

# INDEX

to

## FALKLAND ISLANDS GAZETTE,

### 1965.

Alazia, Mrs. F., Acting Senior Clerk, Secretariat	127, 219
Anderson, Miss K., Assistant Teacher	77
Ashmore, J. H., Acting Senior Medical Officer	77
Battrick, Miss E., Private Secretary	165
Bennett, H., Registrar of the Falkland Islands	187
Court of Appeal	
Bennett, J., Member of the Falkland Islands	175
Court of Appeal	
Bennett, N., Dental Technician	21
Berntsen, Miss S., Nurse Probationer	219
Biggs, R. J., transfer	127
Blenkinsop, C., Whale Fishery Inspector	187
Blyth, Miss G., Messenger	175
Board of Health, members	17
Browning, R., transfer	127
Burgess, Miss J. H., Assistant Mistress	13
Button, T. R., Acting Senior Customs Officer	77
Camp air freight	17
Campbell, R., Retirement	77
Canadian Government Trade Commissioner	
for the Falkland Islands	220
Carey, T. J., Acting Assistant Superintendent	77, 219
Power & Electrical	
Clarke, T., Telegraph Messenger	175
Committees -	
Broadcasting Advisory Committee, members	17
Cost of Living Committee - findings	13, 21, 165, 188
Hospital Visiting Committee, members	13
Corrigendum	22
Councils -	
Executive Council - A. G. Barton, Esq.,	
temporary member	17, 78
Executive Council - L. C. Gleadell, Esq., member	1
Legislative Council - L. C. Gleadell, Esq., member	1
Legislative Council - minutes of meeting	4
Legislative Council - minutes of meeting,	
Supplement No. 1 - 7th October 1965	
Daylight Saving	21, 187
Dixon, J. H., Camp Teacher	1
Education Ordinance - recognised schools and teachers	187
Falkland Islands Freezer Company Limited -	
Appointment of Liquidator	166
Dissolution	166
Release of Liquidator	166
Felton, Miss J., Assistant Teacher	77
Finlayson, Miss D. E., Messenger Secretariat	219
Forbes, Sir A., President of the Falkland Islands	
Court of Appeal	175
Fuhlendorff, V. E., Acting Senior Telecommunications	
Technician & Broadcasting Engineer	77
Gleadell, L. C., leave	1
Gray, K. W., Immigration Officer	127
Halliday, L. J., Acting Postmaster	77, 219
Hirtle, E., Watch Operator	165
Honours, birthday	127
Honours, new year	13
Hornby, D. M., Deputy Registrar of the	
Falkland Islands Court of Appeal	175
Hoyle, J. A., Camp Dental Surgeon	127
The Falkland Islands Additional Instructions, 1964	68
Instruments -	
S. I. The Colonial Probates Act Application Order 1965	215
S. I. The Copyright (F.I.s.) Order 1963	132
S. I. The Falkland Islands Court of Appeal	
(Appeal to Privy Council) Order 1965	167
S. I. The Falkland Islands Court of Appeal Order 1965	129
S. I. The United Kingdom Forces	
(Jurisdiction of Colonial Courts) Order 1965	210
Inquiry into the need for replacement of m.v. "Philomel"	219
Kneen, M. A., promotion	13
Lang, J., Senior Clerk, Treasury	21
MacDonald, C., Orderly/Caretaker, Government House	77
Medical Practitioners, Midwives and Dentists	14, 187, 220
Mills, K., Clerk	17
Ministers for celebrating marriages	13, 127
Miranda, Miss A., Nurse Probationer	219
Morrison, D. R., Acting Assistant Colonial Secretary	219

Norwegian Consular Representation	166
Notices -	
Immigration Ordinance	127, 207, 219
Wireless Licences	78
O'Connell, C. L., Nursing Orderly	165
O'Farrell, M., Met. Assistant	219
Oliver, J. P., Appointed Registrar to celebrate a marriage	77
Orders -	
1/64 Nature Reserves	14
2/64 Wild Animals and Birds Protection	
(Sanctuaries) Order, 1964	71
3/64 Wild Animals and Birds Protection	
(Sanctuaries) (No. 2) Order, 1964	71
4/64 Wild Animals and Birds Protection	
(Sanctuaries) (No. 3) Order, 1964	72
5/64 Double Taxation Relief (Taxes on Income)	
(Switzerland) Order, 1964	176
1/65 Customs (Dependencies)	
(Amendment of Duty) Order, 1965	72
2/65 Tapeworm Eradication (Dogs) Order, 1965	73
3/65 Pensions (Pensionable Offices) Order, 1965	245
Ordinances, Bills for	
Appropriation (1965-66) Ordinance, 1965	65
Diplomatic Privileges (Extension) (Amendment)	
Ordinance, 1965	63
Firearms (Amendment) Ordinance, 1964	56
Firearms Ordinance, 1965	197
Immigration Ordinance, 1965	49
Income Tax (Amendment) Ordinance, 1965	61
Marriage (Amendment) Ordinance, 1965	24
Old Age Pensions (Amendment) Ordinance, 1965	57
Pensions Ordinance, 1965	25
Stanley Town Council (Amendment) Ordinance, 1965	24
Supplementary Appropriation (1963-64) Ordinance, 1965	64
Supplementary Appropriation (1964-65) Ordinance, 1965	205
Workmen's Compensation (Amendment) Ordinance, 1965	190
Ordinances: <i>Colony</i>	
1/65 Firearms (Amendment) Ordinance, 1965	80
2/65 Marriage (Amendment) Ordinance, 1965	82
3/65 Supplementary Appropriation (1963-64)	
Ordinance, 1965	83
4/65 Stanley Town Council	
(Amendment) Ordinance, 1965	85
5/65 Income Tax (Amendment) Ordinance, 1965	86
6/65 Pensions Ordinance, 1965	88
7/65 Diplomatic Privileges (Extension)	
(Amendment) Ordinance, 1965	112
8/65 Appropriation (1965-66) Ordinance, 1965	113
9/65 Old Age Pensions (Amendment) Ordinance, 1965	115
10/65 Immigration Ordinance, 1965	119
11/65 Workmen's Compensation (Amendment)	
Ordinance, 1965	221
12/65 Firearms Ordinance, 1965	228
13/65 Supplementary Appropriation	
(1964-65) Ordinance, 1965	234
Dependencies	
3/64 Appropriation (Dependencies)	
(1964-65) Ordinance, 1965	2
1/65 Supplementary Appropriation	
(Dependencies) (1963-64) Ordinance, 1965	18
2/65 Application of Colony Laws Ordinance, 1965	23
3/65 Income Tax (Dependencies)	
(Amendment) Ordinance, 1965	79
4/65 Application of Colony Laws Ordinance, 1965	189
5/65 Appropriation (Dependencies)	
(1965-66) Ordinance, 1965	236
6/65 Supplementary Appropriation	
(Dependencies) (1964-65) Ordinance, 1965	238
Ordinances, Non-disallowance of:	
<i>Colony</i>	
10/64 Application of Enactments (Intestates'	
Estates and Family Provision) Ord., 1964	17
11/64 Land (Amendment) Ordinance, 1964	21
12/64 Maintenance Orders Ordinance, 1964	17
13/64 Whale Fishery (Amendment) Ordinance, 1964	127
14/64 Dogs (Amendment) Ordinance, 1964	17
15/64 Wild Animals & Birds Protection Ordinance, 1964	17
1/65 Firearms (Amendment) Ordinance, 1965	187
2/65 Marriage (Amendment) Ordinance, 1965	187
3/65 Supplementary Appropriation (1963-64) Ord., 1965	207

# INDEX—continued.

5/65 Income Tax (Amendment) Ordinance, 1965	207	Ross, Miss E., confirmation of appointment	165
6/65 Pensions Ordinance, 1965	187	Ruddy, H., Magistrate for the	
10/65 Immigration Ordinance, 1965	207	Falkland Islands Dependencies	175
<i>Dependencies</i>		Ruddy, H., Officer-in-Charge, South Georgia	77
4/64 Application of Colony Laws (No. 3) Ord., 1964	13	<i>Rules :</i>	
1/65 Supplementary Appropriation (Dependencies)		1/65 Court Fees (Civil Cases) (Amendment) Rules, 1965	240
(1963-64) Ordinance, 1965	166	2/65 Administration of Estates (Amend.) Rules, 1965	242
2/65 Application of Colony Laws Ordinance, 1965	166	School terms and holidays	14
Parker, W., Medical Officer (Locum Tenens)	207	Sealing licence	21
Parker, W., Medical Officer, South Georgia	219	Smith, I., Whale Fishery Inspector	187
Penny, C. D., Wireless Telegraphy Operator	21	Smith, J. S., transfer	219
Pettersson, T., Assistant Printer	165	Stewart, Miss H., Clerk	77
"Philomel" inquiry into the need for replacement of	219	Stewart, R., confirmation of appointment	165
Probate	17, 67, 127, 128, 175, 188, 207, 220	Spraggs, R. A., Camp Teacher	1
<i>Proclamations :</i>		Summers, B., Telegraph Boy	21
1/65 Legislative Council	22	Tapeworm Eradication (Dogs) Order - list of inspectors	166
2/65 Court of Appeal	128	Taylor, D. M. A., Medical Officer	219
3/65 Legislative Council	188	Telegrams exchanged between H. E. the Governor	
Public holidays	1, 188	and the Right Hon. the Secretary of State	67
Publications for sale	185, 206	Thompson, W. H., Acting Judge of the Supreme Court	78
Registration of United Kingdom Patents Ordinance	22, 220	Thompson, W. H., Governor's Deputy	127
<i>Regulations :</i>		<i>Town Council :</i>	
4/64 Penguin and Albatross Regulations, 1964	70	Appointed members	13
Pensions Regulations, 1965	38	Declaration of vacancy	22
1/65 Immigration Regulations, 1965	137	Estimates, 1966	203
2/65 Live Stock Quarantine (Amend.) Regulations, 1965	208	Expenditure, 1964	75
3/65 Quarantine (Amendment) Regulations, 1965	209	Revenue, 1964	74
<i>Reports :</i>		Statement of Assets and Liabilities	20
Government Employees' Provident Fund 1963/64	143	Trevelyan, Mrs. R. E., Assistant Mistress	175
Government Savings Bank 1963/64	154	Trevelyan, P. C., Assistant Master	175
Note Security Fund 1963/64	151	Tropman, N. A., Painter	165
Old Age Pensions Equalisation Fund 1963/64	147	Trustee Act	22
<i>Resolution :</i>		Vinson, R. G., Appointed Justice of the Peace	21
1/65 Customs (Amendment of Duties) Resolution, 1965	78	Visiting Justices of the Prison - appointments	14
<i>Returns :</i>		Vital Statistics for the year ended 31st December, 1964	15
Annual Stock Return for 1963/64	10	Watson, N., Cashier	67
Annual Stock Return for 1964/65	172	Wood, C. R., Camp Teacher	1
Review of salaries and terms of service	13	Wyatt, H. T., Medical Officer (Locum Tenens)	21
Roberts, M. E., Camp Teacher	21	Wyatt, H. T., Medical Officer, (Locum Tenens)	
Roberts, M. E., termination of appointment	127	South Georgia	127
Rogers, M. R. F., member of the F. Is. Court of Appeal	175	Young, C. D., Grasslands Officer	17
		Young, W. H., Honorary Consul of Norway	77



# THE FALKLAND ISLANDS GAZETTE

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2 JANUARY, 1965.

No. 1.

## APPOINTMENTS

Dixon, J. H., Spraggs, R. A., Wood, C. R., Camp Teachers, Education Department, with effect from 17.12.64.

## LEAVE

Gleadell, L. C. J.P., Colonial Treasurer, from 1.6.64 — 16.12.64.

## NOTICES

No. 60. 3rd December, 1964.

It is hereby notified that on the following dates in 1965 Public Offices will be closed :

New Year's Day	... Friday, 1st January
Good Friday	... Friday, 16th April
Easter Monday	... Monday, 19th April
Her Majesty the Queen's Birthday	... Wednesday, 21st April
Commonwealth Day	... Monday, 24th May
August Bank Holiday	... Monday, 2nd August
Anniversary of the Battle of the Falkland Islands	... Wednesday, 8th December
Christmas Holidays	... Saturday, 25th December ... Monday, 27th December ... Tuesday, 28th December

Ref. 291/33.

No. 61.

17th December, 1964.

## EXECUTIVE COUNCIL

Consequent upon the issue of Additional Instructions signed by Her Majesty the Queen at the Court of St. James's on the 10th September, 1964, the following appointment to the Executive Council has this day been made —

The Honourable Mr. L. C. Gleadell, M.L.C., J.P.  
(*Ex-officio Member*)

Ref. 2103/B.

No. 62.

17th December, 1964.

## LEGISLATIVE COUNCIL

Falkland Islands (Legislative Council) (Amendment) Order, 1964.

It is hereby notified that the following appointment to the Legislative Council has this day been made —

The Honourable Mr. L. C. Gleadell, M.L.C., J.P.

Ref. 0068/III.

Assented to in Her Majesty's name this 13th day of August, 1964.

W. H. THOMPSON,  
*Officer Administering the Government.*

LS

No. 3



1964

### Falkland Islands Dependencies.

IN THE THIRTEENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

WILLOUGHBY HARRY THOMPSON, M.B.E.  
*Officer Administering the Government.*

### An Ordinance

Title.

To provide for the service between the first day of July, 1964, and the thirtieth day of June, 1965.

Date of commencement.

[1st July, 1964]

Enacting Clause.

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—

Short title.

1. This Ordinance may be cited for all purposes as the Appropriation (Dependencies) (1964/1965) Ordinance, 1964.

Appropriation of  
£76,180 for service  
of the year ending 30th  
June, 1965.

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, 1965, a sum not exceeding Seventy-six thousand one hundred and eighty 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, 1964, to the thirtieth day of June, 1965.



SCHEDULE.

Schedule.

Number.	Head of Service.	Amount. £
1.	General	
	A. Ordinary ... ..	73,530
	B. Special ... ..	2,650
	Total Expenditure £	76,180

Promulgated by the Officer Administering the Government  
on the 13th day of August, 1964.

H. L. BOUND,  
*for Colonial Secretary.*

Ref. D/6/59/E.

# LEGISLATIVE COUNCIL.

## Minutes of the Meeting held 21st October, 1964.

PRESENT: His Excellency the Governor (C. D. P. T. Haskard, C.M.G., M.B.E.)  
 The Honourable the Colonial Secretary (W. H. Thompson, M.B.E.)  
 The Honourable the Acting Colonial Treasurer (H. T. Rowlands.)  
 The Honourable Mr. R. V. Goss, M.L.C.  
 The Honourable Mr. G. C. R. Bonner, M.L.C., J.P.  
 The Honourable Mr. S. Miller, M.L.C., J.P.  
 The Honourable Mr. L. G. Blake, M.L.C.  
 The Honourable Mr. F. J. Cheek, M.L.C.  
 The Honourable Mrs. M. Vinson, M.L.C.

The meeting opened with prayers read by the Reverend E. Thornley.

2. After taking the prescribed oaths, the Honourable H. T. Rowlands, Acting Colonial Treasurer, assumed his seat on Council.

3. The Minutes of the Meeting of Legislative Council held on 4th May, 1964 were confirmed.

4. In his welcoming address to His Excellency the Governor the Honourable the Colonial Secretary said:

"Your Excellency.

On behalf of all Members and as leader of this House it is my pleasure to extend to you our formal welcome. You assume your role here as our President and Speaker at a very interesting time because this is the first occasion which we have sat with an unofficial majority. You will not find this House a very exciting place; indeed, some people feel the distinct lack of excitement here and paucity of debate and our rather formal behaviour means that this house lacks any power. In a small Government like this much of our work is bound to be done in Committee and by consultation, and, I can assure you, that the members of this House are in touch with our affairs at every stage. Their presence here in full view of the public gives an opportunity to the electorate to see and hear them. No legislation can be passed without the public knowing which way their representatives vote. You Sir, are in a unique position in that as you represent the Crown and guide our deliberations, you also guard the rights of the electorate. Whatever may be done by Committee or in consultation must eventually stand before this House to be questioned, criticised and voted upon. We hope, and trust, Sir, that you will enjoy your duties in this the smallest of all the Colonial Legislatures."

His Excellency replied:

"Honourable Members of Legislative Council.

May I first of all thank the Honourable the Colonial Secretary for the kind message of welcome which he has just delivered in the name of all Members of this Council. I am very glad to have this early opportunity of a formal meeting because it has enabled me at an early date after my arrival to make your acquaintance and, may I say, that it is very encouraging to have received so much help and friendliness in the short time that I have been here. Something for which a newcomer should be grateful.

As I am a newcomer to the Colony I think that Honourable Members will not expect me to say over much this morning, in fact my first task is to learn rather than to talk. When I have learned something of the life of the camp and of the town and of the achievements of the past and the problems which have to be met in the future, then I shall feel better equipped than I am today to participate in our discussions, and I hope that I shall be able to play my part in achieving realistic solutions to the problems which face us, not the problems which face you, because I hope that you will permit me to identify myself very closely with the Falkland Islands where my family and I, God willing, will make our home for the next five years. In particular I am anxious that members of this Council and also those of the Executive Council should, with me, play an increasingly active part and constructive part in the affairs of the Colony, seeking always to place the public good before sectional interest and striving to look ahead and foresee the outcome of the decisions which we make.

I should like to take this opportunity publicly to pay tribute to the work of my predecessor Sir Edwin Arrowsmith. I was fortunate in that I was able to meet him on several occasions in London before I sailed for the Falkland Islands and as you all know he has the good of this Colony very much at heart and I feel that it is fortunate for us that he is living in London where he can continue to take an interest in our well being.

Finally I should like to say a word of thanks to those members of the Legislative Council who are no longer sitting as members. Dr. Slessor, Mr. Bennett and Mr. Bound have all in past years done sterling work for this Colony and I would like to take this opportunity of saying that although they are no longer members of the Legislature nevertheless I hope to benefit from their advice even though they are not actual members of this Council any longer."

5. Introducing the Application of Enactments (Intestates' Estates and Family Provision) Bill, The Honourable the Colonial Secretary said:

"Your Excellency.

This Bill for an Ordinance is to amend the law about the property of persons dying intestate, and to amend the existing law relating to testamentary disposition. In other words, Wills. We have not produced a local Bill. We are using the powers which we have to apply an existing piece of United Kingdom legislation, and we have taken the Application of Enactments Intestates' Estates and Family Provisions Act and turned it into an Ordinance of our own. The English Act says that a testator must make reasonable provision in his Will for the maintenance of his near relations (who are defined as surviving spouse, a daughter who has not been married, an infant son, or mentally or physically disabled child) in cases where the deceased has failed to make provision for their maintenance. We feel that this should also be applied in this Colony. It is possible at the moment for a person to cut off

surviving relatives who may need aid without any provisions, and we ask in this Bill for the necessary powers to allow our courts to look into any claim arising out of a will, and make their apportionment of any estate surviving.

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

The Honourable the Acting Colonial Treasurer seconded and the Bill was read a first time. On further motion made and seconded the Bill was read a second time and passed through all its stages in Committee. Council resumed and the Bill was read a third time and passed.

6. The Honourable the Colonial Secretary moved the first reading of the Bill "Further to amend the Land Ordinance", saying:

"Your Excellency.

This Bill, or the origin of this Bill, is lost in the mists of time in the Secretariat files and I am unable to find out quite how it came about. I have been told that various farmers in the Colony made representations saying that they felt that we should have some legislation to deal with claims and arguments in cases arising out of fences. I have also been told that in its early stages this was discussed in the Executive Council, but the Minutes of the Executive Council provide no clue at all. This Bill has been moving slowly along the line but was held up for rather a long time by our Legal Adviser, the late Sir Henry Webb, but, at a long last, it has reached this table.

The object of the Bill is to provide a law regarding fences and fencing both in town and out of town. There is no present law on the subject at all. Some years ago the laws of the Colony were revised and a solicitor came out here to do the revision. He decided that our law on fencing was obsolete and unnecessary and struck it out. Whether that striking out was ever approved I am unable to find out. In this Bill we are now proposing to replace those portions of the law which were struck out at the time of the general revision of the Colonial Laws and bring them back in a more up-to-date form.

I have been told by one Honourable Member that he was not aware of this Bill until a very short while ago and that he had not had time to study it. I apologise to him for the delay in delivery of the copy of the Bill.

It is a very simple Bill which merely says that where any form of argument on fencing shall arise the parties can go to the Colonial Secretary who will nominate a person to view the boundaries and the person so nominated will report back and the matter delivered into the hands of the Magistrate. The Magistrate shall arbitrate between the parties in Court and make such orders as may be necessary.

Honourable Members have before them the orders which may be made (see under Section 28A, sub-sections 4 and 5.) There is one important part of this amending Bill which I would like to draw to the attention of Honourable Members: it is sub-section 7, on the last page, before the statement of objects and reasons. We have there defined, for the first time, an owner: and we have said that "an owner includes a lessee under a lease for a term of not less than one year." This definition will, we feel, safeguard smaller lessees of Crown land when a fence is erected on their boundary with a freehold concern. It will then give them the right, in law, to recover part of the cost of erecting fencing.

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

The Honourable the Acting Colonial Treasurer seconded the motion and the Bill was read a first time and subsequently passed through all its stages.

7. The Bill entitled "An Ordinance to make provision for the application of part of the Maintenance Orders Act, 1958, to the Colony" was read a first time on the motion of the Honourable the Colonial Secretary seconded by the Honourable the Acting Colonial Treasurer.

Introducing the Bill, the Honourable the Colonial Secretary said:

"Your Excellency.

This is another Bill based on a United Kingdom Act. The United Kingdom Maintenance Orders Act was passed mainly on the initiative of the lady members of Parliament and it fulfilled a long felt want. We also want similar legislation. As we have no way of enforcing certain Maintenance Orders our courts are severely hindered. We have one particular case where a Maintenance Order, passed in the United Kingdom, has been made and served upon a person living in the Falkland Islands. That person refuses to pay.

As you know a Maintenance Order is for the maintenance of a wife and as in this case, children. They live in the United Kingdom where they need money. At present the only things we can do are to arrest the defaulter concerned; put him in prison (which makes him a charge upon the tax-payer, stops him earning money, and does no good for the wife or child) or to seize his property. Where there is little property this would only cause undue hardship.

The object of this Bill is to allow us to attach, and seize by legal processes, wages, salaries, other earnings or pensions. A court is not allowed to attach entire wages or salaries, earnings or pensions of any person. The law says persons must be left enough to live on, and to carry out their normal daily business. We must have power to enforce Maintenance Orders, and this application of a United Kingdom Enactment will allow us to do so. The Bill as circulated and as published in the Official Gazette, is long and wordy, and at first sight means very little, but I assure Honourable Members that the intention is simply, as stated, to allow us, where necessary, to attach proportions of earnings or pensions thus to enable the enforcement of the law. I have said that we are attempting to deal with a Maintenance Order from the United Kingdom, but the enactment of this legislation, (which I now hold in my hand) will also allow us to enforce orders of the local court.

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

The Bill was read a second time and passed through its committee stage to receive its final reading.

8. The Bill "Further to amend the Whale Fishery Ordinance" was likewise introduced by the Honourable the Colonial Secretary supported by the Honourable the Acting Colonial Treasurer. Addressing Council, the Honourable the Colonial Secretary said:

"Your Excellency.

The International Whaling Convention has recently been amended and the Bill which is now before the House is designed to bring our own legislation up to date, and into line, with the International Convention. We, through the United Kingdom, are signatories to that convention. I have little

or nothing to say in support of the Bill. We are bound to follow the International Convention. We have no say in the matter and we must admit that the people who design international conventions on whaling know much more about whaling than we do, and quite rightly we should be advised by them.

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

Again the Bill passed through all its stages to the third reading and was committed.

9. Moving the first reading of the Bill "Further to amend the Dogs Ordinance" the Honourable the Colonial Secretary said:

"Your Excellency.

This is a very short amending Bill, we already have a Dogs Ordinance which lays down such things as the licensing and control of dogs in the face of sheep.

Within the past year our attention has been drawn to the danger of the tapeworm in dogs. The tape worm is ejected and transmitted to sheep and children who handle dogs. The result of this is the development of the hydatid cyst, which, we have been assured by a visiting Veterinary Surgeon, and by farmers who have studied this, is of great danger to the sheep of the Colony, and, therefore, to our economy. It is a real danger to the health of children. Government feels that the time has come to insist upon the compulsory dosing of dogs against the tapeworm host. The attention of Government was drawn to all this by the Sheep Owners' Association, where I understand it was discussed at a recent meeting. A representative of the Association came to see me and asked that Government should take powers to order the dosing of dogs.

The amendment inserts one new section into the original Ordinance, it is numbered 12a, and reads "The Governor may make such orders as he thinks fit to prevent the spread of any contagious or infectious diseases of dogs". There are two things which you will notice: firstly the use of "the Governor" and not the more usual "the Governor in Council". This is because it is felt by quite a lot of people that we should not have to refer to the Executive Council every time we want to make a simple order for the dosing of dogs. Of course the Governor may always be questioned in his Executive Council on any orders made. If any Honourable Member feels that for "the Governor" we should insert "the Governor in Council" I am prepared to accept the amendment here and now. The kind of orders which it is intended to issue are that all Farm Managers shall be declared inspectors together with certain other people for Stanley. They will then be able to inspect dogs to see that they are being dosed. This Ordinance, though small is considered by the Sheep Owner's Association and by the Executive Council that to be most important.

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

The Honourable the Acting Colonial Treasurer seconded the motion and the Bill was read a first time.

During the second reading the Honourable S. Miller addressed the House.

"Your Excellency, Honourable Members.

I do not wish to oppose this Bill but I do think there is a certain amount of lack of knowledge around the Colony and it will be up to Government to rectify that in the case of these hydatid cysts. The drug that it is proposed to use merely kills the worm in the dog and causes the dog to expel it; it does not stop the dog getting further infection. What is equally, in fact more important, is that sheep offal should not be made available to the dog. I do not mean that this should appear in the Ordinance but in view of the fact that the Stock Inspector is shortly to make tours of the Colony, he should be sufficiently instructed so that he can pass on that information because without the second part the first is entirely useless — we are not getting anywhere and I think Honourable Members should realise also that we have only arrived at this because we were fortunate this winter in having a fully qualified Veterinary Surgeon who visited some farms, and it was on the basis of his investigations and report that we have got as far as this. That's a very important fact.

A few years ago, at a meeting of the Sheep Owners' Association, we had quite a long discussion as to whether the Colony should have a Veterinary Surgeon — a permanent Veterinary Surgeon. Unfortunately, to my mind, the majority of people thought it was unnecessary. I was one of the minority but I think this has shown that it is important that if we can get a Veterinary Surgeon we should have one, but this has only arisen or has been emphasised by the fact that we've had a fully qualified Veterinary Surgeon, and we do need advice on this too.

In New Zealand where they are very hot on this (they have a Government Bureau there on hydatid cysts) they found that the application of some drugs in some unqualified or untaught hands has had an effect on the dogs, as the Medical Association are well aware, of an over apputation of the drug which has completely destroyed its effectiveness. That's something else we must be aware of.

I think there's a lot more thought got to go into this after we've passed the Ordinance and if we are going to apply it successfully some instruction or some information needs to be circulated. I've no wish to oppose it of course but I do think it's important to draw the attention of Government to this."

The Colonial Secretary replied:

"I welcome the Honourable Member's comments, and I assure him that once we have the power to make orders on the passing of this Bill, he and other members will be consulted at every stage. Such orders as we produce, and such publicity as we produce, will be based on his most helpful knowledge and advice."

The Bill was read a second time and passed through all its stages in Committee to be read a third time and passed.

10. The Honourable the Colonial Secretary seconded by the Honourable the Acting Colonial Treasurer moved the first reading of the Bill "To amend the law with regard to the preservation of Wild Animals and Birds" saying:

"Your Excellency.

Before introducing this Bill I have two apologies to make. Firstly the Honourable Nominated Second Independent Member and the Honourable the Elected Member for the West Falkland have told me, only this morning, that a note of mine on the amendments to be introduced had not reached

them. I understand it was sent to them and I can offer no reason for its lack of delivery. However I hope that they will follow me in what I am about to say, and, in spite of their lack of fore knowledge, support me. The other apology is to the First Nominated Independent Member who says that the preliminary papers on this Bill have not been in his hands long enough for him to study them sufficiently. I have already mentioned to Your Excellency the difficulty we have under present practice of getting some of our preliminary papers into the hands of Honourable Members, and it requires administrative decisions on our part to put this to rights. It can be done quite easily. I fully appreciate that every member is entitled to have draft Bills in his early possession.

A Bill for an Ordinance to Amend the Law with regard to the Preservation of Wild Animals and Birds. We already have an Ordinance on the books but it is out of date. About three years ago Sir Edwin Arrowsmith held discussions with various interested persons and drew up a list of animals and birds which they felt should be fully or partially protected. The list was so different from the list in the printed legislation it was decided to go a step further and look at the entire Ordinance. The Ordinance is not only out of date in the way it lists animals and birds, but also in its use of legal language. In this draft we have taken the opportunity to use better legal language. I draw the attention of Members to Section 3(b) of the Bill (at the top of the 2nd page). This Colony is well ahead of many other territories, particularly on the nearby continent, in its attempt to conserve animals and birds, flora and fauna. Honourable Members know that at the last session the Nature Reserves Ordinance was passed whereby, we took power to declare certain areas of land to be sealed off and set aside for the complete protection of wild birds, animals, flora and fauna.

So much of wild life is being killed off, or blasted off, we have now gone a step further in Section 4 of this Ordinance by providing for Animal and Bird Sanctuaries. A sanctuary isn't quite the same thing as a Nature Reserve: a Nature Reserve of itself must be pretty complete, without, for example, domestic animals or the burning off of grass and such like things, which disturb the balance of nature. It is a very different thing if some interested person with a nice little island, or the Crown with a piece of land says "lets have no shooting, no hunting, and no bird-nesting in this area and still graze our cattle, and go ahead with the normal economic life of the Colony and protect our wild animals and birds at the same time". Here in Section 4, provision is made for the Governor in Council to declare, or with the consent of the owner, such lands as sanctuaries. I am pleased to say that certain land owners have already made it known that they wish to set aside some of their lands for the preservation of wild animals and birds. Where private land is set aside no orders of any kind will be made without the agreement of the owner.

Certain exceptions have been included allowing the taking or the ringing of animals for scientific purposes. In Section 6 we have again brought up to date our language, and we have been very careful to lay down (as far as we can) the various means by which animals may or may not be trapped. May I now bring in the first of the amendments? Naturally enough we do not want to have the Colony overrun by rats, mice, turkey buzzards and caranchos and when we drafted this Ordinance we did not consider Section 6 closely enough. Section 6, as written, forbids the trapping of any animal. Certain animals must be trapped, there is no doubt about that, and I would like to add to Section 5, (the previous section) as a proviso a numbered Section 5 (3) reading—"Nothing in this Ordinance shall make unlawful the killing of foxes, rats, mice, caranchos and turkey vultures by any means". This also means an alteration to the Schedule which I will deal with later.

Part two of this Bill brings up-to-date legislation on penguins and albatrosses in respect of the taking of their eggs. The whole thing is simplified. For instance, in the old Ordinance it was forbidden to sell penguin eggs in Stanley. This was unenforceable and has been removed. Presumably if we issue licences to people to collect eggs they can dispose of the eggs once they have collected them and if they wish to sell them there is no apparent harm in it. However we do want to see that everyone who egg collects has a licence. By the number of eggs I have been offered this week I doubt if most egg collectors have licences at the moment!

If we include caranchos and turkey vultures as trappable birds then we must strike them out of Schedule 1. When this Bill was looked at by the Executive Council it was decided to delete "king shag", but unfortunately in the process of this Bill from the office to the printer, "king shag" was not deleted. There has also been much argument as to whether we should delete rock shag also. No one has yet offered enough evidence to allow me to take it out at this stage. Quite obviously, because it would have to go back for the approval of the Executive Council, too many amendments of this kind would further delay the Bill. It was also the wish of Executive Council that leopard seal should be put in together with the sea lion. I am now advised that that is ultra-vires: we already have a Seals Protection Ordinance and we cannot duplicate it. They cannot appear here. I will therefore read through Schedule 1 from top to bottom. It will now read—"Wild animals and birds which may be killed at any time: dominican gull, skua, house sparrow, rock shag, upland goose, fire bird under its various names, (thin billed prion, Belcher's fire bird) hare and rabbit." Schedule 2 reads "Wild Birds which may be killed outside the close season: grey duck, pampa teal, chiloe widgeon, yellow billed teal, paraguayan snipe, and brent goose.

With all this to protect our wild animals and birds read together with the Nature Reserves Ordinance, we shall have some of the most up-to-date legislation in the world. To put words on paper and to pass that paper through this House is a fairly simple process: it is not so simple to protect these animals and carry it all out. Paper alone cannot protect. It requires the good-will of every citizen of this Colony if this sort of legislation is to be of any use at all. I pray God that it will be of use.

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

The Bill was read a first time.

During the second reading the Honourable L. G. Blake addressed Council:

"Your Excellency, Honourable Members.

In our discussion with the Honourable Colonial Secretary before this session we came to an agreement about the removal of the turkey vulture and carancho from the protection of this Ordinance. Unfortunately we overlooked the rabbit. I would ask the Members of this House to consider the rabbit also from the protection of this Ordinance."

The Honourable S. Miller: "I would like to second that. Also while I am up I would like to say that the Colonial Secretary said that there is not enough evidence against requiring the removal of rock shag from Schedule I. Well I can see no evidence for it being there. I thought the rock shag was a perfectly harmless bird and in all my years in the Falklands I can see no reason why anyone should be allowed to kill it. I would like to see that withdrawn from Schedule I."

His Excellency: "Might I go back? The point made as I understand it, by the Honourable the Second Nominated Independent Member is that in Schedule I that rabbit should be deleted. Am I correct in understanding that is what you said?"

The Honourable L. G. Blake: "Deleted from Schedule I and included in the new sub-section which allows the extermination of vermin by any means."

The Honourable the Colonial Secretary: "I accept that. We will delete rabbit and put it under Section 5(3) the "trappable section". The question of the rock shag is a little more difficult: the Honourable Elected Member for the West Falkland is also a Member of the Executive Council and at the last meeting of the Executive Council he was present when we agreed to "rock shag". Like him I don't know why and I can see no reason for having "rock shag" in but I need rather more support from Members of this House for this deletion than I have at present. I don't wish to fly in the face of the Executive Council and if I could have a little more support for this I would be delighted to accept the amendment."

The Honourable G. C. R. Bonner: "I would be quite prepared to second Mr. Miller's suggestion and I too can see no reason why the shag should be on this list. A perfectly harmless bird, but I would question also, while talking about the schedules, the wisdom of having a brent goose protected. In my area of the Falklands anyway, we have distinct large flocks of this bird grazing on our improved pastures and I venture to suggest they are just as much of a menace to the farmers who improve their paddocks as the upland goose and I don't see any reason for its protection. Its certainly present in my area in very large numbers, not like the duck which is a different question altogether and I really can't see any cause to have a close season for brent goose."

The Honourable L. G. Blake: "I should like to support the Honourable First Nominated Independent Member of the East Falkland in his request that a close season for a brent goose should be removed."

The Honourable the Colonial Secretary: "I accept the deletion of "rock shag" from Schedule I and the removal of the brent goose from Schedule II into Schedule I."

The Bill then moved through its second reading and Council went into Committee where the following amendments were agreed:

SECTION 5. add new subsection (3)

"Nothing in this Ordinance shall make unlawful the killing of foxes, rats, mice, rabbits, caranchos, and turkey vultures by any means."

SCHEDULE 1. delete carancho, turkey vulture, rock shag, king shag, rabbit and sea lion.

Insert brent goose.

The Bill was then read a third time and passed.

11. The Honourable G. C. R. Bonner then addressed Council as follows: "Your Excellency, before this House adjourns for the seclusion of Executive Council and Standing Finance Committee I would like to introduce a motion that Council notes the question of the vehicle tracks that we have across our Camp.

What I am going to say is perhaps a question of major interest to East Falkland people and to Stanley residents, though I hope some points in the discussion might also be taken up by the representatives of the West Falkland. I don't wish to pursue the question of building an all weather road system. It's now some eighteen months since O'Reilly's report was published which proved fairly conclusively to everyone that a road construction such as that is beyond our means, financial and physical. However, I would remind you of a very relevant passage in his report which says there is no doubt that the population of these islands requires some sort of road system, that they will find some means of getting themselves across the Camp come what may. This fact, Mr. O'Reilly maintained, was substantiated by the very high vehicle per head of population ratio.

I request that a workable scheme be produced to preserve what we have. A large amount of the taxpayers money was spent on putting in the Camp tracks which initiated the vehicular age in these islands until the tracks were blazed across our Camps for transport by four-wheel vehicles. Further since then practically nothing has been done to maintain or improve the Camp tracks; they are steadily deteriorating mainly through usage in the winter months and after periods of prolonged rain. I might say here that personal knowledge of the track system between Stanley and San Carlos—I've used it frequently over the last three years and in fact I came in along it just a few days ago to attend this Council Meeting—and I was quite amazed and aghast at the changes for the worst which have taken place over the whole track during the past six months, especially over the stretch between Fitzroy and Stanley.

There are several schools of thought on what should be done and from them emerged from my mind some facts. Firstly, that it would be a fairly easy matter to fill some of the worst holes along the Stanley end of the track and to remake the approaches to the bridges which have been put in over the Murrel River and Pony's Pass, both of which are virtually impassable in everything but very dry conditions. There is machinery available and the work, I think, could be put out for tender. I fully appreciate that our overworked Public Works Department just can't be expected to attempt the job but I think if things are put in train we might find someone who would be prepared to do the work on contract.

Secondly I think that Farm Managers and station owners should be encouraged to maintain stretches of track which go across their land and I think that consideration should be given to this maintenance being subsidised. The farms provide major revenue to this Colony and I think something like that should be returned to them. Thirdly, I think a more definite policy should be taken by Government towards establishing a sense of responsibility amongst the public towards track usage. The present attitude, I am very sorry to say, of the Falkland Islands motorist in the Camp is "blow you Jack I got through all right" and he leaves things very much the worse.



Fourthly, I think the tracks over the open peat camp were never meant for winter usage and I think winter travelling should be actually discouraged and even perhaps prohibited. The situation should be investigated and landowners and Farm Managers should be informed to what extent in law they can close the tracks. It has been pointed out that as they have been used for a long period now it constitutes a right of way but I think that if the land owners and Farm Managers are to be encouraged to maintain the tracks they should also have a right to close them at times when, in their opinions, the road would suffer through usage.

I don't know exactly what can be done but I would think that something can be worked out for people leaving Stanley where perhaps a police permit and the land owner's permission should be obtained before any vehicle goes across the roads in times of bad weather or in the winter. I could go on at length on this topic, looking at it, I'm afraid very much from an East Falkland angle, but all I ask at the moment is that Government could look into this matter very thoroughly and preferably discuss it with the Sheep Owner's Association, the Falkland Islands Company and other bodies that might be interested. It's a situation which calls to my mind for co-operation, straight thinking and above all some action. £500 or £1,000 spent on maintenance each year would be better than what is being spent or done at the moment which is precisely nothing.

The people of this Colony wish to get about the Camp, especially now in these summer months, to fish in our rivers for which we have paid tax-payers money to put fish in the rivers. People want to go to them to fish and to camp, to visit their friends or even just get around and have a look at another hill. Well I think that any money which can be spent on making this more feasible for them is an investment and an investment which will be well worth while. Thank you."

His Excellency invited other Members to speak and the Honourable Mrs. Vinson supported the Honourable G. C. R. Bonner, saying:

"Your Excellency, Honourable Members.

I would like to second the motion that the Honourable Nominated Independent Member for the East has brought forward.

The economy of these islands is in the sheep and the sheep live in the Camp. Great excitement was caused when Mr. O'Reilly came and people in the Camp thought they were going to have roads and then the report came through and hopes were dashed. In the meantime this is a vehicular age and people here have always adapted themselves and numbers of the people who live in the Camp have vehicles. The tracks have been made from one farmer's gate to another. If you go along these tracks now, in the Murrel River area I believe, you see the tracks get deeper and deeper. You come off and instead of going in someone else's tracks in order not to get bogged in the winter, you go a little further out, and now the tracks are a quarter of a mile wide. The doctor, especially the doctor, must be hampered by this sort of track. Also the people in the Camp can only get around in the winter; that is their slack time. If this state of affairs is allowed to continue, the Farm Managers are immediately going to close the track, which is going to cause people to be discontented and eventually, I'm afraid, leave the islands. That is one thought which we must bear in mind. The people who live out in the Camp are the people here who earn our living and we must do anything we can for them.

The road situation must be looked into and I agree with everything the Honourable Independent Member for the East has said. It is essential that we do something about tracks. I'm not going to keep you a long time; I don't think it's necessary. I hope that the Government and the Sheep Owner's Association and any other interested bodies will help. We are known for adaptability and I'm sure we will be able to do something constructive in this way, Sir."

The Honourable S. Miller: "I would just like to associate myself with the two Members of the East Falkland. It probably doesn't effect us in quite the same way. I think you are probably influenced namely by the large amount of traffic out from Stanley which of course can do that much more damage and we have the same problem on the West. We have our tracks damaged, but I think, probably fortunately, we have been able to control it a bit. We've been able to find a little more co-operation and we have, where necessary, been able to close it. We've found people willing in their own interest to close it so they can use it more in the summer but possibly we've been just lucky. I would like to associate myself with these remarks and of course as far as the West is concerned, if there is any cake being cut off, we would like a piece too."

The Honourable the Colonial Secretary: "I would like to congratulate the First Nominated Independent Member on his very constructive speech. I found a lot in it which makes sense. I would like to point out to Members of this House that every time the word "Government" issues from a set of lips all eyes turn towards me at this end of the table: Government with its unofficial majority is in fact, this House, and we must all absorb the excellent speech we have just heard. I am sure we shall be able to do something, and, once again, I congratulate the Honourable Member on his extremely valuable speech."

His Excellency: "The motion is that this Council takes note of the state of the vehicle tracks across the Camp."

Council noted the motion and adjourned *sine die*.



## ANNUAL STOCK RETURN FOR 1963-1964.

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	45	264	666	—	41	307	1,323
San Carlos Sheep Farming Co., Ltd.	San Carlos	470	7,148	9,635	205	2,885	5,107	25,450
Pitaluga Bros.	Gibraltar	178	6,004	5,953	153	1,507	3,280	17,075
Falkland Islands Co., Ltd.	Darwin & Lafonia	2,843	57,297	57,201	462	16,859	28,889	163,551
" " " "	Fitzroy							
	& Green Patch	499	13,790	14,200	—	3,784	7,438	39,711
Smith Bros.	Berkeley Sound	248	4,941	6,164	—	1,559	2,796	15,708
Mrs. G. E. Browning								
& Estate J. W. McGill	Mullet Creek	29	382	730	63	160	290	1,654
Mrs. F. O. Yonge	Bluff Cove	129	948	1,964	—	252	841	4,134
Estate T. Robson	Port Louis	152	4,113	4,470	341	1,246	1,913	12,235
Douglas Station, Ltd.	Douglas	296	6,901	8,214	30	1,709	2,818	19,968
Port San Carlos, Ltd.	Port San Carlos	468	8,789	10,731	—	3,382	6,735	30,105
Teal Inlet, Ltd.	Evelyn	346	7,692	9,405	25	1,162	4,931	23,561
Estate H. J. Pitaluga	Rincon Grande	120	3,934	3,077	289	1,033	1,680	10,133
C. Bundes & K. Stewart	Sparrow Cove	16	350	770	—	—	82	1,218
		5,839	122,553	133,180	1,568	35,579	67,107	365,826
WEST FALKLAND								
J. L. Waldron, Ltd.	Port Howard	400	10,850	13,552	—	4,435	8,963	38,200
Holmested Blake & Co., Ltd.	Hill Cove	349	11,475	10,511	—	3,135	5,876	31,346
Falkland Islands Co., Ltd.	Port Stephens	430	10,776	10,596	260	2,842	5,123	30,027
Falkland Islands Co., Ltd.	Fox Bay West	399	9,543	10,372	—	3,178	5,331	28,823
Packe Bros. & Co. Ltd.	Fox Bay East	329	9,871	9,315	40	2,966	5,916	28,437
Chartres Sheep Farming Company, Ltd.	Chartres	324	7,109	9,177	—	2,533	4,721	23,864
Bertrand & Felton, Ltd.	Roy Cove	155	6,314	6,225	231	2,141	3,728	18,794
		2,386	65,938	69,748	531	21,230	39,658	199,491
ISLANDS								
J. Hamilton, (Estates) Ltd.	Weddell Group	142	3,670	3,879	—	820	1,946	10,457
" " " "	Saunders	178	2,810	2,847	—	930	1,026	7,791
Dean Bros. Ltd. " "	Pebble & Keppel	222	6,908	6,527	277	1,896	3,264	19,094
" " " "	Jasons	24	699	801	58	111	313	2,006
C. & K. "Bertrand"	Carcass	17	1,048	563	—	206	456	2,290
J. Davis	New & Hummock	40	900	870	200	230	600	2,840
J. Lee	Sea Lion	14	544	590	—	267	308	1,723
R. B. Napier	West Point							
	& Dunbar	37	900	779	—	372	539	2,627
Falkland Islands Co., Ltd.	Speedwell Group	175	4,048	4,049	376	1,247	2,447	12,342
W. MacBeth	Sedge	3	88	195	—	—	90	376
		852	21,615	21,100	911	6,079	10,989	61,546

## SUMMARY OF STOCK RETURNS 1959-1964.

EAST FALKLAND	...	...	...	...	5,839	122,553	133,180	1,568	35,579	67,107	365,826
WEST FALKLAND	...	...	...	...	2,386	65,938	69,748	531	21,230	39,658	199,491
ISLANDS	...	...	...	...	852	21,615	21,100	911	6,079	10,989	61,546
TOTALS	1963-1964				9,077	210,106	224,028	3,010	62,888	117,754	626,863
	1962-1963				8,436	200,392	224,300	4,093	56,465	143,203	636,889
	1961-1962				8,224	198,065	227,100	3,551	56,107	125,514	618,561
	1960-1961				8,501	196,975	226,760	3,623	53,365	126,937	617,061
	1959-1960				8,400	199,581	223,998	5,923	56,705	115,200	609,837

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										
9.1	1,166	387	307	175	3	14	—	—	—	Fork & Slit.
186.8	24,323	6,262	5,107	3,294	189	514	2	280	6	Front Square.
123.3	14,563	3,725	3,286	1,293	81	188	—	—	—	Fore Bayonet.
1,304.6	155,805	32,734	28,889	16,207	949	2,941	—	—	15	Double Swallow.
281.4	36,387	8,392	7,438	4,225	238	782	—	246	—	
95.4	14,232	3,331	2,796	820	31	218	—	—	—	Triangle. "
8.1	1,372	320	290	416	—	19	—	61	—	Back Bayonet.
20.8	3,341	872	841	174	34	95	—	—	—	Fore Bayonet &
92.5	10,459	1,971	1,913	588	71	199	—	—	—	Fork. [Back Slit
140.9	19,454	3,215	2,818	621	143	256	—	—	—	Fork.
235.1	27,356	7,824	6,735	2,912	123	401	—	—	20	Slit.
150.7	21,063	5,594	4,931	1,894	136	346	—	—	8	Back Square.
75.9	9,709	1,914	1,680	1,897	70	141	—	—	—	Slit.
7	739	213	82	140	6	30	—	—	—	Fore Bayonet.
2,731.6	339,969	76,754	67,113	34,656	2,074	6,144	2	587	49	
WEST FALKLAND										
291.4	34,797	9,511	8,963	4,247	201	1,048	4	—	37	Fork.
251.8	28,601	6,629	5,876	2,541	191	493	10	—	—	Fore Bayonet.
228.1	26,116	5,601	5,123	1,218	171	528	—	—	5	Double Swallow.
224.4	26,362	6,223	5,331	2,593	125	193	—	—	7	Fore Bayonet.
231.7	25,798	6,689	5,916	3,702	169	468	—	357	12	Fore Bit.
188.5	21,986	5,432	4,721	2,032	171	545	—	—	11	Double Swallow.
152.9	16,122	3,948	3,728	1,078	93	244	—	—	—	Front Square.
1,568.8	179,782	44,033	39,658	17,411	1,121	3,519	14	357	72	
ISLANDS										
85.7	9,075	2,042	1,946	306	97	231	—	128	—	Fork.
69.3	7,105	1,328	1,061	568	43	112	1	—	—	"
131.2	16,529	3,482	3,264	1,993	130	291	2	353	7½	Back Bayonet.
20	1,864	313	313	—	—	—	—	—	—	
22.2	2,136	468	457	358	12	22	—	51	—	Fore Bayonet.
26.1	2,674	612	600	410	7	53	—	31	—	Fork.
14.8	1,559	308	308	111	4	13	—	—	—	Slit.
25.1	2,430	539	539	357	8	46	—	89	—	Back Square.
111.6	10,471	2,883	2,447	1,440	11	361	—	—	—	Double Swallow.
3.3	303	66	—	—	—	—	—	—	—	Fore Bayonet.
509.3	54,146	12,041	10,935	5,543	312	1,129	3	652	7½	
2,732	339,969	76,754	67,113	34,656	2,074	6,144	2	587	49	
1,569	179,782	44,033	39,658	17,411	1,121	3,519	14	357	72	
509	54,146	12,041	10,935	5,543	312	1,129	3	652	7½	
4,810	573,897	132,828	117,706	57,610	3,507	10,792	19	1,596	128½	
4,982	562,862	161,691	143,201	62,947	3,426	10,659	28	1,661	118½	
4,571	553,185	141,748	125,166	51,247	3,361	10,507	34	1,481	109½	
4,758	559,638	145,634	127,123	51,928	3,339	10,925	43	1,416	104	
4,614	548,594	133,533	115,225	52,105	3,384	11,453	19	2,047	93	

## SHEEP DISPOSED OF

YEAR	SOLD LOCALLY FOR BREEDING OR FURTHER USE	EXPORTED	SLAUGHTERED		
			MUTTON	TALLOW	SKINS
1963-1964	3,248	321	21,241	147	32,653
1962-1963	4,200	—	22,459	—	36,288
1961-1962	2,434	218	20,000	—	27,727
1960-1961	2,840	400	21,428	—	25,848
1959-1960	2,776	1,904	22,886	254	21,310

## IMPORTATIONS

From UNITED KINGDOM		From URUGUAY
Dogs	Bull	Dog
4	1	1



# THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

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1 FEBRUARY, 1965.

No. 2.

**APPOINTMENT**

Miss J. H. Burgess has been appointed an Assistant Mistress in the Education Department with effect from 9th January, 1965.

**PROMOTION**

Mr. M. A. Kneen has been promoted to Senior W/T Operator, South Georgia, with effect from 20th October, 1964.

**NOTICES**

No. 1. 5th January, 1965.

**New Year Honours, 1965**

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

COSMO DUGAL PATRICK THOMAS HASKARD,  
ESQ., M.B.E.

to be a Knight Commander of the Most Distinguished Order of St. Michael and St. George.

Ref. 0107/C/VI.

No. 2. 5th January, 1965.

**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 Senior Medical Officer  
The Acting Superintendent of Works  
Mrs. E. J. White.

Ref. 0039/C/III.

No. 3. 6th January, 1965.

The findings of the Cost of Living Committee for the quarter ended 31st December, 1964, are hereby published for general information —

Quarter ended	Percentage increase over 1948 prices
31st December, 1964	96.49%

2. The scale of wages for hourly paid workers remains unchanged.

Ref. 0704/VI.

No. 4. 7th January, 1965.

**Marriage Ordinance (Cap. 43) Section 5**

The following have been registered as Ministers for celebrating marriages.

The Reverend Eric Thornley, Senior Chaplain of Christ Church Cathedral.

The Right Reverend Monsignor James Ireland, Prefect Apostolic of the Falkland Islands and Dependencies.

The Reverend Father John Pacey, Assistant Priest, St. Mary's Church.

The Reverend Doctor Walter Forrest McWhan, M.B.E., D.D., Minister of the United Free Church.

Ref. 1163.

No. 5. 7th January, 1965.

Under Section 54 of the Public Health Ordinance, the Governor's Deputy has been pleased to appoint the following to be the Visiting Committee for the Hospital for the year 1965 —

Mrs. A. G. Barton — *Chairwoman*

Mrs. C. Luxton, J.P.

Mrs. D. J. Draycott.

Ref. 2044.

No. 6. 8th January, 1965.

**Review of Salaries and Terms of Service**

Notice is given that the appointment of Leslie Charles Gleadell, M.L.C., J.P., to be a Commissioner for the purpose of enquiring into and reporting on the salary structure and conditions of service of the Civil Service of the Falkland Islands dated the 31st December, 1964, has this day been extended to include the Civil Service of the Falkland Islands Dependencies.

Ref. 2119/B.

No. 7. 12th January, 1965.

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.
4 of 1964	Application of Colony Laws (No. 3) Ordinance, 1964.	0188.

## No. 8. 15th January, 1965.

Under the provisions of Section 9 (1) of the Police and Prisons Ordinance, His Excellency the Governor has been pleased to appoint the following to constitute a Board of Visiting Justices of the Prison for the year 1965 —

The Magistrate (Senior Member)  
H. Bennett, Esq., J.P. (Member)

Ref. 0049.

## No. 9. 18th January, 1965.

Medical Practitioners, Midwives and Dentists Ordinance  
(Cap. 45) Section 4

The following Medical Practitioners, Midwives and Dentists have been registered to practise in the Colony and Dependencies.

Medical Practitioners	Qualifications	Year
SLESSOR, Robert	M.B., Ch.B. (Aberdeen)	1935
Stewart, O.B.E.	L.M. (Dublin)	1936
ASHMORE, James	M.A., M.B., B.Ch.,	
Hopkins	B.A.O. (Dublin)	1949
	L.M. (Dublin)	1953
CUNNINGHAM, Colin Swanson	M.B., Ch.B. (Glasgow)	1957
PALMER-FIELD, Richard Ernest	M.B., B.Ch. (Birmingham)	1928
<i>Midwives</i>		
BROWN, Margaret	S.R.N., S.C.M.	1938
HALLIDAY, Margaret Brodie	R.G.N., S.C.M., O.N.C.	1957
STEWART, Elizabeth Agnes	S.E.N., S.C.M.	1959
<i>Dental Surgeons</i>		
CARR, David Geoffrey	B.D.S., L.D.S. (London)	1959
BARNES, Ian Ernest	B.D.S., L.D.S. (London)	1961

Ref. 1326/II.

## No. 10. 26th January, 1965.

In accordance with Section 2 of the School (Amendment) Regulations, 1957, His Excellency the Governor has fixed the regular school terms and holidays for 1965 as follows —

## Stanley Schools

1st Term : 15th February to 14th May  
2nd Term : 31st May to 3rd September  
3rd Term : 20th September to 17th December.

## Darwin Boarding School

1st Term : 24th February to 14th May  
2nd Term : 31st May to 13th August  
3rd Term : 6th September to 17th December

## Port Howard School

1st Term : 8th February to 14th May  
2nd Term : 31st May to 3rd September  
3rd Term : 20th September to 17th December

Ref. 0084/A.

## No. 11. 1st February, 1965.

Mr W. H. Thompson, M.B.E., M.L.C., acted as Governor's Deputy from 1st January to 16th January, 1965.

Ref. P/987.

## No. 12. 1st February, 1965.

Dr. R. S. Slessor, O.B.E., acted as Governor's Deputy from 17th January to 19th January, 1965.

Ref. P/426.

## The Nature Reserves Ordinance, 1964.

(Ordinance No. 8 of 1964)

## ORDER

(under section 3 of the Ordinance)

## No. 1 of 1964.

C. HASKARD,  
Governor.

IN EXERCISE of the powers conferred upon him by section 3 of the Nature Reserves Ordinance, 1964, THE GOVERNOR IN COUNCIL has been pleased to declare Kidney Island and Cochon Island to be nature reserves for the purposes of protecting the indigenous flora and fauna thereon and for providing, under suitable conditions and control, special opportunities for the study of and research into matters relevant thereto.

Made by the Governor in Council this 23rd day of October, 1964.

H. L. BOUND,  
Clerk of the Executive Council.

Ref. 2331.

Vital Statistics for the year ended 31st December, 1964

COLONY

Births

				Male	Female	Total
Stanley	....	....	....	20	22	42
East Falkland	....	....	....	—	—	—
West Falkland	....	....	....	—	—	—
Total				20	22	42

BIRTHS 1963 — 44

Deaths

				Male	Female	Total
Stanley	....	....	....	10	3	13
East Falkland	....	....	....	—	—	—
West Falkland	....	....	....	—	—	—
Total				10	3	13

Maternal Mortality Nil.  
Infantile „ 1  
Still Births 1

DEATHS 1963 — 24

Marriages

			Anglican	Roman Catholic	Non-conformist	Registrar	Total
Stanley	....	....	3	3	1	9	16
East Falkland	....	....	—	—	1	—	1
West Falkland	....	....	1	—	—	2	3
Total			4	3	2	11	20

MARRIAGES 1963 — 21

Arrivals

1964    males 170    females 127    Total 297  
1963       „ 218       „ 135       „ 353

Departures

1964    males 211    females 145    Total 356  
1963       „ 220       „ 161       „ 381

## Population

Estimated population of Falkland Islands 1st January, 1964 — 2132.

Estimated population 31st December 1964 — 2102, decrease 30, as shown below —

			Males	Females	Total
			1196	936	2132
Add births	....	....	20	22	42
			1216	958	2174
Add arrivals	....	....	170	127	297
			1386	1085	2471
Deduct deaths	....	....	10	3	13
			1376	1082	2458
Deduct departures	....	....	211	145	356
			1165	937	2102
Total					

Birth rate per 1,000	....	....	19.69
Illegitimate births, actual	....	....	Nil.
Death rate per 1,000	....	....	6.09
Population per sq. mile	....	....	0.45

## DEPENDENCIES

Marriages — Nil.

Births — Nil.

Deaths — Nil.

			Males	Females	Total
Estimated resident population at South Georgia			494	5	499
" " " " other Dependencies			—	—	—
			494	5	499
Total					

H. BENNETT,  
*Registrar General.*

Stanley, Falkland Islands,  
18th January, 1965.





# THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXIV.

1 MARCH, 1965.

No. 3.

## APPOINTMENT

Mr. K. Mills has been appointed a clerk in the Public Service, with effect from 3.2.65, on probation for two years.

## NOTICES

No. 13. 4th February, 1965.

### Appointment to Executive Council

Mr. A. G. Barton, C.B.E., J.P., has been appointed a temporary member of Executive Council for four months from the 8th January, 1965.

Ref. 2103/B.

No. 14. 17th February, 1965.

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 —

No.	Title	Ref.
10 of 1964	Application of Enactments (Intestates' Estates and Family Provision) Ordinance, 1964.	1460/II.
12 of 1964	Maintenance Orders Ordinance, 1964.	1597/II.
14 of 1964	Dogs (Amendment) Ordinance, 1964.	160/43.
15 of 1964	Wild Animals and Birds Protection Ordinance, 1964.	1099/II.

No. 15. 22nd February, 1965.

Mr. C. D. Young has been appointed Grasslands Officer with effect from 2nd February, 1965.

Ref. P/1034.

No. 16. 1st March, 1965.

Miss Kay Anderson and the Reverend E. Thornley have been appointed members of the Broadcasting Advisory Committee.

Ref. 0663/III.

No. 17. 1st March, 1965.

Under section 54 of the Public Health Ordinance the following have been appointed Members of the Board of Health for the Colony of the

Falkland Islands for the year 1965 —

The Senior Medical Officer,  
The Medical Officers,  
The Superintendent of Public Works,  
The Superintendent of Police,  
Miss M. B. Biggs, M.B.E.,  
J. T. Clement, Esq., J.P.,  
D. M. Pole-Evans, Esq., J.P.

Ref. 0573.

## Camp Air Freight

There appears to be doubt at some Camp Stations about packages handed to the Pilots for delivery in Stanley. Only small letter packets not exceeding 1 lb. in weight may be included in the Post Office bag. All parcels exceeding 1 lb. in weight should be offered to the Pilots as air freight. Such packages should be clearly addressed and have the weight marked on them.

If a parcel is of such a weight as to interfere with aircraft loading or for any other reason which might upset the safety of an aircraft the Pilot has the right to refuse to carry it.

Posts & Telecommunications Department,  
Stanley,  
24th February, 1965.

## In the Supreme Court of the Falkland Islands (PROBATE DIVISION)

In the Matter of the Estate of Evelyn Secombe Felton, deceased of Flat 4 Surrey Lodge, Surrey Road, Bournemouth, Dorset, England.

Whereas Arthur Grenfell Barton, attorney for John Malcolm Wallace, of Britannic House, Fir Vale Road, Bournemouth, England, executor of the Will of the above named deceased, has applied for letters of Administration with the Will annexed to administer the estate of the deceased in the Falkland Islands.

These are therefore to warn 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 publication hereof.

H. BENNETT,  
Registrar.

Stanley, Falkland Islands.  
27th February, 1965.

S.C 10/65.

Assented to in Her Majesty's name this 3rd day of February, 1965.

C. HASKARD,  
*Governor.*

LS

No. 1



1965

## Falkland Islands Dependencies.

IN THE THIRTEENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

Cosmo Dugal Patrick Thomas Haskard, K.C.M.G., M.B.E.  
*Governor.*

### An Ordinance

**Title.** To legalise certain payments made in the year 1963-64 in excess of the Expenditure sanctioned by Ordinance No. 3 of 1963.

**Preamble.** WHEREAS it is expedient to make further provision for the service of the Falkland Islands Dependencies for the period 1st July, 1963 to 30th June, 1964.

**Enacting clause.** 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 —

**Short title.** 1. This Ordinance may be cited for all purposes as the Supplementary Appropriation (Dependencies) (1963-64) Ordinance, 1965.

**Appropriation of excess expenditure for the period 1st July, 1963 to 30th June, 1964.**

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, 1963, to 30th June, 1964, the same are hereby declared to have been duly laid out and expended for the service of the Dependencies 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.

HEAD OF SERVICE	AMOUNT
South Georgia Expenditure – Ordinary ...	£7,789 12s. 8d.

Promulgated by the Governor on the 3rd day of February, 1965.

W. H. THOMPSON,  
*Colonial Secretary.*

Ref. D/6/59/D.

## STATEMENT OF ASSETS AND LIABILITIES AS AT 31st DECEMBER, 1964.

East African High Commission 5½%, 1980/84 nominal value £2,253 11s. 3d.  
Middle market value at 31st December, 1964 @ 72½% £1,633 16 8.

D. REIVE,  
Town Clerk.  
16th February 1965.



# THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXIV.

26 APRIL, 1965.

No. 4.

## APPOINTMENTS

Mr. N. Bennett has been appointed Dental Technician in the Medical Department with effect from the 20th March, 1965.

Ref. P/579.

Mr. J. Lang has been appointed Senior Clerk in the Treasury with effect from the 1st November, 1964.

Ref. P/526.

Mr. C. D. Penny has been appointed a Wireless Telegraphy Operator, South Georgia with effect from the 13th March, 1965.

Ref. P/917.

Mr. M. E. Roberts has been appointed a Camp Teacher in the Education Department with effect from the 20th March, 1965.

Ref. P/1035.

Mr. Brian Summers has been appointed Telegraph Boy in the Posts and Telecommunications Department with effect from the 10th March, 1965.

Ref. P/1037.

Dr. H. T. Wyatt, M.D., has been appointed Medical Officer (Locum Tenens) with effect from the 20th March, 1965.

Ref. P/1039.

## NOTICES

No. 18. 11th March, 1965.

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.
11 of 1964	Land (Amendment) Ordinance, 1964	0720.

No. 19. 18th March, 1965.

It is hereby notified that Government clocks will be put back one hour at midnight, Saturday the 27th of March, 1965.

Ref. 0064.

No. 20.

31st March, 1965.

Government of the Falkland Islands and Dependencies.

### SEALING LICENCE

*Seal Fishery Ordinance (Cap. 62)*

Applications are invited for a licence to take and process 6,000 male elephant seal in the Dependency of South Georgia during the period 1st of August 1965 to 30th of June 1966, except for the period 1st of November 1965 to 28th of February 1966.

Applications will be considered on the basis of full carcass utilisation, and applicants should provide details of how they propose to catch, process and make the best possible use of seal carcasses, together with details of their proposed fleet and catcher operations, including information on the size and composition of proposed catcher crews.

Government does not bind itself to accept any application.

All schemes should be addressed to the Colonial Secretary, Stanley, Falkland Islands, to reach him not later than the 11th June, 1965.

Ref. D/2/64.

No. 21.

5th April, 1965.

The findings of the Cost of Living Committee for the quarter ended 31st March, 1965, are hereby published for general information —

Quarter ended	Percentage increase over 1948 prices
31st March, 1965	95.49%

2. The scale of wages for hourly paid workers remains unchanged.

Ref. 0704/VL.

No. 22.

14th April, 1965.

Administration of Justice Ordinance (Cap. 3)

*Appointment under section 3.*

Richard George Vinson, Esquire, to be a Justice of the Peace with effect from the 14th April, 1965.

Ref. 0457/II.

## Registrar 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 8th day of March, 1965.

## SCHEDULE

Registered No. ... 4307  
 Name of Applicant ... Philip Morris Incorporated.  
 100 Park Avenue, New York 17,  
 Registered Address ... New York,  
 United States of America.  
 No. of grant in the  
 United Kingdom 939,088.  
 Nature of Invention ... Plastics Cigarette Container.

H. BENNETT,  
 Registrar General.

## Stanley Town Council

## DECLARATION OF VACANCY

Section 8 (2) Cap. 68 Laws of the Falkland Islands

Consequent upon the resignation of Mr. F. D. Howatt as elected member for the Centre Ward, a vacancy is notified to exist.

D. REIVE,  
 Clerk to Council.

Stanley,  
 Falkland Islands.  
 11th March, 1965.

Ref. 0039/C/III.

In the Supreme Court of the Falkland Islands  
 NOTICE UNDER THE TRUSTEE ACT, 1925.

In the Matter of Howard Eric Duncan, deceased, late of Hill Cove, West Falkland, who died on the 10th day of October, 1964.

NOTICE IS HEREBY GIVEN pursuant to section 27 of the Trustee Act, 1925, that creditors and other persons having claims against the estate of the above deceased should give notice thereof in writing to Peter Reid Howard Duncan of Hill Cove, West Falkland, who is sole executor of the Will of the said Howard Eric Duncan not later than the 3rd day of June, 1965, after which time the executor intends to distribute the estate of the said Howard Eric Duncan among the parties entitled thereto having regard only to the claims of which he has had notice and will not, as respects the property so distributed, be liable to any person of whose claim he shall not have had notice.

H. BENNETT,  
 Registrar.

Stanley, Falkland Islands.  
 27th March, 1965.

S.C. 12/65.

## Corrigendum

The reference in Gazette Notice No. 58/64 to Low Island "lying off West Point Island" should have read "lying off Carcass Island".

Ref. 1099/II.

# PROCLAMATION

No. 1 of 1965.

Made under section 24 of the Falkland Islands (Legislative Council)  
 Orders 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.

C. HASKARD.

*By His Excellency SIR COSMO DUGAL PATRICK THOMAS HASKARD, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Member of the Most Excellent Order of the British Empire.*



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 COSMO DUGAL PATRICK THOMAS HASKARD, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Member of the Most Excellent Order of the British Empire, 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 aforesaid, do by this Proclamation appoint Monday the 3rd day of May, 1965, at eleven 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 April, in the Year of Our Lord One thousand Nine hundred and Sixty-five.

*By His Excellency's Command*

W. H. THOMPSON,  
 Colonial Secretary.

Ref 0529/III.

Assented to in Her Majesty's name this 15th day of April, 1965.

C. HASKARD,  
*Governor.*



No. 2



1965

### Falkland Islands Dependencies.

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

Sir Cosmo Haskard, K.C.M.G., M.B.E.  
*Governor.*

### 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, 1965. 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 date set out opposite their titles in the third column of the Schedule to this Ordinance. Application of certain Ordinances to the Dependencies.

### SCHEDULE

10 of 1964	Application of Enactments (Intestates' Estates and Family Provisions) Ordinance, 1964	1st November, 1964.
12 of 1964	Maintenance Orders Ordinance, 1964	1st November, 1964.
13 of 1964	Whale Fishery (Amendment) Ordinance, 1964	1st November, 1964.

Promulgated by the Governor on the 15th day of April, 1965.

W. H. THOMPSON,  
*Colonial Secretary.*



# A Bill for An Ordinance To amend the Marriage Ordinance.

Title.

Date of commencement.

(.....19.....)

Enacting clause.

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

Short title.

Cap. 43.

1. This Ordinance may be cited as the Marriage (Amendment) Ordinance, 1965, and shall be read as one with the Marriage Ordinance, hereinafter referred to as the principal Ordinance.

Amendment of Third  
Schedule to the principal  
Ordinance.

2. The Third Schedule to the principal Ordinance is amended by deleting the words "The Governor" in the first column thereof and substituting therefor the words "The Treasury".

## OBJECTS AND REASONS

This Bill provides for the payment of Special Marriage Licence Fees into the general revenue of the Colony.

Ref. 1131.

# A Bill for An Ordinance Further to amend the Stanley Town Council Ordinance.

Title.

Date of commencement.

(.....19.....)

Enacting clause.

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

Short title.

Cap. 68.

1. This Ordinance may be cited as the Stanley Town Council (Amendment) Ordinance, 1965, and shall be read as one with the Stanley Town Council Ordinance, hereinafter referred to as the principal Ordinance.

Amendment of section 8  
of the principal  
Ordinance.

2. Subsection (1) of section 8 of the principal Ordinance is amended by deleting the words "other than that at which he retires or an election to fill a casual vacancy held before the next biennial election".

## OBJECTS AND REASONS

The provisions of this Bill enable Stanley Town Council Councillors who are automatically retired at each biennial election to offer themselves as candidates for immediate re-election.

A Bill for  
An Ordinance  
For regulating Pensions, Gratuities and  
other Allowances which may be granted to  
Public Officers.

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

1. This Ordinance may be cited as the Pensions Ordinance, 1965, and shall be effective as from 1st January, 1964. Short title and commencement.

2. (1) In this Ordinance, unless the context otherwise requires, the following expressions have the meanings assigned to them, that is to say — Interpretation.

“INDUCEMENT ALLOWANCE” means the inducement allowance referred to in paragraph (a) of Clause 3 of the Schedule to the Overseas Service Ordinance, 1962.

“NON-PENSIONABLE OFFICE” means an office which is not a pensionable office.

“OTHER PUBLIC SERVICE” means public service not under the Government of the Colony.

“OVERSEAS ALLOWANCE” means an allowance granted to such officers in public service under the Government of the Colony as may be declared by the Governor in Council to be eligible for such allowance.

"PENSIONABLE EMOLUMENTS" —

- (a) in respect of service under the Government of the Colony include —
  - (i) salary;
  - (ii) inducement allowance;
  - (iii) personal allowances;
  - (iv) overseas allowance;
 but do not include duty allowance, entertainment allowance or any other emoluments whatever;
- (b) in respect of other public service, means emoluments which count for pension in accordance with the law or regulations in force in such service.

"PENSIONABLE OFFICE" means —

- (a) in respect of public service under the Government of the Colony, an office which, by virtue of provision for the time being in force in an Order made by the Governor in Council and published in the Gazette, is declared to be a pensionable office; and any such Order may from time to time be amended, added to, or revoked by an Order so made and published; but where by virtue of any such amendment or revocation any office ceases to be a pensionable office, then so long as any person holding that office at the time of the amendment or revocation continues therein, the office shall as respects that person, continue to be a pensionable office;
- (b) in relation to other public service, an office which is for the time being a pensionable office under the law or regulations in force in respect of such service.

"PERSONAL ALLOWANCE" means a special addition to salary granted personally to the holder for the time being of the office, but pensionable emoluments do not include such an addition if it is granted subject to the condition that it shall not be pensionable.

"PUBLIC SERVICE" means —

- (a) service in a civil capacity under the Government of the Colony or any other country or territory in the Commonwealth;
- (b) service under the East Africa High Commission, the East African Railways and Harbours Administration, the East African Posts and Telecommunications Administration or the East African Common Services Organization;
- (c) service in the service of the Interim Commissioner for the West Indies;
- (d) service which is pensionable —
  - (i) under the Oversea Superannuation Scheme;
  - (ii) under any Acts relating to the superannuation of teachers in the United Kingdom;
  - (iii) under a local authority in the United Kingdom; or
  - (iv) under the National Health Service of the United Kingdom;
- (e) any other service that the Secretary of State, or the Governor in Council after consultation with the Secretary of State, has determined to be public service for the purposes of this Ordinance;
- (f) except for the purposes of computation of a pension, gratuity or other allowance and of section 9 of this Ordinance, service in respect of which a pension may be granted under the Governors' Pensions Act, 1957; and
- (g) service as the holder of the office of President, Vice-President, Justice of Appeal, Registrar, officer or servant of the Court of Appeal for Eastern Africa established by the Eastern Africa Court of Appeal Order in Council, 1961.

"SALARY" means the salary attached to a pensionable office or, where provision is made for taking service in a non-pensionable office into account as pensionable service, the salary attached to that office.

(2) For the avoidance of doubts it is hereby declared that where an officer has been confirmed in a pensionable office and is thereafter appointed to another pensionable office, then, unless the terms of such appointment otherwise require, such last mentioned office is for the purposes of this Ordinance, an office in which he has been confirmed.

(3) Where a pensionable office is abolished, and the person holding that office retires from the public service in consequence, he shall, if the office is abolished before that day, be deemed to have continued to hold it until the day immediately preceding the date of his retirement.

3. (1) Pensions, gratuities and other allowances may be granted by the Governor in Council in accordance with the regulations contained in the Schedule to this Ordinance to or in respect of officers who have been in public service under the Government of the Colony.

Pensions Regulations.

(2) The Governor in Council, with the sanction of the Secretary of State, may from time to time make regulations amending, adding to or revoking the regulations contained in the Schedule to this Ordinance, and all regulations so made shall be laid before the Legislative Council and published in the Gazette.

(3) Whenever the Governor in Council is satisfied that it is equitable that any regulation made under this section should have retrospective effect in order to confer a benefit upon or remove a disability attaching to any person, that regulation may be given retrospective effect for that purpose:

Provided that no such regulation shall have retrospective effect unless it has received, before being made, the approval of the Legislative Council signified by resolution.

(4) All regulations made under this Ordinance shall have the same force and effect as if they were contained in the Schedule to this Ordinance and the expression "this Ordinance", shall wherever it occurs in this Ordinance, be construed as including a reference to the said Schedule.

(5) Any pension, gratuity or other allowance granted under this Ordinance shall be computed in accordance with the provisions in force or, having been made in accordance with subsection (3) of this section, may be deemed to be in force at the actual date of an officer's retirement or death while in the public service, as the case may be.

4. There shall be charged and paid out of the revenues of the Colony all such sums as may from time to time be granted by way of pension, gratuity or other allowance in pursuance of this Ordinance.

