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THE FALKLAND ISLANDS GAZETTE

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2 JANUARY 1967

No. 1.

Appointments

Ivan Hector Morrison, Senior Painter, Public Works Department, 20.12.66.

Miss Barbara Anne McOrmond, Assistant Mistress, Education Department, 20.12.66.

Richard Robert Lambourne, Camp Teacher, Education Department, 20.12.66.

Acting Appointments

John Dolan Williams, Officer in Charge Police, 22.10.66 - 19.12.66.

Robert Stewart, Filtration Plant Operator, Public Works Department, 1.8.66 - 19.12.66.

Resignation

Mrs. Pamela Betts née Berntsen, Nurse Probationer Medical Department, 15.11.66.

NOTICES

No. 45. 7th December 1966.

His Excellency the Governor has been pleased to approve the award of the Efficiency Decoration to

CAPTAIN RICHARD VICTOR GOSS,
Falkland Islands Defence Force.

Ref. 189/42.

No. 46. 10th December 1966.

The Marriage Ordinance (Section 4)

Mr. William Robert Luxton has been appointed a Registrar to celebrate the marriage of John Hayward, bachelor, and Vivien Henriksen, spinster, at Chartres, West Falkland.

Ref. 1169.

No. 47.

20th December 1966.

His Excellency the Governor has been pleased to approve the following Efficiency Medal awards to Members of the Falkland Islands Defence Force.

2nd Clasp to Medal — 24 years service
Sergeant H. Ford

1st Clasp to Medal — 18 years service
Sergeant-major H. Luxton
Sergeant P. W. Peck
Private S. McAskill

Efficiency Medal — 12 years service
Lance Corporal E. Williams
Private B. B. Peck.

Ref. 189/42.

No. 48.

30th December 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.
4/66	Appropriation (1966-67) Ordinance, 1966	0284/XIX.

No. 49.

30th December 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:

No.	Title	Ref.
2/66	Appropriation (Dependencies) (1966-67) Ordinance, 1966	D/6/59/G.

No. 1.

1st January 1967.

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 1967 to 30th of June 1968 except for the period 1st of November 1967 to 28th of February 1968.

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 1967.

Ref. D/2/64.

No. 2.

2nd January 1967.

NEW YEAR HONOURS, 1967.

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

LESLIE CHARLES GLEADELL, ESQ., J.P.

to be an Officer of the Most Excellent Order of the British Empire.

Ref. 0107/C/VI.

No. 3.

2nd January 1967.

The Southern Rhodesia (Prohibited Trade and Dealings) (Overseas Territories) Order 1967 will come into operation on the 20th January 1967.

This Order prohibits the importation into the territory of certain goods exported from Southern Rhodesia and the exportation of certain goods intended for Southern Rhodesia, together with certain other important provisions.

The full text will be published in the next issue of the Gazette. In the meantime copies can be seen at the Colonial Secretary's Office.

Ref. 2063.

INDEX OF LEGISLATION

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

Pensions (Amendment) Regulations, 1966.

Prison Regulations, 1966.

European Space Research Organisation (Immunities and Privileges) Order, 1966.

Application of Colony Laws (No. 2) Ordinance, 1966.

Travelling and Subsistence Allowance Rules

The Pensions Ordinance, 1965

REGULATIONS

(under section 3 (2) of the Ordinance)

No. 3 of 1966.

C. HASKARD,
Governor.

In exercise of the powers conferred by subsection (2) of section 3 of the Pensions Ordinance, 1965, the Governor in Council, with the sanction of the Secretary of State, has made the following Regulations —

Citation.

1. These Regulations may be cited as the Pensions (Amendment) Regulations, 1966, and shall be read as one with the Pensions Regulations, 1965, hereinafter referred to as the principal Regulations.

Revocation and replacement of regulation 25.

2. Regulation 25 of the principal Regulations is revoked and replaced by the following —

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

25. (1) Where an officer to whom this regulation applies retires or resigns from public service under the Government of the Colony after serving in that public service for not less than five years, he may be granted by the Governor in Council a gratuity at the rate herein specified for each complete year of 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 week's pay;
- (c) for each additional year, four week's pay:

Provided that the total amount of the gratuity shall not exceed the amount of one year's pay.

(2) This regulation 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 the Ordinance (other than a pension under regulation 23 (4) of these Regulations) or for the grant, under the terms of service, of a gratuity or a benefit under any other scheme of superannuation.

(3) For the purpose of this regulation —

- (a) "pay" means pay at the date of the officer's retirement or resignation and any other allowance that the Governor in Council may think 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 that may be given by the Governor in Council, only continuous service terminating at his retirement or resignation 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 the Ordinance (other than a pension under regulation 23 (4) of these Regulations) or, as provided under his terms of service, a gratuity or a benefit under any other scheme of superannuation."

3. The Schedule to the principal Regulations is amended by the addition after the words "Oversea Audit Department (Home Establishment)" of the words "Republic of Tanzania".

Amendment of Schedule.

Made by the Governor in Council this 14th day of December, 1966.

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

Ref. 0829/IV.

The Prison Ordinance

REGULATIONS

(under section 52 of the Ordinance)

No. 4 of 1966.

C. HASKARD,
Governor.

Short title.

1. These Regulations may be cited as the Prison Regulations, 1966.

Reports on convicts.

2. The Officer in Charge shall at three-monthly intervals submit to the Colonial Secretary a report on the conduct and general condition of every prisoner undergoing a sentence together with a report by the medical officer on the prisoner's mental and physical condition.

Officer in Charge's records.

3. The Officer in Charge shall keep the following records in addition to any others required by the Ordinance —

- (a) a journal in which he shall record all occurrences of importance;
- (b) a nominal roll of all prisoners;
- (c) a book in which he shall record all punishments inflicted for prison offences;
- (d) a list of official books and documents committed to his care;
- (e) an inventory of all the personal property, whether of value or otherwise, taken from each prisoner;
- (f) an account of all receipts and disbursements.

Visitors viewing prison.

4. (1) The Officer in Charge shall not, except as may be provided by law or as he may be directed by the Colonial Secretary, allow any person to view the prison.

(2) The Officer in Charge shall ensure that no person authorised to view the prison makes a sketch or takes a photograph or holds communication with a prisoner, unless authorised to do so by the Colonial Secretary.

Offences by officers.

5. (1) No prison officer shall —

- (a) have any interest in any contract for supply to the prison;
- (b) receive any fee or gratuity from or on behalf of, or have any business dealings with, prisoners, ex-prisoners or their friends;
- (c) employ, or cause to be employed, any prisoner;
- (d) act in a familiar manner with any prisoner; or
- (e) do any other act to the prejudice of good order and discipline.

(2) No prisoner shall be placed in any position of authority over any other prisoner.

Use of force.

6. (1) No officer shall when dealing with prisoners use any force except in lawful defence or in the carrying out of a sentence of corporal punishment or in trying to prevent escape.

(2) When the use of force is necessary in any of the circumstances specified in paragraph (1) hereof, no more force than is reasonably necessary shall be used.

Complaints.

7. (1) Prison officers shall report to the Officer in Charge all complaints made by prisoners.

(2) The Officer in Charge shall give any prisoner who complains every reasonable opportunity of being heard.

(3) In deciding what is reasonable under this rule the Officer in Charge shall give weight to the fact that a prisoner is weakly, ailing, or in a punishment cell.

8. (1) No prison officer shall enter a prisoner's cell at night unless accompanied by another officer, except in case of special emergency. Entering cells at night.

(2) Whenever a prison officer enters a prisoner's cell at night he shall report the fact to the Officer in Charge during the following morning.

9. (1) Except in regard to acts which are made offences by the Ordinance the Officer in Charge may punish any prison officer for a breach of discipline or neglect of duty by one of the following— Punishment of officers.

- (a) the imposition of additional duties;
- (b) a fine not exceeding ten shillings;
- (c) a recommendation for the stoppage of an increment of salary;
- (d) reprimand:

Provided that a police officer when performing the duties of prison officer or warder shall not be punished for the same breach of discipline or neglect of duty under this regulation and under the Police Ordinance, 1965

(2) The Officer in Charge may order any prison officer to be searched. Search of officers.

10. (1) Each prisoner may be weighed at any time during his term of imprisonment. Weighing, etc.

(2) The Officer in Charge shall record in the nominal roll the name, age, weight, height and distinguishing marks of each prisoner.

(3) Every person shall as soon as possible after reception and before he is discharged be interviewed on each occasion by the Officer in Charge.

11. (1) Except as otherwise permitted by law, all property which the prisoner shall bring with him to the prison shall be stored and recorded by the Officer in Charge in the manner provided by these Regulations: Storing of property.

Provided that anything likely to perish or to cause damage to property in store shall be sold and the purchase money credited to the prisoner, or if it cannot be sold it shall be destroyed.

(2) Where the said property includes cash in excess of five pounds such excess shall be paid by the Officer in Charge into the Treasury to the credit of the prisoner;

(3) Except by order of the prisoner or under the garnishee order of a competent court the said excess shall not be paid out of the Treasury to any person other than the prisoner or his legal personal representatives.

12. Unless otherwise provided by these regulations or ordered by the medical officer, every prisoner shall take a bath on admission. Baths.

13. (1) Aliens awaiting deportation, political offenders and persons detained under any emergency legislation for the time being in force, may, if they desire, at the discretion of the Officer in Charge: Aliens and persons detained under emergency regulations.

- (a) be permitted to furnish their cells with bedding and furniture suitable to their condition of life;
- (b) be permitted to supply their own food, including half a pint of wine or one pint of malt liquor each day;
- (c) be permitted to have such books, papers or other properties supplied to them at their own expense as the Officer in Charge may consider to be unobjectionable, and such library books as they may reasonably require, and are available;

- (d) be permitted to work within the prison so far as the prison arrangements may admit;
- (e) write one letter in each week;
- (f) receive in each week one or, if the Officer in Charge so allows, two visits each of not more than two persons;
- (g) receive such letters as are addressed to them;
- (h) smoke while on exercise.

(2) Such prisoners may wear prison dress if they so desire, and shall do so if their own clothes are insufficient or unfit for use, or are required for the purposes of justice.

Criminal prisoners.

14. Criminal prisoners, may —

- (a) write one letter in each week;
- (b) receive such letters as are addressed to them;
- (c) receive one visit of not more than two persons in each week;
- (d) have the use of such library books as they may reasonably require and are available;
- (e) smoke at such times as may be permitted by the Officer in Charge.

Civil and trial prisoners, etc.

15. (1) Civil and trial prisoners, prisoners on remand and appellants may, at the discretion of the Officer in Charge —

- (a) smoke while on exercise;
- (b) receive one visit in each week and such other visits as may be necessary to enable them to consult their legal advisers;
- (c) write one letter in each week;
- (d) receive such letters as are addressed to them;
- (e) perform two hours exercise daily;
- (f) have the use of such library books as they may reasonably require and are available;
- (g) be permitted to supply their own food, including one pint of malt liquor each day.

(2) Civil prisoners shall perform such labour as may be ordered by the Officer in Charge.

(3) Trial prisoners on remand and appellants may be permitted to work if they so desire.

(4) Such prisoners, may wear their own clothing.

Provided that —

- (a) the clothing is sufficient and suitable;
- (b) it is not required for the purposes of justice;
- (c) it shall be disinfected if the medical officer of the prison so requires.

(5) The privilege of wearing his own clothing under this regulation may be forfeited under regulation 44 or 45 of these Regulations for any offence under section 42 or 43 of the Ordinance.

(6) A person charged with a capital offence shall be kept under special observation at all times by or under the supervision of the medical officer who shall keep or cause to be kept a written record of his physical and mental condition which record shall be forwarded to the Colonial Secretary three days before such person is due to be tried.

Visits and letters; conditions.

16. (1) All interviews shall be in the sight and hearing of a prison officer:

Provided that interviews between a prisoner and his legal adviser shall be out of hearing of any prison officer.

(2) Visits shall be allowed only subject to maintenance of the security, order and good government of the prison.

(3) All letters, except those written to the legal adviser of a prisoner detained for safe custody, including an appellant, shall be read by the Officer in Charge and may be detained by him if the contents are objectionable.

(4) The Officer in Charge shall inform the sender of any letters detained by him of the fact of such detention.

(5) One letter from each prisoner in each week may be posted at public expense.

(6) The Officer in Charge may permit such additional free letters as may seem to him reasonable in the interests of the prisoner.

17. (1) A prisoner may be allowed by the Officer in Charge a special extra visit of not more than four persons on, or within seven days of, Christmas Day and on, or within seven days of, Easter Sunday.

Special visits or letters.

(2) A prisoner may be allowed special extra visits or letters with the prior approval of the chairman of the board, or, in the absence of the chairman, of a member of the board, in case of death or serious illness of a near relative or in any case of special importance or urgency or for any purpose which, in the opinion of the chairman of the board, or, in the absence of the chairman, of a member of the board, is likely to promote the best interests of the prisoner or of his family either during his sentence or after discharge.

18. Any police officer may visit any prisoner who is willing to see him on production of an authority in writing signed by the Officer in Charge and any such visit shall be additional to those allowed under these Regulations.

Visits by police.

19. (1) Reasonable facilities shall be allowed for the legal adviser of a prisoner who is a party to legal proceedings, civil or criminal, to interview the prisoner with reference to those proceedings, in the sight but not in the hearing of a prison officer.

Visits by legal adviser.

(2) The legal adviser of a prisoner may, with the permission of the chairman of the board, or, in the absence of the chairman, of a member of the board, interview the prisoner with reference to any other legal business in the sight and hearing of a prison officer.

(3) The visits for special purposes referred in this regulation shall be additional to the visits allowed under any other regulation and shall not be liable to forfeiture under regulation 16 (2) of these Regulations.

20. (1) Special attention shall be paid to the maintenance of such relations between a prisoner and his family as are desirable in the best interests of both.

Family relationships, etc.

(2) So far as practicable and in the opinion of the Officer in Charge desirable, a prisoner shall be encouraged and assisted to attain or establish such relations with persons or agencies outside the prison as may promote the best interests of his family or the social rehabilitation of the prisoner.

(3) The Officer in Charge may at any time communicate to a prisoner, or to his family or friends any matter of importance to the prisoner.

21. From the date of admission to prison, every consideration shall be given, in consultation with any person or body concerned with the after care of prisoners, to the future of the prisoner and the assistance to be given to him on and after his discharge.

After care, etc.

22. Upon the death or serious illness of a prisoner, or his certification as insane or mentally defective, or if he suffers a serious accident, the Officer in Charge shall inform the spouse of the

Information to family.

prisoner, if such spouse's address is known, or otherwise the nearest relatives whose address is known and shall, in any event inform any other person whom the prisoner has requested should be so informed.

To be attended by females.

23. (1) Female prisoners shall be attended only by female prison officers.

(2) No male prison officer shall enter or remain in a room in which female prisoners are confined unless accompanied by the matron or a female prison officer.

Known prostitutes.

24. Known prostitutes shall be kept in a ward by themselves.

Hair cutting.

25. Unless otherwise ordered by the medical officer, female prisoners shall not be compelled to have their hair cut.

Recreational training.

26. All prisoners may be permitted to engage in recreational training for one hour each day at such time as may be prescribed by the Officer in Charge:

Provided that no prisoner shall so engage if —

(a) the medical officer has certified him as unfit therefor; or

(b) he is undergoing punishment for a breach of prison discipline.

Physical training.

27. All prisoners certified as fit to do so by the medical officer, other than those undergoing punishment, shall perform such physical training as may be directed by the medical officer or Officer in Charge.

Sabbaths.

28. (1) No prisoner excepting one professing the Jewish religion may on Sunday, Christmas Day or Good Friday be employed at any labour beyond the necessary services of the prison.

(2) No prisoner professing the Jewish religion shall be compelled so to labour between sunset on Fridays and sunset on Saturdays, nor on the Day of Atonement.

Diet.

29. (1) The food of the prisoners shall be in accordance with the scales in the Schedule to these Regulations, and shall be wholesome in quality.

(2) Food shall be given to a prisoner before he commences work.

Variation of rations.

30. (1) Except as otherwise provided by law, or on a written order from the medical officer, or the Colonial Secretary the prescribed rations shall not be varied.

(2) Such order shall specify the variations in quantity and shall include the name of the prisoner.

(3) No convicted person shall, except as expressly provided by law, be allowed alcoholic liquor or tobacco.

(4) This regulation shall not apply to prisoners in hospital.

Clothing and hair cutting.

31. (1) Except as otherwise provided in these Regulations every prisoner shall be dressed in prison clothes.

(2) The hair of the male prisoners shall be cut to a length compatible with the usual hair style unless the medical officer shall otherwise direct.

Serious illness.

32. When the life of any prisoner is in danger, the Officer in Charge shall notify the minister of the religious denomination to which such prisoner belongs, and the relatives and next-of-kin of the prisoner, and may permit such relatives and next-of-kin to visit the prisoner.

Death.

33. When a prisoner dies from natural causes the Officer in Charge shall surrender the body to the relatives of the deceased, for

burial, if the relatives so desire and there is no objection by the medical officer on grounds of public health.

34. (1) The medical officer shall examine each prisoner once a fortnight.

Routine and special examinations.

(2) The medical officer shall examine sick prisoners and prisoners in solitary confinement or punishment cells not less than once in each day.

(3) The medical officer shall from time to time inspect the prisoners at labour, and shall give such instructions regarding their health as he may consider necessary.

35. (1) Before bread and water diet, confinement in a punishment cell or corporal punishment are inflicted, the medical officer shall examine the prisoner concerned, and shall give such directions for preventing injury to health as he may consider necessary.

Punishment.

(2) In the case of corporal punishment the medical officer shall be present during its infliction, and may at any stage after its commencement order that the remainder of the sentence of corporal punishment be remitted.

36. (1) The medical officer shall keep —

Records.

- (a) a report book, in which he shall enter his comments on the state of the prison and prisoners;
- (b) a journal, in which he shall note full particulars of all cases of illness or death in the prison, together with any instructions which he may have given concerning diet or other treatment.

(2) The medical officer shall enter in such records his opinion, where such exists, that the life or reason of any prisoner is endangered by continuance of imprisonment, or that any prisoner is wholly and permanently unfit to undergo prison discipline.

37. All prisoners not employed in the open air shall, under due supervision, be given such exercise in the open air as the medical officer shall direct.

Exercise.

38. The clothes and bedclothes of the prisoners shall be washed changed and aired as often as the Officer in Charge or the medical officer shall direct.

Clothes and bedclothes.

39. The medical officer may vaccinate, re-vaccinate, inoculate, immunise and take such other steps regarding each prisoner as may be necessary for the prevention of disease.

Vaccination, etc.

40. The medical officer shall frequently inspect the dietary and shall make such recommendations to the Officer in Charge as he may deem fit.

Dietary inspection.

41. All reports against any prisoner for misconduct shall be dealt with by the Officer in Charge.

Officer in Charge to deal with misconduct.

42. When a prisoner has been reported for misconduct the Officer in Charge may order him to be kept apart from the other prisoners pending adjudication.

Separation of reported prisoner.

43. A prisoner shall, before a report against him is dealt with, be informed of the misconduct for which he has been reported and shall be given a proper opportunity of hearing the facts alleged against him and of presenting his case.

Information to reported prisoner.

44. The Officer in Charge may deprive a prisoner of any unauthorised article found in his cell or in his possession.

Unauthorised articles.

45. (1) Save as is provided by regulation 46 of these Regulations, the Officer in Charge shall investigate every case of mis-

Investigation of misconduct and awards by Officer in Charge.

duct and he may determine thereupon and make one or more of the following awards —

- (a) caution;
- (b) forfeiture of remission of sentence for a period of not exceeding fourteen days or the period of remission already earned by the prisoner at the date of the act of misconduct whichever is the less;
- (c) forfeiture or postponement of privileges for a period not exceeding twenty-eight days;
- (d) exclusion from associated work for a period not exceeding fourteen days;
- (e) solitary confinement in a punishment cell for a period not exceeding three days;
- (f) bread and water diet for a period not exceeding three days.

(2) Every case of misconduct shall be reported forthwith, and the Officer in Charge shall investigate such reports not later than the following day, unless that day is a Sunday or public holiday.

Investigation of misconduct and awards by the board.

46. (1) Where a prisoner is reported for misconduct of the following kinds, namely —

- (a) escaping or attempting to escape from prison or from legal custody;
- (b) mutiny or incitement to mutiny;
- (c) gross personal violence to another prisoner;
- (d) gross personal violence to the Officer in Charge or a prison officer;
- (e) any serious or repeated misconduct for which such award as the Officer in Charge is authorised to make is deemed insufficient by the Officer in Charge,

the Officer in Charge shall forthwith report the same to the board, and the chairman of the board shall summon a special meeting of the board.

(2) The board shall enquire into the charges on oath and shall determine thereon and may make one or more of the following awards —

- (a) caution;
- (b) forfeiture of remission of sentence for a period not exceeding ninety days or the period of remission already earned by the prisoner at the date of the act of misconduct whichever is the less;
- (c) exclusion from associated work for a period not exceeding twenty-eight days;
- (d) forfeiture or postponement of privileges for any period;
- (e) solitary confinement in a punishment cell for a period not exceeding fourteen days or, in the case of the prisoner who is found guilty of mutiny or incitement to mutiny or of gross personal violence to the Officer in Charge or a prison officer, not exceeding twenty-eight days;
- (f) bread and water diet for a period not exceeding fourteen days;
- (g) corporal punishment, in the case of a prisoner who is found guilty of mutiny or incitement to mutiny or of gross personal violence to the Officer in Charge or a prison officer.

(3) An award of corporal punishment shall not be carried out until the prior approval of the Governor has been obtained.

Remission and mitigation of awards.

47. (1) Any award under regulations 45 and 46 of these Regulations may be remitted or mitigated by the Governor.

(2) Any award made under sub-paragraphs (c) to (f) of paragraph (1) of regulation 45 of these Regulations or under sub-paragraphs (c) to (g) of paragraph (2) of regulation 46 of these Regulations may be determined or mitigated at any time during the currency thereof by the authority responsible for the award.

48. A prisoner sentenced to solitary confinement shall see no one except the Officer in Charge, the medical officer, the chaplain and the prison officers.

Solitary confinement.

49. (1) No prisoner shall be punished unless he has had an opportunity of hearing the charge and evidence, and of making his defence.

Enquiry.

(2) The Officer in Charge shall have power, in any enquiry into an offence against prison discipline, to administer an oath to any witness.

50. No prisoner shall in consequence of misconduct be detained in prison for a longer period than the sentence inflicted on him by the court.

Illegal detention.

51. (1) The maximum amount of remission shall be calculated as follows —

Remission.

- (a) the total time which the prisoner is sentenced to spend in prison shall be reduced to days, including the day upon which the sentence was awarded;
- (b) such total shall be divided by three;
- (c) the dividend of the said division (ignoring any fractions of three) shall be subtracted from such total;
- (d) the remainder of the said subtraction, with any days added as a punishment or for any other reason, shall be the time which the prisoner shall spend in prison unless lawfully released previously.

(2) Any days which a prisoner spends in hospital (unless on account of sickness or injury caused otherwise than by the fault of the prisoner), and any days which a prisoner spends in undergoing punishment for a breach of prison discipline, shall be deducted from the remission which would otherwise be due to him.

52. The Officer in Charge shall cause to be posted in each cell copies of such of these Regulations as relate to the treatment and conduct of prisoners, together with a notice explaining the effect on his treatment in the prison of the prisoner's good or bad conduct, and a copy of the prison dietaries.

Notices in cells.

53. The Officer in Charge shall be responsible for the due discharge of all prisoners immediately upon their becoming entitled thereto, whether by expiration of sentence, remission, pardon or otherwise.

Officer in Charge's responsibility.

54. A prisoner shall be released from prison not later than twelve noon on the appropriate day:

Date and time of release.

Provided that if such day is a Sunday, Christmas Day or Good Friday, or, in the case of a prisoner professing the Jewish religion, the Jewish sabbath, the prisoner shall be released on the next day preceding.

55. (1) Any articles belonging to a prisoner and stored by the prison authorities on his admission shall be returned to him on release, and any sums credited to him under the wage-earning scheme shall forthwith be paid to him in cash.

Property.

(2) Any clothing destroyed by the prison authorities shall be replaced at public expense.

56. (1) Mechanical restraints shall not be used as a punishment or for any purpose other than safe custody during removal,

Mechanical restraints.

except on medical grounds by direction of the medical officer, or in the circumstances and under the conditions stated in the following paragraphs of this regulation.

(2) When it appears to the Officer in Charge that it is necessary to place a prisoner under mechanical restraint in order to prevent him injuring himself or others or damaging property or creating a disturbance, the Officer in Charge may order him to be placed under mechanical restraint, and notice thereof shall forthwith be given to a member of the board and to the medical officer.

(3) Particulars of every case of mechanical restraint shall be forthwith recorded by the Officer in Charge.

57. The Prison Regulations, 1949, are hereby revoked.

Made by the Governor in Council this 14th day of December, 1966.

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

SCHEDULE

Regulation 29.

Breakfast:

Bread — 6 ounces
margarine — $\frac{1}{2}$ ounce
oatmeal — 2 ounces to make one pint
tea or coffee — $\frac{1}{4}$ ounce
sugar — 1 ounce
milk — 1 ounce.

