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to

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2 JANUARY, 1959.

No. 1.

APPOINTMENTS.

<i>Name</i>	<i>Department</i>	<i>Office</i>	<i>Date</i>	<i>Remarks</i>
McLaren, Miss N.	Medical	Nurse Probationer	13.11.58	—
Goodwin, Miss E.	Treasury	Clerk	20.12.58	On probation for two years.
Reive, Miss J.	Treasury	Clerk	20.12.58	On probation for two years.
Grumby, A. E. E.	South Georgia	Assistant Diesel Electric Mechanic	2.11.58	Assumed duty 27.11.58

CONFIRMATION OF APPOINTMENT.

	<i>Department</i>	<i>Office</i>	<i>Date</i>	<i>Remarks</i>
Peck, Miss L.	F.I.D.S.	Supplies Clerk	1.12.56	—

TERMINATION OF APPOINTMENTS.

	<i>Department</i>	<i>Office</i>	<i>Date</i>	<i>Reason.</i>
Summers, H. V.	Public Works	Motor Driver	13.12.58	Dismissed.
Stephenson, Mrs. J.	Posts & Telegraphs	Telephone Operator	31.12.58	Resigned.

TRANSFER.

	<i>From</i>	<i>To</i>	<i>Date</i>
McPhee, P.	Motor Driver, Public Works Dept.	Mechanic, Public Works Dept.	1.1.59

LEAVE.

	<i>Department</i>	<i>Office</i>	<i>Period</i>	<i>Remarks</i>
Evans, W. D.	South Georgia	Steward/Cook	30.4.58 – 21.7.58	On completion of contract.
Beardmore, D.	Public Works	Carpenter	7.5.58 – 5.12.58	On completion of contract.

NOTICES.

The following Notices are published by command of His Excellency the Governor.

A. G. DENTON-THOMPSON,
Colonial Secretary.

No. 57. 16th December, 1958.

It is hereby notified that on the following dates in 1959 Public Offices will be closed :—

New Year's Day	...	Thursday, 1st January.
Good Friday	...	Friday, 27th March.
Easter Monday	...	Monday, 30th March.
Her Majesty the Queen's Birthday	...	Tuesday, 21st April.
Empire Day	...	Monday, 25th May, (in lieu of Sunday, 24th May)
August Bank Holiday	...	Monday, 3rd August.
Anniversary of the Battle of the Falkland Islands		Tuesday, 8th December.
Christmas Holidays	...	Friday, 25th "
		Saturday, 26th "
		Monday, 28th "

Ref. 291/33.

No. 58. 18th December, 1958.

STANLEY TOWN COUNCIL

In accordance with Section 3 (2) of the Stanley Town Council Ordinance, His Excellency the Governor has been pleased to appoint the following to be Members of the Council :—

The Honourable the Senior Medical Officer
The Superintendent of Works
Mr. D. J. Clark, J.P.

Ref. 0039/C/II.

No. 1. 2nd January, 1959.

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 5 of the Marriage Ordinance :—

The Right Reverend Daniel Ivor Evans, C.B.E.	Lord Bishop of the Falkland Islands.
The Reverend John Ozanne Vere-Stead, B.A.	Senior Chaplain of Christ Church Cathedral.
The Right Reverend Monsignor James Ireland	Prefect Apostolic of the Falkland Islands and Dependencies.
The Reverend Father Cornelius Landman	Assistant Priest St. Mary's Church.
The Reverend Walter Forrest McWhan, M.B.E.	Minister of the United Free Church.

Ref. 1163.

No. 2. 2nd January, 1959.

NEW YEAR HONOURS, 1959.

Her Majesty the Queen has been graciously pleased to approve the following appointments :—

M.B.E. (Civil) —

FRANK KENNETH ELLIOTT, ESQ.,

B.E.M. (Civil) —

MURDO MORRISON, ESQ.

Ref. 0107/C/IV.

No. 3. 2nd January, 1959.

Intimation has been received from the Right Honourable the Secretary of State for the Colonies to the effect that Her Majesty will not be advised to exercise her power of disallowance in respect of the following Ordinances of the Dependencies —

No.	Title	Ref.
1 of 1958	Appropriation (Dependencies) (1958/1959) Ordinance, 1958.	FIDS/46/V
2 of 1958	Supplementary Appropriation (Dependencies) (1956/57) Ordinance, 1958.	FIDS/53/II

PROBATE.

In the Supreme Court of the Falkland Islands.
(Probate Division)

In the Matter of the Estate of Rebecca Sarah Margaret Roberts, deceased, of Bleaker Island, East Falklands.

Whereas Agnes Mary Ann Short, a daughter of the above named deceased, has applied for Letters of Administration with the Will (dated 5th April, 1951) annexed 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 of publication hereof.

REX BROWNING,
Acting Registrar.

Stanley, Falkland Islands.

31st December, 1958.

S.C. 40/58.

Assented to in Her Majesty's name this 17th day of December, 1958.

E. P. ARROWSMITH,
Governor.

[L.S.]

No. 3



1958.

Falkland Islands Dependencies.

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

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

An Ordinance

To apply Ordinance of the Colony No.
6 of 1958 to the Dependencies.

ENACTED by the Governor of the Colony of the Falkland Islands and the Dependencies thereof as follows :—

1. This Ordinance may be cited as the Application of Colony Laws Ordinance, 1958.

Enacting clause.

Short title.

2. The Ordinance of the Colony specified in the first and second columns of the Schedule to this Ordinance is applied to the Dependencies, and shall be deemed to be in force in the Dependencies with effect from the date set out opposite its title in the third column of the Schedule to this Ordinance.

Application of Ordinance
No. 6 of 1958 to the
Dependencies.

SCHEDULE

6 of 1958	Harbour (Amendment) Ordinance, 1958.	1st April, 1958.
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Promulgated by the Governor on the 17th day of December, 1958.

S. G. TREES,
Acting Colonial Secretary.

TOWN COUNCIL ESTIMATES, 1959.

Service.	Actual 1957.		Estimated 1958.		Estimated 1959.	
	£	£	£	£	£	£
REVENUE.						
1. CEMETERY		42		80		50
2. MISCELLANEOUS						
a. Misc.	54		50		30	
b. Garbage removal	60		60		60	
c. Govt. Contribution	52		52		52	
		166		162		142
3. LIBRARY		74		60		80
4. GYMNASIUM HIRE		166		150		100
5. GENERAL RATE						
a. Rate	2927		2700		2700	
b. Govt. Contribution	1194		825		825	
		4121		3525		3525
6. WATER SUPPLY						
a. Rate	572		650		630	
b. Sales	57		100		100	
c. Repairs reclaimed	25		100		50	
		654		850		780
7. TOWN HALL						
a. Hirings	579		650		500	
b. Govt. Contribution	492		450		450	
		1071		1100		950
8. TRANSPORT		20		—		—
		6314		5927		5627
Charitable Relief		800		—		—
EXPENDITURE.						
1. TOWN CLERK		400		400		400
2. CEMETERY						
a. Wages Caretaker	271		300		350	
b. Upkeep	103		200		150	
		374		500		500
3. FIRE BRIGADE						
a. Wages	195		110		225	
b. Upkeep	98		200		100	
		293		310		325
4. LIBRARY						
a. Wages	148		148		148	
b. Upkeep	40		30		30	
		188		178		178
5. MISCELLANEOUS						
a. Telephones	6		20		30	
b. Stationery	73		30		30	
c. Provident Fund	19		15		15	
d. Old Age Pensions	30		30		30	
e. Elections	—		2		2	
f. Audit	30		20		20	
g. Insurance	13		15		15	
h. Unforeseen	22		20		15	
		193		152		157
Carried forward		1448		1540		1560

Service.	Actual 1957.		Estimated 1958.		Estimated 1959.	
	£	£	£	£	£	£
<i>Brought forward</i> ...		1448		1540		1560
6. GYMNASIUM						
a. Caretaker ...	82		80		80	
b. Light ...	18		30		20	
c. Care & Maintenance ...	75		50		50	
		175		160		150
7. SCAVENGING						
a. Sanitation ...	580		650		650	
b. Fuel and Hire of Lorry	110		120		130	
c. Repairs ...	58		100		100	
d. Connections ...	—		50		30	
e. Ash Contract ...	917		1000		950	
f. Rodent Control ...	55		60		60	
		1720		1980		1920
8. STREET LIGHTS						
a. Current ...	473		400		450	
b. Repairs ...	21		50		50	
		494		450		500
9. TOWN HALL						
a. Caretaker ...	404		400		400	
b. Fuel ...	371		500		500	
c. Light ...	147		150		170	
d. Care & Maintenance ...	118		50		50	
e. Cleaning ...	14		20		30	
		1054		1120		1150
10. WATER SUPPLY						
a. Ships ...	2		10		30	
b. Repairs ...	92		100		60	
c. Connections ...	27		100		100	
		121		210		190
11. TRANSPORT ...		186		—		—
12. REPAYMENT OF LOAN - LORRY		509		—		—
13. GARAGE		—		10		—
14. ARCH GREEN		262		200		100
15. GYMNASIUM GLASS ROOF		—		150		—
16. TOWN HALL, INSTALLATION OF VENTILATORS ...		—		150		—
17. CEMETERY COTTAGE ...		—		50		20
		5969		6020		5590
<i>Govt. Charitable Relief</i> ...		848		—		—

D. HARDY,
Town Clerk.

ANNUAL STOCK RETURN FOR 1957-1958.

Prepared from information furnished in accordance with Section 40 of the Live Stock Ordinance, Cap. 40.

OWNER.	NAME OF STATION.	RAMS.	WETHERS.	BREEDING EWES.	OTHER EWES.		HOGGETS.	TOTAL.
					CAST.	MAIDEN.		

EAST FALKLAND.

H. & R. Hills	Moody Valley	30	160	750	588	41	336	1,905
San Carlos Sheep Farming Co., Ltd.	San Carlos	451	6,628	9,173	423	2,687	5,376	24,738
Pitaluga Bros.	Gibraltar	255	5,613	6,447	280	—	3,033	15,628
Falkland Islands Co., Ltd.	Darwin & Lafonia	2,173	59,681	58,165	1,554	14,914	28,550	165,037
" " "	Fitzroy	514	13,249	12,284	—	3,274	6,407	35,728
Smith Bros. " " "	Berkeley Sound	176	5,020	5,900	—	1,160	3,100	15,356
Mrs. G E Browning & Estate J. W. McGill	Mullet Creek	38	161	886	—	100	198	1,383
Mrs. F. O. Yonge	Bluff Cove	117	804	2,715	321	384	925	5,266
Estate T. Robson	Port Louis	189	3,899	4,284	—	1,119	2,318	11,809
The Douglas Stn. Co., Ltd.	Douglas	354	6,665	10,363	2,038	2,274	4,232	25,926
Port San Carlos Co., Ltd.	Port San Carlos	365	8,511	10,230	—	2,805	5,587	27,498
Teal Inlet, Ltd.	Evelyn	339	6,626	10,067	66	596	5,038	22,732
Estate H. J. Pitaluga	Rincon Grande	150	3,615	3,516	194	992	1,969	10,436
		5,151	120,632	134,780	5,464	30,346	67,069	363,442

WEST FALKLAND.

J. L. Waldron, Ltd.	Port Howard	345	9,840	14,506	—	3,483	7,300	35,474
Holmested Blake & Co., Ltd.	Hill Cove	352	10,830	11,128	610	2,878	4,730	30,528
Falkland Islands Co., Ltd.	Port Stephens	322	9,416	9,578	206	1,971	4,314	25,807
Falkland Islands Co., Ltd.	Fox Bay West	379	8,798	11,712	—	2,671	5,268	28,828
Packe Bros. & Co. Ltd.	Fox Bay East	361	8,457	9,926	—	3,025	5,788	27,557
Luxton & Anson, Ltd.	Chartres	322	6,876	10,148	—	2,119	3,785	23,250
Bertrand & Felton, Ltd.	Roy Cove	175	5,423	6,000	—	1,598	2,540	15,736
		2,256	59,640	72,998	816	17,745	33,725	187,180

ISLANDS.

Estate J. Hamilton, Ltd.	Weddell	93	2,489	1,088	480	1,024	1,429	6,603
" " " "	Beaver	54	30	1,800	—	—	—	1,884
" " " "	Passage	9	783	350	—	83	214	1,439
" " " "	Saunders	136	2,172	2,913	—	643	1,272	7,136
Dean Bros. Ltd.	Pebble & Keppel	225	7,458	5,995	1,507	1,832	2,836	19,853
" " " "	Jasons	10	861	739	—	135	467	2,212
C. & K. Bertrand	Carcass	18	1,115	556	—	256	388	2,333
J. Davis	New & Hummock	27	1,005	940	—	280	502	2,754
J. Lee	Sea Lion	10	546	600	—	130	246	1,532
Mrs. Napier	West Point	13	1,153	706	—	233	340	2,445
Falkland Islands Co., Ltd.	Speedwell Group	152	4,619	3,936	461	1,344	2,096	12,608
		747	22,231	19,623	2,448	5,960	9,790	60,799

SUMMARY OF STOCK RETURNS 1953-1958.

EAST FALKLAND	...	...	...	...	5,151	120,632	134,780	5,464	30,346	67,069	363,442
WEST FALKLAND	...	...	...	...	2,256	59,640	72,998	816	17,745	33,725	187,180
ISLANDS	...	...	...	...	747	22,231	19,623	2,448	5,960	9,790	60,949 60,799
TOTALS 1957-1958					8,154	202,503	227,401	8,728	54,051	110,584	611,421
1956-1957					8,319	196,090	220,781	6,859	55,773	112,086	599,908
1955-1956					8,050	191,078	223,613	6,899	50,652	128,576	608,868
1954-1955					8,232	190,714	222,810	5,468	53,406	117,151	597,781
1953-1954					8,224	187,199	219,080	6,119	53,265	125,828	599,715

TOTAL WOOL CLIP IN 1000 LBS.	SHEEP SHORN.	LAMBS.		SHEEP DISPOSED OF.	HORSES.	CATTLE.	SWINE.	POULTRY.	ACRES SOWN OATS.	EAR MARK.
		MARKED.	DIPPED.							

EAST FALKLAND.

7	1,172	386	336	268	4	26	21	—	—	Fork & Slit.
177	23,372	6,195	5,376	2,503	144	685	3	300	18	Front Square.
103	14,423	3,626	3,033	1,539	62	275	—	—	—	Fore Bayonet.
1,292	151,252	31,415	28,550	12,475	800	3,664	—	—	60	Double Swallow.
257	32,266	7,145	6,407	3,374	179	811	—	—	12	"
103	14,045	3,690	3,100	1,445	30	286	—	75	—	Triangle. "
7	1,238	228	198	117	—	23	—	35	—	Back Bayonet.
25	4,017	1,152	925	313	22	63	—	30	—	Double Slit.
82	10,137	2,573	2,318	350	58	246	—	—	—	Front Halfpenny.
165	21,486	5,105	4,232	1,620	107	287	—	13	4	Fork.
214	24,975	6,624	5,587	2,565	122	790	—	—	4	Slit.
137	20,061	5,640	5,038	1,941	133	304	—	—	2½	Back Square.
74	10,137	1,996	1,969	1,744	57	193	—	80	—	Slit.
2,643	328,581	75,775	67,069	30,254	1,718	7,653	24	533	100½	

WEST FALKLAND.

275	31,967	8,213	7,300	3,078	191	819	2	—	11	Fork.
224	28,012	5,373	4,730	2,844	182	450	5	—	8	Fore Bayonet.
167	22,164	4,953	4,314	1,883	158	571	15	180	10	Fork.
194	25,210	5,736	5,268	1,610	128	324	—	—	8	Fore Bayonet.
220	25,700	6,512	5,788	3,741	134	408	—	291	—	Fore Bit.
175	21,449	4,418	3,785	1,643	188	536	—	—	14	Double Swallow.
125	14,224	2,778	2,540	1,130	112	248	7	—	—	Front Square.
1,380	168,726	37,983	33,725	15,929	1,093	3,356	29	471	51	

ISLANDS.

65	6,821	1,485	1,429	1,755	116	162	—	118	—	Fork.
11	1,370	658	645	60	12	33	—	33	—	"
13	1,239	263	214	156	—	40	—	—	—	"
56	6,247	1,550	1,272	429	20	88	—	—	—	"
149	17,595	3,064	2,836	560	107	326	2	210	10	Back Bayonet.
21	1,889	467	467	150	—	—	—	—	—	"
19	2,020	394	388	80	11	17	—	32	—	Fore Bayonet.
22	2,509	522	502	350	6	36	1	44	—	Fork.
12	1,401	245	246	78	2	13	—	—	—	Slit.
20	2,236	340	340	125	6	25	—	50	—	Back Square.
95	10,583	2,634	2,096	1,007	8	310	—	—	—	Double Swallow.
483	53,910	11,622	10,435	4,750	288	1,050	3	487	10	

2,643	328,581	75,775	67,069	30,254	1,718	7,653	24	533	100½	
1,380	168,726	37,983	33,725	15,929	1,093	3,356	29	471	52	
483	53,910	11,622	10,435	4,750	288	1,050	3	487	10	
4,506	551,217	125,380	111,229	50,933	3,099	12,059	56	1,491	162½	
4,573	546,677	142,742	125,682	56,991	3,103	12,392	61	2,228	88½	
4,479	525,984	144,755	127,816	51,283	3,040	12,168	60	—	174½	
4,499	530,698	132,033	118,017	49,332	2,858	12,256	47	—	104	
4,333	532,768	139,383	125,835	57,120	2,950	12,461	40	—	93½	

SHEEP DISPOSED OF.

YEAR	SOLD LOCALLY FOR BREEDING OR FURTHER USE	EXPORTED	SLAUGHTERED		
			MUTTON	TALLOW	SKINS
1957-1958	3,890	1,128	19,740	—	19,468
1956-1957	3,488	1,033	21,004	1,500	14,564
1955-1956	3,853	2,487	19,908	6,663	14,389
1954-1955	7,477	1,640	21,615	—	18,590
1953-1954	7,035	—	38,266	—	11,801

IMPORTATIONS.

From UNITED KINGDOM					From URUGUAY	From CHILE	
Dogs	Cats	Rams	Bulls	Stallions	Dogs	Bulls	Horses & Mares
8	3	12	1	1	1	1	111



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2 FEBRUARY, 1959.

No. 2.

APPOINTMENTS.

<i>Name</i>	<i>Department</i>	<i>Office</i>	<i>Date</i>	<i>Remarks</i>
Colgate, E. J.	Education	Teacher	23.12.58	—
Holloway, R. R.	Police & Prisons	Police Constable	15.1.59	On probation for two years.
Lee, Miss M. E.	Posts & Telegraphs	Telephone Operator	22.12.58	On probation for six months.
Ford, A. H.	Public Works	Motor Driver	1.1.59	On probation for two years.
Jacobsen, J. S.	Public Works	Motor Driver	1.1.59	On probation for two years.

CONFIRMATION OF APPOINTMENTS.

	<i>Department</i>	<i>Office</i>	<i>Date</i>	<i>Remarks</i>
Swann, J. B., D.S.C.	Education	Supt. of Education	22.12.56	—
Betts, W. R.	Treasury	Clerk	4.9.56	—

TERMINATION OF APPOINTMENTS.

	<i>Department</i>	<i>Office</i>	<i>Date</i>	<i>Reason.</i>
Anderson, J. H.	Customs & Harbour	Mate, m.v. "Philomel"	31.12.58	Resigned.
Allan, J.	Police & Prisons	Police Constable	10.1.59	Resigned.
Roberts, Mrs. E. née Evans	Treasury	Clerk	7.1.59	Resigned.

NOTICES.

The following Notices are published by command of His Excellency the Governor.

A. G. DENTON-THOMPSON,
Colonial Secretary.

No. 4. 16th January, 1959.

Under the provisions of the Public Health Ordinance. His Excellency the Governor has been pleased to appoint :-

The Honourable the Senior
Medical Officer, (*President*)

The Medical Officers

The Superintendent of Works

The Chief Constable

Miss M. B. Biggs, M.B.E.

The Honourable Mr. T. A. Gilruth, J.P.

D. M. Pole-Evans, Esq., J.P.

to be members of the Board of Health for the Colony of the Falkland Islands for the year 1959.

Ref. 0537.

No. 5. 16th January, 1959.

It is hereby notified for general information that

THE HON. MR. S. G. TREES, M.V.O., J.P.,
acted as Colonial Secretary from 3rd December, 1958, to 21st December, 1958, both dates inclusive.

Ref. P/643.

No. 6. 22nd January, 1959.

With reference to the Instrument under the Public Seal of the Colony dated 5th January, 1959, it is hereby notified that His Excellency the Governor returned to Stanley on Wednesday, 21st January, 1959.

Ref. 0276/II. P/756.

PROBATE.

In the Supreme Court of the Falkland Islands.
(Probate Division)

In the Matter of the Estate of Mary Ellen Kelway, deceased, of Stanley, Falkland Islands.

Whereas Gladys Helena Fleuret, daughter 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 of publication hereof.

REX BROWNING,
Acting Registrar.

Stanley, Falkland Islands.

23rd January, 1959.

S.C. 39/58.

Instrument under the Public Seal of the Colony of the Falkland Islands appointing AUBREY GORDON DENTON-THOMPSON, Esq., O.B.E., M.C., to be the Deputy for the Governor of the said Colony.

E. P. ARROWSMITH — *By His Excellency EDWIN PORTER ARROWSMITH, Esquire, Companion 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.*

[L.S.]

WHEREAS by certain Letters Patent passed under the Great Seal of the United Kingdom, bearing date the 13th day of December, 1948, 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 5th day of January, 1959, for the purpose of visiting the Dependencies.

NOW, THEREFORE, I, EDWIN PORTER ARROWSMITH, Companion 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 appoint you AUBREY GORDON DENTON-THOMPSON, Officer of the Most Excellent Order of the British Empire, 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 5th day of January, 1959.

By His Excellency's Command,

A. G. DENTON-THOMPSON,
Colonial Secretary.

Instrument under the Public Seal of the Colony of the Falkland Islands re-appointing NORMAN KEITH CAMERON, ESQUIRE, O.B.E., J.P., to be a Member of the Executive Council.

E. P. ARROWSMITH — *By His Excellency* EDWIN PORTER ARROWSMITH, ESQUIRE, *Companion 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.*

[L.S.]

WHEREAS by certain Letters Patent under the great seal of the United Kingdom of Great Britain and Ireland, bearing date at Westminster the 13th day of December, 1948, constituting the office of Governor and Commander-in-Chief in and over the Colony of the Falkland Islands, it is amongst other things declared that there shall be an Executive Council in and for the said Colony which shall consist of such persons as may be directed under the Royal Sign Manual and Signet.

AND WHEREAS by instructions under the Royal Sign Manual and Signet, bearing date the 13th day of December, 1948, it is declared that the Governor in pursuance of the instructions from Her Majesty the Queen through one of her Principal Secretaries of State, may, from time to time, appoint persons other than ex-officio Members to be Members of the Executive Council of the Colony.

NOW, THEREFORE, I, EDWIN PORTER ARROWSMITH, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies, do hereby re-appoint

NORMAN KEITH CAMERON, ESQUIRE, O.B.E., J.P.,

to be a Member of my Executive Council.

GOD SAVE THE QUEEN.

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 4th day of January, in the Year of Our Lord One thousand Nine hundred and Fifty-nine.

By His Excellency's Command,

A. G. DENTON-THOMPSON,

Colonial Secretary.

Ref. C/0001/IL



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2 MARCH, 1959.

No. 3.

APPOINTMENTS.

<i>Name</i>	<i>Department</i>	<i>Office</i>	<i>Date</i>	<i>Remarks</i>
Anderson, E. B.	Customs & Harbour	Mate, m.v. "Philomel"	1.1.59	—
Davidson, Miss P. M.	Education	Assistant Mistress	4.2.59	—
Pirrie, J.	Education	Teacher	4.2.59	—
Gleadell, L. C.	Treasury	Asst. Col. Treasurer	29.5.57	—

TERMINATION OF APPOINTMENTS.

	<i>Department</i>	<i>Office</i>	<i>Date</i>	<i>Reason.</i>
McLaren, Miss N.	Medical	Nurse Probationer	21.1.59	Resigned.
Thompson, K.	Secretariat	Messenger	28.2.59	Resigned.

TEMPORARY SECONDMENTS.

	<i>From</i>	<i>To</i>	<i>Period</i>
Goodwin, W. A. N.	Enginemman, Power & Electrical Department	Asst. Diesel Mechanic, South Georgia	3.3.58 – 31.12.58.
Biggs, G. N.	Watch Operator, Posts & Telegraphs Department	W/T Operator, South Georgia	1.4.58 – 31.12.58.

LEAVE.

	<i>Department</i>	<i>Office</i>	<i>Period</i>	<i>Remarks</i>
Carlyle, W. J.	Civil Engineering	Drainage Machine Operator	16.9.58 – 8.2.59	On completion of contract.
Startin, P. J.	Public Works	Motor Mechanic	18.7.58 – 10.2.59	do.

NOTICES.

The following Notices are published by command of His Excellency the Governor.

A. G. DENTON-THOMPSON,
Colonial Secretary.

No. 7. 13th February, 1959.

Intimation has been received from the Right Honourable the Secretary of State for the Colonies to the effect that Her Majesty will not be advised to exercise her power of disallowance in respect of the following Ordinance of the Dependencies—

No.	Title	Ref.
2 of 1956	Appropriation (Dependencies) (1956/1957) Ordinance, 1956.	0284/J/X.

No. 8. 13th February, 1959.

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

Ref. 1326.

A. REGISTERED TO PRACTISE IN THE COLONY
AND DEPENDENCIES.

Name.	Qualification.	Date of Qualification
<i>Medical Practitioners</i>		
Slessor, Robert	M.B., Ch.B.	1935.
Stewart, O.B.E.	(Aberdeen) L.M. (Dublin)	1936.
Ashmore, James	M.A., M.B., B.Ch.	
Hopkins	B.A.O., (Dublin) L.M. (Dublin)	1949. 1953.
Marshall, David Basil	M.B., Ch.B.	
	(Leeds)	1955.
Brown, Frank	M.B., Ch.B.	
Howell	(Aberdeen)	1957.
<i>Midwives</i>		
Brown, Margaret	S.R.N., S.C.M.	1935.
Henricksen, Agnes	S.C.M.	1929.
Marshall, Lilian Mary	S.R.N., S.C.M.	1950.
Beal, Vera Edith	S.R.N., S.C.M.	1956.
<i>Dental Surgeons</i>		
Jacoby, Heinz	D.M.D.	
	(Tübingen)	1949.

B. REGISTERED TO PRACTISE IN THE
DEPENDENCIES.

Name.	Qualification.	Date of Qualification
<i>Medical Practitioners</i>		
Wyatt, Henry Turner	M.B., B.S.	
	(London)	1955.
Graham, John	M.B., Ch.B.	
Galbraith	(Glasgow)	1956.
Allan, Thomas	M.B., B.S.	
Noel Kingsley	(Dunelm)	1956.
Jones, David	M.B., B.Ch.	
Protheroe	(Wales)	1955.
McNaughton		
Orr, Neil Wallace	M.A., M.B.,	
Morison	B.Chir. (Camb.)	1956.
Cumming, Alexander	M.B., Ch.B.	
	(Glasgow)	1957.
Cunningham,	M.B., Ch.B.	
Colin Swanson	(Glasgow)	1957.
Mackintosh, Ian	M.B., Ch.B.	
Warren	(St. Andrews)	1935.
Brymer, Arthur	M.B., Ch.B.	
	(Johannesburg)	1950.
Richards, David Felix	M.A., M.B.,	
	B.Chir., M.R.C.S.,	
	L.R.C.P.	1948.
Nilssen, Roar	M.B., Ch.B.	
	(Cape Town)	1956.

The Income Tax Ordinance (Cap. 32)

ORDER

(under section 49 of the Ordinance)

E. P. ARROWSMITH,

No. 12 of 1958.

Governor.

Whereas it is provided by section 49 of the Income Tax Ordinance that if the Governor in Council by Order declares that arrangements specified in the Order have been made with the Government of any territory outside the Colony with a view to affording relief from Double Taxation in relation to Income Tax and any tax of a similar character imposed by the laws of that territory and that it is expedient that those arrangements should have effect, the arrangements shall have effect in relation to Income Tax notwithstanding anything in any enactment : Preamble.

And whereas by a Convention dated the 16th day of April, 1945, and a protocol thereto dated the 6th day of June, 1946, and a further protocol thereto dated the 25th day of May, 1954, and a further protocol thereto dated the 19th day of August, 1957, between the Government of the United Kingdom and the Government of the United States, arrangements were made among other things for the avoidance of Double Taxation :

And whereas provision is made in the said Convention as amended by the said protocols for the application by means of a notification of extension given by either of the said Governments to the other Government and acceptance thereof by the other Government of the said Convention as amended, subject to such modifications, if any, as may be specified in the notification, to all or any of its Colonies, overseas territories, protectorates or territories in respect of which it exercises a mandate or trusteeship, which impose taxes substantially similar in character to those which are the subject of the said Convention :

And whereas by acceptance of a notification dated the third day of December, 1958, the said Convention as amended, with certain modifications, was applied to the Colony of the Falkland Islands : now, therefore, it is hereby declared by His Excellency the Governor in Council -

- (a) that the arrangements specified in the First Schedule to this Order, as modified by the provisions of the Second Schedule to this Order, have been made with the Government of the United States of America;
- (b) that it is expedient that those arrangements should have effect.

This Order may be cited as the Double Taxation Relief (Taxes on Income) (United States of America) Order, 1958. Title.

Made by the Governor in Executive Council on the 29th day of December, 1958.

J. BOUND,

Clerk of the Executive Council.

Ref. 0527/III.

FIRST SCHEDULE.

PART I.

CONVENTION BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON INCOME.

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America,

Desiring to conclude a Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income,

Have appointed for that purpose as their Plenipotentiaries :

The Government of the United Kingdom of Great Britain and Northern Ireland :

The Right Honourable the Earl of Halifax, K.G., Ambassador Extraordinary in Washington; and

The Government of the United States of America :

Mr. Edward R. Stettinius, Jr., Secretary of State;

Who, having exhibited their respective full powers, found in good and due form, have agreed as follows :—

ARTICLE I

1. The taxes which are the subject of the present Convention are :—

(a) In the United States of America :

The Federal income taxes, including surtaxes and excess profits taxes (hereinafter referred to as United States tax).

(b) In the United Kingdom of Great Britain and Northern Ireland :

The income tax (including surtax), the excess profits tax and the national defence contribution (hereinafter referred to as United Kingdom tax).

2. The present Convention shall also apply to any other taxes of a substantially similar character imposed by either Contracting Party subsequently to the date of signature of the present Convention or by the Government of any territory to which the present Convention is extended under Article XXII.

ARTICLE II

1. In the present Convention, unless the context otherwise requires :—

(a) The term "United States" means the United States of America, and when used in a geographical sense means the States, the Territories of Alaska and of Hawaii, and the District of Columbia.

(b) The term "United Kingdom" means Great Britain and Northern Ireland, excluding the Channel Islands and the Isle of Man.

(c) The terms "territory of one of the Contracting Parties" and "territory of the other Contracting Party" mean the United States or the United Kingdom as the context requires.

(d) The term "United States corporation" means a corporation, association or other like entity created or organised in or under the laws of the United States.

(e) The term "United Kingdom corporation" means any kind of juridical person created under the laws of the United Kingdom.

(f) The terms "corporation of one Contracting Party" and "corporation of the other Contracting Party" mean a United States corporation or a United Kingdom corporation as the context requires.

(g) The term "resident of the United Kingdom" means any person (other than a citizen of the United States or a United States corporation) who is resident in the United Kingdom for the purposes of United Kingdom tax and not resident in the United States for the purposes of United States tax. A corporation is to be regarded as resident in the United Kingdom if its business is managed and controlled in the United Kingdom.

(h) The term "resident of the United States" means any individual who is resident in the United States for the purposes of United States tax and not resident in the United Kingdom for the purposes of United Kingdom tax, and any United States corporation and any partnership created or organised in or under the laws of the United States, being a corporation or partnership which is not resident in the United Kingdom for the purposes of United Kingdom tax.

(i) The term "United Kingdom enterprise" means an industrial or commercial enterprise or undertaking carried on by a resident of the United Kingdom.

(j) The term "United States enterprise" means an industrial or commercial enterprise or undertaking carried on by a resident of the United States.

(k) The terms "enterprise of one of the Contracting Parties" and "enterprise of the other Contracting Party" mean a United States enterprise or a United Kingdom enterprise, as the context requires.

(l) The term "permanent establishment" when used with respect to an enterprise of one of the Contracting Parties means a branch, management, factory, or other fixed place of

business, but does not include an agency unless the agent has, and habitually exercises, a general authority to negotiate and conclude contracts on behalf of such enterprise or has a stock of merchandise from which he regularly fills orders on its behalf. An enterprise of one of the Contracting Parties shall not be deemed to have a permanent establishment in the territory of the other Contracting Party merely because it carries on business dealings in the territory of such other Contracting Party through a bona fide commission agent, broker or custodian acting in the ordinary course of his business as such. The fact that an enterprise of one of the Contracting Parties maintains in the territory of the other Contracting Party a fixed place of business exclusively for the purchase of goods or merchandise shall not of itself constitute such fixed place of business a permanent establishment of such enterprise. The fact that a corporation of one Contracting Party has a subsidiary corporation which is a corporation of the other Contracting Party or which is engaged in trade or business in the territory of such other Contracting Party (whether through a permanent establishment or otherwise) shall not of itself constitute that subsidiary corporation a permanent establishment of its parent corporation.

2. For the purposes of Articles VI, VII, VIII, IX and XIV a resident of the United Kingdom shall not be deemed to be engaged in trade or business in the United States in any taxable year unless such resident has a permanent establishment situated therein in such taxable year. The same principle shall be applied, *mutatis mutandis*, by the United Kingdom in the case of a resident of the United States.

3. In the application of the provisions of the present Convention by one of the Contracting Parties any term not otherwise defined shall, unless the context otherwise requires, have the meaning which it has under the laws of that Contracting Party relating to the taxes which are the subject of the present Convention.

ARTICLE III

1. A United Kingdom enterprise shall not be subject to United States tax in respect of its industrial or commercial profits unless it is engaged in trade or business in the United States through a permanent establishment situated therein. If it is so engaged, United States tax may be imposed upon the entire income of such enterprise from sources within the United States.

2. A United States enterprise shall not be subject to United Kingdom tax in respect of its industrial or commercial profits unless it is engaged in trade or business in the United Kingdom through a permanent establishment situated therein. If it is so engaged, United Kingdom tax may be imposed upon the entire income of such enterprise from sources within the United Kingdom: Provided that nothing in this paragraph shall effect any provisions of the law of the United Kingdom regarding the imposition of United Kingdom excess profits tax and national defence contribution in the case of inter-connected companies.

3. Where an enterprise of one of the Contracting Parties is engaged in trade or business in the territory of the other Contracting Party through a permanent establishment situated therein, there shall be attributed to such permanent establishment the industrial or commercial profits which it might be expected to derive if it were an independent enterprise engaged in the same or similar activities under the same or similar conditions and dealing at arm's length with the enterprise of which it is a permanent establishment, and the profits so attributed shall, subject to the law of such other Contracting Party, be deemed to be income from sources within the territory of such other Contracting Party.

4. In determining the industrial or commercial profits from sources within the territory of one of the Contracting Parties of an enterprise of the other Contracting Party, no profits shall be deemed to arise from the mere purchase of goods or merchandise within the territory of the former Contracting Party by such enterprise.

ARTICLE IV

Where an enterprise of one of the Contracting Parties, by reason of its participation in the management, control or capital of an enterprise of the other Contracting Party, makes with or imposes on the latter, in their commercial or financial relations, conditions different from those which would be made with an independent enterprise, any profits which would but for those conditions have accrued to one of the enterprises but by reason of those conditions have not so accrued, may be included in the profits of that enterprise and taxed accordingly.

ARTICLE V

1. Notwithstanding the provisions of Articles III and IV of the present Convention, profits which an individual (other than a citizen of the United States) resident in the United Kingdom or a United Kingdom corporation derives from operating ships documented or aircraft registered under the laws of the United Kingdom, shall be exempt from United States tax.

2. Notwithstanding the provisions of Articles III and IV of the present Convention, profits which a citizen of the United States not resident in the United Kingdom or a United States corporation derives from operating ships documented or aircraft registered under the laws of the United States, shall be exempt from United Kingdom tax.

3. This Article shall be deemed to have superseded, on and after the first day of January, 1945, as to United States tax, and on and after the 6th day of April, 1945, as to United Kingdom tax, the arrangements relating to reciprocal exemption of shipping profits from income tax effected between the Government of the United States and the Government of the United Kingdom by exchange of Notes dated August 11, 1924, November 18, 1924, November 26, 1924, January 15, 1925, February 13, 1925, and March 16, 1925, which shall accordingly cease to have effect.

ARTICLE VI

1. The rate of United States tax on dividends derived from a United States corporation by a resident of the United Kingdom who is subject to United Kingdom tax on such dividends and not

engaged in trade or business in the United States shall not exceed 15 per cent. : Provided that such rate of tax shall not exceed five per cent. if such resident is a corporation controlling, directly or indirectly, at least 95 per cent. of the entire voting power in the corporation paying the dividend, and not more than 25 per cent. of the gross income of such paying corporation is derived from interest and dividends, other than interest and dividends received from its own subsidiary corporations. Such reduction of the rate to five per cent. shall not apply if the relationship of the two corporations has been arranged or is maintained primarily with the intention of securing such reduced rate.

2. Dividends derived from sources within the United Kingdom by an individual who is (a) a resident of the United States, (b) subject to United States tax with respect to such dividends and (c) not engaged in trade or business in the United Kingdom, shall be exempt from United Kingdom surtax.

3. Either of the Contracting Parties may terminate this Article by giving written notice of termination to the other contracting Party, through diplomatic channels, on or before the thirtieth day of June in any year after the year 1945, and in such event paragraph 1 hereof shall cease to be effective as to United States tax on and after the first day of January, and paragraph 2 hereof shall cease to be effective as to United Kingdom tax on and after the 6th day of April, in the year next following that in which such notice is given.

ARTICLE VII

1. Interest (on bonds, securities, notes, debentures, or on any other form of indebtedness) derived from sources within the United States by a resident of the United Kingdom who is subject to United Kingdom tax on such interest and not engaged in trade or business in the United States, shall be exempt from United States tax; but such exemption shall not apply to such interest paid by a United States corporation to a corporation resident in the United Kingdom controlling, directly or indirectly, more than 50 per cent. of the entire voting power in the paying corporation.

2. Interest (on bonds, securities, notes, debentures, or on any other form of indebtedness) derived from sources within the United Kingdom by a resident of the United States who is subject to United States tax on such interest and not engaged in trade or business in the United Kingdom, shall be exempt from United Kingdom tax; but such exemption shall not apply to such interest paid by a corporation resident in the United Kingdom to a United States corporation controlling, directly or indirectly, more than 50 per cent. of the entire voting power in the paying corporation.

ARTICLE VIII

1. Royalties and other amounts paid as consideration for the use of, or for the privilege of using, copyrights, patents, designs, secret processes and formulae, trade-marks, and other like property, and derived from sources within the United States by a resident of the United Kingdom who is subject to United Kingdom tax on such royalties or other amounts and not engaged in trade or business in the United States, shall be exempt from United States tax.

2. Royalties and other amounts paid as consideration for the use of, or for the privilege of using, copyrights, patents, designs, secret processes and formulae, trade-marks, and other like property, and derived from sources within the United Kingdom by a resident of the United States who is subject to United States tax on such royalties or other amounts and not engaged in trade or business in the United Kingdom, shall be exempted from United Kingdom tax.

3. For the purposes of this Article the term "royalties" shall be deemed to include rentals in respect of motion picture films.

ARTICLE IX

1. The rate of United States tax on royalties in respect of the operation of mines or quarries or of other extraction of natural resources, and on rentals from real property or from an interest in such property, derived from sources within the United States by a resident of the United Kingdom who is subject to United Kingdom tax with respect to such royalties or rentals and not engaged in trade or business in the United States, shall not exceed 15 per cent. : Provided that any such resident may elect for any taxable year to be subject to United States tax as if such resident were engaged in trade or business in the United States.

2. Royalties in respect of the operation of mines or quarries or of other extraction of natural resources, and rentals from real property or from an interest in such property, derived from sources within the United Kingdom by an individual who is (a) a resident of the United States, (b) subject to United States tax with respect to such royalties and rentals, and (c) not engaged in trade or business in the United Kingdom, shall be exempt from United Kingdom surtax.

ARTICLE X

1. Any salary, wage, similar remuneration, or pension, paid by the Government of the United States to an individual (other than a British subject who is not also a citizen of the United States) in respect of services rendered to the United States in the discharge of governmental functions, shall be exempt from United Kingdom tax.

2. Any salary, wage, similar remuneration, or pension, paid by the Government of the United Kingdom to an individual (other than a citizen of the United States who is not also a British subject) in respect of services rendered to the United Kingdom in the discharge of governmental functions, shall be exempt from United States tax.

3. The provisions of this Article shall not apply to payments in respect of services rendered in connection with any trade or business carried on by either of the Contracting Parties for purposes of profit.

ARTICLE XI

1. An individual who is a resident of the United Kingdom shall be exempt from United States tax upon compensation for personal (including professional) services performed during the taxable year

within the United States if (a) he is present within the United States for a period or periods not exceeding in the aggregate 183 days during such taxable year, and (b) such services are performed for or on behalf of a person resident in the United Kingdom.

2. An individual who is a resident of the United States shall be exempt from United Kingdom tax upon profits, emoluments or other remuneration in respect of personal (including professional) services performed within the United Kingdom in any year of assessment if (a) he is present within the United Kingdom for a period or periods not exceeding in the aggregate 183 days during that year, and (b) such services are performed for or on behalf of a person resident in the United States.

3. The provisions of this Article shall not apply to the compensation, profits, emoluments or other remuneration of public entertainers such as stage, motion picture or radio artists, musicians and athletes.

ARTICLE XII

1. Any pension (other than a pension to which Article X applies), and any life annuity, derived from sources within the United States by an individual who is a resident of the United Kingdom shall be exempt from United States tax.

2. Any pension (other than a pension to which Article X applies), and any life annuity, derived from sources within the United Kingdom by an individual who is a resident of the United States shall be exempt from United Kingdom tax.

