

INDEX

to

FALKLAND ISLANDS GAZETTE,

1966.

Alazia, Mrs. F., Acting Senior Clerk	51, 175	Jones, H. D., Acting Senior Engineer	51, 175
Anderson, Miss A. R., Clerk	35	Jones, Captain W. J., Active list F.I.D.F.	175
Annual Stock Return 1965-66	200	Leeder, D. S., Camp Teacher	19
Ashmore, J. H., Acting Senior Medical Officer	1	Lowe, M. B., Camp Teacher	35
Bennett, S., Acting General Foreman P.W.D.	35	Luxton, D. K., resignation	205
Bennett, S., General Foreman P.W.D.	121	Luxton, H. T., O. i/c Posts & Telecommunications	117, 175
Betts, R. K., Carpenter P.W.D.	19	MacDonald, C. G., resignation	103
Binnie, R. E., resignation	131	Malone, C. M., Medical Officer	103
Blake, L. G., Registrar to celebrate marriage	52	McGill, D. W., Temporary Assistant Diesel Electric	
Board of Health, members	51	Mechanic, South Georgia	117
Butcher, M. G., Engineman	103	McMullen, M. J., stock brand	118
Carr, D. G., completion of contract	117	McPhee, P., Acting Senior Mechanic	103
Castro, Luis H. de Arriado, Cook/Steward,		McPherson, Miss A., resignation	51
Shackleton House	103	Medical Practitioners, Midwives and Dentists - list of	19
Castro, Luis H. de Arriado, appointment terminated	205	Miller, C. A., Registrar to celebrate marriage	51
Cattell, W. H., Watch Operator	103	Ministers for celebrating marriages - list of	2, 117
Cattell, W. H., death	121	Morrison, P., Acting Senior Diesel Electric Mechanic,	
Cheek, J. E., Senior Watch Operator/Mechanic	35	South Georgia	121
Cochrane, A. C. T., Deputy Registrar of the Falkland		Notices -	
Islands Court of Appeal	45	Administration of Justice Ordinance - Relinquishment	104
Collings, O. J., Carpenter P.W.D.	121	Firearms Ordinance	19
Committees -		Mining (Mineral Oil) Regulations, 1964	52
Apprenticeship Board	121	Pay & Working Rules	175
Cost of Living Committee - findings	2, 51, 121, 175	Register of Electors	175
Hospital Visiting Committee, members	20	O'Farrell, M., termination of appointment	117
Visiting Justices of the Prison, members	20	Orders -	
Councils -		4/65 Post Office Order, 1965	27
Executive Council - G. C. R. Bounner, Esq., member	103	1/66 Income Tax (Exemption) Order, 1966	52
Executive Council - R. S. Slessor, Esq.,		2/66 Nature Reserves Ordinance, 1964	120
temporary member	117, 205	3/66 Wild Animals and Birds Protection	
Legislative Council - minutes of meeting,		(Sanctuaries) Order, 1966	120
Supplement No. 1 - 2/2/66		4/66 Wild Animals and Birds Protection	
Supplement No. 2 - 1/8/66		(Sanctuaries) (No. 2) Order, 1966	176
Supplement No. 3 - 16/12/66		Ordinances, Bills for -	
Cronin, D. R., Acting Headmaster	35	Appeals Ordinance, 1966	2
Desborough, Miss D. D., Telegraph Messenger	35	Application of Enactments (Repeal) Ordinance, 1966	122
Dixon, G., Plumber P.W.D.	131	Appropriation (1966-67) Ordinance, 1966	102
Education Ordinance - recognised teachers	35	British Nationality (Amendment) Ordinance, 1966	129
Fabre, Monsieur Robert, Consul-General of France	131	Employment of Children Ordinance, 1966	33
Felton, Miss S. E., Nurse Probationer	103	Income Tax (Amendment) Ordinance, 1966	126
Finlayson, Miss D. E., Clerk	131	Income Tax (Amendment) (No. 2) Ordinance, 1966	172
Flaxman, Sir H. J. M., Legal Secretary	175	Ionising Radiations (Protection of Workers)	
Ford, Mrs. G., née Poole, resignation	117	Ordinance, 1966	163
Ford, Miss J., confirmation of appointment	117	Lotteries (Amendment) Ordinance, 1966	44
Ford, Miss June, Clerk	51	Marriage (Enabling) Ordinance, 1966	127
Fuhlendorff, V. E., Acting Senior Telecommunications		Murder (Abolition of Death Penalty) Ordinance, 1966	42
Technician & Broadcasting Engineer	1	Old Age Pensions (Amendment) Ordinance, 1966	174
Gleadell, L. C., Acting Colonial Secretary	103, 205	Pensions (Amendment) Ordinance, 1966	123
Gleadell, L. C., Governor's deputy	117, 118	Pensions (Amendment) (No. 2) Ordinance, 1966	172
Gleadell, L. C., O.A.G.	153, 175	Prison Ordinance, 1966	155
Gough, P., Superintendent P.W.D.	19	Stanley Town Council (Amendment) Ordinance, 1966	128
Gutteridge, E. C., Acting Immigration Officer	117, 175	Supplementary Appropriation (1965-66) Ordinance, 1967	206
Guzman, M. de Arriado, Cook/Steward, Shackleton House	103	Ordinances : Colony	
Harris, L., confirmation of appointment	51	1/66 Employment of Children Ordinance, 1966	105
Honours, new year	1	2/66 Murder (Abolition of Death Penalty) Ord., 1966	107
Hornby, D. M., resignation	45	3/66 Appeals Ordinance, 1966	109, 153
Hoyle, J. A., resignation	103	4/66 Appropriation (1966-67) Ordinance, 1966	112
Hyne, Sir Ragnar, resignation	175	5/66 Prison Ordinance, 1966	177
Index of Legislation	20, 21, 36, 45, 52, 104, 118, 131, 153, 176	6/66 Pensions (Amendment) Ordinance, 1966	185
Instruments -		7/66 Pensions (Amendment) (No. 2) Ordinance, 1966	188
S. I. The Admiralty Jurisdiction (F. Is.) Order, 1966	148	8/66 Income Tax (Amendment) Ordinance, 1966	190
S. I. The Copyright (International Conventions)		9/66 Income Tax (Amendment) (No. 2) Ord., 1966	191
Order, 1964	137	10/66 Old Age Pensions (Amendment) Ordinance, 1966	192
S. I. The Copyright (International Conventions)		11/66 Ionising Radiations (Protection of Workers)	
(Amendment) Order, 1964	144	Ordinance, 1966	193
S. I. The Copyright (International Conventions)		12/66 British Nationality (Amendment) Ord., 1966	195
(Amendment No. 2) Order, 1964	165	13/66 Marriage (Enabling) Ordinance, 1966	197
S. I. The Copyright (International Conventions)		14/66 Application of Enactments (Repeal) Ord., 1966	198
(Amendment) Order, 1965	145	15/66 Stanley Town Council (Amendment) Ord., 1966	199
S. I. The Copyright (International Conventions)		Dependencies	
(Amendment No. 2) Order, 1965	146	1/66 Customs Duties (Validation) Ordinance, 1966	37
S. I. The Copyright (International Conventions)		2/66 Appropriation (Dependencies) (1966-67)	
(Amendment No. 3) Order, 1965	147	Ordinance, 1966	132
S. I. The Merchant Shipping (Registration of		3/66 Application of Colony Laws (Repeal)	
Colonial Government Ships) Order, 1963	22	Ordinance, 1966	134
S. I. The Shipowners' Liability (Colonial		4/66 Application of Colony Laws (Amendment	
Territories) Order in Council, 1963	25	and Validation) Ordinance, 1966	135
S. I. The Sweden (Extradition) (Extension) Order, 1966	167	5/66 Application of Colony Laws Ordinance, 1966	154

INDEX—continued.

Ordinances, Non-disallowance of -

Colony

7/65	Diplomatic Privileges (Extension)	131
	(Amendment) Ordinance, 1965	
8/65	Appropriation (1965-66) Ordinance, 1965	1
12/65	Firearms Ordinance, 1965	104
13/65	Supplementary Appropriation	
	(1964-65) Ordinance, 1965	45
2/66	Murder (Abolition of Death Penalty)	
	Ordinance, 1966	205

Dependencies

3/65	Income Tax (Dependencies) (Amendment)	
	Ordinance, 1965	35
4/65	Application of Colony Laws Ordinance, 1965	35
5/65	Appropriation (Dependencies) (1965-66)	
	Ordinance, 1965	103
6/65	Supplementary Appropriation	
	(Dependencies) (1964-65) Ordinance, 1965	103
1/66	Customs Duties (Validation) Ordinance, 1966	131

	Pay and Working Rules	48
	Peck, Mrs. S., Gaol Matron	103
	Peck, T. J., Acting O. i/c Police	35
	Peck, T. J., Sergeant	35
	Plane, R. H., Assistant Master	19
	Plane, Mrs. P. E., Assistant Mistress	19
	Powell, C. M., Camp Teacher	19
	Probate	20, 36, 45, 52, 104, 122, 153

Proclamations -

1/66	Legislative Council	101
2/66	Administration of Colony & Dependencies	
	L. C. Gleadell	151
3/66	F.I.D.F. call out	152
4/66	Legislative Council	171

	Public holidays	51, 175
--	-----------------	---------

	Registration of United Kingdom Patents Ordinance	2, 118, 121
--	--	-------------

Regulations -

3/64	Mining (Mineral Oil) Regulations, 1964	57
1/66	Wireless Telegraphy (Amend.) Regulations, 1966	41
2/66	Wild Animals & Birds (Export) Regulations, 1966	104

Reports -

	Government Employees' Provident Fund 1964/65	12
	Government Savings Bank 1964/65	5
	Old Age Pensions Equalisation Fund 1964/65	9
	Note Security Fund 1964/65	16, 119

Returns -

	Annual Stock Return for 1965/66	200
	Rowlands, H. T., Acting Colonial Treasurer	117, 205
	Ruddy, H. B., retirement	117

Rules -

3/65	Currency Notes (Amendment) Rules, 1965	39
1/66	Savings Bank (Amendment) Rules, 1966	46
2/66	Currency Notes (Amendment) Rules, 1966	118
3/66	Falkland Islands Court of Appeal Rules, 1966	136

	School terms and holidays	20
	Sealing licence	1
	Short, Miss S. J., Nurse Probationer	103
	Smith, G. P., Police Constable	103
	Smith, M., Acting Director of Civil Aviation	1
	Statement showing total receipts for the year ended 30/6/65	30
	Statement showing total payments for the year ended 30/6/65	31
	Statement of Assets & Liabilities at 30/6/65	32
	Stewart, Miss H., resignation	175
	Stewart, R., Acting Filtration Plant Operator	131
	Stock Brand	118
	Summers, P. G., Second Lieutenant F.I.D.F.	19

	Telegrams exchanged between H. E. the Governor	
	and the Right Hon. the Secretary of State	51
	Thompson, W. H., Acting Judge of the Supreme Court	205
	Thompson, W. H., Governor's Deputy	19

Town Council -

	Appointed members	20
	Estimates, 1967	203
	Register of Electors	175

	Treasury Notice	205
	Trustee Act	205

	Vera, L. de Aguilar, Cook/Steward, Shackleton House	103
	Visiting Justices of the Prison, members	20

	Watson, Mrs. G. J., née McKay, resignation	103
--	--	-----

	Westley, P. G., Acting Headmaster	
	Darwin Boarding School	117
	Westley, P. G., Registrar to celebrate marriage	131



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7 JANUARY, 1966.

No. 1.

ACTING APPOINTMENTS

Valdemar Ernest Fuhlendorff acting Senior Telecommunications Technician and Broadcasting Engineer from 19.4.65 to 22.12.65.

James Hopkins Ashmore, M.A., M.B., B.Ch., B.A.O., L.M., acting Senior Medical Officer from 10.5.65 to 22.12.65.

Maurice Smith acting Director of Civil Aviation from 19.4.65 to 29.10.65.

NOTICES

No. 1. 1st January, 1966.

NEW YEAR HONOURS, 1966.

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

CAPTAIN FREDERICK WILLIAM WHITE,
to be an Officer of the Most Excellent Order of the British Empire.

No. 2. 3rd January, 1966.

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.
8/65	Appropriation (1965-66) Ord.	0284/XVIII.

No. 3.

5th January, 1966.

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 1966 to 30th June 1967, except for the period 1st of November 1966 to 28th of February 1967.

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 10th of June 1966.

Ref. D/2/64.

No. 4. 5th January, 1966.

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

<i>Quarter ended</i>	<i>Adjusted Percentage increase over 1948 prices</i>
31st December, 1965	95.77%

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

Ref. 0704/VI.

No. 5. 7th January, 1966.

Marriage Ordinance (Cap. 43) Section 5

The following have been registered as Ministers for celebrating marriages.

The Right Reverend Cyril James Tucker, Lord Bishop of the Falkland Islands.

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 Rudolph Francis Anthony Joseph Roël, Assistant Priest, St. Mary's Church.
Ref. 1163.

Registration of United Kingdom Patents Ordinance.

It is hereby notified for general information that a letters patent particulars of which appear in the Schedule hereto was registered in the Register of Patents on the 4th day of January, 1966.

SCHEDULE

Registered No. ... 4402.

Name of Applicant ... Liggett & Myers Tobacco Company.

Registered Address ... 630 Fifth Avenue, New York,
State of New York,
United States of America.

No. of grant in the
United Kingdom 973,854.

Nature of Invention ... Filter material.

Dated this 4th day of January, 1966.

H. BENNETT,
Registrar General.

A Bill for An Ordinance

Title.

To provide for Appeals from the Supreme Court of the Falkland Islands to the Falkland Islands Court of Appeal.

Date of commencement.

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

Enacting clause.

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

Short title and date of operation.

1. This Ordinance may be cited as the Appeals Ordinance, 1966, and shall come into operation on such day as the Governor by notice in the Gazette may appoint.

Interpretation.

2. In this Ordinance unless the context otherwise requires —
“COURT OF APPEAL” means the Falkland Islands Court of Appeal;
“SUPREME COURT” means the Supreme Court of the Falkland Islands;

“JUDGMENT” includes a decree, order or finding and a refusal to make any order.

Appeals from original judgments of Supreme Court in criminal cases.

3. (1) Any person convicted by the Supreme Court and sentenced to death or to a term of imprisonment exceeding twelve months or to a fine exceeding one hundred pounds, may, subject to the provisions of this Ordinance appeal to the Court of Appeal —

- (a) as of right against his conviction on a matter of law or of fact or of mixed law and fact;
- (b) with the leave of the Court of Appeal against the sentence passed on his conviction, unless the sentence is one fixed by law.

(2) Any person convicted by the Supreme Court and sentenced —

- (a) to any term of imprisonment or to a fine exceeding ten pounds; or
- (b) to a fine not exceeding ten pounds, if, in the opinion of the Supreme Court, or the Court of Appeal, his case involves a question of law of great general or public importance;

may, subject to the provisions of this Ordinance, with the leave of the Court of Appeal or upon the certificate of the Supreme Court that it is a fit case for appeal, appeal against his conviction on any ground which appears to the Court of Appeal or the Supreme Court as the case may be to be a sufficient ground of appeal or against the sentence passed on his conviction, unless the sentence is one fixed by law.

(3) No appeal shall be allowed in the case of any person who has pleaded guilty and has been convicted on such plea by the Supreme Court, except as to the extent and legality of the sentence.

4. Any party to criminal proceedings held before the Supreme Court in its appellate jurisdiction who is dissatisfied with any part of its judgment may appeal to the Court of Appeal on a matter of law (not including severity of sentence) but not on a matter of fact or of mixed law and fact.

Second appeals.

5. Save in a case where the appellant has been sentenced to death the Supreme Court may in its discretion in any case in which under this Ordinance an appeal to the Court of Appeal is filed grant bail pending the hearing and determination of the appeal.

Bail.

6. In the case of a sentence of death —

- (a) the sentence shall not be executed until after the expiration of the time within which an appeal under this Ordinance may be filed;
- (b) if an appeal is filed the sentence shall not be executed until the appeal has been disposed of or abandoned;
- (c) if a petition for leave to appeal out of time is presented the sentence shall not be executed until leave to file the appeal out of time has been refused or the appeal has been disposed of or abandoned:

Stay of execution of death sentence.

Provided that if the sentence has been confirmed by the Governor it may be executed without further extension notwithstanding that a petition for leave to appeal out of time may have been presented after the time for leave has expired.

7. (1) The Court of Appeal in determining an appeal against conviction may —

- (a) dismiss the appeal;
- (b) allow the appeal and quash the conviction;
- (c) set aside the conviction and convict the appellant of any offence of which he might be convicted by the Supreme Court on the evidence which has been adduced and sentence him accordingly;
- (d) order a new trial before the Court which passed sentence or before any court having jurisdiction in the matter;
- (e) remit the case together with its judgment or order thereon to the Supreme Court or to a Court subordinate to the Supreme Court with such directions as may to the Court of Appeal appear necessary:

Power of Court of Appeal in determining an appeal under this part.

Provided that the Court of Appeal notwithstanding that it is of opinion that the point raised on the appeal might be decided in

favour of the appellant, shall dismiss the appeal if it considers that no substantial miscarriage of justice has occurred.

(2) In determining an appeal the Court of Appeal may increase, modify or reduce the sentence.

Appeal in civil cases.

8. An appeal shall lie in all civil cases from the Supreme Court to the Court of Appeal —

- (a) as of right from any final judgment of the Supreme Court where the appeal involves directly or indirectly some claim or question respecting property of the value of three hundred pounds or upwards;
- (b) with the leave of the Supreme Court from any other judgment of the Supreme Court whether final or interlocutory if in the opinion of the Supreme Court the question involved in the appeal is one of great general or public importance or involves some substantial civil right;
- (c) with the leave of the Court of Appeal where the Court of Appeal considers that leave to appeal ought to be granted:

Provided that no appeal shall lie from a decree passed by the Supreme Court with the consent of the parties.

OBJECTS AND REASONS

Article 4 of the Falkland Islands Court of Appeal Order, 1965, provided that the Court of Appeal shall have such jurisdiction as may be prescribed by local laws. This Ordinance makes provision prescribing such jurisdiction.

Ref. 2312.

Report on the working of the Government Savings Bank for the year 1964/65.

The Honourable,
The Colonial Secretary.

Colonial Treasury,
Stanley, Falkland Islands.
25th October, 1965.

Sir,

I have the honour to submit the following report on the working of the Savings Bank for the year that ended on 30th June, 1965, 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 £55,365 : 17 : 11, and exceeded expenditure by £25,978 : 10 : 11.

3. Deposits during the year totalled £317,544 : 16 : 7 or £2,315 : 16 : 9 less than the amount withdrawn. Interest credited to accounts was £27,268 : 6 : 3, and the total amount due to depositors at 30th June, 1965 increased by £24,952 : 9 : 6 to £1,179,017 : 7 : 10.

4. The market value of investments held on behalf of the Savings Bank fell by £36,507 : 5 : 2 when revalued at 30th June, 1965, causing the reserves to fall below the level where transfers to Colony revenue can be contemplated (Section 13 (2) of the Savings Bank Ordinance Cap 61). Assets still exceed liabilities, however, and the reserve of £113,138 : 6 : 0 is satisfactory.

I have the honour to be,

Sir,

Your obedient servant,

L. GLEADELL,
Colonial Treasurer.

Savings Bank Fund.

Accounts for the period 1st July, 1964 to 30th June, 1965.

REVENUE AND EXPENDITURE ACCOUNT.

	£	s.	d.		£	s.	d.
To Interest paid and interest capitalised and credited to depositors	27,268	6	3	By Interest on Investments	55,365	17	11
„ Administration charge	2,000	0	0				
„ Stationery	119	0	9				
„ Balance to Reserve Account	25,978	10	11				
	<u>£55,365</u>	<u>17</u>	<u>11</u>		<u>£55,365</u>	<u>17</u>	<u>11</u>

DEPOSITS AND WITHDRAWALS ACCOUNT.

To Amount due to depositors at 1st July, 1964	1,154,064	18	4	By Withdrawals	319,860	13	4
„ Deposits during 1964/65	317,544	16	7	„ Balance, being the amount due to depositors at 1st July, 1965	1,179,017	7	10
„ Interest credited to depositors 1964/65	27,268	6	3				
	<u>£1,498,878</u>	<u>1</u>	<u>2</u>		<u>£1,498,878</u>	<u>1</u>	<u>2</u>

INVESTMENTS ADJUSTMENT ACCOUNT.

To Depreciation of Investments	36,507	5	2	By Profit on sale of Investments	35	15	11
				„ Balance to Reserve A/c	36,471	9	3
	<u>£36,507</u>	<u>5</u>	<u>2</u>		<u>£36,507</u>	<u>5</u>	<u>2</u>

RESERVE ACCOUNT.

To Investments Adjustment Account	36,471	9	3	By Balance brought forward	123,631	4	4
„ Balance at 30th June, 1965	113,138	6	0	„ Revenue & Expenditure Account	25,978	10	11
	<u>£149,609</u>	<u>15</u>	<u>3</u>		<u>£149,609</u>	<u>15</u>	<u>3</u>

BALANCE SHEET AS AT 30TH JUNE, 1965.

LIABILITIES				ASSETS			
Due to Depositors	1,179,017	7	10	Investments at Mid-Market Value	1,251,120	15	7
Reserve Account	113,138	6	0	Cash in the hands of the Colonial Treasurer	41,034	18	3
	<u>£1,292,155</u>	<u>13</u>	<u>10</u>		<u>£1,292,155</u>	<u>13</u>	<u>10</u>

L. GLEADELL,

Colonial Treasurer,

11th October, 1965.

Savings Bank Fund.

Monthly Summary of Transactions for the year ended 30th June, 1965.

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 ...													1,154,064	18	4				
July 1964	29,949	16	4	37,765	11	0	—	7,815	14	8	.....		1,146,249	3	8	8	11	244	198
August ...	15,034	8	9	13,825	8	0	+	1,209	0	9	.....		1,147,458	4	5	10	14	224	131
September ...	22,270	7	8	24,046	1	9	—	1,775	14	1	.....		1,145,682	10	4	5	11	373	154
October ...	19,685	9	7	19,816	12	6	—	131	2	11		4 5 3	1,145,555	12	8	9	5	218	119
November ...	23,836	4	6	21,289	13	10	+	2,546	10	8		14 9 5	1,148,116	12	9	8	3	224	146
December ...	34,058	9	0	20,066	5	5	+	13,992	3	7		17 18 2	1,162,126	14	6	13	7	322	184
January 1965	15,632	18	8	18,308	4	11	—	2,675	6	3		5 18 0	1,159,457	6	3	9	9	200	132
February ...	21,121	17	5	22,575	5	0	—	1,453	7	7		3 0 4	1,158,006	19	0	15	2	265	138
March ...	38,994	11	6	54,139	13	9	—	15,145	2	3		46 2 5	1,142,907	19	2	9	11	308	164
April ...	26,213	6	11	37,771	14	5	—	11,558	7	6		145 0 8	1,131,494	12	4	7	15	243	182
May ...	31,958	2	7	34,833	5	7	—	2,875	3	0		106 18 0	1,128,726	7	4	16	13	329	181
June ...	38,789	3	8	15,422	17	2	+	23,366	6	6		7 6 8	1,152,100	0	6	11	4	428	129
							Interest Accrued ...			... 26,917	7	4	1,179,017	7	10				
	£317,544	16	7	319,860	13	4	—	2,315	16	9		27,268 6 3				120	105	3,378	1,858

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	7457	16	6	77	7003	1	7
Brit. Transport	1972/77	...	4	27973	2	7	23497	8	7	77	21539	6	2
Kenya	1971/78	...	4½	10000	0	0	6450	0	0	75½	7550	0	0
British Electricity	1967/69	...	4½	30494	2	11	29884	5	3	92½	28130	17	0
Ceylon	1960/70	...	5	2000	0	0	1910	0	0	93½	1870	0	0
Consols	1957 o/a	...	4	32284	0	11	20500	7	4	58½	18886	3	4
Ceylon	1965	...	4½	5064	6	11	4937	14	9	99	5013	14	0
Kenya	1961/71	...	4½	11690	14	6	9411	0	8	87½	10229	7	8
Gold Coast	1960/70	...	4½	1896	4	11	1716	2	0	90½	1716	2	0
Kenya	1957/67	...	3½	5000	0	0	4475	0	0	92½	4625	0	0
Australia	1961/66	...	3½	6850	12	2	6645	1	9	97	6645	1	9
Palestine	1962/67	...	3	12506	11	9	11693	13	2	92	11506	1	2
Middlesborough	1953/73	...	3½	2026	4	11	1702	0	11	78	1580	9	5
S. Rhodesia	1955/65	...	3½	1200	0	0	1170	0	0	98½	1182	0	0
Savings Bonds	1965/75	...	3	60005	18	1	47704	13	10	73½	44104	6	9
Swansea	1963/66	...	3	12713	18	9	12014	13	5	95½	12141	16	3
British Guiana	1975/80	...	3	4740	14	10	2915	11	1	61½	2915	11	1
New Zealand	1973/77	...	3	4852	1	6	3614	15	11	70	3396	9	1
Australia	1975/77	...	3	5175	5	10	3881	9	5	68	3519	4	0
Malaya	1974/76	...	3	4051	12	10	3018	9	6	71½	2896	18	6
Nigeria	1975/77	...	3	6000	0	0	4050	0	0	68	4080	0	0
Northern Rhodesia	1963/65	...	3	27915	19	4	27078	9	9	100	27915	19	4
Jamaica	1968/73	...	3½	11548	14	2	9123	9	7	79	9123	9	7
E.A.H.C.	1966/68	...	3½	11075	8	10	9137	4	9	88½	9801	15	4
Uganda	1966/69	...	3½	1433	6	8	1125	3	4	80½	1153	16	8
E.A.H.C.	1968/70	...	3½	10000	0	0	7350	0	0	80½	8050	0	0
Sierra Leone	1968/70	...	3½	30150	15	1	23065	6	6	79½	23969	17	0
Kenya	1973/78	...	3½	21000	0	0	11865	0	0	67½	14175	0	0
British Guiana	1966/68	...	3½	20618	11	2	17835	1	0	90½	18659	15	11
Trinidad	1967/71	...	3	31137	14	6	24754	9	9	79	24598	16	1
Conversion Stock	1969	...	3½	15967	11	9	14690	3	7	89½	14290	19	10
Funding Stock	1966/68	...	3	125429	11	7	114454	9	9	89¾	112573	1	0
Brit. Electricity	1968/73	...	3	110462	12	6	91683	19	7	79	87265	9	6
Brit. Electricity	1976/79	...	3½	49437	10	10	38314	1	11	71	35100	13	1
British Gas	1969/72	...	4	93743	9	7	85775	5	8	86½	81088	2	2
Savings Bonds	1955/65	...	3	70121	1	3	68893	18	10	99¾	69945	15	2
Cyprus	1969/71	...	3½	2788	18	3	2356	12	7	83½	2328	14	10
Australia	1965/69	...	3½	1248	0	10	1104	10	4	86	1073	6	4
Savings Bonds	1964/67	...	2½	4833	16	9	4495	9	4	93	4495	9	4
Exchequer	1966	...	5½	104656	5	8	105441	4	1	99¾	104394	12	10
Conversion	1974	...	5½	48473	18	7	47504	8	11	90½	43868	18	1
Conversion	1972	...	6	51767	3	4	54614	7	2	99	51249	9	11
Savings Bonds	1960/70	...	3	126705	12	8	111421	5	11	84½	107066	5	2
New Zealand	1975/76	...	6	49261	1	8	50246	6	1	95	46798	0	7
Exchequer Loan	1976/78	...	5	63312	1	0	59493	17	5	86	54448	7	3
Joint Consolidated Fund		...		97153	10	10	97153	10	10		97153	10	10
Depreciation			...	1435863	8	5	1287628	0	9		1251120	15	7
						36507	5	2					
				1435863	8	5	1251120	15	7		1251120	15	7

L. GLEADELL,

Colonial Treasurer.

21st September, 1965.

Report on the working of the Old Age Pensions Equalisation Fund for the year 1964/65.

To The Honourable
The Colonial Secretary.

Colonial Treasury,
Stanley, Falkland Islands,
25th October, 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, 1965, together with the following accounts and statements —

1. Statement of Revenue and Expenditure.
2. Investments Adjustment Account.
3. Statement showing the balance of the Fund at 30th June, 1965.
4. Statement of Assets and Liabilities.
5. Statement of Investments.

2. The revenue of the Fund during the year amounted to £22,764 : 16 : 8. Expenditure amounted to £6,992 : 5 : 6. Revenue exceeded expenditure by £15,772 : 11 : 2.

3. After taking into account further depreciation in the value of investments held on behalf of the Fund, amounting to £5,918 : 19 : 1, as well as a small profit of £2 : 4 : 10 from the sale of investments, the increase in the balance of the Fund from 30th June, 1964 to 30th June, 1965, was £9,855 : 16 : 11.

4. During the year seven claims to pensions were allowed : none were disallowed. Two new pensioners were the widows of deceased pensioners. Five pensioners died. At 30th June, 1965, fifty persons were in receipt of a pension of whom twenty-three were married, fifteen unmarried and twelve were widows.

5. Thirty-seven new contributors registered and contributions were refunded to fifty-three contributors who left the Colony. Refunds of contributions were made on the death of four contributors.

6. The Old Age Pensions Ordinance was amended during the year to extend its provision to Female Contributors. The effective date of this amendment was 1st July, 1965. The same amending Ordinance abolished the refunding of contributions on the death of a contributor.

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, 1965.

EXPENDITURE				REVENUE			
	£	s.	d.		£	s.	d.
To refunds of contributions on departure from the Colony	1,520	17	6	By sale of Stamps	15,194	12	6
„ refunds of contributions on death of contributors	598	11	0	„ Dividends on Investments	7,570	4	2
„ refunds of overpayments	111	7	6				
„ Pensions	4,761	9	6				
„ Balance, carried down	15,772	11	2				
	<u>£22,764</u>	<u>16</u>	<u>8</u>		<u>£22,764</u>	<u>16</u>	<u>8</u>

INVESTMENTS ADJUSTMENT ACCOUNT

To Depreciation of Investments	5,918	19	1	By Profit on sale of Investments	2	4	10
				„ Balance, carried down	5,916	14	3
	<u>£5,918</u>	<u>19</u>	<u>1</u>		<u>£5,918</u>	<u>19</u>	<u>1</u>

THE FUND

To Investments Adjustment Account	5,916	14	3	By Balance at 1st July, 1964	121,576	9	7
„ Balance at 30th June, 1965	131,432	6	6	„ Balance of Revenue and Expenditure account, brought down	15,772	11	2
	<u>£137,349</u>	<u>0</u>	<u>9</u>		<u>£137,349</u>	<u>0</u>	<u>9</u>

STATEMENT OF ASSETS AND LIABILITIES

LIABILITIES				ASSETS			
Balance of the Fund at 30th June, 1965	131,432	6	6	Market Value of Investments	129,401	11	8
				Cash in hands of the Colonial Treasurer	2,030	14	10
	<u>£131,432</u>	<u>6</u>	<u>6</u>		<u>£131,432</u>	<u>6</u>	<u>6</u>

L. GLEADELL,

Colonial Treasurer.

11th October, 1965.

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, 1965			
			£	s.	d.	£	s.	d.	Price	£	s.	d.
Kenya	1971/78	4½	494	1	7	318	13	7	75½	373	0	7
E.A.H.C.	1972/74	4	1,280	1	3	851	4	10	75½	966	9	0
Trinidad	1973/76	4	2,682	15	3	2,132	15	11	79	2,119	7	8
E.A.H.C.	1973/76	4	1,302	18	3	814	6	5	70½	918	11	1
Kenya	1978/82	5	5,951	6	2	3,957	12	5	75½	4,493	4	9
British Guiana	1980/85	5	3,514	13	4	2,372	7	11	65½	2,302	2	2
E.A.H.C. (P & T)	1977/83	5¾	10,041	18	8	6,979	2	10	72½	7,280	8	0
Jamaica	1977/82	6	1,000	0	0	890	0	0	91	910	0	0
Funding	1982/84	5½	17,213	9	2	16,352	15	8	87	14,975	14	2
Savings Bonds	1965/75	3	924	8	7	734	18	5	73½	679	9	1
Jamaica	1978/80	6¼	546	19	3	503	4	1	92½	505	18	10
British Guiana	1975/80	3	9,259	5	2	5,694	8	10	61½	5,694	8	10
E.A.H.C. (R & H)	1977/83	5¾	17,043	19	2	11,845	11	0	72½	12,356	17	5
Funding loan	1978/80	5¼	32,431	5	1	30,323	4	5	86	27,890	17	7
Exchequer loan	1976/78	5	8,584	11	2	8,069	9	8	86	7,382	14	5
Funding loan	1987/91	5¾	38,035	18	6	36,780	6	2	89	33,851	19	6
J. M. F.			6,700	8	7	6,700	8	7		6,700	8	7
Depreciation			157,007	19	2	135,320	10	9		129,401	11	8
						5,918	19	1				
			157,007	19	2	129,401	11	8		129,401	11	8

L. GLEADELL,
Colonial Treasurer.
21st September, 1965.

Government Employees' Provident Fund 1964/65

Colonial Treasury,
Stanley, Falkland Islands.
25th October, 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, 1964, to 30th June, 1965, 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. The fund is slowly being run down. No new depositors were admitted and three accounts were closed leaving a total of twenty-eight depositors whose balances totalled £7,770 : 10 : 10. The assets of the fund exceed this sum by the narrow margin of £174 : 9 : 3.

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, 1965.

REVENUE AND EXPENDITURE ACCOUNT.

	£	s.	d.		£	s.	d.
To Interest on Closed A/cs.	2	19	4	By Interest on Investments	250	7	8
„ Interest credited to Contributors	176	2	6	„ Balance transferred to Reserve Account	28	14	2
„ Administration charge	100	0	0				
	<u>£279</u>	<u>1</u>	<u>10</u>		<u>£279</u>	<u>1</u>	<u>10</u>

DEPOSITS AND WITHDRAWALS ACCOUNT.

To Balance 1st July, 1964	6,813	16	9	By Withdrawals	213	1	11
„ Deposits	495	7	1	„ Balance, being the amount due to contributors at 30th June, 1965.	7,770	10	10
„ Bonus	495	7	1				
„ Interest on Closed A/cs.	2	19	4				
„ Interest on Current A/cs.	176	2	6				
	<u>£7,983</u>	<u>12</u>	<u>9</u>		<u>£7,983</u>	<u>12</u>	<u>9</u>

INVESTMENTS ADJUSTMENT ACCOUNT.

To Depreciation of Investments	232	2	7	By Balance transferred to Reserve Account	232	2	7
	<u>£ 232</u>	<u>2</u>	<u>7</u>		<u>£ 232</u>	<u>2</u>	<u>7</u>

RESERVE ACCOUNT.

To Revenue and Expenditure Account	28	14	2	By Balance 1/7/64	435	6	0
„ Investments Adjustment Account	232	2	7				
„ Balance 30/6/65	174	9	3				
	<u>£ 435</u>	<u>6</u>	<u>0</u>		<u>£ 435</u>	<u>6</u>	<u>0</u>

STATEMENT OF ASSETS AND LIABILITIES.

LIABILITIES.				ASSETS.			
Amount due to Contributors	7,770	10	10	Market value of Investments	6,486	3	10
Reserve Account	174	9	3	Cash in hands of the Colonial Treasurer	1,458	16	3
	<u>£ 7,945</u>	<u>0</u>	<u>1</u>		<u>£ 7,945</u>	<u>0</u>	<u>1</u>

L. GLEADELL,
Colonial Treasurer,
11th October, 1965.

Government Employees' Provident Fund.

MONTHLY SUMMARY OF TRANSACTIONS FOR THE YEAR ENDED 30TH JUNE, 1965.

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						6,813 16 9				
July 1964	37 8 6	37 8 6	.....	+ 74 17 0	.....	6,888 13 9	-	-	20	-
August ...	44 9 11	44 9 11	9 7 0	+ 79 12 10	.....	6,968 6 7	-	1	24	1
September ...	37 14 7	37 14 7	.....	+ 75 9 2	.....	7,043 15 9	-	-	22	-
October ...	38 10 8	38 10 8	.....	+ 77 1 4	.....	7,120 17 1	-	-	20	-
November ...	37 18 4	37 18 4	.....	+ 75 16 8	.....	7,196 13 9	-	-	21	-
December ...	39 5 9	39 5 9	.....	+ 78 11 6	.....	7,275 5 3	-	-	20	-
January 1965	55 2 3	55 2 3	.....	+ 110 4 6	.....	7,385 9 9	-	-	23	-
February ...	40 9 5	40 9 5	102 17 0	- 21 18 2	1 6 5	7,364 18 0	-	1	21	1
March ...	40 10 5	40 10 5	100 17 11	- 19 17 1	1 12 11	7,346 13 10	-	1	21	1
April ...	43 13 8	43 13 8	.....	+ 87 7 4	.....	7,434 1 2	-	-	21	-
May ...	41 0 5	41 0 5	.....	+ 82 0 10	.....	7,516 2 0	-	-	21	-
June ...	39 3 2	39 3 2	.....	+ 78 6 4	.....	7,594 8 4	-	-	21	-
				Accrued Interest	176 2 6	7,770 10 10				
	495 7 1	495 7 1	213 1 11	+ 777 12 3	179 1 10		-	3	255	3

Provident Fund Account.

INVESTMENTS 30TH JUNE, 1965.

NAME OF STOCK.		%	FACE VALUE OF STOCK.			BOOK VALUE PRIOR TO REVALUATION.			MARKET VALUE OF INVESTMENTS, 30TH JUNE, 1965.			
			£	s.	d.	£	s.	d.	Price.	£	s.	d.
British Guiana	1959/69	3	1,835	0	5	1,495	10	10	86	1,578	2	4
Savings Bonds	1960/70	3	1,311	9	8	1,154	2	1	84½	1,108	4	1
Savings Bonds	1965/75	3	4,638	10	11	3,687	12	11	73½	3,409	6	8
Uganda	1966/69	3½	457	19	5	359	10	2	80½	368	13	4
Nigeria	1964/66	3½	23	0	5	21	10	5	95	21	17	5
Depreciation			8,266	0	10	6,718	6	5		6,486	3	10
						232	2	7				
			8,266	0	10	6,486	3	10		6,486	3	10

L. GLEADELL,
Colonial Treasurer.
21st September, 1965.

Report on the working of the Note Security Fund for the year 1964/65.

The Honourable,
The Colonial Secretary.

Colonial Treasury,
Stanley, Falkland Islands.
29th October, 1965.

Sir,

I have the honour to submit the following report on the working of the Currency Note Security Fund for the period 1st July, 1964 to 30th June, 1965, together with the following statements —

1. Currency Note Income Account.
2. Currency Note Security Fund Account.
3. Currency Note Security Fund Balance Sheet as at 30th June, 1965.
4. Statement of Investments.

2. During the course of the year a total of £106,897 : 0 : 0 was received in the Treasury for the credit of accounts in the United Kingdom and elsewhere, and a total of £2,570 : 12 : 5 was received by the Crown Agents for the credit of accounts in the Colony. The corresponding figures in the previous year were £90,783 : 8 : 6 and £3,197 : 9 : 8.

3. Commission on remittances amounting to £1,069 : 6 : 7, together with interest on the investments of the Fund amounting to £3,822 : 6 : 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 (£98 : 2 : 6) and for the printing of 20,000 £5 notes (£242 : 3 : 0) 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 £1,071 : 3 : 10 and Colony Revenue £3,480 : 3 : 6.

4. A further sum of £6,748 : 18 : 3 was transferred to Colony Revenue from the Currency Note Security Fund in accordance with Section 7 (6) (b) of the Currency Notes Ordinance.

5. The face value of notes in circulation increased by £3,500 during the year. At 30th June, 1965, there was a circulation of £99,100 made up as follows —

Series	Denomination	No.	Value		
			£	s.	d.
"A"	£5	2	10	0	0.
"B"	£5	12	60	0	0.
"C"	£5	12,938	64,690	0	0.
"A"	£1	57	57	0	0.
"B"	£1	112	112	0	0.
"C"	£1	1,349	1,349	0	0.
"D"	£1	28,535	28,535	0	0.
"C"	10/-	8,544	4,272	0	0.
"A"	5/-	31	7	15	0.
"B"	5/-	29	7	5	0.
			<hr/> £99,100 : 0 : 0. <hr/>		

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, 1965.

	£	s.	d.
Payments for sorting etc. of soiled currency notes	98	2	6
Cost of 20,000 x £5 currency notes	242	3	0
Surplus carried down	4,551	7	4
	<u>£4,891 : 12 : 10</u>		
Transfer to Note Security Fund in accordance with Section 7 (5) (b) of the Currency Notes Ordinance	1,071	3	10
Transfer to Colony Revenue in accordance with Section 7 (6) of the Currency Notes Ordinance	3,480	3	6
	<u>£4,551 : 7 : 4</u>		

	£	s.	d.
Commission received on transfers to London	1,069	6	7
Dividends on Investments	3,822	6	3
	<u>£4,891 : 12 : 10</u>		
Surplus brought down	4,551	7	4
	<u>£4,551 : 7 : 4</u>		

THE NOTE SECURITY FUND ACCOUNT FOR THE YEAR ENDED 30TH JUNE, 1965.

Sterling payments made in London	106,283	0	11
Sterling payments made in the Colony	2,470	12	5
Decrease in the Note Issue	20,500	0	0
Loss on sale of Investments	1,390	9	0
Depreciation of Investments	150	11	10
Payment to Fiji of amount credited in error to the F. Is. by the Crown Agents in 1963/64	90,090	1	10
Transfer to Colony Revenue of the excess over 110% of the note issue as at 30th June, 1964	6,748	18	3
Balance at 30th June, 1965	109,904	3	0
	<u>£337,537 : 17 : 3</u>		

Balance 1st July, 1964	202,999	0	1
Currency lodged for sterling payments in London	106,897	0	11
Currency lodged with the Crown Agents for payment in the Colony	2,570	12	5
Increase in the Note Issue	24,000	0	0
Transfer from the Note Income Account	1,071	3	10
	<u>£337,537 : 17 : 3</u>		

BALANCE SHEET AT 30TH JUNE, 1965.

LIABILITIES				
Notes in circulation	...	...	...	99,100 : 0 : 0
Remittances in transit	...	...	...	1,714 : 0 : 0
General Reserve	...	...	...	9,090 : 3 : 0
				<u>£109,904 : 3 : 0</u>

ASSETS				
Investments at mid-market value	...	...	...	100,154 : 13 : 5
Cash held by the Treasurer	...	...	...	9,749 : 9 : 7
				<u>£109,904 : 3 : 0</u>

L. GLEADELL,
Colonial Treasurer.
11th October, 1965.

Note Security Fund.

INVESTMENTS — 30TH JUNE, 1965.

NAME OF STOCK.		%	FACE VALUE OF STOCK.			BOOK VALUE PRIOR TO REVALUATION.			MARKET VALUE OF INVESTMENTS, 30TH JUNE, 1965.			
			£	s.	d.	£	s.	d.	Price.	£	s.	d.
Fed. Malay States	1960/70	3	2,925	11	4	2,442	16	11	83½	2,442	16	11
Kenya	1965/70	2½	2,829	5	10	2,051	4	9	80½	2,277	11	7
Savings Bonds	1955/65	3	20,017	17	1	19,667	10	10	99¾	19,967	16	2
Australia	1964/66	3	1,444	4	8	1,400	18	1	97½	1,408	2	6
Nigeria	1975/77	3	3,000	0	0	2,025	0	0	68	2,040	0	0
E.A.H.C.	1966/68	3½	2,021	5	3	1,667	10	10	88½	1,788	16	4
N. Rhodesia	1970/72	3½	9,860	3	2	7,838	16	6	81	7,986	14	7
Conversion	1971	5	2,176	12	11	2,122	4	8	91½	1,991	12	7
Funding	1966/68	3	12,296	0	10	11,220	2	9	89¾	11,035	13	11
British Electric	1968/73	3	12,021	0	9	9,977	9	3	79	9,496	12	5
Exchequer Loan	1968	4	30,887	0	0	28,891	5	11	93½	28,802	2	7
Savings Bonds	1965/75	3	14,852	12	10	11,000	4	9	73½	10,916	13	10
Depreciation			114,331	14	8	100,305	5	3		100,154	13	5
						150	11	10				
			114,331	14	8	100,154	13	5		100,154	13	5

L. GLEADELL,

Colonial Treasurer.

21st September, 1965.



THE
FALKLAND ISLANDS GAZETTE
PUBLISHED BY AUTHORITY

Vol. LXXV. 2 FEBRUARY, 1966. No. 2.

APPOINTMENTS

Ronald Keith Betts, Carpenter, Public Works Department, on contract 5.1.66.
Philip Gough, Superintendent, Public Works Department 9.1.66.
Derek Stanley Leeder, Camp Teacher, Education Department 9.1.66.
Robert Henry Plane, Assistant Master, Education Department 9.1.66.
Pauline Elizabeth Plane, Assistant Mistress, Education Department 9.1.66.
Christopher Maldwyn Powell, Camp Teacher, Education Department 9.1.66.
Philip George Summers, Second Lieutenant in the Falkland Islands Defence Force 1.1.66.
Willoughby Harry Thompson, M.B.E., M.L.C., Governor's Deputy 11.1.66.

NOTICES

No. 6. 12th January, 1966.
Firearms Ordinance
(No. 12 of 1965)

BY VIRTUE of the powers vested in him by section 1 the Governor appoints the first day of January, 1966 as the date upon which this Ordinance shall come into operation.

Ref. 1896/A.

No. 7. 14th January, 1966.
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.

A. 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
PARKER, William	M.B., Ch.B. (Edinburgh)	1924
TAYLOR, David Mason		
Armstrong	M.B., B.S. (London)	1961

Midwives

STEWART, Elizabeth		
Agnes	S.E.N., S.C.M.	1959

Dental Surgeons

CARR, David Geoffrey	B.D.S., L.D.S. (London)	1959
HOYLE, John Anthony	B.D.S., L.D.S. (London)	1964

B. Registered to practise in the Dependencies

HAYASHI, Toru	Japan
KUROGO, Fumio	Japan

Ref. 1326/II.

No. 8. 21st January, 1966.

Police and Prisons Ordinance
[Section 9(1)]

The following have been appointed Visiting Justices of the Prison for the year 1966 —

The Magistrate (Senior Member)
H. Bennett, Esq., J.P. (Member)
E. C. Gutteridge, Esq., J.P. " "

Ref. 0049.

No. 9. 21st January, 1966.

Public Health Ordinance
(Section 54)

The following have been appointed to be the Hospital Visiting Committee for the year 1966 —

Mrs. A. G. Barton — Chairwoman
Mrs. C. Luxton, J.P.
Mrs. W. H. Thompson
Mrs. D. J. Draycott.

Ref. 2044.

No. 10. 26th January, 1966.

In accordance with section 2 of the school (Amendment) Regulations 1957, His Excellency the Governor has fixed the regular school terms and holidays for 1966 as follows —

Stanley Schools and Port Howard School

1st Term: 14th February to 13th May
2nd Term: 30th May to 2nd September
3rd Term: 19th September to 23rd December

Darwin Boarding School

1st Term: 23rd February to 13th May
2nd Term: 30th May to 12th August
3rd Term: 5th September to 23rd December.

Ref. 0084/A.

No. 11. 2nd February, 1966.

Stanley Town Council

Section 3 (2) Stanley Town Council Ordinance Cap. 68.

APPOINTMENTS

His Excellency the Governor has been pleased to appoint the following to be members of the Council —

Senior Medical Officer
Superintendent of Public Works
Mrs. E. J. White.

Gazette Notice No. 2 of 1965 is hereby cancelled.

Ref. 0039/C/II.

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

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

In the matter of Alfred George Ashley, deceased, of Stanley, Falkland Islands, who died on the 4th day of January, 1966.

WHEREAS Nora Phyllis Ashley, 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,
21st January, 1966.
S.C. 5/66.

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

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

In the matter of Frederick George Berntsen, deceased, of Stanley, Falkland Islands, who died on the 9th day of January, 1966.

WHEREAS Murdo Finlayson Tait, son-in-law 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 January, 1966.
S.C. 6/66.

INDEX OF LEGISLATION

Index holders will have noted that asterisks appear after the promulgation year of certain items. These show that the particular item of legislation has been applied to the Dependencies, and a note to this effect should be made on page 1.

The following is a list of legislation which has been applied to the Dependencies.

- 1955 Administration of Estates (Amendment) Rules 1955
- 1965 Administration of Estates Colonial Probates Act
- Application Order 1965
- 1954 Administration of Justice (Amendment) Ord. 1954
- 1951 Application of Colony Ordinances to Dependencies Ordinance 1951
- 1951 Application of Colony Laws Ordinance 1951
- 1952 Application of Ordinances of Colony (Dependencies) (Amendment) Ordinance 1952
- 1952 Application of Colony Laws Ordinance 1952
- 1954 Application of Colony Laws Ordinance 1954
- 1955 Application of Colony Laws Ordinance 1955
- 1957 Application of Colony Laws Ordinance 1957
- 1957 Application of Colony Laws (No. 2) Ordinance 1957
- 1958 Application of Colony Laws Ordinance 1958
- 1959 Application of Colony Laws Ordinance 1959
- 1959 Application of Colony Laws Ord., (No.2) 1959
- 1960 Application of Colony Laws Ordinance 1960
- 1961 Application of Colony Laws Ordinance 1961
- 1962 Application of Colony Laws Ordinance 1962
- 1964 Application of Colony Laws Ordinance 1964
- 1964 Application of Colony Laws (No. 2) Ordinance 1964
- 1964 Application of Colony Laws (No. 3) Ordinance 1964
- 1965 Application of Colony Laws Ordinance 1965
- 1965 Application of Colony Laws Ordinance 1965
- 1954 Application of Enactments Ordinance 1954
- 1955 Application of Enactments (Amendment) Ord., 1955
- 1959 Application of Enactments Ordinance 1959
- 1959 Application of Enactments (Amendment) Ord., 1959
- 1960 Application of Enactments (Amendment) Ord., 1960
- 1962 Application of Enactments (Amendment) Ord., 1962
- 1962 Application of Enactments Ordinance 1962
- 1962 Application of Enactments (Amendment) (No. 2) Ordinance 1962
- 1962 Application of Enactments (Amendment) (No. 3) Ordinance 1962
- 1964 Application of Enactments (Intestates' Estates and Family Provision) Ordinance 1964
- 1951 Appropriation (Dependencies) (1951-52) Ord., 1951
- 1951 Appropriation (Dependencies) (Amendment) Ordinance 1951
- 1952 Appropriation (Dependencies) (1952-53) Ord., 1952
- 1953 Appropriation (Dependencies) (1953-54) Ord., 1953
- 1954 Appropriation (Dependencies) (1954-55) Ord., 1954
- 1955 Appropriation (Dependencies) (1955-56) Ord., 1955
- 1955 Appropriation (Dependencies) (1955-56) (Amendment) Ordinance 1955
- 1956 Appropriation (Dependencies) (1956-57) Ord., 1956
- 1957 Appropriation (Dependencies) (1957-58) Ord., 1957

1958 Appropriation (Dependencies) (1958-59) Ord., 1958
 1959 Appropriation (Dependencies) (1959-60) Ord., 1959
 1959 Appropriation (Dependencies) (1959-60) Ordinance 1959
 (Amendment) Ordinance 1959
 1960 Appropriation (Dependencies) (1960-61) Ord., 1960
 1962 Appropriation (Dependencies) (1961-62) Ord., 1962
 1963 Appropriation (Dependencies) (1962-63) Ord., 1963
 1963 Appropriation (Dependencies) (1963-64) Ord., 1963
 1964 Appropriation (Dependencies) (1964-65) Ord., 1964
 1962 Antarctic Treaty (Immunity from Jurisdiction) Ordinance 1962
 1952 British Nationality (Amendment) Ordinance 1952
 1953 British Nationality (Amendment) Ordinance 1953
 1962 British Nationality (Amendment) Ord., 1962
 1954 Currency Notes (Amendment) Ordinance 1954
 1954 Customs (Amendment) Ordinance 1954
 1955 Customs (Dependencies) Ordinance 1955
 1955 Customs (Dependencies) (Amendment) Ord., 1955
 1956 Customs (Amendment) Ordinance 1956
 1959 Customs (Amendment) Ordinance 1959
 1963 Customs (Whale Oil and Seal Oil Duty) Ord., 1963
 1965 Customs (Amendment of Duties) Order 1965
 1957 Dangerous Drugs (Amendment) Ordinance 1957
 1954 Defence Force Ordinance 1954
 1959 Defence Force (Amendment) Ordinance 1959
 1955 Diplomatic Privileges (Extension) (Amendment) Ordinance 1955
 1965 Diplomatic Privileges (Extension) (Amendment) Ordinance 1965
 1959 Estate Duty (Amendment) Ordinance 1959
 1951 Exchange Control Ordinance 1951
 1954 Exchange Control (Amendment) Ordinance 1954
 1960 Firearms (Amendment) Ordinance 1960
 1962 Firearms (Amendment) Ordinance 1962
 1959 Foreign Judgments (Reciprocal Enforcement) Ordinance 1959
 1960 Foreign Judgments (Reciprocal Enforcement) (Amendment) Ordinance 1960
 1963 Foreign Judgments (Reciprocal Enforcement) (Amendment) Ordinance 1963
 1960 Geneva Conventions (Criminal Appeals) Ord., 1960
 1960 Government Employees' Provident Fund (Amendment) Ordinance 1960
 1956 Government Wharves (Amendment) Ordinance 1956
 1958 Harbour Order 1958
 1958 Harbour (Amendment) Ordinance 1958
 1961 Homicide Ordinance 1961
 1965 Immigration Ordinance 1965
 1951 Income Tax (Amendment) Ordinance 1951
 1954 Income Tax (Amendment) Ordinance 1954
 1957 Income Tax (Amendment) Ordinance 1957
 1961 Income Tax (Amendment) Ordinance 1961
 1962 Income Tax (Amendment) Ordinance 1962
 1962 Income Tax (Amendment) (No. 2) Ordinance 1962
 1962 Income Tax (Amendment) (No. 3) Ordinance 1962
 1964 Income Tax (Amendment) Ordinance 1964
 1964 Income Tax (Amendment) (No. 2) Ordinance 1964
 1964 Income Tax (Amendment) (No. 3) Ordinance 1964
 1965 Income Tax (Amendment) (Dependencies) Ord., 1965
 1965 Income Tax (Amendment) Ordinance 1965
 1951 Interpretation and General Law (Amendment) Ordinance 1951
 1951 Interpretation and General Law (Amendment) (Dependencies) Ordinance 1951
 1954 Interpretation and General Law (Amend.) Ord. 1954
 1954 Interpretation and General Law (Amendment) Ordinance 1954
 1953 Land (Amendment) Ordinance 1953
 1954 Land (Amendment) Ordinance 1954
 1953 Licensing (Amendment) Ordinance 1953
 1965 Marriage (Amendment) Ordinance 1965
 1963 Matrimonial Causes (Amendment) Ordinance 1963
 1963 Maintenance Orders (Facilities for Enforcement) (Amendment) Ordinance 1963
 1964 Maintenance Orders Ordinance 1964
 1953 Merchandise Marks (Repeal) Ordinance 1953
 1964 Mining (Amendment) Ordinance 1964
 1960 Oil in Territorial Waters Ordinance 1960
 1954 Pensions (Amendment) Ordinance 1954
 1955 Pensions (Amendment) Ordinance 1955
 1959 Pensions (Pensionable Offices) Order 1959
 1959 Pensions (Pensionable Offices) (No. 2) Order 1959
 1959 Pensions (Amendment) Ordinance 1959

1959 Pensions (Increase) Ordinance 1959
 1959 Pensions (Increase) (Amendment) Ordinance 1959
 1960 Pensions (Pensionable Offices) Order 1960
 1961 Pensions (Pensionable Offices) Order 1961
 1961 Pensions (Increase) (Amendment) Ordinance 1961
 1963 Pensions (Increase) (Amendment) Ordinance 1963
 1964 Pensions (Increase) (Amendment) Ordinance 1964
 1965 Pensions Ordinance 1965
 1956 Place Names Ordinance 1956
 1956 Place Names for Official use (Proclamation) 1957
 1957 Place Names Regulations 1957
 1957 Place Names in Dependencies (Proclamation) 1957
 1958 Place Names in Dependencies (Proclamation) 1958
 1960 Place Names in Dependencies (Proclamation) 1960
 1960 Place Names Ordinance 1956
 1961 Place Names Ordinance 1956
 1961 Place Names Dependencies (Proclamation) 1961
 1963 Place Names Ordinance (Proclamation) 1963
 1963 Post Office (Amendment) Ordinance 1963
 1954 Public Health (Amendment) Ordinance 1954
 1956 Registration of U.K. Patents (Amendment) Ordinance 1956
 1951 Revised Edition of the Laws (Amendment) Ordinance 1943
 1951 Revised Edition of the Laws (Amendment) (No. 2) Ordinance 1951
 1951 Revised Edition of the Laws (Amendment) (No. 3) Ordinance 1951
 1951 Revised Edition of the Laws (Amendment) (Dependencies) Ordinance 1951
 1952 Revised Edition of the Laws (Amend.) Ord., 1952
 1953 Revised Edition of the Laws (Dependencies) (Proclamation) 1953
 1951 Seal Fishery (Amendment) Ordinance 1951
 1953 Seal Fishery (Amendment) Ordinance 1953
 1961 Stamp Duty (Repeal) Ordinance 1961
 1952 Supplementary Appropriation (Dependencies) 1949 Ordinance 1952
 1956 Supplementary Appropriation (1954-55) (Dependencies) Ordinance 1956
 1956 Supplementary Appropriation (Dependencies) 1950 Ordinance 1956
 1956 Supplementary Appropriation (Dependencies) (1950-51) Ordinance 1956
 1956 Supplementary Appropriation (Dependencies) (1951-52) Ordinance 1956
 1956 Supplementary Appropriation (Dependencies) (1952-53) Ordinance 1956
 1957 Supplementary Appropriation (Dependencies) (1953-54) Ordinance 1957
 1957 Supplementary Appropriation (Dependencies) (1955-56) Ordinance 1957
 1958 Supplementary Appropriation (Dependencies) (1956-57) Ordinance 1958
 1959 Supplementary Appropriation (Dependencies) (1957-58) Ordinance 1959
 1960 Supplementary Appropriation (Dependencies) (1958-59) Ordinance 1960
 1961 Supplementary Appropriation (Dependencies) (1959-60) Ordinance 1961
 1962 Supplementary Appropriation (Dependencies) (1960-61) Ordinance 1962
 1964 Supplementary Appropriation (Dependencies) (1963-64) Ordinance 1965
 1965 United Kingdom Forces (Jurisdiction of Colonial Courts) Order 1965
 1951 Validation of Expenditure (Dependencies) Ord., 1951
 1959 Whale Fishery (Amendment) Ordinance 1959
 1959 Whale Fishery (Amendment) (No. 2) Ord., 1959
 1960 Whale Fishery (Amendment) Ordinance 1960
 1960 Whale Fishery (Amendment) (No. 2) Ord., 1960
 1964 Whale Fishery (Amendment) Ordinance 1964

Ref. 1533/III.

INDEX OF LEGISLATION

The following items appearing in this issue should be entered in the Index of Legislation —

Post Office Order, 1965.

Merchant Shipping (Registration of Colonial Government Ships) Order, 1963.

Shipowners' Liability (Colonial Territories) Order in Council, 1963.

S T A T U T O R Y I N S T R U M E N T S

1963 No. 1631

MERCHANT SHIPPING

**The Merchant Shipping (Registration of Colonial
Government Ships) Order 1963**

Made - - - - - 27th September 1963

Laid before Parliament 3rd October 1963

Coming into Operation 5th October 1963

At the Court at Balmoral, the 27th day of September 1963

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers vested in Her by section 80 of the Merchant Shipping Act 1906(a) and of all other powers enabling Her in that behalf, 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 Merchant Shipping (Registration of Colonial Government Ships) Order 1963 and shall come into operation on 5th October 1963.

Interpretation

2. (1) In this Order, unless the context otherwise requires, the expression —

“Government” means one of the Governments specified in the first column of Schedule 1 to this Order;

“authorised officer” in relation to a Government means (subject to subsection (2) of this section) the officer specified in the second column of Schedule 1 to this Order opposite to the name of the Government;

“principal Act” means the Merchant Shipping Act 1894(b).

(2) Unless the context otherwise requires, anything required or authorised by this Order —

(a) to be done by a Government may be done by the authorised officer;

(b) to be done by an authorised officer may be done either by an officer nominated by the authorised officer or by one of the Crown Agents for Oversea Governments and Administrations.

(3) The Interpretation Act 1889(c) shall have effect for the interpretation of and otherwise in relation to this Order as it has effect for the interpretation of and otherwise in relation to an Act of Parliament of the United Kingdom.

Form of application for registry

3. An application for the registry of a Government ship in the service of a Government shall —

(a) contain a statement of the following particulars —

(i) the name and description of the ship;

(ii) the time when and the place where the ship was built or if the ship was foreign built a statement to that effect, and of the foreign name of the ship;

(a) 6 Edw. 7. c. 48.

(b) 57 & 58 Vict. c. 60.

(c) 52 & 53 Vict. c. 63.

- (iii) the nature of the title to the ship, whether by original construction by or for the authority or by purchase, capture, condemnation or otherwise, and where the ship was not originally constructed by or for the Government, a list of the documents of title;
- (iv) the name of the master;
- (b) be made by an authorised officer.

Procedure by Registrar

4. The Registrar on receiving an application for registry of a Government ship in the service of a Government shall —

- (a) register the ship by entering in the Register Book —
 - (i) the name of the ship as belonging to Her Majesty represented by the Government or, as the case may be, as held by the Government on behalf of or for the benefit of the Crown;
 - (ii) the port to which the ship belongs;
 - (iii) the particulars stated in the application for registry; and
 - (iv) the particulars set forth in the Surveyor's certificate; and
- (b) retain in his possession the application for registry, any documents of title therein referred to and the Surveyor's certificate.

Transfer of registered ships

5. Upon the transfer by bill of sale of a registered Government ship in the service of a Government —

- (a) the Government shall be the transferor;
- (b) the bill of sale shall —
 - (i) be in the Form A in Schedule 1 to the principal Act, with the omission of the covenant prescribed in that Form;
 - (ii) be signed by the authorised officer on behalf of the transferor.

Certificate of Sale

6. An application in respect of a registered Government ship in the service of a Government for such a certificate of sale as is referred to in sections 39 to 42 and 44 to 46 of the principal Act may be made by the authorised officer of the Government.