Dinner:

Potatoes — 6 ounces
meat (boneless) — 8 ounces, or (with bone) — 12 ounces
or fish — 12 ounces, or offal — 10 ounces
vegetables to include a raw onion three times weekly — 8 ounces
flour — 1 ounce
rice, split peas, beans or macaroni — 2 ounces
cooking oil $\frac{1}{20}$ th pint or less as required
salt, pepper and curry powder as required.

Tea:

Bread — 6 ounces
margarine — $\frac{1}{2}$ ounce
cheese or jam — 2 ounces
tea — $\frac{1}{4}$ ounce
milk — 1 ounce
sugar — 1 ounce.

Supper:

Cocoa or drinking chocolate — $\frac{1}{2}$ ounce
sugar — 1 ounce
milk — 1 ounce.

BREAD AND WATER DIET

Bread — $1\frac{1}{2}$ lb.

SICK OR INVALID PRISONERS

As ordered by the medical officer.

The Diplomatic Privileges (Extension) Ordinance (Cap. 20)

ORDER

(under section 2 of the Ordinance)

No. 5 of 1966.

C. HASKARD,
Governor.

WHEREAS Her Majesty's Government in the United Kingdom applied the provisions of the Convention on Privileges and Immunities of the Specialized Agencies to the European Space Research Organisation by Order in Council made on the third day of August, 1965, under the International Organisation (Immunities and Privileges) Act, 1950, by which said Order it was declared that the European Space Research Organisation is an Organisation of which Her Majesty's Government in the United Kingdom and the Governments of foreign sovereign Powers are members:

NOW, THEREFORE, in exercise of the powers conferred by section 2 of the Diplomatic Privileges (Extension) Ordinance, the Governor in Council has made the following Order — Cap. 20.

1. This Order may be cited as the European Space Research Organisation (Immunities and Privileges) Order, 1966.

PART I

THE ORGANISATION

2. The European Space Research Organisation (hereinafter referred to as the Organisation) is an Organisation to which the Diplomatic Privileges (Extension) Ordinance (hereinafter referred to as the Ordinance) applies. Cap. 20.

3. The Organisation shall have the legal capacities of a body corporate.

4. (1) The Organisation shall have immunity from suit and legal process except —

- (a) to the extent that the Organisation shall have expressly waived such immunity in a particular case;
- (b) in respect of a civil action by a third party for damage arising from an accident caused by a motor vehicle belonging to, or operated on behalf of, the Organisation, or in respect of a motor traffic offence involving such a vehicle; and
- (c) in respect of the enforcement of an arbitration award made under Article 25 or Article 26 of the Protocol on the Privileges and Immunities of the Organisation opened for signature in Paris on 31st October 1963 (a).

(2) The provisions of the preceding paragraph shall not prevent the taking of such measures as may be permitted by law in relation to the property and assets of the Organisation in so far as they may be temporarily necessary in connection with the prevention of, and investigation into, accidents involving motor vehicles belonging to, or operated on behalf of, the Organisation.

5. The Organisation shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of the official archives and premises of an envoy of a foreign sovereign Power accredited to Her Majesty.

6. Within the scope of its official activities, the Organisation shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a foreign sovereign power.

7. The Organisation shall have exemption from taxes on the importation of goods directly imported by it and strictly necessary for the exercise of its official activities, such exemption to be subject to compliance with such conditions as the Collector of Customs may prescribe for the protection of the Revenue.

8. The Organisation shall have exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the Organisation and strictly necessary for the exercise of its official activities.

9. The Organisation shall have the right to avail itself, for official telegraphic communications sent by it and containing only matter intended for publication by the press or for broadcasting (including communications addressed to or despatched from places outside the Colony), of any reduced rates applicable for the corresponding service in the case of press telegrams.

10. For the purposes of this Order, the official activities of the Organisation shall include its administrative activities and those undertaken in the field of space research and space technology in pursuance of the purposes of the Organisation as defined in the Convention for the Establishment of the Organisation (a).

PART II

REPRESENTATIVES

11. (1) Except in so far as in any particular case any immunity or privilege is waived by the Member State which he represents, a representative of a Member State of the Organisation on any of its organs shall enjoy: —

- (a) immunity from suit and legal process in respect of acts, including words written or spoken, done or omitted to be done by him in the exercise of his functions;
- (b) while exercising his functions and during his journeys to and from the place of meeting, the like immunity from personal arrest and detention and from seizure of his personal baggage and the like inviolability for all his official papers and documents as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty.

(2) Part IV of the Schedule to the Ordinance shall not operate so as to confer any immunity or privilege on members of the official staff of a representative to whom this Article applies.

(3) The provisions of this Article shall not operate so as to confer any immunity or privilege on any person as the representative of Her Majesty's Government in the Colony or on any person who is a citizen of the United Kingdom and Colonies.

PART III

OFFICERS

12. (1) Except in so far as in any particular case any immunity or privilege is waived by the Council of the Organisation, the Director-General of the Organisation, and the person appointed to act in his stead in accordance with Article XI (1) (c) of the Convention for the Establishment of the Organisation (b), shall enjoy: —

- (a) if he is not a citizen of the United Kingdom and Colonies —

- (i) the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes, other than income tax, as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty;
 - (ii) as from the date on which the emoluments received by him as a member of the staff of the Organisation become subject to taxation by the Organisation for its benefit, exemption from income tax in respect of such emoluments;
- (b) if he is a citizen of the United Kingdom and Colonies —
- (i) immunity from suit and legal process in respect of acts, including words written or spoken, done or omitted to be done by him in the course of the performance of official duties, except in the case of a motor traffic offence committed by him or in the case of damage caused by a motor vehicle belonging to or driven by him;
 - (ii) the like inviolability for all his official papers and documents as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty;
 - (iii) as from the date on which the emoluments received by him as a member of the staff of the Organisation become subject to taxation by the Organisation for its benefit, exemption from income tax in respect of such emoluments.

(2) Part IV of the Schedule to the Ordinance shall not operate so as to confer any immunity or privilege on the families of officers to whom this Article applies.

13. Except in so far as in any particular case any immunity or privilege is waived by the Director-General of the Organisation, a permanent member of the staff of the Organisation in any of the staff categories A, B, C and L shall enjoy: —

- (a) immunity from suit and legal process in respect of acts, including words written or spoken, done or omitted to be done by him in the course of the performance of official duties, except in the case of a motor traffic offence committed by him or in the case of damage caused by a motor vehicle belonging to or driven by him;
- (b) as from the date on which the emoluments received by him as a member of the staff of the Organisation become subject to taxation by the Organisation for its benefit, exemption from income tax in respect of such emoluments.

PART IV

EXPERTS

14. (1) Except in so far as in any particular case any immunity or privilege is waived by the Director-General of the Organisation, an expert (other than a member of the staff of the Organisation to whom Article 13 applies) who is under contract to the Organisation and who is a member of any committee or organ of the Organisation or is employed on a mission on behalf of the Organisation shall, so far as is necessary for the carrying out of his functions, including during journeys made in carrying out his functions, in connection with such committee or organ or in the course of such mission, enjoy: —

- (a) immunity from suit and legal process in respect of acts, including words written or spoken, done or omitted to be done by him in the exercise of his functions, except in

the case of a motor traffic offence committed by him or in the case of damage caused by a motor vehicle belonging to or driven by him;

- (b) while he is employed by the Organisation, the like inviolability for all his official papers and documents as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty.

(2) Part IV of the Schedule to the Ordinance shall not operate so as to confer any immunity or privilege on the official staff of persons to whom the provisions of paragraph (1) of this Article apply.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order confers immunities and privileges upon the European Space Research Organisation, representatives on its organs, its officers and experts serving on its committees and organs or employed on missions on its behalf. It will enable the United Kingdom to ratify the Protocol on the Privileges and Immunities of the Organisation which was opened for signature in Paris on 31st October 1963 (Cmnd. 2265). It will come into operation on the date on which the Protocol enters into force with respect to the United Kingdom.

Ref. 2367.

Assented to in Her Majesty's name this 30th day of December, 1966.

C. HASKARD,
Governor.



No. 6



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.

ENACTED for the Dependencies of the Colony of the Falkland Islands by the Governor of the Colony of the Falkland Islands and the Dependencies thereof, as follows — Enacting clause.

1. This Ordinance may be cited as the Application of Colony Laws (No. 2) Ordinance, 1966. Short title.

2. The Ordinances of the Colony specified in the first and second columns of the Schedule to this Ordinance are applied to the Dependencies, and shall be deemed to be in force in the Dependencies with effect from the date set out opposite their short titles in the third column of the Schedule to this Ordinance. Application of Colony Ordinances.

SCHEDULE

Number	Short title.	Effective Date.
5 of 1966	The Prison Ordinance, 1966	1st November, 1966.
6 of 1966	The Pensions (Amendment) Ordinance, 1966	1st November, 1966.
7 of 1966	The Pensions (Amendment) (No. 2) Ordinance, 1966	1st November, 1966.
8 of 1966	The Income Tax (Amendment) Ordinance, 1966	1st November, 1966.
9 of 1966	The Income Tax (Amendment) (No. 2) Ordinance, 1966	1st November, 1966.
11 of 1966	The Ionising Radiations (Protection of Workers) Ordinance, 1966	1st November, 1966.
12 of 1966	The British Nationality (Amendment) Ordinance, 1966	1st November, 1966.
13 of 1966	The Marriage (Enabling) Ordinance, 1966	1st November, 1966.
14 of 1966	The Application of Enactments (Repeal) Ordinance, 1966	1st November, 1966.

Enacted by the Governor on the 14th day of December, 1966.

W. H. THOMPSON,
Colonial Secretary.

Travelling and Subsistence Allowance Rules

PART I

Travelling on duty within the limits of the Colony, including the Dependencies

1. Where grades of accommodation are available the officer shall travel according to his entitlement in the Leave and Passage Regulations.

Subsistence Allowances

2. The following rates may be authorised in respect of every night spent by an officer away from his usual headquarters —

- (a) Ex-officio members of the Executive and Legislative Councils 35/-.
- (b) Unofficial members of Executive and Legislative Councils attending meetings of these Councils 35/-.
- (c) Officers in Classes A, B & C of the Leave and Passage Regulations 30/-.
- (d) All other officers £1.

3. These allowances shall not be paid to an officer —

- (a) Whose salary is fixed on such a basis as to include an allowance for the cost of travelling on duty;
- (b) in respect of any night —
 - (i) on which the officer is the guest of a resident of the Colony.
 - (ii) when the officer is in receipt of a passage at public expense on board any vessel.

PART II

Travelling on duty in the United Kingdom

4. Officers attending conferences or engaged in other official business in the United Kingdom will be afforded travel facilities in the following scale —

First class by rail in the case of Executive Council members.

Second class by rail in the case of other officers.

Payment should normally be made by the officer in the first instance and a claim for refund presented to the Crown Agents.

Subsistence Allowances

5. The following rate shall be payable in respect of every night necessarily spent away from the officers usual place of residence.

- (i) Members of Executive Council £3 3s. 0d.
- (ii) Other officers £2 14s. 0d.

or

6. Where the officer resides within easy reach of the centre where the conference is held and spends eight or more hours away from his usual place of residence the following daily rates shall be payable —

- (i) Members of Executive Council 12/-
- (ii) Other officers 10/9d.

7. The rules for the Grant of Travelling and Subsistence Allowances to Officers attending conferences, made on 1st July, 1963, and the Travelling and Subsistence Rules (Vol. II p. 105) are hereby repealed.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXVI.

1 FEBRUARY 1967

No. 2

Appointments

Miss Susan Jennifer McKay, Nurse Probationer, Medical Department, 16.1.67.

Martin John Dodds, Assistant Master, Education Department, 22.1.67.

Mrs. Janet Elizabeth Dodds, Assistant Mistress, Education Department, 22.1.67.

Julian Henry St. John Randell, Wireless Operator, Posts and Telecommunications Department, 22.1.67.

Miss Anne Taylor, Nursing Sister, Medical Department, 22.1.67.

Adrian Rae Biggs, Carpenter, Public Works Department, 1.2.67.

Acting Appointment

Patrick McPhee, Acting Senior Mechanic, Public Works Department, 9.5.66 - 19.12.66.

Retirement

Stanley Percival Atkins, I.S.M., on pension, 20.7.66.

NOTICES

No. 4. 10th January 1967.

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 Peter John Millam, 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.

No. 5.

11th January 1967.

Prison Ordinance 1966

In accordance with section 7 (1) the following have been appointed Visiting Justices for the year 1967 —

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

Ref. 0049.

No. 6.

13th January 1967.

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

Quarter ended	Adjusted Percentage increase over 1948 prices
31st December 1966	114.16%

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

Ref. 0704/VI.

No. 7.

13th January 1967.

In accordance with section 2 of the School (Amendment) Regulations 1957, His Excellency the Governor has fixed the regular school terms and holidays for 1967 as follows —

Stanley Schools and Port Howard School

1st Term :	20th February to 19th May
2nd Term :	5th June to 8th September
3rd Term :	25th September to 22nd December

Darwin Boarding School

1st Term :	22nd February to 19th May
2nd Term :	5th June to 18th August
3rd Term :	11th September to 22nd December

Ref. 0084/A.

No. 8. 20th January 1967.

Education Ordinance (Cap. 22)

In accordance with section 2 the undermentioned officer has been approved by the Governor as a recognised teacher:

ROBERT RICHARD LAMBOURNE

Ref. 2390.

No. 9. 24th January 1967.

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

The following have been registered to practise in the Colony and Dependencies:

<i>Medical Practitioners</i>	<i>Qualifications</i>
SLESSOR, Robert	M.B., ch.B., (Aberdeen)
Stewart, O.B.E.	L.M., (Dublin)
ASHMORE, James	M.A., M.B., B.Ch., B.A.O., L.M., (Dublin)
Hopkins	
PARKER, William	M.B., ch.B., (Edinburgh)

TAYLOR, David Mason
Armstrong M.B., ch.B., (Edinburgh)
MALONE, Charles
Michael M.B., ch.B., (Edinburgh)

Midwives

SMITH, Mary Love S.R.N., S.C.M.
STEWART, Elizabeth
Agnes S.E.N., S.C.M.
TAYLOR, Anne S.R.N., S.C.M.

Ref. 1326/II.

No. 10.

31st January 1967.

Stanley Town Council

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

The Senior Medical Officer,
The Superintendent of Works.

Ref. 0039/C/III.

INDEX OF LEGISLATION

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

The Copyright (International Conventions) (Amendment No. 2) Order 1966.

The Copyright (International Conventions) (Amendment No. 3) Order 1966.

The Southern Rhodesia (Prohibited Trade and Dealings) (Overseas Territories) Order 1967.

STATUTORY INSTRUMENTS

1966 No. 1185

COPYRIGHT

**The Copyright (International Conventions)
(Amendment No. 2) Order 1966**

Made - - - - - 20th September 1966

Laid before Parliament 26th September 1966

Coming into Operation 27th September 1966

At the Court at Balmoral, the 20th day of September 1966

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers 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, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows —

1. The Copyright (International Conventions) Order 1964 (b) (hereinafter referred to as "the principal Order"), as amended (c), shall be further amended by adding a reference to Kenya in Article 2 (4) (a) and in Part 2 of Schedule 1 (which names the countries party to the Universal Copyright Convention).

(a) 1956 c. 74.

(b) S.I. 1964/690 (1964 II, p. 1319).

(c) There are no relevant amendments.

2. The provisions of this Order shall extend to all the countries mentioned in the Schedule hereto (being the countries to which the principal 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. 2) Order 1966 and shall come into operation on 27th September 1966.

W. G. Agnew.

(*d*) 1889 c. 63.

SCHEDULE

Countries to which the Order extends

Bahama Islands	Grenada
Bechuanaland	Isle of Man
Bermuda	Mauritius
British Honduras	Montserrat
Cayman Islands	Seychelles
Falkland Islands and its Dependencies	St. Helena and its Dependencies
Fiji	St. Lucia
Gibraltar	Virgin Islands

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 accession by Kenya to the Universal Copyright Convention.

Article 2 of the Order extends its provisions to the dependent countries of the Commonwealth where the Copyright Act 1956 is law.

Ref. 1873/II.

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

1966 No. 1409

COPYRIGHT

The Copyright (International Conventions)
(Amendment No. 3) Order 1966

Made - - - - 11th November 1966

Laid before Parliament 17th November 1966

Coming into Operation 18th November 1966

At the Court at Buckingham Palace, the 11th day of November 1966

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers 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, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows —

1. The Copyright (International Conventions) Order 1964 (b) (hereinafter referred to as "the principal Order"), as amended (c), shall be further amended —

(i) by adding a reference to Venezuela in Part 2 of Schedule 1 thereto (which names the countries party to the Universal Copyright Convention) and 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 18th November 1966 in the list of dates in column 2 of the said Schedule 2

(ii) by adding a reference to the Federal Republic of Germany (and Land Berlin) in Schedules 5 and 6 (which name the countries whose broadcasting organisations are afforded copyright protection in the United Kingdom in relation to their sound and television broadcasts respectively) and a related reference to 18th November 1966 in the list of dates in those two Schedules.

2. (1) The provisions of Articles 1 (i) and 3 of this Order shall extend to all the countries mentioned in the Schedule hereto (being the countries to which Part I of the principal Order has been extended).

(2) The provisions of Article 1 (ii) of this Order shall extend to Gibraltar (to which Part II of the principal Order has been extended (d)).

3. (1) The Interpretation Act 1889 (e) 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 1966 and shall come into operation on 18th November 1966.

W. G. Agnew.

(a) 1956 c. 74.

(b) S.I. 1964/690 (1964 II, p. 1319).

(c) There are no relevant amendments.

(d) See S.I. 1966/945 (1966 II, p. 2286).

(e) 1889 c. 63.

SCHEDULE

Countries to which the Order (other than Article 1 (ii) thereof) extends

Bahama Islands	Isle of Man
Bermuda	Mauritius
British Honduras	Montserrat
Cayman Islands	Seychelles
Falkland Islands and its Dependencies	St. Helena and its Dependencies
Fiji	St. Lucia
Gibraltar	Virgin Islands
Grenada	

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 accession by Venezuela to the Universal Copyright Convention (Article 1 (i)) and of the ratification by the Federal Republic of Germany of the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations (Article 1 (ii)).

Article 2 (1) of the Order extends its provisions (other than those of Article 1 (ii)) to the dependent countries of the Commonwealth where the Copyright Act 1956 is law. Article 2 (2) extends the provisions of Article 1 (ii) of the Order to Gibraltar.

Ref. 1873/II.

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

1967 No. 18

UNITED NATIONS

The Southern Rhodesia (Prohibited Trade and Dealings)
(Overseas Territories) Order 1967

<i>Made</i> - - - -	<i>11th January 1967</i>
<i>Laid before Parliament</i>	<i>17th January 1967</i>
<i>Coming into Operation</i>	<i>20th January 1967</i>

At the Court at Sandringham, the 11th day of January 1967

Present,

The Queen's Most Excellent Majesty in Council

Whereas under Article 41 of the Charter of the United Nations the Security Council of the United Nations has, by a resolution passed on 16th December 1966, called upon Her Majesty's Government in the United Kingdom and all other Members of the United Nations to prevent certain activities described in that resolution, being activities relating to trade and dealings in certain goods originating in Southern Rhodesia and to the supply of certain other goods to Southern Rhodesia, including shipment of any such goods in vessels or aircraft of their registration, and to undertakings in Southern Rhodesia for the manufacture or assembly of aircraft or motor vehicles:

Now, therefore, Her Majesty, in exercise of the powers conferred on Her by section 1 of the United Nations Act 1946 (*a*), 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 Southern Rhodesia (Prohibited Trade and Dealings) (Overseas Territories) Order 1967 and shall come into operation on 20th January 1967.

Extent of Order.

2. (1) This Order extends to the territories (including the dependencies thereof) mentioned in Schedule 1 to this Order:

Provided that this Order shall extend to Bahrain, Qatar and the Trucial States only to the extent that Her Majesty has jurisdiction therein.

(2) In the application of this Order to any of the said territories the expression "the Territory" in this Order means that territory.

Importation of certain goods into the Territory.

3. (1) All goods to which this Article applies that are exported from Southern Rhodesia after the commencement of this Order are prohibited to be imported into the Territory.

(2) Any person who imports any goods into the Territory in contravention of paragraph (1) of this Article shall be guilty of an offence against this Order.

(3) The goods to which this Article applies are the goods specified in Schedule 2 to this Order.

(4) Nothing in this Article shall be construed so as to prejudice any other provision of law prohibiting or restricting the importation of goods into the Territory.

Exportation of certain goods from Southern Rhodesia.

4. (1) No person shall export from Southern Rhodesia any goods to which Article 3 of this Order applies.

(2) No person shall —

- (a) make or carry out any contract for the exportation from Southern Rhodesia after the commencement of this Order of any goods to which Article 3 of this Order applies; or
- (b) make or carry out any contract for the sale of any such goods which he intends or has reason to believe that another person intends to export from Southern Rhodesia after the commencement of this Order; or
- (c) do any act calculated to promote the exportation from Southern Rhodesia of any such goods.

(3) No person shall deal in any goods to which Article 3 of this Order applies that have been exported from Southern Rhodesia in contravention of paragraph (1) of this Article, that is to say, shall, by way of trade or otherwise for gain, acquire or dispose of such goods or of any property or interest in them or any right to or charge upon them or process them or do any act calculated to promote any such acquisition, disposal or processing by himself or any other person.

(4) Without prejudice to any other provision of this Order —

- (a) any such contract as is referred to in sub-paragraph (a) or sub-paragraph (b) of paragraph (2) of this Article, whether made before or after the commencement of this Order; and
- (b) any transfer made, after the commencement of this Order and in pursuance of any such contract, of any property or interest in or any right to or charge upon any goods to which Article 3 of this Order applies,

shall be absolutely void:

Provided that no money paid after the commencement of this Order in pursuance of any such contract shall be recoverable in any court of law.

(5) No person shall carry out any of the following transactions, that is to say —

- (a) make any payment to or for the credit of a person resident in Southern Rhodesia; or
- (b) make any payment to or for the credit of a person resident outside Southern Rhodesia by order of or on behalf of a person resident in Southern Rhodesia; or
- (c) place any sum to the credit of a person resident in Southern Rhodesia; or
- (d) make any payment to or for the credit of a person resident outside Southern Rhodesia as consideration for or in association with —
 - (i) the receipt by any person of a payment made in Southern Rhodesia or the acquisition by any person of any property or thing which is in Southern Rhodesia; or
 - (ii) the transfer to any person, or the creation in favour of any person, of a right (whether present or future and whether vested or contingent) to receive a payment in Southern Rhodesia or to acquire any property or thing which is in Southern Rhodesia,

if that transaction is carried out for the purposes of any act that is forbidden by any of the provisions of this Article.

(6) Any person who contravenes the foregoing provisions of this Article shall be guilty of an offence against this Order and, in the case of a person who —

- (a) is a citizen of the United Kingdom and Colonies or a British subject without citizenship or a British protected person and is ordinarily resident in the Territory; or

- (b) is a body incorporated or constituted under the law of the Territory,

shall be guilty of such an offence wherever the contravention takes place.

(7) Nothing in this Article shall be construed so as to prejudice any other provision of law prohibiting or restricting the exportation of goods from Southern Rhodesia or acts incidental or related thereto or prohibiting or restricting payments to or for the credit of or connected with persons resident in Southern Rhodesia.

Exportation of certain goods from the Territory.

5. (1) All goods to which this Article applies are prohibited to be exported to Southern Rhodesia.

(2) Any person who exports any goods from the Territory in contravention of paragraph (1) of this Article shall be guilty of an offence against this Order.

(3) The goods to which this Article applies are the goods specified in Schedule 3 to this Order.

(4) Nothing in this Article shall be construed so as to prejudice any other provision of law prohibiting or restricting the exportation of goods from the Territory.

Supply of certain goods to Southern Rhodesia.

6. (1) No person shall —

- (a) supply or deliver or agree to supply or deliver to or to the order of any person in Southern Rhodesia any goods to which this Article applies that are not in that country; or
- (b) supply or deliver or agree to supply or deliver any such goods to any person knowing or having reasonable cause to believe that they will be supplied or delivered to or to the order of a person in Southern Rhodesia; or
- (c) do any act calculated to promote the supply or delivery of any such goods in contravention of the foregoing provisions of this paragraph.

(2) Any person who contravenes the foregoing provisions of this Article shall be guilty of an offence against this Order and, in the case of a person who —

- (a) is a citizen of the United Kingdom and Colonies or a British subject without citizenship or a British protected person and is ordinarily resident in the Territory; or
- (b) is a body incorporated or constituted under the law of the Territory,

shall be guilty of an offence wherever the contravention takes place.

(3) The goods to which this Article applies are the goods specified in Schedule 3 to this Order.

Manufacture or assembly in Southern Rhodesia of aircraft or motor vehicles.

7. (1) No person shall —

- (a) operate or use any undertaking in Southern Rhodesia, whether established before or after the commencement of this Order, as an undertaking to which this Article applies; or
- (b) authorise any undertaking in Southern Rhodesia to be operated or used by any other person as an undertaking to which this Article applies or give his consent to or connive in or by his neglect contribute to such operation or use.