3. The term "life annuity" means a stated sum payable periodically at stated times, during life or during a specified or ascertainable period of time, under an obligation to make the payments in consideration of money paid.

ARTICLE XIII

1. Subject to section 131 of the United States Internal Revenue Code as in effect on the first day of January, 1945, United Kingdom tax shall be allowed as a credit against United States tax. For this purpose, the recipient of a dividend paid by a corporation which is a resident of the United Kingdom shall be deemed to have paid the United Kingdom income tax appropriate to such dividend if such recipient elects to include in his gross income for the purposes of United States tax the amount of such United Kingdom income tax.

2. Subject to such provisions (which shall not effect the general principle hereof) as may be enacted in the United Kingdom, United States tax payable in respect of income from sources within the United States shall be allowed as a credit against any United Kingdom tax payable in respect of that income. Where such income is an ordinary dividend paid by a United States corporation, such credit shall take into account (in addition to any United States income tax deducted from or imposed on such dividend) the United States income tax imposed on such corporation in respect of its profits, and where it is a dividend paid on participating preference shares and representing both a dividend at the fixed rate to which the shares are entitled and an additional participation in profits, such tax on profits shall likewise be taken into account in so far as the dividend exceeds such fixed rate.

3. For the purposes of this Article, compensation, profits, emoluments and other remuneration for personal (including professional) services shall be deemed to be income from sources within the territory of the Contracting Party where such services are performed.

ARTICLE XIV

A resident of the United Kingdom not engaged in trade or business in the United States shall be exempt from United States tax on gains from the sale or exchange of capital assets.

ARTICLE XV

Dividends and interest paid on or after the first day of January, 1945, by a United Kingdom corporation shall be exempt from United States tax except where the recipient is a citizen of or a resident of the United States or a United States corporation.

ARTICLE XVI

A United Kingdom corporation shall be exempt from United States tax on its accumulated or undistributed earnings, profits, income or surplus, if individuals who are residents of the United Kingdom control, directly or indirectly, throughout the last half of the taxable year, more than 50 per cent. of the entire voting power in such corporation.

ARTICLE XVII

1. The United States income tax liability for any taxable year beginning prior to the 1st January, 1936, of any individual (other than a citizen of the United States) resident in the United Kingdom, or of any United Kingdom corporation, remaining unpaid on the date of signature of the present Convention, may be adjusted on a basis satisfactory to the United States Commissioner of Internal Revenue: Provided that the amount to be paid in settlement of such liability shall not exceed the amount of the liability which would have been determined if -

- (a) the United States Revenue Act of 1936 (except in the case of a United Kingdom corporation in which more than 50 per cent. of the entire voting power was controlled, directly or indirectly, throughout the latter half of the taxable year, by citizens or residents of the United States), and

(b) Articles XV and XVI of the present Convention, had been in effect for such year. If the taxpayer was not, within the meaning of such Revenue Act, engaged in trade or business in the United States and had no office or place of business therein during the taxable year, the amount of interest and penalties shall not exceed 50 per cent. of the amount of the tax with respect to which such interest and penalties have been computed.

2. The United States income tax unpaid on the date of signature of the present Convention for any taxable year beginning after the thirty-first day of December, 1935, and prior to the first day of January, 1945, in the case of an individual (other than a citizen of the United States) resident of the United Kingdom, or in the case of any United Kingdom corporation shall be determined as if the provisions of Articles XV and XVI of the present Convention had been in effect for such taxable year.

3. The provisions of paragraph 1 of this Article shall not apply -

- (a) unless the taxpayer files with the Commissioner of Internal Revenue on or before the thirty-first day of December, 1947, a request that such tax liability be so adjusted and furnishes such information as the Commissioner may require; or
- (b) in any case in which the Commissioner is satisfied that any deficiency in tax is due to fraud with intent to evade the tax.

ARTICLE XVIII

A professor or teacher from the territory of one of the Contracting Parties who visits the territory of the other Contracting Party for the purpose of teaching, for a period not exceeding two years, at a university, college, school or other educational institution in the territory of such other Contracting Party shall be exempted by such other Contracting Party from tax on his remuneration for such teaching for such period.

ARTICLE XIX

A student or business apprentice from the territory of one of the Contracting Parties who is receiving full-time education or training in the territory of the other Contracting Party shall be exempted by such other Contracting Party from tax on payments made to him by persons within the territory of the former Contracting Party for the purposes of his maintenance, education or training.

ARTICLE XX

1. The taxation authorities of the Contracting Parties shall exchange such information (being information available under the respective taxation laws of the Contracting Parties) as is necessary for carrying out the provisions of the present Convention or for the prevention of fraud or the administration of statutory provisions against legal avoidance in relation to the taxes which are the subject of the present Convention. Any information so exchanged shall be treated as secret and shall not be disclosed to any person other than those concerned with the assessment and collection of the taxes which are the subject of the present Convention. No information shall be exchanged which would disclose any trade secret or trade process.

2. As used in this Article, the term "taxation authorities" means, in the case of the United States, the Commissioner of Internal Revenue or his authorised representative; in the case of the United Kingdom, the Commissioners of Inland Revenue or their authorised representative; and, in the case of any territory to which the present Convention is extended under Article XXII, the competent authority for the administration in such territory of the taxes to which the present Convention applies.

ARTICLE XXI

1. The nationals of one of the Contracting Parties shall not, while resident in the territory of the other Contracting Party, be subjected therein to other or more burdensome taxes than are the nationals of such other Contracting Party resident in its territory.

2. The term "nationals" as used in this Article means -

- (a) in relation to the United Kingdom, all British subjects and British protected persons, from the United Kingdom or any territory with respect to which the present Convention is applicable by reason of extension made by the United Kingdom under Article XXII; and
- (b) in relation to the United States, United States citizens, and all persons under the protection of the United States, from the United States or any territory to which the present Convention is applicable by reason of extension made by the United States under Article XXII; and includes all legal persons, partnerships and associations deriving their status as such from, or created or organised under, the laws in force in any territory of the Contracting Parties to which the present Convention applies.

3. In this Article the word "taxes" means taxes of every kind or description, whether national, federal, state, provincial or municipal.

ARTICLE XXII

1. Either of the Contracting Parties may, at the time of exchange of instruments of ratification or thereafter while the present Convention continues in force, by a written notification of extension given to the other Contracting Party through diplomatic channels, declare its desire that the operation of the present Convention shall extend to all or any of its colonies, overseas territories, protectorates, or territories in respect of which it exercises a mandate, which impose taxes substantially similar in character to those which are the subject of the present Convention. The present Convention shall apply to the territory or territories named in such notification on the date or dates specified in the notification (not being less than sixty days from the date of the notification) or, if no date is specified in respect of any such territory, on the sixtieth day after the date of such notification, unless, prior to the date on which the Convention would otherwise become applicable to a particular territory, the Contracting Party to whom notification is given shall have informed the other Contracting Party in writing through diplomatic channels that it does not accept such notification as to that territory. In the absence of such extension, the present Convention shall not apply to any such territory.

2. At any time after the expiration of one year from the entry into force of an extension under paragraph 1 of this Article, either of the Contracting Parties may, by written notice of termination given to the other Contracting Party through diplomatic channels, terminate the application of the present Convention to any territory to which it has been extended under paragraph 1, and in such event the

present Convention shall cease to apply, six months after the date of such notice, to the territory or territories named therein, but without affecting its continued application to the United States, the United Kingdom or to any other territory to which it has been extended under paragraph 1 hereof.

3. In the application of the present Convention in relation to any territory to which it is extended by notification by the United Kingdom or the United States references to the "United Kingdom" or, as the case may be, the "United States" shall be construed as references to that territory.

4. The termination in respect of the United States or the United Kingdom of the present Convention under Article XXIV or of Article VI shall, unless otherwise expressly agreed by both Contracting Parties, terminate the application of the present Convention or, as the case may be, that Article to any territory to which the Convention has been extended by the United States or the United Kingdom.

5. The provisions of the preceding paragraphs of this Article shall apply to the Channel Islands and the Isle of Man as if they were colonies of the United Kingdom.

ARTICLE XXIII

1. The present Convention shall be ratified and the instruments of ratification shall be exchanged at Washington as soon as possible.

2. Upon exchange of ratifications, the present Convention shall have effect -

- (a) as respects United States tax, for the taxable years beginning on or after the first day of January, 1945;
- (b) (i) as respects United Kingdom income tax, for the year of assessment beginning on the 6th day of April, 1945, and subsequent years; (ii) as respects United Kingdom surtax, for the year of assessment beginning on the 6th day of April, 1944, and subsequent years; and (iii) as respects United Kingdom excess profits tax and national defence contribution, for any chargeable accounting period beginning on or after the first day of April, 1945, and for the unexpired portion of any chargeable accounting period current at that date.

ARTICLE XXIV

1. The present Convention shall continue in effect indefinitely but either of the Contracting Parties may, on or before the 30th day of June in any year after the year 1946, give to the other Contracting Party, through diplomatic channels, notice of termination and, in such event, the present Convention shall cease to be effective -

- (a) as respects United States tax for the taxable years beginning on or after the first day of January in the year next following that in which such notice is given;
- (b) (i) as respects United Kingdom income tax, for any year of assessment beginning on or after the 6th day of April in the year next following that in which such notice is given; (ii) as respects United Kingdom surtax, for any year of assessment beginning on or after the 6th day of April in the year in which such notice is given; and (iii) as respects United Kingdom excess profits tax and national defence contribution, for any chargeable accounting period beginning on or after the first day of April in the year next following that in which such notice is given and for the unexpired portion of any chargeable accounting period current at that date.

2. The termination of the present Convention or of any Article thereof shall not have the effect of reviving any treaty or arrangement abrogated by the present Convention or by treaties previously concluded between the Contracting Parties.

In witness whereof the above-mentioned Plenipotentiaries have signed the present Convention and have affixed thereto their seals.

Done at Washington, in duplicate, on the sixteenth day of April, one thousand nine hundred and forty-five.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

(L.S.)

HALIFAX.

For the Government of the United States of America:

(L.S.)

E. R. STETTINIUS, Jr.

PART II - PROTOCOL.

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America,

Desiring to conclude a supplementary Protocol modifying in certain respects the Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income which was signed at Washington on April 16th, 1945,

Have agreed as follows:

ARTICLE I

Paragraph 3 of Article XI of the Convention of April 16th, 1945, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income shall be deemed to be deleted and of no effect.

ARTICLE II

This Protocol, which shall be regarded as an integral part of the said Convention, shall be ratified and the instruments of ratification thereof shall be exchanged at Washington.

In witness whereof the undersigned Plenipotentiaries, being authorized thereto by their respective Governments, have signed this Protocol and have affixed thereto their seals.

Done at Washington, in duplicate, this sixth day of June, 1946.

For the Government of the United Kingdom of Great Britain and Northern Ireland :

JOHN BALFOUR,
His Majesty's Envoy Extraordinary and
Minister Plenipotentiary in Washington.

For the Government of the United States of America :

JAMES F. BYRNES,
Secretary of State of the
United States of America.

SUPPLEMENTARY PROTOCOL AMENDING THE CONVENTION FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON INCOME, SIGNED AT WASHINGTON ON THE 16TH APRIL, 1945, AS MODIFIED BY THE SUPPLEMENTARY PROTOCOL, SIGNED AT WASHINGTON ON THE 6TH JUNE, 1946.

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America,

Desiring to conclude a further supplementary Protocol amending the Convention for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income, signed at Washington on the 16th April, 1945, as modified by the Supplementary Protocol, signed at Washington on the 6th June, 1946,

Have agreed as follows :

ARTICLE I

Paragraph 1 of Article XXII of the Convention of the 16th April, 1945, for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income is hereby amended to read as follows :

"1. Either of the Contracting Parties may, at any time while the present Convention continues in force, by a written notification given to the other Contracting Party through the diplomatic channel, declare its desire that the operation of the present Convention, either in whole or in part or with such modifications as may be found necessary for special application in a particular case, shall extend to all or any of its territories for whose international relations it is responsible, which impose taxes substantially similar in character to those which are the subject of the present Convention. When the other Contracting Party has, by a written communication through the diplomatic channel, signified to the first Contracting Party that such notification is accepted in respect of such territory or territories, the present Convention, in whole or in part or with such modifications as may be found necessary for special application in a particular case, as specified in the notification, shall apply to the territory or territories named in the notification on and after the date or dates specified therein. None of the provisions of the present Convention shall apply to any such territory in the absence of such acceptance in respect of that territory."

ARTICLE II

This supplementary Protocol, which shall be regarded as an integral part of the said Convention, shall be ratified and the instruments of ratification thereof shall be exchanged in London.

In witness whereof the undersigned, being authorized thereto by their respective Governments, have signed this supplementary Protocol and have affixed thereto their seals.

Done in duplicate at Washington this twenty-fifth day of May, 1954.

For the Government of the United Kingdom of Great Britain and Northern Ireland :

ROGER MAKINS,
Her Majesty's Ambassador Extraordinary
and Plenipotentiary at Washington.

For the Government of the United States of America :

JOHN FOSTER DULLES,
Secretary of State of the
United States of America.

SUPPLEMENTARY PROTOCOL BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE UNITED STATES OF AMERICA AMENDING THE CONVENTION FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON INCOME, SIGNED AT WASHINGTON ON THE 16TH APRIL, 1945, AS MODIFIED BY THE SUPPLEMENTARY PROTOCOL SIGNED AT WASHINGTON ON THE 6TH JUNE, 1946, AND BY THE SUPPLEMENTARY PROTOCOL SIGNED AT WASHINGTON ON THE 25TH MAY, 1954.

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America,

Desiring to conclude a further supplementary Protocol amending the Convention for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income, signed at Washington on the 16th April, 1945, as modified by the Supplementary Protocol signed at Washington on the 6th June, 1946, and by the supplementary Protocol signed at Washington on the 25th May, 1954,

Have agreed as follows :

ARTICLE I

Paragraphs 1 and 2 of Article VIII of the Convention of the 16th April, 1945, for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income are hereby amended to read as follows :

"1. Royalties and other amounts paid as consideration for the use of, or for the privilege of using, copyrights, patents, designs, secret processes and formulæ, trade marks and other like property, and derived from sources within the United States by a resident of the United Kingdom who is subject to United Kingdom tax on such royalties or other amounts shall be exempt from United States tax (a) if such resident is not engaged in trade or business in the United States through a permanent establishment situated therein or (b) if such resident is so engaged the royalties or other amounts are not directly associated with the business carried on through that permanent establishment.

"2. Royalties and other amounts paid as consideration for the use of, or for the privilege of using, copyrights, patents, designs, secret processes and formulæ, trade marks and other like property, and derived from sources within the United Kingdom by a resident of the United States who is subject to United States tax on such royalties or other amounts shall be exempt from United Kingdom tax (a) if such resident is not engaged in trade or business in the United Kingdom through a permanent establishment situated therein or (b) if such resident is so engaged, the royalties or other amounts are not directly associated with the business carried on through that permanent establishment."

ARTICLE II

Paragraph 1 of Article XIII of the said Convention is hereby amended to read as follows :

"1. Subject to Sections 901 to 905 of the United States Internal Revenue Code as in effect on the 1st day of January, 1956, United Kingdom tax shall be allowed as a credit against United States tax. For this purpose

- (a) the recipient of a dividend paid by a corporation which is a resident of the United Kingdom shall be deemed to have paid the United Kingdom tax appropriate to such dividend, and
- (b) the recipient of any royalty or other amount coming within the scope of Article VIII of the present Convention shall be deemed to have paid any United Kingdom tax legally deducted from the royalty or other amount by the person by or through whom any payment thereof is made,

if the recipient of the dividend or royalty or other amount, as the case may be, elects to include in his gross income for the purposes of United States tax the amount of such United Kingdom income tax."

ARTICLE III

1. This supplementary Protocol shall be ratified and the instruments of ratification shall be exchanged at London as soon as possible.

2. This supplementary Protocol shall enter into force upon the exchange of instruments of ratification and shall thereupon have effect -

(a) In the United Kingdom :

- (i) as respects income tax and surtax for any year of assessment beginning on or after the 6th April, 1956,
- (ii) as respects profits tax for any chargeable accounting period beginning on or after the 1st April, 1956, and for the unexpired portion of any chargeable accounting period current at that date.

(b) In the United States :

As respects taxable years beginning on or after the 1st January, 1956.

In witness whereof the undersigned, being authorized thereto by their respective Governments, have signed this supplementary Protocol and have affixed thereto their seals.

Done in duplicate at Washington this nineteenth day of August, 1957.

For the Government of the United Kingdom of Great Britain and Northern Ireland :

(L.S.)

HAROLD CACCIA.

For the Government of the United States of America :

(L.S.)

JOHN FOSTER DULLES.

SECOND SCHEDULE

APPLICATION

1. (a) The provisions of the Convention and Protocols incorporated in the First Schedule to this Order shall apply as modified below -

- (i) as if the Contracting Parties were the Colony of the Falkland Islands and the Government of the United States; and as if the tax concerned in the case of the Colony were the income tax.
- (ii) as if references to the date of signature were references to the third day of December, 1958.
- (iii) as if references to the 6th day of April were references to the 1st day of January.

- (b) The extension shall have effect in the Colony as respects tax for the year of assessment next following that in which the last of those measures shall have been taken in the United States and the Colony necessary to give the extension the force of law in the United States and the Colony and for subsequent years of assessment (and will have effect in the United States as respects United States tax for the taxable year beginning on or after the 1st day of January in that next following calendar year).

MODIFICATIONS

- 2. (a) In Article VI 2 the words "exempt from United Kingdom Surtax" shall be understood for the purposes of this extension as though they read "shall not be liable to any tax in the territory other than tax imposed with respect to the profits or earnings of the corporation out of which such dividends are paid".
- (b) In Article IX (2) the words "shall be exempt from United Kingdom Surtax" shall be understood for the purposes of this extension as though they read "shall not be liable to tax in the territory at a rate in excess of the rate applicable to a company".
- (c) Articles VII, XIV and XVI shall be deemed to be deleted.



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No. 4.

CONFIRMATION OF APPOINTMENT.

<i>Name</i>	<i>Department</i>	<i>Office</i>	<i>Date</i>	<i>Remarks</i>
Goss, Mrs. A. D.	Posts & Telegraphs	Telephone Operator	24.9.58	—

TERMINATION OF APPOINTMENT.

<i>Department</i>	<i>Office</i>	<i>Date</i>	<i>Reason.</i>
McLeod, Miss P.	Posts & Telegraphs	Clerk	16.3.59 Resigned.

LEAVE.

	<i>Department</i>	<i>Office</i>	<i>Period</i>	<i>Date</i>	<i>Remarks</i>
Bennett, S.	Public Works	Foreman Carpenter	120 days	23.3.59	—
Fleuret, Mrs. R.	Medical	Nursing Sister	168 days	23.3.59	—
Goodwin, W. A. N.	Power & Electrical	Engineman	120 days	23.3.59	—
Halliday, L. J.	Secretariat	Clerk	120 days	23.3.59	—
Harries, R. N.	Printing Office	Assistant Printer	120 days	23.3.59	—
Luxton, H. T.	Posts & Telegraphs	Senior Clerk	120 days	23.3.59	—
Rowlands, H. T.	Treasury	Clerk	120 days	23.3.59	—
Shackel, A. P.	Police & Prisons	Senior Constable	120 days	23.3.59	—
Smith, G. C.	Education	Teacher	155 days	23.3.59	—
Tincey, Mrs. W. A.	Govt. House	Private Secretary	143 days	23.3.59	Inclusive of period of voyage.
Trees, S. G.	Treasury	Colonial Treasurer	201 days	23.3.59	—
	<i>Department</i>	<i>Office</i>	<i>Period</i>		<i>Remarks</i>
Dumaresq, M. R.	Education	Teacher	16.9.58 – 14.3.59		On completion of contract.
Emerson, Dr. D. M.B., B.Chir.	Medical	Medical Officer (Locum Tenens)	3.1.59 – 4.2.59		—
Wallace, J.	Civil Engineering	Drainage Machine Operator	31.10.58 – 29.3.59		On completion of contract.

NOTICE.

The following Notice is published by command of His Excellency the Governor.

A. G. DENTON-THOMPSON,
Colonial Secretary.

No. 10.

28th March, 1959.

With reference to Gazette Notice No. 1 of 1959, the following name is added to the list of Ministers registered for celebrating marriages :—

The Reverend Stephen Deegan

Assistant Priest, St. Mary's Church.

Ref. 1163.

No. 1.

Proclamation

1959.

Made under section 24 of the Falkland Islands (Legislative Council)
Order in Council, 1948 to 1955.

IN THE NAME of Her Majesty ELIZABETH II., by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith.

E. P. ARROWSMITH — *By His Excellency* EDWIN PORTER ARROWSMITH,
ESQUIRE, *Companion 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.*

[L.S.]

WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation :

NOW THEREFORE, I, EDWIN PORTER ARROWSMITH, Companion 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, in exercise of the powers vested in me as aforesaid, do by this Proclamation appoint Wednesday the 25th day of March, 1959, at ten o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

GOD SAVE THE QUEEN.

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 19th day of March, in the Year of Our Lord One thousand Nine hundred and Fifty-nine.

By His Excellency's Command,

A. G. DENTON-THOMPSON,
Colonial Secretary.

Instrument under the Public Seal of the Colony of the Falkland Islands appointing LESLIE CHARLES GLEADELL, ESQUIRE, to be a temporary Member of the Executive Council.

E. P. ARROWSMITH — *By His Excellency* EDWIN PORTER ARROWSMITH, ESQUIRE, *Companion 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.*
[L.S.]

WHEREAS by certain Letters Patent under the great seal of the United Kingdom of Great Britain and Ireland, bearing date at Westminster the 13th day of December, 1948, constituting the office of Governor and Commander-in-Chief in and over the Colony of the Falkland Islands, it is amongst other things declared that there shall be an Executive Council in and for the said Colony which shall consist of such persons as may be directed under the Royal Sign Manual and Signet.

AND WHEREAS by instructions under the Royal Sign Manual and Signet, bearing date the 13th day of December, 1948, it is declared that the Governor in pursuance of the instructions from Her Majesty the Queen through one of her Principal Secretaries of State, may, from time to time, appoint persons other than ex-officio Members to be Members of the Executive Council of the Colony.

NOW, THEREFORE, I, EDWIN PORTER ARROWSMITH, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies, do hereby appoint

LESLIE CHARLES GLEADELL, ESQUIRE,
to be a temporary Member of my Executive Council.

GOD SAVE THE QUEEN.

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 24th day of March, in the Year of Our Lord One thousand Nine hundred and Fifty-nine.

By His Excellency's Command,
A. G. DENTON-THOMPSON,
Colonial Secretary.

Ref. C/0001/II.

Instrument under the Public Seal of the Colony of the Falkland Islands appointing LESLIE CHARLES GLEADELL, ESQUIRE, to be a temporary Member of the Legislative Council.

E. P. ARROWSMITH — *By His Excellency* EDWIN PORTER ARROWSMITH, ESQUIRE, *Companion 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.*
[L.S.]

To LESLIE CHARLES GLEADELL, ESQUIRE.

By virtue of the powers and authority in me vested by the Queen's Most Excellent Majesty, I do hereby appoint you, the said LESLIE CHARLES GLEADELL, to be a temporary

Member of the Legislative Council under Clause 13 of the Falkland Islands (Legislative Council) Orders-in-Council, 1948-1955.

Given at Stanley this 24th day of March, 1959.

By Command,

A. G. DENTON-THOMPSON,
Colonial Secretary.

Ref. 5406/II.

Instrument under the Public Seal of the Colony of the Falkland Islands appointing AUBREY GORDON DENTON-THOMPSON, ESQ., O.B.E., M.C., to be the Deputy for the Governor of the said Colony.

E. P. ARROWSMITH — *By His Excellency* EDWIN PORTER ARROWSMITH,
ESQUIRE, *Companion 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.*
[L.S.]

WHEREAS by certain Letters Patent passed under the Great Seal of the United Kingdom, bearing date the 13th day of December, 1948, 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 2nd day of April, 1959, for the purpose of visiting the West Falkland.

NOW, THEREFORE, I, EDWIN PORTER ARROWSMITH, Companion 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 appoint you AUBREY GORDON DENTON-THOMPSON, Officer of the Most Excellent Order of the British Empire, 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 1st day of April, 1959.

By His Excellency's Command,

A. G. DENTON-THOMPSON,
Colonial Secretary.

LEGISLATIVE COUNCIL.

Minutes of the Meeting held on 25th March, 1959.

Present: His Excellency the Governor.
 The Honourable the Colonial Secretary.
 The Honourable the Senior Medical Officer.
 The Honourable A. L. Hardy, B.E.M., J.P.
 The Honourable M. G. Creece, J.P.
 The Honourable A. Mercer, O.B.E.
 The Honourable H. C. Harding, O.B.E., J.P.
 The Honourable L. C. Gleadell.

The Meeting opened with prayers read by the Reverend J. O. Vere-Stead.

1. After taking the prescribed Oath the Honourable L. C. Gleadell assumed his seat on Council.
2. The Minutes of the Meeting of the Legislative Council held on the 26th, 27th and 28th March, 1958, were confirmed.

3. In introducing the Bill entitled "Further to amend the Customs Ordinance", the Honourable L. C. Gleadell said

Your Excellency,

The object of this Bill is to extend, from 3 to 6 months, the period for which the Collector of Customs may permit goods to be temporarily imported without payment of duty, in order to conform with an International Convention, ratified by Her Majesty's Government in 1955, and which has been extended to the Falkland Islands.

The particular circumstances in which the provisions of Section 31 would be applied are unlikely to arise unless, at some future date, an import tax is imposed on such things as machinery, instruments and advertising films, and manufacturers consider that the Falkland Islands market offers sufficient possibilities to justify the importation of their products for demonstration purposes only.

Nevertheless, in order to fall in line with current international practice in this matter we should make this slight amendment to our law, and I beg to move the first reading of the Bill."

The Honourable A. Mercer seconded and the Bill was read a first time. On further motion made and seconded the Bill was read a second time. In the Committee Stage Clauses 1 and 2, the Enacting Clause and the Title were agreed to and stood part of the Bill. The Council resumed and the Bill was read a third time and passed.

4. "The Retiring Allowance to Nurses (Revival)" Bill was introduced by the Honourable the Senior Medical Officer who said

"Your Excellency,

This Bill is introduced for two purposes. The first is to preserve the rights of Nurses who have been deprived of a retiring allowance as a result of the repeal of the Retiring Allowance to Nurses Ordinance of 1926. The second is to increase the allowance of 8/4 per annum for each month served, as specified in the Ordinance of 1926, to £1 per annum for each month of service.

I beg to move the first reading of the Bill."

This was seconded by the Honourable L. C. Gleadell and the Bill was read accordingly. On further motion made and seconded the Bill was read a second time and His Excellency declared the Council to be in Committee. Clauses 1 to 3, the Enacting Clause and the Title were agreed to and stood part of the Bill. The Council resumed and the Bill was read a third time and passed.

5. The Honourable the Colonial Secretary then introduced the "Whale Fishery Amendment" Bill and said

"A simple amending Bill designed to bring our legislation into line with agreed International practice as established and laid down by the 1956 amendments to the International Whaling Convention in three particular respects.

The amended Convention prohibits the taking of humpback whales (the *megaptera nodosa*) in the waters south of 40° South latitude between 0° longitude and 70° West longitude for a period of five years. It is of course desirable that our legislation should conform with the international practice, but in fact the prohibition will not affect the South Georgia industry which relies almost entirely on the fin whale and the occasional, a rare occurrence these days, blue whale. The amending Bill provides for this prohibition.

It is widely recognised and accepted throughout all the whaling fleets that the species, size and yield of whales taken should constitute an important factor in the terms and conditions upon which gunners and crews are engaged and that no bonuses, in particular, should be paid to the gunners or crews of catchers that take milk filled, lactating or undersized whales. The principle behind these rules is of course conservation and here again it is highly desirable that our laws should conform with international practice. In fact it is the prevailing practice in the case of the South Georgia industry, and the amending Bill will make obligatory what is already the existing custom and what is insisted upon at the present time by the Companies concerned.

I beg, Sir, to move the first reading of the Bill."

The Honourable A. L. Hardy seconded and the Bill was read a first time. The Bill was read a second time on further motion. His Excellency declared the Council to be in Committee and the Bill was passed through all its stages without amendment. The Council resumed and the Bill was read a third time and passed.

6. When introducing "The Foreign Judgments (Reciprocal Enforcement)" Bill the Honourable Colonial Secretary said

"Although this Bill is perhaps a relatively long one and at first sight perhaps a little complicated, it is in fact a relatively simple piece of enabling (and principally commercial) legislation. It provides for the enforcement in the Falkland Islands, of the judgments of the superior Courts of foreign countries, and it follows and incorporates the general principles of the relevant part of the equivalent United Kingdom Legislation of 1933 as modified by the United Kingdom Administration of Justice Act. The Bill you are now being asked to consider is also similar in form and content to legislation that other Colonial territories have already enacted or are being asked to enact on the grounds that in the case of legislation of this nature, uniformity in United Kingdom and Colonial legislation is highly desirable.

Now if this Bill becomes law, it would be possible in certain circumstances for the judgment of a superior Court in, for instance, Federal Germany, to be enforced here in the Falkland Islands.

But there are of course a number of important provisos and safeguards and there are certain important conditions that must be fulfilled before that could happen.

Firstly, the Governor in Council must be entirely satisfied that if the Supreme Court of the Falklands and Dependencies is to be asked to enforce the judgments of the superior Courts of a foreign country, then that country will, on a reciprocal basis, itself enforce the judgments of the Supreme Court of the Falklands in its own territory and in coming to a decision on this point the Governor in Council would no doubt have the benefit of the advice of Her Majesty's Secretaries of State for the Colonies and Foreign Affairs.

Secondly, the judgment in the foreign Court must be final and conclusive between the Parties. It must in fact be a clear cut and enforceable decision by the Court without any loose ends that might create difficulties or doubts with regard to enforcement.

Thirdly, the judgment of the foreign Court must provide for the payment of a sum of money – but that sum of money must not be payable for taxes or other charges of a similar nature and it must not be payable in satisfaction of a fine or other penalty. In other words the intention of the legislation is to provide for the satisfactory settlement, on an international basis, of such matters as commercial disputes involving a financial settlement and maintenance orders.

Fourthly, a judgment could not be registered for enforcement by our Court if it has already been wholly satisfied or if it could not be enforced by execution in the country of the original Court.

These then are the main principles of the legislation and I should at this point reiterate that it is in fact *enabling* legislation. It does not automatically follow that because this law is on the statute book then the judgments of the superior Courts of a whole variety of foreign countries will become enforceable on the Falklands. Before that could happen the Governor in Council would, as I have already pointed out, have to be satisfied as to the question of reciprocity and a specific Order in Council applying the legislation to the specific country in question would be required. In fact I would say that so far as it is possible to judge at the moment, only comparatively infrequent use would be made of the powers provided by this legislation.

The Bill goes on to provide for the machinery for registering in the Supreme Court the Judgments of the Courts of a foreign country to which the provisions of the Ordinance have been extended; for the enforcement of such judgments and for the setting aside of registered judgments by the registering Court; in particular the Bill specifies in detail [Clause 6 (2)] the circumstances under which the Courts of the original country shall be regarded by the Supreme Court as having had the requisite jurisdiction for the purposes of registering and enforcing a foreign judgment in this country and the circumstances – Clause 6 (3) under which such Courts may not be regarded as having had the necessary jurisdiction.

Clause 9 provides for the application of this legislation to any part of Her Majesty's dominions, to any countries under Her Majesty's protection or to any countries administered by Her Majesty's Government, subject always of course to the same basic principle of reciprocity.

Finally Part II of the Bill specifies (Clause 10) the general effect of certain foreign judgments and sets out the circumstances under which a judgment may or may not be relied upon in any Court of the Colony, as conclusive in all proceedings founded on the same course of action. In other words it sets out the circumstances under which either of the Parties to a dispute could rely upon such a judgment by way of defence or counter claim in any proceedings arising out of the same circumstances as gave rise to the original action in the foreign Court.

There is then the final safeguard provided under Clause 11 which would enable the Governor in Council to make foreign judgments unenforceable in the Colony if he is satisfied that the necessary reciprocity is not forthcoming from the foreign country concerned.

I beg to move the first reading of the Bill."

The Honourable M. G. Creece seconded the motion and the Bill received its first reading. On further motion made and seconded the Bill was read a second time and Council went into Committee. Clauses 1 to 12 together with the Enacting Clause and Title were agreed to, the Council resumed and the Bill was read a third time and passed.

7. Before moving adjournment the Honourable the Colonial Secretary congratulated the Honourable Mr. Gleadell on an admirable maiden speech.

The Council then adjourned *sine die*.

The Pensions Ordinance (Cap. 49)

ORDER

(under Section 2 of the Ordinance).

No. 1 of 1959.

E. P. ARROWSMITH,
Governor.

His Excellency the Governor in exercise of the powers vested in him by section 2 of the Pensions Ordinance, is pleased, by and with the advice of the Executive Council to order, and it is hereby ordered as follows :—

1. This Order may be cited as the Pensions (Pensionable Offices) Order, 1959.

2. The following offices are hereby declared to be pensionable offices in the public service of the Colony and the Dependencies :—

COLONY					
Department					Office
THE GOVERNOR	...	...	...	...	Orderly and Caretaker. Head Gardener.
AGRICULTURAL	...	...	...	...	Agricultural and Livestock Assistant.
AUDIT	...	...	...	...	Auditor.
AVIATION	...	...	...	...	Director of Civil Aviation. Senior Pilot. Pilot. Senior Engineer. Engineer. Hangar Assistant.
CUSTOMS AND HARBOUR	...	...	...	...	Collector of Customs and Harbour Master. Master, m.v. "Philomel". Mate, m.v. "Philomel". Engineer, m.v. "Philomel". Coxswain, m.v. "Alert". Engineer, m.v. "Alert".
EDUCATION	...	...	...	...	Superintendent of Education and Headmaster, Government School. Headmaster, Darwin Boarding School. Headmaster, Port Howard Boarding School. Assistant Master. Assistant Mistress. Assistant Teacher.
MEDICAL	...	...	...	...	Senior Medical Officer. Medical Officer. Matron. Nursing Sister. Nurse. Dental Surgeon. Dental Technician.
MILITARY	...	...	...	...	Armourer.
POLICE AND PRISONS	...	...	...	...	Chief Constable. Sergeant. Senior Constable. Constable.
POSTS AND TELEGRAPHS	...	...	...	...	Superintendent, Posts and Telegraphs. Postmaster. Supervisor. Senior Watch Operator. Watch Operator. Operator, Fox Bay. Senior Electrician and Broadcasting Engineer. Electrician. Senior Clerk. R/T Operator. Telephone Operator.

<i>Department</i>					<i>Office</i>
POWER AND ELECTRICAL	...	...	...	...	Superintendent. Assistant Superintendent. Senior Electrician. Electrician. Engineman.
PUBLIC WORKS	...	...	...	...	Superintendent of Works. Storekeeper. Senior Mechanic. Mechanic. Foreman Carpenter. Carpenter. Plumber. Blacksmith. Mason. Yard Foreman and Water Bailiff. Peat Officer. Motor Driver.
SECRETARIAT AND TREASURY	...	...	...	...	Colonial Secretary. Colonial Treasurer. Assistant Colonial Secretary. Assistant Colonial Treasurer. Income Tax Officer. Senior Clerk. Cashier. Head Printer. Assistant Printer.
SUPREME COURT	...	...	...	...	Registrar.
ALL DEPARTMENTS	...	...	...	...	Clerk, Scales F1, H and J.
DEPENDENCIES					
SOUTH GEORGIA	...	...	...	...	Administrative Officer. Meteorological Forecaster. Constable.
F.I.D.S. HEADQUARTERS ADMINISTRATION	...	...	...	...	Secretary. Assistant Secretary. Accounting Officer. Accounts Assistant. Storekeeper. Carpenter. Chief Engineer, R.R.S. "John Biscoe".

Made by the Governor in Council on the 13th day of March, 1959.

J. BOUND,

Clerk of the Executive Council.

Ref. 1171.

The Old Age Pensions Ordinance, 1952.

REGULATIONS

(under Section 25 of the Ordinance).

No. 1 of 1959.

E. P. ARROWSMITH,
Governor.

His Excellency the Governor in exercise of the powers vested in him by section 25 of the Old Age Pensions Ordinance, 1952, is pleased, by and with the advice of the Executive Council to make the following Regulations :—

1. These Regulations may be cited as the Old Age Pensions (Amendment) Regulations, 1959, and shall be read as one with the Old Age Pensions Regulations, 1952, hereinafter referred to as the principal Regulations. Short title.

2. Paragraph (5) of regulation 16 of the principal Regulations is amended by the substitution of a comma for the full stop at the end of the paragraph and the addition of the following words and full stop :—

“or otherwise than at the Post Office.”

Made by the Governor in Council on the 13th day of March, 1959.

J. BOUND,
Clerk of the Executive Council.

Ref. 0323/E.

The Pensions Ordinance, 1937.

REGULATIONS

(under section 3 of the Ordinance.)

No. 2 of 1959.

E. P. ARROWSMITH,
Governor.

In exercise of the powers conferred upon the Governor in Council by section 3 of the Pensions Ordinance, 1937, and with the sanction of the Secretary of State, the following Regulations are hereby made :—

1. These Regulations may be cited as the Pensions (Amendment) Regulations, 1959, and shall be read as one with the Pensions Regulations, 1937, hereinafter referred to as the principal Regulations. Short title.

2. To the Schedule to the principal Regulations there shall be added the following :— Amendment to the
Schedule to the principal
Regulations.

“Ghana”.

Made by the Governor in Council on the 13th day of March, 1959.

J. BOUND,
Clerk of the Executive Council.

Ref. 0829/II.

Assented to in Her Majesty's name this 31st day of March, 1959.

E. P. ARROWSMITH,
Governor.

[L.S.]

No. 1

1959.



Colony of the Falkland Islands.

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

An Ordinance
Further to amend the Customs Ordinance.

Enacting clause.

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

Short title.

Cap. 16.

1. This Ordinance may be cited as the Customs (Amendment) Ordinance, 1959, and shall be read as one with the Customs Ordinance, hereinafter referred to as the principal Ordinance.

Amendment of section 31 of the principal Ordinance.

2. Paragraph (a) of section 31 of the principal Ordinance is amended by the deletion of the words "three months" and the substitution therefor of the words "six months".

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. 1764.

Assented to in Her Majesty's name this 31st day of March, 1959.

E. P. ARROWSMITH,
Governor.

[L.S.]

No. 2



1959

Colony of the Falkland Islands.

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

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

An Ordinance

To provide for the revival of the grant
of a Retiring Allowance to Nurses. Title.

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

1. This Ordinance may be cited as the Retiring Allowance to Nurses (Revival) Ordinance, 1959. Short title.

2. Notwithstanding the repeal of the Retiring Allowance to Nurses Ordinance, 1926, the rights of any nurse who, but for the repeal, would have qualified for a retiring allowance under that Ordinance, are hereby preserved. Revival of Retiring Allowance to Nurses Ordinance, 1926.

3. In section 6 of the Retiring Allowance to Nurses Ordinance, 1926, the words "one pound" shall be substituted for the words "eight shillings and four pence". Amendment of section 6 of the Retiring Allowance to Nurses Ordinance, 1926.

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.

Assented to in Her Majesty's name this 31st day of March, 1959.

E. P. ARROWSMITH,
Governor.

[L.S.]

No. 3



1959.

Colony of the Falkland Islands.

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

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

An Ordinance

Title. To amend the Whale Fishery Ordinance.

Enacting Clause. ENACTED by the Legislature of the Colony of the Falkland Islands as follows :—

Short title. 1. This Ordinance may be cited as the Whale Fishery (Amendment) Ordinance, 1959, and shall be read as one with the Whale Fishery Ordinance, hereinafter referred to as the principal Ordinance.

Amendment of section 3 of the principal Ordinance.

2. Section 3 of the principal Ordinance is amended by :—
- (a) Inserting after paragraph (c) of subsection (1) the following additional paragraph —
“ (d) a humpback whale ; ”
 - (b) Inserting after paragraph (d) of subsection (3) the following additional paragraph —

“ (e) the expression ‘ humpback whale ’ means a whale known by the name of bunch, humpback, humpback whale, humpbacked whale, hump whale or hunchbacked whale.”

Amendment of section 9 of the principal Ordinance.

3. Section 9 of the principal Ordinance is amended by the substitution of the following new subsection for subsection (1) :—

“ (1) There shall be attached to every licence under this Ordinance authorising the use of a ship for taking whales a condition that the gunners and crews of factory ships, land

stations and whale catchers shall be engaged on such terms that their remuneration shall depend to a considerable extent upon such factors as the species, size and yield of whales taken. No bonus or other remuneration shall be paid to the gunners or crews of whale catchers in respect of the taking of milk-filled, lactating or undersized whales."

4. Section 9 of the principal Ordinance is further amended by the addition of the following paragraph to subsection (2) —

"(e) that no whale of a class the killing or taking of which is prohibited by the International Whaling Commission shall be treated in the ship or factory."

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. D/4/58.

Foreign Judgments (Reciprocal Enforcement) Ordinance, 1959.

ARRANGEMENT OF SECTIONS.

PART I.

REGISTRATION OF FOREIGN JUDGMENTS.

Section.

1. Short title.
2. Interpretation.
3. Power to extend Part I of Ordinance to foreign countries giving reciprocal treatment.
4. Application for, and effect of, registration of foreign judgment.
5. Rules of court.
6. Cases in which registered judgments must, or may, be set aside.
7. Powers of registering court on application to set aside registration.
8. Foreign judgments which can be registered not to be enforceable otherwise.
9. Power to apply Part I of Ordinance to British dominions, protectorates and mandated territories.

PART II.

10. General effect of certain foreign judgments.
11. Power to make foreign judgments unenforceable in Colony if no reciprocity.
12. Issue of certificates of judgments obtained in the Colony.
13. Repeal.

Assented to in Her Majesty's name this 31st day of March, 1959.

E. P. ARROWSMITH,
Governor.

[L.S.]

No. 4



1959.

Colony of the Falkland Islands.