Registration of ship's manager

7. The person to whom the management of a registered Government ship in the service of a Government is entrusted by the Government shall be registered in accordance with section 59 (2) of the principal Act.

Application of Merchant Shipping Acts

8. Section 1 and sections 8 to 12 inclusive of the principal Act and sections 3 and 5 of the Merchant Shipping (Mercantile Marine Fund) Act 1898(a) shall not apply in relation to Government ships:

Provided that no provision of the Merchant Shipping Acts 1894 to 1960 which according to a reasonable construction would not apply in relation to Government ships in the service of a Government shall be deemed to apply in relation to such ships by reason only that its application is not hereby expressly excluded.

Revocations

9. The Orders in Council set forth in Schedule 2 to this Order are revoked.

W. G. Agnew.

SCHEDULE 1

Section 2

(1)	(2)
	<i>Authorised Officer</i>
The Government of Aden	The High Commissioner
The Government of Antigua	The Administrator
The Government of Barbados	The Permanent Secretary, Ministry of Communica- tion, Works and Housing
The Government of the Colony of the Falkland Islands	The Colonial Secretary
The Government of Fiji	The Colonial Secretary
The Government of Hong Kong	The Colonial Secretary
The Government of Mauritius	The Chief Secretary
The Government of Saint Christopher Nevis and Anguilla	The Administrator
The Government of Seychelles	The Colonial Secretary
The Government of the Virgin Islands	The Administrator

SCHEDULE 2

Section 9

ORDERS IN COUNCIL REVOKED

The Order in Council made 25th June 1925 making regulations as to the Registration of Vessels in the Service of the Government of the Falkland Islands(b).

The Order in Council made 4th November 1938 making regulations as to Registration as British Ships of Vessels in the Service of the Government of Fiji(c).

-
- (a) 61 & 62 Vict. c. 44. (b) S.R. & O. 1925/604 (Rev. XIV, p. 74: 1925, p. 1082).
(c) S.R. & O. 1938/1331 (Rev. XIV, p. 76: 1938 II, p. 2054).

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order makes provision under section 80 of the Merchant Shipping Act 1906 for the purpose of the registration as British ships of ships belonging to or operated by the Governments of certain overseas territories.

Ref. 2310.

 STATUTORY INSTRUMENTS

1963 No. 1632

MERCHANT SHIPPING

 The Shipowners' Liability (Colonial Territories)
 Order in Council 1963

Made - - - - - 27th September 1963
Laid before Parliament 3rd October 1963
Coming into Operation 5th October 1963

At the Court at Balmoral, the 27th day of September 1963

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 11 of the Merchant Shipping (Liability of Shipowners and Others) Act 1958(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows —

1. This Order may be cited as the Shipowners' Liability (Colonial Territories) Order in Council 1963 and shall come into operation on 5th October 1963. Citation and commencement.
2. The provisions of the Merchant Shipping (Liabilities of Shipowners and Others) Act 1958 shall extend to each of the territories specified in Schedule 1 to this Order with the exceptions, adaptations and modifications specified in Schedule 2 to this Order. Provisions of 1958 Act extended to certain territories.
3. The provisions of Part VIII of the Merchant Shipping Act 1894(b) and section 2 of the Merchant Shipping (Liability of Shipowners and others) Act 1900(c) shall extend to the territories specified in Schedule 3 to this Order with the modifications specified in Schedule 4 to this Order. Provisions of limitation enactments extended to certain territories.

W. G. Agnew.

SCHEDULE 1

Section 2

Bahamas
 Bermuda
 British Antarctic Territory
 British Honduras
 British Solomon Islands Protectorate
 Falkland Islands and Dependencies
 Fiji
 Gilbert and Ellice Islands Colony
 Hong Kong
 Kenya (Colony and Protectorate)
 Mauritius
 Seychelles
 Virgin Islands.

 (a) 6 & 7 Eliz. 2. c. 62. (b) 57 & 58 Vict. c. 60. (c) 63 & 64 Vict. c. 32.

SCHEDULE 2

Section 2

1. Any reference to the Merchant Shipping (Liability of Shipowners and Others) Act 1958 shall be construed as a reference to that Act as extended to the Territory, and the reference in section nine to the commencement of that Act shall be construed as a reference to the coming into force of this Order.

2. For any reference to the United Kingdom there shall be substituted a reference to the Territory.

3. For any reference to the Minister of Transport and Civil Aviation there shall be substituted a reference to the Governor of the Territory or, in the case of the British Solomon Islands Protectorate or the Gilbert and Ellice Islands Colony, the High Commissioner for the Western Pacific; or, in the case of the British Antarctic Territory, the High Commissioner of that Territory; or, in the case of the Virgin Islands, the Administrator.

4. The following provisions shall be omitted —

- (a) subsection (2), (5), (6) and (7) of section 2, section 5 (7), section 8 (5), and section 10;
- (b) in section 1 (3) the words "made by Statutory Instrument";
- (c) in section 5 (1) the words "or, in Scotland, to have prorogated that jurisdiction)".

SCHEDULE 3

Section 3

British Solomon Islands Protectorate
Kenya Protectorate.

SCHEDULE 4

Section 3

References in Part VIII of the Merchant Shipping Act 1894 to a British possession shall be construed as references to the Territory.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order applies to the Colonial Territories specified therein the provisions of the Merchant Shipping (Liability of Shipowners and Others) Act 1958. It also extends to certain of those Territories the provisions of Part VIII of the Merchant Shipping Act 1894 and the Merchant Shipping (Liability of Shipowners and Others) Act 1900.

Ref. 1872.

The Post Office Ordinance

ORDER

(under section 4 of the Ordinance)

No. 4 of 1965.

C. HASKARD,
Governor.

In exercise of the powers conferred by section 4 of the Post Office Ordinance the Governor in Council has made the following Order —

Cap. 52.

1. This Order may be cited as the Post Office Order, 1965.

Short title.

2. From and after the 14th day of February 1966, the following rules, rates of postage and fees shall be in force —

Rules, rates of postage and fees.

- (a) On inland postal packets the rate shall be 2d per ounce or part of an ounce. On postal packets sent from any place within the Colony and its Dependencies to the United Kingdom or to any part of the British Commonwealth the rate shall be 3½d per ounce or part of an ounce. To other parts of the world the rate shall be 5½d for the first ounce and 3d for each additional ounce or part of an ounce.

Rates of postage, letters.

- (b) On post cards and letter cards to the United Kingdom or to any part of the British Commonwealth or inland the rate shall be 1½d; reply cards 3d. To other parts of the world the rate shall be 3d; reply cards 6d.

Post cards and letter cards.

- (c) To the United Kingdom or any part of the British Commonwealth or inland —

Books and newspapers.

Newspapers and books per 2 ozs	...	...	...	...	1½d.
Commercial papers (with minimum of 6d) per 2 ozs	...	...	...	...	1½d.
Patterns and samples (with minimum of 2d) per 2 ozs	...	...	...	...	1½d.
Blind literature per 2 lb	...	...	...	...	1½d.

- (d) To all countries other than those under (c) —

Newspapers and books per 2 ozs	...	...	...	...	6d.
Commercial papers (minimum 1/- up to 8 ozs)	...	...	...	...	...
each additional 2 ozs	...	...	...	...	3d.
Patterns and samples per 2 ozs	...	...	...	...	6d.
Blind literature per 2 lb	...	...	...	...	1½d.

- (e) To all parts of the world —

Small packets.

On packets not exceeding 2 lb weight and dimensions not exceeding 18 inches by 8 inches by 4 inches or if in roll form 18 inches in length by 6 inches in diameter the rate shall be 4d for each 2 ozs or part thereof with a minimum charge of 1/6d. The charge for clearance in case of dutiable goods shall be 6d per packet.

- (f) On insured boxes which shall not exceed 2 lb in weight or 12 inches by 8 inches by 4 inches in dimension the rate shall be 8d for each 2 ozs or part thereof with a minimum charge of 3/-.

Insured boxes.

- (g) Parcel post rates —

Parcel post.

To the United Kingdom — Surface

<i>via Montevideo</i>	Not over 3 lb	...	8/-
	Not over 7 lb	...	13/-
	Not over 11 lb	...	16/9
	Not over 22 lb	...	26/-

<i>Direct</i>	...	Not over 3 lb	...	6/-
		Not over 7 lb	...	9/9
		Not over 11 lb	...	14/6
		Not over 22 lb	...	22/9
Air mail parcels	—	each $\frac{1}{2}$ lb	...	15/-
Inland parcel post rates —				
		Not over 2 lb	...	1/-
		Not over 5 lb	...	1/6
		Not over 8 lb	...	2/-
		Not over 11 lb	...	2/6
		Not over 22 lb	...	5/-

Cash on delivery service.

- (h) There shall be a charge of 4d for each parcel delivered in the Colony. There shall also be a special fee calculated on the trade charge at the rate of $4\frac{1}{2}$ d for the first £ of the trade charge and $2\frac{1}{2}$ d for each succeeding £ or part thereof of the trade charge up to a maximum amount of £40 trade charge.

Insurance.

- (i) The fees for insurance shall be 6d for the first £12 of the declared value, and $4\frac{1}{2}$ d for every additional £12 or fraction thereof, with a maximum declared value of £50.

Registration.

- (j) The fees for registration shall be —

To all parts of the world (including inland)	...	...	3d.
Advice of delivery of registered or insured articles, applied for at time of posting			5d.
Inquiry for a postal packet, and advice of delivery of registered articles applied for after posting			6d.

Compensation.

- (k) The maximum limit of compensation for the loss of a registered article is £2 18s 0d. Registration in the International Service does not give any title to compensation for loss or damage of the contents of any registered letter or packet as distinct from the loss of the entire packet. Under an exceptional arrangement, however, with the General Post Office, London, compensation may, as an act of grace, be paid up to a maximum of £2 18s 0d in cases where the contents of a registered letter or packet, posted to an address in the United Kingdom, are lost.

International and foreign money orders.

- (l) The rate of poundage on international and foreign money orders shall be 6d for each £ or part thereof of the first £3 of the order and 3d for each additional £ or part thereof up to a maximum amount of £40 on each order. The fee for an advice of payment is 3d.

British postal orders.

- (m) The rate of poundage on British postal orders shall be —

<i>Values</i>	<i>Poundage</i>
6d and 1/-	3d
1/6 to 5/- inclusive	4d
6/- to 21/- inclusive	6d
40/-	1/-
60/-	1/-
80/-	1/-
100/-	1/-

The value of a postal order may be increased by affixing Falkland Islands postage stamps, in number not more than the number of spaces provided on the face of the order, to an amount not exceeding 5d (excluding fractions of a penny) on postal orders of denominations up to and including 5/- and to an amount not exceeding 11d on postal orders of higher value. Stamps perforated with initials or marks, or embossed or impressed stamps cut out of envelopes, postcards, etc., will not be accepted for this purpose.

- (n) Air letters will only be accepted when written on the authorised form. The fee, including postage rate to any part of the world shall be 6d. If two or more postage stamps are affixed to, or an enclosure is placed in the letter, it will be forwarded by surface mail. Air letters.
- (o) First class postal matter for onward transmission by air from South America to any destination shall be accepted at the rate of 1/- per five grammes or part thereof. Air mail.
- (p) Second class postal matter for onward transmission by air from South America to any destination shall be accepted at the rate of 6d for the first five grammes and 4½d for each additional five grammes or part thereof.

3. The Post Office Order, 1953, and all amendments thereto, are hereby rescinded. Rescissions.

Made by the Governor in Council this 15th day of December, 1965.

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

EXPLANATORY NOTE

[Section 2. (o) and (p)]

For guidance —

FIRST CLASS POSTAL MATTER includes sealed private or business letters or letter packets up to a limit of 4 lb in weight.

SECOND CLASS POSTAL MATTER includes —

- (a) books, newspapers, etc., enclosed in covers open at the ends;
- (b) greeting cards in unsealed envelopes;
- (c) films for processing provided they are packed in the recognised commercial cartons.

No written messages conveying any specific information or making an enquiry or request are admissible as second class postal matter.

Ref. 1220/O and 2180.

Statement shewing total Receipts for the year ended 30th June, 1965.

RECEIPTS.	Amount Estimated			Actual Receipts			Over the Estimate			Under the Estimate		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
I. Aviation	8500	0	0	9303	17	2	803	17	2	.....	
II. Customs Duties	27900	0	0	27204	10	4	.....			695	9	8
III. Dependencies Contribution to cost of Central Administration	10000	0	0	10000	0	0	.....			.....
IV. Electricity	23900	0	0	27079	19	9	3179	19	9	.....	
V. Fees & Fines	6244	0	0	6506	7	8	262	7	8	.....	
VI. Harbour	3095	0	0	3385	7	6	290	7	6	.....	
VII. Interest	23860	0	0	23028	11	3	.....			831	8	9
VIII. Internal Revenue	208714	0	0	213602	14	5	4888	14	5	.....	
IX. Land Sales	105	0	0	21704	5	11	21599	5	11	.....	
X. Miscellaneous	11952	0	0	12654	12	3	702	12	3	.....	
XI. Posts & Telecommunications	32044	0	0	38160	18	5	6116	18	5	.....	
XII. Reimbursements	4210	0	0	6166	17	8	1956	17	8	.....	
XIII. Reimbursements from H.M.G. in respect of overseas officers	6770	0	0	4955	15	7	.....			1814	4	5
XIV. Rents	2373	0	0	2574	13	1	201	13	1	.....	
Total Ordinary Revenue	369667	0	0	406328	11	0	40002	13	10	3341	2	10
XV. Colonial Development & Welfare	5000	0	0	6973	9	0	1973	9	0	.....	
XVI. Transfer from Reserve Fund	9414	0	0	.....			.....			9414	0	0
Total Revenue	£ 384081	0	0	413302	0	0	41976	2	10	12755	2	10
Advances	.....			96852	8	11						
Deposits	.....			783245	6	1						
Remittances	.....			277347	17	10						
Investments	.....			434721	3	6						
Old Age Pensions Equalisation Fund	.....			22767	1	6						
Oil Stocks Replacement Fund	.....			17111	12	4						
Marine Renewals Fund	.....			785	7	6						
Workmen's Compensation Fund	.....			206	12	2						
Power Station Renewals Fund	.....			935	4	10						
Aviation Renewals Fund	.....			112	15	6						
Land Sales Fund	.....			21704	5	11						
General Revenue Balance Account	.....			1681	16	11						
Total Receipts	.....			2070773	13	0						
Balance 1st July, 1964	.....			26732	9	10						
TOTAL	£			2097506	2	10						

Statement shewing total Payments for the year ended 30th June, 1965.

PAYMENTS.				Amount Estimated.	Actual Payments.	Over the Estimate.	Under the Estimate.
				£ s. d.	£ s. d.	£ s. d.	£ s. d.
I.	The Governor	...	...	9045 0 0	7988 10 9	.....	1056 9 3
II.	Agriculture	...	...	5035 0 0	4691 8 7	.....	343 11 5
III.	Audit	...	...	1208 0 0	2222 2 7	1014 2 7	.....
IV.	Aviation	...	...	15091 0 0	18707 17 3	3616 17 3	.....
V.	Customs & Harbour	...	...	11295 0 0	10042 13 7	.....	1252 6 5
VI.	Education	...	...	47236 0 0	44178 2 11	.....	3057 17 1
VII.	Medical	...	...	38808 0 0	36669 7 11	.....	2138 12 1
VIII.	Meteorological	...	...	720 0 0	663 12 5	.....	56 7 7
IX.	Military	...	...	1115 0 0	1144 9 3	29 9 3	.....
X.	Miscellaneous	...	...	25360 0 0	47285 14 4	21925 14 4	.....
XI.	Pensions & Gratuities	...	...	9600 0 0	13299 4 2	3699 4 2	.....
XII.	Police & Prisons	...	...	5939 0 0	5608 17 10	.....	330 2 2
XIII.	Posts & Telecommunications	...	...	53906 0 0	48724 7 10	.....	5181 12 2
XIV.	Power & Electrical	...	...	17705 0 0	17260 16 8	.....	444 3 4
XV.	Public Works	...	...	20417 0 0	18239 9 4	.....	2177 10 8
XVI.	Public Works Recurrent	...	...	37744 0 0	30953 11 5	.....	6790 8 7
XVII.	Secretariat & Treasury	...	...	25270 0 0	26242 3 0	972 3 0	.....
XVIII.	Social Welfare	...	...	6950 0 0	6307 4 6	.....	642 15 6
XIX.	Supreme Court	...	...	2038 0 0	1992 5 2	.....	45 14 10
Total Ordinary Expenditure				£ 334482 0 0	342221 19 6	31257 10 7	23517 11 1
XX. Special Expenditure				44599 0 0	37467 13 2	.....	7131 6 10
XXI. Colonial Development & Welfare				5000 0 0	7405 6 5	2405 6 5	.....
Total Expenditure				£ 384081 0 0	387094 19 1	33662 17 0	30648 17 11
Advances				...	107598 5 7		
Deposits				...	855313 6 7		
Remittances				...	277515 5 0		
Investments				...	416823 12 9		
Old Age Pensions Equalisation Fund				...	12911 4 7		
Oil Stocks Replacement Fund				...	12500 0 0		
General Revenue Balance Account				...	3304 1 0		
Total Payments				...	2073060 14 7		
Closing Balance as at 30th June, 1965				...	24445 8 3		
TOTAL				£	2097506 2 10		

L. GLEADELL,
Colonial Treasurer.
11th October, 1965.

A Bill for
An Ordinance
To amend the law relating to the
employment of children.

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 Employment of
Children Ordinance, 1966.

Short title.

2. (1) Subject to the provisions of this section and of any
regulations made thereunder no child shall be employed —

Restriction on employ-
ment of children.

- (a) until he has attained the age two years below that which is
for the time being the upper limit of the compulsory school
age by virtue of the Education Ordinance, (without regard
to the provisions of section 5A of the Education Ordinance,
as to deeming a person not to have attained a given age
until the end of a school term); or

(b) before the close of school hours on any day on which he is
required to attend school; or

(c) before seven o'clock in the morning or after seven o'clock
in the evening on any day; or

(d) for more than two hours on any day; or

(e) to lift, carry or move anything so heavy as to be likely to
cause injury to him.

Cap. 22.

(2) The Governor in Council may make regulations with respect to the employment of children and any such regulations may distinguish between children of different ages and sexes and between different localities, trades, occupations and circumstances, and may contain provisions —

(a) authorising —

- (i) the employment of children before they attain the age at which employment ceases to be prohibited under paragraph (a) of the last foregoing subsection by their parents or guardians in light agricultural or horticultural work;
- (ii) the employment of children (notwithstanding anything in paragraph (b) of the last foregoing subsection) for not more than one hour before the commencement of school hours on any day on which they are required to attend school;

(b) prohibiting absolutely the employment of children in any specified occupation;

(c) prescribing —

- (i) the age below which children are not to be employed;
- (ii) the numbers of hours in each day, or in each week, for which, and the times of day at which, they may be employed;
- (iii) the intervals to be allowed to them for meals and rest;
- (iv) the holidays or half-holidays to be allowed to them;
- (v) any other conditions to be observed in relation to their employment;

so, however that no such regulations shall modify the restrictions contained in the last foregoing subsection save in so far as is expressly permitted by paragraph (a) of this subsection, and any restriction contained in any such regulations shall have effect in addition to the said restrictions.

Penalties.

3. If any person is employed in contravention of any of the foregoing provisions of this Ordinance, or of any of the provisions of any regulations made thereunder, the employer and any person (other than the person employed) to whose act or default the contravention is attributable shall be liable on summary conviction to a fine not exceeding £5 or, in the case of a second or subsequent offence, not exceeding £20.

Repeal. Cap. 24.

4. The Employment of Children Ordinance is repealed.

OBJECTS AND REASONS

The object of this Bill is to bring the law relating to the employment of children into line with similar provisions existing in England and is supplementary to that part of the Children and Young Persons Act, 1933, which was applied to the Colony by the Application of Enactments Ordinance, 1954.

Ref. 2381.



THE
FALKLAND ISLANDS GAZETTE
Supplement No. 1

2nd FEBRUARY, 1966

MINUTES OF THE MEETING OF LEGISLATIVE COUNCIL

HELD AT STANLEY ON 1ST NOVEMBER 1965

The Council assembled at 9.30 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 Mr. F. J. Cheek, M.L.C. (Second Elected Member for
Stanley)
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

Tribute to the late Hugh Cullen Harding and the
late Walter Forrest McWhan

The President: Honourable Members, before starting today's business, it is my sad duty to refer to the loss which we have all suffered by the untimely death of two distinguished former members of this Council, Mr. Hugh Cullen Harding and the Reverend Dr. Forrest McWhan.

Both were for many years Members of this Council and Mr. Harding was an active member of Executive Council up to the very day of his short fatal illness.

All Honourable Members present here today knew Mr. Harding and Dr. McWhan far better than I can claim to have done but I believe that I would be expressing the opinion of us all if I were to say that we count it a privilege to have been associated with two men whose every action bespoke their complete sincerity of purpose.

We have all learned much from them and, though we are now deprived of the benefit of their honest advice, the influence of their example will endure and will sustain those who remain.

To Mrs. Harding and to Mrs. McWhan Honourable Members have individually expressed their sympathy. I am sure, however, that Honourable Members will also wish that a collective expression of this Council's sentiments be conveyed and accordingly I am asking the Clerk of Council on our behalf to address a formal message of sympathy and condolence to each of these ladies.

In memory of two former Councillors whose noblest motive was the public good, I would now ask Honourable Members to join in standing in silence.

Confirmation of Minutes

The minutes of the meeting of Legislative Council held on 3rd May 1965, were confirmed.

Announcements by the Colonial Secretary

The Wild Animals and Birds (Export) Regulations

Your Excellency, I would like to refer to the speech made at our last meeting by the Honourable Independent Nominated Member for the East Falkland, at the Motion for Adjournment when he made a plea for enhanced control over the export of wild animals and birds. I am sure he and all other members would like to know that since then we have prepared, and had approved by the Governor in Council, a new set of Regulations prohibiting export without a licence, and laying down a scale of fees which, we hope, will cause exporters and dealers to be much more conscious of the need to take care of their live cargo.

The fees we have imposed include:

Elephant Seals	£75 each
Fur Seals	£35 each
Other Seals	£25 each
King Penguins	£25 each
Other Penguins	£7. 10. 0d. each
Kelp Geese	£7. 10. 0d. each
All other birds and animals	£5. 0. 0.

Hitherto our licence fee for seal was \$5 and for penguins \$4. Most other birds and animals cost nothing at all.

Licences will still be needed to catch animals and birds, and I assure members they will not be lightly issued.

I am indebted to the Royal Society for the Prevention of Cruelty to Animals for providing me with up-to-date details of landed prices in the United Kingdom and also for sending me a booklet on approved crating and feeding methods for birds and animals in transit, and on which I propose to base further Regulations.

The Honourable Nominated Independent Member will be given an opportunity to study and comment upon these Regulations before they are presented to the Governor in Council.

I hope he is satisfied with the action which has been taken.

Appointment of permanent committees for Education
and Natural Resources

Honourable Members will recall your Excellency's address to Council at the last session when you spoke of the electorate, through their elected representatives, being able to accept a greater degree of responsibility for Government policy than has been the case hitherto.

It is now proposed to appoint two permanent committees of this Council which will be for Education and Natural Resources. I hope that Honourable Members will agree to serve upon them. I also hope it will be possible to co-opt from time to time other persons having an interest in these extremely important subjects.

During the next few days I shall be consulting with Honourable Members with a view to finding out how these committees can best be set up.

Papers laid on the Table by the Colonial Secretary:

- (i) Report on the Working of the Government Employees' Provident Fund year 1964/65.
- (ii) Report on the Working of the Government Savings Bank year 1964/65.
- (iii) Report on the Working of the Old Age Pensions Equalisation Fund year 1964/65.
- (iv) Governor's Despatch on 1962/63 and 1963/64 Audit Report.
- (v) Medical Report 1964.

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 November 1964 to July 1965 be adopted.

The Colonial Secretary seconded.

The motion was put and carried.

BILLS

The Workmen's Compensation (Amendment) Bill

The Colonial Secretary: Your Excellency, before I give notice of the Objects and Reasons of this Bill I think a brief explanation of the background to it would be helpful.

In 1960 a Workmen's Compensation Ordinance was passed which replaced an earlier Ordinance. The Secretary of State for the Colonies did not then advise disallowance but noted that it did not comply with Articles 2 and 3 of International Labour Convention No. 17 of 1925, which applies to the Falkland Islands by a declaration deposited with the I.L.O. in 1950. The Ordinance was accordingly reserved.

It was especially noted that provisions regarding the extension of the Ordinance to seamen conflicted with certain other main parts of the Ordinance. Other conflicting provisos were also noted.

For the last five years we have been corresponding with the Colonial Office (which has taken advice on our behalf from the International Labour Organisation and the United Kingdom Ministry of Pensions and National Insurance) to produce, what I hope, is a version acceptable to this House.

The Bill provides adequate definitions of the terms "workmen" and "seamen"; a more understandable basis for the calculation of compensation; applies the principal Ordinance fully to seamen, and includes an up-to-date schedule of occupational diseases.

There are two minor changes to the Bill as published which I will deal with at the committee stage.

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.

Council then went into Committee to consider the Bill clause by clause.

The Colonial Secretary: The first two amending sections appear to require no explanation.

2 (1) (d) the definition of "Workman" has been considerably tidied up and, because it can be included under persons working under contract, reference to a person engaged in plying for hire with any vehicle has been taken out.

During 1961 a committee made up of Messrs. A. G. Barton, the late H. C. Harding, R. V. Goss and the Colonial Secretary recommended that the ceiling for non-manual workers should be twice the prevailing labourer's basic rate and anyone drawing a greater salary should not come under the definition of "Workman" for the purposes of the Ordinance. This recommendation still appears to be satisfactory and should be inserted on the fourth line of page 2 of the Bill.

I apologise for the blank which appears in the printed version before Members which was due to an error in proof reading: an old version managed to mix itself up with a later one!

Because the original section 3 denied the right to compensation to a workman who took wilful risks a new section 3 has been introduced.

International precedent has led to the introduction of these new and more generous provisions by prescribing circumstances in which, notwithstanding that the workman disobeys orders or takes wilful risks, compensation is payable if the accident occurred when the workman was taking steps in an emergency, to rescue or to avert or minimise damage. For example: if serious and permanent disablement results from an accident when the workman is acting for the purposes of and in connection with an employer's trade and business.

Additions have been made to section 3 at subsection 7 to deal with occupational diseases as required by International Convention.

Attention is drawn to the proviso to section 4 of the Bill (which seeks to repeal section 6 of the principal Ordinance). Our Legal Secretary points out it is reasonable that, firstly, a workman should not be placed in a position where his total monthly income should be less than that which he enjoyed at the time of the accident, and, secondly, that an employer should not have to make a contribution which would put the workman in a better position than he was at the time of the accident.

The amendments in section 6 of the Bill to section 11 of the Ordinance are not important and are only a matter of formal drafting. They effect no change.

Section 7 deals with section 33 of the principal Ordinance which requires minor adjustment in the light of amendments to section 6 and repeal of section 7 which is no longer necessary.

Section 8 of the Bill concerns section 34 of the principal Ordinance which has been replaced by an up-to-date draft. It is over this section that most of the delay has occurred. The original section 34 was especially deficient and conflicted with the definition of "Workman". The new section 34 has been agreed with the Secretary of State, the International Labour Organisation, the Ministry of Pensions and National Insurance in the United Kingdom, and the Legal Secretary.

Section 9 of the Bill as published was never intended and was somehow inserted between approval of the Bill in Executive Council and the printing stage, and is consequently withdrawn. Quite apart from anything else it talks of an Ordinance repealed, and this Bill, of course, does not seek to repeal any Ordinance.

Honourable Members should therefore delete all reference to section 9, and renumber sections 10, 11 and 12 to read 9, 10 and 11.

I apologise for this error, which came to my notice only after the Bill had been sent out.

New section 11 gives the Governor power to vary or amend the Fourth Schedule. Amendments to the Fourth Schedule are advised from time to time by the International Labour Organisation and are mandatory.

In presenting this Bill for the approval of the Legislature, Government believes it will give the Colony modern and adequate legislation in line with world requirements.

The following amendments were agreed -

Clause 2 Proviso (a). Insert the words "twice the prevailing labourer's basic wage" after the word "exceed".

Clause 9. Delete.

Clauses 10, 11 and 12. Re-number 9, 10 and 11.

The Bill was read a third time and passed.

The Firearms Bill

The Colonial Secretary: Your Excellency, my aim in putting this Bill forward is to simplify and modernise the procedure for licensing firearms thus relieving the public from carrying unnecessary certificates and cutting down unnecessary administrative procedures.

The Bill provides for the licensing of all but certain exempted weapons, gets rid of the need for firearms certificates, which are, in a place this size, after all only a duplicate licence; and imposes an age limit at the lower level for the possession of arms.

It also makes provision for licences to remain valid for one year from the date of issue, and brings together all extant legislation on firearms.

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 of the Bill.

Mr. Bonner: Your Excellency, I don't have any objections to the motion. There are just one or two observations that I would like to make on it. I welcome the principles laid out in the Ordinance introduced by the Honourable the Colonial Secretary. I think it's a good idea that it should be tidied up and that the Ordinance is rather out of date but reading it, it strikes me as being written very much with an idea of clearing up the situation as regards Stanley and as regards the camp, it doesn't seem to have so much application. Probably I will be told that I am wrong on this. It does strike me though in one way that it is being a little unfair. In the camp we have very limited recreations. We have our young men in Stanley and they have football, but in the small communities there are no community recreations. One or two sports that the people can enjoy are the outside ones such as shooting and fishing and so on. I see with the new scale of charges that licences are going to go up at least 50%. For instance the present taxation applies for a three year period during which time he will have three gun licences at 5/- and one firearm certificate of another 5/-, making a pound. The minimum proposed is 30/- for the same period straight away. If he has two guns and quite a few people have a rifle and a shot gun he is going to have to pay £2. I see now in the draft Ordinance it is proposed also to include shot guns for licensing which I think is a good principle. I was wondering whether it is really necessary to increase the charge so much. If we are going to have one licence perhaps not increase charges for the numbers of guns, the guns would still be registered. I would like a little explanation on this from the Colonial Secretary. One other point which perhaps I should bring up during the clauses, I don't know if I should mention it here, anyway if not I will bring it up later but it strikes me that clause 24 saying that the Ordinance has to come to pass straight away, is really rather unnecessary, as all the guns and licences of the Colony are registered until the end of the year anyway. It would be far better to date the Ordinance to start from the 1st January, but that's just a minor observation. Thank you, Sir.

The President: Has any other Honourable Member any observations?

Mrs. Vinson: Your Excellency, Honourable Members, in part 2 of clause 18, any person who discharges any firearm in a public place. Could that also apply to camp settlements? I think something should be inserted there whereby it would also apply to camp settlements.

Mr. Miller: Your Excellency, I'm afraid I must disagree with the Honourable Elected Member for the East Falkland. I think the settlement is the one place where we want to see rifles used. It is about the only place where we can really keep down this menace we have of turkey buzzards and it's also one of the places where it's reasonably easy to get geese in the settlement fields and to publish legislation like that is not going to stop the odd fellow on Saturday afternoon who has had half a bottle of rum from letting his rifle off before he is very far from the cook house even though he is not supposed to. One of the chief menaces of sheep farming are birds of prey and one of the easiest places to get them is around the killing shed especially shearing time when men are in the shed and there are no obvious human beings about and turkey buzzards come around there and there's someone to watch. I do it myself and I

used to have somebody in the shed with a rifle - somebody who is a good shot - but if the recommendation of the Honourable Elected Member for the East Falkland is strongly supported here of course we won't be able to get them that way.

Mr. Bonner: Your Excellency, I agree with both the previous speakers but I do not agree with some points Mr. Miller just made. I think we could get round his objection to Mrs. Vinson's point by putting in something about "within a certain distance of a dwelling house". I think Mr. Miller will agree that no farm would have a killing house immediately adjoining a dwelling house and on most farms anyway the wool shed and the working buildings are away from the dwelling houses of the farm. I think perhaps with a little bit of application we can probably find something which would suit both cases here, because I agree entirely with what Mrs. Vinson said, I think there should be something about settlements. I'm glad she brought that point up. I had noticed that too, where it says to define a public place which could apply to our settlements, because sometimes there are people who cause nuisances with rifles and guns around settlements. I think a good round turn might do them a lot of good. I also think we could get around Mr. Miller's objection, if we put in something about "within 50 yards of a dwelling house" or something like that. Thank you, Sir.

Mr. Cheek: Your Excellency, one of the main points of this Bill is to simplify the licensing of firearms. One point I'm not quite clear on is the age limit in section 12 (1) and (2). Apparently a boy of 14 can borrow a firearm yet a youth of 16 cannot buy or hire a firearm until he is 17 years of age. I think in time that might cause some confusion among our young people and it would be far better if those two age limits were both of the same. I would suggest putting section 12 (2) 14 years, up to 17 years.

The Colonial Secretary: Your Excellency, I will deal with most of the points which have been raised in the Committee stage. In answer to the Nominated Independent Member for the East Falkland, I think we can meet him on the application of this Ordinance to the camp by a very simple amendment: but I cannot meet him at all on the increase of licence fees. If the youth of today can afford to go out and buy a high powered rifle or shot gun they can well afford to pay 5/- a year for a licence. They won't blink at going to the West Store to buy half a dozen boxes of lethal ammunition, and I see no reason why they should not pay up. The licence is the least of all the expenses. Ammunition and the weapons being so much greater. Now is the time to put up licence fees and for a long time a lot of people have felt that they are too small. As to the date of application of the Ordinance we must have a date from which to work and the 1st January, when a lot of licences come up for renewal, is as good a date as any, but I do not feel strongly about it. As to the other points which have been raised I will refer to them later on.

The Bill was read a second time and Council went into Committee.

Colonial Secretary: Clause 2 of the Ordinance brings together definitions from past legislation and introduces an up-to-date term or two: there is nothing new or difficult. However I would like to draw attention to the definition of "exempted firearm". If any member has a blunderbuss, which he has not yet presented to the museum, this is how we can obtain exemption for it. A comma should be inserted after the words "weapon or not" at the beginning of the fourth line of the definition of firearm.

Clause 3. This is new and reasonable. After all if you are old enough to discharge a lethal weapon you ought to have a licence for it. We think that any person who wishes to discharge a firearm should hold a licence. It does not matter whether he is an owner or a borrower.

Clause 4. This is the sub-clause which introduces new licence fees, and to which the Honourable Nominated Independent Member for the East Falkland has already drawn our attention. When this was discussed in Executive Council your Members were in favour and I hope that other Honourable Members will also support.

Sub-clause (5). This introduces licences with a validity of one year from date of issue.

Clause 5. Exemptions. We thought long and hard about this and I think it covers all reasonable aspects of exemption. We have even thought of sailors from H.M.S. Protector coming ashore to take part in competitions on the Rifle Range. Sub-clause (6) has been altered by adding a proviso to the effect that the authorisation must have the written agreement of the Superintendent of Police. By this means we make the Superintendent of Police the person to keep proper control over firearms. We cannot have Heads of Departments making their own rules about this.

Clauses 6, 7, 8 and 9. No change.

Clause 10. Here we have a slight change: an auctioneer is bound to be a registered firearms dealer and it seems pointless to have two sections dealing with the same person. Although there is no change in section 11 you might find it hard to see why the written permission of the Governor, the Admiralty, the Army Council and the Air Council have to be obtained. This is to stop members of the forces selling arms or ammunition.

Clauses 12 (1) and 12 (2) are important. The Honourable Second Elected Member for Stanley raised points on this. What this means is that young persons under 14 years are not allowed to purchase or hire or borrow or receive any firearms. Those from 14 to 17 years of age are allowed only air guns, and they can be dangerous enough. If you like to come into the drawingroom at Sullivan House you will see a neat little hole through the centre of a window where an air gun pellet popped through one day. Persons over the age of 17 years can have any weapon they like which is not listed as a prohibited weapon.

Sub-clause (2) makes it clear that no person shall give or lend or part with any firearm to a person whom he knows or has reasonable grounds to believe is under 14 years. Would any Honourable Member like to speak before I go on Sir?

The President: Yes, I think each of these points should be cleared up as we come to them and if the Honourable Colonial Secretary has nothing further to say on clause 12 would the Honourable Second Elected Member for Stanley like to comment on this?

Mr. Cheek: The Honourable the Colonial Secretary says that no one under 17 may use or have in his possession any gun except an air gun. Perhaps I am a little dull but reading it myself section 12 paragraph 2 "No person under the age of 14 years shall accept as a gift or borrow or have in his possession any firearm", I take it that a boy of 14 years of age can have a loan of a firearm but a youth has to be 17 years of age before he can buy or hire a firearm.

The President: If I could just clear up one point. When the Honourable Member talks of 14 then you are talking of 14 because he is already 14?

Mr. Cheek: Yes, Sir.

The President: I mean 15 would equally meet your point?

Mr. Cheek: Yes.

Mr. Blake: I would like to support the Second Elected Member for Stanley in this. I think it's complete injustice if you like that a boy of 14, if father so wishes, can own a firearm. His father can give him one under sub-section (2) of section 12 of this Ordinance but if father won't give him one and he can't persuade

one of his loving aunts to give him one and he happens to have enough cash to buy one, well he can't buy one but he can go along the road and borrow one. Why a borrowed or a gift rifle should be any less dangerous in the hands of a fourteen-year-old than one he has purchased himself, I really can't see. That is as I read these two sections of the Ordinance. Thank you.

Colonial Secretary: I will take it the wrong way round. Clause 12 (2) says that no person under the age of 14 years shall accept as a gift any firearm. It does not matter whether it be a cannon, a .22 rifle or an air gun. The definition of firearm covers this adequately. Clause 12 (1) says no person under the age of 17 shall purchase or hire and no person shall serve or lend or hire any firearm unless it be an air gun. I do not see any difficulty in this at all. You must not borrow anything: you must not be given anything: you must not have anything under the age of 14. If you are between 14 and 17 you can have an air gun. There is no other way of reading this section.

Mr. Blake: This seems to occur quite frequently. I understand the section completely as the Colonial Secretary has explained it but I don't think he really understands our objections which are that a 14-year-old to 17-year-old can borrow or receive as a gift, a firearm. No person under the age of 14 can receive this gift of a firearm or any other sort of dangerous weapon but he can receive one once he has reached his 14th birthday he can receive as a gift or borrow any firearm but he can't purchase one. That's the only thing he's not allowed, he can't purchase one or he can't hire one until he's 17. Either I think it should say he can't purchase, borrow or receive as a gift a firearm if it's considered that anyone under the age of 17 is unsafe all that you must say that you must reduce it to 14. I can see no difference in the borrowed firearm and the hired firearm.

Colonial Secretary: Would this meet Honourable Members? Section 12 (1) to read "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."

Mr. Cheek: I quite agree with what the Honourable the Colonial Secretary has inserted in 12 sub-section (1) in that case I would suggest that we delete 12 sub-section (2) as it has no further bearing on this Bill.

Colonial Secretary: Your Excellency, 12 (2) must stay in. 12 (1) deals with persons under the age of 17 but we must make the lower age level quite clear. I would suggest that 12 (2) should read "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." Would this meet the point? An air gun is already included in the definition of firearms. If Honourable Members are satisfied I will carry on with the clauses.

The President: I would like to satisfy myself that Honourable Members are satisfied. These amendments which one has to think out speedily, sometimes when enshrined in the law, give reason for doubt later, and I would therefore say that when we go through towards the end of the Committee stage we take this particular clause so that Honourable Members should have a further opportunity to express their complete satisfaction.

The Colonial Secretary: Clause 18. The Honourable Elected Member for the East Falkland raised a point about applying clause 18 to camp settlements. We could meet the Honourable Member by adding the words "any person who discharges any firearm in a public place or a camp settlement", but we must remember the fact that we are talking about people who cause breaches of the peace and not those who go around the shearing sheds and shooting at various nasty birds. I would prefer not to alter the section at this stage as I would like to be assured that camp managers and farmers generally have been consulted about this. If the Honourable Elected Members would accept the clause as it stands, on a promise from me that we will find a sure form of wording, I would be happier. Therefore I propose that the clause, despite the suggested amendments, stands as it is for today. I would like to get the Bill through today if I can. It means no more work to come back here with a short amending Ordinance than it is does to bring up the whole Bill again.

Mr. Miller: I would just like to be clear. I understand of course what the Honourable the Colonial Secretary replied about consulting farm managers and under a short amending Ordinance altering this particular clause about firing in settlements. The new licensing under the old ordinary law is due to commence on the 1st January. I would then take it that the Colonial Secretary hopes to circularise all farm managers and get replies and bring in this amending Ordinance by the 31st December. Is that correct?

Colonial Secretary: No Sir. This Bill, if applied, will apply to the whole Colony. All we have been talking about is whether it should be an offence to discharge a firearm in a camp settlement. Everything else applies throughout the Colony.

Mr. Miller: But if we pass this Bill now as it stands because the Colonial Secretary says he thinks this will save time, then it will become an offence to discharge a weapon in a farm settlement, or am I under a misunderstanding?

Colonial Secretary: You are under a misunderstanding. A public place is defined as any street road or footway or open public place in Stanley to which the public has access. If a person discharges firearms in Stanley they can be fined £25: a person discharging a firearm in your settlement without permission cannot be dealt with. If they do brawl and shoot off their weapons in a way likely to cause fear to the inhabitants of your settlement they can, of course, be charged accordingly. It is only the application of clause 18 to a settlement which is at all difficult. The rest of the Bill will apply to the whole of the Colony.

Mr. Bonner: I'm sorry I didn't bring this up before, I didn't realise we were going to speak to each clause, with the Colonial Secretary going through them; one quick thing, in clause 5, what would be the implications when we're entertaining one of Her Majesty's ships, when the troops come ashore in the afternoon armed with all sorts of lethal weapons to destroy our geese?

Colonial Secretary: Sir, they must destroy the Honourable Nominated Member's geese with his permission. If they storm ashore and go shooting his geese without his permission then he can rightly be angry, and send me one of his splendid telegrams telling me to tackle the Commanding Officer of one of Her Majesty's ships. Permission to shoot on private land must be obtained first. They will not have licences to shoot unless they have been given them, or exempted from having them, by the Superintendent of Police.

Mr. Bonner: Yes, I fully appreciate that they must be given permission to come ashore. But I meant, will the Commanding Officer, when they do a camp tour, get permission from the Superintendent of Police, or what will be the rule? I mean when they come ashore to

shoot on the range and when they come ashore to shoot for sport; obviously one can't expect them all to have licences, I presume there will be a general exemption from the Superintendent of Police. Is that the way it works?

Colonial Secretary: The answer to that is yes. I am happy that if sailors go ashore from one of Her Majesty's Ships they may receive exemption under clause 5 (8): "persons using firearms in any organised competition or practice on the rifle range or in any area approved for such purposes by the Superintendent of Police". I am sure that covers it.

The President: Does any Honourable Member wish to pursue this matter? If the Honourable the Colonial Secretary would now take the clauses.

The following amendments to the Bill were agreed -

Clause 2. Insert a comma after the words "weapon or not".

Clause 12 (1). Insert the words "or borrow or receive as a gift" after the word "hire" in the second line. Insert the words "or give" after the word "sell" in the second line.

Clause 12 (2). Insert the words "including an air gun" after the word "firearm" in the second line.

Clause 13. Delete the words "without excuse".

Clause 24. Amend to read "This Ordinance shall come into force on a date to be published by notice in the Gazette".

Clause 25. Insert the words "The Firearms (Amendment) Ordinance 1960" after the words and figures "Firearms Ordinance 1960". Add the words and figures "No. 8 of 1960" to the marginal note.

The Bill was then read a third time and passed.

The Supplementary Appropriation (1964/65) Bill

Colonial Treasurer: The Schedule to this Bill lists the several heads of expenditure where amounts provided in the earlier legislation, that is the Appropriation Ordinance passed shortly before the beginning of July 1964, proved inadequate. The excesses are shown under the heads of expenditure concerned although they represent the net effect of a number of instances where the amounts provided were exceeded. All have received the approval of the Standing Finance Committee and the passing of this Bill is very largely a formality.

I beg to move the first reading of the Bill.

The Colonial Secretary seconded the motion and the Bill was read a first time.

On further motion made and seconded the Bill received its second reading.

The Bill passed through the Committee stage without amendment and was read a third time and passed.

Motion for Adjournment

The Colonial Secretary, seconded by the Colonial Treasurer, moved the motion for adjournment.

The motion was put and carried and the House adjourned sine die.

In the Supreme Court of the British Antarctic Territory
 Notice under the Administration of Estates Ordinance.
 (Cap. 1)

In the matter of David Peter Wild, deceased, of Tunstead, St. Asaph Road, Dyserth, Rhyl, Flintshire, Wales, and of the British Antarctic Territory, who died on the 12th day of October, 1965.

WHEREAS Edward Christopher John Clapp, Attorney for Peter Wild, father of the said deceased, has applied for Letters of Administration with the will (dated the 29th day of November, 1963) annexed to administer the estate of the said deceased in the British Antarctic Territory and the Colony of the Falkland Islands.

NOTICE IS HEREBY GIVEN pursuant to section 4 of the Administration of Estates Ordinance to all persons resident in the British Antarctic Territory and the Colony of the Falkland Islands 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 of the British Antarctic Territory within twenty-one days of the publication hereof.

H. BENNETT,
Registrar.

Stanley, Falkland Islands.
 28th February, 1966.
 S.C. 10/66.

In the Supreme Court of the British Antarctic Territory
 Notice under the Administration of Estates Ordinance.
 (Cap. 1)

In the matter of John Kershaw Wilson, deceased, of 33 Pool Lane, Brocton, Staffordshire, England, and of Halley Bay, British Antarctic Territory, who died on the 12th day of October, 1965.

WHEREAS Edward Christopher John Clapp, Attorney for Gilbert Ingram Wilson, father of the said deceased, has applied for Letters of Administration to administer the estate of the said deceased in the British Antarctic Territory and the Colony of the Falkland Islands.

NOTICE IS HEREBY GIVEN pursuant to section 4 of the Administration of Estates Ordinance to all persons resident in the British Antarctic Territory and the Colony of the Falkland Islands 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 of the British Antarctic Territory within twenty-one days of the publication hereof.

H. BENNETT,
Registrar.

Stanley, Falkland Islands.
 28th February, 1966.
 S.C. 11/66.

In the Supreme Court of the British Antarctic Territory
 Notice under the Administration of Estates Ordinance.
 (Cap. 1)

In the matter of Jeremy Thomas Bailey, deceased, of 141 Gladstone Road, Watford, Hertfordshire, England, and of Halley Bay, British Antarctic Territory, who died on the 12th day of October, 1965.

WHEREAS Edward Christopher John Clapp, Attorney for Alec William Bailey, father of the said deceased, has applied for Letters of Administration to administer the estate of the said deceased in the British Antarctic Territory and the Colony of the Falkland Islands.

NOTICE IS HEREBY GIVEN pursuant to section 4 of the Administration of Estates Ordinance to all persons resident in the British Antarctic Territory and the Colony of the Falkland Islands 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 of the British Antarctic Territory within twenty-one days of the publication hereof.

H. BENNETT,
Registrar.

Stanley, Falkland Islands.
 28th February, 1966.
 S.C. 12/66.

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

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

In the matter of Celina Mary Middleton, deceased, of Stanley, Falkland Islands, who died on the 13th day of September, 1965.

WHEREAS Joan Bound, grand-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,
 2nd March, 1966.
 S.C. 9/66.

INDEX OF LEGISLATION

The following items appearing in this issue should be entered in the Index of Legislation —

Customs Duties (Validation) Ordinance, 1966.

Currency Notes (Amendment) Rules, 1965.

Wireless Telegraphy (Amendment) Regulations, 1966.

Assented to in Her Majesty's name this 17th day of February, 1966.

C. HASKARD,
Governor.



No. 1



1966

Falkland Islands Dependencies.

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

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

An Ordinance

To validate the imposition and collection
of certain customs duties in the Dependen-
cies of the Colony of the Falkland Islands.

Title.

(19th June, 1961)

Date of commencement.

WHEREAS a Resolution of the Legislative Council of the Colony of the Falkland Islands under section 5 of the Customs Ordinance of the said Colony, dated the 19th day of June, 1961, was made increasing certain duties chargeable under the Customs Order:

Cap. 16.

AND WHEREAS the said Customs Ordinance applies to the Dependencies of the Colony of the Falkland Islands under the Application of Colony Laws Ordinance:

Cap. 1 (D.S.)

AND WHEREAS the said duties were by administrative instruction applied to the Dependencies of the Colony of the Falkland Islands:

AND WHEREAS such increased customs duties were imposed and collected by virtue of such instruction as from the 19th day of June, 1961:

AND WHEREAS doubts have arisen as to the validity of the imposition and collection of such duties in the Dependencies of the Colony of the Falkland Islands as from the date aforesaid by reason of the application of the Resolution as to increased duties by such administrative instruction only:

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 as the Customs Duties (Validation) Ordinance, 1966, and shall be deemed to have come into effect on the 19th day of June, 1961.

Amendment of paragraph 2 of the Customs Order.

2. Item 2 of paragraph 2 of the Customs Order is hereby amended as follows —

- (a) by the deletion of sub-item (a);
- (b) by the deletion from sub-item (b) of the word "other";
- (c) by the deletion from the third column of sub-item (b) of the figures "52/-" and the substitution therefor of the figures "66/-"; and
- (d) by re-lettering sub-items (b), (c) and (d) as (a), (b) and (c) respectively.

Validation of acts done.

3. Any act or thing done under the instruction hereinbefore in the preamble to this Ordinance referred to, on or after the 19th day of June, 1961, shall be deemed to be and to have been as properly and validly done, as if the imposition and collection of the increased duties had been done under this Ordinance.

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

W. H. THOMPSON,
Colonial Secretary.

Ref.0466/II.

The Currency Notes Ordinance (Cap. 15)

RULES

(under section 13 of the Ordinance)

No. 3 of 1965.

C. HASKARD,
Governor.

In exercise of the powers vested in him by section 13 of the Currency Notes Ordinance, and with the approval of the Secretary of State, the Governor is pleased to make the following Rules.

Cap. 15.

1. These Rules may be cited as the Currency Notes (Amendment) Rules, 1965, and shall be read as one with the Currency Notes Rules, hereinafter referred to as the principal Rules.

Short title.

Revised Edition Vol. II,
p. 135.

2. Rule 13 of the principal Rules is amended by deleting the words "Register of Currency Note Issues" and substituting the words "Register of Currency Notes in Circulation".

Amendment of rule 13 of
the principal Rules.

3. For rule 14 of the principal Rules the following shall be substituted —

Replacement of rule 14
of the principal Rules.

"14. When currency notes are supplied to the Commissioner, withdrawn from circulation and classified for re-issue, issued or re-issued, an entry shall forthwith be made in the Currency Note Register and signed by at least two Currency Officers, showing the date and nature of each such transaction, the denomination and total number of notes involved and the total number of unissued notes remaining in the custody of the Commissioner."

4. For rule 15 of the principal Rules the following shall be substituted —

Replacement of rule 15
of the principal Rules.

"15. An entry shall be made in the Register of Currency Notes in Circulation showing the date and nature of the transaction and the number of notes of each denomination and series involved whenever currency notes are issued or withdrawn from circulation."

5. For rules 16, 17, 18, 19 and 20 of the principal Rules the following shall be substituted —

Replacement of rules 16,
17, 18, 19 and 20 of the
principal Rules.

"Register of
Cancelled and
Destroyed
Notes.

16. In the Register of Cancelled and Destroyed Notes there shall be recorded the quantity, denomination and series of notes cancelled and destroyed.

Classification
of notes with-
drawn from
circulation.

17. When any currency notes are withdrawn from circulation the notes shall forthwith be classified either for re-issue or for destruction.

Re-issue of
notes.

18. All currency notes selected for re-issue under rule 17 shall be placed in the vault and kept in the manner prescribed in rule 4, but they shall be kept separate from the currency notes previously unissued.

Cancellation
of notes.

19. When any currency note has been selected for destruction under rule 17, it shall forthwith be cancelled in the presence of at least two Currency Officers by stamping, perforating, cutting or otherwise defacing the note in such a manner as the Commissioner may approve and any portion of such note which may have been removed shall be destroyed by burning in the presence of the same Currency Officers. If cancellation

cannot be completed without a break, all uncanceled notes shall during any break, be placed in a special safe kept for the purpose in the Colonial Treasurer's strongroom under the dual control of two Currency Officers appointed for the purpose by the Commissioner in which case these two Currency Officers shall be present at the time of cancellation of any notes previously held by them and shall certify the Register of Cancelled and Destroyed Notes accordingly together with any other Currency Officers present during cancellation before the break.

Destruction
of notes.

20. (1) After the currency notes have been cancelled, they shall be handed to at least two Currency Officers none of whom shall have acted previously in respect of the same notes under the previous provisions of these Rules. The currency notes after being checked by them shall if possible be immediately destroyed by burning in their presence and the Currency Officers shall immediately after the destruction sign a certificate in the Register of Cancelled and Destroyed Notes in a form to be approved by the Commissioner showing the total number, denomination, series and value of the notes destroyed.

(2) If any currency notes are not destroyed immediately after they are handed to and checked by the Currency Officers in accordance with the previous provisions of this rule, the Currency Officers shall certify the records in the Register of Cancelled and Destroyed Notes and seal and date the bundles of currency notes which shall forthwith be placed in the special safe and there kept until it is convenient to destroy them.

(3) When the sealed bundles of cancelled currency notes are withdrawn from the special safe, the notes shall be checked against the records in the Register of Cancelled and Destroyed Notes by at least two Currency Officers who shall be the Currency Officers who had sealed the bundles if those officers are available; the notes shall then be destroyed by burning in their presence in accordance with the provisions of paragraph (1) hereof, and they shall sign a certificate in the Register of Cancelled and Destroyed Notes as provided in that paragraph."

Made by the Governor in Council this 15th day of December, 1965.

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

Ref. 0496/II.

The Wireless Telegraphy Ordinance (Cap. 78.)

REGULATIONS

(under section 4 of the Ordinance)

C. HASKARD,
Governor.

No. 1 of 1966.

In exercise of the powers conferred by section 4 of the Wireless Telegraphy Ordinance, the Governor in Council has made the following Regulations —

Cap. 78.

1. (1) These Regulations may be cited as the Wireless Telegraphy (Amendment) Regulations, 1966, and shall be read as one with the Wireless Telegraphy Regulations, hereinafter referred to as the principal Regulations.

Citation and commence-
ment.
Revised Edition
Vol. II. p. 329.

(2) These Regulations shall come into operation on the first day of April, 1966.

2. Regulation 11 of the principal Regulations is amended —

Amendment of
regulation 11.

- (a) by the deletion, in paragraphs (i) and (ii), of the words "one pound" and the substitution therefor of the words "two pounds";
- (b) by the deletion, in paragraph (iii), of the words "five shillings" and the substitution therefor of the words "ten shillings"; and
- (c) by the deletion, in paragraphs (iv) and (v), of the words "ten shillings" and the substitution therefor of the words "one pound".

3. Schedule 1 to the principal Regulations is amended by the deletion of the words "One Pound", where the same twice occur, and the substitution therefor of the words "Two Pounds".

Amendment of Schedule 1.

4. Schedule 3 to the principal Regulations is amended by the deletion of the words "Ten Shillings" and the substitution therefor of the words "One Pound".

Amendment of Schedule 3.

5. Schedule 4 to the principal Regulations is amended by the deletion of the words "Ten Shillings" and the substitution therefor of the words "One Pound".

Amendment of Schedule 4.

Made by the Governor in Council the 9th day of February, 1966.

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

Ref. 1220/O.

A Bill for An Ordinance

Title.

To abolish capital punishment in the case of persons convicted in the Colony of murder and, in connection therewith, to make further provisions for the punishment of persons so convicted.

Date of commencement.

(.....1966)

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 Murder (Abolition of Death Penalty) Ordinance, 1966.

Abolition of death penalty for murder.

2. (1) No person shall suffer death for murder, and a person convicted of murder shall, subject to subsection (4) below, be sentenced to imprisonment for life.

(2) On sentencing any person convicted of murder to imprisonment for life the Court may at the same time declare the period which it recommends to the Governor as the minimum period which in its view should elapse before the Governor orders the release of that person on licence.

(3) For the purpose of any proceedings on or subsequent to a person's trial on a charge of capital murder, that charge and any plea or finding of guilty of capital murder shall be treated as being or having been a charge, or a plea or finding of guilty, of murder only; and if at the commencement of this Ordinance a person is under sentence of death for murder, the sentence shall have effect as a sentence of imprisonment for life.

(4) In section 53 of the Children and Young Persons Act 1933 c. 12 1933, there shall be substituted for subsection (1) —

“(1) A person convicted of an offence who appears to the court to have been under the age of eighteen years at the time the offence was committed shall not, if he is convicted of murder, be sentenced to imprisonment for life, nor shall sentence of death be pronounced on or recorded against any such person; but in lieu thereof the court shall (notwithstanding anything in this or in any other law) sentence him to be detained during Her Majesty's pleasure, and if so sentenced he shall be liable to be detained in such place and under such conditions as the Governor may direct.”.

3. No person convicted of murder shall be released by the Governor on licence unless the Governor has prior to such release consulted the Executive Council together with the trial judge if available.

Release on licence of those sentenced for murder.

4. This Ordinance shall continue in force until the thirty-first day of July nineteen hundred and seventy, and shall then expire unless the Legislature by affirmative resolution otherwise determines: and upon the expiration of this Ordinance the law existing immediately prior to the passing of this Ordinance shall, so far as it is repealed or amended by this Ordinance, again operate as though this Ordinance had not been passed, and the said repeals and amendments had not been enacted:

Duration.

Provided that this Ordinance shall continue to have effect in relation to any murder not shown to have been committed after the expiration of this Ordinance, and for this purpose a murder shall be taken to be committed at the time of the act which causes the death.

OBJECTS AND REASONS

This Bill abolishes hanging as the punishment in the case of persons over the age of eighteen years convicted of murder and substitutes therefor the punishment of life imprisonment, and provides that a person under eighteen years at the time of the commission of the offence of murder shall not be sentenced to death or life imprisonment, but in lieu thereof the court shall sentence him to be detained during Her Majesty's pleasure.

Ref. 0790.

A Bill for
An Ordinance
To amend the Lotteries Ordinance.

Title.

Date of commencement.

(.....1966)

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 Lotteries (Amendment) Ordinance, 1966.

Amendment of section 2.
(Cap. 41)

2. Section 2 of the Lotteries Ordinance is amended —
- (a) by the deletion, in the definition "Lottery" of the words "and shall include betting by totalisator"; and
 - (b) by the deletion of the definition "Totalisator".

OBJECTS AND REASONS

This Bill excludes totalisators from the provisions of the Lotteries Ordinance, thus enabling totalisators to be operated without licence or fees.
Ref. 0329.



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1 APRIL, 1966.

No. 4.

RESIGNATION

Derek M. Hornby, Deputy Registrar of the Falkland Islands Court of Appeal, 3.12.65.

APPOINTMENT

Mr. A. C. T. Cochrane, Deputy Registrar of the Falkland Islands Court of Appeal, 4.12.65.

NOTICES

No. 14. 28th March, 1966.

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 Colony of the Falkland Islands —

No.	Title	Ref.
13/65	Supplementary Appropriation (1964-65) Ordinance, 1965	0284/XVII.

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

HUGH CULLEN HARDING, *deceased*

Notice is hereby given, that after the expiration of eight days, application will be made in the Supreme Court of the Falkland Islands for the Re-sealing of the probate of the Will of Hugh Cullen Harding, late of Stanley, Falkland Islands, deceased, granted out of the High Court of Justice of England, on the 14th day of January, 1966.

A. G. BARTON,
*Attorney for Lloyds Bank Limited
executors of the said Will.*

30th March, 1966.

INDEX OF LEGISLATION

The Index published at the 31st August 1965 is a supplementary one and does not include those items which are contained in Volumes I and II of the Laws of the Falkland Islands.

Holders of the Index may find it helpful to alter the title to read, 'Index of Supplementary Legislation'.

The following item appearing in this issue should be entered in the Index of Supplementary Legislation —

Savings Bank (Amendment) Rules, 1966.

Savings Bank Ordinance (Cap. 61.)

RULES

(under section 14 of the Ordinance)

No. 1 of 1966.

C. HASKARD,
Governor.

In exercise of the powers conferred by section 14 of the Savings Bank Ordinance, the Governor in Council has made the following Rules —

Citation.

1. These Rules may be cited as the Savings Bank (Amendment) Rules, 1966.

Deletion and substitution
of Schedule.
Revised Edition
Vol. II. p. 281.

2. The Schedule to the Savings Bank Rules is deleted and substituted by the following —

"SCHEDULE

Rule 9.

Falkland Islands Savings Bank
WITHDRAWAL OF DEPOSITS

P.V. No.....

S.B. No.....

I hereby acknowledge the receipt of the sum of £.....
(words)

Please charge this amount to my account number.....

Date.....

Signature of Depositor.....

FOR OFFICIAL USE ONLY

Balance £.....

Payment Authorised

Interest £.....

Total £.....

Colonial Treasurer.

Form No. S.B. 1.

Falkland Islands Savings Bank
NOTICE OF WITHDRAWAL

P.V. No.....

S.B. No.....

Depositor's Account No.....

Date.....

I hereby give notice that I wish to withdraw the sum of (a) £.....
(words)

from my deposit account bearing the above number and I request that payment be made

(b) to me in person/to.....

(c) Signature of Depositor..... (d) Signature of Witness.....

FORM OF RECEIPT

I hereby acknowledge receipt of the sum of £.....

(words)

Signature of Depositor or person authorised by him

FOR OFFICIAL USE ONLY

Balance £.....

Payment Authorised

Interest £.....

Total £.....

Colonial Treasurer.

Before completing this form please read directions overleaf.

Form No. S.B. 2.

Directions for withdrawing deposits from the Falkland Islands Savings Bank

- (a) Insert the amount required in both figures and words. If it is desired to close the account insert the words "the balance including interest to close account".
- (b) Strike out the inapplicable words. If payment is to be made to someone other than the depositor himself, write in the space provided the name of that person (or firm).
- (c) If payment is to be made to someone other than the depositor himself the signature in this space should be signed in the presence of an adult witness.
- (d) The witness should sign here. The witness cannot be the person authorised to receive payment. The witness must be an adult."

Made by the Governor in Council the 9th day of February, 1966.

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

Ref. 0385/C.

Pay and Working Rules for Hourly Paid Employees in Stanley.