(2) No person shall —

- (a) establish in Southern Rhodesia any undertaking to which this Article applies; or
- (b) convert any undertaking in Southern Rhodesia into an undertaking to which this Article applies; or

- (c) dispose (whether absolutely or for any lesser interest) of any undertaking in Southern Rhodesia to any other person if he knows or has reasonable cause to believe that that other person intends to use it as an undertaking to which this Article applies; or
- (d) acquire (whether absolutely or for any lesser interest) any undertaking in Southern Rhodesia with the intention of using it as an undertaking to which this Article applies; or
- (e) except with the consent of the Governor of the Territory, dispose (whether absolutely or for any lesser interest) of any property or assets of or forming part of any undertaking in Southern Rhodesia to which this Article applies to any other person otherwise than in the ordinary course of the business of that undertaking or acquire any such property or assets disposed of as aforesaid.

(3) No person shall —

- (a) make or carry out any contract for any of the following transactions, that is to say —
 - (i) the use or operation of any undertaking or the authorisation of, or the giving of consent to, the use or operation of any undertaking; or
 - (ii) the establishment, conversion, disposal or acquisition of any undertaking; or
 - (iii) the disposal or acquisition of the property or assets of or forming part of any undertaking, if that transaction would be in contravention of the foregoing provisions of this Article; or
- (b) do any other act calculated to promote any such transaction.

(4) Without prejudice to any other provision of this Order —

- (a) any such contract as is referred to in sub-paragraph (a) of paragraph (3) of this Article, whether made before or after the commencement of this Order; and
- (b) any transfer made, after the commencement of this Order and in pursuance of any such contract, of any property or interest in or any right to or charge upon any undertaking to which this Article applies or any property or assets of or forming part of any such undertaking,

shall be absolutely void:

Provided that no money paid after the commencement of this Order in pursuance of any such contract shall be recoverable in any court of law.

(5) The undertakings to which this Article applies are undertakings for the manufacture or assembly of aircraft or motor vehicles.

(6) Any person who contravenes the foregoing provisions of this Article shall be guilty of an offence against this Order and, in the case of a person who —

- (a) is a citizen of the United Kingdom and Colonies or a British subject without citizenship or a British protected person and is ordinarily resident in the Territory; or
- (b) is a body incorporated or constituted under the law of the Territory,

shall be guilty of such an offence wherever the contravention takes place.

8. (1) Without prejudice to the generality of Article 4 of this Order, no British ship and no aircraft, being a ship or aircraft to which this Article applies, shall be used for the carriage of any goods to which Article 3 of this Order applies if those goods are being or have been exported from Southern Rhodesia in contravention of Article 4 (1) of this Order.

Carriage of certain goods exported from or destined for Southern Rhodesia.

(2) Without prejudice to the generality of Articles 5 and 6 of this Order, no British ship and no aircraft, being a ship or aircraft to which this Article applies, shall be used for the carriage of any goods to which Article 5 or Article 6 of this Order applies if the carriage is, or forms part of, carriage from any place outside Southern Rhodesia to any destination therein.

(3) If any ship or aircraft is used in contravention of paragraph (1) of this Article —

- (a) the owner and the master of the ship; or
- (b) the operator and the commander of the aircraft,

as the case may be, shall be guilty of an offence against this Order unless he proves that he did not know and had no reason to suppose that the goods were being or had been exported from Southern Rhodesia in contravention of Article 4 (1) of this Order.

(4) If any ship or aircraft is used in contravention of paragraph (2) of this Article —

- (a) the owner and the master of the ship; or
- (b) the operator and the commander of the aircraft,

as the case may be, shall be guilty of an offence against this Order unless he proves that he did not know and had no reason to suppose —

- (i) that the carriage of the goods in question was, or formed part of, carriage from any place outside Southern Rhodesia to any destination therein; or
- (ii) that the goods in question were goods to which Article 5 or Article 6 of this Order applies.

(5) This Article applies to British ships registered in the United Kingdom or any territory to which this Order extends and to aircraft so registered or registered in Southern Rhodesia.

(6) Nothing in this Article shall be construed so as to prejudice any other provision of law prohibiting or restricting the use of ships or aircraft.

Investigation, etc., of
suspected British ships
and aircraft.

9. (1) Where any authorised officer, that is to say, any such officer as is referred to in section 692 (1) of the Merchant Shipping Act 1894 (a), has reason to suspect that any British ship registered in the United Kingdom or any territory to which this Order extends has been or is being or is about to be used in contravention of paragraph (1) or paragraph (2) of Article 8 of this Order, he may (either alone or accompanied and assisted by persons under his authority) board the ship and search her and, for that purpose, may use or authorise the use of reasonable force, and he may request the master of the ship to furnish such information relating to the ship and her cargo and produce for his inspection such documents so relating and such cargo as he may specify; and an authorised officer (either there and then or upon consideration of any information furnished or document or cargo produced in pursuance of such a request) may, in the case of a ship that is reasonably suspected of being or of being about to be used in contravention of Article 8 (2) of this Order, exercise the following further powers with a view to the prevention of the commission (or the continued commission) of any such contravention or in order that enquiries into the matter may be pursued, that is to say, he may either direct the master to refrain, except with the consent of an authorised officer, from landing at any port specified by the officer any part of the ship's cargo that is so specified or request the master to take any one or more of the following steps —

- (a) to cause the ship not to proceed with the voyage on which she is then engaged or about to engage until the master is notified by any authorised officer that the ship may so proceed;

- (b) if the ship is then in a port in the United Kingdom or any territory to which this Order extends, to cause her to remain there until the master is notified by any authorised officer that the ship may depart;
- (c) if the ship is then in any other place, to take her to any such port specified by the officer and to cause her to remain there until the master is notified as mentioned in subparagraph (b) of this paragraph; and
- (d) to take her to any other destination that may be specified by the officer in agreement with the master;

and the master shall comply with any such request or direction.

(2) Without prejudice to the provisions of paragraph (8) of this Article, where a master refuses or fails to comply with a request made under this Article that his ship shall or shall not proceed to or from any place or where an authorised officer otherwise has reason to suspect that such a request that has been so made may not be complied with, any such officer may take such steps as appear to him to be necessary to secure compliance with that request and, without prejudice to the generality of the foregoing, may for that purpose enter upon, or authorise entry upon, that ship and use, or authorise the use of, reasonable force.

(3) Where the Governor of the Territory or any person authorised by him for that purpose either generally or in a particular case has reason to suspect that any aircraft registered in the United Kingdom, Southern Rhodesia or any territory to which this Order extends has been or is being or is about to be used in contravention of paragraph (1) or paragraph (2) of Article 8 of this Order, the Governor or that authorised person may request the operator and the commander of the aircraft or either of them to furnish such information relating to the aircraft and its cargo and produce for his inspection such documents so relating and such cargo as he may specify, and that authorised person may (either alone or accompanied or assisted by persons under his authority) board the aircraft and search it and, for that purpose, may use or authorise the use of reasonable force; and, if the aircraft is then in the Territory, the Governor or any such authorised person (either there and then or upon consideration of any information furnished or document or cargo produced in pursuance of such a request) may further request the operator and the commander or either of them to cause the aircraft to remain in the Territory until notified that the aircraft may depart; and the operator and the commander shall comply with any such request.

(4) Without prejudice to the provisions of paragraph (8) of this Article, where the Governor of the Territory or any person authorised by him as aforesaid has reason to suspect that any request that an aircraft should remain in the Territory that has been made under paragraph (3) of this Article may not be complied with, the Governor or that authorised person may take such steps as appear to him to be necessary to secure compliance with that request and, without prejudice to the generality of the foregoing, may for that purpose —

- (a) enter, or authorise entry, upon any land and upon that aircraft;
- (b) detain, or authorise the detention of, that aircraft; and
- (c) use, or authorise the use of, reasonable force.

(5) A person authorised by or under the authority of the Governor to exercise any power for the purposes of paragraph (3) or paragraph (4) of this Article shall, if requested to do so, produce evidence of his authority before exercising that power.

(6) No information furnished or document produced by any person in pursuance of a request made under this Article shall be disclosed except —

- (a) with the consent of the person by whom the information was furnished or the document was produced:

Provided that a person who has obtained information or is in possession of a document only in his capacity as servant or agent of another person may not give consent for the purposes of this sub-paragraph but such consent may instead be given by any person who is entitled to that information or to the possession of that document in his own right; or

- (b) to any person who would have been empowered under this Article to request that it be furnished or produced or to any person holding or acting in any office under or in the service of the Crown in respect of the Government of the United Kingdom or under or in the service of the Government of any territory to which this Order extends; or

- (c) with a view to the institution of, or otherwise for the purposes of, any proceedings for an offence against this Order (whether in the Territory or in any other territory to which this Order extends) or for an offence against any provision of law with respect to matters similar to those regulated by this Order that is for the time being in force in the United Kingdom.

(7) Any power conferred by this Article to request the furnishing of information or the production of a document or of cargo for inspection shall include a power to specify whether the information should be furnished orally or in writing and in what form and to specify the time by which and the place in which the information should be furnished or the document or cargo produced for inspection.

(8) The following persons shall be guilty of an offence against this Order, that is to say —

- (a) a master of a ship who disobeys any direction given under paragraph (1) of this Article with respect to the landing of any cargo; or
- (b) a master of a ship or an operator or a commander of an aircraft who, without reasonable excuse, refuses or fails within a reasonable time to comply with any request made under this Article by any person empowered to make it or who wilfully furnishes false information or produces false documents to such a person in response to such a request; or
- (c) a master or a member of the crew of a ship or an operator or a commander or a member of the crew of an aircraft who wilfully obstructs any such person (or any person acting under the authority of any such person) in the exercise of his powers under this Article.

(9) Nothing in this Article shall be construed so as to prejudice any other provision of law conferring powers or imposing restrictions or enabling restrictions to be imposed with respect to ships or aircraft.

Obtaining of evidence
and information.

10. The provisions of Schedule 4 to this Order shall have effect in order to facilitate the obtaining, by or on behalf of the Governor of the Territory, of evidence and information for the purpose of securing compliance with or detecting evasion of this Order and in order to facilitate the obtaining, by or on behalf of the Governor of the Territory, of evidence of the commission of an offence against this Order.

11. (1) Any person guilty of an offence against this Order shall be liable —

Penalties and proceedings.

- (a) on conviction before a superior court to imprisonment for a term not exceeding two years or to a fine or to both; or
- (b) on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £500 or to both.

(2) Where any body corporate is guilty of an offence under this Order and that offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity he, as well as the body corporate, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(3) Summary proceedings for an offence against this Order, being an offence alleged to have been committed outside the Territory, may be commenced at any time not later than twelve months from the date on which the person charged first enters the Territory after committing the offence.

(4) Proceedings for an offence against this Order may be taken, and the offence may for all incidental purposes be treated as having been committed, in any place in the Territory where any person charged with that offence is for the time being.

(5) Proceedings for an offence against this Order shall not be instituted in the Territory except by, or with the consent of, the Attorney-General:

Provided that this paragraph shall not prevent the arrest, or the issue or execution of a warrant for the arrest, of any person in respect of such an offence, or the remanding, in custody or on bail, of any person charged with such an offence, notwithstanding that the necessary consent to the institution of proceedings for the offence has not been obtained.

(6) In paragraph (5) of this Article "the Attorney-General" means the Attorney-General or other principal law officer of the Territory:

Provided that —

- (a) if there is no such office established for the Territory the reference to the Attorney-General in that paragraph shall be construed as if it were a reference to the Governor; and
- (b) if by the law of the Territory power is vested to the exclusion of any other person in some officer other than the principal law officer to take over and continue criminal proceedings instituted before any civil court of the Territory by any other person or authority the said reference shall be construed as if it were a reference to that other officer.

12. (1) In this Order the following expressions have the meanings hereby respectively assigned to them, that is to say —

Interpretation.

"commander", in relation to an aircraft, means the person designated as commander of the aircraft by the operator thereof, and includes any person who is for the time being in charge or command of the aircraft;

"Governor" means the Governor or other officer administering the government of the Territory:

Provided that in the case of Brunei it means Her Majesty's High Commissioner for Brunei, and in the case of Bahrain, Qatar and the Trucial States it means Her Majesty's Political Resident in the Persian Gulf;

"master", in relation to a ship, includes any person (other than a pilot) for the time being in charge of the ship;

"operator", in relation to an aircraft, means the person for the time being having the management of the aircraft;

"owner", in relation to a ship, includes any person for the time being having the management of the ship and any person to whom it is chartered;

"person in Southern Rhodesia" includes any body constituted or incorporated under the law of Southern Rhodesia and any body carrying on business (whether within Southern Rhodesia or not) which is controlled by persons or bodies resident in Southern Rhodesia or constituted or incorporated as aforesaid.

(2) In this Order any reference to the holder of an office by a term designating or describing his office shall be construed as including, to the extent of his authority, a reference to any person for the time being authorised to perform the functions of that office.

(3) Any provision of this Order which relates to goods exported from Southern Rhodesia (or to the exportation of goods from Southern Rhodesia) shall not have effect in respect of goods exported (or the exportation of goods) which have only passed through Southern Rhodesia in transit and have not there been the subject of any transaction other than a transaction relating solely to their transportation.

(4) Any provision of this Order which relates to the exportation of goods to Southern Rhodesia, the supply or delivery of goods to or to the order of any person in Southern Rhodesia or the importation of goods into Southern Rhodesia shall not have effect in relation to goods which are so exported, supplied, delivered or imported, as the case may be, for the purposes of the Central African Power Corporation, Rhodesia Railways or the Central African Airways Corporation.

(5) For the purpose of this Order, the entry into Southern Rhodesia of an aircraft or a motor vehicle shall not be regarded as constituting the supply or delivery of that aircraft or vehicle to or to the order of any person in Southern Rhodesia or as constituting its importation into Southern Rhodesia if the entry is merely for the purpose of the aircraft or vehicle transporting persons or goods into, out of or across Southern Rhodesia and is not part of or associated with a transaction involving a transfer of the ownership of the aircraft or vehicle or of any interest therein.

(6) For the purposes of Article 4 (5) of this Order, a personal representative of a deceased person shall, unless the Governor of the Territory otherwise directs, be treated as resident in the territory where the deceased person was resident for the purposes in question at the time of his death and as not resident elsewhere, so far as relates to any matters in which the personal representative is concerned solely in his capacity as such.

(7) The Governor of the Territory may give directions declaring that for all or any of the purposes of Article 4 (5) of this Order a person is to be treated as resident or not resident in Southern Rhodesia.

(8) Any directions given by the Governor for the purposes of paragraph (4) or paragraph (5) of this Article may be either general or special and may be revoked or varied by subsequent such directions.

(9) The Governor may, to such extent and subject to such restrictions and conditions as he may think proper, delegate any of the powers conferred on him by paragraphs (6), (7) and (8) of this Article or his powers under Schedule 4 to this Order to authorise a person to act for the purposes of any provision of that Schedule to any person or class or description of persons, and references in those

paragraphs or that Schedule to the Governor shall be construed accordingly.

(10) The Interpretation Act 1889 (a) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

W. G. Agnew.

SCHEDULES

Article 2.

SCHEDULE 1

TERRITORIES TO WHICH THIS ORDER EXTENDS

Aden.	Grenada.
Antigua.	Hong Kong.
Bahama Islands.	Kamaran.
Bahrain	Kuria Muria Islands.
Bermuda.	Mauritius.
British Honduras.	Montserrat.
British Solomon Islands Protectorate.	Perim.
British Virgin Islands.	Qatar.
Brunei.	Seychelles.
Cayman Islands.	Swaziland.
Cyprus: Sovereign Base Areas	St. Christopher, Nevis and Anguilla.
of Akrotiri and Dhekelia.	St. Helena.
Dominica.	St. Lucia.
Falkland Islands.	St. Vincent.
Fiji.	The Trucial States.
Gibraltar.	Turks and Caicos Islands.
Gilbert and Ellice Islands Colony.	

Article 3.

SCHEDULE 2

GOODS TO WHICH ARTICLE 3 APPLIES

1. Asbestos.
2. Chromium ore (chromite or chrome iron ore) and concentrates thereof; ferro-chromium and ferro-silico-chromium.
3. Iron ore and concentrates thereof and roasted iron pyrites and roasted cupreous iron pyrites.
4. Pig iron, cast iron and spiegeleisen, in pigs, blocks, lumps and similar forms.
5. Copper ore, concentrates, slag, ash and residues; copper matte, cement copper, unwrought copper (refined or not); copper waste, scrap, powder and flakes; alloys (except copper phosphide (phosphor copper) containing more than 8 per cent. by weight of phosphorus) of copper with other materials in any proportion, not usefully malleable and commonly used as a raw material in the manufacture of other alloys or as deoxidants, de-sulphurising agents or for similar uses in the metallurgy of non-ferrous metals: wrought copper, including wrought copper alloys in which copper predominates by weight over each of the other metals, and other articles of copper, including articles of such copper alloys.
6. Sugar, that is to say, sugar cane, sugar and sugar syrups (whether or not flavoured or coloured), molasses and caramel.
7. Tobacco, whether unmanufactured or manufactured, and including tobacco refuse and tobacco extracts and essences.
8. Meat and meat offals, including dead poultry and poultry offals, suitable for human consumption; preparations thereof, including extracts and juices; unrendered pig and poultry fat.
9. Raw hides and skins, whether fresh, salted, dried, pickled or limed, excluding furskins but including sheepskins in the wool; leather, imitation patent leather and composition leather with a basis of leather or leather fibre.

Articles 5 and 6.

SCHEDULE 3

GOODS TO WHICH ARTICLES 5 AND 6 APPLY

PART I

Specified Goods

1. Arms.
2. Ammunition.
3. Aircraft.
4. Motor vehicles.
5. Equipment or materials for the manufacture, assembly or maintenance in Southern Rhodesia of arms, ammunition, aircraft or motor vehicles.
6. Petroleum.

PART II
Interpretation

1. In this Schedule —
 - (a) the expression "equipment or materials" includes plant and machinery;
 - (b) references to equipment or materials for the manufacture, assembly or maintenance of arms, ammunition, aircraft or motor vehicles include references to —
 - (i) parts and components of, and accessories for, arms, ammunition, aircraft or motor vehicles; and
 - (ii) completely knocked-down packs and unassembled arms, ammunition, aircraft or motor vehicles, for use in the manufacture, assembly or maintenance of arms, ammunition, aircraft or motor vehicles;
 - (c) the expression "petroleum" means mineral oil and natural gas and hydrocarbons derived wholly or mainly therefrom or from coal, bituminous shale or other mineral but excludes pharmaceutical, insecticide and pesticide products.
2. For the purposes of the operation of this Schedule in relation to Article 5 of this Order, equipment or materials shall be regarded as being for the manufacture, assembly or maintenance of arms, ammunition, aircraft or motor vehicles if (and shall not be so regarded unless) the person exporting them or seeking to export them intends, or has reasonable cause to believe that another person intends, that they should be used for that purpose.
3. For the purposes of the operation of this Schedule in relation to Article 6 of this Order, equipment and materials shall be regarded as being for the manufacture, assembly or maintenance of arms, ammunition, aircraft or motor vehicles if (and shall not be so regarded unless) the person performing or seeking to perform any act in relation to them that is specified in any of the sub-paragraphs of paragraph (1) of that Article (being an act which is prohibited by that sub-paragraph in relation to goods to which that Article applies) intends, or has reasonable cause to believe that another person intends, that they should be used for that purpose.

Article 10.

SCHEDULE 4

EVIDENCE AND INFORMATION

1. (1) Without prejudice to any other provision of this Order, or any provision of any other law, the Governor (or any person authorised by him for that purpose either generally or in a particular case) may request any person in or resident in the Territory to furnish to the Governor (or to that authorised person) any information in his possession or control, or to produce to the Governor (or to that authorised person) any document in his possession or control, which the Governor (or that authorised person) may require for the purpose of securing compliance with or detecting evasion of this Order; and any person to whom such a request is made shall comply with it within such time and in such manner as may be specified in the request.
- (2) Nothing in the foregoing sub-paragraph shall be taken to require any person who has acted as counsel or solicitor for any person to disclose any privileged communication made to him in that capacity.
- (3) Where a person is convicted before a superior court for failing to furnish information or produce a document when requested so to do under this paragraph, the court may make an order requiring him, within such period as may be specified in the order, to furnish the information or produce the document.
- (4) The power conferred by this paragraph to request any person to produce documents shall include power to take copies of or extracts from any document so produced and to request that person, or, where that person is a body corporate, any other person who is a present or past officer of, or is employed by, the body corporate, to provide an explanation of any of them.
2. (1) If any judge, magistrate or justice of the peace is satisfied by information on oath given by a person authorised by the Governor to act for the purposes of this paragraph either generally or in a particular case —
 - (a) that there is reasonable ground for suspecting that an offence against this Order has been or is being committed and that evidence of the commission of the offence is to be found on any premises specified in the information, or in any vehicle, vessel or aircraft so specified; or
 - (b) that any documents which ought to have been produced under paragraph 1 of this Schedule and have not been produced are to be found on any such premises or in any such vehicle, vessel or aircraft,
 he may grant a search warrant authorising any police officer, together with any other persons named in the warrant and any other police officers, to enter the premises specified in the information, or, as the case may be, any premises upon which the vehicle, vessel or aircraft so specified may be, at any time within one month from the date of the warrant and to search the premises, or, as the case may be, the vehicle, vessel or aircraft.

(2) A person authorised by any such warrant as aforesaid to search any premises or any vehicle, vessel or aircraft may search every person who is found in, or whom he has reasonable ground to believe to have recently left or to be about to enter, those premises or that vehicle, vessel or aircraft and may seize any document or article found on the premises or in the vehicle, vessel or aircraft or on such person which he has reasonable ground to believe to be evidence of the commission of any offence against this Order or any document which he has reasonable ground to believe ought to have been produced under paragraph 1 of this Schedule or to take in relation to any such article or document any other steps which may appear necessary for preserving it and preventing interference with it:

Provided that no female shall, in pursuance of any warrant issued under this paragraph, be searched except by a female.

(3) Where, by virtue of this paragraph, a person is empowered to enter any premises, vehicle, vessel or aircraft he may use such force as is reasonably necessary for that purpose.

(4) Any documents or articles of which possession is taken under this paragraph may be retained for a period of three months or, if within that period there are commenced any proceedings for an offence against this Order to which they are relevant, until the conclusion of those proceedings.

3. A person authorised by the Governor to exercise any power for the purposes of this Schedule shall, if requested to do so, produce evidence of his authority before exercising that power.

4. No information furnished or document produced (including any copy or extract made of any document produced) by any person in pursuance of a request made under this Schedule and no document seized under paragraph 2 (2) of this Schedule shall be disclosed except —

- (a) with the consent of the person by whom the information was furnished or the document was produced or the person from whom the document was seized:

Provided that a person who has obtained information or is in possession of a document only in his capacity as servant or agent of another person may not give consent for the purposes of this sub-paragraph but such consent may instead be given by any person who is entitled to that information or to the possession of that document in his own right; or

- (b) to any person who would have been empowered under this Schedule to request that it be furnished or produced or to any person holding or acting in any office under or in the service of the Crown in respect of the Government of the United Kingdom or under or in the service of the Government of any territory to which this Order extends; or
- (c) with a view to the institution of, or otherwise for the purposes of, any proceedings for an offence against this Order (whether in the Territory or any other territory to which this Order extends) or for an offence against any provision of law with respect to matters similar to those regulated by this Order that is for the time being in force in the United Kingdom.

5. Any person who —

- (a) without reasonable excuse, refuses or fails within the time and in the manner specified (or, if no time has been specified, within a reasonable time) to comply with any request made under this Schedule by any person who is empowered to make it; or
- (b) wilfully furnishes false information or a false explanation or otherwise wilfully obstructs any person in the exercise of his powers under this Schedule; or
- (c) with intent to evade the provisions of this Schedule, destroys, mutilates, defaces, secretes, or removes any document,

shall be guilty of an offence against this Order.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, made under the United Nations Act 1946, applies to each of the territories specified in Schedule 1. It prohibits the importation into the territory of certain goods exported from Southern Rhodesia and the exportation from the territory of certain goods intended for Southern Rhodesia. It also prohibits certain activities and dealings relating to the exportation from Southern Rhodesia of the former goods and the supply to Southern Rhodesia of the latter goods, including carriage of these goods in British ships or aircraft. The Order also imposes restrictions with respect to undertakings in Southern Rhodesia for the manufacture or assembly of aircraft or motor vehicles. It also makes provision for the investigation of ships and aircraft that are suspected of contravening this Order. It confers certain powers relating to the obtaining of evidence and information for the purposes of the Order.

WAGES AGREEMENT

The following agreement has been reached between the Government, the Falkland Islands Company, Ltd., and the General Employees Union. The agreement shall be effective for a period of one year from the 1st of January, 1967, and shall apply to hourly paid employees in Stanley.

1. Basis of Wage Rates.

Wages shall be adjustable by negotiation except that any changes arising from fluctuations in the cost of living, except as provided below, 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 purpose of wage adjustments an average of the findings of the last four preceding quarters shall be used. Provided this average shall not take into account any changes in the level of taxation already imposed.

(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) 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.