Pensions, etc. to be charged on revenues of the Colony.

5. (1) No officer shall have an absolute right to compensation for past services or to pension, gratuity or other allowances; nor shall anything in this Ordinance effect the right of the Crown to dismiss any officer at any time and without compensation.

Pensions, etc. not of right.

(2) Where it is established to the satisfaction of the Governor in Council that an officer has been guilty of negligence, irregularity or misconduct, the pension, gratuity or other allowance may be reduced or altogether withheld.

6. (1) No pension, gratuity or other allowance shall be granted under this Ordinance to any officer except on his retirement from the public service in one of the following cases —

Circumstances in which pension may be granted.

- (a) if he retires from public service under the Government of the Colony —

- (i) on or after he attains the age of sixty years, or, with the approval of the Governor in Council, fifty-five years, or in special cases, with the approval of the Secretary of State, on or after attaining the age of fifty years;
- (ii) on the abolition of his office, on reduction of establishment, or on the grounds of redundancy;
- (iii) on compulsory retirement for the purpose of facilitating improvement in the organisation of the department to which he belonged, by which greater efficiency or economy may be effected;
- (iv) on medical evidence to the satisfaction of the Governor in Council or the Secretary of State that he is incapable by reason of any infirmity of mind or body of discharging the duties of his office and that such infirmity is likely to be permanent;
- (v) in the case of termination of employment in the public interest as provided in this Ordinance;
- (b) if, having been transferred to other public service —
  - (i) he retires after he attains the age at which he is permitted by the law or regulations of the public service in which he is last employed to retire on pension or gratuity or, if no age is prescribed by the said law or regulations, he retires after he attains the age of fifty; or
  - (ii) he retires in any other circumstances in which he is permitted by the said law or regulations to retire on pension or gratuity:

Provided that sub-paragraph (ii) of this paragraph shall not apply in the case of a female officer who retires for the reason she has married or is about to marry.

(2) Notwithstanding that she is not otherwise eligible under this section for the grant of any pension, gratuity or other allowance, a gratuity may be granted to a female officer, in accordance with the provisions of this Ordinance, who —

- (a) retires from public service under the Government of the Colony for the reason that she is about to marry, or within two years or such longer period as the Governor in special cases shall authorise of having married; or
- (b) having been transferred to other public service retires for the reason that she has married or is about to marry and in circumstances under which the law or regulations of the service in which she is last employed provide for the grant to her of a gratuity.

(3) An officer not otherwise qualified for a pension, gratuity or other allowance under this Ordinance, other than a pension under regulation 23 of the Pensions Regulations, 1965, may, on his retirement or removal from his employment after having served in public service under the Government of the Colony for not less than five years, be granted a gratuity in accordance with the provisions of regulation 25 of the Pensions Regulations, 1965.

Retirement on grounds of public interest.

7. Where an officer's service is terminated on the ground that, having regard to the conditions of the public service, the usefulness of the officer thereto and all the other circumstances of the case, such termination is desirable in the public interest and a pension, gratuity or other allowance cannot otherwise be granted to him under the provisions of this Ordinance, the Governor in Council may, if he thinks fit, grant such pension, gratuity or other allowance as he thinks just and proper, not exceeding in amount that for which the officer would be eligible if he retired from the public service in the circumstances described in sub-paragraph (iv) of paragraph (a) of subsection (1) of section 6 of this Ordinance.

8. The Governor in Council may require an officer to retire from the public service under the Government of the Colony —

Compulsory Retirement.

- (a) at any time after he attains the age of fifty-five years; or
- (b) in special cases, with the approval of the Secretary of State, at any time after he attains the age of fifty years;
- (c) in the case of a female officer, on marriage.

9. (1) Except in cases provided for by subsection (2) of this section, a pension granted to an officer under this Ordinance shall not exceed two-thirds of his highest pensionable emoluments at any time while in public service under the Government of the Colony.

Maximum pension.

(2) An officer who has been granted a pension in respect of other public service shall not at any time draw from the public funds of the Colony an amount of pension which, when added to the amount of any pension or pensions drawn in respect of other public service, exceeds two-thirds of his highest pensionable emoluments at any time in the course of his public service:

Provided that where any officer receives in respect of some period of service both a gratuity and pension, the amount of such pension shall be deemed for the purpose of this subsection to be —

- (a) where the right to commute any part of a pension in return for the payment of a gratuity has been exercised, the amount if that right had not been exercised; or
- (b) in all other cases, four-thirds of its actual amount.

(3) Where the limitation prescribed by subsection (2) of this section operates, the amount of pension to be drawn from the public funds of the Colony shall be such amount as the Governor shall determine after consultation with the Secretary of State in order that it may be determined with due regard to the amount of any pension or pensions to be drawn in respect of other public service.

(4) For the purposes of the subsections (1), (2) and (3) of this section an additional pension granted in respect of injury shall not be taken into account; but where the officer is granted such an additional pension under this Ordinance, the amount thereof together with the remainder of his pension or pensions shall not exceed five-sixths of his highest pensionable emoluments at any time in the course of his public service.

(5) For the purpose of this section where any increase is granted to or in respect of a pension or allowance payable under this Ordinance and the grant of the increase is subsequent to the date of the grant of the pension or allowance, or where any comparable increase in pension or pensions is drawn in respect of other public service, whether or not such increase is governed by any instrument having the force of law, such increase granted or drawn shall not be taken into account.

10. (1) Every pension granted under this Ordinance shall be subject to the following conditions —

Liability of pensioners to be called upon to take further employment.

- (a) Unless or until the person in receipt of the pension has attained the age of fifty-five years he may, if physically fit for service, be called upon by the Secretary of State to accept an office, whether in public service under the Government of the Colony or in other public service, not less in value, due regard being had to circumstances of climate, than the office which he held at the date of his retirement.
- (b) If a pensioner so called upon declines to accept such office the payment of his pension may be suspended until he has attained the age of fifty-five years.

(2) The provisions of subsection (1) of this section shall not apply in any case where the Governor in Council, being of opinion that the person in receipt of pension is not qualified for other employment in the public service or that there is no reason to expect that he can be shortly re-employed therein, otherwise directs.

Suspension of pension on re-employment.

11. If a person to whom a pension has been granted under this Ordinance is appointed to an office in the public service, the payment of his pension may, with his consent, if the Governor in Council thinks fit, be suspended during the period of his re-employment.

Pensions, etc. not to be assignable.

12. A pension, gratuity or other allowance granted under this Ordinance shall not be assignable or transferable except for the purpose of satisfying —

- (a) a debt due to the Government of the Colony; or
- (b) an order of any competent court for the payment of periodical sums of money towards the maintenance of the wife or former wife or minor child of the person to whom the pension, gratuity, or other allowance has been granted,

and shall not be liable to be attached, sequestered or levied upon for or in respect of any debt or claim whatever except a debt due to the Government as aforesaid.

Pensions, etc. to cease on bankruptcy.

13. (1) Where any person to whom a pension or other allowance has been granted under this Ordinance is adjudicated bankrupt or is declared insolvent by judgment of any competent court, then such pension or allowance shall forthwith cease.

(2) Where any officer is adjudicated bankrupt or declared insolvent by judgment of any competent court either —

- (a) after retirement in circumstances in which he is eligible for pension, gratuity, or other allowance, under this Ordinance, but before the pension, gratuity, or other allowance is granted; or
- (b) before such retirement, and he has not obtained his discharge from bankruptcy or insolvency at the date of retirement,

then, in the former case, any pension or other allowance eventually granted to him shall cease as from the date of adjudication or declaration (as the case may be) and, in the latter case, the pension or other allowance may be granted, but shall cease forthwith and not become payable, and in either case the gratuity may be granted but shall not be paid to him.

(3) Where a pension or other allowance ceases, or where any gratuity is not paid, by reason of this section, it shall be lawful for the Governor, as he thinks fit, from time to time during the remainder of such person's life, or during such shorter period or periods, either continuous or discontinuous, to direct all or any part of the moneys to which such person would have been entitled by way of pension, gratuity or other allowance, had he not become bankrupt or insolvent, to be paid to, or applied for, the maintenance or benefit of all or any, to the exclusion of the other or others, of the following, that is to say, such person and his wife, child, or children, or such other dependants as the Governor may determine, in such proportion and manner as he thinks proper; and such moneys shall be paid or applied accordingly.

(4) Moneys applied for the discharge of the debts of the person whose pension or other allowance has ceased, or whose gratuity has not been paid, by reason of this section shall, for the purposes of this section, be regarded as applied for his benefit.

(5) Where a person whose pension or other allowance has ceased, or whose gratuity has not been paid, by reason of this section obtains his discharge from bankruptcy or insolvency, it shall be lawful for the Governor to direct that the pension or other allowance shall be restored and the gratuity, or so much thereof (if any) as remains after deducting any payments made under subsection (3), paid as from the date of such discharge or any later date; and the pension or other allowance shall be restored, and the gratuity or such remainder thereof (if any) paid, accordingly.



(6) For the purposes of this section the word "child" shall include an illegitimate child, a step-child and an adopted child, adopted in a manner prescribed by law, but shall not include a child who has attained the age of eighteen years or, in the case of a female child, has married.

14. (1) Where any person to whom a pension or other allowance has been granted under this Ordinance is sentenced to death or to a term of imprisonment by any competent court for any offence, such pension or allowance shall, if the Governor so directs, cease as from such date as he determines.

Pensions, etc. may cease on imprisonment.

(2) Where any officer is sentenced to death or to a term of imprisonment by any competent court for any offence after retirement in circumstances in which he is eligible for pension, gratuity or other allowance under this Ordinance but before the pension, gratuity, or other allowance is granted, then —

- (a) the provisions of subsection (1) of this section shall apply as respects any pension or other allowance which may be granted to him; and
- (b) the Governor may direct that any gratuity which may be granted to him shall not be paid.

(3) Where a pension or other allowance ceases, or a gratuity is not paid, by reason of this section, it shall be lawful for the Governor to direct all or any part of the moneys to which such person would have been entitled by way of pension, gratuity or other allowance, but for the provisions of this section, to be paid or applied in the same manner in all respects as provided in section 13; and such moneys shall be paid or applied accordingly.

(4) Where any person whose pension or other allowance ceases or whose gratuity is not paid, by reason of this section after conviction at any time receives a free pardon, the pension or allowance shall be restored with retrospective effect, or his gratuity shall be paid, but in determining whether arrears of such pension or allowance are payable to such person and in computing the amount thereof and the amount of any gratuity, account shall be taken of all moneys paid or applied under subsection (3) of this section.

(5) Where any pension or other allowance ceases or a gratuity is not paid by reason of this section it shall be lawful for the Governor at any time, and upon such terms and from such date (including any past date) as he thinks fit to restore, either in whole or in part, such pension or allowance or to direct the payment of such gratuity or any part thereof, but in determining whether arrears of such pension or allowance are payable and in computing the amount thereof and the amount of any gratuity, account shall be taken of all moneys paid or applied under subsection (3) of this section.

15. Where any person to whom a pension or other allowance has been granted under this Ordinance, otherwise than under section 17, becomes either a director of any company the principal part of whose business is in any way directly concerned with the Colony, or an officer or servant employed in the Colony by any such company, without the prior permission in writing of the Governor, such pension or allowance shall cease if the Governor so directs:

Pensions, etc. on accepting certain appointments.

Provided that it shall be lawful for the Governor, on being satisfied that the person in respect of whose pension or other allowance any such direction has been given has ceased to be a director of such company, or to be employed as an officer or servant of such company in the Colony, as the case may be, to give directions for the restoration of such pension or allowance, with retrospective effect, if he thinks fit, to such a date as he may specify; and the pension or other allowance shall be restored in accordance with any such directions.

16. (1) Where an officer holding a pensionable office who is not on probation or agreement, or an officer holding a non-pensionable office to which he has been transferred from a pensionable office in

Gratuity where officer dies in the service or after retirement.

which he has been confirmed, dies while in public service under the Government of the Colony, the Governor in Council may grant to his legal personal representative a gratuity of an amount not exceeding either his annual pensionable emoluments, his commuted pension gratuity if any, or the amount that would have been paid in salary during the time the officer was taking any accumulated leave had he lived to take it, whichever is the greatest:

Provided that for the purposes of this section an officer who has not been confirmed in his office and who dies in the circumstances mentioned in subsection (1) of section 17 of this Ordinance shall be deemed to have been confirmed in his office.

(2) Where an officer dies after retirement from public service under the Government of the Colony having been granted, or having become eligible for, a pension under this Ordinance and the sums paid or payable to him at the date of his death on account of such pension including any sum awarded by way of gratuity under regulation 24 of the Pensions Regulations and any pension or gratuity paid or payable in respect of his service under any scheduled administration (as defined in regulation 8 of the Pensions Regulations, 1965) but excluding any additional pensions awarded in accordance with the provisions of sub-paragraph (b) of paragraph 3 of regulation 23 of the Pensions Regulations are less in total than the amount of his annual pensionable emoluments, the Governor in Council may grant a gratuity equal to the deficiency to his legal personal representative.

(3) The provisions of this section shall not apply in the case of the death of any officer where benefits corresponding to the benefits which may be granted under this section are payable under the Oversea Superannuation Scheme in respect of such death.

(4) In this section —

- (a) "annual pensionable emoluments" means the emoluments taken for the purpose of computing any pension or gratuity granted to the officer under this Ordinance or in the case of such officer as is described in subsection (1) of this section, the emoluments which would have been taken in accordance with regulation 18 of the Pensions Regulations, 1964, for the purpose of computing the pension or gratuity that would have been granted to the officer if, on the day following the date of his death, he had retired from the public service in circumstances which enabled such a grant to be made;
- (b) "commuted pension gratuity" means the gratuity, if any, which might have been granted to the officer under regulation 24 of the Pensions Regulations, 1964, if the pensionable service which would be taken for the purpose of computing any pension or gratuity granted to him under this Ordinance had been wholly under the Government of the Colony and if, on the day following the date of his death he had retired from the Public Service in circumstances which enabled such a grant to be made and had elected to receive a gratuity and a reduced pension.

Pensions to dependants when an officer dies as a result of injuries received or disease contracted in the discharge of his duties.

17. (1) Where an officer while in public service under the Government of the Colony —

- (a) is injured in the actual discharge of his duty by some injury specifically attributable to the nature of his duty which is not wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct; or
- (b) contracts a disease to which he is exposed by the nature of his duty, not being a disease wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct,

and dies as a direct result thereof, and such death occurs within seven years of the date when he was injured or contracted the disease, the Governor in Council may grant, in addition to the grant,

if any, made to his legal personal representative under section 16 of this Ordinance —

- (i) if the deceased officer leaves a widow, a pension to her at a rate not exceeding ten-sixtieths of his annual pensionable emoluments at the date of the injury or fifteen pounds a year, whichever is the greater;
- (ii) if the deceased officer leaves a widow to whom a pension is granted under the preceding paragraph and a child or children, a pension in respect of each child, until such child attains the age of eighteen years, of an amount not exceeding one-eighth of the pension prescribed under the preceding paragraph;
- (iii) if the deceased officer leaves a child or children, but does not leave a widow, or no pension is granted to the widow, a pension in respect of each child, until such child attains the age of eighteen years, of double the amount prescribed by the preceding paragraph;
- (iv) if the deceased officer leaves a child or children and a widow to whom a pension is granted under paragraph (i) of this subsection, and the widow subsequently dies, a pension in respect of each child as from the date of the death of the widow until such child attains the age of eighteen years, of double the amount prescribed in paragraph (ii) of this subsection;
- (v) if the deceased officer does not leave a widow, or if no pension is granted to his widow and if his mother was wholly or mainly dependent on him for her support, a pension to the mother of an amount not exceeding the pension which might have been granted to his widow;
- (vi) if the deceased officer does not leave a widow or mother, or if no pension is granted to his widow or mother, and if his father was wholly or mainly dependent on him for his support, a pension to the father of an amount not exceeding the pension which might have been granted to his widow;
- (vii) if the deceased officer does not leave a child or children who is or are eligible for a pension under the provisions of this section, and if any brother or sister was wholly or mainly dependent on him for support, a pension to any brother or sister until he or she attains the age of eighteen years, of the same amount and subject to the same conditions as the pension which might have been granted under paragraph (ii), (iii) or (iv) of this subsection, as the case may be:

Provided that —

- (a) if in the opinion of the Governor in Council there are compassionate grounds for so doing, he may grant to any child of a deceased officer being a child who at the date of the death of the officer was wholly or mainly dependent on him for support and who has attained the age of eighteen years a pension for such period as the Governor in Council may determine, of an amount not exceeding the pension which may be granted under paragraph (ii), (iii) or (iv) of this subsection, as the case may be;
- (b) where a deceased officer leaves a child who was incapacitated at the time of the officer's death (hereinafter in this section referred to as an "incapacitated child") the Governor may, notwithstanding any pension which may have been granted under paragraph (ii), (iii) or (iv) of this subsection grant an additional pension in respect of such incapacitated child after he has attained the age of eighteen years and so long as his incapacity shall continue, of an amount not exceeding one-half the pension which might have been granted under paragraph (ii), (iii) or (iv) aforesaid, as the case may be;

- (c) where compensation in respect of the death is payable under any law in force in the Colony which provides for the payment of workmen's compensation, or where benefits corresponding to benefits granted under this section are payable under the Oversea Superannuation Scheme or under the law in force in respect of any other public service, in respect of death, the Governor in Council may reduce or withhold any pension which may be payable under this section in such manner as he may consider reasonable;
  - (d) no pension shall be payable under this subsection at any time in respect of more than six children exclusive of incapacitated children, and where there are more than six such children, in respect of whom, but for this proviso, a pension would be payable, then the amount payable in respect of six children shall be divided equally among all such children during the period in which there are more than six children of pensionable age;
  - (e) in the case of a pension granted under paragraph (v), (vi) or (vii) of this subsection, if it appears to the Governor at any time that the mother or father, or any brother or sister, is adequately provided with other means of support, such pension shall cease as from such date as the Governor may determine.
- (2) No pension shall be granted to the widow of the deceased officer if she was not married to him at the date of injury.
- (3) No pension shall be payable to the widow of the deceased officer or to any other female if —
- (a) in the case of the widow, she was at the time of the death cohabiting with a person other than the deceased officer or after the death she marries or cohabits with any person;
  - (b) in the case of a female who is not the widow of the deceased officer, she was at the time of the death married to or cohabiting with any person or after the death she marries or cohabits with any person;

and if, after the grant of pension to the widow or other female, she marries or cohabits with any person, the pension shall cease from the date of the marriage or the commencement of the cohabitation:

Provided that where —

- (i) a pension is withheld or ceases under this subsection; and
  - (ii) the Governor in Council is satisfied at a subsequent date that the marriage or cohabitation has come to an end or that there are compassionate grounds for the payment of the pension notwithstanding marriage the Governor in Council may, if he thinks fit, grant or regrant the pension as from that date.
- (4) In the case of an officer not holding a pensionable office the expression "pensionable emoluments" in the preceding subsection shall mean the emoluments enjoyed by him which would have been pensionable emoluments if the office held by him had been a pensionable office.
- (5) If an officer proceeding by a route approved by the Governor to or from the Colony at the commencement or termination of his service in the public service of the Government of the Colony, or for a period of secondment, duty leave or leave therefrom, dies as a result of damage to the vessel, aircraft or vehicle in which he is travelling, or of any act of violence directed against such vessel, aircraft or vehicle, and the Governor in Council is satisfied that such damage or act is attributable to circumstances arising out of war in which Her Majesty may be engaged, such officer shall be deemed, for the purposes of this section, to have died as a result of the circumstances described in paragraph (a) of subsection (1) of this section.

(6) An officer who dies as a result of an injury received while travelling by air in pursuance of official instructions, which injury is not wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct, shall be deemed for the purposes of this section to have died in the circumstances described in paragraph (a) of subsection (1) of this section:

Provided that in such a case the rates of pension prescribed in paragraphs (i) and (ii) of subsection (1) of this section shall be fifteen-sixtieths and one-sixth respectively.

(7) (a) Where the Governor in Council is satisfied that damages have been or will be recovered in respect of the death for which a pension may be granted under subsection (1) of this section, the Governor in Council may take those damages into account against such pension in such manner and to such extent that he may think fit and may withhold or reduce the pension accordingly.

(b) For the purposes of this subsection an officer shall be deemed to recover damages whether they are paid in pursuance of a judgment or order of a court or by way of settlement or compromise of his claim and whether or not proceedings are instituted to enforce that claim.

(8) For the purposes of this section the following words have in relation to an officer, the meanings hereby respectively assigned to them —

(a) "brother" includes, in relation to a person, every male child of his father or his mother;

(b) "child" includes —

(i) a posthumous child;

(ii) a step-child or illegitimate child born before the date of the injury or contracting the disease, as the case may be, and wholly or mainly dependent upon the deceased officer for support; and

(iii) an adopted child, adopted in a manner recognised by law, before the date of the injury or contracting the disease, as the case may be, and dependent as aforesaid;

(c) "incapacitated" means in relation to a child, incapable by reason of some specific bodily or mental disability of earning his own living, and a child, who is in any event too young to earn his own living shall be treated as incapacitated for the purposes of this section if it appears that, by reason of any specific bodily or mental disability, he will be incapable of earning his own living when he attains the age at which he would otherwise be capable of doing so;

(d) "father" includes, in relation to a person, his step-father and a male person by whom he has been adopted;

(e) "mother" includes, in relation to a person, a step-mother and a female person by whom he has been adopted;

(f) "sister" includes, in relation to a person, every female child of his father or his mother.

(9) In this section, unless the contrary intention appears, reference to an officer being injured and to the date on which an injury is sustained shall respectively be construed as including references to him contracting a disease such as is mentioned in paragraph (b) of subsection (1) of this section and to the date on which such disease is contracted.

18. Where an officer shall have served with Her Majesty's Forces in time of war, with the approval of the Governor of the territory in the service of which he was last employed before so serving or of the Secretary of State, the following provisions shall have effect —

(1) During the period of such service in Her Majesty's Forces, including any period after the termination of the war (in

War service to count for pension purposes.

this section referred to as "military service"), he shall be deemed, for the purposes of this Ordinance, to have been on leave on full salary from the public service in which he was last employed, and to have held the substantive office last held by him in that service prior to military service.

(2) During any period between his leaving the public service for the purpose of serving in Her Majesty's Forces and the date of his commencing military service, he shall, for the purposes of this Ordinance, be deemed to be on leave without pay, not granted on grounds of public policy, from the public service in which he was last employed, and to have held the substantive office last held by him in that service, prior to military service; and during any period between the termination of his military service and the date of his re-entering the public service he shall, for the said purposes, be deemed to be on leave as aforesaid from the service, and to have held the substantive office, in which he is re-employed :

Provided that —

- (a) This section shall not apply when either period mentioned in paragraph (2) of this section exceeds three months, or such longer period as the Governor, with the approval of the Secretary of State, may in any special case determine; or if the officer fails, after serving with Her Majesty's Forces, to re-enter the public service otherwise than in circumstances in which he would be permitted, under the law applicable to the public service in which he is last employed prior to military service, to retire on pension or gratuity, such circumstances arising not later than the expiration of three months, or such longer period as may be determined as aforesaid, after the termination of his military service;
- (b) if during any period mentioned in paragraph (1) of this section the officer shall have qualified for pension, or received emoluments in lieu of pension rights, actually in respect of military service, paragraph (1) of this section shall, as respects that period, have effect as if the words "leave without salary not granted on grounds of public policy" were substituted for the words "leave on full salary";
- (c) if during his military service the officer shall be injured or killed, he shall not, for the purposes of this Ordinance, be deemed to have been injured or killed in the discharge of his duty;
- (d) the provisions of this section which require that the officer shall be deemed to have held a specified office and to have been on leave from a specified service shall not apply in respect of any period during which he shall actually have held any other substantive office and have been on leave from any public service;
- (e) save wherein any particular case the Governor otherwise directs, this section shall not apply where the office in the public service last held by the officer prior to military service was not a pensionable office.

#### Application.

19. (1) The provisions of this Ordinance shall apply —

- (a) to every officer first appointed to public service under the Government of the Colony —
  - (i) after the 31st December, 1949; or
  - (ii) before the 31st December, 1949, to whom it was intimated before appointment that he would be liable to be affected by any change in the pensions law of the Colony; and
- (b) to every other officer in public service under the Government of the Colony on the 31st December, 1949, or

transferred from public service under the Government of the Colony to other public service before the 31st December, 1949, and still in public service on that date, unless not later than twelve months after such date or within such further period as the Governor has in any special case allowed, the officer gave notice in writing to the Colonial Secretary that the provisions of the Pensions Ordinance, 1937, and all Regulations made thereunder shall apply to him, in which case they shall continue to apply accordingly.

(2) If any officer who shall have given notice, as described in the preceding subsection, is thereafter re-appointed to the public service under the Government of the Colony the provisions of this Ordinance shall apply to him in respect of his whole service under the Government of the Colony:

Provided that except where such an officer shall eventually become eligible for a pension or gratuity under this Ordinance in respect of his service both before and after his re-employment, a pension or gratuity granted to him solely in respect of service prior to such re-employment shall not be recomputed.

20. (1) The Pensions Ordinance is hereby repealed.

Repeal of Cap. 49.

(2) Nothing in this Ordinance shall either diminish the rights acquired by any person under any Ordinance repealed by this Ordinance or effect the pensions granted to any persons who have retired before the coming into operation of this Ordinance.

Ref. 0829/III.

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# SCHEDULE REGULATIONS

Section 3

## PART I PRELIMINARY

Short title.

1. These Regulations may be cited as the Pensions Regulations, 1965.

Interpretation.

2. In these Regulations, unless the context otherwise requires —

“QUALIFYING SERVICE” means service which may be taken into account in determining whether an officer is eligible by length of service for pension, gratuity, or other allowance;

“PENSIONABLE SERVICE” means service which may be taken into account in computing pension under these Regulations;

“THE ORDINANCE” means the Pensions Ordinance, 1965.

## PART II OFFICERS WITHOUT OTHER PUBLIC SERVICE

Application of Part II.

3. Save when the Governor in Council in any special case otherwise directs, this Part of these Regulations shall not apply in the case of any officer transferred to or from the public service under the Government of the Colony from or to other public service except for the purpose of determining whether such officer would have been eligible for pension or gratuity, and the amount of pension or gratuity, for which the officer would have been eligible, if the service of the officer had been wholly service in public service under the Government of the Colony.

Pension to whom and at what rates to be granted.

4. Subject to the provisions of the Ordinance and of these Regulations, every public officer holding a pensionable office under the Government of the Colony who has been in service under the Government of the Colony for ten years or more may be granted on his retirement a pension at the rate of one seven-hundred and twentieth of his pensionable emoluments in respect of each completed month of pensionable service.

Gratuities where length of service does not qualify for pension.

5. Every officer, otherwise qualified for a pension, who has not completed the minimum period of service qualifying for a pension, may be granted on retirement a gratuity not exceeding five times the annual amount of the pension which, if there had been no qualifying period, might have been granted to the officer under regulation 4 of these Regulations.

Marriage Gratuities.

6. Where a female officer, who has been in public service under the Government of the Colony for not less than seven years and has been confirmed in a pensionable office, retires or is required to retire from that service for the reason that she is about to marry or has married, and she is not eligible for the grant of any pension or otherwise eligible for gratuity under this Part of these Regulations, she may be granted, on production within six months after her retirement, or such longer period as the Governor may in any particular case allow, of satisfactory evidence of her marriage, a gratuity of an amount not exceeding —

(a) one year's pensionable emoluments; or

(b) five times the annual amount of the pension which might have been granted to her under regulation 4 of these Regulations had there been no qualifying period and had that regulation been applicable to her,

whichever amount shall be the less.

## PART III TRANSFERRED OFFICERS

Application of Part III.

7. This Part of these Regulations shall apply only in the case of an officer transferred to or from public service under the Government of the Colony from or to other public service.

8. (1) In this Part and Part IV of these Regulations —  
 "SCHEDULED ADMINISTRATION" means —

Interpretation.

- (a) the Government of any territory, or any authority, mentioned in the Schedule to these Regulations;
- (b) the Government of Ceylon, in respect of any officer appointed to service under that Government before the 4th day of February, 1948;
- (c) the Government of Palestine, in respect of any officer appointed to service under that Government before the 15th day of May, 1948;
- (d) the Government of the Somali Republic, in respect of any officer appointed to service under the former Government of the Somaliland Protectorate before the 26th day of June, 1960;
- (e) the Government of Cyprus, in respect of any officer appointed to service under that Government before the 16th day of August, 1960;
- (f) the East African Common Services Organisation, in respect of any person deemed to have been appointed to serve as President, Vice-President, Justice of Appeal, Registrar, officer or servant of the Court of Appeal for Eastern Africa by or under the Eastern Africa Court of Appeal Order in Council, 1961; and
- (g) the Interim Commissioner for the West Indies, in respect of any person deemed to have been appointed or appointed to service as Judge, Registrar, officer or servant of the British Caribbean Court of Appeal by or under the British Caribbean Court of Appeal Order in Council, 1962.

"SERVICE IN THE GROUP" means service in the public service under the Government of the Colony and under a scheduled administration or scheduled administrations.

(2) Where an officer to whom this Part of these Regulations applies is, on his retirement from the public service, not granted a pension or gratuity in respect of his employment in the service in which he was last employed, solely by reason of the fact that he has not held office or pensionable office therein for a specified period, he shall nevertheless be deemed for the purposes of this Part of these Regulations to have retired in circumstances in which he is permitted by the law in force in respect of the service in which he is last employed to retire on pension or gratuity.

(3) For the purpose of these Regulations —

- (a) any officer in public service under the Government of the Federation of Rhodesia and Nyasaland immediately before the 1st January, 1964, who was immediately before that date employed on secondment to service under the Government of Southern Rhodesia, or Northern Rhodesia or Nyasaland, or was as from that date so employed, shall be deemed to continue to serve in public service under the Government of the Federation of Rhodesia and Nyasaland until his employment on secondment is terminated.
- (b) any pension awarded on or after the 1st January, 1964, in respect of service under the Government of the Federation of Rhodesia and Nyasaland shall be deemed to have been granted by that Government notwithstanding the provisions of the Federation of Rhodesia and Nyasaland (Dissolution) Order in Council, 1963.

9. (1) Subject to the provisions of this Ordinance and of these Regulations, where the other public service of an officer to whom this Part of these Regulations applies has been wholly under one or more scheduled administrations and his aggregate service would have qualified him had it been wholly service in public service under the Government of the Colony for a pension under this Ordinance, he may, on his retirement from the public service, be granted in respect of his service in public service under the Government of the Colony a pension of such an amount as shall bear the

Pension for service wholly within the group.

same proportion to the amount of pension for which he would have been eligible had his service been wholly in public service under the Government of the Colony as the aggregate amounts of his pensionable emoluments during service in public service under the Government of the Colony shall bear to the aggregate amounts of his pensionable emoluments throughout his service in the group.

(2) In determining for the purposes of this regulation the pension for which an officer would have been eligible if his service had been wholly service in public service under the Government of the Colony —

- (a) in the application of regulation 18, his pensionable emoluments shall be determined by reference to the pensionable emoluments enjoyed by him at the date of his retirement from the public service or during the three years or lesser period preceding that date, as the case may be, except that where the officer is not serving under a scheduled administration at that date, the date upon which he was last transferred from the public service under a scheduled administration shall be deemed to be the date of his retirement for the purposes of this sub-paragraph;
- (b) no regard shall be had to an additional pension under regulations 22 or 23;
- (c) regard shall be had to the condition that pension may not exceed two-thirds of the highest pensionable emoluments enjoyed by him at any time during his public service;
- (d) no period of public service under a scheduled administration or under the Government of the Colony in respect of which no pension or gratuity is granted to him shall be taken into account.

(3) For the purpose of this regulation the aggregate amount of an officer's pensionable emoluments shall be taken as the total amount of pensionable emoluments which he would have received or enjoyed had he been on duty on full pay in his substantive office or offices throughout his period of service in the group subsequent to the attainment of the age of eighteen years:

Provided that —

- (a) in calculating the aggregate amount of his pensionable emoluments, no account shall be taken of any service under a scheduled administration or under the Government of the Colony in respect of which no pension or gratuity is granted to him by that administration or Government, as the case may be;
- (b) where service in a civil capacity otherwise than in a pensionable office is taken into account as pensionable service, the officer's aggregate pensionable emoluments during that service shall be taken into account to the same extent as that service is taken into account as pensionable service.

Pension where other service is not within the group.

10. (1) Subject to the provisions of this Ordinance and of these Regulations, where the other public service of an officer to whom this Part of these Regulations applies has not included service under any of the scheduled administrations, and his aggregate service would have qualified him, had it been wholly service in public service under the Government of the Colony for a pension under these Regulations, he may on his retirement from public service, be granted in respect of his service in public service under the Government of the Colony, a pension of an amount equal to the pension for which he would have been eligible under regulation 4, if there had been no qualifying period and if he had had no other public service.

(2) Where the officer is not in public service under the Government of the Colony at the time of such retirement, his pensionable emoluments for the purposes of paragraph (1) of this regulation shall be those which would have been taken for the purposes of computing his pension if he had retired from the public service and been granted a pension at the date of his last transfer from public service under the Government of the Colony.

11. Where a part only of the other public service of an officer to whom this Part of these Regulations applies has been under one or more of the scheduled administrations, the provisions of regulation 9 shall apply; but in calculating the amount of pension, regard shall be had only to service in the group.

Pension when other service both within and not within the group.

12. Subject to the provisions of this Ordinance and of these Regulations, where an officer to whom this Part of these Regulations applies retires from the public service but has not been in the public service for ten years, he may be granted in respect of his service in the public service under the Government of the Colony a gratuity not exceeding five times the annual amount of the pension which, if there had been no qualifying period, might have been granted to him under regulation 9, 10 or 11, as the case may be.

Gratuities where length of service does not qualify for pension.

13. Where a female officer to whom this Part of these Regulations applies retires or is required to retire from the public service for the reason that she is about to marry or has married, and —

Marriage Gratuities.

- (i) would have been eligible for a gratuity under regulation 6 of these Regulations if her public service had been wholly under the Government of the Colony; and
- (ii) is not eligible for the grant of any pension or otherwise eligible for gratuity under this Part of these Regulations,

she may be granted in respect of her public service under the Government of the Colony a gratuity of an amount not exceeding five times the annual amount of the pension for which she would have been eligible under regulation 9, 10 or 11 had there been no qualifying period and had regulation 9, 10 or 11, as the case may be, been applicable to her:

Provided that for the purpose of computing the amount of such a gratuity —

- (a) in relation to a pension under regulation 9 or 11, subparagraph (c) of paragraph (2) of regulation 9 shall have effect as if the reference therein to two-thirds of her highest pensionable emoluments were a reference to one-fifth of her annual pensionable emoluments;
- (b) in relation to a pension under regulation 9, 10 or 11, the annual amount of that pension shall not exceed one-fifth of her annual pensionable emoluments.

#### PART IV

##### GENERAL

14. (1) Subject to the provisions of these Regulations, qualifying service shall be the inclusive period between the date on which an officer begins to draw salary in respect of public service and the date of his leaving the public service without deduction of any period during which he has been absent on leave.

General rules as to qualifying service and pensionable service.

(2) No period which is not qualifying service by virtue of paragraph (1) of this regulation shall be taken into account as pensionable service.

(3) No period during which the officer was not in public service shall be taken into account as qualifying service or as pensionable service.

15. (1) Except as otherwise provided in these Regulations, only continuous public service shall be taken into account as qualifying service or as pensionable service:

Continuity of service.

Provided that any break in service caused by temporary suspension of employment in the public service not arising from misconduct or voluntary resignation shall be disregarded for the purposes of this paragraph:

Provided also that any person holding office in public service under the Government of Palestine immediately before the fifteenth day of May, 1948, shall be deemed to have continued in his office until either he was appointed to the service of the Crown elsewhere, or, if he was not so appointed, he retired or was removed from office.

## (2) An officer —

- (a) whose pension has been suspended under section 11 of this Ordinance or under a corresponding provision in any law relating to the grant of pensions in respect of public service; or
- (b) who has retired from the public service without pension on account of ill health, abolition of office, or reorganisation designed to effect greater efficiency or economy, and has subsequently been re-employed in the public service; or
- (c) who has left service which is pensionable —
  - (i) under any Acts relating to the superannuation of teachers in the United Kingdom;
  - (ii) under a local authority in the United Kingdom; or
  - (iii) under the National Health Service of the United Kingdom;

with a view to entering public service not being pensionable service as aforesaid and has not later than three months, or such extended period as the Governor may in any particular case approve, after leaving such pensionable service, received any salary in respect of employment in public service not so pensionable

may, if the Governor in Council thinks fit, be granted the pension or gratuity for which he would have been eligible if any break in his public service immediately prior to such suspension, re-employment or employment had not occurred, such pension to be in lieu of —

- A. any pension previously granted to him from the funds of the Colony, and
- B. any gratuity so granted which is required to be refunded as a condition of the application to the officer of this regulation,

but additional to any gratuity so granted which is not required to be refunded as aforesaid.

Leave without salary.

16. No period during which an officer has been absent from duty on leave without salary shall be taken into account as pensionable service unless such leave has been granted on grounds of public policy with the approval of the Governor.

Service in Her Majesty's Forces.

17. Where an officer, during some period of his service, has been on the active list of the Royal Navy, the Army or the Royal Air Force, and pension contributions have been paid in respect of that period from the funds of the Colony or of any scheduled administration and have not been refunded, such period shall not be taken into account as pensionable service.

Emoluments to be taken for computation of pensions, etc.

18. (1) For the purpose of computing the amount of the pension or gratuity of an officer who has had a period of not less than three years' pensionable service before his retirement —

- (a) in the case of an officer who has held the same office for a period of three years immediately preceding the date of his retirement, the full annual pensionable emoluments enjoyed by him at that date in respect of that office shall be taken;
- (b) in the case of an officer who at any time during such period of three years has been transferred from one office to another, but whose pensionable emoluments have not been changed by reason of such transfer or transfers, otherwise than by the grant of any scale increment, the full annual pensionable emoluments enjoyed by him at the date of his retirement in respect of the office then held by him shall be taken;
- (c) in other cases one third of the aggregate pensionable emoluments enjoyed by the officer in respect of his service during the three years of his service immediately preceding the date of his retirement shall be taken:

Provided that —

- (i) if such one third is less than the highest annual pensionable emoluments enjoyed by him at the date of any transfer within such period of three years these annual pensionable emoluments shall be taken; and
- (ii) if such one third is less than the annual pensionable emoluments which would have been enjoyed by him at the date of his retirement, if he had continued to hold any office from which he has been transferred at any time during such period of three years, and had received all scale increments which, in the opinion of the Governor in Council, would have been granted to him, the annual pensionable emoluments which would have been so enjoyed shall be taken.

(2) For the purpose of determining under paragraph (1) of this regulation the pensionable emoluments that an officer has enjoyed or would have enjoyed, as the case may be, he shall be deemed —

- (a) to have been on duty on full pensionable emoluments throughout the period of three years immediately preceding the date of his retirement; and
- (b) to have enjoyed the benefit of any increase due to a general revision in the pensionable emoluments of any office held by him as if such increase had been payable throughout such period of three years.

(3) For the purpose of computing the amount of the pension or gratuity of an officer who has had a period of less than three years' pensionable service before his retirement —

- (a) the average annual pensionable emoluments enjoyed by him during such period shall be taken;
- (b) he shall be deemed to have been on duty on full pensionable emoluments throughout such period; and
- (c) he shall be deemed to have enjoyed the benefit of any increase due to a general revision in the pensionable emoluments of any office held by him as if such increase had been payable throughout such period.

(4) In no circumstances shall the pensionable emoluments taken for the purpose of computing the pension or gratuity of any officer exceed the full annual pensionable emoluments enjoyed by the officer at the date of his retirement in respect of the office then held by him.

19. Only service in a pensionable office (not being service in respect of which the officer is entitled to a gratuity in lieu of pension or to benefit under any other scheme of superannuation) shall be taken into account as pensionable service:

Service in non-pensionable office.

Provided that —

- (a) where a period of service in a civil capacity otherwise than in a pensionable office (not being service in respect of which the officer is entitled to a gratuity in lieu of pension) is immediately followed by service in a pensionable office and the officer is confirmed therein, such period may with the approval of the Governor in Council be so taken into account;
- (b) any break in service which may be disregarded under the provisions of regulation 15 of these Regulations may likewise be disregarded in determining for the purposes of the preceding provisions of this regulation whether one period of service immediately follows another period of service;
- (c) (i) where an officer has been transferred from a pensionable office in which he had been confirmed to an office which is not pensionable and subsequently retires either from a pensionable office or an office which is

not pensionable his service in the office which is not pensionable may, with the approval of the Governor in Council, be taken into account as though it were service in the pensionable office which he held immediately prior to such transfer and at the pensionable emoluments which were payable to him at the date of transfer;

- (ii) where a period of service in an office which is not pensionable is taken into account under this regulation, the officer shall, during that period, be deemed for the purpose of regulations 6, 22 and 23 to be holding a pensionable office, and where that period is taken into account under sub-paragraph (i) of paragraph (c) of this proviso to have been confirmed therein.

Acting service.

20. Any period during which an officer has performed only acting service in an office may be taken into account as pensionable service (subject, if the office is a non-pensionable office, to the provisions of the preceding regulation) if the period of such acting service —

- (a) is not taken into account as part of his pensionable service in other public service, and
- (b) is immediately preceded or followed by service in a substantive capacity in a pensionable office in the public service under the same government or authority,

and not otherwise.

Service under age of 20 or on probation or agreement.

21. Save as otherwise provided in these Regulations, there shall not be taken into account as pensionable service —

- (a) any period of service while the officer was under the age of twenty years, or
- (b) any period of service while he was on probation or agreement, unless without break of service he is confirmed in a pensionable office in the public service:

Provided that any break of service which may be disregarded under the provisions of regulation 15 may likewise be disregarded in determining whether the officer is confirmed in a pensionable office without break of service.

## PART V

### SUPPLEMENTARY

Abolition of office and reorganisation.

22. If an officer holding a pensionable office retires from the public service in consequence of the abolition of his office or for the purpose of facilitating improvements in the organisation of the department to which he belongs, by which greater efficiency or economy may be effected, he may —

- (a) if he has been in the public service for less than ten years, be granted in lieu of any gratuity under regulation 5 or regulation 12, a pension under regulations 4, 9, 10 or 11 as the case may be, as if the words "for ten years or more" were omitted from regulation 4;
- (b) if he retires from the public service under the Government of the Colony, be granted an additional pension at the annual rate of one two-hundred-and-sixteenth of his pensionable emoluments for each complete year of his pensionable service:

Provided that —

- (i) the addition shall not exceed thirty two-hundred-and-sixteenths; and
- (ii) the addition together with the remainder of the officer's pension shall not exceed the pension for which he would have been eligible if he had continued to hold the office held by him at the date of his retirement, and retired on reaching the age of fifty-five years, having received all increments for which he would have been eligible by that date.



23. (1) This regulation shall apply to an officer who —

- (a) is injured in the actual discharge of his duty by some injury specifically attributable to the nature of his duty which is not wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct; or
- (b) contracts a disease to which he is exposed by the nature of his duty, not being a disease wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct.

Officers injured or contracting diseases in the discharge of their duties.

(2) In this regulation unless the contrary intention appears, references to an officer being injured and to the date on which an injury is sustained shall respectively be construed as including references to him contracting such a disease as is mentioned in paragraph (1) of this regulation and to the date on which such disease is contracted.

(3) Where an officer to whom this regulation applies is holding a pensionable office in which he has been confirmed, he may —

- (a) if his retirement is necessitated or materially accelerated by his injury and he has been in the public service for less than ten years, be granted, in lieu of any gratuity under regulation 5 or regulation 12, a pension under regulations 4, 9, 10 or 11, as the case may be, as if the words "for ten years or more" were omitted from regulation 4;
- (b) if he was injured while in public service under the Government of the Colony be granted on retirement an additional pension, at the annual rate of the proportion of his actual pensionable emoluments at the date of his injury appropriate to his case as shown in the following table —

When his capacity to contribute to his own support is —

Slightly impaired .....	five sixtieths;
Impaired .....	ten sixtieths;
Materially impaired .....	fifteen sixtieths;
Totally destroyed .....	twenty sixtieths;

Provided that the amount of the additional pension may be reduced to such an extent as the Governor in Council shall think reasonable where the injury is not the cause or the sole cause of retirement.

- (4) (a) An officer to whom this regulation applies who is injured while in public service under the Government of the Colony and who holds a non-pensionable office, or who holds a pensionable office in which he has not been confirmed, may be granted on retirement, a pension of the same amount as the additional pension which may be granted to him under paragraph (3) of this regulation if his office were a pensionable office and he had been confirmed therein.
- (b) The provisions of regulation 24 shall not apply to a pension granted under this paragraph.
- (5) (a) If, for the purpose of assessing the amount of any additional pension or pension to be granted under subparagraph (b) of paragraph (3) or under paragraph (4) of this regulation to any officer to whom this regulation applies, the degree of permanent impairment of his capacity to contribute to his support is in doubt, he may be granted a provisional award to have effect until such time as his degree of permanent impairment can be determined.
- (b) The provisions of regulation 24 shall not apply to an award made under this paragraph.

(6) If an officer proceeding by a route approved by the Governor to or from the Colony at the commencement or termination of his public service under the Government of the Colony, or of a period of secondment, duty leave or leave therefrom, is injured as a result of damage to the vessel, aircraft or vehicle in which he is travelling, or of any act of violence directed against any such vessel, aircraft or vehicle, and the Governor in Council is satisfied that such damage or act is attributable to circumstances arising out of any war in which Her Majesty may be engaged, such officer shall be deemed for the purpose of this regulation to have been injured in the circumstances described in paragraph (1) of this regulation.

(7) An officer who is injured while travelling by air in pursuance of official instructions, and whose injury is not wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct, shall be deemed for the purpose of this regulation to have been injured in the circumstances described in paragraph (1) of this regulation:

Provided that in such a case the rates of pension prescribed in sub-paragraph (b) of paragraph (3) of this regulation shall be seven-and-a-half sixtieths, fifteen sixtieths, twenty-two-and-a-half sixtieths and thirty sixtieths respectively.

(8) Where compensation in consequence of the injury is payable under any law in force in the Colony which provides for the payment of workmen's compensation, or where benefits corresponding to an additional pension or pension under paragraph (3) or paragraph (4) of this regulation are payable, under the Oversea Superannuation Scheme or under the law in force in respect of any other public service, in consequence of the injury, the Governor may reduce or withhold any additional pension or pension payable under either paragraph (3) or paragraph (4) aforesaid in such manner as he may consider reasonable.

- (9) (a) Where the Governor in Council is satisfied that damages have been or will be recovered by an officer in respect of an injury for which an additional pension or pension may be granted under sub-paragraph (b) of paragraph (3) or under paragraph (4) of this regulation, the Governor in Council may take these damages into account against such additional pension or pension in such manner and to such extent as he may think fit and may withhold or reduce the additional pension or pension accordingly.
- (b) For the purpose of this paragraph an officer shall be deemed to recover damages whether they are paid in pursuance of a judgment or order of the court or by way of settlement or compromise of his claim and whether or not proceedings are instituted to enforce that claim.

Gratuity and reduced pension.

24. (1) Any officer to whom a pension is granted under this Ordinance may at his option exercisable as in this regulation provided, be paid in lieu of such pension a pension at the rate of three-fourths of such pension together with a gratuity equal to twelve and a half times the amount by which such pension is reduced:

Provided that in the application of this regulation to cases where the limitation prescribed by subsection (2) of section 9 of this Ordinance operates, the words "such pension" shall mean the amount of pension which the officer might have drawn from the funds of the Colony if he had not exercised his option under this regulation.

(2) An option exercisable in accordance with this regulation —

- (a) shall be exercisable, and if exercised, may be revoked, on or before the date of the officer's retirement or, with the permission of the Governor, at any time between that date and the date of the final award of the pension granted to him under this Ordinance;
- (b) shall be exercised or revoked by notice in writing addressed either to the Secretary of State or to the Colonial Secretary;

- (c) shall be deemed to have been exercised or revoked on the date on which such notice is received.

(3) If an officer who has not exercised an option in accordance with this regulation dies after he has retired but before a pension has been granted to him under this Ordinance, the Governor in Council may, if he thinks fit, grant to his legal personal representatives a gratuity and a reduced pension as provided in paragraph (1) of this regulation, as if the officer had exercised the option before his death.

25. (1) An officer not qualified for a pension or a gratuity under these regulations (other than a pension under regulation 23) or the Oversea Superannuation Scheme or to benefit under any other scheme of superannuation and who, having served for not less than five years is removed for reasons of old age, infirmity, reduction of establishment or who leaves public service under the Government of the Colony at his own request, may be granted a gratuity, and in the event of any such officer as aforesaid dying whilst in the service, a gratuity may be granted to his legal representative in amount not exceeding that to which the officer would have been entitled had he been retired for infirmity upon the day of his death.

Gratuities for officers who have served in non-pensionable offices.

(2) The rate at which a gratuity may be granted under paragraph (1) of this regulation shall not exceed —

- (a) for each year of public service under the Government of the Colony, up to five years, one week's pay; and
- (b) for each year of public service under the Government of the Colony in excess of five years and up to ten years, two weeks' pay; and
- (c) for each year of public service under the Government of the Colony in excess of ten years, four weeks' pay:

Provided that the total amount of the gratuity shall not exceed the amount of 52 weeks' pay.

(3) Notwithstanding the provisions of regulation 15, the service for the purpose of this regulation need not be unbroken but any period of service which has been terminated because of the officer's misconduct or in respect of which a pension, gratuity or other allowance has already been granted under the provisions of the Ordinance or the Oversea Superannuation Scheme or any other scheme of superannuation or any period during which the officer has been absent from duty on leave without pay unless such leave has been granted on grounds of public policy with the approval of the Governor shall not be taken into account for the purpose of this regulation.

(4) For the purpose of this regulation —

- (a) "pay" includes any allowance which the Governor in Council may think fit to include;
- (b) an officer who, having held a non-pensionable office, is serving on probation in a pensionable office, shall be deemed to hold a non-pensionable office and his pay shall be deemed to be the pensionable emoluments of the pensionable office or the pay last received by him in respect of his service in a non-pensionable office, whichever shall be the greater.

## Schedule.

SCHEDULE  
[ Regulation 8 (1) ]

Aden	Malawi
Antigua	Malayan Establishment
Bahamas	Malayan Union
Barbados	Malaysia
Basutoland	Malta
Bechuanaland Protectorate	Mauritius
Bermuda	Montserrat
British Antarctic Territory	Nigeria
British Guiana	North Borneo
British Honduras	Northern Nigeria
British Solomon Islands Protectorate	Northern Region of Nigeria
Brunei	Northern Rhodesia
Cayman Islands	Nyasaland
Crown Agents for Oversea Governments and Administrations	Oversea Audit Department (Home Establishment)
Dominica	Republic of Zambia
East Africa High Commission	Sabah
East African Common Services Organisation	St. Christopher, Nevis and Anguilla
East African Railways and Harbours Administration	St. Helena
Eastern Nigeria	St. Lucia
Eastern Region of Nigeria	St. Vincent
Employing Authorities under the Oversea Superannuation Scheme	Sarawak
Federal Republic of Nigeria	Seychelles
Federated Malay States	Sierra Leone
Federation of Malaya	Singapore
Federation of Nigeria	Somaliland Protectorate
Federation of Rhodesia and Nyasaland	Southern Cameroons
Fiji	Straits Settlements
Gambia	Swaziland
Ghana	Tanganyika
Gibraltar	The West Indies (Federation)
Gilbert and Ellice Islands	Tonga
Gold Coast	Trinidad and Tobago
Grenada	Turks and Caicos Islands
Hong Kong	Uganda
Interim Commission for the West Indies	Unfederated Malaya States
Jamaica	United Kingdom of Great Britain and Northern Ireland
Kenya	Virgin Islands
Kenya and Uganda Railways and Harbours Administrations	Western Nigeria
Leeward Islands (before 1.7.1956)	Western Pacific High Commission
	Western Region of Nigeria
	Zanzibar
	Service under the Overseas Service Act, 1958.

## A Bill for An Ordinance Relating to Immigration.

[.....19.....]

Date of commencement.

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 Immigration Ordinance, 1965, and shall come into operation upon such date as shall be appointed by the Governor by notice published in the Gazette.

Short title and commencement.

2. In this Ordinance and any Regulation made hereunder, unless the context otherwise requires —

Interpretation.

“ALIEN” means a person who is neither a British Subject, nor a British protected person, nor a citizen of the Republic of Ireland;

“BRITISH SUBJECT” means a person who is a British subject under the British Nationality Act, 1948, as amended by any subsequent enactment, and for the purpose of this Ordinance references to a British Subject shall be construed as references also to a citizen of the Republic of Ireland;

“DEPENDANT” in relation to another person means —

- (a) the wife of such person, provided that she is not living apart from him under a decree of a competent court or a deed of separation,
- (b) the child or step-child under the age of 16 years of such person,
- (c) a legally adopted child under the age of 16 years of such person;

“DEPORTATION ORDER” means an order requiring the person in respect of whom it is made to leave and remain out of the Colony;

“DESTITUTE PERSON” means a person who in the opinion of the Immigration Officer is, or is likely to be, a charge upon public funds by reason of mental or bodily health or insufficiency of means to support himself and his dependants (if any);

"IMMIGRANT" means a person who enters the Colony from a place outside the Colony whether or not for the first time;

"PERMANENT RESIDENT" means —

- (a) a person born in the Colony or the Dependencies, or of parents who at the time of his birth were ordinarily resident in the Colony or the Dependencies; or
- (b) a person who is ordinarily resident in the Colony or the Dependencies and has been so resident for a continuous period of seven years, and since the completion of such a period has not been ordinarily resident for a continuous period of seven years or more in any other country; or
- (c) a dependant of a person to whom either of the foregoing paragraphs applies; or
- (d) a person who has obtained the status of a British Subject by reason of the grant by the Governor of a certificate of naturalization under the British Nationality and Status of Aliens Act, 1914, or the British Nationality Act, 1948, such grant being still in force;

"POLICE OFFICER" includes a police constable;

"PRESCRIBED" means prescribed by Regulations made under this Ordinance;

"PROHIBITED IMMIGRANT" means a person other than a permanent resident —

- (a) who is not in possession of a passport valid for entry into the Colony; or
- (b) who has left the Colony or the Dependencies at the public expense, or against whom a deportation order is in force; or
- (c) who is deemed by the Governor in Council to be an undesirable immigrant; or
- (d) who is a destitute person; or
- (e) who is an idiot or insane; or
- (f) who is certified by a medical officer to be suffering from a contagious or infectious disease which makes his presence in the Colony dangerous to the community; or
- (g) who is not in possession of a certificate signed by a radiologist as required under section 50A of the Public Health Ordinance; or
- (h) who, not having received a free pardon, has been in any country other than the Colony or the Dependencies convicted of murder or an offence for which a substantive sentence of imprisonment exceeding six months has been passed and who by reason thereof is deemed by the Governor in Council to be an undesirable immigrant; or
- (i) who is a prostitute, or is living on or receiving, or who has lived on or received, the proceeds of prostitution; or
- (j) whose entry into the Colony is unlawful under this or any other Ordinance; or
- (k) who is a dependant of a prohibited immigrant;

"SHIPPING MASTER" shall include the Collector of Customs, the Deputy Collector of Customs or any customs officer;

"UNDESIRABLE IMMIGRANT" means a person other than a permanent resident who by reason of his having been convicted, or who, in consequence of information received from any Government, whether British or foreign, through official or diplomatic channels, is deemed by the Governor in Council to be an undesirable immigrant;

"VESSEL" means any steamship, ship, boat or other floating craft, and includes any description of aircraft; and "master" in reference to a "vessel" includes the pilot or other officer in charge of an aircraft.

3. The Governor may by notice published in the Gazette appoint an Immigration Officer for the carrying out of the provisions of this Ordinance.

Appointment of Immigration Officer.

4. (1) The Governor in Council may prohibit the entry of any alien into the Colony.

Power to prohibit entry of alien, or permit entry of prohibited immigrant.

(2) The Governor in Council may permit a prohibited immigrant to enter and remain in the Colony subject to such conditions as to duration and place of residence, occupation, security to be furnished, or any other matter or thing, whether similar to those before enumerated or not, as he shall think fit, and any such immigrant who shall, without reasonable excuse, fail to comply with such conditions or any of them shall commit an offence, and his permit to enter and remain in the Colony shall be deemed to have been cancelled.

5. For the purpose of exercising his functions and carrying out his duties under this Ordinance the Immigration Officer may —

Powers of Immigration Officer.

- (a) without a search warrant board and search any vessel arriving in the Colony;
- (b) interrogate any person who desires to enter the Colony or any person whom he has reasonable ground for believing to be a prohibited immigrant;
- (c) require any person who desires to enter the Colony to submit to being examined by a medical officer;
- (d) require the master of a vessel to furnish in duplicate a list signed by himself of the names of the passengers in his vessel and such other information as may be prescribed;
- (e) if there is reasonable cause to suspect that any person has contravened any of the provisions of this Ordinance and if, in order to prevent justice from being defeated, it is necessary to arrest such person immediately, arrest such person without a warrant, and such person shall be brought before a magistrate or a justice of the peace within twenty four hours of such arrest, unless the next day shall be a Sunday or a public holiday, when the person under arrest shall be brought before a magistrate or a justice of the peace at the first possible opportunity.

6. (1) The decision whether or not a person is a prohibited immigrant shall rest with the Immigration Officer.

Immigration Officer to decide whether person is prohibited immigrant.

(2) An appeal shall lie from a decision of the Immigration Officer under sub-section (1) of this section to the Governor in Council whose decision shall be final.

7. (1) Any person who, having entered the Colony for the first time after the coming into operation of this Ordinance, is found by the Immigration Officer within the period of three months from the date of such entry to be a prohibited immigrant, shall be deemed to have been one at the time of such entry.

Person may be found to be prohibited immigrant after entry.

(2) An appeal shall lie from a decision of the Immigration Officer under sub-section (1) of this section to the Governor in Council whose decision shall be final.

8. (1) A person entering the Colony by sea shall not disembark without the consent of the Immigration Officer, and the master of the ship shall not allow any such person to disembark without such consent.

Duties of immigrants.

(2) Every person entering the Colony by air shall forthwith present himself in person to the Immigration Officer.

(3) Every person entering the Colony shall —

- (a) truthfully answer all questions put to him by the Immigration Officer for the purposes of this Ordinance;



- (b) if required by the Immigration Officer, make and sign the prescribed form of declaration;
- (c) if required by the Immigration Officer, submit himself to be examined by a medical officer.

(4) Any person who refuses to make and sign the prescribed declaration, or to submit to being examined by a medical officer, shall be deemed to be a prohibited immigrant, and may be dealt with as such.

Immigrant not to enter without permit.

9. No person shall enter the Colony unless he is in possession of a permit issued to him under this Ordinance or Regulations made thereunder.

Entry permit.

10. The Immigration Officer shall issue an Entry Permit to any person wishing to enter the Colony who satisfies him that he is—

- (a) a permanent resident; or
- (b) a person in the service of the Government of the Colony; or
- (c) a serving member of Her Majesty's forces; or
- (d) a person duly accredited as a Diplomatic or Consular representative or a member of any such person's staff or household; or
- (e) a person entitled to the immunities and privileges conferred by the Diplomatic Privileges (Extension) Ordinance; or
- (f) a person who, not being a prohibited immigrant, intends to engage on his own account in the Colony in the business of agriculture or animal husbandry, or in prospecting for minerals or mining, or to carry on or practise some trade, business or profession, for which he possesses such qualifications as may be prescribed, and who in every such case is in possession of sufficient capital or assured means to enable him to carry out his intention; or
- (g) a dependant of one of the above mentioned persons.

Cap. 20.

Employment permit.

11. (1) An Employment Permit may be issued by the Immigration Officer to any immigrant who has entered into a contract of service with an employer to be performed in the Colony, or whose passage has been paid on his behalf with a view to his entering into such a contract on his arrival, provided that he is not a prohibited immigrant or an alien whose entry into the Colony is prohibited under section 4 (1) of this Ordinance.

(2) An Employment Permit shall entitle the holder thereof to enter the Colony and to remain therein for such period as shall be stated therein.

(3) An Employment Permit shall forthwith cease to be effective and shall be deemed to have been cancelled if the holder fails within one month from the date of his landing in the Colony to take up the employment in respect of which it was issued, and thereupon the holder thereof shall be deemed to be a prohibited immigrant and may be dealt with as such.

(4) An Employment Permit shall be issued upon such conditions as may be prescribed.

Special permit.

12. (1) The Immigration Officer shall issue to any person to whom the Governor in Council under section 4 (2) of this Ordinance has granted permission to enter the Colony a Special Permit containing such conditions as shall have been imposed by the Governor in Council.

(2) The Immigration Officer may issue a Special Permit to any person who desires to enter the Colony for a limited period for the purpose of scientific research or any other sufficient reason; such permit shall contain such conditions as may be prescribed or as the Immigration Officer may consider necessary, and any holder of such Special Permit who shall, without reasonable cause, fail to comply with such conditions, or any of them, shall commit an offence, and

his permit to enter and remain in the Colony shall be deemed to have been cancelled.

13. (1) A person to whom a permit under this Ordinance has been issued shall produce it to the Immigration Officer or a police officer on demand, and shall not lend, transfer, or assign it to any other person.

Conditions as to permits.

(2) No person shall borrow or make use of a permit which has been granted under this Ordinance to any other person.

14. Every alien immigrant shall within twenty-four hours of his landing in the Colony register with the Superintendent of Police and furnish him with such particulars as he may require, and if he shall fail without reasonable excuse to comply with the requirements of this section he shall commit an offence.

Alien immigrant to register.

15. (1) The master of a vessel arriving from any place outside the Colony shall answer truthfully to the best of his ability all questions put to him by the Immigration Officer relating to the passengers for the purposes of this Ordinance, and shall furnish him with a list in duplicate signed by himself of the names of all passengers in the vessel and such other information as may be prescribed, and every passenger shall supply the information necessary for the purpose of the list.

Master of vessel to furnish list of passengers.

(2) Any master who shall either refuse to supply such list or to answer any such questions, or who shall knowingly and wilfully give an untrue answer thereto shall be liable on summary conviction to a fine not exceeding £50.

(3) Any passenger intending to enter the Colony who shall knowingly and wilfully supply any false information in respect of such list or in answer to any question put to him by the Immigration Officer for the purposes of this Ordinance shall be liable on summary conviction to a fine of £50.

16. (1) Any person to whom leave to disembark has been refused shall be removed with his dependants (if any) from the Colony by the master of the vessel in which he arrived, and by that same vessel, or with the consent of the Immigration Officer he shall be removed by the owner or agent of that vessel by any other vessel, to the country to which he belongs or from which he embarked for the Colony.

Liability of vessel to repatriate immigrant.

(2) In the event of the immigrant being unable to defray the expenses of the passage or passages, required to be provided under the preceding subsection the master shall provide the immigrant and any of his dependants whom he may have brought with him by the same vessel into the Colony with suitable accommodation and maintenance, and the master and owner or agent of any vessel from which any such immigrant and his dependants (if any) shall have been landed shall be jointly and severally liable to pay the Government of the Colony all expenses incurred in connexion with the maintenance of such immigrant and his dependants and his and their deportation.

17. (1) The Governor in Council may make an order for the deportation of any prohibited immigrant or of any person whose presence within the Colony is unlawful.

Power to deport.

(2) An order made under this section shall be carried into effect in such manner as the Governor in Council may direct.

(3) A person against whom an order under this section is made may, if the Governor in Council so directs, be kept in custody while awaiting deportation and while being conveyed to the place of departure, and may be placed on board a ship about to leave the Colony, and shall be deemed to be in legal custody while so kept and until the ship finally leaves the Colony.

(4) No person shall be detained under sub-section (3) of this section for a period exceeding 60 days, and if at the expiration of such period he has not been deported the deportation order shall cease to have effect.

Master of vessel may be required to receive person ordered to be deported.

18. The master of a vessel about to call at any port outside the Colony shall, if so required by the Governor, receive on board the vessel a person against whom a deportation order has been made and his dependants (if any) and afford him and them a passage or passages to that port and proper accommodation and maintenance during the passage.

Expenses of deportation.

19. (1) Where a deportation order is made the Governor may apply any money or property of the person against whom it is made in payment of the whole or any part of the expenses of or incidental to the deportation and the maintenance until departure of that person and his dependants (if any).

(2) Except so far as they are defrayed under the preceding sub-section or are provided for under section 16 of this Ordinance or by the Regulations made thereunder such expenses shall be payable out of public funds.

Expenses of repatriating destitute person.

20. Where a person who has entered the Colony on an Employment Permit issued under section 11 of this Ordinance has become a destitute person the expenses of maintaining and repatriating him and his dependants (if any) shall be borne by the employer named in the Employment Permit and by the Government in such proportions as shall be prescribed.

Seamen not to be discharged without consent of Shipping Master.

21. (1) No seaman shall be discharged from any vessel in the Colony except with the consent of the Shipping Master, which consent shall not be given unless the master, owner or agent of the vessel shall have made arrangements to the satisfaction of the Shipping Master to ensure that the seaman shall not become a charge on public funds.

(2) Any seaman discharged without such consent or deserting from the vessel or left behind in the Colony shall be deemed to be a prohibited immigrant.

Evidence and burden of proof.

22. In any inquiry or proceedings under this Ordinance —

- (a) the burden of proof that any person is not a prohibited immigrant, or an alien, or a destitute person, or that he is a permanent resident shall be upon that person;
- (b) a document purporting to be an Order made under this Ordinance shall, until the contrary is proved, be presumed to be such an Order;
- (c) any Order made under this Ordinance shall be presumed, until the contrary is proved, to have been validly made on the date upon which it purports to have been made.

Offences and penalties.

23. Any person who —

- (i) knowingly lands or procures to be landed or knowingly aids or assists in landing any prohibited immigrant contrary to the provisions of this Ordinance; or
- (ii) being the master of a vessel knowingly permits any prohibited immigrant to land from his vessel contrary to the provisions of this Ordinance, or refuses to receive on board, or neglects to take reasonable measures to keep on board any prohibited immigrant who shall have landed from his vessel and been replaced on board; or
- (iii) being a prohibited immigrant knowingly and wilfully lands or suffers himself to be landed contrary to the provisions of this Ordinance; or
- (iv) wilfully disobeys or disregards any obligation imposed on him by this Ordinance or the Regulations made thereunder; or

- (v) obstructs, hinders or opposes any immigration officer or constable in the execution of his duty under this Ordinance;

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £50 or to imprisonment not exceeding six months, and when the person charged with any such offence is the master of a vessel clearance outwards of the vessel may be refused until the case has been disposed of and any fine paid.

24. (1) The Governor in Council may make Regulations for the better carrying into effect of the purposes of this Ordinance. Regulations.

(2) In particular and without prejudice to the generality of the foregoing power such regulations may provide for all or any of the following purposes —

- (a) prescribing anything which is to be, or may be, prescribed under this Ordinance;
- (b) prescribing the forms to be used for the purposes of this Ordinance;
- (c) prescribing the person to whom and the manner in which applications to enter the Colony may be made;
- (d) prescribing the procedure to be followed by immigrants.

25. This Ordinance, except sections 8 (1), 8 (2), 8 (3) (a), 9 and 10, shall not apply to permanent residents nor to persons in the service of the Government of the Colony. Exemptions.

26. The Immigration Ordinance is hereby repealed : Repeal of Cap. 30.

Provided that any person whose presence in the Colony is unlawful under the said Ordinance shall be deemed to be unlawfully in the Colony for the purposes of this Ordinance.

## OBJECTS AND REASONS

*The objects of this Bill are as follows —*

- (a) to provide for the appointment of an Immigration Officer and defining his duties;
- (b) to provide for restrictions to be imposed in certain circumstances on the entry of aliens into the Colony;
- (c) to impose certain duties upon an immigrant;
- (d) to prohibit the entry into the Colony of any person unless he is in possession of an Entry Permit, or an Employment Permit, or a Special Permit;
- (e) to require alien immigrants over the age of 16 years to register with the Superintendent of Police;
- (f) to require the master of a vessel to furnish the Immigration Officer with a list of passengers;
- (g) to make the master, owner or agent of any vessel liable to pay all expenses incurred in connexion with the maintenance and deportation of a prohibited or undesirable immigrant, brought into the Colony by that vessel;
- (h) to provide for the detention and deportation of prohibited immigrants and persons whose presence within the Colony is unlawful under this law;
- (i) to empower the Governor to require the master of any vessel leaving the Colony to afford a passage to any person against whom a deportation order has been made;
- (j) to empower the Governor to apply any money or property of a person against whom a deportation order has been made, towards the expenses of his deportation;
- (k) to prohibit the discharge of seamen without the consent of the Shipping Master.

## A Bill for An Ordinance

### Further to amend the Firearms Ordinance.

Title.

Date of commencement.

(.....1964)

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 Firearms (Amendment) Ordinance, 1964, and shall be read as one with the Firearms Ordinance, hereinafter referred to as the principal Ordinance.

Amendment of section 2  
of the principal  
Ordinance.

2. Section 2 of the principal Ordinance is amended —

(a) by inserting immediately before the definition of "Certificate" the following new definition —

"“CAPE PEMBROKE PENINSULA” means that piece of land lying north of Hooker’s Point and extending west to Engineer Point and east to Cape Pembroke.”;

(b) by inserting immediately after the definition of "Registered" the following new definition —

"“STANLEY COMMON” means land outside Stanley, bounded on the north by Stanley and Stanley Harbour, East to Hooker’s Point; on the west by a line drawn from Moody Brook Bridge to the Stone Corral thence to the estuary of Mullet Creek Stream; on the south and east by the sea.”.

Amendment of section  
21 of the principal  
Ordinance.

3. Section 21 of the principal Ordinance is amended by inserting after the words "Stanley Common" the words "or Cape Pembroke Peninsula".

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#### OBJECTS AND REASONS

This Bill is designed to define Stanley Common and Cape Pembroke Peninsula for the purposes of the Firearms Ordinance and to prohibit the use of guns other than shot guns or air guns thereon.

Ref. 1896/A.

A Bill for

An Ordinance

Further to amend the Old Age Pensions Ordinance, 1952.

Title.

(.....19.....)

Date of commencement.

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 Old Age Pensions (Amendment) Ordinance, 1965, and shall be read as one with the Old Age Pensions Ordinance, 1952, hereinafter referred to as the principal Ordinance, and shall come into force on the 1st day of July, 1965.

Short title and commencement.  
3 of 1952.

2. Section 2 of the principal Ordinance is amended by inserting immediately after the definition of "employment" the following new definition —

Amendment of section 2 of the principal Ordinance.

" "FEMALE CONTRIBUTOR" means a female person who is liable to pay contributions under this Ordinance as an employed person, or as a self-employed person, or a person deemed to be a self-employed person, and who is unmarried or a widow who is not the widow of a man who at the time of his death was a pensioner, or a married woman not living with or being maintained by her husband;"

3. Section 5 of the principal Ordinance is repealed and replaced as follows —

Replacement of section 5 of the principal Ordinance.

"Statutory conditions for receipt of pension.

5. (1) Subject to the provisions of this Ordinance, the statutory conditions for the receipt of an old age pension by any person are —

- (a) the person shall have attained the age of 65 years;
- (b) the person, if a widow, shall be the widow of a person who was at the time of his death a pensioner, or having fulfilled the requirements of section 9 of this Ordinance was between the age of 60 and 65 years;

- (c) the person, if a male, shall satisfy the contribution conditions contained in sections 6 and 9;
- (d) the person, if a female contributor, shall satisfy the contribution conditions contained in sections 6, 6B and 9.

(2) This section shall not have the effect of disqualifying any pension awarded before the 1st day of July, 1965, to a widow under the age of 65 years."

Amendment of section 6 of the principal Ordinance.

4. Subsection (2) of section 6 of the principal Ordinance is amended —

- (a) by deleting the word "person" in paragraph (a) and substituting therefor the words "male person and every employed female contributor";
- (b) by deleting the words "an employed person" in paragraph (b) and substituting therefor the words "a male employed person or a female contributor";
- (c) by deleting the word "person" in paragraph (c) and substituting therefor the words "male person and every self-employed female contributor";
- (d) the proviso is repealed and replaced as follows —

"Provided that any female contributor who on the 1st day of July 1965, has attained the age of 50 but has not attained the age of 60 years may elect at her option to become a contributor under this Ordinance."

Amendment of section 6A of the principal Ordinance.

5. Subsection (1) of section 6A of the principal Ordinance is amended by inserting after the word "contributor" where it first appears the words "or female contributor".

Addition of new sections 6B, 6C, 6D and 6E to the principal Ordinance.

6. The principal Ordinance is amended by the addition after section 6A of the following new sections —

"Special provisions relating to females in certain circumstances.

6B. Notwithstanding any other provisions of this Ordinance relating to the payment of contributions and pensions, the following special provisions shall apply to female contributors —

- (a) a female contributor shall be entitled to an unmarried pension at the rate set out in the Schedule;
- (b) contributions shall only be compulsory in the case of a female contributor if she is earning at a rate of not less than £300 per annum together with an additional sum of £100 per annum for every child of school age maintained by her;
- (c) the contributions payable by a female contributor shall be at the rate set out in section 6 of this Ordinance;
- (d) any female contributor under the age of 50 who, having been in receipt of an income as in the preceding paragraph (b), and who by reason of unemployment or otherwise ceases to earn the minimum income therein prescribed, shall during the period in which she earns no income or earns less than the income prescribed, be exempt from the payment of any contributions and no contributions shall during such period be payable on her behalf by an employer;
- (e) every female contributor shall, on reaching the age of 50 be liable to contribute continuously to the Fund at the rates prescribed in section 6 until she reaches the age of 60;



- (f) any female unable to make the contributions required under the immediately preceding paragraph shall on or before her fiftieth birthday apply to the Board for assistance in the payment of such contributions if necessary to the full extent of contributions, and, if the Board is satisfied that she is unable to make the contributions required, contributions on her behalf shall be paid out of the general revenues of the Colony:

Provided that if at any time during the period of ten years preceding her sixtieth birthday such female contributor is gainfully employed and is in receipt of an income at a rate of not less than £300 per annum together with an additional £100 per annum for each child of school age, she shall, so long as she is so gainfully employed, pay contributions at the rate prescribed in section 6;

- (g) a female contributor whose employment is of a casual nature, involving several employers during any one week, shall be deemed to be a self-employed person.

Contributions by widow of contributor.

6C. When a contributor dies leaving a widow who is, at the time of his death between the age of 50 and 60, it shall be compulsory for such widow to contribute, or to have contributions made on her behalf continuously until she reaches the age of 60:

Provided that any contributions made by her husband up to the date of his death shall be regarded as her contributions:

And provided further that if any such widow is unable to make such contributions she may apply to the Board for assistance and, if the Board is satisfied that she is unable to make such contributions her contributions shall be paid out of the general revenues of the Colony.

Refund of contributions to female contributor in certain circumstances.