These rules shall constitute an agreement between Stanley Employers and the Labour Federation and shall be reviewed annually in October by the Government and the Falkland Islands Company, Ltd. as employers, and the Labour Federation. These Rules shall be effective for a period of twelve months beginning on the 1st of January, 1966, subject to the quarterly review of wage rates. (See I, below.)

1. Basis of Wage Rates.

Wages shall be adjustable by negotiation except that any changes, up or down, arising from fluctuations in the cost of living shall be automatic and date from the first day of the month following the quarter to which a review relates. In measuring the cost of living for the purposes of wage adjustments an average of the findings for the last four quarters shall be used.

(a) CRAFTSMEN.

All Craftsmen shall be paid at the full basic rate and the following trades shall be recognised :—

Carpenters and Joiners	Masons
Blacksmiths	Plumbers
Painters	Electricians
Motor Mechanics	

The normal entry to a trade shall be by a full term of apprenticeship, but special arrangements shall be made for the absorption of men already practising trades without previously serving apprenticeships. These arrangements are laid down in the apprenticeship regulations.

(b) APPRENTICES.

The rates of pay for apprentices shall be as follows—

Year.		Fraction of Craftsman's Rate.
1st	...	One Third
2nd	...	Two Fifths
3rd	...	One Half
4th	...	Two Thirds
5th	...	Four Fifths.

(c) HANDYMEN.

This term includes those employees doing skilled or semi-skilled work in one or more trades, but who have not served an apprenticeship nor have been recognised by the Apprenticeship Board. The minimum rate for Handymen shall be three pence more than the Labourer's rate and the maximum three pence less than the Craftsmen's rate.

(d) SLAUGHTERMEN AND LORRY DRIVERS.

Slaughtermen shall be paid one penny more than the Labourer's rate and shall be provided with suitable protective clothing and footwear.

All drivers of petrol, steam or diesel engines, whether stationary or mobile, shall be paid 3d. per hour more than the Labourer's rate while engaged in this work.

2. Prevailing Rates.

Class		Hourly Rate.
1. Tradesmen	...	5/7d.
2. Apprentices	1st year	1/10
	2nd year	2/3
	3rd year	2/9½
	4th year	3/9
	5th year	4/6
3. Handymen	...	4/8 to 5/4 according to ability.
4. Slaughtermen and tradesmen's mates	...	4/6
5. Lorry Drivers, including men tending stationary engines or boilers	...	4/8
6. Labourers	...	4/5
7. Boy Labourers	Age	Hourly Rate.
	14-15	1/9d.
	15-16	2/2½
	16-17	2/11
	17-18	3/6½
	18	4/5

The above hourly rates are minimum and employers may, if they so wish, offer higher rates, incentive bonuses, etc.

CASUAL LABOUR. There is now no work which justifies a casual labour rate.

3. Extra Payments.

(a) "DIRT" MONEY.

As a general guide, "Dirt" money should only be paid when the work in hand is substantially dirtier than the work which an employee is normally called upon to do. The normal rate is 4d. per hour, but the precise rate for each job shall be agreed between Employer and Employees.

(b) HAZARDOUS WORK.

Employees working on isolated structures, such as masts, at heights over 20 feet from the ground or where the structure joins the main roof of a building, shall be paid from 9d. to 1/6 per hour according to the risk involved. This does not apply to work on properly erected scaffolding or on roofs where the work can be carried out from a position where the workman's feet are on a secured ladder.

(c) INCONVENIENCE PAY.

Employees required, by the employer, to carry their midday meal shall receive 2/- per day. Employees required to sleep away from home in a recognised camp house or cook-house shall have their board and lodgings paid for by their employer.

(d) EXTRA SKILL OR RESPONSIBILITY.

(i) Any employee specifically detailed to supervise the work of three or more other employees shall receive 3d. per hour extra while taking this responsibility.

(ii) Any labourer employed on semi-skilled work which would normally fall to a Handyman (e.g. painting, fencing, concrete laying) shall receive pay as a Handyman (i.e. a minimum of 3d. per hour extra) while engaged on this work. The precise rate shall be fixed by the employer according to the nature of the work and the skill of the particular labourer so employed.

(e) PAINT SPRAYING.

Employees engaged on paint spraying shall be paid 6d. per hour extra and no other allowance.

4. Working Hours.

The normal working hours shall be 45 hours per week made up as follows :-

Monday to Friday - 7.30 a.m. to 4.30 p.m. with Dinner break from noon till 1 p.m.

Saturday - 7.30 a.m. to 12.30 p.m.

A refreshment break of fifteen minutes shall be allowed between 08.30 and 09.30 a.m., the precise time being laid down by the employer.

Other hours of work may be laid down by mutual agreement between employers and employees, provided that the total number of hours does not exceed 45 per week.

5. Overtime.

- (a) Overtime shall be paid for all hours worked outside normal working hours and overtime rates shall be as follows :-

TIME AND A HALF.

- (i) Between the end of the normal day and midnight.
- (ii) From 6 a.m. to the start of the normal working day, provided that work did not start before 6 a.m.

DOUBLE TIME.

- (i) Between midnight and 6 a.m.
 - (ii) From 6 a.m. to the start of the normal working day, if work commenced before 6 a.m.
 - (iii) On Sundays and recognised Public Holidays.
 - (iv) For meal hours or parts thereof, if work continues through the normal working day without a full meal-hour break.
 - (v) Double time rates shall also be paid during normal working hours if, exceptionally, an employee starts work before midnight and continues without a break into normal working hours. Double time rates shall then continue to apply until there is an (unpaid) break from work exceeding four hours, after which the normal rates will again apply.
- (b) An unpaid meal hour shall be allowed at a reasonable time if overtime is expected to continue for more than two hours beyond normal finishing time, and a paid refreshment break of not more than fifteen minutes shall be allowed in each subsequent 4-hour period.
- (c) Overtime is voluntary and an employee shall not be dismissed if he objects to working outside normal working hours. However, certain jobs may require attendance at times outside the normal hours and in these cases employees shall be given the option of a 45-hour week by allowing time off during normal working hours, at a time to be agreed with the employer.

6. Holidays.

(a) ANNUAL HOLIDAYS.

All employees shall be entitled to a paid holiday of 40 hours after the completion of the first six months of continuous service and thereafter at the rate of 8 hours for each month of continuous service. Paid holidays may be accumulated without limit and taken at a time to be mutually agreed upon.

(b) PUBLIC HOLIDAYS.

These are days on which Government Offices are closed by notification in the Gazette and the following seven days shall be paid holidays for all employees :-

Good Friday, The Queen's Birthday, October Bank Holiday, December 8th, Christmas Day, Boxing Day, and one other day to coincide with the Annual Stanley Sports Meeting.

Individual employers shall be entitled to decide whether or not to observe the remaining Public Holidays or to treat them as normal working days but in no circumstances may they be treated as unpaid holidays.

- (c) Any allowance or special rates earned on both the working day preceding *and the working day following* the holiday shall be paid for the holiday.
- (d) When a dated holiday falls on a Sunday the next working day shall be the holiday.

7. Sick Pay.

- (a) Employees who have not completed one year's service with their employer shall not be entitled to sick pay.
- (b) The following rules apply to employees who have completed one year's service with their employer.
 - (i) There shall be no entitlement to sick pay for the first week of absence caused by sickness, but if sickness lasts for more than one week, an employee shall be entitled to half pay for the second, third and fourth weeks. While off work through illness an employee shall have the option of taking part or the whole of any annual leave due to him.
 - (ii) Full pay shall be paid for any Public Holiday which falls during the first four weeks of sickness, provided that the employee, when he has recovered, returns to work for the same employer.
- (c) An employer may demand a medical certificate before applying any of the rules 7 (b) (i), (ii).
- (d) The Workmen's Compensation Ordinance shall apply in cases of sickness resulting from accidents at work.

8. General.

- (a) Employment is normally terminated, either by employer or employee, at the end of the working week, but employment may be terminated at the end of any working day. A minimum of two hours' notice shall be given, except in the case of misdemeanour, when an employee may be summarily dismissed.
- (b) When a party of employees are required to carry meals to their work, one employee shall be allowed reasonable time to heat meals for the rest of the party.
- (c) Individual employers may lay down the times when employees shall appear for their wages, provided that the payment is completed within ten minutes of the end of the normal working day.
- (d) An official or delegation of a recognised union may, with the employer's consent, attend at a job or shop at any time to interview workmen, but no meeting shall take place in working hours without the express permission of the employer. If a dispute arises, the employer or his nominee shall interview, by appointment, any official representative of his employees.
- (e) All employers shall display for the benefit of their employees copies of Regulations and Rules pertaining to wages and conditions of service of workers.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXV.

2 MAY, 1966.

No. 5.

APPOINTMENT

Miss June Ford, Clerk in the Public Service, 28.3.66.

CONFIRMATION OF APPOINTMENT

Leslie Harris, confirmed in appointment as Engineman, Power & Electrical Department, 1.8.63.

ACTING APPOINTMENTS

Mrs. Freda Alazia, Acting Senior Clerk, Secretariat, 14.4.66.

Harold David Jones, Acting Senior Engineer, Aviation Department, 6.3.66.

RESIGNATION

Miss Alice McPherson, Nurse Probationer, with effect from 23.4.66.

NOTICES

No. 15. 13th April, 1966.

The findings of the Cost of Living Committee for the quarter ended 31st March, 1966, are hereby published for general information —

<i>Quarter ended</i>	<i>Adjusted Percentage increase over 1948 prices</i>
31st March, 1966	95.60%

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

Ref. 0704/VI.

No. 16. 16th April, 1966.

Public Health Ordinance

The following have been appointed Members of the Board of Health for the year 1966 —

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

Ref. 0573.

No. 17.

20th April, 1966.

Public Holidays in Stanley

Attention is drawn to Gazette Notice No. 45 of the 7th October 1965 published on page 188 of the Gazette for 1965.

It is notified for information that when dated holidays fall on a Sunday the next working day shall be a holiday in lieu thereof.

Consequently Wednesday 28th December, 1966, will be a public holiday.

Ref. 2380.

No. 18.

25th April, 1966.

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

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

"I should be grateful if you would convey to Her Majesty 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 the people of 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.

No. 19.

25th April, 1966.

**The Marriage Ordinance
(Section 4)**

Mr. C. A. Miller has been appointed a Registrar to celebrate the marriage of Kenneth Frederick Berntsen, bachelor, and Arina Janis McKay, spinster, at Port San Carlos.

Ref. 1169.

No. 20. 26th April, 1966.

**The Marriage Ordinance
(Section 4)**

The Honourable Mr. L. G. Blake, M.L.C., has been appointed a Registrar to celebrate the marriage of William Roderick Halliday Morrison, bachelor, and Fayan Watts, spinster, at Hill Cove.

Ref. 1169.

No. 21. 29th April, 1966.

The Mining (Mineral Oil) Regulations 1964 published in this Gazette are those referred to in Notice No. 38 on page 149 of Gazette No. 13 of the 1st September 1964.

Ref. 2298/II.

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

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

In the matter of Markham Oswald Lyse,

deceased, of Stanley, Falkland Islands, who died on the 13th day of February, 1966.

WHEREAS Sydney Russell Lyse, brother 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,
1st April, 1966.

S.C. 13/66.

The following items appearing in this issue should be entered in the Index of Supplementary Legislation —

Income Tax (Exemption) Order, 1966.

Mining (Mineral Oil) Regulations, 1964.

The Income Tax Ordinance (Cap. 32)

ORDER

(under section 9A of the Ordinance)

No. 1 of 1966.

C. HASKARD,
Governor.

Cap. 32.

In exercise of the powers conferred upon him by section 9A of the Income Tax Ordinance, the Governor in Council, has been pleased to order as follows —

Short title and
commencement.

1. This Order may be cited as the Income Tax (Exemption) Order, 1966, and shall be deemed to have come into force with effect from the first day of January, 1964.

Exemption from pro-
visions of section 21 (2)
of the Ordinance.
Cap. 32.

2. The whaling companies at South Georgia are hereby exempt from the provisions of subsection (2) of section 21 of the Income Tax Ordinance.

Made by the Governor in Council the 12th day of April, 1966.

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

Ref. D/11/47/II.

Mining (Mineral Oil) Regulations 1964

Arrangement of Regulations

PART I.

GENERAL.

Regulation

- | | |
|----|---|
| 1 | Title. |
| 2 | Interpretation. |
| 3 | Persons by whom application may be made. |
| 4 | Manner in which application may be made. |
| 5 | Separate application to be made for each area. |
| 6 | Grant of more than one licence or lease to the same person. |
| 7 | Licence or lease not assignable without consent. |
| 8 | Method of making application for assignment. |
| 9 | Reciprocity. |
| 10 | Applications by an alien or a company incorporated outside Her Majesty's dominions. |
| 11 | Lapse of right to licence or lease. |
| 12 | Publication. |
| 13 | Model clauses. |
| 14 | Bond. |

PART II.

OIL EXPLORATION LICENCES.

- | | |
|----|-----------------------------------|
| 15 | Grant of oil exploration licence. |
| 16 | Period. |
| 17 | Renewal. |
| 18 | Maximum area. |
| 19 | Expenditure obligation. |
| 20 | Right to oil prospecting licence. |

PART III.

OIL PROSPECTING LICENCES.

- | | |
|----|--|
| 21 | Grant of oil prospecting licence. |
| 22 | Comprehensive oil prospecting licence. |
| 23 | Shape of area. |
| 24 | Maximum area. |
| 25 | Period. |
| 26 | Renewal. |
| 27 | Working obligations. |
| 28 | Certain yearly rent. |
| 29 | Royalty. |
| 30 | Surrender of area. |
| 31 | Right to oil mining lease. |

PART IV.

OIL MINING LEASES.

- | | |
|----|--------------------------------------|
| 32 | Governor may grant oil mining lease. |
| 33 | Comprehensive oil mining lease. |
| 34 | Shape of area. |
| 35 | Period. |
| 36 | Certain yearly rent. |
| 37 | Royalty. |

FIRST SCHEDULE.

Application for an oil exploration licence, an oil prospecting licence or an oil mining lease.

SECOND SCHEDULE.

PART I.

OIL EXPLORATION LICENCE.

- | | |
|---|---|
| 1 | Fee. |
| 2 | Right to erect and dismantle huts, etc. |
| 3 | Local Resident Manager. |
| 4 | Working obligations. |
| 5 | Restoration and indemnity. |

- 6 Reports.
- 7 Samples of petroleum.
- 8 Formation of company, etc., by licensee.
- 9 Consent to assignment.
- 10 Assignment of licence.
- 11 Licensee ceasing to be a British subject.
- 12 Control by an alien.
- 13 Reciprocity.
- 14 Release of lands included by inadvertence.
- 15 Use of lands for public purposes.
- 16 Power of revocation.
- 17 Renewal.
- 18 Right of Licensee to determine licence.
- 19 Right of Licensee to abandon portions of licensed area.
- 20 Right of Licensee to oil prospecting licence.
- 21 Force Majeure.
- 22 Arbitration.
- 23 Marginal notes.
- 24 Interpretation.

Schedule A — Description of licensed area.

Schedule B — Bond.

SECOND SCHEDULE.

PART II.

OIL PROSPECTING LICENCE.

- 1 Grant of rights and licence.
- 2 Restriction for alienated land.
- 3 Certain yearly rent.
- 4 Refund of certain yearly rent on determination or surrender.
- 5 Royalty.
- 6 Measurement of petroleum.
- 7 Keeping of accounts.
- 8 Working obligations.
- 9 Local Resident Manager.
- 10 Licensee to furnish copies of agreements with surface owners.
- 11 Compensation.
- 12 Indemnity against third party claims.
- 13 Release of lands included by inadvertence.
- 14 Use of lands for public purposes.
- 15 Advertisements, prospectuses.
- 16 Notice of fresh issues of capital.
- 17 Consent to assignment.
- 18 Assignment of licence.
- 19 Licensee ceasing to be a British subject.
- 20 Control by an alien.
- 21 Reciprocity.
- 22 Notification of discovery of petroleum.
- 23 Distance of wells from boundaries.
- 24 Notice of commencement of wells.
- 25 Abandonment and plugging of bore-holes.
- 26 Delivering up of productive wells in good order.
- 27 Plugging of bore-holes on determination of licence.
- 28 Removal of plant.
- 29 Health and safety of workers.
- 30 Avoidance of harmful methods of working.
- 31 Provision of storage tanks, pipes and pipe-lines.
- 32 Disposal of waste oil, salt water and refuse.
- 33 Licensee to keep records of bore-holes.
- 34 Samples of strata, petroleum and water.
- 35 Plans and records.
- 36 Reports confidential.

- 37 Power to inspect plant records accounts.
- 38 Power to execute works.
- 39 Rights of distress.
- 40 Power of revocation.
- 41 Surrender of area.
- 42 Renewal.
- 43 Right of Licensee to determine licence.
- 44 Right of Licensee to abandon portions of licensed area.
- 45 Right of Licensee to oil mining lease.
- 46 Force Majeure.
- 47 Arbitration.
- 48 Marginal notes.
- 49 Interpretation.
- Schedule A — Description of licensed area.
- Schedule B — Bond.

SECOND SCHEDULE.

PART III.

OIL MINING LEASE.

- 1 Demise of petroleum; rights and privileges.
- 2 To bore.
- 3 To appropriate water.
- 4 To appropriate surface of land.
- 5 To refine.
- 6 To store and carry away petroleum.
- 7 To erect houses, etc.
- 8 To dig gravel, etc.
- 9 To enclose.
- 10 Notice before entering on surface of Crown lands.
- 11 Compensation to occupiers.
- 12 Governor's rights
- 13 Governor's permission required for alienated land.
- 14 Certain yearly rent.
- 15 Royalty.
- 16 Surface rents of Crown lands.
- 17 Refund of certain yearly rent on determination or surrender.
- 18 Measurement of petroleum.
- 19 Keeping of accounts.
- 20 Establishment of boundary marks.
- 21 Refinery.
- 22 Local Resident Manager
- 23 Lessee to furnish copies of agreements with surface owners.
- 24 Compensation.
- 25 Indemnity against third party claims.
- 26 Release of lands included by inadvertence.
- 27 Lessee not to cultivate, etc.
- 28 Use of lands for public purposes.
- 29 Advertisements, prospectuses.
- 30 Notice of fresh issues of capital.
- 31 Consent to assignment.
- 32 Assignment of lease.
- 33 Lessee ceasing to be a British subject.
- 34 Control by an alien.
- 35 Reciprocity.
- 36 Lessee not to obstruct working of other minerals.
- 37 Distance of wells from boundaries.
- 38 No mining operations to be carried on near public works.
- 39 Notice of the site and commencement of bore-holes.
- 40 Abandonment and plugging of bore-holes.
- 41 Delivering up of productive wells in good order.
- 42 Plugging of bore-holes on determination of lease.

- 43 Health and safety of workers.
- 44 Working obligations.
- 45 Avoidance of harmful methods of working.
- 46 Provision of storage tanks, pipes and pipe-lines.
- 47 Disposal of waste oil, salt water and refuse.
- 48 Lessee to keep records of bore-holes.
- 49 Lessee to keep samples of strata, petroleum and water.
- 50 Plans and records.
- 51 Reports confidential.
- 52 Employment of British subjects.
- 53 Training of British subjects.
- 54 For quiet enjoyment.
- 55 Renewal.
- 56 Right of Lessee to determine lease.
- 57 Right of Lessee to abandon portions of the leased area.
- 58 Power to inspect plant, records, accounts.
- 59 Unit development.
- 60 Governor's right of pre-emption.
- 61 Power to execute works.
- 62 Rights of distress.
- 63 Power of revocation.
- 64 Power to Lessee to remove plant.
- 65 Power to Governor to purchase plant.
- 66 Force Majeure.
- 67 Arbitration.
- 68 Marginal notes.
- 69 Interpretation.
 - Schedule A — Description of leased area.
 - Schedule B — Bond.

The Mining Ordinance (Cap. 48)

REGULATIONS

(under section 12 of the Ordinance)

No. 3 of 1964.

W. H. THOMPSON,

Officer Administering the Government.

The Officer Administering the Government in exercise of the powers vested in him by section 12 of the Mining Ordinance, is pleased by and with the advice of the Executive Council to make the following Regulations —

Cap. 48.

PART I.

GENERAL.

1. These Regulations may be cited as the Mining (Mineral Title) Regulations, 1964.

2. In these Regulations and in every licence and lease issued hereunder the following terms shall respectively have the meaning assigned to them unless inconsistent with the context, or unless expressly varied in such licence or lease.

Interpretation.

"LICENSEE" means a person to whom a licence under these Regulations is granted, his successors in title and the persons deriving title under him.

"LESSEE" means a person to whom a lease under these Regulations is granted, his successors in title and the persons deriving title under him.

"ALIENATED LANDS" means lands the oil rights in which are vested in the Crown but the surface of which has been alienated at any time whether such surface has reverted in the Crown or not.

"PETROLEUM" includes any mineral oil or relative hydrocarbon and natural gas existing in its natural condition in strata, but does not include coal or bituminous shales or other stratified deposits from which oil can be extracted by destructive distillation.

"CRUDE OIL" means oil in its natural state before the same has been refined or otherwise treated but excluding water and foreign substances.

"NATURAL GAS" means gas obtained from bore-holes and wells and consisting primarily of hydrocarbons.

"CASINGHEAD PETROLEUM SPIRIT" means any liquid hydrocarbons obtained from natural gas (before the crude oil from which it is derived has been measured for royalty) by separation or by any chemical or physical process.

"HER MAJESTY'S DOMINIONS" shall be construed as including a reference to all territories under Her Majesty's protection or in which Her Majesty has for the time being jurisdiction.

"BRITISH SUBJECT" shall be deemed to include a person under Her Majesty's protection.

"PERSON" shall be deemed to include a company.

3. Any person may apply in accordance with these Regulations for

Persons by whom application may be made.

- (a) an oil exploration licence;
- (b) an oil prospecting licence;
- (c) an oil mining lease;

in respect of Crown Lands, or alienated lands.

Manner in which
application may be made.

4. (1) Every application shall be made in writing on the form set out in the First Schedule hereto addressed to the Governor.

(2) The application shall state —

- (a) in the case of an application by an individual, his address nationality and occupation;
- (b) in the case of an application by a company the nature of and the principal place of business of the company (and if the principal place of business is outside the Colony the name and address of a duly authorised agent in the Colony) the names and nationality of the directors thereof, and the names and holdings of the principal shareholders.

(3) An application by an alien or a company incorporated outside Her Majesty's dominions shall contain in addition to the matters specified in paragraph (2) of this Regulation full particulars of any company required to be incorporated in accordance with Regulation 10 in the Colony or in some other part of Her Majesty's dominions for the purpose of receiving the grant of and exploiting any licence or lease which may be granted in pursuance of the application.

(4) With the application there shall be sent the prescribed application fee, that is to say —

For an oil exploration licence £25;

For an oil prospecting licence £50;

For an oil mining lease £100.

(5) To the application there shall be attached two copies of a map upon which shall be delineated the boundaries of the area in respect of which a licence or lease is applied for.

(6) The applicant shall with his application furnish evidence as to his financial and technical qualifications and as to his ability to comply with any terms and conditions contained in the model clauses set out in the Second Schedule hereto relating to the licence or lease for which application is made, and in the case of an application by an alien or a company incorporated outside Her Majesty's dominions the like evidence in relation to any company required to be incorporated in accordance with Regulation 10 in the Colony or in some other part of Her Majesty's dominions for the purpose of receiving the grant of and exploiting any licence or lease which may be granted in pursuance of the application. The applicant shall forthwith upon request by the Governor furnish further evidence relating to such matters and if such further evidence shall not have been furnished to the satisfaction of the Governor within three months of the request therefor the application shall unless the Governor otherwise determines, be deemed void.

(7) All information comprised in, or furnished to the Governor in pursuance of an application made in accordance with these Regulations shall be treated as confidential.

Separate application to be
made for each area.

5. Where an applicant requires a licence or lease for two or more separate areas a separate application shall be made in respect of each such area.

Grant of more than one
licence or lease to the
same person.

6. Subject to the provisions of Regulations 18 and 24 nothing in these Regulations shall prevent more than one licence or lease being granted to the same person.

Licence or lease not
assignable without
consent.

7. A licence or lease shall not be assigned without the previous consent in writing of the Governor.

Method of making
application for assign-
ment.

8. An application by a licensee or lessee for the assignment of a licence or lease shall be made in writing addressed to the Colonial Secretary and shall be accompanied by a fee as prescribed in Regulation 4 (4). With the application the applicant shall furnish

the like particulars in respect of the proposed assignee as are required to be furnished in the case of applicants for licences and leases under Regulation 4.

9. A licence or lease shall not be granted to or held by any person who is or becomes controlled directly or indirectly by a national of or by a company incorporated in any country the laws and customs of which do not permit British subjects or companies incorporated in Her Majesty's dominions or companies incorporated in that country controlled directly or indirectly by British subjects or companies incorporated in Her Majesty's dominions to acquire hold and operate petroleum concessions on conditions which in the opinion of Her Majesty's principal Secretary of State for the Colonies are reasonably comparable with the conditions upon which such rights are granted to nationals of that country with the addition of conditions corresponding to those imposed by Clause 12 (Control by an Alien) and Clause 13 (Reciprocity) of Part I of the Second Schedule hereto.

Reciprocity.

10. In the case of an application for a licence or a lease by an alien or a company incorporated outside Her Majesty's dominions or in the case of an application by a licensee or lessee for the Governor's consent to the assignment of a licence or lease to an alien or a company incorporated outside Her Majesty's dominions such licence or lease shall only be granted or assigned to a company incorporated in the Colony or in some other part of Her Majesty's dominions for the purpose of receiving and exploiting any such licence or lease unless in the case of a company incorporated in the United States of America the applicant can show to the satisfaction of the Governor that he would thereby suffer substantial financial loss in respect of taxation.

Applications by an alien or a company incorporated outside Her Majesty's dominions.

11. If a licence or lease is not executed within six months after approval of the application by the Governor the right of the applicant to such licence or lease shall be deemed to have lapsed unless the Governor considers that the delay is not attributable to the fault of the applicant.

Lapse of right to licence or lease.

12. The Governor shall, as soon as may be after the grant surrender determination or assignment of the whole or any part of any licence or lease under these Regulations, publish notice of the fact in the Gazette stating the name of the licensee or lessee or assignee and the situation of the area concerned.

Publication.

13. Every oil exploration licence and oil prospecting licence and oil mining lease shall incorporate such of the model clauses respectively set out in Parts I, II and III of the Second Schedule hereto as shall be appropriate subject to such modifications and exclusions as the Governor thinks fit and such additional clauses covering ancillary matters as the Governor thinks necessary.

Model clauses.

14. Unless the Governor shall in any particular case otherwise provide no such licence or lease shall be granted until a Bond has been executed in the form appropriate to such licence or lease and set out in the Second Schedule hereto.

Bond.

PART II.

OIL EXPLORATION LICENCES.

15. The Governor may at his discretion grant an oil exploration licence or licences over the lands specified therein subject to the payment by the licensee of a fee of 2/6d. for every square mile comprised in the licensed area, provided that the total fees payable shall not be less than £100.

Grant of oil exploration licence.

16. The initial term of an oil exploration licence shall not exceed two years.

Period.

Renewal.

17. The Governor may at his discretion on application made by the licensee on three months' notice in writing and on payment of an annual fee which shall be one-half of that provided in Regulation 15 grant a renewal of an oil exploration licence in respect of the whole of the licensed area or any part thereof for three further terms of twelve months.

Maximum area.

18. The area of an oil exploration licence and the maximum area which may be held by any one licensee under oil exploration licences shall be determined by the Governor at his discretion.

Expenditure obligation.

19. During the period of the licence and of any renewal thereof the licensee shall spend an average of not less than £25 per annum on his operations for each square mile in the licensed area. If the expenditure in the licensed area by the licensee falls short of such amount, the licensee shall on the expiration of the licence or of any renewal thereof pay to the Colonial Treasurer an additional sum representing the difference between his liability under this Regulation and his actual expenditure:

Provided that in the event of the determination of the licence or the surrender of any part or parts of the area by the licensee the expenditure obligation shall be reduced proportionately.

Right to oil prospecting licence.

20. The right of the licensee to an oil prospecting licence or licences within the area in respect of which an oil exploration licence or licences have been granted shall be limited to 50 per centum of the area of that licence or of the aggregate area of those licences.

PART III.**OIL PROSPECTING LICENCES.****Grant of oil prospecting licence.**

21. The Governor may grant an oil prospecting licence over the lands specified therein whether or not the applicant has been the holder of an oil exploration licence under these Regulations. Subject to the rights of an applicant who is the holder of a valid oil exploration licence, the grant of an oil prospecting licence shall be at the discretion of the Governor.

Comprehensive oil prospecting licence.

22. Subject to the provisions of Regulation 5 the Governor may grant a comprehensive oil prospecting licence in respect of two or more separate areas provided they are situated reasonably close together.

Shape of area.

23. Each separate area in respect of which an oil prospecting licence is granted shall be so far as possible, compact and shall either be limited by well marked permanent physical boundaries or be bounded by straight lines.

Maximum area.

24. Subject to the provisions of Regulation 20 the area of an oil prospecting licence and the maximum area which may be held by any one licensee under oil prospecting licences shall be determined by the Governor at his discretion.

Period.

25. The initial term of an oil prospecting licence shall not exceed four years.

Renewal.

26. The Governor may at his discretion on application made by the licensee on three months' notice in writing grant a renewal of an oil prospecting licence in respect of the whole of the licensed area or any part or parts thereof for three further terms of twelve months.

Working obligations.

27. (1) The licensee shall in respect of the area or areas covered by each licence carry out with due diligence such scheme of prospecting including any geological and geophysical surveys and programme of test drilling as shall be approved by the Colonial Secretary.

(2) During the period of the licence including the period of any renewal of the licence the licensee shall spend on his operations in the licensed area not less than —

£25 a square mile during the first year of the licence.

£50 a square mile during each of the next three years of the licence.

£75 a square mile during each year thereafter.

If the expenditure in the licensed area by the licensee falls short of that stated above, the licensee shall on the expiration of the licence or any renewal thereof, as the case may be, pay to the Colonial Treasurer an additional sum representing the difference between his liability under this Regulation and his actual expenditure:

Provided that in the event of the determination of the licence or the surrender of any part or parts of the area by the licensee the expenditure obligation shall be reduced proportionately.

(3) As soon as practicable and in any case not later than one year from the date of the issue of the oil prospecting licence, the licensee shall commence drilling with a medium or deep depth drilling string upon a site selected by him within the licensed area and shall therewith with due diligence continue drilling until the geological objective is reached or geological conditions are discovered which preclude the possibility of the presence of petroleum in commercial quantity at greater depth. If petroleum in commercial quantity is not found, the licensee shall undertake further similar drilling operations upon other selected sites in rotation until commercial oil is found, the selection of these sites and the movement of the drilling equipment to them to be carried out without delay.

(4) Where a licensee holds concurrently more than one oil prospecting licence the obligation in the immediately preceding paragraph shall not apply to more than one such licence out of every five licences so held, or such greater number of licences so held as the Governor may determine.

28. The licensee shall pay to the Colonial Treasurer annually in advance a certain yearly rent for each square mile at the following rates :

Certain yearly rent.

	£	s.	d.
1st year of initial term		10	0
2nd year of initial term	1	0	0
3rd year of initial term	1	10	0
4th year of initial term	1	15	0
1st year renewal	2	0	0
2nd year renewal	2	5	0
3rd year renewal	2	10	0

Provided that the certain yearly rent payable for each year of the initial term shall not be less than £100 and for the renewal of the term shall not be less than £200.

29. The licensee shall pay a royalty of 12½ per centum of the value of all crude oil produced and casinghead petroleum spirit recovered and 5 per centum of the value of all natural gas sold from the licensed area. From the amount of royalty payable in respect of any one year of the term of an oil prospecting licence there shall be deducted the amount of the certain yearly rent actually paid in respect of that year for that licensed area.

Royalty.

30. At the end of the fourth year of the initial term of the prospecting licence, the licensee shall surrender 25 per centum of the area in respect of which the licence has been granted.

Surrender of area.

Right to oil mining lease.

31. The right of the licensee to an oil mining lease within the area of the oil prospecting licence shall be limited to 50 per centum of the area originally granted under that oil prospecting licence save in cases where special exemption is granted by the Governor.

PART IV.

OIL MINING LEASES.

Governor may grant oil mining lease.

32. The Governor may grant an oil mining lease over the lands specified therein. An oil mining lease shall be granted only in respect of an area which has previously been either in an oil prospecting licence granted under these Regulations to the applicant or in an oil mining lease granted to a former lessee.

Comprehensive oil mining lease.

33. Subject to the provisions of Regulations 5 and 31 the Governor may grant a comprehensive oil mining lease in respect of two or more separate areas provided they are situated on the same geological structure or cover a group of geologically similar and related structures.

Shape of area.

34. Each separate area in respect of which an oil mining lease is granted shall either be limited by well marked permanent physical boundaries or be laid out in a block or blocks bounded by straight lines between well defined points.

Period.

35. The initial term of an oil mining lease shall not exceed thirty years but the lease shall contain a clause permitting renewal for a further period not exceeding thirty years.

Certain yearly rent.

36. The lessee shall pay annually in advance a certain yearly rent at rates not less than the following rates for each acre or part of an acre comprised in the leased area —

	Per acre per annum		
	£	s.	d.
In respect of the 1st year of the said term		2	6
In respect of the 2nd year of the said term		3	6
In respect of the 3rd year of the said term		4	6
In respect of the 4th year of the said term		6	0
In respect of the 5th year of the said term		8	0
In respect of the 6th year and each subsequent year of the said term		10	0

Royalty.

37. The licensee shall pay a royalty of $12\frac{1}{2}$ per centum of the value of all crude oil produced and casinghead petroleum spirit recovered and 5 per centum of the value of all natural gas sold from the licensed area. From the amount of royalty payable in respect of any one year of the term of an oil mining lease there shall be deducted the amount of the certain yearly rent actually paid in respect of that year for that lease.

Promulgated by the Officer Administering the Government on the 27th day of August, 1964.

H. L. BOUND,

Clerk of the Executive Council.

Ref. 2298.

FIRST SCHEDULE

FALKLAND ISLANDS

Application for an Oil Exploration Licence, an Oil Prospecting Licence or an Oil Mining Lease

1. Name(s) of Applicant(s) in full.....
.....
.....
2. If application is by an individual or individuals
 (a) Address
- (b) Nationality
- (c) Occupation
3. If application is by a company
 (a) Principal place of business
- (b) If principal place of business is outside the Colony name and address of duly
 authorised agent in the Colony

- (c) Nature of business
- (d) Names of directors Nationality
- (e) Names of principal shareholders Amount of shareholding
4. State whether an Oil Exploration Licence, an Oil Prospecting Licence or an Oil
Mining Lease is required and whether the application is in respect of Crown, or alienated
lands
5. Period for which Licence or Lease is required
6. Situation and approximate size of the area for which application is made
.....
7. Brief particulars of previous experience in oil prospecting or oilfield development
work
8. Names and qualifications of technical experts or advisers.....
.....
9. State amount of capital for operations under the Licence or Lease applied for
 (a) At present available.....
- (b) Which applicant can make available and the source.....

10. If the applicant is an alien, or a company incorporated outside Her Majesty's
dominions state full particulars of the company to be incorporated by the applicant in
the Colony or in some other part of Her Majesty's dominions for the purpose of receiving
the grant of and exploiting any Licence or Lease which may be granted, including partic-
ulars similar to those specified in (3) (d) and (8) above and the amount of the capital pro-
posed

I/We hereby declare that all the foregoing particulars are correct.

Date Signature(s) of Applicant(s).....

(If the applicant is a Company state capacity in which form is signed).

SECOND SCHEDULE: PART I

FALKLAND ISLANDS

OIL EXPLORATION LICENCE

THIS DEED made the day of 19.....
between

Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies (hereinafter referred to as the "Governor" which expression includes the officer for the time being administering the Government of the said Colony) of the one part and (hereinafter referred to as "the Licensee") of the other part.

WHEREAS the Licensee in accordance with the conditions laid down in the Regulations for the time being in force for the granting of oil exploration licences has applied to the Governor for an oil exploration licence in respect of the lands specified in the Schedule marked "A" hereunder written (hereinafter referred to as "the licensed area") and has entered into a Bond in the form set out in the Schedule marked "B" hereunder written with the Colonial Treasurer in the sum of.....conditioned for the due and faithful carrying out of the provisions contained in this Deed:

NOW THIS DEED WITNESSETH AS FOLLOWS —

Fee.

1. In consideration of the sum of £ which represents a fee of 2/6d. for each square mile of the licensed area and which has before the execution hereof been paid by the Licensee to the Colonial Treasurer on behalf of the Governor the sole right and licence is hereby granted by the Governor to the Licensee for the term of two years from the date hereof subject to the rights of private owners of the surface and subject to the restrictions conditions and provisions hereinafter contained to explore and search the surface of the lands described in the Schedule marked "A" hereunder written for petroleum and for that purpose the right and licence to make geological geophysical and topographic examinations and to dig and turn up the surface of the land and drill geological information bore-holes. Reserving nevertheless to the Governor full power and liberty at all times to enter into and upon and to grant or demise to any persons whomsoever liberty to enter into and upon such Crown lands as may be included in the said lands for all and every purpose other than that for which this licence is granted but subject to the rights of the Licensee under this licence.

Right to erect and dismantle huts, etc.

2. Subject to the rights of private owners of the surface the Licensee may erect and bring upon the licensed area such temporary buildings and structures engines machinery equipment chattels and effects as shall be proper and necessary for effectually carrying on the operations hereby licensed and subject as aforesaid the Licensee shall be entitled at any time to dismantle and remove the same.

Local Resident Manager.

3. The Licensee shall before commencing any operations in the said lands furnish to the Colonial Secretary the name and address of the Manager resident in the locality of the licensed area under whose supervision such operations are to be carried on. Any notice which the Governor or any person authorised by him is in accordance with the terms of this licence required or entitled to serve upon the Licensee shall be sufficiently served if the same shall be delivered or sent by post to such Manager at such address.

Working obligations.

4. (1) The Licensee shall with all reasonable despatch commence to examine geologically and by geophysical methods the licensed area and shall during the subsistence of this licence continue with due diligence to carry out such geological and geophysical work as may be necessary to determine the structure of the licensed area.

(2) During the period of the licence and any renewal thereof the Licensee shall spend an average of not less than £25 per annum on his operations for each square mile of the licensed area. If the expenditure of the Licensee on the operations for the period of the licence or the period of the renewal as the case may be falls short of the said amount, he shall on the expiration of the period of the licence or the period of the renewal as the case may be pay the difference between his liability under this clause and his actual expenditure to the Colonial Treasurer.

(3) In the event of the determination of this licence by the Licensee under the provisions of Clause 18 or the surrender of any part or parts of the area, under the provisions of Clause 19 the expenditure obligations in this clause shall be reduced proportionately.

5. All excavations or borings which may have been made on the licensed area during the subsistence of this licence shall unless the Colonial Secretary otherwise determines be filled up, and so far as possible the surface of the land shall be restored to its condition prior to such excavations or borings, and the Licensee shall indemnify the Governor against all claims and demands which may be made by any other person for damage shown to result from the exercise of the powers hereby conferred.

Restoration and indemnity.

6. The Licensee shall furnish in triplicate to the Colonial Secretary a quarterly report (which he hereby undertakes to have prepared) indicating the progress of his operations under this licence in and upon the licensed area and containing a map, on a scale to be agreed between the Colonial Secretary and the Licensee, which shall show the true topographic position of any land geologically or geophysically surveyed examined or mapped. The quarterly report and map shall include full particulars of any discovery or indication of petroleum bearing strata and of any mineral other than petroleum. Any officer authorised by the Colonial Secretary may at all reasonable times inspect and make abstracts or copies of any logs records plans or maps prepared by the Licensee in the course of his operations under this licence. All such information so supplied by the Licensee shall (except with the consent in writing of the Licensee which shall not be unreasonably withheld) be treated by the Colonial Secretary as confidential but the Colonial Secretary shall nevertheless be entitled at any time to make use of any information received from the Licensee for the purpose of preparing and publishing aggregated returns and general reports on the extent of oil prospecting or oil mining operations in the Colony and for the purposes of any arbitration or litigation between the Governor and the Licensee.

Reports.

7. The Licensee may remove any specimens or samples of petroleum found by him in or upon the licensed area in the course of his operations under this licence but shall furnish the Colonial Secretary as soon as possible with full information of all such specimens and samples so removed and shall upon demand made within 28 days of the receipt by the Colonial Secretary of such information provide the Colonial Secretary with such representative specimens and samples as may be required, not exceeding one half of any individual specimen or sample so removed by the Licensee and the Colonial Secretary shall be entitled to retain any specimen or sample so delivered.

Samples of petroleum.

8. The Licensee shall not form or endeavour to form or procure or permit to be formed any company syndicate or association incorporated or not incorporated nor appeal publicly by means of a prospectus or otherwise for money for the purpose of exploiting the licensed area or any portion thereof without the permission in writing of the Governor to be obtained on his being satisfied that such lands or portion thereof have been thoroughly and efficiently examined geologically or by geophysical methods.

Formation of Company, etc., by Licensee.

Consent to assignment.

9. The Licensee shall not grant or assign any interest under this licence nor part with the possession of any of the rights hereby granted to any person or persons whomsoever without the previous consent in writing of the Governor, which shall not be unreasonably withheld. The Governor may (without prejudice to his right to make such consent subject to any conditions he may think fit) require as a condition of giving such consent the assignor or assignees at his or their expense to execute a deed of covenant to observe and perform the covenants and conditions on the part of the Licensee in these presents contained and to enter into a Bond in the form set out in the Schedule marked "B" hereunder.

Assignment of licence.

10. The Licensee shall not assign or attempt to assign the rights granted by this licence to any person other than a British subject or a company incorporated in the Colony or in some other part of Her Majesty's dominions:

Provided that if in the case of a proposal to assign the rights to a company incorporated in the United States of America the Licensee can show to the satisfaction of the Governor that the foregoing provisions of this clause would result in the Licensee suffering substantial financial loss in respect of taxation the Governor may by writing under his hand absolve the Licensee from complying with the provisions of this clause.

Licensee ceasing to be a British subject.

11. If the Licensee shall cease to be a British subject or a company incorporated in the Colony or in some other part of Her Majesty's dominions he shall forthwith inform the Governor and apply to him for his consent to an assignment of the rights granted by this licence in accordance with Clause 9 (Consent to assignment) and Clause 10 (Assignment of licence) hereof and in the event of the Licensee failing to obtain such consent within such time as the Governor may in his discretion appoint the Governor may revoke this licence. The revocation of this licence in pursuance of the foregoing provisions of this clause shall be subject and without prejudice to any obligation or liability imposed by or incurred under the terms and conditions hereof.

Control by an alien.

12. If the Licensee being a company shall be or become controlled directly or indirectly by an alien or a company incorporated outside Her Majesty's dominions or if the Licensee shall with the consent in writing of the Governor assign the rights granted by this licence in respect of the licensed area or any part thereof to a company controlled directly or indirectly by an alien or by a company incorporated outside Her Majesty's dominions then and in any such case —

- (a)of the Directors and the Chief Local Representative shall be British subjects;
- (b) at all times during the term hereby granted or any renewal thereof a reasonable number of the persons employed by the Licensee in or about the licensed area in connection with the exercise of the rights granted by this licence shall be British subjects.

Reciprocity.

13. This licence shall be determined if the Licensee shall be or become controlled directly or indirectly by a national of or by a company incorporated in any country the laws and customs of which do not permit British subjects or companies incorporated in Her Majesty's dominions or companies incorporated in that country controlled directly or indirectly by British subjects or companies incorporated in Her Majesty's dominions to acquire hold and operate petroleum concessions on conditions which in the opinion of Her Majesty's Principal Secretary of State for the Colonies are reasonably comparable with the conditions upon which such rights are granted to nationals of that country with the addition of conditions corresponding to those imposed by this clause and the immediately preceding clause hereof.

14. In the event of the inclusion by inadvertence in the said Schedule marked "A" of lands or areas over which it may subsequently be proved that the Government are not entitled to the oil rights or of lands or areas in respect of which the oil rights have already been granted to other individuals or companies, the Licensee shall immediately release to the Governor any such lands or areas when required to do so by the Colonial Secretary.

Release of lands included by inadvertence.

15. Notwithstanding the rights conferred on the Licensee under this licence the Governor shall have power at any time to require that such part or parts of the licensed area as may from time to time be required for any public purpose whatsoever may be so used provided that during the subsistence of this licence the area or areas so used shall not exceed in all of the licensed area and provided further that if the Licensee shall satisfy the Governor that the use of such area or areas will interfere with his proposed operations he shall have the right to indicate other areas which can be selected with the least interference to his operations.

Use of lands for public purposes.

16. If the Licensee shall at any time refuse or neglect to observe or perform any of the terms and conditions of this licence the Governor may by notice in writing signed by him and served upon the Licensee summarily declare that the licence hereby granted shall henceforth determine and the licence and all rights and liberties conferred hereby or enjoyed hereby or hereunder shall forthwith determine without prejudice to the rights and remedies of the Governor in respect of any prior breach or non-performance of any or all of the terms and conditions hereof on the part of the Licensee:

Power of revocation.

Provided always that the aforesaid power shall not be exercisable unless and until notice has been given to the Licensee specifying the particular breach complained of and if the breach is capable of remedy, requiring the Licensee to remedy the breach and, in any case, requiring the Licensee to make compensation in money for the breach, and the Licensee fails within a reasonable time thereafter, to remedy the breach if it is capable of remedy and to make reasonable compensation in money to the satisfaction of the Governor for the breach.

17. The Governor may if he is satisfied that the Licensee has performed the conditions imposed on him by this licence at his discretion on an application made in that behalf by the Licensee on three months' notice in writing grant a renewal of this licence in respect of the whole of the licensed area or any part thereof for a further term of twelve months and thereafter for two further terms of twelve months respectively subject to the payment by the Licensee of an annual fee of 1/3d. for each square mile of the area retained.

Renewal.

18. Without prejudice to any obligation or liability imposed by or incurred under the terms and conditions hereof the Licensee may at any time during the term hereby granted or any renewal thereof determine this licence by giving to the Governor not less than six months' previous notice in writing to that effect.

Right of Licensee to determine licence.

19. Without prejudice to any obligation or liability imposed by or incurred under the terms and conditions hereof the Licensee shall be entitled at any time during the term hereby granted or any renewal thereof by giving three months' notice in writing to the Governor to surrender the rights granted by this licence in respect of any part or parts of the licensed area:

Right of Licensee to abandon portions of licensed area.

Provided that the part of the licensed area in respect of which the said rights are retained shall comply with the Regulations for the time being in force as to the shape and size of areas in respect of which an Oil Exploration Licence may be granted.

20. On or before the expiration of this licence or any renewal thereof the Licensee observing and performing the terms and conditions herein contained shall have a right (subject to the provisions

Right of Licensee to oil prospecting licence.

prescribed in the Regulations then in force for granting oil prospecting licences) to an oil prospecting licence or licences in respect of 50 per centum of the licensed area and in respect of such further part of the licensed area as the Licensee may select in lieu of an equivalent area or areas in respect of which the Licensee has the right to the grant of an oil prospecting licence or licences by virtue of another exploration licence or licences held by the Licensee.

Force majeure.

21. (1) Failure on the part of the Licensee to fulfil any of the terms and conditions of this licence shall not give the Governor any claim against the Licensee or be deemed a breach of this licence in so far as such failure arises from *force majeure* and if through *force majeure* the fulfilment by the Licensee of any of the terms and conditions of this licence be delayed the period of such delay shall be added to the periods fixed by this licence.

(2) In this Clause the expression "*force majeure*" includes the act of God, war, insurrection, riot, civil commotion, tide, storm, tidal wave, flood, lightning, explosion, fire, earthquake and any other happening which the Licensee could not reasonably prevent or control.

Arbitration.

22. If at any time during the continuance of this licence or after the determination thereof any question or dispute shall arise regarding this licence or any matter or thing connected herewith or the powers duties or liabilities of the Licensee hereunder then and in all such cases the matter in difference shall be referred to arbitration in accordance with the provisions of the Arbitration Act 1950 or any Ordinance or law amending or replacing the same for the time being in force:

Provided that any reference to arbitration arising out of an agreement between the parties, shall be to two arbitrators, one to be appointed by each party, unless a contrary intention is expressed in the agreement.

Marginal notes.

23. The marginal notes are for convenience only and do not form part of this licence.

Interpretation.

24. For the purpose of this licence —

- (1) "LICENSEE" means a person to whom an oil exploration licence is granted his successors in title and the persons deriving title under him.
- (2) "PETROLEUM" includes any mineral oil or relative hydrocarbon and natural gas existing in its natural conditions in strata but does not include coal or bituminous shales or other stratified deposits from which oil can be extracted by destructive distillation.
- (3) "HER MAJESTY'S DOMINIONS" shall be construed as including a reference to all territories under Her Majesty's protection or in which Her Majesty has for the time being jurisdiction.
- (4) "BRITISH SUBJECT" shall be deemed to include a person under Her Majesty's protection.
- (5) "COLONY" means the Colony of the Falkland Islands.

(In witness whereof the Governor and the Licensee have hereunto set their hands and seals the day and year first herein above written.)

(In witness whereof the Governor has hereunto set his hand and seal and the Licensee has caused its Common Seal to be hereunto affixed the day and year first herein above written.)

SCHEDULE A.

Description of licensed area.

All those lands indicated on the attached plan situate in.....
.....and having a total area of.....
or thereabouts.

SCHEDULE B.

BOND IN RESPECT OF OIL EXPLORATION LICENCE

KNOW ALL MEN BY THESE PRESENTS THAT WE

of
and
of
are held and firmly bound to the Colonial Treasurer of the Colony of the Falkland Islands and his Successors in Office in the sum ofto be paid to the said Colonial Treasurer and his Successors in Office for which payment to be well and truly made we bind ourselves and each of us our heirs executors and administrators jointly and severally by these presents.

Dated thisday of.....19.....

WHEREAS by deed of even date herewith and made betweenof the one part and the said.....of the other part the sole right and licence was granted to the said.....to explore and search the surface of that parcel of land situate..... and having an area of..... more or less and delineated in the plan attached to the said Deed for petroleum and for that purpose to make geological, geophysical and topographic examinations and to dig and turn up the surface of the land and drill geological information bore-holes, subject to the terms conditions and covenants therein contained.

AND WHEREAS the said hath agreed to become surety for the due performance by the said..... of all and several the covenants matters and things under the said Deed to be by him performed and done.

Now the condition of the above-written bond or obligation is such that if the said shall well and truly observe and perform all and every the covenants and agreements by him to be observed and performed as hereinbefore mentioned and shall in a proper and workmanlike manner do all and every the acts matters and things by him to be done under the said Deed to the satisfaction of the Governor for the time being of the said Colony.

THEN the above-written bond or obligation shall be void otherwise the same shall remain in full force and effect.

SECOND SCHEDULE: PART II

FALKLAND ISLANDS
OIL PROSPECTING LICENCE

THIS DEED made the day of 19..... between Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies (hereinafter referred to as "the Governor" which expression includes the Officer for the time being administering the Government of the said Colony) of the one part and (hereinafter referred to as "the Licensee") of the other part.

WHEREAS the Licensee in accordance with the conditions laid down in the Regulations for the time being in force for the granting of oil prospecting licences has applied to the Governor for an oil prospecting licence in respect of certain lands specified in the Schedule marked "A" hereunder written (hereinafter referred to as "the licensed area").

AND WHEREAS the Licensee has entered into a bond in the form set out in the Schedule marked "B" hereunder written with the Colonial Treasurer in the sum of conditioned for the due and faithful carrying out of the provisions contained in this Deed;

AND WHEREAS the Governor has found that there is no objection to granting the said licence;

NOW THIS DEED WITNESSETH AS FOLLOWS —

Grant of rights and
licence.

1. In pursuance of the aforesaid arrangements and in consideration of the rents royalties covenants and agreements hereinafter reserved and contained on the one part of the Licensee to be paid and observed the Governor doth hereby grant unto the Licensee the rights and licence specified in the following sub-clauses of this clause (but subject to the restrictions provisions and conditions hereinafter contained) to hold and enjoy the said rights and licence for a term of four years from the date hereof (hereinafter referred to as the "initial term"):

- (1) the sole right and licence to enter upon the licensed area for the purpose of searching for boring for winning and working all or any petroleum lying or being within under or throughout the licensed area without any interruption claim or disturbance from or by the Governor or any other person or persons whomsoever save as may be provided by regulation;
- (2) the sole right and licence to carry away and dispose of petroleum from the licensed area for the use and benefit of the Licensee;
- (3) subject to the prior approval of the Governor in writing and to such conditions as he may at his discretion impose, the right to make any roads on the licensed area for the purpose of carrying on the prospecting operations hereby licensed;
- (4) subject to the approval of the Governor and to such conditions as he may impose the right to appropriate and use for the purposes aforesaid the water upon or within any of the licensed area and to collect and impound the same for such purposes but so that in the exercise of this privilege the Licensee shall not deprive any lands, settlements, shepherds' houses, or watering places for horses, cattle or sheep of a reasonable supply of water as heretofore accustomed;
- (5) the right to erect and bring upon the licensed area all such temporary buildings, structures, engines, machinery, equipment, chattels and effects as shall be proper and necessary for effectually carrying on the prospecting operations hereby licensed and subject to the approval of the Governor to install telephone and wireless apparatus and to construct airstrips and to enclose with a fence the lands occupied by the aforesaid constructions:

Reserving nevertheless to the Governor or any other person authorised by him in that behalf full liberty and power at all times —

- (a) to enter into and upon the licensed area for all or every purpose other than those for which this licence is issued but subject to the rights hereby conferred and particularly (and without hereby in any way qualifying such general power and liberty)
 - (i) to make on over or through the licensed area such roads railways telegraph and telephone lines, pipelines and other public works as he may consider necessary;
 - (ii) to obtain from and out of any Crown Lands in the licensed area such stone earth timber or other

material as may be necessary or requisite for any purpose;

- (iii) to pass and repass at all times over and along any Crown Lands in the licensed area and such roads railways and pipelines for all purposes as occasion shall require;

- (b) to search for, dig, work, and get any minerals or substances other than petroleum upon or under the licensed area:

Provided always that the said reserved liberties and powers in respect of the licensed area or any part thereof shall be exercised and enjoyed in such a manner as not to hinder or interfere with the rights and privileges of the Licensee under these presents, and provided also that fair and proper compensation shall be paid by the Governor for all loss damage or injury which the Licensee may sustain or be put to by reason or in consequence of the exercise of the said reserved liberties and powers, the amount of such compensation to be settled in case of difference by reference to arbitration as provided in Clause 47 (Arbitration) hereof.

2. The Licensee shall not exercise any of the rights and licence conferred under the preceding clause over any alienated lands within the licensed area unless and until permission in writing so to do shall first have been obtained by the Licensee from the Governor who shall grant such permission upon proof to his satisfaction by the Licensee that —

Restriction for alienated lands.

- (a) the Licensee has entered into an agreement with the owner or occupier or both as the case may be of the surface of that land for payment of compensation to such owner or occupier for and in respect of any loss or damage which may be caused or done to the surface of that land or to any cultivation or buildings thereon by reason of the exercise by the Licensee of all or any rights and licence hereby granted; or
- (b) the Licensee has made reasonable efforts to arrive at such an agreement but has failed to do so through no fault attributable to him; or
- (c) the Licensee is unable to enter into such an agreement by reason of the fact that such owner or occupier cannot be found or is out of the Colony or is incapacitated through infancy or other legal disability.

3. (1) The Licensee shall pay to the Colonial Treasurer on behalf of the Governor during the term hereby granted or any renewal thereof a certain yearly rent for each square mile of the licensed area as hereunder specified —

Certain yearly rent.

	£	s.	d.
1st year of initial term		10	0
2nd year of initial term	1	0	0
3rd year of initial term	1	10	0
4th year of initial term	1	15	0
1st year of renewal	2	0	0
2nd year of renewal	2	5	0
3rd year of renewal	2	10	0

Provided that the certain yearly rent payable for each year of the said term shall not be less than £100, and that the certain yearly rent payable for the renewal of the said term shall not be less than £200.

(2) Payment of the certain yearly rent reserved by this licence shall be made annually in advance and the first payment of the sum of in respect of the first year of the term hereby granted (the receipt whereof is hereby acknowledged) shall be made on the execution of this licence.

Refund of certain
yearly rent on determin-
ation or surrender.

4. (1) Upon the determination by the Licensee of the term hereby granted or any renewal thereof or upon the surrender by him of the rights granted by this licence in respect of any part or parts of the licensed area or upon the grant of an oil mining lease in respect of any part or parts of the licensed area the Governor will refund to the Licensee an apportioned part of any certain yearly rent paid by the Licensee in advance in respect of the licensed area or any such part or parts thereof for a period the whole of which has not expired at the date of such determination or surrender of grant.

(2) Upon the release by the Licensee of any lands or areas under the provisions of Clause 13 (Release of lands included by inadvertance) hereof the Governor will refund to the Licensee an apportioned part of any certain yearly rent paid by the Licensee during the term hereby granted in respect of the licensed area provided that in respect of any year the amount remaining of the certain yearly rent after the said refund shall not be less than the amount of royalties payable in respect of any such year under the provisions of sub-clauses (1) and (2) of Clause 5 (Royalty) hereof.

Royalty.

5. The Licensee shall pay to the Colonial Treasurer on behalf of the Governor within two months after the end of each year of the term hereby granted or any renewal thereof the royalties hereunder specified —

- (1) A royalty of $12\frac{1}{2}$ per centum of the value of all crude oil won and saved and of all casinghead petroleum spirit recovered by the Licensee from the licensed area within each such year ascertained in the manner provided by Clause 6 (Measurement of Petroleum). From the quantity so ascertained the Licensee shall be entitled to deduct the quantity ascertained according to a method approved by the Colonial Secretary of any crude oil (or products thereof) or casinghead petroleum spirit produced from the licensed area and used during the year by the Licensee for the purpose of carrying on drilling and production operations and pumping to field storage and refineries. The value of crude oil for the purpose of royalty shall be the value on the field of production at field storage tanks. The value of casinghead petroleum spirit for the purpose of royalty shall be the value on the field of production after the deduction of due allowance for the cost to the Licensee of extracting such casinghead petroleum spirit. Both the value of crude oil and that of casinghead petroleum spirit shall be calculated in such manner as may be determined from time to time by agreement with the Governor and the Licensee or in default of such agreement, by arbitration in accordance with Clause 47 (Arbitration) hereof:

Provided that if there is any dispute between the parties or failure to agree affecting the amount of the royalty due for any year the amount of royalty in dispute shall not be payable as aforesaid but shall be payable when the amount is determined by agreement or arbitration as the case may be.

- (2) A royalty of 5 per centum of the value of all natural gas produced and sold from the licensed area within each such year. The value of natural gas for the purpose of royalty shall be the value on the field of production at field storage tanks and shall be calculated in such manner as may be determined from time to time by agreement with the Governor and the Licensee or in default of such agreement by arbitration in accordance with Clause 47 (Arbitration) hereof:

Provided that if there is any dispute between the parties or failure to agree affecting the amount of the royalty due for any year the amount of royalty in dispute shall not be payable as aforesaid but shall be payable when the amount is determined by agreement or arbitration as the case may be.

- (3) From the amount of royalties payable under the foregoing provisions of this clause in respect of any such year there shall be deducted the amount of the certain yearly rent actually paid in respect of that year under the provisions of Clause 3 (Certain yearly rent) hereof.

6. (1) The Licensee shall measure or weigh by a method or methods customarily used in good oilfield practice and from time to time approved by the Colonial Secretary —

Measurement of petroleum.

- (a) all crude oil won and saved and casinghead petroleum spirit recovered from the licensed area; and
 - (b) all natural gas sold from the licensed area during the term hereby granted or any renewal thereof.
- (2) The Colonial Secretary or any officer authorised by him shall at all times during the term of the licence or any renewal thereof be entitled to be present whenever such measurement takes place.
- (3) If any measuring appliance shall at any time be found to be false or unjust the same shall if the Colonial Secretary so determines after considering any representations in writing made by the Licensee be deemed to have existed in that condition during the period of three months prior to the discovery thereof or the period elapsed since the last occasion upon which the same was examined or tested whichever shall be the less and accordingly the royalties payable in respect of such period shall be adjusted.
- (4) The Licensee shall not make any alteration in the method or methods of measurement used by him or any appliance used for that purpose without first informing the Colonial Secretary and the Colonial Secretary may in any case require that no alteration shall be made save in the presence of an officer authorised by the Colonial Secretary.

7. The Licensee shall keep full and correct accounts in a form from time to time approved by the Colonial Secretary of —

Keeping of accounts.

- (a) all crude oil won and saved and casinghead petroleum spirit recovered; and
- (b) all natural gas sold; and
- (c) the quantity of crude oil or products thereof or casinghead petroleum spirit used for drilling or production operations or pumping to field storage or refineries; and

shall within one month after the end of each year of the term hereby granted or any renewal thereof deliver to the Colonial Secretary an abstract in a form from time to time approved by the Colonial Secretary of the accounts for each such year together with a statement in the like form of all royalties payable in respect of each such year.

8. (1) During the subsistence of this licence the Licensee shall with due diligence carry out such scheme of prospecting including any geological and geophysical surveys and programme of test drilling as shall be approved by the Colonial Secretary.

Working obligations.

(2) During the period of the licence including the period of any renewal of this licence, the Licensee shall spend on his operations in the licensed area, a sum which shall not be less than —

- £25 for each square mile during the first year of the licence;
- £50 for each square mile during each of the next three years of the licence;
- £75 for each square mile during each year thereafter.

If the expenditure in the licensed area by the Licensee falls short of that stated above the Licensee shall on the expiration of the licence or any renewal thereof, as the case may be, pay to the Colonial Treasurer of the Government of the Colony an additional

sum representing the difference between his liability under this clause and his actual expenditure. In the event of the determination of this licence by the Licensee under the provisions of Clause 43 or the surrender of any part or parts of the area under the provisions of Clause 44 the expenditure obligations in this sub-clause shall be reduced proportionately.

(3) The Licensee shall as soon as practicable and in any case not later than one year from the commencement of the term hereby granted commence drilling operations, with a modern oil well drilling string of tools capable of reaching a depth of at least feet upon a site selected by him within the licensed area and shall therewith with due diligence continue drilling until the geological objective is reached or geological conditions are discovered which preclude the possibility of the presence of petroleum in commercial quantity at greater depth. If petroleum in commercial quantity is not found, the Licensee shall undertake further similar drilling operations upon other selected sites in rotation until commercial oil is found, the selection of these sites and the movement of the drilling equipment being carried out without undue delay:

Provided that the obligation in this sub-clause shall not apply to more than one licence out of every oil prospecting licences held by the Licensee.