(c) 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	...	...	...	5/8d.
2. Apprentices		1st year		2/11
		2nd year		3/3
		3rd year		3/7
		4th year		4/1
		5th year		4/7
3. Handymen	...	...	...	4/9 to 5/5 according to ability.
4. Slaughtermen and tradesmen's mates		...	...	4/7
5. Lorry Drivers, including men tending stationary engines or boilers				4/9
6. Labourers	...	...	...	4/6
7. Boy Labourers		Age		Hourly Rate.
		14-15		1/10d.
		15-16		2/3½
		16-17		3/-
		17-18		3/7½
		18		4/6

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

Cost of living awards, when authorised, should be paid in full to apprentices and boy labourers.

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

* An apprenticeship should not commence before the 15th birthday.

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.

A Bill for An Ordinance

To give effect to certain International
Conventions relating to the Employment of
Women, Young Persons and Children.

Title.

(, 1967)

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
Women, Young Persons and Children Ordinance, 1967.

Short title.

2. In this Ordinance unless the context otherwise requires —

Interpretation.

“child” means a person under the age of fourteen years;

“competent authority” means the Governor in Council;

“duly authorized officer” means any officer authorized by the
Governor by notice in the Gazette to act under the provisions
of this Ordinance;

“industrial undertaking” has, with respect to the employment of
children, young persons and women, the meanings respec-
tively assigned thereto in the conventions set out in Parts I,
II and III of the Schedule to this Ordinance;

“ship” means any sea-going ship or boat of any description which
is registered in the Colony as a British ship;

“woman” means a woman of the age of eighteen years and
upwards;

“young person” means a person who has ceased to be a child
and who is under the age of eighteen years.

Restriction on the employment of women, young persons, and children in industrial undertakings.

3. (1) No child shall be employed in any industrial undertaking.

(2) No child shall be employed in any ship except to the extent to which and in the circumstances in which such employment is permitted under the Convention set out in Part IV of the Schedule to this Ordinance.

(3) No young person or woman shall be employed at night in any industrial undertaking, except to the extent to which and in the circumstances in which such employment is permitted under the Conventions set out in Part II and Part III respectively of the Schedule to this Ordinance.

(4) Where young persons are employed in any industrial undertaking, a register of the young persons so employed, and the dates of their birth, and of the dates on which they enter and leave the service of their employer, shall be kept and shall at all times be open to inspection by any duly authorized officer.

(5) No woman or female young person shall be employed on underground work in any mine, quarry or other work for the extraction of minerals from under the surface of the earth.

(6) There shall be included in every agreement with the crew entered into under the Merchant Shipping Act, 1894, a list of the young persons under the age of sixteen years who are members of the crew, together with particulars of the dates of their birth, and, in the case of a ship in which there is no such agreement, the master of the ship shall, if young persons under the age of sixteen years are employed therein, keep a register of those persons with particulars of the dates of their birth and of the dates on which they become or cease to be members of the crew, and the register so kept shall at all times be open to inspection by any duly authorized officer.

(7) This section, so far as it relates to employment in a ship, shall have effect as if it formed part of the Merchant Shipping Acts, 1894 to 1948.

- (8) (a) If any person employs a child or a young person in any industrial undertaking in contravention of this Ordinance, he shall be guilty of an offence and shall be liable on summary conviction for each offence to a fine not exceeding £2, or, in case of a second or subsequent offence, not exceeding £5; and where a child is taken into employment in any industrial undertaking in contravention of this Ordinance on the production, by or with the privity of the parent, of a false or forged certificate, or on the false representation of his parents that the child or young person is of an age at which such employment is not in contravention of this Ordinance, that parent shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £2; and
- (b) If any child is employed in any ship in contravention of this Ordinance, the master of the ship shall be guilty of an offence and shall be liable on summary conviction for each offence to a fine not exceeding £2, or, in the case of a second or subsequent offence, not exceeding £5; and where a child is taken into employment in any ship in contravention of this Ordinance on the production, by or with the privity of the parent, of a false or forged certificate or on the false representation of his parent that the child is of an age at which such employment is not in contravention of this Ordinance, that parent shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £2; and
- (c) If any person, being the employer of a young person fails to keep such a register so required to be kept by him as

aforesaid, or refuses or neglects, when required, to produce it for inspection by a duly authorized officer, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £20; and

- (d) If the master of a ship fails to keep such a register so required to be kept by him as aforesaid, or refuses or neglects, when required, to produce it for inspection by a duly authorized officer or any other person having power to enforce compliance with the provisions of the Merchant Shipping Acts, 1894 to 1948, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £20; and
- (e) If a person employs a woman in contravention of this Ordinance, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £20.

4. (1) The provisions of this Ordinance shall be in addition to and not in derogation of any of the provisions of any other law restricting the employment of women, young persons, or children. Savings.

(2) Nothing in this Ordinance shall apply to an industrial undertaking or ship in which only members of the same family are employed.

5. (1) Any duly authorized officer may, for the purpose of ascertaining whether the provisions of this Ordinance are being or have been complied with, at all reasonable times enter any land, premises, ship or other place and make such examination and inquiry and ask such questions of any person as may be reasonably necessary for that purpose. Inspection.

(2) If any person —

- (a) wilfully delays or obstructs a duly authorized officer in the exercise of any power under this section, or
- (b) refuses or neglects to answer any question or to furnish any information when required so to do by such officer,

he shall be liable on summary conviction to a fine not exceeding £5:

Provided that no person shall be required under this section to answer any question tending to incriminate himself.

(3) Every duly authorized officer shall be furnished with a certificate of his authorization, and on entering any place for the purposes of this section shall, if so required, produce the said certificate.

(4) Every duly authorized officer may take with him a constable if he has reasonable cause to apprehend any serious obstruction in the execution of his duty.

SCHEDULE

PART I

Sections 2 and 3

Convention fixing Minimum Age for Admission of Children to Industrial Employment.

1. For the purpose of this Convention, the term "industrial undertaking" includes particularly -
 - (a) Mines, quarries and other works for the extraction of minerals from the earth;
 - (b) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed; including shipbuilding, and the generation, transformation, and transmission of electricity and motive power of any kind.
 - (c) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer,

drain, well, telegraphic or telephonic installation, electrical undertaking, gaswork, waterwork, or other work of construction, as well as the preparation for or laying the foundations of any such work or structure.

- (d) Transport of passengers or goods by road or rail or inland waterway, including the handling of goods at docks, quays, wharves, and warehouses, but excluding transport by hand.

The competent authority in each country shall define the line of division which separates industry from commerce and agriculture.

2. Children under the age of fourteen years shall not be employed or work in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed.

3. The provisions of Article 2 shall not apply to work done by children in technical schools, provided that such work is approved and supervised by public authority.

4. In order to facilitate the enforcement of the provisions of this Convention, every employer in an industrial undertaking shall be required to keep a register of all persons under the age of sixteen years employed by him, and of the dates of their births.

PART II

Convention concerning the Night Work of Young Persons employed in Industry.

1. For the purpose of this Convention, the term "industrial undertaking" includes particularly —

- (a) Mines, quarries, and other works for the extraction of minerals from the earth.
- (b) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up, or demolished, or in which materials are transformed; including shipbuilding, and the generation, transformation, and transmission of electricity or motive power of any kind.
- (c) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gaswork, waterwork, or other work of construction as well as the preparation for or laying the foundations of any such work or structure.
- (d) Transport of passengers or goods by road or rail, including the handling of goods at docks, quays, wharves, and warehouses, but excluding transport by hand.

The competent authority in each country shall define the line of division which separates industry from commerce and agriculture.

2. Young persons under eighteen years of age shall not be employed during the night in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed, except as hereinafter provided for.

Young persons over the age of sixteen may be employed during the night in the following industrial undertakings on work which by reason of the nature of the process, is required to be carried on continuously day and night:

- (a) Manufacture of iron and steel; process in which reverberatory or regenerative furnaces are used, and galvanising of sheet metal or wire (except the pickling process).
- (b) Glass works.
- (c) Manufacture of paper.
- (d) Manufacture of raw sugar.
- (e) Gold mining reduction work.

3. For the purpose of this Convention, the term "night" signifies a period of at least eleven consecutive hours, including the interval between ten o'clock in the evening and five o'clock in the morning.

In coal and lignite mines work may be carried on in the interval between ten o'clock in the evening and five o'clock in the morning, if an interval or ordinarily fifteen hours, and in no case of less than thirteen hours separates two periods of work.

Where night work in the baking industry is prohibited for all workers, the interval between nine o'clock in the evening and four o'clock in the morning may be substituted in the baking industry for the interval between ten o'clock in the evening and five o'clock in the morning.

4. The provisions of Articles 2 and 3 shall not apply to the night work of young persons between the ages of sixteen and eighteen years in cases of emergencies which could not have been controlled or foreseen, which are not of a periodical character, and which interfere with the normal working of the industrial undertaking.

5. The prohibition of night work may be suspended by the Government, for young persons between the ages of sixteen and eighteen years, when in case of serious emergency the public interest demands it.

PART III

Convention concerning the Night Work of Women Employed in Industry.

1. For the purpose of this Convention, the term "industrial undertaking" includes particularly —
 - (a) Mines, quarries, and other works for the extraction of minerals from the earth.
 - (b) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed; including shipbuilding and the generation, transformation and transmission of electricity or motive power of any kind.
 - (c) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gaswork, waterwork, or other work of construction, as well as the preparation for or laying the foundations of any such work or structure.

The competent authority in each country shall define the line of division which separates industry from commerce and agriculture.

2. For the purpose of this Convention, the term "night" signifies a period of at least eleven consecutive hours, including the interval between ten o'clock in the evening and five o'clock in the morning.

3. Women without distinction of age shall not be employed during the night in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed.

4. Article 3 shall not apply —

- (a) In cases of force majeure, when in any undertaking there occurs an interruption of work which it was impossible to foresee, and which is not of a recurring character.
- (b) In cases where the work has to do with raw materials or materials in course of treatment which are subject to rapid deterioration, when such night work is necessary to preserve the said materials from certain loss.

5. In industrial undertakings which are influenced by the seasons and in all cases where exceptional circumstances demand it, the night period may be reduced to ten hours on sixty days of the year.

PART IV

Convention fixing the Minimum Age for Admission of Children to Employment at Sea.

1. For the purpose of this Convention, the term "vessel" includes all ships and boats, of any nature whatsoever, engaged in maritime navigation, whether publicly or privately owned: it excludes ships of war.

2. Children under the age of fourteen years shall not be employed or work on vessels other than vessels upon which only members of the same family are employed.

3. The provisions of Article 2 shall not apply to work done by children on school ships or training ships, provided that such work is approved and supervised by public authority.

4. In order to facilitate the enforcement of the provisions of this Convention, every shipmaster shall be required to keep a register of all persons under the age of sixteen years employed on board his vessel, or a list of them in the articles of agreement, and of the dates of their births.

OBJECTS AND REASONS

The object of this Bill is to carry out International Conventions relating to —

- (a) the minimum age for admission of children to industrial employment;
- (b) the night work of young persons employed in industry;
- (c) the night work of women in industry; and
- (d) the minimum age for admission of children to employment at sea.

Similar enactments exist in the United Kingdom and other Colonies.

A Bill for An Ordinance Further to amend the Marriage Ordinance.

Title.

Date of commencement.

(, 1967)

Enacting clause.

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

Short title.
(Cap. 43)

1. This Ordinance may be cited as the Marriage (Amendment) Ordinance, 1967, and shall be read as one with the Marriage Ordinance, hereinafter referred to as the principal Ordinance.

Amendment of section 6.

2. Section 6 of the principal Ordinance is amended by the deletion, in subsection (1), of the words "the Roman Catholic Church" and the substitution therefor of the words "St. Mary's Catholic Church".

Amendment of section 7.

3. Section 7 of the principal Ordinance is amended by —
(a) the deletion from paragraph (b) of the proviso to subsection (1) of the words "or in the house of a justice" and the substitution therefor of the words "or at the place therein stated";
(b) the deletion from subsection (2) of the words "in his office".

Amendment of section 11.

4. Section 11 of the principal Ordinance is amended by the deletion from paragraph (1) of the proviso of the words "or a minister".

Amendment of section 12.

5. Section 12 of the principal Ordinance is amended by the deletion from paragraph (1) of the words "or in the office of the registrar, or in the house of a justice, or in such place as any special licence shall specify" and the substitution therefor of the words "or at the place stated in the licence".

Amendment of section 13.

6. Subsection (1) of section 13 is amended by the deletion of the word "in" and the substitution therefor of the word "at".

Amendment of Third
Schedule.

7. The Third Schedule to the principal Ordinance is amended, by the insertion, after the words and figures "Marriage by Registrar 10. 0." of the following —

"Marriage by Registrar (Governor's special licence) 2. 0. 0."

OBJECTS AND REASONS

The purpose of this Bill is to permit a marriage to be celebrated at the place stated in the marriage licence thus meeting the present requirements of the Colony. Section 7 brings the marriage fees payable in respect of marrying by a registrar into line with the prescribed fees in the case of marriage by a minister.

Ref. 1131.

A Bill for

An Ordinance

To amend the Ionising Radiations (Protection of Workers) Ordinance, 1966.

Title.

(, 1967)

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 Ionising Radiations (Protection of Workers) (Amendment) Ordinance, 1967.

Short title.

2. Section 3 of the Ionising Radiations (Protection of Workers) Ordinance, 1966, is amended by the insertion after the word “therein” of the words “for the first time”.

Amendment of section 3.
(11 of 1966)

OBJECTS AND REASONS

The object of this Bill is to remove any possible ambiguity of the interpretation of section 3 of the Ionising Radiations (Protection of Workers) Ordinance, 1966.

Ref. 0535/XIV.



THE FALKLAND ISLANDS GAZETTE

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Vol. LXXVI.

1 MARCH 1967

No. 3

Appointments

Fitzroy Kelly, Auditor, 22.1.67.

George Smith, Wireless Operator, Posts and Telecommunications Department, 22.1.67.

Peter Blakely, Handyman, South Georgia, 20.2.67.

Re-appointments

John Wyndham Poltock, Headmaster, Darwin Boarding School, 22.1.67.

Mrs. Sheila Lesley Poltock, Matron/Assistant Mistress, Darwin Boarding School, 22.1.67.

Confirmation of Appointment

Kenneth Thomas Mills, Clerk, Public Service, 3.2.65.

NOTICES

No 11. 21st February 1967

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

No.	Title	Ref.
10/66	Old Age Pensions (Amendment) Ordinance, 1966	0323/G.
15/66	Stanley Town Council (Amendment) Ordinance, 1966	0039/C/III.

No. 12 24th February 1967.

Defence Force Ordinance

NOTICE IS GIVEN that Proclamation No. 3 of 1966 has been rescinded.

Ref. 2361/III.

No. 13.

1st March 1967.

Stanley Town Council

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

MR. ALFRED JOHN BLYTH

to be a Member of the Council.

Ref. 0039/C/III.

Her Majesty's Supreme Court of the Falkland Islands

The following sittings are notified —

March 16th 1967 and March 17th 1967	}	Criminal Sessions and Appeals.
September 14th 1967 and September 15th 1967	}	Civil and Divorce Causes.

H. BENNETT,
Registrar Supreme Court.

The Supreme Court,
Stanley, Falkland Islands.
8th February 1967.

Receiving Order on Debtor's Petition

In the Supreme Court of the Falkland Islands.

IN BANKRUPTCY

Re: *George Joseph Butler*.

On the petition of the debtor himself, filed the 23rd day of January 1967 a receiving order is hereby made against George Joseph Butler of Stanley, Falkland Islands, butcher, and Mr. Alister Sloggie is hereby constituted receiver of the estate of the said debtor.

Dated this 8th day of February 1967.

W. H. THOMPSON,
Acting Judge.

In the Supreme Court of the Falkland Islands
NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE
(Cap. 1)

In the matter of Bernard Leslie Pinnock, deceased, of Stanley, Falkland Islands, who died on the 23rd day of July, 1966.

WHEREAS Raymond David Clements, Attorney for Mrs. Lily Emily Lee, mother 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,
20th February 1967.
S.C. 13/67.

In the Supreme Court of the Falkland Islands
NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE
(Cap. 1)

In the matter of Flora Berntsen, deceased, of Stanley, Falkland Islands, who died on the 24th day of January 1967 at Montevideo, Uruguay.

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,
28th February 1967.
S.C. 16/67.

INDEX OF LEGISLATION

The following item appearing in this issue should be entered in the Index of Supplementary Legislation —
Pensions (Amendment) Regulations, 1967.

The Pensions Ordinance, 1965.

REGULATIONS

(under section 3(2) of the Ordinance)

No. 1 of 1967.

C. HASKARD,
Governor.

In exercise of the powers conferred by subsection (2) of section 3 of the Pensions Ordinance, 1965, the Governor in Council, with the sanction of the Secretary of State, has made the following Regulations —

Citation.

1. These Regulations may be cited as the Pensions (Amendment) Regulations, 1967.

Amendment of Schedule.

2. The Schedule to the Pensions Regulations, 1965, is amended by the insertion of the following words in their proper alphabetical context —

“Guyana”

“Republic of Botswana”

“Kingdom of Lesotho”.

Made by the Governor in Council this 14th day of February, 1967.

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

Ref. 0829/IV.

STANLEY TOWN COUNCIL

Accounts for the year ended 31st December, 1966.

CERTIFICATE OF THE AUDITOR

The attached accounts have been examined in accordance with Section 97 of the Stanley Town Council Ordinance, Chapter 68 of the Laws of the Falkland Islands. I have obtained all the information and explanations that I have required and I certify, as a result of this audit, that in my opinion the attached accounts are correct.

2. The Crown Agents certificate covering the investments held on behalf of the Cemetery Fund at 31st December, 1966 is not yet available. It has therefore not been possible to verify the existence of the holding at this date.

F. KELLY,
Auditor.

STANLEY TOWN COUNCIL

REVENUE 1966

RECEIPTS	Amount Estimated.	Actual Receipts			Over the Estimate.	Under the Estimate.							
	£	£	s.	d.	£	s.	d.	£	s.	d.			
ORDINARY REVENUE													
I. CEMETERY	50				56	0	0	6	0	0			
II. MISCELLANEOUS													
(a) Miscellaneous	30	34	15	0				4	15	0			
(b) Garbage Removal	60	60	0	0									
(c) Government Contribution Arch Green	52	26	0	0					26	0	0		
(d) Interest Investments Cemetery Fund	124	123	19	0						1	0		
(e) Savings Bank Interest ...	160	205	9	4	450	3	4	45	9	4			
Total Miscellaneous ...													
III. LIBRARY	60				82	14	8	22	14	8			
IV. GENERAL RATE													
(a) Rate	2800	2756	14	3					43	5	9		
(b) Government Contribution ...	825	825	0	0	3581	14	3						
Total General Rate ...													
V. WATER SUPPLY													
(a) Rate	660	665	0	4				5	0	4			
(b) Sales	450	391	16	6	1056	16	10		58	3	6		
Total Water Supply ...													
VI. TOWN HALL													
(a) Hirings	600	721	13	6				121	13	6			
(b) Government Contribution ...	802	621	1	6	1342	15	0		180	18	6		
Total Town Hall ...													
VIII. SALE OF PEAT					10	6	8						
Total Receipts above the line.	6673				6580	10	9	205	12	10	308	8	9
Security Deposits					229	0	0						
Caretaker's Deposits					52	0	0						
Government Charitable Relief Fund					1580	0	0						
Employees' Telephone Payments					10	0	0						
Deposit for Refund					24	17	5						
TOTAL RECEIPTS					8476	8	2						
Balance, 1st January, 1966.					7583	10	6						
					£ 16059	18	8						

STANLEY TOWN COUNCIL

EXPENDITURE 1966

PAYMENTS	Amount Estimated.	Actual Payments			Over the Estimate.	Under the Estimate							
	£	£	s.	d.	£	s.	d.	£	s.	d.			
ORDINARY EXPENDITURE													
I. TOWN CLERK	623				660	0	0	37	0	0			
II. CEMETERY													
(a) Wages	565	616	2	8				51	2	8			
(b) Upkeep	100	33	3	9									
<i>Total Cemetery</i> ...					649	6	5		66	16	3		
III. FIRE BRIGADE													
(a) Wages	115	99	0	0					16	0	0		
(b) Upkeep	200	452	19	9				252	19	9			
<i>Total Fire Brigade</i> ...					551	19	9						
IV. LIBRARY													
(a) Wages	198	223	10	0				25	10	0			
(b) Upkeep	250	244	9	5					5	10	7		
<i>Total Library</i> ...					467	19	5						
V. MISCELLANEOUS													
(a) Telephones	52	56	12	6				4	12	6			
(b) Stationery	3	8	17	11				5	17	11			
(c) O.A.P. Contribution ...	35	35	2	0				2	0				
(d) Election													
(e) Audit	40	20	0	0					20	0	0		
(f) Insurance	96	147	15	8				51	15	8			
(g) Unforeseen	30	35	13	6				5	13	6			
<i>Total Miscellaneous</i> ...					304	1	7						
VI. SCAVENGING													
(a) Ash Contract	1220	1215	15	0					4	5	0		
(b) Rodent Control	60	54	14	4					5	5	8		
<i>Total Scavenging</i> ...					1270	9	4						
VII. STREET LIGHTS													
(a) Current	800	665	2	9					134	17	3		
(b) Repairs	80	103	3	7				23	3	7			
<i>Total Street Lighting</i> ...					768	6	4						
VIII. TOWN HALL													
(a) Wages	660	658	8	6					1	11	6		
(b) Fuel	1600	455	13	7					1144	6	5		
(c) Light	220	247	7	0				27	7	0			
(d) Care & Maintenance ...	100	238	17	9				138	17	9			
(e) Cleaning	45	22	15	3					22	4	9		
<i>Total Town Hall</i> ...					1623	2	1						
IX. WATER SUPPLY													
(a) Ships	150	172	15	6				22	15	6			
(b) Connections	10								10	0	0		
<i>Total Water Supply</i> ...					172	15	6						
X. ARCH GREEN	100				76	10	4		23	9	8		
XI. CEMETERY COTTAGE	225				26	7	4		198	12	8		
EXTRAORDINARY EXPENDITURE:													
(a) Town Hall Improvement ...	150				14	14	2		135	5	10		
(b) Town Hall Floor	250				105	8	10		144	11	2		
(c) Town Hall Oil Heating Installation	800				472	14	10		327	5	2		
Total Payments above the line.	8777				7163	15	11	646	17	10	2260	1	11
Government Charitable Relief ...					1252	15	2						
Security Deposits					256	0	0						
Caretaker's Deposits					52	0	0						
Employees' Telephone Payments Repaid ...					8	0	0						
Deposit For Refund Paid					23	16	5						
TOTAL PAYMENTS					8756	7	6						
Balance 31st December, 1966.					7303	11	2						
					£ 16059	18	8						

J. Leonard,
Town Clerk.
7th February, 1967.



THE
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Appointments

Willian Russell Mahood, L.D.S., B.D.S., Dental Surgeon, Medical Department, 4.3.67.
Peter John Martindale, Camp Teacher, Education Department, 4.3.67.
Miss Carole Wendy Ross, Clerk, Public Service, 9.3.67.

Acting Appointments

John Edward Cheek, Supervisor, W/T Section, 13.3.67.
Andrew James Duncan, Engineer, m.v. Philomel, 13.3.67.
David Wheeler, Meteorological Forecaster, South Georgia, 29.3.67.

Promotions

Neil Watson, to Senior Clerk, Public Works Department, 19.3.67.
Robert Richard Barnes, to Cashier, Treasury, 19.3.67.

Completion of Tour of Duty

Fitzroy Kelly, Auditor, 12.3.67.

Resignations

Miss Susan Joan Short, Nurse Probationer, Medical Department, 5.3.67.
Miss Dwenda Elizabeth Finlayson, Clerk, Public Service, 12.3.67.

NOTICES

No. 14. 29th March 1967.
Intimation has been received from the Right Honourable the Secretary of State for Commonwealth Affairs 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 —

No.	Title	Ref.
5/66	Prison Ordinance 1966	0836/II.

No. 15. 29th March 1967.

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

No.	Title	Ref.
3/66	Application of Colony Laws (Repeal) Ordinance 1966	1994.
4/66	Application of Colony Laws (Amendment and Validation) Ordinance 1966	0188/II.
5/66	Application of Colony Laws Ord. 1966	0188/II.
6/66	Application of Colony Laws (No. 2) Ordinance 1966	0188/II.

In the Supreme Court of the Falkland Islands
NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE (Cap. I)

In the matter of Alfred Frederick William Cann Jacobsen, deceased, of Stanley, Falkland Islands, who died at Montevideo, Uruguay, on the 13th day of January 1967.

WHEREAS Donald John Morrison, brother-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,
27th March 1967.
S. C. 14/67.

INDEX OF LEGISLATION

The following item appearing in this issue should be entered in the Index of Supplementary Legislation —
Arbitration (International Investment Disputes) Act 1966 (Application to Colonies etc.,) Order 1967.

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

1967 No. 159

ARBITRATION

The Arbitration (International Investments Disputes) Act
1966 (Application to Colonies etc.) Order 1967

Made - - - - - 10th February 1967

Coming into Operation 20th February 1967

At the Court at Buckingham Palace, the 10th day of February 1967

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers conferred upon Her by section 6 of the Arbitration (International Investment Disputes) Act 1966 (*a*) (hereinafter referred to as "the Act") 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 Arbitration (International Investment Disputes) Act 1966 (Application to Colonies etc.) Order 1967, and shall come into operation on 20th February 1967.

