating to the same; and any civil or criminal proceedings taken by virtue of this section by the Commandant shall not be discontinued or abated by his death, resignation or removal from office, but may be carried on by and in the name of his successor.

Funds and property vested in Commandant.

(2) Notwithstanding anything contained in the preceding sub-section it shall not be lawful for the Commandant to transfer any money or property of one club of the Force to another club thereof or to dispose of the same, unless he shall first have given written notice of his intention so to do and of his reasons therefor to the committee of such club, and to the Governor, and shall have obtained the consent in writing of the Governor.

Social Clubs.

33. Any social club or clubs of the Force may be formed with the approval of the Governor, and every such club shall be managed by a committee to be elected annually by the members of the club. The Commandant shall *ex-officio* be the chairman and the Adjutant shall *ex-officio* be a member of every such committee and the Commandant may nominate a club member, who need not be a member of the committee, to be chairman in his absence.

Social Clubs.

34. The committee of each social club may from time to time make, amend and revoke the rules for the management and maintenance by annual subscription or otherwise of such club. Provided that such rules and any alteration thereof by the Committee shall be subject to confirmation by a General Meeting of the club and shall not have effect unless and until they have received the approval of the Governor; and provided also that the Governor shall have overriding powers to make, amend and revoke any such rules. Rules so made and approved shall be binding on all members of the club.

Rules of clubs.

35. The provisions of sections 33 and 34 shall apply to all existing social clubs of the Force.

Application of sections 33 and 34 to existing clubs.

Courts of Inquiry.

36. (1) The Governor may at any time convene a Court of Inquiry, composed of officers or other persons, or of both, to inquire into any matter relative to the Force or to any part thereof, or to any officer or other member of the Force, and to record the facts and circumstances ascertained in such inquiry and, if required, to report upon the same for his information.

Governor may convene Court of Inquiry.

(2) The Commandant may at any time convene a Court of Inquiry composed of officers to inquire into any matter relative to any unit, or to any warrant officer, non-commissioned officer or private thereof, and to record the facts and circumstances ascertained

Commandant may convene Court of Inquiry.

on such inquiry and, if required, to report on the same for his information and assistance.

Power of Court of Inquiry.

37. Every Court of Inquiry shall have power to bring any member of the Force before it either by summons or if necessary by warrant of apprehension directed to any Police Officer or Constable.

Non-attendance of witness and contempt of Court.

38. If any person summoned or ordered to attend as a witness before a Court of Inquiry, after payment or tender of the reasonable expenses of his attendance :-

- (a) makes default in attending or in being in attendance; or
- (b) refuses to take an oath or affirmation which the Court of Inquiry requires him to take; or
- (c) refuses to produce any document in his power or control which the Court of Inquiry lawfully requires him to produce; or
- (d) refuses to answer any question which the Court of Inquiry lawfully requires him to answer; or
- (e) is guilty of any contempt of the Court of Inquiry by causing any interruption or disturbance in its proceedings or otherwise

the President of the Court of Inquiry may certify the default, refusal or contempt under his hand to a Judge or Magistrate having power to deal with or punish persons guilty of like acts or omissions in his Court, and such Judge or Magistrate may thereupon inquire into the same and, if the person is found guilty, deal with or punish him in like manner as if such default, refusal or contempt had been made or committed before him or in relation to his Court.

Offences.

Assaulting etc. member of Force.

39. If any person assaults or resists, or aids or abets any person in assaulting or resisting, any member of the Force in the discharge of his duty, he shall be punishable on summary conviction with a fine not exceeding one hundred pounds or with imprisonment for any term not exceeding six months.

Obstructing or molesting member.

40. If any person wilfully obstructs or molests any officer or member of the Force while on duty, he shall on the prosecution of the Commandant be liable on summary conviction to a penalty not exceeding five pounds, and may be arrested or given into custody by the senior officer, warrant officer or non-commissioned officer present at the time of the commission of such act and conveyed and handed over to the custody of the Police.

Wilful damage to guns, butts, etc.

41. If any person wilfully commits any damage to any gun, cannon, butt or target, hut, shed, emplacement, magazine or other property lawfully used by Her Majesty's Regular Forces or the Force or without the leave of the Commandant searches for bullets in or otherwise disturbs the soil of or near any such gun, cannon, butt or target, hut, shed, emplacement or magazine, he shall on the prosecution of the Commandant be liable on summary conviction to a penalty not exceeding twenty pounds for every such offence and such penalty shall be in addition to his civil liability to make good the damage.

Wrongful retention or disposal of arms etc.