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

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

An Ordinance

To make provision for the enforcement in the Colony of judgments given in foreign countries which accord reciprocal treatment to judgments given in the Colony, for facilitating the enforcement in foreign countries of judgments given in the Colony, and for other purposes in connection with the matters aforesaid.

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

PART I.

REGISTRATION OF FOREIGN JUDGMENTS.

1. This Ordinance may be cited as the Foreign Judgments (Reciprocal Enforcement) Ordinance, 1959. Short title.
2. (1) In this Ordinance, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say — Interpretation.
 - “Appeal” includes any proceeding by way of discharging, or setting aside a judgment or an application for a new trial or a stay of execution ;
 - “Country of the original court” means the country in which the original court is situated ;

"Judgment" means a judgment or order given or made by a court in any civil proceedings, or a judgment or order given or made by a court in any criminal proceedings for the payment of a sum of money in respect of compensation or damages to an injured party, and includes an award in proceedings on an arbitration if the award has, in pursuance of the law in force in the place where it was made, become enforceable in the same manner as a judgment given by a court in that place ;

"Judgment creditor" means the person in whose favour the judgment was given and includes any person in whom the rights under the judgment have become vested by succession or assignment or otherwise ;

"Judgment debtor" means the person against whom the judgment was given, and includes any person against whom the judgment is enforceable under the law of the original court ;

"Original court" in relation to any judgment means the court by which the judgment was given ;

"Prescribed" means prescribed by rules of court ;

"Registration" means registration under Part I of this Ordinance, and the expressions "register" and "registered" shall be construed accordingly ;

"Registering court" in relation to any judgment means the court to which an application to register the judgment is made.

(2) For the purposes of this Ordinance, the expression "action in personam" shall not be deemed to include any matrimonial cause or any proceedings in connection with any of the following matters, that is to say, matrimonial matters, administration of the estates of deceased persons, bankruptcy, winding up of companies, lunacy, or guardianship of infants.

Power to extend Part I of Ordinance to foreign countries giving reciprocal treatment.

3. (1) The Governor, if he is satisfied that, in the event of the benefits conferred by this Part of this Ordinance being extended to judgments given in the superior courts of any foreign country, substantial reciprocity of treatment will be assured as respects the enforcement in that foreign country of judgments given in the Supreme Court of the Colony and judgments given on appeals therefrom, may by Order in Council direct —

- (a) that this Part of this Ordinance shall extend to that foreign country ; and
- (b) that such courts of that foreign country as are specified in the Order shall be deemed superior courts of that country for the purposes of this part of this Ordinance.

(2) Any judgment of a superior court of a foreign country to which this Part of this Ordinance extends, other than a judgment of such a court given on appeal from a court which is not a superior court, shall be a judgment to which this Part of this Ordinance applies, if —

- (a) it is final and conclusive as between the parties thereto ; and
- (b) there is payable thereunder a sum of money, not being a sum payable in respect of taxes or other charges of a like nature or in respect of a fine or other penalty ; and
- (c) it is given after the coming into operation of the Order in Council directing that this Part of this Ordinance shall extend to that foreign country.

(3) For the purposes of this section, a judgment shall be deemed to be final and conclusive notwithstanding that an appeal may be pending against it, or that it may still be subject to appeal, in the courts of the country of the original court.

(4) The Governor may by a subsequent Order in Council vary or revoke any Order previously made under this section.

4. (1) A person, being a judgment creditor under a judgment to which this Part of this Ordinance applies, may apply to the Supreme Court at any time within six years after the date of the judgment, or, where there have been proceedings by way of appeal against the judgment, after the date of the last judgment given in those proceedings, to have the judgment registered in the Supreme Court, and on any such application the court shall, subject to proof of the prescribed matters and to the other provisions of this Ordinance, order the judgment to be registered :

Application for, and effect of, registration of foreign judgment.

Provided that a judgment shall not be registered if at the date of the application –

- (a) it has been wholly satisfied ; or
- (b) it could not be enforced by execution in the country of the original court.

(2) Subject to the provisions of this Ordinance with respect to the setting aside of registration –

- (a) a registered judgment shall, for the purposes of execution, be of the same force and effect ; and
- (b) proceedings may be taken on a registered judgment ; and
- (c) the sum for which a judgment is registered shall carry interest ; and
- (d) the registering court shall have the same control over the execution of a registered judgment ;

as if the judgment had been a judgment originally given in the registering court and entered on the date of registration :

Provided that execution shall not issue on the judgment so long as, under this Part of this Act and the Rules made thereunder, it is competent for any party to make an application to have the registration of the judgment set aside, or, where such an application is made, until the application has been finally determined.

(3) Where the sum payable under a judgment which is to be registered is expressed in a currency other than the currency of the Colony, the judgment shall be registered as if it were a judgment for such sum in the currency of the Colony as, on the basis of the rate of exchange prevailing at the date of the judgment of the original court, is equivalent to the sum so payable.

(4) If at the date of the application for registration the judgment of the original court has been partly satisfied, the judgment shall not be registered in respect of the whole sum payable under the judgment of the original court, but only in respect of the balance remaining payable at that date.

(5) If, on an application for the registration of a judgment, it appears to the registering court that the judgment is in respect of different matters and that some, but not all, of the provisions of the judgment are such that if those provisions had been contained in separate judgments those judgments could properly have been registered, the judgment may be registered in respect of the provisions aforesaid but not in respect of any other provisions contained therein.

(6) In addition to the sum of money payable under the judgment of the original court, including any interest which by the law of the country of the original court becomes due under the judgment up to the time of registration, the judgment shall be registered for the reasonable costs of an incidental to registration, including the costs of obtaining a certified copy of the judgment from the original court.

Rules of Court.

5. (1) The Governor in Council shall, subject to the provisions of this section, have power to make rules for the following purposes –

- (a) For making provision with respect to the giving of security for costs by persons applying for the registration of judgments ;
- (b) For prescribing the matters to be proved on an application for the registration of a judgment and for regulating the mode of proving those matters ;
- (c) For providing for the service on the judgment debtor of notice of the registration of a judgment ;
- (d) For making provision with respect to the fixing of the period within which an application may be made to have the registration of the judgment set aside and with respect to the extension of the period so fixed ;
- (e) For prescribing the method by which any question arising under this Ordinance whether a foreign judgment can be enforced by execution in the country of the original court, or what interest is payable under a foreign judgment under the law of the original court, is to be determined ;
- (f) For prescribing any matter which under this Part of this Ordinance is to be prescribed.

(2) Rules made for the purposes of this Part of this Ordinance shall be expressed to have, and shall have, effect subject to any such provisions contained in Orders in Council made under section one of the Foreign Judgments (Reciprocal Enforcement) Act, 1933, as are declared by the said Orders to be necessary for giving effect to agreements made between Her Majesty and foreign countries in relation to matters with respect to which there is power to make rules of court for the purposes of this Part of this Ordinance.

(3) Without prejudice to the provisions of subsection (1) of this section the rules contained in Part IV of the Rules of the Supreme Court shall continue to have effect as if they had been made under the power conferred by the said subsection.

Cases in which registered judgments must, or may, be set aside.

6. (1) On an application in that behalf duly made by any party against whom a registered judgment may be enforced, the registration of the judgment –

- (a) shall be set aside if the registering court is satisfied –
 - (i) that the judgment is not a judgment to which this Part of this Ordinance applies or was registered in contravention of the foregoing provisions of this Ordinance ; or
 - (ii) that the courts of the country of the original court had no jurisdiction in the circumstances of the case ; or
 - (iii) that the judgment debtor, being the defendant in the proceedings in the original court, did not (notwithstanding that process may have been duly served on him in accordance with the law of the country of the original court) receive notice of those proceedings in sufficient time to enable him to defend the proceedings and did not appear ; or
 - (iv) that the judgment was obtained by fraud ; or
 - (v) that the enforcement of the judgment would be contrary to public policy in the country of the registering court ; or
 - (vi) that the rights under the judgment are not vested in the person by whom the application for registration was made ;

- (b) may be set aside if the registering court is satisfied that the matter in dispute in the proceedings in the original court had previously to the date of the judgment in the original court been the subject of a final and conclusive judgment by a court having jurisdiction in the matter.

(2) For the purposes of this section the courts of the country of the original court shall, subject to the provisions of subsection (3) of this section, be deemed to have had jurisdiction –

- (a) in the case of a judgment given in an action in personam –
 - (i) if the judgment debtor, being a defendant in the original court, submitted to the jurisdiction of that court by voluntarily appearing in the proceedings otherwise than for the purpose of protecting, or obtaining the release of, property seized, or threatened with seizure, in the proceedings or of contesting the jurisdiction of that court; or
 - (ii) if the judgment debtor was plaintiff in, or counter-claimed in, the proceedings in the original court; or
 - (iii) if the judgment debtor, being a defendant in the original court, had before the commencement of the proceedings agreed, in respect of the subject matter of the proceedings, to submit to the jurisdiction of that court or of the courts of the country of that court; or
 - (iv) if the judgment debtor, being a defendant in the original court, was at the time when the proceedings were instituted resident in, or being a body corporate had its principal place of business in, the country of that court; or
 - (v) if the judgment debtor, being a defendant in the original court, had an office or place of business in the country of that court and the proceedings in that court were in respect of a transaction effected through or at that office or place;
- (b) in the case of a judgment given in an action of which the subject matter was immovable property or in an action in rem of which the subject matter was movable property, if the property in question was at the time of the proceedings in the original court situated in the country of that court;
- (c) in the case of a judgment given in an action other than any such action as is mentioned in paragraph (a) or in paragraph (b) of this subsection, if the jurisdiction of the original court is recognised by the law of the registering court.

(3) Notwithstanding anything in subsection (2) of this section, the courts of the country of the original court shall not be deemed to have had jurisdiction –

- (a) if the subject matter of the proceedings was immovable property outside the country of the original court; or
- (b) except in the cases mentioned in sub-paragraphs (i), (ii) and (iii) of paragraph (a) and in paragraph (c) of subsection (2) of this section, if the bringing of the proceedings in the original court was contrary to an agreement under which the dispute in question was to be settled otherwise than by proceedings in the courts of the country of that court; or
- (c) if the judgment debtor, being a defendant in the original proceedings, was a person who under the rules of public international law was entitled to immunity from the

jurisdiction of the courts of the country of the original court and did not submit to the jurisdiction of that court.

Powers of registering court on application to set aside registration.

7. (1) If, on an application to set aside the registration of a judgment, the applicant satisfies the registering court, either that an appeal is pending, or that he is entitled and intends to appeal, against the judgment, the court, if it thinks fit, may, on such terms as it may think just, either set aside the registration or adjourn the application to set aside the registration until after the expiration of such period as appears to the court to be reasonably sufficient to enable the applicant to take the necessary steps to have the appeal disposed of by the competent tribunal.

(2) Where the registration of a judgment is set aside under the last foregoing subsection, or solely for the reason that the judgment was not at the date of the application for registration enforceable by execution in the country of the original court, the setting aside of the registration shall not prejudice a further application to register the judgment when the appeal has been disposed of or if and when the judgment becomes enforceable by execution in that country, as the case may be.

(3) Where the registration of a judgment is set aside solely for the reason that the judgment, notwithstanding that it had at the date of the application for registration been partly satisfied, was registered for the whole sum payable thereunder, the registering court shall, on the application of the judgment creditor, order judgment to be registered for the balance remaining payable at that date.

Foreign judgments which can be registered not to be enforceable otherwise.

8. No proceedings for the recovery of a sum payable under a foreign judgment, being a judgment to which this Part of this Act applies, other than proceedings by way of registration of the judgment, shall be entertained by any court in the Colony.

Power to apply Part I of Ordinance to British dominions, protectorates and territories under trusteeship.

9. (1) Where the Governor is satisfied that reciprocal provisions have been made by the legislature of any part of Her Majesty's dominions outside the United Kingdom for the enforcement within that part of Her dominions of judgments obtained in the Supreme Court of the Colony, the Governor may by Order in Council direct that this Part of this Ordinance shall extend to judgments obtained in a superior court in that part of Her Majesty's dominions in like manner as it extends to judgments obtained in the courts of foreign countries, but subject, however, to the provisions contained in subsection (2) of this section, and on any such Order being made this Part of this Ordinance shall extend accordingly.

(2) Notwithstanding anything contained in paragraph (c) of subsection (2) of section 3 or in subsection (1) of section 4 of this Ordinance any judgment obtained in a superior court of a part of Her Majesty's dominions to which this Part of this Ordinance has been extended shall be a judgment to which this Part of this Ordinance applies notwithstanding that it was given before the coming into operation of this Order, but the time limited for the registration of a judgment so given shall be twelve months from the date of the judgment or such longer period as the Supreme Court may allow.

(3) References in this section to Her Majesty's dominions outside the United Kingdom shall be construed as including references to any territories which are under Her Majesty's protection and to any territories administered by the government of the United Kingdom or by the government of any part of Her Majesty's dominions under the trusteeship of the United Nations.

PART II.

MISCELLANEOUS AND GENERAL.

General effect of certain foreign judgments.

10. (1) Subject to the provisions of this section, a judgment to which Part I of this Ordinance applies or would have applied if a sum of money had been payable thereunder, whether it can be registered or not, and whether, if it can be registered, it is registered

or not, shall be recognised in any court in the Colony, as conclusive between the parties thereto in all proceedings founded on the same cause of action and may be relied on by way of defence or counter-claim in any such proceedings.

(2) This section shall not apply in the case of any judgment —

- (a) where the judgment has been registered and the registration thereof has been set aside on some ground other than —
 - (i) that a sum of money was not payable under the judgment; or
 - (ii) that the judgment had been wholly or partly satisfied; or
 - (iii) that at the date of the application the judgment could not be enforced by execution in the country of the original court; or
- (b) where the judgment has not been registered, it is shown (whether it could have been registered or not) that if it had been registered the registration thereof would have been set aside on an application for that purpose on some ground other than one of the grounds specified in paragraph (a) of this subsection.

(3) Nothing in this section shall be taken to prevent any court in the Colony recognising any judgment as conclusive of any matter of law or fact decided therein if that judgment would have been so recognised before the passing of this Ordinance.

11. (1) If it appears to the Governor that the treatment in respect of recognition and enforcement accorded by the courts of any foreign country to judgments given in the superior courts of the Colony is substantially less favourable than that accorded by the courts of the Colony to judgments of the superior courts of that country, the Governor may by Order in Council apply this section to that country.

Power to make foreign judgments unenforceable in Colony if no reciprocity.

(2) Except in so far as the Governor may by Order in Council under this section otherwise direct, no proceedings shall be entertained in any court in the Colony for the recovery of any sum alleged to be payable under a judgment given in a court of a country to which this section applies.

(3) The Governor may by a subsequent Order in Council vary or revoke any Order previously made under this section.

12. Where a judgment under which a sum of money is payable, not being a sum payable in respect of taxes or other charges of a like nature or in respect of a fine or other penalty, has been entered in the Supreme Court against any person and the judgment creditor is desirous of enforcing the judgment in a foreign country to which Part I of this Act applies, the court shall, on an application made by the judgment creditor and on payment of such fee as may be prescribed for the purposes of this section, issue to the judgment creditor a certified copy of the judgment, together with a certificate containing such particulars with respect to the action, including the causes of action, and the rate of interest, if any, payable on the sum payable under the judgment, as may be prescribed:

Issue of certificates of judgments obtained in the Colony.

Provided that, where execution of a judgment is stayed for any period pending an appeal or for any other reason, an application shall not be made under this section with respect to the judgment until the expiration of that period.

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 Executive Council.

Assented to in Her Majesty's name this 24th day of March, 1959.

E. P. ARROWSMITH,
Governor.

[L.S.]

No. 1



1959.

Falkland Islands Dependencies.

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

An Ordinance

Title.

To legalise certain payments made in the year 1957-58 in excess of the Expenditure sanctioned by Ordinance No. 3 of 1957.

Preamble.

WHEREAS it is expedient to make further provision for the service of the Dependencies for the year 1957-58.

Enacting clause.

ENACTED by the Governor of the Colony of the Falkland Islands, and Dependencies thereof, as follows :—

Short title.

1. This Ordinance may be cited for all purposes as the Supplementary Appropriation (Dependencies) (1957-58) Ordinance, 1959.

Appropriation of excess expenditure for the year 1957-58.

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 1957-58 the same are hereby declared to have been duly laid out and expended for the service of the Dependencies in that year, and are hereby approved, allowed and granted in addition to the sum mentioned for those services in the said Ordinance.

SCHEDULE.

Schedule.

Number.	Head of Service.	Amount.		
		£	s.	d.
1.	General	7,566	7	8½
3.	F.I.D.S. Headquarters (Administration)	4,469	9	3
5.	F.I.D.S. Bases	6,604	9	3
7.	R.R.S. "Shackleton"	9,728	10	6
8.	W/T Service	535	15	8
9.	Aerial Survey, Dependencies ...	18,773	0	8
	Total Expenditure ...	47,677	13	0½

Promulgated by the Governor on the 24th day of March, 1959.

A. G. DENTON-THOMPSON,
Colonial Secretary.

A Bill for An Ordinance

Title.

To amend the Old Age Pensions Ordinance, 1952.

Enacting clause.

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

Short title.

1. This Ordinance may be cited as the Old Age Pensions (Amendment) Ordinance, 1959, and shall be read and construed as one with the Old Age Pensions Ordinance, 1952, hereinafter referred to as "the principal Ordinance".

Amendment of section
10 of the principal
Ordinance.

2. Section 10 of the principal Ordinance is amended by the repeal of sub-section (3) thereof and the substitution therefor of the following sub-section —

“(3) The sum required to be paid under sub-section (1) or sub-section (2) as the case may be, of this section may be paid in such instalments as may be prescribed : Provided, however, that the payment of the said sum shall be completed within the period of eight years from the date of the coming into operation of this Ordinance : And Provided further that where a person who is qualifying for a pension under sub-section (1) or sub-section (2) hereof attains the age of 65 years before the payment of the said sum has been completed no sum shall be paid on account of a pension to or in respect of such person until the full amount payable by him has been paid, but the first payment on account of pension to or in respect of such person shall be made on the first Friday following the payment of the final instalment.”

OBJECTS AND REASONS.

To extend the period within which persons between the ages of 50 and 65 years at the commencement of the Old Age Pensions Ordinance in 1952 may qualify for a pension by the payment of a lump sum to satisfy the contribution conditions, thus enabling those persons to qualify for a pension who intend retiring outside the Colony and now wish to avail themselves of the Old Age Pensions scheme consequent on an amendment to the law allowing pensions to be paid to persons resident abroad.

Ref. 0323/A/IV.



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No. 5.

A Bill for An Ordinance

To provide for the increase of pensions payable in respect of public service in pensionable offices in the Colony. Title.

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

1. This Ordinance may be cited as the Pensions (Increase) Ordinance, 1959. Short title.

2. (1) In this Ordinance, unless the context otherwise requires — Interpretation.

“authorised increase” means an increase of pension authorised by this Ordinance;

“basic rate” in relation to any pension means the annual rate of that pension apart from any increase granted under this Ordinance;

“Scheduled Government” shall have the same meaning as in the Pensions Regulations, 1949.

“pension” means a pension payable under the Pensions Ordinances, 1906, 1927, 1937 and 1949 or any of them, but does not include any gratuity or any sum payable otherwise than by way of periodical payments and accordingly, the provisions of this Ordinance shall not apply to any pension which has been commuted, and where a part of a pension has been commuted these provisions shall not apply to that part;

"dependant" means, in relation to any pensioner, any person other than the pensioner who is wholly or mainly supported by the pensioner and whose total income from any other source does not exceed £52 a year for the purpose of section 3 or 4 of this Ordinance or £104 a year for the purpose of section 5 of this Ordinance being either –

- (a) a person who has not attained the age of 16 years, or who, if he has attained that age, is receiving full time instruction at any educational establishment or is undergoing training for any trade, profession or vocation; or
- (b) the father, mother, brother, sister, child, uncle or aunt of the pensioner, or of the deceased husband or wife of the pensioner; or
- (c) the child of any such person as is mentioned in the foregoing paragraph; or
- (d) the stepfather or stepmother of the pensioner.

(2) For the purposes of this Ordinance the income of a married pensioner shall be deemed to include the income of the husband or wife of the pensioner.

Increase of pensions as from the 1st January, 1944 to the 30th November, 1946.

3. (1) Subject to the provisions of this Ordinance any pension payable before the 1st January, 1944 may in respect of any period on or after the 1st January, 1944, and before the 1st December, 1946, be increased by an amount calculated in accordance with the provisions of the First Schedule.

(2) No increase shall be payable under this section unless the Governor is satisfied that the total income (disregarding the first £52 thereof accruing otherwise than in respect of a Colonial Service pension) does not exceed in the case of a pensioner who is married or has at least one dependant £300 a year and in the case of any other pensioner £225 a year.

Increase of pensions as from 1st December, 1946.

4. (1) Subject to the provisions of this Ordinance where an officer has retired –

- (a) from the service of the Falkland Islands before the 1st December, 1946 or
- (b) from the service of a Scheduled Government before the effective date of the first general revision of salaries by that Government after the 31st December, 1944,

his pension may in respect of any period beginning on or after the 1st day of December, 1946, be increased by an amount calculated in accordance with the provisions of the Second Schedule, and may in respect of any period beginning on or after the 1st day of January, 1957, be further increased in the case of a pensioner who is unmarried by the difference between the amount prescribed by the said Schedule in the case of a pensioner who is married and that prescribed in the case of one who is unmarried.

(2) No increase shall be payable under this section in respect of any period before the 1st day of January, 1957, unless the Governor is satisfied that the total income (disregarding the first £52 thereof accruing otherwise than in respect of a Colonial Service pension) does not exceed in the case of a pensioner who is married or has at least one dependant £450 a year and in the case of any other pensioner £350 a year, but on and after the 1st January, 1957, any restriction on the making of such an increase, or on the amount of the increase, by reference to the income or pension of the pensioner shall cease to have effect :

Increase of pensions as from 1st April, 1953.

5. (1) Subject to the provisions of this Ordinance where an officer has retired –

- (a) from the service of the Falkland Islands before the 1st April, 1953, or

- (b) from the service of a Scheduled Government before the effective date of the second general revision of salaries by that Government after the 31st December, 1944,

his pension may in respect of any period beginning on or after the 1st day of April, 1953, be increased to the extent prescribed by the Third Schedule, and may in respect of any period beginning on or after the 1st day of January, 1957, be further increased in the case of a pensioner who is unmarried by the difference between the amount so prescribed in the case of a pensioner who is married and that prescribed in the case of one who is unmarried.

(2) No increase shall be payable under this section in respect of any period before the 1st day of January, 1957, unless the Governor is satisfied that the total income (disregarding the first £104 thereof accruing otherwise than in respect of a Colonial or Service pension) does not exceed in the case of a pensioner who is married or has at least one dependant £550 a year and in the case of any other pensioner £125 a year, but on and after the 1st January, 1957, any restriction on the making of such an increase, or on the amount of the increase, by reference to the income of the pensioner shall cease to have effect.

6. Subject to the provisions of this Ordinance where an officer has retired –

Increase of pensions as from 1st January, 1957.

- (a) from the service of the Falkland Islands before the 1st January, 1957, or
- (b) from the service of a Scheduled Government before the effective date of the second general revision of salaries by that Government after the 31st December, 1944,

his pension may in respect of any period on or after the 1st January, 1957 be increased by ten per cent of the basic rate thereof or one hundred pounds a year whichever is the less.

7. No increase shall be payable under this Ordinance unless the pensioner –

Restriction on increase of pensions.

- (a) has attained the age of 55 years; or
- (b) has not attained the age of 16 years; or
- (c) has retired on account of physical or mental infirmity; or
- (d) is to the satisfaction of the Governor-in-Council incapacitated from engaging in full-time employment; or
- (e) is a woman with at least one dependant; or
- (f) is a woman whose pension is payable in respect of her deceased husband and has attained the age of 40 years.

8. Where a pensioner, in addition to a pension to which this Ordinance applies is in receipt of a pension from one or more Scheduled Governments, other than the Government of the United Kingdom, the Overseas Audit Department (Home Establishment) or the Crown Agents for Oversea Governments and Administrations, then for the purposes of this Ordinance all those pensions shall be aggregated and the amount which would have been the authorised increase of a single pension equal to that aggregate shall be apportioned between all the pensions in the proportions which they bear to one another, and the amount so apportioned to any pension to which this Ordinance applies shall be the authorised increase of that pension.

Increases of pensions where service was not wholly in the Colony.

9. The Governor in Council may, by notice in the Gazette vary from time to time the rates of increase under the provisions of this Ordinance.

Variations of rates of increases.

10. The provisions of this Ordinance shall have effect notwithstanding anything contained in subsections (1) and (2) of section 9 of the Pensions Ordinance (Chapter 49).

Limitation in Pensions Ordinance on maximum pension not to apply.

FIRST SCHEDULE

1. Where a pensioner is married, or is unmarried with at least one dependant then –
 - (a) if the pension does not exceed £100 a year, the authorised increase shall be 30 per cent of the total amount of the pension;
 - (b) if the pension exceeds £100 a year but does not exceed £200 a year the increase shall be 25 per cent of the amount of the pension; and
 - (c) if the pension exceeds £200 a year the authorised increase shall be 20 per cent of the amount of the pension.
2. Where the pensioner is unmarried, then –
 - (a) if the pension does not exceed £75 a year the authorised increase shall be 30 per cent of the amount of the pension;
 - (b) if the pension exceeds £75 a year but does not exceed £150 a year, the authorised increase shall be 25 per cent of the amount of the pension; and
 - (c) if the pension exceeds £150 a year, the authorised increase shall be 20 per cent of the amount of the pension.

SECOND SCHEDULE

1. Where a pensioner is married, or is unmarried with at least one dependant then –
 - (a) if the pension does not exceed £100 a year, the authorised increase shall be 40 per cent of the amount of the pension;
 - (b) if the pension exceeds £100 a year but does not exceed £133 : 6 : 8 a year, the authorised increase shall be the amount of £40 a year;
 - (c) if the pension exceeds £133 : 6 : 8 a year but does not exceed £200 a year, the authorised increase shall be 30 per cent of the amount of the pension;
 - (d) if the pension exceeds £200 a year but does not exceed £390 a year, the authorised increase shall be the amount of £60 a year; and
 - (e) if the pension exceeds £390 a year, the authorised increase shall be the amount which is necessary to increase the pension to £450 a year.
2. Where a pensioner is unmarried –
 - (a) if the pension does not exceed £75 a year, the authorised increase shall be 40 per cent of the amount of the pension;
 - (b) if the pension exceeds £75 a year but does not exceed £100 a year, the authorised increase shall be the amount of £30 a year;
 - (c) if the pension exceeds £100 a year but does not exceed £150 a year, the authorised increase shall be 30 per cent of the amount of the pension;
 - (d) if the pension exceeds £150 a year but does not exceed £305 a year, the authorised increase shall be the amount of £45 a year;
 - (e) if the pension exceeds £305 a year, the authorised increase shall be the amount which is necessary to increase the pension to £350.

THIRD SCHEDULE

The authorised increase shall be –

- (a) where a pensioner is married, or is unmarried with at least one dependant, £26 a year;
- (b) where a pensioner is unmarried, £20 a year;

Provided that the authorised increase shall not in any case exceed one third of the annual rate of pension together with any authorised increase payable under section 4 of this Ordinance.

A Bill for An Ordinance

To provide for the service of the year Title.
1959-60.

BE IT ENACTED by the Legislature of the Colony of the Enacting clause.
Falkland Islands as follows :—

1. This Ordinance may be cited for all purposes as the Short title.
Appropriation (1959-60) Ordinance, 1959.

2. The Governor may cause to be issued out of the Public Appropriation of
Revenue and other funds of the Colony and applied to the service £309,939 for service
of the period 1st July, 1959 to 30th June, 1960, a sum not exceeding of the year 1959/60.
Three hundred and nine thousand nine hundred and thirty-nine
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 1959-60.

SCHEDULE.

Schedule.

Number.	Head of Service.	Amount.		
		£	s.	d.
I.	The Governor	7085	0	0
II.	Agriculture	2701	0	0
III.	Audit	793	0	0
IV.	Aviation	13161	0	0
V.	Customs & Harbour	9125	0	0
VI.	Education	34636	0	0
VII.	Medical	29786	0	0
VIII.	Meteorological	765	0	0
IX.	Military	1080	0	0
X.	Miscellaneous	36399	0	0
XI.	Pensions & Gratuities	10689	0	0
XII.	Police and Prisons	3808	0	0
XIII.	Posts & Telegraphs	41770	0	0
XIV.	Power & Electrical	14426	0	0
XV.	Public Works	9452	0	0
XVI.	Public Works Recurrent	21282	0	0
XVII.	Secretariat & Treasury	17379	0	0
XVIII.	Supreme Court	1362	0	0
	Total Ordinary Expenditure ...	255699	0	0
XIX.	Special Expenditure	54240	0	0
XX.	Colonial Development & Welfare ...			
	Total Expenditure £	309939	0	0

A Bill for An Ordinance

Title. To apply certain Acts of Parliament in
the Colony.

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

Short title. 1. This Ordinance may be cited as the Application of
Enactments Ordinance, 1959.

Application of certain
Acts of Parliament. 2. The enactments specified in the Schedule are applied in
the Colony to the extent and with the modifications set out in the
Schedule and with the further modifications that in any of the said
enactments the expression "the commencement of this Act" or any
similar expression shall be construed as "the commencement of this
Ordinance"; the expression "the Crown" shall be construed as "the
Government".

SCHEDULE

<i>Enactment</i>	<i>Extent of Application</i>
1. Law Reform (Enforcement of Contracts) Act, 1954. 2 & 3 Eliz. 2, Ch. 34	The whole Act except section 3 (2)
2. Law Reform (Limitation of Actions, etc.) Act, 1954. 2 & 3 Eliz. 2, Ch. 36	The whole Act except sections 5 (4) and 6.

OBJECTS AND REASONS

The object of this Bill is to apply the Law Reform (Enforcement of Contracts) Act, 1954, with the exception of one section, and the Law Reform (Limitation of Actions) Act, 1954, with the exception of two sections, to the Colony. The effect of the application to the Colony of the Law Reform (Enforcement of Contracts) Act, 1954, will be to permit certain contracts to be proved in Court by oral evidence. The effect of the Application of the Law Reform (Limitation of Actions) Act will be to provide that the law of the Colony relating to the periods within which certain actions for damage or injury may be brought shall be the same as that applying in England.



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LEAVE.				
	Department	Office	Period	Remarks
Barnes, N. A.	Civil Engineering	Civil Engineer	1.12.58 – 12.4.59	On completion of contract.
Collings, O. J.	Public Works	Carpenter	16.9.58 – 26.4.59	On completion of contract.
Tuckett, F. R.	South Georgia	Junior Whale Fishery Inspector	6.1.59 – 6.4.59	—

RETIREMENT.				
	Department	Office	Date	Remarks
O'Sullivan, D. W.	Agricultural	Clerk	18.4.59	On pension.

NOTICES.
The following Notices are published by command of His Excellency the Governor.

A. G. DENTON-THOMPSON,
Colonial Secretary.

No. 11. 2nd April, 1959.

With reference to Gazette Notice No. 49 of the 28th October, 1958, the findings of the Cost of Living Committee for the quarter ended 31st December, 1958, are hereby published for general information.

Quarter ended	Percentage increase over 1948 prices
31st December, 1958.	51.81

Ref. 0704/V.

No. 12. 10th April, 1959.

THE MARRIAGE ORDINANCE.
His Excellency the Governor has been pleased to appoint
ROBERT JOHN WALMSLEY, ESQUIRE,
to be a Registrar within the meaning of Section 4 of the Marriage Ordinance for the purpose of celebrating the marriage of Bernard Keith Betts, bachelor, and Irene Marion Paice, spinster, at Pebble Island, West Falkland.

Ref. 1169.

No. 13. 13th April, 1959.

THE MARRIAGE ORDINANCE.

His Excellency the Governor has been pleased to appoint

CHARLES HONEYMAN ROBERTSON, ESQUIRE, to be a Registrar within the meaning of Section 4 of the Marriage Ordinance for the purpose of celebrating the marriages of Frank William Roy Martin, bachelor, and Winifred Dorothy Felton, divorcee, and Terence Leonard Street, bachelor, and Linda Berntsen, divorcee, at Port Stephens, West Falkland.

Ref. 1169.

No. 14. 13th April, 1959.

With reference to the Instrument under the Public Seal of the Colony, dated 1st April, 1959, it is hereby notified that His Excellency the Governor returned to Stanley on Saturday, 11th April, 1959.

Ref. P/756, & 0276/II.

No. 15. 24th April, 1959.

Under Section 54 of the Public Health Ordinance, His Excellency the Governor has been pleased to appoint the following to be the Visiting Committee for the Hospital for the year 1959:—

Mrs. A. G. Barton (*Chairwoman*)
Mrs. C. Luxton, J.P.
Mrs. H. C. Harding.

Ref. 596/29.

No. 16. 1st May, 1959.

The following telegrams exchanged between His Excellency the Governor and the Right Honourable the Secretary of State for the Colonies are published for general information:—

From His Excellency the Governor to the Right Honourable the Secretary of State for the Colonies.

"I should be grateful if you would convey to Her Majesty with my humble duty the loyal and affectionate greetings of Her Majesty's subjects in the Falkland Islands, the Dependencies and the Antarctic Bases on the occasion of her birthday."

From the Right Honourable the Secretary of State for the Colonies to His Excellency the Governor.

"I am commanded by the Queen to convey to you and the people of the Falkland Islands, the Dependencies and the Antarctic Bases her warm appreciation of your kind message of loyal greetings on the occasion of Her Majesty's Birthday."

Ref. 0191/B.

PROBATE.

In the Supreme Court of the Falkland Islands.
(Probate Division)

*In the Matter of the Estate of Donald Aleck
McRae, deceased, of Goose Green,
Falkland Islands.*

Whereas Mary Helen Elizabeth Ingram, daughter 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 of publication hereof.

REX BROWNING,
Acting Registrar.

Stanley, Falkland Islands.

9th April, 1959.

S.C. 13/59.

In the Supreme Court of the Falkland Islands.
(Probate Division)

*In the Matter of the Estate of Richard McKay,
Snr., deceased, of Hill Cove, Falkland Islands.*

Whereas Dorothy Stella Biggs, Attorney for the eldest brother 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 of publication hereof.

REX BROWNING,
Acting Registrar.

Stanley, Falkland Islands.

30th April, 1959.

S.C. 10/59.

No. 2.

Proclamation

1959.

Made under section 24 of the Falkland Islands (Legislative Council)
Order in Council, 1948 to 1955.

IN THE NAME of Her Majesty ELIZABETH II., by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith.

E. P. ARROWSMITH — *By His Excellency EDWIN PORTER ARROWSMITH, ESQUIRE, Companion 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.*

[L.S.]

WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall

be held at such times and places as the Governor shall from time to time appoint by Proclamation :

NOW THEREFORE, I, EDWIN PORTER ARROWSMITH, Companion 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, in exercise of the powers vested in me as aforesaid, do by this Proclamation appoint Monday the 4th day of May, 1959, at ten o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

GOD SAVE THE QUEEN.

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 1st day of May, in the Year of Our Lord One thousand Nine hundred and Fifty-nine.

By His Excellency's Command,

A. G. DENTON-THOMPSON,

Colonial Secretary.

Vital Statistics for the year ended 31st December, 1958

COLONY

Births

				Male	Female	Total
Stanley	....	....	....	15	31	46
East Falkland	....	....	....	—	—	—
West Falkland	....	....	....	—	—	—
Total	....			15	31	46

BIRTHS 1957 41

Deaths

				Male	Female	Total
Stanley	....	....	....	12	6	18
East Falkland	....	....	....	2	1	3
West Falkland	....	....	....	—	—	—
Total	....			14	7	21

Maternal Mortality —

Infantile „ 2

Still Births —

DEATHS 1957 22

Marriages

			Anglican	Roman Catholic	Non-conformist	Registrar	Total
Stanley	....	....	5	2	3	4	14
East Falkland	....	....	—	—	—	2	2
West Falkland	....	....	—	—	—	1	1
Total			5	2	3	7	17

MARRIAGES 1957 22

Arrivals

1958	males 178	females 96	Total 274
1957	„ 141	„ 82	„ 223

Departures

1958	males 195	females 119	Total 314
1957	„ 172	„ 111	„ 283

Population

Estimated population of the Falkland Islands 1st January, 1958 — 2253.

Estimated population 31st December 1958 — 2238, decrease 15, as shown below —

	Males	Females	Total
Estimated population 31st December, 1957	1256	997	2253
Add births 1958	15	31	46
	1271	1028	2299
Add arrivals 1958	178	96	274
	1449	1124	2573
Deduct deaths 1958	14	7	21
	1435	1117	2552
Deduct departures 1958	195	119	314
Total	1240	998	2238
Birth rate per 1,000	....	....	20.42
Illegitimate births, actual	....	....	4
Death rate per 1,000	....	....	9.32
Population per sq. mile	....	....	0.48

DEPENDENCIES

Marriages — Nil.

Births — Nil.

Deaths — 2 males.

	Males	Females	Total
Estimated resident population at South Georgia	1258	7	1265
„ „ „ „ other Dependencies	79	—	79
Total	1337	7	1344

REX BROWNING,
Acting Registrar General.

Stanley, Falkland Islands,
10th February, 1959.



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14 MAY, 1959.

No. 7.

No. 19.

Colonial Secretary's Office,
Stanley, Falkland Islands.
14th May, 1959.

Departure from the Colony of His Excellency the Governor on leave of absence.

It is hereby notified, for general information, that

HIS EXCELLENCY E. P. ARROWSMITH, ESQUIRE, C.M.G.,

Governor and Commander-in-Chief, left the Colony this day for the United Kingdom on leave of absence.

By Command,

J. BOUND,

Acting Colonial Secretary.

No. 3

Proclamation

1959

IN THE NAME of Her Majesty ELIZABETH II., by the Grace of God of the United Kingdom of Great Britain, and Northern Ireland and of Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith.

A. G. DENTON-THOMPSON — *By His Honour AUBREY GORDON DENTON-THOMPSON, ESQUIRE, Officer of the Most Excellent Order of the British Empire, upon whom has been conferred the Military Cross, Officer Administering the Government of the Colony of the Falkland Islands and its Dependencies.*

[L.S.]

WHEREAS by the seventh clause of the Letters Patent passed under the Great Seal of the United Kingdom, dated the 13th December, 1948, constituting the office of Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, it is provided that "whenever the Office of Governor is vacant, or the Governor is absent from the Colony or is from any cause prevented from, or incapable of, acting in the duties of his Office, then such other person as We may appoint under Our Sign Manual and Signet, or if there is no such person in the Colony so appointed and capable of discharging the duties of the administration, the Senior Member of the Executive Council then in the Colony and so capable, shall, during Our pleasure, administer the Government of the Colony".

AND WHEREAS HIS EXCELLENCY EDWIN PORTER ARROWSMITH, ESQUIRE, Companion of the Most Distinguished Order of Saint Michael and Saint George, has this day left the Colony on leave of absence.

AND WHEREAS no person has been appointed under the Royal Sign Manual and Signet to administer the Government of this Colony in the absence of the Governor;

NOW, THEREFORE, I, AUBREY GORDON DENTON-THOMPSON, Colonial Secretary of the Falkland Islands, the Senior Member of the Executive Council aforesaid, do hereby proclaim and make known that, in pursuance of the said clause of the said Royal Letters Patent and having taken the oaths prescribed by law, I have this day assumed the Administration of the Government of this Colony and its Dependencies.

GOD SAVE THE QUEEN.

Given at Government House, Stanley, this 14th day of May, in the Year of Our Lord One thousand Nine hundred and Fifty-nine.

By Command of the
Officer Administering the Government,
J. BOUND,
Acting Colonial Secretary.

Ref. P/659.



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1 JUNE, 1959.

No. 8.

APPOINTMENTS.

<i>Name</i>	<i>Department</i>	<i>Office</i>	<i>Date</i>	<i>Remarks</i>
Gleadell, L. C.	Treasury	Acting Colonial Treasurer & Commissioner of Income Tax	23.3.59	—
Poltock, J. W.	Education	Assistant Master	28.4.59	—
Poltock, Mrs. J. W.	Education	Assistant Mistress	28.4.59	—
Mowat, G. L.	South Georgia	Steward	3.5.59	—
Mowat, Mrs. G. L.	South Georgia	Cook/Steward	3.5.59	—

CONFIRMATION OF APPOINTMENT.

	<i>Department</i>	<i>Office</i>	<i>Date</i>	<i>Remarks</i>
Aldridge, Miss G.	Education	Clerk	7.5.57	—

RETIREMENT.

	<i>Department</i>	<i>Office</i>	<i>Date</i>	<i>Remarks</i>
Enestrom, E. W.	Posts & Telegraphs	Postmaster	15.5.59	On pension.

LEAVE.

	<i>Department</i>	<i>Office</i>	<i>Period</i>	<i>Date</i>	<i>Remarks</i>
Neshitt, I. H.	South Georgia	Senior Customs Officer	109 days	30.3.59	Exclusive of period of voyage.
Borland, D.	South Georgia	Met. Forecaster	93 days	1.4.59	Exclusive of period of voyages.
Draycott, D. J.	Education	Assistant Master	135 days	7.5.59	—
Grierson, W. J.	Customs & Harbour	Collector of Customs & Harbour Master	135 days	7.5.59	—
Ward, A. H.	Education	Assistant Master	144 days	7.5.59	—
Ward, Mrs. A. H.	Education	Assistant Mistress	144 days	7.5.59	—
Smith, M.	Aviation	Senior Engineer	122 days	7.5.59	—
Jacoby, H.	Medical	Dental Surgeon	148 days	28.5.59	—
	<i>Department</i>	<i>Office</i>	<i>Period</i>		<i>Remarks</i>
Hughes, H. M.	South Georgia	Senior Whale Fishery Inspector	27.4.59 – 16.5.59		On completion of Contract.
Marshall, J. W.	South Georgia	Junior Whale Fishery Inspector	27.4.59 – 16.5.59		On completion of Contract.

NOTICES.

The following Notices etc., are published by command of His Honour the Officer Administering the Government.

J. BOUND,
Acting Colonial Secretary.

No. 17. 5th May, 1959.

With reference to Gazette Notice No. 11 of the 2nd April, 1959, the findings of the Cost of Living Committee for the quarter ended 31st March, 1959, are hereby published for general information.