6D. Any female contributor who is leaving the Colony permanently or who marries or remarries shall be entitled on application to a refund of contributions paid by her:

Provided that for the purpose of calculating the total amount of contributions repayable under this section any contributions made during any period of self-employment shall be deemed to have been made at the rate payable by an employed person.

Cessation of pension on marriage or re-marriage.

6E. Any pension awarded to a female contributor shall cease to be payable on marriage, or remarriage, as the case may be, unless it is proved to the satisfaction of the Board that the husband is not qualified to receive a pension."

7. Section 8 of the principal Ordinance is amended by deleting the words "employer, or contributor" and substituting therefor the word "person".

Amendment of section 8 of the principal Ordinance.

8. Section 9 of the principal Ordinance is amended by deleting the words "Subject to the provisions of the next succeeding section" and by substituting a capital "A" for the small "a" before the word "person".

Amendment of section 9 of the principal Ordinance.

Amendment of section  
11 of the principal  
Ordinance.

9. Section 11 of the principal Ordinance is amended —
- (a) by inserting after the word "contributor" in subsection (1) the words "or a female contributor";
  - (b) by deleting subsection (2);
  - (c) by deleting from subsection (1) the brackets and figure "(1)".

Amendment of Schedule  
to the principal  
Ordinance.

10. The Schedule to the principal Ordinance is amended by the addition thereto of the following new item —

"Unmarried female contributor or a married female contributor not living with or being maintained by her husband ... .. 26/- per week."

#### OBJECTS AND REASONS

The Old Age Pensions Ordinance makes provision for the payment of pensions to male contributors and in certain circumstances to their widows. It is considered desirable that the scheme should be extended to provide for widows' pensions in all circumstances and also to provide pensions for unmarried females as well.

This Bill provides for the payment of a pension at the age of 65 to all females who have complied with the contributory requirements or have had these requirements complied with on their behalf.

In addition to the existing requirements for qualifying for a widow's pension all females who are earning at a rate of more than £300 per annum shall contribute in the same manner as male contributors. Females who are earning at a rate of less than £300 per annum are not required to contribute before reaching the age of 50 when they may apply to the Board of Management for assistance in their contributory obligations. The minimum earning rate of £300 per annum is increased by £100 for each dependent child under school-leaving age.

Women who are widowed while between the ages of 50 and 60 may regard their deceased husbands' contributions as being their own for the purpose of complying with contributory requirements.

Females living with or being maintained by their husbands who are themselves contributors to the fund are exempt from contributing.

Refunds on the death of contributors are abolished. Refunds on marriage will be made and on permanent departure from the Colony will continue to be made.

The minimum pensionable age will be 65 but where pensions have already been awarded to widows who are below this age they will continue to be paid.

A female who is between the ages of 50 and 60 at the date on which this Bill becomes law may elect to become a contributor.

The rate of pension for a female pensioner shall be at the rate for an unmarried person.

A Bill for  
An Ordinance  
Further to amend the Income Tax  
Ordinance.

Title.

(.....19.....)

Date of commencement.

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 Income Tax (Amend-  
ment) Ordinance, 1965, and shall be read and construed as one with  
the Income Tax Ordinance, hereinafter referred to as the principal  
Ordinance.

Short title.  
Cap. 32.

2. The principal Ordinance is amended by inserting the  
following new section immediately after section 18 —

Insertion of new section  
19 in the principal  
Ordinance.

"Deductions in  
respect of  
remuneration  
of directors.

19. In the case of a trade or business carried on  
by a company the directors whereof have a controlling  
interest therein, the deduction to be allowed in  
respect of the remuneration of the directors shall not  
exceed 15% of the chargeable income derived from  
the trade or business in the basis period (computed  
before making any deduction in respect of the remun-  
eration of the directors) or £1,500 whichever is the  
greater, so however that the deduction shall in no case  
exceed £7,500. For the purpose of this section a  
company shall be regarded as director-controlled if  
more than 50% of the issued ordinary shares are held  
by the directors and their relatives, or by the directors  
themselves or by the relatives of the directors. For  
the purposes of this section "relative" means husband,  
wife, ancestor, lineal descendant, brother or sister."

Amendment of section  
16 of the principal  
Ordinance.

3. Section 16 of the principal Ordinance is amended by deleting the proviso thereto and substituting the following —

“Provided that —

(i) where such individual satisfies the Commissioner that an unmarried child is receiving full time instruction at any university, college, school, or other educational establishment elsewhere than in the Colony, either wholly or partly at the expense of the claimant, the Commissioner may allow a deduction not exceeding £125 in respect of each child;

(ii) no deduction shall be allowed in respect of any child whose total income in his own right, exclusive of any income to which the child is entitled as the holder of a scholarship, bursary or other educational endowment, exceeds the amount of the deduction which would otherwise be allowed under this section;

(iii) where, but for this proviso, two or more persons would be entitled to claim a deduction in respect of the same child, relief may be apportioned by the Commissioner on such basis as appears to him to be fair and reasonable in the circumstances of the case, provided that the aggregate of the deductions does not exceed the amount of the deduction which would otherwise be allowed under this section in respect of the same child for any year of assessment.”.

#### OBJECTS AND REASONS

This Bill seeks to limit the amount that can be paid in directors' fees where a company is director controlled, i.e., its directors or their relatives hold more than 50% of the issued ordinary shares. This is a measure to ensure a reasonable contribution to the revenue when the directors of director controlled companies live outside the Colony and are beyond the range of Colony taxation.

The Bill further seeks to clarify the position regarding deductions in respect of children who are employed or who have other forms of income. With school leaving age at 14 but deductions in respect of children permitted up to the 16th birthday, it has been possible for parents to claim deductions in respect of children who are themselves taxable. The provision is also extended to children who, although still at school, are in receipt of private incomes (excluding educational benefits) greater than the deductions that would otherwise be allowed.

Ref. 0747/K.

A Bill for  
An Ordinance  
Further to amend the Diplomatic Priv-  
ileges (Extension) Ordinance.

Title.

(.....19.....)

Date of commencement.

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 Diplomatic Privileges (Extension) (Amendment) Ordinance, 1965, and shall be read as one with the Diplomatic Privileges (Extension) Ordinance, hereinafter referred to as the principal Ordinance.

Short title.

Cap. 20.

2. The principal Ordinance is amended by the addition after section 5 of the following new section —

Addition of new section 6 of the principal Ordinance.

“Law of Colony relating to privileges of sovereigns and others assimilated to the law of England.

6. Notwithstanding any provision to the contrary contained in the law applicable to the Colony, the law and custom relating to the immunities and privileges as to person, property or servants of sovereigns, diplomatic agents, or the representatives of foreign powers for the time being in force in England shall, in so far as the same is applicable *mutatis mutandis*, have effect and be enforced in the Colony.”.

OBJECTS AND REASONS

The main effect of this Bill is to give the force of law to those provisions of the Vienna Convention on Diplomatic Relations and certain future International Conventions on Diplomatic Relations, which require implementation by legislation.

Ref. 2193.

## A Bill for An Ordinance

Title.

To legalise certain payments made in the year 1963-64 in excess of the Expenditure sanctioned by Ordinance No. 1 of 1963.

Preamble.

WHEREAS it is expedient to make further provision for the service of the Colony for the period 1st July, 1963 to 30th June, 1964.

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 for all purposes as the Supplementary Appropriation (1963-64) Ordinance, 1965.

Appropriation of excess expenditure for the period 1st July, 1963 to 30th June, 1964.

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, 1963, to 30th June, 1964, 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				
XI.	Pensions and Gratuities ...	891	3	8
XVI.	Public Works Recurrent ...	2,663	15	1
XIX.	Supreme Court ...	11	18	6
Total Expenditure		£ 3,566	17	3

Ref. 0284/XVI.

A Bill for  
An Ordinance

To provide for the service of the year 1965-66. Title.

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 Appropriation (1965-66) Ordinance, 1965. Short title.

2. The Governor may cause to be issued out of the Public Revenue and other funds of the Colony and applied to the service of the period 1st July, 1965 to 30th June, 1966, a sum not exceeding Seven hundred and eighty-one thousand three hundred and twenty-seven 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 1965-66. Appropriation of £781,327 for the service of the year 1965-66.

SCHEDULE Schedule.

Number	HEAD OF SERVICE	£
I.	The Governor ... ..	8,934
II.	Agriculture ... ..	9,294
III.	Audit ... ..	1,238
IV.	Aviation ... ..	15,733
V.	Customs and Harbour ... ..	11,090
VI.	Education ... ..	56,226
VII.	Medical ... ..	44,350
VIII.	Meteorological ... ..	720
IX.	Military ... ..	1,678
X.	Miscellaneous ... ..	365,434
XI.	Pensions and Gratuities ... ..	10,100
XII.	Police and Prisons ... ..	5,683
XIII.	Posts and Telecommunications ... ..	50,647
XIV.	Power and Electrical ... ..	18,996
XV.	Public Works ... ..	21,010
XVI.	Public Works Recurrent ... ..	35,324
XVII.	Public Works Special ... ..	4,680
XVIII.	Secretariat and Treasury ... ..	26,641
XIX.	Social Welfare ... ..	7,720
XX.	Supreme Court ... ..	2,364
Total Ordinary Expenditure ... ..		697,862
A.	Development ... ..	71,345
B.	Colonial Development and Welfare ... ..	12,120
Total Expenditure ... ..		781,327







# THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXIV.

1 MAY, 1965.

No. 5.

## APPOINTMENT

NEIL WATSON to be Cashier, Treasury, 1.4.65.  
Ref. P/735.

## NOTICE

No. 23. 27th April, 1965.

The following telegrams were exchanged between His Excellency the Governor and the Right Honourable the Secretary of State for the Colonies —

*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 the Queen with my humble duty the loyal and affectionate greetings of her subjects in the Falkland Islands and South Georgia on the occasion of Her Majesty's 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 her subjects in the Falkland Islands and South Georgia her sincere thanks for your kind message of greetings on the occasion of Her Majesty's birthday."

Ref. 0191/B/II.

## In the Supreme Court of the Falkland Islands (PROBATE DIVISION)

Notice under the Administration of Estates Ordinance.  
(Cap. 1)

In the matter of Thomas George Lee, deceased, late of Fox Bay West, West Falkland, who died on the 30th day of October, 1964.

WHEREAS Gladys Rose Lee de Correia, eldest daughter of the said deceased, has applied for Letters of Administration with the Will annexed to administer the estate of the said deceased in the Colony.

NOTICE IS HEREBY GIVEN pursuant to section 4 of the Administration of Estates Ordinance to all persons resident in the Colony who may have prior claim to such grant that the prayer of the petitioner will be granted provided no caveat be entered in the Supreme Court within twenty-one days of the publication hereof.

H. BENNETT,  
Registrar.

Stanley, Falkland Islands.  
30th April, 1965.  
S.C. 15/65.

## SOUTH ATLANTIC TERRITORIES

## The Falkland Islands Additional Instructions 1964

Dated 10th September, 1964.

ELIZABETH R.

ADDITIONAL INSTRUCTIONS to Our Governor and Commander-in-Chief in and over Our Colony of the Falkland Islands and the Dependencies thereof or other Officer for the time being discharging the functions of that office.

We do hereby direct and enjoin and declare Our will and pleasure as follows —

Citation, construction,  
publication and  
commencement.

1. (1) These Instructions may be cited as the Falkland Islands Additional Instructions 1964 and shall be construed as one with the Instructions under the Royal Sign Manual and Signet to Our Governor and Commander-in-Chief in and over Our said Colony and Dependencies dated the 13th December 1948, as amended by Additional Instructions dated the 27th November 1951 and 15th November 1955 (which Instructions, as so amended, are hereinafter called "the Instructions of 1948").

(2) These Instructions shall be published in the Gazette and shall take effect on 21st September 1964.

Amendment of Clause 3  
of Instructions of 1948.

2. For Clause 3 of the Instructions of 1948 there is substituted the following clause —

"Constitu-  
tion of  
Executive  
Council.

3. The Executive Council shall consist of —

(a) two Ex-officio Members, namely the Colonial Secretary and the Colonial Treasurer;

(b) two Unofficial Members, who shall be appointed by the Governor by Instrument under the Public Seal (hereinafter called "Appointed Members") from among persons who do not hold offices of emolument under the Crown in the Colony; and

(c) two Elected Members, who shall be elected by the Nominated Independent and Elected Members of the Legislative Council from the Elected Members of that Council, so that one of the Elected Members shall be an Elected Member representing Stanley and the other, either the Elected Member representing East Falklands, or the Elected Member representing West Falklands."

Amendment of Clause 4  
of Instructions of 1948.

3. Clause 4 of the Instructions of 1948 is amended as follows —

(a) in paragraph (1) the following subparagraphs are substituted for subparagraphs (a), (b), (c) and (d) —

"(a) he holds any office of emolument under the Crown in the Colony;

(b) without the permission of the Governor, he shall be absent from the Colony; or

(c) by writing under his hand addressed to the Governor he shall resign his seat in the Executive Council."

(b) in paragraph (4) the word "Unofficial" is omitted wherever that word appears;

(c) the following new paragraph is added immediately after paragraph (6) —

"(7) The seat of an Elected Member of the Executive Council shall become vacant —

(a) if he resigns his seat in the Council by writing under his hand addressed to the Governor;

- (b) when the Legislative Council first meets after any dissolution thereof;
- (c) if he ceases to be a member of the Legislative Council for any reason other than a dissolution thereof;
- (d) if he is absent from the Colony without the written permission of the Governor; or
- (e) if his election to the Executive Council is revoked by a resolution of the Legislative Council in favour of which there are cast a majority of the votes of all the Nominated Independent and Elected Members of that Council."

4. For Clause 5 of the Instructions of 1948 there is substituted the following clause —

Replacement of Clause 5 of Instructions of 1948.

"Temporary  
Members of  
Executive  
Council.

5. (1) Whenever a member of the Executive Council is by reason of his illness or absence from the Colony or for any other reason incapable of performing the functions of his office, then —

(a) the Governor may, by Instrument under the Public Seal, appoint to be temporarily a member of the Council, in the case of the incapacity of an Ex-officio Member a person who holds an office of emolument under the Crown in the Colony or in the case of the incapacity of an Appointed Member a person who does not hold an office of emolument under the Crown in the Colony; or

(b) in the case of the incapacity of an Elected Member, the Nominated Independent and Elected Members of the Legislative Council, if the Governor informs the Legislative Council that that is desirable, may elect a person from among the Elected Members of the Legislative Council to be temporarily a member of the Executive Council.

(2) A person appointed or elected under this section to be temporarily a member of the Executive Council shall vacate his seat —

(a) when he is informed by the Governor that the circumstances giving rise to his appointment or election have ceased to exist; or

(b) in the case of a person appointed in place of an Ex-officio Member or of an Appointed Member, if his appointment is revoked by the Governor.

(3) Subject to the provisions of this clause, the provisions of these Instructions shall apply in relation to a person appointed or elected to be temporarily a member of the Executive Council as they apply in relation to the member on account of whose incapacity he was appointed or elected."

5. Clause 7 of the Instructions of 1948 is amended as follows —

Amendment of Clause 7 of Instructions of 1948.

for the word "Thirdly" there is substituted the word "Fourthly" and immediately before that word there is inserted the following—

"Thirdly, the Elected Members in such order as the Governor may assign,".

Given at Our Court at St. James's this tenth day of September in the thirteenth year of Our Reign.

# The Wild Animals and Birds Protection Ordinance, 1964.

## REGULATIONS

(under section 16 of the Ordinance)

C. HASKARD,  
*Governor.*

No. 4 of 1964.

No. 15 of 1964.

His Excellency the Governor in exercise of the powers vested in him by section 16 of the Wild Animals and Birds Protection Ordinance, 1964, is pleased by and with the advice of the Executive Council to make the following Regulations —

Short title.

1. These Regulations may be cited as the Penguin and Albatross Regulations, 1964.

Applications for licences to be made before certain dates.

2. All applications for licences to take penguins' or albatrosses' eggs shall be made either personally or in writing and shall reach the Superintendent of Police, or other officer authorised under the Ordinance to issue such licences, not later than —

- (a) in the case of albatrosses, the 1st day of September;
- (b) in the case of penguins, the 1st day of October.

Fees payable.

3. The fee payable in respect of licences shall be as follows —

- (a) for a licence to take not more than 1,000 eggs, 5/-;
- (b) for a licence to take more than 1,000 eggs, 5/- for the first thousand, and 5/- for every additional thousand or part thereof.

Periods for which licences may be issued.

4. The period for which licences to take penguins' or albatrosses' eggs may be issued shall be —

- (a) in the case of albatrosses from the 1st day of September to the 30th day of September in every year;
- (b) in the case of Gentoo penguins from the 1st day of October to the 31st day of October in every year;
- (c) in the case of other penguins from the 1st day of October to the 31st day of December in every year.

Return of eggs taken etc. to be made.

5. A Police Officer may require that any licensee shall, at a date not earlier than the 1st January or later than the 1st February, make in writing to the Colonial Secretary, or other officer authorised under the Ordinance to issue licences, a declaration of the number of eggs taken during the past season and of the localities from which the eggs were taken.

Fines, etc.

6. Any licensee who commits or allows or negligently suffers a person employed by him to commit a breach of these regulations shall be liable to a fine not exceeding £5 for each offence, and the licensee shall at the same time become liable to the immediate forfeiture of his licence and of any claim to a licence in the future. Any person employed by the licensee who commits a breach of these regulations shall be liable to the same penalty.

Revised Edition Vol. II.  
p. 328.

7. The Penguin Regulations are hereby revoked.

Made by the Governor in Council this 30th day of December, 1964.

D. R. MORRISON,  
*for Clerk of the Executive Council.*

## The Wild Animals and Birds Protection Ordinance, 1964.

(Ordinance No. 15 of 1964)

### ORDER

(under section 4 of the Ordinance)

No. 2 of 1964.

C. HASKARD,  
*Governor.*

In exercise of the powers conferred by section 4 of the Wild Animals and Birds Protection Ordinance, 1964, the Governor in Council after obtaining the consent of the owners of the islands known as The Twins, adjacent to Carcass Island, West Falkland, has been pleased to declare as follows —

1. This Order may be cited as the Wild Animals and Birds Protection (Sanctuaries) Order, 1964.
2. The said islands to be a wild animal and bird sanctuary.
3. That any person who within the said islands at any time wilfully kills, injures, or takes, or attempts to kill, injure, or take, any wild animal or bird shall be guilty of an offence against the Wild Animals and Birds Protection Ordinance, 1964.
4. That any person who introduces into the said islands any carnivorous animal shall be guilty of an offence against the said Ordinance.
5. That any person guilty of an offence under this Order shall be liable to the penalty prescribed in section 4 of the said Ordinance.

Made by the Governor in Council this 30th day of December, 1964.

D. R. MORRISON,  
*for Clerk of the Executive Council.*

Ref. 1099/II.

## The Wild Animals and Birds Protection Ordinance, 1964.

(Ordinance No. 15 of 1964)

### ORDER

(under section 4 of the Ordinance)

No. 3 of 1964.

C. HASKARD,  
*Governor.*

In exercise of the powers conferred by section 4 of the Wild Animals and Birds Protection Ordinance, 1964, the Governor in Council after obtaining the consent of the owner of the island known as Low Island, adjacent to Carcass Island, West Falkland, has been pleased to declare as follows —

1. This Order may be cited as the Wild Animals and Birds Protection (Sanctuaries) (No. 2) Order, 1964.
2. The said island to be a wild animal and bird sanctuary.
3. That any person who within the said island at any time wilfully kills, injures, or takes, or attempts to kill, injure, or take, any wild animal or bird shall be guilty of an offence against the Wild Animals and Birds Protection Ordinance, 1964.
4. That any person who introduces into the said island any carnivorous animal shall be guilty of an offence against the said Ordinance.
5. That any person guilty of an offence under this Order shall be liable to the penalty prescribed in section 4 of the said Ordinance.

Made by the Governor in Council this 30th day of December, 1964.

D. R. MORRISON,  
*for Clerk of the Executive Council.*

Ref. 1099/II.

# The Wild Animals and Birds Protection Ordinance, 1964.

(Ordinance No. 15 of 1964)

## ORDER

(under section 4 of the Ordinance)

No. 4 of 1964.

C. HASKARD,  
*Governor.*

In exercise of the powers conferred by section 4 of the Wild Animals and Birds Protection Ordinance, 1964, the Governor in Council, has been pleased to declare as follows —

1. This Order may be cited as the Wild Animals and Birds Protection (Sanctuaries) (No. 3) Order, 1964.

2. Beauchêne Island to be a wild animal and bird sanctuary.

3. That any person who within the said island at any time wilfully kills, injures, or takes, or attempts to kill, injure, or take any wild animal or bird shall be guilty of an offence against the Wild Animals and Birds Protection Ordinance, 1964.

4. That any person who introduces into the said island any domestic or carnivorous animal shall be guilty of an offence against the said Ordinance.

5. That any person guilty of an offence under this Order shall be liable to the penalty prescribed in section 4 of the said Ordinance.

Made by the Governor in Council this 30th day of December, 1964.

D. R. MORRISON,  
*for Clerk of the Executive Council.*

Ref. 1099/II.

# The Customs Ordinance (Cap. 16)

## ORDER

(under section 6(1) of the Ordinance)

No. 1 of 1965.

C. HASKARD,  
*Governor.*

Cap. 16.

His Excellency the Governor in exercise of the powers vested in him by section 6 (1) of the Customs Ordinance, is pleased by and with the advice of the Executive Council to order, and it is hereby ordered as follows —

Short title.  
Revised Edition  
Vol. II. p. 141.

1. This Order may be cited as the Customs (Dependencies) (Amendment of Duty) Order, 1965, and shall be read as one with the Customs Order, hereinafter referred to as the principal Order.

Amendment of paragraph 3 of the Customs Order.

2. Paragraph 3 of the Customs Order is hereby amended by deleting the words and figures "Commencing with the 1963/64 season at the rate of 1/-, payable on export, for every 40 gallons or part thereof exported." and by substituting therefor the following words and figures:

"Commencing with the 1965/66 season at the rate of 2/6d, payable on export, for every 40 gallons or part thereof exported."

Made by the Governor in Council the 6th day of April, 1965.

D. R. MORRISON,  
*Acting Clerk of the Executive Council.*

Ref. D/6/47/V.



## The Dogs Ordinance (Cap. 21)

## ORDER

(under section 12A of the Ordinance)

No. 2 of 1965.

C. HASKARD,  
*Governor.*

In exercise of the powers conferred by section 12A of the Dogs Ordinance, the Governor has made the following Order —

1. This Order may be cited as the Tapeworm Eradication (Dogs) Order, 1965, and shall come into operation on the 1st day of June, 1965.

2. The Governor may appoint any fit persons to be Inspectors for the purposes of this Order.

3. An inspector shall require the owner or other person in charge of any dog in his area, to dose the dog with a reputable tapeworm remedy in such manner and at such intervals as the Inspector shall direct.

4. An Inspector shall supply the owner or other person in charge of any dog with a reputable tapeworm remedy.

5. Every dog shall be kept in confinement for two hours after treatment and all excreta shall be collected and destroyed by the owner or other person in charge of the dog.

6. Every Inspector shall have power to inspect any dog at any time.

7. Raw offal shall not be fed to any dog.

8. Any person who contravenes or fails to comply with any provision made under this Order shall, upon conviction, be liable to a fine not exceeding £5 or to imprisonment for a term not exceeding one month.

Made by the Governor in Council the 6th day of April, 1965.

D. R. MORRISON,  
*Acting Clerk of the Executive Council.*

Ref. 160/43.

# STANLEY TOWN COUNCIL

## REVENUE 1964

RECEIPTS	Amount Estimated.	Actual Receipts			Over the Estimate.	Under the Estimate.					
	£	£	s.	d.	£	s.	d.	£	s.	d.	
ORDINARY REVENUE											
I. CEMETERY ... ..	40				18	0	0		22	0	0
II. MISCELLANEOUS											
(a) Miscellaneous ... ..	12	33	17	6				21	17	6	
(b) Garbage Removal ... ..	60	60	0	0							
(c) Government Contribution Arch Green	52	52	0	0							
(d) Interest Investments Cemetery Fund	123	123	19	0				19	0		
(e) Savings Bank ... ..	120	210	16	2				90	16	2	
Total Miscellaneous ...					480	12	8				
III. LIBRARY ... ..	45				70	0	8	25	0	8	
V. GENERAL RATE											
(a) Rate ... ..	2850	2704	17	10					145	2	2
(b) Government Contribution ...	825	825	0	0							
Total General Rate ...					3529	17	10				
VI. WATER SUPPLY											
(a) Rate ... ..	680	624	6	10					55	13	2
(b) Sales ... ..	200	289	4	1				89	4	1	
Total Water Supply ...					913	10	11				
VII. TOWN HALL											
(a) Hirings ... ..	450	747	12	0				297	12	0	
(b) Government Contribution ...	400	558	13	2				158	13	2	
Total Town Hall ...					1306	5	2				
VIII. ADVANCES REPAID ... ..	10								10	0	0
Total Receipts above the line.	5867				6318	7	3	684	2	7	232 15 4
Security Deposits ... ..					190	0	0				
Caretaker's Deposits ... ..					40	15	0				
Government Charitable Relief Fund					600	0	0				
TOTAL RECEIPTS					7149	2	3				
Balance, 1st January, 1964.					7904	17	1				
					£ 15053	19	4				

# STANLEY TOWN COUNCIL

## EXPENDITURE 1964

PAYMENTS	Amount Estimated.	Actual Payments			Over the Estimate.	Under the Estimate.				
	£	£	s.	d.	£	s.	d.	£	s.	d.
ORDINARY EXPENDITURE										
I. TOWN CLERK	350				350	0	0			
II. CEMETERY								18	1	6
(a) Wages	440	458	1	6				205	18	1
(b) Upkeep	250	44	1	11	502	3	5			
Total Cemetery										
III. FIRE BRIGADE								45	0	0
(a) Wages	160	115	0	0						
(b) Upkeep	400	498	2	3	613	2	3			
Total Fire Brigade										
IV. LIBRARY								14	10	9
(a) Wages	198	198	0	0						
(b) Upkeep	250	235	9	3	433	9	3			
Total Library										
V. MISCELLANEOUS								8	0	0
(a) Telephones	40	48	0	0				7	15	3
(b) Stationery	10	2	4	9				1	12	0
(d) O.A.P. Contribution	25	23	8	0				4	0	0
(e) Election	4									
(f) Audit	20	42	9	0	22	9	0	4	12	2
(g) Insurance	21	16	7	10						
(h) Unforeseen	16	35	18	11	19	18	11			
Total Miscellaneous					168	8	6			
VII. SCAVENGING								29	6	1
(a) Ash Contract	1200	1229	6	1				7	5	9
(b) Rodent Control	60	52	14	3	1282	0	4			
Total Scavenging										
VIII. STREET LIGHTS								333	18	6
(a) Current	1000	666	1	6				66	8	9
(b) Repairs	100	33	11	3	699	12	9			
Total Street Lighting										
IX. TOWN HALL								22	19	1
(a) Wages	550	572	19	1				168	4	9
(b) Fuel	710	541	15	3	63	5	8			
(c) Light	150	213	5	8	15	2	3	10	11	0
(d) Care & Maintenance	100	115	2	3						
(e) Cleaning	40	29	9	0	1472	11	3			
Total Town Hall										
X. WATER SUPPLY								8	8	6
(a) Ships	100	108	8	6				20	0	0
(b) Connections	20				108	8	6			
Total Water Supply										
XI. ARCH GREEN	120				64	10	1	55	9	11
XII. CEMETERY COTTAGE	400				178	4	8	221	15	4
Total Payments above the line.	6734				5872	11	0	305	13	3
Government Charitable Relief					995	1	1			
Security Deposits					197	0	0			
Caretaker's Deposits					42	5	0			
Capital Account					248	10	11			
TOTAL PAYMENTS					7355	8	0			
Balance 31st December, 1964.					7698	11	4			
					£ 15053	19	4			

D. Reive,  
Town Clerk.  
16th February, 1965.





# THE FALKLAND ISLANDS GAZETTE

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No. 6.

## APPOINTMENTS

MISS KAY ANDERSON confirmed in appointment as Assistant Teacher 13.2.63.

JAMES HOPKINS ASHMORE, M.A., M.B., B.Ch., B.A.O., L.M., appointed Acting Senior Medical Officer, 10.5.65.

TERENCE ROY BUTTON appointed Acting Senior Customs Officer, South Georgia, 23.3.65.

TERENCE JAMES CAREY appointed Acting Assistant Superintendent, Power and Electrical Department, 19.4.65.

MISS JOAN FELTON confirmed in appointment as Assistant Teacher 13.2.63.

VALDEMAR ERNEST FUHLENDORFF appointed Acting Senior Telecommunications Technician and Broadcasting Engineer, 19.4.65.

LESLIE JOHN HALLIDAY appointed Acting Postmaster, 19.4.65.

COLIN MACDONALD to be Orderly/Caretaker, Government House, on probation, 1.6.65.

HENRY RUDDY appointed Officer-in-Charge, South Georgia, 23.3.65.

MISS HARRIET STEWART appointed Clerk, on probation, 26.4.65.

## RETIREMENT

RAY CAMPBELL on pension with effect from 13th May, 1965.

## NOTICES

No. 24 22nd May, 1965.

## THE MARRIAGE ORDINANCE

### SECTION 4.

Mr. J. P. Oliver has been appointed a Registrar to celebrate the marriage of Philip John Fielding, bachelor, and Heather Jaffray, spinster, at North Arm.

Ref. 1169.

No. 25. 28th May, 1965.

## Consular Appointment

Mr. William Hamilton Young has been accorded provisional recognition as honorary Consul of Norway in Stanley with effect from 5th March, 1965.

Ref. 1175.

No. 26. 31st May, 1965.

**Administration of Justice Ordinance (Cap. 3)**  
**Appointment**

Willoughby Harry Thompson to be Acting Judge of the Supreme Court of the Falkland Islands and Dependencies with effect from the 2nd June, 1965.

Ref. 0457/II.

No. 27. 31st May, 1965.

**Appointment to Executive Council**

A. G. Barton, Esq., C.B.E., J.P., to be a temporary member of Executive Council from the 8th day of May, 1965.

Ref. 2103/B.

No. 28. 1st June, 1965.

The Public are reminded that in accordance with the Wireless Telegraphy Ordinance it is illegal to install or work or maintain any apparatus for wireless telegraphy in any place in the Colony except under licence. This law applies to transmitters and receivers, including transistor radios and transceivers. Any person convicted of operating such apparatus without a licence is liable to a penalty not exceeding one hundred pounds or imprisonment not exceeding six months. Expired licences should be renewed within one month of expiration.

Ref. 0275/III.

## The Customs Ordinance (Cap. 16)

### RESOLUTION

(under section 5 of the Ordinance)

No. 1 of 1965.

C. HASKARD,  
*Governor.*

In exercise of the powers conferred on the Legislative Council by section 5 of the Customs Ordinance, it is hereby resolved by the Legislative Council as follows —

1. This Resolution may be cited as the Customs (Amendment of Duties) Resolution, 1965, and shall come into operation on the 6th day of May, 1965.

2. Item 2 of paragraph 2 of the Customs Order is hereby amended by the deletion from the third column of sub-item (a) of the figures "66/-" and the substitution therefor of the figures "126/-".

Resolved by the Legislative Council the 6th day of May, 1965.

D. R. MORRISON,  
*Acting Clerk of the Legislative Council.*

Ref. 0466/II.

Assented to in Her Majesty's name this 14th day of May, 1965.

C. HASKARD,  
*Governor.*

LS

No. 3



1965

Falkland Islands Dependencies.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

## An Ordinance

Further to amend the Income Tax  
Ordinance. Title.

(1st January, 1965)

Date of commencement.

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 Income Tax (Dependencies) (Amendment) Ordinance, 1965, and shall be read as one with the Income Tax Ordinance, hereinafter referred to as the principal Ordinance.

Short title.

Cap. 32.

2. The principal Ordinance is amended by the insertion immediately after section 9 of the following new section —

Addition of new section 9A.

"Whaling companies.

9A. The Governor in Council may by order exempt the whaling companies at South Georgia from all or any of the provisions of this Ordinance for any period which to him may seem sufficient:

Provided that at least 12 months notice shall be given of the reimposition of such provisions."

Promulgated by the Governor on the 14th day of May, 1965.

W. H. THOMPSON,  
*Colonial Secretary.*

Ref. D/6/47/V.



Assented to in Her Majesty's name this 3rd day of June, 1965.

C. HASKARD,  
Governor.

*Repealed + superseded by Ord. 12/65 (see p. 228)*

LS

No. 1



1965.

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
Governor.

An Ordinance  
Further to amend the Firearms Ordinance.

Title.

Date of commencement.

(3rd May, 1965)

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 Firearms (Amendment) Ordinance, 1965, and shall be read as one with the Firearms Ordinance, hereinafter referred to as the principal Ordinance.

Amendment of section 2  
of the principal  
Ordinance.

2. Section 2 of the principal Ordinance is amended —

(a) by inserting immediately before the definition of "Certificate" the following new definition —

"CAPE PEMBROKE PENINSULA" means that piece of land lying north of Hooker's Point and extending west to Engineer Point and east to Cape Pembroke.";

(b) by inserting immediately after the definition of "Registered" the following new definition —

" "STANLEY COMMON" means land outside Stanley, bounded on the north by Stanley and Stanley Harbour, East to Hooker's Point; on the west by a line drawn from Moody Brook Bridge to the Stone Corral thence to the estuary of Mullet Creek Stream; on the south and east by the sea."

3. Section 21 of the principal Ordinance is amended by inserting after the words "Stanley Common" the words "or Cape Pembroke Peninsula".

Amendment of section  
21 of the principal  
Ordinance.

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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. 1896/A.

Assented to in Her Majesty's name this 3rd day of June, 1965.

C. HASKARD,  
*Governor.*

LS

No. 2



1965

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

## An Ordinance To amend the Marriage Ordinance.

Title.

Date of commencement.

(3rd May, 1965)

Enacting clause.

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

Short title.

Cap. 43.

1. This Ordinance may be cited as the Marriage (Amendment) Ordinance, 1965, and shall be read as one with the Marriage Ordinance, hereinafter referred to as the principal Ordinance.

Amendment of Third  
Schedule to the principal  
Ordinance.

2. The Third Schedule to the principal Ordinance is amended by deleting the words "The Governor" in the first column thereof and substituting therefor the words "The Treasury".

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. 1131.

Assented to in Her Majesty's name this 3rd day of June, 1965.

C. HASKARD,  
*Governor.*

LS

No. 3



1965

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

### An Ordinance

To legalise certain payments made in the year 1963-64 in excess of the Expenditure sanctioned by Ordinance No. 1 of 1963.

Title.

WHEREAS it is expedient to make further provision for the service of the Colony for the period 1st July, 1963 to 30th June, 1964.

Preamble.

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 (1963-64) Ordinance, 1965.

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, 1963, to 30th June, 1964, 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, 1963 to 30th June, 1964.

Schedule.

## SCHEDULE

Number	HEAD OF SERVICE	Amount		
		£	s.	d.
FALKLAND ISLANDS				
XI.	Pensions and Gratuities ...	891	3	8
XVI.	Public Works Recurrent ...	2,663	15	1
XIX.	Supreme Court ...	11	18	6
Total Expenditure		£ 3,566	17	3

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. 0284/XVI.

Assented to in Her Majesty's name this 3rd day of June, 1965.

C. HASKARD,  
*Governor.*

LS

No. 4

1965



Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

**An Ordinance**  
**Further to amend the Stanley Town**  
**Council Ordinance.**

Title.

(3rd May, 1965)

Date of commencement.

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

Enacting clause.

1. This Ordinance may be cited as the Stanley Town Council (Amendment) Ordinance, 1965, and shall be read as one with the Stanley Town Council Ordinance, hereinafter referred to as the principal Ordinance.

Short title.

Cap. 68.

2. Subsection (1) of section 8 of the principal Ordinance is amended by deleting the words "other than that at which he retires or an election to fill a casual vacancy held before the next biennial election".

Amendment of section 8 of the principal Ordinance.

*See*  
*Ord. 15/66*  
*P-199*

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. 0039/C/III.

Assented to in Her Majesty's name this 3rd day of June, 1965.

C. HASKARD,  
*Governor.*

LS

No. 5



1965

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

## An Ordinance

Title.

### Further to amend the Income Tax Ordinance.

Date of commencement.

(1st January, 1966)

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 Income Tax (Amendment) Ordinance, 1965, and shall be read and construed as one with the Income Tax Ordinance, hereinafter referred to as the principal Ordinance.

Cap. 32.

Insertion of new section 19 in the principal Ordinance.

2. The principal Ordinance is amended by inserting the following new section immediately after section 18 —

"Deductions in respect of remuneration of directors.

19. In the case of a trade or business carried on by a company the directors whereof have a controlling interest therein, the deduction to be allowed in respect of the remuneration of the directors shall not exceed 15% of the chargeable income derived from the trade or business in the basis period (computed before making any deduction in respect of the remuneration of the directors) or £1,500 whichever is the greater, so however that the deduction shall in no case exceed £7,500. For the purpose of this section a company shall be regarded as director-controlled if more than 50% of the issued ordinary shares are held by the directors and their relatives, or by the directors themselves or by the relatives of the directors. For the purposes of this section "relative" means husband, wife, ancestor, lineal descendant, brother or sister."



3. Section 16 of the principal Ordinance is amended by deleting the proviso thereto and substituting the following —

Amendment of section  
16 of the principal  
Ordinance.

“Provided that —

(i) where such individual satisfies the Commissioner that an unmarried child is receiving full time instruction at any university, college, school, or other educational establishment elsewhere than in the Colony, either wholly or partly at the expense of the claimant, the Commissioner may allow a deduction not exceeding £125 in respect of each child;

(ii) no deduction shall be allowed in respect of any child whose total income in his own right, exclusive of any income to which the child is entitled as the holder of a scholarship, bursary or other educational endowment, exceeds the amount of the deduction which would otherwise be allowed under this section;

(iii) where, but for this proviso, two or more persons would be entitled to claim a deduction in respect of the same child, relief may be apportioned by the Commissioner on such basis as appears to him to be fair and reasonable in the circumstances of the case, provided that the aggregate of the deductions does not exceed the amount of the deduction which would otherwise be allowed under this section in respect of the same child for any year of assessment.”.

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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. 0747/K.

Assented to in Her Majesty's name this 3rd day of June, 1965.

C. HASKARD,  
*Governor.*

LS

No. 6



1965

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

## An Ordinance

### For regulating Pensions, Gratuities and other Allowances which may be granted to Public Officers.

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

Short title and  
commencement.

1. This Ordinance may be cited as the Pensions Ordinance, 1965, and shall be effective as from 1st January, 1964.

Interpretation.

2. (1) In this Ordinance, unless the context otherwise requires, the following expressions have the meanings assigned to them, that is to say —

“INDUCEMENT ALLOWANCE” means the inducement allowance referred to in paragraph (a) of Clause 3 of the Schedule to the Overseas Service Ordinance, 1962.

“NON-PENSIONABLE OFFICE” means an office which is not a pensionable office.

“OTHER PUBLIC SERVICE” means public service not under the Government of the Colony.

“OVERSEAS ALLOWANCE” means an allowance granted to such officers in public service under the Government of the Colony as may be declared by the Governor in Council to be eligible for such allowance.

"PENSIONABLE EMOLUMENTS" —

- (a) in respect of service under the Government of the Colony include —
  - (i) salary;
  - (ii) inducement allowance;
  - (iii) personal allowances;
  - (iv) overseas allowance;
 but do not include duty allowance, entertainment allowance or any other emoluments whatever;
- (b) in respect of other public service, means emoluments which count for pension in accordance with the law or regulations in force in such service.

"PENSIONABLE OFFICE" means —

- (a) in respect of public service under the Government of the Colony, an office which, by virtue of provision for the time being in force in an Order made by the Governor in Council and published in the Gazette, is declared to be a pensionable office; and any such Order may from time to time be amended, added to, or revoked by an Order so made and published; but where by virtue of any such amendment or revocation any office ceases to be a pensionable office, then so long as any person holding that office at the time of the amendment or revocation continues therein, the office shall as respects that person, continue to be a pensionable office;
- (b) in relation to other public service, an office which is for the time being a pensionable office under the law or regulations in force in respect of such service.

STEWARD/CHAUFFEUR  
INSPECTOR  
GENERAL FOREMAN, AND.

"PERSONAL ALLOWANCE" means a special addition to salary granted personally to the holder for the time being of the office, but pensionable emoluments do not include such an addition if it is granted subject to the condition that it shall not be pensionable.

"PUBLIC SERVICE" means —

- (a) service in a civil capacity under the Government of the Colony or any other country or territory in the Commonwealth;
- (b) service under the East Africa High Commission, the East African Railways and Harbours Administration, the East African Posts and Telecommunications Administration or the East African Common Services Organization;
- (c) service in the service of the Interim Commissioner for the West Indies;
- (d) service which is pensionable —
  - (i) under the Oversea Superannuation Scheme;
  - (ii) under any Acts relating to the superannuation of teachers in the United Kingdom;
  - (iii) under a local authority in the United Kingdom; or
  - (iv) under the National Health Service of the United Kingdom;
- (e) any other service that the Secretary of State, or the Governor in Council after consultation with the Secretary of State, ~~has~~ determined to be public service for the purposes of this Ordinance;
- (f) except for the purposes of computation of a pension, gratuity or other allowance and of section 9 of this Ordinance, service in respect of which a pension may be granted under the Governors' Pensions Act, 1957; and
- (g) service as the holder of the office of President, Vice-President, Justice of Appeal, Registrar, officer or servant of the Court of Appeal for Eastern Africa established by the Eastern Africa Court of Appeal Order in Council, 1961.

O. 6/66 p. 185

5 and 6. Eliz. 2. c. 62.

(d) Any service which was "public service" within the meaning of that expression in the Pensions Ordinance, 1949.

O. 6/66 p. 18

"SALARY" means the salary attached to a pensionable office or, where provision is made for taking service in a non-pensionable office into account as pensionable service, the salary attached to that office.

(2) For the avoidance of doubts it is hereby declared that where an officer has been confirmed in a pensionable office and is thereafter appointed to another pensionable office, then, unless the terms of such appointment otherwise require, such last mentioned office is for the purposes of this Ordinance, an office in which he has been confirmed.

(3) Where a pensionable office is abolished, and the person holding that office retires from the public service in consequence, he shall, if the office is abolished before that day, be deemed to have continued to hold it until the day immediately preceding the date of his retirement.

#### Pensions Regulations.

3. (1) Pensions, gratuities and other allowances may be granted by the Governor in Council in accordance with the regulations contained in the Schedule to this Ordinance to or in respect of officers who have been in public service under the Government of the Colony.

*Order No. 3/65  
p. 245*

(2) The Governor in Council, with the sanction of the Secretary of State, may from time to time make regulations amending, adding to or revoking the regulations contained in the Schedule to this Ordinance, and all regulations so made shall be laid before the Legislative Council and published in the Gazette.

(3) Whenever the Governor in Council is satisfied that it is equitable that any regulation made under this section should have retrospective effect in order to confer a benefit upon or remove a disability attaching to any person, that regulation may be given retrospective effect for that purpose:

Provided that no such regulation shall have retrospective effect unless it has received, before being made, the approval of the Legislative Council signified by resolution.

(4) All regulations made under this Ordinance shall have the same force and effect as if they were contained in the Schedule to this Ordinance and the expression "this Ordinance", shall wherever it occurs in this Ordinance, be construed as including a reference to the said Schedule.

(5) Any pension, gratuity or other allowance granted under this Ordinance shall be computed in accordance with the provisions in force or, having been made in accordance with subsection (3) of this section, may be deemed to be in force at the actual date of an officer's retirement or death while in the public service, as the case may be.

#### Pensions, etc. to be charged on revenues of the Colony.

4. There shall be charged and paid out of the revenues of the Colony all such sums as may from time to time be granted by way of pension, gratuity or other allowance in pursuance of this Ordinance.

#### Pensions, etc. not of right.

5. (1) No officer shall have an absolute right to compensation for past services or to pension, gratuity or other allowances; nor shall anything in this Ordinance effect the right of the Crown to dismiss any officer at any time and without compensation.

(2) Where it is established to the satisfaction of the Governor in Council that an officer has been guilty of negligence, irregularity or misconduct, the pension, gratuity or other allowance may be reduced or altogether withheld.

#### Circumstances in which pension may be granted.

6. (1) No pension, gratuity or other allowance shall be granted under this Ordinance to any officer except on his retirement from the public service in one of the following cases —

(a) if he retires from public service under the Government of the Colony —

- (i) on or after he attains the age of sixty years, or, with the approval of the Governor in Council, fifty-five years, or in special cases, with the approval of the Secretary of State, on or after attaining the age of fifty years;
  - (ii) on the abolition of his office, on reduction of establishment, or on the grounds of redundancy;
  - (iii) on compulsory retirement for the purpose of facilitating improvement in the organisation of the department to which he belonged, by which greater efficiency or economy may be effected;
  - (iv) on medical evidence to the satisfaction of the Governor in Council or the Secretary of State that he is incapable by reason of any infirmity of mind or body of discharging the duties of his office and that such infirmity is likely to be permanent;
  - (v) in the case of termination of employment in the public interest as provided in this Ordinance;
- (b) if, having been transferred to other public service —
- (i) he retires after he attains the age at which he is permitted by the law or regulations of the public service in which he is last employed to retire on pension or gratuity or, if no age is prescribed by the said law or regulations, he retires after he attains the age of fifty; or
  - (ii) he retires in any other circumstances in which he is permitted by the said law or regulations to retire on pension or gratuity:

Provided that sub-paragraph (ii) of this paragraph shall not apply in the case of a female officer who retires for the reason she has married or is about to marry.

(2) Notwithstanding that she is not otherwise eligible under this section for the grant of any pension, gratuity or other allowance, a gratuity may be granted to a female officer, in accordance with the provisions of this Ordinance, who —

- (a) retires from public service under the Government of the Colony for the reason that she is about to marry, or within two years or such longer period as the Governor in special cases shall authorise of having married; or
- (b) having been transferred to other public service retires for the reason that she has married or is about to marry and in circumstances under which the law or regulations of the service in which she is last employed provide for the grant to her of a gratuity.

(3) An officer not otherwise qualified for a pension, gratuity or other allowance under this Ordinance, other than a pension under regulation 23 of the Pensions Regulations, 1965, may, on his retirement or removal from his employment after having served in public service under the Government of the Colony for not less than five years, be granted a gratuity in accordance with the provisions of regulation 25 of the Pensions Regulations, 1965: *Provided that* —

*this subsection shall not apply to any officer serving on pensionable terms in the public service at the termination of his service.*

18  
0.6/66 p. 18

Retirement on grounds of public interest.

7. Where an officer's service is terminated on the ground that, having regard to the conditions of the public service, the usefulness of the officer thereto and all the other circumstances of the case, such termination is desirable in the public interest and a pension, gratuity or other allowance cannot otherwise be granted to him under the provisions of this Ordinance, the Governor in Council may, if he thinks fit, grant such pension, gratuity or other allowance as he thinks just and proper, not exceeding in amount that for which the officer would be eligible if he retired from the public service in the circumstances described in sub-paragraph (iv) of paragraph (a) of subsection (1) of section 6 of this Ordinance.

## Compulsory Retirement.

8. The Governor in Council may require an officer to retire from the public service under the Government of the Colony —

- (a) at any time after he attains the age of fifty-five years; or
- (b) in special cases, with the approval of the Secretary of State, at any time after he attains the age of fifty years;
- (c) in the case of a female officer, on marriage.

## Maximum pension.

9. (1) Except in cases provided for by subsection (2) of this section, a pension granted to an officer under this Ordinance shall not exceed two-thirds of his highest pensionable emoluments at any time while in public service under the Government of the Colony.

(2) An officer who has been granted a pension in respect of other public service shall not at any time draw from the public funds of the Colony an amount of pension which, when added to the amount of any pension or pensions drawn in respect of other public service, exceeds two-thirds of his highest pensionable emoluments at any time in the course of his public service:

~~Provided that where any officer receives in respect of some period of service both a gratuity and pension, the amount of such pension shall be deemed for the purpose of this subsection to be —~~

- ~~(a) where the right to commute any part of a pension in return for the payment of a gratuity has been exercised, the amount if that right had not been exercised; or~~
- ~~(b) in all other cases, four-thirds of its actual amount.~~

(3) Where the limitation prescribed by subsection (2) of this section operates, the amount of pension to be drawn from the public funds of the Colony shall be such amount as the Governor shall determine after consultation with the Secretary of State in order that it may be determined with due regard to the amount of any pension or pensions to be drawn in respect of other public service.

~~(4) For the purposes of the subsections (1), (2) and (3) of this section an additional pension granted in respect of injury shall not be taken into account; but where the officer is granted such an additional pension under this Ordinance, the amount thereof together with the remainder of his pension or pensions shall not exceed five-sixths of his highest pensionable emoluments at any time in the course of his public service.~~

(5) For the purpose of this section where any increase is granted to or in respect of a pension or allowance payable under this Ordinance and the grant of the increase is subsequent to the date of the grant of the pension or allowance, or where any comparable increase in pension or pensions is drawn in respect of other public service, whether or not such increase is governed by any instrument having the force of law, such increase granted or drawn shall not be taken into account.

Liability of pensioners to be called upon to take further employment.

10. (1) Every pension granted under this Ordinance shall be subject to the following conditions —

- (a) Unless or until the person in receipt of the pension has attained the age of fifty-five years he may, if physically fit for service, be called upon by the Secretary of State to accept an office, whether in public service under the Government of the Colony or in other public service, not less in value, due regard being had to circumstances of climate, than the office which he held at the date of his retirement.
- (b) If a pensioner so called upon declines to accept such office the payment of his pension may be suspended until he has attained the age of fifty-five years.

(2) The provisions of subsection (1) of this section shall not apply in any case where the Governor in Council, being of opinion that the person in receipt of pension is not qualified for other employment in the public service or that there is no reason to expect that he can be shortly re-employed therein, otherwise directs.

*Repealed by  
Ord. 7/66 p. 188*

*R & R by  
Ord. 7/66 p. 189*

11. If a person to whom a pension has been granted under this Ordinance is appointed to an office in the public service, the payment of his pension may, with his consent, if the Governor in Council thinks fit, be suspended during the period of his re-employment.

Suspension of pension on re-employment.

12. A pension, gratuity or other allowance granted under this Ordinance shall not be assignable or transferable except for the purpose of satisfying —

Pensions, etc. not to be assignable.

- (a) a debt due to the Government of the Colony; or
- (b) an order of any competent court for the payment of periodical sums of money towards the maintenance of the wife or former wife or minor child of the person to whom the pension, gratuity, or other allowance has been granted,

and shall not be liable to be attached, sequestered or levied upon for or in respect of any debt or claim whatever except a debt due to the Government as aforesaid.

13. (1) Where any person to whom a pension or other allowance has been granted under this Ordinance is adjudicated bankrupt or is declared insolvent by judgment of any competent court, then such pension or allowance shall forthwith cease.

Pensions, etc. to cease on bankruptcy.

(2) Where any officer is adjudicated bankrupt or declared insolvent by judgment of any competent court either —

- (a) after retirement in circumstances in which he is eligible for pension, gratuity, or other allowance, under this Ordinance, but before the pension, gratuity, or other allowance is granted; or
- (b) before such retirement, and he has not obtained his discharge from bankruptcy or insolvency at the date of retirement,

then, in the former case, any pension or other allowance eventually granted to him shall cease as from the date of adjudication or declaration (as the case may be) and, in the latter case, the pension or other allowance may be granted, but shall cease forthwith and not become payable, and in either case the gratuity may be granted but shall not be paid to him.

(3) Where a pension or other allowance ceases, or where any gratuity is not paid, by reason of this section, it shall be lawful for the Governor, as he thinks fit, from time to time during the remainder of such person's life, or during such shorter period or periods, either continuous or discontinuous, to direct all or any part of the moneys to which such person would have been entitled by way of pension, gratuity or other allowance, had he not become bankrupt or insolvent, to be paid to, or applied for, the maintenance or benefit of all or any, to the exclusion of the other or others, of the following, that is to say, such person and his wife, child, or children, or such other dependants as the Governor may determine, in such proportion and manner as he thinks proper; and such moneys shall be paid or applied accordingly.

(4) Moneys applied for the discharge of the debts of the person whose pension or other allowance has ceased, or whose gratuity has not been paid, by reason of this section shall, for the purposes of this section, be regarded as applied for his benefit.

(5) Where a person whose pension or other allowance has ceased, or whose gratuity has not been paid, by reason of this section obtains his discharge from bankruptcy or insolvency, it shall be lawful for the Governor to direct that the pension or other allowance shall be restored and the gratuity, or so much thereof (if any) as remains after deducting any payments made under subsection (3), paid as from the date of such discharge or any later date; and the pension or other allowance shall be restored, and the gratuity or such remainder thereof (if any) paid, accordingly.

(6) For the purposes of this section the word "child" shall include an illegitimate child, a step-child and an adopted child, adopted in a manner prescribed by law, but shall not include a child who has attained the age of eighteen years or, in the case of a female child, has married.

Pensions, etc. may cease on imprisonment.

14. (1) Where any person to whom a pension or other allowance has been granted under this Ordinance is sentenced to death or to a term of imprisonment by any competent court for any offence, such pension or allowance shall, if the Governor so directs, cease as from such date as he determines.

(2) Where any officer is sentenced to death or to a term of imprisonment by any competent court for any offence after retirement in circumstances in which he is eligible for pension, gratuity or other allowance under this Ordinance but before the pension, gratuity, or other allowance is granted, then —

- (a) the provisions of subsection (1) of this section shall apply as respects any pension or other allowance which may be granted to him; and
- (b) the Governor may direct that any gratuity which may be granted to him shall not be paid.

(3) Where a pension or other allowance ceases, or a gratuity is not paid, by reason of this section, it shall be lawful for the Governor to direct all or any part of the moneys to which such person would have been entitled by way of pension, gratuity or other allowance, but for the provisions of this section, to be paid or applied in the same manner in all respects as provided in section 13; and such moneys shall be paid or applied accordingly.

(4) Where any person whose pension or other allowance ceases or whose gratuity is not paid, by reason of this section after conviction at any time receives a free pardon, the pension or allowance shall be restored with retrospective effect, or his gratuity shall be paid, but in determining whether arrears of such pension or allowance are payable to such person and in computing the amount thereof and the amount of any gratuity, account shall be taken of all moneys paid or applied under subsection (3) of this section.

(5) Where any pension or other allowance ceases or a gratuity is not paid by reason of this section it shall be lawful for the Governor at any time, and upon such terms and from such date (including any past date) as he thinks fit to restore, either in whole or in part, such pension or allowance or to direct the payment of such gratuity or any part thereof, but in determining whether arrears of such pension or allowance are payable and in computing the amount thereof and the amount of any gratuity, account shall be taken of all moneys paid or applied under subsection (3) of this section.

Pensions, etc. on accepting certain appointments.

15. Where any person to whom a pension or other allowance has been granted under this Ordinance, otherwise than under section 17, becomes either a director of any company the principal part of whose business is in any way directly concerned with the Colony, or an officer or servant employed in the Colony by any such company, without the prior permission in writing of the Governor, such pension or allowance shall cease if the Governor so directs:

Provided that it shall be lawful for the Governor, on being satisfied that the person in respect of whose pension or other allowance any such direction has been given has ceased to be a director of such company, or to be employed as an officer or servant of such company in the Colony, as the case may be, to give directions for the restoration of such pension or allowance, with retrospective effect, if he thinks fit, to such a date as he may specify; and the pension or other allowance shall be restored in accordance with any such directions.

Gratuity where officer dies in the service or after retirement.

16. (1) Where an officer holding a pensionable office who is not on probation or agreement, or an officer holding a non-pensionable office to which he has been transferred from a pensionable office in



which he has been confirmed, dies while in public service under the Government of the Colony, the Governor in Council may grant to his legal personal representative a gratuity of an amount not exceeding either his annual pensionable emoluments, his commuted pension gratuity if any, or the amount that would have been paid in salary during the time the officer was taking any accumulated leave had he lived to take it, whichever is the greatest:

Provided that for the purposes of this section an officer who has not been confirmed in his office and who dies in the circumstances mentioned in subsection (1) of section 17 of this Ordinance shall be deemed to have been confirmed in his office.

(2) Where an officer dies after retirement from public service under the Government of the Colony having been granted, or having become eligible for, a pension under this Ordinance and the sums paid or payable to him at the date of his death on account of such pension including any sum awarded by way of gratuity under regulation 24 of the Pensions Regulations<sup>1965</sup> and any pension or gratuity paid or payable in respect of his service under any scheduled administration (as defined in regulation 8 of the Pensions Regulations, 1965) but excluding any additional pensions awarded in accordance with the provisions of sub-paragraph (b) of paragraph 3 of regulation 23 of the Pensions Regulations<sup>1965</sup> are less in total than the amount of his annual pensionable emoluments, the Governor in Council may grant a gratuity equal to the deficiency to his legal personal representative.

(3) The provisions of this section shall not apply in the case of the death of any officer where benefits corresponding to the benefits which may be granted under this section are payable under the Oversea Superannuation Scheme in respect of such death or in the case of the death of an officer to whom section 16A applies.

(4) In this section —

(a) "annual pensionable emoluments" means the emoluments taken for the purpose of computing any pension or gratuity granted to the officer under this Ordinance or in the case of such officer as is described in subsection (1) of this section, the emoluments which would have been taken in accordance with regulation 18 of the Pensions Regulations, 1964, for the purpose of computing the pension or gratuity that would have been granted to the officer if, on the day following the date of his death, he had retired from the public service in circumstances which enabled such a grant to be made;

(b) "commuted pension gratuity" means the gratuity, if any, which might have been granted to the officer under regulation 24 of the Pensions Regulations, 1964, if the pensionable service which would be taken for the purpose of computing any pension or gratuity granted to him under this Ordinance had been wholly under the Government of the Colony and if, on the day following the date of his death he had retired from the Public Service in circumstances which enabled such a grant to be made and had elected to receive a gratuity and a reduced pension.

16A.(1)(2)(3)(4) at PP. 156 + 187 1966 Gazette

17. (1) Where an officer while in public service under the Government of the Colony —

- (a) is injured in the actual discharge of his duty by some injury specifically attributable to the nature of his duty which is not wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct; or
- (b) contracts a disease to which he is exposed by the nature of his duty, not being a disease wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct,

and dies as a direct result thereof, and such death occurs within seven years of the date when he was injured or contracted the disease, the Governor in Council may grant, in addition to the grant,

Pensions to dependants when an officer dies as a result of injuries received or disease contracted in the discharge of his duties.

26/66  
P.186

if any, made to his legal personal representative under section 16 of this Ordinance —

- (i) if the deceased officer leaves a widow, a pension to her at a rate not exceeding ten-sixtieths of his annual pensionable emoluments at the date of the injury or fifteen pounds a year, whichever is the greater;
- (ii) if the deceased officer leaves a widow to whom a pension is granted under the preceding paragraph and a child or children, a pension in respect of each child, until such child attains the age of eighteen years, of an amount not exceeding one-eighth of the pension prescribed under the preceding paragraph;
- (iii) if the deceased officer leaves a child or children, but does not leave a widow, or no pension is granted to the widow, a pension in respect of each child, until such child attains the age of eighteen years, of double the amount prescribed by the preceding paragraph;
- (iv) if the deceased officer leaves a child or children and a widow to whom a pension is granted under paragraph (i) of this subsection, and the widow subsequently dies, a pension in respect of each child as from the date of the death of the widow until such child attains the age of eighteen years, of double the amount prescribed in paragraph (ii) of this subsection;
- (v) if the deceased officer does not leave a widow, or if no pension is granted to his widow and if his mother was wholly or mainly dependent on him for her support, a pension to the mother of an amount not exceeding the pension which might have been granted to his widow;
- (vi) if the deceased officer does not leave a widow or mother, or if no pension is granted to his widow or mother, and if his father was wholly or mainly dependent on him for his support, a pension to the father of an amount not exceeding the pension which might have been granted to his widow;
- (vii) if the deceased officer does not leave a child or children who is or are eligible for a pension under the provisions of this section, and if any brother or sister was wholly or mainly dependent on him for support, a pension to any brother or sister until he or she attains the age of eighteen years, of the same amount and subject to the same conditions as the pension which might have been granted under paragraph (ii), (iii) or (iv) of this subsection, as the case may be:

Provided that —

- (a) if in the opinion of the Governor in Council there are compassionate grounds for so doing, he may grant to any child of a deceased officer being a child who at the date of the death of the officer was wholly or mainly dependent on him for support and who has attained the age of eighteen years a pension for such period as the Governor in Council may determine, of an amount not exceeding the pension which may be granted under paragraph (ii), (iii) or (iv) of this subsection, as the case may be;
- (b) where a deceased officer leaves a child who was incapacitated at the time of the officer's death (hereinafter in this section referred to as an "incapacitated child") the Governor may, notwithstanding any pension which may have been granted under paragraph (ii), (iii) or (iv) of this subsection grant an additional pension in respect of such incapacitated child after he has attained the age of eighteen years and so long as his incapacity shall continue, of an amount not exceeding one-half the pension which might have been granted under paragraph (ii), (iii) or (iv) aforesaid, as the case may be;

- (c) where compensation in respect of the death is payable under any law in force in the Colony which provides for the payment of workmen's compensation, or where benefits corresponding to benefits granted under this section are payable under the Oversea Superannuation Scheme or under the law in force in respect of any other public service, in respect of death, the Governor in Council may reduce or withhold any pension which may be payable under this section in such manner as he may consider reasonable;
  - (d) no pension shall be payable under this subsection at any time in respect of more than six children exclusive of incapacitated children, and where there are more than six such children, in respect of whom, but for this proviso, a pension would be payable, then the amount payable in respect of six children shall be divided equally among all such children during the period in which there are more than six children of pensionable age;
  - (e) in the case of a pension granted under paragraph (v), (vi) or (vii) of this subsection, if it appears to the Governor at any time that the mother or father, or any brother or sister, is adequately provided with other means of support, such pension shall cease as from such date as the Governor may determine.
- (2) No pension shall be granted to the widow of the deceased officer if she was not married to him at the date of injury.
- (3) No pension shall be payable to the widow of the deceased officer or to any other female if —
- (a) in the case of the widow, she was at the time of the death cohabiting with a person other than the deceased officer or after the death she marries or cohabits with any person;
  - (b) in the case of a female who is not the widow of the deceased officer, she was at the time of the death married to or cohabiting with any person or after the death she marries or cohabits with any person;

and if, after the grant of pension to the widow or other female, she marries or cohabits with any person, the pension shall cease from the date of the marriage or the commencement of the cohabitation:

Provided that where —

- (i) a pension is withheld or ceases under this subsection; and
  - (ii) the Governor in Council is satisfied at a subsequent date that the marriage or cohabitation has come to an end or that there are compassionate grounds for the payment of the pension notwithstanding marriage the Governor in Council may, if he thinks fit, grant or regrant the pension as from that date.
- (4) In the case of an officer not holding a pensionable office the expression "pensionable emoluments" in the preceding subsection shall mean the emoluments enjoyed by him which would have been pensionable emoluments if the office held by him had been a pensionable office.
- (5) If an officer proceeding by a route approved by the Governor to or from the Colony at the commencement or termination of his service in the public service of the Government of the Colony, or for a period of secondment, duty leave or leave therefrom, dies as a result of damage to the vessel, aircraft or vehicle in which he is travelling, or of any act of violence directed against such vessel, aircraft or vehicle, and the Governor in Council is satisfied that such damage or act is attributable to circumstances arising out of war in which Her Majesty may be engaged, such officer shall be deemed, for the purposes of this section, to have died as a result of the circumstances described in paragraph (a) of subsection (1) of this section.

(6) An officer who dies as a result of an injury received while travelling by air in pursuance of official instructions, which injury is not wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct, shall be deemed for the purposes of this section to have died in the circumstances described in paragraph (a) of subsection (1) of this section:

Provided that in such a case the rates of pension prescribed in paragraphs (i) and (ii) of subsection (1) of this section shall be fifteen-sixtieths and one-sixth respectively.

(7) (a) Where the Governor in Council is satisfied that damages have been or will be recovered in respect of the death for which a pension may be granted under subsection (1) of this section, the Governor in Council may take those damages into account against such pension in such manner and to such extent that he may think fit and may withhold or reduce the pension accordingly.

(b) For the purposes of this subsection an officer shall be deemed to recover damages whether they are paid in pursuance of a judgment or order of a court or by way of settlement or compromise of his claim and whether or not proceedings are instituted to enforce that claim.

(8) For the purposes of this section the following words have in relation to an officer, the meanings hereby respectively assigned to them —

(a) "brother" includes, in relation to a person, every male child of his father or his mother;

(b) "child" includes —

(i) a posthumous child;

(ii) a step-child or illegitimate child born before the date of the injury or contracting the disease, as the case may be, and wholly or mainly dependent upon the deceased officer for support; and

(iii) an adopted child, adopted in a manner recognised by law, before the date of the injury or contracting the disease, as the case may be, and dependent as aforesaid;

(c) "incapacitated" means in relation to a child, incapable by reason of some specific bodily or mental disability of earning his own living, and a child, who is in any event too young to earn his own living shall be treated as incapacitated for the purposes of this section if it appears that, by reason of any specific bodily or mental disability, he will be incapable of earning his own living when he attains the age at which he would otherwise be capable of doing so;

(d) "father" includes, in relation to a person, his step-father and a male person by whom he has been adopted;

(e) "mother" includes, in relation to a person, a step-mother and a female person by whom he has been adopted;

(f) "sister" includes, in relation to a person, every female child of his father or his mother.

(9) In this section, unless the contrary intention appears, reference to an officer being injured and to the date on which an injury is sustained shall respectively be construed as including references to him contracting a disease such as is mentioned in paragraph (b) of subsection (1) of this section and to the date on which such disease is contracted.

War service to count for pension purposes.

18. Where an officer shall have served with Her Majesty's Forces in time of war, with the approval of the Governor of the territory in the service of which he was last employed before so serving or of the Secretary of State, the following provisions shall have effect —

(1) During the period of such service in Her Majesty's Forces, including any period after the termination of the war (in

this section referred to as "military service"), he shall be deemed, for the purposes of this Ordinance, to have been on leave on full salary from the public service in which he was last employed, and to have held the substantive office last held by him in that service prior to military service.

(2) During any period between his leaving the public service for the purpose of serving in Her Majesty's Forces and the date of his commencing military service, he shall, for the purposes of this Ordinance, be deemed to be on leave without pay, not granted on grounds of public policy, from the public service in which he was last employed, and to have held the substantive office last held by him in that service, prior to military service; and during any period between the termination of his military service and the date of his re-entering the public service he shall, for the said purposes, be deemed to be on leave as aforesaid from the service, and to have held the substantive office, in which he is re-employed:

Provided that —

- (a) This section shall not apply when either period mentioned in paragraph (2) of this section exceeds three months, or such longer period as the Governor, with the approval of the Secretary of State, may in any special case determine; or if the officer fails, after serving with Her Majesty's Forces, to re-enter the public service otherwise than in circumstances in which he would be permitted, under the law applicable to the public service in which he is last employed prior to military service, to retire on pension or gratuity, such circumstances arising not later than the expiration of three months, or such longer period as may be determined as aforesaid, after the termination of his military service;
- (b) if during any period mentioned in paragraph (1) of this section the officer shall have qualified for pension, or received emoluments in lieu of pension rights, actually in respect of military service, paragraph (1) of this section shall, as respects that period, have effect as if the words "leave without salary not granted on grounds of public policy" were substituted for the words "leave on full salary";
- (c) if during his military service the officer shall be injured or killed, he shall not, for the purposes of this Ordinance, be deemed to have been injured or killed in the discharge of his duty;
- (d) the provisions of this section which require that the officer shall be deemed to have held a specified office and to have been on leave from a specified service shall not apply in respect of any period during which he shall actually have held any other substantive office and have been on leave from any public service;
- (e) save wherein any particular case the Governor otherwise directs, this section shall not apply where the office in the public service last held by the officer prior to military service was not a pensionable office.

19. (1) The provisions of this Ordinance shall apply —

Application.

- (a) to every officer first appointed to public service under the Government of the Colony —
  - (i) after the 31st December, 1949; or
  - (ii) before the 31st December, 1949, to whom it was intimated before appointment that he would be liable to be affected by any change in the pensions law of the Colony; and
- (b) to every other officer in public service under the Government of the Colony on the 31st December, 1949, or

transferred from public service under the Government of the Colony to other public service before the 31st December, 1949, and still in public service on that date, unless not later than twelve months after such date or within such further period as the Governor has in any special case allowed, the officer gave notice in writing to the Colonial Secretary that the provisions of the Pensions Ordinance, 1937, and all Regulations made thereunder shall apply to him, in which case they shall continue to apply accordingly.

(2) If any officer who shall have given notice, as described in the preceding subsection, is thereafter re-appointed to the public service under the Government of the Colony the provisions of this Ordinance shall apply to him in respect of his whole service under the Government of the Colony:

Provided that except where such an officer shall eventually become eligible for a pension or gratuity under this Ordinance in respect of his service both before and after his re-employment, a pension or gratuity granted to him solely in respect of service prior to such re-employment shall not be recomputed.

Repeal of Cap. 49.

20. (1) The Pensions Ordinance is hereby repealed.

(2) Nothing in this Ordinance shall either diminish the rights acquired by any person under any Ordinance repealed by this Ordinance or affect the pensions granted to any persons who have retired before the coming into operation of this Ordinance.

Ref. 0829/III.

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# SCHEDULE REGULATIONS

## Section 3

## PART I PRELIMINARY

1. These Regulations may be cited as the Pensions Regulations, 1965.

Short title.

2. In these Regulations, unless the context otherwise requires —

Interpretation.

“QUALIFYING SERVICE” means service which may be taken into account in determining whether an officer is eligible by length of service for pension, gratuity, or other allowance;

“PENSIONABLE SERVICE” means service which may be taken into account in computing pension under these Regulations;

“THE ORDINANCE” means the Pensions Ordinance, 1965.

## PART II OFFICERS WITHOUT OTHER PUBLIC SERVICE

3. Save when the Governor in Council in any special case otherwise directs, this Part of these Regulations shall not apply in the case of any officer transferred to or from the public service under the Government of the Colony from or to other public service except for the purpose of determining whether such officer would have been eligible for pension or gratuity, and the amount of pension or gratuity, for which the officer would have been eligible, if the service of the officer had been wholly service in public service under the Government of the Colony.

Application of Part II.

4. Subject to the provisions of the Ordinance and of these Regulations, every public officer holding a pensionable office under the Government of the Colony who has been in service under the Government of the Colony for ten years or more may be granted on his retirement a pension at the rate of one seven-hundred and twentieth of his pensionable emoluments in respect of each completed month of pensionable service.

Pension to whom and at what rates to be granted.

5. Every officer, otherwise qualified for a pension, who has not completed the minimum period of service qualifying for a pension, may be granted on retirement a gratuity not exceeding five times the annual amount of the pension which, if there had been no qualifying period, might have been granted to the officer under regulation 4 of these Regulations.

Gratuities where length of service does not qualify for pension.

6. Where a female officer, who has been in public service under the Government of the Colony for not less than seven years and has been confirmed in a pensionable office, retires or is required to retire from that service for the reason that she is about to marry or has married, and she is not eligible for the grant of any pension or otherwise eligible for gratuity under this Part of these Regulations, she may be granted, on production within six months after her retirement, or such longer period as the Governor may in any particular case allow, of satisfactory evidence of her marriage, a gratuity of an amount not exceeding —

Marriage Gratuities.

(a) one year's pensionable emoluments; or

(b) five times the annual amount of the pension which might have been granted to her under regulation 4 of these Regulations had there been no qualifying period and had that regulation been applicable to her,

whichever amount shall be the less.

## PART III TRANSFERRED OFFICERS

7. This Part of these Regulations shall apply only in the case of an officer transferred to or from public service under the Government of the Colony from or to other public service.

Application of Part III.



## Interpretation.

8. (1) In this Part and Part IV of these Regulations —

“SCHEDULED ADMINISTRATION” means —

- (a) the Government of any territory, or any authority, mentioned in the Schedule to these Regulations;
- (b) the Government of Ceylon, in respect of any officer appointed to service under that Government before the 4th day of February, 1948;
- (c) the Government of Palestine, in respect of any officer appointed to service under that Government before the 15th day of May, 1948;
- (d) the Government of the Somali Republic, in respect of any officer appointed to service under the former Government of the Somaliland Protectorate before the 26th day of June, 1960;
- (e) the Government of Cyprus, in respect of any officer appointed to service under that Government before the 16th day of August, 1960;
- (f) the East African Common Services Organisation, in respect of any person deemed to have been appointed to serve as President, Vice-President, Justice of Appeal, Registrar, officer or servant of the Court of Appeal for Eastern Africa by or under the Eastern Africa Court of Appeal Order in Council, 1961; and
- (g) the Interim Commissioner for the West Indies, in respect of any person deemed to have been appointed or appointed to service as Judge, Registrar, officer or servant of the British Caribbean Court of Appeal by or under the British Caribbean Court of Appeal Order in Council, 1962.

“SERVICE IN THE GROUP” means service in the public service under the Government of the Colony and under a scheduled administration or scheduled administrations.

(2) Where an officer to whom this Part of these Regulations applies is, on his retirement from the public service, not granted a pension or gratuity in respect of his employment in the service in which he was last employed, solely by reason of the fact that he has not held office or pensionable office therein for a specified period, he shall nevertheless be deemed for the purposes of this Part of these Regulations to have retired in circumstances in which he is permitted by the law in force in respect of the service in which he is last employed to retire on pension or gratuity.

(3) For the purpose of these Regulations —

- (a) any officer in public service under the Government of the Federation of Rhodesia and Nyasaland immediately before the 1st January, 1964, who was immediately before that date employed on secondment to service under the Government of Southern Rhodesia, or Northern Rhodesia or Nyasaland, or was as from that date so employed, shall be deemed to continue to serve in public service under the Government of the Federation of Rhodesia and Nyasaland until his employment on secondment is terminated.
- (b) any pension awarded on or after the 1st January, 1964, in respect of service under the Government of the Federation of Rhodesia and Nyasaland shall be deemed to have been granted by that Government notwithstanding the provisions of the Federation of Rhodesia and Nyasaland (Dissolution) Order in Council, 1963.

Pension for service  
wholly within the group.

9. (1) Subject to the provisions of this Ordinance and of these Regulations, where the other public service of an officer to whom this Part of these Regulations applies has been wholly under one or more scheduled administrations and his aggregate service would have qualified him had it been wholly service in public service under the Government of the Colony for a pension under this Ordinance, he may, on his retirement from the public service, be granted in respect of his service in public service under the Government of the Colony a pension of such an amount as shall bear the



same proportion to the amount of pension for which he would have been eligible had his service been wholly in public service under the Government of the Colony as the aggregate amounts of his pensionable emoluments during service in public service under the Government of the Colony shall bear to the aggregate amounts of his pensionable emoluments throughout his service in the group.