Local Resident Manager.

9. The Licensee shall before commencing any operations in the licensed area furnish to the Colonial Secretary the name and address of the Manager resident in the locality of the said lands under whose supervision such operations are to be carried on. Any notice which the Governor or any person authorised by him is in accordance with the terms of this licence required or entitled to serve upon the Licensee shall be sufficiently served if the same shall be delivered or sent by post to such Manager at such address.

Licensee to furnish
copies of agreements with
surface owners.

10. The Licensee shall furnish the Colonial Secretary with copies of all conveyances leases assignments agreements and deeds relating to the alienated lands within the licensed area or any estate or interest therein and to which the Licensee is a party or under which the Licensee either directly or indirectly obtains any benefit or incurs any liability.

sation.

11. The licensee shall make and pay reasonable satisfaction and compensation for all damage or injury to the property and rights of other parties which may be done by him his agents and servants in the exercise of the rights and licence conferred by this licence.

inst third

12. The Licensee shall at all times indemnify and keep harmless the Governor and every Officer of the Government of the Colony against all actions costs charges claims and demands whatsoever which may be made or brought by any third party in relation to or in connection with this licence or any matter or thing done or purported to be done in pursuance thereof by the Licensee his servants or agents.

Release of lands
included by inadvertence.

13. In the event of the inclusion by inadvertence in the said Schedule marked "A" hereunder of lands or areas over which it may subsequently be proved that the Government are not entitled to the oil rights, or of lands or areas in respect of which the oil rights have already been granted to other individuals or companies the Licensee shall immediately release to the Governor any such lands or areas when required to do so by the Colonial Secretary.

Use of lands for public
purposes.

14. Notwithstanding the rights conferred on the Licensee under this licence the Governor shall have power at any time to require that such part or parts of the licensed area as may from time to time be required for any public purpose whatsoever may be so used provided that during the subsistence of this licence the area or areas so used shall not exceed in all per centum of the licensed

area and provided further that the use of any area or areas upon which any active operations such as well-drilling road construction waterworks or other works relating to the winning of petroleum have previously been commenced or are in progress shall not be required but in lieu thereof an equal area or areas upon which active operations as aforementioned have not already been commenced or are not at the time being in progress shall be used provided that such alternative area or areas are in the opinion of the Governor suitable for the public purposes aforementioned, and provided further that the rights of the Licensee to enter and occupy any part of the licensed area may be exercised in so far as this does not in the opinion of the Governor frustrate the public purposes for which the area is required.

15. (1) No statement shall be made either in any notice advertisement prospectus or other document issued by or to the knowledge of the Licensee claiming or suggesting whether expressly or by implication that the Governor or any Government Department or any person or body acting on behalf of the Governor has or have formed or expressed any opinion that the licensed area is from its geological formation or otherwise likely to contain petroleum.

Advertisements prospectuses.

(2) The foregoing provisions of this clause or a statement to the effect thereof shall be included in or endorsed on any prospectus, statement in lieu of prospectus, notice, circular advertisement or other invitation issued by or to the knowledge of the Licensee offering to the public for subscription or purchase any shares or debentures of a company or intended company.

16. The Licensee shall report to the Governor particulars of any fresh issues of capital which may from time to time be made by him and any alteration which may be made in the Memorandum or Articles of Association or in the constitution of the Licensee.

Notice of fresh issues of capital.

17. The Licensee shall not grant or assign any interest under this licence nor part with the possession of any of the rights hereby granted to any person or persons whomsoever without the previous consent in writing of the Governor, which shall not be unreasonably withheld. The Governor may (without prejudice to his right to make such consent subject to any conditions he may think fit) require as a condition of giving such consent the assignee or assignees at his or their expense to execute a deed of covenant to observe and perform the covenants and conditions on the part of the Licensee in these presents contained.

Consent to assignment.

18. The Licensee shall not assign or attempt to assign the rights granted by this licence to any person other than a British subject or a company incorporated in the Colony or in some other part of Her Majesty's dominions:

Assignment of licence.

Provided that if in the case of a proposal to assign the rights to a company incorporated in the United States of America the Licensee can show to the satisfaction of the Governor that the foregoing provisions of this clause would result in the Licensee suffering substantial financial loss in respect of taxation the Governor may by writing under his hand absolve the Licensee from complying with the provisions of this clause.

19. If the Licensee shall cease to be a British subject or company incorporated in the Colony or in some other part of Her Majesty's dominions he shall forthwith inform the Governor and apply to him for his consent to an assignment of the rights granted by this licence in accordance with Clause 17 (Consent to assignment) and Clause 18 (Assignment of licence) hereof and in the event of the Licensee failing to obtain such consent within such time as the Governor may in his discretion appoint, the Governor may revoke this licence. The revocation of this licence in pursuance of the foregoing provisions of this clause shall be subject and without prejudice to any obligation or liability imposed by or incurred under the terms and conditions hereof.

Licensee ceasing to be a British subject.

Control by an alien.

20. If the Licensee being a company shall be or become controlled directly or indirectly by an alien or a company incorporated outside Her Majesty's dominions or if the Licensee shall with the consent in writing of the Governor assign the rights granted by this licence in respect of the leased area or any part thereof to a company controlled directly or indirectly by an alien or by a company incorporated outside Her Majesty's dominions then and in any such case —

- (a) of the Directors and the Chief Local Representatives shall be British subjects;
- (b) at all times during the term hereby granted or any renewal thereof a reasonable number of the persons employed by the Licensee in or about the licensed area in connection with the exercise of the rights granted by this licence shall be British subjects.

Reciprocity.

21. This licence shall be determined if the Licensee shall be or become controlled directly or indirectly by a national of or by a company incorporated in any country the laws and customs of which do not permit British subjects or companies incorporated in Her Majesty's dominions or companies incorporated in that country controlled directly or indirectly by British subjects or companies incorporated in Her Majesty's dominions to acquire hold and operate petroleum concessions on conditions which in the opinion of Her Majesty's Principal Secretary of State for the Colonies are reasonably comparable with the conditions upon which such rights are granted to nationals of that country with the addition of conditions corresponding to those imposed by this clause and Clause 20 (Control by an Alien) hereof.

Notification of discovery of petroleum.

22. The Licensee shall without avoidable delay report to the Colonial Secretary the discovery of petroleum or petroleum bearing strata.

Distance of wells from boundaries.

23. No bore-hole or well shall except with the consent in writing of the Colonial Secretary be drilled or made within a distance of 400 feet from the boundaries of the licensed area.

Notice of commencement of wells.

24. No bore-hole or well shall be commenced and no bore-hole or well shall be recommenced after work has been discontinued thereat for more than six months unless fourteen clear days notice in writing shall first have been given to the Colonial Secretary.

Abandonment and plugging of bore-holes.

25. (1) No bore-hole or well shall be abandoned and no cemented string or other permanent form of casing shall be withdrawn from any bore-hole or well which it is proposed to abandon without the prior consent in writing of the Colonial Secretary such consent not to be unreasonably withheld in the case of bore-holes or wells which have become or are unproductive.

(2) Every bore-hole or well which the Licensee intends to abandon shall unless the Colonial Secretary otherwise determines be so securely plugged by the Licensee as to prevent ingress and egress of water in and from any portion of the strata bored through.

(3) The Colonial Secretary may in any case require that no bore-hole or well shall be plugged or any works be executed for that purpose save in the presence of an officer authorised by him.

Delivering up of productive wells in good order.

26. Within two months after the expiration or sooner determination of this licence or the date of the abandonment of the undertaking hereby licensed whichever shall first occur the Licensee shall deliver up to the Governor in good order repair and condition and fit for further working all productive bore-holes or wells (unless ordered by the Colonial Secretary to plug them as provided in the next succeeding clause and except such bore-holes and wells as shall have been previously abandoned with the consent of the Colonial Secretary) together with all casings and other appurtenances to such

bore-holes and wells below surface level and which cannot be moved without causing injury to the said bore-holes and wells and the Licensee shall also fill up or fence all holes and excavations that he may have made in the licensed area to such extent as the Colonial Secretary may require and shall to the like extent restore so far as may be to their natural and original condition the surface of the licensed area and all buildings and structures thereon which the Licensee may have damaged in the course of prospecting (provided that the Licensee shall not be liable to make good any damage whether to the surface of the said lands or to any buildings or structures thereupon in respect of which the Licensee shall have made satisfaction or paid compensation which, in either case is, in the opinion of the Governor, reasonable) and shall have power during that period to enter on the lands for the purposes aforesaid subject to the rights of surface owners or others:

Provided that this clause shall not apply to any of the lands included in any oil mining lease which the Licensee may take up under the provisions hereinafter contained.

27. Within two months after the expiration or sooner determination of this licence or the date of the abandonment of the said undertaking whichever shall first occur the Licensee shall if required so to do by the Colonial Secretary plug all bore-holes and wells as provided in Clause 25 (Abandonment and plugging of bore-holes) hereof:

Plugging of bore-holes on determination of licence.

Provided that this clause shall not apply to any of the lands included in any oil mining lease which the Licensee may take up under the provisions hereinafter contained.

28. Subject to the rights of surface owners or others, the Licensee shall upon the expiration or sooner determination of this licence or the abandonment of the said undertaking whichever shall first occur with all convenient speed having regard to his obligations under the provisions of Clause 27 (Plugging of bore-holes on determination of licence) remove all buildings structures engines machinery and other property and effects erected or brought by the Licensee upon the licensed area under the provisions hereof save and except all such wells tubes casings or linings and works or any portion thereof both above or below ground as the Governor may require to take at a price which failing agreement shall be fixed by arbitration in the manner provided by Clause 47 (Arbitration) hereof or as may be required to be delivered up to the Governor under the provisions of Clause 26 (Delivering up of productive wells in good order) hereof:

Removal of plant.

Provided that this clause shall not apply to any of the works or things aforesaid on lands for which the Licensee shall under the provisions hereinafter contained take up an oil mining lease which may be required by the Licensee for his operations under the lease.

29. The Licensee shall comply with any instructions from time to time given by the Colonial Secretary in writing for securing the health and safety of persons employed in or about the licensed area.

Health and safety of workers.

30. (1) The Licensee shall maintain all apparatus and appliances and all bore-holes and wells capable of producing petroleum in good repair and condition and shall execute all operations in or in connection with the licensed area in a proper and workmanlike manner in accordance with methods and practice customarily used in good oilfield practice and without prejudice to the generality of the foregoing provision the Licensee shall take all steps practicable in order —

Avoidance of harmful methods of working.

- (a) to control the flow and to prevent the escape or waste of petroleum discovered in or obtained from the licensed area; and
- (b) to conserve the licensed area for productive operations; and
- (c) to prevent damage to adjoining petroleum bearing strata; and

- (d) to prevent the entrance of water through bore-holes and wells to petroleum bearing strata; and
- (e) to prevent the escape of petroleum into any water-well spring stream river lake reservoir estuary or harbour; and
- (f) to cause as little damage as possible to the surface of the licensed area and to the trees crops buildings structures and other property thereon.

(2) The Licensee shall comply with any instructions from time to time given by the Colonial Secretary in writing relating to any of the matters set out in sub-clause (1) hereof. If the Licensee objects to any such instruction on the ground that it is unreasonable he may within fourteen days from the date upon which the same was given refer the matter to arbitration in manner provided by Clause 47 (Arbitration) hereof.

Provision of storage tanks, pipes and pipe-lines.

31. The Licensee shall use methods and practice customarily used in good oilfield practice for confining the petroleum obtained from the licensed area in tanks gasholders pipes and pipe-lines or other receptacles constructed for that purpose. No petroleum shall, save as a temporary measure during an emergency, be placed or kept in an earthen reservoir.

Disposal of waste oil, salt water and refuse.

32. The Licensee shall drain all waste oil, salt water and refuse from storage tanks gasholders bore-holes and wells into proper receptacles constructed and maintained by him for that purpose at a safe distance from such tanks gasholders bore-holes and wells and from any buildings or structures whether situate within the licensed area or not and shall dispose of such waste oil salt water and refuse in manner from time to time approved by the Colonial Secretary.

Licensee to keep records of bore-holes.

33. The Licensee shall keep accurate records in a form from time to time approved by the Colonial Secretary of the drilling deepening plugging or abandonment of all bore-holes and wells and of any alteration to the casing thereof. A log of all bore-holes and wells shall be kept in a form from time to time approved by the Colonial Secretary containing particulars of the following matters —

- (a) the strata and subsoil through which the bore-hole or well was drilled; and
- (b) the casing inserted in any bore-hole or well and any alteration to such casing; and
- (c) any petroleum water workable minerals or mine workings encountered; and
- (d) such other matters as the Colonial Secretary may from time to time require.

The Licensee shall deliver copies of the said records and logs to the Colonial Secretary as and when required.

Samples of strata petroleum and water.

34. The Licensee shall as far as reasonably practicable correctly label and preserve for reference for a period of twelve months characteristic samples of the strata or water encountered in any bore-hole or well and samples of any petroleum discovered in the licensed area. And the Colonial Secretary or his representative shall have access to such samples at all reasonable times and shall be entitled to require that representative specimens not exceeding one-half of any such sample be delivered to him and to retain any specimen so delivered.

Plans and Records.

35. (1) The Licensee shall furnish to the Colonial Secretary quarterly during the term hereby granted or any renewal thereof a record in triplicate in a form from time to time approved by the Colonial Secretary of the progress of his operations in the licensed area.

Such record shall contain —

- (a) a statement of the depth drilled in each bore-hole or well; and

- (b) a statement of any petroleum water and minerals encountered in the course of the said operations; and
- (c) a statement of all crude oil produced and casinghead petroleum spirit recovered; and
- (d) a statement of the areas in which any geological or geophysical work has been carried out.

(2) Within two months after the end of each year comprised in the term hereby granted or any renewal thereof the Licensee shall furnish to the Colonial Secretary a record in a form from time to time approved by him of the operations conducted in the licensed area during each such year together with a plan upon a scale approved by the Colonial Secretary showing the situation of all bore-holes or wells.

(3) The Licensee shall also keep accurate geological plans maps and records relating to the licensed area.

(4) The Licensee shall furnish to the Colonial Secretary such other plans and information as to the progress of operations in the licensed area as the Colonial Secretary may from time to time reasonably require.

36. All logs records plans maps accounts and information which the Licensee is or may be from time to time required to furnish under the provisions of this licence shall be supplied at the expense of the Licensee and shall (except with the consent in writing of the Licensee which shall not be unreasonably withheld) be treated by the Colonial Secretary as confidential. The Colonial Secretary shall nevertheless be entitled at any time to make use of any information received from the Licensee for the purpose of preparing and publishing aggregated returns and general reports on the extent of oil prospecting or oil mining operations in the Colony and for the purposes of any arbitration or litigation between the Governor and the Licensee.

Reports confidential.

37. The Colonial Secretary or any person authorised by him shall be entitled at all reasonable times to enter into and upon any land for the time being possessed or occupied by the Licensee in the licensed area for the purposes hereinafter mentioned —

Power to inspect plant records accounts.

- (a) to examine the bore-holes wells plant appliances buildings and works made or executed by the Licensee in pursuance of this licence and the state of repair and condition thereof; and
- (b) to inspect and check the accuracy of the measuring appliances measurements logs records plans and maps which the Licensee is required to keep or make in accordance with the provisions of this licence; and
- (c) to inspect and make abstracts or copies of any logs records plans maps or accounts which the Licensee is required to keep or make in accordance with the provisions of this licence; and
- (d) to inspect the samples of strata petroleum or water which the Licensee is required to keep in accordance with the provisions of this licence; and
- (e) to execute any works which the Colonial Secretary may be entitled to execute in accordance with the provisions of this licence.

38. If the Licensee shall at any time fail to perform the obligations imposed by any of the undermentioned clauses of this licence —

Power to execute works.

- (a) Clause 6 (Measurement of petroleum)
- (b) Clause 25 (Abandonment and plugging of bore-holes)
- (c) Clause 26 (Delivering up of productive wells in good order)
- (d) Clause 27 (Plugging of bore-holes on determination of licence)
- (e) Clause 28 (Removal of plant)

- (f) Clause 29 (Health and safety of workers)
- (g) Clause 30 (1) (Avoidance of harmful methods of working)
- (h) Clause 31 (Provision of storage tanks pipes and pipelines)
- (i) Clause 32 (Disposal of waste oil salt water and refuse)

then the Colonial Secretary shall be entitled after giving to the Licensee reasonable notice in writing of such his intention to execute any works which in the opinion of the Colonial Secretary or his agents may be necessary to secure the performance of the said obligations or any of them and to recover the cost and expenses of so doing from the Licensee.

Rights of distress.

39. If and whenever any of the certain yearly rent or royalties reserved by this licence or any part thereof respectively shall be in arrear or unpaid for the space of two calendar months next after any of the days whereon the same ought to be paid (whether the same shall have been legally demanded or not) then and so often as the same may happen the Colonial Secretary may (as an additional remedy and without prejudice to the power of distress and other the rights and remedies to which he would be entitled) enter into and upon any land which shall for the time being be possessed or occupied by the Licensee for the purposes of this licence or the exercise of any of the rights thereby granted and may seize and distrain and sell as landlords may do so for rent in arrear all or any of the stocks or petroleum and products thereof engines machinery tools implements chattels and effects belonging to the Licensee which shall be found in or upon the land so entered upon and out of the moneys arising from the sale of such distress may retain and pay all the arrears of the said certain yearly rent and royalties and also the costs and expenses incident to any such distress and sale rendering the surplus (if any) to the Licensee.

Location.

40. If the Licensee shall at any time refuse or neglect to observe or perform any of the terms and conditions of this licence the Governor may by notice in writing signed by him and served upon the Licensee summarily declare that the licence hereby granted shall thenceforth determine and the licence and all rights and licence conferred hereby or enjoyed hereby or hereunder shall forthwith determine without prejudice to the rights and remedies of the Governor in respect of any prior breach or non-performance of any or all of the terms and conditions hereof on the part of the Licensee and in respect of the covenants on the part of the Licensee herein mentioned to be performed after the expiration or sooner determination of this licence or after the abandonment of the undertaking hereby licensed:

Provided always that save as to the non-payment of rents or royalties the aforesaid power shall not be exercisable unless and until notice has been given to the Licensee specifying the particular breach complained and if the breach is capable of remedy requiring the Licensee to remedy the breach and in any case requiring the Licensee to make compensation in money for the breach and the Licensee fails within a reasonable time thereafter, to remedy the breach if it is capable of remedy and to make reasonable compensation in money to the satisfaction of the Governor for the breach.

Surrender of area.

41. At the end of the fourth year of the term of this licence the Licensee shall surrender 25 per cent of the land specified in the Schedule marked "A" hereunder and subsequently all references in this licence to the "licensed area" shall be deemed to apply to the remaining area.

Renewal.

42. The Governor may at his discretion on an application made in that behalf by the Licensee on three months' notice in writing grant a renewal of this licence for a further term of twelve months and thereafter for two further terms of twelve months respectively subject to the carrying out of such scheme of prospecting during the renewals as may be agreed between the Colonial Secretary and the Licensee.

43. Without prejudice to any obligation or liability imposed by or incurred under the terms and conditions hereof the Licensee may at any time during the term hereby granted or any renewal thereof determine this licence by giving to the Governor not less than three months' previous notice in writing to that effect.

Right of Licensee to determine licence.

44. Without prejudice to any obligation or liability imposed by or incurred under the terms and conditions hereof the Licensee shall be entitled at any time during the term hereby granted or any renewal thereof by giving three months' notice in writing to the Governor to surrender the rights granted by this licence in respect of any part or parts of the licensed area:

Right of Licensee to abandon portions of licensed area.

Provided that the part of the licensed area in respect of which the said rights are retained shall comply with the Regulations for the time being in force as to the shape and size of areas in respect of which an Oil Prospecting Licence may be granted.

45. On or before the expiration of this licence or any renewal thereof the Licensee having paid the rents and royalties due and having observed and performed the terms and conditions herein contained shall have a right (subject to the provisions prescribed in the Regulations in force at the date of this licence for granting oil mining leases) to an oil mining lease, *in the form of Oil Mining Lease hereto attached* in respect of any part or parts of the licensed area if he shall comply with the Regulations as to applications for oil mining leases:

Right of Licensee to oil mining lease.

Provided that unless the Governor at his discretion shall otherwise determine the Licensee shall not be entitled to the grant of an oil mining lease in respect of any area or areas exceeding in the aggregate one-half of the original licensed area and provided further that the part or parts of the licensed area in respect of which an oil mining lease is granted shall comply with the Regulations in force at the date of this licence as to the shape and size of areas.

46. (1) Failure on the part of the Licensee to fulfil any of the terms and conditions of this licence shall not give the Governor any claim against the Licensee or be deemed a breach of this licence in so far as such failure arises from *force majeure* and if through *force majeure* the fulfilment by the Licensee of any of the terms and conditions of this licence be delayed the period of such delay shall be added to the periods fixed by this licence.

Force majeure.

(2) In this clause the expression "*force majeure*" includes the act of God war insurrection riot civil commotion tide storm tidal wave flood lightning explosion fire earthquake and any other happening which the Licensee could not reasonably prevent or control.

47. If at any time during the continuance of this licence or after the determination thereof any question or dispute shall arise regarding this licence or any matter or thing connected herewith or the powers duties or liabilities of the Licensee hereunder or the amount or payment of any rent or royalty then and in all such cases the matter in difference shall be referred to arbitration in accordance with the provisions of the Arbitration Act 1950 or any Ordinance or law amending or replacing the same:

Arbitration.

Provided that any reference to arbitration arising out of an agreement between the parties, shall be to two arbitrators, one to be appointed by each party, unless a contrary intention is expressed in the agreement.

48. The marginal notes are for convenience only and do not form part of this licence.

Marginal notes.

49. For the purpose of this licence —

Interpretation.

- (1) "Licensee" means a person to whom an oil prospecting licence is granted his successors in title and the persons deriving title under him.

- (2) "Petroleum" includes any mineral oil or relative hydrocarbon and natural gas existing in its natural condition in strata, but does not include coal bituminous shales or other stratified deposits from which oil can be extracted by destructive distillation.
- (3) "Crude oil" means oil in its natural state before the same has been refined or otherwise treated but excluding water and foreign substances.
- (4) "Natural gas" means gas obtained from bore-holes and wells and consisting primarily of hydrocarbons.
- (5) "Casinghead petroleum spirit" means any liquid hydrocarbons obtained from natural gas (before the crude oil from which it is derived has been measured for royalty) by separation or by any chemical or physical process.
- (6) "Her Majesty's dominions" shall be construed as including a reference to all territories under Her Majesty's protection or in which Her Majesty has for the time being jurisdiction.
- (7) "British subject" shall be deemed to include a person under Her Majesty's protection.
- (8) "Colonial Treasurer" means the Colonial Treasurer of the Colony of the Falkland Islands.
- (9) "Colony" means the Colony of the Falkland Islands.

(In witness whereof the Governor and the Licensee have hereunto set their hands and seals the day and year first herein above written).

(In witness whereof the Governor has hereunto set his hand and seal and the Licensee has caused its Common Seal to be hereunto affixed the day and year first herein above written).

SCHEDULE A.

Description of licensed
area.

All those lands indicated on the attached plan situate in.....
.....and having a total area of.....
or thereabouts.

SCHEDULE B.

BOND IN RESPECT OF OIL PROSPECTING LICENCE

KNOW ALL MEN BY THESE PRESENTS THAT WE

of

and

of

are held and firmly bound to the Colonial Treasurer of the Colony of the Falkland Islands and his Successors in Office in the sum of..... to be paid to the said Colonial Treasurer and his Successors in Office for which payment to be well and truly made we bind ourselves and each of us our heirs executors and administrators jointly and severally by these presents.

Dated this day of 19.....

WHEREAS by deed of even date herewith and made between of the one part and the said..... of the other part the sole right and licence was granted to the said to search bore for win and work all or any petroleum lying or being within under or throughout that parcel of land situate..... and having an area of more or less and delineated in the plan attached to the said Deed subject to the terms conditions and covenants therein contained.

AND WHEREAS the said hath agreed to become surety for the due performance by the said of all and several the covenants matters and things under the said Deed to be by him performed and done.

Now the condition of the above-written bond or obligation is such that if the said shall well and truly observe and perform all and every the covenants and agreements by him to be observed and performed as hereinbefore mentioned and shall in a proper and workmanlike manner do all and every the acts matters and things by him to be done under the said Deed to the satisfaction of the Governor for the time being of the said Colony.

THEN the above-written bond or obligation shall be void otherwise the same shall remain in full force and effect.

SECOND SCHEDULE: PART III

FALKLAND ISLANDS OIL MINING LEASE

THIS DEED made the day of in the year of Our Lord between His Excellency..... Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies (hereinafter referred to as "the Governor" which expression includes the Officer for the time being Administering the Government of the said Colony) of the one part and..... (hereinafter referred to as "the Lessee") of the other part;

WHEREAS the Lessee (in pursuance of the right accorded to him under the provisions of an oil prospecting licence granted to him on the has called upon the Governor to grant him) (in accordance with the conditions laid down in the Regulations for the time being in force for the granting of oil mining leases) has applied to the Governor for an oil mining lease in respect of certain lands specified in Schedule marked "A" hereunder written hereinafter referred to as "the leased area".

AND WHEREAS the Lessee has entered into a bond in the form set out in the Schedule marked "B" hereunder written with the Colonial Treasurer in the sum of conditioned for the due and faithful carrying out of the provisions contained in this Deed.

NOW THIS DEED WITNESSETH AS FOLLOWS —

Demise of petroleum

1. In pursuance of the aforesaid agreements and in consideration of the rents royalties covenants and agreements hereinafter reserved and contained on the part of the Lessee to be paid and observed the Governor doth hereby demise unto the Lessee all or any petroleum lying or being within under or throughout the lands mentioned and described in Schedule marked "A" hereunder written and doth hereby grant the following rights and privileges (but subject to the restrictions and conditions as to the exercise of the rights and privileges hereinafter mentioned) to be exercised in connection with the said petroleum.

TO HOLD EXERCISE AND ENJOY the rights and privileges hereby granted and demised unto the Lessee from the first day of..... 19..... for the term of thirty years and paying free and clear from all charges and deductions the rents royalties and sums of money mentioned herein.

Rights and privileges.

To bore.

2. The Lessee may enter upon the leased area and search bore for win and work all or any petroleum lying or being within under or throughout the leased area.

To appropriate water.

3. Subject to the approval of the Governor the Lessee may appropriate and use for any purpose connected with the borings or works or refining operations connected therewith, the water upon or within any of the leased area and to collect impound and bore for the same for the purpose of working the said borings or works or carrying out refining operations but so that in the exercise of this right the Lessee shall not deprive any lands settlements shepherds' houses or watering places for horses cattle or sheep of a reasonable supply of water as heretofore accustomed.

To appropriate surface of land.

4. The Lessee may enter upon use and occupy a sufficient part of the leased area adjoining any borings for depositing thereon the products of the said borings and all the earth soil and other substances brought to the surface and for otherwise carrying on the works of the said borings and operations hereunder.

To refine.

5. The Lessee may refine or otherwise treat the aforesaid petroleum in and upon the leased area whether for purposes of sale or otherwise save as hereinafter provided.

To store and carry away petroleum.

6. The Lessee may store take lead pipe and carry away on under or over the leased area the aforesaid petroleum and the products thereof and to dispose of the same at his own will and pleasure save as hereinafter provided.

To erect houses, etc.

7. Subject to the law for the time being in force in the Colony the Lessee may erect set up make and operate in upon and over the leased area offices dwelling houses schools hospitals or other buildings whatsoever clubs recreation grounds and all other sports facilities and amenities sheds engines machinery furnaces erections pipe-lines storage tanks refineries and other installations telephone and power lines railroads and other roads tramways loading places wharves for ships aircraft landing strips reservoirs waterworks sewage works and all other works whatsoever necessary for the exercise of the several rights and privileges hereby granted.

To dig gravel, etc.

8. The Lessee may search for dig get and treat gravel sand clay and stone in any Crown Land within the leased area for the exercise of the several rights and privileges hereby granted but not for sale provided that at the expiration of this lease any excavations shall be fenced or filled in or levelled and left otherwise fit for cultivation and occupation as far as may be reasonably practicable if so required by the Governor.

To enclose.

9. The Lessee may enclose with a fence the surface of any of the leased area subject to the provisions of this lease.

Notice before entering on surface of Crown Lands.

10. (1) Before occupying any Crown Land in the leased area for surface operations the Lessee shall give to the Colonial Secretary fourteen days' previous notice in writing specifying by name or other sufficient designation and by quantity the land proposed to be occupied and the purpose for which the same is required.

(2) The Colonial Secretary shall at any time within fourteen days from the receipt of such notice state his objections if any on grounds of public interest to the proposed site and the validity of such objections in case of dispute shall be determined by reference to arbitration as provided in Clause 67 (Arbitration).

Compensation to occupiers.

11. The Lessee shall before occupying any Crown Land in the leased area for surface operations pay or tender reasonable compensation to the occupiers thereof and shall thereupon be entitled to occupy the land but shall nevertheless be bound to pay the amount of compensation which in case of dispute shall be assessed by reference to arbitration as provided in Clause 67 (Arbitration).

12. This lease shall not prejudice or effect the exercise from time to time of all or any of the following rights that is to say —

Governor's rights.

- (1) The right of the Governor or any person authorised by him in that behalf to enter into and upon the leased area (save and except lands enclosed by a fence as provided in Clause 9 (To enclose) and on which the Lessee is paying a surface rent) and to search for dig work and get any minerals or substances other than petroleum upon or under the leased area and for the purposes aforesaid to sink make erect and use such pits shafts levels drains watercourses tunnels buildings engines or machinery railways wagon-ways and other ways works and conveniences upon through or under the leased area as he shall deem necessary or expedient; provided always that the said right to work for minerals or substances other than petroleum shall be exercised and enjoyed in such a manner as not to hinder or interfere with the rights and privileges of the Lessee under these presents and provided also that fair and proper compensation shall be paid by the Governor for all loss damage or injury which the Lessee may sustain or be put to by reason or in consequence of the exercise of the said right to work for minerals or substances other than petroleum the amount of such compensation to be settled in case of difference by reference to arbitration as provided in Clause 67 (Arbitration).

Governor may work other minerals, etc.

- (2) The right of the Governor or any person authorised by him in that behalf —

Governor may enter land, etc.

- (a) to enter into and upon the leased area;
- (b) to make and maintain upon over or through the leased area such reservoirs pumping stations generating stations waterways roads railways telegraph and telephone lines and pipe-lines or other works as he shall deem necessary or expedient for any purpose and to obtain from and out of the leased area such stone earth and other materials as may be necessary or requisite for making repairing or maintaining the same or any of them;
- (c) at all times to draw water from the leased area and to have free access thereto;
- (d) to pass and repass at all times over and along the leased area for all such purposes as occasion shall require: provided always that the said rights shall be exercised and enjoyed in such a manner as not to hinder or interfere with the rights and licence of the Lessee under these presents: and provided also that fair and proper compensation shall be paid by the Governor for all loss damage or injury (not however including the value of any water stone earth or other materials taken) which the Lessee may sustain or be put to by reason or in consequence of the exercise of the said rights, the amount of such compensation to be settled in case of difference by reference to arbitration as provided in Clause 67 (Arbitration).

- (3) The right of the Governor to grant demise or lease to any person all or any part of the surface of any Crown Lands in the leased area for any purpose so that such grant demise or lease be made subject to the rights of the Lessee hereunder.

Governor may grant or demise Crown Lands to third parties.

13. Notwithstanding the provisions of this lease the Lessee shall not exercise any of the rights and privileges conferred hereby under this lease over any alienated land in the leased area unless and until permission in writing so to do shall first have been obtained by the Lessee from the Governor who shall grant such permission upon proof to his satisfaction by the Lessee that —

Governor's permission required for alienated lands.

- (a) the Lessee has entered into an agreement with the owner or occupier or both as the case may be of the surface of

that land for payment of compensation to such owner or occupier for and in respect of any damage which may be caused or done to the surface of such parcel of land or to any cultivation or buildings thereon by reason of the exercise by the Lessee of all or any of the rights and privileges hereby granted; or

- (b) the Lessee has made reasonable efforts to arrive at such an agreement but has failed to do so through no fault attributable to him; or
- (c) the Lessee is unable to enter into such an agreement by reason of the fact that such registered owner or owners or any of them cannot be found or is or are out of the Colony or is or are incapacitated through infancy or other legal disability.

Certain yearly rent.

14. (1) The Lessee shall pay to the Colonial Treasurer on behalf of the Governor during the term hereby granted, a certain yearly rent, not less than those specified in the table hereunder written for each acre or part of an acre comprised in the said lands—

	TABLE		
	per acre per annum		
	£	s.	d.
In respect of the 1st year of the said term		2	6
In respect of the 2nd year of the said term		3	6
In respect of the 3rd year of the said term		4	6
In respect of the 4th year of the said term		6	0
In respect of the 5th year of the said term		8	0
In respect of the 6th and each subsequent year of the said term		10	0

(2) Payment of the yearly certain rent reserved by this Lease shall be made annually in advance, and the first payment of the sum of _____ in respect of the first year of the term hereby granted (the receipt whereof is hereby acknowledged) shall be made on the execution of this lease.

Royalty.

15. The Lessee shall pay to the Colonial Treasurer on behalf of the Governor within two months after the end of each year of the term hereby granted or any renewal thereof the royalties hereunder specified —

- (1) A royalty of $12\frac{1}{2}$ per centum of the value of all crude oil won and saved and of all casinghead petroleum spirit recovered by the Lessee from the licensed area within each such year ascertained in the manner provided by Clause 18 (Measurement of petroleum). From the quantity so ascertained the Lessee shall be entitled to deduct the quantity ascertained according to a method approved by the Colonial Secretary of any crude oil (or products thereof) or casinghead petroleum spirit produced from the leased area and used during the year by the Lessee for the purpose of carrying on drilling and production operations and pumping to field storage and refineries. The value of crude oil for the purpose of royalty shall be the value on the field of production at field storage tanks. The value of casinghead petroleum spirit for the purpose of royalty shall be the value on the field of production after the deduction of due allowance for the cost to the Lessee of extracting such casinghead petroleum spirit. Both the value of crude oil and that of casinghead petroleum spirit shall be calculated in such manner as may be determined from time to time by agreement with the Governor and the Lessee or in default of such agreement by arbitration in accordance with Clause 67 (Arbitration) hereof:

Provided that if there is any dispute between the parties or failure to agree affecting the amount of the royalty due for any year

the amount of royalty in dispute shall not be payable as aforesaid but shall be payable when the amount is determined by agreement or arbitration as the case may be.

- (2) A royalty of 5 per centum of all natural gas produced and sold from the leased area within each year. The value of natural gas for the purpose of royalty shall be the value on the field of production at field storage tanks and shall be calculated in such manner as may be determined from time to time by agreement with the Governor and the Lessee or in default of such agreement by arbitration in accordance with Clause 67 (Arbitration) hereof.

Provided that if there is any dispute between the parties or failure to agree affecting the amount of the royalty due for any year the amount of royalty in dispute shall not be payable as aforesaid but shall be payable when the amount is determined by agreement or arbitration as the case may be.

- (3) From the amount of royalties payable under the foregoing provisions of this clause in respect of any such year there shall be deducted the amount of the certain yearly rent actually paid in respect of that year under the provisions of Clause 14 (Certain Yearly Rent) hereof.

16. The Lessee shall pay to the Colonial Treasurer on behalf of the Governor the further yearly rent of.....per acre or part of an acre of land in respect of any Crown Lands in the leased area the surface whereof shall be actually occupied by the Lessee for any of the purposes of this lease the said rent to be paid by annual payments on the first day of January in every year.

Surface rents of Crown Lands.

17. (1) Upon the determination by the Lessee of the term hereby granted or any renewal thereof or upon the surrender by him of the rights granted by this lease in respect of any part or parts of the leased area the Governor will refund to the Lessee an apportioned part of any certain yearly rent paid by the Lessee in advance in respect of the leased area or any such part or parts thereof for a period the whole of which has not expired at the date of such determination or surrender.

Refund of certain yearly rent on determination or surrender.

(2) Upon the release by the Lessee of any lands or areas under the provisions of Clause 26 (Release of lands included by inadvertence) the Governor will refund to the Lessee an apportioned part of any certain yearly rent paid by the Lessee during the term hereby granted in respect of the leased area:

Provided that in respect of any year the amount remaining of the certain yearly rent after the said refund shall not be less than the amount of royalties payable in respect of any such year under the provisions of sub-clauses (1), (2) and (3) of Clause 15 (Royalties).

18. (1) The Lessee shall measure or weigh by a method or methods customarily used in good oilfield practice and from time to time approved by the Colonial Secretary —

Measurement of petroleum.

- (a) all crude oil won and saved and casinghead petroleum spirit recovered from the leased area; and
(b) all natural gas sold from the leased area; during the term hereby granted or any renewal thereof.

(2) The Colonial Secretary or any officer authorised by him shall at all times during the said term or any renewal thereof be entitled to be present whenever such measurement takes place.

(3) If any measuring appliance shall at any time be found to be false or unjust the same shall if the Colonial Secretary so determines after considering any representations in writing made by the Lessee be deemed to have existed in that condition during the period of three months prior to the discovery thereof or the period elapsed since the last occasion upon which the same was examined or tested

whichever shall be the less, and accordingly the royalties payable in respect of such period shall be adjusted.

(4) The Lessee shall not make any alteration in the method or methods of measurement used by him or any appliances used for that purpose without first informing the Colonial Secretary, and the Colonial Secretary may in any case require that no alteration shall be made save in the presence of an officer authorised by the Colonial Secretary.

Keeping of accounts.

19. (1) The Lessee shall at all times during the term hereby granted or any renewal thereof keep full and correct accounts in a form from time to time approved by the Colonial Secretary which shall contain accurate entries of —

- (a) the quantity of crude oil won and saved from the leased area; and
- (b) the method and results of tests made on the crude oil; and
- (c) the quantity of crude oil refined and the products recovered therefrom; and
- (d) the quantity of crude oil otherwise disposed of and the manner of its disposal; and
- (e) the quantity of natural gas sold and the price at which it has been sold; and
- (f) the quantity in cubic feet of natural gas treated and the quantity of casinghead petroleum spirit recovered; and
- (g) the quantity of crude oil and the products thereof or casinghead petroleum spirit used for drilling or production operations or pumping to field storage and refineries; and
- (h) such further particulars and statistics as the Colonial Secretary may from time to time reasonably require.

(2) The Lessee shall within two months after the end of each year of the term hereby granted or any renewal thereof deliver to the Colonial Secretary an abstract in a form from time to time approved by the Colonial Secretary of the said accounts for each such year together with a statement in the like form of all royalties payable in respect of each such year.

Establishment of boundary marks.

20. So far as he lawfully may the Lessee shall unless the Colonial Secretary otherwise determines at his own expense forthwith erect and at all times maintain and keep in repair substantial boundary marks of brick stone or concrete not less than one foot high at every angle or corner of the boundary line of the leased area. Such boundary marks shall be referenced by survey to at least two readily identifiable points in such a manner that the boundaries of the leased area can be accurately traced on the ground. The Lessee shall ensure that the area demarcated on the ground shall conform as closely as possible to the area delineated on the plan hereto annexed.

Refinery.

21. (1) As soon as the output of crude oil of a quality suitable for refining obtained from the area or areas from time to time held under oil mining lease by the Lessee in the Colony amounts in the aggregate to 500,000 tons per annum assessed on the average daily production over a period of not less than six consecutive calendar months, and adequate reserves of crude oil have been proved to ensure production in accordance with the methods and practice customarily used in good oilfield practice at that rate for a substantial period the Lessee shall consider with the Governor the economic feasibility of the erection of a refinery capable —

- (a) of supplying to the extent possible with the crude oil production available the requirements of the Colony of gasoline of the general quality in current use for motor vehicles and fuel oil; and
- (b) of so treating the said crude oil as to produce oil products to comply with the specifications of the Governor:

Provided that the said crude oil be of a suitable kind and quality for this purpose. Where, after consideration of the matter by the Lessee and the Governor as aforesaid the erection of a refinery is agreed upon the Lessee shall complete the refinery and put and maintain it in efficient working order with due diligence and dispatch, but in any event within five years from the date on which such erection is so agreed upon. The Lessee shall if required by the Governor and if in the opinion of the parties it is economically feasible so to do at intervals of not less than three years make such additions to this refinery as may be requisite for maintaining capacity for meeting the said requirements of the Colony to the extent possible with the crude oil production available.

(2) The site of such refinery and all tanks for the storage of petroleum shall be selected by the Lessee with the previous written approval of the Governor such approval not to be unreasonably withheld due regard being had to the commercial interests of the undertaking:

Provided that the site of such refinery shall be submitted for the approval of the Governor within six months from the date on which the erection of a refinery shall have been agreed upon.

22. The Lessee shall before commencing any operations in the leased area furnish to the Colonial Secretary the name and address of the Manager resident in the locality of the leased area under whose supervision such operations are to be carried on. Any notice which the Governor or any person authorised by him is in accordance with the terms of this lease required or entitled to serve upon the Lessee shall be sufficiently served if the same shall be delivered or sent by post to such Manager at such address.

Local Resident Manager.

23. The Lessee shall furnish to the Colonial Secretary copies of all conveyances leases assignments agreements and deeds relating to the leased area or any estate or interest therein and to which the Lessee is a party or under which the Lessee either directly or indirectly obtains any benefit or incurs any liability.

Lessee to furnish copies of agreements with surface owners.

24. The Lessee shall make and pay reasonable satisfaction and compensation for all damage or injury to the property and rights of other parties which may be done by him, his agents and servants in the exercise of the rights and licence conferred by this lease.

Compensation.

25. The Lessee shall at all times indemnify and keep harmless the Governor and every Officer of the Government of the Colony against all actions, costs, charges, claims and demands whatsoever which may be made or brought by any third party in relation to or in connection with this lease or any matter or thing done or purported to be done in pursuance thereof by the Lessee his servants or agents.

Indemnity against third party claims.

26. In the event of the inclusion by inadvertence in the Schedule marked "A" hereunder of lands or areas over which it may subsequently be proved that the Government are not entitled to the oil rights or of lands or areas in respect of which the oil rights have already been granted to other individuals or companies the Lessee shall immediately release to the Governor any such lands or areas when required to do so by the Colonial Secretary.

Release of lands included by inadvertence.

27. The Lessee shall not cultivate or use the leased area in any manner save for the purpose of this lease and the rights hereby granted.

Lessee not to cultivate, etc.

28. Notwithstanding the rights conferred on the Lessee under this lease, the Governor shall have power at any time to require that such part or parts of the leased area as may from time to time be required for any public purpose whatsoever may be so used provided that during the subsistence of this lease the area or areas so used shall not exceed in all.....per centum of the leased area and provided further that the use of any area or areas upon which any

Use of lands for public purposes.

active operations such as well-drilling, road construction, waterworks or other work relating to the winning of petroleum have previously been commenced or are in progress shall not be required but in lieu thereof an equal area or areas upon which active operations as aforementioned have not already been commenced or are not at the time being in progress shall be used provided that such alternative area or areas are in the opinion of the Governor suitable for the public purposes aforementioned and provided further that the rights of the Lessee to enter and occupy any part of the leased area may be exercised in so far as this does not in the opinion of the Governor frustrate the public purposes for which the area is required.

Advertisements, prospectuses.

29. (1) No statement shall be made either in any notice advertisement prospectus or other document issued by or to the knowledge of the Lessee claiming or suggesting whether expressly or by implicating that the Governor or any Government Department or any person or body acting on behalf of the Governor has or have formed or expressed any opinion that the leased area is from their geological formation or otherwise likely to contain petroleum.

(2) The foregoing provisions of this clause or a statement to the effect thereof shall be included in or endorsed on any prospectus, statement in lieu of prospectus, notice, circular advertisement or other invitation issued by or to the knowledge of the Lessee offering to the public for subscription or purchase any shares or debentures of a company or intended company.

Notice of fresh issues of capital.

30. The Lessee shall report to the Governor particulars of any fresh issues of capital which may from time to time be made by him and any alteration which may be made in the Memorandum or Articles of Association or in the constitution of the Lessee.

Consent to assignment.

31. The Lessee shall not grant or assign any interest under this lease nor part with the possession of any of the rights hereby granted to any person or persons whomsoever without the previous consent in writing of the Governor, which shall not be unreasonably withheld. The Governor may (without prejudice to his right to make such consent subject to any conditions he may think fit) require as a condition of giving such consent the assignee or assignees at his or their expense to execute a deed of covenant to observe and perform the covenants and conditions on the part of the Lessee in these presents contained.

Assignment of lease.

32. The Lessee shall not assign or attempt to assign the rights granted by this lease to any person other than a British subject or a company incorporated in the Colony or in some other part of Her Majesty's dominions:

Provided that if in the case of a proposal to assign the rights to a company incorporated in the United States of America the Lessee can show to the satisfaction of the Governor that the foregoing provisions of this clause would result in the Lessee suffering substantial financial loss in respect of taxation the Governor may by writing under his hand absolve the Lessee from complying with the provisions of this clause.

Lessee ceasing to be a British subject.

33. If the Lessee shall cease to be a British subject or a company incorporated in the Colony or in some other part of Her Majesty's dominions the Lessee shall forthwith inform the Governor and apply to him for his consent to an assignment of the rights granted by this lease in accordance with Clauses 31 (Consent to assignment) and 32 (Assignment of lease) and in the event of the Lessee failing to obtain such consent within such time as the Governor may in his discretion appoint, the Governor may revoke this lease. The revocation of this lease in pursuance of the foregoing provisions of this clause shall be subject and without prejudice to any obligation or liability imposed by or incurred under the terms and conditions hereof.

34. If the Lessee being a company shall be or become controlled directly or indirectly by an alien or a company incorporated outside Her Majesty's dominions or if the Lessee shall with the consent in writing of the Governor assign the rights granted by this lease in respect of the leased area or any part thereof to a company controlled directly or indirectly by an alien or by a company incorporated outside Her Majesty's dominions then and in any such case—

Control by an alien.

- (a) (Some) of the Directors and the Chief Local Representative shall be British subjects;
- (b) at all times during the term hereby granted or any renewal thereof a reasonable number of the persons employed by the Lessee in or about the leased area in connection with the exercise of the rights granted by this lease shall be British subjects.

35. This lease shall be determined if the Lessee shall be or become controlled directly or indirectly by a national of or by a company incorporated in any country the laws and customs of which do not permit British subjects or companies incorporated in Her Majesty's dominions or companies incorporated in that country controlled directly or indirectly by British subjects or companies incorporated in Her Majesty's dominions to acquire hold and operate petroleum concessions on conditions which in the opinion of Her Majesty's principal Secretary of State for the Colonies are reasonably comparable with the conditions upon which such rights are granted to nationals of that country with the addition of conditions corresponding to those imposed by this clause and Clause 34 (Control by an alien).

Reciprocity.

36. The Lessee shall exercise the rights and licence hereby granted in such a manner as to offer no unnecessary or reasonably avoidable obstruction or interruption to the development and working within the leased area or lands adjacent thereto of any minerals not included in this lease and shall at all times afford to the Governor or his representative and to the holders of prospecting licences or mining leases in respect of any such minerals or any minerals within any lands adjacent to the leased area reasonable means of access and safe and convenient passage upon and across the leased area to such minerals for the purpose of getting working developing and carrying away the same.

Lessee not to obstruct working of other minerals.

37. No bore-hole or well shall except with the consent in writing of the Colonial Secretary be drilled or made within a distance of 400 feet from the boundaries of the leased area.

Distance of wells from boundaries.

38. No boring operations or working shall be carried on or allowed by the Lessee in the leased area at any point within 100 yards of any railway reservoir canal or other public works or any building or inhabited site on or near the leased area except with the previous permission in writing of the Governor or of any officer authorised by him in this behalf and subject to any instructions restrictions and conditions which may be attached to such permission by the officer granting the same.

No mining operations to be carried on near public works.

39. (1) As soon as the site of any bore-holes or well has been decided the Lessee shall notify the Colonial Secretary in writing of the situation thereof and the same shall be described by a certain number in the plans and records which the Lessee is required to keep under the provisions of this lease. The Lessee shall notify the Colonial Secretary of any change of the number of any such bore-hole or well which may be made.

Notice of the site and commencement of bore-holes.

(2) No bore-hole or well shall be commenced and no bore-hole or well shall be recommenced after work has been discontinued thereat for more than six months unless fourteen clear days' notice in writing shall first have been given to the Colonial Secretary:

Provided that the provisions of this sub-clause shall not apply to cleaning out operations in a producing well.

Abandonment and
plugging of bore-holes.

40. (1) No bore-hole or well shall be abandoned and no cemented string or other permanent form of casing shall be withdrawn from any bore-hole or well which it is proposed to abandon without the prior consent in writing of the Colonial Secretary, such consent not to be unreasonably withheld in the case of bore-holes or wells which have become or are unproductive.

(2) Every bore-hole or well which the Lessee intends to abandon shall, unless the Colonial Secretary otherwise determines, be so securely plugged by the Lessee as to prevent ingress and egress of water in and from any portion of the strata bored through.

(3) The Colonial Secretary may in any case require that no bore-hole or well shall be plugged or any works be executed for that purpose save in the presence of an officer authorised by him.

Delivering up of produc-
tive bore-holes or wells
in good order.

41. Within two months after the expiration or sooner determination of this lease the Lessee shall deliver up to the Governor in good order repair and condition and fit for further working all productive bore-holes or wells (unless ordered by the Colonial Secretary to plug them as provided in the next succeeding clause hereof and except such bore-holes and wells as shall have been previously abandoned with the consent of the Colonial Secretary) which shall have been made by the Lessee under the right or licence in that behalf hereinbefore contained, together with all casings and other appurtenances to such bore-holes or wells below surface level and which cannot be moved without causing injury to the said bore-holes and wells.

Plugging of bore-holes
on determination of
lease.

42. Within two months after the expiration or sooner determination of this lease the Lessee shall if required so to do by the Colonial Secretary plug all bore-holes and wells as provided in Clause 40 (Abandonment and plugging of bore-holes).

Health and safety of
workers.

43. The Lessee shall comply with any instructions from time to time given by the Colonial Secretary in writing for securing the health and safety of persons employed in or about the leased area.

Working obligations.

44. The Lessee shall develop and produce the oil resources of the leased area in accordance with good oilfield practice in such a way as to secure a reasonable and uninterrupted rate of output.

Avoidance of harmful
methods of working.

45. (1) The Lessee shall maintain all apparatus and appliances and all bore-holes and wells capable of producing petroleum in good repair and condition and shall execute all operations in or in connection with the leased area in a proper and workmanlike manner in accordance with methods and practice customarily used in good oilfield practice and without prejudice to the generality of the foregoing provision the Lessee shall take all steps practicable in order —

- (a) to control the flow and to prevent the escape or waste of petroleum discovered in or obtained from the leased area; and
- (b) to conserve the leased area for productive operations; and
- (c) to prevent damage to adjoining petroleum bearing strata; and
- (d) to prevent the entrance of water through bore-holes and walls to petroleum bearing strata; and
- (e) to prevent the escape of petroleum into any waterwell spring stream river lake reservoir estuary or harbour; and
- (f) to cause as little damage as possible to the surface of the leased area and to the trees crops buildings structures and other property thereon.

(2) The Lessee shall comply with any instructions from time to time given by the Colonial Secretary in writing relating to any of the matters set out in sub-clause (1) hereof. If the Lessee objects to any such instruction on the ground that it is unreasonable he may

within fourteen days from the date upon which the same was given refer the matter to arbitration in manner provided by Clause 67 (Arbitration).

46. The Lessee shall use methods and practice customarily used in good oilfield practice for confining the petroleum obtained from the leased area in tanks gasholders pipes or pipe-lines or other receptacles constructed for that purpose. No petroleum shall, save as a temporary measure during an emergency, be placed or kept in an earthen reservoir.

Provision of storage tanks, pipes, pipe-lines.

47. The Lessee shall drain all waste oil, salt water and refuse from tanks gasholders bore-holes and wells into proper receptacles constructed and maintained by him for that purpose at a safe distance from such tanks gasholders bore-holes and wells and from any buildings or structures whether situate within the leased area or not and shall dispose of such waste oil salt water and refuse in manner from time to time approved by the Colonial Secretary.

Disposal of waste oil, salt water and refuse.

48. The Lessee shall keep accurate records in a form from time to time approved by the Colonial Secretary of the drilling deepening plugging or abandonment of all bore-holes and wells and of any alterations to the casing thereof. A log of all bore-holes and wells shall be kept in a form from time to time approved by the Colonial Secretary containing particulars of the following matters —

Lessee to keep records of bore-holes.

- (a) the strata and subsoil through which the bore-holes or well was drilled; and
- (b) the casing inserted in any bore-hole or well and any alteration to such casing; and
- (c) any petroleum water workable minerals or mine workings encountered; and
- (d) such other matters as the Colonial Secretary may from time to time require.

The Lessee shall deliver copies of the said records and log to the Colonial Secretary as and when required.

49. The Lessee shall as far as reasonably practicable, correctly label and preserve for reference for a period of twelve months characteristic samples of the strata or water encountered in any bore-hole or well and samples of any petroleum discovered in the leased area. And the Colonial Secretary or his representative shall have access to such samples at all reasonable times and shall be entitled to require that representative specimens not exceeding one-half of any such sample be delivered to him and to retain any specimen so delivered.

Lessee to keep samples of strata petroleum and water.

50. (1) The Lessee shall furnish to the Colonial Secretary quarterly during the term hereby granted or any renewal thereof a record in a form from time to time approved by the Colonial Secretary of the progress of his operations in the leased area. Such record shall contain —

Plans and records.

- (a) a statement of the depth drilled in each bore-hole or well; and
- (b) a statement of any petroleum, water, workable minerals or mine workings encountered in the course of the said operations; and
- (c) a statement of all crude oil produced and casinghead petroleum spirit recovered; and
- (d) a statement of the areas in which any geological or geophysical work has been carried out.

(2) Within two months after the end of each year comprised in the term hereby granted or any renewal thereof the Lessee shall furnish to the Colonial Secretary a record in a form from time to time approved by him of the operations conducted in the leased area

during each such year, together with a plan upon a scale approved by the Colonial Secretary showing the situation of all bore-holes or wells and indicating all development and other works executed by him in connection with searching, boring for and getting petroleum.

(3) The Lessee shall also keep accurate geological plans maps and records relating to the leased area.

(4) The Lessee shall furnish to the Colonial Secretary such plans and information as to the progress of operations in the leased area as the Colonial Secretary may from time to time reasonably require.

Reports confidential.

51. All logs records plans maps accounts and information which the Lessee is or may be from time to time required to furnish under the provisions of this lease shall be supplied at the expense of the Lessee and shall (except with the consent in writing of the Lessee which shall not be unreasonably withheld) be treated by the Colonial Secretary as confidential. The Colonial Secretary shall nevertheless be entitled at any time to make use of any information received from the Lessee for the purpose of preparing and publishing aggregated returns and general reports on the extent of oil prospecting or oil mining operations in the Colony and for the purposes of any arbitration or litigation between the Governor and the Lessee.

Employment of British subjects.

52. The Lessee shall endeavour to employ as many British subjects as possible and undertakes that posts which can be efficiently filled by such persons will not be filled by other persons.

Training of British subjects.

53. The Lessee shall provide for the training of British subjects in order to enable them to qualify for technical and administrative posts in the Lessee's operations in the Colony.

For quiet enjoyment.

54. The Lessee paying the rents and royalties hereby reserved and observing and performing the restrictions and conditions herein contained and on his part to be observed and performed, shall and may peaceably and quietly hold and enjoy the rights and privileges hereby granted for and during the term hereby granted without any lawful interruption from or by the Governor or any person rightfully claiming from or under him.

Renewal.

55. The Lessee having paid the several rents and royalties due and having observed and performed the restrictions and conditions herein contained shall be entitled, on giving to the Governor not less than twelve months' previous notice in writing in that behalf not more than two years nor less than one year before the termination of the term hereby granted, to a renewal of this lease in respect of the whole of the leased area or any part thereof which complies with the Regulations for the time being in force for a further term of thirty years from the expiration of the said term upon the terms and conditions contained in the Regulations for the time being in force subject to such modifications or exclusions as the Governor may in his discretion determine.

Right of Lessee to determine lease.

56. Without prejudice to any obligation or liability imposed by or incurred under this lease the Lessee may at any time during the term hereby granted or any renewal thereof determine this lease by giving to the Governor not less than twelve months' previous notice in writing to that effect.

Right of Lessee to abandon portions of the leased area.

57. Without prejudice to any obligation or liability imposed by or incurred under this lease the Lessee shall be entitled at any time during the term hereby granted or any renewal thereof by giving six months' notice in writing to the Governor to surrender the rights granted by this lease in respect of any part or parts of the leased area:

Provided that —

- (a) the part of the leased area in respect of which the said rights are retained shall comply with the Regulations for the time

being in force as to the shape and size of areas in respect of which an oil mining lease may be granted; and

- (b) the part of the leased area in respect of which the said rights are surrendered shall either be an area in respect of which an oil mining lease could be granted in accordance with the Regulations for the time being in force or be of such shape and size as the Governor may determine.

58. Any person or persons authorised by the Colonial Secretary shall be entitled at all reasonable times to enter into and upon any land for the time being possessed or occupied by the Lessee in the leased area for the purposes hereinafter mentioned —

Power to inspect plant records, accounts.

- (a) to examine the bore-holes wells plant appliances buildings and works made or executed by the Lessee in pursuance of this lease and the state of repair and condition thereof; and
- (b) to inspect and check the accuracy of the weighing or measuring appliances weights measurements logs records plans and maps which the Lessee is required to keep or make in accordance with the provisions of this lease; and
- (c) to inspect and make abstracts or copies of any logs records plans maps or accounts which the Lessee is required to keep or make in accordance with the provisions of this lease; and
- (d) to inspect the samples of strata petroleum or water which the Lessee is required to keep in accordance with the provisions of this lease; and
- (e) to execute any works which the Colonial Secretary may be entitled to execute in accordance with the provisions of this lease.

59. If at any time during the term hereby granted or any renewal thereof the Governor shall be satisfied that the leased area or any part thereof form part of a single geological petroleum structure or petroleum field (hereinafter referred to as "an oil field") in respect of other parts of which other oil mining leases are then in force and the Governor shall consider that it is in the interest of the Colony in order to secure the maximum ultimate recovery of petroleum and to avoid unnecessary competitive drilling that the oil field should be worked and developed as a unit in co-operation by all the persons, including the Lessee, whose leases extend to or include any part thereof, the following provisions shall apply;

Unit development.

- (1) (a) The Lessee shall upon being so required by notice in writing by the Governor co-operate with such other persons, being persons holding oil mining leases in respect of any part or parts of the oil field (hereinafter referred to as "the other lessees"), as may be specified in the said notice in the preparation of a scheme (hereinafter referred to as "a development scheme") for the working and development of the oil field as a unit by the Lessee and the other lessees in co-operation, and shall jointly with the other lessees, submit such scheme for the approval of the Governor.
- (b) The said notice shall also contain a description by reference to a map of the area or areas in respect of which the Governor requires a development scheme to be submitted and shall state the period within which such scheme is required to be submitted for approval by the Governor.

(2) If a development scheme shall not be submitted to the Governor within the period limited in that behalf by the said notice, or, if a development scheme submitted in pursuance of the foregoing provisions of this clause shall not be approved by the Governor, the Governor shall himself prepare a development scheme which shall be fair and equitable to the Lessee and the other lessees and the Lessee shall perform all the terms and conditions thereof.

(3) If the Lessee shall object to any such development scheme prepared by the Governor he may within 28 days from the date on which notice in writing of the said scheme shall have been given to him by the Governor refer the matter to arbitration in accordance with the provisions of Clause 67 (Arbitration).

Governor's right of pre-emption.

60. In the event of a state of national emergency or war (the existence of which the Governor shall be the sole judge):

(1) The Governor shall have the right of pre-emption of all crude oil gotten under this lease and of all the products thereof and shall have the right to require the Lessee to the extent of any refinery capacity he may have in the Colony in pursuance of Clause 21 (Refinery) to produce oil products to comply with the specifications of the Governor provided that the said crude oil be of a suitable kind and quality for this purpose.

(2) The Lessee shall use his utmost endeavours to increase so far as reasonably possible with existing facilities the supply of oil and/or products thereof for the Government to the extent required by the Governor.

(3) The Lessee shall with every reasonable expedition do his utmost to deliver all oil or products of oil purchased by the Governor under his said right of pre-emption in the quantities at the time and in the manner required by the Governor at a convenient place of shipment or at a place of storage in the Colony to be determined by the Governor whether belonging to the Governor or otherwise.

(4) The price to be paid for all oil or products of the refining or treatment of oil taken in pre-emption by the Governor shall be either —

- (a) as specified in a separate agreement; or
- (b) if no such agreement shall have been entered into prior to the exercise of the right of pre-emption, a fair price for the time being at the point of delivery as the same shall be settled by agreement between the Governor and the Lessee or in default of such agreement by arbitration in manner provided by Clause 67.

To assist in arriving at a fair price at the point of delivery the Lessee shall furnish for the confidential information of the Governor, if so required, particulars of the quantities, descriptions and prices of oil or products sold to other customers and of charters or contracts entered into for carriage and shall exhibit to the Governor original or authenticated copies of contracts or charter parties entered into for the sale or carriage of such oil or products.

(5) The Governor shall be at liberty to take control of the works plant and premises of the Lessee in the Colony and in such event the Lessee shall conform to and obey all directions issued by the Governor or on his behalf. Compensation shall be paid to the Lessee for any loss or damage that may be proved to have been sustained by the Lessee by reason of the exercise by the Governor of the powers conferred by this sub-clause. Any such compensation shall be settled by agreement between the Governor and the Lessee or, in default of agreement, by arbitration in manner provided by Clause 67.

Power to execute works.

61. If the Lessee shall at any time fail to perform the obligations imposed by any of the undermentioned clauses of this lease —

- (a) Clause 18 (Measurement of petroleum);
- (b) Clause 40 (Abandonment and plugging of bore-holes);
- (c) Clause 41 (Delivering up of productive bore-holes and wells in good order);
- (d) Clause 42 (Plugging of bore-holes on determination of Lease etc.);
- (e) Clause 43 (Health and safety of workers);

- (f) Clause 45 (1) (Avoidance of harmful methods of working);
- (g) Clause 46 (Provision of storage tanks, pipes, pipe-lines);
- (h) Clause 47 (Disposal of waste oil, salt water and refuse);

then and in any such case the Colonial Secretary shall be entitled after giving to the Lessee reasonable notice in writing of such his intention to execute any works which in the opinion of the Colonial Secretary or his agents may be necessary to secure the performance of the said obligations or any of them and to recover the costs and expenses of so doing from the Lessee.