Quarter ended	Percentage increase over 1948 prices	
31st March, 1959.	56.18	Ref. 0704/V.

No. 18. 12th May, 1959.

With reference to Gazette Notice No. 8 of 13th February, 1959, the following name is hereby added to the List of Medical Practitioners, Midwives and Dentists registered to practise in the Colony and Dependencies in accordance with Section 3 of the Medical Practitioners, Midwives and Dentists Ordinance.

A. Registered to practise in the Colony.

Name	Qualifications	Date of Qualification
Cunningham, Colin Swanson	M.B., Ch.B. (Glasgow)	1957
		Ref. 1326.

PROBATE.

In the Supreme Court of the Falkland Islands.
(Probate Division)

*In the Matter of the Estate of Ernest Vine
Dixon, deceased, of Stanley,
Falkland Islands.*

Whereas Mary Dixon, widow of the above named deceased, has applied for Letters of Administration with the Will (dated 21st February, 1956) annexed 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 of publication hereof.

REX BROWNING,
Acting Registrar.

Stanley, Falkland Islands.

12th May, 1959.

S.C. 15/59.

Customs Ordinance (Cap. 16)

RESOLUTION

(under Section 5 of the Ordinance)

A. G. DENTON-THOMPSON,

No. 1 of 1959.

Officer Administering the Government.

WHEREBY it is provided in Section 5 of the Customs Ordinance, 1943, that it shall be lawful for the Legislative Council from time to time by Resolution to impose import or export duties of customs upon any goods whatsoever which may be imported into or exported from the Colony, and to revoke, reduce, increase or alter any such duties and to provide for the importation or exportation of any goods without payment of customs duties thereon.

AND WHEREAS it is deemed expedient to alter paragraph 2 (2) (d) of the Customs Order (No. 3) 1948.

NOW, THEREFORE, this Council resolves that for the said paragraph 2 (2) (d) of the Customs Order (No. 3) 1948, there shall be substituted the following :—

“2 (2) (d) On beer (including ale, stout and porter) and other fermented beverages — per gallon — 1/2d.”.

Made at a meeting of Legislative Council held on the 4th day of May, 1959.

J. BOUND,

Clerk of the Legislative Council.

Ref. 0466/II.

Pensions Ordinance (Cap. 49)

RESOLUTION

(under Section 16 of the Ordinance)

A. G. DENTON-THOMPSON,

No. 2 of 1959.

Officer Administering the Government.

WHEREBY it is provided in Section 16 (1) of the Pensions Ordinance that it shall be lawful for the Governor in Council to grant to the legal representative of an officer who dies in the service a commuted pension award.

AND WHEREAS it is deemed expedient in certain circumstances to make additional provision in the case of an officer who dies in the service and who at the time of his death has a large amount of accumulated leave to his credit.

NOW, THEREFORE, this Council resolves that in any case in which the amount that would have been earned during the course of accumulated leave had the officer lived to take such leave exceeds the amount due under a commuted pension award, the Governor in Council shall be empowered to grant, in addition to the commuted pension award, an ex gratia payment equal to the difference between the gratuity payable on death and the amount equivalent to that which would have been earned during the time the officer was taking his accumulated leave had he lived to take it.

Made at a meeting of Legislative Council held on the 4th day of May, 1959.

J. BOUND,

Clerk of the Legislative Council.

Ref. 1947.

Report on the working of the Government Savings Bank for the year 1957/58.

The Honourable,
The Colonial Secretary.

Colonial Treasury,
Stanley, Falkland Islands.
30th August, 1958.

Sir,

I have the honour to submit the following report on the working of the Government Savings Bank for the period 1st July, 1957, to 30th June, 1958, together with the accounts and statements listed below.

1. Revenue and Expenditure Account.
2. Deposits and Withdrawals Account.
3. Investments Adjustment Account.
4. Reserve Account.
5. Statement of Assets and Liabilities.
6. Summary of Transactions.
7. Statement of Investments.

2. At 30th June, 1958, the number of depositors was 1,960 and the total amount due to depositors was £1,057,784 : 9 : 3., compared with £1,032,436 : 18 : 10 at 30th June, 1957.

3. The income of the bank exceeded expenses by £12,977 : 3 : 7 and there was a profit of £1,077 : 19 : 5 from the sale of investments.

4. The mid-market value of investments improved slightly on the previous year and the statement attached hereto records a net appreciation of £13,848 : 11 : 9.

5. The deficit on the Reserve Account was reduced from £85,998 : 1 : 0 to £58,094 : 6 : 3 as the result of the surplus income and the improved market value of investments.

6. Heavy demands on the Bank during the months of January to May 1958 resulted in the Fund being overinvested at the close of the year by £37,954 : 18 : 1. The Crown Agents have been asked not to re-invest any holdings that mature during the early months of the current year.

I have the honour to be,

Sir,

Your obedient servant,

L. GLEADELL,

Acting Colonial Treasurer.

Savings Bank Fund.

ACCOUNTS FOR THE PERIOD 1st JULY, 1957 TO 30TH JUNE, 1958.

REVENUE AND EXPENDITURE ACCOUNT.

	£	s.	d.		£	s.	d.
To Interest paid and interest capitalised and credited to depositors	24,805	4	8	By Interest on Investments	38,782	8	3
„ Administration charge	1,000	0	0				
„ Balance to Reserve Account	12,977	3	7				
	<u>£38,782</u>	<u>8</u>	<u>3</u>		<u>£38,782</u>	<u>8</u>	<u>3</u>

DEPOSITS AND WITHDRAWALS ACCOUNT.

To Amount due to depositors on 30th June, 1957	1,032,436	18	10	By Withdrawals	322,107	16	4
„ Deposits during 1957/58	322,650	2	1	„ Balance, being the amount due to depositors	1,057,784	9	3
„ Interest credited to depositors 1957/58	24,805	4	8				
	<u>£1,379,892</u>	<u>5</u>	<u>7</u>		<u>£1,379,892</u>	<u>5</u>	<u>7</u>

INVESTMENTS ADJUSTMENT ACCOUNT.

To Balance to Reserve A/c	14,926	11	2	By Appreciation of Investments	13,848	11	9
				Profit on sale of Investments	1,077	19	5
	<u>£14,926</u>	<u>11</u>	<u>2</u>		<u>£14,926</u>	<u>11</u>	<u>2</u>

RESERVE ACCOUNT.

To Balance at 1st July, 1957 (deficit)	85,998	1	0	By Revenue & Expenditure Account	12,977	3	7
				„ Investments Adjustment Account	14,926	11	2
				„ Balance carried forward – deficit	58,094	6	3
	<u>£85,998</u>	<u>1</u>	<u>0</u>		<u>£85,998</u>	<u>1</u>	<u>0</u>

BALANCE SHEET AS AT 30TH JUNE, 1958.

LIABILITIES		ASSETS	
Due to Depositors	1,057,784 : 9 : 3	Investments at Mid-Market Value	1,037,645 : 1 : 1
Amount due to Colonial Treasurer	37,954 : 18 : 1	Reserve Account, deficit	58,094 : 6 : 3
	<u>£1,095,739 : 7 : 4</u>		<u>£1,095,739 : 7 : 4</u>

L. GLEADELL,
Acting Colonial Treasurer,
30th August, 1958.

Savings Bank Fund.

MONTHLY SUMMARY OF TRANSACTIONS FOR THE YEAR ENDED 30TH JUNE, 1958.

Date.	Deposits.			Withdrawals.			Difference.			Interest.			TOTAL.			No. of Deposits.	No. of Withdrawals.
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.		
Balance ...													1,032,436	18	10		
July 1957	21,539	19	2	15,955	17	9	+	5,584	1	5	.....		1,038,021	0	3	326	132
August ...	30,198	1	4	27,001	9	6	+	3,196	11	10	.....		1,041,217	12	1	311	191
September ...	44,588	12	7	22,223	10	7	+	22,365	2	0	.....		1,063,582	14	1	407	170
October ...	14,900	7	1	23,002	2	10	—	8,101	15	9	10 9 10		1,055,491	8	2	263	166
November ...	23,567	10	10	21,300	2	0	+	2,267	8	10	59 9 10		1,057,818	6	10	299	156
December ...	29,728	9	9	19,453	0	11	+	10,275	8	10	25 2 1		1,068,118	17	9	442	192
January 1958	17,502	19	10	28,057	9	10	—	10,554	10	0	37 3 9		1,057,601	11	6	245	211
February ...	25,024	16	6	37,789	1	4	—	12,764	4	10	53 9 4		1,044,890	16	0	240	166
March ...	27,511	16	8	29,872	19	8	—	2,361	3	0	48 5 2		1,042,577	18	2	445	229
April ...	24,728	4	5	54,908	10	6	—	30,180	6	1	309 19 7		1,012,707	11	8	305	257
May ...	25,331	17	6	29,971	8	9	—	4,639	11	3	103 13 9		1,008,171	14	2	324	148
June ...	38,027	6	5	12,572	2	8	+	25,455	3	9	24,157 11 4		1,057,784	9	3	602	121
	£322,650	2	1	322,107	16	4	+	542	5	9	24,805 4 8					4,209	2,139

Investments, Savings Bank Fund.

Name of Stock.			%	Face Value of Stocks.			Book Value prior to revaluation.			Market Value of Investments at 30th June, 1958.			
				£	s.	d.	£	s.	d.	Price.	£	s.	d.
South Africa	1953/73	...	3½	8315	14	6	6527	16	10	75	6236	15	11
Ceylon	1954/59	...	3½	3379	18	0	3227	16	1	98	3312	6	1
Brit. Transport	1972/77	...	4	27973	2	7	22798	2	0	82½	23077	16	7
Kenya	1971/78	...	4½	10000	0	0	8550	0	0	78½	7850	0	0
Nigeria	1963	...	4	14787	2	8	13234	9	8	88	13012	13	6
Australia	1954/59	...	3½	6168	7	2	5937	9	10	99	6106	13	5
British Electricity	1967/69	...	4½	30494	2	11	27902	2	10	95	28969	8	9
Ceylon	1960/70	...	5	2000	0	0	1830	0	0	85½	1710	0	0
Consols	1957 o/a	...	4	32284	0	11	24051	12	3	73½	23728	15	6
Ceylon	1965	...	4½	5064	6	11	4532	11	10	84½	4279	7	5
Kenya	1961/71	...	4½	11690	14	6	9995	11	10	82½	9644	17	0
Gold Coast	1960/70	...	4½	1896	4	11	1678	3	7	80½	1526	9	6
War Loan	1955/59	...	3	24843	15	11	24025	15	4	99	24595	7	2
Exchequer Stock	1960	...	2	7330	7	10	6865	3	9	97	7084	5	10
Kenya	1957/67	...	3½	5000	0	0	4075	0	0	79	3950	0	0
Ceylon	1959/64	...	3	3881	11	8	3085	17	2	79½	3085	17	2
Australia	1958/60	...	3	14000	0	0	12810	0	0	96	13440	0	0
New Zealand	1955/60	...	3½	3937	17	6	3662	4	6	98	3859	2	4
Australia	1961/66	...	3½	6850	12	2	5651	15	0	85½	5857	5	5
Savings Bonds	1960/70	...	3	127427	5	6	97481	17	4	79	100667	10	11
Palestine	1962/67	...	3	12506	11	9	9942	14	9	82½	10317	18	8
Middlesborough	1953/73	...	3½	2026	4	11	1529	16	4	78½	1590	12	0
New Zealand	1960/64	...	3½	25459	12	7	22277	3	6	90½	23040	19	3
S. Rhodesia	1955/65	...	3½	1200	0	0	990	0	0	82½	990	0	0
Walsall	1954/64	...	3½	2060	0	0	1761	6	0	89	1833	8	0
Savings Bonds	1965/75	...	3	60005	18	1	42904	4	5	73½	44104	6	10
Wolverhampton	1959/64	...	3½	2035	10	8	1699	13	5	89	1811	12	6
Swansea	1963/66	...	3	12713	18	9	10234	14	5	85	10806	16	11
British Guiana	1975/80	...	3	14000	0	0	9450	0	0	60½	8470	0	0
New Zealand	1973/77	...	3	4852	1	6	3323	13	5	69	3347	18	8
Australia	1975/77	...	3	5175	5	10	3493	6	5	69	3570	19	0
Fed. of Malaya	1974/76	...	3	4051	12	10	2694	6	10	61½	2491	15	2
Nigeria	1975/77	...	3	6000	0	0	4050	0	0	63½	3810	0	0
Northern Rhodesia	1963/65	...	3	27915	19	4	22193	3	10	80½	22472	7	6
Jamaica	1968/73	...	3½	11548	14	2	8834	15	3	73½	8488	6	0
E.A.H.C.	1966/68	...	3½	11075	8	10	8915	14	8	77	8528	1	9
Uganda	1966/69	...	3½	1433	6	8	1078	10	0	74½	1067	16	8
E.A.H.C.	1968/70	...	3½	10000	0	0	7950	0	0	74	7400	0	0
Sierra Leone	1968/70	...	3½	30150	15	1	23668	6	10	73½	22160	16	1
Ceylon	1959	...	3½	9178	5	2	8398	2	1	95	8719	6	11
Kenya	1973/78	...	3½	21000	0	0	15015	0	0	66½	13965	0	0
Funding Loan	1956/61	...	2½	43692	18	11	40634	8	9	96	41945	4	7
British Guiana	1966/68	...	3½	20618	11	2	16804	2	6	78½	16185	11	4
Trinidad	1967/71	...	3	31137	14	6	22574	17	0	70½	21952	1	11
Conversion Stock	1969	...	3½	15967	11	9	13332	18	9	86	13732	2	6
Funding Stock	1966/68	...	3	125429	11	7	99716	10	4	82	102852	5	1
Brit. Electricity	1968/73	...	3	14004	9	0	10221	8	11	75½	10573	7	2
Brit. Electricity	1976/79	...	3½	49437	10	10	35830	19	4	76½	37819	14	4
British Gas	1969/72	...	4	93743	9	7	80150	13	6	87½	82025	10	11
Savings Bonds	1955/65	...	3	59158	14	3	51172	5	9	89½	52947	1	0
Cyprus	1969/71	...	3½	2788	18	3	2189	5	11	70	1952	4	9
Sierra Leone	1958/63	...	3½	2240	1	11	1937	13	8	85½	1915	5	8
Australia	1963/65	...	3	1789	13	2	1440	13	6	85½	1530	3	1
Conversion	1963	...	4¾	34627	19	11	34623	1	9	100½	34801	2	8
Conversion	1962	...	4½	85084	10	6	83971	14	6	99½	84659	2	0
Conversion	1958/59	...	2	13480	19	4	13061	8	4	99	13346	3	1
Exchequer	1960	...	3	16573	6	7	15705	12	10	98½	16324	14	7
Joint Consolidated Fund		...		2100	12	0	2100	12	0		2110	12	0
Appreciation			...	1233564	5	1	1023796	9	4		1037645	1	1
						13848	11	9					
			1233564	5	1	1037645	1	1		1037645	1	1	

LEGISLATIVE COUNCIL.

Minutes of the Meeting held on 4th, 5th, 6th and 7th May, 1959.

Present : His Excellency the Governor.
 The Honourable the Colonial Secretary.
 The Honourable the Senior Medical Officer.
 The Honourable A. L. Hardy, B.E.M., J.P.
 The Honourable M. G. Creece, J.P.
 The Honourable A. Mercer, O.B.E.
 The Honourable H. C. Harding, O.B.E., J.P.
 The Honourable T. A. Gilruth, J.P.
 The Honourable S. Miller, J.P.
 The Honourable L. C. Gleadell.
 The Honourable J. T. Clement. (5th and 6th May only)

The Meeting opened with prayers read by the Reverend J. O. Vere-Stead.

2. The Minutes of the Meeting of the Legislative Council held on the 25th March, 1959, were confirmed.

3. His Excellency then addressed Council as follows :—

Honourable Members of the Legislative Council.

It is customary at the budget meeting of the Legislature for the Governor to review briefly the events and progress of the past year, to consider the economic and financial state of the Colony, and to refer in general terms to the ideas and projects that Government has in mind for the future, and intends to put forward for your consideration.

In reviewing the events of the past there are, as always, setbacks and disappointments to take into account. On the whole, however, I think that I can say that the past year has been one of satisfactory if modest progress in the sphere of Public Administration, and in the all-important field of farming it has, in my opinion, been one in which we have seen some quite notable achievements. It is to the latter field that I would like to refer to first of all.

As Honourable Members are aware there has been an increasing amount of discussion over the past few years on the steps that should be taken to improve our pastures, probably the most important problem that we in these Islands are faced with to-day, particularly when increased carrying capacity is assuming far greater importance than ever before. There are not unnaturally strongly differing opinions on what should be done, how it should be done, and who should do it. All this discussion is good and stimulates interest. But time is passing, and even when we talk in terms of decades we owe it to those who follow that we do not delay too long. For that reason alone, we must, I think, pay tribute to the very impressive work in the way of pasture experimentation and improvement that is being done by the Falkland Islands Company at Darwin, under the direction of Mr. Gilruth, and by Bertrand and Felton at Roy Cove under the management of Mr. Miller.

I have recently been fortunate enough to see for myself the work being done at Roy Cove, where several hundreds of acres have been ploughed and regrassed with Yorkshire Fog. I understand that in the not too distant future there may be seed to spare from Roy Cove at an economic price, and, if that is achieved, it will certainly mark a notable step forward. I have been impressed, too, at the progress made at Darwin where by mechanised seeding some 5,700 acres have been planted mostly with Yorkshire Fog. I, personally, do not think that it is possible to over-emphasise the importance of this work, and I sincerely trust that the economy of the industry will permit its continuation, and its expansion, until it becomes the rule rather than the exception throughout the Falklands.

Insofar as the Departments of Government are concerned, I do not propose to delve into too much detail, but there are a number of matters and problems to which I should like to refer. Firstly, there are two medical projects that Government has had in mind, and for which this Council has provided the necessary funds. We have, I am glad to say, secured the services of an Ophthalmic Surgeon to carry out the much needed ophthalmic survey of the Colony. I think all Members are agreed on the value and importance of this scheme. Secondly, there is the project for making poliomyelitis vaccine available to all children, as a first step, in the Colony. Arrangements are in hand to import the vaccine, and the Senior Medical Officer is now considering the steps that should be taken to implement the scheme. I would emphasise that it is the intention that the vaccine should be free. The Senior Medical Officer will discuss and explain the scheme over the wireless, and it will then be up to the parents to make up their own minds as to whether or not they will have their children inoculated. It is, however, my earnest hope that the great majority of parents will follow the example of so many parents in the United Kingdom and have their children done.

Before turning to other matters, I should like to wish Dr. Marshall a speedy recovery from his ill-health; and to wish Dr. Jacoby who is leaving shortly all good fortune in the future, and to thank him for the very good work that he has done for us while he has been our Dental Surgeon here in Stanley. The question of a replacement for Dr. Jacoby is giving rise to some anxiety, for the dentist we had secured to take his place unfortunately had to withdraw for domestic reasons. We are now considering one or two possibilities, but I am afraid that I cannot say definitely that we have found someone, and that we will not be left without a dentist in the Falklands, at any rate for a short time. Finally, let me say a word of appreciation to our new Matron, Miss Brown, and to the nursing staff who always work so well and so willingly.

There is one particularly unsatisfactory feature of our life that has come to the fore comparatively recently, and I refer to the continued violation of our mails. It is a sad reflection on affairs when one realises that hardly a mail arrives in the Falklands these days without at some stage or the other having first been broached and several mail bags rifled. The matter has been taken up with the Secretary of State, and I know that it has also been brought to the personal attention and notice of the Postmaster General. It does at least seem clear that it is the systematic work of an organised gang with time at their disposal.

Mails have been sorted by the Post Office staff immediately on arrival, and when ever flying conditions have allowed a mail drop has been carried out the day after the mail gets in. I know how much mail from overseas means to people, particularly those with children away at school, and the Post Office and Air Service do all they can to enable residents in the Camp to reply to letters by the next outgoing mail.

I very much hope that the new definitive issue of stamps will be available to the General Public early in the new year. In the meantime, there are certain unsatisfactory features about the new design which will have to be rectified, and which I shall be taking up in London.

I know that Members will be interested to learn that the Posts and Telegraphs Department has been carrying out tests with the United Kingdom to see whether it would be possible to open a reliable radio-telephone link and service with the United Kingdom with the equipment that we now have, suitably modified where necessary. It is too early yet to say whether or not this will be possible, particularly as one must bear in mind that a public service must be reliable and cannot be too much of a makeshift affair. It is, however, of interest to mention that in the course of one of the recent tests our staff here were talking to one of the G.P.O. engineers in his own London home through the ordinary telephone service.

Work on the roads has gone steadily ahead, and there will very soon be a link up with Ross Road in the Western part of Stanley. At the same time, and as an integral part of the roads project, work has gone steadily ahead with the laying of underground ducting, and the installation of underground sewage connections. Unfortunately, the German group have now made up their minds to leave the Colony in August, and that will inevitably bring to an end the roads project as we know it, although I hope, that given the weather, they will be able to make some impression on Fitzroy Road, the next priority, before they leave. It is Government's intention to attempt to continue with the roads scheme, on a much more modest scale, if a small Falkland Islands gang can be got together for the purpose. But I think that everyone will appreciate that if the numbers available are too few, or if the output is unsatisfactory, then it would be unwise and uneconomic to continue. But I believe that we should continue if we can, because so many of the roads are in such a bad condition that repairs will be necessary, and repairs are, after all, little else but a waste of money in these circumstances. Moreover, I sincerely trust that it will be possible to carry on with the very important work of laying underground sewer and cable connections.

So far as other Public Works projects are concerned, the Hangar has been re-roofed; and work is progressing very well, on contract to the Falkland Islands Company, with the installation of bathrooms and Rayburn cookers in Hodson Villas, a much needed and I understand a much appreciated amenity.

Except for the epidemic of whooping cough that struck in the third term of 1958, our schools have had a good year, a year culminating in the award of three overseas scholarships as compared with none in the previous year, and only one in the year before. With these three we shall have five scholarship children in England, and I am confident that these newcomers will appreciate the opportunities that they have been given, and in their turn will contribute to the uniformly high standard set by their predecessors, a standard that has been such a marked feature of the scholarship scheme.

There are now twenty children receiving whole time education at Port Howard in the West Falkland, where, in addition to the teachers at Port Howard and Fox Bay, there are five travelling teachers. Darwin School is full with a regular number of 39 children, and there is still a waiting list. For my part, I am certain that when the financial situation permits, we should give the most serious consideration to providing additional residential and indoor recreational space at this fine school. Before passing on from the subject of Darwin School, let me say that I am sure it would be the wish of all Members that I should express our appreciation of the very fine work done at Darwin by Mr. and Mrs. Ward who will be leaving the Colony in a few days. They have done much for education in this Colony, and we are grateful.

I have no wish to tempt fortune, but I must at the same time say that it is most satisfactory that we have now had at least one plane in the air for practically all possible flying days for very nearly a year, with the exception of a brief spell in September, when, as Honourable Members will recall, the planes had to be grounded for modifications to be made to the fuel pumps. In the case of the Air Service some statistical information is of interest. During the period June, 1958 – April, 1959, flying took place on 153 days and 1,693 passengers were carried. The planes carried 6,450 lbs. of freight in the same period.

I should mention here that of the two faulty engines one has now been put into working order and returned without charge. The other, which so seriously disrupted flying in 1958, is still in the hands of the Inspectors of the Air Registration Board to which the circumstances were reported. We are awaiting a full report and opinion from the Engineering Advisers to the Crown Agents before considering what further action should be taken. Preliminary legal opinion on the subject of possible compensation is not, however, very encouraging.

I suppose at one time or another people in all Colonies, both in and out of Government service, have thought that if the Secretariat were to burn down much useless paper would be disposed of. But when this actually happens, as it did in Stanley on the afternoon of the 9th of March, it is a serious matter and leads to much inconvenience to Government and the public. How the fire began will, I fear, remain a mystery, but except for the prompt appearance of the Fire Brigade, and the admirable efforts of a large number of volunteer helpers, to whom I am most grateful, the loss of Government records and equipment would have been much greater than it was. The Secretariat and the Treasury reopened for business in temporary quarters within a commendably short period, and the Colonial Secretary and the Colonial Treasurer are to be congratulated on the speed with which they got their departments going again.

Mr. Trees had little opportunity to work in his temporary quarters, for he left the Colony on transfer soon after the fire, and I would like to take this opportunity to thank him for his services to the Colony, and to wish him and Mrs. Trees every happiness in the Gambia.

Of the Bills which will be before Council at this session, the most important is, of course, the Appropriation Ordinance, but there is another important measure that is to come before you, and I hope that you will feel able to give it sympathetic consideration. I refer to the Pensions Increase Bill which is to be introduced by the Acting Colonial Treasurer. He will explain to you its full intentions and import, and I will say no more at this stage except to commend it to you as a measure of simple justice.

It is, of course, inevitable that our thinking and policy on financial matters are very largely dominated at the present time by the continuing low price of wool, following the substantial drop in the overall average price from 64d. in 1957 to 41d. in 1958. The results of the first 1959 sale were not encouraging, but fortunately there was at least a modest recovery when the second sales took place last month, and we must now hope that this improvement will be sustained.

The implications of the very much lower wool price so far as the finances of Government are concerned are, of course, serious. In the case of the three principal sources of Government revenue – Wool Tax – Companies Tax and Income Tax, the amount that Government expects to receive in the 1959/60 financial year is less by £71,000 than the amount that Government expects to receive in the current financial year. I need not emphasise to Honourable Members, all of whom have been very closely concerned and connected with Government administrative and financial problems for over three years, and in some cases indeed for very much longer, what this means in terms of framing the estimates of revenue and expenditure, because the fact is that the costs of administration, and the public and social services, are really geared to a wool price of something in the upper regions of the 50d. bracket.

It is, therefore, only to be expected that the budget that will be presented shortly for your consideration by the Honourable the Acting Colonial Treasurer will be in the nature of a "holding" budget, and one that will contain no provision for any major extensions or improvements in the public and social services; and, in the field of special expenditure, will include provision only for those items or projects which prudence and the public interest seem to suggest should be purchased or implemented, in spite of the overall financial position.

But let me also say this – it is too early yet to attempt to establish a definite long term trend in our economic life and affairs, and an improvement is quite probably just as much to be expected as any worsening or even continuation of things as they are. Therefore, although it is undoubtedly very right that we should exercise the greatest care and caution with regard to public expenditure, I am just as sure that it would be equally wrong to permit an atmosphere of undue pessimism to pervade our counsels and unduly influence our policy.

4. The Council adjourned.

5. On resumption the Honourable the Colonial Secretary laid the following papers on the Table.

- (i) Government Employees Provident Fund, 1957/58.
- (ii) Old Age Pensions Equalisation Fund, 1957/58.
- (iii) Report on the Accounts and Finances of the Falkland Islands, 1957/58.
- (iv) Note Security Fund Report, 1957/58.
- (v) Government Savings Bank Report, 1957/58.
- (vi) Annual Medical and Sanitary Report, 1958.
- (vii) Chief Constable's Report, 1958.
- (viii) Auditor's Report 1956/57 and 1957/58.
- (ix) Certificate of the Director General of the Overseas Audit Service on the Accounts of the Falkland Islands for the year ended 30th June, 1957.
- (x) Report of the Standing Finance Committee for the period March, 1958 to April, 1959.
- (xi) Copies of subsidiary legislation made or approved by the Governor in Executive Council since the last meeting in 1958 of the Legislative Council.

6. The Honourable L. C. Gleadell then introduced a Resolution to amend the Customs Order (No. 3) 1948 and said

Your Excellency,

Paragraph 2 (2) (d) of the Customs Order at page 142 of Volume II of our Laws, provides for duty on malt liquor, including mum, spruce, cider and perry, at the following rates

In cask	– per gallon	1/-.
In bottle	– per dozen reputed quarts	2/-.
In bottle	– per dozen reputed pints	1/-.

A considerable quantity of beer is now imported in cans, the contents of which vary between 12 and 14½ fluid ounces according to the brand. The Customs Order as it now stands makes no provision for this type of container and the Collector of Customs has been charging duty at the appropriate rate of 1/- for each dozen reputed pints of 13½ ounces. The importers of cans containing only 12 fluid ounces have, therefore, been paying slightly more duty on the contents than the importers of cans containing 14½ fluid ounces.

There is also considerable variation in the fluid contents of reputed quarts. Some contain 21 fluid ounces, others 21½, 22, 22½ and 23 fluid ounces.

Imports of beer in cask have to all intents and purposes ceased.

In order to overcome the obvious unfairness of charging a flat rate of duty of 1/- per dozen reputed pints and 2/- per dozen reputed quarts when there is such variation in the contents of cans and

bottles, it is proposed that duty on beer should in future be charged on the actual fluid contents of the containers and that the present rates per cask and bottle be replaced by a flat rate of 1/2 per gallon. This rate will maintain the revenue at its present annual level.

I beg to move the adoption of the following resolution :-

WHEREBY it is provided in Section 5 of the Customs Ordinance, 1943, that it shall be lawful for the Legislative Council from time to time by Resolution to impose import or export duties of customs upon any goods whatsoever which may be imported into or exported from the Colony, and to revoke, reduce, increase or alter any such duties and to provide for the importation or exportation of any goods without payment of customs duties thereon.

AND WHEREAS it is deemed expedient to alter paragraph 2 (2) (d) of the Customs Order (No. 3) 1948.

NOW, THEREFORE, this Council resolves that for the said paragraph 2 (2) (d) of the Customs Order (No. 3) 1948, there shall be substituted the following :-

"2 (2) (d) On beer (including ale, stout and porter) and other fermented beverages - per gallon - 1/2d."

The Honourable H. C. Harding seconded and there being no objection the Resolution was adopted.

7. The Honourable A. L. Hardy then moved the adoption of the following Resolution :-

WHEREBY it is provided in Section 16 (1) of the Pensions Ordinance that it shall be lawful for the Governor in Council to grant to the legal representative of an officer who dies in the service a commuted pension award.

AND WHEREAS it is deemed expedient in certain circumstances to make additional provision in the case of an officer who dies in the service and who at the time of his death has a large amount of accumulated leave to his credit.

NOW, THEREFORE, this Council resolves that in any case in which the amount that would have been earned during the course of accumulated leave had the officer lived to take such leave exceeds the amount due under a commuted pension award, the Governor in Council shall be empowered to grant, in addition to the commuted pension award, an ex gratia payment equal to the difference between the gratuity payable on death and the amount equivalent to that which would have been earned during the time the officer was taking his accumulated leave had he lived to take it.

In introducing the Resolution the Honourable A. L. Hardy said

"In 1958 a senior Government official died while still in the Service and at the time of his death he had due to him 851 days of accumulated leave. The gratuity that was payable on his death to his legal representative under the provisions of the Pensions Ordinance in fact came to rather less, by approximately £200, than the amount that he would have earned during his leave had he lived to take it.

It is of course evident that it would not be right in such cases for the estate to benefit from both a gratuity payable on death and a gratuity representing the cash value of leave that the officer did not live to take. On the other hand we on the representative side and indeed I am sure that all Members would agree, feel that there should be some financial recognition at least of the accumulated leave due in such cases as the one to which I have referred.

Therefore we are proposing that in addition to the gratuity payable on death Government should give sympathetic consideration to the payment of an ex gratia award equal to the difference between the gratuity payable on death and the amount equivalent to that which would have been earned during the time the officer was taking his accumulated leave, had he lived, where the latter amount is greater than the gratuity payable on death. Because we recognise that it would be invidious to single out one case for beneficial treatment and as there are still a small group of officers to which this could apply, we think it proper to incorporate our views in a resolution so that the principle of this proposed ex gratia award and the circumstances under which we feel that it should be made are clearly established."

The Resolution was seconded by the Honourable the Colonial Secretary. In debate the Honourable S. Miller enquired whether the proposed Resolution would commit Government to heavy expenditure in the future. The Honourable the Colonial Secretary replied "No - only a few officers could be concerned". The Resolution was then adopted unanimously.

8. The Honourable L. C. Gleadell, Acting Colonial Treasurer, in moving the first reading of the Bill entitled "An Ordinance to provide for the service of the year 1959-60" said

Your Excellency,

Behind the single column of figures in the Schedule to this Bill is the detail of the Estimates that Honourable Members will have the opportunity of discussing in Select Committee. I shall therefore confine myself to commenting on the major proposals of the budget and to a review of the general financial position.

The Colonial Treasurer, when presenting the budget for 1958/59 told Council that Revenue was expected to amount to £289,271, that expenditure was estimated at £309,453, that it was proposed to transfer £14,434 from the Reserve Fund to cover the cost of work on the Stanley Roads, and that there would be an estimated deficit of £5,748. Now, over twelve months later, it seems that his figures will be particularly accurate. The Revised estimate of Revenue is £292,770 (or £3,000 more than the original figure) and Revised Expenditure is put at £321,602 (or £12,000 more than the original estimate). The Revised deficit is £12,050 after providing for the transfer to Revenue from Reserve Fund of £16,782 to meet estimated expenditure on the Roads.

It is estimated that at 30th June, 1959, our total reserve balances will amount to £509,270.

So much for the current year; now what of 1959/60. As was foreseen quite some time ago, when the average price for the 1957/58 wool clip was learned to be little better than 40d. per lb., revenue under Companies and Income Tax will be substantially reduced. From an estimated £88,000 and £34,000 for the current year, revenue from these two sources next year is expected to drop to £36,000 and £24,000 respectively – a combined decrease of £62,000.

The first sales of the 1958/59 clip produced an average price of slightly less than 40d. per lb. and revenue from Export Duty has therefore been calculated at the sliding scale rate of 1d. per lb. This will amount to £19,000. The later sales, however, show a measure of improvement and I am given to understand that there is now a possibility that the overall average for the entire clip might well be something better than 40d. per lb., in which case revenue will benefit to the extent of an additional £9,000.

A new set of Colony stamps is being prepared and it is expected that they will be on sale about January, 1960. It is hoped that the issue will prove popular with the collectors and revenue from the sale of stamps has been increased to £25,000.

The total estimated ordinary revenue is £213,249, or £59,032 less than was estimated for the current year.

The Bill that is now before Council provides for expenditure amounting to £309,939, so that there is an estimated deficit of £96,586.

Closer examination of this deficit shows that it can be divided into three distinct sections which, in order of significance, are

1. Ordinary expenditure exceeds ordinary revenue by £42,346.
2. Special Expenditure, excluding the Roads and associated works, amounting to £26,416.
3. The Stanley Roads, together with the Renewal of Water Pipes and the laying of cables, £27,824.

The fact that ordinary expenditure exceeds ordinary revenue by more than £42,000 is a matter to cause concern and I am sure it will be given very careful consideration by Honourable Members who sit in Select Committee.

The second group includes provision for a large oil tank at the Power Station, and for the oil to fill it. Together they will cost £21,500. These items have been included as the result of suggestions in Standing Finance Committee, but in view of the budgetary position it will be for consideration whether or not to proceed with the proposal in the coming financial year. A sum of £3,000 is provided to complete the installation of oil firing equipment at the Darwin Boarding School.

The third group includes Roads which, of course, it has always been recognised would have to be financed mainly from Reserves. Expenditure on Roads is estimated at £24,824 as compared with an estimated £31,320 for the current year. The German labour gang have notified Government of their intention to leave the Colony in September, and from then on it is hoped to continue work with a small local gang of 12 to 14 men.

No provision appears in the Estimates of Revenue for assistance from Colonial Development and Welfare funds because, at the time they were drawn up, it appeared most improbable that funds could be made available before 1960/61. There is now a strong indication that funds will be made available earlier than this and consideration will shortly be given as to how they can best be applied.

There, Sir, are what might be called the bones of the budget. Reserve balances totalling £509,270; Revenue £213,353, Expenditure £309,939; a deficit of £96,586 to be covered by a transfer from the Reserve Fund, and the likelihood of assistance from Colonial Development and Welfare funds at an earlier date than expected.

I think it could be described as a cautious budget. It provides for the unchanged continuation of existing services and projects but introduces no new proposals of the type that, once started, cannot easily be stopped. It would appear to be too early yet to take stringent economy measures although this does not mean that the estimates should not be subjected to careful examination and, where possible, pruning. No new taxation measures are proposed.

Economies (if they are to be resorted to) or new measures of taxation that are likely to reduce expenditure or increase revenue by something of the order of £50,000, require careful planning, and the period between now and the next budget could well be devoted to consideration of the matter, in the light of course of developments on the wool market.

I beg, Sir, to move the first reading of the Bill."

The Honourable the Colonial Secretary seconded and the Bill was read a first time. On further motion made and seconded the Bill was read a second time. The Honourable L. C. Gleadell seconded by the Honourable the Colonial Secretary then moved that the Bill and the draft Estimates for 1959/60 be referred to a select Committee of the House and that Council adjourn.

Council adjourned.

The Honourable L. C. Gleadell reported back to Council at 9.30 a.m. on 7th May and stated that the Select Committee had agreed to the following amendments to the draft Estimates:—

EXPENDITURE :

- | | | |
|------------|--|---|
| Head I. | The Governor. Personal Emoluments. | 1. vi. from £160 to nil.
6. Domestic Servants from £560 to £720. |
| Head IV. | Aviation. Personal Emoluments. | 1. ii. from £1000 to nil. |
| Head VI. | Education. 21. Spares, Electrical and Mechanical, Darwin and Port Howard Schools. Add the words "and maintenance of Generators". | |
| Head XII. | Police and Prisons. Personal Emoluments. | 1. i. from £675 to £700. |
| Head XIII. | Posts and Telegraphs. Personal Emoluments. | Insert new item "Mail Sorting Allowance" £200. |

- Head XVI. Public Works Recurrent. Insert new item 18. "Protective Clothing, Garage Mechanics" £24.
- Head XIX. 7. Oil Stocks Replacement Fund. From £15,000 to nil.
 8. Oil Storage Tank. From £6,500 to nil.
 10. Stanley Roads. From £24,824 to £23,824.
 Insert new item 12 "Rebuilding of Secretariat" £10,000.
 Insert new item 13 "New Office for Chief Constable" £120.

His Excellency then declared the Council to be in Committee and Clause 1 was agreed to. Consideration of Clause 2 was postponed until after consideration of the Schedule. The Schedule was agreed to with the following amendments :-

<i>Number and Head of Service.</i>	<i>Delete.</i>	<i>Substitute therefor.</i>
IV. Aviation	£ 13,161	£ 12,161
XII. Police & Prisons	£ 3,808	£ 3,833
XIII. Posts & Telegraphs	£ 41,770	£ 41,970
XVI. Public Works Recurrent	£ 21,282	£ 21,306
Total Ordinary Expenditure	£255,699	£254,948
XIX. Special Expenditure	£ 54,240	£ 41,860
Total Expenditure	£309,939	£296,808

Clause 2 was agreed to with the following amendments :-

By the deletion of the words "Three hundred and nine thousand nine hundred and thirty nine pounds" in the fourth and fifth lines and the substitution of the words "Two hundred and ninety six thousand eight hundred and eight pounds"; and by the deletion of the figure "£309,939" in the side notes and the substitution therefor of the figure "£296,808".

The Enacting Clause and the Title were agreed to and the Council resumed. The Bill was then read a third time and passed.

9. The Honourable L. C. Gleadell seconded by the Honourable the Colonial Secretary then moved the first reading of the Bill "To legalise certain payments made in the year 1957-58 in excess of the expenditure sanctioned by Ordinance No. 7 of 1957" and said

"Your Excellency,

This Bill is a legal formality that closes the 1957/58 chapter of our financial history. The schedule sets out the Heads under which, and the amounts by which, actual expenditure exceeded the amounts provided in the Appropriation Law for 1957/58; all have been dealt with in detail by the Standing Finance Committee and are included in their Reports to this Council."

The Bill received its first reading and on further motion made and seconded was read a second time. In Committee, Clauses 1 and 2, the Enacting Clause, Title, Preamble and Schedule were agreed to. Council resumed and the Bill was read a third time and passed.

10. In introducing the Bill "To amend the Legislative Council (Elections) Ordinance" the Honourable the Colonial Secretary said

"This Bill is an important piece of constitutional legislation in as much as on becoming Law it amends the Legislative Council (Elections) Ordinance in such a way as to alter the procedure whereby the name of an elector is placed on the Electoral Roll and alter also the existing residential qualifications for voting on polling day.

Under our existing law the responsibility for taking the initiative to see that his name is on the Register of Voters rests with the voter himself. He must apply to the Registration Officer to have his name put on the Electoral Roll. In Government's view it would be desirable to conform more closely in this respect with current United Kingdom practice.

This Bill does this. Instead of the voter having to write in and have his name put on the list, the Registration Officer will be responsible - when an election is pending - for drawing up and publishing for the information of the general public a list of those people in his area who appear to him to be entitled to vote. It will then be up to any person who has been inadvertently left off the list to apply to have his name put on it. Thus under this amending legislation the formalities - and some formalities are inevitable - will be very much simpler for the individual voter.

The second important point in this Bill is one connected with the entitlement to vote. Under our existing law only those persons who have resided in the electoral area concerned for the full qualifying period - which is defined as 12 months - may vote in that electoral area and if he has recently moved say from the East Falkland to the West Falklands or from the Camp to Stanley or from Stanley to the Camp he is deprived of his vote unless when the election takes place he has been there for the full twelve months.

The Bill now before you provides that a person who on the qualifying day or the day when a vacancy from among the elected Members occurs, has in fact resided in the Colony for a period of twelve months may vote in the electoral area in which the vacancy has occurred provided that on the qualifying day he is residing in that area. For instance a man who moves from Fox Bay to San Carlos only a few weeks before an election occurs in the East Falklands Camp constituency may vote in that election provided he was normally residing in San Carlos when the seat became vacant. That he couldn't do at the moment. I think that all Members will agree that this is a much more sensible and desirable arrangement.

I beg to move the first reading of the Bill."

The Honourable T. A. Gilruth seconded and the Bill was read a first time. On the second reading His Excellency declared Council in Committee and the Bill passed through all its stages without amendment. Council resumed and the Bill was read a third time and passed.

11. The Bill "Further to amend the Pensions Ordinance" was introduced by the Honourable L. C. Gleadell who stated

"Your Excellency,

In 1953, the conditions of service under which Civil Servants worked, were revised, and a new emolument known as Expatriation Pay, or Overseas Allowance, was introduced. It was intended as a pensionable emolument and was accepted as such by those officers who were in receipt of it. The law relating to pensions, however, was not amended at the time to include this allowance as a pensionable emolument and the first object of this Bill is to adjust the oversight with retrospective effect from 1st October, 1953.