Application of Act to certain territories.

2. Subject to the adaptations and modifications specified in Schedule 2 to this Order, the provisions of the Act, except sections 5, 6, 7 and 8 thereof, shall extend to the territories (including any dependencies thereof) specified in Schedule 1 to this Order.

Interpretation.

3. (1) For the purposes of the application of the provisions of the Act to any territory specified in Schedule 1 to this Order, in Schedule 2 to this Order —

"the Territory" means that territory;

"the Supreme Court" means the court (by whatever name styled) having unlimited original jurisdiction in that territory in civil matters;

"the Governor" means the Governor or other officer for the time being administering the government of that territory.

(2) The Interpretation Act 1889 (*b*) shall apply, with the necessary adaptations, for the purpose of interpreting this Order and otherwise in relation thereto as it applies for the purpose of interpreting and in relation to Acts of Parliament of the United Kingdom.

Section 2.

SCHEDULE 1

TERRITORIES TO WHICH THE ACT EXTENDS

Antigua	Hong Kong
Bahamas	Mauritius
Bermuda	Montserrat
British Honduras	St. Christopher, Nevis and Anguilla
British Solomon Islands Protectorate	St. Helena
Cayman Islands	St. Lucia
Dominica	St. Vincent
Falkland Islands	Seychelles
Fiji	Swaziland
Gibraltar	Turks and Caicos Islands
Gilbert and Ellice Islands Colony	Virgin Islands.
Grenada	

Section 2.

SCHEDULE 2

ADAPTATIONS AND MODIFICATIONS TO BE MADE IN THE APPLICATION
OF THE ACT TO A TERRITORY

1. In sections 1 (2) and 2 (1), for the references to the High Court there shall be substituted references to the Supreme Court of the Territory.

2. In section 1 (3), for the words "the United Kingdom" there shall be substituted the words "the Territory".

3. In sections 1 (6) and 2 (2), for the references to section 99 of the Supreme Court of Judicature (Consolidation) Act 1925 (a) there shall be substituted references to the corresponding enactment forming part of the law of the Territory enabling rules of court to be made with respect to the practice and procedure of the Supreme Court of the Territory in civil proceedings.

4. For section 3 there shall be substituted the following section —

3. (1) The Governor may by order —

(a) make provision, in relation to such proceedings pursuant to the Convention as are specified in the order, for the attendance of witnesses, the hearing of evidence and the production of documents;

(b) direct that the Foreign Tribunals Evidence Act 1856 (b) (which relates to the taking of evidence for the purpose of proceedings before a foreign tribunal) shall apply to such proceedings pursuant to the Convention as are specified in the order, with or without any modifications or exceptions specified in the order.

(2) Except as provided by any order made under subsection (1) (a) of this section, no enactment relating to arbitration which forms part of the law of the Territory shall apply to proceedings pursuant to the Convention, but this subsection shall not be taken as affecting any provision of such an enactment relating to staying court proceedings where there is submission to arbitration.

(3) An order made under this section may be varied or revoked by a subsequent order so made.

(a) 1925 c. 49.

(b) 1856 c. 113.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order extends the provisions of the Arbitration (International Investment Disputes) Act 1966, with certain exceptions, adaptations and modifications, to the territories specified in Schedule 1 to the Order.

Ref. 2036.

Report on the working of the Government Savings Bank for the year 1965/66.

The Honourable,
The Colonial Secretary,
Stanley.

Colonial Treasury,
Stanley, Falkland Islands.
9th December, 1966.

Sir,

I have the honour to submit the following report on the Savings Bank for the year ending 30th June, 1966, together with the following accounts and 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. Revenue for the year totalled £60,968 : 19 : 0, and exceeded expenditure (interest on deposits £27,641 : 7 : 6 and administration charge £2,000) by £31,327 : 11 : 6.

3. Deposits amounted to £329,397 : 1 : 4; withdrawals totalled £371,259 : 8 : 1. Interest credited to depositors' accounts totalled £27,641 : 7 : 6.

4. The total amount due to depositors on 30th June, 1966 was £1,164,796 : 8 : 7 compared with £1,179,017 : 7 : 10 at 30th June, 1965.

5. The assets of the bank exceeded liabilities by £153,795 : 19 : 8 at 30th June, 1966 compared with a surplus of £113,138 : 6 : 0 a year earlier. The former figure is £37,316 more than the reserve required by Section 13 (2) of the Savings Bank Ordinance (Cap. 61) by which transfers to the Colony revenue are controlled.

I have the honour to be,

Sir,

Your obedient servant,

L. GLEADELL,
Colonial Treasurer.

GOVERNMENT SAVINGS BANK

Accounts for the years ended 30th June, 1965 and 30th June, 1966.

CERTIFICATE OF THE AUDITOR

The attached Accounts and Balance Sheets have been examined in accordance with Section 12 of the Savings Bank Ordinance, Chapter 61 of the Laws of the Falkland Islands as amended. I have obtained all the information and explanations that I have required, and I certify as a result of this audit that, in my opinion, the attached Accounts and Balance Sheets are correct.

2. The investments held by the Bank as at 30th June, 1966, have been verified from an advance certificate furnished by the Crown Agents. This certificate is subject to confirmation by the Comptroller and Auditor General.

F. KELLY,
Auditor.

Audit Department,
Stanley, Falkland Islands.
3rd February, 1967.

Savings Bank Fund.

Accounts for the period 1st July, 1965 to 30th June, 1966.

REVENUE AND EXPENDITURE ACCOUNT.

	£	s.	d.		£	s.	d.
To Interest paid and interest capitalised and credited to depositors	27,641	7	6	By Interest on Investments	60,968	19	0
.. Administration charge	2,000	0	0				
.. Balance to Reserve Account	31,327	11	6				
	<u>£60,968</u>	<u>19</u>	<u>0</u>		<u>£60,968</u>	<u>19</u>	<u>0</u>

DEPOSITS AND WITHDRAWALS ACCOUNT.

To Amount due to depositors at 1st July, 1965	1,179,017	7	10	By Withdrawals	371,259	8	1
.. Deposits during 1965/66	329,397	1	4	.. Balance, being the amount due to depositors at 30th June, 1966	1,164,796	8	7
.. Interest credited to depositors 1965/66	27,641	7	6				
	<u>£1,536,055</u>	<u>16</u>	<u>8</u>		<u>£1,536,055</u>	<u>16</u>	<u>8</u>

INVESTMENTS ADJUSTMENT ACCOUNT.

To Loss on sale of Investments	376	3	10	By Profit on sale of Investments	505	11	10
.. Balance to Reserve Account	9,330	2	2	.. Appreciation of Investments	9,200	14	2
	<u>£ 9,706</u>	<u>6</u>	<u>0</u>		<u>£9,706</u>	<u>6</u>	<u>0</u>

RESERVE ACCOUNT.

To Balance at 30th June, 1966	153,795	19	8	By Balance brought forward	113,138	6	0
				.. Revenue & Expenditure Account	31,327	11	6
				.. Investments Adjustment A/c	9,330	2	2
	<u>£153,795</u>	<u>19</u>	<u>8</u>		<u>£153,795</u>	<u>19</u>	<u>8</u>

BALANCE SHEET AS AT 30TH JUNE, 1966.

LIABILITIES		ASSETS	
Due to Depositors	1,164,796 : 8 : 7	Investments at Mid-Market Value	1,306,419 : 16 : 9
Reserve Account	153,795 : 19 : 8	Cash in the hands of the Colonial Treasurer	12,172 : 11 : 6
	<u>£1,318,592 : 8 : 3</u>		<u>£1,318,592 : 8 : 3</u>

H. T. ROWLANDS,

Acting Colonial Treasurer,

12th October, 1966.

Savings Bank Fund.

Monthly Summary of Transactions for the year ended 30th June, 1966.

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 ...													1,179,017	7	10				
July 1965	26,202	13	0	24,845	10	9	+ 1,357	2	3	.....			1,180,374	10	1	10	8	249	168
August ...	19,233	13	6	25,348	13	5	— 6,114	19	11	.....			1,174,259	10	2	4	10	243	115
September ...	30,051	3	11	23,999	19	0	+ 6,051	4	11	.....			1,180,310	15	1	7	7	378	168
October ...	18,016	18	6	19,525	10	6	— 1,508	12	0	.....			1,178,802	3	1	11	0	260	142
November ...	36,860	17	3	33,520	4	6	+ 3,340	12	9	37 16 3			1,182,180	12	1	12	6	258	161
December ...	24,828	19	2	22,670	6	5	+ 2,158	12	9	22 16 4			1,184,362	1	2	9	10	303	192
January 1966	24,629	8	6	33,260	8	3	— 8,630	19	9	12 14 11			1,175,743	16	4	13	8	248	135
February ...	23,186	14	6	36,797	8	4	— 13,610	13	10	144 7 2			1,162,277	9	8	7	14	258	162
March ...	35,120	12	8	40,430	16	2	— 5,310	3	6	161 3 0			1,157,128	9	2	7	11	315	170
April ...	28,622	11	3	61,040	2	1	— 32,417	10	10	39 1 9			1,124,750	0	1	6	14	263	193
May ...	27,724	13	8	33,034	15	10	— 5,310	2	2	65 12 3			1,119,505	10	2	15	13	351	209
June ...	34,918	15	5	16,785	12	10	+ 18,133	2	7	18 12 8			1,137,657	5	5	15	3	469	116
							Interest Accrued ...			... 27,139 3 2			1,164,796	8	7				
	£329,397	1	4	371,259	8	1	— 41,862	6	9	27,641 7 6						116	104	3,595	1,931

Investments, Savings Bank Fund.

Name of Stock.	%	Face Value of Stocks.			Book Value prior to revaluation.			Market Value of Investments at 30th June, 1966.			
		£	s.	d.	£	s.	d.	Price.	£	s.	d.
South Africa 1953/73 ...	3½	9094	18	2	7003	1	7	79	7184	19	7
Brit. Transport 1972/77 ...	4	27973	2	7	21539	6	2	76½	21399	8	10
Kenya 1971/78 ...	4½	10000	0	0	7550	0	0	75½	7550	0	0
British Electricity 1967/69 ...	4½	30494	2	11	28130	17	0	93½	28512	0	6
Ceylon 1960/70 ...	5	2000	0	0	1870	0	0	94½	1890	0	0
Consols ...	4	32284	0	11	18886	3	4	56½	18240	9	8
Kenya 1961/71 ...	4½	11690	14	6	10229	7	8	89½	10463	3	11
Gold Coast 1960/70 ...	4½	1896	4	11	1716	2	0	92½	1754	0	6
Kenya 1957/67 ...	3½	5000	0	0	4625	0	0	96½	4825	0	0
Australia 1961/66 ...	3½	6850	12	2	6645	1	9	100	6850	12	2
Palestine 1962/67 ...	3	12506	11	9	11506	1	2	95½	11943	15	10
Middlesborough 1953/73 ...	3½	2026	4	11	1580	9	5	80	1620	19	11
Savings Bonds 1965/75 ...	3	125347	12	3	92661	7	11	74	92757	4	8
Swansea 1963/66 ...	3	12713	18	9	12141	16	3	99	12586	15	11
British Guiana 1975/80 ...	3	4740	14	10	2915	11	1	61½	2915	11	1
New Zealand 1973/77 ...	3	4852	1	6	3396	9	1	70	3396	9	1
Australia 1975/77 ...	3	5175	5	10	3519	4	0	68	3519	4	0
Malaya 1974/76 ...	3	4051	12	10	2896	18	6	71	2876	13	4
Nigeria 1975/77 ...	3	6000	0	0	4080	0	0	68½	4110	0	0
Jamaica 1968/73 ...	3½	11548	14	2	9123	9	7	80	9238	19	4
E.A.H.C. 1966/68 ...	3½	11075	8	10	9801	15	4	94	10410	18	4
Uganda 1966/69 ...	3½	1433	6	8	1153	16	8	81½	1168	3	4
E.A.H.C. 1968/70 ...	3½	10000	0	0	8050	0	0	86½	8650	0	0
Sierra Leone 1968/70 ...	3½	30150	15	1	23969	17	0	80½	24271	7	1
Kenya 1973/78 ...	3½	21000	0	0	14175	0	0	68½	14385	0	0
British Guiana 1966/68 ...	3½	20618	11	2	18659	15	11	93½	19278	7	1
Trinidad 1967/71 ...	3	31137	14	6	24598	16	1	80	24910	3	7
Conversion Stock 1969 ...	3½	15967	11	9	14290	19	10	91½	14650	5	2
Funding 1966/68 ...	3	125429	11	7	112573	1	0	92½	115708	15	8
Brit. Electricity 1968/73 ...	3	110462	12	6	87265	9	6	79	87265	9	6
Brit. Electricity 1976/79 ...	3½	49437	10	10	35100	13	1	70½	34853	9	4
British Gas 1969/72 ...	4	93743	9	7	81088	2	2	87	81556	16	7
Cyprus 1969/71 ...	3½	2788	18	3	2328	14	10	83½	2328	14	10
Australia 1965/69 ...	3½	36499	7	2	31642	16	4	89	32484	8	7
Savings Bonds 1964/67 ...	2½	4833	16	9	4495	9	4	97	4688	16	5
Conversion 1972 ...	6	51767	3	4	51249	9	11	99½	51508	6	7
Savings Bonds 1960/70 ...	3	126705	12	8	107066	5	2	85½	108333	6	4
New Zealand 1975/76 ...	6	49261	1	8	46798	0	7	94	46305	8	4
Exchequer Loan 1976/78 ...	5	63312	1	0	54448	7	3	85	53815	4	10
Exchequer Loan 1968 ...	4	29621	3	9	27915	19	4	95½	28288	4	8
Australia 1955/70 ...	4	25000	0	0	21820	6	3	89	22250	0	0
New Zealand 1966/68 ...	3	20000	0	0	17731	5	0	92½	18500	0	0
Funding Loan 1993 ...	6	115562	9	10	104656	5	8	89	102850	12	4
Joint Consolidated Fund ...		144322	9	10	144322	9	10		144322	9	10
Appreciation ...		1516377	9	9	1297219	2	7		1306419	16	9
					9200	14	2				
		1516377	9	9	1306419	16	9		1306419	16	9

H. T. ROWLANDS,

Acting Colonial Treasurer.

12th October, 1966.

Report on the working of the Note Security Fund for the year 1965/66.

The Honourable,
The Colonial Secretary,
Stanley.

Colonial Treasury,
Stanley, Falkland Islands.
9th December, 1966.

Sir,

I have the honour to submit the following report on the Currency Note Security Fund for the period 1st July, 1965 to 30th June, 1966, together with the following statements —

1. Currency Note Income Account.
2. The Note Security Fund Account.
3. The Note Security Fund Balance Sheet as at 30th June, 1966.
4. The Statement of Investments held at 30th June, 1966.

2. During the course of the year a total of £115,181 : 16 : 4 was lodged with the Colonial Treasurer for the credit of accounts in the United Kingdom and elsewhere, and a total of £2,199 : 18 : 5 was lodged with the Crown Agents for the credit of accounts in the Colony. These transfers were all effected by telegraphic advices.

3. Commission on remittances from the Colony amounting to £1,151 : 16 : 4, together with interest on the investments that support the note issue amounting to £5,683 : 11 : 10 was credited to the Currency Note Income Account and the balance of this account, after providing for the cost of sorting and destroying soiled notes, was transferred to Colony Revenue (£5,805 : 5 : 9) and the Note Security Fund (£974 : 12 : 5) in accordance with the requirements of Section 7 (5) (b) and 7 (6) of the Currency Notes Ordinance.

4. The method of accounting for the destruction of soiled and damaged notes was modified during the year (Rules 3/65) and in future no charges should arise in this respect.

5. Other credits to the Fund originated in the appreciation of investments when revalued at 30th June, 1966 (£157 : 10 : 11) and a profit of £460 : 11 : 2 from the sale of investments.

6. A total of £32,346 was withdrawn from circulation during the year, largely for purposes of destruction owing to their soiled state, and £21,000 were issued or, having been earlier withdrawn, re-issued. At the close of the financial year the face value of currency notes in circulation was £87,500 made up as follows —

Series	Denomination	No.	Value		
			£	s.	d.
"C"	£5	12,112	60,560	0	0.
"C"	£1	1,187	1,187	0	0.
"D"	£1	19,704	19,704	0	0.
"E"	£1	1,997	1,997	0	0.
"C"	10/-	8,104	4,052	0	0.
			<hr/> £87,500 : 0 : 0. <hr/>		

7. The list of notes in circulation does not include the following —

Series "A"	£5	2
	£1	57
	5/-	31
Series "B"	£5	12
	£1	112
	5/-	29

It is considered that these notes should now be regarded as irretrievably lost or held as collectors' pieces and are no longer liabilities to be honoured at some future date.

8. A public announcement has been made declaring that the £1 "C" series notes cease to be legal tender after 31st December, 1966.

9. At 30th June, 1966 the Reserve of the Fund stood at £10,936 : 17 : 6 or £2,186 : 17 : 6 more than the minimum required by Section 7 (6) (b) of the Currency Notes Ordinance.

I have the honour to be,

Sir,

Your abedient servant,

L. GLEADELL,

Colonial Treasurer.

THE NOTE SECURITY FUND

Accounts for the years ended 30th June, 1965 and 30th June, 1966.

CERTIFICATE OF THE AUDITOR

The attached Accounts and Balance Sheets have been examined in accordance with Section 12 of the Currency Notes Ordinance, Chapter 15 of the Laws of the Falkland Islands as amended. I have obtained all the information and explanations that I have required, and I certify as a result of this audit that, in my opinion, the attached Accounts and Balance Sheets are correct.

2. The investments held by the Fund as at 30th June, 1966, have been verified from an advance certificate furnished by the Crown Agents. This certificate is subject to confirmation by the Comptroller and Auditor General.

F. KELLY,

Auditor.

Audit Department,
Stanley,
Falkland Islands.
3rd February, 1967.

CURRENCY NOTE INCOME ACCOUNT FOR THE YEAR ENDED 30TH JUNE, 1966.

	£	s.	d.
Payments for sorting etc. of soiled currency notes	...	55	10 : 0
Surplus carried down	...	6,779	18 : 2
	£6,835	8	2
Transfer to Note Security Fund in accordance with Section 7 (5) (b) of the Currency Notes Ordinance	...	974	12 : 5
Transfer to Colony Revenue in accordance with Section 7 (6) of the Currency Notes Ordinance	...	5,805	5 : 9
	£6,779	18	2

	£	s.	d.
Commission received on transfers to London	...	1,151	16 : 4
Dividends on Investments	...	5,683	11 : 10
	£6,835	8	2
Surplus brought down	...	6,779	18 : 2
	£6,779	18	2

THE NOTE SECURITY FUND ACCOUNT FOR THE YEAR ENDED 30TH JUNE, 1966.

Sterling payments made in London	...	112,734	16 : 4
Sterling payments made in the Colony	...	2,200	0 : 11
Decrease in the Note Issue	...	32,346	0 : 0
Balance at 30th June, 1966	...	102,597	15 : 0
	£249,878	12	3

Balance 1st July, 1965	...	109,904	3 : 0
Currency lodged for sterling payments in London	...	115,181	16 : 4
Currency lodged with the Crown Agents for payment in the Colony	...	2,199	18 : 5
Increase in the Note Issue	...	21,000	0 : 0
Profit on sale of Investments	...	460	11 : 2
Appreciation of Investments	...	157	10 : 11
Transfer from the Note Income Account	...	974	12 : 5
	£249,878	12	3

BALANCE SHEET AT 30TH JUNE, 1966.

LIABILITIES			
Notes in circulation	...	87,500	0 : 0
Remittances in transit	...	4,160	17 : 6
General Reserve	...	10,936	17 : 6
	£102,597	15	0

ASSETS			
Investments at mid-market value	...	100,772	15 : 6
Cash in hands of the Colonial Treasurer	...	1,824	19 : 6
	£102,597	15	0

H. T. ROWLANDS,
Acting Colonial Treasurer.
12th October, 1966.

Note Security Fund. INVESTMENTS — 30TH JUNE, 1966.

NAME OF STOCK.		%	FACE VALUE OF STOCK.			BOOK VALUE PRIOR TO REVALUATION.			MARKET VALUE OF INVESTMENTS, 30TH JUNE, 1966.			
			£	s.	d.	£	s.	d.	Price.	£	s.	d.
Fed. Malay States	1960/70	3	2,925	11	4	2,442	16	11	86	2,515	19	9
Kenya	1965/70	2½	2,829	5	10	2,277	11	7	84	2,376	12	1
Nigeria	1975/77	3	3,000	0	0	2,040	0	0	68½	2,055	0	0
E.A.H.C.	1966/68	3½	2,021	5	3	1,788	16	4	94	1,899	19	9
N. Rhodesia	1970/72	3½	9,860	3	2	7,986	14	7	81½	8,036	0	7
Conversion	1971	5	2,176	12	11	1,991	12	7	92	2,002	10	3
Funding	1966/68	3	12,296	0	10	11,035	13	11	92½	11,343	1	11
Conversion	1974	5¼	11,963	15	11	11,148	15	3	90	10,767	8	4
British Electric	1968/73	3	12,021	0	9	9,496	12	5	79	9,496	12	5
Exchequer	1967	5	29,498	19	9	28,944	9	3	97¾	28,835	5	3
Exchequer Loan	1976/78	5	1,678	2	5	1,444	4	8	85	1,426	8	1
Joint Consolidated Fund			20,017	17	1	20,017	17	1		20,017	17	1
Appreciation			110,288	15	3	100,615	4	7		100,772	15	6
						157	10	11				
			110,288	15	3	100,772	15	6		100,772	15	6

H. T. ROWLANDS,
Acting Colonial Treasurer.
12th October, 1966.

Government Employees' Provident Fund 1965/66

The Honourable,
The Colonial Secretary,
Stanley.

Colonial Treasury,
Stanley, Falkland Islands.
9th December, 1966.

Sir,

I have the honour to submit a report on the Government Employees' Provident Fund for the period 1st July, 1965, to 30th June, 1966, 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. As reported last year the fund is being run down and no new depositors are being admitted. Nine accounts were closed during the year leaving a total of nineteen active accounts that have a total of £7,768 : 10 : 11 to their credit. The total amount due to depositors at 30th June, 1965 was £7,770 : 10 : 10.

3. Expenditure in the form of interest on deposits and the fixed administration charge of £100 again exceeded income and this state will continue. The fund, however, is still solvent.

I have the honour to be,

Sir,

Your obedient servant,

L. GLEADELL,

Colonial Treasurer.

NON-PENSIONABLE EMPLOYEES' PROVIDENT FUND

Accounts for the years ended 30th June, 1965 and 30th June, 1966.

CERTIFICATE OF THE AUDITOR

The attached accounts and Statements of Assets and Liabilities have been examined in accordance with Section 4 of the Government Employees' Provident Fund Ordinance, Chapter 28 of the laws of the Falkland Islands as amended. I have obtained all the information and explanations that I have required, and I certify as a result of this audit that, in my opinion, the attached Accounts and Statements of Assets and Liabilities are correct.

2. The investments held by the Fund as at 30th June, 1966, have been verified from an advance certificate furnished by the Crown Agents. This certificate is subject to confirmation by the Comptroller and Auditor General.

F. KELLY,
Auditor.

Audit Department,
Stanley,
Falkland Islands.
3rd February, 1967.

Government Employees' Provident Fund.

ACCOUNTS FOR THE YEAR ENDED 30TH JUNE, 1966.

REVENUE AND EXPENDITURE ACCOUNT.

	£	s.	d.		£	s.	d.
To Interest on Closed A/cs.	9	9	1	By Interest on Investments	250	7	8
„ Interest credited to Contributors	175	8	9	„ Balance transferred to Reserve Account	34	10	2
„ Administration charge	100	0	0				
	<u>£284</u>	<u>17</u>	<u>10</u>		<u>£284</u>	<u>17</u>	<u>10</u>

DEPOSITS AND WITHDRAWALS ACCOUNT.

To Balance 1st July, 1965	7,770	10	10	By Withdrawals	1,172	15	3
„ Deposits	492	18	9	„ Balance, being the amount due to contributors at 30th June, 1966.	7,768	10	11
„ Bonus	492	18	9				
„ Interest on Closed A/cs.	9	9	1				
„ Interest on Current A/cs.	175	8	9				
	<u>£8,941</u>	<u>6</u>	<u>2</u>		<u>£8,941</u>	<u>6</u>	<u>2</u>

INVESTMENTS ADJUSTMENT ACCOUNT.

To Balance to Reserve Account	78	10	0	By Appreciation of Investments	78	10	0
	<u>£ 78</u>	<u>10</u>	<u>0</u>		<u>£ 78</u>	<u>10</u>	<u>0</u>

RESERVE ACCOUNT.

To Revenue and Expenditure Account	34	10	2	By Balance 1/7/65	174	9	3
„ Balance 30/6/66	218	9	1	„ Investments Adjustment Account	78	10	0
	<u>£ 252</u>	<u>19</u>	<u>3</u>		<u>£ 252</u>	<u>19</u>	<u>3</u>

STATEMENT OF ASSETS AND LIABILITIES.