62. If and whenever any of the rents or royalties reserved by this lease or any part thereof respectively shall be in arrear or unpaid for the space of two calendar months next after any of the days whereon the same ought to be paid (whether the same shall have been legally demanded or not) then and so often as the same may happen the Colonial Secretary may (as an additional remedy and without prejudice to the power of distress and other the rights and remedies to which he would be entitled) enter into and upon any land which shall for the time being be possessed or occupied by the Lessee for the purposes of this lease or the exercise of any of the rights thereby granted and may seize and distrain and sell as landlords may do for rent in arrear all or any of the stocks of petroleum and products thereof engines machinery tools implements chattels and effects belonging to the Lessee which shall be found in or upon the land so entered upon and out of the moneys arising from the sale of such distress may retain and pay all the arrears of the said rents and royalties and also the costs and expenses incident to any such distress and sale rendering the surplus (if any) to the Lessee.

Rights of distress.

63. If and whenever the rents and royalties reserved by this lease or any part thereof shall be in arrear for the space of six calendar months next after any of the days whereon the same ought to have been paid or if there shall be any breach or non-observance by the Lessee of any of the terms and conditions of this lease or if the Lessee shall become bankrupt or make or enter into any arrangement or composition with his creditors or if where the Lessee is a company a Receiver shall be appointed or the company shall enter into liquidation whether compulsory or voluntary (except a voluntary liquidation of a solvent company for the purpose of reconstruction) or if the Lessee shall fail to perform and observe the terms and conditions of any development scheme prepared in accordance with the provisions of Clause 59 (Unit development) then and in any such case the Governor may revoke this lease and thereupon the same and all the rights hereby granted shall cease and determine but subject nevertheless and without prejudice to any obligation or liability imposed by or incurred under this lease. Provided always that save as to the non-payment of rents or royalties the aforesaid power shall not be exercisable unless and until notice has been given to the Lessee specifying the particular breach complained of and if the breach is capable of remedy requiring the Lessee to remedy the breach and in any case requiring the Lessee to make compensation in money for the breach and the Lessee fails within a reasonable time thereafter to remedy the breach if it is capable of remedy and to make reasonable compensation in money to the satisfaction of the Governor for the breach.

Power of revocation.

64. Subject to the provisions of Clause 41 (Delivering up of productive bore-holes and wells in good order) and to the rights of surface owners or others the Lessee may provided that all rents royalties and other impositions payable by him by virtue of these presents have been paid and that all the covenants and conditions herein contained have been observed and performed at any time or times within six calendar months after the determination of this lease whether by effluxion of time or otherwise enter into and upon the leased area or any part thereof for the purpose of taking down removing and disposing of for his own use and benefit all or any of

Power to Lessee to remove plant.

the buildings works railways pipe-lines machinery utensils implements articles and things set up and used or employed by him in or about the leased area which the Governor shall not have elected to purchase under the provisions of Clause 65 (Power to Governor to purchase plant) (except buildings and erections of brick stone or concrete) making reasonable compensation for all damage done to the leased area by such removal.

Power to Governor to purchase plant.

65. If at the expiration or sooner determination of this lease the Governor shall be desirous of purchasing all or any of the buildings works railways pipe-lines machinery utensils implements articles or things constructed set up or used or employed by the Lessee in or about the leased area and shall signify such his desire by notice in writing to the Lessee six calendar months at least before the expiration of this lease (or if this lease shall be determined under the power of revocation hereinbefore contained at any time within three calendar months after the determination of this lease) the Lessee shall sell to the Governor the articles and things specified in such notice at a price which failing agreement shall be fixed by arbitration as provided in Clause 67 (Arbitration).

Force majeure.

66. (1) Failure on the part of the Lessee to fulfil any of the terms and conditions of this lease shall not give the Governor any claim against the Lessee or be deemed a breach of this lease in so far as such failure arises from *force majeure* and if through *force majeure* the fulfilment by the Lessee of any of the terms and conditions of this lease be delayed the period of such delay shall be added to the periods fixed by this lease.

(2) In this clause the expression "*force majeure*" includes the act of God war insurrection riot civil commotion tide storm tidal wave flood lightning explosion fire earthquake and any other happening which the Lessee could not reasonably prevent or control.

Arbitration.

67. If at any time during the continuance of this lease or after the determination thereof any question or dispute shall arise regarding this lease or any matter or thing connected therewith or the powers duties or liabilities of the Lessee hereunder or the amount or payment of any rent or royalty then and in all such cases the matter in difference shall be referred to arbitration in accordance with the provisions of the Arbitration Act 1950 or any Ordinance or Law amending or replacing the same for the time being in force:

Provided that any reference to arbitration arising out of an agreement between the parties, shall be to two arbitrators, one to be appointed by each party, unless a contrary intention is expressed in the agreement.

Marginal notes.

68. The marginal notes are for convenience only and do not form part of this lease.

Interpretation.

69. For the purpose of this lease —

- (1) "LESSEE" means a person to whom an oil mining lease is granted his successors in title and the persons deriving title under him.
- (2) "PETROLEUM" includes any mineral oil or relative hydrocarbon and natural gas existing in its natural condition in strata but does not include coal or bituminous shales or other stratified deposits from which oil can be extracted by destructive distillation.
- (3) "CRUDE OIL" means oil in its natural state before the same has been refined or otherwise treated but excluding water and foreign substances.
- (4) "NATURAL GAS" means gas obtained from bore-holes and wells and consisting primarily of hydrocarbons.

- (5) "CASINGHEAD PETROLEUM SPIRIT" means any liquid hydrocarbons obtained from natural gas (before the crude oil from which it is derived has been measured for royalty) by separation or by any chemical or physical process.
- (6) "HER MAJESTY'S DOMINIONS" shall be construed as including a reference to all territories under Her Majesty's protection or in which Her Majesty has for the time being jurisdiction.
- (7) "BRITISH SUBJECT" shall be deemed to include a person under Her Majesty's protection.
- (8) "COLONIAL TREASURER" means the Colonial Treasurer of the Falkland Islands or his successor in office.
- (9) "COLONY" means the Colony of the Falkland Islands.

(In witness whereof the Governor has hereunto set his hand and seal and the Lessee has caused its Common Seal to be hereunto affixed the day and year first herein above written.)

SCHEDULE A.

Description of leased area.

All those lands indicated in the attached plan situated in.....
..... and having an area of or thereabouts.

SCHEDULE B.

BOND IN RESPECT OF OIL MINING LEASE

KNOW ALL MEN BY THESE PRESENTS THAT WE
of
and
of
are held and firmly bound to the Colonial Treasurer of the Colony of the Falkland Islands and his successors in Office in the sum of to be paid to the said Colonial Treasurer and his Successors in Office for which payment to be well and truly made we bind ourselves and each of us our heirs executors and administrators jointly and severally by these presents.

Dated this.....day of.....19.....

WHEREAS by deed of even date herewith and made betweenof the one part and the said.....
of the other part all or any petroleum lying or being within under or throughout those lands lying and being.....
and containing an area of.....or thereabouts and delineated in the plan attached to the said Deed was demised unto the said.....subject to the terms conditions and covenants therein contained.

AND WHEREAS the said.....hath agreed to become surety for the due performance by the said.....
of all and several the covenants matters and things under the said Deed to be by him performed and done.

Now the condition of the above-written bond or obligation in such that if the said.....shall well and truly observe and perform all and every the covenants and agreements by him to be observed and performed as hereinbefore mentioned and shall in a proper and workmanlike manner do all and every the acts matters and things by him to be done under the said Deed to the satisfaction of the Governor for the time being of the said Colony.

THEN the above-written bond or obligation shall be void otherwise the same shall remain in full force and effect.



THE
FALKLAND ISLANDS GAZETTE
(Extraordinary)
PUBLISHED BY AUTHORITY

Vol. LXXV.

4 MAY, 1966.

No. 6.

PROCLAMATION

No. 1 of 1966.

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 Wednesday the 11th day of May, 1966, at 9.45 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 28th day of April, in the Year of our Lord One thousand Nine hundred and Sixty-six.

By His Excellency's Command

W. H. THOMPSON,

Colonial Secretary.

A Bill for An Ordinance

Title.

To provide for the service of the year
1966-67.

Enacting clause.

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

Appropriation of £505,936
for the service of the
year 1966-67.

1. This Ordinance may be cited for all purposes as the
Appropriation (1966-67) Ordinance, 1966.

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, 1966 to 30th June, 1967, a sum not exceeding
Five hundred and five thousand nine hundred and thirty-six pounds,
which sum is granted and shall be appropriated for the purposes and
to defray the charges of the several services expressed and partic-
ularly mentioned in the Schedule hereto which will come in course of
payment during the year 1966-67.

Schedule.

SCHEDULE

Number	HEAD OF SERVICE	£
I.	The Governor	10,469
II.	Agriculture	6,514
III.	Audit	1,168
IV.	Aviation	16,648
V.	Customs and Harbour	11,662
VI.	Education	58,959
VII.	Medical	41,327
VIII.	Meteorological	800
IX.	Military	1,918
X.	Miscellaneous	29,200
XI.	Pensions and Gratuities	14,700
XII.	Police and Prisons	4,757
XIII.	Posts and Telecommunications	54,848
XIV.	Power and Electrical	24,616
XV.	Public Works	20,951
XVI.	Public Works Recurrent	39,397
XVII.	Public Works Special	6,570
XVIII.	Secretariat, Treasury and Central Store	34,279
XIX.	Social Welfare	7,700
XX.	Supreme Court	2,802
Total Ordinary Expenditure		389,285
A.	Development — Colony	61,652
B.	Development — C. D. and W.	54,999
Total Expenditure		505,936



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXV.

2 JUNE, 1966.

No. 7.

APPOINTMENTS

Dr. Charles Michael Malone, M.B., Ch.B.,
Medical Officer Falkland Islands, 6.4.66.

Luis H. Castro de Arriado, Cook/Steward,
Administrative Officer's House, South Georgia,
9.4.66.

Luis Vera de Aguilar, Cook/Steward, Shackleton
House, South Georgia, 9.4.66.

Miguel Guzman de Arriado, Cook/Steward,
Shackleton House, South Georgia, 9.4.66.

Mrs. Shirley Peck, Gaol Matron, Police and
Prisons Department, 27.4.66.

Michael George Butcher, Engineman, Power
and Electrical Department, 1.5.66.

George Patterson Smith, Police Constable,
5.5.66.

William Henry Cattell, Watch Operator, Posts
and Telecommunications Department, 7.5.66.

Miss Sonia Ellen Felton, Nurse Probationer,
Medical Department, 16.5.66.

Miss Susan Joan Short, Nurse Probationer,
Medical Department, 24.5.66.

ACTING APPOINTMENTS

Patrick McPhee, Acting Senior Mechanic,
Public Works Department, 9.5.66.

Leslie Charles Gleadell, M.L.C., J.P., Acting
Colonial Secretary, 30.5.66.

TERMINATION OF APPOINTMENTS

Mrs. Glenda Joyce Watson, née McKay, Nurse
Probationer, resigned 22.5.66.

John Anthony Hoyle, B.D.S., L.D.S., R.C.S.,
Camp Dental Surgeon, resigned 29.5.66.

Colin George MacDonald, Orderly and Care-
taker, Government House, resigned, 2.6.66.

NOTICES

No. 22. 9th May, 1966.

Appointment to Executive Council

G. C. R. Bonner, Esq., M.L.C., J.P., to be a
member of Executive Council from the 23rd day of
April 1966.

Ref. 2103/B.

No. 23. 19th May, 1966.

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

No.	Title	Ref.
5 of 1965	Appropriation (Dependencies) (1965-66) Ordinance, 1965	D/6/59/F.
6 of 1965	Supplementary Appropriation (Dependencies) (1964-65) Ordinance, 1965	D/6/59/E.

No. 24. 30th May, 1966.

Administration of Justice Ordinance (Cap. 3)
Relinquishment

WILLOUGHBY HARRY THOMPSON ceased to act as Judge of the Supreme Court with effect from the 30th May, 1966.

Gazette Notice No. 26 of 31st May, 1965 is cancelled.

Ref. P/987.

No. 25. 31st May, 1966.

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.
12/65	The Firearms Ordinance 1965	1896/A.

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

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

In the matter of William Joseph Kirk, deceased, of Fitzroy Farm, Falkland Islands, who died on the 14th day of November, 1965.

WHEREAS Hazel Margaret Kirk, 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,
26th May, 1966.
S. C. 16/66.

The following items appearing in this issue should be entered in the Index of Supplementary Legislation —

Wild Animals and Birds (Export) Regulations, 1966.
Employment of Children Ordinance, 1966.
Murder (Abolition of Death Penalty) Ordinance, 1966.
Appeals Ordinance, 1966.
Appropriation (1966-67) Ordinance, 1966.

The Wild Animals and Birds Protection Ordinance, 1964

REGULATIONS

(under section 16 of the Ordinance)

No. 2 of 1966.

C. HASKARD,
Governor.

15 of 1964.

In exercise of the powers conferred by section 16 of the Wild Animals and Birds Protection Ordinance, 1964, the Governor in Council has made the following Regulations —

Citation.

1. These Regulations may be cited as the Wild Animals and Birds (Export) Regulations, 1966.

Prohibition of export without licence.

2. (1) No person without an export licence from the Governor shall export any wild animal or bird.

(2) The fees payable in respect of the exportation of wild animals and birds shall be as follows —

	£	s.	d.	
Elephant seals	75	0	0	each
Fur seals	35	0	0	"
All other seals	25	0	0	"
King penguins	25	0	0	"
All other penguins	7	10	0	"
Kelp geese	7	10	0	"
All other birds and animals	5	0	0	"

(3) The grant of any export licence shall be at the discretion of the Governor, and any export licence may be made subject to special conditions.

Made by the Governor in Council this 10th day of May, 1966.

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

Ref. 1099/II.

Assented to in Her Majesty's name this 25th day of May, 1966.

C. HASKARD,
Governor.



No. 1



1966

Colony of the Falkland Islands.

IN THE FIFTEENTH 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 law relating to the
employment of children. Title.

(1st June, 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 Employment of
Children Ordinance, 1966.

Short title.

2. (1) Subject to the provisions of this section and of any
regulations made thereunder no child shall be employed —

Restriction on employ-
ment of children.

- (a) until he has attained the age two years below that which is
for the time being the upper limit of the compulsory school
age by virtue of the Education Ordinance, (without regard
to the provisions of section 5A of the Education Ordinance,
as to deeming a person not to have attained a given age
until the end of a school term); or
- (b) before the close of school hours on any day on which he is
required to attend school; or
- (c) before seven o'clock in the morning or after seven o'clock
in the evening on any day; or
- (d) for more than two hours on any day; or
- (e) to lift, carry or move anything so heavy as to be likely to
cause injury to him.

Cap. 22.

(2) The Governor in Council may make regulations with respect to the employment of children and any such regulations may distinguish between children of different ages and sexes and between different localities, trades, occupations and circumstances, and may contain provisions —

(a) authorising —

- (i) the employment of children before they attain the age at which employment ceases to be prohibited under paragraph (a) of the last foregoing subsection by their parents or guardians in light agricultural or horticultural work;
- (ii) the employment of children (notwithstanding anything in paragraph (b) of the last foregoing subsection) for not more than one hour before the commencement of school hours on any day on which they are required to attend school;

(b) prohibiting absolutely the employment of children in any specified occupation;

(c) prescribing —

- (i) the age below which children are not to be employed;
- (ii) the numbers of hours in each day, or in each week, for which, and the times of day at which, they may be employed;
- (iii) the intervals to be allowed to them for meals and rest;
- (iv) the holidays or half-holidays to be allowed to them;
- (v) any other conditions to be observed in relation to their employment;

so, however that no such regulations shall modify the restrictions contained in the last foregoing subsection save in so far as is expressly permitted by paragraph (a) of this subsection, and any restriction contained in any such regulations shall have effect in addition to the said restrictions.

Penalties.

3. If any person is employed in contravention of any of the foregoing provisions of this Ordinance, or of any of the provisions of any regulations made thereunder, the employer and any person (other than the person employed) to whose act or default the contravention is attributable shall be liable on summary conviction to a fine not exceeding £5 or, in the case of a second or subsequent offence, not exceeding £20.

Repeal. Cap. 24.

4. The Employment of Children Ordinance is repealed.

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. 2381.

Assented to in Her Majesty's name this 25th day of May, 1966.

C. HASKARD,
Governor.

LS

No. 2



1966.

Colony of the Falkland Islands.

IN THE FIFTEENTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

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

Governor.

An Ordinance

To abolish capital punishment in the case of persons convicted in the Colony of murder and, in connection therewith, to make further provisions for the punishment of persons so convicted.

Title.

(1st June, 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 Murder (Abolition of Death Penalty) Ordinance, 1966.

Short title.

2. (1) No person shall suffer death for murder, and a person convicted of murder shall, subject to subsection (4) below, be sentenced to imprisonment for life.

Abolition of death penalty for murder.

(2) On sentencing any person convicted of murder to imprisonment for life the Court may at the same time declare the period which it recommends to the Governor as the minimum period which in its view should elapse before the Governor orders the release of that person on licence.

(3) For the purpose of any proceedings on or subsequent to a person's trial on a charge of capital murder, that charge and any plea or finding of guilty of capital murder shall be treated as being or having been a charge, or a plea or finding of guilty, of murder only; and if at the commencement of this Ordinance a person is under sentence of death for murder, the sentence shall have effect as a sentence of imprisonment for life.

1933 c. 12

(4) In section 53 of the Children and Young Persons Act 1933, there shall be substituted for subsection (1) —

"(1) A person convicted of an offence who appears to the court to have been under the age of eighteen years at the time the offence was committed shall not, if he is convicted of murder, be sentenced to imprisonment for life, nor shall sentence of death be pronounced on or recorded against any such person; but in lieu thereof the court shall (notwithstanding anything in this or in any other law) sentence him to be detained during Her Majesty's pleasure, and if so sentenced he shall be liable to be detained in such place and under such conditions as the Governor may direct."

Release on licence of those sentenced for murder.

3. No person convicted of murder shall be released by the Governor on licence unless the Governor has prior to such release consulted the Executive Council together with the trial judge if available.

Duration.

4. This Ordinance shall continue in force until the thirty-first day of July nineteen hundred and seventy-one and shall then expire unless the Legislature by affirmative resolution otherwise determines: and upon the expiration of this Ordinance the law existing immediately prior to the passing of this Ordinance shall, so far as it is repealed or amended by this Ordinance, again operate as though this Ordinance had not been passed, and the said repeals and amendments had not been enacted:

Provided that this Ordinance shall continue to have effect in relation to any murder not shown to have been committed after the expiration of this Ordinance, and for this purpose a murder shall be taken to be committed at the time of the act which causes the death.

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. 0790.

Assented to in Her Majesty's name this 25th day of May, 1966.

C. HASKARD,
Governor.



No. 3



1966

Colony of the Falkland Islands.

IN THE FIFTEENTH 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 Appeals from the
Supreme Court of the Falkland Islands
to the Falkland Islands Court of Appeal.

Title.

(1st June, 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 Appeals Ordinance, 1966, and shall come into operation on such day as the Governor by notice in the Gazette may appoint.

Short title and date of operation.

2. In this Ordinance unless the context otherwise requires —

Interpretation.

“COURT OF APPEAL” means the Falkland Islands Court of Appeal;

“SUPREME COURT” means the Supreme Court of the Falkland Islands;

“JUDGMENT” includes a decree, order or finding and a refusal to make any order.

3. (1) Any person convicted by the Supreme Court and sentenced to death or to a term of imprisonment exceeding twelve months or to a fine exceeding one hundred pounds, may, subject to the provisions of this Ordinance appeal to the Court of Appeal —

Appeals from original judgments of Supreme Court in criminal cases.

(a) as of right against his conviction on a matter of law or of fact or of mixed law and fact;

(b) with the leave of the Court of Appeal against the sentence passed on his conviction, unless the sentence is one fixed by law.

(2) Any person convicted by the Supreme Court and sentenced —

- (a) to any term of imprisonment or to a fine exceeding ten pounds; or
- (b) to a fine not exceeding ten pounds, if, in the opinion of the Supreme Court, or the Court of Appeal, his case involves a question of law of great general or public importance;

may, subject to the provisions of this Ordinance, with the leave of the Court of Appeal or upon the certificate of the Supreme Court that it is a fit case for appeal, appeal against his conviction on any ground which appears to the Court of Appeal or the Supreme Court as the case may be to be a sufficient ground of appeal or against the sentence passed on his conviction, unless the sentence is one fixed by law.

(3) No appeal shall be allowed in the case of any person who has pleaded guilty and has been convicted on such plea by the Supreme Court, except as to the extent and legality of the sentence.

Second appeals.

4. Any party to criminal proceedings held before the Supreme Court in its appellate jurisdiction who is dissatisfied with any part of its judgment may appeal to the Court of Appeal on a matter of law (not including severity of sentence) but not on a matter of fact or of mixed law and fact.

Bail.

5. Save in a case where the appellant has been sentenced to death the Supreme Court may in its discretion in any case in which under this Ordinance an appeal to the Court of Appeal is filed grant bail pending the hearing and determination of the appeal.

Stay of execution of death sentence.

6. In the case of a sentence of death —

- (a) the sentence shall not be executed until after the expiration of the time within which an appeal under this Ordinance may be filed;
- (b) if an appeal is filed the sentence shall not be executed until the appeal has been disposed of or abandoned;
- (c) if a petition for leave to appeal out of time is presented the sentence shall not be executed until leave to file the appeal out of time has been refused or the appeal has been disposed of or abandoned;

Provided that if the sentence has been confirmed by the Governor it may be executed without further extension notwithstanding that a petition for leave to appeal out of time may have been presented after the time for leave has expired.

Power of Court of Appeal in determining an appeal under this part.

7. (1) The Court of Appeal in determining an appeal against conviction may —

- (a) dismiss the appeal;
- (b) allow the appeal and quash the conviction;
- (c) set aside the conviction and convict the appellant of any offence of which he might be convicted by the Supreme Court on the evidence which has been adduced and sentence him accordingly;
- (d) order a new trial before the Court which passed sentence or before any court having jurisdiction in the matter;
- (e) remit the case together with its judgment or order thereon to the Supreme Court or to a Court subordinate to the Supreme Court with such directions as may to the Court of Appeal appear necessary:

Provided that the Court of Appeal notwithstanding that it is of opinion that the point raised on the appeal might be decided in favour of the appellant, shall dismiss the appeal if it considers that no substantial miscarriage of justice has occurred.

(2) In determining an appeal the Court of Appeal may increase, modify or reduce the sentence.

8. An appeal shall lie in all civil cases from the Supreme Court to the Court of Appeal — Appeal in civil cases.

- (a) as of right from any final judgment of the Supreme Court where the appeal involves directly or indirectly some claim or question respecting property of the value of three hundred pounds or upwards;
- (b) with the leave of the Supreme Court from any other judgment of the Supreme Court whether final or interlocutory if in the opinion of the Supreme Court the question involved in the appeal is one of great general or public importance or involves some substantial civil right;
- (c) with the leave of the Court of Appeal where the Court of Appeal considers that leave to appeal ought to be granted:

Provided that no appeal shall lie from a decree passed by the Supreme Court with the consent of the parties.

9. An appeal shall lie against a decision in a criminal or civil case given prior to the commencement of this Ordinance but subsequent to the 1st day of April, 1965, in the same manner as the appeals lie against the decisions given subsequent to the commencement of this Ordinance: Appeal against decision given prior to date of the Ordinance.

Provided notice of appeal is given within twenty-one days from the commencement of this Ordinance.

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

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

Ref. 2312.

Assented to in Her Majesty's name this 25th day of May, 1966.

C. HASKARD,
Governor.

LS

No. 4



1966

Colony of the Falkland Islands.

IN THE FIFTEENTH 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 of the year
1966-67.

Enacting clause.

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

Short title.

1. This Ordinance may be cited for all purposes as the Appropriation (1966-67) Ordinance, 1966.

Appropriation of £506,787
for the service of the
year 1966-67.

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, 1966 to 30th June, 1967, a sum not exceeding Five hundred and six thousand seven hundred and eighty-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 1966-67.

SCHEDULE

Schedule.

Number	HEAD OF SERVICE	£
I.	The Governor	10,469
II.	Agriculture	6,434
III.	Audit	1,399
IV.	Aviation	16,648
V.	Customs and Harbour	11,662
VI.	Education	58,759
VII.	Medical	41,327
VIII.	Meteorological	800
IX.	Military	1,918
X.	Miscellaneous	29,200
XI.	Pensions and Gratuities	14,700
XII.	Police and Prisons	4,757
XIII.	Posts and Telecommunications	54,848
XIV.	Power and Electrical	25,516
XV.	Public Works	20,951
XVI.	Public Works Recurrent	39,397
XVII.	Public Works Special	6,570
XVIII.	Secretariat, Treasury and Central Store	34,279
XIX.	Social Welfare	7,700
XX.	Supreme Court	2,802
Total Ordinary Expenditure		390,136
A.	Development — Colony	61,652
B.	Development — C. D. and W.	54,999
Total Expenditure		506,787

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.

STANLEY TOWN COUNCIL

REVENUE 1965

RECEIPTS	Amount Estimated.	Actual Receipts			Over the Estimate.			Under the Estimate.			
	£	£	s.	d.	£	s.	d.	£	s.	d.	
ORDINARY REVENUE											
I. CEMETERY	40				73	0	0	33	0	0	
II. MISCELLANEOUS											
(a) Miscellaneous	20	72	16	4				52	16	4	
(b) Garbage Removal	60	60	0	0							
(c) Government Contribution Arch Green	52	52	0	0							
(d) Interest Investments Cemetery Fund	124	123	19	0						1 0	
(e) Savings Bank Interest ...	180	207	3	0				27	3	0	
Total Miscellaneous ...					515	18	4				
III. LIBRARY	60				76	14	0	16	14	0	
V. GENERAL RATE											
(a) Rate	2890	2828	19	2						61 0 10	
(b) Government Contribution ...	825	825	0	0							
Total General Rate ...					3653	19	2				
VI. WATER SUPPLY											
(a) Rate	690	680	16	11						9 3 1	
(b) Sales	200	445	19	8				245	19	8	
Total Water Supply ...					1126	16	7				
VII. TOWN HALL											
(a) Hirings	500	717	11	0				217	11	0	
(b) Government Contribution ...	400	587	0	6				187	0	6	
Total Town Hall ...					1304	11	6				
VIII. ADVANCES REPAID	5									5 0 0	
TRANSFERS TO REVENUE											
(a) Museum Account		8	16	2				8	16	2	
(b) Town Council Charitable Relief ...		16	1	9				16	1	9	
(c) Insurance Claim		11	10	8				11	10	8	
Total Transfers to Revenue ...					36	8	7				
SPECIAL GOVERNMENT GRANT:											
Town Hall Floor					400	0	0	400	0	0	
Total Receipts above the line.	6046				7187	8	2	1216	13	1	75 4 11
Government Charitable Relief Fund					504	0	0				
Employees' Telephone Payments					1	15	0				
Security Deposits					170	0	0				
Caretaker's Deposits					49	0	0				
Deposit for Refund					13	5	3				
TOTAL RECEIPTS					7925	8	5				
Balance, 1st January, 1965.					7698	11	4				
					£ 15623	19	9				

STANLEY TOWN COUNCIL

EXPENDITURE 1965

PAYMENTS	Amount Estimated.	Actual Payments			Over the Estimate.	Under the Estimate					
	£	£	s.	d.	£	s.	d.	£	s.	d.	
ORDINARY EXPENDITURE											
I. TOWN CLERK	350				548	12	1	198	12	1	
II. CEMETERY											
(a) Wages	475	530	15	5				55	15	5	
(b) Upkeep	150	74	19	10							
Total Cemetery					605	15	3		75	0	2
III. FIRE BRIGADE											
(a) Wages	160	107	15	0					52	5	0
(b) Upkeep	350	148	19	8					201	0	4
Total Fire Brigade					256	14	8				
IV. LIBRARY											
(a) Wages	198	198	0	0				18	15	11	
(b) Upkeep	250	268	15	11							
Total Library					466	15	11				
V. MISCELLANEOUS											
(a) Telephones	48	48	15	0				15	0		
(b) Stationery	10	2	13	1							
(d) O.A.P. Contribution	25	31	14	6				6	14	6	
(e) Election	4										
(f) Audit	20										
(g) Insurance	21	46	3	0				25	3	0	
(h) Unforeseen	10	28	7	7				18	7	7	
Total Miscellaneous					157	13	2				
VII. SCAVENGING											
(a) Ash Contract	1200	1220	3	0				20	3	0	
(b) Rodent Control	60	52	13	4							
Total Scavenging					1272	16	4				
VIII. STREET LIGHTS											
(a) Current	750	742	14	6							
(b) Repairs	100	75	18	1							
Total Street Lighting					818	12	7				
IX. TOWN HALL											
(a) Wages	585	716	5	4				131	5	4	
(b) Fuel	650	430	16	6							
(c) Light	150	222	15	0				72	15	0	
(d) Care & Maintenance	100	93	14	9							
(e) Cleaning	40	35	12	1							
Total Town Hall					1499	3	8				
X. WATER SUPPLY											
(a) Ships	100	121	1	6				21	1	6	
(b) Connections	10										
Total Water Supply					121	1	6				
XI. ARCH GREEN	120				103	11	9				
XII. CEMETERY COTTAGE	200				200	0	8				
EXTRAORDINARY EXPENDITURE:											
(a) Town Hall Improvement					203	0	11	203	0	11	
(b) Town Hall Floor					767	9	2	767	9	2	
(c) Town Hall Oil Heating Installation					2	0	4	2	0	4	
Total Payments above the line.	6136				7023	8	0	1541	19	5	
Government Charitable Relief					747	7	5				
Security Deposits					170	0	0				
Caretaker's Deposits					49	5	0				
Town Council Charitable Relief					16	1	9				
Deposit Insurance Claim					11	10	8				
Museum Account					8	16	2				
Employees' Telephone Payments Repaid							15				
Deposit For Refund Paid					13	5	3				
TOTAL PAYMENTS					8040	9	3				
Balance 31st December, 1965.					7583	10	6				
					£ 15623	19	9				

J. Leonard,
Town Clerk.
15th January, 1966.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXV.

10 JULY, 1966.

No. 8.

Appointments

Henry Thomas Luxton, Officer in Charge, Posts and Telecommunications Department, 30.5.66.

Harold Theodore Rowlands, Acting Colonial Treasurer, 30.5.66.

Peter George Westley, Acting Headmaster, Darwin Boarding School, 30.5.66.

Leslie Charles Gleadell, J.P., Governor's Deputy, 21.6.66.

David William McGill, temporary Assistant Diesel Electric Mechanic, South Georgia, 21.6.66.

Confirmation of Appointment

Miss Jill Ford, Clerk, Public Service, 1.6.64.

Retirement

Henry Burdett Ruddy, Senior Customs Officer and Administrative Assistant, South Georgia, 10.7.66.

Termination of Appointments

D. G. Carr, Dental Surgeon, Medical Department, on completion of contract, 8.5.66.

Mrs. Glenda Ford née Poole, Clerk, Public Service, resigned 13.6.66.

Michael O'Farrell, Meteorological Assistant, South Georgia, appointment terminated on medical advice, 30.6.66.

NOTICES

No. 26. 6th June, 1966.

Immigration Ordinance 1965

In accordance with section 3 His Excellency the Governor has appointed

EDWARD CHARLES GUTTERIDGE, J.P.

to act as Immigration Officer with effect from 30th May, 1966 and during the absence of Mr. J. Bound, E.D., J.P.

Ref. 0837/H.

No. 27. 16th June, 1966.

Appointment to Executive Council

R. S. Slessor, Esq., O.B.E., to be a temporary member of Executive Council with effect from 10th June, 1966.

Ref. 2103/B.

No. 28. 28th June, 1966.

With reference to Gazette Notice No. 5 of the 7th January, 1966 the following name is added to the list of Ministers registered for celebrating marriages —

The Reverend
Peter John Millam

Senior Chaplain of
Christ Church Cathedral.

Ref. 1163.

No. 29.

2nd July, 1966.

Mr. L. C. Gleadell, J.P., acted as Governor's
Deputy from 21st June to 30th June, 1966.

Ref. P/204/II.

LIVE STOCK ORDINANCE

Stock Brand

Notice is hereby given that under the pro-
vision of section 8 of the Live Stock Ordinance,
1901 the undermentioned brand has been approved
and registered —

M. J. McMULLEN ...



W. J. GRIERSON,
Officer in Charge,
Agricultural Department.

Ref. 0797/S.

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 23rd day of
June, 1966.

Subsequent Entry.

No. of application ... 4478.
Name of applicant ... Philip Morris Incorporated.
Address of applicant ... 100 Park Avenue, New York 17.
New York,
United States of America.
No. of grant in the
United Kingdom ... 939,088.
Nature of invention ... Plastics Cigarette Container.
Period of extension ... One year.

H. BENNETT,
Registrar General.

The following items appearing in this issue should be entered in the Index of Supplementary Legislation —

Currency Notes (Amendment) Rules 1966.

Nature Reserves Order No. 2 of 1966.

Wild Animals and Birds Protection (Sanctuaries) Order No. 3 of 1966.

The Currency Notes Ordinance (Cap. 15)

RULES

(under section 13 of the Ordinance)

No. 2 of 1966.

C. HASKARD,
Governor.

Cap. 15.

In exercise of the powers vested in him by section 13 of the
Currency Notes Ordinance, and with the approval of the Secretary
of State, the Governor is pleased to make the following rules —

Short title.

Revised Edition Vol II.
p. 135.

1. These rules may be cited as the Currency Notes (Amend-
ment) Rules, 1966, and shall be read as one with the Currency Notes
Rules, hereinafter referred to as the principal rules.

Addition of new rules 24
and 25 to the principal
rules.

2. The principal rules are amended by adding after rule 23
the following new rules —

"Recall of
currency notes.

24. Notwithstanding the provisions of section 5
of the Ordinance the Commissioner shall have power,
on giving not less than one month's notice in the
Gazette, to call in any currency notes on payment of
the face value thereof and any such notes with respect
to which a notice has been given under this rule shall,
on the expiration of the notice, cease to be legal
tender.

25. Nothing in the preceding rule shall be con-
strued as removing the Commissioner's liability to
make payment for any currency notes which are
delivered to the Treasury, Stanley, after they have
ceased to be legal tender."

Dated this 6th day of July, 1966.

By Command,

L. C. GLEADELL,

Acting Colonial Secretary.

Ref. 0496/II.

The Honourable,
The Acting Colonial Secretary,
Stanley.

Colonial Treasury,
Stanley, Falkland Islands.
20th June, 1966.

Sir,

NOTE SECURITY FUND - 31ST DECEMBER, 1965.

I have the honour to submit the half-yearly report on the Note Security Fund, required for publication in the Gazette, in accordance with Section 12 (1) of the Currency Notes Ordinance (Cap. 15).

At 31st December, 1965, the balance of notes in circulation amounted to £110,346, made up as follows —

Series	Denomination	No.	Value		
			£	s.	d.
"C"	£5	15,772	78,860	0	0.
"C"	£1	1,211	1,211	0	0.
"D"	£1	23,826	23,826	0	0.
"E"	£1	2,000	2,000	0	0.
"C"	10/-	8,898	4,449	0	0.
			£110,346 : 0 : 0.		

The Note Security Fund, at 31st December, 1965, stood at £121,805 18s. 7d. The value of the invested portion of the Fund amounted to £100,965 10s. 10d. Included in the cash balance of £20,840 7s. 9d. were remittances in transit totalling £1,304 18s. 2d.

A list of the investments held at 31st December, 1965, showing the nominal and mid-market values, is attached.

I have the honour to be,

Sir,

Your obedient servant,

H. T. ROWLANDS,

Acting Colonial Treasurer,

Commissioner of Currency.

Note Security Fund.

INVESTMENTS — 31ST DECEMBER, 1965.

NAME OF STOCK.		%	FACE VALUE OF STOCK.			BOOK VALUE PRIOR TO REVALUATION.			MARKET VALUE OF INVESTMENTS, 31ST DECEMBER, 1965.			
			£	s.	d.	£	s.	d.	Price.	£	s.	d.
Fed. Malay States	1960/70	3	2,925	11	4	2,442	16	11	84½	2,472	2	0
Kenya	1965/70	2½	2,829	5	10	2,277	11	7	82½	2,334	3	3
Australia	1964/66	3	1,444	4	8	1,408	2	6	99½	1,437	0	3
Nigeria	1975/77	3	3,000	0	0	2,040	0	0	68	2,040	0	0
E.A.H.C.	1966/68	3½	2,021	5	3	1,788	16	4	92½	1,869	13	4
N. Rhodesia	1970/72	3½	9,860	3	2	7,986	14	7	82	8,085	6	7
Conversion	1971	5	2,176	12	11	1,991	12	7	92½	2,013	7	11
Funding	1966/68	3	12,296	0	10	11,035	13	11	91½	11,250	17	6
Conversion	1974	5¼	11,963	15	11	11,148	15	3	92	11,006	13	10
British Electric	1968/73	3	12,021	0	9	9,496	12	5	80½	9,676	18	10
Exchequer	1967	5	29,498	19	9	28,944	9	3	97½	28,761	10	3
Joint Consolidated Fund			20,017	17	1	20,017	17	1		20,017	17	1
			110,054	17	6	100,579	2	5		100,965	10	10
Appreciation						386	8	5				
			110,054	17	6	100,965	10	10		100,965	10	10

The Nature Reserves Ordinance, 1964.

(Ordinance No. 8 of 1964)

ORDER

(under section 3 of the Ordinance)

No. 2 of 1966.

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 Flat Jason Island to be a nature reserve for the purpose 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 10th day of May, 1966.

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

Ref. 2331.

The Wild Animals and Birds Protection Ordinance, 1964.

(Ordinance No. 15 of 1964)

ORDER

(under section 4 of Ordinance)

No. 3 of 1966.

C. HASKARD,
Governor.

IN EXERCISE of the powers conferred upon him 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) Order, 1966.

2. Elephant Jason Island and adjacent islets, South Jason Island and adjacent islet, North Fur Islands, South Fur Island, Jason East Cay and adjacent islets, Jason West Cay, The Fridays, White Rock and Seal Rocks (all within the Jason Islands group) to be wild animal and bird sanctuaries.

3. That any person who within the said sanctuaries 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 sanctuaries 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 10th day of May, 1966.

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

Ref. 1099/II.



THE
FALKLAND ISLANDS GAZETTE
PUBLISHED BY AUTHORITY

Vol. LXXV. 1 AUGUST, 1966. No. 9.

Appointments

Owen John Collings, Carpenter, Public Works Department, 24.7.66.
Patrick Morrison, Acting Senior Diesel Electric Mechanic, South Georgia, 28.6.66.

Promotion

Stanley Bennett, General Foreman, Public Works Department, 1.2.66.

NOTICES

No. 30. 12th July, 1966.
The findings of the Cost of Living Committee for the quarter ended 30th June, 1966, are hereby published for general information —

Quarter ended	Adjusted Percentage increase over 1948 prices
30th June, 1966	96.81%
2. The scale of wages for hourly paid workers remains unchanged. Ref. 0704/VL	

No. 31. 1st August, 1966.
With reference to Gazette Notice No. 31 of the 13th June, 1956, it is hereby notified that the present constitution of the Apprenticeship Board is as follows —

Chairman	Mr. E. C. Gutteridge, J.P.
Ex-officio	Supt. of Education
Representative of Employers	Mr. P. Gough
Representatives of Operatives	Mr. R. Betts Mr. J. Rowlands

Ref. 0780/D.

No. 32. 1st August, 1966.
It is with deep regret that His Excellency the Governor announces the death on the 31st July 1966 of Mr. William Henry Cattell, Watch Operator, Posts and Telecommunications Department, Stanley.
Ref. P/977.

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 26th day of July, 1966.

Subsequent Entry.	
No. of application	... 4505.
Name of applicant	... Cosden Oil & Chemical Company.
Address of applicant	... Big Spring, Texas, United States of America.
No. of grant in the United Kingdom	993,340.
Nature of invention	... Method and apparatus for Continuous Exothermic Reactions.
Period of extension	... One year.

H. BENNETT,
Registrar General.

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

WHEREAS Thomas Rutherford McKay, late of Stanley died at Stanley, on the 20th day of January, 1966, testate.

AND WHEREAS the person named as executor in the last will and testament of Thomas Rutherford McKay dated the 21st day of November, 1959, predeceased the said deceased.

AND WHEREAS the Supreme Court has appointed the Official Administrator, administrator of the estate of the said Thomas Rutherford McKay, deceased.

NOTICE IS HEREBY GIVEN that all creditors having claims against the said estate should submit their claims to me the undersigned on or before the 22nd day of August, 1966.

And all persons indebted to the said estate are hereby requested to make payment forthwith.

Dated at Stanley this 8th day of July, 1966.

H. BENNETT,
Official Administrator.

S.C. 24/66.

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

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

In the matter of Stanley Kenneth Goss, deceased of Stanley, Falkland Islands, who died on the 24th day of July, 1966.

WHEREAS Roderick Jacob Goss, 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,
29th July, 1966.
S.C. 27/66.

A Bill for An Ordinance

Title.

To repeal the Ordinances relating to the application of Part I of the Administration of Justice Act, 1956, to the Colony.

Date of commencement.

(, 1966)

Enacting clause.

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

Short title.

1. This Ordinance may be cited as the Application of Enactments (Repeal) Ordinance, 1966.

Repeals

2 of 1962.
13 of 1962.

2. The Application of Enactments (Amendment) Ordinance, 1962, and the Application of Enactments (Amendment) (No. 2) Ordinance, 1962, are repealed.

OBJECTS AND REASONS

The two Ordinances hereby repealed were enacted with the view to applying Part I of the Administration of Justice Act, 1956, to the Colony, but the Secretary of State has now advised that the Ordinances are invalid and that Part I of the Act can be extended to the Colony only by an Order of Her Majesty in Council under section 56 of the Act.

Ref. 1994.

A Bill for
An Ordinance
To amend the Pensions Ordinance, 1965.

Title.

Date of commencement.

(, 1966)

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

1. This Ordinance may be cited as the Pensions (Amendment) Ordinance, 1966, and shall be read as one with the Pensions Ordinance, 1965, hereinafter referred to as the principal Ordinance. Short title.

2. The definition "Public Service" in subsection (1) of section 2 of the principal Ordinance is amended — Amendment of section 2.

- (a) by the deletion of the words "has determined" in paragraph (c) and the substitution therefor of the words "may determine";
- (b) by the deletion of the full stop at the end of paragraph (g) and the substitution therefor of a colon; and
- (c) by the addition after paragraph (g) of the following new paragraph —

"(h) any service which was "public service" within the meaning of that expression in the Pensions Ordinance, 1949." Cap. 49.

Amendment of section 6.

3. Section 6 of the principal Ordinance is amended —

- (a) by the deletion of the full stop at the end of subsection (3) and the substitution therefor of a colon; and
- (b) by the addition after subsection (3) of the following proviso —

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

Amendment of section 16.

4. Section 16 of the principal Ordinance is amended —

- (a) by the insertion in subsection (2), immediately after the words and figures “regulation 24 of the Pensions Regulations” and the words and figures “regulation 23 of the Pensions Regulations” of the comma and figures “, 1965”;
- (b) by the deletion of the full stop at the end of subsection (3) and the substitution therefor of the following —
“or in the case of the death of an officer to whom section 16A applies.”; and
- (c) by the deletion in subsection (4) of the figures “1964” where those figures twice occur and the substitution therefor of the figures “1965”.

Addition of new section 16A.

5. The principal Ordinance is amended by the addition after section 16, of the following new section —

“Gratuity where non-pensionable officer dies in the service or as a result of injuries received whilst in the service.

16A. (1) Where an officer to whom this section applies dies while in public service under the Government of the Colony after serving in that public service for not less than five years, it shall be lawful for the Governor in Council to grant to his legal personal representative a gratuity at the rate herein specified for each complete year of that public service, that is to say:

- (a) for each of the first five years, one week's pay;
- (b) for each of the next five years, two weeks' pay; and
- (c) for each additional year, four weeks' pay;

Provided that the total amount of the gratuity shall not exceed the amount of one year's pay.

(2) Where an officer to whom this section applies dies as a result of injuries received in public service under the Government of the Colony in the circumstances specified in paragraphs (a) and (b) of subsection (1) of section 17 of this Ordinance before completing five years public service under that Government, it shall be lawful for the Governor in Council to grant to his legal personal representative a gratuity not exceeding five weeks' pay.

(3) This section applies to an officer who holds —

- (a) a non-pensionable office; or
- (b) a pensionable office in which he is not serving on probation and (if his appointment to that office is subject to confirmation) in which he has not been confirmed, and who is not eligible for the grant of a pension, gratuity or other allowance under this Ordinance (other than a pension under regulation 23 (4) of the Pensions Regulations 1965) or for the grant, under his terms of service, of a gratuity or a benefit under any other scheme of superannuation.”

- (4) For the purposes of this section —
- (a) "pay" means pay at the date of the officer's death and includes any other allowance that the Governor in Council may see fit to include;
 - (b) an officer who, having held a non-pensionable office, holds a pensionable office in which he is serving on probation shall be deemed to hold a non-pensionable office and his pay shall be deemed to be the pay last received by him in respect of the non-pensionable office he previously held or the pensionable emoluments of the pensionable office held by him, whichever is the greater;
 - (c) in calculating the period in which any officer has served in public service under the Government of the Colony —
 - (i) subject to any general or special directions to the contrary that may be given by the Governor in Council only continuous service terminating at his retirement or death shall be taken into account;
 - (ii) no regard shall be had to any period of service for which he is eligible for the grant of or has been granted a pension, gratuity or other allowance under this Ordinance (other than a pension under regulation 23 (4) of the Pensions Regulations 1965) or, as provided under his terms of service, a gratuity or benefit under any other scheme of superannuation.

OBJECTS AND REASONS

The principal object is set out in clause 5 which deals with death gratuity provisions for non-pensionable officers. This is at present provided in the Pension Regulations but it is considered more appropriate to the main body of the Pension Ordinance.

Ref. 0829/IV.

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

Title.

Date of commencement.

(, 1966)

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 Income Tax (Amendment) Ordinance, 1966 and shall be read and construed as one with the Income Tax Ordinance, hereinafter referred to as the principal Ordinance.

Cap. 32.

Amendment of section 26 of the principal Ordinance.

2. Subsection (1) of section 26 of the principal Ordinance is hereby amended by the deletion of the proviso to the first paragraph and the substitution therefor of the following proviso —

“Provided that —

- (a) in the case of any non-resident person who is not a British subject, no deduction shall be allowed under sections 14, 15, 16 or 17 of this Ordinance; and
- (b) in the case of any non-resident person who is a British subject the total amount of the deductions to be allowed to him under sections 14, 15, 16 and 17 of this Ordinance shall not exceed an amount which would reduce the tax payable by him below the amount which bears the same proportion to the amount which would be payable by him if he were chargeable to tax on his total income from all sources, including income which is not subject to tax under this Ordinance, as the amount of his income subject to tax bears to such total income from all sources.”

OBJECTS AND REASONS

(a) To limit the amount that may be claimed by non-resident British subjects who are liable to Colony income tax so that the tax payable by such persons shall not fall below a figure that bears the same proportion to the amount of tax that their total income from all sources would attract as the income subject to Colony tax bears to that total income. The amount of the deductions not allowed in their Colony assessments can be claimed by these persons in their assessments in their countries of residence.

(b) To clarify the position with regard to deductions that may not be claimed by non-resident non-British subjects who are liable to Colony tax. The intention is to deny these persons any deductions in respect of earned income, a wife, female guardian of children, an infirm dependent relative, children and life insurance. In the case of non-resident non-British subjects the claim for their deductions should be made in full in their country of residence.

Ref. 0747/K/II.

A Bill for An Ordinance

Title.

Further to amend the Stanley Town Council Ordinance.

Date of commencement.

(, 1966)

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 Stanley Town Council
(Amendment) Ordinance, 1966.

Amendment of section 8.
Cap. 68.

2. Section 8 of the Stanley Town Council Ordinance is
amended by deleting subsection (1) and substituting the following —

"Election and
tenure of
office of
elected
members.

8. (1) Elections shall be held biennially on the
second Wednesday in the month of December. At each
biennial election the more recently elected councillor
in each ward shall remain in office and the other shall
retire. Every elected councillor on retirement shall be
eligible for re-election:

Provided that if the two elected councillors in a
ward were elected at the same time the councillor who
shall retire shall be determined by lot drawn by the
Town Clerk at a meeting of the Council:

Provided further that a councillor elected to fill a
casual vacancy shall hold office until the date upon
which the person in whose place he is elected would
regularly have retired and he shall then retire."

OBJECTS AND REASONS

The object of this Bill is to clarify the intention of section 8 of the
Stanley Town Council Ordinance (which deals with the election and tenure of
office of elected members).

Ref. 0039/C/III.

A Bill for An Ordinance Further to amend the British Nationality Ordinance.

Title.

(, 1966)

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 British Nationality (Amendment) Ordinance, 1966.

Short title.

2. The British Nationality Ordinance is amended by the deletion of the Schedule and the substitution therefor of the following —

Replacement of Schedule.
(Cap. 6.)

“SCHEDULE TABLE OF FEES

Section 3 (1)

Matter in which fee may be taken		Amount of fee		
		£	s.	d.
1.	Registration of a woman who is a British protected person or an alien as a citizen under s. 6 (2) of the British Nationality Act, 1948	1	10	0
2.	Registration of a woman as a British subject under s. 1 of the British Nationality Act, 1965.	1	10	0
3.	Registration of a minor who is a British protected person or an alien as a citizen under s. 7 of the British Nationality Act, 1948.			
	(a) Subject as hereinafter provided, where the minor is a British protected person;	6	0	0
	(b) Subject as hereinafter provided, where the minor is an alien;	12	10	0
	(c) If the application for the minor's registration was made at the same time as an application by one of his parents for a certificate of naturalisation;	1	10	0

(d) If the application for the minor's registration was made at the same time as an application for the registration of another minor child of the same parent, except in the case of the first child registered in pursuance of those applications.		1	10	0
4.	Registration of a stateless person as a citizen under s. 1 of the British Nationality (No. 2) Act, 1964.	1	10	0
5.	Grant of a certificate of naturalisation —			
	(a) to a British protected person;	12	10	0
	(b) to an alien.	25	0	0
6.	Grant of a certificate of citizenship in case of doubt.	12	10	0
7.	Registration of a declaration of intention to resume British nationality.	1	10	0
8.	Registration of a declaration of renunciation of citizenship other than a declaration made in the circumstances mentioned in s. 1 (1) (a) of the British Nationality Act, 1964.	1	10	0
9.	Supplying a certified true copy of any notice, certificate, order, declaration or entry given, granted or made by or under the British Nationality Act, 1948.	10	0	

For the purposes of this Schedule —

- (a) any reference to a child and his parent includes a reference to a step-child and his step-parent, to an illegitimate child and his mother and to an adopted child and his adoptive parent, and
- (b) where two or more children of the same parent are registered on the same occasion, the eldest of those children shall be treated as the first child registered on that occasion."

OBJECTS AND REASONS

The object of this Bill is to give effect, in the Colony, to a new fee and also new concessions introduced by the (United Kingdom) British Nationality Regulations, 1965.

Ref. 2343.



THE
FALKLAND ISLANDS GAZETTE
Supplement No. 2

1st AUGUST, 1966

MINUTES OF THE MEETING OF LEGISLATIVE COUNCIL
HELD AT STANLEY ON 11th, 12th and 13th MAY 1966

The Council assembled at 9.45 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 Mr. L. G. Blake, M.L.C., (Nominated Independent Member for
West Falkland)
The Honourable Mr. F. J. Cheek, M.L.C., (Second Elected Member for Stanley)
The Honourable Mrs. E. Vinson, M.L.C., (Elected Member for East Falkland)

Prayers.

The prayer was read by Mr. S. Bennett.

Confirmation of Minutes.

The minutes of the meeting of Legislative Council held on
1st November 1965, were confirmed.

Address by the President

Honourable Members of Legislative Council:

In welcoming you to this meeting it is satisfactory that we should now be able to enjoy in this chamber the handsome sapele wood panelling which the Government of Nigeria presented to the Colony in 1950 as a gesture of cooperation and goodwill. I am sure that all Honourable Members will be pleased that the panelling has now been completed. I would like to compliment those responsible on the high standard of workmanship.

In addition to considering new legislation, the main business of this meeting of Council will be to consider the budget and you will be hearing from the Colonial Treasurer details of estimated revenue and proposed expenditure.

Before speaking about the future, I would like to comment on some of the activities of the past year.

Communications mean so much to the development of the Falkland Islands that it is pleasant to be able to report in that sphere another year of satisfactory if modest achievement.

The Air Service, thanks to the high standard of work given by all its members, has again had a successful year, with no delays for mechanical reasons. Both aircraft were kept in excellent condition. The flying staff was not depleted during the period of overseas leave of the Director as it was possible to obtain the services of Flight Lieutenant Drown who had been seconded from the Royal Air Force to the British Antarctic Survey, through whose cooperation he was able to spend seven months in the Falkland Islands.

Honourable Members will have seen in the Monthly Review that during 1965 the Air Service carried no less than 2,373 passengers and 17,200 pounds of freight and excess luggage. 918 hours were flown. These figures show an all round increase over 1964 and in fact I am told

that/...

that 1965 was a record year. The Air Service is such a popular and indeed essential element of life in the Colony that I feel it important to state that the Government is fully aware of the need carefully to plan for the replacement of aircraft in due time and for recruitment as and when it becomes necessary, due to the fact that some valued members of the present staff are approaching the end of their service.

Communications by sea with Montevideo and with the United Kingdom were maintained with customary efficiency by Darwin Shipping despite the mishap which affected R.M.S. Darwin in dry dock at Montevideo. The Royal Research ships and H.M.S. Protector were able to give valuable help in the matter of carriage of mails and some passengers.

The question of a replacement for the Government motor vessel Philomel occupied the attention of the Government and the public to a considerable degree during the course of the year. In February, after very careful consideration of all the factors involved, a decision was taken to order a new cargo vessel. The marine department of the Crown Agents obtained tenders from six British yards and, of these, the vessel selected is that which received the most favourable comments of the Crown Agents and, incidentally, of Captain Turnbull of R.R.S. Shackleton who, as Honourable Members know, is a qualified Marine Surveyor. It is hoped that the new vessel will be ready for delivery in the United Kingdom by the middle of next year. Meanwhile, the m.v. Philomel has continued to perform her most useful function around the islands.

Honourable Members will be aware that the Colonial Development and Welfare Fund will be making available a sum of up to £27,000 towards the total cost of the new cargo vessel. This grant is dependent on the ship being built in a British yard.

Our communications by land continue rudimentary. In accordance with the scheme introduced last year, payments have been made to land owners who have carried out specific improvements to the main tracks through their farms and I hope that the number of managements taking advantage of this reimbursement scheme will increase.

Stanley roads show no improvement but in connection with the Space Research Station it is expected that a mile and a quarter of concrete road will be started this year from the hangar to the western end of the harbour. Based on experience of the labour brought in to carry out this work, it is hoped to extend their operations to other roads in the town which so urgently need attention.

The visit last winter of Mr. B. J. Pleass, Radio Communications expert of Cable and Wireless, paved the way to modernising our external communications system. Provision of up to date equipment would have become a necessity in any case but the requirements of the Space Research Station have resulted in a decision to erect a telemetry station at the western end of Stanley harbour and the establishment of a modern radio teletype link between the Colony and London. The project will be an extremely costly one, quite beyond the Colony's means, and Cable and Wireless will instal and maintain the equipment for 10 years before handing over to the Colony. The expenses are to be met by the Science Research Council. The telecommunications system will be operated by the staff of the Stanley wireless station supplemented by the services of two Cable and Wireless engineers. Government, commercial and private telegraphic correspondence will continue uninterrupted at a cost to the Colony at about the present level.

Telegrams sent by the present morse code and RT systems have shown a steady increase in number over recent years and the telegrams handled by the Stanley and Fox Bay radio stations and the RT service now number approximately 23,000 a year.

The telephone service has continued without serious interruption throughout the period and here I would like to say a word of thanks to those who maintain the lines and to the operators of the Stanley exchange.

The Post Office has maintained its efficient and popular service. An innovation has been the carriage of heavy mail on scheduled flights when space has permitted and this has speeded the delivery of second class mail to the camp. This arrangement will continue whenever circumstances permit.

Stamp sales produced a welcome boost to revenue. The definitive issue continues to remain popular in the philatelic world and additional revenue has come from commemorative issues. In connection with these, however, it is the present policy of the Government that commemorative issues should be limited in order that the value to collectors of Falkland Island stamps should not suffer.

The Education Department has catered for the needs of 331 children, the highest number recorded for 10 years. Of the funds for ordinary expenditure available in the Education Vote, approximately £86 was spent on each child at school in Stanley, about £90 on each child in the camp and about £297 on each boarder at Darwin. The cost of education is of course considerably higher than these figures indicate because no account is taken of special or capital expenditure, of passages and pensions and gratuities for teaching staff.

Staffing our schools presents a perennial problem and the department is still not up to its establishment of qualified teachers. During the next six months the incidence of overseas leave will present us with further staffing difficulties.

However, for the first time in many years the camp has a full complement of travelling teachers and of teachers at settlement schools. Only eight children in the Colony do not receive tuition from a Government teacher.

Once again we are grateful to the Voluntary Service Overseas organisation for assistance from four volunteers who are supplementing the work of the travelling teachers.

24 children from the Falkland Islands are now at school overseas, seven of them on scholarships. The parents of the remainder are assisted under the Government education allowances scheme. The first Commonwealth bursary for teacher training ever awarded to the Falkland Islands has been granted to a former pupil of Stanley schools who will, it is expected, be undertaking a three year teacher training course in the United Kingdom.

On the material side it is possible to report steady progress. The Saunders Island school and quarters are now completed, as is the new Roy Cove school and quarters and the alterations to Fox Bay school buildings. At Darwin Boarding School oil fired cooking ranges, a new generator and a poultry unit have been installed. In Stanley the foundations have been prepared for the new science laboratory and class rooms.

Five candidates sat the Royal Society of Arts examinations in shorthand, typing and book-keeping and two adult candidates sat City and Guilds examinations in subjects allied to radio communications.

Our thanks are due not only to the staff of the Education Department but also to those who voluntarily devote part of their spare time to organising the activities of young people.

Six apprentices are employed in Government service, two as carpenters and one each as mechanic, painter, wireless operator and electrician.

Later during this meeting Honourable Members will be considering the terms of reference for a Standing Committee concerning itself with education; the advice of that committee will, I trust, be of substantial assistance to the Government in formulating and carrying out its educational policy.

Health during the past year has in general been good, except for the severe influenza type of infection which affected so much of the Colony in the winter of 1965. It was as a result of that infection that the number of patients requiring hospital treatment rose considerably.

The Medical Department was fortunate in having the temporary services of Dr. Wyatt and Dr. Parker while the Senior Medical Officer was on leave. In November we welcomed Dr. Taylor for the Darwin vacancy and in April Dr. Malone, who has taken the place of Dr. Cunningham at Fox Bay. I know we are all glad to hear that news of Dr. Ashmore, who had to go to Montevideo in March for surgical treatment, is much better.

The Dental Department has been fully staffed throughout the year but we have just lost the services of Mr. Carr and Mr. Hoyle will be leaving shortly. Prospects for recruiting replacements for dental surgeons are not very good. I should like to take this opportunity of paying particular tribute to the work so efficiently undertaken by Mr. Carr during his six years' service.

The Power and Electrical Department has reported another year of satisfactory working. Consumption of electricity has again increased and in the expectation of a further demand, work is being carried out to provide a total generating capacity at the Stanley power station of 850 KW.

In the event of a major stoppage of the electricity supply, arrangements now exist to meet the needs of essential services from a limited emergency installation.

New and heavier power cables have been erected in Stanley and extensions made to the new housing to the west of the town. The new engine house for Darwin school has been equipped with a larger set.

The Public Works Department has concentrated on external repair and decoration in an attempt to overtake very considerable arrears of maintenance to Government property, in addition to undertaking a variety of tasks mentioned elsewhere in this review. Considerable progress has been made in preparing for a start on road repairs.

The Legal Department, dealing with quiet efficiency with a wide variety of work, continued to serve the needs of the public well.

The Supreme Court heard 15 civil cases during the year and the Court of Summary Jurisdiction dealt with 48 statutory offences and 28 civil matters.

The Government Printer, thanks to the new linotype printing machine, has dealt with a large backlog of work and is now able to keep pace with most of our demands.

The small Police Force has carried out its duties with efficiency. In addition to Superintendent Gray, the Colony has lost the services of Sergeant Shackel on his retirement.

The Stanley Fire Brigade was called out on 18 occasions during 1965. This competent body now has an enrolled strength of 37 volunteers.

I would at this point like to say a word of thanks to the Stanley Town Council for the work which the Council has done over the past year. I consider it important that there should be a very close and cordial understanding between the Town Council and the Government.

The Falkland Islands Defence Force has been active in improving its training and has in this respect been assisted by the presence of a Royal Marine detachment in Stanley. The annual training camp recently held near Stanley has been popular and successful.

Inevitably/.....

Inevitably a review of this nature tends to focus attention on certain activities but I would like to refer to the faithful service of those whose names seldom come to notice, but who nevertheless have an essential part to play. Their good work is not overlooked.

And now I should like to say a few words about our economy and the future.

This Colony, relying on wool, is particularly sensitive to a variation of even a few pence per pound in the price of our one and only staple. Taxation revenue comes mainly from the wool industry, either directly or indirectly. If the industry prospers, the revenue is assured. A rise or fall in market price of wool inevitably has its effect in the revenue prospects for the Colony two years later.

Twelve months ago the outlook was sombre. Since that time, each succeeding quarter has shown an average wool price slightly better than that of the preceding quarter and this slow but steady improvement gives us modest encouragement for the revenue prospects two years from now, that is, in 1967/68.

The Colonial Treasurer will be explaining that as a result of certain collections of revenue being greater than estimated - I am tempted to call some of them windfalls - we may expect, instead of the estimated deficit for the coming year, a small surplus of ordinary revenue over ordinary expenditure. For 1966/67 we anticipate a deficit which can be met from accumulated general reserves.