Opportunity is now taken to correct a drafting error wherein the word "subsection" appears in Section 16 (1) (b) instead of the word "section".

The principal Ordinance provides for pensions for the dependants of officers who die as the result of damage to vessels or vehicles on which they are travelling in the course of duty. The need to add "aircraft" to this section will be obvious to all.

Section 5 of this Bill is designed to bring our Ordinance into line with current legal phrasing.

I beg to move the first reading of the Bill."

The Honourable the Senior Medical Officer seconded and the Bill was read a first time. On further motion made and seconded the Bill received its second reading and the Council went into Committee. Clauses 1 to 5 were agreed to as were the Enacting Clause and the Title. The Council resumed and the Bill was read a third and passed.

12. The Honourable the Colonial Secretary, seconded by the Honourable M. G. Creece, moved the first reading of the Bill "To amend the Defence Force Ordinance" and said

"Your Excellency, I must confess that at first sight this Bill appears to be a somewhat complicated piece of legislation although its object is a very simple one. The principal provisions of the Bill are -

Firstly, the replacement of section 25 of the existing legislation by those sections of the new Army Act of the United Kingdom which concern discipline and the trial and punishment of military offences (and which might be applicable in the case of the F.I.D.F. and in the circumstances of the Falkland Islands). These sections would apply to members of the Defence Force attached to or otherwise acting as part of Her Majesty's regular forces or to members called out for active service.

Secondly, it will bring Defence Force procedure connected with the requisitioning of means of transport into line with the procedure followed by the regular forces so that there would not be two separate systems in operation at the same time if Defence Force personnel and regular troops were operating in the country at the same time.

In the event of a serious emergency it is of course always likely that the Defence Force would be operating in conjunction with the regular forces in the Colony and in such circumstances this amending legislation would simply ensure that all persons serving in uniform would be on precisely the same basis as regards discipline and the Defence Force and the regular forces would and could act in precisely the same manner under the same regulations and in accordance with the same procedure in the event of it being necessary to requisition vehicles or billet troops."

The Bill was read a first time and no objections being raised it was read a second time. In Committee, Clauses 1 to 5, the Enacting Clause and the Title and Schedule were agreed to. The Council resumed and the Bill was read a third time and passed.

13. In introducing the Bill "To amend the Old Age Pensions Ordinance, 1952", the Honourable L. C. Gleadell said

"Your Excellency,

The Old Age Pensions Ordinance, when it was introduced in 1952, provided for a minimum of ten years contributing to qualify for a pension. Contributing normally was to cease at 60 years of age and pensions were payable as from 65 years of age.

For the benefit of men who were over 50 years of age, but not 65 years, on 1st July, 1952, provision was included in the Ordinance for "buying-in" by means of lump sums where men were between 60 and 65 years, and a combination of lump sum and weekly contributions where men were between 50 and 60 years. A minimum payment equal to ten years contributing as a self employed person was a condition attached to the ultimate payment of a pension. A time limit of three years was set for the period of buying in.

Not all who could have bought themselves in did, in fact, do so, and during the past few years there have been several enquiries regarding the possibility of extending the period for the benefit of those who, for one reason or another, have had second thoughts on the matter. Since the three year period ended there has been an important amendment to the Ordinance which now provides for pensions to be paid abroad.

The Government's Legal Adviser has expressed the opinion that an extension of the buying in period is not inconsistent with the scheme.

The Bill that is now before Council proposes to extend the buying in period to eight years from 1st July, 1952; that is to say it will end on 30th June, 1960.

The number of men affected is thought to be small and from the financial angle the effect on the Fund will be insignificant.

One point that should perhaps be emphasised is that the extended buying in arrangement (if this Bill becomes law) will apply to all men who were between 50 and 65 years of age on 1st July, 1952, and they will be able to buy themselves in even though their present age is over 65. The payment of a pension to men over 65 years of age will not commence until the Friday following the payment of their final instalment.

I beg to move the first reading of the Bill."

The Honourable A. Mercer seconded and the Bill was read a first time. After the second reading the Council went into Committee and Clauses 1 and 2, the Enacting Clause and Title were agreed to. Council resumed and the Bill received its third reading and was passed.

14. The Honourable the Colonial Secretary then moved the first reading of the Bill "To apply certain Acts of Parliament in the Colony" and said

"Your Excellency,

The object of this Bill is to apply to the Colony two United Kingdom law reform measures connected with civil actions in the courts. The two measures are the Law Reform (Enforcement of Contracts) Act of 1954 and the Law Reform (Limitations of Actions) Act of 1954.

Sir Henry Webb, Government's Legal Adviser, has recommended this step because he considers it desirable that in respect of the matters covered by these two Acts the law of the Colony and English law should agree.

The Statute of Frauds, which applies to the Colony, provided that certain contracts could not be enforced by action in the courts unless the contracts could be proved by the production of a written memorandum signed by the defendant. The 1954 Act removes this requirement in the following cases.

1. Agreements by an Executor or Administrator to pay out of his own estate a debt or damages due by the deceased.
2. Agreements made in consideration of marriage.
3. Agreements that could not be performed within a year of the making of them.

The Sale of Goods Act required a similar memorandum in an action for the price of goods sold of the value of £10 or upwards unless it could be proved that the defendant had accepted and actually received the goods, or had made a payment on account of the price.

Now, under the 1954 Act, in all these cases the contract may be proved in court by oral evidence.

Now there are the implications of the Law Reform (Limitation of Actions) Act to consider. Firstly - under the provisions of Public Authorities Act an action against a Public Authority for civil damages had to be brought within six months of the act that gave rise to the legal action or within six months of any continuing damage or injury arising out of that act ceasing. Now under the new Act the period of limitation is made the same as in other cases of tort, namely six years, or in the case of an action for personal injuries, three years.

Under the new Act the period of limitation in actions for damages for personal injuries caused by negligence, nuisance or breach of duty, is made one of three years. Similarly the limitation period in the case of fatal accidents is altered from one year to three years. Finally the new Act repeals the provision of the Law Reform Act of 1934 that only permitted an action for damages against the estate of a deceased person if the cause of action arose within six months of the death of the deceased. An example of this would be the case of a driver injuring someone by negligence in driving a car and then himself dying. Under the previous legislation the accident would have had to have taken place not longer than six months before the death of the driver in question for the injured party to be able to bring an action against the estate.

I beg to move the first reading of the Bill."

The Honourable A. L. Hardy seconded and the Bill was read a first time. On further motion the Bill was read a second time. In Committee, Council agreed to Clauses 1 and 2, the Enacting Clause, Title and the Schedule. Council resumed and the Bill was read a third time and passed.

15. The Bill "To provide for the increase of pensions payable in respect of public service in pensionable offices in the Colony" was introduced by the Honourable L. C. Gleadell who said

"Your Excellency,

Following the lead given by Her Majesty's Government in the United Kingdom, this Government has in 1944, 1947 and 1952, made increases in the amounts paid to its pensioners. The additional funds required have been approved on each occasion but no legislation has been introduced to give the increases the necessary legal authority. The first object of this Bill is to correct this oversight.

Because of certain limitations as regards total income only eight of our pensioners benefited from the increases in 1947 and 1952. The United Kingdom Pensions (Increase) Act of 1956 removes the restrictions of the Acts of 1947 and 1952 and in addition grants a ten percent increase on the basic pension, or a flat increase of £100 per annum, whichever is the less.

The Bill that is now before Council proposes that similar action be taken in respect of Falkland Islands pensioners, with retrospective effect from the 1st January, 1957.

The increases for pensions awarded before 1947 vary from 30 to 40%. For pensions awarded before 1953 the increase is a flat £26 per annum. The increases are shared by all overseas territories where the officers have served. The total cost will be about £735 per annum.

A pension is calculated on the retiring salary of an officer and in no circumstances can it exceed two thirds of his retiring salary. Salaries in 1947 were roughly half of those paid to-day (a Cost of

Living Bonus was paid but it was non-pensionable). A simple calculation shows, therefore, that a pension awarded in, for example, 1946, even if it was the maximum, could not exceed one third of the salary paid for the same office to-day, and it seems that many of our older pensioners to whom these proposed increases would apply, must find themselves in circumstances approaching hardship. Despite the present poor state of the Colony's revenue I am sure that it is the wish of this Council that those who have served the Colony in the past should be able to enjoy their retirement in modest comfort, free from too much anxiety as the result of post war inflation, and I therefore beg to move the first reading of the Bill."

The Honourable the Colonial Secretary seconded and the Bill was read a first time. The Bill then received its second reading and the Council went into Committee. All 10 Clauses were agreed to as were the Enacting Clause, Title and the First, Second and Third Schedules. Council resumed and the Bill was read a third time and passed.

16. Before adjourning His Excellency expressed his thanks to Council for the very careful and thorough consideration they had given the 1959-60 Estimates during the past three days.

Council adjourned *sine die*.

Assented to in Her Majesty's name this 11th day of May, 1959.

E. P. ARROWSMITH,
Governor.

[L.S.]

No. 5



1959

Colony of the Falkland Islands.

IN THE EIGHTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II.

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

An Ordinance

Title.

To legalise certain payments made in the year 1957-58 in excess of the Expenditure sanctioned by Ordinance No. 7 of 1957.

Preamble.

WHEREAS it is expedient to make further provision for the service of the Colony for the period 1st July, 1957, to 30th June, 1958.

Enacting clause.

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

Short title.

1. This Ordinance may be cited for all purposes as the Supplementary Appropriation (1957-58) Ordinance, 1959.

Appropriation of excess expenditure for the period 1st July, 1957, to 30th June, 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, 1957, to 30th June, 1958, 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.

SCHEDULE.

Schedule.

Number.	Head of Service.	Amount.		
		£	s.	d.
	FALKLAND ISLANDS.			
IV.	Aviation	21099	14	2
X.	Miscellaneous	194	19	9
XIV.	Power & Electrical	691	19	1½
XVII.	Public Works Special Expenditure	5051	7	1½
XVIII.	Secretariat & Treasury	1826	15	5
XIX.	Supreme Court	49	13	4
XX.	Colonial Development & Welfare	17897	3	2
	Total Expenditure £	46811	12	1

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.

Assented to in Her Majesty's name this 11th day of May, 1959.

E. P. ARROWSMITH,
Governor.

[L.S.]

No. 6



1959.

Colony of the Falkland Islands.

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

An Ordinance

Title. To provide for the service of the year 1959-60.

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

Short title. 1. This Ordinance may be cited for all purposes as the Appropriation (1959-60) Ordinance, 1959.

Appropriation of
£296,808 for service
of the year 1959/60.

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 period 1st July, 1959 to 30th June, 1960, a sum not exceeding Two hundred and ninety-six thousand, eight hundred and eight 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 1959-60.

SCHEDULE.

Schedule.

Number.	Head of Service.	Amount.		
		£	s.	d.
I.	The Governor	7085	0	0
II.	Agriculture	2701	0	0
III.	Audit	793	0	0
IV.	Aviation	12161	0	0
V.	Customs & Harbour	9125	0	0
VI.	Education	34636	0	0
VII.	Medical	29786	0	0
VIII.	Meteorological	765	0	0
IX.	Military	1080	0	0
X.	Miscellaneous	36399	0	0
XI.	Pensions & Gratuities	10689	0	0
XII.	Police and Prisons	3833	0	0
XIII.	Posts & Telegraphs	41970	0	0
XIV.	Power & Electrical	14426	0	0
XV.	Public Works	9452	0	0
XVI.	Public Works Recurrent	21306	0	0
XVII.	Secretariat & Treasury	17379	0	0
XVIII.	Supreme Court	1362	0	0
	Total Ordinary Expenditure ...	254948	0	0
XIX.	Special Expenditure	41860	0	0
XX.	Colonial Development & Welfare ...			
	Total Expenditure £	296808	0	0

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.

Assented to in Her Majesty's name this 11th day of May, 1959.

E. P. ARROWSMITH,
Governor.

[L.S.]

No. 7



1959

Colony of the Falkland Islands.

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

An Ordinance
To amend the Legislative Council
(Elections) Ordinance.

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

Short title.

1. (1) This Ordinance may be cited as the Legislative Council (Elections) (Amendment) Ordinance and shall be read and construed as one with the Legislative Council (Elections) Ordinance (Chapter 37) hereinafter referred to as the principal Ordinance.

Commencement.

(2) This Ordinance shall come into force on such day as the Governor may by Proclamation appoint.

Amendment of section 2 of the principal Ordinance.

2. The following is substituted for the definition of "qualifying period":

"Qualifying period means twelve months ending on the last day of the month preceding the qualifying day as defined by sub-section (1) of section 7 of this Ordinance".

Amendment of section 5 of the principal Ordinance.

3. Section 5 of the principal Ordinance is repealed and replaced by the following section :—

"5. The Governor shall appoint one or more registration officers and a returning officer for each electoral area."

4. (1) Section 6 of the principal Ordinance is amended by substituting for paragraph (c) thereof the following paragraph :

Amendment of section
6 of the principal
Ordinance.

“(c) has resided in the Colony during the qualifying period and is normally resident in the electoral area on the qualifying day as defined by subsection (1) of section 7 of the principal Ordinance as amended by section 5 of this Ordinance.”

(2) Section 6 of the principal Ordinance is further amended by substituting for the first proviso the following :—

“Provided that a person who is normally resident in the electoral area shall be deemed to be resident therein on the qualifying day notwithstanding his absence on that day in the performance of some duty arising from or incidental to any office, service or employment held or undertaken by him, if he intends to resume actual residence within six months from the date of his departure from the area in the performance of such duty.”

5. Section 7 of the principal Ordinance is repealed and replaced by the following section :—

Amendment of section
7 of the principal
Ordinance.

“7. (1) Upon a dissolution of the Legislative Council or upon the seat of an elected member thereof becoming vacant the Colonial Secretary shall forthwith notify the registration officers, or the registration officer for the electoral area in respect of which such vacancy has occurred, as the case may be, of the fact of such dissolution, or of the occurrence of such vacancy, and the day of such notification shall be the “qualifying day” for the purposes of this Ordinance :

Register of Electors.
[Rep. of People
Act, 1949, S. 7.]

Provided that it shall not be necessary for the Colonial Secretary to give such notice when the seat of an elected member of the Legislative Council becomes vacant within one year after a notification of a dissolution of the Legislative Council, or of the occurrence of a vacancy in respect of the same electoral area.

(2) Upon the receipt of such notice every registration officer, or the registration officer concerned, as the case may be, shall prepare a register of the persons qualified to be electors for the electoral area for which he is appointed, and such register shall be used for any election taking place within one year after the qualifying day.

(3) The names of all voters on the register shall be classified alphabetically in accordance with the initial letter of the surname of each voter and a serial number shall be allotted to each name.”

[C. 37, S. 8 (2)]

6. Section 8 of the principal Ordinance is repealed and replaced by the following section :

Amendment of section
8 of the principal
Ordinance.

“8. (1) With a view to the preparation of the register a registration officer shall

- (a) as soon as may be after receiving such notice as is mentioned in subsection (1) of section 7 of this Ordinance have a house to house or other sufficient inquiry made as to the persons entitled to be registered as electors in the area for which he is appointed; and
- (b) have prepared and published an electors list showing the persons in such area appearing to him to be entitled to be registered together with their qualifying addresses.

(2) A registration officer may require any householder or person occupying any land or premises within the electoral area for which he is appointed, or the agent or manager of any

[Rep. of People
Reg. 1950, r. 20]

such person, to give within one month the information required for the purpose of preparing the register.

[Rep. of People
Reg. 1950, r. 70]

(3) If any person fails to comply with or knowingly gives false information in reply to any such requisition of a registration officer as is mentioned in the last preceding subsection he shall be liable on summary conviction to a fine not exceeding £5. 0. 0."

Amendment of section
9 of the principal
Ordinance.

7. Section 9 of the principal Ordinance is repealed and replaced by the following section :—

"9. (1) Each registration officer shall immediately on completion thereof forward the electors list for the area for which he is appointed to the Colonial Secretary who shall cause the electors lists to be published in the Gazette, together with a notice stating the place and times at which the lists may be inspected.

[Rep. of People
Reg. 1950 r. 7 (2)]

(2) The electors lists shall be published as soon as may be after the receipt thereof by the Colonial Secretary and shall be kept available for inspection till the publication of the register prepared from those lists."

Amendment of section
10 of the principal
Ordinance.

8. (1) Section 10 of the principal Ordinance is repealed and replaced by the following section :—

"10. (1) Any person who claims to be qualified to be registered as an elector and whose name is omitted from the electors list for his electoral area may within 30 days after the publication thereof apply to the registration officer of such area in the Form A in the Schedule to the principal Ordinance to have his name inserted, and any person appearing from the electors lists to be himself entitled to be registered may within the same period apply by way of objection to the registration officer of the area concerned in the Form in the Schedule to this Ordinance to remove any name or names from the electors list for such area.

(2) The registration officer upon receipt of such application or objection shall forthwith inquire into the same in the presence of and after hearing the parties concerned (if they so desire) and shall decide thereon."

Amendment of section
11 of the principal
Ordinance.

9. (1) Subsections (1), (2) and (3) of section 11 of the principal Ordinance are amended by inserting the words "or objector" after the word "applicant" wherever such last-mentioned word occurs.

(2) Subsection (4) of section 11 of the principal Ordinance is repealed and replaced by the following subsection :—

"(4) On determination of all appeals the Magistrate or justices shall forthwith forward to the registration officer concerned a statement of the names which he has, or they have, decided shall be inserted in or removed from the electors list."

Amendment of section
12 of the principal
Ordinance.

10. Section 12 of the principal Ordinance is repealed and replaced by the following section :—

"12. (1) As soon as may be after the expiration of the periods mentioned in sections 10 and 11 of this Ordinance each registration officer shall prepare a register of the persons qualified to be electors for the electoral area for which he is appointed and shall forward the same to the Colonial Secretary.

(2) As soon as may be after the receipt of the registers mentioned in subsection (1) hercof the Colonial Secretary shall cause the register of the persons qualified to be electors for the different electoral areas in the Colony to be published in the Gazette.

Publication of Register.
[Rep. of People
Reg. 1950 r. 16]

(3) The register for the time being in force as published in the Gazette shall be conclusive evidence as to the eligibility or otherwise of a person to vote in an electoral area for the election of a member."

11. The following is substituted for the certificate contained in Form A in the Schedule to the principal Ordinance :

Amendment of Form A
in the Schedule to the
principal Ordinance.

"I certify that I am a British Subject, that I have attained the age of 21 years, that I have resided in the Colony since
..... and that I am normally resident in the
..... Electoral Area."

SCHEDULE

Section 10.

FORM OF OBJECTION

Legislative Council (Elections) Ordinance.

(If this form is sent to the registration office by post, postage must be prepaid.)

To the registration officer for the electoral area of

.....

*Here insert extract from
printed electors lists,
stating registration unit
or name and address.

I hereby give you notice that I object to the entry of*

.....
.....
.....
.....

†Delete if inapplicable.

as an elector †

The grounds of my objections are

.....
.....
.....

I am entered in the electors lists as an elector for the above electoral area as follows ‡ :-

‡Here insert extract from
printed electors lists.

.....
.....

Signed

Address

Date

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.

Assented to in Her Majesty's name this 11th day of May, 1959.

E. P. ARROWSMITH,
Governor.

[L.S.]

No. 8

1959.



Colony of the Falkland Islands.

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

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

An Ordinance

Title. Further to amend the Pensions Ordinance.

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

Short title. 1. This Ordinance may be cited as the Pensions (Amendment) Ordinance, 1959, and shall be read as one with the Pensions Ordinance, hereinafter referred to as the principal Ordinance.

Cap 49.

Amendment of section 2 of the principal Ordinance.

2. (1) Subsection (1) of section 2 of the principal Ordinance is amended as follows :—

(a) by the addition of the following new definition immediately before the definition of "Pensionable office" :—

" 'Overseas allowance' means an allowance granted to such officers in the service of the Colony as may be declared by the Governor in Council to be eligible for such allowance.";

(b) by inserting the comma and words " , overseas allowance between the word "salary" and the words "and personal allowance" in paragraph (a) of the definition "Pensionable emoluments".

(2) The amendments made by this section shall be deemed to have had effect from the 1st day of October, 1953.

Amendment of section 16 of the principal Ordinance.

3. Paragraph (b) of subsection (1) of section 16 of the principal Ordinance is amended by the deletion of the word "subsection" and the substitution therefor of the word "section".

4. Subsection (5) of section 17 of the principal Ordinance is amended by inserting the comma and word “, aircraft” between the word “vessel” and the words “or vehicle” wherever they appear.

Amendment of section 17 of the principal Ordinance.

5. The principal Ordinance is amended by substituting the words “service under the Government of the Colony” for the words “service in the Colony” and “the service of the Colony” wherever these words occur.

Amendment of the principal Ordinance.

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. 0829/II.

Assented to in Her Majesty's name this 11th day of May, 1959.

E. P. ARROWSMITH,
Governor.

[L.S.]

No. 9

1959.



Colony of the Falkland Islands.

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

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

An Ordinance To amend the Defence Force Ordinance.

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

Enacting clause.

1. This Ordinance may be cited as the Defence Force (Amendment) Ordinance, 1959, and shall be read and construed as one with the Defence Force Ordinance, 1954, hereinafter referred to as the principal Ordinance.

Short title.

5 of 1954.

2. Section 17 of the principal Ordinance is repealed.

Repeal of section 17 of the principal Ordinance.

3. (1) Section 25 of the principal Ordinance is repealed and the following section is substituted therefor —

Amendment of section 25 of the principal Ordinance.

“25 (1) Part II (except sections 49 to 52, section 61 and sections 135 to 137) and section 220, and sections 222 to 225 of the Army Act, 1955 (3 & 4 Eliz. II c. 18), shall 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 with and subject to the adaptations and modifications set out in the Schedule hereto :

Provided that notwithstanding anything contained in the said Act, 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 subsection no member of the Force shall be liable to be punished for any offence both under the provisions of the said Act and under the provisions of this Ordinance.

(3) Nothing in this section contained shall be deemed to limit or derogate from the power given by section 207 of the said Act to the officer commanding Her Majesty's forces with which the Force is serving of making such adaptations, modifications, or exceptions as in the same section are referred to.

Application of Part
IV of the Army Act,
1955.

Commencement.

4. Part IV of the Army Act, 1955 (3 & 4 Eliz. II. c. 18) (except section 170) and the Fourth Schedule to the said Act shall be applied in the Colony, with and subject to the adaptations and modifications set out in the Schedule hereto.

5. This Ordinance shall come into force upon such date as shall be notified by the Governor by Proclamation in the Gazette.

SCHEDULE.

Reference to a person subject to military law shall be construed as including references to a member of the Force ; references to the regular forces shall be construed as including references to the Force ; references in sections 63, 70, 119, in subsections (2), (3) and (4) of section 127, in sections 132 and 143 and in Part IV to the United Kingdom or England shall be construed as including references to the Colony ; references in section 116 to Her Majesty, in section 132 to the Attorney-General, in section 159 to the Minister of Housing and Local Government, and in section 174 to the Secretary of State shall be construed as references to the Governor ; references to the chief officer of Police for any area shall be construed as references to the Chief Constable, references to a local Authority shall be construed as references to the Stanley Town Council ; references to vehicles shall be construed as including boats ; references in section 160 and in subparagraph (3) of paragraph 3 and in paragraph 7 of the Fourth Schedule to the Army Council shall be construed as references to the Colonial Treasurer ; references to a County Court shall be construed as references to a Magistrate ; and references to Parliament and each House of Parliament as references to the Legislative Council.

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.

Assented to in Her Majesty's name this 11th day of May, 1959.

E. P. ARROWSMITH,
Governor.

[L.S.]

No. 10



1959

Colony of the Falkland Islands.

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

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

An Ordinance

To amend the Old Age Pensions Ordinance, 1952. Title.

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

1. This Ordinance may be cited as the Old Age Pensions (Amendment) Ordinance, 1959, and shall be read and construed as one with the Old Age Pensions Ordinance, 1952, hereinafter referred to as "the principal Ordinance". Short title.

2. Section 10 of the principal Ordinance is amended by the repeal of sub-section (3) thereof and the substitution therefor of the following sub-section — Amendment of section 10 of the principal Ordinance.

"(3) The sum required to be paid under sub-section (1) or sub-section (2) as the case may be, of this section may be paid in such instalments as may be prescribed : Provided, however, that the payment of the said sum shall be completed within the period of eight years from the date of the coming into operation of this Ordinance : And Provided further that where a person who is qualifying for a pension under sub-section (1) or sub-section (2) hereof attains the age of 65 years before the payment of the said sum has been completed no sum shall be paid on account of a pension to or in respect of such person until the full amount payable by him has been paid, but the first payment on account of pension to or in respect of such person shall be made on the first Friday following the payment of the final instalment."

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.

Assented to in Her Majesty's name this 11th day of May, 1959.

E. P. ARROWSMITH,
Governor.

[L.S.]

No. 11



1959.

Colony of the Falkland Islands.

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

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

An Ordinance

Title. To apply certain Acts of Parliament in the Colony.

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

Short title. 1. This Ordinance may be cited as the Application of Enactments Ordinance, 1959.

Application of certain Acts of Parliament. 2. The enactments specified in the Schedule are applied in the Colony to the extent and with the modifications set out in the Schedule and with the further modifications that in any of the said enactments the expression "the commencement of this Act" or any similar expression shall be construed as "the commencement of this Ordinance"; the expression "the Crown" shall be construed as "the Government".

SCHEDULE

<i>Enactment</i>	<i>Extent of Application</i>
1. Law Reform (Enforcement of Contracts) Act, 1954. 2 & 3 Eliz. 2, Ch. 34	The whole Act except section 3 (2)
2. Law Reform (Limitation of Actions, etc.) Act, 1954. 2 & 3 Eliz. 2, Ch. 36	The whole Act except sections 5 (4) and 6.

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.

Assented to in Her Majesty's name this 11th day of May, 1959.

E. P. ARROWSMITH,
Governor.

[L.S.]

No. 12



1959

Colony of the Falkland Islands.

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

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

An Ordinance

To provide for the increase of pensions payable in respect of public service in pensionable offices in the Colony. Title.

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

1. This Ordinance may be cited as the Pensions (Increase) Ordinance, 1959. Short title.

2. (1) In this Ordinance, unless the context otherwise requires — Interpretation.

“authorised increase” means an increase of pension authorised by this Ordinance;

“basic rate” in relation to any pension means the annual rate of that pension apart from any increase granted under this Ordinance;

“Scheduled Government” shall have the same meaning as in the Pensions Regulations, 1949.

“pension” means a pension payable under the Pensions Ordinances, 1906, 1927, 1937 and 1949 or any of them, but does not include any gratuity or any sum payable otherwise than by way of periodical payments and accordingly, the provisions of this Ordinance shall not apply to any pension which has been commuted, and where a part of a pension has been commuted these provisions shall not apply to that part;

"dependant" means, in relation to any pensioner, any person other than the pensioner who is wholly or mainly supported by the pensioner and whose total income from any other source does not exceed £52 a year for the purpose of section 3 or 4 of this Ordinance or £104 a year for the purpose of section 5 of this Ordinance being either –

- (a) a person who has not attained the age of 16 years, or who, if he has attained that age, is receiving full time instruction at any educational establishment or is undergoing training for any trade, profession or vocation; or
- (b) the father, mother, brother, sister, child, uncle or aunt of the pensioner, or of the deceased husband or wife of the pensioner; or
- (c) the child of any such person as is mentioned in the foregoing paragraph; or
- (d) the stepfather or stepmother of the pensioner.

(2) For the purposes of this Ordinance the income of a married pensioner shall be deemed to include the income of the husband or wife of the pensioner.

Increase of pensions as from the 1st January, 1944 to the 30th November, 1946

3. (1) Subject to the provisions of this Ordinance any pension payable before the 1st January, 1944 may in respect of any period on or after the 1st January, 1944, and before the 1st December, 1946, be increased by an amount calculated in accordance with the provisions of the First Schedule.

(2) No increase shall be payable under this section unless the Governor is satisfied that the total income (disregarding the first £52 thereof accruing otherwise than in respect of a Colonial Service pension) does not exceed in the case of a pensioner who is married or has at least one dependant £300 a year and in the case of any other pensioner £225 a year.

Increase of pensions as from 1st December, 1946.

4. (1) Subject to the provisions of this Ordinance where an officer has retired –

- (a) from the service of the Falkland Islands before the 1st December, 1946 or
- (b) from the service of a Scheduled Government before the effective date of the first general revision of salaries by that Government after the 31st December, 1944,

his pension may in respect of any period beginning on or after the 1st day of December, 1946, be increased by an amount calculated in accordance with the provisions of the Second Schedule, and may in respect of any period beginning on or after the 1st day of January, 1957, be further increased in the case of a pensioner who is unmarried by the difference between the amount prescribed by the said Schedule in the case of a pensioner who is married and that prescribed in the case of one who is unmarried.

(2) No increase shall be payable under this section in respect of any period before the 1st day of January, 1957, unless the Governor is satisfied that the total income (disregarding the first £52 thereof accruing otherwise than in respect of a Colonial Service pension) does not exceed in the case of a pensioner who is married or has at least one dependant £450 a year and in the case of any other pensioner £350 a year, but on and after the 1st January, 1957, any restriction on the making of such an increase, or on the amount of the increase, by reference to the income or pension of the pensioner shall cease to have effect:

Increase of pensions as from 1st April, 1953.

5. (1) Subject to the provisions of this Ordinance where an officer has retired –

- (a) from the service of the Falkland Islands before the 1st April, 1953, or

- (b) from the service of a Scheduled Government before the effective date of the second general revision of salaries by that Government after the 31st December, 1944,

his pension may in respect of any period beginning on or after the 1st day of April, 1953, be increased to the extent prescribed by the Third Schedule, and may in respect of any period beginning on or after the 1st day of January, 1957, be further increased in the case of a pensioner who is unmarried by the difference between the amount so prescribed in the case of a pensioner who is married and that prescribed in the case of one who is unmarried.

(2) No increase shall be payable under this section in respect of any period before the 1st day of January, 1957, unless the Governor is satisfied that the total income (disregarding the first £104 thereof accruing otherwise than in respect of a Colonial or Service pension) does not exceed in the case of a pensioner who is married or has at least one dependant £550 a year and in the case of any other pensioner £425 a year, but on and after the 1st January, 1957, any restriction on the making of such an increase, or on the amount of the increase, by reference to the income of the pensioner shall cease to have effect.

6. Subject to the provisions of this Ordinance where an officer has retired –

Increase of pensions as from 1st January, 1957.

- (a) from the service of the Falkland Islands before the 1st January, 1957, or
- (b) from the service of a Scheduled Government before the effective date of the second general revision of salaries by that Government after the 31st December, 1944,

his pension may in respect of any period on or after the 1st January, 1957 be increased by ten per cent of the basic rate thereof or one hundred pounds a year whichever is the less.

7. No increase shall be payable under this Ordinance unless the pensioner –

Restriction on increase of pensions.

- (a) has attained the age of 55 years; or
- (b) has not attained the age of 16 years; or
- (c) has retired on account of physical or mental infirmity; or
- (d) is to the satisfaction of the Governor-in-Council incapacitated from engaging in full-time employment; or
- (e) is a woman with at least one dependant; or
- (f) is a woman whose pension is payable in respect of her deceased husband and has attained the age of 40 years.

8. Where a pensioner, in addition to a pension to which this Ordinance applies is in receipt of a pension from one or more Scheduled Governments, other than the Government of the United Kingdom, the Overseas Audit Department (Home Establishment) or the Crown Agents for Oversea Governments and Administrations, then for the purposes of this Ordinance all those pensions shall be aggregated and the amount which would have been the authorised increase of a single pension equal to that aggregate shall be apportioned between all the pensions in the proportions which they bear to one another, and the amount so apportioned to any pension to which this Ordinance applies shall be the authorised increase of that pension.

Increases of pensions where service was not wholly in the Colony.

9. The Governor in Council may, by notice in the Gazette vary from time to time the rates of increase under the provisions of this Ordinance.

Variations of rates of increases.

10. The provisions of this Ordinance shall have effect notwithstanding anything contained in subsections (1) and (2) of section 9 of the Pensions Ordinance (Chapter 49).

Limitation in Pensions Ordinance on maximum pension not to apply.

FIRST SCHEDULE

1. Where a pensioner is married, or is unmarried with at least one dependant then –
 - (a) if the pension does not exceed £100 a year, the authorised increase shall be 30 per cent of the total amount of the pension;
 - (b) if the pension exceeds £100 a year but does not exceed £200 a year the increase shall be 25 per cent of the amount of the pension; and
 - (c) if the pension exceeds £200 a year the authorised increase shall be 20 per cent of the amount of the pension.
2. Where the pensioner is unmarried, then –
 - (a) if the pension does not exceed £75 a year the authorised increase shall be 30 per cent of the amount of the pension;
 - (b) if the pension exceeds £75 a year but does not exceed £150 a year, the authorised increase shall be 25 per cent of the amount of the pension; and
 - (c) if the pension exceeds £150 a year, the authorised increase shall be 20 per cent of the amount of the pension.

SECOND SCHEDULE

1. Where a pensioner is married, or is unmarried with at least one dependant then –
 - (a) if the pension does not exceed £100 a year, the authorised increase shall be 40 per cent of the amount of the pension;
 - (b) if the pension exceeds £100 a year but does not exceed £133 : 6 : 8 a year, the authorised increase shall be the amount of £40 a year;
 - (c) if the pension exceeds £133 : 6 : 8 a year but does not exceed £200 a year, the authorised increase shall be 30 per cent of the amount of the pension;
 - (d) if the pension exceeds £200 a year but does not exceed £390 a year, the authorised increase shall be the amount of £60 a year; and
 - (e) if the pension exceeds £390 a year, the authorised increase shall be the amount which is necessary to increase the pension to £450 a year.
2. Where a pensioner is unmarried –
 - (a) if the pension does not exceed £75 a year, the authorised increase shall be 40 per cent of the amount of the pension;
 - (b) if the pension exceeds £75 a year but does not exceed £100 a year, the authorised increase shall be the amount of £30 a year;
 - (c) if the pension exceeds £100 a year but does not exceed £150 a year, the authorised increase shall be 30 per cent of the amount of the pension;
 - (d) if the pension exceeds £150 a year but does not exceed £305 a year, the authorised increase shall be the amount of £45 a year;
 - (e) if the pension exceeds £305 a year, the authorised increase shall be the amount which is necessary to increase the pension to £350.

THIRD SCHEDULE

The authorised increase shall be –

- (a) where a pensioner is married, or is unmarried with at least one dependant, £26 a year;
- (b) where a pensioner is unmarried, £20 a year;

Provided that the authorised increase shall not in any case exceed one third of the annual rate of pension together with any authorised increase payable under section 4 of this Ordinance.

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.

Assented to in Her Majesty's name this 15th day of May, 1959.

A. G. DENTON-THOMPSON,
Officer Administering the Government.

[L.S.]

No. 2



1959.

Falkland Islands Dependencies.

IN THE EIGHTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II.

AUBREY GORDON DENTON-THOMPSON, O.B.E., M.C.
Officer Administering the Government.

An Ordinance

To apply certain Laws of the Colony to the Dependencies. Title.

ENACTED by the Governor of the Colony of the Falkland Islands and the Dependencies thereof as follows :— Enacting clause.

1. This Ordinance may be cited as the Application of Colony Laws Ordinance, 1959. Short title.

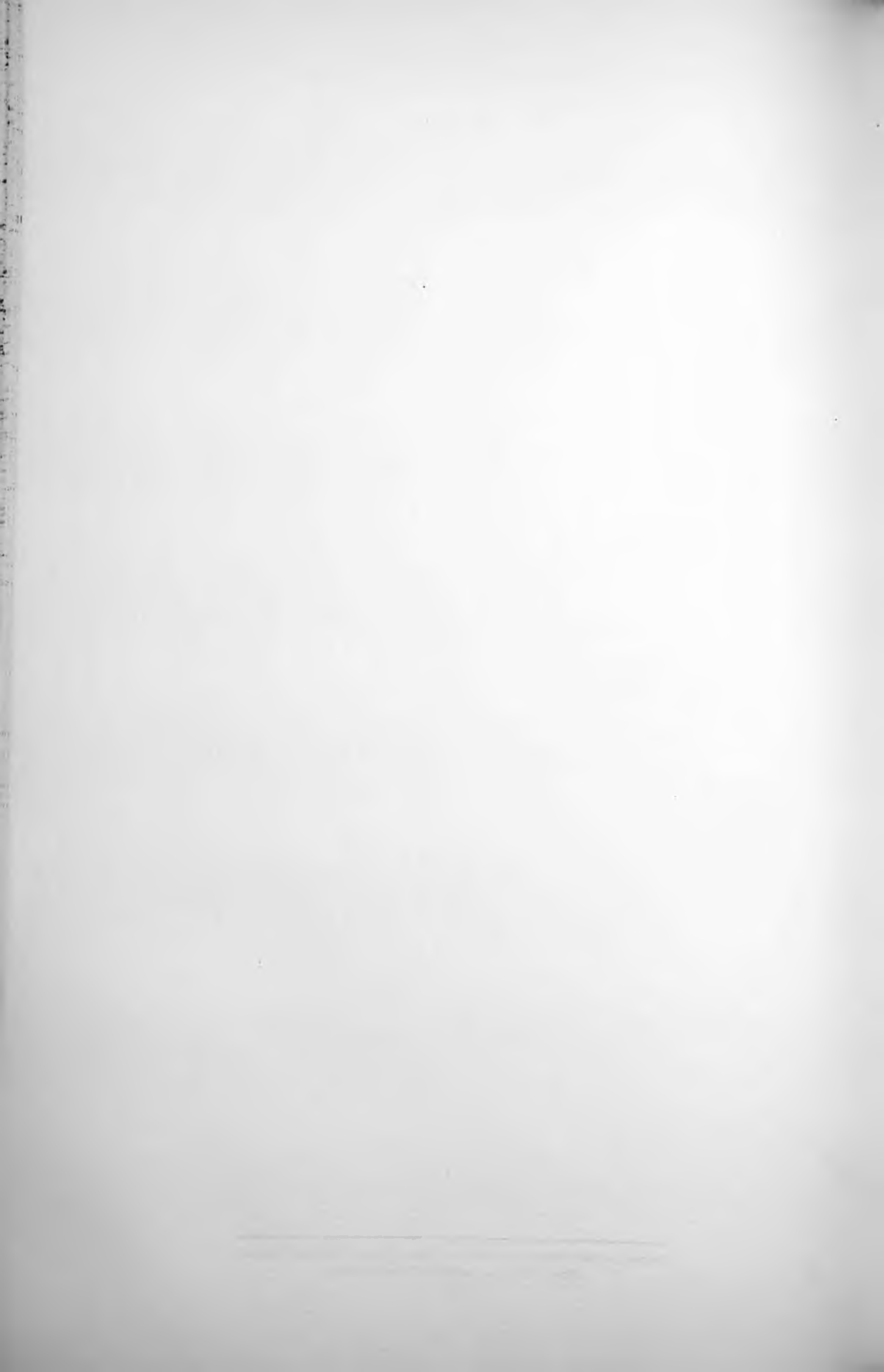
2. The Ordinances of the Colony specified in the first and second columns of the Schedule to this Ordinance are applied to the Dependencies, and shall be deemed to be in force in the Dependencies with effect from the respective dates set out opposite their title in the third column of the Schedule to this Ordinance. Application of certain Ordinances to the Dependencies.

SCHEDULE

1 of 1959	Customs (Amendment) Ordinance, 1959.	1st May, 1959.
4 of 1959	Foreign Judgments (Reciprocal Enforcement) Ordinance, 1959	1st May, 1959.

Promulgated by the Officer Administering the Government on the 15th day of May, 1959.

J. BOUND,
Acting Colonial Secretary.





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17 JUNE, 1959.

No. 9.

No. 4.

Proclamation

1959.

Made under section 24 of the Falkland Islands (Legislative Council)
Order in Council, 1948 to 1955.

IN THE NAME of Her Majesty ELIZABETH II., by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith.

A. G. DENTON-THOMPSON — *By His Honour AUBREY GORDON DENTON-THOMPSON, Esquire, Officer of the Most Excellent Order of the British Empire, upon whom has been conferred the Military Cross, Officer Administering the Government of the Colony of the Falkland Islands and its Dependencies.*

[L.S.]

WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall

be held at such times and places as the Governor shall from time to time appoint by Proclamation :

NOW THEREFORE, I, AUBREY GORDON DENTON-THOMPSON, Officer Administering the Government of the Colony of the Falkland Islands and its Dependencies, in exercise of the powers vested in me as aforesaid, do by this Proclamation appoint Friday the 26th day of June, 1959, at ten o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

GOD SAVE THE QUEEN.

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 26th day of June, in the Year of Our Lord One thousand Nine hundred and Fifty-nine.

By Command of the
Officer Administering the Government,
 J. BOUND,
Acting Colonial Secretary.

A Bill for An Ordinance

Title. Further to amend the Live Stock Ordinance.

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

Short title. 1. This Ordinance may be cited as the Live Stock (Amendment) Ordinance, 1959, and shall be read as one with the Live Stock Ordinance, hereinafter referred to as the principal Ordinance.

Cap. 40.

Amendment of section 2 of the principal Ordinance.

2. In section 2 of the principal Ordinance the definition of "Dipping" is repealed and replaced as follows :—

"Dipping" means the subjection of sheep to effective tick and ked destroying preparation by means of immersion or by such other means or in such other manner as may be approved by the Governor in Council or, with reference to lice or scab in sheep, means the subjection of sheep to effective scab or lice destroying preparation by such means or in such manner as may be approved by the Governor in Council.

OBJECTS AND REASONS.

The object of this Bill is to widen the definition of "dipping" so as to permit the introduction and use of effective methods of dipping other than by immersion.

A Bill for An Ordinance

Further to amend the Road Traffic Ordinance.

BE IT 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 (Amendment) Ordinance, 1959, and shall be read as one with the Road Traffic Ordinance, hereinafter referred to as the principal Ordinance.

Short title.

Cap. 60.

2. Section 5 of the principal Ordinance is amended as follows :—

Amendment of section 5 of the principal Ordinance.