(2) In determining for the purposes of this regulation the pension for which an officer would have been eligible if his service had been wholly service in public service under the Government of the Colony —

- (a) in the application of regulation 18, his pensionable emoluments shall be determined by reference to the pensionable emoluments enjoyed by him at the date of his retirement from the public service or during the three years or lesser period preceding that date, as the case may be, except that where the officer is not serving under a scheduled administration at that date, the date upon which he was last transferred from the public service under a scheduled administration shall be deemed to be the date of his retirement for the purposes of this sub-paragraph;
- (b) no regard shall be had to an additional pension under regulations 22 or 23;
- (c) regard shall be had to the condition that pension may not exceed two-thirds of the highest pensionable emoluments enjoyed by him at any time during his public service;
- (d) no period of public service under a scheduled administration or under the Government of the Colony in respect of which no pension or gratuity is granted to him shall be taken into account.

(3) For the purpose of this regulation the aggregate amount of an officer's pensionable emoluments shall be taken as the total amount of pensionable emoluments which he would have received or enjoyed had he been on duty on full pay in his substantive office or offices throughout his period of service in the group subsequent to the attainment of the age of twenty years:

Provided that —

- (a) in calculating the aggregate amount of his pensionable emoluments, no account shall be taken of any service under a scheduled administration or under the Government of the Colony in respect of which no pension or gratuity is granted to him by that administration or Government, as the case may be;
- (b) where service in a civil capacity otherwise than in a pensionable office is taken into account as pensionable service, the officer's aggregate pensionable emoluments during that service shall be taken into account to the same extent as that service is taken into account as pensionable service.

10. (1) Subject to the provisions of this Ordinance and of these Regulations, where the other public service of an officer to whom this Part of these Regulations applies has not included service under any of the scheduled administrations, and his aggregate service would have qualified him, had it been wholly service in public service under the Government of the Colony for a pension under these Regulations, he may on his retirement from public service, be granted in respect of his service in public service under the Government of the Colony, a pension of an amount equal to the pension for which he would have been eligible under regulation 4, if there had been no qualifying period and if he had had no other public service.

(2) Where the officer is not in public service under the Government of the Colony at the time of such retirement, his pensionable emoluments for the purposes of paragraph (1) of this regulation shall be those which would have been taken for the purposes of computing his pension if he had retired from the public service and been granted a pension at the date of his last transfer from public service under the Government of the Colony.

Pension where other service is not within the group.

Pension when other service both within and not within the group.

11. Where a part only of the other public service of an officer to whom this Part of these Regulations applies has been under one or more of the scheduled administrations, the provisions of regulation 9 shall apply; but in calculating the amount of pension, regard shall be had only to service in the group.

Gratuities where length of service does not qualify for pension.

12. Subject to the provisions of this Ordinance and of these Regulations, where an officer to whom this Part of these Regulations applies retires from the public service but has not been in the public service for ten years, he may be granted in respect of his service in the public service under the Government of the Colony a gratuity not exceeding five times the annual amount of the pension which, if there had been no qualifying period, might have been granted to him under regulation 9, 10 or 11, as the case may be.

Marriage Gratuities.

13. Where a female officer to whom this Part of these Regulations applies retires or is required to retire from the public service for the reason that she is about to marry or has married, and —

- (i) would have been eligible for a gratuity under regulation 6 of these Regulations if her public service had been wholly under the Government of the Colony; and
- (ii) is not eligible for the grant of any pension or otherwise eligible for gratuity under this Part of these Regulations,

she may be granted in respect of her public service under the Government of the Colony a gratuity of an amount not exceeding five times the annual amount of the pension for which she would have been eligible under regulation 9, 10 or 11 had there been no qualifying period and had regulation 9, 10 or 11, as the case may be, been applicable to her:

Provided that for the purpose of computing the amount of such a gratuity —

- (a) in relation to a pension under regulation 9 or 11, subparagraph (c) of paragraph (2) of regulation 9 shall have effect as if the reference therein to two-thirds of her highest pensionable emoluments were a reference to one-fifth of her annual pensionable emoluments;
- (b) in relation to a pension under regulation 9, 10 or 11, the annual amount of that pension shall not exceed one-fifth of her annual pensionable emoluments.

#### PART IV

##### GENERAL

General rules as to qualifying service and pensionable service.

14. (1) Subject to the provisions of these Regulations, qualifying service shall be the inclusive period between the date on which an officer begins to draw salary in respect of public service and the date of his leaving the public service without deduction of any period during which he has been absent on leave.

(2) No period which is not qualifying service by virtue of paragraph (1) of this regulation shall be taken into account as pensionable service.

(3) No period during which the officer was not in public service shall be taken into account as qualifying service or as pensionable service.

Continuity of service.

15. (1) Except as otherwise provided in these Regulations, only continuous public service shall be taken into account as qualifying service or as pensionable service:

Provided that any break in service caused by temporary suspension of employment in the public service not arising from misconduct or voluntary resignation shall be disregarded for the purposes of this paragraph:

Provided also that any person holding office in public service under the Government of Palestine immediately before the fifteenth day of May, 1948, shall be deemed to have continued in his office until either he was appointed to the service of the Crown elsewhere, or, if he was not so appointed, he retired or was removed from office.

## (2) An officer —

- (a) whose pension has been suspended under section 11 of this Ordinance or under a corresponding provision in any law relating to the grant of pensions in respect of public service; or
- (b) who has retired from the public service without pension on account of ill health, abolition of office, or reorganisation designed to effect greater efficiency or economy, and has subsequently been re-employed in the public service; or
- (c) who has left service which is pensionable —
  - (i) under any Acts relating to the superannuation of teachers in the United Kingdom;
  - (ii) under a local authority in the United Kingdom; or
  - (iii) under the National Health Service of the United Kingdom;

with a view to entering public service not being pensionable service as aforesaid and has not later than three months, or such extended period as the Governor may in any particular case approve, after leaving such pensionable service, received any salary in respect of employment in public service not so pensionable

may, if the Governor in Council thinks fit, be granted the pension or gratuity for which he would have been eligible if any break in his public service immediately prior to such suspension, re-employment or employment had not occurred, such pension to be in lieu of —

- A. any pension previously granted to him from the funds of the Colony, and
- B. any gratuity so granted which is required to be refunded as a condition of the application to the officer of this regulation,

but additional to any gratuity so granted which is not required to be refunded as aforesaid.

16. No period during which an officer has been absent from duty on leave without salary shall be taken into account as pensionable service unless such leave has been granted on grounds of public policy with the approval of the Governor.

Leave without salary.

17. Where an officer, during some period of his service, has been on the active list of the Royal Navy, the Army or the Royal Air Force, and pension contributions have been paid in respect of that period from the funds of the Colony or of any scheduled administration and have not been refunded, such period shall not be taken into account as pensionable service.

Service in Her Majesty's Forces.

18. (1) For the purpose of computing the amount of the pension or gratuity of an officer who has had a period of not less than three years' pensionable service before his retirement —

Emoluments to be taken for computation of pensions, etc.

- (a) in the case of an officer who has held the same office for a period of three years immediately preceding the date of his retirement, the full annual pensionable emoluments enjoyed by him at that date in respect of that office shall be taken;
- (b) in the case of an officer who at any time during such period of three years has been transferred from one office to another, but whose pensionable emoluments have not been changed by reason of such transfer or transfers, otherwise than by the grant of any scale increment, the full annual pensionable emoluments enjoyed by him at the date of his retirement in respect of the office then held by him shall be taken;
- (c) in other cases one third of the aggregate pensionable emoluments enjoyed by the officer in respect of his service during the three years of his service immediately preceding the date of his retirement shall be taken:

Provided that —

- (i) if such one third is less than the highest annual pensionable emoluments enjoyed by him at the date of any transfer within such period of three years these annual pensionable emoluments shall be taken; and
- (ii) if such one third is less than the annual pensionable emoluments which would have been enjoyed by him at the date of his retirement, if he had continued to hold any office from which he has been transferred at any time during such period of three years, and had received all scale increments which, in the opinion of the Governor in Council, would have been granted to him, the annual pensionable emoluments which would have been so enjoyed shall be taken.

(2) For the purpose of determining under paragraph (1) of this regulation the pensionable emoluments that an officer has enjoyed or would have enjoyed, as the case may be, he shall be deemed —

- (a) to have been on duty on full pensionable emoluments throughout the period of three years immediately preceding the date of his retirement; and
- (b) to have enjoyed the benefit of any increase due to a general revision in the pensionable emoluments of any office held by him as if such increase had been payable throughout such period of three years: *provided etc.*

*See p.86 1967 Gazette 6*

(3) For the purpose of computing the amount of the pension or gratuity of an officer who has had a period of less than three years' pensionable service before his retirement —

- (a) the average annual pensionable emoluments enjoyed by him during such period shall be taken;
- (b) he shall be deemed to have been on duty on full pensionable emoluments throughout such period; and
- (c) he shall be deemed to have enjoyed the benefit of any increase due to a general revision in the pensionable emoluments of any office held by him as if such increase had been payable throughout such period.

(4) In no circumstances shall the pensionable emoluments taken for the purpose of computing the pension or gratuity of any officer exceed the full annual pensionable emoluments enjoyed by the officer at the date of his retirement in respect of the office then held by him.

Service in non-pensionable office.

19. Only service in a pensionable office (not being service in respect of which the officer is entitled to a gratuity in lieu of pension or to benefit under any other scheme of superannuation) shall be taken into account as pensionable service:

Provided that —

- (a) where a period of service in a civil capacity otherwise than in a pensionable office (not being service in respect of which the officer is entitled to a gratuity in lieu of pension) is immediately followed by service in a pensionable office and the officer is confirmed therein, such period may with the approval of the Governor in Council be so taken into account;
- (b) any break in service which may be disregarded under the provisions of regulation 15 of these Regulations may likewise be disregarded in determining for the purposes of the preceding provisions of this regulation whether one period of service immediately follows another period of service;
- (c) (i) where an officer has been transferred from a pensionable office in which he had been confirmed to an office which is not pensionable and subsequently retires either from a pensionable office or an office which is

not pensionable his service in the office which is not pensionable may, with the approval of the Governor in Council, be taken into account as though it were service in the pensionable office which he held immediately prior to such transfer and at the pensionable emoluments which were payable to him at the date of transfer;

- (ii) where a period of service in an office which is not pensionable is taken into account under this regulation, the officer shall, during that period, be deemed for the purpose of regulations 6, 22 and 23 to be holding a pensionable office, and where that period is taken into account under sub-paragraph (i) of paragraph (c) of this proviso to have been confirmed therein.

20. Any period during which an officer has performed only acting service in an office may be taken into account as pensionable service (subject, if the office is a non-pensionable office, to the provisions of the preceding regulation) if the period of such acting service —

Acting service.

- (a) is not taken into account as part of his pensionable service in other public service, and
- (b) is immediately preceded or followed by service in a substantive capacity in a pensionable office in the public service under the same government or authority,

and not otherwise.

21. Save as otherwise provided in these Regulations, there shall not be taken into account as pensionable service —

Service under age of 20 or on probation or agreement.

- (a) any period of service while the officer was under the age of twenty years, or
- (b) any period of service while he was on probation or agreement, unless without break of service he is confirmed in a pensionable office in the public service:

Provided that any break of service which may be disregarded under the provisions of regulation 15 may likewise be disregarded in determining whether the officer is confirmed in a pensionable office without break of service.

## PART V

### SUPPLEMENTARY

22. If an officer holding a pensionable office retires from the public service in consequence of the abolition of his office or for the purpose of facilitating improvements in the organisation of the department to which he belongs, by which greater efficiency or economy may be effected, he may —

Abolition of office and reorganisation.

- (a) if he has been in the public service for less than ten years, be granted in lieu of any gratuity under regulation 5 or regulation 12, a pension under regulations 4, 9, 10 or 11 as the case may be, as if the words "for ten years or more" were omitted from regulation 4;
- (b) if he retires from the public service under the Government of the Colony, be granted an additional pension at the annual rate of one two-hundred-and-sixteenth of his pensionable emoluments for each complete year of his pensionable service:

Provided that —

- (i) the addition shall not exceed thirty two-hundred-and-sixteenths; and
- (ii) the addition together with the remainder of the officer's pension shall not exceed the pension for which he would have been eligible if he had continued to hold the office held by him at the date of his retirement, and retired on reaching the age of fifty-five years, having received all increments for which he would have been eligible by that date.

Officers injured or contracting diseases in the discharge of their duties.

23. (1) This regulation shall apply to an officer who —

- (a) is injured in the actual discharge of his duty by some injury specifically attributable to the nature of his duty which is not wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct; or
- (b) contracts a disease to which he is exposed by the nature of his duty, not being a disease wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct.

(2) In this regulation unless the contrary intention appears, references to an officer being injured and to the date on which an injury is sustained shall respectively be construed as including references to him contracting such a disease as is mentioned in paragraph (1) of this regulation and to the date on which such disease is contracted.

(3) Where an officer to whom this regulation applies is holding a pensionable office in which he has been confirmed, he may —

- (a) if his retirement is necessitated or materially accelerated by his injury and he has been in the public service for less than ten years, be granted, in lieu of any gratuity under regulation 5 or regulation 12, a pension under regulations 4, 9, 10 or 11, as the case may be, as if the words "for ten years or more" were omitted from regulation 4;
- (b) if he was injured while in public service under the Government of the Colony be granted on retirement an additional pension, at the annual rate of the proportion of his actual pensionable emoluments at the date of his injury appropriate to his case as shown in the following table —

When his capacity to contribute to his own support is —

Slightly impaired .....	five sixtieths;
Impaired .....	ten sixtieths;
Materially impaired .....	fifteen sixtieths;
Totally destroyed .....	twenty sixtieths;

Provided that the amount of the additional pension may be reduced to such an extent as the Governor in Council shall think reasonable where the injury is not the cause or the sole cause of retirement.

- (4) (a) An officer to whom this regulation applies who is injured while in public service under the Government of the Colony and who holds a non-pensionable office, or who holds a pensionable office in which he has not been confirmed, may be granted on retirement, a pension of the same amount as the additional pension which may be granted to him under paragraph (3) of this regulation if his office were a pensionable office and he had been confirmed therein.
- (b) The provisions of regulation 24 shall not apply to a pension granted under this paragraph.
- (5) (a) If, for the purpose of assessing the amount of any additional pension or pension to be granted under subparagraph (b) of paragraph (3) or under paragraph (4) of this regulation to any officer to whom this regulation applies, the degree of permanent impairment of his capacity to contribute to his support is in doubt, he may be granted a provisional award to have effect until such time as his degree of permanent impairment can be determined.
- (b) The provisions of regulation 24 shall not apply to an award made under this paragraph.

(6) If an officer proceeding by a route approved by the Governor to or from the Colony at the commencement or termination of his public service under the Government of the Colony, or of a period of secondment, duty leave or leave therefrom, is injured as a result of damage to the vessel, aircraft or vehicle in which he is travelling, or of any act of violence directed against any such vessel, aircraft or vehicle, and the Governor in Council is satisfied that such damage or act is attributable to circumstances arising out of any war in which Her Majesty may be engaged, such officer shall be deemed for the purpose of this regulation to have been injured in the circumstances described in paragraph (1) of this regulation.

(7) An officer who is injured while travelling by air in pursuance of official instructions, and whose injury is not wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct, shall be deemed for the purpose of this regulation to have been injured in the circumstances described in paragraph (1) of this regulation:

Provided that in such a case the rates of pension prescribed in sub-paragraph (b) of paragraph (3) of this regulation shall be seven-and-a-half sixtieths, fifteen sixtieths, twenty-two-and-a-half sixtieths and thirty sixtieths respectively.

(8) Where compensation in consequence of the injury is payable under any law in force in the Colony which provides for the payment of workmen's compensation, or where benefits corresponding to an additional pension or pension under paragraph (3) or paragraph (4) of this regulation are payable, under the Oversea Superannuation Scheme or under the law in force in respect of any other public service, in consequence of the injury, the Governor may reduce or withhold any additional pension or pension payable under either paragraph (3) or paragraph (4) aforesaid in such manner as he may consider reasonable.

- (9) (a) Where the Governor in Council is satisfied that damages have been or will be recovered by an officer in respect of an injury for which an additional pension or pension may be granted under sub-paragraph (b) of paragraph (3) or under paragraph (4) of this regulation, the Governor in Council may take these damages into account against such additional pension or pension in such manner and to such extent as he may think fit and may withhold or reduce the additional pension or pension accordingly.
- (b) For the purpose of this paragraph an officer shall be deemed to recover damages whether they are paid in pursuance of a judgment or order of the court or by way of settlement or compromise of his claim and whether or not proceedings are instituted to enforce that claim.

24. (1) Any officer to whom a pension is granted under this Ordinance may at his option exercisable as in this regulation provided, be paid in lieu of such pension a pension at the rate of three-fourths of such pension together with a gratuity equal to twelve and a half times the amount by which such pension is reduced:

Gratuity and reduced pension.

Provided that in the application of this regulation to cases where the limitation prescribed by subsection (2) of section 9 of this Ordinance operates, the words "such pension" shall mean the amount of pension which the officer might have drawn from the funds of the Colony if he had not exercised his option under this regulation.

(2) An option exercisable in accordance with this regulation —

- (a) shall be exercisable, and if exercised, may be revoked, on or before the date of the officer's retirement or, with the permission of the Governor, at any time between that date and the date of the final award of the pension granted to him under this Ordinance;
- (b) shall be exercised or revoked by notice in writing addressed either to the Secretary of State or to the Colonial Secretary;



- (c) shall be deemed to have been exercised or revoked on the date on which such notice is received.

(3) If an officer who has not exercised an option in accordance with this regulation dies after he has retired but before a pension has been granted to him under this Ordinance, the Governor in Council may, if he thinks fit, grant to his legal personal representatives a gratuity and a reduced pension as provided in paragraph (1) of this regulation, as if the officer had exercised the option before his death.

Gratuities for officers  
who have served in non-  
pensionable offices.

R & K by  
Regs. 3/66  
p. 2 1967 Gazette

~~25. (1) An officer not qualified for a pension or a gratuity under these regulations (other than a pension under regulation 23) or the Oversea Superannuation Scheme or to benefit under any other scheme of superannuation and who, having served for not less than five years is removed for reasons of old age, infirmity, reduction of establishment or who leaves public service under the Government of the Colony at his own request, may be granted a gratuity, and in the event of any such officer as aforesaid dying whilst in the service, a gratuity may be granted to his legal representative in amount not exceeding that to which the officer would have been entitled had he been retired for infirmity upon the day of his death.~~

(2) The rate at which a gratuity may be granted under paragraph (1) of this regulation shall not exceed —

- (a) for each year of public service under the Government of the Colony, up to five years, one week's pay; and
- (b) for each year of public service under the Government of the Colony in excess of five years and up to ten years, two weeks' pay; and
- (c) for each year of public service under the Government of the Colony in excess of ten years, four weeks' pay:

Provided that the total amount of the gratuity shall not exceed the amount of 52 weeks' pay.

(3) Notwithstanding the provisions of regulation 15, the service for the purpose of this regulation need not be unbroken but any period of service which has been terminated because of the officer's misconduct or in respect of which a pension, gratuity or other allowance has already been granted under the provisions of the Ordinance or the Oversea Superannuation Scheme or any other scheme of superannuation or any period during which the officer has been absent from duty on leave without pay unless such leave has been granted on grounds of public policy with the approval of the Governor shall not be taken into account for the purpose of this regulation.

(4) For the purpose of this regulation —

- (a) "pay" includes any allowance which the Governor in Council may think fit to include;
- (b) an officer who, having held a non-pensionable office, is serving on probation in a pensionable office, shall be deemed to hold a non-pensionable office and his pay shall be deemed to be the pensionable emoluments of the pensionable office or the pay last received by him in respect of his service in a non-pensionable office, whichever shall be the greater.



SCHEDULE  
[ Regulation 8 (1) ]

Schedule.

Aden	Malawi
Antigua	Malayan Establishment
Bahamas	Malayan Union
Barbados	Malaysia
Basutoland	Malta
Bechuanaland Protectorate	Mauritius
Bermuda	MO WEST NIGERIA
<i>Republic of Botswana</i> British Antarctic Territory	Montserrat
British Guiana	Nigeria
British Honduras	North Borneo
British Solomon Islands Protectorate	Northern Nigeria
Brunei	Northern Region of Nigeria
Cayman Islands	Northern Rhodesia
Crown Agents for Oversea Governments and Administrations	Nyasaland
Dominica	Oversea Audit Department (Home Establishment)
East Africa High Commission	<i>Republic of Zambia</i> Republic of Zambia
East African Common Services Organisation	Sabah
East African Railways and Harbours Administration	St. Christopher, Nevis and Anguilla
Eastern Nigeria	St. Helena
Eastern Region of Nigeria	St. Lucia
Employing Authorities under the Oversea Superannuation Scheme	St. Vincent
Federal Republic of Nigeria	Sarawak
Federated Malay States	Seychelles
Federation of Malaya	Sierra Leone
Federation of Nigeria	Singapore
Federation of Rhodesia and Nyasaland	Somaliland Protectorate
Fiji	Southern Cameroons
Gambia	Straits Settlements
Ghana	Swaziland
Gibraltar	Tanganyika
Gilbert and Ellice Islands	The West Indies (Federation)
Gold Coast	Tonga
Grenada	Trinidad and Tobago
<i>Guyana</i> Hong Kong	Turks and Caicos Islands
Interim Commission for the West Indies	Uganda
Jamaica	Unfederated Malaya States
Kenya	United Kingdom of Great Britain and Northern Ireland
Kenya and Uganda Railways and Harbours Administrations	Virgin Islands
Leeward Islands (before 1.7.1956)	Western Nigeria
<i>Kingdom of Lesotho</i>	Western Pacific High Commission
	Western Region of Nigeria
	Zanzibar
	Service under the Overseas Service Act, 1958.

6 &amp; 7 Eliz., 2. c. 14.

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 3rd day of June, 1965.

C. HASKARD,  
Governor.

LS

No. 7



1965.

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
Governor.

# An Ordinance Further to amend the Diplomatic Privileges (Extension) Ordinance.

Title.

Date of commencement.

(3rd May, 1965)

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 Diplomatic Privileges (Extension) (Amendment) Ordinance, 1965, and shall be read as one with the Diplomatic Privileges (Extension) Ordinance, hereinafter referred to as the principal Ordinance.

Cap. 20.

Addition of new section 6 of the principal Ordinance.

2. The principal Ordinance is amended by the addition after section 5 of the following new section—

"Law of Colony relating to privileges of sovereigns and others assimilated to the law of England.

6. Notwithstanding any provision to the contrary contained in the law applicable to the Colony, the law and custom relating to the immunities and privileges as to person, property or servants of sovereigns, diplomatic agents, or the representatives of foreign powers for the time being in force in England shall, in so far as the same is applicable *mutatis mutandis*, have effect and be enforced in the Colony."

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. 2193.

Assented to in Her Majesty's name this 28th day of May, 1965.

C. HASKARD,  
*Governor.*

LS

No. 8



1965

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

## An Ordinance

To provide for the service of the year 1965-66. Title.

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 Appropriation (1965-66) Ordinance, 1965. Short title.

2. The Governor may cause to be issued out of the Public Revenue and other funds of the Colony and applied to the service of the period 1st July, 1965 to 30th June, 1966, a sum not exceeding Seven hundred and seventy-two thousand five hundred and thirty-two 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 1965-66. Appropriation of £772,532 for the service of the year 1965-66.

## Schedule.

## SCHEDULE

Number	HEAD OF SERVICE						£
I.	The Governor	...	...	...	...	...	8,934
II.	Agriculture	...	...	...	...	...	9,094
III.	Audit	...	...	...	...	...	1,238
IV.	Aviation	...	...	...	...	...	15,733
V.	Customs and Harbour	...	...	...	...	...	11,090
VI.	Education	...	...	...	...	...	59,403
VII.	Medical	...	...	...	...	...	44,350
VIII.	Meteorological	...	...	...	...	...	720
IX.	Military	...	...	...	...	...	1,678
X.	Miscellaneous	...	...	...	...	...	365,362
XI.	Pensions and Gratuities	...	...	...	...	...	10,100
XII.	Police and Prisons	...	...	...	...	...	5,683
XIII.	Posts and Telecommunications	...	...	...	...	...	50,647
XIV.	Power and Electrical	...	...	...	...	...	18,996
XV.	Public Works	...	...	...	...	...	21,010
XVI.	Public Works Recurrent	...	...	...	...	...	35,324
XVII.	Public Works Special	...	...	...	...	...	4,680
XVIII.	Secretariat and Treasury	...	...	...	...	...	27,141
XIX.	Social Welfare	...	...	...	...	...	7,720
XX.	Supreme Court	...	...	...	...	...	2,364
Total Ordinary Expenditure							701,267
A.	Development	...	...	...	...	...	59,145
B.	Colonial Development and Welfare	...	...	...	...	...	12,120
Total Expenditure							772,532

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 3rd day of June, 1965.

C. HASKARD,  
Governor.

LS

No. 9



1965

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
Governor.

# An Ordinance

## Further to amend the Old Age Pensions Ordinance, 1952.

(1st July, 1965)

Date of commencement.

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

Enacting clause.

1. This Ordinance may be cited as the Old Age Pensions (Amendment) Ordinance, 1965, and shall be read as one with the Old Age Pensions Ordinance, 1952, hereinafter referred to as the principal Ordinance, and shall come into force on the 1st day of July, 1965.

Short title and commencement.

3 of 1952.

2. Section 2 of the principal Ordinance is amended by inserting immediately after the definition of "employment" the following new definition —

Amendment of section 2 of the principal Ordinance.

"FEMALE CONTRIBUTOR" means a female person who is liable to pay contributions under this Ordinance as an employed person, or as a self-employed person, or a person deemed to be a self-employed person, and who is unmarried or a widow who is not the widow of a man who at the time of his death was a pensioner, or a married woman not living with or being maintained by her husband;"

3. Section 5 of the principal Ordinance is repealed and replaced as follows —

Replacement of section 5 of the principal Ordinance.

"Statutory conditions for receipt of pension."

5. (1) Subject to the provisions of this Ordinance, the statutory conditions for the receipt of an old age pension by any person are —

- (a) the person shall have attained the age of 65 years, or, in the case of the widow of a pensioner, was over the age of 60 years at the time of her husband's death;

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p.192

3 JUNE, 1965

Ord. 10/66  
p. 192

- (b) the person, if <sup>the</sup> a widow, shall be the widow of a person who <sup>having satisfied the contribution conditions of section 9, was</sup> was at the time of his death a pensioner, or having fulfilled the requirements of section 9 of this Ordinance was between the age of 60 and 65 years;
- (c) the person, if a male, shall satisfy the contribution conditions contained in sections 6 and 9;
- (d) the person, if a female contributor, shall satisfy the contribution conditions contained in sections 6, 6B and 9.

(2) This section shall not have the effect of disqualifying any pension awarded before the 1st day of July, 1965, to a widow under the age of 65 years."

Amendment of section 6 of the principal Ordinance.

4. Subsection (2) of section 6 of the principal Ordinance is amended —

- (a) by deleting the word "person" in paragraph (a) and substituting therefor the words "male person and every employed female contributor";
- (b) by deleting the words "an employed person" in paragraph (b) and substituting therefor the words "a male employed person or a female contributor";
- (c) by deleting the word "person" in paragraph (c) and substituting therefor the words "male person and every self-employed female contributor";
- (d) the proviso is repealed and replaced as follows —

"Provided that any female contributor who on the 1st day of July 1965, has attained the age of 50 but has not attained the age of 60 years may elect at her option to become a contributor under this Ordinance."

Amendment of section 6A of the principal Ordinance.

5. Subsection (1) of section 6A of the principal Ordinance is amended by inserting after the word "contributor" where it first appears the words "or female contributor".

Addition of new sections 6B, 6C, 6D and 6E to the principal Ordinance.

6. The principal Ordinance is amended by the addition after section 6A of the following new sections —

"Special provisions relating to females in certain circumstances.

6B. Notwithstanding any other provisions of this Ordinance relating to the payment of contributions and pensions, the following special provisions shall apply to female contributors —

- (a) a female contributor shall be entitled to an unmarried pension at the rate set out in the Schedule;
- (b) contributions shall only be compulsory in the case of a female contributor if she is earning at a rate of not less than £300 per annum together with an additional sum of £100 per annum for every child of school age maintained by her;
- (c) the contributions payable by a female contributor shall be at the rate set out in section 6 of this Ordinance;
- (d) any female contributor under the age of 50 who, having been in receipt of an income as in the preceding paragraph (b), and who by reason of unemployment or otherwise ceases to earn the minimum income therein prescribed, shall during the period in which she earns no income or earns less than the income prescribed, be exempt from the payment of any contributions and no contributions shall during such period be payable on her behalf by an employer;

- (e) every female contributor shall, on reaching the age of 50 be liable to contribute continuously to the Fund at the rates prescribed in section 6 until she reaches the age of 60;
- (f) any female unable to make the contributions required under the immediately preceding paragraph shall on or before her fiftieth birthday apply to the Board for assistance in the payment of such contributions if necessary to the full extent of contributions, and, if the Board is satisfied that she is unable to make the contributions required, contributions on her behalf shall be paid out of the general revenues of the Colony:

Provided that if at any time during the period of ten years preceding her sixtieth birthday such female contributor is gainfully employed and is in receipt of an income at a rate of not less than £300 per annum together with an additional £100 per annum for each child of school age, she shall, so long as she is so gainfully employed, pay contributions at the rate prescribed in section 6;

- (g) a female contributor whose employment is of a casual nature, involving several employers during any one week, shall be deemed to be a self-employed person.

Contributions  
by widow of  
contributor.

6C. When a contributor dies leaving a widow who is, at the time of his death between the age of 50 and 60, it shall be compulsory for such widow to contribute, or to have contributions made on her behalf continuously until she reaches the age of 60:

Provided that any contributions made by her husband up to the date of his death shall be regarded as her contributions:

And provided further that if any such widow is unable to make such contributions she may apply to the Board for assistance and, if the Board is satisfied that she is unable to make such contributions her contributions shall be paid out of the general revenues of the Colony.

Refund of con-  
tributions to  
female con-  
tributor in  
certain  
circumstances.

6D. Any female contributor who is leaving the Colony permanently or who marries or remarries shall be entitled on application to a refund of contributions paid by her:

Provided that for the purpose of calculating the total amount of contributions repayable under this section any contributions made during any period of self-employment shall be deemed to have been made at the rate payable by an employed person.

Cessation of  
pension on  
marriage or  
re-marriage.

6E. Any pension awarded to a female contributor shall cease to be payable on marriage, or remarriage, as the case may be, unless it is proved to the satisfaction of the Board that the husband is not qualified to receive a pension."

7. Section 8 of the principal Ordinance is amended by deleting the words "employer, or contributor" and substituting therefor the word "person".

Amendment of section 8  
of the principal  
Ordinance.

8. Section 9 of the principal Ordinance is amended by deleting the words "Subject to the provisions of the next succeeding section" and by substituting a capital "A" for the small "a" before the word "person".

Amendment of section 9  
of the principal  
Ordinance.

Amendment of section  
11 of the principal  
Ordinance.

9. Section 11 of the principal Ordinance is amended —

- (a) by inserting after the word "contributor" in subsection (1) the words "or a female contributor";
- (b) by deleting subsection (2);
- (c) by deleting from subsection (1) the brackets and figure "(1)".

Amendment of Schedule  
to the principal  
Ordinance.

10. The Schedule to the principal Ordinance is amended by the addition thereto of the following new item —

"Unmarried female contributor or a married female contributor not living with or being maintained by her husband ... .. 26/- per week."

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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. 0323/G.



Assented to in Her Majesty's name this 3rd day of June, 1965.

C. HASKARD,  
*Governor.*

LS

No. 10



1965

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

## An Ordinance Relating to Immigration.

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

1. This Ordinance may be cited as the Immigration Ordinance, 1965, and shall come into operation upon such date as shall be appointed by the Governor by notice published in the Gazette. Short title and commencement.

2. In this Ordinance and any Regulation made hereunder, unless the context otherwise requires — Interpretation.

“ALIEN” means a person who is neither a British Subject, nor a British protected person, nor a citizen of the Republic of Ireland;

“BRITISH SUBJECT” means a person who is a British subject under the British Nationality Act, 1948, as amended by any subsequent enactment, and for the purpose of this Ordinance references to a British Subject shall be construed as references also to a citizen of the Republic of Ireland;

“DEPENDANT” in relation to another person means —

- (a) the wife of such person, provided that she is not living apart from him under a decree of a competent court or a deed of separation,
- (b) the child or step-child under the age of 16 years of such person,
- (c) a legally adopted child under the age of 16 years of such person;

“DEPORTATION ORDER” means an order requiring the person in respect of whom it is made to leave and remain out of the Colony;

“DESTITUTE PERSON” means a person who in the opinion of the Immigration Officer is, or is likely to be, a charge upon public funds by reason of mental or bodily health or insufficiency of means to support himself and his dependants (if any);

"IMMIGRANT" means a person who enters the Colony from a place outside the Colony whether or not for the first time;

"PERMANENT RESIDENT" means —

- (a) a person born in the Colony or the Dependencies, or of parents who at the time of his birth were ordinarily resident in the Colony or the Dependencies; or
- (b) a person who is ordinarily resident in the Colony or the Dependencies and has been so resident for a continuous period of seven years, and since the completion of such a period has not been ordinarily resident for a continuous period of seven years or more in any other country; or
- (c) a dependant of a person to whom either of the foregoing paragraphs applies; or
- (d) a person who has obtained the status of a British Subject by reason of the grant by the Governor of a certificate of naturalization under the British Nationality and Status of Aliens Act, 1914, or the British Nationality Act, 1948, such grant being still in force;

"POLICE OFFICER" includes a police constable;

"PRESCRIBED" means prescribed by Regulations made under this Ordinance;

"PROHIBITED IMMIGRANT" means a person other than a permanent resident —

- (a) who is not in possession of a passport valid for entry into the Colony; or
- (b) who has left the Colony or the Dependencies at the public expense, or against whom a deportation order is in force; or
- ✓ (c) who is deemed by the Governor in Council to be an undesirable immigrant; or
- (d) who is a destitute person; or
- (e) who is an idiot or insane; or
- (f) who is certified by a medical officer to be suffering from a contagious or infectious disease which makes his presence in the Colony dangerous to the community; or
- (g) who is not in possession of a certificate signed by a radiologist as required under section 50A of the Public Health Ordinance; or
- (h) who, not having received a free pardon, has been in any country other than the Colony or the Dependencies convicted of murder or an offence for which a substantive sentence of imprisonment exceeding six months has been passed and who by reason thereof is deemed by the Governor in Council to be an undesirable immigrant; or
- (i) who is a prostitute, or is living on or receiving, or who has lived on or received, the proceeds of prostitution; or
- (j) whose entry into the Colony is unlawful under this or any other Ordinance; or
- (k) who is a dependant of a prohibited immigrant;

"SHIPPING MASTER" shall include the Collector of Customs, the Deputy Collector of Customs or any customs officer;

↗ "UNDESIRABLE IMMIGRANT" means a person other than a permanent resident who by reason of his having been convicted, or who, in consequence of information received from any Government, whether British or foreign, through official or diplomatic channels, is deemed by the Governor in Council to be an undesirable immigrant;

"VESSEL" means any steamship, ship, boat or other floating craft, and includes any description of aircraft; and "master" in reference to a "vessel" includes the pilot or other officer in charge of an aircraft.

3. The Governor may by notice published in the Gazette appoint an Immigration Officer for the carrying out of the provisions of this Ordinance.

Appointment of Immigration Officer.

4. (1) The Governor in Council may prohibit the entry of any alien into the Colony.

Power to prohibit entry of alien, or permit entry of prohibited immigrant.

(2) The Governor in Council may permit a prohibited immigrant to enter and remain in the Colony subject to such conditions as to duration and place of residence, occupation, security to be furnished, or any other matter or thing, whether similar to those before enumerated or not, as he shall think fit, and any such immigrant who shall, without reasonable excuse, fail to comply with such conditions or any of them shall commit an offence, and his permit to enter and remain in the Colony shall be deemed to have been cancelled.

5. For the purpose of exercising his functions and carrying out his duties under this Ordinance the Immigration Officer may —

Powers of Immigration Officer. ✓

- (a) without a search warrant board and search any vessel arriving in the Colony;
- (b) interrogate any person who desires to enter the Colony or any person whom he has reasonable ground for believing to be a prohibited immigrant;
- (c) require any person who desires to enter the Colony to submit to being examined by a medical officer;
- (d) require the master of a vessel to furnish in duplicate a list signed by himself of the names of the passengers in his vessel and such other information as may be prescribed;
- (e) if there is reasonable cause to suspect that any person has contravened any of the provisions of this Ordinance and if, in order to prevent justice from being defeated, it is necessary to arrest such person immediately, arrest such person without a warrant, and such person shall be brought before a magistrate or a justice of the peace within twenty four hours of such arrest, unless the next day shall be a Sunday or a public holiday, when the person under arrest shall be brought before a magistrate or a justice of the peace at the first possible opportunity.

6. (1) The decision whether or not a person is a prohibited immigrant shall rest with the Immigration Officer.

Immigration Officer to decide whether person is prohibited immigrant.

(2) An appeal shall lie from a decision of the Immigration Officer under sub-section (1) of this section to the Governor in Council whose decision shall be final.

7. (1) Any person who, having entered the Colony for the first time after the coming into operation of this Ordinance, is found by the Immigration Officer within the period of three months from the date of such entry to be a prohibited immigrant, shall be deemed to have been one at the time of such entry.

Person may be found to be prohibited immigrant after entry.

(2) An appeal shall lie from a decision of the Immigration Officer under sub-section (1) of this section to the Governor in Council whose decision shall be final.

8. (1) A person entering the Colony by sea shall not disembark without the consent of the Immigration Officer, and the master of the ship shall not allow any such person to disembark without such consent.

Duties of immigrants.

(2) Every person entering the Colony by air shall forthwith present himself in person to the Immigration Officer.

(3) Every person entering the Colony shall —

- (a) truthfully answer all questions put to him by the Immigration Officer for the purposes of this Ordinance;

- (b) if required by the Immigration Officer, make and sign the prescribed form of declaration;
- (c) if required by the Immigration Officer, submit himself to be examined by a medical officer.

(4) Any person who refuses to make and sign the prescribed declaration, or to submit to being examined by a medical officer, shall be deemed to be a prohibited immigrant, and may be dealt with as such.

Immigrant not to enter without permit.

9. No person other than a permanent resident shall enter the Colony unless he is in possession of a permit issued to him under this Ordinance or Regulations made thereunder.

Entry permit.

10. The Immigration Officer shall issue an Entry Permit to any person wishing to enter the Colony who satisfies him that he is—

- (a) a permanent resident; or
- (b) a person in the service of the Government of the Colony; or
- (c) a serving member of Her Majesty's forces; or
- (d) a person duly accredited as a Diplomatic or Consular representative or a member of any such person's staff or household; or
- (e) a person entitled to the immunities and privileges conferred by the Diplomatic Privileges (Extension) Ordinance; or
- (f) a person who, not being a prohibited immigrant, intends to engage on his own account in the Colony in the business of agriculture or animal husbandry, or in prospecting for minerals or mining, or to carry on or practise some trade, business or profession, for which he possesses such qualifications as may be prescribed, and who in every such case is in possession of sufficient capital or assured means to enable him to carry out his intention; or
- (g) a dependant of one of the above mentioned persons.

Cap. 20.

Employment permit.

11. (1) An Employment Permit may be issued by the Immigration Officer to any immigrant who has entered into a contract of service with an employer to be performed in the Colony, or whose passage has been paid on his behalf with a view to his entering into such a contract on his arrival, provided that he is not a prohibited immigrant or an alien whose entry into the Colony is prohibited under section 4 (1) of this Ordinance.

(2) An Employment Permit shall entitle the holder thereof to enter the Colony and to remain therein for such period as shall be stated therein.

(3) An Employment Permit shall forthwith cease to be effective and shall be deemed to have been cancelled if the holder fails within one month from the date of his landing in the Colony to take up the employment in respect of which it was issued, and thereupon the holder thereof shall be deemed to be a prohibited immigrant and may be dealt with as such.

(4) An Employment Permit shall be issued upon such conditions as may be prescribed.

Special permit.

12. (1) The Immigration Officer shall issue to any person to whom the Governor in Council under section 4 (2) of this Ordinance has granted permission to enter the Colony a Special Permit containing such conditions as shall have been imposed by the Governor in Council.

(2) The Immigration Officer may issue a Special Permit to any person who desires to enter the Colony for a limited period for the purpose of scientific research or any other sufficient reason; such permit shall contain such conditions as may be prescribed or as the Immigration Officer may consider necessary, and any holder of such Special Permit who shall, without reasonable cause, fail to comply with such conditions, or any of them, shall commit an offence, and

Replaced by (3)  
0.12/67, P.217 (4)  
0.10/68, P.143 (5)  
(6)

his permit to enter and remain in the Colony shall be deemed to have been cancelled.

13. (1) A person to whom a permit under this Ordinance has been issued shall produce it to the Immigration Officer or a police officer on demand, and shall not lend, transfer, or assign it to any other person.

Conditions as to permits.

(2) No person shall borrow or make use of a permit which has been granted under this Ordinance to any other person.

14. Every alien immigrant shall within twenty-four hours of his landing in the Colony register with the Superintendent of Police and furnish him with such particulars as he may require, and if he shall fail without reasonable excuse to comply with the requirements of this section he shall commit an offence.

Alien immigrant to register.

15. (1) The master of a vessel arriving from any place outside the Colony shall answer truthfully to the best of his ability all questions put to him by the Immigration Officer relating to the passengers for the purposes of this Ordinance, and shall furnish him with a list in duplicate signed by himself of the names of all passengers in the vessel and such other information as may be prescribed, and every passenger shall supply the information necessary for the purpose of the list.

Master of vessel to furnish list of passengers.

(2) Any master who shall either refuse to supply such list or to answer any such questions, or who shall knowingly and wilfully give an untrue answer thereto shall be liable on summary conviction to a fine not exceeding £50.

(3) Any passenger intending to enter the Colony who shall knowingly and wilfully supply any false information in respect of such list or in answer to any question put to him by the Immigration Officer for the purposes of this Ordinance shall be liable on summary conviction to a fine of £50.

16. (1) Any person to whom leave to disembark has been refused shall be removed with his dependants (if any) from the Colony by the master of the vessel in which he arrived, and by that same vessel, or with the consent of the Immigration Officer he shall be removed by the owner or agent of that vessel by any other vessel, to the country to which he belongs or from which he embarked for the Colony.

Liability of vessel to repatriate immigrant.

(2) In the event of the immigrant being unable to defray the expenses of the passage or passages, required to be provided under the preceding subsection the master shall provide the immigrant and any of his dependants whom he may have brought with him by the same vessel into the Colony with suitable accommodation and maintenance, and the master and owner or agent of any vessel from which any such immigrant and his dependants (if any) shall have been landed shall be jointly and severally liable to pay the Government of the Colony all expenses incurred in connexion with the maintenance of such immigrant and his dependants and his and their deportation.

17. (1) The Governor in Council may make an order for the deportation of any prohibited immigrant or of any person whose presence within the Colony is unlawful.

Power to deport.

(2) An order made under this section shall be carried into effect in such manner as the Governor in Council may direct.

(3) A person against whom an order under this section is made may, if the Governor in Council so directs, be kept in custody while awaiting deportation and while being conveyed to the place of departure, and may be placed on board a ship about to leave the Colony, and shall be deemed to be in legal custody while so kept and until the ship finally leaves the Colony.

(4) No person shall be detained under sub-section (3) of this section for a period exceeding 60 days, and if at the expiration of such period he has not been deported the deportation order shall cease to have effect.

Master of vessel may be required to receive person ordered to be deported.

18. The master of a vessel about to call at any port outside the Colony shall, if so required by the Governor, receive on board the vessel a person against whom a deportation order has been made and his dependants (if any) and afford him and them a passage or passages to that port and proper accommodation and maintenance during the passage.

Expenses of deportation.

19. (1) Where a deportation order is made the Governor may apply any money or property of the person against whom it is made in payment of the whole or any part of the expenses of or incidental to the deportation and the maintenance until departure of that person and his dependants (if any).

(2) Except so far as they are defrayed under the preceding sub-section or are provided for under section 16 of this Ordinance or by the Regulations made thereunder such expenses shall be payable out of public funds.

Expenses of repatriating destitute person.

20. Where a person who has entered the Colony on an Employment Permit issued under section 11 of this Ordinance has become a destitute person the expenses of maintaining and repatriating him and his dependants (if any) shall be borne by the employer named in the Employment Permit and by the Government in such proportions as shall be prescribed.

Seamen not to be discharged without consent of Shipping Master.

21. (1) No seaman shall be discharged from any vessel in the Colony except with the consent of the Shipping Master, which consent shall not be given unless the master, owner or agent of the vessel shall have made arrangements to the satisfaction of the Shipping Master to ensure that the seaman shall not become a charge on public funds.

(2) Any seaman discharged without such consent or deserting from the vessel or left behind in the Colony shall be deemed to be a prohibited immigrant.

Evidence and burden of proof.

22. In any inquiry or proceedings under this Ordinance —

- (a) the burden of proof that any person is not a prohibited immigrant, or an alien, or a destitute person, or that he is a permanent resident shall be upon that person;
- (b) a document purporting to be an Order made under this Ordinance shall, until the contrary is proved, be presumed to be such an Order;
- (c) any Order made under this Ordinance shall be presumed, until the contrary is proved, to have been validly made on the date upon which it purports to have been made.

Offences and penalties.

23. Any person who —

- (i) knowingly lands or procures to be landed or knowingly aids or assists in landing any prohibited immigrant contrary to the provisions of this Ordinance; or
- (ii) being the master of a vessel knowingly permits any prohibited immigrant to land from his vessel contrary to the provisions of this Ordinance, or refuses to receive on board, or neglects to take reasonable measures to keep on board any prohibited immigrant who shall have landed from his vessel and been replaced on board; or
- (iii) being a prohibited immigrant knowingly and wilfully lands or suffers himself to be landed contrary to the provisions of this Ordinance; or
- (iv) wilfully disobeys or disregards any obligation imposed on him by this Ordinance or the Regulations made thereunder; or

(v) obstructs, hinders or opposes any immigration officer or police officer in the execution of his duty under this Ordinance; *or (vi) employs any person who is required etc.*  
 shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £50 or to imprisonment not exceeding six months, and when the person charged with any such offence is the master of a vessel clearance outwards of the vessel may be refused until the case has been disposed of and any fine paid.

O. 12/67  
P. 218

24. (1) The Governor in Council may make Regulations for the better carrying into effect of the purposes of this Ordinance.

Regulations.

*Regs. see p. 137.*

(2) In particular and without prejudice to the generality of the foregoing power such regulations may provide for all or any of the following purposes —

- (a) prescribing anything which is to be, or may be, prescribed under this Ordinance;
- (b) prescribing the forms to be used for the purposes of this Ordinance;
- (c) prescribing the person to whom and the manner in which applications to enter the Colony may be made;
- (d) prescribing the procedure to be followed by immigrants.

25. This Ordinance, except sections 8 (1), 8 (2), 8 (3) (a), 9 and 10, shall not apply to persons in the service of the Government of the Colony.

Exemptions.

26. The Immigration Ordinance is hereby repealed :

Repeal of Cap. 30. 31

Provided that any person whose presence in the Colony is unlawful under the said Ordinance shall be deemed to be unlawfully in the Colony for the purposes of this Ordinance.

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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.*







# THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXIV.

5 JULY, 1965.

No. 7.

## APPOINTMENTS

MRS. FREDA ALAZIA appointed Acting Senior Clerk, Secretariat, 8.3.65.

JOHN ANTHONY HOYLE, B.D.S., L.D.S., appointed Camp Dental Surgeon, 13.6.65.

HENRY TURNER WYATT, M.D., Medical Officer (Locum Tenens) South Georgia, from 26.4.65 to 23.6.65.

## TRANSFERS

RICHARD JOHN BIGGS to post of Assistant Customs/Clerical Officer, South Georgia, 14.6.65.

REX BROWNING to Senior Clerk, Treasury, 1.6.65.

## TERMINATION OF APPOINTMENT

MICHAEL EDMUND ROBERTS, Camp Teacher, appointment terminated 30.6.65.

## NOTICES

No. 29. 5th June, 1965.

### IMMIGRATION ORDINANCE.

#### No. 10 of 1965.

BY VIRTUE of the powers vested in him by Section 1, the Governor appoints the 3rd day of June, 1965, as the date upon which this Ordinance shall come into operation.

Ref. 0837/II.

No. 30. 12th June, 1965.

### BIRTHDAY HONOURS, 1965.

Her Majesty the Queen has been graciously pleased to approve the appointment of JAMES KERR as a Member of the Most Excellent Order of the British Empire, and the award of the British Empire Medal (Civil Division) to FREDERICK GEORGE BERNTSEN, Principal Keeper, Cape Pembroke Lighthouse.

Ref. 0107/C/VI, P/144, P/644.

No. 31. 16th June, 1965.

### IMMIGRATION ORDINANCE 1965.

In accordance with section 3, His Excellency the Governor has appointed

KINGSLEY WARBURTON GRAY, M.C.,

to act as Immigration Officer with effect from 3rd June, 1965.

Ref. 0837/II.

No. 32.

25th June, 1965.

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.
13 of 1964	Whale Fishery (Amendment) Ordinance, 1964.	D/4/58.

No. 33.

25th June, 1965.

With reference to Gazette Notice No. 4 of the 7th January, 1965, the following name is added to the list of Ministers registered for celebrating marriages —

The Reverend Father Rudolf Francis

Anthony Joseph Roël — St. Mary's Church.

Ref. 1163.

No. 34.

29th June, 1965.

Mr. W. H. Thompson, M.B.E., M.L.C., acted as Governor's Deputy from 14th June to 23rd June, 1965.

Ref. P/987.

### In the Supreme Court of the Falkland Islands (PROBATE DIVISION)

Notice under the Administration of Estates Ordinance.  
(Cap. 1)

In the matter of Alexander Jaffray, deceased, of Stanley, Falkland Islands, who died on the 2nd day of June, 1965.

WHEREAS Angus Jaffray, elder son of the said deceased, has applied for Letters of Administration to administer the estate of the said deceased in the Colony.

NOTICE IS HEREBY GIVEN pursuant to section 4 of the Administration of Estates Ordinance to all persons resident in the Colony who may have prior claim to such grant that the prayer of the petitioner will be granted provided no caveat be entered in the Supreme Court within twenty-one days of the publication hereof.

H. BENNETT,  
Registrar.

Stanley, Falkland Islands.  
25th June, 1965.

S.C. 17/65.

In the Supreme Court of the Falkland Islands  
Advertisement of Petition

*In the Matter of*  
THE FALKLAND ISLANDS FREEZER COMPANY, LTD.  
and  
*In the Matter of*  
THE COMPANIES ACT, 1948.

NOTICE IS HEREBY GIVEN that a petition for the winding up of the above-named company by the Supreme Court, was, on the 9th day of June, 1965, presented to the said court by Leslie Charles Gleadell. And that the said petition is directed to be heard before the Court sitting at Stanley on the 6th day of July, 1965, and any creditor or contributory of the said company desirous to support or oppose the making of an order on the said petition may appear at the time of hearing in person for that purpose; and a copy of the petition will be furnished by the undersigned to any creditor or contributory of the said company requiring such copy.

L. C. GLEADELL,  
*Colonial Treasurer,*  
*on behalf of the Government of the*  
*Falkland Islands.*

9th June, 1965.

NOTE— Any person who intends to appear on the hearing of the said petition must serve on or send by post to the above-named, notice in writing of his intention

so to do. The notice must state the name and address of the person, or, if a firm, the name and address of the firm, and must be signed by the person or firm, and must be served, or if posted, must be sent by post in sufficient time to reach the above-named not later than 2 o'clock in the afternoon of the 15th day of June, 1965.

In the Supreme Court of the Falkland Islands  
(PROBATE DIVISION)

Notice under the Administration of Estates Ordinance.  
(Cap. 1)

In the matter of David Alazia, deceased, late of Fox Bay, West Falkland, who died at Stanley on the 29th February, 1964.

WHEREAS William Alazia, father of the said deceased, has applied for Letters of Administration to administer the Estate of the said deceased in the Colony.

NOTICE IS HEREBY GIVEN pursuant to section 4 of the Administration of Estates Ordinance to all persons resident in the Colony who may have prior claim to such grant that the prayer of the petitioner will be granted provided no caveat be entered in the Supreme Court within twenty-one days of the publication hereof.

H. BENNETT,  
*Registrar.*

Stanley, Falkland Islands.  
28th June, 1965.  
S.C. 18/65.

## PROCLAMATION

No. 2 of 1965.

Made under paragraph (2) of Article 1 of the Falkland Islands  
Court of Appeal Order, 1965.

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.

C. HASKARD.

*By His Excellency SIR COSMO DUGAL PATRICK THOMAS HASKARD, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Member of the Most Excellent Order of the British Empire.*



WHEREAS by paragraph (2) of Article 1 of the Falkland Islands Court of Appeal Order, 1965, it is provided that the said Order shall come into operation on such day as the Governor may, by Proclamation in the Government Gazette, appoint:

NOW, THEREFORE, I, SIR COSMO DUGAL PATRICK THOMAS HASKARD, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Member of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies, do hereby PROCLAIM that the said Falkland Islands Court of Appeal Order, 1965, shall come into operation on the 1st day of July, 1965.

GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 5th day of July, in the Year of Our Lord One thousand Nine hundred and Sixty-five.

*Published by His Excellency's Command,*  
W. H. THOMPSON,  
*Colonial Secretary.*

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S T A T U T O R Y   I N S T R U M E N T S

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1965 No. 589

**SOUTH ATLANTIC TERRITORIES**

**The Falkland Islands Court of Appeal Order 1965**

Made - - - - -	24th March 1965
Laid before Parliament	30th March 1965
Coming into Operation	On a day to be appointed under article 1 (2)

At the Court at Buckingham Palace, the 24th day of March 1965

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers in that behalf by the British Settlements Acts 1887 and 1945(a) or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows —

1. (1) This Order may be cited as the Falkland Islands Court of Appeal Order 1965.

Citation and  
commencement.

(2) This Order shall come into operation on such day as the Governor may, by proclamation in the Government Gazette of the Falkland Islands, appoint, which day shall not be earlier than 31st March 1965.

2. (1) In this Order, unless the context otherwise requires—  
 “the Colony” means the Colony of the Falkland Islands;  
 “the Court” means the Court constituted by this Order;  
 “the Dependencies” means the Dependencies of the Colony;  
 “the Governor” means the Governor and Commander-in-Chief of the Colony;  
 “the territory” means the Colony or the Dependencies.

Interpretation.

(2) In this Order, unless the context otherwise requires, a reference to the holder of an office by the term designating his office includes, to the extent of his authority, any person who is for the time being authorised to perform the functions of that office.

(3) The Interpretation Act 1889(b) shall apply, with the necessary adaptations, for the purpose of interpreting this Order and otherwise in relation thereto as it applies for the purpose of interpreting, and in relation to, Acts of Parliament.

3. (1) There shall be a court of appeal for the territories which shall be styled the Falkland Islands Court of Appeal.

Constitution of Court.

(2) The judges of the Court shall be —

- (a) a President and two or more Justices of Appeal; and
- (b) the Judge of the Supreme Court of each territory, who shall be a member of the Court *ex officio*.

(3) (a) The President and the Justices of Appeal shall be appointed by the Governor in accordance with instructions given by Her Majesty through a Secretary of State and shall hold office on such terms and conditions as the Governor shall, in accordance with such instructions, prescribe;

(b) a person shall not be qualified for appointment as the President or a Justice of Appeal of the Court unless —

- (i) he is, or has been, a judge of a court having unlimited jurisdiction in civil and criminal matters in some part of the Commonwealth or in the Republic of Ireland, or a court having jurisdiction in appeals from any such court; or

- (ii) he is entitled to practise as an advocate in such a court and has been entitled for not less than five years to practise as an advocate or a solicitor in such a court;
- (c) for the purposes of this paragraph, a person shall be regarded as entitled to practise as an advocate or a solicitor if he has been called, enrolled or otherwise admitted as such (and has not subsequently been disbarred or removed from the roll of advocates or solicitors) notwithstanding that —
  - (i) he holds or acts in any office the holder of which is, by reason of his office, precluded from practising in a court; or
  - (ii) he does not hold a practising certificate or has not satisfied any other like condition of his being permitted to practise.

(4) At any time when the office of President of the Court is vacant or the person holding that office is for any reason unable to perform the functions of that office, those functions shall be performed by such one of the Justices of Appeal or such other person qualified for appointment as a Justice of Appeal as may from time to time be designated in that behalf by the Governor.

(5) The Court shall have and use a seal bearing the style of the Court and a device approved by the President.

(6) Every person appointed to be a judge of the Court shall, before entering upon the functions of his office, take the oaths or affirmations set out in the Schedule to this Order.

#### Jurisdiction of the Court.

4. (1) The Court shall have jurisdiction to hear and determine such appeals from the courts of a territory as may be prescribed by any law in force in the territory.

(2) In connection with any appeal from a court of a territory the Court shall, subject to the provisions of this Order and any law in force in the territory, have all the powers and jurisdiction that are possessed by that court under any law in force in the territory; and decisions of the Court in respect of any appeal from a court of the territory shall, subject as aforesaid, be enforced in the territory in the same way as decisions of that court.

(3) The Court may, in accordance with any directions issued from time to time by the President, sit in a territory or elsewhere for the purpose of exercising any jurisdiction and powers conferred upon it by or under this article or by any rule made under article 5 of this Order.

#### Practice and procedure on appeals.

5. (1) Subject to the provisions of this Order, the President may make rules for regulating the practice and procedure of the Court with respect to appeals from the courts of a territory and, in connection with such appeals, for regulating the practice and procedure in any court of the territory from which such appeals are brought.

(2) Without prejudice to the generality of paragraph (1) of this article, rules of court may be made for the following purposes—

- (a) for regulating the sittings of the Court, whether in divisions or otherwise, and the selection of judges for any purpose;
- (b) for regulating the right of practising before the Court and the representation of persons concerned in any proceedings in the Court;
- (c) for prescribing cases in which, and conditions upon which, an appellant in a criminal appeal to the Court shall be entitled to be present at the hearing of the appeal;
- (d) for providing for summary determination of any appeal which appears to the Court to be frivolous or vexatious or to be brought for the purposes of delay;

*Rules. 3/66  
p. 136*

- (e) for prescribing forms and fees in respect of proceedings in the Court and regulating the costs of and incidental to any such proceedings;
- (f) for prescribing and regulating the powers and duties of registrars and officers of the Court;
- (g) for prescribing the time within which any requirement of the rules is to be complied with;
- (h) for providing for a reference from a decision of a single judge to the Court.

(3) Rules made under this article may fix the number of judges of the Court who may sit for any purpose:

Provided that —

- (a) an uneven number of judges shall sit, which, for the purposes of any final determination by the Court other than the summary dismissal of an appeal, shall not be less than three; and
- (b) any determination by the Court on any matter (whether final or otherwise) shall, where more than one judge sits, be according to the opinion of a majority of the judges who sit for the purpose of determining that matter.

W. G. Agnew.

SCHEDULE

Article 3 (6)

FORMS OF OATHS AND AFFIRMATIONS

1. Oath of Allegiance

I .....  
do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, Her Heirs and Successors, according to law. So help me God.

2. Affirmation of Allegiance

I .....  
do solemnly and sincerely affirm and declare that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, Her Heirs and Successors, according to law.

3. Judicial Oath

I .....  
do swear that I will well and truly serve Her Majesty Queen Elizabeth the Second in the office of *(here insert the description of the office)* and I will do right to all manner of people according to the law without fear or favour affection or ill-will. So help me God.

4. Judicial Affirmation

I .....  
do solemnly and sincerely affirm and declare that I will well and truly serve Her Majesty Queen Elizabeth the Second in the office of *(here insert the description of the office)* and I will do right to all manner of people according to the law without fear or favour affection or ill-will.

EXPLANATORY NOTE

*(This Note is not part of the Order, but is intended to indicate its general purport.)*

This Order makes provision for the hearing and determination of appeals from the Courts of the Colony of the Falkland Islands and the Dependencies of the Colony.

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 S T A T U T O R Y   I N S T R U M E N T S
 

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1963 No. 1037

## COPYRIGHT

## The Copyright (Falkland Islands) Order 1963

<i>Made</i> - - - - -	30th May 1963
<i>Laid before Parliament</i>	7th June 1963
<i>Coming into Operation</i>	10th June 1963

At the Court at Buckingham Palace, the 30th day of May 1963

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by and with the advice of Her Privy Council, and by virtue of the authority conferred upon Her by section 31 of the Copyright Act 1956(a) and of all other powers enabling Her in that behalf, is pleased to direct, and it is hereby directed, as follows —

1. The provisions of the Copyright Act 1956 specified in Part I of Schedule 1 hereto shall extend to the Falkland Islands and its Dependencies (hereinafter together referred to as "the Falkland Islands") subject to the modifications specified in Part II of that Schedule.

2. The Copyright (International Conventions) Order 1957(b), as amended (c), the Copyright (International Conventions) (Argentina) Order 1958(d), the Copyright (International Organisations) Order 1957(e), as amended (f), and the Copyright (Broadcasting Organisations) Order 1961(g) (being Orders in Council made under Part V of the said Act) shall extend to the Falkland Islands subject to the relevant modifications specified in Schedule 2 hereto.

3. The Interpretation Act 1889(h) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

4. This Order may be cited as the Copyright (Falkland Islands) Order 1963 and shall come into operation on 10th June 1963.

W. G. Agnew.

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 (a) 4 & 5 Eliz. 2. c. 74.

(b) S.I. 1957/1523 (1957 I, p. 474).

(c) S.I. 1958/1254, 2184, 1960/200, 1961/1496, 2461, 1962/397, 628, 1641, 2183 (1958 I, pp. 358, 360; 1960 I, p. 772; 1961 II, p. 3040; III, p. 4507; 1962 I, pp. 348, 631; II, p. 1907; III, p. 2962).

(d) S.I. 1958/135 (1958 I, p. 361). (e) S.I. 1957/1524 (1957 I, p. 483).

(f) S.I. 1958/1052 (1958 I, p. 363). (g) S.I. 1961/2460 (1961 III, p. 4505).

(h) 52 &amp; 53 Vict. c. 63.

## SCHEDULE 1

## PART I

*Provisions of the Copyright Act 1956 extended to the Falkland Islands*

All the provisions of the Copyright Act 1956 as amended by the Dramatic and Musical Performers' Protection Act 1958(a) and the Films Act 1960(b), except sections 32, 34, 35, 42 and 44 and the Fourth and Fifth Schedules.

## PART II

*Modifications to the provisions extended*

The provisions mentioned in the first column in the following table shall be modified in the manner specified in the second column.

Provision	Modification
Section 7     ...     ...	For the references to the Board of Trade there shall be substituted references to the Governor in Council.
Section 8     ...     ...	<p>In subsections (1) and (10), for "United Kingdom" there shall be substituted "Falkland Islands";</p> <p>for subsection (3) there shall be substituted the following —</p> <p>"(3) If at any time the Board of Trade by order made under this subsection in its operation in the law of the United Kingdom prescribe for the purposes of this section, either generally or in relation to any one or more classes of records, any different rate of, or minimum amount of, royalty the provisions of this section shall be construed subject to the provisions of any such order as is for the time being in force.";</p> <p>in subsection (4), for paragraph (a) there shall be substituted the following —</p> <p>"(a) the minimum amount of royalty shall be three-farthings in respect of each of those works; and";</p> <p>in subsection (11), for the references to the Board of Trade there shall be substituted references to the Governor in Council.</p>
Section 10     ...     ...	<p>For subsection (5) there shall be substituted the following —</p> <p>"(5) For the purposes of this section a design shall be taken as being applied industrially if it is applied in the circumstances for the time being prescribed by rules made by the Board of Trade under this section and section thirty-six of the Registered Designs Act 1949, as extended by this section in the law of the United Kingdom."</p>
Section 12     ...     ...	In subsection (6), for "United Kingdom" there shall be substituted "Falkland Islands".
Section 13     ...     ...	<p>For subsection (3) there shall be substituted the following —</p> <p>"(3) Copyright subsisting in a cinematograph film by virtue of this section shall continue to subsist until the film is published and thereafter until the end of the period of fifty years from the end of the calendar year which includes the date of its first publication and shall then expire, or, if copyright subsists in the film by virtue only of the last preceding subsection, it shall continue to subsist as from the date of first publication until the end of the period of fifty years from the end of the calendar year which includes that date and shall then expire.";</p> <p>in subsection (8), for "any such film as is mentioned in paragraph (a) of subsection (1) of section thirty-eight of the Films Act 1960 (which relates to newsreels)" there shall be substituted "any film consisting wholly or mainly of photographs which, at the time they were taken, were means of communicating news";</p> <p>subsection (11) shall be omitted.</p>

Provision	Modification
Section 15 ... ..	In subsection (4), for "Board of Trade" there shall be substituted "Governor in Council".
Section 17 ... ..	Subsection (6) shall be omitted.
Section 18 ... ..	In subsection (1), the reference to any corresponding provision which may be enacted by the Parliament of Northern Ireland shall be omitted; subsection (4) shall be omitted.
Section 21 ... ..	In subsections (1) and (6), for "United Kingdom" there shall be substituted "Falkland Islands"; for subsection (10) there shall be substituted the following — "(10) An appeal shall lie to the Supreme Court from any order made under the last preceding subsection by a court of summary jurisdiction."
Section 22 ... ..	In subsection (1), for "the Commissioners of Customs and Excise (in this section referred to as "the Commissioners")" there shall be substituted "the Collector of Customs" and, subject to the modification in subsection (4) hereinafter specified, for subsequent references in the section to the Commissioners there shall be substituted references to the said Collector; in subsections (2) and (3), for "United Kingdom" there shall be substituted "Falkland Islands"; in subsection (4), for "the Commissioners" on the first occasion where those words occur, there shall be substituted "the Governor in Council" and for "the Commissioners consider" there shall be substituted "the Governor in Council considers"; for subsection (6) there shall be substituted the following — "(6) Any fees paid in pursuance of regulations made under this section shall be treated as monies collected on account of the general revenue."; in subsection (7), for the references to the Customs and Excise Act 1952 there shall be substituted references to the Customs Ordinance (Cap. 16).
Section 23 ... ..	For subsections (2) and (3) there shall be substituted the following subsections — "(2) The tribunal shall be appointed by the Governor in Council, who shall determine the number of members, the conditions of their appointment and the remuneration, if any, to be paid to them; (3) The Governor in Council shall make such rules as he thinks expedient to govern the procedure of the tribunal, and in particular, but without prejudice to the generality of the foregoing provision, shall make rules as to the procedure in connection with the making of reference to and application to the tribunal and for regulating proceedings before the tribunal and as to the fees chargeable in respect of those proceedings."; subsections (4), (5), (6) and (7) shall be omitted.
Section 24 ... ..	In subsection (3) (c), for "the Corporation or the Authority or any organisation appointed by them or either of them, in accordance with the provisions of the Fifth Schedule to this Act" there shall be substituted "any persons or classes of persons lawfully authorised to broadcast to the public in the Falkland Islands".
Section 28 ... ..	In subsections (1), (2) and (4), for "United Kingdom" there shall be substituted "Falkland Islands" and for "the Corporation and the Authority" there shall be substituted the words "any persons or classes of persons lawfully authorised to broadcast to the public in the Falkland Islands".
Section 30 ... ..	In the proviso to subsection (1), for "made under the Fourth Schedule to this Act" there shall be substituted "made by the Governor in Council";



Provision	Modification
	for subsection (6) there shall be substituted the following — “(6) In this section “the court” means the Supreme Court.”.
Section 31 ... ..	Subsections (1) and (2) shall be omitted; in subsection (4), for “United Kingdom” there shall be substituted “Falkland Islands” and for “in a country” there shall be substituted “in the United Kingdom or in any country other than the Falkland Islands”.
Section 33 ... ..	For subsection (1) there shall be substituted the following — “(1) An organisation to which this section applies is one declared to be such by an Order in Council made under this section as part of the law of the United Kingdom which has been extended, in relation to that organisation, to the Falkland Islands.”.
Section 37 ... ..	Subsection (4) shall be omitted.
Section 40 ... ..	Subsection (3) shall be omitted; in subsection (4), for “either of the two last preceding subsections” there shall be substituted “the last preceding subsection” and “or the programme to be transmitted, as the case may be” shall be omitted; in subsection (5), the references to a work shall be omitted.
Section 41 ... ..	For subsection (7) there shall be substituted the following — “(7) In this section — “school” means a recognised school as defined in the Education Ordinance (Cap. 22); and “duplicating process” means any process involving the use of an appliance for producing multiple copies.”.
Section 43 ... ..	In subsections (2), (4) and (6), for “United Kingdom” there shall be substituted “Falkland Islands”.
Section 46 ... ..	Subsection (1) shall be omitted; in subsection (2), “(including any enactment of the Parliament of Northern Ireland)” shall be omitted.
Section 47 ... ..	The whole section except subsection (4) shall be omitted.
Section 48 ... ..	In subsection (1), there shall be added the following definitions — “Falkland Islands” means the Falkland Islands and its Dependencies; “Governor” means the person for the time being lawfully administering the Government of the Falkland Islands; “Governor in Council” means the Governor acting with the advice and consent of the Executive Council of the Falkland Islands, but not necessarily acting in such Council assembled nor necessarily in accordance with such advice; in subsection (4), for “United Kingdom” there shall be substituted “Falkland Islands”.
Section 49 ... ..	In subsection (2), for “United Kingdom” there shall be substituted “Falkland Islands”.
Section 51 ... ..	For subsection (2) there shall be substituted the following — “(2) (a) Any provision of this Act empowering the Governor in Council to make rules or regulations shall come into operation on the commencement of the Order in Council extending that provision to the Falkland Islands.

Provision	Modification									
	(b) All the other provisions of this Act shall come into operation on 10th October 1963.”; subsection (3) shall be omitted.									
First Schedule ...	In paragraph 2, for “section seven of the Act of 1949” there shall be substituted “section two of the United Kingdom Designs (Protection) Ordinance (Cap. 75)”.									
Seventh Schedule ...	Paragraphs 40 and 41 shall be omitted; in paragraph 46, for “United Kingdom” there shall be substituted “Falkland Islands”.									
Ninth Schedule ...	For the table therein set out there shall be substituted the following —									
	ENACTMENTS REPEALED									
	<table><tr><th>Session and Chapter</th><th>Short Title</th><th>Extent of Repeal</th></tr><tr><td>1 &amp; 2 Geo. 5. c. 46.</td><td>The Copyright Act 1911.</td><td>The whole Act.</td></tr><tr><td>18 &amp; 19 Geo. 5. c. lii.</td><td>The Copyright Order Confirmation (Mechanical Instruments: Royalties) Act 1928.</td><td>The whole Act.</td></tr></table>	Session and Chapter	Short Title	Extent of Repeal	1 & 2 Geo. 5. c. 46.	The Copyright Act 1911.	The whole Act.	18 & 19 Geo. 5. c. lii.	The Copyright Order Confirmation (Mechanical Instruments: Royalties) Act 1928.	The whole Act.
Session and Chapter	Short Title	Extent of Repeal								
1 & 2 Geo. 5. c. 46.	The Copyright Act 1911.	The whole Act.								
18 & 19 Geo. 5. c. lii.	The Copyright Order Confirmation (Mechanical Instruments: Royalties) Act 1928.	The whole Act.								

## SCHEDULE 2

### *Modifications to Orders in Council extended by Article 2*

#### 1. Modification to all the Orders in Council —

Any reference in any of the Orders to its commencement shall be deemed to be a reference to 10th October 1963.

#### 2. Modifications to the Copyright (International Conventions) Order 1957—

- (1) In Article 1, for “United Kingdom” there shall be substituted “Falkland Islands”.
- (2) In Article 2, for the reference to the making of the Order there shall be substituted a reference to its extension to the Falkland Islands.
- (3) In Article 3, for “United Kingdom” there shall be substituted “Falkland Islands”.
- (4) In the Fourth Schedule, paragraph 5 shall be omitted.

#### 3. Modification to the Copyright (International Conventions) (Argentina) Order 1958 —

In the Schedule, paragraphs 1 and 2 shall be omitted.

## EXPLANATORY NOTE

*(This Note is not part of the Order, but is intended to indicate its general purport.)*

This Order extends the provisions of the Copyright Act 1956, with certain exceptions and modifications, to form part of the law of the Falkland Islands.

The Order also extends to form part of the law of that country four Orders in Council, so far as amended, made under the provisions of the Copyright Act. Works originating in the countries specified in the Copyright (International Conventions) Order 1957 as amended, and Argentina, works produced by the international organisations specified in the Copyright (International Organisations) Order 1957 as amended, and broadcasts to the public made in countries to which section 14 of the Copyright Act has been extended by Order in Council will now enjoy in the Falkland Islands protection similar to that which they at present enjoy in the United Kingdom and broadcasts made in the Falkland Islands will enjoy similar protection in each of those countries to which the Copyright (Broadcasting Organisations) Order 1961 has been extended.

Ref. 1873.

# THE IMMIGRATION ORDINANCE, 1965. REGULATIONS

(Under section 24 of the Ordinance)

No. 1 of 1965.

C. HASKARD,  
Governor.

His Excellency the Governor in exercise of the powers vested in him by section 24 of the Immigration Ordinance, 1965, is pleased by and with the advice of the Executive Council to make the following Regulations —

1. These Regulations may be cited as the Immigration Regulations, 1965. Short title.
  
2. In these Regulations, unless the context otherwise requires  
 "EMPLOYMENT PERMIT" means a permit issued under the Ordinance or these Regulations to an immigrant to enter the Colony for the purpose of performing within the Colony a contract of service with an employer;  
 "ENTRY PERMIT" means a permit issued under the Ordinance or these Regulations to any immigrant to enter the Colony. Definitions.
  
3. Every person entering the Colony (except permanent residents and those persons exempt under section 25 of the Ordinance) shall make and sign the declaration as in Form 1 in the Schedule hereto. Declaration by person entering Colony.  
(Form 1)
  
4. (1) An Entry Permit and an Employment Permit shall be as in Form 2 and Form 3 respectively in the Schedule hereto. Entry and Employment Permits.  
(Forms 2 & 3)  
 (2) The Immigration Officer may endorse upon an Employment Permit the names of the dependants of the holder of such Employment Permit, and such endorsement shall permit the said dependants to enter the Colony and remain therein for the period specified in the permit.
  
5. (1) An application for an Employment Permit made on behalf of any Whaling or Sealing Company operating in the Dependencies shall be made to the Immigration Officer and it shall be made in writing in duplicate as in Part A of Form 4 in the Schedule hereto. Employment Permit — Dependencies.  
(Form 4)  
 (2) An Employment Permit issued to any Whaling or Sealing Company shall be as in Part B of Form 4 in the Schedule hereto.
  