LIABILITIES.		ASSETS.	
Amount due to Contributors	7,768 : 10 : 11	Market value of Investments	6,564 : 13 : 10
Reserve Account	218 : 9 : 1	Cash in hands of the Colonial Treasurer	1,422 : 6 : 2
	<u>£ 7,987 : 0 : 0</u>		<u>£ 7,987 : 0 : 0</u>

H. T. ROWLANDS,
Acting Colonial Treasurer,
12th October, 1966.

Government Employees' Provident Fund.

MONTHLY SUMMARY OF TRANSACTIONS FOR THE YEAR ENDED 30TH JUNE, 1966.

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																7,770	10	10					
July 1965	40	7	9	40	7	9	.....			+	80	15	6	.....		7,851	6	4	-	-	19	-
August ...	38	1	2	38	1	2	.....			+	76	2	4	.....		7,927	8	8	-	-	19	-
September ...	38	2	0	38	2	0	.....			+	76	4	0	.....		8,003	12	8	-	-	19	-
October ...	42	8	8	42	8	8	979	5	2	-	894	7	10	6	1	10	7,115	6	8	-	8	19	8
November ...	38	6	6	38	6	6	.....			+	76	13	0	.....		7,191	19	8	-	-	19	-
December ...	41	4	7	41	4	7	.....			+	82	9	2	.....		7,274	8	10	-	-	19	-
January 1966	43	7	8	43	7	8	.....			+	86	15	4	.....		7,361	4	2	-	-	19	-
February ...	43	6	5	43	6	5	.....			+	86	12	10	.....		7,447	17	0	-	-	19	-
March ...	43	4	10	43	4	10	.....			+	86	9	8	.....		7,534	6	8	-	-	19	-
April ...	45	17	4	45	17	4	.....			+	91	14	8	.....		7,626	1	4	-	-	19	-
May ...	40	11	11	40	11	11	193	10	1	-	112	6	3	3	7	3	7,517	2	4	-	1	18	1
June ...	37	19	11	37	19	11	.....			+	75	19	10	.....		7,593	2	2	-	-	17	-
										Accrued Interest			175	8	9	7,768	10	11					
	492	18	9	492	18	9	1,172	15	3	-	186	17	9	184	17	10			-	9	225	9	

Provident Fund Account.

INVESTMENTS 30TH JUNE, 1966.

NAME OF STOCK.		%	FACE VALUE OF STOCK.			BOOK VALUE PRIOR TO REVALUATION.			MARKET VALUE OF INVESTMENTS, 30TH JUNE, 1966.			
			£	s.	d.	£	s.	d.	Price.	£	s.	d.
British Guiana	1959/69	3	1,835	0	5	1,578	2	4	88	1,614	16	4
Savings Bonds	1960/70	3	1,311	9	8	1,108	4	1	85½	1,121	6	4
Savings Bonds	1965/75	3	4,638	10	11	3,409	6	8	74	3,432	10	5
Nigeria	1964/66	3½	23	0	5	21	17	5	99	22	15	10
Uganda	1966/69	3½	457	19	5	368	13	4	81½	373	4	11
Appreciation			8,266	0	10	6,486	3	10		6,564	13	10
						78	10	0				
			8,266	0	10	6,564	13	10		6,564	13	10

H. T. ROWLANDS,
Acting Colonial Treasurer.
12th October, 1966.

Report on the working of the Old Age Pensions Equalisation Fund for the year 1965/66.

To The Honourable
The Colonial Secretary,
Stanley.

Colonial Treasury,
Stanley, Falkland Islands,
9th December, 1966.

Sir,

I have the honour to submit a report on the Old Age Pensions Equalisation Fund for the period 1st July, 1965 to 30th June, 1966, 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, 1966.
4. Statement of Assets and Liabilities at 30th June, 1966.
5. Statement of Investments.

The revenue of the Fund for the year amounted to £26,430 : 15 : 4 and included many items namely £1,369 : 4 : 0 'lump sum' contributions from or on behalf of contributors and £662 arrears of contributions from male contributors who had spent time in the Colony. The payment of this latter amount followed a legal ruling on their absence from the Colony.

Expenditure from the fund included £441 : 0 : 6 in respect of refunds on the contributions. This provision has been removed from the Ordinance and these payments have now ceased.

4. The amount paid out in pensions was £4,777 : 13 : 5.
5. Revenue exceeded expenditure by £19,551 : 15 : 5.
6. The balance of the fund increased by £17,381 : 2 : 5 during the year to stand at £148,813 : 8 : 11 on 30th June, 1966.
7. During the year eight claims to pensions were allowed: none were disallowed. Three pensioners died. At 30th June, 1966, fifty-five persons were in receipt of a pension of whom twenty-four were married, eighteen unmarried and thirteen were widows.
8. One hundred and nineteen (67 male and 52 female) new contributors registered during the year and contributions were refunded to fifty-six contributors who left the Colony permanently during the year. Ten contributors died.
9. The following amendments to the Old Age Pensions Ordinance were passed by the Legislature during the year.

Ordinance No. 9/65

This amendment extended the facilities of the scheme to female contributors and removed the requirement to refund 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 years ended 30th June, 1965 and 30th June, 1966.

CERTIFICATE OF THE AUDITOR

The attached Accounts and Statements of Assets and Liabilities have been examined in accordance with section 22A of the Old Age Pensions Ordinance, No. 3 of 1952 as amended. I have obtained all the information and explanations that I have required, and I certify as a result of this audit that, in my opinion, the attached Accounts and Statements of Assets and Liabilities are correct.

2. The investments held by the Fund as at 30th June, 1966, have been verified from an advance certificate furnished by the Crown Agents. This certificate is subject to confirmation by the Comptroller and Auditor General.

F. KELLY,
Auditor.

Audit Department,
Stanley,
Falkland Islands.
3rd February, 1967.

Old Age Pensions Equalisation Fund.

ACCOUNTS FOR THE YEAR ENDED 30TH JUNE, 1966.

EXPENDITURE				REVENUE			
	£	s.	d.		£	s.	d.
To refunds of contributions on departure from the Colony	1,479	17	6	By sale of Stamps	15,829	10	0
„ refunds of contributions on death of contributors	441	0	6	„ Dividends on Investments	8,569	11	4
„ refunds of overpayments	84	1	6	„ Lump sum contributions from female contributors	1,369	4	0
„ refunds to female contributors on marriage	15	7	0	„ Arrears of contributions	662	10	0
„ Pensions	4,777	13	5				
„ actuarial services	81	0	0				
„ Balance, carried down	19,551	15	5				
	<u>£26,430</u>	<u>15</u>	<u>4</u>		<u>£26,430</u>	<u>15</u>	<u>4</u>

INVESTMENTS ADJUSTMENT ACCOUNT

To Depreciation of Investments	2,170	13	0	By Balance, carried down	2,170	13	0
	<u>£2,170</u>	<u>13</u>	<u>0</u>		<u>£2,170</u>	<u>13</u>	<u>0</u>

THE FUND

To Investments Adjustment Account	2,170	13	0	By Balance at 1st July, 1965	131,432	6	6
„ Balance at 30th June, 1966	148,813	8	11	„ Balance of Revenue and Expenditure account, brought down	19,551	15	5
	<u>£150,984</u>	<u>1</u>	<u>11</u>		<u>£150,984</u>	<u>1</u>	<u>11</u>

STATEMENT OF ASSETS AND LIABILITIES

LIABILITIES				ASSETS			
Balance of the Fund at 30th June, 1966	148,813	8	11	Market Value of Investments	146,800	10	0
				Cash in hands of the Colonial Treasurer	2,012	18	11
	<u>£148,813</u>	<u>8</u>	<u>11</u>		<u>£148,813</u>	<u>8</u>	<u>11</u>

H. T. ROWLANDS,

Acting Colonial Treasurer.

12th October, 1966.

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, 1966			
			£	s.	d.	£	s.	d.	Price	£	s.	d.
Kenya	1971/78	4½	494	1	7	373	0	7	75½	373	0	7
E.A.H.C.	1972/74	4	1,280	1	3	966	9	0	79½	1,017	13	0
Trinidad	1973/76	4	2,682	15	3	2,119	7	8	78	2,092	11	1
E.A.H.C.	1973/76	4	1,302	18	3	918	11	1	74½	970	13	5
Kenya	1978/82	5	5,951	6	2	4,493	4	9	77	4,582	10	2
British Guiana	1980/85	5	3,514	13	4	2,302	2	2	68½	2,407	10	11
E.A.H.C. (P & T)	1977/83	5¾	10,041	18	8	7,280	8	0	73½	7,380	16	5
Jamaica	1977/82	6	1,000	0	0	910	0	0	89½	895	0	0
Funding	1982/84	5½	17,213	9	2	14,975	14	2	85	14,631	8	10
Savings Bonds	1965/75	3	924	8	7	679	9	1	74	684	1	6
Jamaica	1978/80	6¼	546	19	3	505	18	10	89	486	15	11
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	12,356	17	5	73½	12,527	6	2
Funding	1978/80	5¼	37,048	19	4	31,991	19	8	84½	31,306	7	7
Exchequer loan	1976/78	5	18,280	19	4	15,727	13	10	85	15,538	16	5
Funding loan	1987/91	5¾	47,893	5	2	42,892	2	1	86½	41,427	13	4
J. M. F.			4,783	15	10	4,783	15	10		4,783	15	10
Depreciation			179,262	15	6	148,971	3	0		146,800	10	0
						2,170	13	0				
			179,262	15	6	146,800	10	0		146,800	10	0

H. T. ROWLANDS,
Acting Colonial Treasurer.
12th October, 1966.



THE FALKLAND ISLANDS GAZETTE (Extraordinary) PUBLISHED BY AUTHORITY

Vol. LXXVI.

17 APRIL 1967

No. 5

PROCLAMATION

No. 1 of 1967.

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

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

C. HASKARD.



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

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

NOW, THEREFORE, I, SIR COSMO DUGAL PATRICK THOMAS HASKARD, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Member of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies, in exercise of the powers vested in me aforesaid, do by this Proclamation appoint Tuesday the 2nd day of May 1967, 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 17th day of April in the Year of our Lord One thousand Nine hundred and Sixty-seven.

By His Excellency's Command

W. H. THOMPSON,
Colonial Secretary.

A Bill for An Ordinance

Title.

Further to amend the Old Age Pensions Ordinance 1952.

Enacting clause.

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

Short title and
commencement.

1. (1) This Ordinance may be cited as the Old Age Pensions (Amendment) Ordinance 1967 and shall be read as one with the Old Age Pensions Ordinance 1952, hereinafter referred to as the principal Ordinance.

(2) This Ordinance shall come into force on the _____ day
of _____, 1967.

Amendment of section 6.

2. Section 6 of the principal Ordinance is amended by the deletion of subsection (2) and the substitution therefor of the following —

“(2) Subject to the provisions of this Ordinance —

- (a) every employed male person and every employed female contributor shall be liable to pay weekly contributions at the rate of 5/3 per week if between the ages of 18 and 60 years;
- (b) every employer of an employed person or a female contributor shall be liable to pay weekly contributions at the rate of 6/9 per week if the employed male person or female contributor is between the ages of 18 and 60 years;
- (c) every self-employed male person and every self-employed female contributor shall be liable to pay weekly contributions at the rate of 12/- per week if between the ages of 18 and 60 years.”.

Amendment of section 6A.

3. Section 6A of the principal Ordinance is amended —

- (a) by the insertion of the words “or she” immediately after the word “he” wherever that word occurs;
- (b) in subsection (2), by the deletion of the figures and words “7/6 per week if he is between the ages of 21 and 60 years or at the rate of 4/6 per week if he is between the ages of 18 and 21 years” and the substitution therefor of the figures and words “12/- per week if he is between the ages of 18 and 60 years”.

Amendment of schedule.

4. The schedule to the principal Ordinance is amended by the deletion of the figures “52/-”, “26/-”, “26/-” and “26/-” and the substitution therefor of the figures “93/-”, “46/6”, “46/6” and “46/6” respectively.

OBJECTS AND REASONS

To increase contributions —

- (a) by employed male and female contributors to 5/3 per week;
- (b) by employers of male and female employees to 6/9 per week;
- (c) by self-employed male and female contributors to 12/- per week.

To abolish the special rate of contribution by, on behalf of or in respect of contributors between the ages of 18 and 21.

To increase pensions —

- (a) for married men to 93/- per week;
- (b) for unmarried persons to 46/6 per week.

Ref. 0323/A/VI.

A Bill for
An Ordinance
Further to amend the Road Traffic
Ordinance.

Title.

(, 1967)

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 Road Traffic (Amend-
ment) Ordinance 1967 and shall be read as one with the Road Traffic
Ordinance, hereinafter referred to as the principal Ordinance.

Short title.
Cap. 60.

2. The principal Ordinance is amended by the deletion of the
words "Chief Constable" wherever those words occur and the sub-
stitution therefor of the words "Officer in Charge of Police".

Amendment of Ordinance.

3. Section 2 of the principal Ordinance is amended as
follows —

Amendment of section 2.

(a) by the insertion, before the definition of "Invalid Carriage",
of the following new definition —

"Hire car" or "taxi" means a public service vehicle.";

(b) by the insertion, before the definition of "Registered", of
the following new definition —

"Public service vehicle" means a motor vehicle used in carrying
passengers for hire or reward."

4. Section 3 of the principal Ordinance is amended by the
deletion, in subsection (3), of the figure "£5" and the substitution
therefor of the figure "£25".

Amendment of section 3.

Insertion of new section
4A.

5. The principal Ordinance is amended by the insertion after section 4 of the following new section —

"Public service
vehicle licence.

4A. (1) The authority having power to grant a public service vehicle licence shall be the Officer in Charge of Police.

(2) A public service vehicle licence may be refused or, if it has already been granted may at any time be suspended or revoked by the Officer in Charge of Police, having regard to the conduct of the applicant for or holder of the licence or to the manner in which the vehicle is being used, it appears to the Officer in Charge of Police that he is not a fit person to hold such a licence; and a licence suspended under this subsection shall during the time of suspension be of no effect.

(3) A public service vehicle licence shall be renewable and the licence fee of £1 paid annually on the 1st day of January in every year.

(4) No person shall use, cause or permit a motor vehicle to be used as a public service vehicle unless he is the holder of a licence so to use the vehicle in accordance with the conditions of the licence.

(5) If any person uses, or causes or permits a motor vehicle to be used in contravention of this section or fails to comply with any condition of the licence, he shall be liable on summary conviction to a fine not exceeding £20, or in the case of a second or subsequent conviction to a fine not exceeding £50 or to imprisonment for a term not exceeding three months."

Amendment of section 5.

6. Section 5 of the principal Ordinance is amended —

(a) by the deletion in subsection (3) (a) of the figure "18" and the substitution therefor of the figure "17".

(b) by the insertion after subsection (3A) of the following new subsection —

"(3B) The fee to be paid in respect of each test conducted under subsection (3) shall be 10/-";

(c) by the addition after subsection (13) of the following new subsection —

"(14) Any person who by virtue of a conviction or order under this Ordinance is disqualified from holding or obtaining a driver's licence may at any time after the expiration of whichever is relevant of the following periods from the date of the conviction or order, that is to say —

(a) six months, if the disqualification is for less than a year;

(b) one half of the period of the disqualification, if it is for less than six years but not less than a year;

(c) three years in any other case,

apply to the court by which he was convicted or by which the order was made to remove the disqualification, and on any such application the court may, as it thinks proper having regard to the character of the person disqualified and his conduct subsequent to the conviction or order, the nature of the offence, and any other circumstances of the case, either by order remove the disqualification as from such date as may be specified in the order or refuse the application:

Provided that where an application under this subsection is refused, a further application thereunder shall not be entertained if made within three months after the date of refusal.

If the court orders a disqualification to be removed the court shall cause particulars of the order to be endorsed on the licence, if any, previously held by the applicant.”.

7. Section 16 of the principal Ordinance is amended by the deletion of the words “Executive Engineer” where those words twice occur and the substitution therefor of the words “Superintendent of Works”.

Amendment of section 16.

OBJECTS AND REASONS

The objects of this Bill are to —

(a) make provision for the licensing of motor vehicles plying for hire;

(b) reduce the age at which a motor vehicle licence may be granted;

(c) provide for the removal of disqualification from holding or obtaining a driving licence.

Ref. 1983.

A Bill for
An Ordinance
Further to amend the Administration of
Justice Ordinance.

Title.

(, 1967)

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 Administration of Justice (Amendment) Ordinance 1967, and shall be read as one with the Administration of Justice Ordinance, hereinafter referred to as the principal Ordinance.

Short title.

Cap. 3.

2. Section 2 of the principal Ordinance is amended by the deletion of the definition “Record”.

Amendment of section 2.

3. Part VIII of the principal Ordinance is repealed.

Repeal of Part VIII.

4. Section 69 of the principal Ordinance is amended by the deletion of the words “and the preparation of the record in appeals to His Majesty in Council”.

Amendment of section 69.

OBJECTS AND REASONS

The amendments made by this Bill are consequential upon the enactment of the Appeals Ordinance 1966, which provides for appeals from the Supreme Court to the newly created Falkland Islands Court of Appeal.

Ref. 2312/II.

A Bill for An Ordinance

Title.

To provide for the service of the year
1967-68.

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
Appropriation (1967-68) Ordinance 1967.

Appropriation of £486,269
for the service of the
year 1967-68.

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 1967 to 30th June 1968, a sum not exceeding
Four hundred and eighty-six thousand two hundred and sixty-nine
pounds, which sum is granted and shall be appropriated for the
purposes and to defray the charges of the several services expressed
and particularly mentioned in the Schedule hereto which will come
in course of payment during the year 1967-68.

Schedule.

SCHEDULE

Number	HEAD OF SERVICE	£
I.	The Governor	9,449
II.	Agriculture	5,514
III.	Audit	1,444
IV.	Aviation	16,086
V.	Customs and Harbour	15,730
VI.	Education	59,526
VII.	Medical	45,221
VIII.	Meteorological	750
IX.	Military	3,360
X.	Miscellaneous	30,845
XI.	Pensions and Gratuities	11,000
XII.	Police and Prisons	6,471
XIII.	Posts and Telecommunications	61,374
XIV.	Power and Electrical	23,563
XV.	Public Works	21,560
XVI.	Public Works Recurrent	44,037
XVII.	Public Works Special	7,790
XVIII.	Secretariat, Treasury and Central Store	35,370
XIX.	Social Welfare	7,500
XX.	Supreme Court... ..	2,861
Total Ordinary Expenditure		409,451
Development		76,818
Total Expenditure		486,269



THE FALKLAND ISLANDS GAZETTE

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Vol. LXXVI.

1 MAY 1967

No. 6

Appointments

Douglas John Hansen, Clerk in the Public Service, 1.4.67.

Bernard Henry Steer, Wireless Operator, Posts and Telecommunications Department, 16.4.67.

Acting Appointments

Mrs. Freda Alazia, Acting Senior Clerk, Secretariat, 9.2.67.

Philip George Summers, Acting Administrative Officer, South Georgia, 29.3.67.

Dennis Desborough, Acting Registrar General and Registrar Supreme Court, 3.4.67.

Kenneth Mills, Acting Senior Clerk, Posts and Telecommunications Department, 3.4.67.

Completion of Tour of Duty

Mrs Elizabeth Agnes Stewart, S.E.N., S.C.M., Nursing Sister, Medical Department, 2.4.67.

Supreme Court

Mr. Dennis Desborough has been appointed to act as Notary Public during the absence on leave of Mr. H. Bennett, J.P.

Ref. P/930.

NOTICES

No. 16. 4th April 1967.

The Public Health Ordinance

The following have been appointed Members of the Board of Health for the year 1967 —

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.

5th April 1967.

The Public Health Ordinance (Section 54)

The following have been appointed to be the Hospital Visiting Committee for the year 1967 —

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

Ref. 2044.

No. 18.

10th April 1967.

With reference to Gazette Notice No. 4 of the 10th January 1967 the following name is added to the list of Ministers registered for celebrating marriages —

The Reverend Minister of the
Paul John Charman United Free Church

Ref. 1163.

No. 19.

11th April 1967.

The findings of the Cost of Living Committee for the quarter ended 31st March 1967 are hereby published for general information —

Quarter ended	Adjusted Percentage increase over 1948 prices
31st March 1967	113.72%

2. In accordance with the principle of the Pay and Working Rules for Stanley the average increase over the last four quarters is 106.85% and a further wage award of 1d per hour is therefore payable with effect from the 1st April 1967.

Ref. 0704/VI.

No. 20

28th April 1967.

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

No.	Title	Ref.
6/66	Pensions (Amendment) Ordinance 1966	0829/V.
7/66	Pensions (Amendment) (No. 2) Ordinance 1966	0829/V.
12/66	British Nationality (Amendment) Ordinance 1966	2343.

General Notice

Attention is drawn to the draft Bill to amend the Old Age Pensions Ordinance 1952, which appeared on page 74 of the April issue of the Gazette.

Should this Bill become law it will have the effect of substantially increasing Old Age Pensions. The fund from which such pensions are paid would require a greater income and to this end the Bill proposes that all contributors pay increased contributions. It is also the intention of Government to make a contribution from public funds.

Government does not intend to hurry the introduction of this measure and desires that all members of the Legislature, and every other person affected, should have ample time to consider its implications.

To this end the Bill will not be proceeded with until later in the year.

28th April 1967.

Ref. 0323/A/VI.

FALKLAND ISLANDS

SEAL FISHERY ORDINANCE (Cap. 62)

A licence under section 5 of the Seal Fishery Ordinance (Cap. 62), is hereby granted to Robert John Christian Bundes, of Stanley, Falkland Islands (hereinafter referred to as the licensee) to take seal mentioned herein and subject to the following terms and conditions —

1. This licence shall be in force from the 1st day of May 1967 to the 30th day of December 1967, and shall be an exclusive licence for the areas named in the schedule hereto, so long as it remains valid.

2. This licence shall be issued free of charge.

3. This licence shall be valid for the taking of male Sea Lions (*Otaria Byronia*) only; no other seal shall be taken.

4. The number of male Sea Lions (*Otaria Byronia*) taken shall not exceed 900 in the aggregate.

5. Unless otherwise agreed between the licence holder and the licensing authority at least 15% of male Sea Lions (*Otaria Byronia*) shall be left alive at each rookery:

Provided that the number of male Sea Lions (*Otaria Byronia*) so left alive at the first killing shall not be progressively reduced on any subsequent visit or visits to the same rookery.

6. The killing or capturing of female Sea Lions (*Otaria Byronia*) must be avoided as far as possible.

7. The licensee must ensure that Sea Lions (*Otaria Byronia*) are not driven long distances and are killed in the most humane way practicable.

8. All killing shall be done on beaches and the intestines and carcasses disposed of into the sea.

9. The licensee shall not later than the 1st day of January 1968 render an accurate account of all sea lions taken and report where such sea lions

were found in large numbers or rookeries or where others were observed.

10. This licence is not transferable.

11. This licence does not authorise the holder to enter upon any land mentioned in the schedule nor does it abrogate any existing rights in respect of which the holder must obtain a sub-licence from the existing right-holders.

12. In the case of a breach of any of the conditions of this licence, or any of the provisions of the Seal Fishery Ordinance (Cap. 62) or of any regulations made thereunder or any Ordinance or regulations amending or replacing the said Ordinance or regulations, the Governor may, by notice in writing, summarily revoke this licence, and thereupon all rights conferred hereby or enjoyed hereunder shall cease as from the date mentioned in such notice.

Dated this first day of May 1967.

W. H. THOMPSON,
Colonial Secretary.

SCHEDULE

1. Emily Island. 2. Blind Island. 3. Split Island.

In the Supreme Court of the British Antarctic Territory
NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE
(Cap. 1)

In the matter of Thomas John Allan, deceased, of Graham Land, British Antarctic Territory, who died on the 25th day of May 1966.

WHEREAS Edward Christopher John Clapp, Attorney for John Allan, 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.

W. H. THOMPSON,
Acting Judge.

Stanley, Falkland Islands.

12th April 1967.

S.C. 19/67.

In the Supreme Court of the British Antarctic Territory
NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE
(Cap. 1)

In the matter of John Fraser Noel, deceased, of Graham Land, British Antarctic Territory, who died on the 25th day of May 1966.

WHEREAS Edward Christopher John Clapp, Attorney for Vivian Noel, 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.

W. H. THOMPSON,
Acting Judge.

Stanley, Falkland Islands.

12th April 1967.

S.C. 20/67.

Order in Council No. 1 of 1949, published on page 224 of the Gazette for 1949, gave notice that arrangements for double taxation relief had been made with His Majesty's Government with a view to affording relief from double taxation in relation to Income Tax, and that these arrangements would have effect from 1st January 1949.

Details of the arrangements were not published at the time. They are now reproduced below and form a schedule to Order in Council No. 1 of 1949, in force since 1st January 1949.

SCHEDULE

ARRANGEMENT BETWEEN THE GOVERNMENT OF THE FALKLAND ISLANDS AND HIS MAJESTY'S GOVERNMENT FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON INCOME.

1. (1) The taxes which are the subject of this Arrangement are —

(a) In the United Kingdom :

The income tax (including sur-tax) and the profits tax (hereinafter referred to as "United Kingdom tax").

(b) In the Colony of the Falkland Islands and its Dependencies :

The income tax (hereinafter referred to as "Colonial tax").