The depressed prices for wool 12 months ago drew the attention of the Government to the need to review every sphere of government activity with the object of reducing unproductive expenditure. Each government post was examined; in a few cases posts have been abolished; in others, duties have been reallocated with the object of obtaining better value for money spent. Such a review of government spending must be a continuing process and it is important that care should constantly be taken to ensure that everyone employed by the Government is in fact making a real and necessary contribution. Our limited population inevitably means that the essential services operated by the Government are used by comparatively few people and consequently the cost per user is relatively high. Several of these services could cope with a population several times the present size without any need to increase staff.

Honourable Members will remember that the decision was taken last year to scrutinise the charges made for certain Government services which had remained unchanged for many years. In consequence, various adjustments were made in fees for postal services, radio licences and broadcast fees, for electricity repair charges and for store charges.

It is important that there should be periodic reviews of all fees paid for services but such measures can only produce small amounts of revenue and the essential services provided by the Government must inevitably continue to be heavily subsidised from taxation revenue.

The development fund set up at the beginning of the current financial year has a sufficient balance to meet anticipated capital expenditure for some years to come and the allocation of £120,000 spread over three years from the Colonial Development and Welfare Fund lessens the need to draw on our reserves. But, while it is pleasant to be able to record this state of affairs, the reasonably cheerful short term outlook must not be allowed to obscure the fact, so well known in the Colony, of our complete dependence on wool.

What I have seen written by experts on the subject and what I have been told by practical farmers in the Colony leaves me in little doubt that the grasslands of the Falkland Islands possess considerable untapped potential. During the course of my visits to farms I have been impressed by the serious attention which is being paid to the need for

greater/.....

greater productivity. The methods advocated vary widely and indeed each is probably well suited to its own particular environment.

During the course of our present meeting Honourable Members will be considering the terms of reference of a Standing Committee of this House to deal with natural resources. One of the matters which I trust will receive the early attention of that committee is the question of making the best possible use of our grasslands. Nothing is to be gained by the uninitiated exhorting farmers to do better. What the Government can do - and here sound advice should come from the Natural Resources Committee - is to see that the farmers of the Colony are given every incentive to increase production. The task is by no means easy but we are fortified by the knowledge that everyone who has the interests of the Colony at heart shares a desire for this form of improvement.

Improved farming techniques produce results only over a period of years and it may be some time before increased productivity makes itself felt in the revenues of the Government. We must always remain alert to the inherent dangers of our dependence on wool and until production shows significant increase I foresee the financial resources of the Colony being subjected to considerable strain. It is for that reason that I welcome the development of the Space Research Station in Stanley. We know that it will bring us problems but, equally, we can expect that it will benefit the economy.

While we can look forward to the coming year with reasonable confidence, equally, we must be ready with carefully thought out plans to meet the situation as it develops. Honourable Members will recollect that for the current year provision was made for the visit of an economist. There have been delays in obtaining the services of a man of the necessary high qualifications but I am glad to be able to say that the prospects of obtaining the services of an acceptable person now seem reasonable. We do most urgently need sound advice for our long term planning. Our economy is closely linked to that of the United Kingdom, the destination of all our exports and the source of three-quarters of our imports. If we are to plan sensibly, we must have a full understanding of the problems we are facing, lest we are lulled into inaction by a false sense of security.

But one aim must be clear to us all - whether we have advice or not - and that is that we must base our plans on the proposition that our modest but by no means insignificant economy will continue growing even if the rate of growth is very gradual. Exports, and that at present can only mean wool and skins, must rise if we are to continue to pay our way. The prospects fortunately look reasonably encouraging. Despite rising costs of materials and shortage of labour, the productivity of farms has been improved over the years and I am sure that it is on sustaining that accelerated improvement that we must all concentrate our efforts.

Honourable Members, I should like to end my remarks by saying that your constructive criticism and your participation are to be welcomed in every sphere of Government activity. We all share a close identity of interest; our common aims can be best achieved by ensuring even closer cooperation in future than in the past.

Papers laid on the Table by the Colonial Secretary.

- (i) Financial Report 1964/65
- (ii) Currency Note Security Fund Report 1964/65
- (iii) Medical Report 1965
- (iv) Copies of subsidiary legislation made or approved by the Governor in Executive Council since May 1965.

MOTIONS

Amendment of Legislative Council Standing Rules and Orders.

The Colonial Secretary: Your Excellency, to allow for the setting up of standing committees I beg to move that Standing Rules and Orders be amended by the insertion of a new Order to be numbered 40A.

Honourable Members have all received a copy of the proposed Order, and I know they are all aware of the reason behind it, which is to allow the setting up of standing committees on natural resources and education.

Although I do not wish to waste the time of the House by reading out anything unnecessary, and something Members must know by heart, I will, for the purposes of the public record, read out the Order which is the subject of this Motion.

Standing Committees. 40A. (1) There may be constituted such standing committees for such purposes as may be provided by these Standing Rules and Orders or as the Council may by motion during any session appoint and such standing committee shall continue in being and may continue to sit until dissolved by the Council or until the end of the session. At the first meeting of any session the Council may reconstitute such standing committee to hold office during the period of each such session.

(2) The membership and quorum shall be fixed by the motion constituting such committee.

(3) The Governor may, from time to time, in case of the death or unavoidable absence of a member, appoint another Member of the Council to take the place of such member on the standing committee.

The Colonial Treasurer seconded.

The motion was put and carried.

Establishment of a Natural Resources Committee

The Colonial Secretary: Your Excellency, as Honourable Members are aware it is intended that there shall be a standing committee of this Council on natural resources. This move is in furtherance of Your Excellency's own view, expressed in this Council, that Members should be more closely involved in the workings of Government.

It is proposed that the principal object of the natural resources committee should be to stimulate interest among influential people in the Colony in the development of our natural resources in the widest sense of the term, bringing such people together and encouraging the interchange of ideas. Among subjects which might be discussed are agriculture in all its aspects including pasture improvement, land drainage and stock raising, animal husbandry, animal health, forestry, phytosanitary measures, fisheries, mineral resources and wild life.

Rules of procedure have been circulated to all Members and appear to be satisfactory. If time proves any or all of the rules to be unworkable I have no doubt that they will be referred back to Council for reconsideration.

I hope the first meeting of the committee will be held immediately after the main work of this meeting of Council has been completed.

All/.....

All Members of Council have been approached by me and the following have agreed to serve on the committee

Your Excellency,
The Honourable Mr. S. Miller,
The Honourable Mr. L. G. Blake,
The Honourable Mr. F. J. Cheek,

I therefore beg to move that a standing committee of this Council, known as the Natural Resources Committee be appointed with the following terms of reference:

"The committee is required to consider and report upon any matter concerning the natural resources of the Falkland Islands which may be referred to it by the Government.

The committee is also invited to make on its own initiative, recommendations regarding any aspect of natural resources."

The Colonial Treasurer: I beg to second the motion.

The Colonial Secretary: Following on I beg to move that (a) the following Members of Council be appointed to the Standing Committee on Natural Resources:

His Excellency the Governor
The Honourable Mr. S. Miller, (Elected
Member for the West Falkland)
The Honourable Mr. L. G. Blake, (Nominated
Independent Member for the West Falkland)
The Honourable Mr. F. J. Cheek, (Second
Elected Member for Stanley),

and (b) that the quorum shall be one half of the total membership.

Colonial Treasurer: I beg to second the motion.

The motion was put and carried.

Establishment of an Education Committee.

The Colonial Secretary: Your Excellency, it is also intended to set up a standing committee on education, which will, I hope, have its first meeting this week.

Rules of procedure, which are similar in all respects to those for the Natural Resources Committee, have been circulated to all Members.

I therefore beg to move that a standing committee of this Council, known as the Education Committee be appointed with the following terms of reference:

"The committee is required to consider and report upon any matter concerning education which may be referred to it by the Government.

The committee may also make, on its own initiative, recommendations regarding any aspect of education."

Colonial Treasurer: I beg to second the motion.

The Colonial Secretary: I further beg to move (a) that the following Members of Council be appointed to the Standing Committee on Education:

The Colonial Secretary/....

The Colonial Secretary
The Honourable Mr. R. V. Goss, (First
Elected Member for Stanley)
The Honourable Mr. G. C. R. Bonner, (Nominated
Independent Member for East Falkland)
The Honourable Mrs. M. Vinson, (Elected
Member for the East Falkland)

and (b) the quorum shall be one half of the total membership.

Colonial Treasurer: I beg to second the motion.

Colonial Secretary: In case any Member wonders why my Honourable friend the Colonial Treasurer has not been included in a committee, I would point out that he will be acting Colonial Secretary for the next few months and as such he will be a de facto member of the Education Committee.

The motion was put and carried.

Standing Finance Committee

The Colonial Treasurer moved the adoption of the following Resolution:

"BE IT RESOLVED that the Report of the Standing Finance Committee for the period August 1965 to November 1965 be adopted"

The Colonial Secretary seconded and the motion was put and carried.

BILLS

The Lotteries (Amendment) Bill

The Colonial Secretary: Your Excellency, Ordinance No. 8 of 1948 provides for the control of lotteries and under section 6 thereof a payment of ten per centum of the net amount of monies collected is payable to the Treasury. For various reasons, which I will not go into, this tax has been allowed to lapse and for some years now no revenue has been collected from this source.

However, the remainder of Ordinance No. 8 is still in force and the controls imposed thereby are still, to a large extent, valid.

The attention of government has been drawn to the difficulties of enforcing the law upon the operations of totalisators at race meetings, and it is felt that they should be exempted from the provisions of the Lotteries Ordinance.

For example section 8 (d) of the Ordinance says that no person shall sell any ticket to any person apparently under the age of 17 years whether acting on his own behalf or on behalf of any other person. How can this be operated in the crush of a race meeting? How can anyone serving behind one of those little pigeon coop windows really be held responsible for checking on a buyer's age? Someone selling a sweepstake ticket can be held responsible; for there the transaction is more leisured and deliberate.

Imagine also the confusion at a race meeting if we attempted to enforce the collection of a ten per cent charge, and imagine the wrath of the backer at short odds who collects nothing less than ten per cent. To my mind tax collections of this kind do more harm than good.

This brief Bill seeks to remove any reference to betting by totalisator, thus enabling totalisators to be operated without license or fees.

Your Excellency/....

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

The Colonial Treasurer seconded and the motion was put and carried.

Mr. Goss: Your Excellency, while I support this Bill in its aim to exclude totalisators from the provisions of the Lotteries Ordinance I feel the Bill should be extended to exempt all local sweepstakes from taxation other than those for individual gain. Those which are at present organised in the Colony do much towards financing social life and welfare. Putting it rather briefly, sweepstakes provide money for the sick and the aged, children's sports and parties, race meetings, Bisley teams, etc., etc.,. Should the organising of sweepstakes cease, then our social activities among other things, instead of progressing, and there is certainly room for progress, would become virtually non-existent. No annual sports meetings, no Bisley teams to assist in keeping us on the map, a very lean time for those who eagerly await the next call of the man from the Benefit Club, no children's parties or sports, little football, and the building of a swimming pool would be a matter for our grandchildren to endeavour to achieve.

One could go on and on about the merits of sweepstakes and the work of those who organise them. If government feels there is considerable revenue to be raised from sweepstakes then why not give consideration to running a state lottery?

Sir, I beg to move that the Bill be extended to abolish the application of taxation on sweepstakes other than those for individual gain.

Mr. Miller: Your Excellency, Honourable Members, I did not intend when I came here to speak about this Bill because actually I am in favour of it. I did notice when the Colonial Secretary introduced the Bill he was referring to the taxation on the net amount in which case if that is correct I think the argument of the Honourable First Elected Member for Stanley falls to the ground. Referring to his statement that sweepstake committees will be as a result handicapped in their operations by this taxation and will not be able to continue their associations, if the taxation is on the net amount they will still be able to take their 20%, or whatever it is, that they do take before taxation comes on. The Colonial Secretary may have made a mistake, but I did make a note when I heard him introduce it. He said 'The taxation would be on the net amount' and if it is on the net amount then I would say that the Honourable Member for Stanley's argument falls to the ground because the sweepstake committees are not affected as far as running their own organisations are concerned.

Colonial Secretary: If I may be allowed to explain, Your Excellency, it is a payment of ten percent on the net amount of monies collected. The law states the net amount. If I may quote, "It shall be a condition of the grant of a licence that the promoters shall on the day preceding the draw produce to the Treasurer a true balance sheet showing all monies received and paid for printing and stationery, no other deductions shall be permissible, and shall thereupon pay to the Treasurer ten per cent of the net amount of monies available for distribution." So it is the net amount of monies collected after printing and distribution expenses and before prizes are allocated.

The President: Before we proceed further, in view of the point of explanation made by the Honourable the Colonial Secretary, would the Honourable First Elected Member for Stanley wish to speak further on that particular subject?

Mr. Goss: Merely to add Sir, with reference to the Honourable Mr. Miller's point, I understood that it was virtually the gross amount that one was taxed on. Even so taxation will still have an overall affect on the sweepstake return, be it on gross or net. I feel sure that taxation would affect the income of sweepstakes and would therefore affect the

running of various organisations within the Colony. I would also draw attention Sir on this point, a thing which comes to my notice in the estimates under this word 'subventions'. We have for some years now allocated a donation to various organisations which also run sweepstakes. Now it seems to me that the intention of that subvention or donation is, because these organisations are, shall I say, financially insecure, so we aid them from revenue. But on the other hand, if they attempt to make themselves financially secure by running a sweepstake, then we tax them but also give them a donation.

Mr. Bonner: Well I haven't anything serious to say. I listened to what Mr. Goss said with interest. I find I cannot really agree with his statement. He thinks that all sweepstakes will cease to exist if this tax is imposed. Gambling which in this Colony is embodied in these sweepstakes is, I think taxed in pretty well every country of the world. In the latest budget to which we listened last week, Mr. Callaghan has introduced taxation on gambling in the United Kingdom. I remember when I was young, and I am not all that old, that we used to toss for one ticket. Now, if one's at a race meeting or in a bar, we toss for a book and I cannot help but feel that people are still going to gamble for sweepstake books. The profit is still quite considerable if one wins even though perhaps a penny of the one shilling goes to the Treasury. I'm not entirely sure that it's very difficult to tax totalisators but this may be a red herring which might well be left alone. But has it crossed the Colonial Secretary's mind that, I think I am right in saying, the totalisators, certainly here in Stanley, present an account of the total monies collected at the end of the day? I would have thought that it wouldn't have been all that very difficult for the totalisators to present an account and that tax could be deducted from that. I know that in New Zealand and Australia, I am not sure of Australia but certainly in New Zealand, the only form of betting allowed on race courses is by totalisator and of course a very considerable amount goes into the national treasury from this source. I don't know whether that had been considered when this amendment was brought up. Thank you Sir.

Mr. Cheek: Your Excellency, Honourable Members, I wish to associate myself wholeheartedly with what the First Elected Member for Stanley has said. I think in a community this size for clubs and sports associations and so forth, it is the only means they have of revenue and if they lose that, I am afraid some of our clubs will have a hard job to exist. And furthermore there are several sweepstakes that do sell quite a number of tickets in this Colony that I think it would be impossible to tax, such as the Irish and Malta sweepstakes. And they will still continue to be sold, so I think if we tax our sweepstakes we might be driving quite a lot of our money away from the Colony.

Mr. Blake: Your Excellency, Honourable Members. I would like to support the two Stanley Members in this and further to what the Honourable Second Elected Member for Stanley said, that with regard to Malta sweep and Irish sweep we also have football pools, and I feel that unless we make it illegal to pass through the Post Office as they do in Britain - it is illegal in Britain to pass sweepstake tickets through the Post Office, overseas sweep tickets, counterfoils and what have you - we are rather penalizing the Colony sweeps against overseas sweeps but be that as it may, I feel the amount of revenue we are going to gain from this taxation is going to be so small that like several other things, it is not going to be worth collecting, and it is a source of entertainment in the Colony and the Colony is short of entertainment. It provides a certain amount of excitement and interest at sweepstake result reading time. Anything that provides entertainment of any sort I think should be left strictly alone from taxation.

Mrs. Vinson: Your Excellency, Honourable Members, I agree with the Nominated Independent Member for East Falkland about sweepstakes and totalisators. Why must we separate them? The totalisator is benefiting the horse racing and the serious sporting side of our social life. Surely if one is to be taxed so should the other. I quite agree

it would be much easier if you want to tax sweepstakes it is easier to do so on the proceeds of these. But surely as the Nominated Independent Member said, arrangements could be made whereby you could tax money collected by a totalisator. Otherwise I think money collected from all sweepstakes and totalisators should not be taxed.

Colonial Secretary: This Bill started off as a Bill to exempt totalisators and we are now dealing with sweepstakes. It has been a very valuable debate because I am now able to sense the mood of the House and it seems to me that no use can be served by proceeding with this Bill as it stands. I think that government must look again at the Lotteries Ordinance as a whole, to see whether we need it and if we do need it, to modify it and bring it into line with current thinking. I therefore do not propose to proceed with the Bill at this stage. With the permission of your Excellency and the House I propose to withdraw the Bill.

The President: Honourable Members, as in the short time I have been here a Bill has not been withdrawn and as perhaps Honourable Members' memory of our Standing Rules and Orders on the subject may not be very clear, I think it will be advisable if I was to read out Standing Order number 33, which reads as follows:-

"33(1) The Member in charge of the Bill may make a motion without notice for its withdrawal at any stage of the Bill.

(2) If an interval of six calendar months elapses after any reading of a Bill without further action being taken on such Bill, such Bill shall be deemed to be withdrawn unless the Council otherwise resolves."

In order that we should have the withdrawal correct in its legal details and as I did not entirely catch what the Honourable the Colonial Secretary said when he indicated that he would like to withdraw the Bill I will now ask if he will formerly make a motion for its withdrawal and if somebody would second that.

Colonial Secretary: Your Excellency, I quite incorrectly used the word "propose", I beg your pardon. I beg to move that in accordance with Standing Rule number 33, the Bill for an Ordinance to Amend the Lotteries Ordinance, be withdrawn.

The Colonial Treasurer seconded the motion.

The motion was put and the Bill was withdrawn accordingly.

The Employment of Children Bill

Colonial Secretary: Your Excellency, the object of this Bill is to bring the law relating to the employment of children into line with similar provisions existing in England and it is supplementary to that part of the Children and Young Persons Act, 1933, which was applied to the Colony by the Application of Enactments Ordinance, 1954.

The International Labour Organisation has drawn attention to the rather vague nature of our existing legislation (Chapter 24 of the Laws) and this Bill is designed to put the matter right.

The effective changes are that hours and days of work have now been stated, and the granting of permission for the employment of children outside the age limit has been removed from the Magistrate and transferred to the Governor in Council.

Lest anyone overseas should think we have to control child labour I would like to have it in the record that as far as I am aware there is none of it in the Colony, and this Bill is more a declaration of our standards than a measure of control.

Honourable/.....

Honourable Members will note that to allow this item of legislation to keep in step with the ever changing educational scene the upper school age limit has been stated in flexible terms.

Your Excellency, I beg to move that the Bill be read a first time.

The Colonial Secretary seconded the motion and the Bill was read a first time.

On further motion made and seconded, the Bill received its second reading.

The Bill passed through the committee stage without amendment and was read a third time and passed.

Murder (Abolition of Death Penalty) Bill

Colonial Secretary; Your Excellency, following on the temporary abolition of the death penalty in Britain the Colonial Territories have been invited to consider similar legislation.

I do not propose to pitch our debate here at an emotional level: indeed I can see notions to get emotional about. I will summarise what I consider to be the main arguments for both sides, and then add one or two down to earth hard facts of local importance to which I think Honourable Members should pay particular attention.

The main arguments in favour of the retention of the death penalty can be put as follows:

It is doubtful whether one can deter with the death penalty the poisoner or sexual pervert, but it is thought that one can deter the professional criminal who acquires a pistol and goes out to rob, as an occupation, weighing risk against risk. Do we have such professionals to deter?

The second argument in favour of the retention is that as crime increases, the removal of capital punishment from this field of crime would introduce a risk of greater violence. It is said the wider use of guns, the greater risk of danger to the public. Have we any increase in crime to combat?

Other people say that there is a right and duty on the state to say, "for this deliberate act you will lose your life." From whence stems the right? Are we not a Christian country?

Others say that to remove the death penalty would be to increase substantially the risk that innocent lives would be lost by murder. We must ask ourselves quite quietly whether that risk exists here.

Then it is said that people are prepared to go to prison and undergo sentences for their wrongdoings but the one thing that people really fear is anything happening to their person. Capital punishment is therefore a deterrent.

Then there is the fact that a person may, as is said, "swing for it". And this has deterred many a criminal from carrying a gun, for fear of using it in the heat of the moment with fatal results.

Another argument is that the Bill provides no adequate alternative to the death penalty.

It is said that the death penalty in cases of deliberate murder is the self defence of the community, and to abolish it in present conditions is the abandonment of governmental responsibility, and a cruel infliction on decent people. In order to maintain respect for law and order in this country, society itself, and the courts of law in their punishment, must express the

revulsion/.....

revulsion which the ordinary citizen feels towards grave crime. Some crimes it is said, demand the most emphatic penalty of all.

Again it can be argued that if an acceptable alternative were offered, then one should abolish the death penalty. But thirty or forty years' detention - breaking the heart, the mind and the soul of the individual - is not an acceptable alternative, being more cruel than the death penalty itself.

Now let us look at some of the arguments in favour of the abolition:

The great cry these days is that it is time to make an end of this last remnant of a grotesque barbarity.

Secondly it can be said that it is wrong to pursue and carry out the callous, brutal and coldhearted ritual of hanging unless one is satisfied that a useful social purpose is thereby attained.

In a civilised community the taking of human life can be justified only by the clearest evidence of imperative need and the retention of the death penalty can only be justified on the ground that it is a unique deterrent.

Only if it can be shown that the death penalty is a unique deterrent, and that, more than any other form of punishment, it deters people from murder, is there justification in retaining it. Justification for the taking of life must be proved to be necessary by those who wish to take it.

It can be said that hanging does not deter since for the most part murders are not planned and are the result of overwhelming individual passion. It is notorious that hanging does not deter the murderer who kills in cold blood, for he does not believe that his crime will ever be found out.

It can be argued that unnecessary killing is morally wrong and therefore death authorised by law is also morally wrong.

Juries too have, from time to time, been influenced by the knowledge that a verdict of guilty in a murder charge would result in hanging and they have sometimes therefore been induced to acquit rather than cause a hanging.

Only two of the sixteen European continental countries now have the death penalty.

There is the appalling risk, human beings being fallible, that we may hang an innocent man, and in the minds of many there is a very grave doubt - certainly in two cases in the United Kingdom in the last twenty years; possibly in more - that this very thing has happened.

To imprison a man and you find out you are wrong you can let him go, but if you hang him and put him in the grave you cannot revive him.

The main argument for those who believe in capital punishment is, and always has been, that it is a much greater deterrent than any other form of punishment.

I would like you to listen to this quotation from a judge's report made in 1748 -

"He is a proper subject for capital punishment and ought to suffer. Though the taking away of a life of a boy of ten years old may savour of cruelty, yet as an example this boy's punishment may be a means of deterring other children from like offences; and as the sparing of this boy merely on account of his age will probably have a quite contrary tendency and in justice to the public the law ought to take its course".

In 1868 the Colonial Chaplain of the Falkland Islands said publicly and repeated it in writing to His Excellency the Governor that the only way to make the ill behaved Colonialists behave and understand the force of law was to have hangings and public hangings at that!. Did these views achieve anything?

I would also like to quote from a speech by the Lord Chancellor in the House of Lords on the 26th October 1965. He said -

"It is my own view that the deliberate putting to death of a man or woman in cold blood as a punishment for crime is no longer consistent with our own self-respect. I do not believe that fallible human beings are entitled to impose a punishment so irrevocable that, if they find they have made a mistake, they have, by choosing this form of punishment, made it impossible for them to do anything to rectify that mistake. Further, I do not believe that any other human being is irredeemable; nor do I believe that any other human being is himself or herself fit to decide that some other human being is not fit to live."

Now to some local facts:

Five Members of this very Council advise the Governor in Executive Council, and as such under the law have to consider and advise on the act of hanging. Do they really relish the thought? Do they really think that in a place as small as this they can properly and calmly deal with the case of a person who would almost certainly be known to some of them if not all of them? Do they really think they could remain aloof from public opinion and imprison themselves in what one writer called the "cold majesty of the law"?

Could we in fact hang a person? We couldn't send that person to England because there is no hanging in England. And I doubt if the British Government in the face of public opinion there would hang somebody from the Falkland Islands on our behalf.

Would we force our own Public Works Department to design, construct and operate a gallows and would we dismiss any of our officers and staff if they refused to carry out the ghastly act?

Would then any Honourable Member in favour of the retention of the penalty of death be prepared to spring the trap - for that would be the logical outcome of a vote in favour of retention.

I suggest we have no alternative but to abolish the death penalty. My view is that in our circumstances and with our close relationships the law which imposes capital punishment is not now worth the paper it is written on.

I beg to move that the Bill be read a first time.

The Colonial Treasurer seconded.

The motion was put and carried.

The Colonial Secretary moved the second reading of the Bill.

Mr. Miller: Your Excellency, Honourable Members, it took Her Majesty's Government nearly ten years to abolish the death penalty albeit only temporary and it may take us a lot less but I have always felt very strongly about this question in Britain and we have heard from the Honourable Colonial Secretary in a very moving address he has given us a most formidable category of reasons for and against, but he did towards the end rather stress the local aspect out here and I think it would be a sorry state of affairs if we decided to abolish the death penalty because we didn't think we could put it in force. However I would like to say that I think this British attitude has grown gradually through misapplied ideas over about the last thirty years and I would

go as far as to say that it begins in a mild way with the attitude to the very young. Thirty years ago the general rule at school was for any form of punishment to be corporal punishment, practically everywhere. Now thirty years later that is pretty rare, in fact most teachers daren't. There is a scream from mother and a scream from all sorts of societies. There would be arguments for and against that too, but if you go on from there you get up to adolescence and we all know how Britain's wave of juvenile delinquency is increasing rapidly, and mainly I think because the deterrents, if I may use the Colonial Secretary's words, are so small. We have heard of people called Mods and Rockers who invade British beaches in the summer and not only make a general nuisance of themselves with noises but they molest and attack members of the public and wreck buildings and the police are so heavily handicapped under modern sentiment. Many a policeman's foot must have itched in his boot to use the old fashioned method - I am absolutely sure. And the magistrates of their courts are equally handicapped. Most of them or many of them I am sure would like to flog the little brutes but all they can do is to send them to a detention centre or as well as that impose a fine and their parents who have largely got plenty of money are quite happy to pay and the child or juvenile delinquent becomes a hero. I think this sort of system of wrong thinking has gradually built up towards the abolition of capital punishment. Crime also, when we go a bit beyond adolescence in older criminals very definitely does pay nowadays and it pays very large dividends, we all know that. We all read the newspapers. If you are a skilful and clever man and can get your friends with equal minds as yourself, you can make a lot of money out of crime. Sometimes they are caught but mostly they are not and when they are caught except in the case of the great train robbery their sentences are so small they have only got to serve eight or ten years and get out and their money is mainly safe. Crime does pay.

So we come to murder. We have just heard and it is fresh in our minds the penalty that has been passed on this fellow who has been convicted of murdering three young people, two of them children, on the moors. He has received the sentence of fifteen years, which can, I don't say necessarily, but can mean, in less than ten years he can start murdering more children if he wants to. That is the sort of person that I don't think anyone should flinch from, not necessarily hanging, but from depriving him of his life. One of the arguments for the abolition of hanging is the possibility of hanging an innocent man. Well that possibility is always there but British courts are I suppose, in fact they are, about the most just in the world. Even the council for prosecution, if he has any doubt, will be very careful in his winding up speech and so will the judge who when he sums up, if he has any doubt, is going to direct the jury and there is always the appeal to the Home Secretary. I know that even so, it is possible for an innocent man to be hanged, but we have been told repeatedly about two possible, and they are only possible, cases in the last twenty years. We have had a murder here. We have hanged a fellow in the dockyard. We have had what was pretty obviously a murder only twenty years ago during the war when a local person was found with his head bashed in on the common. Of course nobody was able to be apprehended, but, it can happen here. I also, as I said at the beginning, think it would be a sorry state of affairs if we agree to abolish capital punishment merely because we thought we couldn't carry it out. Probably most councillors here want to abolish it but I have always felt strongly against it and I just felt that I would like to repeat my own opinions here Sir. Thank you.

Mr. Blake: Your Excellency, we are a blood thirsty lot on the West. I would like to support the Honourable Elected Member for West Falkland. I much admired the Colonial Secretary's very moving speech but I think he neglected to tell us that the law enforcement officers in Great Britain were very strongly opposed to the abolition of capital punishment. It is their job to see that the law is carried out. I wonder what the law enforcement officer in these islands would think. He said that one could not deter the prisoner. Why one shouldn't be able to deter the prisoner any more than any other person I can't really see. If you have a bad dog that is dangerous, you don't shut him up in a cage, you do not

tie him to his kennel, you shoot him. Its best for him and its best for you. Why one should consider that a dog which is dangerous is better dead for himself and for your. I mean one always convinces oneself that he is better dead for oneself. I mean whereas the man that is more dangerous because he can think more carefully and plan more clearly, is better locked up. I can't see. We hear at great lengths quite often of the difficulties at Executive Council. But in the introduction of the notes on this Bill that we received, it is carefully stated that the death penalty should only be abolished for murder. It would not be abolished for military offences. Therefore one Honourable Member at this table might quite easily be called upon to say "Right, now shoot that man" if the state in these islands became such that we had open revolt or invasion. Why it should be satisfactory to say that we're not absolutely certain whether this fellow beat the old lady on the head even though I saw him walloping her. Maybe she had a weak skull and fell down and when she fell she cracked her skull and therefore we musn't hang him. But on the other hand he turned and said "I think that fellow ran away, shoot him." I can't see. I feel if we are going to abolish death penalties then we should go the whole hog, and as for the difficulties of carrying the sentence out in these islands, as the Honourable Elected Member for West Falkland states, that is no argument for altering the law because we did not like the thought of carrying it out. We don't like the thought of increasing taxation, but if it became necessary we would do so. I would like to support the retention of the death penalty.

Colonial Secretary: It is very easy Your Excellency to stand up here, look at the notes I have made take these notes one by one and to attempt to defeat Honourable Members in cross debate. The old hanging in the dockyard, that case probably would not have stood up in a modern court. I do not know, therefore I am not going to argue about it. The man with his head bashed in on the common, no one was brought to trial, therefore the law was not tested. No one knows the reason why that man's head was bashed in on the common. No one knows whether there was premeditation in that one or there was some tragic happening which caused it. As to comparing dogs and humans I know what the Honourable Member means and I won't contest. But very few people really come face to face with murder. I have, several times. One ghastly occasion I had twenty-nine decapitated bodies on the lawn outside my house. Some time later we caught two of the murderers and the feeling, although at first was one of heat and hate, turned into one of pity. You ask why did it happen and how can we stop this sort of thing happening again? The death penalty throughout the ages has not stopped murder. This cannot be denied. If the death penalty was the unique deterrent, murders would be precious few. When the death penalty was suspended in the United Kingdom a few years back, the actual number of murders recorded dropped. Not greatly and not to say that during a short period like that, that it was the supreme test of statistics. But when you think of all the firing squads around the world, all the beheading, the gallows and the way they've been there throughout the years. They have achieved nothing, because human beings still murder. The number of people who must have been put to death wrongly throughout the ages and the pain caused their families, must be beyond count. I think we must face this. We cannot talk about the abstract of the United Kingdom. We are dealing with the application of a law in the Falkland Islands. Mods and Rockers on Southend beach - well we have not had Mods and Rockers storming up and down the Stanley beaches yet. I would ask Honourable Members to look rather more closely at this Bill than they have yet been asked to do. This Bill seeks merely to suspend it for a period of five years until 1971. And at the end of five years it will expire unless the Legislature by affirmative resolution otherwise determines. If at the end of five years, nothing is done, we're back to the death penalty. In five years time the Legislature must, if it wishes to continue the abolition, it must say so. This is only temporary. It is a testing period. This is the important part of the Bill, we merely ask for five years. People can think about it and its result. Whether the accused in the murders on the moor case get fifteen years or not is nothing to do with us because this Bill also lays

down that the court can recommend a period to the Governor in Council. The court shall not lay down a period whether or when a person shall be released, it must be determined by the Governor in Executive Council, which means that it would have full debate and discussion. The thought of hanging to me is dreadful. Its negative. It achieves nothing and it leaves a doubt. If I may repeat, if it did achieve anything we should see the results in a murder free world today. But all the hangings of the past have not produced that state of affairs.

I beg to move that the Bill be read a second time.

The Bill was read a second time and Council went into Committee.

The following amendment to the Bill was agreed - Clause 4 delete the figures "1970" and insert the figures "1971".

The Colonial Secretary seconded by the Colonial Treasurer moved the third reading.

During the third reading a division was claimed by Mr. Miller and the following votes were recorded:

Mrs. Vinson	Aye
Mr. Check	Aye
Mr. Blake	No
Mr. Miller	No
Mr. Bonner	Aye
Mr. Goss	Aye
Colonial Treasurer	Aye
Colonial Secretary	Aye

The President: Those in favour of the passing of the Bill number six, those of contrary opinion number two. The Bill will therefore be read a third time.

The Bill was accordingly read a third time and passed.

The Appeals Bill.

The Colonial Secretary: Your Excellency, Honourable Members know that a Court of Appeal for the Falkland Islands and Dependencies has now been set up by Order in Council.

Article 4 of the Order provides that the Court of Appeal shall have such jurisdiction as may be prescribed by local laws, and it is not possible for the Appeal Court to consider any case until a local law exists to provide the necessary powers.

This Bill which has been written in consultation with the Secretary of State and our own Legal Secretary, Sir Ragnar Hyne, prescribes the jurisdiction of the Court of Appeal.

It is based on accepted and tested standards and seeks to introduce nothing out of the ordinary or which is at variance with practice in the United Kingdom and other colonial territories.

References to the sentence of death in clauses 3 and 6 will remain in the Bill as long as the death penalty is subject to review. If and when the death penalty is completely abolished, these clauses can be repealed.

I shall seek to insert a new clause (to be given the number nine) at the Committee stage. This clause will deal with appeals arising prior to the date of commencement of this law.

I beg to move the first reading of the Bill.

The Colonial Treasurer/...

The Colonial Treasurer seconded.

The motion was put and carried.

On further motion made and seconded the Bill was read a second time.

Council went into Committee to consider the Bill clause by clause. The following new clause was agreed:

"Appeal against decision given prior to date of the Ordinance.	9. An appeal shall lie against a decision in a criminal or civil case given prior to the commencement of this Ordinance but subsequent to the 1st day of April 1965, in the same manner as the appeals lie against the decisions given subsequent to the commencement of this Ordinance;
--	--

Provided notice of appeal is given within twentyone days from the commencement of this Ordinance."

The Bill was then read a third time and passed.

The Appropriation (1966/67) Bill

The Colonial Treasurer: Your Excellency, this Bill provides for government expenditure totalling £505,936 during the twelve months ending on 30th June 1967. It is estimated that ordinary expenditure will total £389,285 and that development expenditure will amount to £116,651. These two divisions require separate consideration.

Ordinary expenditure of £389,000. This is largely made up of salaries and other recurrent expenditure necessary for the day to day operation of government and the services it provides. The money required in this division varies little from year to year except to cope with circumstances that are in the main outside the control of government. The cost of providing our services depends to a considerable extent on economic conditions in Britain and the upward trend there has been affecting local conditions for some time. Any appreciable reduction in ordinary expenditure could only be affected by withdrawing one or more of the services provided or at least by seriously curtailing some of them. Nothing like this is proposed in the period ending 30th June 1967.

Revenue and reserves for financing ordinary expenditure are adequate for the year under consideration and no new taxation legislation is proposed. For the current year we now expect a small surplus of ordinary revenue over ordinary expenditure in the region of £15,000 instead of the £29,000 deficit on which the 1965/66 estimates were approved. There is little change in the total ordinary expenditure, but revenue is increased by a substantial amount following much higher receipts from import duties on spirits, the sale of postage stamps, and companies and profits taxes. The result of all this is that we now expect to commence the financial year 1966/67 with reserves in support of ordinary expenditure totalling £153,000. Ordinary revenue during 1966/67 is estimated to total £362,000 or £27,000 less than ordinary expenditure. This deficit can be comfortably met from available reserves. A feature of the revenue for the coming year is the inclusion of an item to record the transfer from the Savings Bank of profits from operating the bank. The amount is tentatively put at £30,000 and will go some way towards offsetting the fall in taxation revenue resulting from the lower wool price on which taxation in 1966 will be levied. The transfer from the bank depends upon the assets exceeding 110% of the amount due to depositors and the state of the London stock market on 30th June 1966 is the key to the situation.

We/.....

We expect to end the 1966/67 financial year with £125,000 in reserve on the ordinary expenditure account. This is satisfactory.

It is in the development budget that the element of greater interest exists. This is not due in any way to relegating ordinary expenditure to a position of less importance but because capital expenditure proposals can create excitement and controversy. The capital expenditure programme for 1965/66, estimated at £71,000 has now been revised at £24,000. The reduction is principally the result of delay in making an initial payment on the new cargo vessel and the removal as a Colony liability of the cost of installing new telecommunications equipment.

The estimated expenditure on the development programme for 1966/67 is £117,000. Two major items make up £33,000 of this total - £60,000 for the new cargo vessel and £23,000 for renewed activity on the Stanley roads, and of the remaining £54,000 only three items have not received earlier consideration. These are schemes to extend the Stanley telephone system, to provide a covered play area for Darwin Boarding School, and to instal terminal equipment for leased circuits when the new equipment (not now to be provided at Colony expense) is installed at the Wireless Station.

Of the total of £117,000 proposed expenditure on development and associated projects £55,000 is reimbursable from Colonial Development and Welfare sources. The balance of £62,000 will be met from the development fund.

After providing for this expenditure and making due allowance for residual expenditure as projects that will continue beyond the close of the 1966/67 financial year the development fund is estimated to have an uncommitted balance of £216,000. Bearing in mind the availability of a substantial uncommitted balance of the recent C.D. & W. allocation of £120,000 the position with regard to funds for capital expenditure is particularly satisfactory.

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 Friday the 13th May.

The Colonial Treasurer: Your Excellency, the Select Committee met as directed and wish to propose the following amendments to the Estimates as printed: Under Head II Agriculture, item 17 Purchase of four horses £160 amend to Purchase of two horses £80. Head III Audit item 2 Contribution to Central Office £597 amend to £828. Head VI Education delete item 26 Deep Freezer Refrigerator £200. Head XIV Power and Electrical insert new item Purchase of Land Rover £900. In addition there is a typing error in the Estimates under Head VII Medical in which the sum of £200 is shown against an item Assistance to T.B. patients whereas it should be against the item 17 Maintenance of Darwin and Fox Bay surgeries. It is a typing error and does not affect the appropriation Bill.

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 -

<u>Head</u>	<u>Delete</u>	<u>Insert</u>
II Agriculture	£6514	£6434
III Audit	£1168	£1399
VI Education	£58,959	£58,759
XIV Power and Electrical	£24,616	£25,516
Total Ordinary Expenditure	£389,285	£390,136
Total Expenditure	£505,936	£506,787

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 "£505,936" be deleted and the words and figures "506,787" be substituted.

The Bill was read a third time and passed.

Motion for Adjournment

Colonial Secretary: I beg to move that this House stands adjourned sine die.

Colonial Treasurer: I beg to second the motion.

President: Before bringing this meeting of Legislative Council to a close, I would like to take the opportunity of thanking all Honourable Members for their attendance and for their contributions to our debates and for their work in Select Committee.

As there is no objection to the motion the House stands adjourned accordingly.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

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5 SEPTEMBER, 1966.

No. 10.

Appointments

Robert Stewart, Acting Filtration Plant Operator, Public Works Department, 1.8.66.

George Dixon, Plumber, Public Works Department, 13.8.66.

Miss Dwenda Elizabeth Finlayson, Clerk, Public Service, 1.9.66.

Resignation

Ronald Eric Binnie, Engineman, Power and Electrical Department, 2.8.66.

NOTICES

No. 33. 3rd August, 1966.

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 Colony of the Falkland Islands —

No.	Title	Ref.
7/65	Diplomatic Privileges (Extension) (Amendment) Ordinance, 1965.	2193.

No. 34.

3rd August, 1966.

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 of the Falkland Islands —

No.	Title	Ref.
1/66.	Customs Duties (Validation) Ordinance, 1966.	0466/II.

No. 35.

4th August, 1966.

The Marriage Ordinance (Section 4)

Mr. P. G. Westley, has been appointed a Registrar to celebrate the marriage of Albert James Phillips, bachelor, and Linda Ford, spinster, at Goose Green. Ref. 1169.

No. 36.

9th August, 1966.

It is hereby notified for general information that Monsieur Robert Fabre has been appointed Consul-General of France in London with jurisdiction for St. Helena and the Falkland Islands.

Ref. 1560.

The following items appearing in this issue should be entered in the Index of Supplementary Legislation —

Appropriation (Dependencies) (1966-67) Ordinance, 1966.
Application of Colony Laws (Repeal) Ordinance, 1966.
Application of Colony Laws (Amendment and Validation) Ordinance, 1966.
Falkland Islands Court of Appeal Rules, 1966.
The Copyright (International Conventions) Order, 1964.
The Copyright (International Conventions) (Amendment) Order, 1964.
The Copyright (International Conventions) (Amendment) Order, 1965.
The Copyright (International Conventions) (Amendment No. 2) Order, 1965.
The Copyright (International Conventions) (Amendment No. 3) Order, 1965.
The Admiralty Jurisdiction (Falkland Islands) Order, 1966.

Assented to in Her Majesty's name this 29th day of August, 1966.

C. HASKARD,
Governor.

LS

No. 2



1966

Falkland Islands Dependencies.

IN THE FIFTEENTH 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, 1966, and the thirtieth day of June, 1967.

Date of commencement.

(1st July, 1966)

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) (1966-67) Ordinance, 1966.

Appropriation of
£57,573 for service of
the year ending
30th June, 1967.

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, 1967, a sum not exceeding Fifty-seven thousand five hundred and seventy-three pounds, which sum is granted and shall be appropriated for the purposes and to defray the charges of the several services expressed and particularly mentioned in the Schedule hereto which will come in course of payment during the period from the first day of July, 1966, to the thirtieth day of June, 1967.

SCHEDULE

Schedule.

Number	Head of Service	Amount
1.	General	£
	A. Personal Emoluments ...	19,808
	B. Other Charges ...	36,565
	C. Special Expenditure ...	1,200
	Total Expenditure £	57,573

Promulgated by the Governor on the 29th day of August, 1966.

L. C. GLEADELL,
Acting Colonial Secretary.

Ref. D/6/59/G.

Assented to in Her Majesty's name this 29th day of August, 1966.

C. HASKARD,
Governor.

LS

No. 3



1966.

Falkland Islands Dependencies.

IN THE FIFTEENTH 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 repeal certain Laws of the Colony which have been applied to the Dependencies.

Date of commencement.

(1st September, 1966)

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 as the Application of Colony Laws (Repeal) Ordinance, 1966.

Repeal of certain Laws of the Colony in the Dependencies.

2. The Ordinances specified in Columns I and II of the Schedule to this Ordinance which were applied to the Dependencies with effect from the date set out opposite their titles in Column III of the Schedule to this Ordinance, are repealed.

SCHEDULE

Column I	Column II	Column III
2 of 1962	Application of Enactments (Amendment) Ordinance, 1962	1st March, 1962.
13 of 1962	Application of Enactments (Amendment) (No. 2) Ordinance, 1962	4th December, 1962.

Promulgated by the Governor on the 29th day of August, 1966.

L. C. GLEADELL,
Acting Colonial Secretary.

Ref. 1994.

Assented to in Her Majesty's name this 5th day of September, 1966.

C. HASKARD,
Governor.

LS

No. 4



1966

Falkland Islands Dependencies.

IN THE FIFTEENTH 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 Application of Colony Laws
Ordinance and to validate the application
of orders and other subsidiary legislation to
the Dependencies. Title

(5th September, 1966)

Date of commencement.

WHEREAS by section 4 of the Application of the Colony Laws Ordinance it is provided that whenever any Ordinance or part of any Ordinance of the Colony shall be in force in the Dependencies, any rules, regulations, or by-laws made thereunder for carrying out the provisions thereof shall also be in force in the Dependencies to the same extent as such Ordinance is in force therein: Preamble.

AND WHEREAS doubt has arisen as to the validity of the application to the Dependencies of orders or other subsidiary legislation made under the provisions of such Ordinances:

AND WHEREAS all such orders or other subsidiary legislation have been deemed to apply to the Dependencies:

AND WHEREAS it is desirable to remove such doubt and to enable provisions as to the application of such orders or other subsidiary legislation to be inserted in the said section 4:

AND WHEREAS it is expedient to validate any act or thing done under the provisions of any such order or other subsidiary legislation:

Enacting clause.

NOW, THEREFORE, IT IS 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 as the Application of Colony Laws (Amendment and Validation) Ordinance, 1966.

Amendment of section 4.
Cap. 1 D.S.

2. Section 4 of the Application of Colony Laws Ordinance is amended by the deletion of the words and comma "or by-laws," wherever those words and comma occur and the substitution therefor of the words and commas "orders, by-laws or other subsidiary legislation,".

Validation.

3. Any act or thing done under the provisions of any order or other subsidiary legislation made under any Ordinance which is in force in the Dependencies at the commencement of this Ordinance shall for all purposes be deemed to have been validly done.

Promulgated by the Governor on the 5th day of September, 1966.

L. C. GLEADELL,
Acting Colonial Secretary.

Ref. 0188.

The Falkland Islands Court of Appeal Rules, 1966.

No. 3 of 1966.

In exercise of the powers conferred on me by section 5 of the Falkland Islands Court of Appeal Order, 1965, I hereby make the following Rules —

Short title and commencement.

1. These Rules may be cited as the Falkland Islands Court of Appeal Rules, 1966 and shall come into force on the 1st day of August 1966.

Rules of Court.

2. All rules of court for the time being in force relating to the hearing and determination of appeals from the courts of St. Helena to the St. Helena Court of Appeal established by the St. Helena Court of Appeal Order, 1964 shall apply *mutatis mutandis* in relation to the hearing and determination of appeals from the courts of the territory to the Falkland Islands Court of Appeal, and for that purpose shall be construed with any necessary adaptations and modifications.

Dated this tenth day of June 1966, at London.

LS

A. G. FORBES,
President.

Ref. 2312.

S T A T U T O R Y I N S T R U M E N T S

1964 No. 690

COPYRIGHT

The Copyright (International Conventions) Order 1964.

<i>Made</i>	- - - -	<i>12th May 1964</i>
<i>Laid before Parliament</i>		<i>20th May 1964</i>
<i>Coming into Operation</i>		<i>21st May 1964</i>

At the Court at Buckingham Palace, the 12th day of May 1964

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 sections 31, 32 and 47 of the Copyright Act 1956(a) (hereinafter referred to as "the Act"), and of all other powers enabling Her in that behalf, is pleased to order, and it is hereby ordered as follows —

PART I

*Protection in respect of literary, dramatic, musical and artistic works,
sound recordings, cinematograph films and published editions*

1. Subject to the following provisions of this Order, the provisions of Parts I and II of the Act (except section 14) and all the other provisions of the Act relevant thereto, being the provisions relating to literary, dramatic, musical and artistic works, sound recordings, cinematograph films and published editions of literary, dramatic or musical works, shall apply in the case of each of the countries mentioned in Schedule 1 hereto as follows —

- (a) in relation to literary, dramatic, musical or artistic works, sound recordings, cinematograph films or published editions first published in that country, as they apply in relation to such works, recordings, films or editions first published in the United Kingdom;
- (b) in relation to persons who, at a material time (as hereinafter defined), are citizens or subjects of, or domiciled or resident in, that country, as they apply in relation to persons who, at such a time, are British subjects or domiciled or resident in the United Kingdom;
- (c) in relation to bodies incorporated under the laws of that country, as they apply in relation to bodies incorporated under the laws of any part of the United Kingdom.

2. (1) Subject to the following provisions of this Article, the relevant provisions of Schedule 7 to the Act shall, in relation to any work or other subject matter in which copyright subsists by virtue of this Part of this Order, have effect as if for references, wherever they occur therein, to the commencement of the Act or of any provision of the Act or to the repeal of any provision of the Copyright Act 1911(b) or of any other enactment there were substituted references to 27th September 1957 (being the date on which the Copyright (International Conventions) Order 1957(c) (hereinafter referred to as "the 1957 Order") came into operation).

(2) Subject to the following provisions of this Article, copyright shall not subsist by virtue of this Part of this Order in any work or other subject-matter by reason only of its publication before 27th September 1957 in a country which is a party to the Universal Copyright Convention but which is not a country of the Berne Copyright Union.

(a) 4 & 5 Eliz. 2. c. 74. (b) 1 & 2 Geo. 5. c. 46. (c) S.I. 1957/1523 (1957 I, p. 474).

(3) In the case of any country mentioned in column 1 of Schedule 2 to this Order paragraphs (1) and (2) of this Article shall have effect as if there were substituted for the references therein to 27th September 1957 references to the date set out against the name of that country in column 2 of that Schedule (being the date on which the provisions of the Act were first applied in the case of that country).

(4) This Article shall not apply —

- (a) in the case of Ghana or Nigeria; or
- (b) to any work or subject-matter first published in the United States of America, if, immediately before 27th September 1957, copyright under the Copyright Act 1911 subsisted in such work or subject-matter by virtue of either an Order in Council dated 9th February 1920, regulating copyright relations with the United States of America^(a), or the Copyright (United States of America) Order 1942^(b), as amended^(c).

3. The acts restricted by section 12 of the Act as applied by this Part of this Order shall not include —

- (a) causing the recording to be heard in public; or
- (b) broadcasting the recording;

except in the case of the countries mentioned in Schedule 3 to this Order.

4. Where any person has, before the commencement of this Order, taken any action whereby he has incurred any expenditure or liability in connection with the reproduction or performance of any work or other subject-matter in a manner which at the time was lawful, or for the purpose of or with a view to the reproduction or performance of a work at a time when such reproduction or performance would, but for the making of this Part of this Order, have been lawful, nothing in this Part of this Order shall diminish or prejudice any right or interest arising from, or in connection with such action which is subsisting and valuable immediately before the commencement of this Order unless the person who, by virtue of this Part of this Order, becomes entitled to restrain such reproduction or performance agrees to pay such compensation, as failing agreement, may be determined by arbitration.

5. In this Part of this Order —

- (a) "country of the Berne Copyright Union" means any country mentioned in Part 1 of Schedule 1 to this Order;
- (b) "material time" means —
 - (i) in relation to an unpublished work or subject-matter, the time at which such work or subject-matter was made or, if the making thereof extended over a period, a substantial part of that period;
 - (ii) in relation to a published work or subject-matter, the time of first publication;
- (c) "party to the Universal Copyright Convention" means any country mentioned in Part 2 of Schedule 1 to this Order.

6. Nothing in the provisions of the Act as applied by this Part of this Order shall be construed as reviving any right to make, or restrain the making of, or any right in respect of, translations, if such right has ceased before the commencement of this Order.

7. This Part of this Order, and Part III, so far as relevant thereto, shall extend to the countries mentioned in column 1 of Part 1 of Schedule 4 to this Order subject to the modifications specified in Part 2 of that Schedule.

(a) S.R. & O. 1920/257 (1920 I, p. 286).

(b) S.R. & O. 1942/1579 (Rev. IV, p. 963: 1942 I, p. 87). (c) S.I. 1950/1641 (1950 I, p. 399).

PART II

Protection in respect of broadcasts

8. The provisions of section 14 of the Act, so far as they relate to sound broadcasts, and all the other provisions of the Act relevant thereto, other than section 40 (3), shall apply, in the case of each of the countries mentioned in column 1 of Schedule 5 to this Order, in relation to sound broadcasts made from places in those countries by an organisation constituted in, or under the laws of, the country in which the sound broadcast is made, as they apply in relation to broadcasts made from places in the United Kingdom by the British Broadcasting Corporation; so, however, that paragraphs 17 and 18 of Schedule 7 to the Act shall have effect as if for the references therein to the commencement of section 14 of the Act there were substituted references to the respective dates set out in column 2 of Schedule 5 to this Order (being the dates on which the provisions of section 14 of the Act so far as they relate to sound broadcasts were first applied in the case of those countries).

9. The provisions of section 14 of the Act, so far as they relate to television broadcasts, and all the other provisions of the Act relevant thereto, other than section 37 (4), section 40 (3) and Schedule 5, shall apply in the case of each of the countries mentioned in column 1 of Schedule 6 to this Order, in relation to television broadcasts made from places in those countries by an organisation constituted in, or under the laws of, the country in which the television broadcast was made, as they apply in relation to television broadcasts made from places in the United Kingdom by the British Broadcasting Corporation or the Independent Television Authority; so, however, that —

- (a) section 24 (3) (c) of the Act shall have effect as if for the reference to the Corporation or the Authority or any organisation appointed by them there were substituted a reference to any owner or prospective owner of copyright in television broadcasts; and
- (b) paragraphs 17 and 18 of Schedule 7 to the Act shall have effect as if for the references therein to the commencement of section 14 of the Act there were substituted references to the respective dates set out in column 2 of Schedule 6 to this Order, (being the dates on which the provisions of section 14 of the Act so far as they relate to television broadcasts were first applied in the case of those countries).

PART III

Supplemental

10. (1) The Orders mentioned in Part 1 of Schedule 7 to this Order are hereby revoked insofar as they form part of the law of the United Kingdom or any country to which this Order extends; and accordingly the Orders mentioned in column 2 of Part 1 of Schedule 4 to this Order (being the Orders whereby the Act and the 1957 Order were extended to the countries to which this Order extends) shall have effect as though there were omitted therefrom the respective provisions mentioned in column 4 of that Part of that Schedule (being the provisions extending the 1957 Order and other Orders hereby revoked to those countries):

Provided that, notwithstanding the revocation of the 1957 Order, and without prejudice to the effect of section 38 of the Interpretation Act 1889(a) (which relates to the effect of repeals) as applied by Article 11 of this Order, Article 2 of the 1957 Order shall continue to apply in any case in which it applied before the commencement of this Order as it applied by virtue of the 1957 Order or any of the other Orders hereby revoked.

(2) The Orders mentioned in Part 2 of Schedule 7 to this Order are hereby revoked in the law of the United Kingdom.

(a) 52 & 53 Vict. c. 63.

11. The Interpretation Act 1889 shall apply to the interpretation of this Order as if this Order and the Orders hereby revoked were Acts of Parliament.

12. This Order may be cited as the Copyright (International Conventions) Order 1964 and shall come into operation on 21st May 1964.

W. G. Agnew.

SCHEDULE 1

PART 1

COUNTRIES OF THE BERNE COPYRIGHT UNION

Australia (and Papua, New Guinea, Nauru and Norfolk Island).	Lebanon.
Austria.	Liechtenstein.
Belgium.	Luxembourg.
Brazil.	Mali.
Bulgaria.	Monaco.
Canada.	Morocco.
Ceylon.	Netherlands (and Surinam and Netherlands Antilles).
Congo (Brazzaville).	New Zealand.
Congo (Leopoldville).	Nigeria.
Cyprus.	Norway.
Czechoslovakia.	Pakistan.
Dahomey.	Philippines.
Denmark.	Poland.
Finland.	Portugal (including Portuguese provinces overseas).
France (and French territories overseas).	Roumania.
Gabon.	Senegal.
Federal Republic of Germany (and Land Berlin).	South Africa (and South West Africa).
Greece.	Spain (and its Colonies).
Hungary.	Sweden.
Iceland.	Switzerland.
India.	Thailand.
Republic of Ireland.	Tunisia.
Israel.	Turkey.
Italy.	Upper Volta.
Ivory Coast.	Vatican City.
Japan.	Western Samoa.
	Yugoslavia.

PART 2

PARTIES TO THE UNIVERSAL COPYRIGHT CONVENTION

Andorra.	Japan.
Argentina.	Laos.
Austria.	Lebanon.
Belgium.	Liberia.
Brazil.	Liechtenstein.
Cambodia.	Luxembourg.
Canada.	Mexico.
Chile.	Monaco.
Costa Rica.	Nicaragua.
Cuba.	Nigeria.
Czechoslovakia.	Norway.
Denmark.	Pakistan.
Ecuador.	Panama.
Finland.	Paraguay.
France.	Peru.
Federal Republic of Germany (and Land Berlin).	Philippines.
Ghana.	Portugal.
Greece.	Spain.
Haiti.	Sweden.
Iceland.	Switzerland.
India.	United States of America (and Guam, Panama Canal Zone, Puerto Rico and the Virgin Islands of the United States of America).
Republic of Ireland.	
Israel.	Vatican City.
Italy.	

SCHEDULE 2

DATES ON WHICH PROVISIONS OF THE ACT WERE FIRST APPLIED BY PREVIOUS ORDERS OTHER THAN THE 1957 ORDER TO COUNTRIES BEING PARTIES TO THE UNIVERSAL COPYRIGHT CONVENTION BUT NOT MEMBERS OF THE BERNE COPYRIGHT UNION.

Country	Date on which the Act was first applied
Argentina	13th February 1958.
Nicaragua	16th August 1961.
Paraguay	11th March 1962.
Panama	17th October 1962.
Peru	16th October 1963.

SCHEDULE 3

COUNTRIES IN THE CASE OF WHICH COPYRIGHT IN SOUND RECORDINGS INCLUDES EXCLUSIVE RIGHT TO PERFORM IN PUBLIC AND TO BROADCAST

Australia.	Israel.
Canada.	Mexico.
Ceylon.	New Zealand.
Congo (Brazzaville).	Nigeria.
Cyprus.	Norway.
Denmark.	Pakistan.
Ecuador.	South Africa.
Federal Republic of Germany (and Land Berlin).	Spain.
India.	Sweden.
Republic of Ireland.	Switzerland.
Italy.	Western Samoa.

SCHEDULE 4

COUNTRIES TO WHICH PART I OF THIS ORDER EXTENDS AND MODIFICATIONS THEREOF IN RELATION TO SUCH EXTENSION

PART 1

Column 1 Country	Column 2 Relevant Order	Column 3 Operative date of Relevant Order	Column 4 Provisions omitted from Relevant Order
Isle of Man ...	The Copyright (Isle of Man) Order 1959 (S.I. 1959/861; 1959 I, p. 748).	31st May 1959	Paragraph 1 of Schedule 2.
Gibraltar ...	The Copyright (Gibraltar) Order 1960 (S.I. 1960/847; 1960 I, p. 767).	1st October 1960	The reference to the Copyright (International Conventions) Order 1957 in Article 2, and paragraph 1 of Schedule 2.
Fiji	The Copyright (Fiji) Order 1961 (S.I. 1961/60; 1961 I, p. 116).	1st June 1961	The references to the Copyright (International Conventions) Order 1957 and the Copyright (International Conventions) (Argentina) Order 1958 in Article 2, and paragraphs 2 and 3 of Schedule 2.
Bermuda ...	The Copyright (Bermuda) Order 1962 (S.I. 1962/1642; 1962 II, p. 1909).	6th December 1962	The references to the Copyright (International Conventions) Order 1957 and the Copyright (International Conventions) (Argentina) Order 1958 in Article 2, and paragraphs 2 and 3 of Schedule 2.
The Bahama Islands	The Copyright (Bahamas) Order 1962 (S.I. 1962/2184; 1962 III, p. 2964).	11th February 1963	The references to the Copyright (International Conventions) Order 1957 and the Copyright (International Conventions) (Argentina) Order 1958 in Article 2, and paragraphs 2 and 3 of Schedule 2.
The Virgin Islands	The Copyright (Virgin Islands) Order 1962 (S.I. 1962/2185; 1962 III, p. 2969).	11th February 1963	The references to the Copyright (International Conventions) Order 1957 and the Copyright (International Conventions) (Argentina) Order 1958 in Article 2, and paragraphs 2 and 3 of Schedule 2.

Column 1 Country	Column 2 Relevant Order	Column 3 Operative date of Relevant Order	Column 4 Provisions omitted from Relevant Order
The Falkland Islands and its Dependencies	The Copyright (Falkland Islands) Order 1963 (S.I. 1963/1037; 1963 II, p. 1761).	10th October 1963	The references to the Copyright (International Conventions) Order 1957 and the Copyright (International Conventions) (Argentina) Order 1958 in Article 2, and paragraphs 2 and 3 of Schedule 2.
St. Helena and its Dependencies ...	The Copyright (St. Helena) Order 1963 (S.I. 1963/1038; 1963 II, p. 1767).	10th October 1963	The references to the Copyright (International Conventions) Order 1957 and the Copyright (International Conventions) (Argentina) Order 1958 in Article 2, and paragraphs 2 and 3 of Schedule 2.
Seychelles ...	The Copyright (Seychelles) Order 1963 (S.I. 1963/1039; 1963 II, p. 1772).	10th October 1963	The references to the Copyright (International Conventions) Order 1957 and the Copyright (International Conventions) (Argentina) Order 1958 in Article 2, and paragraphs 2 and 3 of Schedule 2.
Mauritius ...	The Copyright (Mauritius) Order 1964 (S.I. 1964/689).	21st November 1964	

PART 2

1. In so far as Part I of this Order forms part of the law of any country by virtue of Article 7 of this Order, Article 1 of this Order shall have effect as if for references therein to "the United Kingdom" there were substituted references to that country.

2. In so far as Part I of this Order forms part of the law of any such country as aforesaid, Article 2 of this Order shall have effect subject to the following modifications —

- (a) there shall be substituted for the references in paragraphs (1) and (2) to 27th September 1957, references to the following date, that is to say —
 - (i) in relation to any country mentioned in Schedule 1 to this Order and not mentioned in column 1 of Schedule 2 to this Order, and also in relation to any country mentioned in column 1 of Schedule 2 where the date set out in column 2 of that Schedule against the name of that country is a date earlier than the operative date of the relevant Order, there shall be substituted the operative date of that Order (being the date on which the Act was first extended to that country);
 - (ii) in relation to any other country mentioned in column 1 of Schedule 2 to this Order, there shall be substituted the date set out in column 2 of that Schedule against the name of that country (being the date on which the provisions of the Act were first applied in the case of that country);
- (b) paragraph (3) shall be omitted; and
- (c) there shall be substituted for the reference in paragraph (4) to 27th September 1957, a reference to the operative date of the relevant Order.