6. (1) A Special Permit may be issued by the Immigration Officer — Special Permit.  
(Form 5)
  - (a) to a person who is permitted to enter the Colony by the Governor in Council under section 4 (2) of the Ordinance; or
  - (b) in order to afford himself an opportunity of making inquiry for the purpose of determining whether the person to whom it is issued is entitled to enter the Colony under the Ordinance or these Regulations, or is a prohibited immigrant; or
  - (c) in order to enable the person to whom it is issued under section 12 (2) of the Ordinance to enter the Colony temporarily for the purpose stated therein.
 (2) A Special Permit shall entitle the holder thereof to enter the Colony and remain therein for such period not exceeding twelve months as shall be stated therein:  
 Provided that the Immigration Officer may from time to time extend such period.

(3) A Special Permit shall be as in Form 5 in the Schedule hereto.

(4) The Immigration Officer may endorse upon a Special Permit, the names of the dependants of the holder of such Special Permit, and such endorsement shall permit the said dependants to enter the Colony and remain therein for the period specified in the permit.

Entry into the Colony.

7. (1) Every person entering the Colony shall immediately on his arrival present himself to the Immigration Officer.

(2) Where the Immigration Officer boards a vessel the person in charge of such vessel shall not allow any passenger to leave the vessel until such passenger has presented himself to the Immigration Officer.

Security.

8. (1) The Governor in Council on the recommendation of the Immigration Officer may require any person as a condition precedent to the issue of an Entry Permit to him to deposit with the Immigration Officer a sum not exceeding £150 in respect of each such Entry Permit so issued and any such deposit may, if necessary, be used for the purpose of defraying any expenses incurred by the Government of the Colony in connexion with the maintenance or repatriation of the person to whom the Entry Permit has been issued and his dependants (if any).

(2) A deposit made under this regulation shall, unless the person to whom the Entry Permit has been issued is ordered to leave or is deported from the Colony and the money so deposited is used for the purpose of maintaining or repatriating him and his dependants (if any), be refunded to the depositor when the Immigration Officer is satisfied that —

- (a) the depositor and his dependants (if any) are leaving the Colony permanently; or
- (b) the depositor is not likely to become a charge on the public funds of the Colony.

Liability of employer bringing person into Colony.

9. The expenses of the maintenance and repatriation of a person in respect of whom an Employment Permit is issued, and his dependants (if any) shall, in the event of his becoming a destitute person within one year of his arrival in the Colony, be borne by the person bringing him into the Colony for the purpose of performing a contract of service.

List of passengers.  
(Form 6)

10. The list of passengers to be furnished under sections 5 (d) and 15 (1) of the Ordinance shall be as in Form 6 in the Schedule hereto.

Register of alien immigrants.  
(Form 7)

11. The Superintendent of Police shall keep a Register of alien immigrants which shall be as in Form 7 in the Schedule hereto.

Notice to prohibited immigrant.  
(Form 8)

12. If the Immigration Officer decides that a person is a prohibited immigrant he shall serve such a person with a Notice as in Form 8 in the Schedule hereto and shall inform the master of the vessel in which such person arrived.

Made by the Governor in Council on the 6th day of May, 1965.

D. R. MORRISON,  
*Acting Clerk of the Executive Council.*

SCHEDULE

GOVERNMENT OF THE FALKLAND ISLANDS  
IMMIGRATION REGULATIONS, 1965.

FORM 1

Declaration

Regulation 3.

Part A

- 1. Full name (in block capitals).....
- 2. Address .....
- 3. Sex .....
- 4. Married or single.....
- 5. Profession or occupation .....
- 6. Place and date of birth .....
- 7. Nationality of origin .....
- 8. Present nationality .....
- 9. Maiden name (if married woman) .....
- 10. Passport : No..... Place and date of issue.....
- 11. Port of embarkation.....
- 12. Dependants.

	Name	Age	Relationship
1.	.....	.....	.....
2.	.....	.....	.....
3.	.....	.....	.....
13.	Address in the Colony at which you will reside.....		
14.	Purpose for which you desire to enter the Colony.....		
15.	(To be filled in by person requiring an Entry Permit under Section 10(f) of the Ordinance). (See below)		

Applicant's qualifications .....

I hereby declare that to the best of my knowledge and belief the above particulars are true.

Dated ..... Signed .....

Part B

- 1. Date and duration of contract of employment .....
- 2. Name and Address of prospective employer .....
- 3. Nature of employment which immigrant has accepted in the Colony .....

Dated ..... Signed .....

NOTE :

- Part A To be completed by any person entering the Colony, (except permanent residents and persons in the service of the Government of the Colony).
- Part B. To be completed by any person entering the Colony on contract of service.

Section 10(f) of the Ordinance —

(f) a person who, not being a prohibited immigrant, intends to engage on his own account in the Colony in the business of agriculture or animal husbandry, or in prospecting for minerals or mining, or to carry on or practise some trade, business, or profession, for which he possesses such qualifications as may be prescribed, and who in every such case is in possession of sufficient capital or assured means to enable him to carry out his intention.

FORM 2

Entry Permit

Regulation 4.

No. ....

..... of.....  
.....

is hereby authorised to enter the Colony and remain therein for a period of .....  
.....

Passport – Country of issue ..... No. .... Date .....

*Date* ..... *Signed* .....  
*Immigration Officer.*

N.B. This Entry Permit shall be produced to the Immigration Officer or a Police Officer on demand.  
This Entry Permit does not exempt the holder from compliance with the provisions of the  
Immigration Ordinance.

FORM 3

Employment Permit

Regulation 4.

..... of.....  
holder of this permit is permitted to enter the Colony and to remain therein for a period not  
exceeding ..... from the date of such entry for the purpose of taking  
up employment in the capacity of .....  
with (name and address of employer) .....

*Date* ..... *Signed* .....  
*Immigration Officer.*

N.B. This Employment Permit shall be produced to the Immigration Officer or a Police Officer on demand.  
This Employment Permit does not exempt the holder from compliance with the provisions of the  
Immigration Ordinance.

FORM 4

Part A

Regulation 5

Application for Employment Permit made on behalf of  
(Company) .....

To the Immigration Officer.

I hereby apply for an Employment Permit in respect of the persons listed below —

	Name	Occupation	Date and place of birth	Present Nationality	Duration of contract of employment
1.	.....	.....	.....	.....	.....
2.	.....	.....	.....	.....	.....
3.	.....	.....	.....	.....	.....
4.	.....	.....	.....	.....	.....

*Dated* ..... *Signed* .....  
*(Employer or agent)*

## Part B

Permission is hereby granted to the persons listed in Part A of this Form (except those persons whose names have been deleted) to enter the Dependency of ....., for the purpose of taking up employment with the above named Company, and to remain in the Dependency for the periods specified, commencing from the date of entry.

Dated .....

Signed .....

Immigration Officer.

FORM 5

## Special Permit

Regulation 6.

..... of .....  
holder of this permit is hereby permitted to enter the Colony and to remain therein for a period of ..... from the date of issue hereof for the purpose of .....

Subject to the following conditions —

1. He shall reside at ..... and shall not change his residence without having first obtained the consent of the Superintendent of Police.
2. ....
3. ....

Dated .....

Signed .....

Immigration Officer.

FORM 6

## Passenger List

Regulation 10.

## ARRIVALS

per s.s. .... (Aircraft No. ....)

Date of arrival .....

No.	Surname (block capitals)	Other names	Nationality	From
1.	.....	.....	.....	.....
2.	.....	.....	.....	.....
3.	.....	.....	.....	.....

1.	.....	.....	.....	.....
2.	.....	.....	.....	.....
3.	.....	.....	.....	.....

Dated .....

Signed .....

Master/Pilot.

Note : The names and particulars of persons travelling together on the same passport should all be shown on this list and bracketed together.

FORM 7

## Register of Alien Immigrants

Regulation 11.

No. ....

Surname (block letters) .....

Other names (block letters) .....

Sex .....

Present nationality and how acquired .....

Previous nationality .....

Country of birth ..... Date of birth .....

Passport No. .... issued at ..... on .....

Occupation .....

Address of last residence outside the Colony .....

Address in the Colony .....

Date, port and mode of arrival .....

Dependants accompanying the immigrant.

	Name	Relationship	Age
1.	.....	.....	.....
2.	.....	.....	.....
3.	.....	.....	.....

Date .....

.....

*Signature of Immigrant.*

FORM 8

## Notice to Prohibited Immigrant

Regulation 12.

To .....

Take notice that I have declared you a prohibited immigrant on the ground(s) that

.....

(a) You are hereby ordered to remain on board and to leave the Colony by the vessel in which you arrived, or

(b) You are hereby ordered to leave the Colony within .....  
by .....

Dated .....

Signed .....

*Immigration Officer.*



## Government Employees' Provident Fund 1963/64

---

Colonial Treasury,  
Stanley, Falkland Islands.  
9th March, 1965.

The Honourable,  
The Colonial Secretary.

Sir,

I have the honour to submit a report on the working of the Government Employees' Provident Fund for the period 1st July, 1963, to 30th June, 1964, together with the following statements —

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. There were 31 depositors at 30th June, 1964, and their combined accounts totalled £6,813 : 16 : 9.

3. The state of solvency, regained in the previous year, continued although expenditure again exceeded revenue by a small margin. The overall position is, for the time being at least, satisfactory.

I have the honour to be,

Sir,

Your obedient servant,

L. GLEADELL,  
*Colonial Treasurer.*

# Government Employees' Provident Fund.

## ACCOUNTS FOR THE YEAR ENDED 30TH JUNE, 1964.

### REVENUE AND EXPENDITURE ACCOUNT.

	£	s.	d.		£	s.	d.
To Interest on Closed A/cs.	8	12	7	By Interest on Investments	250	7	8
„ Interest credited to Contributors	152	14	7	„ Balance transferred to Reserve Account	10	19	6
„ Administration charge	100	0	0				
	<u>£261</u>	<u>7</u>	<u>2</u>		<u>£261</u>	<u>7</u>	<u>2</u>

### DEPOSITS AND WITHDRAWALS ACCOUNT.

To Balance 1st July, 1963	6,635	6	5	By Withdrawals	1,061	18	6
„ Deposits	539	10	10	„ Balance, being the amount due to contributors at 30th June, 1964.	6,813	16	9
„ Bonus	539	10	10				
„ Interest on Closed A/cs.	8	12	7				
„ Interest on Current A/cs.	152	14	7				
	<u>£7,875</u>	<u>15</u>	<u>3</u>		<u>£7,875</u>	<u>15</u>	<u>3</u>

### INVESTMENTS ADJUSTMENT ACCOUNT.

To Depreciation of Investments	123	10	3	By Balance transferred to Reserve Account	123	10	3
	<u>£ 123</u>	<u>10</u>	<u>3</u>		<u>£ 123</u>	<u>10</u>	<u>3</u>

### RESERVE ACCOUNT.

To Revenue and Expenditure Account	10	19	6	By Balance 1/7/63	569	15	9
„ Investments Adjustment Account	123	10	3				
„ Balance 30/6/64	435	6	0				
	<u>£ 569</u>	<u>15</u>	<u>9</u>		<u>£ 569</u>	<u>15</u>	<u>9</u>

### STATEMENT OF ASSETS AND LIABILITIES.

LIABILITIES.				ASSETS.			
Amount due to Contributors	6,813	16	9	Market value of Investments	6,718	6	5
Reserve Account	435	6	0	Cash in hands of the Colonial Treasurer	530	16	4
	<u>£ 7,249</u>	<u>2</u>	<u>9</u>		<u>£ 7,249</u>	<u>2</u>	<u>9</u>

H. T. ROWLANDS,  
*Acting Colonial Treasurer,*  
 27th October, 1964.

## Government Employees' Provident Fund.

MONTHLY SUMMARY OF TRANSACTIONS FOR THE YEAR ENDED 30TH JUNE, 1964.

Date.	Deposits.			Bonus.			Withdrawals.			Difference.			Interest.			TOTAL.			Accounts Opened.	Accounts Closed.	No. of Deposits.	No. of With- drawals	
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.					
Balance																6,635	6	5					
July 1963	47	11	6	47	11	6	.....			+	95	3	0	.....		6,730	9	5	-	-	28	-	
August ...	51	7	7	51	7	7	.....			+	102	15	2	.....		6,833	4	7	-	-	27	-	
September ...	45	2	0	45	2	0	.....			+	90	4	0	.....		6,923	8	7	-	-	27	-	
October ...	45	12	11	45	12	11	742	16	9	-	651	10	11	4	12	8	6,276	10	4	-	1	27	2
November ...	48	11	10	48	11	10	.....			+	97	3	8	.....		6,373	14	0	-	-	28	-	
December ...	45	11	7	45	11	7	190	5	1	-	99	1	11	1	17	5	6,276	9	6	-	1	27	1
January 1964	48	3	5	48	3	5	.....			+	96	6	10	.....		6,372	16	4	-	-	27	-	
February ...	47	13	0	47	13	0	.....			+	95	6	0	.....		6,468	2	4	-	-	27	-	
March ...	36	15	3	36	15	3	.....			+	73	10	6	.....		6,541	12	10	-	-	24	-	
April ...	43	1	2	43	1	2	128	16	8	-	42	14	4	2	2	6	6,501	1	0	-	1	26	1
May ...	42	2	6	42	2	6	.....			+	84	5	0	.....		6,585	6	0	-	-	23	-	
June ...	37	18	1	37	18	1	.....			+	75	16	2	.....		6,661	2	2	-	-	23	-	
										Accrued Interest			152	14	7	6,813	16	9					
	539	10	10	539	10	10	1,061	18	6	+	17	3	2	161	7	2			-	3	314	4	

Provident Fund Account.

INVESTMENTS 30TH JUNE, 1964.

NAME OF STOCK.		%	FACE VALUE OF STOCK.			BOOK VALUE PRIOR TO REVALUATION.			MARKET VALUE OF INVESTMENTS, 30TH JUNE, 1964.			
			£	s.	d.	£	s.	d.	Price.	£	s.	d.
British Guiana	1959/69	3	1,835	0	5	1,440	10	0	81½	1,495	10	10
Savings Bonds	1960/70	3	1,311	9	8	1,180	6	8	88	1,154	2	1
Savings Bonds	1965/75	3	4,638	10	11	3,873	3	8	79½	3,687	12	11
Uganda	1966/69	3½	457	19	5	327	8	11	78½	359	10	2
Nigeria	1964/66	3½	23	0	5	20	7	5	93½	21	10	5
Depreciation			8,266	0	10	6,841	16	8		6,718	6	5
						123	10	3				
			8,266	0	10	6,718	6	5		6,718	6	5

H. T. ROWLANDS.  
Acting Colonial Treasurer.  
16th October, 1964.

## Report on the working of the Old Age Pensions Equalisation Fund for the year 1963/64.

To The Honourable  
The Colonial Secretary.

Colonial Treasury,  
Stanley, Falkland Islands,  
9th March, 1965.

Sir,

I have the honour to submit a report on the working of the Old Age Pensions Equalisation Fund for the year that ended on 30th June, 1964, together with the following accounts and statements.

1. Statement of Income and Expenditure.
2. Investments Adjustment Account.
3. Statement showing the balance of the Fund at 30th June, 1964.
4. Statement of Assets and Liabilities.
5. Statement of Investments.

2. Receipts into the fund during the year amounted to £19,810 : 12 : 9. Payments from the Fund amounted to £6,652 : 6 : 2. Income exceeded expenditure by £13,158 : 6 : 7.

3. The balance of the Fund increased by £2,987 : 5 : 3. The average annual increase is usually considerably greater than this; the 1963/64 increase was small as the result of depreciation in the market value of investments, £5,611 : 16 : 3, and losses incurred in the sale of investments, £4,559 : 5 : 1. At 30th June, 1964, the Fund stood at £121,576 : 9 : 7.

4. During the year claims to a pension were allowed in nine cases, three of which were adjusted pensions following the death of a spouse. Six pensioners died during the year. At 30th June, 1964, forty-eight persons were in receipt of a pension, twenty one married, fifteen unmarried and twelve widows.

5. Fifty-six new contributors registered and contributions were refunded to forty-seven contributors who left the Colony. Refunds of contributions were also made on the death of five contributors.

I have the honour to be,

Sir,

Your obedient servant,

L. GLEADELL,

*Colonial Treasurer.*

OLD AGE PENSIONS EQUALISATION FUND  
Accounts for the year ended 30th June, 1964.

CERTIFICATE OF THE AUDITOR

The attached Accounts have been examined in accordance with Section 22A of the Old Age Pensions Ordinance, No. 3 of 1952 as amended, and in accordance with the Colonial Regulations and the General Instructions and Rules of the Overseas Audit Department. I have obtained all the information and explanations that I have required, and I certify as a result of this audit that, in my opinion, the attached Accounts are correct.

2. The investments held by the Fund as at 30th June, 1964, have been verified from an advance certificate furnished by the Crown Agents. This certificate is subject to confirmation by the Comptroller and Auditor General.

F. KELLY,  
*Auditor.*

Audit Department,  
Stanley,  
Falkland Islands.  
2nd February, 1965.

# Old Age Pensions Equalisation Fund.

## ACCOUNTS FOR THE YEAR ENDED 30TH JUNE, 1964.

PAYMENTS				RECEIPTS			
	£	s.	d.		£	s.	d.
To refunds of contributions on departure from the Colony	1,128	10	0	By sale of Stamps	13,260	15	0
„ refunds of contributions on death of contributors	565	11	0	„ Dividends on Investments	6,540	2	9
„ refunds of overpayments	238	10	0	„ Repayment of amounts refunded on departure from the Colony	9	15	0
„ Pensions	4,510	15	2				
„ Actuarial services	209	0	0				
„ Balance, carried down	13,158	6	7				
	<u>£19,810</u>	<u>12</u>	<u>9</u>		<u>£19,810</u>	<u>12</u>	<u>9</u>

INVESTMENTS ADJUSTMENT ACCOUNT							
To loss on sale of Investments	4,559	5	1	By Balance, carried down	1,0171	1	4
„ Depreciation of Investments	5,611	16	3				
	<u>£10,171</u>	<u>1</u>	<u>4</u>		<u>£10,171</u>	<u>1</u>	<u>4</u>

THE FUND							
To Investments Adjustment Account	10,171	1	4	By Balance at 1st July, 1963	118,589	4	4
„ Balance at 30th June, 1964	121,576	9	7	„ Balance of Receipts and Payments account, brought down	13,158	6	7
	<u>£131,747</u>	<u>10</u>	<u>11</u>		<u>£131,747</u>	<u>10</u>	<u>11</u>

## STATEMENT OF ASSETS AND LIABILITIES

LIABILITIES				ASSETS			
Balance of the Fund at 30th June, 1964	121,576	9	7	Market Value of Investments	120,748	1	9
				Cash in hands of the Colonial Treasurer	828	7	10
	<u>£121,576</u>	<u>9</u>	<u>7</u>		<u>£121,576</u>	<u>9</u>	<u>7</u>

H. T. ROWLANDS,  
*Acting Colonial Treasurer.*  
 27th October, 1964.

## Old Age Pensions Equalisation Fund.

## INVESTMENTS.

NAME OF STOCK		%	FACE VALUE OF STOCKS			BOOK VALUE PRIOR TO REVALUATION			MARKET VALUE OF INVESTMENTS AT 30TH JUNE, 1964			
			£	s.	d.	£	s.	d.	Price	£	s.	d.
Kenya	1971/78	4½	494	1	7	279	3	1	64½	318	13	7
E.A.H.C.	1972/74	4	1,280	1	3	723	4	9	66½	851	4	10
Trinidad	1973/76	4	2,682	15	3	1,998	13	2	79½	2,132	15	11
E.A.H.C.	1973/76	4	1,302	18	3	6,970	11	7	62½	814	6	5
Kenya	1978/82	5	5,951	6	2	3,481	10	4	66½	3,957	12	5
British Guiana	1980/85	5	3,514	13	4	2,337	5	1	67½	2,372	7	11
E.A.H.C. (P & T)	1977/83	5¾	10,041	18	8	6,477	0	11	69½	6,979	2	10
Jamaica	1977/82	6	1,000	0	0	885	0	0	89	890	0	0
Funding	1982/84	5½	17,213	9	2	17,643	16	0	95	16,352	15	8
Savings Bonds	1965/75	3	924	8	7	771	18	0	79½	734	18	5
Jamaica	1978/80	6¼	546	19	3	497	14	9	92	503	4	1
British Guiana	1975/80	3	9,259	5	2	5,879	12	7	61½	5,694	8	10
British Transport	1978/88	3	717	17	2	509	13	7	64	459	8	7
E.A.H.C. (R & H)	1977/83	5¾	17,043	19	2	10,993	7	1	69½	11,845	11	0
Funding loan	1978/80	5¼	32,431	5	1	30,516	7	4	93½	30,323	4	5
Exchequer loan	1976/78	5	8,584	11	2	8,010	9	4	94	8,069	9	8
Funding loan	1987/91	5¾	25,735	2	1	25,027	7	9	97½	25,091	14	6
J. C. F.			3,357	2	8	3,357	2	8	100	3,357	2	8
Depreciation			142,081	14	0	126,359	18	0		120,748	1	9
						5,611	16	3				
			142,081	14	0	120,748	1	9		120,748	1	9

H. T. ROWLANDS,  
*Acting Colonial Treasurer.*  
 16th October, 1964.



## Report on the working of the Note Security Fund for the year 1963/64.

The Honourable,  
The Colonial Secretary.

Colonial Treasury,  
Stanley, Falkland Islands.  
9th March, 1965.

Sir,

I have the honour to submit the following report on the working of the Note Security Fund for the period 1st July, 1963 to 30th June, 1964, together with the following statements.

1. Currency Note Income Account.
2. The Note Security Fund Account.
3. Note Security Fund Balance Sheet as at 30th June, 1964.
4. Statement of Investments.

2. During the course of the year a total of £90,783 : 8 : 6 was received in the Treasury for the credit of accounts in the United Kingdom and elsewhere, and a total of £3,197 : 9 : 8 was received by the Crown Agents for the credit of accounts in the Colony.

3. Commission on remittances to the Colony amounting to £907 : 16 : 7, together with interest on the investments of the Fund, £4,401 : 12 : 3, was credited to the Currency Note Income Account and the balance of this account (after providing for the cost of recording and destroying soiled notes) was transferred in accordance with the provisions of Section 7 (5) (b) and 7 (6) of the Currency Notes Ordinance. In this manner the Fund received £1,108 : 0 : 2 and Colony Revenue £4,086 : 1 : 2.

4. The face value of notes in circulation increased by £6,200 during the year. At 30th June, 1964, there was a circulation of £95,600 made up as follows —

Series	Denomination	No.	Value		
			£	s.	d.
"A"	£5	2	10	0	0.
"B"	£5	12	60	0	0.
"C"	£5	12,649	63,245	0	0.
"A"	£1	57	57	0	0.
"B"	£1	112	112	0	0.
"C"	£1	1,588	1,588	0	0.
"D"	£1	26,855	26,855	0	0.
"C"	10/-	7,316	3,658	0	0.
"A"	5/-	31	7	15	0.
"B"	5/-	29	7	5	0.
			<hr/> £95,600 : 0 : 0. <hr/>		

5. At 30th June, 1964, the General Reserve of the Fund stood at £16,308 : 18 : 3 which is £6,748 : 18 : 3 more than the minimum required by Section 7 (6) (b) of the Currency Notes Ordinance.

I have the honour to be,

Sir,

Your obedient servant,

L. GLEADELL,

*Commissioner of Currency.*

# CURRENCY NOTE INCOME ACCOUNT FOR THE YEAR ENDED 30TH JUNE, 1964.

	£	s.	d.		£	s.	d.
Payments for sorting etc. of soiled currency notes	...	115	7	Commission received on transfers to London	...	907	16
Surplus carried down	...	5,194	1	Dividends on Investments	...	4,401	12
		£5,309	8			£5,309	8
Transfer to Note Security Fund in accordance with							
Section 7 (5) (b) of the Currency Notes Ordinance		1,108	0	Surplus brought down	...	5,194	1
Transfer to Colony Revenue in accordance with							
Section 7 (6) of the Currency Notes Ordinance	...	4,086	1			£5,194	1
		£5,194	1				

## THE NOTE SECURITY FUND ACCOUNT FOR THE YEAR ENDED 30TH JUNE, 1964.

Sterling payments made in London	...	92,117	2	Balance 1st July, 1963	...	106,593	3
Sterling payments made in the Colony	...	3,097	9	Currency lodged for sterling payments in London	...	90,783	8
Decrease in the Note Issue	...	21,300	0	Currency lodged with the Crown Agents for payment			
Loss on sale of Investments	...	75	0	in the Colony		3,197	9
Amount belonging to Fiji credited				Increase in the Note Issue	...	27,500	0
in error to F. I. account	90,090	1	10	Transfer from the Note Income Account	...	1,108	0
Balance at 30th June, 1964	...	112,908	18	Appreciation of Investments	...	316	8
				Amount belonging to Fiji credited in error			
		202,999	0	to F.I. account by Crown Agents	90,090	1	10
		£319,588	12			£319,588	12

## BALANCE SHEET AT 30TH JUNE, 1964.

LIABILITIES		ASSETS	
Notes in circulation	95,600 : 0 : 0	Investments at mid-market value :	
Remittances in transit	1,000 : 0 : 0	Note Security Fund	101,695 : 14 : 3
Amount belonging to Fiji erroneously credited to F.I. account	90,090 : 1 : 10	Amount belonging to Fiji erroneously	
General Reserve	16,308 : 18 : 3	deposited by Crown Agents in the	
		Joint Consolidated Fund for the	
		Falkland Islands Note Security Fund	90,090 : 1 : 10
		Cash held by the Treasurer	191,785 : 16 : 1
			11,213 : 4 : 0
			£202,999 : 0 : 1
	£202,999 : 0 : 1		

H. T. ROWLANDS,  
Acting Colonial Treasurer.  
27th October, 1964.

Note Security Fund.  
INVESTMENTS — 30TH JUNE, 1964.

NAME OF STOCK.		%	FACE VALUE OF STOCK.			BOOK VALUE PRIOR TO REVALUATION.			MARKET VALUE OF INVESTMENTS, 30TH JUNE, 1964.			
			£	s.	d.	£	s.	d.	Price.	£	s.	d.
Fed. Malay States	1960/70	3	2,925	11	4	2,559	17	5	83½	2,442	16	11
Kenya	1965/70	2½	2,829	5	10	1,740	0	3	72½	2,051	4	9
Savings Bonds	1955/65	3	20,017	17	1	19,567	9	0	98¼	19,667	10	10
Australia	1964/66	3	1,444	4	8	1,386	9	3	97	1,400	18	1
Nigeria	1975/77	3	3,000	0	0	1,965	0	0	67½	2,025	0	0
E.A.H.C.	1966/68	3½	2,021	5	3	1,485	12	7	82½	1,667	10	10
N. Rhodesia	1970/72	3½	9,860	3	2	6,951	8	4	79½	7,838	16	6
Conversion	1971	5	2,176	12	11	2,176	12	11	97½	2,122	4	8
Exchequer	1967	5	29,819	3	2	30,117	7	0	99¾	29,744	12	3
Funding	1966/68	3	12,296	0	10	11,373	16	9	91¼	11,220	2	9
Conversion	1974	5¼	11,772	16	7	12,055	11	11	98	11,537	7	5
British Electric	1968/73	3	12,021	0	9	10,000	0	0	83	9,977	9	3
J. C. F.			90,090	1	10	90,090	1	10	100	90,090	1	10
Appreciation			200,274	3	5	191,469	7	3		191,785	16	1
						316	8	10				
			200,274	3	5	191,785	16	1		191,785	16	1

H. T. ROWLANDS,  
*Acting Colonial Treasurer.*  
16th October, 1964.

## Report on the working of the Government Savings Bank for the year 1963/64.

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The Honourable,  
The Colonial Secretary.

Colonial Treasury,  
Stanley, Falkland Islands.  
9th March, 1965.

Sir,

I have the honour to submit the following report on the working of the Government Savings Bank for the year that ended on 30th June, 1964, 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. Revenue for the year totalled £50,074 : 19 : 5, exceeding expenditure by £22,080 : 11 : 1.

3. Deposits during the year exceeded withdrawals by £57,245 : 4 : 11, interest credited to accounts was £25,971 : 8 : 10, and the amount due to depositors increased by £83,216 : 13 : 9.

4. At 30th June the Bank reserves totalled £123,631 : 4 : 4 or £8,224 : 14 : 5 over the minimum reserve required by Section 13 (2) of the Savings Bank Ordinance.

5. Ordinance No. 6 of 1964 exempted from income tax any interest credited to an account in the Savings Bank.

I have the honour to be,

Sir,

Your obedient servant,

L. GLEADELL,  
*Colonial Treasurer.*

## GOVERNMENT SAVINGS BANK

Accounts for the year ended 30th June, 1964.

## CERTIFICATE OF THE AUDITOR

The attached Accounts have been examined in accordance with Section 12 of the Savings Bank Ordinance, Cap. 61 of the Laws of the Falkland Islands as amended by Ordinances No. 16 of 1954 and No. 6 of 1955, and in accordance with the Colonial Regulations and the General Instructions and Rules of the Overseas Audit Department. I have obtained all the information and explanations that I have required, and I certify as a result of this audit that, in my opinion, the attached Accounts are correct.

2. The investments held by the Bank as at 30th June, 1964, have been verified from an advance certificate furnished by the Crown Agents. This certificate is subject to confirmation by the Comptroller and Auditor General.

F. KELLY,  
*Auditor.*

Audit Department,  
Stanley,  
Falkland Islands.  
2nd February, 1965.

# Savings Bank Fund.

Accounts for the period 1st July, 1963 to 30th June, 1964.

## REVENUE AND EXPENDITURE ACCOUNT.

	£	s.	d.		£	s.	d.
To Interest paid and interest capitalised and credited to depositors	25,971	8	10	By Interest on Investments	50,074	19	5
„ Administration charge	2,000	0	0				
„ Stationery	22	19	6				
„ Balance to Reserve Account	22,080	11	1				
	£50,074	19	5		£50,074	19	5

## DEPOSITS AND WITHDRAWALS ACCOUNT.

To Amount due to depositors at 1st July, 1963	1,070,848	4	7	By Withdrawals	279,659	6	1
„ Deposits during 1963/64	336,904	11	0	„ Balance, being the amount due to depositors at 1st July, 1964	1,154,064	18	4
„ Interest credited to depositors 1963/64	25,971	8	10				
	£1,433,724	4	5		£1,433,724	4	5

## INVESTMENTS ADJUSTMENT ACCOUNT.

To loss on sale of Investments	790	11	4	By Profit on sale of Investments	150	4	6
„ Depreciation of Investments	7,614	0	6	„ Balance to Reserve A/c	8,254	7	4
	£ 8,404	11	10		£ 8,404	11	10

## RESERVE ACCOUNT.

To Investments				By Balance brought forward	109,805	0	7
Adjustment Account	8,254	7	4	„ Revenue & Expenditure Account	22,080	11	1
„ Balance at 30th June, 1964	123,631	4	4				
	£131,885	11	8		£131,885	11	8

## BALANCE SHEET AS AT 30TH JUNE, 1964.

LIABILITIES				ASSETS			
Due to Depositors	1,154,064	18	4	Investments at Mid-Market Value	1,232,226	6	11
Reserve Account	123,631	4	4	Cash in the hands of the Colonial Treasurer	45,469	15	9
	£1,277,696	2	8		£1,277,696	2	8

H. T. ROWLANDS,

*Acting Colonial Treasurer,*

27th October, 1964.

## Savings Bank Fund.

Monthly Summary of Transactions for the year ended 30th June, 1964.

Date.	Deposits.			Withdrawals.			Difference.			Interest.			TOTAL.	Accounts Opened	Accounts Closed	No. of Deposits.	No. of With- drawals.
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.		
Balance ...													1,070,848	4	7		
July 1963	31,354	17	9	28,545	2	3	+	2,809	15	6	.....		1,073,658	0	1	13	156
August ...	15,197	13	7	18,950	19	3	—	3,753	5	8	.....		1,069,904	14	5	3	154
September ...	20,779	10	4	12,969	12	2	+	7,809	18	2	.....		1,077,714	12	7	14	129
October ...	24,115	19	11	23,776	19	10	+	339	0	1	66	11	8	4	4	2	138
November ...	28,198	3	10	19,879	17	1	+	8,318	6	9	27	8	4	19	5	9	117
December ...	28,153	5	11	9,010	17	8	+	19,142	8	3	1	17	2	4	10	10	127
January 1964	25,345	1	5	20,683	18	1	+	4,661	3	4	62	17	4	5	6	11	139
February ...	28,205	4	4	26,970	8	7	+	1,234	15	9	30	3	11	5	2	13	137
March ...	22,601	11	6	23,010	4	2	—	408	12	8	32	2	6	15	0	6	131
April ...	26,436	6	2	40,152	15	10	—	13,716	9	8	23	19	8	5	0	9	162
May ...	25,005	0	1	38,473	0	7	—	13,468	0	6	55	18	3	2	9	16	174
June ...	61,511	16	2	17,235	10	7	+	44,276	5	7	1	9	9	18	1	7	136
							Interest Accrued ...				... 25,669	0	3	18	4		
	£336,904	11	0	279,659	6	1	+	57,245	4	11	25,971	8	10			113	1,760

## Investments, Savings Bank Fund.

Name of Stock.			%	Face Value of Stocks.			Book Value prior to revaluation.			Market Value of Investments at 30th June, 1964.			
				£	s.	d.	£	s.	d.	Price.	£	s.	d.
South Africa	1953/73	...	3½	9094	18	2	7548	15	6	82	7457	16	6
Brit. Transport	1972/77	...	4	27973	2	7	24896	1	8	84	23497	8	7
Kenya	1971/78	...	4½	10000	0	0	5650	0	0	64½	6450	0	0
British Electricity	1967/69	...	4½	30494	2	11	30494	2	11	98	29884	5	3
Ceylon	1960/70	...	5	2000	0	0	1790	0	0	95½	1910	0	0
Consols	1957 o/a	...	4	32284	0	11	23083	1	10	63½	20500	7	4
Ceylon	1965	...	4½	5064	6	11	4836	8	11	97½	4937	14	9
Kenya	1961/71	...	4½	11690	14	6	7774	6	8	80½	9411	0	8
Gold Coast	1960/70	...	4½	1896	4	11	1659	4	3	90½	1716	2	0
Kenya	1957/67	...	3½	5000	0	0	3875	0	0	89½	4475	0	0
Ceylon	1959/64	...	3	3881	11	8	3765	2	8	100	3881	11	8
Australia	1961/66	...	3½	6850	12	2	6542	6	8	97	6645	1	9
Palestine	1962/67	...	3	12506	11	9	11631	2	7	93½	11693	13	2
Middlesborough	1953/73	...	3½	2026	4	11	1742	11	5	84	1702	0	11
S. Rhodesia	1955/65	...	3½	1200	0	0	1110	0	0	97½	1170	0	0
Savings Bonds	1965/75	...	3	60005	18	1	50104	18	7	79½	47704	13	10
Swansea	1963/66	...	3	12713	18	9	11951	2	0	94½	12014	13	5
British Guiana	1975/80	...	3	4740	14	10	3010	7	5	61½	2915	11	1
New Zealand	1973/77	...	3	4852	1	6	3687	11	6	74½	3614	15	11
Australia	1975/77	...	3	5175	5	10	3959	1	11	75	3881	9	5
Malaya	1974/76	...	3	4051	12	10	3018	9	5	74½	3018	9	6
Nigeria	1975/77	...	3	6000	0	0	3930	0	0	67½	4050	0	0
Northern Rhodesia	1963/65	...	3	27915	19	4	25124	7	4	97	27078	9	9
Jamaica	1968/73	...	3½	11548	14	2	8546	0	11	79	9123	9	7
E.A.H.C.	1966/68	...	3½	11075	8	10	8140	8	11	82½	9137	4	9
Uganda	1966/69	...	3½	1433	6	8	1024	16	8	78½	1125	3	4
E.A.H.C.	1968/70	...	3½	10000	0	0	6400	0	0	73½	7350	0	0
Sierra Leone	1968/70	...	3½	30150	15	1	20653	5	4	76½	23065	6	6
Kenya	1973/78	...	3½	21000	0	0	9975	0	0	56½	11865	0	0
British Guiana	1966/68	...	3½	20618	11	2	17628	17	4	86½	17835	1	0
Trinidad	1967/71	...	3	31137	14	6	23197	12	1	79½	24754	9	9
Conversion Stock	1969	...	3½	15967	11	9	15089	7	5	92	14690	3	7
Funding Stock	1966/68	...	3	125429	11	7	116022	7	2	91½	114454	9	9
Brit. Electricity	1968/73	...	3	110462	12	6	91973	16	1	83	91683	19	7
Brit. Electricity	1976/79	...	3½	49437	10	10	41280	6	11	77½	38314	1	11
British Gas	1969/72	...	4	93743	9	7	88118	17	5	91½	85775	5	8
Savings Bonds	1955/65	...	3	70121	1	3	68561	19	2	98½	68893	18	10
Cyprus	1969/71	...	3½	2788	18	3	2133	10	4	84½	2356	12	7
Australia	1963/65	...	3	1789	13	2	1727	0	5	98	1753	17	3
Australia	1965/69	...	3½	1248	0	10	1104	10	4	88½	1104	10	4
Savings Bonds	1964/67	...	2½	4833	16	9	4495	9	4	93	4495	9	4
Exchequer	1966	...	5½	104656	5	8	107272	13	10	100¾	105441	4	1
Conversion	1974	...	5¼	48473	18	7	49823	0	5	98	47504	8	11
Conversion	1972	...	6	51767	3	4	56167	7	6	105½	54614	7	2
Savings Bonds	1960/70	...	3	124581	8	2	112123	5	4	88	109631	12	9
New Zealand	1975/76	...	6	49261	1	8	50000	0	0	102	50246	6	1
Exchequer	1976/78	...	5	59162	0	2	55408	18	4	94	55612	5	9
Joint Consolidated Fund		...		41787	12	11	41787	12	11	100	41787	12	11
Depreciation				1379894	10	0	1239840	7	5		1232226	6	11
							7614	0	6				
				1379894	10	0	1232226	6	11		1232226	6	11

H. T. ROWLANDS,

*Acting Colonial Treasurer.*

16th October, 1964.



# Statement of Assets and Liabilities at 30th June, 1964.

5 JULY, 1965

LIABILITIES				£	s.	d.	£	s.	d.	ASSETS				£	s.	d.	£	s.	d.
DEPOSIT ACCOUNTS :										CASH :									
Colonial Development & Welfare	...	...	...	236	5	4				Treasury	...	...	...	26,014	1	11			
Overseas Service Aid Scheme	...	...	...	623	5	3				Posts and Telecommunications	...	...	...	588	15	2			
Postal Moneys	...	...	...	764	4	7				Crown Agents	...	...	...	129	12	9			
Miscellaneous	...	...	...	21,684	8	8				Joint Consolidated Fund	...	...	...	36,000	0	0			
							23,308	3	10								62,732	9	10
FUNDS :										INVESTMENTS :									
Reserve	...	...	...	96,792	5	0				Reserve Fund	...	...	...	149,602	2	2			
Renewals :										Renewals Funds :									
Aviation	...	...	...	1,550	2	8				Aviation	...	...	...	3,579	4	11			
Marine	...	...	...	18,397	3	0				Marine	...	...	...	18,158	8	11			
Power Station	...	...	...	21,133	5	8				Power Station	...	...	...	22,107	1	3			
				41,080	11	4								43,844	15	1			
Oil Stocks Replacement	...	...	...	7,315	18	5				Special Funds :									
Special :										Savings Bank	...	...	...	1,232,226	6	11			
Savings Bank	...	...	...	1,277,696	2	8				Government Employees Provident	...	...	...	6,718	6	5			
Government Employees Provident	...	...	...	7,249	2	9				Note Security	...	...	...	191,785	16	1			
Note Security	...	...	...	202,999	0	1				Old Age Pensions Equalisation	...	...	...	120,748	1	9			
Old Age Pensions Equalisation	...	...	...	121,576	9	7								1,551,478	11	2			
				1,609,520	15	1				Other Funds :									
Other :										Land Sales	...	...	...	252,944	5	5			
Land Sales	...	...	...	272,120	17	6				Workmen's Compensation	...	...	...	4,894	16	3			
Workmen's Compensation	...	...	...	5,246	11	3								257,839	1	8			
				277,367	8	9											2,002,764	10	1
Remittances	...	...	...				2,032,076	18	7										
General Revenue Balance :							8,043	13	3								8,104	16	7
Balance at 1st July, 1963 <i>Surplus</i>	...	...	...	736	19	7				Advances	...	...	...						
Add Appreciation of Investments	...	...	...	9,937	11	7													
				10,674	11	2													
Deduct Depreciation of Investments	...	...	...	501	10	4													
Balance, 30th June, 1964 <i>Surplus</i>	...	...	...				10,173	0	10										
							£2,073,601	16	6								£2,073,601	16	6

The above statement does not include the sum of £50,000 held in 3% debenture stocks in the Falkland Islands Freezer Co. Ltd.

Examined: F. KELLY,  
Overseas Audit Department.  
4th March, 1965.

H. T. ROWLANDS,  
Acting Colonial Treasurer.  
27th October, 1964.

159

## Statement shewing total Receipts for the year ended 30th June, 1964.

RECEIPTS.	Amount Estimated			Actual Receipts			Over the Estimate			Under the Estimate		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
I. Aviation ... ..	8500	0	0	9542	9	3	1042	9	3	.....		
II. Customs Duties ... ..	26900	0	0	25745	7	5	.....			1154	12	7
III. Dependencies Contribution to cost of Central Administration	10000	0	0	10000	0	0	.....			.....		
IV. Electricity ... ..	21600	0	0	24265	15	4	2665	15	4	.....		
V. Fees & Fines ... ..	6081	0	0	5807	5	0	.....			273	15	0
VI. Harbour ... ..	3100	0	0	3688	0	0	588	0	0	.....		
VII. Interest ... ..	25430	0	0	23933	15	5	.....			1496	4	7
VIII. Internal Revenue ... ..	148789	0	0	128822	19	1	.....			19966	0	11
IX. Land Sales ... ..	105	0	0	104	5	11	.....			14	1	
X. Miscellaneous ... ..	5456	0	0	10127	7	1	4671	7	1	.....		
XI. Posts & Telecommunications ...	22485	0	0	25893	1	6	3408	1	6	.....		
XII. Reimbursements ... ..	5564	0	0	8534	7	2	2970	7	2	.....		
XIII. Reimbursements from H.M.G. in respect of overseas officers	8640	0	0	6874	1	5	.....			1765	18	7
XIV. Rents ... ..	2790	0	0	2707	9	1	.....			82	10	11
Total Ordinary Revenue ... ..	295440	0	0	286046	3	8	15346	0	4	24739	16	8
XV. Colonial Development & Welfare ...	5706	0	0	497	1	9	.....			5208	18	3
XVI. Transfer from Reserve Fund ...	84616	0	0	63765	16	1	.....			20850	3	11
Total Revenue £	385762	0	0	350309	1	6	15346	0	4	50798	18	10
Advances ... ..				89293	3	1						
Deposits ... ..				863468	10	10						
Remittances ... ..				294731	17	6						
Investments ... ..				755520	14	3						
Old Age Pensions Equalisation Fund ...				19810	12	9						
Oil Stocks Replacement Fund ... ..				11588	7	8						
Marine Renewals Fund ... ..				752	2	11						
Workmen's Compensation Fund ... ..				196	17	4						
Power Station Renewals Fund ... ..				898	4	9						
Aviation Renewals Fund ... ..				107	17	0						
Land Sales Fund ... ..				104	5	11						
General Revenue Balance Account ...				9937	11	7						
Total Receipts ... ..				2396719	7	1						
Balance 1st July, 1963 ... ..				17116	15	2						
TOTAL ... £				2413836	2	3						

Examined: F. KELLY,

Overseas Audit Department.

4th March, 1965.

## Statement shewing total Payments for the year ended 30th June, 1964.

PAYMENTS.				Amount Estimated.			Actual Payments.			Over the Estimate.			Under the Estimate.			
				£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	
I.	The Governor	...	...	8930	0	0	7631	12	8	.....			1298	7	4	
II.	Agriculture	...	...	5846	0	0	3075	7	11	.....			2770	12	1	
III.	Audit	...	...	1343	0	0	1050	16	9	.....			292	3	3	
IV.	Aviation	...	...	14503	0	0	12859	8	1	.....			1643	11	11	
V.	Customs & Harbour	...	...	11769	0	0	10721	19	7	.....			1047	0	5	
VI.	Education	...	...	49452	0	0	44204	6	11	.....			5247	13	1	
VII.	Medical	...	...	36732	0	0	35590	5	7	.....			1141	14	5	
VIII.	Meteorological	...	...	700	0	0	621	15	5	.....			78	4	7	
IX.	Military	...	...	1195	0	0	993	8	3	.....			201	11	9	
X.	Miscellaneous	...	...	32972	0	0	31040	15	5	.....			1931	4	7	
XI.	Pensions & Gratuities	...	...	11000	0	0	11891	3	8	891	3	8	.....			
XII.	Police & Prisons	...	...	5688	0	0	5591	18	11	.....			96	1	1	
XIII.	Posts & Telecommunications	...	...	50448	0	0	45431	8	5	.....			5016	11	7	
XIV.	Power & Electrical	...	...	17418	0	0	16766	1	4	.....			651	18	8	
XV.	Public Works	...	...	20387	0	0	17996	14	0	.....			2390	6	0	
XVI.	Public Works Recurrent	...	...	33797	0	0	36460	15	1	2663	15	1	.....			
XVII.	Secretariat & Treasury	...	...	26453	0	0	24772	6	8	.....			1680	13	4	
XVIII.	Social Welfare	...	...	7950	0	0	7504	17	0	.....			445	3	0	
XIX.	Supreme Court	...	...	2297	0	0	2308	18	6	11	18	6	.....			
Total Ordinary Expenditure				£	338880	0	0	316514	0	2	3566	17	3	25932	17	1
XX. Special Expenditure				...	41176	0	0	33297	19	7	.....			7878	0	5
XXI. Colonial Development & Welfare				...	5706	0	0	497	1	9	.....			5208	18	3
Total Expenditure				£	385762	0	0	350309	1	6	3566	17	3	39019	15	9
Advances							83626	11	9							
Deposits							679867	10	1							
Remittances							309238	14	8							
Investments							874461	0	6							
Old Age Pensions Equalisation Fund							16823	7	6							
Oil Stocks Replacement Fund							8520	0	0							
Reserve Fund							63765	16	1							
General Revenue Balance Account							501	10	4							
Total Payments							2387103	12	5							
Closing Balance as at 30th June, 1964							26732	9	10							
TOTAL							£	2413836	2	3						

H. T. ROWLANDS,  
Acting Colonial Treasurer.  
27th October, 1964.

## Falkland Islands Dependency of South Georgia

## Statement shewing total Receipts for the year ended 30th June, 1964

RECEIPTS	Amount Estimated.	Actual Receipts.	Over the Estimate.	Under the Estimate.
	£	£ s. d.	£ s. d.	£ s. d.
A.				
I. Duties ... ..	93122 0 0	59406 4 8		33715 15 4
II. Port Dues ... ..	20 0 0	110 0 0	90 0 0	
III. Licences ... ..	2 0 0	859 5 0	857 5 0	
IV. Taxes ... ..	500 0 0	25569 4 2	25069 4 2	
V. Fees ... ..	87 0 0	63 2 3		23 17 9
VI. Rents ... ..	1553 0 0	1552 0 0		1 0 0
VII. Post Office ... ..	28100 0 0	46429 19 8	18329 19 8	
VIII. Miscellaneous ... ..	1810 0 0	4293 17 9	2483 17 9	
Total Ordinary Revenue £	125194 0 0	138283 13 6	46830 6 7	33740 13 1
B. Contribution from C.D.W. funds to hospital section of New Discovery House	1950 0 0			1950 0 0
C. Transfer from Reserve Fund				
D. Grants from H.M. Govt.		5000 0 0	5000 0 0	
Total Revenue ... £	127144 0 0	143283 13 6	51830 6 7	35690 13 1
Advances ... ..		820 3 3		
Deposits ... ..		6683 9 5		
Remittances ... ..		58705 12 5		
Investments ... ..		49000 0 0		
Total Receipts ...		258492 18 7		
Balance 1/7/63 ...		4496 18 6		
TOTAL ... £		262989 17 1		

Examined: F. KELLY,

Overseas Audit Department.

1st March, 1965.

## Falkland Islands Dependency of South Georgia

## Statement shewing total Payments for the year ended 30th June, 1964

PAYMENTS				Amount Estimated.			Actual Payments.			Over the Estimate.			Under the Estimate.		
				£			£   s.   d.			£   s.   d.			£   s.   d.		
South Georgia Expenditure :															
Ordinary	...	...		70547	0	0	78336	12	8	7789	12	8			
Special	...	...		40550	0	0	30457	10	7				10092	9	5
Total Expenditure				£	111097	0   0	108794	3   3		7789	12   8		10092	9   5	
Advances				...	...	...	876	3   2							
Deposits				...	...	...	5098	4   6							
Remittances				...	...	...	53509	18   7							
Investments				...	...	...	92000	0   0							
Total Payments				...			260278	9   6							
Balance 30/6/64				...			2711	7   7							
TOTAL				...	£		262989	17   1							

H. T. ROWLANDS,  
*Acting Colonial Treasurer.*  
 19th October, 1964.

## FALKLAND ISLANDS DEPENDENCY OF SOUTH GEORGIA.

## Statement of Assets and Liabilities as at 30th June, 1964.

LIABILITIES										ASSETS									

Examined: F. KELLY,  
Overseas Audit Department.  
1st March, 1965.

H. T. ROWLANDS,  
Acting Colonial Treasurer.  
19th October, 1964.



# THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXIV.

1 AUGUST, 1965.

No. 8.

## APPOINTMENTS

Miss Eira Batrick, Private Secretary to His Excellency the Governor, 24.7.65.

Eric Hirtle, Watch Operator on probation, 12.6.65.

Christopher Laurence O'Connell, Nursing Orderly, South Georgia, 18.6.65.

Tony Pettersson, Assistant Printer on probation, 9.6.65.

Norman Albert Tropman, Painter, South Georgia, 18.6.65.

## CONFIRMATION OF APPOINTMENTS

Miss Elsie Ross, Clerk, Public Service, 22.7.65.

Robert Stewart, Assistant Filtration Plant Operator, 18.7.65.

## NOTICES

No. 35.

8th July, 1965.

The findings of the Cost of Living Committee for the quarter ended 30th June, 1965, are hereby published for general information —

<i>Quarter ended</i>	<i>Adjusted Percentage increase over 1948 prices</i>
30th June, 1965	95.58%

2. The scale of wages for hourly paid workers remains unchanged.

Ref. 0704/VI.

No. 36. 22nd July, 1965.

**Tapeworm Eradication (Dogs) Order, 1965**  
(Under Section 12A of the Dogs Ordinance)  
(Cap. 21)

THE GOVERNOR HEREBY APPOINTS the following persons to be Inspectors for the purposes of this Order —

J. P. Oliver	North Arm
J. T. Clement	Fitzroy
W. H. Goss	Port Stephens
J. Robertson	Fox Bay West
A. H. Davis	Speedwell Island
R. Morrison	Goose Green
K. J. McPhee	Green Patch
W. Crawford	Walker Creek
D. McMullen	Lively Island
D. R. G. Short	Bleaker Island
A. C. Miller	Port San Carlos
G. C. R. Bonner	San Carlos
J. Reid	Douglas Station
R. M. Pitaluga	Salvador
J. D. Barton	Teal Inlet
R. Turner	Rincon Grande
D. M. Pole-Evans	Port Howard
W. H. Clement	Fox Bay East
L. McGill	Weddell Island
J. J. Davis	New Island
P. Johnson	Dunnose Head
W. R. Luxton	Chartres
S. Miller	Roy Cove
R. Napier	West Point Island
C. Bertrand	Carcass Island
L. G. Blake	Hill Cove
A. R. Pole-Evans	Saunders Island
A. B. Monk	Pebble Island
L. Grant	Port Louis North
O. R. Smith	Johnsons Harbour
W. J. Grierson	Stanley
N. Parrin	Stanley
L. R. Anderson	Stanley

Ref: 160/43.

No. 37. 28th July, 1965.

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 1965	Supplementary Appropriation (Dependencies) (1963-64) Ordinance, 1965.	D/6/59/D.
2 of 1965	Application of Colony Laws Ordinance, 1965.	0188.

No. 38. 29th July, 1965.

**Norwegian Consular Representation**

Information has been received that the Queen's Exequatur empowering Mr. William Hamilton Young to act as Honorary Consul of Norway at Stanley, received Her Majesty's signature on the 17th June, 1965.

Ref: 1175.

**In the Supreme Court of the Falkland Islands**

**Advertisement of Appointment of Liquidator**

*In the Matter of*

THE FALKLAND ISLANDS FREEZER COMPANY, LTD.  
and

*In the Matter of*

THE COMPANIES ACT, 1948.

By an order of the Supreme Court, dated the 6th day of July, 1965, Mr. Edward Charles Gutteridge, of Stanley, Falkland Islands, has been appointed Liquidator of the above-named company without a Committee of Inspection.

Dated this 7th day of July, 1965.

H. BENNETT,  
Registrar,

**Advertisement of Dissolution**

*In the Matter of*

THE FALKLAND ISLANDS FREEZER COMPANY, LTD.  
and

*In the Matter of*

THE COMPANIES ACT, 1948.

By an order of the Supreme Court dated the 31st day of July, 1965, the Falkland Islands Freezer Company Limited was dissolved as from that date.

Dated this 31st day of July, 1965.

H. BENNETT,  
Registrar,

**Advertisement of Release of Liquidator**

*In the Matter of*

THE FALKLAND ISLANDS FREEZER COMPANY, LTD.  
and

*In the Matter of*

THE COMPANIES ACT, 1948.

By an order of the Supreme Court dated the 31st day of July, 1965, Mr. Edward Charles Gutteridge, the Liquidator of the above-named Company was released from his duties as Liquidator as from that date.

Dated this 31st day of July, 1965.

H. BENNETT,  
Registrar,



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 STATUTORY INSTRUMENTS
 

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1965 No. 591

## JUDICIAL COMMITTEE

 The Falkland Islands Court of Appeal (Appeal to  
Privy Council) Order 1965

*Made* - - - - - 24th March 1965

*Coming into Operation* As provided in section 1 (2)

At the Court at Buckingham Palace, the 24th day of March 1965

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers in that behalf by section 1 of the Judicial Committee Act 1844 (a) or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows —

1. (1) This Order may be cited as the Falkland Islands Court of Appeal (Appeal to Privy Council) Order 1965.

Citation and commencement.

(2) This Order shall come into operation on the date on which the Falkland Islands Court of Appeal Order 1965 (b) comes into operation.

2. (1) In this Order, unless the context otherwise requires—  
“appeal” means appeal from a judgment of the Court to Her Majesty in Council;

Interpretation.

“Court” means the Falkland Islands Court of Appeal established by the Falkland Islands Court of Appeal Order 1965;

“judgment” means a judgment of the Court given in exercise of any jurisdiction conferred upon it by any law for the time being in force in the Colony and includes a decree, order, ruling, sentence or decision of the Court;

“record” means the aggregate of papers relating to an appeal (including pleadings, proceedings, evidence and judgments) proper to be laid before Her Majesty in Council on the hearing of an appeal;

“territory” means the Colony of the Falkland Islands or the Dependencies of the Colony.

(2) The Interpretation Act 1889 (c) shall apply, with the necessary adaptations, for the purpose of interpreting this Order and otherwise in relation thereto as it applies for the purpose of interpreting, and in relation to, Acts of Parliament.

3. Subject to the provisions of this Order, an appeal shall lie —

Right of Appeal.

(a) as of right from any final judgment, where the matter in dispute on the appeal amounts to or is of the value of five hundred pounds sterling or upwards, or where the appeal involves directly or indirectly some claim or question to or respecting property or some civil right amounting to or of the said value or upwards; and

(b) at the discretion of the Court, from any other judgment, whether final or interlocutory, if, in the opinion of the Court, the question involved in the appeal is one which, by reason of its great or general importance or otherwise, ought to be submitted to Her Majesty in Council for decision.

(a) 7 &amp; 8 Vict. c. 69.

(b) S.I. 1965/589.

(c) 52 &amp; 53 Vict. c. 63.

Application for leave to appeal.

4. Application to the Court for leave to appeal shall be made by motion or petition within twenty-one days of the date of the judgment to be appealed from, and the applicant shall give all other parties concerned notice of his intended application.

Conditional leave to appeal.

5. Leave to appeal under section 3 of this Order shall, in the first instance, be granted by the Court only —

- (a) upon condition of the appellant, within a period to be fixed by the Court but not exceeding ninety days from the date of the hearing of the application for leave to appeal, entering into good and sufficient security to the satisfaction of the Court in a sum not exceeding five hundred pounds sterling for the due prosecution of the appeal and the payment of all such costs as may become payable by the applicant in the event of his not obtaining an order granting him final leave to appeal, or of the appeal being dismissed for non-prosecution, or of the Judicial Committee ordering the appellant to pay costs of the appeal (as the case may be); and
- (b) upon such other conditions (if any) as to the time or times within which the appellant shall take the necessary steps for the purposes of procuring the preparation of the record and the dispatch thereof to England as the Court, having regard to all the circumstances of the case, may think it reasonable to impose.

Power of a single judge.

6. All or any of the powers and functions of the Court under this Order, except the exercise of the discretion conferred by section 3 (b) of this Order, may be exercised by any judge of the Court:

Provided that any order, directions or decision made or given in pursuance of this section may be varied, discharged or reversed by the Court when consisting of three judges which may include the judge who made or gave the order, directions or decision.

Stay of execution.

7. Where the judgment appealed from requires the appellant to pay money or do any act, the Court shall have power, when granting leave to appeal, either to direct that the said judgment shall be carried into execution or that the execution thereof shall be suspended pending the appeal, as to the Court shall seem just, and in case the Court shall direct the said judgment to be carried into execution, the person in whose favour it was given shall, before the execution thereof, enter into good and sufficient security, to the satisfaction of the Court, for the due performance of such Order as Her Majesty in Council shall think fit to make thereon.

Manner of providing security.

8. For the purposes of sections 5 and 7 of this Order, a person may provide security in any manner that the Court may approve in his case, and for the avoidance of doubts it is declared that such security may with the approval of the Court consist in whole or in part of a deposit of money.

Preparation of record.

9. (1) The preparation of the record shall be subject to the supervision of the Court, and the parties may submit any disputed question arising in connection therewith to the decision of the Court, and the Court shall give such directions thereon as the justice of the case may require.

(2) The Registrar, as well as the parties and their legal agents, shall endeavour to exclude from the record all documents (more particularly such as are merely formal) that are not relevant to the subject matter of the appeal and, generally, to reduce the bulk of the record as far as practicable, taking special care to avoid the duplication of documents and the unnecessary repetition of headings and other merely formal parts of documents; but the documents omitted to be copied or printed shall be enumerated in a list to be placed after the index or at the end of the record.

(3) Where in the course of the preparation of a record one party objects to the inclusion of a document on the ground that it is unnecessary or irrelevant and the other party nevertheless insists upon its being included, the record, as finally printed shall, with a view to the subsequent adjustment of the costs of and incidental to such document, indicate in the index of papers or otherwise, the fact that, and the party by whom, the inclusion of the document was objected to.

(4) The reasons given by Judges of the Court for or against any judgment pronounced in the course of the proceedings out of which the appeal arises shall be communicated by them in writing to the Registrar, and shall be included in the record.

10. (1) The record may be printed in a territory or may be printed in England if the parties agree to its being printed but in the absence of such agreement shall be duplicated by process approved by the Registrar of the Privy Council. If the record is to be printed it shall be printed in accordance with the Rules set forth in the Schedule to this Order.

Printing of the record.

(2) Where the record is printed in a territory the Registrar shall, at the expense of the appellant, transmit to the Registrar of the Privy Council forty copies of such record, one of which copies he shall certify to be correct by signing his name on, or initialling, every eighth page thereof and by affixing thereto the seal of the Court.

(3) Where the record is to be printed or duplicated in England, the Registrar shall, at the expense of the appellant, transmit to the Registrar of the Privy Council one certified copy of such record, together with an index of all the papers and exhibits in the case. No other certified copies of the record shall be transmitted to the agents in England by or on behalf of the parties to the appeal.

(4) Where part of the record is printed in a territory and part is to be printed or duplicated in England, subsections (2) and (3) of this section shall, as far as possible, apply to such parts as are printed in the territory and such as are to be printed or duplicated in England respectively.

11. Where there are two or more applications for leave to appeal arising out of the same matter, and the Court is of opinion that it would be for the convenience of the Lords of the Judicial Committee and all parties concerned that the appeals should be consolidated, the Court may direct the appeals to be consolidated and grant leave to appeal by a single order.

Consolidation of appeals.

12. Where an appellant, having obtained an order granting him conditional leave to appeal, and having complied with the conditions imposed on him by such order, fails thereafter to apply with due diligence to the Court for an order granting him final leave to appeal, the Court may, on an application in that behalf made by the respondent rescind the order granting conditional leave to appeal, notwithstanding the appellant's compliance with the conditions imposed by such an order, and may give such directions as to the costs of the appeal and security entered into by the appellant as the Court shall think fit, or make such further or other order in the premises, as, in the opinion of the Court, the justice of the case requires.

Failure to prosecute appeal.

13. (1) On an application for final leave to appeal, the Court may enquire whether notice or sufficient notice of the application has been given by the appellant to parties concerned and, if not satisfied as to the notices given, may defer the granting of the final leave to appeal, or may give such other directions in the matter as, in the opinion of the Court, the justice of the case requires.

Notice to other parties.

(2) The Registrar shall, with all convenient speed, transmit to the Registrar of the Privy Council a certificate to the effect that

the respondent has received notice, or is otherwise aware, of the Order of the Court granting final leave to appeal and of the transmission of the record to England.

**Prosecution of appeal.**

14. An appellant who has obtained final leave to appeal shall prosecute his appeal in accordance with the Rules for the time being regulating the general practice and procedure in appeals to Her Majesty in Council.

**Withdrawal of appeal.**

15. (1) An appellant who has obtained an order granting him conditional leave to appeal may at any time prior to the making of an order granting him final leave to appeal withdraw his appeal on such terms as to costs and otherwise as the Court may direct.

(2) Where an appellant, having obtained final leave to appeal, desires to withdraw his appeal, the Court may, upon an application in that behalf made by the appellant, grant him a certificate to the effect that the appeal has been withdrawn, and the appeal shall thereupon be deemed, as from the date of such certificate, to stand dismissed without express Order of Her Majesty in Council, and the costs of the appeal and the security entered into by the appellant shall be dealt with in such manner as the Court may think fit to direct.

**Dismissal for non-prosecution.**

16. Where an appellant, having obtained final leave to appeal, fails to show due diligence in taking all necessary steps for the purpose of procuring the dispatch of the record to England, any respondent may, after giving the appellant due notice of his intended application, apply to the Court for a certificate that the appeal has not been effectually prosecuted by the appellant, and if the Court sees fit to grant such a certificate the appeal shall be deemed, as from the date of such certificate, to stand dismissed for non-prosecution without express Order of Her Majesty in Council, and the costs of the appeal and the security entered into by the appellant shall be dealt with in such manner as the Court may think fit to direct.

**Substituting parties.**

17. (1) Where at any time between the order granting final leave to appeal and the dispatch of the record to England, the record becomes defective by reason of the death or change of status of a party to the appeal, the Court may, notwithstanding the order granting final leave to appeal, on an application in that behalf made by any person interested, grant a certificate showing who, in the opinion of the Court, is the proper person to be substituted or entered on the record in place of or in addition to the party who has died or undergone a change of status, and the name of such person shall thereupon be deemed to be so substituted or entered on the record as aforesaid without express Order of Her Majesty in Council.

(2) Where the record subsequently to its dispatch to England becomes defective by reason of the death or change of status of a party to the appeal, the Court shall, upon an application in that behalf made by any person interested, cause a certificate to be transmitted to the Registrar of the Privy Council showing who, in the opinion of the Court, is the proper person to be substituted, or entered on the record, in place of, or in addition to, the party who has died or undergone a change of status.

**Printing of case.**

18. The case of each party to the appeal may be printed in a territory or printed or duplicated in England and shall, in either event, be printed in accordance with the Rules set forth in the Schedule to this Order, and shall be signed by at least one of the counsel who attends at the hearing of the appeal, or by the party himself if he conducts his appeal in person.

**Form of case.**

19. The case shall consist of paragraphs numbered consecutively and shall state, as concisely as possible, the circumstances out of which the appeal arises, the contentions to be urged by the party lodging the case, and the reasons of appeal. Reference by page and line to the relevant portions of the record as printed shall, as far

as practicable, be printed in the margin, and care should be taken to avoid, as far as possible, the reprinting in the case of long extracts from the record. The taxing officer, in taxing the costs of the appeal shall, either of his own motion or at the instance of any party, inquire into any unnecessary prolixity in the case, and shall disallow the costs occasioned thereby.

20. Where the Judicial Committee directs a party to bear the costs of an appeal incurred in a territory, such costs shall be taxed by the proper officer of the Court in accordance with the rules for the time being regulating taxation in the Court.

Costs in territory.

21. Any Order which Her Majesty in Council may think fit to make on an appeal from a judgment of the Court may be enforced in like manner as any judgment of the Court should or might have been executed.

Enforcing judgment.

22. Nothing in this Order contained shall be deemed to interfere with the right of Her Majesty upon the humble petition of any person aggrieved by any judgment of the Court, to admit his appeal therefrom upon such conditions as Her Majesty in Council shall think fit to impose.

Special leave to appeal.

W. G. Agnew.

#### THE SCHEDULE

I. Records and cases in appeals to Her Majesty in Council shall be printed in the form known as demy quarto.

Sections 10 (1) and 18.

II. The size of the paper used shall be such that the sheet, when folded and trimmed, will be 11 inches in height and 8½ inches in width.

III. The type to be used in the text shall be pica type, but long primer shall be used in printing accounts, tabular matter and notes.

IV. The number of lines in each page of pica type shall be 47 or thereabouts, and every tenth line shall be numbered in the margin.

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#### EXPLANATORY NOTE

*(This Note is not part of the Order, but is intended to indicate its general purport.)*

This Order regulates appeals from judgments of the Falkland Islands Court of Appeal to Her Majesty in Council, by prescribing the conditions under which such appeals may be brought and the procedure which must be followed.

ANNUAL STOCK RETURN FOR 1964-1965.

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	34	284	502	30	42	192	1,084
San Carlos Sheep Farming Co., Ltd.	San Carlos	427	6,369	9,506	206	2,226	5,545	24,279
R. M. Pitaluga & Company	Gibraltar	167	5,985	5,972	181	1,408	3,574	17,287
Falkland Islands Co., Ltd.	Darwin & Lafonia	2,491	56,042	58,838	813	13,919	32,573	164,676
" " " "	Fitzroy							
	& Green Patch	474	13,087	14,335	—	3,557	8,335	39,788
Smith Bros.	Berkeley Sound	230	4,599	5,873	90	1,230	3,396	15,418
Mrs. G. E. Browning								
& Estate J. W. McGill	Mullet Creek	37	405	725	122	115	305	1,709
Mrs. F. O. Yonge	Bluff Cove	112	641	1,898	—	133	639	3,423
Estate T. Robson	Port Louis	170	3,818	4,547	374	824	2,296	12,029
Douglas Station, Ltd.	Douglas	230	6,739	7,699	116	1,258	2,890	18,932
Port San Carlos, Ltd.	Port San Carlos	446	8,019	11,263	—	3,153	6,738	29,619
Teal Inlet, Ltd.	Evelyn	319	7,187	9,791	85	1,348	5,505	24,235
Estate H. J. Pitaluga	Rincon Grande	100	4,055	3,074	806	747	1,920	10,702
C. Bundes & R. Hills	Sparrow Cove	14	178	350	275	31	485	1,333
		5,251	117,408	134,373	3,098	29,991	74,393	364,514
WEST FALKLAND								
J. L. Waldron, Ltd.	Port Howard	404	11,060	13,870	—	3,910	8,928	38,172
Holmested Blake & Co., Ltd.	Hill Cove	351	11,439	10,617	816	2,763	6,432	32,418
Falkland Islands Co., Ltd.	Port Stephens	398	9,297	10,950	204	2,326	5,417	28,592
Falkland Islands Co., Ltd.	Fox Bay West	335	10,367	11,083	—	2,665	5,533	29,983
Packe Bros. & Co. Ltd.	Fox Bay East	328	9,569	9,528	71	2,862	5,289	27,647
Chartres Sheep Farming Company, Ltd.	Chartres	300	7,465	9,728	—	2,218	4,573	24,284
Bertrand & Felton, Ltd.	Roy Cove	183	6,931	6,647	218	1,717	3,883	19,579
		2,299	66,128	72,423	1,309	18,461	40,055	200,675
ISLANDS								
J. Hamilton, (Estates) Ltd.	Weddell Group	124	3,612	3,908	—	889	1,758	10,291
"Dean Bros. Ltd. " "	Saunders	165	2,531	2,824	—	517	1,588	7,625
" " " "	Pebble & Keppel	210	6,738	6,444	112	1,458	4,196	19,158
C. & K. "Bertrand	Jasons	20	724	750	—	128	361	1,983
J. Davis	Carcass	32	920	555	99	230	476	2,312
J. Lee	New & Hummock	40	920	900	—	240	600	2,700
R. B. Napier	Sea Lion	15	540	600	—	140	330	1,625
	West Point							
	& Dunbar	30	1,042	825	—	252	559	2,708
Falkland Islands Co., Ltd.	Speedwell Group	183	3,463	3,827	532	1,044	3,635	12,684
W. MacBeth	Sedge	4	143	131	—	30	25	333
		823	20,633	20,764	743	4,928	13,528	61,419

SUMMARY OF STOCK RETURNS 1960-1965.

EAST FALKLAND	...	...	...	...	5,251	117,408	134,373	3,098	29,991	74,393	364,514
WEST FALKLAND	...	...	...	...	2,299	66,128	72,423	1,309	18,461	40,055	200,675
ISLANDS	...	...	...	...	823	20,633	20,764	743	4,928	13,528	61,419
TOTALS 1964-1965					8,373	204,169	227,560	5,150	53,380	127,976	626,608
1963-1964					9,077	210,106	224,028	3,010	62,888	117,754	626,863
1962-1963					8,436	200,392	224,300	4,093	56,465	143,203	636,889
1961-1962					8,224	198,065	227,100	3,551	56,107	125,514	618,561
1960-1961					8,501	196,975	226,760	3,623	53,365	126,937	617,061

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										
8.8	1,223	302	192	60	3	3	—	—	—	Fork & Slit.
168.1	22,864	6,290	5,545	2,779	188	525	—	329	12	Front Square.
111.5	14,978	4,025	3,566	1,701	73	164	—	140	—	Fore Bayonet.
1,326.3	149,762	37,651	32,573	15,076	1,040	3,096	—	—	—	Double Swallow.
230.7	34,642	9,523	8,335	5,169	235	785	—	246	—	" " Triangle.
100.1	13,661	3,846	3,396	730	33	212	—	134	—	
8.2	1,278	328	305	196	—	20	—	50	—	Back Bayonet.
17.3	2,900	715	639	117	28	55	—	56	—	Fore Bayonet &
77.7	9,247	2,601	2,296	757	70	197	—	—	—	Fork. [Back Slit.
146.4	18,328	3,340	2,890	1,148	167	252	—	147	18	Fork.
225.4	26,789	7,316	6,738	3,953	143	526	—	—	—	Slit.
152.6	21,003	6,298	5,505	2,044	119	332	—	181	7	Back Square.
67.8	9,095	2,150	1,920	860	74	130	—	90	—	Slit.
8.9	1,143	554	485	220	5	19	—	8	—	Fore Bayonet.
2,649.8	326,913	84,939	74,385	34,810	2,178	6,316	—	1,381	37	

WEST FALKLAND										
296	34,339	9,798	8,928	3,945	200	1,152	—	—	54	Fork.
228.5	28,179	7,059	6,432	1,896	180	501	2	—	—	Fore Bayonet.
198.2	25,615	5,866	5,417	1,487	174	511	—	220	5	Double Swallow.
217.1	26,282	6,224	5,533	1,771	124	198	1	133	10	Fore Bayonet.
228.9	25,132	5,969	5,289	3,052	174	467	—	343	12	Fore Bit.
179.2	22,155	5,168	4,543	2,195	183	526	—	—	11	Double Swallow.
161.2	17,204	4,233	3,966	1,622	97	266	1	—	—	Front Square.
1,509.1	178,906	44,317	40,108	15,968	1,132	3,621	4	696	92	

ISLANDS										
85	9,568	1,805	1,758	780	101	265	—	160	—	Fork.
62.5	6,769	1,909	1,467	710	25	140	—	—	—	Back Bayonet.
152.5	17,300	4,476	—	2,638	139	369	—	282	8	
21.4	1,836	361	—	—	—	—	—	4	—	Fore Bayonet.
23.3	2,064	486	476	280	9	20	—	116	—	Fork.
24.5	2,644	658	—	586	7	44	—	58	—	Slit.
14.7	1,584	322	300	224	4	13	—	—	—	
24.7	2,440	570	559	313	10	39	—	132	—	Back Square.
116.2	10,111	3,693	3,635	1,548	12	419	—	—	—	Double Swallow.
3.7	308	25	—	—	—	—	—	—	—	Fore Bayonet.
528.5	54,624	14,305	8,195	7,079	307	1,309	—	752	8	

2,650	326,913	84,939	74,385	34,810	2,178	6,316	—	1,381	37	
1,509	178,906	44,317	40,108	15,968	1,132	3,621	4	696	92	
528	54,624	14,305	8,195	7,079	307	1,309	—	752	8	
4,687	560,443	143,561	122,688	57,857	3,617	11,246	4	2,829	137	
4,810	573,897	132,828	117,706	57,610	3,507	10,792	19	1,596	128½	
4,982	562,862	161,691	143,201	62,947	3,426	10,659	28	1,661	118½	
4,571	553,185	141,748	125,166	51,247	3,361	10,507	34	1,481	109½	
4,758	559,638	145,634	127,123	51,928	3,339	10,925	43	1,416	104	

SHEEP DISPOSED OF

YEAR	SOLD LOCALLY FOR BREEDING OR FURTHER USE	EXPORTED	SLAUGHTERED			
			MINK FARM	MUTTON	TALLOW	SKINS
1964-1965	3,717	—	1,677	20,131	190	31,722
1963-1964	3,248	321	—	21,241	147	32,653
1962-1963	4,200	—	—	22,459	—	36,288
1961-1962	2,434	218	—	20,000	—	27,727
1960-1961	2,840	400	—	21,428	—	25,848

IMPORTATIONS

From UNITED KINGDOM		From TASMANIA	From CANADA	From CHILE	
Rams	Dog	Rams	Mink	Rams	Dogs
2	1	2	13	16	2





# THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXIV.

1 SEPTEMBER, 1965.

No. 9.

## APPOINTMENTS

Miss Gail Blyth, Messenger, Secretariat, on probation, 9.8.65.

Terence Clarke, Telegraph Messenger, on probation, 9.8.65.