42. (1) If any person without lawful authority makes away with, lends, sells, pawns, wrongfully destroys or damages or negligently loses anything issued to a member of the Force or refuses or neglects when lawfully required, to produce, exhibit or deliver on demand anything which he is liable under this Ordinance or the Rules or Regulations made thereunder to produce exhibit or deliver, the value thereof shall be recoverable from him summarily by the Commandant or any officer authorised by him and he shall also, for every such offence, be liable on summary conviction to a fine not exceeding five pounds.

(2) Whoever knowingly buys or takes in exchange or in pawn from any member of the Force or person acting on his behalf or solicits or entices any member of the Force to sell or pawn or knowingly assists or acts for any member of the Force in selling or pawning or has in his possession or keeping without satisfactorily accounting for the same any arms, ammunition, appointments, uniform, musical instruments or necessaries, being public property or the property of the Force, shall be liable on summary conviction to a fine not exceeding five pounds for every such offence.

43. If any employer or person by threats or otherwise wilfully prevents or endeavours to prevent any one from becoming or from serving as a member of the Force, the Commandant may institute proceedings against such employer or person and such employer or person shall be liable on summary conviction, if the offence be committed in peace time, to a fine not exceeding twenty five pounds and, if committed at any time during which the Force or any part thereof is on active service, to a fine not exceeding one hundred pounds for each such offence or repeated offence.

Preventing persons from joining Force.

Procedure.

44. In all proceedings under this Ordinance before a Court the Commandant may appear by any officer of the Force authorised by him in that behalf by writing under his hand.

Appearance by Commandant.

45. All fines imposed or moneys recoverable under section 13 (2), 14, 22, 23 and 32 of this Ordinance or under the Regulations, and not paid within ten days, may be recovered summarily as a civil debt by the Commandant or any officer of the Force authorised by him.

Recovery and application of fines.

Regulations.

46. (1) The Governor in Council may from time to time make regulations for all or any of the matters following :-

Regulations.

- (i) the administration and discipline of the Force;
- (ii) the appointment, promotion, transfer, leave, resignation and discharge from service of officers;
- (iii) the enrolment, transfer, leave, promotion, reduction, discharge, and dismissal of warrant officers, non-commissioned officers and men, and the disbandment of any unit;
- (iv) the composition and proceedings of Courts of Inquiry;
- (v) the exemption of officers and members from carrying out the full course of training for any year;
- (vi) the issue and care of arms, uniforms and appointments;
- (vii) drill, training, the provision and use of targets, butts and shooting ranges;
- (viii) fixing standards of efficiency;
- (ix) the payment of capitation grants, and the amount thereof

and generally for giving further and better effect to the provisions of this Ordinance.

(2) Such regulations may provide for the punishment of any infraction thereof by a fine not exceeding £3, which may be imposed by the Commandant.

Repeal.

47. The Defence Force Ordinance, Chapter 19 of the Revised Edition of the Laws is hereby repealed: provided that all Rules, Regulations and Standing Orders made under the said Ordinance and existing and in force prior to the coming into operation of this

Repeal.

Ordinance shall apply to the Force established under this Ordinance and shall remain in operation until altered, amended, or rescinded by any Rules, Regulations or Standing Orders made in pursuance of the powers given by this Ordinance.

SCHEDULE.

x as the case may be.

I do sincerely promise and swear (x or "solemnly, sincerely, and truly declare") that I will be faithful ^(a) and bear true allegiance) to Her Majesty Queen Elizabeth II Her Heirs and Successors according to Law, and that I will faithfully serve Her Majesty in the Defence Force of the Colony of the Falkland Islands and its Dependencies for the defence of the same against Her Majesty's enemies and for the security of life or property, and in accordance with the Law under which I serve -

^(b) So help me God.

(a) Omit when not a British Subject.
(b) Omit in case of declaration.

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

J. BOUND,
Clerk of the Legislative Council.

Ref. 0838/D/11.

Assented to in Her Majesty's name this 16th day of January, 1954.

MILES CLIFFORD,
Governor.

[L.S.]



No. 5

1954.

Colony of the Falkland Islands.

IN THE SECOND YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II.

SIR MILES CLIFFORD, K.B.E., C.M.G., E.D.,
Governor.

An Ordinance

Road Traffic (Temporary Amendment) Ordinance. Title.

[1st January, 1954]

Date of commencement.

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

1. This Ordinance may be cited as the Road Traffic (Temporary Amendment) Ordinance, 1954, and shall continue in force until such date as shall be notified by the Governor by Proclamation and shall then expire. Short title.

2. So long as this Ordinance continues in force the provisions of section 4 of the Road Traffic Ordinance (Chapter 60) shall not have effect. Suspension of section 4 of Chapter 60.

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

J. BOUND,
Clerk of the Legislative Council.

Ref. 0705/A.