(2) This Arrangement shall also apply to any other taxes of a substantially similar character imposed in the United Kingdom or the Colony of the Falkland Islands and its Dependencies after this Arrangement has come into force.

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

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

(b) The term "the Colony" means the Colony of the Falkland Islands and its Dependencies.

(c) The terms "one of the territories" and "the other territory" mean the United Kingdom or the Colony, as the context requires.

(d) The term "tax" means United Kingdom tax or Colonial tax, as the context requires.

(e) The term "person" includes any body of persons, corporate or not corporate.

(f) The term "company" includes any body corporate.

(g) The terms "resident of the United Kingdom" and "resident of the Colony" mean respectively any person who is resident in the United Kingdom for the purposes of United Kingdom tax and not resident in the Colony for the purposes of Colonial tax and any person who is resident in the Colony for the purposes of Colonial tax and not resident in the United Kingdom for the purposes of United Kingdom tax; and a company shall be regarded as resident in the United Kingdom if its business is managed and controlled in the United Kingdom and as resident in the Colony if its business is managed and controlled in the Colony.

(h) The terms "resident of one of the territories" and "resident of the other territory" mean a person who is a resident of the United Kingdom or a person who is a resident of the Colony, as the context requires.

(i) The terms "United Kingdom enterprise" and "Colonial enterprise" mean respectively an industrial or commercial enterprise or undertaking carried on by a resident of the United Kingdom and an industrial or commercial enterprise or undertaking carried on by a resident of the Colony; and the terms "enterprise of one of the territories" and "enterprise of the other territory" mean a United Kingdom enterprise or a Colonial enterprise, as the context requires.

(j) The term "industrial or commercial profits" includes rentals in respect of cinematograph films.

(k) The term "permanent establishment", when used with respect to an enterprise of one of the territories, means a branch, management or other fixed place of business, but does not include an agency unless the agent has, and habitually exercises, a general authority to negotiate and conclude contracts on behalf of such enterprise or has a stock of merchandise from which he regularly fills orders on its behalf.

An enterprise of one of the territories shall not be deemed to have a permanent establishment in the other territory merely because it carries on business dealings in that other territory through a *bona fide* broker or general commission agent acting in the ordinary course of his business as such.

The fact that an enterprise of one of the territories maintains in the other territory a fixed place of business exclusively for the purchase of goods or merchandise shall not of itself constitute that fixed place of business a permanent establishment of the enterprise.

The fact that a company which is a resident of one of the territories has a subsidiary company which is a resident of the other territory or which is engaged in trade or business in that other territory (whether through a permanent establishment or otherwise) shall not of itself constitute that subsidiary company a permanent establishment of its parent company.

(2) Where under this Arrangement any income is exempt from tax in one of the territories if (with or without other conditions) it is subject to tax in the other territory, and that income is subject to tax in that other territory by reference to the amount thereof which is remitted to or received in that other territory, the exemption to be allowed under this Arrangement in the first-mentioned territory shall apply only to the amount so remitted or received.

(3) In the application of the provisions of this Arrangement by the United Kingdom or the Colony, any term not otherwise defined shall, unless the context otherwise requires, have the meaning which it has under the laws of the United Kingdom, or, as the case may be, the Colony, relating to the taxes which are the subject of this Arrangement.

3. (1) The industrial or commercial profits of a United Kingdom enterprise shall not be subject to Colonial tax unless the enterprise is engaged in trade or business in the Colony through a permanent establishment situated therein. If it is so engaged, tax may be imposed on those profits by the Colony but only on so much of them as is attributable to that permanent establishment.

(2) The industrial or commercial profits of a Colonial enterprise shall not be subject to United Kingdom tax unless the enterprise is engaged in trade or business in the United Kingdom through a permanent establishment situated therein. If it is so engaged, tax may be imposed on those profits by the United Kingdom, but only on so much of them as is attributable to that permanent establishment.

(3) Where an enterprise of one of the territories is engaged in trade or business in the other territory through a permanent establishment situated therein, there shall be attributed to that permanent establishment the industrial or commercial profits which it might be expected to derive from its activities in that other territory if it were an independent enterprise engaged in the same or similar activities under the same or similar conditions and dealing at arm's length with the enterprise of which it is a permanent establishment.

(4) No portion of any profits arising from the sale of goods or merchandise by an enterprise of one of the territories shall be attributed to a permanent establishment situated in the other territory by reason of the mere purchase of the goods or merchandise within that other territory.

4. Where —

- (a) an enterprise of one of the territories participates directly or indirectly in the management, control or capital of an enterprise of the other territory, or
- (b) the same persons participate directly or indirectly in the management, control or capital of an enterprise of one of the territories and an enterprise of the other territory, and
- (c) in either case conditions are made or imposed between the two enterprises, in their commercial or financial relations, which differ from those which would be made between independent enterprises,

then any profits which would but for those conditions have accrued to one of the enterprises but by reason of those conditions have not so accrued may be included in the profits of that enterprise and taxed accordingly.

5. Notwithstanding the provisions of paragraphs 3 and 4, profits which a resident of one of the territories derives from operating ships or aircraft shall be exempt from tax in the other territory.

6. (1) Dividends paid by a company resident in one of the territories to a resident of the other territory who is subject to tax in that other territory in respect thereof and not engaged in trade or business in the first-mentioned territory through a permanent establishment situated therein, shall be exempt from any tax in that first-mentioned territory which is chargeable on dividends in addition to the tax chargeable in respect of the profits or income of the company.

(2) Where a company which is a resident of one of the territories derives profits or income from sources within the other territory, the Government of that other territory shall not impose any form of taxation on dividends

paid by the company to persons not resident in that other territory, or any tax in the nature of an undistributed profits tax on undistributed profits of the company, by reason of the fact that those dividends or undistributed profits represent, in whole or in part, profits or income so derived.

7. (1) Any royalty derived from sources within one of the territories by a resident of the other territory who is subject to tax in that other territory in respect thereof and is not engaged in trade or business in the first-mentioned territory through a permanent establishment situated therein, shall be exempt from tax in that first-mentioned territory; but no exemption shall be allowed under this paragraph in respect of so much of any royalty as exceeds an amount which represents a fair and reasonable consideration for the rights for which the royalty is paid.

(2) In this paragraph the term "royalty" means any royalty or other amount paid as consideration for the use of, or for the privilege of using, any copyright, patent, design, secret process or formula, trade-mark, or other like property, but does not include a royalty or other amount paid in respect of the operation of a mine or quarry or of other extraction of natural resources.

8. (1) Remuneration, including pensions, paid by the Government of one of the territories to any individual for services rendered to that Government in the discharge of governmental functions shall be exempt from tax in the other territory if the individual is not ordinarily resident in that other territory or (where the remuneration is not a pension) is ordinarily resident in that other territory solely for the purpose of rendering those services.

(2) The provisions of this paragraph shall not apply to payments in respect of services rendered in connection with any trade or business carried on by either of the Governments for purposes of profit.

9. (1) An individual who is a resident of the United Kingdom shall be exempt from Colonial tax on profits or remuneration in respect of personal (including professional) services performed within the Colony in any year of assessment if —

- (a) he is present within the Colony for a period or periods not exceeding in the aggregate 183 days during that year, and
- (b) the services are performed for or on behalf of a person resident in the United Kingdom, and
- (c) the profits or remuneration are subject to United Kingdom tax.

(2) An individual who is a resident of the Colony shall be exempt from United Kingdom tax on profits or remuneration in respect of personal (including professional) services performed within the United Kingdom in any year of assessment if —

- (a) he is present within the United Kingdom for a period or periods not exceeding in the aggregate 183 days during that year, and
- (b) the services are performed for or on behalf of a person resident in the Colony, and
- (c) the profits or remuneration are subject to Colonial tax.

(3) The provisions of this paragraph shall not apply to the profits or remuneration of public entertainers such as stage, motion picture or radio artists, musicians and athletes.

10. (1) Any pension (other than a pension paid by the Government of the Colony for services rendered to it in the discharge of governmental functions) and any annuity, derived from sources within the Colony by an individual who is a resident of the United Kingdom and subject to United Kingdom tax in respect thereof, shall be exempt from Colonial tax.

(2) Any pension (other than a pension paid by the Government of the United Kingdom for services rendered to it in the discharge of governmental functions) and any annuity, derived from sources within the United Kingdom by an individual who is a resident of the Colony and subject to Colonial tax in respect thereof, shall be exempt from United Kingdom tax.

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

11. The remuneration derived by a professor or teacher who is ordinarily resident in one of the territories, for teaching, during a period of temporary residence not exceeding two years, at a university, college, school or other educational institution in the other territory, shall be exempt from tax in that other territory.

12. A student or business apprentice from one of the territories who is receiving full-time education or training in the other territory shall be exempt from tax in that other territory on payments made to him by persons in the first-mentioned territory for the purposes of his maintenance, education or training.

13. (1) Subject to the provisions of the law of the United Kingdom regarding the allowance as a credit against United Kingdom tax of tax payable in a territory outside the United Kingdom, Colonial tax payable, whether directly or by deduction, in respect of income from sources within the Colony shall be allowed as a credit against any United Kingdom tax payable in respect of that income.

(2) Subject to the provisions of the law of the Colony regarding the allowance as a credit against Colonial tax of tax payable in a territory outside the Colony, United Kingdom tax payable, whether directly or by deduction, in respect of income from sources within the United Kingdom shall be allowed as a credit against any Colonial tax payable in respect of that income. Where such income is an ordinary dividend paid by a company resident in the United Kingdom, the credit shall take into account (in addition to any United Kingdom income tax appropriate to the dividend) the United Kingdom profits tax payable by the company in respect of its profits, and where it is a dividend paid on participating preference shares and representing both a dividend at the fixed rate to which the shares are entitled and an additional participation in profits, the profits tax so payable by the company shall likewise be taken into account in so far as the dividend exceeds that fixed rate.

(3) For the purposes of this paragraph profits or remuneration for personal (including professional) services performed in one of the territories shall be deemed to be income from sources within that territory, and the services of an individual whose services are wholly or mainly performed in ships or aircraft operated by a resident of one of the territories shall be deemed to be performed in that territory.

(4) Where Colonial income tax is payable for a year for which this Arrangement has effect in respect of any income in respect of which United Kingdom income tax is payable for a year prior to the year beginning on the 6th April 1949, then —

- (a) in the case of a person resident in the Colony, the Colonial income tax shall, for the purposes of sub-paragraph (2) of this paragraph, be deemed to be reduced by the amount of any relief allowable in respect thereof under the provisions of Section 27 of the United Kingdom Finance Act, 1920; and
- (b) in the case of a person resident in the United Kingdom, the provisions of Section 46 of the Falkland Islands Income Tax Ordinance, 1939, shall apply for the purposes of the allowance of relief from the Colonial tax.

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

(2) As used in this paragraph, the term "taxation authorities" means the Commissioners of Inland Revenue or their authorised representative in the case of the United Kingdom and the Commissioner of Income Tax or his authorised representative in the case of the Colony.

15. This Arrangement shall come into force on the date on which the last of all such things shall have been done in the United Kingdom and the Colony as are necessary to give the Arrangement the force of law in the United Kingdom and the Colony respectively, and shall thereupon have effect —

- (a) In the United Kingdom :
 - as respects income tax, for any year of assessment beginning on or after the 6th April, 1949; as respects sur-tax, for any year of assessment beginning on or after the 6th April, 1948; and as respects profits tax, in respect of the following profits —
 - (i) profits arising in any chargeable accounting period beginning on or after the 1st April, 1949;
 - (ii) profits attributable to so much of any chargeable accounting period falling partly before and partly after that date as falls after that date;
 - (iii) profits not so arising or attributable by reference to which income tax is, or but for the present Arrangement would be, chargeable for any year of assessment beginning on or after the 6th April, 1949;
- (b) In the Colony:
 - as respects Colonial tax for the year of assessment beginning on the first day of January, 1949, and subsequent years.

16. This Arrangement shall continue in effect indefinitely but either of the Governments may, on or before the 30th day of June in any calendar year after the year 1950, give notice of termination to the other Government and, in such event, this Arrangement shall cease to be effective —

- (a) In the United Kingdom:
 - as respects income tax for any year of assessment beginning on or after the 6th April in the calendar year next following that in which the notice is given; as respects sur-tax, for any year of assessment beginning on or after the 6th April in the calendar year in which the notice is given; and as respects profits tax, in respect of the following profits —
 - (i) profits arising in any chargeable accounting period beginning on or after the 1st April in the calendar year next following that in which the notice is given;
 - (ii) profits attributable to so much of any chargeable accounting period falling partly before and partly after that date as falls after that date;
 - (iii) profits not so arising or attributable by reference to which income tax is chargeable for any year of assessment beginning on or after the 6th April in that next following calendar year;
- (b) In the Colony:
 - as respects Colonial tax for any year of assessment beginning on or after the first day of January in the calendar year next following that in which such notice is given.

EXPLANATORY NOTE

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

Under the Arrangement with the United Kingdom which is scheduled to this Order, certain classes of income derived from one country by a resident of the other country are (subject to certain conditions) to be exempt from tax in the former country; these classes are shipping and air transport profits, certain trading profits not arising through a "permanent establishment", patent and copyright royalties, pensions other than Government pensions, purchased annuities and earnings of temporary business visitors. Government salaries are normally to be taxed by the paying Government only. Remuneration of visiting professors and teachers is to be exempt in the country visited.

Dividends are to be exempt from any tax which is additional to the tax charged on the profits represented by the dividend.

Where income continues to be taxable in both countries, full credit is to be given by the country of the taxpayer's residence for the tax payable in the country of origin of the income.

Provision is included for the exchange of information between the taxation authorities of the two countries.

The Arrangement is expressed to take effect for the fiscal year 1949-50.

The Pensions Ordinance 1965

REGULATIONS

(under section 3(2) of the Ordinance)

No. 2 of 1967.

C. HASKARD,
Governor.

In exercise of the powers conferred by subsection (2) of section 3 of the Pensions Ordinance 1965, the Governor in Council, with the sanction of the Secretary of State, has made the following regulations —

Citation.

1. These Regulations may be cited as the Pensions (Amendment) (No. 2) Regulations 1967.

Amendment of
regulation 18.

2. Sub-paragraph (b) of paragraph (2) of regulation 18 of the Pensions Regulations 1965, is amended —

- (a) by the deletion of the full stop and the substitution thereof of a colon; and
- (b) by the insertion of the following new proviso —

“Provided that if he has been transferred from an office which has been abolished and for this reason the pensionable emoluments of that office have not been considered in a general revision of pensionable emoluments, then, for the purposes of this regulation, the pensionable emoluments attached to the abolished office shall be equated with those of such office or offices as are certified by the Governor in his discretion as having enjoyed the same pensionable emoluments as the abolished office at the time of the said revision.”

Made by the Governor in Council this 4th day of April 1967.

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

Ref. 0323/A/VI.

INDEX OF LEGISLATION

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

Double Taxation Arrangement United Kingdom/Falkland Islands. Schedule to Order in
Council No. 1 of 1949 (page 224 of gazette 1949)

Pensions (Amendment) (No. 2) Regulations 1967.



THE FALKLAND ISLANDS GAZETTE

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1 JUNE 1967

No. 7

Appointment

Miss Pamela Margaret MacLeod, Clerk in the Public Service, 1.5.67.

Acting Appointments

Rex Browning, Acting Assistant Colonial Treasurer, 3.4.67.

Stuart Alfred Booth, Acting Superintendent of Education, 15.5.67.

Promotions

Henry Thomas Luxton, to Collector of Customs and Harbour Master, 15.5.67.

Douglas Roy Morrison, to Postmaster, 15.5.67.

NOTICES

No. 21. 2nd May 1967.

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

From His Excellency the Governor to the Right Honourable the Secretary of State for Commonwealth Affairs

"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 Commonwealth Affairs 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/III.

No. 22. 8th May 1967.

Intimation has been received from the Right Honourable the Secretary of State for Commonwealth Affairs to the effect that Her Majesty will not be advised to exercise her power of disallow-

ance in respect of the following Ordinances of the Colony —

No.	Title	Ref.
11/65	Workmen's Compensation (Amend.) Ordinance 1965	0038/C/IV.
8/66	Income Tax (Amend.) Ordinance 1966	0747/K/II.
14/66	Application of Enactments (Repeal) Ordinance 1966	1994.

No. 23. 18th May 1967.

Appointment

TRADE DISPUTES (ARBITRATION) ORDINANCE, (Cap 72).

In accordance with Section 3 (2) (a) His Excellency the Acting Governor has appointed—

RUPERT THOROGOOD, ESQUIRE

to arbitrate in the matter of a dispute between Darwin Shipping Limited and the Falkland Islands General Employees Union.

S. C. 23/67.

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

In the matter of the Estate of William Henry Cattell, deceased.

WHEREAS William Henry Cattell, late of Stanley, died at Stanley, on the 31st day of July 1966, intestate.

AND WHEREAS the Supreme Court has appointed Dennis Desborough to act as Official Administrator to administer the estate of the said deceased.

NOTICE IS HEREBY GIVEN that all creditors having claims against the said estate should submit their claims to me the undersigned on or before the 20th day of May 1967.

And all persons indebted to the said estate are hereby requested to make payment forthwith.

Dated at Stanley this 29th day of April 1967.

D. DESBOROUGH,
Official Administrator.

S. C. 21/67.

INDEX OF LEGISLATION

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

Road Traffic (Amendment) Regulations 1967.
Old Age Pensions (Amendment) Regulations 1967.
Colony Ordinances No's. 1 to 7 (pages 93 to 108).
Income Tax (Charge of Income Tax) Rules 1967.

PROCLAMATION

No. 2 of 1967.

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.

W. H. THOMPSON — *By His Excellency WILLOUGHBY HARRY THOMPSON, ESQUIRE, Member of the Most Excellent Order of the British Empire, Acting Governor 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 J. 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 on leave of absence.

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

NOW, THEREFORE, I, WILLOUGHBY HARRY THOMPSON, Colonial Secretary of the Falkland Islands, the Senior Member of the Executive Council aforesaid, do hereby proclaim and make known that, in pursuance of the said clause of the said Royal Letters Patent and having taken the oaths prescribed by law, 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 15th day of May, in the Year of Our Lord One thousand Nine hundred and Sixty-seven.

By Command of the Acting Governor,

H. L. BOUND,

Assistant Colonial Secretary.

The Road Traffic Ordinance, (Cap. 60)

REGULATIONS

(under section 18 of the Ordinance)

W. H. THOMPSON,
Acting Governor.

No. 3 of 1967.

In exercise of the powers conferred by section 18 of the Road Traffic Ordinance, the Governor in Council has made the following Regulations —

1. These Regulations may be cited as the Road Traffic (Amendment) Regulations, 1967, and shall be read as one with the Road Traffic Regulations, hereinafter referred to as the principal Regulations. Citation.

Revised Edition Vol. II
p. 270.
2. The principal Regulations are amended by the deletion of the words "Chief Constable" wherever those words occur and the substitution therefor of the words "Officer in Charge of Police". Amendment of Regulations.
3. Regulation 2 of the principal Regulations is amended — Amendment of regulation 2.
 - (a) by the deletion, in paragraph (2), of the words "in the applicant's handwriting";
 - (b) by the insertion, in paragraph (2) after the word "white", of the comma and the words ", silver or light grey";
 - (c) by the deletion of paragraph (4) and the substitution therefor of the following new paragraph —

"(4) A motor vehicle shall not be registered for use on a road if its weight shall exceed a weight which the Superintendent of Works considers safe for use on a road."
4. Regulation 3 of the principal Regulations is amended by the deletion of paragraph (2) and the substitution thereof of the following new paragraph — Amendment of regulation 3.

"(2) No trailer together with its load shall be used on a road if its weight shall exceed a weight which the Superintendent of Works considers safe for use on a road."
5. Regulation 4 of the principal Regulations is amended by the deletion of paragraph (3) and the substitution therefor of the following new paragraph — Amendment of regulation 4.

"(3) Drivers' licences shall be renewed triannually and shall be valid for three years from date of issue and the licence fee shall be 15/-."
6. The principal Regulations are amended by the addition, after regulation 5, of the following new regulation — Addition of new regulation 5A.

"Distinguishing mark. 5A. Every public service vehicle shall have the word "taxi" affixed to the windscreen, and the letters of such word shall be capital Latin characters of a height of at least two inches and a breadth throughout of not less than a quarter of an inch."
7. Regulation 7 of the principal Regulations is amended — Amendment of regulation 7.
 - (a) by the deletion of paragraph (1) (c) and the substitution therefor of the following —

"(c) two lamps each showing to the rear a red light visible for a reasonable distance:

Provided that in the case of a motor cycle not having a side car attached thereto, only a single lamp showing a red light to the rear instead of two such lamps need to be carried,";

- (b) by the deletion of the full stop at the end of paragraph (2) and the substitution therefor of a colon and the addition thereto of the following proviso —

"Provided that this paragraph shall not apply to any device for giving signals of direction."; and

- (c) by the deletion of the full stop at the end of paragraph (3) and the substitution therefor of a colon and the addition thereto of the following proviso —

"Provided that this paragraph shall not apply to lamps carried by vehicles for the purpose of illuminating any identification mark or any device for giving signals of direction."

Amendment of
regulation 11.

8. Regulation 11 of the principal Regulations is amended by the insertion after the word "reducing" of the words "as far as may be reasonable".

Amendment of
regulation 14.

9. Regulation 14 of the principal Regulations is amended by the deletion, in paragraph (2), of the words "Executive Engineer" and the substitution therefor of the words "Superintendent of Works".

Made by the Governor in Council this 8th day of May 1967.

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

Ref. 1983/II.

Old Age Pensions Ordinance, 1952.

REGULATIONS

(under section 25 of the Ordinance)

W. H. THOMPSON,
Acting Governor.

No. 4 of 1967.

In exercise of the powers conferred by section 25 of the Old Age Pensions Ordinance, 1952, the Governor in Council has made the following regulations —

1. These regulations may be cited as the Old Age Pensions (Amendment) Regulations, 1967.
- Citation.
2. The First Schedule to the Old Age Pensions Regulations, 1952, is amended —
- Amendment of Schedule.
- (a) by the deletion of Form 13 and the substitution therefor of the following —

“Sections 6 D and 11. Form 13.

The Old Age Pensions Ordinance

Application by contributor for refund of contributions

To the Board of Management.

Name of Contributor

Registered Number of Contributor

Address

Occupation

Age Date of Birth

1. I, the above named contributor, state that I have paid contributions under the Ordinance since the19..... as appears by the pension cards issued to me and delivered to the Board in accordance with Regulation 7 (2) or by the payment of a lump sum under section 10 of the Ordinance.
2. During the said period I have been employed by (give names of employers with dates) or I have been a self-employed person.
3. I am about to leave the Colony permanently, or, I am now married and my husband is a contributor.
4. I therefore apply for the refund of the contributions paid by me amounting to £.....

Date Signed”

- (b) by the addition, after Form 13, of the following new Forms —

“Section 6 B (f). Form 14.

The Old Age Pensions Ordinance

Application for Assistance by a Female Contributor

To The Board of Management.

Full name of Contributor

Registered Number of Contributor.....

Address

In accordance with the provisions of Section 6 B (f) of the Old Age Pensions Ordinance I wish to apply for assistance in paying old age pensions contributions with effect from.....

- (a) I am employed by
- I am not employed.
- I am a widow with children under school leaving age.
- I am a spinster.

I am a married woman living apart from my husband and not maintained by him.

I am a divorced woman.

My age is..... I was born on

My current earning rate is per year/per month/per week.

I have other income as follows —

Signature of applicant

Notes: Complete the statements at (a) above and strike out those parts that do not apply to your case.

Assistance may be claimed by a widow, spinster, divorced woman or married woman not living with or being maintained by her husband provided —

(i) she is between the ages of 50 and 60;

(ii) her earning rate is less than £300 per annum, £25 per month or £5 15s. 5d. per week. In the case of a widow with children below school leaving age this rate is increased by £100 for each such child.

Application considered at meeting No..... of

Assistance at the rate of approved.

.....
Chairman.

Section 6 B (f).

Form 15.

The Old Age Pensions Ordinance

I certify that throughout the period

I was in full time employment / in part time employment / unemployed *

and that my average earning rate was

per year / per month / per week. * I had no other income, or, I had other income as detailed below. *

I further certify that for any part of the above period when my income exceeded £5 15s. 5d. per week I purchased contribution stamps and affixed them to the contribution card.

Signed.....

..... 19.....

* Strike out where inapplicable.

CONTRIBUTORS REGISTRATION No....."

Made by the Governor in Council this 14th day of February 1967.

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

Ref. 0323/A/VI.

Assented to in Her Majesty's name this 12th day of May 1967.

C. HASKARD,
Governor.



No. 1



1967

Colony of the Falkland Islands.

IN THE SIXTEENTH 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 certain International
Conventions relating to the Employment of
Women, Young Persons and Children.

Title.

(1st June 1967)

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 Women, Young Persons and Children Ordinance, 1967.

Short title.

2. In this Ordinance unless the context otherwise requires —

Interpretation.