Rosemary Elizabeth Trevelyan, Assistant Mistress, Education Department, on contract, 29.8.65.

Peter Clive Trevelyan, Assistant Master, Education Department, on contract, 29.8.65.

Sir Alastair Forbes, K.B., President of the Falkland Islands Court of Appeal, 1.7.65.

John Bennett, Member of the Falkland Islands Court of Appeal, 1.7.65.

Murray Rowland Fletcher Rogers, Member of the Falkland Islands Court of Appeal, 1.7.65.

Derek M. Hornby, Deputy Registrar of the Falkland Islands Court of Appeal.

No. 39. 4th August, 1965.

Administration of Justice Ordinance (Cap. 3)

### Appointment

Henry Ruddy to be a Magistrate for the Falkland Islands Dependencies with effect from the 25th March, 1965.

Ref. 0457/II.

## PROBATE

In the Supreme Court of the Falkland Islands  
(PROBATE DIVISION)

Notice under the Administration of Estates Ordinance.  
(Cap. 1)

In the matter of Georgina Duncan, deceased, of Hill Cove, Falkland Islands, who died on the 18th day of January, 1961.

WHEREAS Peter Reed Howard Duncan, son of the said deceased, has applied for Letters of Administration to administer the estate of the said deceased in the Colony.

NOTICE IS HEREBY GIVEN pursuant to section 4 of the Administration of Estates Ordinance to all persons resident in the Colony who may have prior claim to such grant that the prayer of the petitioner will be granted provided no caveat be entered in the Supreme Court within twenty-one days of the publication hereof.

H. BENNETT,  
Registrar,

Stanley, Falkland Islands,  
27th August, 1965.  
S.C. 20/65.

## INDEX OF LEGISLATION

The following item appearing in this issue should be entered in the Index of Legislation —

Double Taxation Relief (Taxes on Income) (Switzerland) Order, 1964.

## The Income Tax Ordinance

(Cap. 32, Revised Edition, 1950)

### ORDER

(under section 49 of the Ordinance)

No. 5 of 1964.

C. HASKARD,  
*Governor.*

WHEREAS it is provided by subsection (1) of 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:

AND WHEREAS by a Convention dated the 30th day of September, 1954, between the Government of the United Kingdom and the Swiss Federal Council arrangements were made among other things for the avoidance of double taxation:

AND WHEREAS provision is made in the said Convention for the extension by means of an exchange of notes between the High Contracting Parties of the said Convention, subject to such modifications and conditions (including conditions as to termination) as may be specified in the exchange of notes, to any territory, for whose international relations the United Kingdom is responsible, which imposes taxes substantially similar in character to those which are the subject of the said Convention:

AND WHEREAS by an Exchange of Notes dated respectively the 20th August, 1963 and the 26th August, 1963 the said Convention with certain modifications was applied to the Colony:

NOW, THEREFORE, HIS EXCELLENCY THE GOVERNOR, in exercise of the powers conferred upon him by subsection (1) of the said section 49 and all other powers thereunto him enabling, 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 Double Taxation Relief (Taxes on Income) (Switzerland) Order, 1964.

2. It is hereby declared —

- (a) that the arrangements specified in the Convention set out in the First Schedule to this Order, as modified by the provisions of the Second Schedule to this Order, have been made with the Swiss Federal Council; and
- (b) that it is expedient that those arrangements should have effect.

Made by the Governor in Council this 23rd day of October, 1964.

D. R. MORRISON,  
*for Clerk of the Executive Council.*

Ref. 0527/IV.

## FIRST SCHEDULE

## CONVENTION BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE SWISS CONFEDERATION FOR THE AVOIDANCE OF DOUBLE TAXATION WITH RESPECT TO TAXES ON INCOME.

The Government of the United Kingdom of Great Britain and Northern Ireland and the Swiss Federal Council,

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

Have appointed for that purpose as their respective Plenipotentiaries:

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

Alfred Douglas Dodds-Parker, Esquire, Parliamentary Under-Secretary of State for Foreign Affairs;

The Swiss Federal Council:

Monsieur Erwin Bernath, Swiss Charge d'Affaires *ad interim* in London;

Who, having communicated to one another their 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 Kingdom:

The income tax (including surtax), the profits tax and the excess profits levy (hereinafter referred to as "United Kingdom tax");

(b) In Switzerland:

The federal, cantonal and communal taxes on income (total income, earned income, income from capital, industrial and commercial profits, &c.), but not including the Federal coupon tax except where expressly mentioned (hereinafter referred to as "Swiss tax").

(2) The present Convention shall also apply to any other taxes of a substantially similar character imposed in the United Kingdom or Switzerland subsequently to the date of signature of the present Convention.

## ARTICLE II.

(1) In the present Convention, unless the context otherwise requires —

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

(b) The term "Switzerland" means the Swiss Confederation;

(c) The terms "one of the territories" and "the other territory" mean the United Kingdom or Switzerland, as the context requires;

(d) The term "tax" means United Kingdom tax or Swiss tax, as the context requires;

(e) The term "person" includes any individual, company, unincorporated body of persons, and any other entity with or without juridical personality;

(f) The term "company" means in relation to the United Kingdom any body corporate, and in relation to Switzerland any entity with juridical personality;

(g) The term "resident of the United Kingdom" means:

(i) any company or partnership whose business is managed and controlled in the United Kingdom;

(ii) any other person who is resident in the United Kingdom for the purposes of United Kingdom tax and not resident (by reason of domicile or sojourn) in Switzerland for the purposes of Swiss tax;

(h) The term "resident of Switzerland" means —

(i) any company or partnership ("societe simple," "societe en nom collectif" or "societe en commandite") created or organised under Swiss law, if its business is not managed and controlled in the United Kingdom;

(ii) any other person who is resident (by reason of domicile or sojourn) in Switzerland for the purposes of Swiss tax and not resident in the United Kingdom for the purposes of United Kingdom tax;

(i) The terms "resident of one of the territories" and "resident of the other territory" mean a resident of the United Kingdom or a resident of Switzerland, as the context requires;

(j) The terms "United Kingdom enterprise" and "Swiss enterprise" mean respectively an industrial or commercial enterprise or undertaking carried on by a resident of the United Kingdom and an industrial or commercial enterprise or undertaking carried on by a resident of Switzerland, and the terms "enterprise of one of the territories" and "enterprise of the other territory" mean a United Kingdom enterprise or a Swiss enterprise, as the context requires;

(k) The term "permanent establishment" means a branch, management, office, factory, workshop or other fixed place of business, and a farm, mine, quarry or other place of natural resources subject to exploitation. It also includes a place where building construction is carried on by contract for a period of at least one year, but does not include an agency unless the agent has and habitually exercises a general authority to negotiate and conclude contracts on behalf of an enterprise of one of the territories.

In this connexion —

- (i) An enterprise of one of the territories shall not be deemed to have a permanent establishment in the other Territory merely because it carries on business dealings in that other territory through a bona fide broker, general commission agent or other independent agent acting in the ordinary course of his business as such;
  - (ii) The fact that an enterprise of one of the territories maintains in the other territory a fixed place of business exclusively for the purchase of goods or merchandise shall not of itself constitute that fixed place of business a permanent establishment of the enterprise;
  - (iii) The fact that an enterprise of one of the territories has a subsidiary company which is a resident of the other territory or which is engaged in trade or business in that other territory (whether through a permanent establishment or otherwise) shall not of itself constitute that subsidiary company a permanent establishment of the enterprise of the former territory;
  - (l) The term "industrial or commercial profits" includes manufacturing, mercantile, mining, farming, financial and insurance profits, and rents and royalties in respect of cinematograph films, but does not include income in the form of dividends, interest or royalties (other than cinematograph royalties) except any such income which, under the laws of one of the territories and in accordance with Article III of the present Convention, is attributable to a permanent establishment situated therein;
  - (m) The term "competent authority" means, in the case of the United Kingdom, the Commissioners of Inland Revenue or their authorised representative; in the case of Switzerland, the Director of the Federal Tax Administration or his authorised representative; and in the case of any territory to which the present Convention is extended under Article XXI, the competent authority for the administration in such territory of the taxes to which the Convention applies.
- (2) Where the present Convention provides that income from a source within Switzerland shall be exempt from, or entitled to a reduced rate of, tax in Switzerland if (with or without other conditions) it is subject to tax in the United Kingdom, and under the law in force in the United Kingdom the said income is subject to tax by reference to the amount thereof which is remitted to or received in the United Kingdom and not by reference to the full amount thereof, then the exemption or reduction in rate to be allowed under the Convention in Switzerland shall apply only to so much of the income as is remitted to or received in the United Kingdom.
- (3) Where under any provision of the present Convention a partnership is entitled to exemption from United Kingdom tax as a resident of Switzerland on any income, such a provision shall not be construed as restricting the right of the United Kingdom to charge any member of the partnership, being a person who is resident in the United Kingdom for the purposes of United Kingdom tax (whether or not he is also resident in Switzerland for the purposes of Swiss tax), to tax on his share of the income of the partnership; but any such income shall be deemed for the purposes of Article XV to be income from sources within Switzerland.
- (4) Where under any provision of the present Convention an estate of a deceased person is entitled to exemption from United Kingdom tax as a resident of Switzerland on any income, such a provision shall not be construed as requiring the United Kingdom to grant exemption from United Kingdom tax in respect of such part of such income as goes to any heir of such estate who is not resident in Switzerland for the purposes of Swiss tax and whose share of such income is not subject to Swiss tax either in his hands or in the hands of the estate.
- (5) In the application of the provisions of the present Convention by either Contracting Party any term not otherwise defined shall, unless the context otherwise requires, have the meaning which it has under the laws in force in the territory of that Party relating to the taxes which are the subject of the Convention.

#### ARTICLE III.

- (1) The industrial or commercial profits of a United Kingdom enterprise shall not be subject to Swiss tax unless the enterprise is engaged in trade or business in Switzerland through a permanent establishment situated therein. If it is so engaged, tax may be imposed on those profits by Switzerland, but only on so much of them as is attributable to that permanent establishment.
- (2) The industrial or commercial profits of a Swiss enterprise shall not be subject to United Kingdom tax unless the enterprise is engaged in trade or business in the United Kingdom through a permanent establishment situated therein. If it is so engaged, tax may be imposed on those profits by the United Kingdom, but only on so much of them as is attributable to that permanent establishment.
- (3) Where an enterprise of one of the territories is engaged in trade or business in the other territory through a permanent establishment situated therein, there shall be attributed to that 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.
- (4) Where an enterprise of one of the territories derives profits, under contracts concluded in that territory, from sales of goods or merchandise stocked in a warehouse in the other territory, those profits shall not be attributed to a permanent establishment of the enterprise in that other territory, notwithstanding that the offers of purchase have been obtained by an agent in that other territory and transmitted by him to the enterprise for acceptance.
- (5) No portion of any profits arising to an enterprise of one of the territories shall be attributed to a permanent establishment situated in the other territory by reason of the mere purchase of goods or merchandise within that other territory by the enterprise.
- (6) In the determination of the industrial or commercial profits of a permanent establishment there shall be allowed as deductions all expenses which are reasonably applicable to the permanent establishment, including executive and general administrative expenses so applicable, whether incurred in the territory in which the permanent establishment is situated or elsewhere.

## ARTICLE IV.

Where —

- (a) an enterprise of one of the territories participates directly or indirectly in the management, control or capital of an enterprise of the other territory, or
  - (b) the same persons participate directly or indirectly in the management, control or capital of an enterprise of one of the territories and an enterprise of the other territory,
- and, in either case, conditions are made or imposed between the two enterprises, in their commercial or financial relations, which differ from those which would be made between independent enterprises, then 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.

Notwithstanding the provisions of Articles III and IV, profits which a resident of one of the territories derives from operating ships or aircraft, including profits of that resident from the sale of tickets for passages by such ships or aircraft, shall be exempt from tax in the other territory.

## ARTICLE VI.

(1) Dividends (other than dividends which, under the laws of the United Kingdom and in accordance with Article III of this Convention, are attributable to a permanent establishment situated in the United Kingdom) paid by a company which is a resident of the United Kingdom to a resident of Switzerland who is subject to Swiss tax in respect thereof shall be exempt from United Kingdom surtax.

(2) The industrial and commercial profits of a Swiss enterprise engaged in trade or business through a permanent establishment in the United Kingdom shall, so long as undistributed profits of United Kingdom enterprises are effectively charged to United Kingdom profits tax at a lower rate than distributed profits of such enterprises, be charged to United Kingdom profits tax only at that lower rate.

(3) Where not less than 50 per cent. of the entire voting power of a company which is a resident of the United Kingdom is controlled, directly or indirectly, by a company which is a resident of Switzerland, the distributions by the former company to the latter company, and to any other company which is a resident of Switzerland and which beneficially owns not less than 10 per cent. of the entire share capital of the company paying the dividends, shall be left out of account in computing United Kingdom profits tax effectively chargeable on that company at the rate appropriate to distributed profits.

(4) (a) The Swiss anticipatory tax may be charged in respect of dividends paid by any company created under Swiss law to a resident of the United Kingdom, but, in the case of any such resident who is subject to United Kingdom tax in respect thereof, the rate of anticipatory tax shall be reduced in accordance with the following provisions of this paragraph (unless the dividends are, under the laws of Switzerland and in accordance with Article III of this Convention, attributable to a permanent establishment situated in Switzerland).

(b) If that resident is an individual whose effective rate of United Kingdom tax does not exceed 5 per cent., the anticipatory tax shall not be charged.

(c) If that resident is an individual whose effective rate of United Kingdom tax exceeds 5 per cent., the anticipatory tax shall be charged only at the rate which, when added to the rate of Federal coupon tax, equal that effective rate.

(d) If that resident is a company which controls, directly or indirectly, not less than 95 per cent. of the entire voting power of the company paying the dividends, the anticipatory tax shall be reduced by an amount equal to 20 per cent. of the dividend.

(e) If that resident is a company which controls, directly or indirectly, less than 95 per cent. but not less than 50 per cent. of the entire voting power of the company paying the dividends, the anticipatory tax shall be reduced by an amount equal to 10 per cent. of the dividend.

(f) If that resident is a company which beneficially owns not less than 10 per cent. of the entire share capital of the company paying the dividends, and the provisions of either sub-paragraph (d) or sub-paragraph (e) of this paragraph apply to some part of the dividends paid by the latter company, the anticipatory tax shall be reduced by an amount equal to 10 per cent. of the dividend.

(5) If at any time distributed profits of companies become chargeable to United Kingdom profits tax at a rate other than 20 per cent. above the rate at which undistributed profits are effectively chargeable to that tax, the competent authorities of the two Contracting Parties may consult together in order to determine whether it is necessary for this reason to amend sub-paragraphs (d), (e) and (f) of the preceding paragraph. After such consultation has taken place either of the Contracting Parties may give to the other Contracting Party through the diplomatic channel written notice of termination of the provisions of paragraph (3) and of sub-paragraphs (d), (e) and (f) of paragraph (4) of this Article, and, in such event, those provisions shall cease to be effective from the date on which the relevant change in the rates of United Kingdom profits tax took effect.

(6) Subject to the provisions of sub-paragraph (a) of paragraph (4) of this Article, where a company which is a resident of one of the territories derives profits or income from sources within the other territory, there shall not be imposed in that other territory any form of taxation on dividends paid by the company to persons not resident in that other territory, or any tax in the nature of an undistributed profits tax on undistributed profits of the company, whether or not those dividends or undistributed profits represent, in whole or in part, profits or income so derived.

## ARTICLE VII.

(1) Any interest or royalty derived from sources within one of the territories by a resident of the other territory, who is subject to tax in that other territory in respect thereof, shall be exempt from tax in that first territory.

## (2) In this Article —

- (a) The term "interest" means interest on bonds, securities, notes, debentures or on any other form of indebtedness (including mortgages or bonds secured on real property);
- (b) The term "royalty" means any royalty or other amount paid as consideration for the right to use any copyright, artistic or scientific work, patent, model, design, secret process or formula, trade-mark, or other like property or right (including rentals and like payments for the use of industrial or commercial machinery or plant or scientific apparatus), but does not include any royalty or other amount paid in respect of the operation of mines, quarries or other natural resources.

(3) Any capital sum derived from sources within one of the territories from the sale of property or rights mentioned in sub-paragraph (b) of paragraph (2) of this Article by a resident of the other territory shall be exempt from tax in the first territory.

(4) Where there is a special relationship between debtor and creditor or both debtor and creditor have a special relationship with a third person or persons, and in consequence the amount paid is greater than would have been agreed upon if debtor and creditor had been at arm's length, the exemption provided by this Article shall not apply to the excess.

(5) Any interest or royalty exempted from United Kingdom tax by this Article shall be allowed as a deduction for profits tax and excess profits levy purposes from the profits or income of the person paying the interest or royalty, whatever the relationship between that person and the person receiving the interest or royalty may be.

(6) The exemptions from tax in one of the territories provided for in this Article shall not apply to interest, royalties or capital sums which, under the laws of that territory and in accordance with Article III of this Convention, are attributable to a permanent establishment situated therein.

## ARTICLE VIII.

(1) A resident of one of the territories shall be exempt in the other territory from any tax on gains from the sale, transfer or exchange of capital assets (other than gains which, under the laws of that other territory and in accordance with Article III of this Convention, are attributable to a permanent establishment situated therein).

(2) In this Article, the term "capital assets" means any movable property, whether corporeal or incorporeal.

## ARTICLE IX.

(1) Income derived from real property situated in one of the territories by a resident of the other territory shall be subject to tax in accordance with the laws of the first-mentioned territory. Where the income is also subject to tax in the other territory, relief from double taxation shall be given in accordance with the provisions of Article XV.

(2) In this Article, the term "income from real property" means income of whatever nature derived from real property, including gains derived from the sale or exchange of such property, and it also includes royalties in respect of the operation of mines, quarries or other natural resources. It does not however include interest from mortgages or bonds secured on such property.

## ARTICLE X.

(1) Remuneration, including pensions, paid by, or out of funds created by, the Government of the United Kingdom to an individual in respect of services rendered to that Government in the discharge of governmental functions shall be exempt from Swiss tax: provided that the exemption shall not apply to remuneration, other than a pension, paid to a Swiss citizen who is not also a British subject.

(2) Remuneration, including pensions, paid by, or out of funds created by, the Swiss Confederation or by any Swiss canton to an individual in respect of services rendered to Switzerland in the discharge of governmental functions shall be exempt from United Kingdom tax: provided that the exemption shall not apply to remuneration, other than a pension, paid to a British subject who is not also a Swiss citizen.

(3) The provisions of paragraphs (1) and (2) of this Article shall not apply to payments in respect of services rendered in connexion with any trade or business carried on by either Contracting Party or by any Swiss canton for purposes of profit.

(4) The provisions of this Convention shall not be construed as denying or affecting in any manner the right of diplomatic and consular officers to other or additional exemptions now enjoyed or which may hereafter be granted to them.

## ARTICLE XI.

(1) An individual who is a resident of the United Kingdom shall be exempt from Swiss tax on profits or remuneration in respect of personal (including professional) services performed within Switzerland in any year of assessment if —

- (a) he is present within Switzerland for a period or periods not exceeding in the aggregate 183 days during that year, and
- (b) (i) in the case of a directorship or employment, the services are performed for or on behalf of a resident of the United Kingdom;
- (ii) in other cases, he has no office or other fixed place of business in Switzerland, and
- (c) the profits or remuneration are subject to United Kingdom tax.

(2) An individual who is a resident of Switzerland shall be exempt from United Kingdom tax on profits or 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) (i) in the case of a directorship or employment, the services are performed for or on behalf of a resident of Switzerland;
  - (ii) in other cases, he has no office or other fixed place of business in the United Kingdom; and
  - (c) the profits or remuneration are subject to Swiss tax.
- (3) The provisions of this Article shall not apply to the profits or remuneration of public entertainers such as stage, motion picture, radio or television artists, musicians and athletes.

#### ARTICLE XII.

- (1) Any pension (other than a pension of the kind referred to in Article X) and any annuity, derived from sources within one of the territories by an individual who is a resident of the other territory and subject to tax in that other territory in respect thereof, shall be exempt from tax in the first territory.
- (2) In this Article —
- (a) The term "pension" means periodic payments made in consideration of past services or by way of compensation for injuries received;
  - (b) The term "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 return for adequate and full consideration in money or money's worth.

#### ARTICLE XIII.

- (1) A professor or teacher from one of the territories, who receives remuneration for teaching, during a period of temporary residence not exceeding two years, at a university, college, school or other educational institution in the other territory, shall be exempt from tax in that other territory in respect of that remuneration.
- (2) A student or business apprentice from one of the territories, who is receiving full-time education or training in the other territory, shall be exempt from tax in that other territory on payments made to him by persons outside that other territory for the purposes of his maintenance, education or training.

#### ARTICLE XIV.

- (1) Individuals who are residents of Switzerland shall be entitled to the same personal allowances, reliefs and reductions for the purposes of United Kingdom tax as British subjects not resident in the United Kingdom.
- (2) Individuals who are residents of the United Kingdom shall be entitled to the same personal allowances, reliefs and reductions for the purposes of Swiss tax as Swiss nationals resident in the United Kingdom.

#### ARTICLE XV.

- (1) The laws of the Contracting Parties shall continue to govern the taxation of income arising in either of the territories, except where express provision to the contrary is made in the present Convention. Where income is subject to tax in both territories, relief from double taxation shall be given in accordance with the following paragraphs of this Article.
- (2) Subject to the provisions of the law of the United Kingdom regarding the allowance as a credit against United Kingdom tax of tax payable in a territory outside the United Kingdom, Swiss tax payable, whether directly or by deduction, in respect of income from sources within Switzerland shall be allowed as a credit against the United Kingdom tax payable in respect of that income. Where such income is a dividend paid by a company which is a resident of Switzerland to a company which controls, directly or indirectly, not less than 50 per cent. of the entire voting power of the former company, the credit shall take into account (in addition to any Swiss tax appropriate to the dividend) the Swiss tax payable by the former company in respect of its profits. For the purpose of this paragraph, the term "Swiss tax" shall include the Federal coupon tax, but shall not include the communal taxes.
- (3) Income (other than dividends) from sources within the United Kingdom which under the laws of the United Kingdom and in accordance with this Convention is subject to tax in the United Kingdom either directly or by deduction shall be exempt from Swiss tax.
- (4) In the case of a person (other than a company or partnership) who is resident in the United Kingdom for the purposes of United Kingdom tax and is also resident (by reason of domicile or sojourn) in Switzerland for the purposes of Swiss tax, the provisions of paragraph (2) of this Article shall apply in relation to income which that person derives from sources within Switzerland, and the provisions of paragraph (3) of this Article shall apply in relation to income which that person derives from sources within the United Kingdom. If such person derives income from sources outside both the United Kingdom and Switzerland, tax may be imposed on that income in both the territories (subject to the laws in force in the territories and to any Convention which may exist between either of the Contracting Parties and the territory from which the income is derived) but the Swiss tax on so much of that income as is subjected to tax in both the territories shall be limited to one-half of the tax on such income, and the United Kingdom tax on that income shall be reduced by a credit, in accordance with paragraph (2) of this Article, for the Swiss tax so computed.
- (5) For the purposes of this Article, profits or remuneration for personal (including professional) services performed in one of the territories shall be deemed to be income from sources within that territory, except that the remuneration of a director of a company shall be deemed to be income from sources within the territory in which the company is resident, and the services of an individual whose services are wholly or mainly performed in ships or aircraft operated by a resident of one of the territories shall be deemed to be performed in that territory.

## ARTICLE XVI.

(1) Where it is provided in this Convention that relief from tax in respect of any kind of income shall be allowed in the territory from which such income is derived, that provision shall not be construed as requiring that income to be paid without deduction of tax at source at the full rate. Where tax has been deducted at source from such income the taxation authorities of the territory in which relief from tax is required to be given shall, when the taxpayer in receipt of the income shows to their satisfaction and within the time limits prescribed in that territory that he is entitled to the relief, arrange for the appropriate repayment of tax.

(2) Where any income is exempted from tax by any provision of this Convention, it may nevertheless be taken into account in computing the tax on other income or in determining the rate of such tax.

(3) For the purpose of calculating the reliefs due under Articles VI and XIV, the income of a partnership shall be regarded as that of its individual members.

## ARTICLE XVII.

(1) The provisions of the present Convention shall not be construed as restricting in any manner any exemption, deduction, credit or other allowance now or hereafter accorded by the laws in force in the territory of one of the Contracting Parties in the determination of the tax imposed in such territory.

(2) The provisions of the present Convention shall not be construed as derogating from any right or privilege conferred upon taxpayers by the Agreement of the 17th October, 1931 (c), between the Government of the United Kingdom and the Swiss Federal Council for reciprocal exemption from taxation on profits or gains arising through an agency.

## ARTICLE XVIII.

(1) The nationals of one Contracting Party shall not be subjected in the territory of the other Contracting Party to any taxation or any requirement connected therewith which is other, higher or more burdensome than the taxation and connected requirements to which the nationals of the latter Party are or may be subjected in similar circumstances.

(2) The enterprises of one of the territories, whether carried on by a company, a body of persons or by individuals alone or in partnership, shall not be subjected in the other territory, in respect of income, profits or capital attributable to their permanent establishments in that other territory, to any taxation which is other, higher or more burdensome than the taxation to which the enterprises of that other territory similarly carried on are or may be subjected in respect of the like income, profits or capital.

(3) The income, profits and capital of an enterprise of one of the territories, the capital of which is wholly or partly owned or controlled, directly or indirectly, by a resident or residents of the other territory, shall not be subjected in the first territory to any taxation which is other, higher or more burdensome than the taxation to which other like enterprises of that first territory are or may be subjected in similar circumstances in respect of the like income, profits and capital.

(4) Nothing in paragraph (1) or paragraph (2) of this Article shall be construed as obliging one Contracting Party to grant to nationals of the other Contracting Party who are not resident in the territory of the former Party the same personal allowances, reliefs and reductions for tax purposes as are granted to its own nationals.

(5) In this Article the term "nationals" means —

(a) in relation to Switzerland, all Swiss citizens wherever residing and all entities with or without juridical personality created under Swiss laws;

(b) in relation to the United Kingdom, all British subjects and British protected persons —

(i) residing in the United Kingdom or any territory to which the present Convention is extended under Article XXI, or

(ii) deriving their status as such from connexion with the United Kingdom or any territory to which the present Convention is extended under Article XXI, and all legal persons, partnerships, associations and other entities deriving their status as such from the law in force in the United Kingdom or any territory to which the Convention is extended under Article XXI.

(6) In this Article the term "taxation" means taxes of every kind and description levied on behalf of any authority whatsoever.

## ARTICLE XIX.

(1) Where a taxpayer shows to the satisfaction of the competent authority of the Contracting Party of which he is a national or in whose territory he is a resident that he has not received the treatment in the other territory to which he is entitled under any provision of this Convention, that competent authority shall consult with the competent authority of the other Party with a view to the avoidance of the double taxation in question.

(2) The competent authorities of the two Contracting Parties may communicate with each other directly for the purpose of giving effect to the provisions of this Convention (and in particular the provisions of Articles III and IV) and for resolving any difficulty or doubt as to the application or interpretation of the Convention.

## ARTICLE XX.

(1) The competent authorities of the Contracting Parties shall exchange such information (being information which is at their disposal under their respective taxation laws in the normal course of administration) as is necessary for carrying out the provisions of the present Convention in relation to



the taxes which are the subject of the Convention. Any information so exchanged shall be treated as secret and shall not be disclosed to any persons other than those concerned with the assessment and collection of the taxes which are the subject of the Convention. No information as aforesaid shall be exchanged which would disclose any trade, business, industrial or professional secret or trade process.

(2) In no case shall the provisions of this Article be construed as imposing upon either of the Contracting Parties the obligation to carry out administrative measures at variance with the regulations and practice of either Contracting Party or which would be contrary to its sovereignty, security or public policy or to supply particulars which are not procurable under its own legislation or that of the Party making application.

#### ARTICLE XXI.

(1) The present Convention may be extended, either in its entirety or with modifications, to any territory for whose international relations the United Kingdom is responsible and which imposes taxes substantially similar in character to those which are the subject of the Convention, and any such extension shall take effect from such date and subject to such modifications and conditions (including conditions as to termination) as may be specified and agreed between the Contracting Parties in notes to be exchanged for this purpose.

(2) The termination in respect of the United Kingdom or Switzerland of the present Convention under Article XXIV shall, unless otherwise expressly agreed by the Contracting Parties, terminate the application of the Convention to any territory to which it has been extended under this Article.

#### ARTICLE XXII.

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

(2) The present Convention shall enter into force upon the exchange of ratifications.

#### ARTICLE XXIII.

(1) Upon the entry into force of the present Convention in accordance with Article XXII, the provisions of the Convention shall have effect —

(a) In the United Kingdom —

as respects income tax (including surtax) for any year of assessment beginning on or after the 6th April, 1953;

as respects profits tax and excess profits levy in respect of the following profits —

- (i) profits by reference to which income tax is, or but for the present Convention would be, chargeable for any year of assessment beginning on or after the 6th April, 1953;
- (ii) other profits being profits by reference to which income tax is not chargeable, but which arise in any chargeable accounting period beginning on or after the 1st April, 1953, or are attributable to so much of any chargeable accounting period falling partly before and partly after that date as falls after that date;

(b) In Switzerland —

for any taxable year beginning on or after the 1st January, 1953.

(2) The exemption from tax provided in Article V shall have effect for any year of assessment beginning on or after the 6th April, 1946.

#### ARTICLE XXIV.

The present Convention shall continue in effect indefinitely but either Contracting Party may, on or before the 30th June in any calendar year not earlier than the year 1957, give to the other Contracting Party, through the diplomatic channel, written notice of termination and, in such event, the Convention shall cease to be effective —

(a) In the United Kingdom:

as respects income tax (including surtax) for any year of assessment beginning on or after the 6th April in the calendar year next following that in which the notice is given;

as respects profits tax in respect of the following profits —

- (i) profits by reference to which income tax is chargeable for any year of assessment beginning on or after the 6th April in the calendar year next following that in which the notice is given;
- (ii) other profits being profits by reference to which income tax is not chargeable, but which arise in any chargeable accounting period beginning on or after the 1st April in the calendar year next following that in which the notice is given or are attributable to so much of any chargeable accounting period falling partly before and partly after that date as falls after that date;

(b) In Switzerland —

for any taxable year beginning on or after the 1st January of the calendar year next following that in which the notice is given.

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

Done in duplicate at London, the 30th day of September, one thousand nine hundred and fifty-four, in the English and French languages, both texts being equally authoritative.

(L.S.)

DOUGLAS DODDS-PARKER.

(L.S.)

E. BERNATH.

## SECOND SCHEDULE

## APPLICATION

1. (a) The provisions of the Convention incorporated in the First Schedule to this Order shall apply as modified below —
  - (i) as if the contracting parties were the Government of the Colony of the Falkland Islands and the Swiss Federal Council.
  - (ii) as if the tax concerned in the case of the Colony were the income tax;
  - (iii) as if references to the date of signature were references to the 26th day of August, 1963;
  - (iv) 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 1961 and for subsequent years of assessment, (and will have effect in Switzerland — as respects Swiss tax for the taxable years beginning on or after the 1st day of January, 1961.).
- (c) The extension shall continue in effect indefinitely but may be terminated as respects the Colony by written notice of termination given on or before the 30th day of June in any calendar year not earlier than the year 1966 by either of the High Contracting Parties to the Convention to the other High Contracting Party through the diplomatic channel and in such event the extension shall cease to have effect in the Colony as respects tax for the year of assessment beginning in the calendar year next following the date of such notice and for subsequent years of assessment, (and will cease to have effect in Switzerland as respects Swiss tax for any taxation year beginning on or after the 1st day of January in the calendar year next following that in which the notice was given).

## MODIFICATIONS.

2. (a) Article VI of the Convention shall be deemed to be deleted.
- (b) References to interest in Article VII of the Convention shall be deemed to be deleted.
- (c) The words in brackets in Article XV (3) of the Convention shall be deemed to be replaced by the words "other than dividends and interest".

## PUBLICATIONS FOR SALE

*Copies of the following publications are available from the Secretariat —*

- Plants which flower successfully in the Falkland Islands by H. R. EVANS  
(first published 1944) 3d. postage 1d., overseas 10d.
- The Grasslands of the Falkland Islands by WILLIAM DAVIS  
(first published 1939) 1/- postage 2½d., overseas 1/-
- The Munro Report on Sheep Farming in the Falkland Islands  
(first published 1924) 1/- postage 2½d., overseas 10d.
- The Falkland Islands by CAWKELL, MALING and CAWKELL 18/- postage 2½d., overseas 1/6.
- Biennial Report 1962/63 ... .. 7/6d. postage 2½d., overseas 10d.





# THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXIV.

7 OCTOBER, 1965.

No. 10.

## APPOINTMENTS

Harold Bennett to be Registrar of the Falkland Islands Court of Appeal with effect from 1.7.65.

Christopher Blenkinsop to be a Whale Fishery Inspector, South Georgia, 24.9.65.

Iain Smith to be a Whale Fishery Inspector, South Georgia, 24.9.65.

## NOTICES

No. 40. 7th September, 1965.

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 —

No.	Title	Ref.
1 of 1965	Firearms (Amendment) Ord., 1965	1896/A.
2 of 1965	Marriage (Amendment) Ord., 1965	1131.

No. 41. 20th September, 1965.

It is hereby notified that Government clocks will be advanced one hour at midnight, Saturday the 25th of September, 1965.

Ref. 0064.

No. 42. 23rd September, 1965.

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.
6 of 1965	Pensions Ordinance, 1965	0829/IV.

No. 43.

28th September, 1965.

## Education Ordinance (Cap. 22)

In accordance with Section 2 the following have been approved by the Governor —

### Recognised Schools

Stanley Infant and Junior School  
Stanley Senior School  
Darwin Boarding School  
Port Howard School  
Hill Cove School.

### Recognised Teachers

John Dixon  
Trevor Ambler  
Christopher Mennie  
Paul Mitchell  
Charles Wood  
Richard Spraggs  
William Lamplugh  
John Chamberlain  
Alan Worral  
Philip Roderick

V. S. O. teachers  
for one year.

Ref. 24/44.

No. 44.

30th September, 1965.

With reference to Gazette Notice No. 9 of 18th January, 1965, 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

### Medical Practitioners

KUROGO, FUMIO  
HAYASHI, TORU

### Qualifications

(Japan)  
(Japan)

Ref. 1326/II.

## No. 45. 5th October, 1965.

The following dates have been set aside as Public Holidays in Stanley in 1966.

Good Friday	... Friday, 8th April
Her Majesty the Queen's Birthday	... Thursday, 21st April
October Bank Holiday	... Monday, 3rd October
Battle Day	... Thursday, 8th December
Christmas Holidays	... Monday, 26th December
	... Tuesday, 27th December

Ref. 2380.

## No. 46. 5th October, 1965.

The findings of the Cost of Living Committee for the quarter ended 30th September, 1965, are hereby published for general information —

	<i>Adjusted</i>
<i>Quarter ended</i>	<i>Percentage increase over 1948 prices</i>
30th September, 1965	96.38%

2. The scale of wages for hourly paid workers remains unchanged.

Ref. 0704/VI.

## PROBATE

In the Supreme Court of the Falkland Islands  
(PROBATE DIVISION)

Notice under the Administration of Estates Ordinance.  
(Cap. 1)

In the matter of Rowland James Watson, deceased, of Stanley, Falkland Islands, who died on the 30th May, 1964.

WHEREAS Louis James Watson, father of the said deceased, has applied for Letters of Administration to administer the estate of the said deceased in the Colony.

NOTICE IS HEREBY GIVEN pursuant to section 4 of the Administration of Estates Ordinance to all persons resident in the Colony who may have prior claim to such grant that the prayer of the petitioner will be granted provided no caveat be entered in the Supreme Court within twenty one days of the publication hereof.

H. BENNETT,  
Registrar.

Stanley, Falkland Islands.  
24th September, 1965.  
S.C. 21/65.

## INDEX OF LEGISLATION

The following item appearing in this issue should be entered in the Index of Legislation —  
Application of Colony Laws Ordinance, 1965.

# PROCLAMATION

## No. 3 of 1965.

Made under section 24 of the Falkland Islands (Legislative Council)  
Orders 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.

C. HASKARD.

*By His Excellency SIR COSMO DUGAL PATRICK THOMAS HASKARD, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Member of the Most Excellent Order of the British Empire.*

LS

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 COSMO DUGAL PATRICK THOMAS HASKARD, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Member of the Most Excellent Order of the British Empire, 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 aforesaid, do by this Proclamation appoint Monday the 1st day of November, 1965, at 9.30 a. m. 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 7th day of October, in the Year of our Lord One thousand Nine hundred and Sixty-five.

*By His Excellency's Command*

W. H. THOMPSON,

*Colonial Secretary.*

Ref 0529/III.

Assented to in Her Majesty's name this 20th day of September, 1965.

C. HASKARD,  
*Governor.*



No. 4



1965

### Falkland Islands Dependencies.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II.**

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

### 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, 1965. 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 date set out opposite their titles in the third column of the Schedule to this Ordinance. Application of certain Ordinances to the Dependencies.

### SCHEDULE

2 of 1965	The Marriage (Amendment) Ordinance, 1965	3rd May, 1965.
5 of 1965	The Income Tax (Amendment) Ordinance, 1965	1st January, 1966.
6 of 1965	The Pensions Ordinance, 1965	1st January, 1964.
7 of 1965	The Diplomatic Privileges (Extension) (Amendment) Ordinance, 1965	3rd May, 1965.
10 of 1965	The Immigration Ordinance, 1965	3rd June, 1965.

Promulgated by the Governor on the 20th day of September, 1965.

W. H. THOMPSON,  
*Colonial Secretary.*

## A Bill for An Ordinance

Title.

### To amend the Workmen's Compensation Ordinance, 1960.

Date of commencement.

(.....19.....)

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 Workmen's Compensation (Amendment) Ordinance, 1965, and shall be read as one with the Workmen's Compensation Ordinance, 1960, hereinafter referred to as the principal Ordinance.

Amendment of section 2  
of the principal Ordinance.

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

- (a) by deleting the words "Fourth Schedule" in the proviso to the definition of "Partial disablement" and substituting the words "Third Schedule";
- (b) by deleting the definition of "Seaman";
- (c) by deleting the words "Fourth Schedule" in the proviso to the definition of "Total disablement" and substituting the words "Third Schedule";
- (d) by deleting the definition of "Workman" and substituting the following definition —

"WORKMAN", subject to section 20 and the proviso hereto, means any person who has, either before or after the commencement of this Ordinance, entered into or works under a contract of service or apprenticeship or otherwise with an employer, whether by way of manual labour, clerical work, or otherwise, and whether the contract is expressed or implied, is oral or in writing and whether the remuneration is calculated by time or by work done or otherwise:



Provided that the following persons shall not be regarded as workmen for the purposes of this Ordinance —

- (a) any person employed otherwise than by way of manual labour whose earnings exceed ; or
  - (b) a person whose employment is of a casual nature and who is employed otherwise than for the purposes of the employer's trade or business, not being a person employed for the purpose of any game or recreation and engaged or paid through a club; or
  - (c) an outworker; or
  - (d) any person in the naval, military or air forces of the Crown; or
  - (e) a member of the employer's family dwelling in his house; or
  - (f) any person employed by any one employer in domestic work about a private house who is not living in that house or in accommodations provided by the employer and who is employed in such work for less than eight hours in a week; or
  - (g) any class of persons whom the Governor in Council may by order declare not to be workmen for the purposes of this Ordinance.”;
- (e) by deleting subsection (5).

3. Section 3 of the principal Ordinance is repealed and replaced as follows —

Repeal and replacement of section 3 of the principal Ordinance.

“Employer's liability for compensation for death or incapacity resulting from accident.

3. (1) If in any employment personal injury by accident arising out of and in the course of the employment is caused to a workman, his employer shall, subject as hereinafter mentioned, be liable to pay compensation in accordance with the provisions of this Ordinance:

Provided that —

- (a) the employer shall not be liable under this Ordinance in respect of any injury which does not incapacitate the workman for a period of at least three days from earning full wages at the work at which he was employed; and
- (b) if it is proved that the injury to a workman is attributable to the serious and wilful misconduct of that workman, any compensation claimed in respect of that injury shall be disallowed:

Provided that where the injury results in the death or serious permanent incapacity the Commissioner on a consideration of all the circumstances may award the compensation provided by this Ordinance or such part thereof as he shall think fit.

(2) For the purposes of this Ordinance, an accident resulting in the death or serious and permanent incapacity of a workman shall be deemed to arise out of and in the course of his employment, notwithstanding that the workman was at the time when the accident happened acting in contravention of any statutory or other regulation applicable to his employment, or of any orders given by or on behalf of his employer, or that he was acting without instructions from his employer, if such act was done by the workman for the purposes of and in connexion with his employer's trade or business.

(3) No compensation shall be payable under this Ordinance in respect of any incapacity or death resulting from a deliberate self injury.

(4) No compensation shall be payable to a workman in respect of any disease, unless the disease is solely and directly attributable to specific injury by accident arising out of and in the course of his employment.

(5) No compensation shall be payable under this Ordinance in respect of any incapacity or death arising from personal injury, if the workman has at any time represented to the employer that he was not suffering or had not previously suffered from that or a similar injury, knowing that the representation was false.

(6) For the purposes of this Ordinance an accident arising in the course of a workman's employment shall be deemed, in the absence of evidence to the contrary, also to have arisen out of that employment."

Occupational  
Diseases.

(7) (a) If a workman who becomes disabled by or dies of any scheduled disease, was within twenty-four months immediately preceding the disablement or death, employed in any occupation specified in the Fourth Schedule opposite such disease (hereinafter referred to as an "occupational disease") it shall be presumed, unless the contrary is proved that the disease was due to the nature of such employment, and the workman, or, if he is deceased his dependants, shall be entitled to compensation under this Ordinance as if such disablement or death had been caused by an accident, and the provision of this Ordinance shall, *mutatis mutandis*, apply unless, at the time of entering into the employment the workman wilfully and falsely represented to the employer in writing, in reply to a specific question, that he had not previously suffered from such disease.

Provided that, in no event, shall the workman or his dependants be entitled to compensation in respect of any causation or aggravation of the disease which was due to employment outside the Colony except in respect of a workman belonging to the Colony employed outside the Colony by his employer within the Colony.

(b) Any compensation payable in respect of an occupational disease shall be payable by the employer employing the workman at the end of the twenty-four monthly period.

Provided however, where the disease is of such a nature as to have been contracted by a gradual process during such twenty-four monthly period, any other employer who employed the workman during such period shall be liable to make contributions to the employer paying compensation. If the employers cannot agree as to the amount of compensation which shall be paid by each the matter shall be determined by the Commissioner. An appeal shall be to the Supreme Court from any such determination by the Commissioner and the provisions of section 36 shall apply to such an appeal in the same manner and to the same extent as it applies to an appeal from an Order of the Commissioner.

(c) The workman if not deceased, and his dependants shall furnish to the employer primarily liable

to pay compensation all information as to other persons who employed the workman during the twenty-four monthly period immediately preceding the workman's disablement or death.

4. Section 6 of the principal Ordinance is repealed and replaced as follows —

Repeal and replacement of section 6 of the principal Ordinance.

"Amount of compensation.

6. Subject to the provisions of this Ordinance, the amount of compensation shall be as follows —

- (a) where death has resulted from the injury, as specified in the First Schedule;
- (b) where permanent total disablement results from the injury, as specified in the Second Schedule;
- (c) where permanent partial disablement results from the injury, as specified in the Third Schedule;
- (d) where more injuries than one are caused by a single accident and permanent disablement results the amounts of compensation payable in respect of all such injuries shall be aggregated but not so as to exceed in any case the amount which would have been payable in respect of permanent total disablement;
- (e) where temporary disablement, whether total or partial, results from the injury, a half-monthly payment payable on the sixteenth day from the date of the disablement, and thereafter half-monthly during the disablement or during a period of five years, whichever period is shorter, of an amount equal to one-third of his monthly earnings at the time of the accident:

Provided that —

- (i) where permanent disablement follows a period not exceeding six months of total disablement there shall not be deducted from the lump sum payable in respect of such permanent disablement any half-monthly payments or allowance to which the injured workman is entitled and which he has received from his employer by way of compensation;
- (ii) where permanent disablement follows a period exceeding six months of total or partial temporary disablement there shall be deducted from the lump sum payable in respect of such permanent disablement any half-monthly payments or allowance to which the injured workman is entitled and which he has received from his employer by way of compensation in respect of any period in excess of six months;

And provided also that, if a workman who has been disabled is earning or, in the opinion of the Commissioner is capable of earning, an amount which together with the monthly payment of two-thirds of his earnings at the time of the accident exceeds the workman's earnings at the time of the accident, then the monthly payment may be so adjusted as to provide

that the monthly payments as compensation together with the amount of his earnings or the earnings he could receive, shall not exceed the sum total of the workman's earnings at the time of the accident;

And provided further that if the disablement ceases before the date on which any half-monthly payment falls due, there shall be payable in respect of that half month an amount proportionate to the duration of the disablement during that half month.

Repeal of section 7 of the principal Ordinance.

5. Section 7 of the principal Ordinance is repealed.

Amendment of section 11 of the principal Ordinance.

6. Subsection (5) of section 11 of the principal Ordinance is hereby amended by deleting all words between the word "therefrom" in the second line thereof and the word "and" in the third line thereof, and by substituting the words "the reasonable expenses for the burial of the deceased workman and the reasonable expenses of medical attention on the deceased workman not exceeding in all an amount equal to six months' wages,".

Amendment of section 33 of the principal Ordinance.

7. Section 33 of the principal Ordinance is amended by the deletion of all words and figures commencing with "in subsection (3)" in lines five and six thereof and ending with the word and figure "section 7" in line six thereof and substituting therefor the word and figure "section 6".

Repeal and replacement of section 34 of the principal Ordinance.

8. Section 34 of the principal Ordinance is repealed and replaced as follows —

"Application to persons employed on ships.

34. (1) This Ordinance shall apply to masters, seamen and apprentices to the sea service, provided that such persons are workmen within the meaning of this Ordinance, and are members of the crew of any ship registered in the Colony or of any other British ship or vessel of which the owner, or (if there is more than one owner) the managing owner, or manager resides or has his principal place of business in the Colony, subject to the following modifications —

- (a) the notice of accident and the claim for compensation may, except where the person injured is the master, be given to the master of the ship as if he were the employer, but where the accident happened and the incapacity commenced on board the ship it shall not be necessary to give any notice of the accident;
- (b) in the case of the death of the master, seaman or apprentice, the application for compensation shall be made within three months after news of the death has been received by the claimant;
- (c) whenever in the course of any legal proceeding under this Ordinance the testimony of any witness is required in relation to the subject matter of the proceeding, then, upon due proof that the witness cannot be found in the Colony, any deposition which the witness may have previously made on oath in relation to the same subject matter before any justice or magistrate in Her Majesty's dominions or in any place where Her Majesty exercises jurisdiction or before any British Consular Officer elsewhere and which, if the proceeding had been under the Merchant Shipping Act, 1894, would have been admissible in such proceeding by virtue of sections 691 and 695 of that Act,

shall be admissible in evidence subject to similar conditions as are laid down in the said sections 691 and 695;

- (d) in case of the death of a master, seaman or apprentice leaving no dependants, no compensation shall be payable, if the owner of the ship is under the Merchant Shipping Act, 1894, liable to pay expenses of burial;
- (e) the periodical payment shall not be payable in respect of the period during which the owner of the ship is, under any law in force for the time being in the Colony relating to merchant shipping, liable to defray the expenses of maintenance of the injured master, seaman or apprentice.

(2) This Ordinance shall also apply to any person not being a master, seaman or apprentice to the sea service, employed on board any such ship as is mentioned in this section, if he is so employed for the purposes of the ship or of any passengers or cargo or mails carried by the ship, and if he is otherwise a workman within the meaning of this Ordinance.

(3) In this section unless the context otherwise requires —

“MASTER” in relation to a ship means the ship's husband or other person to whom the management of the ship is entrusted by or on behalf of the owner;

“PORT” includes place;

“SEAMAN” includes every person (except masters, pilots, and apprentices duly indentured and registered), employed or engaged in any capacity on board any ship;

“SHIP” includes every description of vessel used in navigation not propelled by oars;

“VESSEL” includes any ship or boat, or any other description of vessel used in navigation.”.

9. Section 40 of the principal Ordinance is amended as follows —

Amendment of section 40 of the principal Ordinance.

- (a) by being renumbered “40 (1)”;
- (b) by the addition of the following new subsection —

“(2) Nothing in this Ordinance shall effect any agreement or award, or other instrument certified, issued or made, or any other thing done under the Ordinance repealed by this Ordinance and in force at the commencement of this Ordinance, but any such agreement or award, or other instrument, or other thing, shall continue in force and have effect as if certified, issued, made or done under this Ordinance.”.

10. The First Schedule to the principal Ordinance is repealed.

Repeal of First Schedule to the principal Ordinance.

11. The Schedules to the principal Ordinance are hereby amended —

Amendment of Schedules to the principal Ordinance.

- (a) by the deletion of the First Schedule;
- (b) by re-heading the “Second Schedule” “Third Schedule” and “Fourth Schedule” as the “First Schedule” “Second Schedule” and “Third Schedule” respectively; and
- (c) by the addition of the following new Schedule —

## FOURTH SCHEDULE

## OCCUPATIONAL DISEASES

*List of diseases and toxic substances.*

Poisoning by lead, its alloys or compounds and their sequelæ.

Poisoning by mercury, its amalgams and compounds and their sequelæ.

Anthrax infection.

Silicosis with or without pulmonary tuberculosis, provided that silicosis is an essential factor in causing the resultant incapacity or death.

Phosphorus poisoning by phosphorus or its compounds, and its sequelæ

Arsenic poisoning by arsenic or its compounds, and its sequelæ.

Poisoning by benzene or its homologues, their nitro- and amido-derivatives, and its sequelæ.

Poisoning by the halogen derivatives of hydrocarbons of the aliphatic series.

Pathological manifestations due to —

- (a) radium and other radio-active substances;
- (b) X-rays.

Primary epitheliomatous cancer of the skin.

Governor may amend  
Schedule 4 by Order.

*List of corresponding trades, industries or processes.*

Handling of ore containing lead, including fine shot in zinc factories. Casting of old zinc and lead in ingots. Manufacture of articles made of cast lead or of lead alloys. Employment in the polygraphic industries. Manufacture of lead compounds. Manufacture and repair of electric accumulators. Preparation and use of enamels containing lead. Polishing by means of lead files or putty powder with a lead content. All painting operations involving the preparation and manipulation of coating substances, cements or colouring substances containing lead pigments.

Handling of mercury ore. Manufacture of mercury compounds. Manufacture of measuring and laboratory apparatus. Preparation of raw material for the hat-making industry. Hot gilding. Use of mercury pumps in the manufacture of incandescent lamps. Manufacture of fulminate of mercury primers.

Work in connexion with animals infected with anthrax. Handling of animal carcasses or parts of such carcasses including hides, hoofs and horns. Loading and unloading or transport of merchandise.

Industries or processes recognised by national law or regulations as involving exposure to the risk of silicosis.

Any process involving the production, liberation or utilisation of phosphorus or its compounds.

Any process involving the production, liberation or utilisation of arsenic or its compounds.

Any process involving the production, liberation or utilisation of benzene or its homologues, of their nitro- and amido-derivatives.

Any process involving the production, liberation or utilisation of halogen derivatives of hydrocarbons of the aliphatic series designated by national laws or regulations.

Any process involving exposure to the action of radium, radio-active substances, or X-rays.

Any process involving the handling or use of tar, pitch, bitumen, mineral oil, paraffin, or the compounds, products or residues of these substances.

12. The Governor may by order published in the Gazette, at any time add to, vary or amend the Fourth Schedule.

## OBJECTS AND REASONS

The objects of this Bill are —

- (a) to amend existing law by providing adequate definitions of workmen and seamen;
- (b) to repeal and replace section 6 of the principal Ordinance to provide a more understandable basis for the calculation of compensation;
- (c) to apply the principal Ordinance fully to seamen; and
- (d) to include therein an up to date schedule of occupational diseases.

Ref. 0038/C/IV.

A Bill for  
An Ordinance

To amend and consolidate the law as to  
Firearms.

Title.

[.....19.....]

Date of commencement.

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 Firearms Ordinance  
1965”.

Short title.

2. In this Ordinance —

“CAPE PEMBROKE PENINSULA” means that piece of land lying  
north of Hooker’s Point and extending west to Engineer  
Point and east to Cape Pembroke.

“EXEMPTED FIREARM” means a firearm kept only for display  
purposes of an historical or interesting nature for which a  
certificate of exemption from licensing has been issued by the  
Superintendent of Police.

“FIREARM” means any lethal barrelled weapon of any description  
from which any shot bullet or other missile can be discharged  
and includes any prohibited weapon whether it is such a lethal  
weapon or not any component part of such lethal or prohibited  
weapon and any accessory to any such weapon designed or  
adapted to diminish the noise or flash caused by firing the  
weapon.

“FIREARMS DEALER” means a person who by way of trade or  
business manufactures sells transfers repairs tests or proves  
firearms.

“IMITATION FIREARM” means anything which has the appearance  
of being a firearm whether or not it is capable of discharging  
any shot bullet or other missile.

"LICENCE" means a licence to possess and use a firearm issued by the Superintendent of Police.

"POLICE OFFICER" includes a Police Constable.

"PROHIBITED AMMUNITION" means any ammunition containing or designed or adapted to contain any noxious liquid gas or other thing.

"PROHIBITED WEAPON" means (a) any firearm which is so designed or adapted that if pressure is applied to the trigger, missiles continue to be discharged until pressure is removed from the trigger or the magazine containing the missiles is empty or (b) any weapon of whatever description designed or adapted for the discharge of any noxious liquid gas or other thing.

"PUBLIC PLACE" means any street, road, footway or open and public place in Stanley to which the public have or are permitted to have access.

"REGISTERED" in relation to a firearms dealer means registered with the Superintendent of Police.

"STANLEY COMMON" means land outside Stanley, bounded on the north by Stanley and Stanley Harbour east to Hooker's Point; on the west by a line drawn from Moody Brook Bridge to the Stone Corral thence to the estuary of Mullet Creek Stream; on the south and east by the sea.

"SUPERINTENDENT OF POLICE" includes the officer acting in that behalf at Stanley.

## PART I

### LICENCES

Purchase or possession of firearms and ammunition without a licence.

3. (1) Subject to the provisions of this Ordinance no person shall purchase, acquire, or have in his possession any firearm to which this part of the Ordinance applies without holding a Licence in force at the time or otherwise than as authorised by such licence.

(2) Any person who purchases or is in possession of any firearm without a licence or fails to comply with the conditions of such licence shall for each offence be liable on summary conviction to a fine not exceeding £50 or imprisonment for a term not exceeding three months or both such fine and imprisonment.

Grant, renewal, variation or revocation of licence.

4. (1) An application for the grant of a licence shall be made on the form issued for that purpose by the Superintendent of Police and shall state such particulars as may be required.

(2) A licence shall be granted by the Superintendent of Police if he is satisfied that the applicant has good reason for having in his possession the firearm in respect of which the application is made and can be permitted to have the same without danger to the public peace or safety:

Provided that a licence shall not be granted to a person whom the Superintendent of Police has reason to believe to be of intemperate habits or unsound mind or to be for any reason unfitted to be entrusted with any firearm.

(3) A licence shall specify the conditions (if any) subject to which it is held the description and number of the firearms to which it relates.

(4) An applicant shall pay the sum of ten shillings for the first firearm and two shillings and six pence for each additional firearm upon the grant of a licence.

(5) A licence shall unless previously revoked or cancelled continue in force for one year from the date when it was granted or last renewed.

(6) The Superintendent of Police may at any time by notice in writing vary the conditions subject to which the licence is held and may by notice require the holder to deliver up the licence to him within 21 days of the date of the notice for the purpose of amending the conditions therein specified.



(7) The Superintendent of Police may revoke a licence if —

- (a) he is satisfied that the holder is of intemperate habits or unsound mind or is otherwise unfitted to be entrusted with a firearm; or
- (b) the holder fails to comply with a notice under sub-section (6) of this section requiring him to deliver up the certificate.

(8) Any person aggrieved by a refusal of the Superintendent of Police to grant him a licence or renew a licence or by the revocation of a licence may appeal to the Supreme Court.

(9) The Superintendent of Police shall, when he revokes a licence, by notice in writing require the holder to surrender the licence and if the holder fails to do so within 21 days of the date of the notice he shall be liable on summary conviction to a fine not exceeding £20.

(10) Any person who makes a statement which he knows to be false for the purpose of procuring whether for himself or any other person the grant of a licence shall be liable for each offence on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding £20 or both such imprisonment and fine.

5. The following shall be exempt from the requirements of section 3 of this Ordinance — Exemptions.

(1) A registered firearms dealer or his servant in the ordinary course of that business.

(2) A person who has been granted a permit by the Superintendent of Police to have in his possession a slaughtering instrument of an approved design.

(3) A member of Her Majesty's forces or a member of the police force in respect of any firearm entrusted to such member in the course of his official duties.

(4) A member of the Falkland Islands Defence Force in respect of any firearm certified by the Commanding Officer thereof as being used or carried by such member in the performance of his duty.

(5) Falkland Islands Defence Force Small Bore Rifle Club provided that the firearms in the possession of the Club shall remain in the Club buildings and rifle range only.

(6) A person in the service of the Government or the British Antarctic Survey having in his possession any firearm for the necessary performance of his duty such possession being specially authorised by the Head of his Department: provided the authorisation has the written agreement of the Superintendent of Police.

(7) A person possessing an exempted firearm for which a certificate of exemption has been obtained.

(8) Persons using firearms during any organised competition or practice on a rifle range or in any area approved for such purposes by the Superintendent of Police.

(9) Members of the Boys' Brigade provided that small bore firearms in the possession of the Boys' Brigade shall remain in the Defence Force Drill Hall.

6. (1) Any police officer or customs officer may demand the production of a licence from a person whom he believes to be in possession of a firearm. Production of licence.

(2) If any person upon whom a demand is so made fails to produce the licence or to permit the police officer or customs officer to read the licence or to show that he is exempt from holding a licence under section 5 of this Ordinance, the police officer or customs officer may seize and detain the firearm and may require that person to declare to him immediately his name and address.

(3) Any person who refuses so to declare his name and address or fails to give his true name and address shall be liable on

summary conviction to a fine not exceeding £20 and the police officer or customs officer may apprehend without warrant any person who refuses so to declare his name or address or whom he suspects of intending to abscond.

Penalty for manufacturing  
etc. firearms without  
being registered.

7. (1) No person shall by way of trade or business —
- (a) manufacture, sell, transfer, repair, test, or prove; or
  - (b) expose for sale or transfer or have in his possession for sale, transfer, repair, test, or prove any firearms unless he is registered as a firearms dealer.

(2) Any person who contravenes the provisions of this section or makes any statement which he knows to be false for the purpose of procuring whether for himself or some other person the grant of a permit shall for each offence be liable on summary conviction to a fine not exceeding £20 or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

Registration of firearms  
dealers.

8. (1) The Superintendent of Police shall keep a register of firearms dealers and shall enter therein such particulars as may be required by him of any person applying for registration:

Provided that the Superintendent of Police may refuse to register an applicant if he is satisfied that the applicant cannot be permitted to carry on business as a firearms dealer without danger to the public peace or safety.

(2) An annual fee of £1 shall be paid by each registered firearms dealer.

(3) The Superintendent of Police may after giving reasonable notice to any person whose name is on the register if satisfied that that person —

- (a) is no longer carrying on business as a firearms dealer; or
- (b) cannot be permitted to continue to carry on business as a firearms dealer without danger to the public peace or safety

cause the name of that person to be removed from the register.

(4) Any person aggrieved by a refusal by the Superintendent of Police to register him as a firearms dealer or by the removal of his name from the register may appeal to the Supreme Court.

(5) Any person who for the purpose of procuring the registration of himself or any other person as a firearms dealer makes any statement which he knows to be false he shall for each offence be liable on summary conviction to a fine not exceeding £20 or to imprisonment for a term not exceeding three months or both such fine and imprisonment.

Register of transactions  
in firearms.

9. (1) A registered firearms dealer shall provide and keep a register of transactions and shall within 24 hours of each transaction enter such particulars relative thereto as may be required by any regulation made under this Ordinance or by the Superintendent of Police.

(2) A registered firearms dealer shall allow the Superintendent of Police at all reasonable times to inspect all stock in hand and the register required to be kept as aforesaid.

(3) Any person who fails to comply with any provisions of this section or knowingly makes any false entry in the said register shall for each offence be liable on summary conviction to a fine not exceeding £20 or to imprisonment for a term not exceeding three months or both such fine and imprisonment.

Offence by registered  
firearms dealer.

10. When a registered firearms dealer is convicted of an offence against this Ordinance or an offence against the Customs Ordinance relating to the import or export of firearms the Court may order that his name be removed from the register and that any stock in hand in the business may be forfeit disposed of by sale or otherwise as may be directed by the Court:

Provided that any person aggrieved by such an order may appeal to the Supreme Court and the Court may suspend the order pending the appeal.

## PART II

## MISCELLANEOUS PROVISIONS AS TO FIREARMS AND AMMUNITION

11. Any person who shall manufacture, sell, transfer, procure, or otherwise have in his possession any prohibited firearm or ammunition without the written permission of the Governor the Admiralty the Army Council or the Air Council or who shall fail to comply with any condition imposed in respect thereof shall be liable on conviction or indictment to imprisonment for a term not exceeding two years or on summary conviction to imprisonment to a term not exceeding three months or to a fine not exceeding £20 or both such imprisonment and fine.

Prohibited firearms and ammunition.

12. (1) No person under the age of 17 years shall purchase or hire any firearm other than an airgun and no person shall sell or let on hire any firearm unless it be an air gun to any person whom he knows or has reasonable ground for believing to be under the age of 17 years.

Restriction on sale of or purchase of firearms by young persons.

(2) No person under the age of 14 years shall accept as a gift or borrow or have in his possession any firearm and no person shall give or lend or part with the possession of any such firearm to any person whom he knows or has reasonable ground for believing to be under the age of 14 years.

(3) Notwithstanding subsections (1) and (2) of this section any member of the Boys' Brigade or the Girls' Brigade over the age of 12 years, may use a firearm in the presence of an officer of his or her Brigade for target practice at a recognised small bore range.

(4) Any person contravening any provision of this section shall for each offence be liable on summary conviction to a fine not exceeding £20 or to imprisonment for a term not exceeding three months or both such fine and imprisonment.

13. Any person who without excuse lends a firearm to a person not licensed to carry a firearm shall be liable on summary conviction to a fine not exceeding £20.

Lending of firearms.

14. Any person who sells or transfers any firearm or ammunition to, or repairs proves or tests any firearm or ammunition for, any person whom he knows or has reasonable ground for believing to be drunk or of unsound mind shall for each offence be liable on summary conviction to a fine not exceeding £50 or for a term of imprisonment not exceeding three months.

Prohibition on sale etc. to drunk or insane persons.

15. Any person who has in his possession any firearms or ammunition with intent by means thereof to endanger life or cause serious injury to property or to enable any other person by means thereof to endanger life or cause serious injury to property shall whether or not any injury to person or property has been caused be guilty of felony and on conviction on indictment be liable to penal servitude for a term not exceeding 14 years.

Penalty for possessing firearms with intent to injure.

16. Any person who makes or attempts to make any use whatever of a firearm or imitation firearm with intent to resist or prevent the lawful apprehension or detention of himself or any other person shall on conviction on indictment be liable to penal servitude for a term not exceeding 14 years.

Penalty for use and possession of firearms or imitation firearms in certain cases.

17. Any person who shall shorten the barrel of a smooth bore firearm to a length of less than 20 inches or shall convert into a firearm any thing which though having the appearance of being a firearm is so constructed as to be incapable of discharging any missile through the barrel thereof shall for each offence be liable on conviction on indictment to imprisonment for a term not exceeding one year or to a fine not exceeding £100 or both such fine and imprisonment or on summary conviction to a term of imprisonment not exceeding three months or to a fine not exceeding £50 or both such fine and imprisonment.

Provisions as to shortening guns and converting imitation firearms into firearms.

Discharging firearms.

18. Any person who discharges any firearm in a public place other than a shot gun or air gun on Stanley Common or Cape Pembroke Peninsula shall be liable on summary conviction to a fine not exceeding £25.

19. Any person who discharges a firearm without having in his possession a licence issued under Part I of this Ordinance shall be liable on summary conviction to a fine not exceeding £25.

### PART III

#### GENERAL

Forfeiture of firearms and cancellation of licence.

20. (1) When a person is convicted of any offence against Part I of this Ordinance the Court may make such order as to the forfeiture and disposal of the firearm or ammunition as it may think fit and may cancel the licence held by the person convicted.

(2) Whenever the Court shall cancel a licence the Superintendent of Police shall by notice in writing require the holder to surrender it and should the holder fail to do so within 21 days from the date of such notice he shall be liable on summary conviction to a fine not exceeding £20.

Search for and disposal of firearms or ammunition.

21. (1) A Judge, Magistrate or any Justice of the Peace may if satisfied by information on oath that there is reasonable ground for suspecting that an offence against this Ordinance has been, is being or is about to be committed grant a search warrant authorising any police officer named therein —

(a) to enter at any time any premises or place named in the warrant, if necessary by force, and to search the premises or place and every person found therein; and

(b) to seize and detain any firearms or ammunition which he may find on the premises or place or on any such person in respect of which he has reasonable grounds for suspecting that an offence under this Ordinance has been, is being or is about to be committed; and

(c) if the premises are those of a registered firearms dealer to examine any books relating to the business.

(2) The police officer may arrest without warrant any person found on the premises whom he has reason to believe to be guilty of an offence under this Ordinance.

(3) The Court may order any firearm or ammunition seized and detained by a police officer under this Ordinance to be destroyed or otherwise disposed of.

Summary proceedings.

22. Summary proceedings for an offence under this Ordinance shall not be instituted more than six months after commission of the offence.

Power of Governor as to Proclamations and Regulations.

23. (1) The Governor may by Proclamation prohibit the exportation of firearms or ammunition to any country or place therein.

(2) Any person who contravenes the terms of any Proclamation shall be liable on summary conviction to a term of imprisonment not exceeding three months or to a fine not exceeding £20 for each firearm or parcel of ammunition in respect of which the offence is committed or both such fine and imprisonment.

(3) The Governor in Council may make Regulations for the effective administration of this Ordinance.

Application.

24. This Ordinance shall come into force on the date of publication and shall apply to the Dependencies of the Colony.

Repeals —

No. 10 of 1948.  
No. 7 of 1962.  
No. 1 of 1965.

25. The Firearms Ordinance 1948, The Firearms (Amendment) Ordinance 1962 and the Firearms (Amendment) Ordinance 1965 are hereby repealed.

#### OBJECTS AND REASONS

This Bill abolishes firearms certificates, and substitutes therefor a simple system of licences, and consolidates previous amending legislation.

Ref. 1896/A.

## TOWN COUNCIL ESTIMATES, 1966.

Service.	Actual 1964.		Approved Estimate 1965.		Revised Estimate 1965		Estimate 1966.	
	£	£	£	£	£	£	£	£
<b>REVENUE.</b>								
I. CEMETERY ...		18		40		50		50
II. MISCELLANEOUS								
a. Misc. ...	34		20		75		30	
b. Garbage removal ...	60		60		60		60	
c. Govt. Contribution Arch Green	52		52		52		52	
d. Interest :- Investment Cemetery Fd.	124		124		124		124	
e. Interest :- Savings Bank	211		180		207		160	
		481		436		518		426
III. LIBRARY ...		70		60		60		60
IV. GENERAL RATE								
a. Rate ...	2705		2890		2799		2800	
b. Govt. Contribution	825		825		825		825	
		3530		3715		3624		3625
V. WATER RATE								
a. Rate ...	624		690		659		660	
b. Sales ...	289		200		450		450	
		913		890		1109		1110
VI. TOWN HALL								
a. Hirings ...	748		500		600		600	
b. Govt. Contribution	559		400		587		802	
		1307		900		1187		1402
VII. ADVANCES REPAID ...		—		5		—		—
		6319		6046		6548		6673
<i>Special Government Grant: Town Hall Floor</i>						400		
		6319		6046		6948		6673
<b>EXPENDITURE.</b>								
I. TOWN CLERK ...		350		350		548		623
II. CEMETERY								
a. Wages ...	458		475		540		565	
b. Upkeep ...	44		150		70		100	
		502		625		610		665
III. FIRE BRIGADE								
a. Wages ...	115		160		103		115	
b. Upkeep ...	498		350		200		200	
		613		510		303		315
IV. LIBRARY								
a. Wages ...	198		198		198		198	
b. Upkeep ...	235		250		250		250	
		433		448		448		448
V. MISCELLANEOUS								
a. Telephones ...	48		48		49		52	
b. Stationery ...	2		10		2		3	
c. Old Age Pensions ...	23		25		32		35	
d. Elections ...	—		4		—		—	
e. Audit ...	42		20		—		40	
f. Insurance ...	16		21		96		96	
g. Unforeseen ...	36		10		25		30	
		167		138		204		256
<i>Carried forward ...</i>		2065		2071		2113		2307

Service.	Actual 1964.		Approved Estimate 1965.		Revised Estimate 1965.		Estimate 1966.	
	£	£	£	£	£	£	£	£
<i>Brought forward ...</i>		2065		2071		2113		2307
VI. SCAVENGING								
a. Ash Contract ...	1229		1200		1220		1220	
b. Rodent Control ...	53		60		60		60	
		1282		1260		1280		1280
VII. STREET LIGHTS								
a. Current ...	666		750		750		800	
b. Repairs ...	34		100		65		80	
		700		850		815		880
VIII. TOWN HALL								
a. Wages ...	573		585		686		660	
b. Fuel ...	542		650		570		1600	
c. Light ...	213		150		220		220	
d. Care & Maintenance	115		100		100		100	
e. Cleaning ...	29		40		45		45	
		1472		1525		1621		2625
IX. WATER SUPPLY								
a. Ships ...	108		100		150		150	
b. Connections ...	—		10		10		10	
		108		110		160		160
X. ARCH GREEN ...		65		120		100		100
XI. CEMETERY COTTAGE		178		200		275		225
		5870		6136		6364		7577
EXTRAORDINARY EXPENDITURE								
a. Town Hall Improvement					400		150	
b. Town Hall Floor ...					900		250	
c. Town Hall Oil Heating Installation					—		800	
						1300		1200
		5870		6136		7664		8777

J. Leonard,  
Town Clerk.  
7.10.65.

## A Bill for An Ordinance

To legalise certain payments made in the year 1964-65 in excess of the Expenditure sanctioned by Ordinance No. 1 of 1964.

Title.

WHEREAS it is expedient to make further provision for the service of the Colony for the period 1st July, 1964 to 30th June, 1965.

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 (1964-65) Ordinance, 1965.

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, 1964 to 30th June, 1965, 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, 1964 to 30th June, 1965.

### SCHEDULE

Schedule.

Number	HEAD OF SERVICE	Amount					
		£	s.	d.			
FALKLAND ISLANDS							
III.	Audit	...	...	...	1,014	2	7
IV.	Aviation	...	...	...	3,616	17	3
IX.	Military	...	...	...	29	9	3
X.	Miscellaneous	...	...	...	21,925	14	4
XI.	Pensions & Gratuities	...	...	...	3,699	4	2
XVII.	Secretariat & Treasury	...	...	...	972	3	0
					£ 31,257	10	7
XXI.	Colonial Development & Welfare ...	...			2,405	6	5
	Total Expenditure				£ 33,662	17	0

## PUBLICATIONS FOR SALE

*Copies of the following publications are available from the Secretariat —*

- Plants which flower successfully in the Falkland Islands by H. R. EVANS  
(first published 1944) 3d. postage 1d., overseas 10d.
- The Grasslands of the Falkland Islands by WILLIAM DAVIS  
(first published 1939) 1/- postage 2½d., overseas 1/-
- The Munro Report on Sheep Farming in the Falkland Islands  
(first published 1924) 1/- postage 2½d., overseas 10d.
- The Falkland Islands by CAWKELL, MALING and CAWKELL 18/- postage 2½d., overseas 1/6.
- Biennial Report 1962/63 ... .. 7/6d. postage 2½d., overseas 10d.





THE  
FALKLAND ISLANDS GAZETTE  
Supplement No. 1

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*7th OCTOBER 1965*

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# Minutes of the meeting of Legislative Council held at Stanley starting on Monday 3rd May, 1965.

The Council assembled at 11.0 a.m.

His Excellency the Governor (SIR COSMO HASKARD, K.C.M.G., M.B.E.) presiding.

## Present

The Honourable the Colonial Secretary, (Mr. W. H. THOMPSON, M.B.E.)

The Honourable the Colonial Treasurer, (Mr. L. C. GLEADELL, J.P.)

The Honourable Mr. R. V. GOSS, M.L.C. (*First Elected Member for Stanley*)

The Honourable Mr. G. C. R. BONNER, M.L.C., J.P. (*Nominated Independent Member for East Falkland*)

The Honourable Mr. S. MILLER, M.L.C., J.P. (*Elected Member for West Falkland*)

The Honourable Mrs. M. VINSON, M.L.C. (*Elected Member for East Falkland*)

The Honourable Mr. L. G. BLAKE, M.L.C. (*Nominated Independent Member for West Falkland*)

## Prayers

Prayers were read by the Reverend E. Thornley.

## Confirmation of Minutes

The minutes of the meeting of Legislative Council held on 21st October, 1964, were confirmed.

## Address by the President

Honourable Members of Legislative Council:

It gives me great pleasure to welcome you to this meeting of Council and particularly those of you who have had to travel far to attend. As Honourable Members are aware, the primary business of this meeting of Council is to consider the Budget and this the Colonial Treasurer will in due course be presenting, but we shall also be discussing other matters of considerable importance to the Falkland Islands.

In my first address to Council last October I said that I was anxious that Honourable Members of this Council, together with those of Executive Council, should with me play an increasingly active and constructive part in the affairs of the Colony. Members of Executive Council have indeed been of the greatest help and I have benefited in many ways from their experience and advice. So far, it has been less easy to associate with the day to day activities of the Government those members of Legislative Council who are not members of Executive Council. Problems of distance and transport are in part responsible for this. I am of course aware that since we last met, all members have taken great interest in affairs and have exchanged a number of letters with the Colonial Secretary. Nevertheless, it has not been easy to associate such members as closely with the business of the Government as I would wish.

I therefore have it in mind that members might care to consider a suggestion that, in addition to the Standing Committee on Finance, there should be committees of this Council to deal with certain specific subjects which are of particular importance. Two subjects which appear to me to warrant consideration are education and natural resources and much might be gained if members of this Council were to be willing to serve on such Committees which would meet during the comparatively lengthy periods of time between meetings of the full Legislative Council.