- (a) in paragraph (b) of subsection (8) by the insertion of the figure “(2)” immediately after the figure “8” where it occurs therein;
- (b) for subsection (11) there shall be substituted the following new subsection :—

“(11) If any person who is disqualified for holding a licence applies for and obtains a licence while so disqualified, or while so disqualified drives a motor vehicle, or being a person whose licence has been endorsed applies for and obtains a licence without giving particulars of the endorsement, he shall be guilty of an offence and shall on summary conviction be liable to imprisonment for a term not exceeding six months or if the Court thinks that, having regard to the special circumstances of the case, a fine would be adequate punishment for the offence, to a fine not exceeding £50 or to both such imprisonment and fine, and any licence obtained as aforesaid shall be of no effect.”

OBJECTS AND REASONS.

To provide that disqualification for holding a licence shall be compulsory (unless the Court for special reasons thinks fit to order otherwise) only for offences relating to policies in respect of third party risks or to driving, attempting to drive, or being in charge of a motor vehicle on a road when under the influence of drink or a drug;

To make it an offence to drive a motor vehicle whilst disqualified for holding a licence; and to provide adequate punishment therefor, as well as for obtaining a licence whilst disqualified for holding a licence or, in the case of a person whose licence has been endorsed, without giving particulars of such endorsement.

Ref. 1850.

Application for a Publican's Licence under the provisions
of the Licensing Ordinance (Vol. 1, Cap. 38)

In accordance with Section 7 (1) of the Licensing Ordinance, an application has been made by

JOYCE ENA ALLAN — MON STAR HOTEL

for a Publican's Retail Licence, and provided that no objection be taken to the granting of a licence before 6th July, 1959, the same will be granted on that day.

L. GLEADELL,
Acting Colonial Treasurer.

THE TREASURY,

Stanley,

15th June, 1959.



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1 JULY, 1959.

No. 10.

APPOINTMENTS.

<i>Name</i>	<i>Department</i>	<i>Office</i>	<i>Date</i>	<i>Remarks</i>
Gutteridge, E. C.	Customs & Harbour	Acting Collector of Customs	7.5.59	—
Sollis, D. J.	Customs & Harbour	Acting Harbour Master	7.5.59	—
Biggs, A. R.	Public Works	Acting Foreman Carpenter	23.3.59	—
Bound, J.	Secretariat	Acting Colonial Secretary	14.5.59	—
Morrison, D. R.	Secretariat	Acting Asst. Col. Secretary	14.5.59	—
Coleman, D. J.	South Georgia	Administrative Officer	24.6.59	Assumed duty 26.6.59.
Richards, P. A.	South Georgia	Temp. Senior Met. Asst.	19.6.59	—

CONFIRMATION OF APPOINTMENT.

	<i>Department</i>	<i>Office</i>	<i>Date</i>	<i>Remarks</i>
Biggs, A. R.	Public Works	Carpenter	22.6.57	—

PROMOTION.

	<i>Department</i>	<i>From</i>	<i>To</i>	<i>Date</i>
Gleadell, L. C.	Treasury	Assistant Treasurer	Colonial Treasurer & Commissioner of Income Tax	19.6.59.

RETIREMENT.

	<i>Department</i>	<i>Office</i>	<i>Date</i>	<i>Remarks</i>
Slade, H. E.	Power & Electrical	Senior Electrician	1.7.59	On leave prior to final retirement.

LEAVE.

	<i>Department</i>	<i>Office</i>	<i>Period</i>	<i>Remarks</i>
Marks, D. A.	South Georgia	Junior Whale Fishery Inspector	12.5.59 – 29.5.59	On completion of Contract.

NOTICES.

The following Notices etc., are published by command of His Honour the Officer Administering the Government.

J. BOUND,
Acting Colonial Secretary.

No. 20. 2nd June, 1959.

EXPORT OF BANK OF ENGLAND NOTES.

It is hereby notified for general information that the limit of £10 on the export of Sterling Notes, imposed under the authority of Section 23 of the Exchange Control Ordinance, 1951, has been raised to £20.

Ref. 0078/XIV.

No. 21. 17th June, 1959.

BIRTHDAY HONOURS, 1959.

Her Majesty the Queen has been graciously pleased to approve the following appointments:—

HIS EXCELLENCY

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

to be a Knight Commander of the Most Distinguished Order of Saint Michael and Saint George (K.C.M.G.)

and

MRS. ROSE FLEURET

to be a Member of the Most Excellent Order of the British Empire.

Ref. 0107/CIV.

No. 22. 18th June, 1959.

It is hereby notified for general information that His Honour the Officer Administering the Government has been pleased to appoint

MR. E. SALMON,

to be a Member of the Broadcasting Advisory Committee with effect from the 18th June, 1959.

Ref. 0001/IV.

No. 23. 18th June, 1959.

The following telegrams exchanged between His Honour the Officer Administering the Government and the Right Honourable the Secretary

No. 24.

26th June, 1959.

The following revised list of Magistrates and Justices of the Peace of the Colony and its Dependencies is published for information:—

<i>Name.</i>	<i>Place of Residence.</i>	<i>Date of Appointment.</i>
EAST FALKLAND.		
Dr. J. H. Ashmore, M.A., M.B., B.Ch., B.A.O., L.M., J.P.	Stanley	14th December, 1954.
Hon. A. G. Barton, C.B.E., J.P.	Stanley	15th July, 1931.
H. Bennett, Esq., J.P.	"	22nd July, 1946.
J. Bound, Esq., E.D., J.P.	"	3rd January, 1953.
Hon. N. K. Cameron, O.B.E., J.P.	Port San Carlos	6th May, 1935.
D. J. Clark, Esq., J.P.	Stanley	27th April, 1957.
Hon. M. G. Creece, J.P.	"	3rd January, 1953.
Hon. A. G. Denton-Thompson, O.B.E., M.C., Magistrate	"	2nd May, 1955.
Hon. T. A. Gilruth, J.P.	Darwin	31st January, 1949.
Hon. A. L. Hardy, B.E.M., J.P.	Stanley	22nd July, 1946.
Hon. H. C. Harding, O.B.E., J.P.	"	27th November, 1939.
Mrs. C. Luxton, J.P.	"	17th September, 1957.

of State for the Colonies are published for general information.

From His Honour the Officer Administering the Government to the Right Honourable the Secretary of State for the Colonies.

"I should be glad if you would convey to Her Majesty the Queen, with my humble duty, the loyal and affectionate greetings of Her Majesty's subjects in the Falkland Islands, the Falkland Islands Dependencies and the Antarctic Bases on the occasion of the observance in the United Kingdom of Her Majesty's Birthday."

From the Right Honourable the Secretary of State for the Colonies to His Honour the Officer Administering the Government.

"I am commanded by the Queen to convey to you, the people of the Falkland Islands, the Falkland Islands Dependencies and Antarctic Bases, her warm thanks for your kind message of loyal greetings on the occasion of of Her Birthday."

Ref: 0191/B.

PROBATE.

In the Supreme Court of the Falkland Islands.
(Probate Division)

In the Matter of the Estate of David Statham, deceased, of Base Y, Horseshoe Island, Falkland Islands Dependencies.

Whereas Eric Michael Paul Salmon, Attorney for George Statham, 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 of publication hereof.

REX BROWNING,
Acting Registrar.

Stanley, Falkland Islands.

25th June, 1959.

S.C. 17/59.

WEST FALKLAND.

W. W. Blake, Esq., J.P.	Hill Cove	24th March, 1954.
W. H. Clement, Esq., J.P.	Fox Bay East	5th October, 1954.
K. W. Luxton, Esq., J.P.	Chartres	24th September, 1949.
Hon. S. Miller, J.P.	Roy Cove	3rd June, 1955.
D. M. Pole-Evans, Esq., J.P.	Port Howard	25th April, 1946.
C. H. Robertson, Esq., J.P.	Fox Bay West	27th November, 1936.

DEPENDENCIES.

K. R. Bell, Esq., Magistrate	Argentine Islands	8th April, 1959.
H. A. D. Cameron, Esq., Magistrate	Port Lockroy	23rd December, 1958.
D. J. Coleman, Esq., Magistrate	South Georgia	18th June, 1959.
P. J. Hodgkinson, Esq., Magistrate	Deception Island	10th April, 1959.
W. Johnston, Esq., Magistrate	R. R. S. "John Biscoe"	13th January, 1951.
G. R. Lush, Esq., Magistrate	Halley Bay	24th December, 1958.
D. McCalman, Esq., Magistrate	Hope Bay	23rd March, 1958.
R. M. Perry, Esq., Magistrate	Horseshoe Island	8th March, 1959.
J. W. Stammers, Esq., Magistrate	Signy Island	20th April, 1959.
M. J. Stansbury, Esq., Magistrate	Admiralty Bay	11th April, 1959.

Ref. 0457.

Instrument under the Public Seal of the Colony of the Falkland Islands re-appointing THOMAS ANDREW GILRUTH, ESQUIRE, J.P., to be a Member of the Executive Council.

A. G. DENTON-THOMPSON — *By His Honour AUBREY GORDON DENTON-THOMPSON, ESQUIRE, Officer of the Most Excellent Order of the British Empire, upon whom has been conferred the Military Cross, Officer Administering the Government of the Colony of the Falkland Islands and its Dependencies.*

[L.S.]

WHEREAS by certain Letters Patent under the great seal of the United Kingdom of Great Britain and Ireland, bearing date at Westminster the 13th day of December, 1948, constituting the office of Governor and Commander-in-Chief in and over the Colony of the Falkland Islands, it is amongst other things declared that there shall be an Executive Council in and for the said Colony which shall consist of such persons as may be directed under the Royal Sign Manual and Signet.

AND WHEREAS by instructions under the Royal Sign Manual and Signet, bearing date the 13th day of December, 1948, it is declared that the Governor in pursuance of the instructions from Her Majesty the Queen through one of her Principal Secretaries of State, may, from time to time, appoint persons other than ex-officio Members to be Members of the Executive Council of the Colony.

NOW, THEREFORE, I, AUBREY GORDON DENTON-THOMPSON, Officer Administering the Government in and over the Colony of the Falkland Islands and its Dependencies, do hereby re-appoint

THOMAS ANDREW GILRUTH, ESQUIRE, J.P.

to be a Member of my Executive Council.

GOD SAVE THE QUEEN.

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 20th day of June in the Year of Our Lord One thousand Nine hundred and Fifty-nine.

*By Command of the
Officer Administering the Government.*

J. BOUND,

Acting Colonial Secretary.

LEGISLATIVE COUNCIL.

Minutes of the Meeting held on 26th June, 1959.

Present : His Honour the Officer Administering the Government.
 The Honourable the Acting Colonial Secretary.
 The Honourable the Senior Medical Officer.
 The Honourable A. L. Hardy, B.E.M., J.P.
 The Honourable M. G. Creece, J.P.
 The Honourable A. Mercer, O.B.E.
 The Honourable H. C. Harding, O.B.E., J.P.
 The Honourable T. A. Gilruth, J.P.
 The Honourable S. Miller, J.P.
 The Honourable L. C. Gleadell.

The Meeting opened with prayers read by the Reverend W. F. McWhan, M.B.E.

2. The Minutes of the Meeting of the Legislative Council held on the 4th, 5th, 6th and 7th May, 1959, were confirmed.

3. The Honourable the Acting Colonial Secretary, by command, laid on the Table the following Paper :

Certificate of the Director General of the Oversea Audit Service on the Accounts of the Falkland Islands for the year ended 30th June, 1958.

4. The Honourable the Acting Colonial Secretary seconded by the Honourable T. A. Gilruth moved the first reading of the Bill "Further to amend the Live Stock Ordinance" and said

Your Honour,

The effect of this Bill may lead to something of considerable importance to the one industry of this Colony – that is as we all know – sheep farming.

Over the years, the industry has been subjected to such pests as keds, scab and lice and the method of combating this has been dipping by the immersion method.

Recently, experiments have been carried out at Douglas Station by another method – that of spray dipping, using a special preparation known as Dieldrin. Our present law does not permit dipping other than by means of immersion, and this must be carried out by the end of July at the latest. It is considered, however, that it would be advisable to allow the sheep that have been sprayed dipped to go through until shearing time without being dipped by immersion. This, however, would be contrary to the law and the proposed amendment would give the Governor in Council power to permit the experiment to be carried through to its conclusion – and if it is successful – it would further permit the extension of spray dipping throughout the Colony as an alternative to immersion.

I beg, Sir, to move the first reading of the Bill.

The Bill was read a first time and no objections being raised it was read a second time. In Committee Clauses 1 and 2, the Enacting Clause and Title were agreed to. The Council resumed and the Bill was read a third time and passed.

5. In introducing the Bill to "Further amend the Road Traffic Ordinance" the Honourable the Acting Colonial Secretary stated

Your Honour,

The proposed amendments to the Road Traffic Ordinance will in effect –

- (a) provide for a lesser sentence than automatic disqualification, for holding or obtaining a driving licence for a minor motoring offence; but still provide for automatic disqualification in the case of driving – or attempting to drive, or being in charge of a motor vehicle on a road, while under the influence of drink – or a drug – to such an extent as to make the person concerned incapable of having proper control of the vehicle.
- (b) make it an offence
 - (i) to drive a motor vehicle whilst disqualified for holding a licence;
 - (ii) to obtain a licence while disqualified for holding a licence;
 - (iii) to obtain a licence – in the case of a person whose licence has been endorsed – without giving particulars of such endorsement; and
- (c) provide for penalties for the offences aforementioned.

I beg to move the first reading of the Bill.

The Honourable A. Mercer seconded and the Bill was read a first time. After the second reading the Council went into Committee and Clauses 1 and 2, the Enacting Clause and the Title were agreed to. Council resumed and the Bill received its third reading and was passed.

Before adjourning His Honour conveyed Council's congratulations to the Honourable L. C. Gleadell on his recent promotion to the post of Colonial Treasurer.

Council adjourned *sine die*.

Assented to in Her Majesty's name this 30th day of June, 1959.

A. G. DENTON-THOMPSON,
Officer Administering the Government.

[L.S.]

No. 13



1959.

Colony of the Falkland Islands.

IN THE EIGHTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II.

AUBREY GORDON DENTON-THOMPSON, O.B.E., M.C.
Officer Administering the Government.

An Ordinance

Further to amend the Live Stock 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 Live Stock (Amendment) Ordinance, 1959, and shall be read as one with the Live Stock Ordinance, hereinafter referred to as the principal Ordinance. Short title.
Cap. 40.

2. In section 2 of the principal Ordinance the definition of "Dipping" is repealed and replaced as follows :— Amendment of section 2 of the principal Ordinance.

"Dipping" means the subjection of sheep to effective tick and ked destroying preparation by means of immersion or by such other means or in such other manner as may be approved by the Governor in Council or, with reference to lice or scab in sheep, means the subjection of sheep to effective scab or lice destroying preparation by such means or in such manner as may be approved by the Governor in Council.

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.

D. R. MORRISON,
Acting Clerk of the Legislative Council.

Assented to in Her Majesty's name this 30th day of June, 1959.

A. G. DENTON-THOMPSON,
Officer Administering the Government.

[L.S.]

No. 14

1959.



Colony of the Falkland Islands.

IN THE EIGHTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II.
AUBREY GORDON DENTON-THOMPSON, O.B.E., M.C.
Officer Administering the Government.

An Ordinance
Further to amend the Road Traffic
Ordinance.

Enacting clause.

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

Short title.

1. This Ordinance may be cited as the Road Traffic (Amendment) Ordinance, 1959, and shall be read as one with the Road Traffic Ordinance, hereinafter referred to as the principal Ordinance.

Cap. 60.

Amendment of section 5
of the principal
Ordinance.

2. Section 5 of the principal Ordinance is amended as follows :—

- (a) in paragraph (b) of subsection (8) by the insertion of the figure “(2)” immediately after the figure “8” where it occurs therein;
- (b) for subsection (11) there shall be substituted the following new subsection :—

“(11) If any person who is disqualified for holding a licence applies for and obtains a licence while so disqualified, or while so disqualified drives a motor vehicle, or being a person whose licence has been endorsed applies for and obtains a licence without giving particulars of the endorsement, he shall be guilty of an offence and shall on summary conviction be liable to imprisonment for a term not exceeding six months or if the Court thinks that, having regard to the special circumstances of the case, a fine would be adequate punishment for the offence, to a fine not exceeding £50 or to both such imprisonment and fine, and any licence obtained as aforesaid shall be of no effect.”

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.

D. R. MORRISON,
Acting Clerk of the Legislative Council.

Assented to in Her Majesty's name this 30th day of June, 1959.

A. G. DENTON-THOMPSON,
Officer Administering the Government.

[L.S.]

No. 3



1959.

Falkland Islands Dependencies.

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

AUBREY GORDON DENTON-THOMPSON, O.B.E., M.C.
Officer Administering the Government.

An Ordinance

To provide for the service between the first day of July, 1959, and the thirtieth day of June, 1960. Title.

[1st July, 1959.] Date of commencement.

ENACTED by the Governor of the Colony of the Falkland Islands, and the Dependencies thereof, as follows — Enacting Clause.

1. This Ordinance may be cited for all purposes as the Appropriation (Dependencies) (1959/1960) Ordinance, 1959. Short title.

2. The Governor may cause to be issued out of the Public Revenue and other funds of the Dependencies and applied to the service of the period ending the 30th of June, 1960, a sum not exceeding Seven hundred and sixty seven thousand, and Sixty three 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 period from the first day of July, 1959, to the thirtieth day of June, 1960. Appropriation of £767,063 for service of the year ending 30th June, 1960.

Schedule.

SCHEDULE.

Number.	Head of Service.	Amount. £
I.	General	79,097
II.	F.I.D.S. London Office	37,299
III.	F.I.D.S. Headquarters (Administration)	50,440
IV.	F.I.D.S. Headquarters (Meteorological Service) ...	19,995
V.	F.I.D.S. Bases	363,690
VI.	R.R.S. "John Biscoe"	114,479
VII.	R.R.S. "Shackleton"	94,358
VIII.	W/T Service	7,705
Total Expenditure £		767,063

Promulgated by the Officer Administering the Government
on the 30th day of June, 1959.

J. BOUND,
Acting Colonial Secretary.

Ref. F.I.D.S./46.



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1 AUGUST, 1959.

No. 11.

APPOINTMENTS.

<i>Name</i>	<i>Department</i>	<i>Office</i>	<i>Date</i>	<i>Remarks</i>
Leonard, J.	Posts and Tels.	Clerk	1.2.59	—
Ruddy, H.	South Georgia	Customs Officer and Administrative Assistant	24.6.59	—
Butcher, Miss A.	Medical	Nurse Probationer	2.7.59	—
Stewart, Dr. J. G. M.R.C.S., L.R.C.P., D.O.M.S.	Medical	Ophthalmologist	14.7.59	—

PROMOTION.

	<i>Department</i>	<i>From</i>	<i>To</i>	<i>Date</i>
Coutts, W. C.	Power & Electrical	Electrician	Senior Electrician	1.7.59

TRANSFER.

	<i>From</i>	<i>To</i>	<i>Date</i>
Lawrance, J.	Mason, Public Works Dept.	Constable/Handyman, South Georgia	6.4.59

LEAVE.

	<i>Department</i>	<i>Office</i>	<i>Period</i>	<i>Remarks</i>
Gilbert, J.	South Georgia	Steward	5.4.59 - 24.6.59	On completion of Contract.
Gilbert, Mrs. E.	South Georgia	Cook/Stewardess	5.4.59 - 24.6.59	On completion of Contract.
Butts, J. L.	South Georgia	Asst. Customs Officer	5.4.59 - 29.7.59	On completion of Contract.

	<i>Department</i>	<i>Office</i>	<i>Period</i>	<i>Date</i>	<i>Remarks</i>
Cochrane, J.	South Georgia	Meteorological Assistant	89 days	26.6.59	—
Ford, J.	South Georgia	Senior Met. Assistant	89 days	26.6.59	—

NOTICES.

The following Notices etc., are published by command of His Honour the Officer Administering the Government.

J. BOUND,
Acting Colonial Secretary.

No. 25. 20th July, 1959.

Intimation has been received from the Right Honourable the Secretary of State for the Colonies to the effect that Her Majesty will not be advised to exercise her power of disallowance in respect of the following Ordinances of the Legislature of the Falkland Islands:—

No.	Title	Ref.
1 of 1959	Customs (Amendment) Ordinance, 1959.	1764.
2 of 1959	The Retiring Allowance to Nurses (Revival) Ordinance, 1959.	73/23.

No. 26. 1st August, 1959.

With reference to Gazette Notice No. 17 of the 5th May, 1959, the findings of the Cost of Living Committee for the quarter ended 30th June, 1959, are hereby published for general information.

Quarter ended	Percentage increase over 1948 prices
30th June, 1959.	57.63

Ref. 0704/V.

No. 5

Proclamation

1959

IN THE NAME of Her Majesty ELIZABETH II., by the Grace of God of the United Kingdom of Great Britain, and Northern Ireland and of Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith.

R. STEWART SLESSOR — *By His Honour* ROBERT STEWART SLESSOR, Esquire, *Officer of the Most Excellent Order of the British Empire, Officer Administering the Government of the Colony of the Falkland Islands and its Dependencies.*

[L.S.]

WHEREAS by the seventh clause of the Letters Patent passed under the Great Seal of the United Kingdom, dated the 13th December, 1948, constituting the office of Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, it is provided that "whenever the Office of Governor is vacant, or the Governor is absent from the Colony or is from any cause prevented from, or incapable of, acting in the duties of his Office, then such other person as We may appoint under Our Sign Manual and Signet, or if there is no such person in the Colony so appointed and capable of discharging the duties of the administration, the Senior Member of the Executive Council then in the Colony and so capable, shall, during Our pleasure, administer the Government of the Colony".

AND WHEREAS HIS HONOUR AUBREY GORDON DENTON-THOMPSON, Esquire, Officer of the Most Excellent Order of the British Empire, upon whom has been conferred the Military Cross, has this day left the Colony on leave of absence.

AND WHEREAS no person has been appointed under the Royal Sign Manual and Signet to administer the Government of this Colony in the absence of the Governor;

NOW, THEREFORE, I, ROBERT STEWART SLESSOR, Senior Medical Officer of the Falkland Islands, the Senior Member of the Executive Council aforesaid, do hereby proclaim and make known that, in pursuance of the said clause of the said Royal Letters Patent and having taken the oaths prescribed by law, I have this day assumed the Administration of the Government of this Colony and its Dependencies.

GOD SAVE THE QUEEN.

Given at Government House, Stanley, this 2nd day of July, in the Year of Our Lord One thousand Nine hundred and Fifty-nine.

*By Command of the
Officer Administering the Government,*

J. BOUND,
Acting Colonial Secretary.

The Civil Aviation Act.

REGULATIONS

(under section 10 of the Act.)

No. 3 of 1959.

E. P. ARROWSMITH,
Governor.

In exercise of the powers conferred on him by section 10 of the Civil Aviation Act, 1949 [as extended to the Colony by the Colonial Air Navigation (Application of Acts) Order, 1952] and of all other powers enabling him in that behalf, the Governor hereby makes the following Regulations :—

1. These Regulations may be cited as the Civil Aviation (Investigation of Accidents) Regulations, 1959. Short title.

2. (1) In these Regulations, unless the context otherwise requires — Interpretation and application of Regulations.

“the Act” means the Civil Aviation Act, 1949, and includes any Order or Regulation made or having effect as if made under the Act;

“aircraft” includes all balloons (whether captive or free), gliders, airships and flying machines;

“accident” includes any fortuitous or unexpected event by which the safety of an aircraft or any person is threatened;

references to the Colony include references to the Dependencies and to the territorial waters adjacent to the Colony and Dependencies;

“owner” means, where an aircraft is registered, registered owner;

“substantial damage” includes any damage which necessitates the replacement or extensive repair of any major component.

(2) References in these Regulations to any enactment shall, unless the context otherwise requires, be construed as references to that enactment as re-enacted in or as amended by or under any subsequent enactment.

(3) The Interpretation Ordinance shall apply for the purpose of the interpretation of these Regulations as it applies for the interpretation of an Ordinance, and as if these Regulations were an Ordinance.

3. These Regulations relate to civil aviation only and shall apply, so far as in the opinion of the Governor may be practicable having regard to local conditions and the circumstances and place of the accident, to accidents arising out of or in the course of air navigation which occur to any civil aircraft in or over the Colony, or elsewhere to civil aircraft registered in the Colony.

4. An accident shall be notified in accordance with the provisions of Regulation 5 if, between the time when any person boards an aircraft with the intention of flight and such time as all persons have disembarked therefrom Notification of Accidents.

(a) any person suffers death or serious injury while in or upon the aircraft or by direct contact with the aircraft or anything attached thereto; or

(b) the aircraft receives substantial damage.

5. (1) Where an accident occurs of which notification is required to be given under Regulation 4, or where an accident to

which these Regulations apply occurs in or over the Colony, the person in command of the aircraft involved at the time of the accident, or if he be killed or incapacitated, then the owner, operator, hirer, or other person on whose behalf he was in command of the aircraft, as the case may be, shall forthwith send to the Governor by the quickest means of communication available notice of the accident and of the place where it occurred; provided that in the case of an accident occurring in or in the vicinity of the Falkland Islands Dependencies the Administrative Officer, South Georgia, or the Base Leader of the nearest British Base shall also be notified.

(2) The notice to the Governor referred to in paragraph (1) of this Regulation shall state as far as possible –

- (a) the type, and the nationality and registration marks of the aircraft;
- (b) the name of the owner, operator and hirer if any, of the aircraft;
- (c) the name of the person in command of the aircraft;
- (d) the date and time of the accident;
- (e) the last point of departure and the next point of intended landing of the aircraft;
- (f) the position of the aircraft with reference to some easily defined geographical point;
- (g) the number of persons (if any)
 - (i) killed,
 - (ii) seriously injured,
 as the result of the accident;
- (h) the nature of the accident as far as is known;
- (i) brief particulars of damage to the aircraft.

(3) Where an accident to which these Regulations apply occurs, whether in or over the Colony or elsewhere, the owner, operator or hirer of the aircraft shall, if so required by notice in writing from the Governor, send to the Governor within such time as may be specified in the notice, such information with respect thereto in such form as the Governor may require.

Removal of damaged aircraft.

6. (1) Where an accident occurs in or over the Colony, of which notification is required to be given under Regulation 4, no person other than an authorised person shall have access to the aircraft involved in the accident and the aircraft shall not except under the authority of the Governor, be removed or otherwise interfered with;

Provided that –

- (i) the aircraft may be removed or interfered with so far as may be necessary for the purpose of extricating persons or animals involved, removing any mails carried by the aircraft, preventing destruction by fire or other cause, or preventing any danger or obstruction to the public or to air navigation or to other transport;
- (ii) goods or passengers' baggage may be removed from the aircraft under the supervision of an officer of police, but, if the aircraft has come from a place outside the Colony, shall not be removed from the vicinity of the aircraft except on clearance by or with the consent of an officer of Customs and Excise;
- (iii) if an aircraft is wrecked on the water, the aircraft or any contents thereof may be removed to such extent as may be necessary for bringing it or them to a place of safety.

(2) In this Regulation the expression "authorised person" means any person authorised by the Governor either generally or specially to have access to any aircraft involved in an accident and includes any officer of police or any officer of Customs and Excise.

7. (1) For the purpose of carrying out investigations into the causes and circumstances of any accident to which these Regulations apply the Governor shall appoint some fit and proper person as Inspector.

Inspector's Investigation.

(2) The Inspector shall carry out an investigation of the accident, whether or not such accident is one whereof notification is required to be given under Regulation 4.

(3) Public notice that such investigation is taking place shall be given in such manner as the Governor may think fit and shall state that any person who may desire to make representations concerning the circumstances or causes of the accident may do so in writing within a time to be specified in the notice.

8. With respect to an Inspector's Investigation, the following provisions of this Regulation shall have effect:—

(1) The Inspector by whom the investigation is made shall have power —

- (a) by summons under his hand to call before him and examine all such persons as he thinks fit, to require such persons to answer any question or furnish any information or produce any books, papers, documents and articles which the Inspector may consider relevant, and to retain any such books, papers, documents and articles until the completion of the investigation;
- (b) to take statements from all such persons as he thinks fit and to require any such person to make and sign a declaration of the truth of the statement made by him;
- (c) to have access to and examine any aircraft involved in the accident and the place where the accident occurred, and for that purpose to require any such aircraft or any part or equipment thereof to be preserved unaltered pending examination;
- (d) to examine, remove, test, take measures for the preservation of, or otherwise deal with the aircraft or any part thereof or anything contained therein;
- (e) to enter and inspect any place or building the entry or inspection whereof appears to the Inspector to be requisite for the purposes of the investigation;
- (f) to take measures for the preservation of evidence.

(2) Where an accident has occurred in or over the Colony to an aircraft registered in any country other than the Colony, the Governor may authorise an investigator appointed by the duly competent authority of that other country to carry out an investigation, and in that event the Governor shall so far as he is able facilitate inquiries by the investigator so appointed;

(3) The investigation shall be held in private;

Provided that —

Where it appears to the Governor that it is expedient to hold a Public Inquiry into the causes and circumstances of an accident to which these Regulations apply, he may direct that the investigation be held in public.

Public Inquiries.

(4) Where it appears to the Inspector that in order to resolve any conflict of evidence or that for any other reason it is expedient so to do, he may permit any person to appear before him and call evidence and examine witnesses;

(5) Where it appears to the Inspector that any degree of responsibility for the accident may be attributed to any person, and if it appears to the Inspector to be practicable so to do, that person or, if he be deceased, his legal personal representatives shall be given notice that blame may be attributed to him and be permitted to make a statement or give evidence and to produce witnesses and to examine any witnesses from whose evidence it appears that he may be blame-worthy;

(6) Every person summoned by the Inspector as a witness in accordance with this Regulation shall be allowed such expenses as the Governor may from time to time determine.

9. Upon the completion of an investigation, the Inspector shall make a report to the Governor. He shall state the circumstances of the case and his conclusions as to the cause of the accident, adding any observations and recommendations which he thinks fit to make with a view to the preservation of life and the avoidance of similar accidents in future. He shall also state to what extent effect has been given to the provisions of paragraph (5) of Regulation 8. The Governor may cause the whole or any part of such report to be made public in such manner as he thinks fit.

10. (1) Every investigation held in public under these Regulations shall be conducted in such manner that, if a charge is made against any person, that person shall have an opportunity of making a defence;

(2) When an investigation has been directed to be held in public the Governor may cause a notice, to be called a notice of inquiry, to be served upon the owner, operator, hirer and person in command of any aircraft involved in the accident, as well as upon any person who in his opinion ought to be served with such notice. The notice shall contain a statement of the questions which on the information then in the possession of the Governor he intends to be raised on the hearing of the inquiry, and he may, at any time before the hearing of the inquiry, by a subsequent notice amend, add to, or omit any of the questions specified in the notice of inquiry;

(3) The owner, the operator, the hirer, the person in command and any other person upon whom a notice of inquiry has been served, shall be deemed to be parties to the proceedings;

(4) Affidavits and statutory declarations may, by permission of the Inspector and saving all just exceptions, be used as evidence at the hearing;

(5) At the time and place appointed for holding the inquiry the Inspector may proceed with the inquiry whether the parties, upon whom a notice of inquiry has been served, or any of them are present or not;

(6) The inquiry shall be held in public save to the extent to which the Inspector is of opinion that in the interest of justice or in the public interest any part of the evidence, or any argument relating thereto should be heard in camera.

Rehearing of Public Inquiries.

11. (1) The Governor may, in any case where an investigation has been held in public, direct a rehearing thereof either generally or as to any part thereof and shall do so

(a) if new and important evidence which could not be produced at the inquiry has been discovered, or

(b) if for any other reason there is in his opinion ground for suspecting that a miscarriage of justice has occurred;

(2) If the Governor directs any inquiry to be reheard, he may order that it shall be reheard either by the Inspector by whom it was heard in the first instance or by some other person appointed by him to hold the rehearing;

(3) Any rehearing shall be subject to and conducted in accordance with the provisions of these Regulations.

12. Where an Investigation relates to an accident which has occurred in or over the Colony to an aircraft registered in any country other than the Colony, an accredited representative of the country in which the aircraft is registered, or of any country which has, on request, furnished information in connection with the accident, may take part in the investigation; he may be accompanied by such technical and other advisers as may be considered necessary by the authorities of the country by which he is appointed. General.

13. (1) A person shall not obstruct or impede an Inspector or any person acting under the authority of the Governor in the exercise of any powers or duties under these Regulations.

(2) A person shall not without reasonable excuse (proof whereof shall lie on him) fail after having had the expenses (if any) to which he is entitled tendered to him, to comply with any summons or requisition of an Inspector holding an Investigation under these Regulations.

14. (1) Nothing in these Regulations shall limit the powers of any authority under sections 530 to 537 inclusive of the Merchant Shipping Act, 1894;

(2) Nothing in these Regulations shall limit the power of the Governor under the Act of cancelling, suspending or endorsing any licence, certificate or other document.

Made by the Governor in Executive Council on the 20th April, 1959.

J. BOUND.

Clerk of the Executive Council.

Ref. 1586/A.

Assented to in Her Majesty's name this 25th day of July, 1959.

R. STEWART SLESSOR,
Officer Administering the Government.

[L.S.]

No. 4



1959.

Falkland Islands Dependencies.

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

ROBERT STEWART SLESSOR, O.B.E.,
Officer Administering the Government.

An Ordinance

Title.

To provide for the service between the first day of July, 1959, and the thirtieth day of June, 1960.

Date of commencement.

[1st July, 1959.]

Enacting Clause.

ENACTED by the Governor of the Colony of the Falkland Islands, and the Dependencies thereof, as follows —

Short title.

1. This Ordinance may be cited for all purposes as the Appropriation (Dependencies) (1959/1960) (Amendment) Ordinance, 1959.

Appropriation of
£764,563 for service
of the year ending 30th
June, 1960.

2. The Governor may cause to be issued out of the Public Revenue and other funds of the Dependencies and applied to the service of the period ending the 30th of June, 1960, a sum not exceeding Seven hundred and Sixty four thousand, Eight hundred and Sixty three 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 period from the first day of July, 1959, to the thirtieth day of June, 1960.

Repeal of Ordinance
No. 3 of 1959.

3. The Appropriation (Dependencies) (1959/60) Ordinance, 1959, is hereby repealed.

SCHEDULE.

Schedule.

Number.	Head of Service.	Amount. £
I.	General	79,097
II.	F.I.D.S. London Office	37,299
III.	F.I.D.S. Headquarters (Administration)	46,940
IV.	F.I.D.S. Headquarters (Meteorological Service) ...	19,995
V.	F.I.D.S. Bases	364,990
VI.	R.R.S. "John Biscoe"	114,479
VII.	R.R.S. "Shackleton"	94,358
VIII.	W/T Service	7,705
Total Expenditure £		764,863

Promulgated by the Officer Administering the Government
on the 25th day of July, 1959.

J. BOUND,
Acting Colonial Secretary.

Ref. F.I.D.S./46.

A Bill for An Ordinance

To prevent the pollution of the sea by Oil. Title.

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

1. (1) This Ordinance may be cited as the Oil in Territorial Short title and applica-
Waters Ordinance, 1959. tion.

(2) This Ordinance applies to the following Waters:—

- (a) the whole of the sea within the seaward limits of
the territorial waters of the Colony, and
- (b) all other waters which are within those limits and
are navigable by sea-going ships.

2. (1) In this Ordinance unless the context otherwise Definitions.
requires —

"Harbour" means any bay, haven or arm of the sea which has
been or may hereafter be defined and declared to be a harbour
by the Governor in Council;

"Harbour Master" means and includes any person appointed by
the Governor for the purpose of enforcing the provisions of
this Ordinance;

"Mile" means a nautical mile, that is to say a distance of six
thousand and eighty feet;

"Oil" means oil of any description and shall include crude oil,
fuel oil, diesel oil and lubricating oil and shall also include
coal tar but for the purposes of this Ordinance shall not
include seal oil or whale oil;

"Oil residues" means any waste material consisting, or arising from, oil, or produced by operations for extracting or refining oil, and includes a mixture containing oil;

"Vessel" includes every description of ship.

(2) Any reference in any provision of this Ordinance to a mixture containing oil shall be construed as a reference to any mixture of oil with water or with any other substance.

Discharge of oil into the territorial waters of the Colony.

(Oil in Nav. Waters Act, 1958, s. 3.)

3. (1) If any oil or oil residues or any mixture containing oil or oil residues is discharged or allowed to escape into any harbour or waters to which this Ordinance applies from any vessel, or from any factory or place on land, or from any apparatus used for transferring oil from or to any vessel (whether to or from a factory or place on land or to or from another vessel) then subject to the provisions of this Ordinance—

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

shall be liable to a fine not exceeding £500.

Special defences.
(Oil in Nav. Waters Act, 1958, s. 4.)

4. (1) Where a person is charged with an offence under the last preceding section as the owner or master of a vessel, it shall be a defence to prove that the oil or oil residues or mixture in question was discharged for the purpose of securing the safety of the vessel, or of preventing damage to the vessel or her cargo, or of saving life:

Provided that a defence under this subsection shall not have effect if the court is satisfied that the discharge of the oil or oil residues or mixture was not necessary for the purpose alleged in the defence or was not a reasonable step to take in the circumstances.

(2) Where a person is charged as mentioned in the preceding subsection, it shall also be a defence to prove—

- (a) that the oil or oil residues or mixture escaped in consequence of damage to the vessel, 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 oil or oil residues or mixture, or
- (b) that the oil or oil residues or mixture 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.

(3) 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 oil or oil residues or a mixture containing oil is alleged to have escaped, it shall be a defence to prove that the escape of the oil or oil residues or mixture 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.

(4) 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.

(5) Where a person is charged with an offence under the last preceding section in respect of the discharge of a mixture containing

oil from a place on land, it shall (without prejudice to any other defence under this section) be a defence to prove –

- (a) that the oil was contained in an effluent produced by operations for the refining of oil;
- (b) that it was not reasonably practicable to dispose of the effluent otherwise than by discharging it into waters to which the last preceding section applies; and
- (c) that all reasonably practicable steps had been taken for eliminating oil from the effluent :

Provided that a defence under this subsection shall not have effect if it is proved that, at a time to which the charge relates, the surface of the waters into which the mixture was discharged from the place in question, or land adjacent to those waters, was fouled by oil, unless the court is satisfied that the fouling was not caused, or contributed to, by oil contained in any effluent discharged at or before that time from that place.

(6) Where any oil or oil residues or mixture containing oil or oil residues is discharged in consequence of –

- (a) the exercise of any power conferred by sections five hundred and thirty to five hundred and thirty-two of the Merchant Shipping Act, 1894 (which relate to the removal of wrecks by harbour, conservancy and light-house authorities), or
- (b) the exercise for the purpose of preventing an obstruction or danger to navigation, of any power to dispose of sunk, stranded or abandoned vessels which is exercisable by a harbour authority,

and apart from this subsection the authority exercising the power, or a person employed by or acting on behalf of the authority, would be guilty of an offence under the last preceding section, in respect of that discharge, the authority or person shall not be convicted of that offence unless it is shown that they or he failed to take such steps (if any) as were reasonable in the circumstances for preventing, stopping or reducing the discharge.

5. (1) If any oil or oil residues or mixture containing oil –

- (a) is discharged from a vessel into the waters of a harbour in the Colony for the purposes of securing the safety of the vessel, or of preventing damage to the vessel or her cargo, or of saving life, or
- (b) is found to be escaping, or to have escaped, into any such waters from a vessel in consequence of damage to the vessel, or by reason of leakage, or
- (c) is found to be escaping or to have escaped into any such waters from a place on land,

Duty to report discharges of oil into waters of harbours.

(Oil in Nav. Waters Act, 1958. s. 10.)

the owner or master of the vessel, or the occupier of the place on land, as the case may be, shall forthwith report the occurrence to the harbour master, stating, in the case of a report by the owner or master of a vessel, whether it falls within paragraph (a) or paragraph (b) of this subsection, and, if he fails to do so, shall be guilty of an offence under this section :

(2) A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding two hundred pounds.

6. (1) Proceedings in respect of offences under this Ordinance, or any regulations made thereunder, may be taken before the magistrate or any two justices of the peace in a summary manner, or in the Supreme Court :

Legal proceedings.
(Ch. 76. sec. 12.)

Provided that any fine imposed by the Magistrate or two justices of the peace shall not exceed one hundred pounds exclusive of costs.

(Oil in Nav. Waters Act,
1958, s. 12. (4).)

(2) Where, immediately before the date which (apart from this subsection) would be the date of expiry of the time for bringing proceedings in a court of summary jurisdiction in respect of an offence alleged to have been committed under this Ordinance, the person to be charged is outside the Colony, the time for bringing proceedings shall be extended until the end of the period of two months beginning with the date on which he next enters the Colony.

(Oil in Nav. Waters Act,
1958, s. 12 (5).)

(3) Proceedings for any offence under this Ordinance may be taken against a person at any place at which he is for the time being.

Enforcement and appli-
cation of fines.

(Oil in Nav. Waters Act,
1958, s. 13.)

7. (1) Where a fine imposed by a court in proceedings against the owner or master of a vessel for an offence under this Ordinance is not paid at the time ordered by the court, the court shall, in addition to any other powers for enforcing payment, have power to direct the amount remaining unpaid to be levied by distress or pounding and sale of the vessel, her tackle, furniture and apparel.

(2) Where a person is convicted of an offence under section 3 of this Ordinance, and the court imposes a fine in respect of the offence, then if it appears to the court that any person has incurred, or will incur, expenses in removing any pollution, or making good any damage, which is attributable to the offence, the court may order the whole or part of the fine to be paid to that person for or towards defraying those expenses.

Application of Act to
Crown.

(Oil in Nav. Waters Act,
1938, s. 16 (1).)

8. (1) The provisions of this Ordinance do not apply to vessels of Her Majesty's navy nor to Government ships in the service of the Admiralty while employed for the purposes of Her Majesty's navy.

Power to make regula-
tions.

9. The Governor in Council may from time to time make regulations for the more effective carrying out of the purposes of this Ordinance, and may impose penalties for the breach of any such regulations.

Repeal of the Harbour
(Amendment) Ordinance,
1958.

10. The Harbour (Amendment) Ordinance, 1958, is hereby repealed.

OBJECTS AND REASONS

The object of this Bill is to provide against the discharge or escape of oil (excluding whale oil or seal oil) into the whole of the sea within the seaward limits of the territorial waters of the Colony and all other waters which are within those limits and are navigable by sea-going ships.