3. In paragraphs 1 and 2 of this Part of this Schedule the "relevant Order" and the "operative date" of that Order respectively mean, in relation to any country to which Part I of this Order extends, the Order and the date mentioned against the name of that country, in columns 2 and 3 of Part I of this Schedule.

SCHEDULE 5

COUNTRIES WHOSE ORGANISATIONS ARE PROTECTED IN RELATION TO SOUND BROADCASTS

Country	Date
Congo (Brazzaville) ...	21st May 1964.
Ecuador ...	21st May 1964.
Mexico ...	21st May 1964.
Niger ...	21st May 1964.
Sweden ...	21st May 1964.

SCHEDULE 6

COUNTRIES WHOSE ORGANISATIONS ARE PROTECTED IN RELATION TO
TELEVISION BROADCASTS

Country	Date
France	1st July 1961.
Sweden	1st July 1961.
Denmark	1st February 1962.
Congo (Brazzaville)	21st May 1964.
Ecuador	21st May 1964.
Mexico	21st May 1964.
Niger	21st May 1964.

SCHEDULE 7

PART 1

ORDERS REVOKED IN THE LAW OF THE UNITED KINGDOM AND OTHER COUNTRIES
TO WHICH PART I OF THIS ORDER EXTENDS

Order	S.I. number and reference
The Copyright (International Conventions) Order 1957.	S.I. 1957/1523 (1957 I, p. 474).
The Copyright (International Conventions) (Argentina) Order 1958.	S.I. 1958/135 (1958 I, p. 361).
The Copyright (International Conventions) (Amendment) Order 1958.	S.I. 1958/1254 (1958 I, p. 358).
The Copyright (International Conventions) (Amendment No. 2) Order 1958.	S.I. 1958/2184 (1958 I, p. 360).
The Copyright (International Conventions) (Amendment) Order 1960.	S.I. 1960/200 (1960 I, p. 772).
The Copyright (International Conventions) (Amendment) Order 1961.	S.I. 1961/1496 (1961 II, p. 3040).
The Copyright (International Conventions) (Amendment No. 2) Order 1961.	S.I. 1961/2461 (1961 III, p. 4507).
The Copyright (International Conventions) (Amendment) Order 1962.	S.I. 1962/397 (1962 I, p. 348).
The Copyright (International Conventions) (Amendment No. 2) Order 1962.	S.I. 1962/628 (1962 I, p. 631).
The Copyright (International Conventions) (Amendment No. 3) Order 1962.	S.I. 1962/1641 (1962 II, p. 1907).
The Copyright (International Conventions) (Amendment No. 4) Order 1962.	S.I. 1962/2183 (1962 III, p. 2962).
The Copyright (International Conventions) (Amendment) Order 1963.	S.I. 1963/1625 (1963 III, p. 3018).

PART 2

ORDERS REVOKED IN THE LAW OF THE UNITED KINGDOM

Order	S.I. number and reference
The Copyright (Foreign Television Broadcasts) Order 1961.	S.I. 1961/993 (1961 II, p. 1917).
The Copyright (Foreign Television Broadcasts) (Amendment) Order 1962.	S.I. 1962/165 (1962 I, p. 166).

EXPLANATORY NOTE

(This note is not part of the Order, but is intended to indicate its general purport.)

This Order revokes the Orders mentioned in Schedule 7 (being Orders providing for the protection here and in the countries to which the Copyright Act 1956 has been extended of works and other subject-matter of foreign and Commonwealth origin) and re-enacts the revoked provisions with minor modifications.

The Order also takes account of —

- the accession of Finland, Greece and Norway to the Universal Copyright Convention;
- the fact that Cyprus, Upper Volta and Congo (Leopoldville) have subscribed in their own right to the Berne Copyright Union; and
- the ratification by Congo (Brazzaville), Ecuador, Mexico, Niger and Sweden of the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations, which provides, *inter alia*, for the protection of sound recordings and broadcasts.

The Order (other than Part II, which relates exclusively to the protection of broadcasts) is extended to the countries named in Schedule 4, being countries in which the Copyright Act 1956 is in force by virtue of Orders in Council made under that Act.

S T A T U T O R Y I N S T R U M E N T S

1964 No. 1194

COPYRIGHT

**The Copyright (International Conventions)
(Amendment) Order 1964**

Made - - - - -	27th July 1964
Laid before Parliament	31st July 1964
Coming into Operation	14th August 1964

At the Court at Buckingham Palace, the 27th day of July 1964

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 sections 31, 32 and 47 of the Copyright Act 1956^(a) and of all other powers enabling Her in that behalf, is pleased to order, and it is hereby ordered, as follows —

1. The Copyright (International Conventions) Order 1964^(b) (hereinafter called "the principal Order") shall be amended —

- (i) by the inclusion of Czechoslovakia among the countries mentioned in Schedule 3 thereto (being the countries in whose case copyright in sound recordings includes the exclusive right of public performance and broadcasting); and
- (ii) by the inclusion of Czechoslovakia among the countries mentioned in Schedules 5 and 6 thereto (being the countries whose broadcasting organisations are afforded copyright protection in the United Kingdom in relation to their sound and television broadcasts respectively) and of related references to 14th August 1964 in the lists of dates in those two Schedules.

2. The provisions of this Order other than Article 1 (ii) shall extend to all countries mentioned in column 1 of Part I of Schedule 4 to the principal Order.

3. This Order may be cited as the Copyright (International Conventions) (Amendment) Order 1964, and shall come into operation on 14th August 1964.

W. G. Agnew.

^(a) 4 & 5 Eliz. 2. c. 74.

^(b) S.I. 1964/690 (1964 II, p. 1319).

EXPLANATORY NOTE

(This note is not part of the Order, but is intended to indicate its general purport.)

This Order amends the Copyright (International Conventions) Order 1964 to take account of the accession of Czechoslovakia to the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations.

It extends the copyright in sound recordings originating in Czechoslovakia to include the exclusive right of public performance and broadcasting and affords Czech broadcasting organisations copyright protection in respect of their sound and television broadcasts.

The change in relation to sound recordings extends to dependent countries of the Commonwealth where the Copyright Act 1956 is law.

S T A T U T O R Y I N S T R U M E N T S

1965 No. 1303

COPYRIGHT

**The Copyright (International Conventions)
(Amendment) Order 1965**

<i>Made</i> - - - - -	<i>24th June 1965</i>
<i>Laid before Parliament</i>	<i>30th June 1965</i>
<i>Coming into Operation</i>	<i>1st July 1965</i>

At the Court at Buckingham Palace, the 24th day of June 1965

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 sections 31, 32 and 47 of the Copyright Act 1956(a) and of all other powers enabling Her in that behalf, is pleased to order, and it is hereby ordered, as follows —

1. The Copyright (International Conventions) Order 1964(b) (hereinafter called "the principal Order") as amended(c), shall be further amended —

- (i) by adding a reference to Cameroon in Part 1 of Schedule 1 (which names the countries of the Berne Copyright Union);
- (ii) by adding a reference to Zambia in Article 2(4)(a) and in Part 2 of Schedule 1 (which make provision in the case of countries party to the Universal Copyright Convention); and
- (iii) by adding a reference to Denmark in Schedule 5 (which names the countries whose broadcasting organisations are afforded copyright protection in the United Kingdom in relation to their sound broadcasts) and a related reference to 1st July 1965 in the list of dates in column 2 of that Schedule.

2. The provisions of this Order other than Article 1(iii) shall extend to all the countries mentioned in Column 1 of Part 1 of Schedule 4 to the principal Order (being Commonwealth countries to which that Order has been extended).

3. This Order may be cited as the Copyright (International Conventions) (Amendment) Order 1965 and shall come into operation on 1st July 1965.

W. G. Agnew.

(a) 4 & 5 Eliz. 2. c. 74. (b) S.I. 1964/690 (1964 II, p. 1319).
(c) S.I. 1964/1194, 1651 (1964 II, p. 2773; III, p. 3641).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order further amends the Copyright (International Conventions) Order 1964.

It takes account of the adherence of the Cameroon Republic to the Berne Copyright Convention, of the accession of Zambia to the Universal Copyright Convention and of the ratification by Denmark of the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations.

Article 3 of the Order extends its provisions, so far as they are relevant, to the dependent countries of the Commonwealth where the Copyright Act 1956 is law.

S T A T U T O R Y I N S T R U M E N T S

1965 No. 1857

COPYRIGHT

**The Copyright (International Conventions)
(Amendment No. 2) Order 1965**

<i>Made</i> - - - - -	<i>29th October 1965</i>
<i>Laid before Parliament</i>	<i>4th November 1965</i>
<i>Coming into Operation</i>	<i>5th November 1965</i>

At the Court at Buckingham Palace, the 29th day of October 1965

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 sections 31, 32 and 47 of the Copyright Act 1956(a) and of all other powers enabling Her in that behalf, is pleased to order, and it is hereby ordered, as follows —

1. The Copyright (International Conventions) Order 1964(b) as amended(c) (hereinafter called "the principal Order") shall be further amended —

- (i) by adding a reference to Malawi in Article 2(4)(a) and in Part 2 of Schedule 1 thereto (which make provision in the case of countries party to the Universal Copyright Convention); and
- (ii) by the inclusion of Brazil among the countries mentioned in Schedule 3 thereto (being the countries in whose case copyright in sound recordings includes the exclusive right of public performance and broadcasting); and
- (iii) by the inclusion of Brazil among the countries mentioned in Schedules 5 and 6 thereto (being the countries whose broadcasting organisations are afforded copyright protection in the United Kingdom in relation to their sound and television broadcasts respectively) and of related references to 5th November 1965 in the lists of dates in those two Schedules.

2. The provisions of this Order other than Article 1(iii) shall extend to all countries mentioned in column 1 of Part I of Schedule 4 to the principal Order.

3. This Order may be cited as the Copyright (International Conventions) (Amendment No. 2) Order 1965, and shall come into operation on 5th November 1965.

W. G. Agnew.

(a) 4 & 5 Eliz. 2. c. 74. (b) S.I. 1964/690 (1964 II, p. 1319).
(c) S.I. 1964/1194, 1651, 1965/1303 (1964 II, p. 2773; III, p. 3641; 1965 II, p. 3705).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Copyright (International Conventions) Order 1964 to take account of the accession of Malawi to the Universal Copyright Convention and the ratification by Brazil of the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations.

It extends the copyright in sound recordings originating in Brazil to include the exclusive right of public performance and broadcasting and affords Brazilian broadcasting organisations copyright protection in respect of their sound and television broadcasts.

Article 2 of the Order extends its provisions, so far as they are relevant, to dependent countries of the Commonwealth where the Copyright Act 1956 is law.

S T A T U T O R Y I N S T R U M E N T S

1965 No. 2159

COPYRIGHT

**The Copyright (International Conventions)
(Amendment No. 3) Order 1965**

Made - - - - - 22nd December 1965

Laid before Parliament 31st December 1965

Coming into Operation 1st January 1966

At the Court at Buckingham Palace, the 22nd day of December 1965

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 sections 31, 32 and 47 of the Copyright Act 1956(a) and all other powers enabling Her in that behalf, is pleased to order, and it is hereby ordered, as follows —

1. The Copyright (International Conventions) Order 1964(b) (hereinafter called "the principal Order") as amended(c) shall be further amended by omitting the reference to South Africa in Schedule 3 (which names the countries in the case of which copyright in sound recordings includes the exclusive right to perform in public and to broadcast).

2. The provisions of this Order shall extend to all the countries mentioned in column 1 of Part 1 of Schedule 4 to the principal Order and to Bechuanaland, the Cayman Islands, Montserrat and St. Lucia (being the countries to which that Order has been extended).

3. (1) The Interpretation Act 1889(d) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(2) This Order may be cited as the Copyright (International Conventions) (Amendment No. 3) Order 1965 and shall come into operation on 1st January 1966.

W. G. Agnew.

(a) 4 & 5 Eliz. 2. c. 74.

(b) S.I. 1964/690 (1964 II, p. 1319).

(c) There are no relevant amendments.

(d) 52 & 53 Vict. c. 63.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order further amends the Copyright (International Conventions) Order 1964 by restricting the copyright in sound recordings originating in South Africa so that it no longer includes the exclusive right to perform in public or to broadcast. Article 2 of the Order extends its provisions to those dependent countries of the Commonwealth where the Copyright Act 1956 is law.

S T A T U T O R Y I N S T R U M E N T S

1966 No. 686

OVERSEAS TERRITORIES

The Admiralty Jurisdiction (Falkland Islands) Order 1966

Made - - - 9th June 1966

Coming into Operation 10th June 1966

At the Court at Buckingham Palace, the 9th day of June 1966

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the power vested in Her by section 56 of the Administration of Justice Act 1956 (a) and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows —

Citation and
commencement.

1. (1) This Order may be cited as the Admiralty Jurisdiction (Falkland Islands) Order 1966.

(2) This Order shall come into operation on 10th June 1966.

Admiralty jurisdiction
of Supreme Court of the
Falkland Islands.

2. The Colonial Courts of Admiralty Act 1890 (b) shall, in relation to the Supreme Court of the Falkland Islands, have effect as if the reference in section 2 (2) thereof to the Admiralty jurisdiction of the High Court in England there were substituted a reference to the Admiralty jurisdiction of that court as defined by section 1 of the Administration of Justice Act 1956 subject to the adaptation and modification of the said section 1 that is specified in schedule 1 to this Order.

Application of provisions
of Administration of
Justice Act 1956 to the
Falkland Islands.

3. The provisions of sections 3, 4, 6, 7 and 8 of Part I of the Administration of Justice Act 1956 shall extend to the Falkland Islands and its Dependencies with the adaptations and modifications that are specified in Column II of schedule 2 to this Order.

W. G. Agnew.

SCHEDULE 1

Article 2

ADAPTATION AND MODIFICATION OF SECTION 1 OF THE
ADMINISTRATION OF JUSTICE ACT 1956

In subsection (1) the words "and any other jurisdiction connected with ships and aircraft vested in the High Court apart from this section which is for the time being assigned by rules of court to the Probate, Divorce and Admiralty Division" shall be deleted.

SCHEDULE 2

Article 3

PROVISIONS OF PART I OF THE ADMINISTRATION OF JUSTICE ACT 1956
EXTENDED TO THE FALKLAND ISLANDS AND ADAPTATIONS AND
MODIFICATIONS THERETO

Column I

Column II

Section 3

In subsections (1), (3), (5), (6) and (7), for the references to the High Court, the Liverpool Court of Passage, and any county court there shall be substituted a reference to the Supreme Court of the Falkland Islands;

In subsection (2) the words "the High Court" shall be deleted and the words "the Supreme Court of the Falkland Islands" shall be substituted;

(a) 1956 c. 46.

(b) 1890 c. 27.

Column I

Column II

			<p>In subsection (4) the words "High Court and (where there is such jurisdiction) the Admiralty jurisdiction of the Liverpool Court of Passage or any county court" shall be deleted and the words "Supreme Court of the Falkland Islands" shall be substituted;</p> <p>In subsection (8) the words "England and Wales" shall be deleted and the words "Falkland Islands" shall be substituted.</p>
Section 4	...	...	<p>Subsection (1) shall be deleted and the following subsection shall be substituted —</p> <p>"(1) No court in the Falkland Islands shall entertain an action in personam to enforce a claim to which this section applies unless —</p> <p>(a) the defendant has his habitual residence or place of business in the Falkland Islands; or</p> <p>(b) the cause of action arose within the territorial waters of the Falkland Islands; or</p> <p>(c) an action arising out of the same incident or series of incidents is proceeding in the court or has been heard and determined in the court.</p> <p>In this subsection "territorial waters of the Falkland Islands" include any port, dock or harbour in the Falkland Islands.";</p> <p>In subsection (2) the words "in England and Wales" shall be deleted and the words, "in the Falkland Islands" shall be substituted, and the words "outside England and Wales" shall be deleted and the words "outside the Falkland Islands" shall be substituted;</p> <p>In subsection (5) the words "the High Court" shall be deleted and the words "the Supreme Court of the Falkland Islands" shall be substituted;</p> <p>Subsection (6) shall be omitted.</p>
Section 6	...	...	<p>The words "England and Wales" shall be deleted and the words "Falkland Islands" shall be substituted.</p>
Section 7	...	...	<p>Subsection (1) shall be deleted and the following subsection shall be substituted —</p> <p>"(1) Section six hundred and eighty-eight of the Merchant Shipping Act 1894 (a) (which relates to the detention of ships by customs officers in certain cases) shall cease to have effect, but nothing in this Part of the Act affects the provisions of section five hundred and fifty-two of the Merchant Shipping Act 1894 (which relates to the power of a receiver of wreck to detain a ship in respect of a salvage claim).";</p> <p>Subsection (2) shall be omitted.</p>
Section 8	...	...	<p>In subsection (1) there shall be added the following definition —</p> <p>" "Falkland Islands" means the Falkland Islands and its Dependencies; '.</p>

EXPLANATORY NOTE

(This Note is not part of the Order)

This Order provides that the Supreme Court of the Falkland Islands, which is a Colonial Court of Admiralty, shall, in relation to the Falkland Islands, have the Admiralty jurisdiction of the High Court of England, as defined in section 1 of the Administration of Justice Act 1956, with certain modifications. It also extends certain of the provisions contained in Part I of that Act to the Falkland Islands.

(a) 1894 c. 60.



THE FALKLAND ISLANDS GAZETTE (Extraordinary)

PUBLISHED BY AUTHORITY

Vol. LXXV.

29 SEPTEMBER, 1966.

No. 11.

PROCLAMATION

No. 2 of 1966.

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.

L. GLEADELL — *By His Honour LESLIE CHARLES GLEADELL, Esquire,
Justice of the Peace, Officer Administering the Government of
the Colony of the Falkland Islands and its Dependencies.*

LS

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

AND WHEREAS HIS EXCELLENCY SIR COSMO HASKARD, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Member of the Most Excellent Order of the British Empire, has this day left the Colony for the purpose of visiting the United Kingdom.

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

NOW, THEREFORE, I, LESLIE CHARLES GLEADELL, Acting Colonial Secretary of the Falkland Islands, the Senior Member of the Executive Council aforesaid, do hereby proclaim and make known that, in pursuance of the said clause of the said Royal Letters

Patent and having taken the oaths prescribed by law, have this day assumed the Administration of the Government of this Colony and its Dependencies.

GOD SAVE THE QUEEN

Given at Government House, Stanley, this 12th day of September, in the Year of Our Lord One thousand Nine hundred and Sixty-six.

By Command of the

Officer Administering the Government,

H. L. BOUND,

for Colonial Secretary.

Ref. P/204/III.

PROCLAMATION

No. 3 of 1966.

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.

L. GLEADELL — *By His Honour* LESLIE CHARLES GLEADELL, Esquire,
Justice of the Peace.

(LS)

No. 4 of 1954.

WHEREAS by section 16 (1) of the Defence Force Ordinance, 1954, it is provided that the Governor may by Proclamation call out the Defence Force or any unit or part thereof for active service whenever it appears to him advisable to do so by reason of the existence of a state of war or of any hostile invasion (or apprehended danger thereof) or in the event of any internal emergency threatening the security of life or property to quell which the available civil force is deemed by him to be inadequate.

AND WHEREAS it now appears advisable to do so.

NOW, THEREFORE, by virtue of these powers vested in the Governor be it ordered and proclaimed as follows, to wit: The Defence Force is called out for active service.

GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 29th day of September, in the Year of Our Lord One thousand Nine hundred and Sixty-six.

By His Honour's Command,

H. L. BOUND,

Assistant Colonial Secretary.

Ref: 0838/D/II.

The following items appearing in this issue should be entered in the Index of Supplementary Legislation —

Proclamation No. 2 of 1966.

Proclamation No. 3 of 1966.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXV.

1 OCTOBER, 1966.

No. 12.

Appointments

Leslie Charles Gleadell, J.P., Officer Administering the Government, 12.9.66.

NOTICES

No. 37. 16th September, 1966.

Appeals Ordinance — No. 3 of 1966

BY VIRTUE of the powers vested in him by section 1, the Governor appoints the 1st day of June 1966 as the date upon which this Ordinance shall come into operation. Ref. 2312.

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

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

In the matter of Elizabeth Ann Parrin, deceased, of Stanley, Falkland Islands, who died on

the 13th day of August, 1966.

WHEREAS Doreen Duncan, eldest 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 August, 1966.
S.C. 31/66.

The following items appearing in this issue should be entered in the Index of Supplementary Legislation —

Application of Colony Laws Ordinance, 1966.

The Copyright (International Conventions) (Amendment No. 2) Order, 1964.

The Sweden (Extradition) (Extension) Order, 1966.

Assented to in Her Majesty's name this 9th day of September, 1966.

C. HASKARD,
Governor.



No. 5



1966

Falkland Islands Dependencies.

IN THE FIFTEENTH 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.

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 as the Application of Colony Laws Ordinance, 1966.

Date of commencement.

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.

SCHEDULE

2 of 1966	Murder (Abolition of Death Penalty) Ordinance, 1966	2nd June, 1966
3 of 1966	Appeals Ordinance, 1966	1st June, 1966

Promulgated by the Governor on the 1st day of October, 1966.

L. C. GLEADELL,
Acting Colonial Secretary.

Ref. 0188.

A Bill for
An Ordinance
Relating to the Custody of Prisoners and
the Regulation of Prisons.

Title.

(, 1966)

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 Prison Ordinance, 1966.

Short title.

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

Interpretation.

“board” means the board established under section 7 of the Ordinance;

“civil prisoner” means any prisoner other than a criminal prisoner or trial prisoner;

“criminal prisoner” means any prisoner convicted of a crime or offence or ordered to pay any fine or penalty or other penal sum or to enter into a recognizance;

“medical officer” means an officer appointed under section 20 of this Ordinance;

“misconduct” means —

- (a) disobeying any order of any prison officer or any prison rule;
- (b) treating with disrespect any prison officer or any person authorised to visit the prison;
- (c) idleness, carelessness, or negligence at work, or refusal to work;

- (d) using any abusive, insolent, threatening, or other improper language;
- (e) indecency in language, act, or gesture;
- (f) committing any assault;
- (g) communicating with another prisoner without authority;
- (h) leaving a cell or place of work or other appointed place without permission;
- (i) a prisoner wilfully disfiguring or damaging any part of the prison or any property which is not his own;
- (j) committing any nuisance;
- (k) a prisoner having in his cell or possession any unauthorized article, or attempting to obtain such an article;
- (l) giving to or receiving from any person any unauthorized article;
- (m) escaping from prison or from legal custody;
- (n) mutiny or inciting other prisoners to mutiny;
- (o) committing gross personal violence to a prison officer;
- (p) committing gross personal violence to another prisoner;
- (q) making repeated and groundless complaints;
- (r) making false and malicious allegations against a prison officer;
- (s) in any other way offending against good order and discipline;
- (t) attempting to do any of the foregoing things.

"Officer in Charge" means the person appointed by the Governor under section 3 of this Ordinance to be in charge of the prison;

"prison" means any place which the Governor may by order under subsection (2) of this section declare to be part of the prison;

"prison officer" means any police officer and any officer appointed under the provisions of section 3 of this Ordinance;

"trial prisoner" means an accused person committed to prison on remand or to await trial.

(2) The Governor may, by order published in the Gazette, declare any place, whether established as a prison before or after the coming into operation of this Ordinance, to be a part of the prison for the purposes of this Ordinance, and may, in like manner, declare that any such place shall cease to be a part of the prison for the purposes of this Ordinance.

(3) Unless the Governor makes any order to the contrary under subsection (2) of this section, he shall be deemed to have made one to apply to the place which is at the date of the coming into operation of this Ordinance used as a prison and known as the Stanley Prison, and which shall from such date be named and referred to as the prison.

Appointment of prison staff.

3. The Governor may from time to time appoint, for the control and conduct of the prison, an Officer in Charge, a matron and such other officers as he may deem necessary.

Oaths.

4. Every person appointed to be an Officer in Charge or a prison officer shall on appointment take the following oath before a justice of the peace —

I,....., do swear by Almighty God that I will not directly or indirectly reveal to any unauthorized persons such matters as shall come to my knowledge by virtue of my appointment. So help me God.

Powers.

5. The Officer in Charge and officers shall, while engaged in the duties of prison officers, have all the powers, protection and

privileges of a constable within the meaning of the Police Ordinance, 1966.

6. The Officer in Charge shall, subject to the orders and directions of the Governor, exercise control and superintendence over the prison and the prison officers and may, with the approval of the Governor, issue standing orders, not repugnant to this Ordinance or any regulations made thereunder, for the observance of the prison officers in the discharge of their duties.

Officer in Charge's standing orders.

7. (1) The Governor shall on the first day of January in each year appoint from the panel of justices resident in Stanley two such justices to constitute a Board of Visiting Justices for the ensuing year. The Magistrate shall be a permanent and senior member.

Constitution of board.

(2) Visiting Justices shall enter and inspect any prison and see and receive complaints from prisoners when they may so decide but at least four times in any year, and after each such inspection shall report thereon and as to any complaints received from prisoners and the manner in which they were dealt with to the Governor.

8. Every member of the board may enter into, and examine the condition, of the prison and the prisoners therein, and may inspect the prison records, and shall record, in a book to be provided and kept by the Officer in Charge for that purpose, any remarks which he may think fit to make in regard to the condition of the prison or of the inmates thereof; and it shall be the duty of the Officer in Charge to make the book available for perusal by every member of the board who visits the prison, and at every meeting of the board.

Record book.

9. No member of the board may in any way be concerned with any contracts for supplies for use in the prison.

Disqualification of board as to contracts.

10. (1) Every prisoner shall be searched when taken into custody by a prison officer, on reception into prison, and at such subsequent times as are directed and all unauthorized articles shall be taken from him.

Search.

(2) The searching of a prisoner shall be conducted in as seemly a manner as is consistent with the necessity of discovering any concealed article.

(3) No prisoner shall be stripped and searched in the sight of another prisoner.

(4) A prisoner shall be searched only by a prison officer of the same sex as the prisoner.

11. (1) All prisoners shall be weighed on admission and any of their personal particulars recorded.

Convicted prisoners' photographs, etc.

(2) Convicted prisoners may be photographed, and prints may be taken of their hands and feet.

12. Whenever possible a separate cell shall be provided for every prisoner.

Cells.

13. Male prisoners shall be kept separate from female prisoners in such manner as to prevent their seeing, conversing with or communicating with each other.

Males and females.

14. The following classes of prisoners of each sex shall, so far as accommodation in the prison renders it practicable, be separated from one another, namely —

Other classes.

(a) prisoners under the age of seventeen years from prisoners over that age;

(b) criminal and trial prisoners from civil prisoners;

(c) trial prisoners from convicted prisoners,

and any other such class may be separated into such divisions as may be prescribed.

15. Separate cells shall be provided or appropriated for prisoners undergoing punishment for prison offences.

Punishment cells.

Infirm prisoners.

16. Adequate separate accommodation shall be provided for persons suffering from infirmity, sickness or other bodily or mental ailment.

Children of females.

17. (1) The child of a female prisoner may be admitted into the prison with its mother if the court which committed the prisoner shall have authorized such admission, and the child shall not be taken from its mother unless the medical officer shall so direct:

Provided that no such child shall be retained in prison after it has attained the age of twelve months unless the medical officer shall consider such retention to be highly desirable or unless there is no suitable person who is willing and able to care for the child.

(2) Any child so retained shall, if necessary, be clothed at the public expense.

(3) The medical officer may make such recommendations regarding the diet of such child as he may deem fit.

Compulsion to work.

18. All male prisoners over the age of seventeen years and under the age of sixty years who are undergoing sentence of imprisonment or penal servitude shall, if certified by the medical officer to be fit therefor, be set to work, and may be compelled to work inside or outside the walls of the prison, on such work and at such times and in such manner as may be prescribed, subject to the approval of the Governor, in standing orders issued by the Officer in Charge:

Provided that female prisoners shall not work outside the prison unless so ordered by the medical officer, and shall be employed only on such labour as is suitable for women.

Nature of work.

19. The work to which any prisoner undergoing sentence of imprisonment or penal servitude may be set within the prison shall be such as may be prescribed or as may be ordered by the Officer in Charge and approved by the Governor, and such work may include the necessary services of the prison or of the quarters of the Officer in Charge, but shall not include any personal services for prison officers.

Appointment of medical officer.

20. The duties of medical officer of the prison shall be performed by such medical officers as the Governor may from time to time appoint.

Duties of medical officer.

21. The medical officer shall have the general care of the health of all prisoners, and shall make known to the Officer in Charge any circumstances connected with the prison or the treatment of the prisoners which at any time appears to him to require consideration on medical grounds.

Examination of prisoners.

22. The medical officer shall examine every prisoner as soon as possible after admission and immediately prior to discharge, and on such other occasions and for such other purposes as may be prescribed, and shall record the results of such examination on the nominal roll of prisoners.

Inspection of prison.

23. When there are prisoners or other persons held within the prison the medical officer shall, at intervals of not more than once in each fortnight, inspect the prison, including the drains, lavatories and kitchens, and the food provided for prisoners, and shall perform such other duties in connection therewith as may be prescribed.

Medical officer's directions.

24. The Officer in Charge shall put into effect any directions which the medical officer may give for preventing injury to health.

Removal to hospital.

25. (1) A prisoner may, by the direction of the medical officer or, in urgent cases, of the Officer in Charge, be removed to the hospital.

(2) Save as otherwise expressly provided, a prisoner shall be deemed for all purposes to be in prison custody while he is in or proceeding to and from hospital:

Provided that a prison guard need not be provided unless the Officer in Charge thinks necessary.

(3) A prisoner shall be returned from the hospital to the prison when the medical officer certifies that he is fit to return.

26. No cell shall be used for the confinement of a prisoner unless — Fitness of cells.

- (a) it shall have been certified by the Senior Medical Officer and the Superintendent of Works to be of such nature as not to cause a deterioration in the health of the prisoner; and
- (b) it is furnished with the means of enabling the prisoner at any time to communicate with a prison officer.

27. The Officer in Charge shall give immediate notice to the Governor of the death of any prisoner, and thereupon the Coroner shall within twenty-four hours hold an inquest upon the body of such prisoner, but in no case shall any officer of the prison, or any person who has been confined in the prison be a juror on such inquest. Inquests.

28. The Governor may empower the board or the Officer in Charge to award punishment to prisoners, of such nature and in respect of such offences and in such manner as may be prescribed. Powers of punishment.

29. Prisoners sentenced to periods of imprisonment may, in such manner as may be prescribed, be released after expiry of not less than two-thirds of the time which they are sentenced to spend in prison: Remission.

Provided that no such reduction shall reduce the time spent in prison to less than thirty-one days.

30. (1) The Governor may at any time if he thinks fit release on licence a person serving a term of imprisonment for life subject to compliance with such conditions, if any, as the Governor may from time to time determine. Release on licence of persons serving imprisonment for life.

(2) The Governor may at any time by order recall to prison a person released on licence under this section, but without prejudice to the power of the Governor to release him on licence again; and where any person is so recalled his licence shall cease to have effect and he shall, if at large, be deemed to be unlawfully at large.

31. The Officer in Charge shall keep a register in which he shall record the religious denomination to which any prisoner admitted to the prison shall declare himself to belong, and shall, on the request of any minister of religion who may be authorized under the provisions of this Ordinance to visit prisoners, supply such minister with a list of the prisoners declared to belong to the religious denomination of that minister. Register.

32. Subject to the provisions of this Ordinance and to any conditions which may be prescribed, the Governor may authorize a minister of any religious denomination to visit any prisoner belonging to the same denomination who shall consent thereto, and to celebrate religious services in the presence of such prisoner. Visiting ministers.

33. So far as is practicable, arrangements shall be made for a minister of the Christian religion to hold services for the prisoners on Sundays, Good Friday and Christmas Day. Services.

34. The Officer in Charge shall publish in a notice upon the outside of the prison walls the fact that an execution is about to take place. Announcement of pending execution.

35. (1) Judgment of death shall be executed within the walls of the prison. Place of execution.

(2) The public shall have no right to be present at or witness such execution, but subject to the requirements of this Ordinance, such persons only as the Officer in Charge may authorize in writing to enter the prison for such purpose and at such time as the Officer in Charge may appoint.

Persons to be present.

36. (1) The Officer in Charge or other officer charged with the execution, the medical officer and such prison officers as the Officer in Charge directs shall be present at the execution.

(2) A minister of religion authorized under this Ordinance to visit prisoners in the prison may be present at the execution.

Certificate and declaration. First Schedule.

37. (1) Immediately after the execution the medical officer shall sign a certificate in the form prescribed in the First Schedule to this Ordinance, and shall deliver such certificate to the Officer in Charge.

Second Schedule.

(2) The Officer in Charge and such other persons present as the Officer in Charge allows shall sign a declaration in the form prescribed in the Second Schedule to this Ordinance and such certificate shall be retained by the Officer in Charge.

Inquest.

38. (1) The Coroner shall within six hours of the execution hold an inquest with a jury, and the Coroner's jury shall ascertain the identity of the body and whether judgment of death was duly executed.

(2) Such inquisition shall be in duplicate and one of the originals shall be delivered to the Officer in Charge.

Burial.

39. The body of every offender executed shall be buried within the prison walls:

Provided that if the Governor is satisfied that there is no convenient place within the walls for such burial he may appoint some other fit place for that purpose.

Standing orders of Officer in Charge.

40. The Officer in Charge may, with the previous approval of the Governor, make standing orders to be observed in the execution of any sentence of death.

Transmission of documents.

41. (1) The aforementioned certificate, declaration and a duplicate of the inquisition shall be transmitted by the Officer in Charge to the Governor forthwith.

(2) Copies of the said documents shall be publicly exhibited outside the principal entrance to the prison as soon as possible after the execution and for a period of not less than twenty-four hours.

Saving as to legality.

42. Omission to comply with any provision of this Ordinance shall not of itself make the execution of judgment of death illegal.

Escaping.

43. Any prisoner who breaks or escapes from any prison or person having lawful custody of him shall be guilty of an offence and liable, on conviction or indictment, to penal servitude for a term not exceeding three years, or to imprisonment for a term not exceeding two years.

Attempts to escape.

44. Any prisoner who attempts to break or escape from prison or forcibly breaks out of his cell or makes any break therein with intent to escape therefrom shall be guilty of an offence and liable, on conviction, to imprisonment for a term not exceeding one year.

Aiding escape.

45. Any person who —

(a) aids a prisoner in escaping or attempting to escape from lawful custody; or

(b) conveys anything or causes anything to be conveyed into the prison with intent to facilitate the escape of a prisoner,

shall be guilty of an offence and liable, on conviction, to imprisonment for a term not exceeding two years.

46. (1) Any person who without lawful authority or excuse introduces into the prison or delivers to any prisoner any spiritous or fermented liquor, tobacco, intoxicating or poisonous drug or any other article prescribed as prohibited, or, being a prison officer, suffers anything hereinbefore in this section enumerated to be sold or used in the prison, shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

Forbidden articles.

(2) Every prison officer convicted of contravening any provision of subsection (1) of this section shall, in addition to any punishment, forfeit his office and all arrears of salary due to him.

47. Any person who without the permission of the Officer in Charge communicates or attempts to communicate with any prisoner, or conveys or attempts to convey any letter or other communication to or from any prisoner, shall be guilty of an offence and liable on summary conviction to a fine not exceeding ten pounds and, if a prison officer, shall also forfeit his office and all arrears of salary due to him.

Forbidden communications.

48. The Officer in Charge shall cause to be fixed in a conspicuous place outside the entrance to the prison a notice summarising the offences against this Ordinance and the punishment to which offenders are liable.

Notice of offences.

49. (1) Immediately on admission every convicted prisoner shall, if he has a right of appeal, be informed thereof and of conditions governing such appeal.

Appellants.

(2) Any prisoner who properly notifies the Officer in Charge of his intention to appeal shall be given all necessary facilities for prosecuting such appeal.

(3) From the date of entering into a recognizance to prosecute an appeal each prisoner shall be known and treated as an appellant.

(4) Subject to any direction of the Supreme Court, the time during which an appellant is in custody shall not count as part of his sentence, in which case the sentence shall commence from the date upon which the prisoner is taken into custody after the determination of the appeal.

50. (1) Every prisoner confined in the prison shall be deemed to be in the legal custody of the Officer in Charge, and shall not be removed from the prison before he becomes lawfully entitled to release save in the following cases —

Special removal of prisoners.

- (a) in pursuance of any order or process of a court of justice;
- (b) in case of fire or sudden or urgent necessity;
- (c) for the purpose of work or recreation;
- (d) in any case in which the medical officer or, in case of emergency and in the absence of the medical officer, the Officer in Charge, may direct his removal to hospital for purposes of examination or treatment:

Provided that the Governor may order the removal of a prisoner to such other place of confinement as may be specified in the order for the purpose of enabling the prison to be altered, enlarged, repaired or rebuilt, or in case of a contagious or infectious disease breaking out in the prison, for the prisoner to appear before a court of examination, trial or as a witness, or for any other reasonable cause, and may at any time order that any such prisoner be returned to the prison.

(2) A prisoner who has been removed from the prison in pursuance of the provisions of this section shall, notwithstanding such removal, be deemed for the purposes of this Ordinance to be confined within the prison.

Removal of visitors.

51. The Officer in Charge may remove or cause to be removed from the prison any visitor to the prison whose conduct is improper.

Regulations.

52. The Governor may make regulations generally for giving effect to the provisions of this Ordinance, and in particular, but without prejudice to the generality of the foregoing regulations —

- (a) the management and discipline of the prison;
- (b) visits to and communications with prisoners;
- (c) the working of prisoners outside the prison walls.

Section 37 (1)

FIRST SCHEDULE

Certificate of Medical Officer

I A.B., the Prison Medical Officer, hereby certify that I this day examined the body of C.D., on whom judgment of death was this day executed in the prison and that on examination I found that the said C.D., was dead.

Dated this day of 19.....

(Signed) A.B.

Section 37 (2)

SECOND SCHEDULE

Declaration of Officer in Charge and others

We, the undersigned hereby declare that judgment of death was this day executed on C.D. in the prison in our presence.

(Signed) *Officer in Charge.*
..... *Prison Officer.*
..... *Medical Officer.*
..... *Chaplain.*

OBJECTS AND REASONS

The object of this Bill is to provide comprehensive legislation relating to the custody of prisoners and matters relating thereto.

Ref. 0836/II.

A Bill for An Ordinance

To give effect to Article 10 of International Labour Convention No. 115 concerning the Protection of Workers against Ionising Radiations.

Title.

(, 1966) Date of commencement.

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

1. This Ordinance may be cited as the Ionising Radiations (Protection of Workers) Ordinance, 1966.

2. In this Ordinance — **Interpretation.**

“Authority” means the Senior Medical Officer;

“Ionising radiations” means electromagnetic radiation (that is to say, X-ray or gamma ray photons or quanta) or corpuscular radiation (that is to say, alpha particles, beta particles, electrons, positrons, protons, neutrons, or heavy particles) being electromagnetic radiation or corpuscular radiation capable of producing ions and emitted from a machine or apparatus which is intended to produce ionising radiations, or from a machine or apparatus in which electrons are accelerated by a voltage of not less than five kilovolts;

"Proprietor", in relation to an undertaking, includes any person for the time being having the management or capital, or receiving the profits, of the business carried on in such undertaking, or employing any person engaged in such business.

Notification of commencement of work involving exposure to radiation.

3. Every proprietor of an undertaking shall before commencing therein any work involving the possible exposure to ionising radiation in the course of his work of any person employed or engaged in such work shall give to the Authority not less than one month's notice in writing of the date of the intended commencement of such work, and shall furnish to the Authority such particulars as the Authority may require.

Notification of date of installation of machines or apparatus producing radiation.

4. Without prejudice to the operation of section 3 of this Ordinance, any person who proposes to install, or causes to be installed, on any premises used for the purposes of an undertaking, any machine or apparatus which is capable of producing or emitting ionising radiations shall give to the Authority not less than one month's notice in writing of the proposed date of the installations.

Offences.

5. Any person who contravenes any of the provisions of section 3 or section 4 of this Ordinance shall be guilty of an offence and shall be liable on conviction to a fine not exceeding £100 or to imprisonment not exceeding three months or both.

OBJECTS AND REASONS

This Bill is designed to protect workers against ionising radiations in the course of their work and requires the notification of the proposed installation of any machine or apparatus producing or emitting ionising radiations.

Ref. 0535/XIV.

S T A T U T O R Y I N S T R U M E N T S

1964 No. 1651

COPYRIGHT

**The Copyright (International Conventions)
(Amendment No. 2) Order 1964**

Made - - - *15th October 1964*

To be laid before Parliament

Coming into Operation *28th October 1964*

At the Court at Buckingham Palace, the 15th day of October 1964

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 sections 31, 32 and 47 of the Copyright Act 1956(a) and of all other powers enabling Her in that behalf, is pleased to order, and it is hereby ordered, as follows —

1. The Copyright (International Conventions) Order 1964(b) (hereinafter called "the principal Order") as amended(c), shall be further amended —

- (i) by adding references to Guatemala and to New Zealand in Part 2 of Schedule 1 thereto (which names the countries party to the Universal Copyright Convention);
- (ii) by adding a reference to Guatemala in Schedule 2 thereto (which names certain countries who are not members of the Berne Copyright Union but who are parties to the Universal Copyright Convention) and a related reference to 28th October 1964 in the list of dates in column 2 of that Schedule; and
- (iii) by omitting the reference to Congo (Brazzaville) in Schedule 3 (which names the countries in the case of which copyright in sound recordings includes the exclusive right to perform in public and to broadcast).

2. Where any person has, before the commencement of this Order, taken any action whereby he has incurred any expenditure or liability in connection with the reproduction or performance of any work or other subject-matter in a manner which at the time was lawful or for the purpose of or with a view to the reproduction or performance of a work at a time when such reproduction or performance would, but for the making of this Order, have been lawful, nothing in this Order shall diminish or prejudice any right or interest arising from, or in connection with, such action which is subsisting and valuable immediately before the commencement of this Order unless the person who, by virtue of this Order, becomes entitled to restrain such reproduction or performance agrees to pay such compensation as, failing agreement, may be determined by arbitration.

3. The provisions of this Order shall extend to all the countries mentioned in Column 1 of Part 1 of Schedule 4 to the principal Order (being the countries to which that Order has been extended).

(a) 4 & 5 Eliz. 2. c. 74.

(b) S.I. 1964/690 (1964 II, p. 1319).

(c) S.I. 1964/1194 (1964 II, p. 2773).

4. This Order may be cited as the Copyright (International Conventions) (Amendment No. 2) Order 1964 and shall come into operation on 28th October 1964.

W. G. Agnew.

EXPLANATORY NOTE

(This note is not part of the Order, but is intended to indicate its general purport.)

This Order further amends the Copyright (International Conventions) Order 1964.

It takes account of the fact that Guatemala and New Zealand have subscribed to the Universal Copyright Convention.

The Order also restricts the copyright in sound recordings originating in Congo (Brazzaville) so that it no longer includes the exclusive right to perform in public or to broadcast. It also takes account of the fact that Congo (Brazzaville) have limited the protection given to foreign recordings.

Article 3 of the Order extends its provisions to the dependent countries of the Commonwealth where the Copyright Act 1956 is law.

 STATUTORY INSTRUMENTS

1966 No. 811

FUGITIVE CRIMINAL

The Sweden (Extradition) (Extension) Order 1966

<i>Made</i>	- - - -	<i>5th July 1966</i>
<i>Laid before Parliament</i>		<i>11th July 1966</i>
<i>Coming into Operation</i>		<i>1st August 1966</i>

At the Court at Buckingham Palace, the 5th day of July 1966

Present,

The Queen's Most Excellent Majesty in Council

Whereas a Treaty was concluded on 26th April 1963 between Her Majesty in respect of the United Kingdom of Great Britain and Northern Ireland and His Majesty The King of Sweden for the reciprocal extradition of criminals:

And whereas a Protocol amending the said Treaty was signed on 6th December 1965:

And whereas the said Treaty was ratified on 29th December 1965:

And whereas by the Sweden (Extradition) Order 1966 (a), it was provided that the Extradition Acts 1870 to 1935 should apply as from 29th March 1966 in the case of the Kingdom of Sweden under and in accordance with the said Treaty, as amended by the said Protocol, and that the operation of the Order should be limited to the United Kingdom, the Channel Islands and the Isle of Man:

And whereas in accordance with the provisions of Article 2 (1) (b) of the said Treaty, as amended by Article 1 of the said Protocol, it has been agreed by Notes exchanged on 6th June 1966, the terms of which are set out in the Schedule to this Order, that the application of the Treaty should be extended to those territories for the international relations of which Her Majesty's Government in the United Kingdom are responsible and which are set out in the Annex to the said Notes:

Now, therefore, Her Majesty, by virtue and in exercise of the powers in this behalf conferred on Her by section 2 of the Extradition Act, 1870 (b) 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. The Extradition Acts 1870 to 1935 shall apply in the case of the Kingdom of Sweden under and in accordance with the said Treaty, as amended by the said Protocol and extended by the said Exchange of Notes.
2. The operation of this Order is limited to the territories (including their dependencies) specified in the Annex to the said Exchange of Notes.
3. This Order shall come into operation on 1st August 1966 and may be cited as the Sweden (Extradition) (Extension) Order 1966.

W. G. Agnew.

 (a) S.I. 1966/226 (1966 I, p. 456).

(b) 1870 c. 52.

SCHEDULE

EXCHANGE OF NOTES BETWEEN HER MAJESTY'S GOVERNMENT IN THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE ROYAL GOVERNMENT OF SWEDEN PROVIDING FOR THE EXTENSION OF THE EXTRADITION TREATY SIGNED ON 26TH APRIL 1963.

No. 1

The Secretary of State for Foreign Affairs to the Swedish Ambassador

Foreign Office, S. W. 1.

6th June, 1966.

Your Excellency,

I have the honour to refer to the Extradition Treaty between Her Majesty in respect of the United Kingdom of Great Britain and Northern Ireland and His Majesty The King of Sweden signed at London on the 26th day of April, 1963 as amended by the Protocol signed at London on the 6th of December, 1965.

In accordance with Article 2(1)(b) of the said Treaty, as amended, I have the honour to propose that the application of the Treaty should be extended with effect from the 1st of August, 1966 to those territories, listed in the Annex to this Note, for the international relations of which Her Britannic Majesty's Government in the United Kingdom are responsible.

If the foregoing proposal is acceptable to the Royal Swedish Government, I have the honour to propose that this Note together with Your Excellency's reply in that sense should constitute an Agreement between Her Britannic Majesty's Government and the Royal Swedish Government.

I have the honour to be, with the highest consideration,

Your Excellency's obedient Servant,

(For the Secretary of State)

H. V. Richardson.

ANNEX

Aden (and Perim and the Kuria Muria Islands)

Antigua

Bahamas

Barbados

Basutoland

Bermuda

British Antarctic Territory

British Honduras

British Indian Ocean Territory

Cayman Islands

Dominica

Falkland Islands

Fiji

Gibraltar

Gilbert and Ellice Islands

Grenada

Hong Kong

Mauritius

Montserrat

Pitcairn

St. Christopher, Nevis and Anguilla

St. Helena

St. Lucia

St. Vincent

Seychelles

Southern Rhodesia

The Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus

Turks and Caicos Islands

Virgin Islands

No. 2

The Swedish Ambassador to the Secretary of State for Foreign Affairs

London, 6th June 1966.

No. 104

Your Excellency,

I have the honour to acknowledge the receipt of your Note of to-day's date, which reads as follows:

[As in No. 1]

2. In reply, I have the honour to inform you that the foregoing proposal is acceptable to the Royal Swedish Government, who therefore agree that your Note, together with its Annex and the present reply, shall constitute an Agreement between the Royal Swedish Government and Her Britannic Majesty's Government.

I have the honour to be,

With the highest consideration,

Your Excellency's obedient Servant,

Gunnar Hägglöf.

EXPLANATORY NOTE

(This Note is not part of the Order)

This Order extends to the British overseas territories listed in the application of the Extradition Acts 1870 to 1935 in the case of the Kingdom of Sweden in accordance with the Treaty between Her Majesty and His Majesty The King of Sweden which was signed on 26th April 1963 (Cmnd. 2071), amended by the Protocol signed on 6th December 1965 (Cmnd. 2909) and extended by Notes exchanged on 6th June 1966 to those territories.

Ref. 1991.



THE
FALKLAND ISLANDS GAZETTE
(Extraordinary)
PUBLISHED BY AUTHORITY

Vol. LXXV.

18 OCTOBER, 1966.

No. 13.

PROCLAMATION

No. 4 of 1966.

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 Wednesday the 26th day of October, 1966, 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 18th day of October in the Year of our Lord One thousand Nine hundred and Sixty-six.

By His Excellency's Command

L. GLEADELL,

Acting Colonial Secretary.

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

Title.

Date of commencement.

(, 1966)

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 Income Tax (Amend-
ment) (No. 2) Ordinance, 1966.

Amendment of section 21.
(Cap. 32).

2. Paragraph (a) of subsection (2A) of section 21 of the
Income Tax Ordinance is amended by the deletion of the figures and
word "17 and 19" and the substitution therefor of the word and
figures "and 17".

OBJECTS AND REASONS

The object of this Bill is to delete the reference to section 19 in section
21 (2A) of the Income Tax Ordinance, as such reference is no longer required.
Ref. 0747/K/II.

A Bill for An Ordinance Further to amend the Pensions Ordin- ance, 1965.

Title.

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 Pensions (Amendment)
(No. 2) Ordinance, 1966.

Amendment of section 9.
(6 of 1965)

2. Section 9 of the Pensions Ordinance, 1965, is amended
by —

(a) the deletion of the proviso to subsection (2) and the sub-
stitution therefor of the following —

"Provided that —

(a) Where an officer receives in respect of some period of
public service both a gratuity and a pension, the
amount of such pension shall be deemed for the purpose
of this subsection to be —

(i) where the right to commute any part of a pension
in return for the payment of a gratuity has been
exercised or deemed to have been exercised, the
amount as if that right had not been exercised or
deemed to have been exercised, as the case may
be; or

(ii) in all other cases, four-thirds of its actual amount.

- (b) No regard shall be had to any pension granted in respect of other public service attributable to service which has not been taken into account in determining the amount of the pension payable to an officer under this Ordinance.”; and
- (b) the deletion of subsection (4) and the substitution thereof of the following —

“(4) For the purpose of the preceding subsections —

- (a) an additional pension granted in respect of injury shall not be taken into account; but where the officer is granted such additional pension under this Ordinance, the amount thereof together with the remainder of his pension or pensions shall not exceed five-sixths of the highest pensionable emoluments enjoyed by him at any time during his pensionable service; and
- (b) any increase in or allowance to pension granted to or in respect of any pension drawn in respect of public service and the increase of allowance granted under the Pensions (Increase) Ordinance, 1959, or any Ordinance amending or replacing that Ordinance or any instrument in force in the public service, whether or not such instrument has the force of law, subsequent to the grant of the pension, such increase or allowance shall not be taken into account.”.

No. 12 of 1959.

OBJECTS AND REASONS

The recast proviso to subsection (2) of section 9 of the Pensions Ordinance, 1965, deals more satisfactorily with those public service pensions laws which have divergent provisions for the commutation of a pension, and the replacement of subsection (4) of section 9 of the said Ordinance ensures that there is no doubt that pension increases are not taken into account for the maximum pension limit.

Ref. 0829/IV.

A Bill for An Ordinance

Title.

Further to amend the Old Age Pensions Ordinance, 1952.

Date of commencement.

(, 1966)

Enacting clause.

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

Short title.

1. This Ordinance may be cited as the Old Age Pensions (Amendment) Ordinance, 1966.

Amendment of section 5.
(3 of 1952)

2. Subsection (1) of section 5 of the Old Age Pensions Ordinance, 1952, is amended by the deletion of paragraphs (a) and (b) and the substitution therefor of the following —

- “(a) the person shall have attained the age of 65 years, or, in the case of the widow of a pensioner, she was over the age of 60 years but under 65 years at the time of her husband's death;
- (b) the person, if the widow of a contributor, shall be the widow of a person who having satisfied the contribution conditions of section 9 was between the age of 60 and 65 years at the time of his death;”.

OBJECTS AND REASONS

This Bill provides pensions for widows whose husbands were in receipt of a pension, provided the widow had attained the age of 60 years at the time of her husband's death.

Under the existing statutory conditions for the receipt of an old age pension the receiver must have attained the age of 65 years.

Ref. 0323/G.



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1 NOVEMBER, 1966.

No. 14.

Appointments

Sir Hubert James Marlow Flaxman, C.M.G.,
Legal Secretary, 1.7.66.

Leslie Charles Gleadell, J.P., Officer Adminis-
tering the Government, 12.9.66 — 15.10.66.

Acting Appointments

Harold David Jones, Acting Senior Engineer,
Aviation Department 6.3.66 — 15.10.66.

Mrs. Freda Alazia, Acting Senior Clerk,
Secretariat, 14.4.66 — 15.10.66.

Henry Thomas Luxton, Officer-in-Charge,
Posts & Telecommunications, 30.5.66 — 15.10.66.

Resignations

Sir Ragnar Hyne, kt., Legal Secretary, 30.6.66.

Miss Harriet McMillan Stewart, Clerk, Public
Service, 30.9.66.

NOTICES

No. 38. 7th October, 1966.

The findings of the Cost of Living Committee
for the quarter ended 30th September 1966, are
hereby published for general information —

Quarter ended	Adjusted Percentage increase over 1948 prices
30th September, 1966	102.69%

2. In accordance with the principle of the
Pay and Working Rules for Stanley the average
increase over the last four quarters is 97.71% and
a further wage award of 1d per hour is therefore
payable with effect from the 1st October 1966.

Ref. 0704/VI.

No. 39.

19th October, 1966.

It is notified that the following dates have
been set aside as Public Holidays in Stanley in
1967 —

Good Friday	... Friday, 24th March
Her Majesty the Queen's Birthday and Commonwealth Day	... Friday, 21st April
October Bank Holiday	... Monday, 2nd October
Battle Day	... Friday, 8th December
Christmas Holidays	... Monday, 25th December ... Tuesday, 26th December ... Wednesday, 27th December

Ref. 2380.

No. 40.

19th October, 1966.

IMMIGRATION ORDINANCE 1965

EDWARD CHARLES GUTTERIDGE, J.P., acted as
Immigration Officer from 30th May 1966 to 15th
October 1966 inclusive.

Ref. 0837/II.

No. 41.

27th October, 1966.

His Excellency the Governor has been pleased
to approve the transfer from the Retired List to
the Active List of the Defence Force of

CAPTAIN WILLIAM JOHN JONES

with effect from 22nd October, 1966.

Ref. 0206/II.

Town Council Notice**REGISTER OF ELECTORS**

The Register of Electors has been compiled
and may be inspected at the Town Council Office
during normal office hours.

J. LEONARD,

Registration Officer.

Stanley,
21st October, 1966.

Ref. 0039/C/III.

INDEX OF LEGISLATION

The following items appearing in this issue should be entered in the Index of Legislation —

Wild Animals and Birds Protection (Sanctuaries) (No. 2) Order, 1966.
Prison Ordinance, 1966.
Pensions (Amendment) Ordinance, 1966.
Pensions (Amendment) (No. 2) Ordinance, 1966.
Income Tax (Amendment) Ordinance, 1966.
Income Tax (Amendment) (No. 2) Ordinance, 1966.
Old Age Pensions (Amendment) Ordinance, 1966.
Ionising Radiations (Protection of Workers) Ordinance, 1966.
British Nationality (Amendment) Ordinance, 1966.
Marriage (Enabling) Ordinance, 1966.
Application of Enactments (Repeal) Ordinance, 1966.
Stanley Town Council (Amendment) Ordinance, 1966.

The Wild Animals and Birds Protection Ordinance, 1964.

(Ordinance No. 15 of 1964)

ORDER

(under section 4 of the Ordinance)

No. 4 of 1966.

C. HASKARD,
Governor.

IN EXERCISE of the powers conferred upon him 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 island known as Middle Island, lying in King George Bay, 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, 1966.
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 19th day of July, 1966.

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

Ref. 1099/II.

Assented to in Her Majesty's name this 1st day of November, 1966.

C. HASKARD,
Governor.

LS

No. 5



1966

Colony of the Falkland Islands.

IN THE FIFTEENTH 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 the Custody of Prisoners and
the Regulation of Prisons.

(1st November, 1966)

Title.

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 Prison Ordinance, 1966. Short title.
2. (1) In this Ordinance, unless the context otherwise requires — Interpretation.
- “board” means the board established under section 7 of the Ordinance;
- “civil prisoner” means any prisoner other than a criminal prisoner or trial prisoner;
- “criminal prisoner” means any prisoner convicted of a crime or offence or ordered to pay any fine or penalty or other penal sum or to enter into a recognizance;
- “medical officer” means an officer appointed under section 20 of this Ordinance;
- “misconduct” means —
- (a) disobeying any order of any prison officer or any prison rule;
 - (b) treating with disrespect any prison officer or any person authorised to visit the prison;
 - (c) idleness, carelessness, or negligence at work, or refusal to work;

- (d) using any abusive, insolent, threatening, or other improper language;
- (e) indecency in language, act, or gesture;
- (f) committing any assault;
- (g) communicating with another prisoner without authority;
- (h) leaving a cell or place of work or other appointed place without permission;
- (i) a prisoner wilfully disfiguring or damaging any part of the prison or any property which is not his own;
- (j) committing any nuisance;
- (k) a prisoner having in his cell or possession any unauthorized article, or attempting to obtain such an article;
- (l) giving to or receiving from any person any unauthorized article;
- (m) escaping from prison or from legal custody;
- (n) mutiny or inciting other prisoners to mutiny;
- (o) committing gross personal violence to a prison officer;
- (p) committing gross personal violence to another prisoner;
- (q) making repeated and groundless complaints;
- (r) making false and malicious allegations against a prison officer;
- (s) in any other way offending against good order and discipline;
- (t) attempting to do any of the foregoing things.

"Officer in Charge" means the person appointed by the Governor under section 3 of this Ordinance to be in charge of the prison;

"prison" means any place which the Governor may by order under subsection (2) of this section declare to be part of the prison;

"prison officer" means any police officer and any officer appointed under the provisions of section 3 of this Ordinance;

"trial prisoner" means an accused person committed to prison on remand or to await trial.

(2) The Governor may, by order published in the Gazette, declare any place, whether established as a prison before or after the coming into operation of this Ordinance, to be a part of the prison for the purposes of this Ordinance, and may, in like manner, declare that any such place shall cease to be a part of the prison for the purposes of this Ordinance.

(3) Unless the Governor makes any order to the contrary under subsection (2) of this section, he shall be deemed to have made one to apply to the place which is at the date of the coming into operation of this Ordinance used as a prison and known as the Stanley Prison, and which shall from such date be named and referred to as the prison.

Appointment of prison staff.

3. The Governor may from time to time appoint, for the control and conduct of the prison, an Officer in Charge, a matron and such other officers as he may deem necessary.

Oaths.

4. Every person appointed to be an Officer in Charge or a prison officer shall on appointment take the following oath before a justice of the peace —

I,....., do swear by Almighty God that I will not directly or indirectly reveal to any unauthorized persons such matters as shall come to my knowledge by virtue of my appointment. So help me God.

Powers.

5. The Officer in Charge and officers shall, while engaged in the duties of prison officers, have all the powers, protection and

privileges of a constable within the meaning of the Police Ordinance, 1966.

6. The Officer in Charge shall, subject to the orders and directions of the Governor, exercise control and superintendence over the prison and the prison officers and may, with the approval of the Governor, issue standing orders, not repugnant to this Ordinance or any regulations made thereunder, for the observance of the prison officers in the discharge of their duties.

Officer in Charge's standing orders.

7. (1) The Governor shall on the first day of January in each year appoint from the panel of justices resident in Stanley two such justices to constitute a Board of Visiting Justices for the ensuing year. The Magistrate shall be a permanent and senior member.

Constitution of board.

(2) Visiting Justices shall enter and inspect any prison and see and receive complaints from prisoners when they may so decide but at least four times in any year, and after each such inspection shall report thereon and as to any complaints received from prisoners and the manner in which they were dealt with to the Governor.

8. Every member of the board may enter into, and examine the condition, of the prison and the prisoners therein, and may inspect the prison records, and shall record, in a book to be provided and kept by the Officer in Charge for that purpose, any remarks which he may think fit to make in regard to the condition of the prison or of the inmates thereof; and it shall be the duty of the Officer in Charge to make the book available for perusal by every member of the board who visits the prison, and at every meeting of the board.

Record book.

9. No member of the board may in any way be concerned with any contracts for supplies for use in the prison.

Disqualification of board as to contracts.

10. (1) Every prisoner shall be searched when taken into custody by a prison officer, on reception into prison, and at such subsequent times as are directed and all unauthorized articles shall be taken from him.

Search.

(2) The searching of a prisoner shall be conducted in as seemly a manner as is consistent with the necessity of discovering any concealed article.

(3) No prisoner shall be stripped and searched in the sight of another prisoner.

(4) A prisoner shall be searched only by a prison officer of the same sex as the prisoner.

11. (1) All prisoners shall be weighed on admission and any of their personal particulars recorded.

Convicted prisoners' photographs, etc.

(2) Convicted prisoners may be photographed, and prints may be taken of their hands and feet.

12. Whenever possible a separate cell shall be provided for every prisoner.

Cells.

13. Male prisoners shall be kept separate from female prisoners in such manner as to prevent their seeing, conversing with or communicating with each other.

Males and females.

14. The following classes of prisoners of each sex shall, so far as accommodation in the prison renders it practicable, be separated from one another, namely —

Other classes.

- (a) prisoners under the age of seventeen years from prisoners over that age;
- (b) criminal and trial prisoners from civil prisoners;
- (c) trial prisoners from convicted prisoners,

and any other such class may be separated into such divisions as may be prescribed.

15. Separate cells shall be provided or appropriated for prisoners undergoing punishment for prison offences.

Punishment cells.

Infirm prisoners.

16. Adequate separate accommodation shall be provided for persons suffering from infirmity, sickness or other bodily or mental ailment.

Children of females.

17. (1) The child of a female prisoner may be admitted into the prison with its mother if the court which committed the prisoner shall have authorized such admission, and the child shall not be taken from its mother unless the medical officer shall so direct:

Provided that no such child shall be retained in prison after it has attained the age of twelve months unless the medical officer shall consider such retention to be highly desirable or unless there is no suitable person who is willing and able to care for the child.

(2) Any child so retained shall, if necessary, be clothed at the public expense.

(3) The medical officer may make such recommendations regarding the diet of such child as he may deem fit.

Compulsion to work.