Over the years many people have given thought to the development of our natural resources when seeking to diversify the economy by alternatives to sheep farming and it does not require a newcomer such as myself to remind you of the consideration which has been given to other industries for the Falklands. Some of them did not progress much beyond the stage of investigation. Others were tried and for various reasons were unsuccessful or the demand was insufficient to keep the industry on its feet. I am thinking more particularly of sealing, the canning of mutton and the freezing of mutton. The only industry which has continued to prosper here is sheep farming for wool and, despite the challenge to the industry from man-made fibres, it would seem that a reasonable demand for wool will exist for a considerable time to come. The prices at the March sales this year have however been disappointingly low compared to the recent past and this falling off in demand is, of course, a warning to us that we may well be passing out of the period of satisfactory wool prices.

I have many farms yet to visit and much to learn about the industry. I can never pretend to be a farmer but I can and do take a tremendous interest in the possibilities for agricultural improvement because on this, I am convinced, depends the future prosperity of these Islands. I feel that the whole of our effort should be related to improved farming. Anything which we can do to assist the farms we should do. Anything which is not to the ultimate benefit of farming will, while money is short, have to be looked at very carefully. I am aware that leaders of our sheep farming industry are already considering the extent to which traditional practices may require to be modified or modernised. The Government for its part has taken the step of recruiting a Grasslands Officer whose duty it will be to get to know conditions in every part of the Islands, to absorb from the farmers their intimate knowledge of their industry and, then when the Grasslands Officer has made certain that he himself understands the farming practices in these Islands, he should be in a position by actively visiting farms to suggest methods of improvement which are within the capacity of each farm to adopt. This officer has already spent some time on a number of farms and I am grateful to the owners and managers who have welcomed him and shown such interest in his work. He was selected for his task on the recommendation of Mr. Wannop of the Hill Farming Research Organisation whose report, I think, received general support throughout the Colony for the views which it expressed. Mr. Wannop's recommendations are designed to encourage better herbage, better utilisation of herbage, fitter ewes in winter, better lamb crops and more wool from more sheep. Mr. Wannop suggested that five per cent more lambs per year should result in about 10 per cent more sheep in five years and 25 per cent more sheep in 10 years. This would seem to be a target well within the capacity of this Colony.

I would like to turn now to the activities of Government Departments during the past year.

First, may I take the Education Department. Education must obviously play an increasingly important part in the development of the Colony because it is in our schools that the men and women of tomorrow receive their training. That training I suggest must be related to the environment in which we find ourselves and must be designed to produce young people who will be able to play a very full and active part in the life of the community.

Education, as we all know, is expensive. We have at present 342 children of school age in the Colony and this is 20 more than the average number over the past six years. 180 of these children attend the Stanley schools, 43 the Darwin school and 112 receive instruction in the Camp. The average cost of giving schooling to one child in the Falkland Islands is about £144 and the cost per child at Darwin school is about £283.

I feel that this expenditure is not begrudged by the community as a whole provided we are satisfied that we are getting value for money spent. In this connexion the separation of the post of Superintendent of Education from that of Headmaster of the Stanley schools is already proving its value in that the Superintendent is now free to concentrate on the improvement of education throughout the Colony. As Honourable Members are aware this re-organisation involves no increase in staff.

I understand that increasing attention is being given by parents to the schooling of their children and I am grateful too to Honourable Members for the interest which they display in this most important subject.

There has been an improvement in the recruitment of staff for teaching in the Camp. This improvement has in part been due to contacts which the Superintendent of Education was able to make last year when he visited the Department of Technical Co-operation now known as the Ministry of Overseas Development.

However, I regret that recruitment of qualified teaching staff is still slow and this is a serious matter. We have lost some good teachers during the past year; in particular I would like to mention the admirable work done for the young children in Stanley by Miss Urquhart whose departure is indeed a sad loss. Replacements for some of the vacancies have been found but the Department is still not up to the establishment of its qualified teachers.

No scholarship awards were made this year because the Committee considered that none of the candidates was of the necessary standard. Two of the candidates will, however, be eligible to sit again next year.

Two pupils now in England were each granted an extension of one year to their scholarships and one former scholarship winner is at present studying in Stanley for two "A" level subjects before seeking to enter a teacher training college. I hope that other young people will try to follow her example.

As members are no doubt already aware it is proposed that the Certificate of Secondary Education, as opposed to the General Certificate of Education, should in future be the normal aim of our children here. Arrangements are being made to affiliate the Falkland Islands to the South Western Region of Britain in order to present candidates for examination for this Certificate. The Certificate of Secondary Education comprises graded passes of "O" level G.C.E. subjects. Grade I passes have already been accepted as standard qualifying grades for entry into teacher training and other professional establishments. In future the C.S.E. will become the school leaving examination at Stanley and Darwin schools and I hope at some schools in the Camp. It is planned to offer the first Falkland Islands candidates in 1968.

School leaving age in Great Britain is at present 15 and it is likely that it may well be raised to 16. In order to give our children here the best education which can be afforded, the time may be approaching when a decision will have to be taken to raise the school leaving age. The raising of the leaving age is not feasible at present owing to a variety of factors but it is a matter which I think should be looked into, perhaps by a Committee of this Council. There would of course be financial implications.

Materials for the prefabricated school building for Saunders Island were landed there in March and thanks to the help of the farm management will be erected during the next few months. An order has been placed with a firm in England for the prefabricated building for the laboratory and workshop for Stanley.

In September the Stanley and Darwin school transmitters were brought into service and a daily schedule is worked between the two places. The Stanley school transmitter is also used on departmental business with Camp stations. A series of school programmes to Camp children arranged by the Education Department is now broadcast every second Wednesday.

I am glad to note that seven young men are employed as apprentices in Government service. Two of them seek to become wireless operators and the others are training for the trade of mechanic, carpenter, painter, printer and electrician. Commercial firms also run apprenticeship schemes and deserve every encouragement.

An apprentice who completed his apprenticeship at the Power Station during the year was successful in obtaining an appointment as maintenance electrician with a whaling company in South Georgia.

Four pupils sat the Royal Society of Arts examinations in typing, shorthand and book-keeping and two adult candidates are sitting the City and Guilds examinations in radio and electronics this month.

The view is sometimes expressed that many of our young people go abroad to seek their fortunes and that perhaps the Colony is spending funds unnecessarily on their education. This, to my mind, should never be a reason for failing to provide the best education which we can. We owe it to our children to equip them properly for life in a world in which competition is severe and I do not think that it is possible or desirable to draw a distinction between those who prefer to remain in the Colony and those who decide to follow a career elsewhere. Some excellent young men and women have returned to the Colony and I suggest that this alone makes the expense worth while.

As Honourable Members know, education allowances are payable to parents whose children go overseas for schooling. Hitherto the allowances to parents who are Government servants have been paid

in advance, whereas payments to all other parents have been made only on production of various documents, often several months after substantial expenditure has been incurred. It is proposed that in future overseas education allowances should be paid to all parents in advance.

While on the subject of young people, I would like to take this opportunity to pay tribute to the work which is done by the Boys' Brigade and the Girls' Brigade. Those responsible for these organisations deserve our thanks. They are doing a very worthwhile job and I look forward to seeing more of the activities of these two youth organisations.

I would also like to express thanks to the Voluntary Service Overseas organisation in London through whom we have in the past been able to obtain the services of young men and women as Camp teachers. We look forward to welcoming more of these young people to the Colony in future.

One of the most important aids to the development of a country is that it should have good communications and much thought is being given to the problems of meeting this need. I should like to refer now to our communications by air, sea and land and by the various channels provided by the Posts and Telecommunications service.

The Air Service had a successful year, damage to a lift strut being the only mishap. As usual, major overhauls for the renewal of Certificates of Air Worthiness were carried out at regular intervals. The number of passengers carried was 2,317 of whom 107 were bound for Stanley for medical or dental treatment. The total number carried was 254 less than in the previous year but during the winter one engineer and one pilot were on leave in the United Kingdom and this of course reduced the operational staff available and the amount of flying. Freight and excess luggage accounted for nearly 14,000 lbs and 713 hours were flown and 1,597 landings were made.

Mr. Kerr, the Director of Civil Aviation, has recently departed on well earned leave in the United Kingdom and we have been fortunate in securing the services of Flying Officer Drown who has been seconded from the Royal Air Force to cover the period of Mr. Kerr's leave.

The eventual need to replace our aircraft as the present machines grow older needs to be kept in mind; this stage has not been reached but in due time substantial expenditure will have to be incurred on replacement and, while I think that all would agree that the present aircraft are extremely satisfactory, we should keep in touch with modern developments in the aircraft industry so that decisions on replacement, when taken, are in accord with the best advice on the subject. An air link to the South American continent may not be a practical proposition at present but I think that we should not lose sight of such a possibility.

At sea the Colony's links with Montevideo and with the United Kingdom were maintained with customary efficiency by Darwin Shipping Limited.

The m. v. "Philomel", despite difficulties of maintenance steamed 5,576 miles and performed a useful function for which at present no alternative form of transport is readily available. The question of a cargo vessel to take the place of the Philomel is one which has concerned the Government very much in recent months and enquiries regarding a number of alternatives are still in progress. The Colonial Office has provisionally made available a sum of £27,000 towards the total cost of a new cargo vessel—a very generous gesture—but the Government is not committed to a decision on this extremely important subject.

Last year my predecessor spoke at some length on the question of roads and I realise that there is a substantial body of opinion which would like to see some way whereby proper motor roads could be built and maintained in the Colony. This I fear at present is not a practical proposition but that does not mean that the Government has lost interest in the problem. I hope that the inclusion in the Estimates of a sum of money for the improvement of Camp Tracks may at least be one step in the right direction. It is suggested for your consideration that grants should be made, on the recommendation of a committee of this Council, to landowners who carry out certain specified improvements to the main tracks through their farms, particularly at stream and river crossings.

I would like to take this opportunity to thank landowners for their helpful attitude towards members of the public who have reason to travel through their farms; on such travellers there rests a responsibility to try to avoid any action which results in a further deterioration of the tracks or the undue disturbance of sheep.

As far as Stanley roads are concerned, two things are required before work can start. One is the voting of the necessary funds by the Legislature; the second is a supply of labour. With regard to the latter, a plan has been prepared to recruit a modest number of labourers to come here on contract and to be repatriated to their homes on completion of improvements to the Stanley road system. It will be for this Council to consider whether the plan is a sound one.

It is pleasant to be able to report that financially the Post Office has had a good year, notably from the sale of stamps. A useful addition to revenue was obtained from the special 6d stamp issued to commemorate the 400th anniversary of the birth of William Shakespeare and the even more popular set of four stamps commemorating the 50th anniversary of the Battle of the Falkland Islands. As Honourable Members know, the demand for first day covers and for stamps of that issue was unprecedented and when the three month period of sale ended only a few stamps of the 2/- value remained.

As Honourable Members also know, my predecessor, Sir Edwin Arrowsmith, took a great personal interest in the appropriate commemoration of the Battle and it is thanks to him that it was possible to make contact with no less than 217 former officers and men who were serving in H. M. ships in these waters on 8th December, 1914. Sets of four mint stamps were sent to all of them, except a few whose names were only learnt quite recently, after all available stamps had been issued. To these, photographs of the battle memorial have been sent. A very large number of letters of acknowledgement have been received from recipients of the stamps and I feel sure that this action has done much to bring welcome publicity to the Colony.

A short commemorative issue for the centenary of the International Telecommunications Union is due to be issued this month and in September we hope to have an issue commemorating the late Sir Winston Churchill.

With a few exceptions airmail has been reaching R.M.S. "Darwin" with the minimum of delay during the past year and the transit of surface mails from Great Britain has improved. Some of it travels direct to the Falklands. Other surface mails are shipped by the G.P.O. from London by a vessel connecting as closely as possible with the sailings of R.M.S. "Darwin" from Montevideo, thus saving long storage periods there.

Certain mails which do not originate in Great Britain have not been arriving in the same satisfactory manner and arrangements are being made to persuade the postal administrations concerned to route such mails via London.

Revenue from telegrams has been satisfactory and the Stanley and Fox Bay wireless stations have continued to give good service, although their equipment is somewhat out of date.

The new telephone exchange switchboard has been successfully installed giving facilities for 120 additional lines. A number of improvements have been made throughout Stanley in establishing routes carried both by poles and by underground cable.

A great improvement in reception of broadcast programmes has been achieved and these programmes have improved both in variety and quality. Two outstanding local productions were those commemorating the Battles of Coronel and the Falkland Islands and the 200th anniversary of the British landing at Port Egmont.

The radio-telephone service continues to function most efficiently both on the Camp network and with H. M. ships and I think that this is a particularly popular service.

Looking to the future, it is possible that the telecommunications system between Stanley and London may be completely modernised due to the interest which is being taken in the Falkland Islands by the European Space Research Organisation. It is proposed that the Colony should provide modern communications equipment, one circuit of which would be rented exclusively to the European Space Research Organisation at a rental calculated to cover the initial capital outlay and the running expenses over a period of ten years. A public service channel is also a possibility and it may be feasible to incorporate in the equipment provision for long distance telephone facilities. Honourable Members will be considering these matters further in connexion with the estimates. I would at this stage only say that I feel that the interest of an organisation of the international standing of ESRO is something of which we should be extremely glad.

Health during the past year has in general been good. The Medical Department was fortunate in having the temporary services of Dr. MacLean at Darwin until October, and, more recently, Dr. Bowra and Dr. Wyatt, both former members of the British Antarctic Survey, have been able to carry out temporary duties in the Colony.

Honourable Members will, I am sure, agree that we are lucky to have been able to secure the services of these medical officers, even for comparatively short periods. Almost every overseas territory is meeting considerable difficulty in attempting to recruit medical officers. Indeed, if it were not for the loyal and sterling service of the existing medical staff in this Colony, — doctors, dental surgeons, sisters, nurses — we should be in a very difficult position. As it is, we are extremely fortunate in having a most efficient medical and dental service and it behoves us to do all we can to see that this happy state of affairs continues.

I should like to take this opportunity of welcoming back to the Colony Mr. N. K. Bennett as our Dental Technician.

The Public Works Department, although short staffed in certain trades, was active during the year. The new high level water tank for Stanley was completed together with its new water main, power house and valve housing. The installation of this new tank involved the digging of trenches through much of the higher part of Stanley and the laying of a new water main at the western end of the town. An extension to the Government Printing Press building was erected to house the new linotype printing press and a semi-detached house which had formerly been the manager's house at Ajax Bay was completed ready for occupation in Stanley in November. Considerable progress was made with arrears of maintenance. Work is at present in hand on the painting of the high level water tank and the oil storage tanks. A standby generator house is in course of construction in Stanley and auxiliary water tanks are being installed at Darwin School.

The programme for the immediate future includes the construction of bases to carry and anchor the new 6-inch oil pipe line from the power house to the Government jetty, the laying of a new water main in Callaghan Road and the modernisation and maintenance of Government buildings. The Government has acquired from Messrs. Dorrans of Perth the materials for the erection of two new houses similar to those which are at present being built for the British Antarctic Survey. The bulk of the cost of the two new houses will be met from the Colonial Development and Welfare Fund and for this assistance from the United Kingdom we are indeed grateful.

It is intended that wherever possible private enterprise should be encouraged to undertake building work on behalf of the Government so that the best possible use may be made of the Colony's limited man power resources. Indeed, Honourable Members may feel that there are other fields of activity in which private enterprise should be encouraged to undertake tasks which now fall to the lot of Government.

The Power and Electrical Department continued, as usual, to provide a very satisfactory service to the public. There was a seven per cent increase in the demand for electricity and there is still a safe operating reserve of power. Increases beyond this reserve can, if necessary, be made by the installation of a second generating unit now held in store but should this become necessary major alterations will be needed to the switchboard and this will involve considerable expense. A new diesel alternator unit has arrived for Darwin School and this will be installed as soon as a larger engine house has been built to accommodate it.

The Legal Department as usual handled expeditiously a variety of legal documents. The work of this small department includes the drafting of bills and regulations, the registration of trade marks, the preparation and registration of Crown leases and many tasks for the public which are undertaken in the absence of legal practitioners.

The Supreme Court heard seven civil cases during the year and the Court of Summary Jurisdiction dealt with 27 statutory offences and 27 civil matters, mainly debt cases. Both these figures show a decrease compared with those for the previous year.

An innovation will be the establishment in the near future of a Court of Appeal between the Supreme Court of the Colony and the Privy Council. This Court, which will also hear appeals from Seychelles and St. Helena, will comprise three judges under the presidency of Sir Alastair Forbes and will sit in England. The inauguration of this Court of Appeal will, I believe, be generally welcomed as providing an additional safeguard for the liberty of the subject.

Honourable Members will know that last year we suffered the sad loss of our Legal Secretary, the late Sir Henry Webb. In his place was appointed Sir Ragnar Hyne whose distinguished career included service in many parts of the Empire. Sir Ragnar has proved himself most active and helpful.

The installation of the new linotype printing machine was completed in December and I am glad to say that the machine is working well and a large backlog of work is being dealt with. I should like to take this opportunity to congratulate the Government Printer on his skill in installing this complicated piece of machinery and I hope that Honourable Members who have not yet seen it will have an opportunity during the course of the next few days to call at the Printing Office and see it for themselves.

Many Honourable Members already possess sheets of the excellent 1:50,000 maps of the Colony but I would draw attention to the recent publication of a new map of the Falkland Islands on two sheets on a scale of 1:250,000. The eastern sheet is already available; the western sheet is expected shortly. These maps are coloured to show heights and are likely to be particularly useful. I am sure that Honourable Members will wish to congratulate the Directorate of Overseas Surveys for producing these maps and perhaps I could mention that the Director would be glad to receive notes of corrections or additions. It would be helpful if members of the public were to notify these to the Colonial Secretary.

The small, but efficient, police force has again carried out its duties extremely well, aided by the mature sense of responsibility of the general public. Senior Constable Shackel was promoted Sergeant in place of Sergeant J. D. Williams when he retired on pension last August and Constable Peck was promoted Senior Constable on his return from a successful three month basic police training course with the Metropolitan Police Force.

The number of vehicles registered by the police now stands at 869. 88 of these were imported in 1964. I am glad to be able to say that during the year there were no serious traffic accidents involving injuries. Minor traffic accidents totalled nine and there were two convictions for being drunk in charge of a motor vehicle.

Eight chimney fires were dealt with by the Stanley Fire Brigade and this service continued to maintain its deservedly high reputation for efficiency. Council will be interested to note that an outbreak of fire in a workshop in Stanley was rapidly extinguished by the use of dry powder extinguishers and little damage was caused.

I have been particularly glad to notice how many tree planting enthusiasts there are in the Falkland Islands. Being one myself, I hope that more and more people will be encouraged to grow trees here. The value of shelter belts is recognised in most parts of the world and the excellent growth which has been achieved on some farms and, indeed in Stanley, is a practical demonstration that it is perfectly possible to grow trees satisfactorily in these islands and they do not, in fact, take as long to grow as might be imagined.

I regret to say that this year the importation of salmon ova from Lancashire was a failure due to a mishap to the container in transit.

It has been reported that a grilse, that is to say a young salmon returning for the first time to fresh water, has been caught in a stream on the West Falkland. If this can be confirmed, it would be good news because the establishment of a salmon fishery here could be of economic benefit as well as providing pleasure for residents and visitors.

I have made mention of a number of the activities of Government departments but I should like to take this opportunity to refer to the good work which is done by those in the less prominent positions of the Government service. If a Government service is to function satisfactorily, its members, whatever their tasks, must work in a well knit team and this I am satisfied is largely the case here. It is not to be expected that the machinery of Government will always work to the satisfaction of everybody but it must be the constant endeavour of all Government servants to provide efficient service to the public.

To this end, among other things, it will be the Government's endeavour to achieve a better use of existing Government staff. This will involve some re-organisation and a modernisation of some of our methods. No single action in this connexion may be particularly noteworthy in itself but there are many small ways in which the Government machine can be brought more up to date.

And here I would say that it is increasingly to the men and women of the Falkland Islands themselves that we must look to fill posts in every branch of the Government service and it must be an objective of the Government to give this trend every possible encouragement.

As Honourable Members know, in January Mr. L. C. Gleadell was appointed a Commissioner to enquire into and report on the salary structure and conditions of service of the civil service. His very able report was submitted to me and will be placed in the hands of Honourable Members during the course of this meeting. It is intended that this report should, for the time being, remain confidential. Its contents are under consideration and it would be unrealistic to publish them until such time as the Government knows that it is in a position to implement those recommendations which may in due course receive the approval of the Legislature.

Two official organisations not directly connected with the Falkland Islands Government operate in Stanley. These are the British Antarctic Survey with which is associated the very efficient Meteorological Office and the Radio Research Sub-station. Relations with these organisations have been particularly good during the past year. In addition to the useful duties they perform on their own account, they are frequently able to be of assistance to the Government and the general public. Their presence in Stanley also means an addition to the spending power of the local population, as do the welcome visits of Her Majesty's ships and the Royal Research Ships.



And here I would like to say a word of thanks to the Chairman and members of Stanley Town Council; their activities do not receive much publicity but are nevertheless most important to the town and deserve every encouragement.

The Falkland Islands Defence Force has, I am glad to say, benefited considerably from the new and up to date equipment which has been received and from the training which has been carried out in conjunction with the Royal Marines, for whose help we are indeed grateful. The Defence Force owes much to those who are prepared to devote part of their spare time to its activities and I have been encouraged to note that a number of new recruits are now coming forward to enlist.

Honourable Members are aware of the Bills which are to be considered at this meeting of Council. There is other legislation to which I feel attention will have to be given and work is in hand to prepare draft Bills on several important subjects for eventual submission to this Council.

The first of these is a Workmen's Compensation Bill to bring practice in the Colony more into line with international requirements and to provide an up-to-date ordinance which is straightforward to administer.

Our legislation on Police and on Prisons is very much out of date and attention is being given to the drafting of a new Police Bill and a new Prisons Bill and here I would like to thank Mr. K. W. Gray, the Superintendent of Police, for the help he has given in this work. His past experience has been most valuable. Honourable Members will be sorry to learn that Mr. Gray is due to retire towards the end of this year; he has served the Colony well.

The insurance of motor vehicles in the Camp and of public hire transport in Stanley are two subjects which are at present under examination and it is hoped that it will be possible to submit draft legislation on these subjects to Council at its spring meeting.

Our legislation on two other subjects requires attention. One is education and regarding this a comprehensive Bill is badly needed. The other is the employment of children where our present legislation is not entirely satisfactory and does not really meet modern requirements. The possibility of drafting legislation on these two subjects is at present under study.

I have been referring to our progress in the past year and have made some suggestions for the future. I now turn to the wider picture of our economic situation.

The financial position of the Colony will be explained in detail by the Honourable the Colonial Treasurer later during this meeting.

In a larger economy a rise or fall in the price fetched by a staple commodity can be accepted more easily than in a small economy such as ours. The lower prices for wool obtained at the March sales this year must inevitably be reflected in lower revenue to the Government 12 or 18 months hence, unless we take steps to remedy the situation.

For a number of years it has been possible for the Government to balance its budget by drawing on its accumulated reserves. This in itself is not an imprudent action; indeed, the decrease in the value of money can be a good reason for spending a substantial part of our reserves on development while those reserves have sufficient purchasing power. But this process of drawing on reserves can only continue so long as those reserves exist and the point at which they could cease to exist is already in sight.

The fundamental question facing the Government to-day is how to develop the economy. That such development must mainly come about through exploitation of our natural resources seems certain. I suggest that we must examine once again any possibility of diversifying the economy and should not be deterred by the fact that failures have occurred in the past.

While our plans for the future need to be conceived against the background of our knowledge of our past performance and the potentialities and limitations of our economy, we must be alive to the fact that the world is changing around us and what was impracticable once may no longer be so.

I have already referred to the possibility of the establishment here of a telecommunications installation for the European Space Research Organisation.

We are aware of the great interest taken by certain nations in the deep sea fisheries of the South Atlantic; perhaps the time may come when the excellent harbours of the Falkland Islands can be put to use by fishing fleets.

Stagnation is the evil which we fear and stagnation is what we have to combat with all the resources we can muster. The answer to stagnation is development and in framing the budget proposals an attempt has been made on the one hand to give preference to those items of expenditure which can stimulate development and, on the other hand, to cut back on inessentials.

Life in the Islands needs to be sufficiently attractive to encourage our younger and more enterprising men and women to make their careers here; it must also be made attractive to potential settlers. By common consent conditions of employment in the Colony as a whole are regarded as having been greatly improved in recent years and this is as it should be but, as always, room for further improvement exists.

However, improvements, whether by private enterprise or by Government, cost money. The Government for its part must be careful not to drive away existing capital. The hope of private enterprise and indeed of Government cannot be that taxation levels will not rise — for rise they do in every country in the world — but that when they rise they will do so progressively and that the level of taxation will not blunt the incentive for private investment.

But in our financial situation there is a limit to what can be done purely within the Colony. What that limit is, we do not at present know and we lack the means of discovering it. It is therefore proposed to make a request to the Colonial Office for their help in securing the services of an economist, probably from the Ministry of Overseas Development in the United Kingdom, who can come here as soon as may be to study our problems and advise us on how best to solve them. The decisions which will have to be taken are weighty ones and I am sure that Honourable Members will agree that we must have the best possible advice which we can obtain.

But meanwhile, we have one clear sign post on the road ahead — the improvement of the carrying capacity of the farms of the Colony. A most encouraging number of farms are already carrying out

programmes of improvement and an increasing number of farmers are interesting themselves in the progress of their neighbours. Fencing and pasture improvement are very much in peoples' minds to-day and it is up to the Government to devise means whereby the pace of improvement can be accelerated.

In speaking to-day about "the Government", I have of course been referring to the Legislative and Executive Councils together with the Governor. In this connexion I should say that I am conscious of the need for a further step to be taken in bringing our constitution more into line with modern ideas and with your help I hope that it may be possible to put forward to Her Majesty's Government in the United Kingdom proposals for doing this, so that the electorate of this Colony may feel more closely associated with the direction of affairs and may through their elected representatives accept a greater degree of responsibility for Government policy than has been the case hitherto.

In conclusion, I think that our position is that we must take heed and prepare for the future and we must seek the best advice we can as to how to achieve this. There is no room — no need — for despondency or dismay but there is need for a sense of urgency. When the moment comes for decisions to be taken, we shall want to have satisfied ourselves that we are taking them after very careful thought. Any honest man can do what is right, cost what it may, when he knows that it is right. But amid conflicting argument it is not always easy to see the boundary line between ethics and expediency. On the day that I first arrived in Stanley I said that I should seek to deserve your confidence; that is my guiding aim and I trust that with a robust determination to succeed we shall together find just and fair solutions to the problems which lie ahead.

Honourable Members, thank you for your attention.

Council adjourned at 12.5 p.m.

Council resumed at 2.15 p.m.

### Papers laid on the Table by the Colonial Secretary :

- (i) Police Report 1964.
- (ii) Financial Report 1963/64.
- (iii) Government Savings Bank Report 1963/64.
- (iv) Government Employees Provident Fund Report 1963/64.
- (v) Note Security Fund Report 1963/64.
- (vi) Old Age Pensions Equalisation Fund Report 1963/64.
- (vii) Auditor's Report on 1962/63 Accounts.
- (viii) Auditor's Report on 1963/64 Accounts.
- (ix) Copies of subsidiary legislation made or approved by the Governor in Executive Council since May 1964.

### Questions — for oral reply.

No. 1.

Mr. Goss asked the Colonial Secretary: What steps does the Government propose to take to encourage recruitment into, and to improve the activities of the Falkland Islands Defence Force?

The Colonial Secretary replied: Government is supporting a drive to encourage more young recruits to enter the Falkland Islands Defence Force, and every effort is being made to bring training methods up to date and to make training sessions as interesting as possible.

Encouragement is also being given for older members to stay in the Force instead of retiring at what is now recognised to be the very young age of 41. Unfortunately, over the last few years some very keen members of the Force have retired quite needlessly on reaching their forty-first birthday. There is nothing in the law which makes this early retirement a necessity.

It is also hoped to recruit as many persons as possible from the Camp on a part time basis for call in an emergency.

We are also investigating the possibility of providing funds for the payment of cash bounties to members on the active roll who carry out their full quota of training periods during any one year.

No. 2.

Mr. Miller asked the Colonial Secretary: Does Government have any rules to safeguard drugs in transit to Camp Stations, and if so, is the Senior Medical Officer satisfied they are adequate?

The Colonial Secretary replied: No Sir. Because all dispensing and despatch is done by registered medical practitioners no benefit would be gained by having special rules for the transit of drugs and medicines.

A system of labelling would however be a help and special labels for drugs in transit will be printed.

No. 3.

Mr. Goss asked the Colonial Secretary: What are Government's plans for dealing with the maintenance and extension of roads in Stanley?

The Colonial Secretary replied: Government is fully aware of the urgency of the problem and has prepared plans for maintaining and improving existing tarred roads and for extending the sealing of certain other stretches of road in Stanley.

The main difficulty is our complete lack of labour to carry out all the work necessary, and unless labour can be imported there is little hope of a start being made.



The cost of imported labour is high and any improvement scheme is therefore very expensive. The estimate for the repair and improvement of the existing tarred roads alone is well over £10,000 and may well be exceeded. Much of this large sum will be taken up in passages, recruiting and repatriation. A road scheme is much more than just the buying of a few barrels of tar and some bags of cement.

No. 4.

Mr. Goss asked the Colonial Secretary: Has Government been able to make any decision on a replacement for m. v. "Philomel"?

The Colonial Secretary replied: No Sir. The problem of a replacement for m. v. "Philomel" is a very difficult one. There are many questions still unanswered and under active consideration. Amongst which are —

1. Is a replacement vessel really necessary?
2. Is the cost of running either the present vessel, or any future vessel justified?
3. Can we afford a ship which will cost anything above £70,000?

A new ship will cost more to run, much more to insure, and will also have to be given full maintenance and slipway facilities the cost of which is difficult to estimate at this stage.

Several designs and estimates have been studied but none have so far proved satisfactory.

I can assure all Members that we are doing all we can to enable an early decision to be reached.

### Motion.

The Colonial Treasurer moved the adoption of the following Resolution:

BE IT RESOLVED that the Report of the Standing Finance Committee for the period January to October 1964 be adopted.

The Colonial Secretary seconded.

The motion was put and carried.

### BILLS.

#### The Firearms (Amendment) Bill.

The Colonial Secretary: Your Excellency, this Bill is quite short and simple. Over the last two years there has been a considerable misuse of .22 and other rifles in the Canopus, Yorke Bay and Cape Pembroke areas, and reports have been received of persons narrowly avoiding being hit by high calibre bullets. An animal was also shot dead.

The present Firearms Ordinance allows for the prohibition of firearms in and around Stanley but is defective in that it fails to define the area covered.

This amending Bill remedies this defect by defining —

- (a) the Stanley Common; and
- (b) the Peninsula area where most of the trouble has occurred.

I beg to move the first reading of the Bill.

The Colonial Treasurer seconded.

The motion was put and carried.

On further motion made and seconded the Bill was read a second time.

In Committee the figures "1965" were substituted for "1964" in the title of the Bill.

The Bill was read a third time and passed.

#### The Old Age Pensions (Amendment) Bill.

The Colonial Treasurer: Your Excellency, this Bill seeks to amend the existing contributory scheme. There are two Old Age Pension Schemes in operation, one of which is contributory and one which is not, and I think I should make it quite clear now that we are amending the contributory one. It is the intention to extend old age pensions by contribution to all females who are not at the moment covered by the contributory scheme. At present some females can qualify, as a result of the contributory scheme, for a pension when they grow old but they must be the widows of pensioners or the widows of fully paid up contributors. Now, we propose to extend the benefits of the scheme to widows whose husbands died before they were pensioners or may not have reached the stage where they were fully paid up contributors, to spinsters and to all unsupported females in the Colony. The pension will be payable on reaching the age of 65.

To finance the extra burden of the fund it is proposed that every female in receipt of an income at the rate of more than £300 per year shall contribute in the same way as male contributors now do.

For females who are not in receipt of an income of more than £300 per year, no contributions will be required from them until they reach the age of 50, when they must either contribute from their own means or if they can show to the satisfaction of the Board of Management that they are unable to contribute, then contributions will be paid for them from public funds.

In the case of widows who have young families to look after, the minimum wage of £300 will be increased by £100 for each dependant child under school leaving age.

The pension that a female contributor will get will be the same as that for an unmarried man. In the event of a female who has been contributing to the fund marrying some time later, she will be refunded all contributions made by her except that there shall be a limit in this refund to what would have been paid had she been an employed person. It might well be that she was a self-employed person and had paid in rather more than an employed person. She will get this money back on marriage or should she leave the Colony permanently. I beg to move the first reading of the Bill.

The Colonial Secretary seconded.

The motion was put and carried.

The Colonial Treasurer moved the second reading.

Mr. Blake: Your Excellency, as the Honourable the Colonial Treasurer tells us in his explanation, except being a new section 6B of the Pensions Ordinance subsection (e) requires widows or females not supported by a husband on reaching the age of 50 to contribute to a pensions scheme no matter what their income. Government considers that under that age, less than £300 per annum is the minimum at which she can afford to contribute. I feel that it is wrong to ask a more aged female to contribute under conditions not applicable to her younger counterpart, and to ask her to approach a Board for assistance, as a number of people would prefer to go short themselves rather than ask for special assistance. I would therefore ask Honourable Members to delete this section from the Bill.

Mr. Bonner: Your Excellency, I welcome this Bill in principle. In fact when I sought re-election to Council in 1960 this was one of the points in my election address; unfortunately it was not successful but it is one of the points that I welcome to our legislation.

But there are one or two points that I am not entirely clear about — admittedly I haven't studied this quite as long as perhaps some others have had an opportunity to.

Now this system of refunds. I think it would be better for the widow to have an option of drawing her husband's contributions or a pension. It should be clearly understood that if she draws her husband's contributions, which is the present system, then she thereby forfeits her right to a pension later on; but I think she should have the option. I wasn't entirely clear on what the Honourable the Colonial Treasurer said.

What happens in the event of a widow leaving the Colony altogether and starting afresh? Is she then only entitled to withdraw what she has contributed to the fund and not what has already been paid in — that wasn't really made very clear.

There is another point too (I am not sure what subsection it is) but I think it is said somewhere in this Bill that any female who is married but also earning should contribute. Well, isn't there an anomaly there? There is a certain situation here where there are females in the Camp (I think particularly of the husband and wife relationship) where the wife is the Station cook, and perhaps her husband is navying. Well, in that case the wife is earning more than the husband. I don't know whether it would not in those circumstances be considered fair that the wife should contribute to the old age pension. I am not sure if the Treasurer was aware of the situation but it does arise.

Those were my few criticisms of the Bill but I don't know if those points can be considered further or if the Treasurer has some remarks to make.

The Colonial Treasurer: Your Excellency, the first point made by the Nominated Member for the West Falkland. He talked about not requiring old ladies to go along to the Board and ask for assistance in paying their contributions. If somebody doesn't pay their contributions and they can't afford to, and are too proud shall we say, to ask for assistance, then how can they possibly qualify for a pension, when they reach the age of 65? Perhaps I misunderstood what the Honourable Member said but that is the problem that his proposal creates.

Now as to the other points. The option on the death of a husband of a widow to become a contributor to the fund or to receive the refund which is currently made. I have in mind the kind of person who would ask for the money back and then become a charge on public funds when they reached the age of 65. A certain amount of compulsion is necessary for this, otherwise human nature being what it is, there are those who will take the best of both worlds.

To the question of a widow leaving the Colony after the husband dies, the law does provide a suitable answer. It says that the contributions of the husband shall be regarded as the contributions of the widow. In other words, when she goes away, she is entitled to the complete refund of her husband's contributions as well as any she may have made herself. I think this is quite satisfactory.

The question of husband and wife working. If you make both contribute, then both would presumably qualify for a pension eventually, the husband at a married man's rate, which is twice the single or unmarried rate, and a wife at the single rate. It wouldn't work. I don't think we could accept this unless we said that a married man must get by with his wife on a single man's pension. The husband and wife contribution has been very carefully thought out.

The President: Would the Honourable Nominated Independent Member for the West Falkland wish to make some observations?

Mr. Blake: Your Excellency, possibly I put my point rather badly. My themes are — Government recognises that a set figure, in this case £300 per annum is required by a person under the age of 50 to live on. She need not, below that figure make contributions to a pension scheme if she is an unsupported female. But on reaching the age of 50 she then becomes liable for doing this no matter what her financial state. If we are going to ask her to go round her relatives or to go cap in hand to the Pensions Board (which people do not like doing in this world — they hate going cap in hand to any Government organisation and asking for charity) and say "Look I'm only earning so much, I can't afford it" then I think we should ask all unsupported females to do likewise, or withdraw this clause from the subsection.

The Colonial Treasurer: Your Excellency, I simply do not understand the point. I am very sorry, I simply do not understand the point the Honourable Member is making.

The President: In that case, Honourable Members, I would suggest that consideration of this particular Bill be deferred for the time being so that at a convenient break in proceedings this particular matter may be the subject of discussion between the Honourable the Colonial Treasurer and the Honourable Member who raised the point.

I think it is particularly important that nothing should be passed into legislation that is not absolutely clear. If necessary, the question can be raised when we re-assemble after the Select Committee has sat.

It is therefore my intention, so that no other matter is overlooked to enquire whether any Honourable Member apart from the Honourable Nominated Independent Member for the West Falkland, who has referred to clause 6 (e), has any point to raise. Is the Honourable Nominated Independent Member for the East Falkland satisfied with the explanation given him?

Mr. Bonner: I am satisfied.

The President: That being the case, we will now pass on to consideration of the next item.

## The Marriage (Amendment) Bill.

The Colonial Secretary: Your Excellency, it is my fortune this afternoon to present all the small Bills and my Honourable friend the Colonial Treasurer has all the difficult ones. We have discovered that the present Marriage Ordinance is rather old fashioned and it allows the Governor to receive certain fees, which in this day and age should be properly paid into the general revenue of the Colony. This very small amending Bill puts the matter right: it is so simple I do not think that any further explanation is required. I beg to move that the Bill be read a first time.

The Colonial Treasurer seconded.

On further motion made and seconded the Bill was read a second time.

The Bill passed through the Committee stage without amendment.

The Bill was read a third time and passed.

## The Supplementary Appropriation (1963-64) Bill.

The Colonial Treasurer: Your Excellency, this Bill summarises in the briefest possible way the work of the Standing Finance Committee and it seeks approval for three instances where the appropriation for the year 1963/1964 was exceeded. These three instances are — Pensions and Gratuities, Public Works Recurrent, and the Supreme Court — a total of £3,566. I beg to move the first reading of the Bill.

The Colonial Secretary seconded.

The motion was put and carried.

On further motion made and seconded the Bill was read a second time.

The Bill passed through the Committee stage, without amendment.

The Bill was read a third time and passed.

## The Stanley Town Council (Amendment) Bill.

The Colonial Secretary: Your Excellency, when Sir Miles Clifford was Governor he took a very great interest in the Stanley Town Council, and he felt, as we do, that an active Council, though small would be of great benefit to the inhabitants of Stanley. One of the devices used to instil interest in Town Council Elections was the putting of a ban on the re-election to Council after four years in office of any elected member. The idea being that enforced change would lead to new and interesting elections. However good the intention it cannot be said to have provided any benefit and there is little doubt that the enforced retirement of worthwhile members of the Town Council further weakens what some people would say is the already weak management of Council affairs. Certainly the ban does nothing to bestir the apathetic electorate here in Stanley. It could also be argued with quite some force that, as it stands, the section denies to the electorate the right to select the person they want to represent them. The usual bars to candidature in an election are confined to nationality, soundness of mind, criminal record, area of residence and age. It is suggested that the present unusual rule of four years in office, and one out, would not stand the test of legal challenge. The Stanley Town Council has presented a formal Resolution which reads: "That representations should be made to the Governor-in-Council requesting the amendment of section 8 (1) of the Stanley Town Council Ordinance thus to allow elected members who have completed four years in office to stand again for election". I beg to move the first reading of the Bill.

The Colonial Treasurer seconded.

The motion was put and carried.

On further motion made and seconded the Bill was read a second time.

The Bill passed through the Committee stage without amendment.

The Bill was read a third time and passed.

## The Income Tax (Amendment) Bill, 1965.

The Colonial Treasurer: Your Excellency, this is another exercise of stopping the gaps in the Income Tax Ordinance. The Bill is in two sections. The first one seeks to limit the remuneration of directors in director controlled companies — that is companies where the directors or their relatives, as listed in the Clause, hold more than 50% of the shares. Now the object of this amendment will have little or no bearing locally but we do have cases or a case where the directors of a director controlled company live outside the Colony and these directors can and do pay themselves large sums of money which they call directors' fees, leaving very little in the way of profits to be recorded in the companies accounts at the end of the year. The result is that the company pays this Treasury very little by way of tax (company's tax) and the directors who don't live here and never come here and are therefore not liable to our income tax, pay the British Government the tax which, it is thought, rightfully belongs to the Falkland Islands. The object is simply to limit the amount that these people can pay in the form of fees — well they can pay what they like — but we will not recognise more than 15% of the chargeable income or £1,500, whichever is the greater, and a limit of £7,500. It is a matter of plugging one of the holes in our taxation legislation.

The second point deals with children. Section 16 of the Principal Ordinance has been recast and in the Bill clause 3 (the first part) is simply carried over from the original section. Parts 2 and 3 of the clause are new. Part 2 seeks to regularise the case where a parent can claim the deduction for a child up to the age of 16 years. The allowance at present for a child under 16 is £100 but we have cases in the Colony (arising from the school leaving age being 14) where children of 14 and up to 16 are themselves tax-payers so that we have the unusual combination of a child who is a tax-payer appearing on its father's income tax for a hundred pound deduction. The father claims a hundred pounds and the child as a tax-payer claims a hundred and fifty pounds. This is quite wrong. Now we also have one or two unfortunate cases where parents who are not living together contribute in various ways to the maintenance of a child. Part three of this clause seeks to give the Commissioner power to allocate the allowance of £100 or whatever it may be in the future. This is in fact what is being done at the moment but one wonders whether there is legal authority for such action. It could well be that if one applies the Ordinance strictly as it reads, both parents could claim the full amount for the one child. That may not be a true interpretation of the law but it certainly needs to be much more definite than it is. I beg to move the first reading of the Bill.

The Colonial Secretary seconded.

The motion was put and carried.

On further motion made and seconded the Bill was read a second time.

The Bill passed through the Committee stage without amendment.

The Bill was read a third time and passed.

## The Immigration Bill.

The Colonial Secretary: Your Excellency, the time has come to modernise and improve the law in respect of Immigration into this Colony. The Ordinance presently in force was passed in 1949, when the Colony in its isolation paid scant regard for laws of this kind. Without any doubt the law needs modernising. More and more we are becoming visible to the world, and slowly but surely more and more people drift this way.

The last two years have seen quite a few tourists and bird watchers coming here. Last year two persons arrived looking for work (incidentally they didn't want the kind of work we can offer and they left hurriedly — which action might well make them suspicious characters): we had a gentleman who arrived by air to deliver a letter, and several voices have been heard saying they intend to land on these shores. If they did so illegally we would be wise to have up-to-date legislation to deal with them properly.

The present law is defective in that it can be argued that a person who has not been specifically banned from entering may do so without more ado, and as far as I can see there is no provision for getting rid of such a person.

I also believe that the present Ordinance is not a just one in that it gives the Governor *carte blanche* to deem a person to be an undesirable immigrant and to forbid any person from landing in the Colony without any right of appeal whatsoever.

This is wrong indeed. This new Bill removes these direct powers and substitutes permissive ones in the hands of an Immigration Officer (who we propose shall, for the time being, be the Superintendent of Police), with in turn a right of appeal to the Governor-in-Council. Let me repeat, the Governor-in-Council. Manifestly this is much more satisfactory.

The Bill also makes the very simple provision that no person shall enter the Colony without a permit. This gives the Government the firm control which is the basis of any good Immigration Ordinance.

Your Excellency I beg to move the first reading of the Bill.

The Colonial Treasurer seconded.

The motion was put and carried.

The Colonial Secretary moved the second reading.

Mr. Miller: Your Excellency, this Bill is very necessary and the Honourable Colonial Secretary has emphasised the need for everybody to have a permit, but it goes a bit too far. Section 25, the last part, says: "This Ordinance except sections 8 (1), 8 (2), 8 (3) (a), (9) and (10) shall not apply to permanent residents nor to persons in the service of the Government of the Colony.", but those four small sections made, were very important ones. If any Falkland Islander goes home on leave he now has to get a permit to get back into his own country. You Sir, if you are called away for consultations with H. M. G. and come back in the spring, have to get a permit to land in your country. I know it is a small matter, and I expect when the Colonial Secretary jumps up to answer me he will probably say that it is not intended to apply to the Governor or others but as this law reads it does; and it is an extraordinary state of affairs when you have got to get a permit from somebody called an Immigration Officer to come back into your own country.

I would therefore, Sir, like to see an amendment whereby we withdraw that one sentence of section 25 where it says: "This Ordinance, except sections 8 (1), 8 (2), 8 (3) (a), (9) and (10)". If we withdraw that short sentence it means that permanent residents; Falkland Islanders; and yourself Sir, can get in without having to hunt around for an Immigration Officer to get a permit to come ashore off the Darwin.

The Colonial Secretary: With your permission, Sir, I would like to take the Honourable Member's criticism when I deal with the clauses. I think I can meet them.

The Bill was then read a second time.

Council then went into Committee to consider the Bill clause by clause.

The Colonial Secretary: Your Excellency, I will pick out only what I consider to be the most important points: I am not going to wade through every section. I hope that I shall make clear one or two of the more difficult clauses and at the same time meet the Honourable Member for the West Falkland. Clause 2. Definition of dependants. Our present Ordinance makes no provision for dependants. We need such a definition.

A new definition of 'prohibited Immigrant' has been provided. Clause 2, sub-clauses (f) and (g) tie up with the requirements of our Health Ordinance, and are in accord with present practice. Although we have been demanding radiological reports for a long time our law has never been really clear.

The definition of 'vessel', (at the foot of the page) has been extended to include any description of aircraft.

Clause 3. I have already told this Honourable Council that for the time being it is our intention, the Immigration Officer should be the Superintendent of Police.

Clause 4 (2). The Governor-in-Council may permit a prohibited immigrant to enter and remain in the Colony subject to certain conditions. Here we could have the situation where an Immigration Officer prohibits someone from coming in, but, as a result of an appeal, the Governor-in-Council is permitted to allow that person to enter, and to make conditions as to what the immigrant may, or may not, do.

Clause 5. Under the existing Ordinance we have no powers whatsoever to carry out any of these things, and so we propose to give powers to the Immigration Officer to search a vessel without a warrant, and to interrogate any person who wants to enter and so on. You will see that we make sure the Immigration Officer does not become a tyrant because, under (e), if he wants to arrest anyone he must take them before a court.

Clause 6. The decision as to whether a person is in the first place prohibited is placed firmly in the hands of the Immigration Officer. For example: if someone who is undesirable turns up on the next Darwin, the Immigration Officer can say to him "I won't let you land". This is clear and a proper working understanding.

Clause 6 (2). The appeal is something new and proper.

We now come to the first of the clauses to which the Honourable Member for the West Falkland objects. Clause 8 (1). There is nothing hard about this and nothing unreasonable. A person entering the Colony by sea shall not disembark without the consent of the Immigration Officer — surely it is right that every person, including a resident, must first be given permission to land? They cannot all come streaming off arriving ships. We already operate this control. Every time R. M. S. Darwin comes in, passengers collect their passports and go down to the Saloon and wait to be ticked off the passenger list. If we say permanent residents are not to be bound by this section, then what will happen? They will hurl themselves down the gangway, throw themselves into the arms of their happy relatives on the quay side; and the poor bewildered Immigration Officer will not know where he is, and our control will be lost. I think it is entirely reasonable to ask people, whoever they may be, to submit themselves to some very simple form of control. Otherwise it will be a mess.

Clause 8 (3). If the Immigration Officer is in doubt he must be empowered to ask questions. If an obscure, unknown, person claims to be a permanent resident how else can the truth be found out? If any members of this Council, or any other known person arrives back here by ship they need not fear — the Immigration Officer will not impose upon them. We do not intend to build up a bumbling organisation causing unnecessary inconvenience to the subject.

Likewise we must have power to insist upon examination by a medical officer should the need arise.

Although the Honourable Member may think the new Ordinance a trifle severe in some respects, I can assure him it is not so. Our law must be fair to all. If we agree to legislation which can be interpreted in favour of one group and against another we shall be in trouble.

I am quite ready to consider a rephrasing of the sections to which the Honourable Member objects, but I must have time to consider the implications of alteration.

On second thoughts, I agree, it appears to be stupid that known honoured residents should have to fill in forms but any amendment must, as I see it, maintain essential control.

At clause 11, we have a further change. "A permit may be issued by the Immigration Officer to any immigrant who is entering into contract of service with an employer or whose passage has been paid on his behalf with a view to his entering into such a contract on his arrival providing he is not a prohibited immigrant or an Alien whose entry is prohibited under section 4". At the moment any person who has employment can enter the Colony without a permit. If you don't believe me go down the road to the Falkland Islands Company and find out how many expatriates there have entry permits. I can see no reason not to close this loophole. If we should be asked whether all people can enter the Colony our answer must be that race and nationality have nothing to do with desirability. The criterion must be employability, and that is sufficient to obtain an entry permit. We do not propose to create an enormous system tied up in red tape: it will work as it works now, except that we will have proper records. This will not cost the Treasury any more money.

Clause 11 (3). If a person who gets an employment permit comes here and fails to take up work within a month (which I should say is a reasonable enough period of time) he shall be deemed a prohibited immigrant. Fair enough.

Clause 13 (1), is slightly different to the old law which allowed a seven day period. We can be reasonable about this. For example if a person lands outside Stanley and has to fly in to report and the wind is blowing and the aircraft not flying, we could stretch a point but on the other hand it is reasonable to suppose in Stanley that a person should report the same day.

Clause 22 raises a legal point. This is the question of the burden of proof. The draft is in accord with practice elsewhere. It is simply that it is up to an immigrant to prove his own desirability.

There is one amendment to clause 23 (5) at the top of the last page: The word 'constable' should read 'police officer'. At the beginning of the Bill a police officer is defined as including any constable.

Finally there are Regulations to be made under section 24 (1). If this Ordinance should be passed by the House it is Government's intention to produce those Regulations very quickly.

Mr. Miller: Your Excellency, Yes, the Honourable Colonial Secretary has gone to a lot of trouble to explain all the clauses of this Bill, but with most of which I was not concerned in my objections. I still stick to exactly what I said before — I am not prepared to hunt around to get a permit to get ashore next spring, but if this is going to be postponed until we can talk it out again I'll accept it as that, Sir.

The President: Consideration of the Bill will be deferred and it can be discussed during the adjournment of Council.

## The Pensions Bill, 1965.

The Colonial Treasurer: Your Excellency, there are two points I would like to make clear before going into the details about what this Bill is all about. Firstly, is that it deals with pensions for Civil Servants and has no connexion whatever with any other pension scheme and secondly, that it is the intention to replace the Ordinance of 1949 only: there is also a 1937 Ordinance in force and we propose to keep it in force.

To a large extent the Bill does not materially alter the conditions under which the majority of pensions are now awarded. For example, a minimum of 10 years service is still required, it will still be necessary to complete 40 years service from the age of 20 to qualify for the maximum pension, service in other territories will be continued to be recognised, a pension may still be commuted to a gratuity and a reduced pension and gratuity for service that does not qualify for a pension will continue to be paid. Provision for awards where permanent injury is suffered while on duty remains as in the 1949 Ordinance as well as that for pensions for dependants of officers who are killed in the performance of their duty.



There must of course be some material differences or the need for the Ordinance would not arise. Opportunity has been taken to clear up several points of doubt as to the intention of the 1949 Ordinance, for example section 8 states that on the officer reaching the age of 60 he may be granted a pension. Does this mean that he cannot continue in pensionable employment beyond that age. This Bill proposes that he should if he is wanted and the words "on or after" are used. This incidentally is what the 1937 Ordinance says. Then there is the point that arises from the abolition of a pensionable office. Clause 2 subsection 3 of the Bill before Council makes it clear that when a pensionable office is abolished and the person holding that office retires from the Public Service in consequence of the office being abolished he shall be deemed to have continued to hold the office until the date immediately preceding the date of his retirement. Up to now the law has been silent on this rather important point.

Clause 6 also seeks to introduce a further point of clarification. Strictly speaking the existing law does not cover those transferred officers transferred to places other than the Falkland Islands who retire from the public service of the other territory under a constitutional compensation scheme or some other similar cause. The existing subsection refers to grounds of age for the reason of retirement but the reason in these cases is more likely to be found in the desire to replace overseas officers with local officers. Clause 6 makes statutory provision for a payment of marriage gratuities. These gratuities have been a feature of Government employment since 1948 but no action has yet been taken to put the matter on a proper legal basis. At present a gratuity (which is only payable to female staff) is calculated at the rate of one day's pay for every month of service with a minimum service of eight years. This Bill proposes that the qualifying period be reduced to seven years for the not wholly valid reason that while female staff must complete a minimum of ten years to qualify for a passage male staff qualify after seven. The basis of calculation is also amended in the light of advice of what is done elsewhere and it is proposed that it should be five times the amount that the officer's service and salary would have produced if the old pensions formula had been applied. Now if that doesn't sound any clearer than before I said it let me add that a pension is calculated at 1/720th of the year's salary for every month of service since the 20th birthday. Clause 6, together with regulation 25, further approves the gratuities that may be paid to officers who have served in non-pensionable posts. The principal changes remove the compassionate nature of the award, reduce the qualifying period, make more liberal retirement circumstances and increase the scale of benefits. Clause 18 permits active service during the war to be regarded as pensionable service provided the officer served in a civil capacity immediately before the war service commenced and returned to Government service immediately he was released from military service.

It is proposed that the Bill comes into force with retrospective effect from the 1st of January, 1964.

There is one error in the Bill as printed which I shall take opportunity of correcting in the Committee stage. It is in regulation 9 (3) where the word eighteen should read twenty. I beg to move the first reading of the Bill.

The Colonial Secretary seconded.

The motion was put and carried.

On further motion made and seconded the Bill was read a second time.

In Committee the Schedule to the Bill was amended by deleting the word "eighteen" in regulation 9 (3) and substituting the word "twenty".

The Bill was read a third time and passed.

### The Diplomatic Privileges (Extension) Bill.

The Colonial Secretary: Your Excellency, during the past five years Her Majesty's Government, together with the Government of other independent nations, has negotiated a new treaty for the handling of diplomatic relations and privileges. As a Colony we follow, and are bound to the United Kingdom in this matter, and our present Ordinance (Cap. 20) now requires amendment to meet the changed circumstances. The Secretary of State has advised that the addition of a new clause, as shown in the draft Bill, is sufficient to bring us into line with current United Kingdom legislation.

If, as I hope, the European Space Research Organisation sets up an extended telemetry organisation here, we must have our legislation in order. E. S. R.O. (or to give the full title once again, European Space Research Organisation), has full international status and its representatives are entitled to diplomatic protection and privileges.

The commencing section as drafted is taken from an approved model and the statement of objects and reasons is as concise and as objective as can be.

I beg to move the first reading of the Bill.

The Colonial Treasurer seconded.

The motion was put and carried.

On further motion made and seconded the Bill was read a second time.

The Bill passed through the Committee stage without amendment.

The Bill was read a third time and passed.

### The Appropriation (1965/66) Bill.

The Colonial Treasurer: Your Excellency, the draft Estimates of Revenue and Expenditure show that we estimate to bite into reserves by a further £97,000 in the coming financial year but it is nevertheless rather pleasant to say that there has been no deterioration over the past year and that where a year ago we estimated the reserves to total £423,000 we estimate that we shall embark upon the 1965/66 financial year with a total of £429,000 in reserve. This small improvement is largely due to the sale of Albemarle off-setting or reversing the otherwise minor deficit.

The revenue for 1964/65 was greatly influenced by the particularly good wool clip of 1962/63 season when over 5,000,000 lbs of wool were exported and sold at an average price of 56d. per lb. As this to all intents and purposes balanced the Budget, it is a fair deduction that our economy is currently geared to an average wool price of just over 60d. when exports are normal, that is to say round about 4,500,000 lbs. For the year upon which we are about to embark exports are normal but the average price for the 1963/64 clip was only 57d. As a result, ordinary revenue will be insufficient to cover ordinary expenditure, much less provide a little for capital expenditure.

The Estimates for 1965/66 have been framed in a different style and they are in two parts. Part I deals with the ordinary or recurrent or everyday expenditure which generally speaking ensures the continued functioning of Government services in their present shape and form. Part II which is described as Development contains matters relating of course to development as well as to improvement, modernisation and to progress in general. These and their timing, are not so closely related to the everyday things that Government does and as a result policy, influenced by the state of the Treasury, has a considerable influence upon them. The comparatively large total of ordinary revenue and ordinary expenditure which I understand have already been commented on by members of the public are influenced by the transfer via revenue and expenditure of £94,000 from the land sales fund and £43,000 from the renewals fund to a new fund to be called the Development Fund. This fund will be applied to projects appearing in Part II, that is the Development section.

Now, it will be clear that if the land sales fund and the renewals funds are set aside for a particular purpose the financing of ordinary expenditure for the future will require careful consideration for the reserves remaining are very limited and could not stand many unbalanced ordinary budgets. This is exactly what is intended, for it is considered that while development spending can be programmed to suit periods of financial well-being essential spending, that is Part I, recurrent, ordinary, must be financed in bad times as well as in good times.

In the Estimates that are shortly to be considered, Part I shows imbalance of £26,000 after provision has been inserted for an increase in the duty on spirits of 60/- per gallon. While this is unconnected with the Budget, as framed, it is nevertheless a matter likely to affect the adequacy of the Budget if not otherwise controlled; it is not the intention of Government to recognise this or any similar increase in taxation as ranking for consideration when producing the figures from which the payment of cost of living awards are contributed. Reserves supporting Part I are estimated to total £92,000 on the 1st July next as it is considered that a working balance of £100,000 is necessary to commence each financial year, this is below the limit to which we can without risk of some form of embarrassment allow ourselves to fall.

In the Development section of the Estimates, provision is made for expenditure totalling £71,000 from Colony funds and £12,000 from grants made available from C. D. & W. funds. The matter being self-balancing it is only necessary to say that the Colony's share of development expenditure will be met from the new Development Fund. Additional information available in the new style Development Estimates show that there is an estimated total of £205,000 committed expenditure on existing schemes, that £41,000 of this is available from C. D. & W. grants and that the uncommitted balance of the proposed development fund as estimated at the close of the 1965/66 financial year is £101,000.

Turning now to the details of Part I of the Estimates, I think they can be more readily understood if the transfers to and from reserves are ignored. These involve what is called a paper transaction and appear in the Estimates for the sole purpose of letting it be known that this switching from one pocket to another has the support and approval of the legislature. Ignoring these transfers it will be seen that revenue is going to fall quite a bit short of the 1964/65 mark. This results largely from the smaller wool clip and that during the period no big selling issue of stamps is contemplated. The overall decrease is estimated to be £34,000. Expenditure is estimated to total £360,000 or £3,000 more than was approved for the current year. I have already referred to the proposals to increase the duty on spirits, and government has under consideration further measures for the increasing of ordinary revenue. Details are in the course of preparation and it is most likely that the legislature will be asked to give their approval to some if not all of these before the close of the current calendar year. More than that I really cannot say, except that I hope I have made the impression that every effort is being made to make the ordinary budget (Part I of the Estimates) a balanced one.

In Part II the spending programme for 1965/66 is quite substantial, totalling no less than £83,000. Provision is included (subject to a final decision on whether or not to buy) for an initial payment of up to £15,000 on the new cargo vessel to replace the Philomel, the total cost of which delivered to the Colony is put at about £77,000. Of this sum £27,000 is to be made available from C. D. & W. funds.

Plans for introducing more modern telecommunications equipment into the wireless station have met with support both moral and financial from the European Space Research Organisation and the initial £25,000 of an estimated £100,000 project is provided for in these Estimates. In case my remark has caused someone to start searching for evidence of E. S. R. O. cash assistance it will come in the form of the favourable terms on which that organisation wishes to rent one of the channels and to underwriting the Colony's investment in the event of any early cancellation of the rental arrangement.

Money is provided for a more determined road repair effort, including the importation of a labour gang, and for the erection of some of the houses for which assistance is available from C. D. & W. sources and for the inauguration of a scheme of modest assistance to farms undertaking camp tracks repair or improvement.

I beg to move the first reading of the Bill.

The Colonial Secretary seconded.

The motion was put and carried.

On further motion made and seconded the Bill was read a second time.

The Colonial Secretary moved that the Bill be referred to a Select Committee of the House.

The motion was put and carried and the President appointed a Select Committee in terms of Standing Order 43.

Council adjourned.

Council resumed at 9.30 a.m. on Thursday the 6th May.

The Colonial Treasurer reported that the Select Committee had considered the draft Estimates and recommended the following amendments to Part I. —

HEAD II. Agriculture. Item 8. Building Materials and Repairs be reduced from £600 to £400.

HEAD VI. Education. Item 3. Extra Teaching and Clerical Assistance be reduced from £1,422 to £1,232.

Item 16. Overseas Education Allowances be increased from £4,887 to £8,254.

HEAD X. Miscellaneous. Item 2. Books and Periodicals be reduced from £222 to £150.

HEAD XVIII. Secretariat and Treasury insert a new item — Visit of Economist £500.

Part II of the Estimates. Item 5. Stanley Roads be reduced from £11,495 to £495.

Item 8. Camp School Improvement be reduced from £2,400 to £1,200.

In the Committee stage Clause 1 of the Bill was agreed and consideration of Clause 2 was deferred until after consideration of the Schedule.

The Enacting Clause and Title were agreed.

The Colonial Treasurer seconded by the Colonial Secretary moved that the Schedule should stand part of the Bill, subject to the following amendments —

<i>Head</i>	<i>Delete</i>	<i>Insert</i>
II. Agriculture	9,294	9,094
VI. Education	56,226	59,403
X. Miscellaneous	365,434	365,362
Total Ordinary Expenditure	697,862	701,267
A. DEVELOPMENT	71,354	59,145
Total Expenditure	781,327	772,532

It was agreed that the Schedule, as amended, should stand part of the Bill and that Clause 2 should stand part of the Bill subject to the following amendment — That the words and figures “£781,327” be deleted and the words and figures “£772,532” substituted.

The Bill was read a third time and passed.

### Motion.

The Colonial Treasurer: Your Excellency, as I have stated when introducing the Appropriation Ordinance, it is the intention to increase taxation by means of raising the rate of duty on spirits. To put this into effect I beg to move the following Resolution —

“In exercising the powers conferred on Legislative Council by section 5 of the Customs Ordinance it is hereby resolved by the Legislative Council as follows —

1. This Resolution may be cited as the Customs (Amendment of Duties) Resolution 1965, and shall come into operation on the 6th day of May 1965.

2. Item 2 of paragraph 2 of the Customs Order is hereby amended by the deletion from the third column of sub-item (a) of the figures “66/-” and a substitution therefor of the figures “126/-”.

The Colonial Secretary seconded.

The motion was put and carried.

### BILLS.

#### The Old Age Pensions Bill (Second Reading resumed).

The Colonial Treasurer: Your Excellency, the difficulties have been resolved and it is agreed that the Bill be proceeded with.

Mr. Blake: Your Excellency, I misunderstood the section. I suggest to Government that they produce a booklet or pamphlet which explains not only this section of the Pensions Ordinance but the complete Ordinance. It is becoming more and more complicated as we have more new and modified versions.

Mr. Bonner: Your Excellency, if I may just add a rider to that, would you please make sure they make plenty of them? Some years ago they printed a child's guide to the Income Tax Ordinance. I understand that it is now out of print.

The Colonial Secretary: Your Excellency, let me assure Honourable Members of the House that we will produce a pamphlet which will be circulated to as many people as possible and that we will print sufficient of them to keep us going until we next amend this Ordinance.

On further motion made and seconded the Bill was read a second time.

The Bill passed through the Committee stage without amendment.

The Bill was read a third time and passed.

#### The Immigration Bill (Committee Stage resumed).

The Colonial Secretary: Your Excellency, I have discussed the objections to the Immigration Bill raised by the Honourable Elected Member for the West Falkland with all members of this Council outside the Council Chamber and we are agreed that the objections can be overcome by two simple amendments —

Clause 9. After the words “No person” insert “other than a permanent resident”.

Therefore Clause 9 reads “No person other than a permanent resident shall enter the Colony unless he has a permit issued to him under this Ordinance or Regulations made thereunder.”. A permanent resident is of course defined in Clause 2. To tie up with that one further alteration is necessary to Clause 25, the second line — delete the words “permanent residents nor to”. Clause 25 now reads “This Ordinance, except sections 8 (1), 8 (2), 8 (3) (a), (9) and (10) shall not apply to persons in the service of the Government of the Colony.”. Permanent residents are of course already exempt by the alterations to be made to Clause 9.

Mr. Miller: I have no objection at all, Sir. I accept the Honourable the Colonial Secretary's alterations with much pleasure. He has reached my point and I only wish to record that I am quite satisfied.



In Committee the following amendments to the Bill were agreed —

Clause 9. Insert the words "other than a permanent resident" after the words "No person".

Clause 23 (v). Delete the word "constable" and substitute "police officer".

Clause 25. Delete the words "permanent residents nor to".

The Bill was read a third time and passed.

The Colonial Secretary then moved the adjournment of Council.

Speaking to the motion Mr. Bonner said: Your Excellency, I do not wish to delay Members much longer. Before I start to talk to the motion I would like to say in passing that I am very glad to see in the Estimates that my remarks to Council at the last meeting have not gone unnoticed. I am sure that the landowners and other people in the Camp will do their utmost to make full use of the money which has been reserved in the Estimates for the improvement and maintenance of Camp tracks. Now we have the money, it is up to us to find the hands and the wherewithal.

Sir, I wish to speak briefly this morning on the trapping and exportation and what some of us feel is the exploitation of our wild animals and birds. I, personally, have quite strong views on this and other people in the Colony have expressed similar opinions. I was pleased to find, when I mentioned this once or twice in passing, during the last few days, that one or two members of this Council feel likewise. This area with all its drawbacks climatically, is I suppose, for man and animal, one of the freest areas in the world. We can move here and there without let or hindrance. We can fish the streams and we can indulge in sport. There are no restrictions in any way, and likewise our animal life is not hunted and hounded. They are free to breed; they are free to live in the way for which they were designed. Furthermore, I think we possess some of the finest natural wild life areas in the world.

I, personally, am very against zoos and menageries — I think they are sorry places. I know there is a school of thought that says it is very good for children and other people to go and see live animals. Well I have seen several zoos as no doubt all of us have, and I can see nothing instructive or illuminating about a sorry caged lion or a pathetic bewildered penguin in a muddy pool, or a tired, bored seal diving in and out of a stagnant pond because he's got nothing else to do. In Regents Park Zoo there are some examples of one of the most colourful and magnificent birds in the world — the King penguin. Those people who have been fortunate enough to see them in the Antarctic in their natural state would never go back to see them in their caged state. I am sure they are well looked after. I am sure they are kept in the best possible conditions, there is no leopard seal lurking outside the kelp patch to turn them inside out, but still I do not think it is a good thing. Circus animals and performing animals — well, here I can't say they give me any pleasure at all. I was very pleased to read recently that legislation has been passed through the United Kingdom Parliament restricting very very severely the use of animals for public entertainment.

Recently there have been people here who have taken away quite large numbers of our animals and birds. We discover in discussions with the Colonial Secretary that they pay us a very small fee for taking these animals away but they in turn receive a very large fee when they sell them. There is very little restriction on these people here, not that I wish to discourage them. I think there is very little restriction and very little supervision. I know it is difficult for us to do it — it's the old, old story — there is nobody here qualified sufficiently to say that you can't take a seal in such and such a site or spot, but I feel that these people who come here and take away our animals and sell them for large profits do not have the good of the animals at heart. This has been going on for a long time. I was associated in a vague sort of way with the first collector to come here and he openly admitted that he was taking these birds away for his own profit — he was collecting penguins. He is now Curator of the Stanley Park Zoo in Vancouver, and in his defence I must say that the Stanley Park Zoo in Vancouver is one of the finest zoos I have ever seen. The water for the penguins looks as if it is changed once a day at least.

Anyway I won't go on for a considerable time, I don't propose to do that. I have three propositions here which I think Government should consider. I think the value of licences to trap or collect wild animals or birds should be greatly increased. To take an animal away of the size and magnitude of a seal or a sea elephant, the licence should be at least three figures — £100 or £200 or more. I also feel that there should be a restriction on the number of animals or birds that any collector takes of any one kind and furthermore, I think that animal collectors should be agents of bona fide organisations. They should have a commission from such and such a zoo and we should be assured that that zoo is a proper place for animals. I hear in a round about way that the two very nice young men who were out here recently took away some birds and had great difficulty in disposing of them. Well, that probably is no fault of theirs; they probably thought they could. I think that before animals are exported from here we should be absolutely sure we know where they are going. Finally, I think stricter attention should be paid to the conditions under which the animals are exported. Perhaps we can consult the Natural History Museum in England? We should certainly try and see that the animals if they have to be exported are cared for in the most humane way possible.

I don't think I have anything further to add and I think there are one or two others who wish to speak to this motion, I thank you, Sir.

Mr. Blake: Your Excellency, I would very much like to endorse what the Honourable the Independent Nominated Member for the East Falkland had to say, and possibly extend a little what he said.

We cannot, I feel, completely control the animals once they are outside the Colony. But if, as he suggests, licence fees are of such a figure that those animals become valuable — not only to the collector but also to the purchaser — then if they are valuable enough they will make quite certain that everything is done to see that they arrive at their destination in good condition, and having got to their destination in good condition they last for as long as possible, because they won't want to have to buy any more at that sort of price. I would very much like to second what the Honourable Independent Nominated Member for the East Falkland had to say.

Mr. Miller: Your Excellency, I wish of course to associate myself with Mr. Bonner's views and support them entirely. But there is one little aspect I don't think he mentioned — at least if he did he didn't stress it — we don't want to discourage people coming to these Islands. The whole tenor of council meetings the last six months, in Executive Council and here this week is that this Colony is looking for every available pound on which to lay its hands; in other words we might regard this, provided it is safeguarded, as another minor export. Let them pay pretty hefty fees by all means, but don't stop them coming.

If they have to pay fairly heavy export fees I think that will quite naturally safeguard care and attention during the voyage and ensure that they are going to be disposed of satisfactorily. They would have to ask a big figure for them at the other end and it won't be a two-penny half-penny zoo that is going to buy them where they won't be looked after. If they are going to pay a lot for them — that will look after itself. But we don't want to stop them coming; we have to find lots of money somewhere in the next year or two and if people like Mr. Chipperfield are prepared to meet some fairly hefty fees I think we want to see that we still do export these animals.

Another small aspect too about bringing money into the Colony — somebody has got to catch these animals and we don't want to stop those particular people making something out of it.

I would be inclined to cross swords with Mr. Bonner on the question of the undesirability of zoos. I think we want some zoos, because it is the right of almost every child to go to a zoo. I think back rather many years when I was delighted to go around Regents Park Zoo. More recently, I can remember that slightly differently when taking two small, highly excited and sticky boys to Regents Park on a very hot day. Their father wasn't so excited because it was a hot day, and he wasn't very interested; it was the time of day when all the pubs were closed and he was a very thirsty man. But I do think it is important that children should be able to go to zoos and I would like to support all that the two previous members have said.

The Colonial Secretary: I think I am tied, Sir, to using the very trite phrase — All this is noted — but I will add, noted with a great deal of sympathy and by the time we meet again I will try and have something to put forward for discussion and consideration.

The President: Before closing our proceedings I would like to take this opportunity of thanking Honourable Members who have spoken during our deliberations, and for the very useful contributions which they have made. To those who will soon be leaving for holidays elsewhere, I would like to extend my best wishes and I would hope that when they happen to be visiting London they will have time to make contact with the Commonwealth Parliamentary Association while they are there, and also, I hope, with the Colonial Office. Details of our connexion with the Commonwealth Parliamentary Association have already been circulated to Honourable Members and I will be glad at a later stage to offer Honourable Members the names of one or two people in the Colonial Office who, I think, would benefit greatly by visits of Honourable Members of this Council.

The President then declared the House adjourned *sine die*.



# THE FALKLAND ISLANDS GAZETTE

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Vol. LXXIV.

1 NOVEMBER, 1965.

No. 11.

## APPOINTMENT

Dr. William Parker, M.B., Ch.B., Medical Officer (Locum Tenens), on contract 18.9.65.

## NOTICE

No. 47. 13th October, 1965.

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 —

No.	Title	Ref.
3 of 1965	Supplementary Appropriation (1963-64) Ordinance, 1965	0284/XVI.
5 of 1965	Income Tax (Amendment) Ordinance, 1965	0747/K/II.
10 of 1965	Immigration Ordinance, 1965	0837/II.

## PROBATE

In the Supreme Court of the Falkland Islands  
(PROBATE DIVISION)

Notice under the Administration of Estates Ordinance.  
(Cap. 1)

In the matter of Alexander Stewart, deceased, of Stanley, Falkland Islands, who died on the 18th day of September, 1965.

WHEREAS Muriel Olive Stewart, wife of the said deceased, has applied for Letters of Administration to administer the estate of the said deceased in the Colony.

NOTICE IS HEREBY GIVEN pursuant to section 4 of the Administration of Estates Ordinance to all persons resident in the Colony who may have prior claim to such grant that the prayer of the petitioner will be granted provided no caveat be entered in the Supreme Court within twenty-one days of the publication hereof.

H. BENNETT,  
Registrar,

Stanley, Falkland Islands,  
22nd October, 1965.  
S. C. 26/65.

In the Supreme Court of the Falkland Islands

NOTICE UNDER THE TRUSTEE ACT, 1925.

In the matter of John Samuel Barnes, deceased, late of Stanley, Falkland Islands.

NOTICE IS HEREBY GIVEN pursuant to section 27 of the Trustee Act, 1925, that creditors and other persons having claims against the estate of the above deceased should give notice thereof in writing to Mabel Annie Barnes of Stanley, Falkland Islands who is sole Executrix of the will of the said John Samuel Barnes not later than the 20th day of December 1965, after which time the Executrix intends to distribute the estate of the said John Samuel Barnes among the parties entitled thereto having regard only to the claims of which she has had notice and will not, as respects the property so distributed, be liable to any person of whose claim she shall not have had notice.

H. BENNETT,  
Registrar.

Stanley, Falkland Islands.

25th October, 1965.

S. C. 24/65.

## LEGAL NOTICE

Immigration Ordinance 1965

It has been noticed that the marginal note to Section 26 of this Ordinance refers to the repeal of Cap. 30. This is an error and the note should instead refer to Cap. 31.

A marginal note forms no part of actual legislation and this error does not therefore affect the legality of Section 26. Persons in possession of copies of the Immigration Ordinance, 1965, should make an appropriate note of correction.

A suitable amendment will be presented to the Legislature for approval in due course.

Ref. 0837/II.

