

Assented to in Her Majesty's name this 31st day of March, 1958.

E. P. ARROWSMITH,
Governor.

[L.S.]

No. 6



1958.

Colony of the Falkland Islands.

IN THE SEVENTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II.
EDWIN PORTER ARROWSMITH, C.M.G.
Governor.

**An Ordinance
To amend the Harbour Ordinance.**

Title.

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

Enacting clause.

1. This Ordinance may be cited as the Harbour (Amendment) Ordinance, 1958, and shall be read as one with the Harbour Ordinance, hereinafter referred to as the principal Ordinance.

Short title.

Cap. 30.

2. The principal Ordinance is amended by inserting immediately after section 21 the following new sections :

Insertion of new sections 21A and 21B in the principal Ordinance.

Discharge of fuel oil or diesel oil into harbours.

21A. If any fuel oil or diesel oil is discharged, or allowed to escape into any harbour, from any vessel or boat, or from any place on land, or from any apparatus used for transferring fuel oil or diesel oil from or to any vessel or boat (whether to or from a place on land or to or from another vessel or boat), then —

- (a) if the discharge or escape is from a vessel or boat, the owner or master of the vessel or boat, or
- (b) if the discharge or escape is from a place on land, the occupier of that place, or
- (c) if the discharge or escape is from apparatus used for transferring fuel oil or diesel oil from or to a vessel or boat, the person in charge of the apparatus,

shall be liable to a fine not exceeding £500.

Special
defences.

21B. (1) Where a person is charged with an offence under the last preceding section as the owner or master of a vessel or boat, it shall be a defence to prove—

- (a) that the fuel oil or diesel oil escaped in consequence of damage to the vessel or boat, and that as soon as practicable after the damage occurred all reasonable steps were taken for preventing, or (if it could not be prevented) for stopping or reducing, the escape of the fuel oil or diesel oil, or
- (b) that the fuel oil or diesel oil escaped by reason of leakage, that the leakage was not due to any want of reasonable care, and that as soon as practicable after the escape was discovered all reasonable steps were taken for stopping or reducing it.

(2) Where a person is charged with an offence under the last preceding section as the occupier of a place on land, or as the person in charge of any apparatus, from which fuel oil or diesel oil is alleged to have escaped, it shall be a defence to prove that the escape of the fuel oil or diesel oil was not due to any want of reasonable care, and that as soon as practicable after the escape was discovered all reasonable steps were taken for stopping or reducing it.

(3) Without prejudice to the last preceding subsection, it shall be a defence for the occupier of a place on land, who is charged with an offence under the last preceding section, to prove that the discharge was caused by the act of a person who was in that place without the permission (express or implied) of the occupier."

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. 1848.

Assented to in Her Majesty's name this 31st day of March, 1958.

E. P. ARROWSMITH,
Governor.

[L.S.]



No. 7

1958.

Colony of the Falkland Islands.

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

EDWIN PORTER ARROWSMITH, C.M.G.,
Governor.

An Ordinance

To legalise certain payments made in the period 1st July, 1956, to 30th June, 1957, in excess of the Expenditure sanctioned by Ordinance No. 4 of 1956.

WHEREAS it is expedient to make further provision for the service of the Colony for the period 1st July, 1956, to 30th June, 1957.

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

1. This Ordinance may be cited for all purposes as the Supplementary Appropriation (1956-57) Ordinance, 1958.

2. The sums of money set forth in the Schedule hereto having been expended for the services therein mentioned beyond the amounts granted for those services by the Ordinance providing for the service for the period 1st July, 1956, to 30th June, 1957, the same are hereby declared to have been duly laid out and expended for the service of the Colony in that period, and are hereby approved, allowed and granted in addition to the sum mentioned for those services in the said Ordinance.

Appropriation of excess expenditure for the period 1st July, 1956, to 30th June, 1957.