Statement shewing total Receipts for the year ended 30th June, 1958

RECEIPTS	Amount Estimated.	Actual Receipts.	Over the Estimate.	Under the Estimate.
	£	£ s. d.	£ s. d.	£ s. d.
Net Balance ...		11591 0 10½		
1. Customs ...	88755 0 0	68422 16 8		20332 3 4
2. Port Dues ...	200 0 0	210 0 0	10 0 0	
3. Internal Revenue ...	43068 0 0	70415 2 0	27347 2 0	
4. Fees ...	540 0 0	1140 9 6	600 9 6	
5. Rents ...	1731 0 0	1837 7 9	106 7 9	
6. Post Office ...	11000 0 0	10083 3 6		916 16 6
7. Miscellaneous ...	40640 0 0	30172 6 7		10467 13 5
8. Contribution from H.M. Govt. towards F.I.D.S.	267900 0 0	273169 14 3	5269 14 3	
9. Contribution from H.M. Govt. towards F.I.D.S. (I.G.Y.)	9850 0 0			9850 0 0
10. W/T Service ...	3800 0 0	3800 0 0		
Total Revenue £	467484 0 0	459251 0 3	33333 13 6	41566 13 3
Advances ...		76142 8 6		
Deposits ...		30178 19 2		
Remittances ...		164514 14 2		
Investments ...		490166 10 6		
Investments Adjustment Account		532 16 6		
Reserve Fund ...		3 7 3		
Total Receipts ...		1220789 16 4		
Balance 1/7/57 ...		11591 0 10½		
TOTAL ...	£	1232380 17 2½		

Examined : B. S. CARTER,

Auditor,

11th February, 1959.

Statement shewing total Payments for the year ended 30th June, 1958

PAYMENTS	Amount Estimated.			Actual Payments.			Over the Estimate.			Under the Estimate.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1. General	59065	0	0	66631	7	8½	7566	7	8½			
2. F.I.D.S. London Office ...	43543	0	0	30561	1	4				12981	18	8
3. F.I.D.S. Headquarters (Administration)	17725	0	0	22194	9	3	4469	9	3			
4. F.I.D.S. Headquarters (Meteorological Service)	16147	0	0	12458	1	9				3688	18	3
5. F.I.D.S. Bases	157336	0	0	163940	9	3	6604	9	3			
6. R.R.S. "John Biscoe" ...	119053	0	0	105133	13	11				13919	6	1
7. R.R.S. "Shackleton" ...	71793	0	0	81521	10	6	9728	10	6			
8. W/T Service	6775	0	0	7310	15	8	535	15	8			
9. Aerial Survey (Dependencies)	27900	0	0	46673	0	8	18773	0	8			
 Total Expenditure £	519337	0	0	536424	10	0½	47677	13	0½	30590	3	0
 Advances				82221	17	6						
Deposits				27656	13	2						
Remittances				171935	8	1½						
Investments				347605	7	11						
Investments Adjustment Account ...				532	16	6						
Reserve Fund				3455	3	3						
 Total Payments				1169831	16	6						
 Balance 30/6/58				62549	0	8½						
 TOTAL	£			1232380	17	2½						

W. A. TINCEY,
for Colonial Treasurer,
17th October, 1958.



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Vol. LXVIII.

1 SEPTEMBER, 1959.

No. 12.

APPOINTMENT.

<i>Name</i>	<i>Department</i>	<i>Office</i>	<i>Date</i>	<i>Remarks</i>
Lewis, C. S.	Education	Teacher	14.7.59	—

PROMOTION.

	<i>Department</i>	<i>From</i>	<i>To</i>	<i>Date</i>
Ikkint, D. E. J.	South Georgia	Constable/Handyman	Junior Customs Officer	5.4.59

TERMINATION OF APPOINTMENT.

	<i>Department</i>	<i>Office</i>	<i>Date</i>	<i>Reason.</i>
Hulbert, Mrs. M. née Williams	Education	Assistant Mistress	28.8.59	Resigned.

LEAVE.

	<i>Department</i>	<i>Office</i>	<i>Period</i>	<i>Remarks</i>
Tincey, Mrs. W. A.	Government House	Private Secretary	23.3.59 – 12.8.59	On resignation.
Harries, R. N.	Printing Office	Assistant Printer	23.3.59 – 12.8.59	On resignation.
Nesbitt, I. H.	South Georgia	Senior Customs Officer	28.4.59 – 14.8.59	On completion of Contract.

NOTICES.

The following Notices etc., are published by command of His Honour the Officer Administering the Government.

J. BOUND,
Acting Colonial Secretary.

No. 27. 14th August, 1959.

Intimation has been received from the Right Honourable the Secretary of State for the Colonies to the effect that Her Majesty will not be advised to exercise her power of disallowance in respect of the following Ordinances of the Falkland Islands and its Dependencies :-

No.	Title	Ref.
<i>Colony</i>		
5 of 1959	Supplementary Appropriation (1957/58) Ordinance, 1959.	0284/X.
6 of 1959	Appropriation (1959/60) Ordinance, 1959.	0284/XII.
8 of 1959	Pensions (Amendment) Ordinance, 1959.	0829/II.
10 of 1959	Old Age Pensions (Amendment) Ordinance, 1959.	0323/A/IV.
11 of 1959	Application of Enactments Ordinance, 1959.	1460.
<i>Dependencies</i>		
2 of 1959	Application of Colony Laws Ordinance, 1959.	0188.

No. 28. 20th August, 1959.

It is hereby notified that Dr. the Honourable R. S. Slessor, O.B.E., acted as Officer Administering the Government from 2nd July, 1959, to 10th August, 1959.

Ref. P/426.

No. 29. 20th August, 1959.

It is hereby notified that His Honour A. G. Denton-Thompson, O.B.E., M.C., returned to the Colony on the 11th August, 1959, and assumed administration of Government.

Ref. P/659.

No. 30. 31st August, 1959.

It is with deep regret that His Honour the Officer Administering the Government announces the death on the 28th August, 1959, of Mr. Arthur Francis Leaff, of the Government Wireless Station, Stanley.

Ref. P/781.

PROBATE.

In the Supreme Court of the Falkland Islands.
(Probate Division)

In the Matter of the Estate of Catherine Marion Lee, deceased, of Stanley, Falkland Islands.

Whereas Frederick George Lee, widower 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 of publication hereof.

REX BROWNING,
Acting Registrar.

Stanley, Falkland Islands.
31st August, 1959.

S.C. 27/59.

In the Supreme Court of the Falkland Islands.
(Probate Division)

In the Matter of the Estate of Donald Smith McAskill, deceased, of Stanley, Falkland Islands.

Whereas Donald William McAskill, a son 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 of publication hereof.

REX BROWNING,
Acting Registrar.

Stanley, Falkland Islands.
1st September, 1959.

S.C. 28/59.

In the Supreme Court of the Falkland Islands.
(Probate Division)

In the Matter of the Estate of Helen Braid Pauloni, deceased, of Stanley, Falkland Islands.

Whereas Arthur Leslie Hardy, Attorney for the sons 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 of publication hereof.

REX BROWNING,
Acting Registrar.

Stanley, Falkland Islands.
1st September, 1959.

S. C. 29/59.

In the Supreme Court of the Falkland Islands.
(Probate Division)

In the Matter of the Estate of Roderick Duncan McRae, deceased, of Stanley, Falkland Islands.

Whereas Clara Eveline McRae, widow 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 of publication hereof.

REX BROWNING,
Acting Registrar.

Stanley, Falkland Islands.
1st September, 1959.

S.C. 32/59.

STANLEY TOWN COUNCIL

STATEMENT OF ASSETS AND LIABILITIES, 31st DECEMBER 1958.

LIABILITIES				ASSETS			
			£ s. d.				£ s. d.
Deposits	...	...	30 : 15 : 0	Cemetery Investments (Face value)	...	...	1685 : 18 : 7
Town Council Charitable Relief	...	...	49 : 16 : 9	Savings Bank Deposits :-			
Government Charitable Relief	...	...	89 : 8 : 9	General Account	...	£ 350 : 0 : 0	
Fire Brigade Fund	...	...	136 : 5 : 4	Fire Brigade Account	...	147 : 13 : 7	
Capital Account	...	...	908 : 13 : 6	Capital Account	...	908 : 13 : 6	
Cemetery Investment Fund	...	...	1685 : 18 : 7	Cash in hand	...	133 : 0 : 5	
Museum Account	...	...	8 : 16 : 2				1539 : 7 : 6
Surplus & Deficit Account, being surplus	...	...	315 : 12 : 0 ^p				
			<u>£3225 : 6 : 1</u>				<u>£3225 : 6 : 1</u>

* Surplus and Deficit Account Details

Balance 1/1/58	...	...	£334 : 14 : 1
Deficit 1958	...	...	19 : 2 : 1
			<u>£315 : 12 : 0</u>

D. HARDY,
Town Clerk.

15th June, 1959.

The above statement has been examined by me in accordance with the requirements of the Stanley Town Council Ordinance, 1947. I have obtained all the information that I have required and I certify, as a result of this audit, that in my opinion the statement is correct.

L. GLEADELL,
Town Council Auditor.
28th July, 1959.

STANLEY TOWN COUNCIL

REVENUE 1958

Account title and No.	Amount Estimated.	Actual Revenue			Over the Estimate.			Under the Estimate.		
	£	£	s.	d.	£	s.	d.	£	s.	d.
ORDINARY REVENUE										
1. CEMETERY	80	195	12	5	195	12	5	115	12	5
2. MISCELLANEOUS										
(a) Miscellaneous	50	62	10	0						
(b) Garbage Removal	60	60	0	0						
(c) Arch Green	52	52	0	0						
<i>Total Miscellaneous</i> ...					174	10	0	12	10	0
3. LIBRARY	60	62	3	2	62	3	2	2	3	2
4. GYMNASIUM HIRE	150	135	14	8	135	14	8		14	5 4
5. GENERAL RATE										
(a) Rate	2700	2615	17	5						
(b) Government Contribution ...	825	825	0	0						
<i>Total General Rate</i> ...					3440	17	5		84	2 7
6. WATER SUPPLY										
(a) Rate	650	594	15	10						
(b) Sales	100	141	18	2						
(c) Repairs Reclaimed	100	.....							
<i>Total Water Supply</i> ...					736	14	0		113	6 0
7. TOWN HALL										
(a) Hirings	650	611	13	0						
(b) Government Contribution ...	450	335	6	4						
<i>Total Town Hall</i> ...					946	19	4		153	0 8
<hr/>										
Total Ordinary Revenue ...	5927	5692	11	0	6592	11	0	130	5	7
<hr/>										
Deposits					148	15	0			
Capital					363	12	6			
Fire Brigade Fund					3	12	0			
Government Charitable Relief Fund					800	0	0			
					7008	10	6			
Cash Balance, 1st January, 1958					1109	18	10			
					8118	9	4			

The above statement has been examined by me in accordance with the requirements of the Stanley Town Council Ordinance, 1947. I have obtained all the information that I have required and I certify, as a result of this audit, that in my opinion the statement is correct.

L. GLEADELL,

Town Council Auditor.

28th July, 1959.

STANLEY TOWN COUNCIL

EXPENDITURE 1958

Account title and No.	Amount Estimated.	Actual Expenditure.			Over the Estimate.	Under the Estimate.
	£	£	s.	d.	£ s. d.	£ s. d.
ORDINARY EXPENDITURE						
1. Town Clerk	400	420	0	4	420 0 4	20 0 4
2. CEMETERY						
(a) Wages	300	318	8	10		
(b) Upkeep	200	170	3	6		
<i>Total Cemetery</i> ...				488 12 4		11 7 8
3. FIRE BRIGADE						
(a) Wages	110	143	18	10		
(b) Upkeep	200	385	14	6		
<i>Total Fire Brigade</i> ...				529 13 4	219 13 4	
4. LIBRARY						
(a) Wages	148	148	0	0		
(b) Books, etc.	30	27	11	9		
<i>Total Library</i> ...				175 11 9		2 8 3
5. MISCELLANEOUS						
(a) Telephones	20	21	0	10		
(b) Stationery	30	36	8	1		
(c) Provident Fund	15	14	6	10		
(d) O. A. Pensions	30	25	0	0		
(e) Election	2					
(f) Audit	20	17	10	0		
(g) Insurance	15	12	15	6		
(h) Unforeseen	20	36	18	3		
<i>Total Miscellaneous</i> ...				163 19 6	11 19 6	
6. GYMNASIUM						
(a) Caretaker	80	87	15	11		
(b) Fuel						
(c) Light	30	13	7	1		
(d) Care and Maintenance	50	10	17	6		
<i>Total Gymnasium</i> ...				112 0 6		47 19 6
7. SCAVENGING						
(a) Sanitation	650	646	10	0		
(b) Fuel	120	121	2	1		
(c) Repairs	100	19	19	2		
(d) Connections	50					
(e) Ash Contract	1000	975	0	0		
(f) Rodent Control	60	55	9	8		
<i>Total Scavenging</i> ...				1818 0 11		161 19 1
8. STREET LIGHTING						
(a) Current	400	430	10	5		
(b) Repairs	50	16	14	0		
<i>Total Street Lighting</i> ...				447 4 5		2 15 7
9. TOWN HALL						
(a) Caretaker	400	400	6	7		
(b) Fuel	500	234	12	9		
(c) Light	150	165	0	7		
(d) Care and Maintenance	50	26	5	3		
(e) Cleaning	20	24	14	5		
<i>Total Town Hall</i> ...				850 19 7		269 0 5
10. WATER SUPPLY						
(a) Ships	10	30	18	1		
(b) Repairs	100					
(c) Connections	100					
<i>Total Water Supply</i> ...				30 18 1		179 1 11
13. GARAGE	10					10 0 0
14. ARCH GREEN	200	135	4	5	135 4 5	64 15 7
15. GYMNASIUM ROOF	150					150 0 0
16. TOWN HALL (Instal. of ventilators)	150					150 0 0
17. CEMETERY COTTAGE	50	189	7	11	189 7 11	139 7 11
TRANSFER TO CAPITAL ACCOUNT ...		350	0	0	350 0 0	350 0 0
Total Ordinary Expenditure	6020	5711	13	1	5711 13 1	741 1 1
Deposits					138 0 0	
Town Council Charitable Relief					18 17 6	
Government Charitable Relief					710 11 3	
Cash Balance, 31.12.58					6579 1 10	
					1539 7 6	
					8118 9 4	

D. HARDY,

Town Clerk.

15th June, 1959.



The Falkland Islands Gazette Extraordinary

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Vol. LXVIII.

17 SEPTEMBER, 1959.

No. 13.

No. 6.

Proclamation

1959.

Made under section 24 of the Falkland Islands (Legislative Council)
Order in Council, 1948 to 1955.

IN THE NAME of Her Majesty ELIZABETH II., by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith.

A. G. DENTON-THOMPSON — *By His Honour AUBREY GORDON DENTON-THOMPSON, ESQUIRE, Officer of the Most Excellent Order of the British Empire, upon whom has been conferred the Military Cross, Officer Administering the Government of the Colony of the Falkland Islands and its Dependencies.*

[L.S.]

WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall

be held at such times and places as the Governor shall from time to time appoint by Proclamation :

NOW THEREFORE, I, AUBREY GORDON DENTON-THOMPSON, Officer Administering the Government of the Colony of the Falkland Islands and its Dependencies, in exercise of the powers vested in me as aforesaid, do by this Proclamation appoint Saturday the 26th day of September, 1959, at ten o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

GOD SAVE THE QUEEN.

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 17th day of September, in the Year of Our Lord One thousand Nine hundred and Fifty-nine.

By Command of the
Officer Administering the Government,
 J. BOUND,
Acting Colonial Secretary.

Ref. 0529/II.

A Bill for An Ordinance

Title. Further to amend the Whale Fishery Ordinance.

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

Short title. 1. This Ordinance may be cited as the Whale Fishery (Amendment) (No. 2) Ordinance, 1959, and shall be read and construed as one with the Whale Fishery Ordinance as amended, hereinafter referred to as the principal Ordinance.

Cap. 76.

Addition of new section 5A in the principal Ordinance.

2. The principal Ordinance is amended by the addition of the following as section 5A :—

“Prohibition of use of underwater detection equipment.

5A. (1) No form of underwater detection equipment shall be used in whale catchers for the purpose of locating whales, and a condition to that effect shall be attached to every licence under this Ordinance authorising use of a ship for taking whales.

(2) A Whaling Officer may board any catcher and shall have free access to every part thereof and may lock up, seal or otherwise secure any underwater detection equipment therein in such a manner as to prevent its use for the purpose of locating whales.

(3) If a lock or seal placed by a Whaling Officer under powers conferred in the preceding subsection be wilfully opened or broken before the return of the catcher (to the factory) except with the authority of a Whaling Officer or some person authorised by him then, subject to the provisions of subsection (4) of this section, the master and owner or charterer (if any) of the catcher shall each be guilty of an offence and shall each be liable to a fine not exceeding £200.

(4) Notwithstanding anything contained in the preceding subsection a lock or seal placed by a Whaling Officer may be opened or broken if underwater detection equipment is reasonably required to be used for navigational purposes :-

Every occasion of such use and a statement of necessity thereof shall be entered in the ship's log and in the return referred to in regulation No. 14 (a) of Whaling Regulations.

(5) The expression "Whaling Officer" means such officer as the Governor may appoint to enforce the provisions of this Ordinance."

3. Paragraph (e) of subsection (2) of section 9 of the principal Ordinance is amended by the deletion of the word "class" and the substitution therefor of the word "specie".

Amendment of section 9
of the principal
Ordinance.

OBJECTS AND REASONS.

The object of this Bill is to prohibit the use of any form of underwater detection equipment for the purpose of locating whales and to correct a minor drafting error in the Whale Fishery (Amendment) Ordinance, 1959.

Ref. D/4/58.



The Falkland Islands Gazette

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Vol. LXVIII.

1 OCTOBER, 1959.

No. 14.

APPOINTMENTS.

<i>Name</i>	<i>Department</i>	<i>Office</i>	<i>Date</i>	<i>Remarks</i>
Binnie, Miss I.	Medical	Nurse Probationer	14.8.59	—
Rowlands, H. T.	Treasury	Acting Assistant Treasurer	9.9.59	—

CONFIRMATION OF APPOINTMENTS.

	<i>Department</i>	<i>Office</i>	<i>Date</i>	<i>Remarks</i>
Halliday, Miss L.	Public Works	Clerk	1.10.57	—
Thompson, Miss J.	Secretariat	Messenger	2.3.59	—

TRANSFER.

	<i>From</i>	<i>To</i>	<i>Date</i>
Goodwin, W. A. N.	Engineman, Power & Electrical	Engineer, m.v. "Philomel", Customs & Harbour	1.10.59.

LEAVE.

	<i>Department</i>	<i>Office</i>	<i>Period</i>	<i>Remarks</i>
Shackel, A. P.	Police & Prisons	Snr. Police Constable	23.3.59 - 8.9.59	—
Luxton, H. T.	Posts & Tels.	Senior Clerk	23.3.59 - 8.9.59	—
Goodwin, W. A. N.	Power & Elec.	Engineman	23.3.59 - 8.9.59	—
Bennett, S.	Public Works	Foreman Carpenter	23.3.59 - 8.9.59	—
Halliday, L. J.	Secretariat	Clerk	23.3.59 - 8.9.59	—
Rowlands, H. T.	Treasury	Clerk	23.3.59 - 8.9.59	—
Smith, G. C.	Education	Teacher	23.3.59 - 16.9.59	On completion of Contract.
Matthew, J. W.	South Georgia	Administrative Officer	26.6.59 - 11.9.59	do.
Freer, A. J.	South Georgia	Meteorological Assistant	31.3.59 - 12.9.59	do.

NOTICES.

The following Notices etc., are published by command of His Honour the Officer Administering the Government.

J. BOUND,
Acting Colonial Secretary.

No. 31. 14th September, 1959.

It is hereby notified that Government clocks will be advanced one hour at midnight, Saturday/Sunday the 26th/27th September, 1959.

Ref. 0064.

Dependencies

3 of 1959	Appropriation (Dependencies) (1959/60) Ord., 1959	FIDS/46/IV.
4 of 1959	Appropriation (Dependencies) (1959/60) Ord., 1959	FIDS/46/IV.

No. 32. 16th September, 1959.

Intimation has been received from the Right Honourable the Secretary of State for the Colonies to the effect that Her Majesty will not be advised to exercise her power of disallowance in respect of the following Ordinances of the Falkland Islands and its Dependencies :—

No.	Title	Ref.
<i>Colony</i>		
7 of 1959	Legislative Council (Elections) (Amendment) Ord., 1959	0529/A.
12 of 1959	Pensions (Increase) Ord., 1959	66/42.

LIVESTOCK.

19th August, 1959.

EAR MARK.

In accordance with the provisions of Section 8 (2) of the Live Stock Ordinance (Cap. 40) notice is hereby given that the Ear Mark known as the Front Halfpenny has been changed to a Fork, and has been approved and registered in the name of Estate T. Robson of Port Louis, East Falkland Islands.

G. STEWART,
O. i/c. Agricultural Dept.

LEGISLATIVE COUNCIL.**Minutes of the Meeting held on 26th September, 1959.**

Present : His Honour the Officer Administering the Government.

The Honourable the Acting Colonial Secretary.

The Honourable the Senior Medical Officer.

The Honourable the Colonial Treasurer.

The Honourable A. L. Hardy, B.E.M., J.P.

The Honourable M. G. Creece, J.P.

The Honourable A. Mercer, O.B.E.

The Honourable H. C. Harding, O.B.E., J.P.

The Meeting opened with prayers read by the Reverend J. O. Vere-Stead.

2. The Minutes of the Meeting of the Legislative Council held on the 26th June, 1959, were confirmed.

3. The Honourable the Acting Colonial Secretary, by command, laid on the Table the following Question with the reply thereto :—

By the Honourable T. A. Gilruth, J.P.

Question : "Is it the intention of the Government to increase the Pension allowance to old people when sufficient funds in the Old Age Pension Scheme allow this to be undertaken? If so, can Government give any indication as to when such pension increases might be expected?"

By the Honourable the Acting Colonial Secretary.

Reply : "It is Government's intention to increase benefits payable under the provisions of the Old Age Pensions Ordinance to the maximum extent consistent with the sound and efficient management of the Old Age Pensions Fund.

The working of the Old Age Pensions scheme and the benefits the Fund can afford in the light of its present and future probable commitments are now being examined by the Government Actuary in the United Kingdom and his advice and recommendations are awaited. Consequently Government is not yet in a position to indicate what improvements may be expected or when they might be implemented. It is, however, Government's policy to implement any recommendations with regard to improved benefits that may be forthcoming with the minimum amount of delay."

4. The Honourable the Acting Colonial Secretary seconded by the Honourable the Colonial Treasurer moved the first reading of the Bill "Further to amend the Whale Fishery Ordinance" and said "Your Honour,

The object of this Bill is to correct a minor drafting error in the Whale Fishery (Amendment) Ordinance, 1959, and ban the use of underwater detection equipment as a hunting device by whale catchers operating from the shore based factories at South Georgia.

It is the majority opinion of the experienced whalers in South Georgia that the continued and

widespread use of underwater detection equipment, such as Asdic, will drive the whales further south and eventually out of cruising range of the shore based catchers. Whaling from South Georgia would then become an uneconomic proposition.

The matter was originally raised by the whalers themselves and scientific advice (British and Norwegian) was sought and both agreed that the continued use of Asdic by shore based catchers would be detrimental to the whaling industry at South Georgia.

In the interests of the preservation of the industry and in the light of this advice backed by the majority opinion of the industry itself — it is proposed to ban the use of Asdic.

I therefore beg to move the first reading of the Bill."

The Bill was read a first time and no objections being raised it was read a second time. In Committee, Clauses 1—3, the Enacting Clause and Title were agreed to. The Council resumed and the Bill was read a third time and passed.

Council adjourned *sine die*.

Assented to in Her Majesty's name this 29th day of September, 1959.

A. G. DENTON-THOMPSON,
Officer Administering the Government.

[L.S.]

No. 15



1959.

Colony of the Falkland Islands.

IN THE EIGHTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II.

AUBREY GORDON DENTON-THOMPSON, O.B.E., M.C.
Officer Administering the Government.

An Ordinance

Further to amend the Whale Fishery Title.
Ordinance.

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

1. This Ordinance may be cited as the Whale Fishery Short title.
(Amendment) (No. 2) Ordinance, 1959, and shall be read and construed as one with the Whale Fishery Ordinance as amended, Cap. 76.
hereinafter referred to as the principal Ordinance.

2. The principal Ordinance is amended by the addition of the following as section 5A :— Addition of new section 5A in the principal Ordinance.

"Prohibition
of use of
underwater
detection
equipment.

5A. (1) No form of underwater detection equipment shall be used in whale catchers for the purpose of locating whales, and a condition to that effect shall be attached to every licence under this Ordinance authorising use of a ship for taking whales.

(2) A Whaling Officer may board any catcher

and shall have free access to every part thereof and may lock up, seal or otherwise secure any underwater detection equipment therein in such a manner as to prevent its use for the purpose of locating whales.

(3) If a lock or seal placed by a Whaling Officer under powers conferred in the preceding subsection be wilfully opened or broken before the return of the catcher (to the factory) except with the authority of a Whaling Officer or some person authorised by him then, subject to the provisions of subsection (4) of this section, the master and owner or charterer (if any) of the catcher shall each be guilty of an offence and shall each be liable to a fine not exceeding £200.

(4) Notwithstanding anything contained in the preceding subsection a lock or seal placed by a Whaling Officer may be opened or broken if underwater detection equipment is reasonably required to be used for navigational purposes :-

Every occasion of such use and a statement of necessity thereof shall be entered in the ship's log and in the return referred to in regulation No. 14 (a) of Whaling Regulations.

(5) The expression "Whaling Officer" means such officer as the Governor may appoint to enforce the provisions of this Ordinance."

Amendment of section 9
of the principal
Ordinance.

3. Paragraph (c) of subsection (2) of section 9 of the principal Ordinance is amended by the deletion of the word "class" and the substitution therefor of the word "specie".

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.

D. R. MORRISON,
Acting Clerk of the Legislative Council.

Ref. D/4/58.

Assented to in Her Majesty's name this 1st day of October, 1959.

A. G. DENTON-THOMPSON,
Officer Administering the Government.

[L.S.]

No. 5



1959.

Falkland Islands Dependencies.

IN THE EIGHTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II.

AUBREY GORDON DENTON-THOMPSON, O.B.E., M.C.
Officer Administering the Government.

An Ordinance

To apply certain Laws of the Colony to
the Dependencies. Title.

ENACTED for the Dependencies of the Colony of the Falkland Islands by the Governor of the Colony of the Falkland Islands and the Dependencies thereof as follows:— Enacting clause.

1. This Ordinance may be cited as the Application of Colony Laws Ordinance (No. 2) Ordinance, 1959. Short title.

2. The Ordinances of the Colony specified in the first and second columns of the Schedule to this Ordinance are applied to the Dependencies, and shall be deemed to be in force in the Dependencies with effect from the respective dates set out opposite their titles in the third column of the Schedule to this Ordinance. Application of certain Ordinances to the Dependencies.

SCHEDULE

3 of 1959	Whale Fishery (Amendment) Ordinance, 1959	1st October, 1959.
8 of 1959	Pensions (Amendment) Ordinance, 1959	1st June, 1959.
9 of 1959	Defence Force (Amendment) Ordinance, 1959	1st June, 1959.
11 of 1959	Application of Enactments Ordinance, 1959	1st June, 1959.
12 of 1959	Pensions (Increase) Ordinance, 1959	1st June, 1959.
15 of 1959	Whale Fishery (Amendment) (No. 2) Ordinance, 1959	1st October, 1959.

Promulgated by the Officer Administering the Government on the 1st day of October, 1959.

J. BOUND,
Acting Colonial Secretary.

TOWN COUNCIL ESTIMATES, 1960.

Service.	Actual 1958.		Estimated 1959.		Estimated 1960.	
	£	£	£	£	£	£
REVENUE.						
1. CEMETERY		60		50		55
2. MISCELLANEOUS						
a. Misc.	60		30		48	
b. Garbage removal	60		60		60	
c. Govt. Contribution	52		52		52	
		172		142		160
3. LIBRARY		62		80		80
4. GYMNASIUM HIRE		136		100		100
5. GENERAL RATE						
a. Rate	2616		2700		2650	
b. Govt. Contribution	825		825		825	
		3441		3525		3475
6. WATER SUPPLY						
a. Rate	595		630		630	
b. Sales	142		100		100	
c. Repairs reclaimed	—		50		50	
		737		780		780
7. TOWN HALL						
a. Hirings	612		500		500	
b. Govt. Contribution	335		450		400	
		947		950		950
		5555		5627		5600
EXPENDITURE.						
1. TOWN CLERK		420		400		400
2. CEMETERY						
a. Wages	318		350		330	
b. Upkeep	170		150		100	
		488		500		430
3. FIRE BRIGADE						
a. Wages	144		225		150	
b. Upkeep	386		100		550	
		530		325		700
4. LIBRARY						
a. Wages	148		148		148	
b. Books etc.	28		30		30	
		176		178		178
5. MISCELLANEOUS						
a. Telephones	21		30		30	
b. Stationery	36		30		10	
c. Provident Fund	14		15		20	
d. Old Age Pensions	25		30		30	
e. Elections	—		2		2	
f. Audit	18		20		20	
g. Insurance	13		15		15	
h. Unforeseen	37		15		45	
		164		157		172
6. GYMNASIUM						
a. Caretaker	88		80		80	
b. Light	13		20		20	
c. Care & Maintenance	11		50		50	
		112		150		150
Carried forward		1890		1710		2030

Service.	Actual 1958.		Estimated 1959.		Estimated 1960.	
	£	£	£	£	£	£
<i>Brought forward ...</i>		1890		1710		2030
7. SCAVENGING						
a. Sanitation ...	647		650		450	
b. Fuel and Hire of Lorry	121		130		130	
c. Repairs ...	20		100		40	
d. Connections ...	—		30		30	
e. Ash Contract ...	975		950		950	
f. Rodent Control ...	55		60		60	
		1818		1920		1660
8. STREET LIGHTS						
a. Current ...	431		450		450	
b. Repairs ...	17		50		50	
		448		500		500
9. TOWN HALL						
a. Caretaker ...	400		400		400	
b. Fuel ...	235		500		400	
c. Light ...	165		170		170	
d. Care & Maintenance ...	26		50		50	
e. Cleaning ...	25		30		30	
		851		1150		1050
10. WATER SUPPLY						
a. Ships ...	31		30		40	
b. Repairs ...	—		60		50	
c. Connections ...	—		100		100	
		31		190		190
11. ARCH GREEN		135		100		100
12. CEMETERY COTTAGE		189		20		120
		5362		5590		5650

D. HARDY,
Town Clerk.



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2 NOVEMBER, 1959.

No. 15.

LEAVE.					
	<i>Department</i>	<i>Office</i>	<i>Period</i>		<i>Remarks</i>
Andreasen, Mrs. S. V. J.	Education	Assistant Mistress	24.6.59 - 13.10.59		On completion of Contract.
Ward, Mrs. A. H.	Education	Assistant Mistress	7.5.59 - 26.10.59		"
Ward, A. H.	Education	Assistant Master	7.5.59 - 26.10.59		"
Ford, J.	South Georgia	Senior Met. Assistant	26.6.59 - 25.10.59		"
Cochrane, J.	South Georgia	Met. Assistant	26.6.59 - 25.10.59		"
	<i>Department</i>	<i>Office</i>	<i>Period</i>	<i>Date</i>	<i>Remarks</i>
Craig, J.	Posts & Tels.	W/T Operator	23 days	1.10.59	Exclusive of period of voyage.

The following Notices etc., are published by command of His Excellency the Governor.

A. G. DENTON-THOMPSON,
Colonial Secretary.

No. 33. 5th October, 1959.

With reference to Gazette Notice No. 8 of 13th February, 1959, the following names are hereby added to the List of Medical Practitioners. Midwives and Dentists registered to practise in the Colony and Dependencies in accordance with Section 3 of the Medical Practitioners, Midwives and Dentists Ordinance.

B. Registered to practise in the Dependencies.

Name	Qualifications	Date of Qualification
Barton, James John	M.B., Ch.B. (Glasgow)	1932
Sustring, Johannes	M.R.C.S. (Edinburgh) L.R.C.P. (Edinburgh)	1957 1957

Ref. 1326.

No. 34. 8th October, 1959.

With reference to Gazette Notice No. 10 of 1959, the following name is added to the list of Ministers registered for celebrating marriages:—

The Reverend Father Norbert Prior.	Assistant Priest St. Mary's Church
---------------------------------------	---------------------------------------

Ref. 1163.

No. 35. 21st October, 1959.

His Honour the Officer Administering the Government directs it to be notified that Her Majesty the Queen has been pleased to entrust to the care of the Right Honourable Iain Norman Macleod, P.C., M.P., as one of the Principal Secretaries of State, the Seals of the Colonial Department.

Ref. 1973.

REGISTRATION OF UNITED KINGDOM
PATENTS ORDINANCE.

It is hereby notified for general information that a letters patent, particulars of which appear in the Schedule hereto, was registered in the Register of Patents on the 4th day of May, 1959.

SCHEDULE

Registered No. :- 3557.
Name of Applicant :- Morten Alfred Fladmark.
Registered Address :- 94, Bygdø Alle, Oslo, Norway.
No. of grant in the
United Kingdom :- 756,566.
Nature of Invention :- A process and apparatus for the treatment of whale meat and other parts of whales to recover useful products therefrom.

REX BROWNING,
Acting Registrar General.

Stanley, Falkland Islands.
4th May, 1959.

PROBATE.

In the Supreme Court of the Falkland Islands.
(Probate Division)

*In the Matter of the Estate of George
John Robson, deceased, of Port Louis North,
Falkland Islands.*

Whereas Robert Lionel Robson, a brother 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 of publication hereof.

REX BROWNING,
Acting Registrar.

Stanley, Falkland Islands.
31st October, 1959.

S.C. 33/59.

Instrument under the Public Seal of the Colony of the Falkland Islands appointing ROBERT STEWART SLESSOR, ESQUIRE, O.B.E., to be the Deputy for the Governor of the said Colony.

A. G. DENTON-THOMPSON — *By His Honour AUBREY GORDON DENTON-THOMPSON, ESQUIRE, Officer of the Most Excellent Order of the British Empire, upon whom has been conferred the Military Cross, Officer Administering the Government of the Colony of the Falkland Islands and its Dependencies.*

[L.S.]

WHEREAS by certain Letters Patent passed under the Great Seal of the United Kingdom, bearing date the 13th day of December, 1948, 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 17th day of October, 1959, for the purpose of visiting the East Falkland.

NOW, THEREFORE, I, AUBREY GORDON DENTON-THOMPSON, Officer Administering the Government of the Colony of the Falkland Islands and its Dependencies, do hereby appoint you ROBERT STEWART SLESSOR, Officer of the Most Excellent Order of the British Empire, Senior Medical Officer 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 17th day of October, 1959.

*By Command of the
Officer Administering the Government,*

J. BOUND,
Acting Colonial Secretary.

Pay and Working Rules for Hourly Paid Employees in Stanley.

These Rules shall constitute an agreement between Stanley Employers and the Labour Federation and shall be reviewed annually in October by the Government and the Falkland Islands Company, Ltd. as employers, and the Labour Federation. These Rules shall be effective for a period of twelve months beginning on the 1st of January, 1960.

1. Basis of Wage Rates.

Wages shall be adjustable by negotiation, up or down, in accordance with the cost of living and the conditions in industry. Reviews shall take place at annual intervals and any changes based on the four previous Cost of Living Indices (published quarterly) shall operate automatically, any changes being applied to the nearest penny. The Labourer's Rate shall be regarded as the basis for fixing all other rates and the existing relationships between the various rates shall be preserved.

(a) CRAFTSMEN.

All Craftsmen shall be paid at the full basic rate and the following Trades shall be recognised :—

Carpenters and Joiners	Masons
Blacksmiths	Plumbers
Painters	Electricians
Motor Mechanics	

The normal entry to a Trade shall be by a full term of apprenticeship, but special arrangements shall be made for the absorption of men already practising Trades without previously serving apprenticeships. These arrangements are laid down in the apprenticeship regulations.

(b) APPRENTICES.

The rates of pay for apprentices shall be as follows—

<i>Year.</i>	<i>Fraction of Craftsman's Rate.</i>
1st	One Third
2nd	Two Fifths
3rd	One Half
4th	Two Thirds
5th	Four Fifths.

(c) HANDYMEN.

This term includes those employees doing skilled or semi-skilled work in one or more trades, but who have not served an apprenticeship nor have been recognised by the Apprenticeship Board. The minimum rate for Handymen shall be one penny more than the Labourer's rate and the maximum one penny less than the Craftsmen's rate.

(d) SLAUGHTERMEN AND LORRY DRIVERS.

Slaughtermen shall be paid one penny more than the Labourer's rate and shall be provided with suitable protective clothing and footwear.

All drivers of petrol, steam or diesel engines, whether stationary or mobile, shall be paid 2d. per hour more than the Labourer's rate while engaged in this work.

2. Actual Rates until December 31st, 1960.

The following rates shall apply until December 31st, 1960.

<i>Class</i>					<i>Hourly Rate.</i>
1. Tradesmen	...	...	...	...	3/5½d.
2. Apprentices		1st year			1/2
		2nd year			1/4½
		3rd year			1/9
		4th year			2/4
		5th year			2/9
3. Handymen					2/11 to 3/4½ according to ability.
4. Slaughtermen	...	...	...	...	2/11
5. Lorry Drivers, including men tending stationary engines or boilers					3/-
6. Labourers	...	...	...	...	2/10
7. Boy Labourers	Age	% of man's rate			
	14-15	40			1/1½d.
	15-16	50			1/5
	16-17	66⅔			1/11
	17-18	80			2/3
	18	100			2/10

The above hourly rates are minimum and employers may, if they so wish, offer higher rates, incentive bonuses, etc.

CASUAL LABOUR. There is now no work which justifies a casual labour rate.

3. Extra Payments.

(a) "DIRT" MONEY.

As a general guide, "Dirt" money should only be paid when the work in hand is substantially dirtier than the work which an employee is normally called upon to do. The normal rate is 1d. per hour, but the precise rate for each job shall be agreed between Employer and Employees.

(b) HAZARDOUS WORK.

Employees working on isolated structures, such as masts, at heights over 30 feet from the ground or where the structure joins the main roof of a building, shall receive from 4d. to 8d. per hour according to the risk involved. This does not apply to work on properly erected scaffolding.

(c) INCONVENIENCE PAY.

Employees required, by the employer, to carry their midday meal shall receive 2/- per day. Employees required to sleep away from home in a recognised camp house or cook-house shall have their board and lodgings paid for by their employer.

(d) EXTRA SKILL OR RESPONSIBILITY.

(i) Any employee specifically detailed to supervise the work of three or more other employees shall receive 2d. per hour extra while taking this responsibility.

(ii) Any labourer employed on semi-skilled work which would normally fall to a Handyman (e.g. painting, fencing, concrete laying) shall receive pay as a Handyman (i.e. a minimum of 1d. per hour extra) while engaged on this work. The precise rate shall be fixed by the employer according to the nature of the work and the skill of the particular labourer so employed.

(e) PAINT SPRAYING.

Employees engaged on paint spraying shall be paid 6d. per hour extra and no other allowance.

4. Working Hours.

The normal working hours shall be 45 hours per week made up as follows :-

Monday to Friday - 7.30 a.m. to 4.30 p.m. with Dinner break from noon till 1 p.m.

Saturday - 7.30 a.m. to 12.30 p.m.

A refreshment break of fifteen minutes shall be allowed between 08.30 and 09.30 a.m., the precise time being laid down by the employer.

Other hours of work may be laid down by mutual agreement between employers and employees, provided that the total number of hours does not exceed 45 per week.

5. Overtime.

- (a) Overtime shall be paid for all hours worked outside normal working hours and overtime rates shall be as follows :-

TIME AND A HALF.

- (i) Between the end of the normal day and midnight.
- (ii) From 6 a.m. to the start of the normal working day, provided that work did not start before 6 a.m.

DOUBLE TIME.

- (i) Between midnight and 6 a.m.
 - (ii) From 6 a.m. to the start of the normal working day, if work commenced before 6 a.m.
 - (iii) On Sundays and recognised Public Holidays.
 - (iv) For meal hours or parts thereof, if work continues through the normal working day without a full meal-hour break.
 - (v) Double time rates shall also be paid during normal working hours if, exceptionally, an employee starts work before midnight and continues without a break into normal working hours. Double time rates shall then continue to apply until there is an (unpaid) break from work exceeding four hours, after which the normal rates will again apply.
- (b) An unpaid meal hour shall be allowed at a reasonable time if overtime is expected to continue for more than two hours beyond normal finishing time, and a paid refreshment break of not more than fifteen minutes shall be allowed in each subsequent 4-hour period.
- (c) Overtime is voluntary and an employee shall not be dismissed if he objects to working outside normal working hours. However, certain jobs may require attendance at times outside the normal hours and in these cases employees shall be given the option of a 45-hour week by allowing time off during normal working hours, at a time to be agreed with the employer.

6. Holidays.

(a) ANNUAL HOLIDAYS.

All employees shall be entitled to a paid holiday of two weeks (90 hours) for each completed year of work with one employer. The annual holiday shall generally be taken between 15th October and 31st March, but may be taken at any other time by mutual arrangement between employer and employee, provided that an employer may close any department for two periods not exceeding one week each at any time between 15th October and 31st March.

An employee who is employed on 1st January shall be entitled to two weeks paid holiday in the period 15th October to 31st December but he must complete the year with the same employer.

An employee who has completed six months with one employer but who leaves his employment before completing twelve months shall be entitled to five days (40 hours) paid holiday before leaving such employment, except where he is dismissed for misdemeanour.

(b) PUBLIC HOLIDAYS.

These are days on which Government Offices are closed by notification in the Gazette and the following seven days shall be paid holidays for all employees :-

Good Friday, The Queen's Birthday, Empire Day, December 8th, Christmas Day, Boxing Day, and one other day to coincide with the Stanley Annual Sports Meeting.