## INDEX OF LEGISLATION

The following items appearing in this issue should be entered in the Index of Legislation —

Live Stock Quarantine (Amendment) Regulations, 1965.  
Quarantine (Amendment) Regulations, 1965.  
United Kingdom Forces (Jurisdiction of Colonial Courts) Order, 1965.  
Colonial Probates Act Application Order, 1965.

## The Live Stock Ordinance (Cap. 40)

## REGULATIONS

(under section 43 of the Ordinance)

No. 2 of 1965.

C. HASKARD,  
Governor.

In exercise of the powers conferred by section 43 of the Live Stock Ordinance, the Governor in Council has made the following Regulations —

Citation and commence-  
ment.  
Revised Edition  
Vol. II p. 205.

1. (1) These Regulations may be cited as the Live Stock Quarantine (Amendment) Regulations, 1965, and shall be read as one with the Live Stock Quarantine Regulations, hereinafter referred to as the principal Regulations.

(2) These Regulations shall come into operation on the 31st day of October, 1965.

Amendment of regulation  
2 of the principal  
Regulations.

2. Regulation 2 of the principal Regulations is amended —

- (a) by deleting the word "ordered" and by substituting the word "imported";
- (b) by deleting the word "ordered" in the marginal note thereto and by substituting the word "imported".

Amendment of regulation  
8 of the principal  
Regulations.

3. Regulation 8 of the principal Regulations is amended by inserting after the word and comma "distemper," the words and comma "inoculated against hard pad,".

Insertion of new regula-  
tion 17A in the principal  
Regulations.

4. The principal Regulations are amended by inserting the following new regulation immediately after regulation 17 —

"Charges for  
animals in  
quarantine.

17A. The charges set forth in Schedule E shall be payable to Government in respect of animals kept in quarantine."

Amendment of Schedule  
B to the principal Regula-  
tions.

5. Schedule B to the principal Regulations is amended by inserting after the word "lice" the words "and itch-mite".

Amendment of Schedule  
C to the principal Regula-  
tions.

6. Schedule C to the principal Regulations is amended by deleting the word "July" and by substituting the words "the first day of August".

Addition of new  
Schedule E to the prin-  
cipal Regulations.

7. The principal Regulations are amended by the addition of the following new Schedule E —

"SCHEDULE E.  
QUARANTINE CHARGES.

Regulation 17A.

Dogs	...	...	...	5/- per week per dog.
Sheepdogs	...	...	...	2/6 per week per dog.
All other animals, less sheep which shall be free of any charge				1/- per animal per week."

Made by the Governor in Council this 24th day of August, 1965.

D. R. MORRISON,  
Acting Clerk of the Executive Council.

## The Public Health Ordinance (Cap. 54)

## REGULATIONS

(under section 39 of the Ordinance)

No. 3 of 1965.

C. HASKARD,  
*Governor.*

In exercise of the powers conferred by section 39 of the Public Health Ordinance, the Governor in Council has made the following Regulations —

Cap. 54.

1. These Regulations may be cited as the Quarantine (Amendment) Regulations, 1965.

Citation.

2. The Quarantine Regulations are amended by the addition, after regulation 2 of the following new regulation —

Addition of new  
regulation 2A.  
Revised Edition  
Vol. I p. 498.

“2A. (1) Notwithstanding anything contained in these regulations it shall be lawful for the Health Officer to require any person arriving in the Colony, who does not show evidence of having previously suffered from smallpox, to produce a valid international certificate of vaccination against smallpox.

(2) If any person, when so required under sub-regulation (1), fails to produce such valid international certificate the Health Officer shall offer him vaccination free of charge; and if such person refuses to be vaccinated the Health Officer may place him under surveillance, the period of surveillance being specified according to the circumstances, but in any case not exceeding fourteen days from such refusal.”.

Made by the Governor in Council this 24th day of August, 1965.

D. R. MORRISON,  
*Acting Clerk of the Executive Council.*

Ref. 1100.

STATUTORY INSTRUMENTS

1965 No. 1203

OVERSEAS TERRITORIES

The United Kingdom Forces (Jurisdiction of Colonial Courts) Order 1965

Made - - - - - 1st June 1965  
Laid before Parliament 9th June 1965  
Coming into Operation 10th June 1965

At the Court at Buckingham Palace, the 1st day of June 1965  
Present,  
The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers by section 112 of the Government of India Act 1833(a), the British Settlements Acts 1887 and 1945(b), the Foreign Jurisdiction Act 1890(c) or otherwise in Her Majesty vested or reserved to Her in pursuance of the British Guiana Act 1928(d) or the West Indies Act 1962(e), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows —

Citation and commencement.

1. This Order may be cited as the United Kingdom Forces (Jurisdiction of Colonial Courts) Order 1965 and shall come into operation on 10th June 1965.

Application and interpretation.

2. (1) This Order shall apply to each of the territories specified in the Schedule to this Order and in its application to any territory references in this Order to "the Territory" mean that territory.

(2) In this Order —

"coroner" means any person or authority having jurisdiction under the law of the Territory to hold inquests;

"court of the Territory" means a court exercising jurisdiction in the Territory other than a service court;

"dependant" in relation to any person means any of the following —

- (a) the wife or husband of that person; and
- (b) any other person wholly or mainly maintained by him or in his custody, charge or care;

"Governor" in relation to Basutoland means the British Government Representative and in relation to any other territory the officer for the time being administering the government of the territory;

"Her Majesty's forces" means the naval, military or air forces of Her Majesty in right of Her Government in the United Kingdom but does not include a force raised under a law enacted by the legislature of the Territory;

"law of the Territory" means law for the time being in force in the Territory or any part thereof;

(a) 3 & 4 Will. 4. c. 85. (b) 50 & 51 Vict. c. 54 and 9 & 10 Geo. 6. c. 7.  
(c) 53 & 54 Vict. c. 37. (d) 18 & 19 Geo. 5. c. 5. (e) 10 & 11 Eliz. 2. c. 19.

"service court" means an officer or court exercising jurisdiction under the Naval Discipline Act 1957(a), the Army Act 1955(b) or the Air Force Act 1955(c) and includes a confirming officer or reviewing authority under any of those Acts.

(3) In this Order a reference to the holder of an office by the term designating his office shall be construed as including, to the extent of his authority, a reference to any person for the time being authorised to exercise the functions of that office.

(4) The Interpretation Act 1889(d) shall apply, with the necessary adaptations, for the purpose of interpreting this Order and otherwise in relation thereto as it applies for the purpose of interpreting or in relation to Acts of the Parliament of the United Kingdom.

(5) References in this Order to a member of a civilian component of any of Her Majesty's forces are references to persons (being persons subject to the jurisdiction of a service court) of any such description as may be prescribed by order made by the Governor of the Territory.

(6) References in this Order to a person's having at any time a relevant association with Her Majesty's forces are references to his being at that time a person of one or other of the following descriptions, that is to say —

- (a) a member of Her Majesty's forces or a member of a civilian component of any of those forces;
- (b) a person who is a dependant of any such member.

(7) References in this Order to any law are references to that law as from time to time amended or extended by or under any other law.

(8) In the exercise of the powers conferred upon him by this Order the Governor shall not be obliged to obtain the advice of or otherwise to consult with any other person or authority in the Territory.

3. (1) Subject to the provisions of this section, a person charged with an offence against the law of the Territory shall not be liable to be tried for that offence by a court of the Territory if at the time that the offence is alleged to have been committed he was a member of Her Majesty's forces or a member of a civilian component of any of those forces and —

Restriction of trial of service offenders by courts of Territory.

- (a) the alleged offence, if committed by him, arose out of and in the course of his duty as a member of Her Majesty's forces or a member of that civilian component, as the case may be; or
- (b) the alleged offence is an offence against the person, and the person or, if more than one, each of the persons in relation to whom it is alleged to have been committed had at the time thereof a relevant association with Her Majesty's forces; or
- (c) the alleged offence is an offence against property, and the whole of the property in relation to which it was alleged to have been committed (or, in cases where different parts of that property were differently owned, each part of the property) was at the time thereof the property either of a department of the Government of the United Kingdom or of some other authority of the United Kingdom or of Her Majesty's forces or of the Navy, Army and Air Force Institutes or of any other institution or organization operating for the benefit of Her Majesty's forces that is prescribed by order of the Governor of the Territory or the property of a person having such an association as aforesaid.

(a) 5 & 6 Eliz. 2. c. 53.  
(c) 3 & 4 Eliz. 2. c. 19.

(b) 3 & 4 Eliz. 2. c. 18.  
(d) 52 & 53 Vict. c. 63.

(2) Nothing in subsection (1) of this section —

- (a) shall prevent a person from being tried by a court of the Territory in any case where a certificate is issued by or on behalf of the Governor, either before or in the course of the trial, that the officer commanding Her Majesty's forces in the Territory has notified the Governor that it is not proposed that the case should be dealt with by a service court; or
- (b) shall affect anything done or omitted in the course of a trial unless in the course thereof objection has already been made that by reason of that subsection the court is not competent to deal with the case; or
- (c) shall, after the conclusion of a trial, be treated as having affected the validity thereof if no such objection was made in the proceedings at any stage before the conclusion of the trial.

(3) In relation to cases where the charge (by whatever words expressed) is a charge of attempting or conspiring to commit an offence, or of aiding, abetting, procuring or being accessory to the commission of an offence, paragraphs (b) and (c) of subsection (1) of this section shall have effect as if references in those paragraphs to the alleged offence were references to the offence which the person charged is alleged to have attempted or conspired to commit or, as the case may be, the offence as respects which it is alleged that he aided, abetted, procured or was accessory to the commission thereof; and references in those paragraphs to persons in relation to whom, or property in relation to which, the offence is alleged to have been committed shall be construed accordingly.

(4) Nothing in this section shall be construed as derogating from the provisions of any law of the Territory restricting the prosecution of any proceedings or requiring the consent of any authority to the prosecution thereof.

(5) The Governor of the Territory may by order prescribe the offences against the law of the Territory which shall respectively be offences against the person and offences against property for the purposes of this section.

(6) Nothing in this section shall be construed as precluding a court of the Territory from trying any person for an offence against the law of the Territory in respect of which he has, before the date on which this Order was made, been charged before a court of the Territory.

Courts of Territory not to try offences tried by service courts.

4. Without prejudice to the provisions of section 3 of this Order, where a person has been tried by a service court he shall not be tried for the same crime by a court of the Territory.

Saving of powers of arrest, etc.

5. Nothing in section 3 or 4 of this Order shall affect —

- (a) any powers of arrest, search, entry, seizure or custody exercisable under the law of the Territory with respect to offences committed or believed to have been committed against that law; or
- (b) any obligation of any person in respect of a recognizance of bail bond entered into in consequence of his arrest, or the arrest of any other person, for such an offence; or
- (c) any power of any court to remand (whether on bail or in custody) a person brought before the court in connection with such an offence.

Coroners' inquests.

6. (1) If any coroner having jurisdiction to hold an inquest touching a death is satisfied that the deceased person at the time of his death had a relevant association with Her Majesty's forces, then, unless the Governor otherwise directs, the coroner shall not hold the inquest or, if the inquest has been begun but not completed, shall adjourn the inquest.



(2) Subject to the provisions of subsection (1) of this section, if on an inquest touching a death the coroner is satisfied —

- (a) that a person who is subject to the jurisdiction of a service court has been charged before a service court with the homicide of the deceased person, whether or not that charge has been dealt with; or
- (b) that such a person is being detained by an authority of the United Kingdom with a view to being so charged,

then, unless the Governor otherwise directs, the coroner shall adjourn the inquest.

(3) Where an inquest is adjourned under this section, the coroner shall not resume it except on the direction of the Governor.

(4) Where an inquest is adjourned under this section, the jury (if any) shall be discharged; and if the inquest is resumed the coroner shall proceed in all respects as if the inquest had not previously been begun except that any requirement to view the body shall not apply.

7. (1) For the purposes of this Order a certificate issued by or on behalf of the officer commanding Her Majesty's forces in the Territory, stating that at a time specified in the certificate a person so specified either was or was not a member of Her Majesty's forces shall in any proceedings in any court of the Territory be sufficient evidence of the fact so stated unless the contrary is proved. Evidence.

(2) For the purposes of this Order a certificate issued by or on behalf of the officer commanding Her Majesty's forces in the Territory, stating as respects a person specified in the certificate, —

- (a) that he has been charged before a service court with the homicide of a deceased person or is detained in custody by an authority of the United Kingdom with a view to being so charged; or
- (b) that he has been tried, at a time and place specified in the certificate, by a service court for a crime so specified,

shall in any proceedings in any court of the Territory be conclusive evidence of the facts so stated.

(3) Where a person is charged with an offence against the law of the Territory and at the time when the offence is alleged to have been committed he was a member of Her Majesty's forces or a member of a civilian component of any of those forces, a certificate issued by or on behalf of the officer commanding Her Majesty's forces in the Territory, stating that the alleged offence, if committed by him, arose out of and in the course of his duty as a member of Her Majesty's forces or that component, as the case may be, shall in any such proceedings as aforesaid be sufficient evidence of that fact unless the contrary is proved.

8. Subsections (3) and (4) of section 2 of the British Guiana (United Kingdom Forces) Order 1964(a) are revoked. Revocation.

*N. E. Leigh.*

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(a) S. I. 1964/1193 (1964 II, p. 2771).

## THE SCHEDULE

## Section 2.

Aden	Grenada
Basutoland	Hong Kong
Bechuanaland Protectorate	Kamaran
British Antarctic Territory	Kuria Muria Islands
British Guiana	Mauritius
British Solomon Islands Protectorate	Perim
Cayman Islands	Pitcairn, Henderson, Ducie and Oeno
Central and Southern Line Islands	St. Helena
Dominica	St. Lucia
Falkland Islands (Colony and Dependencies)	St.. Vincent
Fiji	Seychelles
Gibraltar	Swaziland
Gilbert and Ellice Islands Colony	Turks and Caicos Islands.

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order makes provision withdrawing the jurisdiction of the civil courts of certain colonial territories to try members of Her Majesty's forces, or of a civilian component of those forces, for offences against the law of the territory committed whilst on duty and for certain offences committed whilst off duty.

Ref. 2362.

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 STATUTORY INSTRUMENTS
 

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1965 No. 1530

## ADMINISTRATION OF ESTATES

## The Colonial Probates Act Application Order 1965

*Made* - - - - - 3rd August 1965  
*Laid before Parliament* 9th August 1965  
*Coming into Operation* 10th August 1965

At the Court at Buckingham Palace, the 3rd day of August 1965

Present,

The Queen's Most Excellent Majesty in Council

Whereas Her Majesty is satisfied that the legislatures of the countries and territories specified in Schedule 1 hereto have made adequate provision for the recognition of Probates and Letters of Administration granted by courts within the United Kingdom:

Now, therefore, Her Majesty, by virtue and in exercise of the powers by the Colonial Probates Act 1892(a), the Colonial Probates (Protected States and Mandated Territories) Act 1927(b), the Foreign Jurisdiction Acts 1890 and 1913(c) or otherwise in Her Majesty is vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows —

1. (1) This Order may be cited as the Colonial Probates Act Application Order 1965 and shall come into operation on 10th August 1965. Citation, commencement and interpretation.

(2) The Interpretation Act 1889(d) shall apply for the purpose of interpreting this Order as it applies for the purpose of interpreting an Act of Parliament.

2. The Colonial Probates Act 1892 shall apply to the countries and territories specified in Schedule 1 to this Order. Application of Act.

3. The Orders specified in Schedule 2 to this Order are hereby revoked. Revocation.

W. G. Agnew.

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(a) 55 & 56 Vict. c. 6. (b) 17 & 18 Geo. 5. c. 43.  
 (c) 53 & 54 Vict. c. 37 and 3 & 4 Geo. 5. c. 16.  
 (d) 52 & 53 Vict. c. 63.

## SCHEDULE 1

## Article 2.

Aden	British Solomon Islands Protectorate
Alberta	British Sovereign Base Areas in Cyprus
Antigua	Brunei
Australian Capital Territory	Cayman Islands
Bahamas	Ceylon
Barbados	Christmas Island (Australian)
Basutoland	Cocos (Keeling) Islands
Bechuanaland Protectorate	Cyprus (Republic)
Bermuda	Dominica
British Antarctic Territory	Falkland Islands Colony
British Columbia	Falkland Islands Dependencies
British Guiana	Fiji
British Honduras	Gambia

Ghana	Papua
Gibraltar	Prince Edward Island
Gilbert and Ellice Islands	Queensland
Grenada	St. Christopher, Nevis and Anguilla
Hong Kong	St. Helena
Jamaica	St. Lucia
Kenya	St. Vincent
Manitoba	Saskatchewan
Malawi	Seychelles
Malaysia	Sierra Leone
Montserrat	South Australia
New Brunswick	Southern Rhodesia
New Guinea (Trust Territory)	Swaziland Protectorate
New South Wales	Tanzania
New Zealand	Tasmania
Newfoundland	Trinidad and Tobago
Nigeria	Turks and Caicos Islands
Norfolk Island	Uganda
Northern Territory of Australia	Victoria
North-West Territories of Canada	Virgin Islands
Nova Scotia	Western Australia
Ontario	Zambia

## SCHEDULE 2

## Article 3.

## ORDERS REVOKED

<i>Date on which Order made</i>	<i>Countries or territories to which Order applied</i>	<i>References</i>
30th January 1893	New South Wales, Victoria, New Zealand, Gibraltar and British Honduras.	Rev. I, p. 22: 1893, p. 1.
15th March 1893	Hong Kong, Western Australia and Ontario.	Rev. I, p. 23: 1893, p. 2.
16th May 1893	British Guiana, the Gold Coast, South Australia and the Straits Settlements.	Rev. I, p. 23: 1893, p. 3.
23rd November 1893	Bahama Islands.	Rev. I, p. 24: 1893, p. 4.
29th January 1894	Barbados and Tasmania.	S. R. & O. 1894/73 (Rev. I, p. 24: 1894, p. 1).
30th April 1894	Fiji.	S. R. & O. 1894/117 (Rev. I, p. 25: 1894, p. 2).
27th June 1894	Trinidad and Tobago.	S. R. & O. 1894/160 (Rev. I, p. 25: 1894, p. 3).
18th July 1894	Jamaica.	S. R. & O. 1894/178 (Rev. I, p. 26: 1894, p. 4).
3rd October 1895	Falkland Islands.	S. R. & O. 1895/405 (Rev. I, p. 27: 1895, p. 2).
6th March 1896	Leeward Islands and Dominica.	S. R. & O. 1896/194 (Rev. I, p. 27: 1896, p. 1).
26th October 1896	British Columbia.	S. R. & O. 1896/960 (Rev. I, p. 28: 1896, p. 2).
26th October 1896	Nova Scotia.	S. R. & O. 1896/961 (Rev. I, p. 28: 1896, p. 3).
27th November 1896	Manitoba.	S. R. & O. 1896/1083 (Rev. I, p. 29: 1896, p. 4).
18th May 1897	North-West Territories of the Dominion of Canada.	S. R. & O. 1897/556 (Rev. I, p. 29: 1897, p. 1).
3rd February 1898	Grenada.	S. R. & O. 1898/124 (Rev. I, p. 30: 1898, p. 1).
19th May 1898	St. Vincent.	S. R. & O. 1898/412 (Rev. I, p. 30: 1898, p. 2).
19th May 1899	Queensland.	S. R. & O. 1899/449 (Rev. I, p. 31: 1899 II, p. 1415).

<i>Date on which Order made</i>	<i>Countries or territories to which Order applied</i>	<i>References</i>
29th January 1900	St. Helena.	S. R. & O. 1900/88 (Rev. I, p. 31: 1900, p. 1).
20th May 1903	Newfoundland.	S. R. & O. 1903/414 (Rev. I, p. 32: 1903 I, p. 2).
11th February 1913	Alberta and Saskatchewan.	S. R. & O. 1913/214 (Rev. I, p. 32: 1913 I, p. 1).
30th September 1914	Papua.	S. R. & O. 1914/1473 (Rev. I, p. 34: 1914 I, p. 2).
30th March 1916	Sierra Leone Colony.	S. R. & O. 1916/273 (Rev. I, p. 34: 1916 I, p. 1).
30th March 1916	Sierra Leone and Uganda Protectorates.	S. R. & O. 1916/274 (Rev. I, p. 35: 1916 I, p. 357).
30th March 1916	Zanzibar Protectorate.	S. R. & O. 1916/275 (Rev. I, p. 35: 1916 I, p. 360).
7th September 1916	Nyasaland Protectorate.	S. R. & O. 1916/622 (Rev. I, p. 36: 1916 I, p. 356).
6th November 1916	East Africa, Bechuanaland, Northern Rhodesia, Southern Rhodesia and Swaziland Protectorates.	S. R. & O. 1916/818 (Rev. I, p. 37: 1916 I, p. 354).
17th July 1917	Saint Lucia.	S. R. & O. 1917/745 (Rev. I, p. 38: 1917, p. 1).
8th May 1919	Bermudas or Somers Islands.	S. R. & O. 1919/670 (Rev. I, p. 39: 1919 I, p. 1).
17th May 1920	Nigeria Colony.	S. R. & O. 1920/887 (Rev. I, p. 39: 1920 I, p. 2).
17th May 1920	Nigeria Protectorate.	S. R. & O. 1920/888 (Rev. I, p. 40: 1920 I, p. 665).
13th August 1920	Ashanti.	S. R. & O. 1920/1663 (Rev. I, p. 41: 1920 I, p. 1).
14th February 1921	Gambia Colony.	S. R. & O. 1921/263 (Rev. I, p. 41: 1921, p. 1).
22nd December 1921	Ceylon.	S. R. & O. 1921/2003 (Rev. I, p. 42: 1921, p. 2).
15th June 1928	Federated Malay States.	S. R. & O. 1928/496 (Rev. I, p. 42: 1928, p. 1).
7th May 1929	Tanganyika Territory.	S. R. & O. 1929/393 (Rev. I, p. 45: 1929, p. 3).
27th February 1930	Western Samoa.	S. R. & O. 1930/123 (Rev. I, p. 46: 1930, p. 2).
28th July 1930	Johore.	S. R. & O. 1930/654 (Rev. I, p. 47: 1930, p. 1).
21st July 1932	Norfolk Island.	S. R. & O. 1932/605 (Rev. I, p. 47: 1932, I, p. 1).
31st January 1936	Basutoland.	S. R. & O. 1936/78 (Rev. I, p. 48: 1936 I, p. 8).
17th November 1939	Kedah, Kelantan, Perlis, Trengganu, Brunei, North Borneo and Sarawak.	S. R. & O. 1939/1701 (Rev. I, p. 48: 1939 I, p. 1).
17th November 1939	British Solomon Islands and Gambia Protectorates, Northern Territories of the Gold Coast, Somaliland Protectorate, Cameroons and Togoland under British Mandate.	S. R. & O. 1939/1702 (Rev. I, p. 50: 1939 I, p. 2).
17th November 1939	Aden, Cayman Islands, Turks and Caicos Islands, Cyprus, Seychelles and Gilbert and Ellice Islands.	S. R. & O. 1939/1703 (Rev. I, p. 51: 1939 I, p. 4).
21st December 1950	New Brunswick.	S. I. 1950/2097 (1950 I, p. 1).

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

The Colonial Probates Act 1892 provides for the recognition by courts in the United Kingdom of Probates and Letters of Administration granted by courts in those countries or territories in the Commonwealth to which the Act has been applied by Order in Council.

This Order consolidates in one Order, taking account of constitutional and nominal changes, the provisions of previous Orders applying the Act, except that it also applies the Act to the Australian Capital Territory, the British Antarctic Territory, the Falkland Islands Dependencies, the Northern Territory of Australia, Prince Edward Island and the Trust Territory of New Guinea and does not apply it to Western Samoa, the former Somaliland Protectorate (now part of Somalia) or the former Southern Cameroons (now part of the Republic of Cameroon).

Ref. 0783.



# THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXIV.

31 DECEMBER, 1965.

No. 12.

**APPOINTMENTS**

Miss Shirley Berntsen, Nurse Probationer, Medical Department 19.11.65.

Miss Dwenda Elizabeth Finlayson, Messenger, Secretariat 22.11.65.

Miss Alice Miranda, Nurse Probationer, Medical Department 5.11.65.

Michael O'Farrell, Meteorological Assistant, South Georgia, on contract 10.11.65.

Dr. William Parker, M.B., Ch.B. Medical Officer, South Georgia, on contract 10.11.65.

Dr. David Mason Armstrong Taylor, M.B., B.S., to be Medical Officer, Falkland Islands, on contract 30.10.65.

**ACTING APPOINTMENTS**

Mrs. Freda Alazia acting Senior Clerk, Secretariat, from 8.3.65 to 17.9.65.

Terence James Carey acting Assistant Superintendent, Power and Electrical Department from 19.4.65 to 29.10.65.

Leslie John Halliday acting Postmaster from 19.4.65 to 29.10.65.

Douglas Roy Morrison acting Assistant Colonial Secretary from 8.3.65 to 17.9.65.

**TRANSFER**

James Stanley Smith transferred from Clerk, Post Office to Clerk, Public Works Department Store, 17.11.65.

**NOTICES**

No. 48. 5th November, 1965.

**Immigration Ordinance 1965**

In accordance with Section 3 His Excellency the Governor has appointed

JOHN BOUND, E.D., J.P.,

to act as Immigration Officer with effect from 15th November, 1965.

Gazette Notice No. 31 of the 16th June, 1965 is hereby cancelled.

Ref. 0837/II.

No. 49. 24th November, 1965.

**Inquiry into the need for the replacement of the m.v. "Philomel".**

Any person, persons or organisation wishing to submit views, either orally or in writing to the Commissioner should submit such views or apply for an interview not later than the 11th January, 1966. Acceptance of such views shall be at the discretion of the Commissioner.

All correspondence should be addressed to —  
The Commissioner,

Inquiry into the replacement of m.v. "Philomel",  
The Secretariat,  
Stanley.

Ref. 2189/II.

No. 50. 25th November, 1965.

With reference to Gazette Notice No. 9 of 18th January, 1965, 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.**

<i>Medical Practitioner</i>	<i>Qualifications</i>	<i>Year</i>
TAYLOR, David Mason	M.B., B.S.	1961.
Armstrong		

Ref. 1326/II.

**CANADIAN GOVERNMENT TRADE COMMISSIONER  
FOR THE FALKLAND ISLANDS.**

Mr. Benjamin Samuel Shapiro has been appointed Counsellor (Commercial) at the Canadian Embassy, Montevideo, and Canadian Government Trade Commissioner for the Falkland Islands with effect from the 17th September, 1965.

**Registration of United Kingdom Patents Ordinance**

It is hereby notified for general information that the following subsequent entry relating to Patent No. 4281, in the Falkland Islands Register of Patents was made by me on the 5th day of November, 1965.

*Subsequent Entry.*

<i>No. of application</i>	... 4379.
<i>Name of applicant</i>	... Cosden Oil & Chemical Co.
<i>Address of applicant</i>	... Big Spring, Texas, United States of America.
<i>No. of grant in the United Kingdom</i>	993,340.
<i>Nature of Invention</i>	... Method and Apparatus for Con- tinuous Exothermic Reactions.
<i>Period of extension</i>	... One year.

H. BENNETT,  
*Registrar General.*

**Registration of United Kingdom Patents Ordinance.**

It is hereby notified for general information that the following subsequent entry relating to Patent No. 4307, in the Falkland Islands Register of Patents was made by me on the 5th day of November, 1965.

*Subsequent Entry.*

<i>No. of application</i>	... 4378.
<i>Name of applicant</i>	... Philip Morris Incorporated.
<i>Address of applicant</i>	... 100 Park Avenue, New York 17, New York, United States of America.
<i>No. of grant in the United Kingdom</i>	939,088.
<i>Nature of Invention</i>	... Plastics Cigarette Container.
<i>Period of extension</i>	... One year.

H. BENNETT,  
*Registrar General.*

**PROBATE**

**In the Supreme Court of the Falkland Islands  
(PROBATE DIVISION)**

Notice under the Administration of Estates Ordinance.  
(Cap. 1)

In the matter of Gregor Brechin, deceased, of Southampton, England, who died on the 15th day of February, 1964.

WHEREAS Timothy John Dobbys, Attorney for Teresa Mary Brechin, widow of the said deceased, has applied for Letters of Administration to administer the estate of the said deceased in the Colony.

NOTICE IS HEREBY GIVEN pursuant to section 4 of the Administration of Estates Ordinance to all persons resident in the Colony who may have prior claim to such grant that the prayer of the petitioner will be granted provided no caveat be entered in the Supreme Court within twenty-one days of the publication hereof.

H. BENNETT,  
*Registrar.*

Stanley, Falkland Islands,  
18th November, 1965.  
S.C. 25/65.

**In the Supreme Court of the Falkland Islands  
(PROBATE DIVISION)**

Notice under the Administration of Estates Ordinance.  
(Cap. 1)

In the matter of William Harvey, deceased, of Stanley, Falkland Islands, who died on the 13th day of August, 1965.

WHEREAS Agnes Ruth Blyth, daughter of the said deceased, has applied for Letters of Administration to administer the estate of the said deceased in the Colony.

NOTICE IS HEREBY GIVEN pursuant to section 4 of the Administration of Estates Ordinance to all persons resident in the Colony who may have prior claim to such grant that the prayer of the petitioner will be granted provided no caveat be entered in the Supreme Court within twenty-one days of the publication hereof.

H. BENNETT,  
*Registrar.*

Stanley, Falkland Islands.  
29th November, 1965.  
S.C. 28/65.

**INDEX OF LEGISLATION**

Attention is drawn to the item appearing under this heading in issue No. 11 of Vol. LXXIV wherein it was stated that "Quarantine (Amendment) Regulations 1965" should be entered in the Index.

The item should read "Public Health Quarantine (Amendment) Regulations" and should therefore be entered under "Public Health".

**INDEX OF LEGISLATION**

The following items appearing in this issue should be entered in the Index of Legislation—

1965	Workmen's Compensation (Amendment) Ordinance 11/65.
1965	Firearms Ordinance 12/65.
1965	Supplementary Appropriation (1964-65) Ordinance 13/65.
1965*	Supplementary Appropriation (Dependencies) (1964-65) Ordinance 6/65.
1965*	Appropriation (Dependencies) (1965-66) Ordinance 5/65.
1965	Court Fees (Civil Cases) (Amendment) Rule 1/65.
1965	Administration of Estates (Amendment) Rule 2/65.
1965	Pensions (Pensionable Offices) Order 3/65.



Assented to in Her Majesty's name this 23rd day of December, 1965.

C. HASKARD,  
*Governor.*



No. 11



1965.

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

# An Ordinance

## To amend the Workmen's Compensation Ordinance, 1960.

Title.

(1st January, 1966)

Date of commencement.

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

Enacting clause.

1. This Ordinance may be cited as the Workmen's Compensation (Amendment) Ordinance, 1965, and shall be read as one with the Workmen's Compensation Ordinance, 1960, hereinafter referred to as the principal Ordinance.

Short title.

P. 117 1960 Gazette

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

Amendment of section 2 of the principal Ordinance.

- (a) by deleting the words "Fourth Schedule" in the proviso to the definition of "Partial disablement" and substituting the words "Third Schedule";
- (b) by deleting the definition of "Seaman";
- (c) by deleting the words "Fourth Schedule" in the proviso to the definition of "Total disablement" and substituting the words "Third Schedule";
- (d) by deleting the definition of "Workman" and substituting the following definition —

"WORKMAN", subject to section 20 and the proviso hereto, means any person who has, either before or after the commencement of this Ordinance, entered into or works under a contract of service or apprenticeship or otherwise with an employer, whether by way of manual labour, clerical work, or otherwise, and whether the contract is expressed or implied, is oral or in writing and whether the remuneration is calculated by time or by work done or otherwise:

Provided that the following persons shall not be regarded as workmen for the purposes of this Ordinance —

- (a) any person employed otherwise than by way of manual labour whose earnings exceed twice the prevailing labourer's basic wage; or
  - (b) a person whose employment is of a casual nature and who is employed otherwise than for the purposes of the employer's trade or business, not being a person employed for the purpose of any game or recreation and engaged or paid through a club; or
  - (c) an outworker; or
  - (d) any person in the naval, military or air forces of the Crown; or
  - (e) a member of the employer's family dwelling in his house; or
  - (f) any person employed by any one employer in domestic work about a private house who is not living in that house or in accommodations provided by the employer and who is employed in such work for less than eight hours in a week; or
  - (g) any class of persons whom the Governor in Council may by Order declare not to be workmen for the purposes of this Ordinance.”;
- (e) by deleting subsection (5).

Repeal and replacement of section 3 of the principal Ordinance.

3. Section 3 of the principal Ordinance is repealed and replaced as follows —

“Employer's liability for compensation for death or incapacity resulting from accident.

3. (1) If in any employment personal injury by accident arising out of and in the course of the employment is caused to a workman, his employer shall, subject as hereinafter mentioned, be liable to pay compensation in accordance with the provisions of this Ordinance:

Provided that —

- (a) the employer shall not be liable under this Ordinance in respect of any injury which does not incapacitate the workman for a period of at least three days from earning full wages at the work at which he was employed; and
- (b) if it is proved that the injury to a workman is attributable to the serious and wilful misconduct of that workman, any compensation claimed in respect of that injury shall be disallowed:

Provided that where the injury results in the death or serious permanent incapacity, the Commissioner on a consideration of all the circumstances may award the compensation provided by this Ordinance or such part thereof as he shall think fit.

(2) For the purposes of this Ordinance, an accident resulting in the death or serious and permanent incapacity of a workman shall be deemed to arise out of and in the course of his employment, notwithstanding that the workman was at the time when the accident happened acting in contravention of any statutory or other regulation applicable to his employment, or of any orders given by or on behalf of his employer, or that he was acting without instructions from his employer, if such act was done by the workman for the purposes of and in connexion with his employer's trade or business.

(3) No compensation shall be payable under this Ordinance in respect of any incapacity or death resulting from a deliberate self injury.

(4) No compensation shall be payable to a workman in respect of any disease, unless the disease is solely and directly attributable to specific injury by accident arising out of and in the course of his employment.

(5) No compensation shall be payable under this Ordinance in respect of any incapacity or death arising from personal injury, if the workman has at any time represented to the employer that he was not suffering or had not previously suffered from that or a similar injury, knowing that the representation was false.

(6) For the purposes of this Ordinance an accident arising in the course of a workman's employment shall be deemed, in the absence of evidence to the contrary, also to have arisen out of that employment.

Occupational  
Diseases.

(7) (a) If a workman who becomes disabled by, or dies of, any scheduled disease, was within twenty-four months immediately preceding the disablement or death, employed in any occupation specified in the Fourth Schedule opposite such disease (hereinafter referred to as an "occupational disease") it shall be presumed, unless the contrary is proved, that the disease was due to the nature of such employment, and the workman, or, if he is deceased his dependants, shall be entitled to compensation under this Ordinance as if such disablement or death had been caused by an accident, and the provisions of this Ordinance shall, *mutatis mutandis*, apply, unless at the time of entering into the employment the workman wilfully and falsely represented to the employer in writing, in reply to a specific question, that he had not previously suffered from such disease:

Provided that, in no event, shall the workman or his dependants be entitled to compensation in respect of any causation or aggravation of the disease which was due to employment outside the Colony, except in respect of a workman belonging to the Colony employed outside the Colony by his employer within the Colony.

(b) Any compensation payable in respect of an occupational disease shall be payable by the employer employing the workman at the end of the twenty-four monthly period:

Provided however, where the disease is of such a nature as to have been contracted by a gradual process during such twenty-four monthly period, any other employer who employed the workman during such period shall be liable to make contributions to the employer paying compensation. If the employers cannot agree as to the amount of compensation which shall be paid by each, the matter shall be determined by the Commissioner. An appeal shall lie to the Supreme Court from any such determination by the Commissioner and the provisions of section 36 shall apply to such an appeal in the same manner and to the same extent as it applies to an appeal from an order of the Commissioner.

(c) The workman, if not deceased, and his dependants, shall furnish to the employer primarily liable

to pay compensation, all information as to other persons who employed the workman during the twenty-four monthly period immediately preceding the workman's disablement or death."

Repeal and replacement  
of section 6 of the  
principal Ordinance.

4. Section 6 of the principal Ordinance is repealed and replaced as follows —

"Amount of  
compensation.

6. Subject to the provisions of this Ordinance, the amount of compensation shall be as follows —

- (a) where death has resulted from the injury, as specified in the First Schedule;
- (b) where permanent total disablement results from the injury, as specified in the Second Schedule;
- (c) where permanent partial disablement results from the injury, as specified in the Third Schedule;
- (d) where more injuries than one are caused by a single accident and permanent disablement results the amounts of compensation payable in respect of all such injuries shall be aggregated but not so as to exceed in any case the amount which would have been payable in respect of permanent total disablement;
- (e) where temporary disablement, whether total or partial, results from the injury, a half-monthly payment payable on the sixteenth day from the date of the disablement, and thereafter half-monthly during the disablement or during a period of five years, whichever period is shorter, of an amount equal to one-third of his monthly earnings at the time of the accident:

Provided that —

- (i) where permanent disablement follows a period not exceeding six months of total disablement there shall not be deducted from the lump sum payable in respect of such permanent disablement any half-monthly payments or allowance to which the injured workman is entitled and which he has received from his employer by way of compensation;
- (ii) where permanent disablement follows a period exceeding six months of total or partial temporary disablement there shall be deducted from the lump sum payable in respect of such permanent disablement any half-monthly payments or allowance to which the injured workman is entitled and which he has received from his employer by way of compensation in respect of any period in excess of six months;

And provided also that, if a workman who has been disabled is earning or, in the opinion of the Commissioner is capable of earning, an amount which together with the monthly payment of two-thirds of his earnings at the time of the accident exceeds the workman's earnings at the time of the accident, then the monthly payment may be so adjusted as to provide

that the monthly payments as compensation together with the amount of his earnings or the earnings he could receive, shall not exceed the sum total of the workman's earnings at the time of the accident;

And provided further that if the disablement ceases before the date on which any half-monthly payment falls due, there shall be payable in respect of that half month an amount proportionate to the duration of the disablement during that half month."

5. Section 7 of the principal Ordinance is repealed.

Repeal of section 7 of the principal Ordinance.

6. Subsection (5) of section 11 of the principal Ordinance is hereby amended by deleting all words between the word "therefrom" in the second line thereof and the word "and" in the third line thereof, and by substituting the words "the reasonable expenses for the burial of the deceased workman and the reasonable expenses of medical attention on the deceased workman not exceeding in all an amount equal to six months' wages,".

Amendment of section 11 of the principal Ordinance.

7. Section 33 of the principal Ordinance is amended by the deletion of all words and figures commencing with "in subsection (3)" in lines five and six thereof and ending with the word and figure "section 7" in line six thereof and substituting therefor the word and figure "section 6".

Amendment of section 33 of the principal Ordinance.

8. Section 34 of the principal Ordinance is repealed and replaced as follows —

Repeal and replacement of section 34 of the principal Ordinance.

"Application to persons employed on ships.

34. (1) This Ordinance shall apply to masters, seamen and apprentices to the sea service, provided that such persons are workmen within the meaning of this Ordinance, and are members of the crew of any ship registered in the Colony or of any other British ship or vessel of which the owner, or (if there is more than one owner) the managing owner, or manager resides or has his principal place of business in the Colony, subject to the following modifications —

- (a) the notice of accident and the claim for compensation may, except where the person injured is the master, be given to the master of the ship as if he were the employer, but where the accident happened and the incapacity commenced on board the ship it shall not be necessary to give any notice of the accident;
- (b) in the case of the death of the master, seaman or apprentice, the application for compensation shall be made within three months after news of the death has been received by the claimant;
- (c) whenever in the course of any legal proceeding under this Ordinance the testimony of any witness is required in relation to the subject matter of the proceeding, then, upon due proof that the witness cannot be found in the Colony, any deposition which the witness may have previously made on oath in relation to the same subject matter before any justice or magistrate in Her Majesty's dominions or in any place where Her Majesty exercises jurisdiction or before any British Consular Officer elsewhere and which, if the proceeding had been under the Merchant Shipping Act, 1894, would have been admissible in such proceeding by virtue of sections 691 and 695 of that Act,

shall be admissible in evidence subject to similar conditions as are laid down in the said sections 691 and 695;

- (d) in case of the death of a master, seaman or apprentice leaving no dependants, no compensation shall be payable, if the owner of the ship is under the Merchant Shipping Act, 1894, liable to pay expenses of burial;
- (e) the periodical payment shall not be payable in respect of the period during which the owner of the ship is, under any law in force for the time being in the Colony relating to merchant shipping, liable to defray the expenses of maintenance of the injured master, seaman or apprentice.

(2) This Ordinance shall also apply to any person not being a master, seaman or apprentice to the sea service, employed on board any such ship as is mentioned in this section, if he is so employed for the purposes of the ship or of any passengers or cargo or mails carried by the ship, and if he is otherwise a workman within the meaning of this Ordinance.

(3) In this section unless the context otherwise requires —

“MASTER” in relation to a ship means the ship's husband or other person to whom the management of the ship is entrusted by or on behalf of the owner;

“PORT” includes place;

“SEAMAN” includes every person (except masters, pilots, and apprentices duly indentured and registered), employed or engaged in any capacity on board any ship;

“SHIP” includes every description of vessel used in navigation not propelled by oars;

“VESSEL” includes any ship or boat, or any other description of vessel used in navigation.”.

Repeal of First Schedule to the principal Ordinance.

Amendment of Schedules to the principal Ordinance.

9. The First Schedule to the principal Ordinance is repealed.

10. The Schedules to the principal Ordinance are hereby amended —

- (a) by the deletion of the First Schedule;
- (b) by re-heading the “Second Schedule” “Third Schedule” and “Fourth Schedule” as the “First Schedule” “Second Schedule” and “Third Schedule” respectively; and
- (c) by the addition of the following new Schedule —

#### FOURTH SCHEDULE OCCUPATIONAL DISEASES

*List of diseases and toxic substances.*

Poisoning by lead, its alloys or compounds and their sequelæ.

*List of corresponding trades, industries or processes.*

Handling of ore containing lead, including fine shot in zinc factories. Casting of old zinc and lead in ingots. Manufacture of articles made of cast lead or of lead alloys. Employment in the polygraphic industries. Manufacture of lead compounds. Manufacture and repair of electric accumulators. Preparation and use of enamels containing lead. Polishing by means of lead files or putty powder with a lead content. All painting operations involving the preparation and manipulation of coating substances, cements or colouring substances containing lead pigments.

Poisoning by mercury, its amalgams and compounds and their sequelæ.

Anthrax infection.

Silicosis with or without pulmonary tuberculosis, provided that silicosis is an essential factor in causing the resultant incapacity or death.

Phosphorus poisoning by phosphorus or its compounds, and its sequelæ

Arsenic poisoning by arsenic or its compounds, and its sequelæ.

Poisoning by benzene or its homologues, their nitro- and amido-derivatives, and its sequelæ.

Poisoning by the halogen derivatives of hydrocarbons of the aliphatic series.

Pathological manifestations due to —

- (a) radium and other radio-active substances;
- (b) X-rays.

Primary epitheliomatous cancer of the skin.

Handling of mercury ore. Manufacture of mercury compounds. Manufacture of measuring and laboratory apparatus. Preparation of raw material for the hat-making industry. Hot gilding. Use of mercury pumps in the manufacture of incandescent lamps. Manufacture of fulminate of mercury primers.

Work in connexion with animals infected with anthrax. Handling of animal carcasses or parts of such carcasses including hides, hoofs and horns. Loading and unloading or transport of merchandise.

Industries or processes recognised by national law or regulations as involving exposure to the risk of silicosis.

Any process involving the production, liberation or utilisation of phosphorus or its compounds.

Any process involving the production, liberation or utilisation of arsenic or its compounds.

Any process involving the production, liberation or utilisation of benzene or its homologues, of their nitro- and amido-derivatives.

Any process involving the production, liberation or utilisation of halogen derivatives of hydrocarbons of the aliphatic series designated by national laws or regulations.

Any process involving exposure to the action of radium, radio-active substances or X-rays.

Any process involving the handling or use of tar, pitch, bitumen, mineral oil, paraffin, or the compounds, products or residues of these substances.

II. The Governor may by order published in the Gazette, at any time add to, vary or amend the Fourth Schedule.

Governor may amend  
Schedule 4 by Order.

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 0038/C/IV.

Assented to in Her Majesty's name this 21st day of December, 1965.

C. HASKARD,  
*Governor.*



No. 12



1965

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

## An Ordinance

Title.

**To amend and consolidate the law as to  
Firearms.**

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 Firearms Ordinance 1965".

2. In this Ordinance —

"CAPE PEMBROKE PENINSULA" means that piece of land lying north of Hooker's Point and extending west to Engineer Point and east to Cape Pembroke.

"EXEMPTED FIREARM" means a firearm kept only for display purposes of an historical or interesting nature for which a certificate of exemption from licensing has been issued by the Superintendent of Police.

"FIREARM" means any lethal barrelled weapon of any description from which any shot bullet or other missile can be discharged and includes any prohibited weapon whether it is such a lethal weapon or not, any component part of such lethal or prohibited weapon and any accessory to any such weapon designed or adapted to diminish the noise or flash caused by firing the weapon.

"FIREARMS DEALER" means a person who by way of trade or business manufactures sells transfers repairs tests or proves firearms.

"IMITATION FIREARM" means anything which has the appearance of being a firearm whether or not it is capable of discharging any shot bullet or other missile.



"LICENCE" means a licence to possess and use a firearm issued by the Superintendent of Police.

"POLICE OFFICER" includes a Police Constable.

"PROHIBITED AMMUNITION" means any ammunition containing or designed or adapted to contain any noxious liquid gas or other thing.

"PROHIBITED WEAPON" means (a) any firearm which is so designed or adapted that if pressure is applied to the trigger, missiles continue to be discharged until pressure is removed from the trigger or the magazine containing the missiles is empty or (b) any weapon of whatever description designed or adapted for the discharge of any noxious liquid gas or other thing.

"PUBLIC PLACE" means any street, road, footway or open and public place in Stanley to which the public have or are permitted to have access.

"REGISTERED" in relation to a firearms dealer means registered with the Superintendent of Police.

"STANLEY COMMON" means land outside Stanley, bounded on the north by Stanley and Stanley Harbour east to Hooker's Point; on the west by a line drawn from Moody Brook Bridge to the Stone Corral thence to the estuary of Mullet Creek Stream; on the south and east by the sea.

"SUPERINTENDENT OF POLICE" includes the officer acting in that behalf at Stanley.

## PART I

### LICENCES

3. (1) Subject to the provisions of this Ordinance no person shall purchase, acquire, or have in his possession any firearm to which this part of the Ordinance applies without holding a licence in force at the time or otherwise than as authorised by such licence.

Purchase or possession of firearms and ammunition without a licence.

(2) Any person who purchases or is in possession of any firearm without a licence or fails to comply with the conditions of such licence shall for each offence be liable on summary conviction to a fine not exceeding £50 or imprisonment for a term not exceeding three months or both such fine and imprisonment.

4. (1) An application for the grant of a licence shall be made on the form issued for that purpose by the Superintendent of Police and shall state such particulars as may be required.

Grant, renewal, variation or revocation of licence.

(2) A licence shall be granted by the Superintendent of Police if he is satisfied that the applicant has good reason for having in his possession the firearm in respect of which the application is made and can be permitted to have the same without danger to the public peace or safety:

Provided that a licence shall not be granted to a person whom the Superintendent of Police has reason to believe to be of intemperate habits or unsound mind or to be for any reason unfitted to be entrusted with any firearm.

(3) A licence shall specify the conditions (if any) subject to which it is held and the description and number of the firearms to which it relates.

(4) An applicant shall pay the sum of ten shillings for the first firearm and two shillings and six pence for each additional firearm upon the grant of a licence.

(5) A licence shall unless previously revoked or cancelled continue in force for one year from the date when it was granted or last renewed.

(6) The Superintendent of Police may at any time by notice in writing vary the conditions subject to which the licence is held and may by notice require the holder to deliver up the licence to him within 21 days of the date of the notice for the purpose of amending the conditions therein specified.

(7) The Superintendent of Police may revoke a licence if —

- (a) he is satisfied that the holder is of intemperate habits or unsound mind or is otherwise unfitted to be entrusted with a firearm; or
- (b) the holder fails to comply with a notice under sub-section (6) of this section requiring him to deliver up the certificate.

(8) Any person aggrieved by a refusal of the Superintendent of Police to grant him a licence or renew a licence or by the revocation of a licence may appeal to the Supreme Court.

(9) The Superintendent of Police shall, when he revokes a licence, by notice in writing require the holder to surrender the licence and if the holder fails to do so within 21 days of the date of the notice he shall be liable on summary conviction to a fine not exceeding £20.

(10) Any person who makes a statement which he knows to be false for the purpose of procuring whether for himself or any other person the grant of a licence shall be liable for each offence on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding £20 or both such imprisonment and fine.

#### Exemptions.

5. The following shall be exempt from the requirements of section 3 of this Ordinance —

(1) A registered firearms dealer or his servant in the ordinary course of that business.

(2) A person who has been granted a permit by the Superintendent of Police to have in his possession a slaughtering instrument of an approved design.

(3) A member of Her Majesty's forces or a member of the police force in respect of any firearm entrusted to such member in the course of his official duties.

(4) A member of the Falkland Islands Defence Force in respect of any firearm certified by the Commanding Officer thereof as being used or carried by such member in the performance of his duty.

(5) Falkland Islands Defence Force Small Bore Rifle Club provided that the firearms in the possession of the Club shall remain in the Club buildings and rifle range only.

(6) A person in the service of the Government or the British Antarctic Survey having in his possession any firearm for the necessary performance of his duty such possession being specially authorised by the Head of his Department: provided the authorisation has the written agreement of the Superintendent of Police.

(7) A person possessing an exempted firearm for which a certificate of exemption has been obtained.

(8) Persons using firearms during any organised competition or practice on a rifle range or in any area approved for such purposes by the Superintendent of Police.

(9) Members of the Boys' Brigade provided that small bore firearms in the possession of the Boys' Brigade shall remain in the Defence Force Drill Hall.

#### Production of licence.

6. (1) Any police officer or customs officer may demand the production of a licence from a person whom he believes to be in possession of a firearm.

(2) If any person upon whom a demand is so made fails to produce the licence or to permit the police officer or customs officer to read the licence or to show that he is exempt from holding a licence under section 5 of this Ordinance, the police officer or customs officer may seize and detain the firearm and may require that person to declare to him immediately his name and address.

(3) Any person who refuses so to declare his name and address or fails to give his true name and address shall be liable on

summary conviction to a fine not exceeding £20 and the police officer or customs officer may apprehend without warrant any person who refuses so to declare his name or address or whom he suspects of intending to abscond.

7. (1) No person shall by way of trade or business —
  - (a) manufacture, sell, transfer, repair, test, or prove; or
  - (b) expose for sale or transfer or have in his possession for sale, transfer, repair, test, or prove any firearms unless he is registered as a firearms dealer.

Penalty for manufacturing etc. firearms without being registered.

(2) Any person who contravenes the provisions of this section or makes any statement which he knows to be false for the purpose of procuring whether for himself or some other person the grant of a permit shall for each offence be liable on summary conviction to a fine not exceeding £20 or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

8. (1) The Superintendent of Police shall keep a register of firearms dealers and shall enter therein such particulars as may be required by him of any person applying for registration:

Registration of firearms dealers.

Provided that the Superintendent of Police may refuse to register an applicant if he is satisfied that the applicant cannot be permitted to carry on business as a firearms dealer without danger to the public peace or safety.

(2) An annual fee of £1 shall be paid by each registered firearms dealer.

(3) The Superintendent of Police may after giving reasonable notice to any person whose name is on the register if satisfied that that person —

- (a) is no longer carrying on business as a firearms dealer; or
- (b) cannot be permitted to continue to carry on business as a firearms dealer without danger to the public peace or safety

cause the name of that person to be removed from the register.

(4) Any person aggrieved by a refusal by the Superintendent of Police to register him as a firearms dealer or by the removal of his name from the register may appeal to the Supreme Court.

(5) Any person who for the purpose of procuring the registration of himself or any other person as a firearms dealer makes any statement which he knows to be false he shall for each offence be liable on summary conviction to a fine not exceeding £20 or to imprisonment for a term not exceeding three months or both such fine and imprisonment.

9. (1) A registered firearms dealer shall provide and keep a register of transactions and shall within 24 hours of each transaction enter such particulars relative thereto as may be required by any regulation made under this Ordinance or by the Superintendent of Police.

Register of transactions in firearms.

(2) A registered firearms dealer shall allow the Superintendent of Police at all reasonable times to inspect all stock in hand and the register required to be kept as aforesaid.

(3) Any person who fails to comply with any provisions of this section or knowingly makes any false entry in the said register shall for each offence be liable on summary conviction to a fine not exceeding £20 or to imprisonment for a term not exceeding three months or both such fine and imprisonment.

10. When a registered firearms dealer is convicted of an offence against this Ordinance or an offence against the Customs Ordinance relating to the import or export of firearms the Court may order that his name be removed from the register and that any stock in hand in the business may be forfeit disposed of by sale or otherwise as may be directed by the Court:

Offence by registered firearms dealer.

Provided that any person aggrieved by such an order may appeal to the Supreme Court and the Court may suspend the order pending the appeal.

## PART II

## MISCELLANEOUS PROVISIONS AS TO FIREARMS AND AMMUNITION

Prohibited firearms and ammunition.

11. Any person who shall manufacture, sell, transfer, procure, or otherwise have in his possession any prohibited firearm or ammunition without the written permission of the Governor the Admiralty the Army Council or the Air Council or who shall fail to comply with any condition imposed in respect thereof shall be liable on conviction on indictment to imprisonment for a term not exceeding two years or on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding £20 or both such imprisonment and fine.

Restriction on sale of or purchase of firearms by young persons.

12. (1) No person under the age of 17 years shall purchase or hire or borrow or receive as a gift any firearm other than an air gun and no person shall sell or give or let on hire any firearm unless it be an air gun to any person whom he knows or has reasonable ground for believing to be under the age of 17 years.

(2) No person under the age of 14 years shall accept as a gift or borrow or have in his possession any firearm including an air gun and no person shall give or lend or part with the possession of any such firearm to any person whom he knows or has reasonable ground for believing to be under the age of 14 years.

(3) Notwithstanding subsections (1) and (2) of this section any member of the Boys' Brigade or the Girls' Brigade over the age of 12 years may use a firearm in the presence of an officer of his or her Brigade for target practice at a recognised small bore range.

(4) Any person contravening any provision of this section shall for each offence be liable on summary conviction to a fine not exceeding £20 or to imprisonment for a term not exceeding three months or both such fine and imprisonment.

Lending of firearms.

13. Any person who lends a firearm to a person not licensed to carry a firearm shall be liable on summary conviction to a fine not exceeding £20.

Prohibition on sale etc. to drunk or insane persons.

14. Any person who sells or transfers any firearm or ammunition to, or repairs proves or tests any firearm or ammunition for, any person whom he knows or has reasonable ground for believing to be drunk or of unsound mind shall for each offence be liable on summary conviction to a fine not exceeding £50 or for a term of imprisonment not exceeding three months.

Penalty for possessing firearms with intent to injure.

15. Any person who has in his possession any firearms or ammunition with intent by means thereof to endanger life or cause serious injury to property or to enable any other person by means thereof to endanger life or cause serious injury to property shall whether or not any injury to person or property has been caused be guilty of felony and on conviction on indictment be liable to penal servitude for a term not exceeding 14 years.

Penalty for use and possession of firearms or imitation firearms in certain cases.

16. Any person who makes or attempts to make any use whatever of a firearm or imitation firearm with intent to resist or prevent the lawful apprehension or detention of himself or any other person shall on conviction on indictment be liable to penal servitude for a term not exceeding 14 years.

Provisions as to shortening guns and converting imitation firearms into firearms.

17. Any person who shall shorten the barrel of a smooth bore firearm to a length of less than 20 inches or shall convert into a firearm any thing which though having the appearance of being a firearm is so constructed as to be incapable of discharging any missile through the barrel thereof shall for each offence be liable on conviction on indictment to imprisonment for a term not exceeding one year or to a fine not exceeding £100 or both such fine and imprisonment or on summary conviction to a term of imprisonment not exceeding three months or to a fine not exceeding £50 or both such fine and imprisonment.

18. Any person who discharges any firearm in a public place other than a shot gun or air gun on Stanley Common or Cape Pembroke Peninsula shall be liable on summary conviction to a fine not exceeding £25.

Discharging firearms.

19. Any person who discharges a firearm without having in his possession a licence issued under Part I of this Ordinance shall be liable on summary conviction to a fine not exceeding £25.

### PART III

#### GENERAL

20. (1) When a person is convicted of any offence against Part I of this Ordinance the Court may make such order as to the forfeiture and disposal of the firearm or ammunition as it may think fit and may cancel the licence held by the person convicted.

Forfeiture of firearms and cancellation of licence.

(2) Whenever the Court shall cancel a licence the Superintendent of Police shall by notice in writing require the holder to surrender it and should the holder fail to do so within 21 days from the date of such notice he shall be liable on summary conviction to a fine not exceeding £20.

21. (1) A Judge, Magistrate or any Justice of the Peace may if satisfied by information on oath that there is reasonable ground for suspecting that an offence against this Ordinance has been, is being or is about to be committed grant a search warrant authorising any police officer named therein —

Search for and disposal of firearms or ammunition.

- (a) to enter at any time any premises or place named in the warrant, if necessary by force, and to search the premises or place and every person found therein; and
- (b) to seize and detain any firearms or ammunition which he may find on the premises or place or on any such person in respect of which he has reasonable grounds for suspecting that an offence under this Ordinance has been or is being or is about to be committed; and
- (c) if the premises are those of a registered firearms dealer to examine any books relating to the business.

(2) The police officer may arrest without warrant any person found on the premises whom he has reason to believe to be guilty of an offence under this Ordinance.

(3) The Court may order any firearm or ammunition seized and detained by a police officer under this Ordinance to be destroyed or otherwise disposed of.

22. Summary proceedings for an offence under this Ordinance shall not be instituted more than six months after commission of the offence.

Summary proceedings.

23. (1) The Governor may by Proclamation prohibit the exportation of firearms or ammunition to any country or place therein.

Power of Governor as to Proclamations and Regulations.

(2) Any person who contravenes the terms of any Proclamation shall be liable on summary conviction to a term of imprisonment not exceeding three months or to a fine not exceeding £20 for each firearm or parcel of ammunition in respect of which the offence is committed or both such fine and imprisonment.

(3) The Governor in Council may make Regulations for the effective administration of this Ordinance.

24. This Ordinance shall come into force on a date to be published by notice in the Gazette.

Application.

25. The Firearms Ordinance 1948, The Firearms (Amendment) Ordinance 1960, The Firearms (Amendment) Ordinance 1962 and the Firearms (Amendment) Ordinance 1965 are hereby repealed.

Repeals —  
No. 10 of 1948.  
No. 8 of 1960.  
No. 7 of 1962.  
No. 1 of 1965.

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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Ref. 1896/A.

Assented to in Her Majesty's name this 14th day of December, 1965.

C. HASKARD,  
*Governor.*



No. 13



1965

Colony of the Falkland Islands.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

## An Ordinance

Title.

To legalise certain payments made in the year 1964-65 in excess of the Expenditure sanctioned by Ordinance No. 1 of 1964.

Preamble.

WHEREAS it is expedient to make further provision for the service of the Colony for the period 1st July, 1964 to 30th June, 1965.

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 (1964-65) Ordinance, 1965.

Appropriation of excess expenditure for the period 1st July, 1964 to 30th June, 1965.

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, 1964 to 30th June, 1965, 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							
III.	Audit	...	...	...	1,014	2	7
IV.	Aviation	...	...	...	3,616	17	3
IX.	Military	...	...	...	29	9	3
X.	Miscellaneous	...	...	...	21,925	14	4
XI.	Pensions & Gratuities	...	...	...	3,699	4	2
XVII.	Secretariat & Treasury	...	...	...	972	3	0
					£ 31,257	10	7
XXI.	Colonial Development & Welfare ...	...	...	...	2,405	6	5
Total Expenditure					£ 33,662	17	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.

H. L. BOUND,  
*Clerk of the Legislative Council.*

Assented to in Her Majesty's name this 31st day of December, 1965.

C. HASKARD,  
*Governor.*

LS

No. 5



1965

Falkland Islands Dependencies.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

An Ordinance

Title.

To provide for the service between the first day of July, 1965, and the thirtieth day of June, 1966.

Date of commencement.

[1st July, 1965]

Enacting Clause.

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—

Short title.

1. This Ordinance may be cited for all purposes as the Appropriation (Dependencies) (1965-66) Ordinance, 1965.

Appropriation of £72,900 for service of the year ending 30th June, 1966.

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 thirtieth day of June, 1966, a sum not exceeding Seventy-two thousand nine hundred 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, 1965, to the thirtieth day of June, 1966.



SCHEDULE

Schedule.

Number.	Head of Service.	Amount. £
1.	General	
	A. Personal Emoluments ...	22,043
	B. Other Charges ...	42,157
	C. Special Expenditure ...	8,700
	Total Expenditure £	72,900

Promulgated by the Governor on the 31st day of December, 1965.

W. H. THOMPSON,  
*Colonial Secretary.*

Ref. D/6/59/F.

Assented to in Her Majesty's name this 31st day of December, 1965.

C. HASKARD,  
*Governor.*

LS

No. 6



1965

Falkland Islands Dependencies.

IN THE FOURTEENTH YEAR OF THE REIGN OF  
**Her Majesty Queen Elizabeth II.**

SIR COSMO HASKARD, K.C.M.G., M.B.E.  
*Governor.*

### An Ordinance

**Title.**

To legalise certain payments made in the year 1964-65 in excess of the Expenditure sanctioned by Ordinance No. 3 of 1964.

**Preamble.**

WHEREAS it is expedient to make further provision for the service of the Falkland Islands Dependencies for the period first day of July, 1964 to the thirtieth day of June, 1965.

**Enacting clause.**

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 —

**Short title.**

1. This Ordinance may be cited for all purposes as the Supplementary Appropriation (Dependencies) (1964-65) Ordinance, 1965.

Appropriation of excess expenditure for the period 1st July, 1964 to 30th June, 1965.

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 first day of July, 1964, to the thirtieth day of June, 1965, the same are hereby declared to have been duly laid out and expended for the service of the Dependencies 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.

HEAD OF SERVICE	AMOUNT
South Georgia Expenditure – Special ...	£12,575 3s. 0d.

Promulgated by the Governor on the 31st day of December, 1965.

W. H. THOMPSON,  
*Colonial Secretary.*

Ref. D/6/59/E.

Administration of Justice Ordinance (Cap. 3)

RULES

(under section 69 of the Ordinance)

No. 1 of 1965.

C. HASKARD,  
Governor.

Cap. 3. In exercise of the powers conferred by section 69 of the Administration of Justice Ordinance, the Governor in Council has made the following Rules —

Citation and commence-  
ment.  
Revised Edition  
Vol. II. p. 128.

1. (1) These Rules may be cited as the Court Fees (Civil Cases) (Amendment) Rules, 1965, and shall be read as one with the Court Fees (Civil Cases) Rules hereinafter referred to as the principal Rules.

(2) These Rules shall come into operation on the 30th day of October, 1965.

Replacement of the First  
Schedule to the principal  
Rules.

2. For the First Schedule to the principal Rules the following shall be substituted —

"FIRST SCHEDULE

Rule 2.

ITEM	FEE		
	£	s.	d.
1. On sealing writ ... ..	5	0	0
2. On filing a divorce petition ... ..	5	0	0
3. On presenting a petition except where Fee 2 is payable ...	4	0	0
4. On sealing an originating notice of motion ... ..	6	0	0
5. On amending a writ, petition, or originating notice of motion	10	0	
6. For citation, first (divorce) ... ..	1	0	0
7. For citation, second and subsequent ... ..	14	0	
8. On entering reply (divorce) ... ..	1	0	0
9. For certifying copy of divorce petition ... ..	5	0	
10. On filing affidavit ... ..	5	0	
11. For each witness summoned ... ..	5	0	
12. On entering defence in action ... ..	1	0	0
13. On entering reply in action ... ..	1	0	0
14. On setting down case for trial ... ..	5	0	0
15. Entering or sealing a judgment decree or order ... ..	5	0	0
<i>Note — This fee is payable where a judgment, decree or order is made by consent. Where this fee is paid on a decree nisi in a matrimonial cause no fee is payable on the decree absolute.</i>			
16. On sealing a commission or letters of request for the examination of witnesses abroad	2	0	0
17. On examination of a witness, including a judgment debtor, before an officer of the Court	2	0	0
18. On signing settling or approving an advertisement ...	10	0	
19. For a certificate under the hand of the Judge or the Registrar where no other fee is prescribed	5	0	
20. On a certificate by the Registrar as to a judgment or order	1	0	0
21. For a photographic copy of all or any part of any document, for each photographic sheet:			
(a) not over foolscap size ... ..	2	0	
(b) over foolscap size ... ..	4	0	
22. For a typewritten copy of any document (subject to a minimum fee of 2s. 6d.)	9	for each folio of 72 words.	

	£	s.	d.	
23. On filing a notice of appeal to the Supreme Court and setting the appeal down for hearing	6	0	0	
24. On an application to issue a third party notice ...	2	0	0	
25. Registration of a judgment under the Reciprocal Enforcement of Judgments Ordinance 1922 or of the Foreign Judgments (Reciprocal Enforcement) Ordinance 1959 ...	1	0	0	
26. On application for leave to issue execution ...	1	0		
27. On the issue of a warrant of execution ...	1	0		for every £ of the first £100 and 6d. for every additional £ for which the warrant issues.
28. On the issue of a warrant for possession —				
(1) not for the recovery of a sum of money ...	10	0		
(2) for the recovery of a sum of money in addition to possession	10	0		in addition to 1/- for every £ of the first £100 and 6d. for each additional £ for which the warrant issues.
29. On the issue of a warrant of delivery ...	1	0		for every £ of the first £100 and 6d. for each additional £ of the value of the goods to be delivered and costs and damages.
30. For an office copy of the Judge's note ...	1	0		for each folio of 72 words.
31. For leave to appeal to the Privy Council including recognisance and sealing	20	0	0	
32. On filing a notice of appeal to the Falkland Islands Court of Appeal	6	0	0	
33. Taxing costs ...	1	0		for every £4 or part thereof allowed.
34. Reviewing costs ...	1	0	0	
35. Warrant for absconding debtors ...	1	0	0."	

Made by the Governor in Council this 24th day of August, 1965.

D. R. MORRISON,  
Acting Clerk of the Executive Council.

#### EXPLANATORY NOTE

*(This Note is not part of the Rules, but is intended to indicate their general purport).*

These rules increase the fees payable in civil proceedings instituted in the Supreme Court, including proceedings in respect of divorce, breach of contract, enforcement of judgments, registration of judgments obtained abroad, appeal to the Falkland Islands Court of Appeal, and appeal to the Privy Council.

Ref. 0831.

Administration of Estates Ordinance (Cap. 1)

RULES

(under section 22 of the Ordinance)

No. 2 of 1965.

C. HASKARD,  
Governor.

Cap. 1.

In exercise of the powers conferred by section 22 of the Administration of Estates Ordinance, the Governor in Council has made the following Rules —

Citation and commence-  
ment.  
Revised Edition  
Vol. II p. 109.

1. (1) These Rules may be cited as the Administration of Estates (Amendment) Rules, 1965, and shall be read as one with the Administration of Estates Rules, hereinafter referred to as the principal Rules.

(2) These Rules shall come into operation on the 30th day of October, 1965.

Replacement of the  
Second Schedule to the  
principal Rules.

2. For the Second Schedule to the principal Rules the following shall be substituted —

"SECOND SCHEDULE

Rule 3.

PART I

*The following fees shall be taken in respect of the non-contentious items set out in this part of this Schedule —*

ITEM	FEE		
	£	s.	d.
1. On application for a grant of probate or letters of administration or for resealing such a grant —			
If the net estate is under the value of —			
£			
100	...	...	10 0
300	...	...	1 0 0
500	...	...	1 10 0
1,000	...	...	2 10 0
3,000	...	...	5 0 0
5,000	...	...	6 0 0
7,500	...	...	6 15 0
10,000	...	...	7 10 0
12,500	...	...	8 0 0
15,000	...	...	8 5 0
20,000	...	...	9 10 0
25,000	...	...	10 0 0
30,000	...	...	10 10 0
35,000	...	...	11 10 0
40,000	...	...	12 10 0
45,000	...	...	13 10 0
50,000	...	...	14 10 0
60,000	...	...	16 0 0
75,000	...	...	18 0 0
100,000	...	...	24 0 0
For every additional £50,000 or any fractional part of £50,000 a further and additional fee of	...	...	10 0 0

	£	s.	d.	
2. For making any notation on or amendment to the grant and record after issue, or impounding or revoking a grant, or releasing an impounded grant (inclusive of filing any document, making any order, or preparing any memorandum under the Inheritance (Family Provision) Act 1938) ... ..	1	0	0	
3. For the entry or withdrawal of a caveat ... ..	2	6		
4. Search for a document filed in the registry including inspection of the registered copy of the will or the original will or any other document ... ..	1	0		
5. For a search for a will or letters of administration or other document on behalf of the party applying, in addition to Fee 4 — For every year or part of a year ... ..			6	
6. For a photograph copy of all or part of any document, for each photographic sheet:				
(a) not over foolscap size ... ..	2	0		
(b) over foolscap size ... ..	4	0		
7. For a typewritten copy of any document, for each folio or part of a folio (subject to a minimum fee of 2s. 6d.) ... ..			9	
8. For the certificate of the Judge or Registrar ... ..	2	6		
9. For impressing the seal of the Court on any document ... ..	5	0		
10. For producing a proved will to be photographed ... ..	1	0	0	
11. For taxing a bill of costs, inclusive of the Registrar's certificate	1	0		for every £4 or part thereof allowed.
12. For summons, order on summons, motion and order on motion	1	0		for every £4 or part thereof allowed.
13. For filing any document, other than one lodged for a grant or resealing or included in Fee 2 or 3 ... ..	2	6		
14. For pursuing and settling citations, advertisements, oaths, affidavits or other documents —				
For any one document settled ... ..	10	0		
For any number of additional documents in the same case at the same time ... ..	10	0		

## PART II

*The following fees shall be taken in respect of the contentious items set out in this part of this Schedule —*

ITEM	FEE		
	£	s.	d.
1. On signing, settling, or approving an advertisement ... ..	10	0	
2. For taking an affidavit or affirmation or attestation upon honour in lieu of an affidavit or a declaration, for each person making the same ... ..	5	0	
And in addition thereto for each exhibit therein referred to and required to be marked	2	0	
3. On settling and sealing a citation ... ..	10	0	
4. For a photographic copy of all or part of any document, for each photographic sheet —			
(a) not over foolscap size ... ..	2	0	
(b) over foolscap size ... ..	4	0	
5. On setting down an action for trial or hearing ... ..	4	0	0
6. Hearing fee ... ..	4	0	0
7. On entering an appeal to the Court of Appeal —			
From an interlocutory order ... ..	3	0	0
From a final order ... ..	7	0	0

	£	s.	d.	
8. On drawing up and entering judgment, decrees, and orders	2	0	0	
9. On a reference, investigation, or inquiry, including examination of witnesses, if any — for every hour or part of an hour the officer is occupied ... ..		10	0	
10. On a search for an appearance or an affidavit, and inspecting the same ... ..		1	0	
11. On any other search including inspection, for each hour or part of an hour occupied ... ..		2	6	
12. On sealing a subpoena for witnesses, for each witness ...		10	0	
13. On taxing a bill ... ..		1	0	for every £4 or part thereof allowed.
14. On sealing a writ of summons or commencement of action	4	0	0	
15. On sealing a concurrent reward or amended writ ...		5	0	
16. On sealing a writ of execution or attachment ... ..		10	0	
17. On bespeaking a request for service out of the jurisdiction		1	0."	

Made by the Governor in Council this 24th day of August, 1965.

D. R. MORRISON,  
*Acting Clerk of the Executive Council.*

#### EXPLANATORY NOTE

*(This Note is not part of the Rules, but is intended to indicate their general purport).*

These rules vary and extend the fees payable in connexion with non-contentious and contentious probate matters in the Supreme Court, and bring them into line with similar fees charged under the Court Fees (Civil Cases) Rules.

Ref. 0831.



## The Pensions Ordinance No. 6 of 1965.

## ORDER

(under section 2 of the Ordinance)

No. 3 of 1965.

C. HASKARD,  
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, 1965.
2. The following offices are hereby declared to be pensionable offices in the public service of the Colony and the Dependencies:

Provided that the provisions of this Order shall not apply to officers on contract.

## COLONY

<i>Department</i>					<i>Office</i>
THE GOVERNOR	...	...	...	...	Orderly and Caretaker Head Gardener
AUDIT	...	...	...	...	Auditor
AVIATION	...	...	...	...	Director of Civil Aviation 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" Assistant Engineer, m.v. "Philomel" Engineer, m.v. "Alert"
EDUCATION	...	...	...	...	Superintendent Headmaster, Stanley Schools Headmaster, Darwin Boarding School Assistant Master Assistant Mistress Assistant Teacher Matron/Assistant Mistress
MEDICAL	...	...	...	...	Senior Medical Officer Medical Officer Matron Nursing Sister Nurse Dental Surgeon Dental Technician
POLICE AND PRISONS	...	...	...	...	Superintendent Sergeant Senior Constable Constable
POSTS AND TELECOMMUNICATIONS	...	...	...	...	Superintendent Postmaster Supervisor Senior Watch Operator/Mechanic Watch Operator Operator/Mechanic, Fox Bay Senior Technician and Broadcasting Engineer Technician Senior Clerk R/T Operator Telephone Operator Telegraph Messenger

<i>Department</i>					<i>Office</i>
POWER AND ELECTRICAL	...	...	...	...	Superintendent Assistant Superintendent Senior Electrician Electrician Senior Engineman Engineman
PUBLIC WORKS	...	...	...	...	Superintendent Senior Clerk Supplies Officer Senior Mechanic Mechanic Foreman Carpenter Carpenter Senior Plumber Plumber Metal Worker Senior Mason Mason Yard Foreman and Water Bailiff Peat Officer Motor Driver Filtration Plant Operator Assistant Filtration Plant Operator
SECRETARIAT AND TREASURY	...	...	...	...	Colonial Secretary Colonial Treasurer Assistant Colonial Secretary & Clerk of Councils Assistant Colonial Treasurer Income Tax Officer Senior Clerk Cashier Head Printer Assistant Printer Messenger
SUPREME COURT	...	...	...	...	Registrar Supreme Court & Registrar General
ALL DEPARTMENTS	...	...	...	...	Clerk
DEPENDENCIES					
SOUTH GEORGIA	...	...	...	...	Administrative Officer Senior Customs Officer & Administrative Assistant Junior Customs Officer & Administrative Assistant Senior Diesel Electric Mechanic Assistant Diesel Electric Mechanic Handyman Meteorological Forecaster Senior W/T Operator Junior W/T Operator

Made by the Governor in Council on the 22nd day of September, 1965.

H. L. BOUND,  
*Clerk of the Executive Council.*

Ref. 1171.