18. All male prisoners over the age of seventeen years and under the age of sixty years who are undergoing sentence of imprisonment shall, if certified by the medical officer to be fit therefor, be set to work, and may be compelled to work inside or outside the walls of the prison, on such work and at such times and in such manner as may be prescribed, subject to the approval of the Governor, in standing orders issued by the Officer in Charge:

Provided that female prisoners shall not work outside the prison unless so ordered by the medical officer, and shall be employed only on such labour as is suitable for women.

Nature of work.

19. The work to which any prisoner undergoing sentence of imprisonment may be set within the prison shall be such as may be prescribed or as may be ordered by the Officer in Charge and approved by the Governor, and such work may include the necessary services of the prison or of the quarters of the Officer in Charge, but shall not include any personal services for prison officers.

Appointment of medical officer.

20. The duties of medical officer of the prison shall be performed by such medical officers as the Governor may from time to time appoint.

Duties of medical officer.

21. The medical officer shall have the general care of the health of all prisoners, and shall make known to the Officer in Charge any circumstances connected with the prison or the treatment of the prisoners which at any time appears to him to require consideration on medical grounds.

Examination of prisoners.

22. The medical officer shall examine every prisoner as soon as possible after admission and immediately prior to discharge, and on such other occasions and for such other purposes as may be prescribed, and shall record the results of such examination on the nominal roll of prisoners.

Inspection of prison.

23. When there are prisoners or other persons held within the prison the medical officer shall, at intervals of not more than once in each fortnight, inspect the prison, including the drains, lavatories and kitchens, and the food provided for prisoners, and shall perform such other duties in connection therewith as may be prescribed.

Medical officer's directions.

24. The Officer in Charge shall put into effect any directions which the medical officer may give for preventing injury to health.

Removal to hospital.

25. (1) A prisoner may, by the direction of the medical officer or, in urgent cases, of the Officer in Charge, be removed to the hospital.

(2) Save as otherwise expressly provided, a prisoner shall be deemed for all purposes to be in prison custody while he is in or proceeding to and from hospital:

Provided that a prison guard need not be provided unless the Officer in Charge thinks necessary.

(3) A prisoner shall be returned from the hospital to the prison when the medical officer certifies that he is fit to return.

26. No cell shall be used for the confinement of a prisoner unless — Fitness of cells.

- (a) it shall have been certified by the Senior Medical Officer and the Superintendent of Works to be of such nature as not to cause a deterioration in the health of the prisoner; and
- (b) it is furnished with the means of enabling the prisoner at any time to communicate with a prison officer.

27. The Officer in Charge shall give immediate notice to the Governor of the death of any prisoner, and thereupon the Coroner shall within twenty-four hours hold an inquest upon the body of such prisoner, but in no case shall any officer of the prison, or any person who has been confined in the prison be a juror on such inquest. Inquests.

28. The Governor may empower the board or the Officer in Charge to award punishment to prisoners, of such nature and in respect of such offences and in such manner as may be prescribed. Powers of punishment.

29. Prisoners sentenced to periods of imprisonment may, in such manner as may be prescribed, be released after expiry of not less than two-thirds of the time which they are sentenced to spend in prison: Remission.

Provided that no such reduction shall reduce the time spent in prison to less than thirty-one days.

30. (1) The Governor may at any time if he thinks fit release on licence a person serving a term of imprisonment for life subject to compliance with such conditions, if any, as the Governor may from time to time determine. Release on licence of persons serving imprisonment for life.

(2) The Governor may at any time by order recall to prison a person released on licence under this section, but without prejudice to the power of the Governor to release him on licence again; and where any person is so recalled his licence shall cease to have effect and he shall, if at large, be deemed to be unlawfully at large.

31. The Officer in Charge shall keep a register in which he shall record the religious denomination to which any prisoner admitted to the prison shall declare himself to belong, and shall, on the request of any minister of religion who may be authorized under the provisions of this Ordinance to visit prisoners, supply such minister with a list of the prisoners declared to belong to the religious denomination of that minister. Register.

32. Subject to the provisions of this Ordinance and to any conditions which may be prescribed, the Governor may authorize a minister of any religious denomination to visit any prisoner belonging to the same denomination who shall consent thereto, and to celebrate religious services in the presence of such prisoner. Visiting ministers.

33. So far as is practicable, arrangements shall be made for a minister of the Christian religion to hold services for the prisoners on Sundays, Good Friday and Christmas Day. Services.

34. The Officer in Charge shall publish in a notice upon the outside of the prison walls the fact that an execution is about to take place. Announcement of pending execution.

35. (1) Judgment of death shall be executed within the walls of the prison. Place of execution.

(2) The public shall have no right to be present at or witness such execution, but subject to the requirements of this Ordinance, such persons only as the Officer in Charge may authorize in writing to enter the prison for such purpose and at such time as the Officer in Charge may appoint.

Persons to be present.

36. (1) The Officer in Charge or other officer charged with the execution, the medical officer and such prison officers as the Officer in Charge directs shall be present at the execution.

(2) A minister of religion authorized under this Ordinance to visit prisoners in the prison may be present at the execution.

Certificate and declaration. First Schedule.

37. (1) Immediately after the execution the medical officer shall sign a certificate in the form prescribed in the First Schedule to this Ordinance, and shall deliver such certificate to the Officer in Charge.

Second Schedule.

(2) The Officer in Charge and such other persons present as the Officer in Charge allows shall sign a declaration in the form prescribed in the Second Schedule to this Ordinance and such certificate shall be retained by the Officer in Charge.

Inquest.

38. (1) The Coroner shall within six hours of the execution hold an inquest with a jury, and the Coroner's jury shall ascertain the identity of the body and whether judgment of death was duly executed.

(2) Such inquisition shall be in duplicate and one of the originals shall be delivered to the Officer in Charge.

Burial.

39. The body of every offender executed shall be buried within the prison walls:

Provided that if the Governor is satisfied that there is no convenient place within the walls for such burial he may appoint some other fit place for that purpose.

Standing orders of Officer in Charge.

40. The Officer in Charge may, with the previous approval of the Governor, make standing orders to be observed in the execution of any sentence of death.

Transmission of documents.

41. (1) The aforementioned certificate, declaration and a duplicate of the inquisition shall be transmitted by the Officer in Charge to the Governor forthwith.

(2) Copies of the said documents shall be publicly exhibited outside the principal entrance to the prison as soon as possible after the execution and for a period of not less than twenty-four hours.

Saving as to legality.

42. Omission to comply with any provision of this Ordinance shall not of itself make the execution of judgment of death illegal.

Escaping.

43. Any prisoner who breaks or escapes from any prison or person having lawful custody of him shall be guilty of an offence and liable, on conviction or indictment, to imprisonment for a term not exceeding two years.

Attempts to escape.

44. Any prisoner who attempts to break or escape from prison or forcibly breaks out of his cell or makes any break therein with intent to escape therefrom shall be guilty of an offence and liable, on conviction, to imprisonment for a term not exceeding one year.

Aiding escape.

45. Any person who —

(a) aids a prisoner in escaping or attempting to escape from lawful custody; or

(b) conveys anything or causes anything to be conveyed into the prison with intent to facilitate the escape of a prisoner,

shall be guilty of an offence and liable, on conviction, to imprisonment for a term not exceeding two years.

46. (1) Any person who without lawful authority or excuse introduces into the prison or delivers to any prisoner any spiritous or fermented liquor, tobacco, intoxicating or poisonous drug or any other article prescribed as prohibited, or, being a prison officer, suffers anything hereinbefore in this section enumerated to be sold or used in the prison, shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

Forbidden articles.

(2) Every prison officer convicted of contravening any provision of subsection (1) of this section shall, in addition to any punishment, forfeit his office and all arrears of salary due to him.

47. Any person who without the permission of the Officer in Charge communicates or attempts to communicate with any prisoner, or conveys or attempts to convey any letter or other communication to or from any prisoner, shall be guilty of an offence and liable on summary conviction to a fine not exceeding ten pounds and, if a prison officer, shall also forfeit his office and all arrears of salary due to him.

Forbidden communica-
tions.

48. The Officer in Charge shall cause to be fixed in a conspicuous place outside the entrance to the prison a notice summarising the offences against this Ordinance and the punishment to which offenders are liable.

Notice of offences.

49. (1) Immediately on admission every convicted prisoner shall, if he has a right of appeal, be informed thereof and of conditions governing such appeal.

Appellants.

(2) Any prisoner who properly notifies the Officer in Charge of his intention to appeal shall be given all necessary facilities for prosecuting such appeal.

(3) From the date of entering into a recognizance to prosecute an appeal each prisoner shall be known and treated as an appellant.

(4) Subject to any direction of the Supreme Court, the time during which an appellant is in custody shall not count as part of his sentence, in which case the sentence shall commence from the date upon which the prisoner is taken into custody after the determination of the appeal.

50. (1) Every prisoner confined in the prison shall be deemed to be in the legal custody of the Officer in Charge, and shall not be removed from the prison before he becomes lawfully entitled to release save in the following cases —

Special removal of
prisoners.

- (a) in pursuance of any order or process of a court of justice;
- (b) in case of fire or sudden or urgent necessity;
- (c) for the purpose of work or recreation;
- (d) in any case in which the medical officer or, in case of emergency and in the absence of the medical officer, the Officer in Charge, may direct his removal to hospital for purposes of examination or treatment:

Provided that the Governor may order the removal of a prisoner to such other place of confinement as may be specified in the order for the purpose of enabling the prison to be altered, enlarged, repaired or rebuilt, or in case of a contagious or infectious disease breaking out in the prison, for the prisoner to appear before a court of examination, trial or as a witness, or for any other reasonable cause, and may at any time order that any such prisoner be returned to the prison.

(2) A prisoner who has been removed from the prison in pursuance of the provisions of this section shall, notwithstanding such removal, be deemed for the purposes of this Ordinance to be confined within the prison.

Removal of visitors.

51. The Officer in Charge may remove or cause to be removed from the prison any visitor to the prison whose conduct is improper.

Regulations.

52. The Governor may make regulations generally for giving effect to the provisions of this Ordinance, and in particular, but without prejudice to the generality of the foregoing regulations —

- (a) the management and discipline of the prison;
- (b) visits to and communications with prisoners;
- (c) the working of prisoners outside the prison walls.

Repeal.

(Part 2. Cap. 51)

53. Part 2 of the Police and Prisons Ordinance is hereby repealed.

Section 37 (1)

FIRST SCHEDULE

Certificate of Medical Officer

I A.B., the Prison Medical Officer, hereby certify that I this day examined the body of C.D., on whom judgment of death was this day executed in the prison and that on examination I found that the said C.D., was dead.

Dated this day of 19.....

(Signed) A.B.

Section 37 (2)

SECOND SCHEDULE

Declaration of Officer in Charge and others

We, the undersigned hereby declare that judgment of death was this day executed on C.D. in the prison in our presence.

(Signed) Officer in Charge.
 Prison Officer.
 Medical Officer.
 Chaplain.

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. 0836/II.

Assented to in Her Majesty's name this 1st day of November, 1966.

C. HASKARD,
Governor.



No. 6



1966.

Colony of the Falkland Islands.

IN THE FIFTEENTH 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 Pensions Ordinance, 1965.

Title.

(1st November, 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 Pensions (Amendment) Ordinance, 1966, and shall be read as one with the Pensions Ordinance, 1965, hereinafter referred to as the principal Ordinance.

Short title.

2. The definition "Public Service" in subsection (1) of section 2 of the principal Ordinance is amended —

Amendment of section 2.

- (a) by the deletion of the words "has determined" in paragraph (e) and the substitution therefor of the words "may determine";
- (b) by the deletion of the full stop at the end of paragraph (g) and the substitution therefor of a colon; and
- (c) by the addition after paragraph (g) of the following new paragraph —

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

Cap. 49.

Amendment of section 6.

3. Section 6 of the principal Ordinance is amended —

- (a) by the deletion of the full stop at the end of subsection (3) and the substitution therefor of a colon; and
- (b) by the addition after subsection (3) of the following proviso —

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

Amendment of section 16.

4. Section 16 of the principal Ordinance is amended —

- (a) by the insertion in subsection (2), immediately after the words and figures “regulation 24 of the Pensions Regulations” and the words and figures “regulation 23 of the Pensions Regulations” of the comma and figures “, 1965”;
- (b) by the deletion of the full stop at the end of subsection (3) and the substitution therefor of the following —
“or in the case of the death of an officer to whom section 16A applies.”; and
- (c) by the deletion in subsection (4) of the figures “1964” where those figures twice occur and the substitution therefor of the figures “1965”.

Addition of new section 16A.

5. The principal Ordinance is amended by the addition after section 16, of the following new section —

“Gratuity where non-pensionable officer dies in the service or as a result of injuries received whilst in the service.

16A. (1) Where an officer to whom this section applies dies while in public service under the Government of the Colony after serving in that public service for not less than five years, it shall be lawful for the Governor in Council to grant to his legal personal representative a gratuity at the rate herein specified for each complete year of that public service, that is to say:

- (a) for each of the first five years, one week's pay;
- (b) for each of the next five years, two weeks' pay; and
- (c) for each additional year, four weeks' pay;

Provided that the total amount of the gratuity shall not exceed the amount of one year's pay.

(2) Where an officer to whom this section applies dies as a result of injuries received in public service under the Government of the Colony in the circumstances specified in paragraphs (a) and (b) of subsection (1) of section 17 of this Ordinance before completing five years public service under that Government, it shall be lawful for the Governor in Council to grant to his legal personal representative a gratuity not exceeding five weeks' pay.

(3) This section applies to an officer who holds —

- (a) a non-pensionable office; or
- (b) a pensionable office in which he is not serving on probation and (if his appointment to that office is subject to confirmation) in which he has not been confirmed, and who is not eligible for the grant of a pension, gratuity or other allowance under this Ordinance (other than a pension under regulation 23 (4) of the Pensions Regulations 1965) or for the grant, under his terms of service, of a gratuity or a benefit under any other scheme of superannuation.”

- (4) For the purposes of this section —
- (a) “pay” means pay at the date of the officer’s death and includes any other allowance that the Governor in Council may see fit to include;
 - (b) an officer who, having held a non-pensionable office, holds a pensionable office in which he is serving on probation shall be deemed to hold a non-pensionable office and his pay shall be deemed to be the pay last received by him in respect of the non-pensionable office he previously held or the pensionable emoluments of the pensionable office held by him, whichever is the greater;
 - (c) in calculating the period in which any officer has served in public service under the Government of the Colony —
 - (i) subject to any general or special directions to the contrary that may be given by the Governor in Council only continuous service terminating at his retirement or death shall be taken into account;
 - (ii) no regard shall be had to any period of service for which he is eligible for the grant of or has been granted a pension, gratuity or other allowance under this Ordinance (other than a pension under regulation 23 (4) of the Pensions Regulations 1965) or, as provided under his terms of service, a gratuity or benefit under any other scheme of superannuation.

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. 0829/IV.

Assented to in Her Majesty's name this 1st day of November, 1966.

C. HASKARD,
Governor.

LS

No. 7



1966.

Colony of the Falkland Islands.

IN THE FIFTEENTH 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 Pensions Ordinance, 1965.

Date of commencement.

(1st November, 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 Pensions (Amendment) (No. 2) Ordinance, 1966.

Amendment of section 9.
(6 of 1965)

2. Section 9 of the Pensions Ordinance, 1965, is amended by —

(a) the deletion of the proviso to subsection (2) and the substitution therefor of the following —

“Provided that —

(a) Where an officer receives in respect of some period of public service both a gratuity and a pension, the amount of such pension shall be deemed for the purpose of this subsection to be —

(i) where the right to commute any part of a pension in return for the payment of a gratuity has been exercised or deemed to have been exercised, the amount as if that right had not been exercised or deemed to have been exercised, as the case may be; or

(ii) in all other cases, four-thirds of its actual amount.

- (b) No regard shall be had to any pension granted in respect of other public service attributable to service which has not been taken into account in determining the amount of the pension payable to an officer under this Ordinance.”; and
- (b) the deletion of subsection (4) and the substitution therefor of the following —
 - “(4) For the purpose of the preceding subsections —
 - (a) an additional pension granted in respect of injury shall not be taken into account; but where the officer is granted such additional pension under this Ordinance, the amount thereof together with the remainder of his pension or pensions shall not exceed five-sixths of the highest pensionable emoluments enjoyed by him at any time during his pensionable service; and
 - (b) any increase in or allowance to pension granted to or in respect of any pension drawn in respect of public service and the increase of allowance granted under the Pensions (Increase) Ordinance, 1959, or any Ordinance amending or replacing that Ordinance or any instrument in force in the public service, whether or not such instrument has the force of law, subsequent to the grant of the pension, such increase or allowance shall not be taken into account.”.

No. 12 of 1959.

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. 0829/IV.

Assented to in Her Majesty's name this 1st day of November, 1966.

C. HASKARD,
Governor.



No. 8



1966

Colony of the Falkland Islands.

IN THE FIFTEENTH 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 November, 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, 1966 and shall be read and construed as one with the Income Tax Ordinance, hereinafter referred to as the principal Ordinance.

Cap. 32.

Amendment of section 26 of the principal Ordinance.

2. Subsection (1) of section 26 of the principal Ordinance is hereby amended by the deletion of the proviso to the first paragraph and the substitution therefor of the following proviso —

“Provided that —

- (a) in the case of any non-resident person who is not a British subject, no deduction shall be allowed under sections 14, 15, 16 or 17 of this Ordinance; and
- (b) in the case of any non-resident person who is a British subject the total amount of the deductions to be allowed to him under sections 14, 15, 16 and 17 of this Ordinance shall not exceed an amount which would reduce the tax payable by him below the amount which bears the same proportion to the amount which would be payable by him if he were chargeable to tax on his total income from all sources, including income which is not subject to tax under this Ordinance, as the amount of his income subject to tax bears to such total income from all sources.”

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 1st day of November, 1966.

C. HASKARD,
Governor.



No. 9



1966

Colony of the Falkland Islands.

IN THE FIFTEENTH 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 November, 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 Income Tax (Amendment) (No. 2) Ordinance, 1966.

Short title.

2. Paragraph (a) of subsection (2A) of section 21 of the Income Tax Ordinance is amended by the deletion of the figures and word "17 and 19" and the substitution therefor of the word and figures "and 17".

Amendment of section 21.
(Cap. 32).

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. 0747/K/II.

Assented to in Her Majesty's name this 1st day of November, 1966.

C. HASKARD,
Governor.



No. 10



1966

Colony of the Falkland Islands.

IN THE FIFTEENTH 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 Old Age Pensions
Ordinance, 1952.

Date of commencement.

(1st July, 1965)

Enacting clause.

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

Short title and date of
commencement.

1. This Ordinance may be cited as the Old Age Pensions
(Amendment) Ordinance, 1966 and shall be deemed to have come
into force on 1st July, 1965.

Amendment of section 5.
(3 of 1952)

2. Subsection (1) of section 5 of the Old Age Pensions
Ordinance, 1952, is amended by the deletion of paragraphs (a) and
(b) and the substitution therefor of the following —

- “(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;
- (b) the person, if the widow of a contributor, shall be the
widow of a person who having satisfied the contribution
conditions of section 9 was between the age of 60 and 65
years at the time of his death;”.

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 1st day of November, 1966.

C. HASKARD,
Governor.

LS

No. 11



1966

Colony of the Falkland Islands.

IN THE FIFTEENTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

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

Governor.

An Ordinance

To give effect to Article 10 of International Labour Convention No. 115 concerning the Protection of Workers against Ionising Radiations. Title.

(1st November, 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 Ionising Radiations (Protection of Workers) Ordinance, 1966. Short title.

2. In this Ordinance —

Interpretation.

“Authority” means the Senior Medical Officer;

“Ionising radiations” means electromagnetic radiation (that is to say, X-ray or gamma ray protons or quanta) or corpuscular radiation (that is to say, alpha particles, beta particles, electrons, positrons, protons, neutrons, or heavy particles) being electromagnetic radiation or corpuscular radiation capable of producing ions and emitted from a machine or apparatus which is intended to produce ionising radiations, or from a machine or apparatus in which electrons are accelerated by a voltage of not less than five kilovolts;

"Proprietor", in relation to an undertaking, includes any person for the time being having the management or capital, or receiving the profits, of the business carried on in such undertaking, or employing any person engaged in such business.

Notification of commencement of work involving exposure to radiation.

3. Every proprietor of an undertaking shall before commencing therein any work involving the possible exposure to ionising radiation in the course of his work of any person employed or engaged in such work shall give to the Authority not less than one month's notice in writing of the date of the intended commencement of such work, and shall furnish to the Authority such particulars as the Authority may require.

Notification of date of installation of machines or apparatus producing radiation.

4. Without prejudice to the operation of section 3 of this Ordinance, any person who proposes to install, or causes to be installed, on any premises used for the purposes of an undertaking, any machine or apparatus which is capable of producing or emitting ionising radiations shall give to the Authority not less than one month's notice in writing of the proposed date of the installations.

Offences.

5. Any person who contravenes any of the provisions of section 3 or section 4 of this Ordinance shall be guilty of an offence and shall be liable on conviction to a fine not exceeding £100 or to imprisonment not exceeding three months or both.

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. 0535/XIV.

Assented to in Her Majesty's name this 1st day of November, 1966.

C. HASKARD,
Governor.



No. 12



1966

Colony of the Falkland Islands.

IN THE FIFTEENTH 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 British Nationality Ordinance.

Title.

(1st November, 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 British Nationality (Amendment) Ordinance, 1966.

Short title.

2. The British Nationality Ordinance is amended by the deletion of the Schedule and the substitution therefor of the following —

Replacement of Schedule.
(Cap. 6.)

"SCHEDULE

TABLE OF FEES

Section 3 (1)

Matter in which fee may be taken		Amount of fee		
		£	s.	d.
1.	Registration of a woman who is a British protected person or an alien as a citizen under s. 6 (2) of the British Nationality Act, 1948	1	10	0
2.	Registration of a woman as a British subject under s. 1 of the British Nationality Act, 1965.	1	10	0
3.	Registration of a minor who is a British protected person or an alien as a citizen under s. 7 of the British Nationality Act, 1948.			
	(a) Subject as hereinafter provided, where the minor is a British protected person;	6	0	0
	(b) Subject as hereinafter provided, where the minor is an alien;	12	10	0
	(c) If the application for the minor's registration was made at the same time as an application by one of his parents for a certificate of naturalisation;	1	10	0

(d) If the application for the minor's registration was made at the same time as an application for the registration of another minor child of the same parent, except in the case of the first child registered in pursuance of those applications.	1	10	0
4. Registration of a stateless person as a citizen under s. 1 of the British Nationality (No. 2) Act, 1964.	1	10	0
5. Grant of a certificate of naturalisation —			
(a) to a British protected person;	12	10	0
(b) to an alien.	25	0	0
6. Grant of a certificate of citizenship in case of doubt.	12	10	0
7. Registration of a declaration of intention to resume British nationality.	1	10	0
8. Registration of a declaration of renunciation of citizenship other than a declaration made in the circumstances mentioned in s. 1 (1) (a) of the British Nationality Act, 1964.	1	10	0
9. Supplying a certified true copy of any notice, certificate, order, declaration or entry given, granted or made by or under the British Nationality Act, 1948.	10	0	

For the purposes of this Schedule —

- (a) any reference to a child and his parent includes a reference to a step-child and his step-parent, to an illegitimate child and his mother and to an adopted child and his adoptive parent, and
- (b) where two or more children of the same parent are registered on the same occasion, the eldest of those children shall be treated as the first child registered on that occasion."

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. 2343.

Assented to in Her Majesty's name this 1st day of November, 1966.

C. HASKARD,
Governor.



No. 13



1966

Colony of the Falkland Islands.

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

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

An Ordinance

To enable a person to marry certain kin
of a former spouse. Title.

(1st November, 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 Marriage (Enabling) Ordinance, 1966.

Short title.

2. (1) No marriage hereafter contracted (whether in or out of the Colony) between a man and a woman who is the sister, aunt or niece of a former wife of his (whether living or not), or was formerly the wife of his brother, uncle or nephew (whether living or not), shall by reason of that relationship be void or voidable under any enactment or rule of law applying in the Colony as a marriage between persons within the prohibited degree of affinity.

Certain marriages not to be void.

(2) In the foregoing subsection words of kinship apply equally to kin of the whole blood and of the half blood.

(3) This section does not validate a marriage, if either party to it is at the time of the marriage domiciled in a country outside the Colony, and under the law of that country there cannot be a valid marriage between the parties.

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 1st day of November, 1966.

C. HASKARD,
Governor.

LS

No. 14



1966

Colony of the Falkland Islands.

IN THE FIFTEENTH 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 repeal the Ordinances relating to the application of Part I of the Administration of Justice Act, 1956, to the Colony.

Date of commencement.

(1st November, 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 Application of Enactments (Repeal) Ordinance, 1966.

Repeals

2 of 1962.
13 of 1962.

2. The Application of Enactments (Amendment) Ordinance, 1962, and the Application of Enactments (Amendment) (No. 2) Ordinance, 1962, are repealed.

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. 1994.

Assented to in Her Majesty's name this 1st day of November, 1966.

C. HASKARD,
Governor.

LS

No. 15



1966

Colony of the Falkland Islands.

IN THE FIFTEENTH 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.

(1st November, 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 Stanley Town Council (Amendment) Ordinance, 1966.

Short title.

2. Section 8 of the Stanley Town Council Ordinance is amended by deleting subsection (1) and substituting the following —

Amendment of section 8.
Cap. 68.

"Election and
tenure of
office of
elected
members.

8. (1) Elections shall be held biennially on the second Wednesday in the month of December. At each biennial election the more recently elected councillor in each ward shall remain in office and the other shall retire. Every elected councillor on retirement shall be eligible for re-election:

Provided that if the two elected councillors in a ward were elected at the same time the councillor who shall retire shall be determined by lot drawn by the Town Clerk at a meeting of the Council:

Provided further that a councillor elected to fill a casual vacancy shall hold office until the date upon which the person in whose place he is elected would regularly have retired and he shall then retire."

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.

ANNUAL STOCK RETURN FOR 1965-1966.

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	19	367	586	—	56	211	1,239
San Carlos Sheep Farming Co., Ltd.	San Carlos	404	6,922	9,437	266	2,608	5,848	25,485
R. M. Pitaluga & Company	Gibraltar	171	6,280	5,921	114	1,470	3,850	17,806
Falkland Islands Co., Ltd.	Darwin & Lafonia	2,533	55,903	58,031	1,760	14,902	32,766	165,895
" " " "	Fitzroy							
	& Green Patch	499	12,655	14,264	700	3,436	8,557	40,111
Smith Bros.	Berkeley Sound	244	4,522	5,807	153	1,506	3,213	15,445
Mrs. G. E. Browning								
& Estate J. W. McGill	Mullet Creek	28	450	770	114	130	251	1,743
Mrs. F. O. Yonge	Bluff Cove	105	783	1,867	—	281	871	3,907
Estate T. Robson	Port Louis	152	3,774	14,670	104	1,036	2,017	11,753
Douglas Station, Ltd.	Douglas	252	6,651	8,182	—	1,326	3,525	19,936
Port San Carlos, Ltd.	Port San Carlos	395	8,567	10,893	—	3,167	7,144	30,166
Teal Inlet, Ltd.	Evelyn	342	7,186	9,592	103	1,597	5,975	24,795
Estate H. J. Pitaluga	Rincon Grande	86	4,028	3,063	668	742	1,880	10,467
C. Bundes & R. Hills	Sparrow Cove	10	420	66	—	244	204	944
		5,240	118,508	133,149	3,982	32,501	76,312	369,692
WEST FALKLAND								
J. L. Waldron, Ltd.	Port Howard	443	11,325	13,699	—	4,050	9,105	38,622
Holmested Blake & Co., Ltd.	Hill Cove	387	11,515	10,815	868	2,940	6,514	33,039
Falkland Islands Co., Ltd.	Port Stephens	417	10,023	11,170	198	2,602	6,384	30,794
Falkland Islands Co., Ltd.	Fox Bay West	464	10,726	10,488	500	2,618	5,859	30,655
Packe Bros. & Co. Ltd.	Fox Bay East	323	8,868	9,620	40	2,523	6,098	27,472
Chartres Sheep Farming Company, Ltd.	Chartres	430	7,738	9,736	—	2,160	4,408	24,472
Bertrand & Felton, Ltd.	Roy Cove	202	7,129	7,006	91	1,819	4,177	20,424
		2,666	67,324	72,534	1,697	18,712	42,545	205,478
ISLANDS								
J. Hamilton, (Estates) Ltd.	Weddell Group	169	3,646	4,407	—	757	2,547	11,526
Dean Bros. Ltd. " "	Saunders	185	2,158	2,786	—	665	1,807	7,601
	Pebble & Keppel	196	6,947	6,239	219	1,716	4,047	19,364
	Jasons	20	697	721	—	167	462	2,067
C. & K. Bertr�nd	Carcass	43	1,056	506	—	218	465	2,288
J. Davis	New & Hummock	59	1,070	901	—	290	677	2,997
J. Lee	Sea Lion	13	557	610	47	128	350	1,705
R. B. Napier	West Point							
	& Dunbar	26	1,117	700	—	393	589	2,825
Falkland Islands Co., Ltd.	Speedwell Group	181	4,215	3,794	440	1,149	2,253	12,032
W. MacBeth	Sedge	12	156	408	—	—	14	590
		904	21,619	21,072	706	5,483	13,211	62,995

SUMMARY OF STOCK RETURNS 1961-1966.

EAST FALKLAND	...	...	...	...	5,240	118,508	133,149	3,982	32,501	76,312	369,692
WEST FALKLAND	...	...	...	...	2,666	67,324	72,534	1,697	18,712	42,545	205,478
ISLANDS	...	...	...	...	904	21,619	21,072	706	5,483	13,211	62,995
TOTALS					8,810	207,451	226,755	6,385	56,696	132,068	638,165
1965-1966					8,810	207,451	226,755	6,385	56,696	132,068	638,165
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

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

8.5	1,263	232	211	—	3	2	—	—	—	Fork & Slit.
172.7	22,779	6,754	5,848	2,149	192	491	—	325	12	Front Square.
119.2	15,192	4,238	3,850	1,437	80	172	2	174	—	Fore Bayonet.
1,367.5	150,879	38,371	32,766	14,647	963	3,146	—	—	35	Double Swallow.
270.3	34,118	9,479	8,557	3,999	245	809	—	246	—	" "
92.7	13,416	3,661	3,213	784	36	207	—	115	—	Triangle.
8.3	1,335	319	251	186	—	26	—	64	—	Back Bayonet.
16.2	2,851	886	871	245	29	64	—	56	—	Fore Bayonet &
87.0	10,529	2,435	2,017	1,019	66	196	—	—	—	Fork. [Back Slit.
127.3	17,833	4,070	3,525	1,143	156	268	—	182	8	Fork.
221.3	26,245	8,063	7,144	2,782	128	533	—	—	—	Slit.
163.7	21,960	6,988	5,975	2,475	109	313	—	213	6	Back Square.
72.3	9,178	1,986	1,880	1,030	74	135	—	76	—	Slit.
11.2	1,252	232	204	310	2	—	—	7	—	Fore Bayonet.
2,738.2	328,830	87,714	76,312	32,206	2,083	6,362	2	1,458	61	

WEST FALKLAND

292.4	34,914	9,820	9,105	4,261	213	1,151	3	—	58	Fork.
244.2	29,273	6,522	6,514	2,205	168	464	2	—	—	Fore Bayonet.
203.5	25,680	6,018	5,304	1,635	188	515	—	231	5	Double Swallow.
235.2	27,128	6,493	5,859	1,811	124	199	—	112	10	Fore Bayonet.
233.0	24,949	6,733	6,098	3,541	191	469	—	435	20	Fore Bit.
184.8	21,670	5,192	4,408	2,153	193	424	2	311	10	Double Swallow.
175.7	18,036	4,425	4,177	1,770	93	293	1	—	—	Front Square.
1,568.8	181,650	45,203	41,465	17,376	1,170	3,515	8	1,089	103	

ISLANDS

93.1	9,602	2,589	2,547	539	98	253	—	160	—	Fork.
58.0	6,651	1,925	1,807	865	20	117	—	—	—	"
146.3	17,445	4,221	4,047	1,986	106	370	—	317	8	Back Bayonet.
22.3	1,826	462	462	237	—	—	—	—	—	"
25.7	2,208	477	—	351	8	20	—	84	—	Fore Bayonet.
31.2	2,821	694	677	400	6	38	—	57	—	Fork.
15.9	1,452	356	350	54	4	18	—	21	—	Slit.
25.6	2,582	610	—	386	9	47	—	153	—	Back Square.
117.8	11,226	3,623	2,253	2,374	12	308	—	—	—	Double Swallow.
3.8	275	14	—	20	2	3	—	24	—	Fore Bayonet.
539.7	56,088	14,971	12,143	7,212	265	1,174	—	816	8	

2,738	328,830	87,714	76,312	32,206	2,083	6,362	2	1,458	61	
1,569	181,650	45,203	41,465	17,376	1,170	3,515	8	1,089	103	
540	56,088	14,971	12,143	7,212	265	1,174	—	816	8	
4,847	566,568	147,888	129,920	56,794	3,518	11,051	10	3,363	172	
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	109¼	

SHEEP DISPOSED OF

YEAR	SOLD LOCALLY FOR BREEDING OR FURTHER USE	EXPORTED	SLAUGHTERED			
			MINK FARM	MUTTON	TALLOW	SKINS
1965-1966	4,333	—	535	22,599	—	26,281
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

IMPORTATIONS

From UNITED KINGDOM		From CHILE
Rams	Dogs	Rams
4	4	6

TOWN COUNCIL ESTIMATES, 1967.

Service.	Actual 1965.		Approved Estimate 1966.		Revised Estimate 1966		Estimate 1967.	
	£	£	£	£	£	£	£	£
REVENUE.								
I. CEMETERY		73		50		80		85
II. MISCELLANEOUS								
a. Misc.	73		30		36		35	
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	207		160		205		203	
		516		426		477		474
III. LIBRARY		77		60		80		70
IV. GENERAL RATE								
a. Rate	2829		2800		2800		3500	
b. Govt. Contribution ...	825		825		825		825	
		3654		3625		3625		4325
V. WATER RATE								
a. Rate	681		660		725		740	
b. Sales	446		450		350		350	
		1127		1110		1075		1090
VI. TOWN HALL								
a. Hirings	717		600		700		650	
b. Govt. Contribution ...	587		802		621		863	
		1304		1402		1321		1513
VII. ADVANCES REPAID ...						60		226
VIII. SALE OF PEAT								
TRANSFERS TO REVENUE								
a. Museum Account ...	9							
b. Town Council Charitable Relief ...	16							
c. Insurance Claim ...	11							
		36						
Special Government Grant: Town Hall Floor		400						
		7187		6673		6718		7783
EXPENDITURE.								
I. TOWN CLERK		549		623		660		668
II. CEMETERY								
a. Wages	531		565		590		600	
b. Upkeep	75		100		30		100	
		606		665		620		700
III. FIRE BRIGADE								
a. Wages	108		115		114		114	
b. Upkeep	149		200		275		300	
		257		315		389		414
IV. LIBRARY								
a. Wages	198		198		224		300	
b. Upkeep	269		250		250		250	
		467		448		474		550
Carried forward ...		1879		2051		2143		2332

Service.	Actual 1965.		Approved Estimate 1966.		Revised Estimate 1966.		Estimate 1967.	
	£	£	£	£	£	£	£	£
<i>Brought forward ...</i>		1879		2151		2143		2332
V. MISCELLANEOUS								
a. Telephones ...	49		52		57		57	
b. Stationery ...	3		3		10		5	
c. Old Age Pensions ...	32		35		36		36	
d. Elections ...	—		—		—		—	
e. Audit ...	—		40		20		20	
f. Insurance ...	46		96		148		98	
g. Unforeseen ...	28		30		10		25	
		158		256		281		241
VI. SCAVENGING								
a. Ash Contract ...	1220		1220		1220		1220	
b. Rodent Control ...	52		60		60		60	
		1272		1280		1280		1280
VII. STREET LIGHTS								
a. Current ...	743		800		690		800	
b. Repairs ...	76		80		100		100	
		819		880		790		900
VIII. TOWN HALL								
a. Wages ...	716		660		660		700	
b. Fuel ...	431		1600		610		1100	
c. Light ...	223		220		240		240	
d. Care & Maintenance ...	94		100		220		125	
e. Cleaning ...	35		45		20		40	
		1499		2625		1750		2205
IX. WATER SUPPLY								
a. Ships ...	121		150		140		150	
b. Connections ...	—		10		10		10	
		121		160		150		160
X. ARCH GREEN ...		103		100		85		100
XI. CEMETERY COTTAGE		200		225		40		100
XII. REFUND TO GOVERNMENT FROM SALE OF PEAT						27		110
EXTRAORDINARY EXPENDITURE								
a. Town Hall Improvement	203		150		30		50	
b. Town Hall Floor ...	767		250		105		—	
c. Town Hall Oil Heating ... Installation	2		800		385		—	
		972		1200		520		50
		7023		8777		7066		7478

J. Leonard,
Town Clerk.
17.10.66.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXV.

1 DECEMBER, 1966.

No. 15.

Acting Appointments

Leslie Charles Gleadell, M.L.C., J.P., Acting Colonial Secretary, 30.5.66 - 5.11.66.

Harold Theodore Rowlands, Acting Colonial Treasurer, 30.5.66 - 5.11.66.

Resignation

David Kerry Luxton, Watch Operator, Posts and Telecommunications Department, 25.9.66.

Termination of Appointment

Luis H. Castro de Arriado, Cook/Steward, Administrative Officer's House, South Georgia, appointment terminated 20.11.66.

NOTICES

No. 42. 11th November, 1966.

Executive Council Appointment

Dr. R. S. Slessor, O.B.E., served as a Member of Executive Council from the 10th June 1966 to the 5th November 1966 inclusive. Ref. 2103/B.

No. 43. 17th November, 1966.

**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 12th November 1966. Ref. 0457/II.

No. 44. 24th November, 1966.

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.
2/66	Murder (Abolition of Death Penalty) Ordinance, 1966	0790.

Treasury Notice

The public are advised that Falkland Islands £1 Currency Notes of the 'C' series will cease to be legal tender as from 1st January, 1967. Persons who come into possession of any of these notes after 31st December, 1966, may exchange them at the Treasury for notes of the 'D' or 'E' series.

Only £1 notes are affected. Notes of the 10/- and £5 denominations bearing the serial letter 'C' continue to be legal tender.

8th July, 1966.

In the Supreme Court of the Falkland Islands**Notice under the Trustee Act, 1925.**

In the matter of Thomas Rutherford McKay, 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 Harold Bennett of Stanley, Falkland Islands, who is the Official Administrator appointed to Administer the estate of the said deceased not later than the 31st January, 1967, after which time the Official Administrator intends to distribute the estate of the said Thomas Rutherford McKay 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,
Official Administrator.

Stanley, Falkland Islands,
1st December, 1966.
S.C. 24/66.

In the Supreme Court of the Falkland Islands**Notice under the Trustee Act, 1925.**

In the matter of Mary Ann Biggs, 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 Harold Bennett of Stanley, Falkland Islands who is sole Executor of the will of the said Mary Ann Biggs not later than the 31st day of January, 1967, after which time the Executor intends to distribute the estate of the said Mary Ann Biggs 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,
1st December, 1966.
S.C. 38/66.

A Bill for An Ordinance

Title.

To legalise certain payments made in the year 1965-66 in excess of the Expenditure sanctioned by Ordinance No. 8 of 1965.

Preamble.

WHEREAS it is expedient to make further provision for the service of the Colony for the period 1st July, 1965 to 30th June, 1966.

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 (1965-66) Ordinance, 1967.

Appropriation of excess expenditure for the period 1st July, 1965 to 30th June, 1966.

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, 1965 to 30th June, 1966, the same are hereby declared to have been duly laid out and expended for the service of the Colony in that period, and are hereby approved, allowed and granted in addition to the sum mentioned for those services in the said Ordinance.

Schedule.

SCHEDULE

Number	HEAD OF SERVICE	Amount					
		£	s.	d.			
FALKLAND ISLANDS							
IV.	Aviation	...	...	...	1,050	18	2
V.	Customs & Harbour	...	...	...	354	7	6
VIII.	Meteorological	...	...	...	14	15	2
IX.	Military	...	...	...	137	6	4
X.	Miscellaneous	...	...	...	11,281	3	5
XI.	Pensions & Gratuities	...	...	...	394	9	6
XIV.	Power & Electrical	...	...	...	2,633	15	8
XVI.	Public Works Recurrent	...	...	...	7,307	1	9
XIX.	Social Welfare	...	...	...	1,118	11	0
Total Expenditure					£ 24,292	8	6

Ref. 0284/XVIII.



THE
FALKLAND ISLANDS GAZETTE
Supplement No. 3

16th DECEMBER, 1966

MINUTES OF THE MEETING OF LEGISLATIVE COUNCIL
HELD AT STANLEY ON 26TH OCTOBER 1966.

The Council assembled at 9.30 a.m.

His Excellency the Governor (Sir Cosmo Haskard,
K.C.M.G., M.B.E.) presiding.

Present

The Honourable The Acting Colonial Secretary (Mr. L.C. Gleadell, J.P.)
The Honourable The Acting Colonial Treasurer (Mr. H.T. Rowlands)
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 Mr. L.G. Blake, M.L.C., (Nominated Independent Member for West
Falkland)
The Honourable Mr. F.J. Cheek, M.L.C., (Second Elected Member for Stanley)
The Honourable Mrs. M. Vinson, M.L.C., (Elected Member for East Falkland)

Prayer

The prayer was read by the Reverend P.J. Millam.

Confirmation of Minutes

The minutes of the meeting of Legislative Council held on 11th, 12th and 13th May 1966, were confirmed.

Address by the President

Honourable Members:

Before proceeding with the business on the Order Paper I should like to say something about the events of the last few weeks here in the Falklands while I was away in England.

You have been very much in the news as a result of the Argentine DC4 incident. Although I did not participate in the occurrences of those days due to my absence, I feel that action taken here was admirably summed up in the message which the Secretary of State sent to the Officer Administering the Government in which occurred a phrase which seems to me to have been extremely appropriate to the situation: "We much admired the combination of firmness and restraint which averted consequences which could so easily have turned to tragedy".

I would like to take this opportunity publicly to thank all those who contributed to the sane and sensible ending to the incident.

If one could not be here to participate in person, I think that the Commonwealth Office in London provided the best source of news outside the Colony. I was there when the first message came through the press in London from the wireless operator in the Argentine plane, saying that the aircraft had been taken over in mid flight and was being directed to the Falkland Islands. Soon afterwards, thanks to the initiative of people here, we knew that the plane had landed. There followed of course a series of telegrams in and out of London and it was certainly heartening to see the zeal with which action was taken in Whitehall on our behalf. Late that night, after a long and somewhat anxious day in London, I was crossing Parliament Square. It was beautiful autumn weather and Big Ben and the Abbey were floodlit and the chimes of Big Ben were striking and I must say I felt immensely grateful that the sound common sense of people here had brought this particular escapade under control.

You here all know far more of the details of the story than I do but I would like once more just to say thank you to all those who did such an excellent job of work here in Stanley and in the camp.

Of course from that incident we have learned lessons and those who are responsible for the safeguarding of these islands have taken or planned appropriate precautions.

I should like to turn now for a moment to my own travels. Before going to London, as you know, I saw members of Executive Council and of Legislative Council and a number of other people in order to make certain that when I went to England I should go equipped with an up-to-date idea of the views of people here in the Colony. At the time of my departure I received several very heartening messages from people here in the islands, including messages from Honourable Members of this Council.

While I have been away I have had opportunities for meetings with the Secretary of State, Mr. Lee, whom I saw on four occasions. I met Lord Walston, Minister of State in the Foreign Office, Sir Saville Garner who is head of the Diplomatic Service and Permanent Under Secretary of State at the Commonwealth Office, senior officials at the Foreign Office, Sir Michael Creswell, British Ambassador in Buenos Aires, Sir Keith Unwin, the British Ambassador in Montevideo, and senior officials in the Commonwealth Office. I was also able to see my predecessor Sir Edwin Arrowsmith, Mr. A.J. Blake, Mr. Ainslie, Mr. Waldron, Mr. Cameron, Sir Vivian Fuchs and a large number of other people connected with the Falkland Islands.

My very full discussions with people at home convinced me that they completely understand that the people of this Colony are British, and that they ask only to be allowed to lead their own lives without being disturbed and that their robustly pro British sentiments come from the heart. Before I went I rather wondered the extent to which people in authority at home really appreciated this. I am glad to say that I came away convinced that those in authority, from the Secretary of State downwards, do indeed realise these facts and that the next round of talks with Argentina will be approached with the interests of the British population of these islands very much in mind.

As I think Honourable Members are aware, the talks have been postponed until the latter part of November and at the moment I am not in a position to say more on the subject. I would ask you to be patient and, as soon as I am able to make an announcement, I shall do so.

Resolution

The Acting Colonial Treasurer moved the adoption of the following Resolution:

"BE IT RESOLVED that the Report of the Standing Finance Committee for the period December 1965 to May 1966 be adopted".

The Acting Colonial Secretary seconded and the motion was put and carried.

BILLS

The Prisons Bill

The Acting Colonial Secretary: Your Excellency, the existing legislation for the maintenance of a prison in this Colony can be found in Part 2 of the Police and Prisons Ordinance. It consists of eight paragraphs and has been severely criticised by the Legal Advisers to the Secretary of State on the grounds that it leaves too much unsaid and provides neither prison officer nor prisoner with adequate safeguards.

The Bill now before Council has been drawn up by our Legal Adviser in the United Kingdom and has been described by the Commonwealth Office as extremely comprehensive. Compared with the existing Ordinance it is a lengthy document but when one goes carefully through its provisions it will be found that there is nothing, with perhaps one possible exception, that is not necessary. The powers and duties of the prison staff are defined, the manner in which prisoners are to be treated is set out (and they are protected in this respect by their right to appeal to the visiting justices) and there is provision for prisoners to receive adequate medical care and attention including, if need be, removal to hospital. There is provision for the cells to be certified as fit places from the health point of view in which to confine prisoners and there is the well known provision for part remission of sentences in certain circumstances. There is provision also for

Ministers of Religion to visit prisoners for religious services to be celebrated. In fact there is every reason to believe that this Bill is a good example of twentieth century thinking in matters of this nature.

There is possibly one exception in this Bill to what is absolutely necessary. Clauses 34 - 42 deal with the arrangements for the carrying out of executions. The debate in Legislative Council on the suspension of the death penalty will still be clear in the minds of members and it might appear somewhat unusual to provide in this Bill for the carrying out of the sentence of death when there exists no law that authorizes the imposition of the death penalty. The abolition of the death penalty is in force for a period of only five years when it will expire unless the Legislature determines otherwise. In these circumstances it is considered that for the time being provision for the carrying out of death sentences should remain in the prisons law.

When the Bill reaches the committee stage amendments will be introduced to remove from Clauses 18, 19 and 43 references to penal servitude. This form of punishment no longer exists in our penal code and its inclusion in the Bill is an oversight. Also at the committee stage an amendment will be introduced to repeal existing prison legislation which this Bill is designed to replace.

I beg to move the first reading of the Bill.

The Acting Colonial Treasurer seconded and the Bill was read accordingly.

On further motion made and seconded, the Bill received its second reading.

Council went into committee to consider the Bill clause by clause and the following amendments were agreed to:

- Clause 18 Delete the words "or penal servitude"
- Clause 19 Delete the words "or penal servitude"
- Clause 43 Delete the words "to penal servitude for a term not exceeding three years, or".

Add the following new clause:

"53. Part 2 of the Police and Prisons Ordinance is hereby repealed".

The Bill was then read a third time and passed.

The Marriage Enabling Bill

The Acting Colonial Secretary: Your Excellency, the passing of this Bill will allow a marriage between a man and a sister, aunt or niece of his former wife, between a man and the former wife of his brother, uncle or nephew, between a woman and an uncle, brother or nephew of her former husband or between a woman and the former husband of her aunt, sister or niece. Whatever the reasons for the earlier restrictions on marriages between the parties listed, modern British thinking no longer supports them and it is proposed to bring Colony legislation into line. The Bill itself only refers to the man and the various female kinship: interpretation of the law, unless otherwise provided, may be applied equally in the feminine sense.

I beg to move that the Bill be read a first time.

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

On further motion made and seconded the Bill received its second reading.

The Bill then passed through the committee stage without amendment and was read a third time and passed.

The Pensions (Amendment) Bill

The Acting Colonial Secretary: Your Excellency, this Bill seeks only to improve the legal presentation of the Pensions Ordinance. In clause 2(a) the expression "has determined" suggests things done before the introduction of the Ordinance whereas the intention is that the Secretary of State may determine things at any time after the introduction of the Ordinance. It is therefore proposed that the words "has determined" should be altered to read "may determine". In this printed clause there is a reference to paragraph (c). In fact it should be paragraph (e) and in the committee stage I shall move that this be amended.

In clause 2(c) the object is to recognize that the 1954 Ordinance replaced the 1949 Ordinance. It omitted, however, to include the provision for recognition of public service under the 1949 Ordinance.

Clause 3. Section 6(3) of the principal Ordinance provides for the payment of a gratuity to, and I quote "officers 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." Regulation 23 deals with officers who are injured or contract diseases in the discharge of their duties so that in effect section 6(3) is intended for officers who are not serving on pensionable terms. It is thought that this point should be clarified by adding the words at (b) of this clause.

Clause 4. Section 6 of the principal Ordinance refers to the Pensions Regulations and the Pensions Regulations 1964. In fact the Regulations were introduced in 1965 and the object is to add or substitute the date as the case may be.

Clause 5 is by far the largest clause of this Bill. The proposal is to insert a new section in the Ordinance. It is not new in the sense that a new provision is to be introduced but because it is now felt that the subject - that of gratuities payable to non pensionable officers who die in the service or die as a result of injuries received while in the service - should be contained in the body of the principal Ordinance rather than in the Regulations where provision can presently be found. The proposal is simply that what is written in Clause 5 should be transferred from the Regulations to the Ordinance. It is a matter of legal presentation and the policy remains unchanged.

I beg to move the first reading of the Bill.

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 on to the committee stage where the following amendment was agreed to.

Clause 2(a) Amend "(c)" to read "(e)".

The Bill was then read a third time and passed.

The Pensions (Amendment) (No. 2) Bill

The Acting Colonial Secretary:

Your Excellency, attention has been drawn to two points of the 1965 Pensions Law where doubt may arise as to what is intended. The first deals with section 9 (2) and the limiting of a pension to two-thirds of the highest pensionable emoluments received by the officer at any time in the course of his public service. In assessing the limitation imposed by this provision it is possible to interpret it as requiring account to be taken of a pension granted in respect of earlier service which is not recognized as public service under our Ordinance. This is clearly not the intention and the revised proviso to sub-section 9 (2), particularly that part in (b), makes it clear beyond doubt. The second point refers to section 9 (4). This provides for the limitation of two-thirds to be exceeded in certain circumstances. It has been pointed out that it should go rather further, for strictly speaking it is not possible for any pensioner to receive benefit from pensions increases if and when his total pension reaches two-thirds of the highest pensionable emolument of his service. It is the intention that awards sub-

sequent to the retirement should not be limited by provisions intended exclusively for the purposes of awarding the initial pension and (b) of the recast section 9 (4) makes this adequately clear.

I beg to move the first reading of the Bill.

The Acting Colonial Treasurer seconded. The Bill was read a first time and on further motion made and seconded, was read a second time.

The Bill passed its committee stage without amendment and was read a third time and passed.

The Stanley Town Council (Amendment) Bill

The Acting Colonial Secretary: Your Excellency, consideration has been given over the past year or so to removing from the Town Council Ordinance the condition that prevents retiring councillors from immediately seeking re-election. Ordinance No. 4 of 1965 was designed for this purpose but some doubt exists as to whether the desired result was actually achieved. It is possible to read the amended section in such a manner that a retiring councillor cannot present himself for immediate re-election. The section that deals with this subject, section 8(1), presumes that the councillors for each ward were elected at different times and that it meets the requirements of the Council to refer to them as "the more recent elected councillor" and "the other councillor". It might well be that both councillors were elected at the same time in which case neither can claim to be the more recently elected one or the other. The object of this Bill is to remove these elements of confusion and to make it quite clear that a retiring councillor can stand for re-election immediately and where difficulties with regard to councillors who were elected on the same day arise the issue as to which should retire should be decided by lot drawn by the Town Clerk at a meeting of the council.

I beg to move the first reading of the Bill.

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

On **further** motions made and seconded the Bill passed through all its stages without amendment and was read a third time and committed.

The Application of Enactments (Repeal) Bill

The Acting Colonial Secretary:

Your Excellency, Falkland Islands Ordinance No. 2 of 1962 and the Application of Enactments (Amendment) Ordinance, 1962 sought to extend to the territory certain provisions of the United Kingdom Administration of Justice Act, 1956. Legal advice has now been given that in fact these Ordinances are invalid. The Supreme Court of the Falkland Islands has the Admiralty Jurisdiction conferred by the Colonial Courts of Admiralty Act, 1890 and local legislation cannot modify what Parliament has done in this respect. Modification can only be made by an Order under section 56 of the 1956 Act. Arrangements are in hand for extending the Order in Council to the Colony. The Bill before Council seeks only to rectify an error in procedure.

I beg to move the first reading of the Bill.

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

On further motions made and seconded the Bill passed without amendment through all its stages and was committed.

The British Nationality (Amendment) Bill

The Acting Colonial Secretary: Your Excellency, it is usual for the Government of dependent territories to impose the same fees as are imposed by the Home Office in respect of applications for British Nationality.

There have recently been changes in the United Kingdom scale of fees and the object of the Bill now before Council is to once again bring our fees into line. This amended scale of fees introduces one or two new items that have not appeared before and which perhaps I could explain. The first item in the Schedule refers to the registration of a woman who is a British protected person or an alien or a citizen under the British Nationality Act, 1948. That section of the United Kingdom Act refers to a woman who has married a citizen of the United Kingdom and Colonies. She may be registered as a citizen of the United Kingdom and Colonies provided she is a British protected person or an alien on taking oath of allegiance: it will cost her £1. 10. -. Part 2 of this table of fees - registration of a woman under section 1 of the British Nationality Act, 1965 - refers to the registration as British subjects of alien women being married to persons who are British subjects without citizenship. No. 8 in the scale of fees - registration and declaration of renunciation of citizenship other than a declaration made in the circumstances stated in 1(1) (a) of the British Nationality Act, 1964 - section 1(1) (a) of the Act 1964 refers to the resumption of citizenship which may be obtained if a person satisfies the Secretary of State that at the time he made a declaration he was or was about to become a citizen of another country and could not have remained or become a citizen but for the declaration or had reasonable cause to believe that he would be deprived of the citizenship of that country unless he made that declaration. With these exceptions the scale of the fees listed is largely the same as before except that the fees in most cases are increased.

I beg to move the first reading of the Bill.

The Acting Colonial Treasurer seconded the motion and on further motions made and seconded the Bill passed through all its stages without amendment and was committed.

The Income Tax (Amendment) Bill

Acting Colonial Secretary: Your Excellency, this Bill refers to section 26 (1) of the Income Tax Ordinance. This section permits non-resident British subjects who are in receipt of an income arising in the Colony to claim full deductions in respect of their liability to Colony income tax irrespective of whether they have other incomes or not. So far as the taxpayer is concerned this is of little use to him, for having been permitted a reduction in respect of his Colony assessment he is disqualified from making a similar claim in respect of his assessment in his country of residence. In effect the arrangement amounts to a gift by the Falkland Islands government to the government of the country where the taxpayer resides. It is felt that this act of generosity on the part of the Falkland Islands government should cease and that our law should be amended to bear closer relation to what is accepted practice elsewhere. The Bill proposes that as from 1st January 1967 non-resident British taxpayers should be required to declare their total world income and that the deductions they claim shall be so limited the tax payable on the income arising in the Colony shall bear the same proportion to the tax that would have been paid if the entire income were subject to Colony tax as the income subject to Colony tax bears to his total world income.

Also it is the intention of the Ordinance as it stands that deductions shall not be permitted where non-resident taxpayers are not British subjects. The deductions that shall not be allowed are described in 26 (1) and for reasons not entirely known but thought to be the introductions of new deductions after the framing of the original Ordinance it is still possible for taxpayers who are non-resident non-British to claim deductions in respect of a female guardian for children and an infirm relative. Part of the Bill which we are now considering, Part 2(a), refers to the sections of the Ordinance that permits deductions and all are to be disallowed where the taxpayer is non-resident non-British. He may of course claim these deductions in his country of residence.

I beg to move the first reading of the Bill.

The Acting Colonial Treasurer seconded the motion and on further motions made and seconded the Bill passed through all its stages without amendment

and was committed.

The Income Tax (Amendment) (No. 2) Bill

Acting Colonial Secretary: Your Excellency, this Bill refers to section 21 (2) (a) of the Income Tax Ordinance. There is a reference in (a) of this section to section 19 of the Income Tax Ordinance. The object of this reference was to exclude from the assessment of profits tax the special reduction permitted by section 19 to companies registered in the Colony, the majority of whose shares were held by persons who resided in the Colony. This special reduction has since been removed from the Ordinance and for a while there was no section 19. A recent addition to the Ordinance was a restriction to the amount that may be claimed in respect of directors' fees and this was brought in as section 19. As this restriction applies equally to profits tax as to income tax the reference in section 21 (2) (a) excluding section 19 from the assessment of profits tax requires amendment and the object of this Bill is to amend it.

I beg to move the first reading of the Bill.

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

On further motion made and seconded the Bill passed through all its stages without amendment and was read a third time and committed.

The Ionising Radiations (Protection of Workers) Bill

The Acting Colonial Secretary: Your Excellency this Bill is taken from a model provided by the Secretary of State. Its practical application in this Colony might be difficult to envisage but in accordance with Article 35 of the constitution of the International Labour Organisation it is necessary for a declaration to be made concerning the application of this Convention to these territories for whose international relations Her Majesty's Government is responsible. The Convention applies to all activities involving exposure of workers to ionising radiations during the course of their work except where exemption is given owing to the limited doses of ionising radiation which can be received. The only place in the Colony where people are likely to be exposed to ionising radiation is the hospital and there exists a special hospital code that satisfies the requirements of the Convention. It may well be of course at some later date radiation of a type described in the Bill may be introduced into the Colony and in such an event we shall be provided with legislation that satisfies international requirements.

I beg to move the first reading of the Bill.

The Acting Colonial Treasurer seconded the motion and on further motions made and seconded the Bill passed through all its stages without amendment and was committed.

The Old Age Pensions (Amendment) Bill

The Acting Colonial Secretary: Your Excellency, following the extension of the Old Age Pensions Ordinance to female contributors the minimum age for the receipt of a pension was fixed at 65 years of age. Previously it had been possible for a widow of a pensioner or a fully paid up contributor to be granted a pension irrespective of her age. A feature of the change in the law which fixed the minimum age of 65 is that a woman who is the wife of a pensioner and who is not over the age of 65 years when her husband dies cannot qualify for a pension despite the fact that her husband received a pension in respect of his wife. An element of hardship creeps in but at the same time one must take care to keep the Ordinance in the bounds of its title, that is old age. The object of this Bill is to make it possible for such widows to be awarded a pension on their husband's death provided they were over 60 on the day their husband died. This applies only to women who were 60 or over on the day of their husband's death. Women widowed before reaching the age of 60 will not be eligible for a pension until their 65th birthday.

It has been found necessary to make several amendments to section 5 of the Ordinance to give effect to this proposal but the only difference in the meaning of the section is as has been described. The Bill omits to say that the intention is that the amendment should take effect from the 1st July 1965 and I should like, in the committee stage, to have that provision added to the Bill as printed. I would also like in the committee stage to alter slightly the wording of clause 2(a) by omitting the words "she" and "but under 65 years" so that clause 2(a) shall read "The person shall have attained the age of 65 years or in the case of a widow of a pensioner was over the age of 60 years at the time of her husband's death".

I beg to move the first reading of the Bill.

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

The Acting Colonial Secretary seconded by the Acting Colonial Treasurer moved the second reading of the Bill.

Mr. Blake: Your Excellency, Honourable Members, it seems that when we modified the Old Age Pensions Bill in 1965 we weren't particularly observant in that we removed all pensions from widows, or I gather so, until she is 65. I believe it is general practice in the United Kingdom that a female becomes pensionable on reaching the age of 60 and a male at the age of 65. It is considered that a female's working life is shorter than that of a male and I would like to see included in this Bill not only the widow of a pensioner or a fully paid contributor over the age of 60 receiving a pension, I would like to see the general reduction for females, either contributors or widows of contributors reduced, to 60 years.

The President: Would the Honourable Member wish to move a motion to that effect at this meeting or would it perhaps be your wish to draw attention to this so that the matter can be discussed at a further meeting?

Mr. Blake: Your Excellency, I would prefer to draw attention to this so that it may be discussed at a further meeting. I believe procedurally I have to give notice to Government of amendments of 14 days. Well 14 hours would have been difficult as I only received this Bill 24 hours ago so I would like to draw attention of Government to this fact so that consideration may be given for the future.

The President: Thank you very much.

The Acting Colonial Secretary: Your Excellency, that will be done.

The point I would like to remind the Honourable Member about is that one just cannot extend the pensionable ages without taking a great deal of notice of the fund. Old age pensions are not paid out of the revenue, they are paid out of a fund and the amount that is paid depends on what the fund can afford. If one starts reducing the qualifying age as everybody would like to, the result might be that pensions for everybody are that much smaller. It is a matter than can be looked into, and will be looked into.

The President: Any other Honourable Member wish to speak on this motion?

In the absence of any other speaker the Bill will be read a second time.

The Bill was read a second time and the President declared Council to be in committee.

The President: Would the Honourable the Colonial Secretary like to inform Members why it is suggested that it be deemed to come into force on 1st July last year.

The Acting Colonial Secretary: Yes sir, the extension of the provisions of the Old Age Pensions Ordinance to female contributors took effect on 1st July 1965 and that is the day that the widows who are now given special consideration were, shall we say, deprived of their right to have a pension at an earlier age than 65. If we go back to that date we can bring in two ladies who have suffered in this way.

The following amendments were agreed to:

Clause 1 After the figures "1966" add "and shall be deemed to have come into force on 1st July 1965"

Clause 2(a) Delete the words "she" and "but under 65 years" where they occur in the second and third lines respectively.

On further motion made and seconded the Bill was read a third time and passed.

Motion for Adjournment

The Acting Colonial Secretary, seconded by the Acting Colonial Treasurer, moved the motion for adjournment.

The motion was put and carried and the House adjourned sine die.