Individual employers shall be entitled to decide whether or not to observe the remaining Public Holidays or to treat them as normal working days but in no circumstances may they be treated as unpaid holidays.

(c) Any allowance or special rates earned on both the working day preceding *and the working day following* the holiday shall be paid for the holiday.

(d) When a dated holiday falls on a Sunday the next working day shall be the holiday.

7. Sick Pay.

(a) Employees who have not completed one year's service with their employer shall not be entitled to sick pay.

(b) The following rules apply to employees who have completed one year's service with their employer.

(i) There shall be no entitlement to sick pay for the first week of absence caused by sickness, but if sickness lasts for more than one week, an employee shall be entitled to half pay for the second, third and fourth weeks. While off work through illness an employee shall have the option of taking part or the whole of any annual leave due to him.

(ii) Full pay shall be paid for any Public Holiday which falls during the first four weeks of sickness, provided that the employee, when he has recovered, returns to work for the same employer.

(c) An employer may demand a medical certificate before applying any of the rules 7 (b) (i), (ii).

(d) The Workmen's Compensation Ordinance shall apply in cases of sickness resulting from accidents at work.

8. General.

(a) Employment is normally terminated, either by employer or employee, at the end of the working week, but employment may be terminated at the end of any working day. A minimum of two hours' notice shall be given, except in the case of misdemeanour, when an employee may be summarily dismissed.

(b) When a party of employees are required to carry meals to their work, one employee shall be allowed reasonable time to heat meals for the rest of the party.

(c) Individual employers may lay down the times when employees shall appear for their wages, provided that the payment is completed within ten minutes of the end of the normal working day.

(d) An official or delegation of a recognised union may, with the employer's consent, attend at a job or shop at any time to interview workmen, but no meeting shall take place in working hours without the express permission of the employer. If a dispute arises, the employer or his nominee shall interview, by appointment, any official representative of his employees.

(e) All employers shall display for the benefit of their employees copies of Regulations and Rules pertaining to wages and conditions of service of workers.

A Bill for An Ordinance

To legalise certain payments made in the year 1958-59 in excess of the Expenditure sanctioned by Ordinance No. 8 of 1958. Title.

WHEREAS it is expedient to make further provision for the service of the Colony for the period 1st July, 1958, to 30th June, 1959. Preamble.

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

1. This Ordinance may be cited for all purposes as the Supplementary Appropriation (1958-59) Ordinance, 1959. 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 for the period 1st July, 1958, to 30th June, 1959, 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, 1958, to 30th June, 1959.

SCHEDULE.

Schedule.

Number.	Head of Service.	Amount.		
		£	s.	d.
	FALKLAND ISLANDS.			
X.	Miscellaneous	2935	13	0
XI.	Pensions & Gratuities	3841	14	0
XIX.	Special Expenditure	12796	11	4
	Total Expenditure £	19573	18	4

Ref. 0284/XI.



The Falkland Islands Gazette

Published by Authority.

Vol. LXVIII.

1 DECEMBER, 1959.

No. 16.

CONFIRMATION OF APPOINTMENT.

	<i>Department</i>	<i>Office</i>	<i>Date</i>	<i>Remarks</i>
Clarke, R.	Public Works	Senior Mechanic	22.10.58	—

TERMINATION OF APPOINTMENT.

	<i>Department</i>	<i>Office</i>	<i>Date</i>	<i>Reason</i>
Betts, W. R.	Treasury	Clerk	20.11.59	Resigned.

RETIREMENT.

	<i>Department</i>	<i>Office</i>	<i>Date</i>	<i>Remarks</i>
Norris, J.	Police & Prisons	Police Sergeant	26.7.59	On pension.

LEAVE.

	<i>Department</i>	<i>Office</i>	<i>Period</i>	<i>Remarks</i>
Smith, M.	Aviation	Senior Engineer	7.5.59 – 26.10.59	—
Grierson, W. J.	Customs & Harbour	Collector of Customs & Harbour Master	7.5.59 – 10.11.59	—
Fleuret, Mrs. R.	Medical	Nursing Sister	23.3.59 – 10.11.59	—
Hasenhoeller, W.	Medical	Dental Mechanic	15.4.59 – 10.11.59	—
Trees, S. G. M.V.O., J.P.	Treasury	Colonial Treasurer	23.3.59 – 16.9.59	On transfer to The Gambia.

	<i>Department</i>	<i>Office</i>	<i>Period</i>	<i>Date</i>	<i>Remarks</i>
Bush, Miss M. A.	Education	Assistant Mistress	148 days	31.10.59	—

The following Notices etc., are published by command of His Excellency the Governor.

A. G. DENTON-THOMPSON,
Colonial Secretary.

No. 36. 26th October, 1959.

The following message from the Right Honourable Alan Lennox-Boyd, P.C., M.P., retiring Secretary of State for the Colonies, is published for general information :-

"For the last five years I have been proud to be Secretary of State for the Colonies.

On giving up this high office I would like you to know how greatly I have valued the help which I have always had from you and all those taking part in the Government of your territory.

I am very grateful to the members of the overseas service for their devoted work and to the large numbers of men and women outside the service who are helping forward the progress and happiness of the Colonial peoples.

The times that I have spent as Minister and then Secretary of State for the Colonies have been the happiest and most interesting, and I hope the most worthwhile periods of my life.

I have been proud to play my part in the emergence of independent nations within the Commonwealth and elsewhere to help forward sound constitutional advance.

I have rejoiced in the spectacular social development particularly in health and education and in the massive economic advance on which the progress of the future so much depends.

I have greatly enjoyed my many visits to the territories, the insight that this has given me into their problems and the opportunity to make a multitude of friends of all nations, races and creeds.

As I said in my letter to the Prime Minister, this office is the one which I have always wanted to hold, and it is with deep regret that I now leave it.

All of you, Governors, Ministers, Government Officers, and other friends outside the administration, I send my warmest thanks and prayers for your future happiness and prosperity. ALAN LENNOX-BOYD."

Ref. 1657.

No. 37. 10th November, 1959.

With reference to Gazette Notice No. 26 of the 1st August, 1959, the findings of the Cost of Living Committee for the quarter ended 30th September, 1959, are hereby published for general information.

Quarter ended	Percentage increase over 1948 prices
30th September, 1959.	59.04

Ref. 0704/V.

No. 38. 11th November, 1959.

THE MARRIAGE ORDINANCE.

His Excellency the Governor has been pleased to appoint :-

CHARLES HONEYMAN ROBERTSON, ESQUIRE,
to be a Registrar within the meaning of Section 4 of the Marriage Ordinance for the purpose of celebrating the marriage of Thomas Ogg, bachelor, and Gwenifer May McRae, divorcee, at Port Stephens, West Falkland.

Ref. 1169.

No. 39. 11th November, 1959.

Intimation has been received from the Right Honourable the Secretary of State for the Colonies to the effect that Her Majesty will not be advised to exercise her power of disallowance in respect of the following Ordinance of the Falkland Islands:-

No.	Title	Ref.
14 of 1959	Road Traffic (Amendment) Ordinance, 1959.	1850.

No. 40. 21st November, 1959.

It is with deep regret that His Excellency the Governor announces the death on the 19th of November, 1959, of Mr. H. H. Sedwick, M.B.E., Head Printer.

Ref. P/12.

No. 41. 24th November, 1959.

Intimation has been received from the Right Honourable the Secretary of State for the Colonies to the effect that Her Majesty will not be advised to exercise her power of disallowance in respect of the following Ordinance of the Falkland Islands:-

No.	Title	Ref.
9 of 1959	Defence Force (Amendment) Ordinance, 1959.	0838/D/II.

PROBATE.

In the Supreme Court of the Falkland Islands.
(Probate Division)

Stanley Molyneux Ward, deceased.

Notice is hereby given, that after the expiration of eight days, application will be made in the Supreme Court of the Falkland Islands for the Re-sealing of the Letters of Administration of the personal estate of Stanley Molyneux Ward, late of 12, Lakeside Road, Palmers Green, Middlesex, England, deceased, granted out of the High Court of Justice, England, on the 3rd day of July, 1959.

E. M. P. SALMON,

Attorney for Stanley Arthur Ward.

2nd November, 1959.

In the Matter of the Estate of Arthur Francis Leaff, deceased.

Whereas Arthur Francis Leaff, late of Stanley, died at Fitzroy, on the 28th day of August, 1959, intestate.

And whereas the Supreme Court has appointed the Acting Official Administrator to administer the estate of the said deceased.

Notice is hereby given that all creditors having claims against the said estate should submit their claims to me the undersigned on or before the 7th day of December, 1959.

And all persons indebted to the said estate are hereby requested to make payment forthwith.

Dated at Stanley this 16th day of November, 1959.

REX BROWNING,

Acting Official Administrator.

S.C. 42/59.

In the Matter of the Estate of Jessie Helen Bell, deceased.

Whereas Jessie Helen Bell, late of Stanley, died at Stanley, on the 24th day of March, 1958, intestate.

And whereas the Supreme Court has appointed the Acting Official Administrator to administer the estate of the said deceased.

Notice is hereby given that all creditors having claims against the said estate should submit their claims to me the undersigned on or before the 7th day of December, 1959.

And all persons indebted to the said estate are hereby requested to make payment forthwith.

Dated at Stanley this 16th day of November, 1959.

REX BROWNING,

Acting Official Administrator.

S.C. 43/59.

*In the Matter of the Estate of Isabella Reive,
deceased, of Stanley, Falkland Islands.*

Whereas Leonard Lawrence Reive, a son 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 of publication hereof.

REX BROWNING,
Acting Registrar.

Stanley, Falkland Islands.

30th November, 1959.

S.C. 44/59.

*In the Matter of the Estate of Frans Axel
Pettersson, deceased, of Stanley,
Falkland Islands.*

Whereas John Silas Percival Pettersson a son 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 of publication hereof.

REX BROWNING,
Acting Registrar.

Stanley, Falkland Islands.

30th November, 1959.

S.C. 45/59.

No. 7.

Proclamation

1959.

Made under section 24 of the Falkland Islands (Legislative Council)
Order in Council, 1948 to 1955.

IN THE NAME of Her Majesty ELIZABETH II., by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith.

E. P. ARROWSMITH — *By His Excellency SIR EDWIN ARROWSMITH,
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.*

[L.S.]

WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955, it is provided that the sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation:

NOW THEREFORE, I, SIR EDWIN ARROWSMITH, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies, in exercise of the powers vested in me as aforesaid, do by this Proclamation appoint Tuesday the 15th day of December, 1959, at ten o'clock in the forenoon at the Court and Council Chambers, Stanley, to be the time and place for a sitting of the Legislative Council of the Colony.

GOD SAVE THE QUEEN.

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 1st day of December, in the Year of Our Lord One thousand Nine hundred and Fifty-nine.

By His Excellency's Command,

A. G. DENTON-THOMPSON,
Colonial Secretary.

The Pensions Ordinance (Cap. 49)

ORDER

(under section 2 of the Ordinance)

E. P. ARROWSMITH,
Governor.

No. 2 of 1959.

His Excellency the Governor in exercise of the powers vested in him by section 2 of the Pensions Ordinance, is pleased, by and with the advice of the Executive Council to order, and it is hereby ordered as follows :—

1. This Order may be cited as the Pensions (Pensionable Offices) (No.2) Order, 1959.

2. The following offices are hereby declared to be pensionable offices in the public service of the Colony and the Dependencies :—

COLONY						Officer
Department						
PUBLIC WORKS	...	...	...	...	...	Filtration Plant Operator.
DEPENDENCIES						
F. I. D. S. HEADQUARTERS ADMINISTRATION	...	...	...	...	...	Establishments Officer. Supplies Officer.
SOUTH GEORGIA	...	...	...	...	...	Senior Diesel Electric Mechanic.

Made by the Governor in Council on the 5th day of November, 1959.

J. BOUND,
Clerk of the Executive Council.

Ref: 1171.

The Post Office Ordinance (Cap. 52)

ORDER

(under Section 4 of the Ordinance)

E. P. ARROWSMITH,
Governor.

No. 3 of 1959.

Cap. 52.

His Excellency the Governor in exercise of the powers vested in him by section 4 of the Post Office Ordinance, is pleased, by and with the advice of the Executive Council to order, and it is hereby ordered as follows :—

Title.

No. 3 of 1953.

1. (1) This Order may be cited as the Post Office (Amendment) Order, 1959, and shall be read as one with the Post Office Order, 1953, hereinafter referred to as the principal Order.

Commencement.

(2) The amendments made by this Order shall come into operation on the 1st day of April, 1959.

Amendment of section 2
of the principal Order.

2. Section 2 of the principal Order is further amended by deleting the amount "5d." where it occurs in paragraphs (a) and (d) thereof and substituting therefor the amount "5½d."

Made by the Governor in Council on the 5th day of November, 1959.

J. BOUND,
Clerk of the Executive Council.

Ref. 1083.

The Public Health Ordinance (Cap. 54)

REGULATIONS

(under section 55 of the Ordinance).

No. 4 of 1959.

E. P. ARROWSMITH,
Governor.

His Excellency the Governor in exercise of the powers vested in him by Section 55 of the Public Health Ordinance, is pleased, by and with the advice of the Executive Council to make the following Regulations :—

1. These Regulations may be cited as the Medical Fees Regulations, 1959. Cap. 54
Short title

2. These Regulations shall come into effect on the 1st December, 1959. Date of coming into force

3. "Child" means any person who is under 15 years of age; Definitions

"Government Servant" means —

- (a) any person appointed to an established post and whose appointment is published in the Gazette;
- (b) any person serving in an official capacity in South Georgia;
- (c) persons who are employed in the Falkland Islands on a whole time basis in executive, scientific, technical or clerical posts, by:
 - (i) Air Ministry and Meteorological Office;
 - (ii) Department of Scientific and Industrial Research;
 - (iii) Falkland Islands Dependencies Survey;
 - (iv) Ministry of Transport and Civil Aviation;
- (d) pensioners of the Falkland Islands Government and South Georgia Administration.

"Medical Officer" means a qualified medical practitioner registered under the Medical Practitioners, Midwives and Dentists Ordinance and employed by Government.

"Subscriber" means a person who subscribes an annual sum towards the cost of Government medical services and shall include all the members of his household with the exception of those gainfully employed on their own account.

4. Charges levied in accordance with these regulations may be remitted in whole or in part by the Governor. Remission of charges

5. The charges levied in accordance with these regulations shall be those provided for in the schedules to these regulations. Fees to be charged

6. The Medical Fees Regulations, and the Medical Fees (Amendment) Regulations, 1952, are hereby revoked with effect from the date of the coming into operation of these regulations. Revised Edition Vol. 11
p. 256, 3 of 1952

Made by the Governor in Council on the 5th day of November, 1959.

J. BOUND,
Clerk of the Executive Council.

SCHEDULE A.

Scale of Charges for Medical Services performed outside the
King Edward Memorial Hospital.Attendance by a medical
officer.1. Attendance by a medical officer at the household of a
person in Stanley :—

- (a) For the first visit 3/6d.
 (b) For each subsequent visit 2/6d.

Provided that such fees may be doubled in the case of a visit made between the hours of 7 p.m. and 7 a.m. if, in the opinion of the medical officer, the circumstances do not warrant a night call.

Requests for visits.

2. Requests for visits by a medical officer shall be made to the K. E. M. Hospital by noon for a visit on the same day or otherwise the fees provided for under Regulation 1 may be doubled except in the case of an emergency or when in the opinion of the medical officer the circumstances of the case warrant a request for a visit being made after noon.

Attendance by a Sister
or staff Nurse.

3. (i) Attendance by a Sister or Staff Nurse at the residence of any person shall be charged at the rate of 2/6d. per visit and 2/- for every hour or part thereof after the first hour, subject to a maximum of 15/- in respect of any one period of 24 hours; provided that when circumstances require it the Sister or Staff Nurse shall also be provided with free board and lodging and transport.

Attendance by District
Nurse.

(ii) Attendance by a District Nurse at the residence of any person shall be charged at the rate of 1/- per visit and 1/- for every hour or part thereof after the first hour subject to a maximum of 5/- in respect of any one period of 24 hours.

Special medical services.

4. When a medical officer is required to remain with a case in excess of the time spent in the course of a normal visit, renders special service or treatment or performs any kind of operation, a special fee not exceeding £10 10s. 0d. may be charged; provided that such special fee shall be assessed by the Senior Medical Officer.

Transport charges.

5. When a medical officer visits a patient outside Stanley who is not a subscriber to the Government Medical Service, a one way mileage charge of 3/- per mile shall be made in addition to the ordinary medical charge or, in lieu, transport as required by the medical officer shall be provided.

Visits to ships.

6. When a medical officer is charge of £1 10s. 0d. and 10/- for e
provided also that if the use of a bo
free transport to and from the ship
ship a
made;
e ship,
ster.

SCHEDULE B.

Scale of Fees charged to Out Patients and to persons
at the King Edward Memorial Hospital.

Patients

OUT PATIENTS.

Out patient fees.

1. An out patient fee of 2/6 for the first consultation and 2/- for each subsequent consultation shall be charged; provided that special diagnostic, medical, surgical or laboratory services may be charged at a higher rate but not exceeding £5 5s. 0d. if, in the opinion of the Senior Medical Officer, the circumstances of the case and the nature of the services performed warrant such higher charge.

IN PATIENTS

2. In patients shall be charged at the following rates which shall be inclusive of medical care and attention, maintenance, medicines and dressings but shall not include charges for X-ray examinations or operations :—

In patient fees.

(i) Persons normally resident in the Colony and persons resident for the time being in South Georgia:—

(a) in a general ward — 9/- per day or part day or £3 3s. 0d. per week;

(b) in a private ward — 15/- per day or part day or £5 5s. 0d. per week.

(ii) Persons who are not normally resident in the Colony :—

(a) in a general ward — 12/- per day or part day or £4 4s. per week;

(b) in a private ward — 21/- per day or part day or £7 7s. per week.

3. Maternity patients shall be charged at the following rates which shall be inclusive of all medical attention, treatment and maintenance :—

Maternity fees.

(a) in a general ward — £5 5s. 0d.

(b) in a private ward — £8 8s. 0d.

4. (i) The following charges shall be made in respect of X-ray examinations :—

X-ray examinations.

(a) Simple screening — 10/- to £1 10s. 0d.

(b) Skiagram — 5/- to £1 1s. 0d.

(c) Barium series — £1 0s. 0d. to £3 3s. 0d.

(ii) Physiotherapy treatment and radiant heat treatment shall be charged for at the rate of 1/- per session, provided that no charge shall be levied for such treatment given to an in patient.

Physiotherapy and radiant heat treatment.

5. The following charges shall be made in respect of surgical operations :—

Surgical operations.

Minor operations — £1 1s. 0d. to £3 3s. 0d.

Major operations (which shall include abdominal operations)
£5 5s. 0d. to £15 15s. 0d.

SCHEDULE C.

Charges for Medicines and Drugs and Miscellaneous Charges.

1. The following charges shall be made for prescriptions :—

Charges for prescriptions.

(i) Common galenical prescriptions :—

Bottle of 8 oz. in $\frac{1}{2}$ oz. doses 1/6d.

Common ointments, per oz. 6d.

Common liniments, per oz. 6d.

Common tablets or pills, per dozen 3d. — 6d.

(ii) Other preparations, including antibiotics, shall be charged for at rates that shall take into account the cost of such preparations and the quantity prescribed.

Medical examinations for
Benefit Societies and
Life Assurance.

2. The following charges shall be made in respect of medical examinations for :—

- (i) Life Assurance, with certificate — £2 2s. 0d.
- (ii) Employment, with a certificate — 10/6d.
- (iii) Stanley Benefit Club — No charge

Special Comforts.

3. Special medical comforts, wines, spirits and any special apparatus or food shall be paid for by the patient concerned.

SCHEDULE D. DENTAL FEES.

SERVICE					FEES
1.	Scaling and polishing	....	....	....	3/6d.
2.	Gum treatment	....	....	....	2/6d.
3.	Fillings				
	(a) Amalgam	....	....	....	5/- per filling
	(b) Cement	....	....	....	5/- per filling
4.	Root treatment — per tooth	....	....	....	10/6d.
5.	Crowning, per tooth (exclusive of the cost of gold)			....	£2 10s. 0d.
6.	Extractions, per tooth	....	....	....	2/6d. subject to a maximum of £3 0s. 0d.
7.	Dentures				
	(a) Full upper or lower denture		....	....	£6 6s. 0d.
	(b) Partial Denture	....	....	....	£1 5s. 0d. to £3 0s. 0d.
	(c) Repairs to fractured dentures		....	....	10/- to £2 2s. 0d.
	(d) Additions to partial denture		....	....	7/6 per tooth
	(e) Splints, acrylic or metal	....	....	....	£1 10s. 0d. to £2 10s. 0d.
	(f) Relining	....	....	....	£1 1s. 0d.

In any case in which special compounds and precious metals are used the fees provided for under this schedule shall be adjusted so as to take into account the cost of supplying such special compounds and precious metals and the additional work involved.

SCHEDULE E.

Reductions, Exceptions and Special Cases.

1. The Senior Medical Officer may, at his discretion, remit up to half of any fee or charge levied in accordance with these regulations, and the Governor may remit more than half; provided that in ordinary circumstances there shall be no remission in the case of fees charged for private wards.

Remission of fees.

2. No charges shall be made in respect of :—

Circumstances in which no charge shall be made.

- (i) vaccination for smallpox or immunisation against disease;
- (ii) the medical treatment, hospitalisation and maintenance of patients suffering from Tuberculosis;
- (iii) X-ray examinations of the chest in the case of any person who is found to have contracted Tuberculosis or who has at any time had Tuberculosis and X-ray examinations of the chest made at the request of a medical officer for the purpose of reducing the incidence of Tuberculosis or preventing the spread of Tuberculosis in the Colony; provided that any person who arrives in the Colony without the required certificate certifying him free of Pulmonary Tuberculosis shall be charged the full cost of any X-ray examination of the chest that may be made on his arrival;
- (iv) persons who are in receipt of charitable relief from the Stanley Town Council.

3. (1) Children who have not attained the age of 15 years shall be charged at half rate in respect of :—

Charges in respect of children.

- (i) hospitalisation and treatment as an in patient;
- (ii) operations;
- (iii) all other medical treatment with the exception of X-ray examinations, physiotherapy and radiant heat treatment as an out patient and medicines and drugs;
- (iv) dental services other than those provided free in accordance with paragraph (2) of this regulation.

(2) Children who have not attained the age of 15 years shall not be charged dental fees for scaling, polishing, gum treatment Amalgam and cement fillings or extractions.

4. No charges shall be levied against Government servants, recognised Ministers of Religion, members of recognised religious and charitable orders or the wives and children of Government servants (other than those who are gainfully employed) except in respect of :—

Government servants.

- (i) in patients fees and maternity fees, when half the normal charge shall be levied;
- (ii) operations — when half the normal charge shall be levied;
- (iii) special medical comforts, wines, spirits and any special apparatus or food;
- (iv) X-Ray examinations, when half the normal charge shall be levied;
- (v) special dental services connected with root treatment, crowning and dentures when half the normal charge shall be levied subject, however, to the proviso that

the full cost of any special compounds and precious metals shall be charged;

(vi) visits of the District Nurse.

Charges in respect of camp subscribers.

5. (1) No charges shall be levied in the case of camp subscribers in respect of any of the medical services (but not dental services) provided for under these regulations with the exception of :-

(i) maternity fees;

(ii) in patient fees.

Former camp subscribers no longer resident in the Camp.

(2) Camp subscribers who have attained the age of sixty and who have made not less than twenty annual payments to the Government Medical Service but who are no longer resident in the camp shall for the purposes of these regulations be regarded as camp subscribers on continued payment of the annual subscription.

Falkland Islands Defence Force.

6. No charge for either medical or dental services shall be made in respect of injuries incurred by any member of the Falkland Islands Defence Force while on duty; provided that normal charges as provided for under these regulations shall be levied in any case in which the injuries are incurred as the result of the member's own misconduct.

Government Employees employed by Government on 1st December, 1959, to retain privileges.

7. Any person other than a Government servant who was employed by Government on the 1st December, 1959, and who prior to that date had the same privileges in respect of charges for medical or dental services as Government servants, shall not be deprived of such privileges while their service with Government after the 1st December, 1959, remains unbroken.

The Road Traffic Ordinance (Cap. 60)

REGULATIONS

(under section 18 of the Ordinance)

No. 5 of 1959.

E. P. ARROWSMITH,
Governor.

His Excellency the Governor in exercise of the powers vested in him by section 18 of the Road Traffic Ordinance, is pleased, by and with the advice of the Executive Council, to make the following Regulations:—

Cap. 60

1. These Regulations may be cited as the Road Traffic (Amendment) Regulations, 1959, and shall be read as one with the Road Traffic Regulations, hereinafter referred to as the principal Regulations.

Short title.
Revised Edition,
Vol. II. p. 270.

2. Regulation 7 of the principal Regulations is hereby amended as follows:—

Amendment of regulation 7 of the principal Regulations.

- (a) In paragraph (1) by substituting the words "half an hour" for the words "one hour" wherever those words occur;
- (b) In paragraph (6) by substituting the words "half an hour" for the words "one hour" wherever those words occur;
- (c) By adding immediately after paragraph (6) the following new paragraph:—

“(7) A vehicle shall, when standing or parked at any place on a road, be exempted from showing the required lights if:—

- (a) the left or near side of the vehicle is as close as may be and is parallel to the edge of the carriageway;
- (b) no part of the vehicle is more than 25 yards from a street lamp;
- (c) the street lamp mentioned in the last preceding sub-paragraph is illuminated throughout the time during which the vehicle is standing or parked:

Provided that for the purposes of this sub-paragraph if, while the vehicle is standing or parked, the light shown by the lamp becomes accidentally extinguished, no account shall be taken of any time during which the light is so extinguished; and

- (d) no part of the vehicle is within 15 yards from the junction of any part of the carriageway of any highway with the carriageway of the road on which the vehicle is standing or parked, whether that junction is on the same side of the road as that on which the vehicle is standing or parked or not.”

Made by the Governor in Council on the 5th day of November, 1959.

J. BOUND.
Clerk of the Executive Council.

A Bill for An Ordinance

Title.	Further to Amend the Customs Ordinance.
Enacting clause.	BE IT ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :—
Short Title.	1. This Ordinance may be cited as the Customs (Amendment) Ordinance, 1959, and shall be read as one with the Customs Ordinance, hereinafter referred to as the principal Ordinance.
Cap. 16.	
Amendment of section 32 of the principal Ordinance.	2. Section 32 of the principal Ordinance is amended by the deletion of the words "three months" and the substitution therefor of the words "six months".

OBJECTS AND REASONS.

The object of this Bill is to extend the period of three months during which goods imported for temporary use must be exported to that of six months in order to conform with the period set out in paragraph (a) of Section 31 of the Principal Ordinance.

Ref. 1764.

A Bill for An Ordinance

Title.	To amend the Application of Enactments Ordinance, 1954.
Enacting clause.	BE IT ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :—
Short title. 13 of 1954.	1. This Ordinance may be cited as the Application of Enactments (Amendment) Ordinance, 1959, and shall be read as one with the Application of Enactments Ordinance, 1954, hereinafter referred to as the principal Ordinance.
Amendment of Schedule to principal Ordinance.	2. The Schedule to the principal Ordinance is hereby amended as follows :— <div style="margin-left: 40px;">(a) by the insertion immediately after enactment No. 3 of the following :— <div style="margin-left: 40px;">"3A. Marine Insurance Act, 1906. The whole Act." 6 Ed. 7, c. 41.</div> </div> <div style="margin-left: 40px;">(b) by the insertion immediately after enactment No. 7 of the following :— <div style="margin-left: 40px;">"7A. Marine Insurance (Gambling Policies) Act, 1909. 9 Ed. 7, c. 12.</div> <div style="margin-left: 40px;">The whole Act. For Section 1 (3) there shall be substituted the following :— <div style="margin-left: 40px;">"Proceedings under this Act shall not be instituted without the consent of the Colonial Secretary".</div> </div> </div>

OBJECTS AND REASONS

To apply the Marine Insurance Act, 1906, and the Marine Insurance (Gambling Policies) Act, 1909, to the Colony, thus bringing the law of the Colony relating to Marine Insurance into uniformity with that of the United Kingdom.

Ref. 1864.

A Bill for
An Ordinance
To amend the Pensions (Increase)
Ordinance, 1959. Title.

BE IT ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :— Enacting Clause.

1. This Ordinance may be cited as the Pensions (Increase) (Amendment) Ordinance, 1959, and shall be read as one with the Pensions (Increase) Ordinance, 1959, hereinafter referred to as the principal Ordinance. Short title.
12 of 1959.

2. In subsection (1) of section 2 of the principal Ordinance the definition of the expression "Scheduled Government" is amended by the substitution of a comma for the full-stop at the end thereof and the addition immediately after that comma of the following :—
"as amended ;". Amendment of section 2
of the principal Ordinance.

OBJECTS AND REASONS

This Bill is designed to remedy an accidental omission of certain words from section 2 of the Pensions (Increase) Ordinance, 1959.

Ref. 66/42.

A Bill for
An Ordinance
To amend the Estate Duty Ordinance. Title.

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

1. (1) This Ordinance may be cited as the Estate Duty (Amendment) Ordinance, 1959, and shall be read as one with the Estate Duty Ordinance (Chapter 25), hereinafter referred to as the principal Ordinance. Short title.

2. Section 2 of the principal Ordinance is amended by the addition thereto of the following definitions :— Amendment of section
2 of the principal
Ordinance.

"Agricultural property" means property other than land used wholly or mainly for agricultural or pastoral purposes, including such cottages, farm buildings, and dwelling-houses (together with the lands occupied therewith) as are of a character appropriate to the property, and live stock and agricultural machinery;

"Property passing on the death" includes property passing either immediately on the death or after an interval either certainly or contingently, and either originally or by way of substitutive limitation, and "on the death" includes at a period ascertainable only by reference to the death.

3. Section 4 of the principal Ordinance is repealed and replaced by the following section :— Amendment of section
4 of the principal
Ordinance.

"4. (1) In the case of every person dying after the commencement of this Ordinance estate duty shall, save as hereinafter expressly provided, be levied and paid on the principal value, ascertained as hereinafter provided, of all property passing Charge of estate duty.

on the death of the deceased (hereinafter referred to as "the estate of the deceased") at the graduated rates shown in the Schedule to this Ordinance: Provided that the first £5,000 of any estate the principal value of which exceeds that amount shall, without prejudice to the rate of estate duty applicable in the case of such estate according to the said Schedule, be exempt from estate duty.

(2) The estate of the deceased shall be deemed to include:

- (a) property of which the deceased was at the time of his death competent to dispose;
- (b) property taken as a *donatio mortis causa* made by the deceased or taken under a disposition made by him purporting to operate as an immediate gift *inter vivos*, whether by way of transfer, delivery, declaration of trust or otherwise, which has not been bona fide made three years before his death, or taken under any gift whenever made, if bona fide possession and enjoyment of such property have not been assumed by the donee immediately upon the gift and thenceforward retained to the entire exclusion of the donor, or of any benefit to him by contract or otherwise;
- (c) property which belonged to the deceased, or of which he was competent to dispose, of which he has disposed at any time within three years of his death in any manner other than for valuable consideration paid to the deceased for his own use and benefit: where such disposition has been made for full valuable consideration such consideration shall be subject to the same liability in respect of estate duty as the property so disposed of was subject, and where any such disposition was made for partial consideration the value of the consideration shall be allowed as a deduction from the value of the property for the purposes of estate duty;
- (d) property which the deceased, having been absolutely entitled thereto, has caused or may cause to be transferred to or vested in himself and any other person jointly whether by disposition or otherwise, or any purchase or investment made by the deceased alone, or in concert, or by arrangement with any other person, so that the beneficial interest therein or in some part thereof passes or accrues by survivorship on his death to such other person;
- (e) property passing under any past or future disposition made by the deceased verbally, or by any instrument not taking effect as a will, whereby an interest in such property or the proceeds of sale thereof for life or any other period determinable by reference to death is reserved or otherwise secured, either expressly or by implication, to the deceased, or whereby the deceased may have reserved to himself the right, by the exercise of any power, to restore to himself or to reclaim the absolute interest in such property, or the proceeds of sale thereof (notwithstanding, in cases where the disposition is contained in any instrument, such instrument may have been made for valuable consideration as between the deceased and any other person);
- (f) money payable to the estate of the deceased under any policy of insurance on his life and money received under a policy of insurance effected by the deceased on his life where the policy is wholly kept up by him for the benefit of a donee, whether nominee or assignee, or a part of such money in proportion to the premiums paid by him where the policy is partially kept up by the deceased for such benefit;

- (g) property in which the deceased or any other person had an interest ceasing on the death of the deceased to the extent to which a benefit accrues or arises by the cesser of such interest: but exclusive of property the interest in which of the deceased or other person was only an interest as holder of an office, or recipient of the benefits of a charity, or as a corporation sole;
- (h) an annuity or other interest purchased or provided by the deceased, either by himself alone or in concert or by arrangement with any other person, to the extent of the beneficial interest accruing or arising by survivorship or otherwise on the death of the deceased;

Provided always that the provision marked (d) or (e) in this sub-section shall not apply to any property disposed of by the deceased for full valuable consideration, but such consideration shall be subject to the same liability in respect of estate duty as the property so disposed of was subject; if such consideration consists wholly or in part of any benefit or of any periodic payment which terminates on the death of the deceased, estate duty shall be payable on the value of such benefit or periodic payment as if calculated at the time it was created or provided, and where any such disposition was made for partial consideration the value of the consideration shall be allowed as a deduction from the value of the property for the purposes of estate duty.

(3) Estate duty shall be paid in respect of all property of the deceased situate in the Colony, wherever his death may have occurred, and in case the deceased was at the time of his death domiciled in the Colony it shall also be paid in respect of his movable property and effects wherever situate.

(4) Estate duty shall not be payable:—

- (a) in respect of property held by the deceased as trustee for another person under a disposition not made by the deceased, or under a disposition made by the deceased more than three years before his death where possession and enjoyment of the property was forthwith bona fide assumed by the beneficiary and retained to the entire exclusion of the deceased or of any benefit to him by contract or otherwise;
- (b) in respect of any gifts or dispositions for public or charitable purposes and to the entire exclusion of the deceased made by the deceased which in the case of any one donee do not exceed £500, or which, if exceeding that amount, were made more than twelve months before the date of the death of the deceased;
- (c) in respect of gifts to the entire exclusion of the deceased made in consideration of marriage, or which in the case of any one donee did not exceed in the aggregate £500 in value or amount, or which are proved to the satisfaction of the Treasurer to have been part of the normal expenditure of the deceased and to have been reasonable having regard to the amount of his income or to the circumstances.

Exemptions from estate duty.

Trust property :
disposition by deceased
more than 3 years before
death.

Charitable gifts.

Gifts in consideration of
marriage or under £500.

(5) Where the Treasurer is satisfied that in any part of the Commonwealth duty is payable by reason of a death in respect of any property situate in such part and passing on such death, he shall allow a sum equal to the amount of that duty to be deducted from the estate duty payable in respect of that property on the same death.

Property in United
Kingdom or a British
possession.

(6) Where any property subject to estate duty under this Ordinance is situate in a foreign country, and the Treasurer is satisfied that by reason of the death any duty is payable in that

Property in a foreign
country.

foreign country in respect of that property, he shall make an allowance of the amount of that duty from the value of the property.

(7) For the purposes of this section the situation of any property shall be determined in accordance with the law of England.

Amendment of section 5 of the principal Ordinance.

4. Section 5 of the principal Ordinance is amended as follows :—

- (a) by deleting therefrom the brackets and figure “(1)”;
- (b) by substituting “2 per centum” for the words and figure “5 per centum”; and
- (c) by deleting subsection (2).

Insertion of sections 6A, 6B, 6C. in the principal Ordinance.

5. There shall be inserted after section 6 of the principal Ordinance the following new sections numbered 6A, 6B and 6C.

Reduction of full amount of duty where the margin above the limit of value is small.

“6A. The amount of estate duty payable on an estate at the rate applicable thereto under the scale of rates of duty shall, where necessary, be reduced so as not to exceed the highest amount of duty which would be payable at the next lower rate with the addition of the amount by which the value of the estate exceeds the value on which the highest amount of duty would be payable at that lower rate.

Rate of duty in respect of agricultural property.

“6B. The scale in accordance with which estate duty is to be charged on the agricultural value of agricultural property shall be 50 per cent of the rate which would have been applicable according to the Schedule to this Ordinance.

Exemption of certain annuities.

“6C. (1) Estate duty shall not be payable in respect of a single annuity not exceeding £52 per annum purchased or provided by the deceased, either by himself alone or in concert or arrangement with any other person, for the life of himself or of some other person and the survivor of them, or to arise on his own death in favour of some other person; and if in any case there is more than one such annuity the annuity first granted shall alone be entitled to the exemption under this section.

(2) An annuity of less than £104 which would, but for the fact that it exceeds £52, be exempted from estate duty shall be chargeable with estate duty as if it were an annuity of twice the amount by which it exceeds £52”.

Amendment of section 7 of the principal Ordinance.

6. Section 7 of the principal Ordinance is amended by deleting subsection (4) therefrom.

Amendment of the Schedule to the principal Ordinance.

7. The Schedule to the principal Ordinance is repealed and replaced by the following Schedule —

SCHEDULE.

RATE OF ESTATE DUTY.

Not exceeding £5,000	...	...	...	...	Nil
Exceeding £5,000 but not exceeding £7,500	...	...	...	...	3%
„ £7,500	„	„	£10,000	...	4%
„ £10,000	„	„	£15,000	...	5%
„ £15,000	„	„	£20,000	...	6%
„ £20,000	„	„	£25,000	...	7%
„ £25,000	„	„	£30,000	...	8%
„ £30,000	„	„	£40,000	...	9%
„ £40,000	...	...	...	...	10%

OBJECTS AND REASONS

This Bill is designed to modify the law regarding estate duty.

Principally, the amendments provide that :

1. Estates valued at under £5,000 shall be exempt from estate duty and estates valued at over £40,000 shall not attract duty at a higher rate than 10% ;
2. A lower rate of duty than that leviable under the present law shall be introduced ;
3. The rate of interest on estate duty shall be reduced from 5% to 2% ;
4. Reliefs from estate duty similar to those allowed under equivalent English law shall be allowed in the Colony ;
5. Estate duty shall be paid in respect of certain classes of property which under the existing law are not liable to duty, and in respect of movable property wherever situate provided that double taxation relief can be obtained.

The Estate Duty legislation as amended, except in so far as it relates to the actual rates of duty payable, will accord more closely with corresponding legislation at present in force in England.

A Bill for An Ordinance

Further to Amend the Live Stock Ordinance. Title.

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

1. This Ordinance may be cited as the Live Stock (Amendment) (No. 2) Ordinance, 1959, and shall be read as one with the Live Stock Ordinance, hereinafter referred to as the principal Ordinance. Short title.
Cap. 40.

2. Section 11 of the principal Ordinance is repealed and replaced as follows :— Replacement of section
11 of the principal
Ordinance.

“Annual
dipping
compulsory.

11. (1) Between the 1st day of March and the 30th day of June in every year, every owner shall dip or cause to be dipped with an insecticidal dip approved by an inspector all sheep running on land whereof he is the occupier :

Provided that—

- (a) for purposes previously approved in writing by the inspector, the inspector may advance or extend, for not more than 30 days, the period during which sheep must be dipped :
- (b) with the approval of the Governor in Council and subject to such conditions as may be imposed by the Governor in Council, the period during which sheep must be dipped may be advanced or extended for experimental purposes :
- (c) the inspector may exempt the owner on any island from dipping in any one year if the sheep examined by him on that island are found to be absolutely free of tick, lice and scab in that year.

(2) Any person who contravenes the provisions of this section shall be liable to a fine not exceeding two shillings for every sheep.”

OBJECTS AND REASONS.

To consolidate the provisions of Section 11 of the Live Stock Ordinance, which relate to the compulsory annual dipping of sheep, with a further provision empowering the Governor in Council to vary the period within which sheep must be dipped for experimental purposes.



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16 DECEMBER, 1959.

No. 17.

Instrument under the Public Seal of the Colony of the Falkland Islands appointing JOHN BOUND, ESQUIRE, to be a temporary Member of the Legislative Council.

E. P. ARROWSMITH — *By His Excellency SIR EDWIN ARROWSMITH, 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.*

[L.S.]

To JOHN BOUND, ESQUIRE.

By virtue of the powers and authority in me vested by the Queen's Most Excellent Majesty, I do hereby appoint you, the said JOHN BOUND, to be a temporary Member of the Legislative Council under Clause 13 of the Falkland Islands (Legislative Council) Orders-in-Council, 1948-1955.

Given at Stanley this 12th day of December, 1959.

By Command,
D. R. MORRISON,
for Colonial Secretary.

Assented to in Her Majesty's name this 16th day of December, 1959.

E. P. ARROWSMITH,
Governor.

[L.S.]

No. 16



1959.

Colony of the Falkland Islands.

IN THE EIGHTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II.

SIR EDWIN ARROWSMITH, K.C.M.G.,

Governor.

An Ordinance

Title.

Further to Amend the Live Stock Ordinance.

Enacting clause.

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

Short title.

1. This Ordinance may be cited as the Live Stock (Amendment) (No. 2) Ordinance, 1959, and shall be read as one with the Live Stock Ordinance, hereinafter referred to as the principal Ordinance.

Cap. 40.

Replacement of section 11 of the principal Ordinance.

2. Section 11 of the principal Ordinance is repealed and replaced as follows :—

“Annual dipping compulsory.

11. (1) Between the 1st day of March and the 30th day of June in every year, every owner shall dip or cause to be dipped with an insecticidal dip approved by an inspector all sheep running on land whereof he is the occupier :

Provided that —

- (a) for purposes previously approved in writing by the inspector, the inspector may advance or extend, for not more than 30 days, the period during which sheep must be dipped :
- (b) with the approval of the Governor in Council and subject to such conditions as may be imposed by the Governor in Council, the period during which sheep must be dipped may be advanced or extended for experimental purposes :

- (c) the inspector may exempt the owner on any island from dipping in any one year if the sheep examined by him on that island are found to be absolutely free of tick, lice and scab in that year.

(2) Any person who contravenes the provisions of this section shall be liable to a fine not exceeding two shillings for every sheep."

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.

D. R. MORRISON,
for Clerk of the Legislative Council.

Ref. 1093.