“child” means a person under the age of fourteen years;

“competent authority” means the Governor in Council;

“duly authorized officer” means any officer authorized by the Governor by notice in the Gazette to act under the provisions of this Ordinance;

“industrial undertaking” has, with respect to the employment of children, young persons and women, the meanings respectively assigned thereto in the conventions set out in Parts I, II and III of the Schedule to this Ordinance;

“ship” means any sea-going ship or boat of any description which is registered in the Colony as a British ship;

“woman” means a woman of the age of eighteen years and upwards;

“young person” means a person who has ceased to be a child and who is under the age of eighteen years.

Restriction on the employment of women, young persons, and children in industrial undertakings.

3. (1) No child shall be employed in any industrial undertaking.

(2) No child shall be employed in any ship except to the extent to which and in the circumstances in which such employment is permitted under the Convention set out in Part IV of the Schedule to this Ordinance.

(3) No young person or woman shall be employed at night in any industrial undertaking, except to the extent to which and in the circumstances in which such employment is permitted under the Conventions set out in Part II and Part III respectively of the Schedule to this Ordinance.

(4) Where young persons are employed in any industrial undertaking, a register of the young persons so employed, and the dates of their birth, and of the dates on which they enter and leave the service of their employer, shall be kept and shall at all times be open to inspection by any duly authorized officer.

(5) No woman or female young person shall be employed on underground work in any mine, quarry or other work for the extraction of minerals from under the surface of the earth.

(6) There shall be included in every agreement with the crew entered into under the Merchant Shipping Act, 1894, a list of the young persons under the age of sixteen years who are members of the crew, together with particulars of the dates of their birth, and, in the case of a ship in which there is no such agreement, the master of the ship shall, if young persons under the age of sixteen years are employed therein, keep a register of those persons with particulars of the dates of their birth and of the dates on which they become or cease to be members of the crew, and the register so kept shall at all times be open to inspection by any duly authorized officer.

(7) This section, so far as it relates to employment in a ship, shall have effect as if it formed part of the Merchant Shipping Acts, 1894 to 1948.

- (8) (a) If any person employs a child or a young person in any industrial undertaking in contravention of this Ordinance, he shall be guilty of an offence and shall be liable on summary conviction for each offence to a fine not exceeding £2, or, in case of a second or subsequent offence, not exceeding £5; and where a child is taken into employment in any industrial undertaking in contravention of this Ordinance on the production, by or with the privity of the parent, of a false or forged certificate, or on the false representation of his parents that the child or young person is of an age at which such employment is not in contravention of this Ordinance, that parent shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £2; and
- (b) If any child is employed in any ship in contravention of this Ordinance, the master of the ship shall be guilty of an offence and shall be liable on summary conviction for each offence to a fine not exceeding £2, or, in the case of a second or subsequent offence, not exceeding £5; and where a child is taken into employment in any ship in contravention of this Ordinance on the production, by or with the privity of the parent, of a false or forged certificate or on the false representation of his parent that the child is of an age at which such employment is not in contravention of this Ordinance, that parent shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £2; and
- (c) If any person, being the employer of a young person fails to keep such a register so required to be kept by him as

aforesaid, or refuses or neglects, when required, to produce it for inspection by a duly authorized officer, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £20; and

- (d) If the master of a ship fails to keep such a register so required to be kept by him as aforesaid, or refuses or neglects, when required, to produce it for inspection by a duly authorized officer or any other person having power to enforce compliance with the provisions of the Merchant Shipping Acts, 1894 to 1948, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £20; and
- (e) If a person employs a woman in contravention of this Ordinance, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £20.

4. (1) The provisions of this Ordinance shall be in addition to and not in derogation of any of the provisions of any other law restricting the employment of women, young persons, or children.

Savings.

(2) Nothing in this Ordinance shall apply to an industrial undertaking or ship in which only members of the same family are employed.

5. (1) Any duly authorized officer may, for the purpose of ascertaining whether the provisions of this Ordinance are being or have been complied with, at all reasonable times enter any land, premises, ship or other place and make such examination and inquiry and ask such questions of any person as may be reasonably necessary for that purpose.

Inspection.

(2) If any person —

- (a) wilfully delays or obstructs a duly authorized officer in the exercise of any power under this section, or
- (b) refuses or neglects to answer any question or to furnish any information when required so to do by such officer,

he shall be liable on summary conviction to a fine not exceeding £5:

Provided that no person shall be required under this section to answer any question tending to incriminate himself.

(3) Every duly authorized officer shall be furnished with a certificate of his authorization, and on entering any place for the purposes of this section shall, if so required, produce the said certificate.

(4) Every duly authorized officer may take with him a constable if he has reasonable cause to apprehend any serious obstruction in the execution of his duty.

SCHEDULE

PART I

Sections 2 and 3

Convention fixing Minimum Age for Admission of Children to Industrial Employment.

1. For the purpose of this Convention, the term "industrial undertaking" includes particularly -
 - (a) Mines, quarries and other works for the extraction of minerals from the earth;
 - (b) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed; including shipbuilding, and the generation, transformation, and transmission of electricity and motive power of any kind.
 - (c) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer,

drain, well, telegraphic or telephonic installation, electrical undertaking, gaswork, waterwork, or other work of construction, as well as the preparation for or laying the foundations of any such work or structure.

- (d) Transport of passengers or goods by road or rail or inland waterway, including the handling of goods at docks, quays, wharves, and warehouses, but excluding transport by hand.

The competent authority in each country shall define the line of division which separates industry from commerce and agriculture.

2. Children under the age of fourteen years shall not be employed or work in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed.

3. The provisions of Article 2 shall not apply to work done by children in technical schools, provided that such work is approved and supervised by public authority.

4. In order to facilitate the enforcement of the provisions of this Convention, every employer in an industrial undertaking shall be required to keep a register of all persons under the age of sixteen years employed by him, and of the dates of their births.

PART II

Convention concerning the Night Work of Young Persons employed in Industry.

1. For the purpose of this Convention, the term "industrial undertaking" includes particularly —
 - (a) Mines, quarries, and other works for the extraction of minerals from the earth.
 - (b) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up, or demolished, or in which materials are transformed; including shipbuilding, and the generation, transformation, and transmission of electricity or motive power of any kind.
 - (c) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gaswork, waterwork, or other work of construction as well as the preparation for or laying the foundations of any such work or structure.
 - (d) Transport of passengers or goods by road or rail, including the handling of goods at docks, quays, wharves, and warehouses, but excluding transport by hand.

The competent authority in each country shall define the line of division which separates industry from commerce and agriculture.

2. Young persons under eighteen years of age shall not be employed during the night in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed, except as hereinafter provided for.

Young persons over the age of sixteen may be employed during the night in the following industrial undertakings on work which by reason of the nature of the process, is required to be carried on continuously day and night:

- (a) Manufacture of iron and steel; process in which reverberatory or regenerative furnaces are used, and galvanising of sheet metal or wire (except the pickling process).
- (b) Glass works.
- (c) Manufacture of paper.
- (d) Manufacture of raw sugar.
- (e) Gold mining reduction work.

3. For the purpose of this Convention, the term "night" signifies a period of at least eleven consecutive hours, including the interval between ten o'clock in the evening and five o'clock in the morning.

In coal and lignite mines work may be carried on in the interval between ten o'clock in the evening and five o'clock in the morning, if an interval of ordinarily fifteen hours, and in no case of less than thirteen hours separates two periods of work.

Where night work in the baking industry is prohibited for all workers, the interval between nine o'clock in the evening and four o'clock in the morning may be substituted in the baking industry for the interval between ten o'clock in the evening and five o'clock in the morning.

4. The provisions of Articles 2 and 3 shall not apply to the night work of young persons between the ages of sixteen and eighteen years in cases of emergencies which could not have been controlled or foreseen, which are not of a periodical character, and which interfere with the normal working of the industrial undertaking.

5. The prohibition of night work may be suspended by the Government, for young persons between the ages of sixteen and eighteen years, when in case of serious emergency the public interest demands it.

PART III

Convention concerning the Night Work of Women Employed in Industry.

1. For the purpose of this Convention, the term "industrial undertaking" includes particularly —
 - (a) Mines, quarries, and other works for the extraction of minerals from the earth.
 - (b) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed; including shipbuilding and the generation, transformation and transmission of electricity or motive power of any kind.
 - (c) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gaswork, waterwork, or other work of construction, as well as the preparation for or laying the foundations of any such work or structure.

The competent authority in each country shall define the line of division which separates industry from commerce and agriculture.

2. For the purpose of this Convention, the term "night" signifies a period of at least eleven consecutive hours, including the interval between ten o'clock in the evening and five o'clock in the morning.

3. Women without distinction of age shall not be employed during the night in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed.

4. Article 3 shall not apply —

- (a) In cases of force majeure, when in any undertaking there occurs an interruption of work which it was impossible to foresee, and which is not of a recurring character.
- (b) In cases where the work has to do with raw materials or materials in course of treatment which are subject to rapid deterioration, when such night work is necessary to preserve the said materials from certain loss.

5. In industrial undertakings which are influenced by the seasons and in all cases where exceptional circumstances demand it, the night period may be reduced to ten hours on sixty days of the year.

PART IV

Convention fixing the Minimum Age for Admission of Children to Employment at Sea.

1. For the purpose of this Convention, the term "vessel" includes all ships and boats, of any nature whatsoever, engaged in maritime navigation, whether publicly or privately owned: it excludes ships of war.

2. Children under the age of fourteen years shall not be employed or work on vessels other than vessels upon which only members of the same family are employed.

3. The provisions of Article 2 shall not apply to work done by children on school ships or training ships, provided that such work is approved and supervised by public authority.

4. In order to facilitate the enforcement of the provisions of this Convention, every shipmaster shall be required to keep a register of all persons under the age of sixteen years employed on board his vessel, or a list of them in the articles of agreement, and of the dates of their births.

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 12th day of May 1967.

C. HASKARD,
Governor.

LS

No. 2



1967

Colony of the Falkland Islands.

IN THE SIXTEENTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

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

An Ordinance

Title.

To amend the Ionising Radiations (Protection of Workers) Ordinance, 1966.

Date of commencement.

(1st June 1967)

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 Ionising Radiations (Protection of Workers) (Amendment) Ordinance, 1967.

Amendment of section 3.
(11 of 1966)

2. Section 3 of the Ionising Radiations (Protection of Workers) Ordinance, 1966, is amended by the insertion after the word "therein" of the words "for the first time".

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 12th day of May 1967.

C. HASKARD,
Governor.

LS

No. 3



1967

Colony of the Falkland Islands.

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

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

An Ordinance

To legalise certain payments made in the
year 1965-66 in excess of the Expenditure
sanctioned by Ordinance No. 8 of 1965.

Title.

WHEREAS it is expedient to make further provision for the
service of the Colony for the period 1st July, 1965 to 30th June, 1966.

Preamble.

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

Enacting clause.

1. This Ordinance may be cited for all purposes as the
Supplementary Appropriation (1965-66) Ordinance, 1967.

Short title.

2. The sums of money set forth in the Schedule hereto
having been expended for the services therein mentioned beyond the
amounts granted for those services by the Ordinance providing for
the service for the period 1st July, 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.

Appropriation of excess
expenditure for the period
1st July, 1965 to 30th
June, 1966.

Schedule.

SCHEDULE

Number	HEAD OF SERVICE	Amount					
		£	s.	d.			
FALKLAND ISLANDS							
IV.	Aviation	...	...	...	1,050	18	2
V.	Customs & Harbour	...	...	...	354	7	5
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

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. 0284/XVIII.

Assented to in Her Majesty's name this 12th day of May 1967.

C. HASKARD,
Governor.

LS

No. 4



1967

Colony of the Falkland Islands.

IN THE SIXTEENTH 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 Administration of Justice Ordinance. Title.

(1st June 1967) 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 Administration of Justice (Amendment) Ordinance 1967, and shall be read as one with the Administration of Justice Ordinance, hereinafter referred to as the principal Ordinance.

Short title.
Cap. 3.
2. Section 2 of the principal Ordinance is amended by the deletion of the definition "Record".

Amendment of section 2.
3. Part VIII of the principal Ordinance is repealed.

Repeal of Part VIII.
4. Section 69 of the principal Ordinance is amended by the deletion of the words "and the preparation of the record in appeals to His Majesty in Council".

Amendment of section 69.

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 12th day of May 1967.

C. HASKARD,
Governor.

LS

No. 5



1967

Colony of the Falkland Islands.

IN THE SIXTEENTH 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 Marriage Ordinance.

Title.

Date of commencement.

(1st June 1967)

Enacting clause.

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

Short title.
(Cap. 43)

1. This Ordinance may be cited as the Marriage (Amendment) Ordinance, 1967, and shall be read as one with the Marriage Ordinance, hereinafter referred to as the principal Ordinance.

Amendment of section 6.

2. Section 6 of the principal Ordinance is amended by the deletion, in subsection (1), of the words "the Roman Catholic Church" and the substitution therefor of the words "St. Mary's Catholic Church".

Amendment of section 7.

3. Section 7 of the principal Ordinance is amended by —

- (a) the deletion from paragraph (b) of the proviso to subsection (1) of the words "or in the house of a justice" and the substitution therefor of the words "or at the place therein stated";
- (b) the deletion from subsection (2) of the words "in his office".

Amendment of section 11.

4. Section 11 of the principal Ordinance is amended by the deletion from paragraph (1) of the proviso of the words "or a minister".

5. Section 12 of the principal Ordinance is amended by the deletion from paragraph (1) of the words "or in the office of the registrar, or in the house of a justice, or in such place as any special licence shall specify" and the substitution therefor of the words "or at the place stated in the licence".

Amendment of section 12.

6. Subsection (1) of section 13 is amended by the deletion of the word "in" and the substitution therefor of the word "at".

Amendment of section 13.

7. The Third Schedule to the principal Ordinance is amended, by the insertion, after the words and figures "Marriage by Registrar 10. 0." of the following—

Amendment of Third Schedule.

"Marriage by Registrar (Governor's special licence) 2. 0. 0."

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

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

Ref. 1131.

Assented to in Her Majesty's name this 12th day of May 1967.

C. HASKARD,
Governor.

LS

No. 6



1967

Colony of the Falkland Islands.

IN THE SIXTEENTH 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
1967-68.

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 (1967-68) Ordinance 1967.

Appropriation of £486,464
for the service of the
year 1967-68.

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 1967 to 30th June 1968, a sum not exceeding Four hundred and eighty-six thousand four hundred and sixty-four 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 1967-68.

SCHEDULE

Schedule.

Number	HEAD OF SERVICE	£
I.	The Governor	9,949
II.	Agriculture	5,514
III.	Audit	1,444
IV.	Aviation	16,086
V.	Customs and Harbour	15,730
VI.	Education	59,326
VII.	Medical	45,221
VIII.	Meteorological	750
IX.	Military	3,360
X.	Miscellaneous	30,845
XI.	Pensions and Gratuities	11,000
XII.	Police and Prisons	6,471
XIII.	Posts and Telecommunications	61,374
XIV.	Power and Electrical	23,623
XV.	Public Works	21,560
XVI.	Public Works Recurrent	44,037
XVII.	Public Works Special	7,790
XVIII.	Secretariat, Treasury and Central Store ...	35,205
XIX.	Social Welfare	7,500
XX.	Supreme Court... ..	2,861
	Total Ordinary Expenditure	409,646
	Development	76,818
	Total Expenditure	486,464

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. 0284/XX.

Assented to in Her Majesty's name this 12th day of May 1967.

C. HASKARD,
Governor.

LS

No. 7



1967

Colony of the Falkland Islands.

IN THE SIXTEENTH 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 Road Traffic Ordinance.

Date of commencement.

(1st June 1967)

Enacting clause.

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

Short title.
Cap. 60.

1. This Ordinance may be cited as the Road Traffic (Amendment) Ordinance 1967 and shall be read as one with the Road Traffic Ordinance, hereinafter referred to as the principal Ordinance.

Amendment of Ordinance.

2. The principal Ordinance is amended by the deletion of the words "Chief Constable" wherever those words occur and the substitution therefor of the words "Officer in Charge of Police".

Amendment of section 2.

3. Section 2 of the principal Ordinance is amended as follows —

- (a) by the insertion, before the definition of "Invalid Carriage", of the following new definition —
" "Hire car" or "taxi" means a public service vehicle.";
- (b) by the insertion, before the definition of "Registered", of the following new definition —
" "Public service vehicle" means a motor vehicle used in carrying passengers for hire or reward."

4. Section 3 of the principal Ordinance is amended —

Amendment of section 3.

- (a) by the deletion of subsection (2) and the substitution therefor of the following —

“(2) Every motor vehicle (except that owned or used by the Governor) brought into the Colony shall be registered within twenty-eight days after receipt of the vehicle by the owner thereof.”.

- (b) by the deletion, in subsection (3), of the figure “£5” and the substitution therefor of the figure “£25”.

5. The principal Ordinance is amended by the insertion after section 4 of the following new section —

Insertion of new section
4A.“Public service
vehicle licence.

4A. (1) The authority having power to grant a public service vehicle licence shall be the Officer in Charge of Police.

(2) A public service vehicle licence may be refused or, if it has already been granted may at any time be suspended or revoked by the Officer in Charge of Police, having regard to the conduct of the applicant for or holder of the licence or to the manner in which the vehicle is being used, it appears to the Officer in Charge of Police that he is not a fit person to hold such a licence; and a licence suspended under this subsection shall during the time of suspension be of no effect.

(3) A public service vehicle licence shall be renewable and the licence fee of £1 paid annually on the 1st day of January in every year.

(4) No person shall use, cause or permit a motor vehicle to be used as a public service vehicle unless he is the holder of a licence so to use the vehicle in accordance with the conditions of the licence.

(5) If any person uses, or causes or permits a motor vehicle to be used in contravention of this section or fails to comply with any condition of the licence, he shall be liable on summary conviction to a fine not exceeding £20, or in the case of a second or subsequent conviction to a fine not exceeding £50 or to imprisonment for a term not exceeding three months.”

6. Section 5 of the principal Ordinance is amended —

Amendment of section 5.

- (a) by the deletion in subsection (3) (a) of the figure “18” and the substitution therefor of the figure “17”.

- (b) by the insertion after subsection (3A) of the following new subsection —

“(3B) The fee to be paid in respect of each test conducted under subsection (3) shall be 10/-.”;

- (c) by the addition after subsection (13) of the following new subsection —

“(14) Any person who by virtue of a conviction or order under this Ordinance is disqualified from holding or obtaining a driver's licence may at any time after the expiration of whichever is relevant of the following periods from the date of the conviction or order, that is to say —

- (a) six months, if the disqualification is for less than a year;
- (b) one half of the period of the disqualification, if it is for less than six years but not less than a year;
- (c) three years in any other case,

apply to the court by which he was convicted or by which the order was made to remove the disqualification, and on any

such application the court may, as it thinks proper having regard to the character of the person disqualified and his conduct subsequent to the conviction or order, the nature of the offence, and any other circumstances of the case, either by order remove the disqualification as from such date as may be specified in the order or refuse the application:

Provided that where an application under this subsection is refused, a further application thereunder shall not be entertained if made within three months after the date of refusal.

If the court orders a disqualification to be removed the court shall cause particulars of the order to be endorsed on the licence, if any, previously held by the applicant."

Amendment of section 16.

7. Section 16 of the principal Ordinance is amended by the deletion of the words "Executive Engineer" where those words twice occur and the substitution therefor of the words "Superintendent of Works".

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. 1983.

The Income Tax Ordinance, (Cap. 32)

RULES

(under section 89 of the Ordinance)

W. H. THOMPSON,
Acting Governor.

No. 1 of 1967.

In exercise of the powers conferred by section 89 of the Income Tax Ordinance, the Governor in Council is pleased to make and hereby makes the following Rules —

1. These Rules may be cited as the Income Tax (Charge of Income Tax) Rules, 1967, and shall be deemed to have come into force on 1st January 1967.

2. For the purposes of assessment in accordance with section 5, subsections (b) (ii) and (c) the annual value of any allowance to be accorded shall be the value deemed to be effective on the 31st day of December immediately preceding the year in which the assessment shall be made.

Made by the Governor in Council on the 8th day of May 1967.

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

Ref. 0747/K/II.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXVI.

1 JULY 1967

No. 8

Appointments

Miss Valerie Elizabeth Thorne, S.R.N., S.C.M.,
Nursing Sister, Medical Department, 17.6.67.

William John Jones, Constable, Falkland Islands
Police Force, 1.7.67.

Charles Ronald Buckland, Constable, Falkland
Islands Police Force, 1.7.67.

Acting Appointment

Miss Joan Thompson, Acting Senior Clerk,
Public Works Department, 10.6.67.

Promotion

Terence John Peck to Inspector, Falkland
Islands Police Force, 1.7.67.

NOTICES

No. 24. 21st June 1967.
Under section 4, sub-section (2) of the
Provident Fund Ordinance (Cap. 28 Vol. I), His
Excellency the Acting Governor has been pleased

to appoint —

H. T. LUXTON, Esq.,
vice

W. J. GRIERSON, Esq., M.B.E.

to the Board of Management of the Government
Employees' Provident Fund.

Ref. 0146/A.

No. 25.

26th June 1967.

It is notified for general information that Mon-
sieur Erkki Risto Olavi Pajari has been appointed
Consul of Finland in London with jurisdiction over
the United Kingdom Overseas Territories.

Ref. 2014.

No. 26.

28th June 1967.

Attention is drawn to a printed error on page
89 of the Gazette dated 1st June 1967 where in
clause 5 of the Road Traffic (Amendment) Regu-
lations reference is made to drivers' licences being
renewed triannually. This should, of course, read
triennially. A suitable amendment is being promul-
gated.

Ref. 1983/II.

Statement shewing total Receipts for the year ended 30th June, 1966.

RECEIPTS.				Amount Estimated			Actual Receipts			Over the Estimate			Under the Estimate		
				£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Part I. Ordinary Revenue															
I.	Aviation	...	...	8500	0	0	12626	18	3	4126	18	3	.....	
II.	Customs Duties	...	...	41900	0	0	55988	15	11	14088	15	11	.....	
III.	Dependencies Contribution to cost of Central Administration			10000	0	0	10000	0	0	.....			.....
IV.	Electricity	...	...	26000	0	0	28611	15	1	2611	15	1	.....	
V.	Fees & Fines	...	...	6231	0	0	7219	12	7	988	12	7	.....	
VI.	Harbour	...	...	3065	0	0	4101	15	3	1036	15	3	.....	
VII.	Interest	...	...	21670	0	0	25641	15	7	3971	15	7	.....	
VIII.	Internal Revenue	...	...	170718	0	0	195468	13	0	24759	13	0	.....	
IX.	Land Sales	...	...	105	0	0	219	0	8	114	0	8	.....	
X.	Miscellaneous	...	...	5515	0	0	10256	17	10	4741	17	10	.....	
XI.	Posts & Telecommunications	...	...	23831	0	0	38365	0	10	14534	0	10	.....	
XII.	Reimbursements	...	...	5515	0	0	10452	15	0	4937	15	0	.....	
XIII.	Reimbursements from H.M.G. in respect of overseas officers			9279	0	0	7648	4	4	.....			1630	15	8
XIV.	Rents	...	...	2433	0	0	3453	2	7	1020	2	7	.....	
	<i>Total Ordinary Revenue</i>	...	...	334762	0	0	410054	6	11	76923	2	7	1630	15	8
XV.	Transfers from Reserve Fund	...	...	366505	0	0	336739	2	7	.....			29765	17	5
	<i>Total Revenue Part I</i>	...	...	701267	0	0	746793	9	6	76923	2	7	31396	13	1
Part II. Development Revenue															
A.	Colony	...	...	59145	0	0	12579	19	11	.....			46565	0	1
B.	Colonial Development & Welfare	...	...	12120	0	0	3549	5	0	.....			8570	15	0
	<i>Total Revenue Parts I and II</i>	...	...	772532	0	0	762922	14	5	76923	2	7	86532	8	2
Advances							125099	5	6						
Deposits							906850	9	3						
Remittances							261167	1	7						
Investments							1260029	12	8						
Old Age Pensions Equalisation Fund							26430	15	4						
Oil Stocks Replacement Fund							7291	19	11						
Development Fund							336739	2	7						
Reserve Fund							5453	3	5						
General Revenue Balance Account							5461	2	5						
Total Receipts							3697445	7	1						
Balance 1st July, 1965							24445	8	3						
TOTAL						£	3721890	15	4						

Statement shewing total Payments for the year ended 30th June, 1966.

PAYMENTS.	Amount Estimated.			Actual Payments.			Over the Estimate.			Under the Estimate.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Part I. Ordinary Expenditure												
I. The Governor ...	8934	0	0	8484	14	6	.....			449	5	6
II. Agriculture ...	9094	0	0	5520	13	2	.....			3573	6	10
III. Audit ...	1238	0	0	1107	10	1	.....			130	9	11
IV. Aviation ...	15733	0	0	16783	18	2	1050	18	2	.....	
V. Customs & Harbour ...	11090	0	0	11444	7	6	354	7	6	.....	
VI. Education ...	59403	0	0	52451	9	4	.....			6951	10	8
VII. Medical ...	44350	0	0	43880	3	8	.....			469	16	4
VIII. Meteorological ...	720	0	0	734	15	2	14	15	2	.....	
IX. Military ...	1678	0	0	1815	6	4	137	6	4	.....	
X. Miscellaneous ...	365362	0	0	376643	3	5	11281	3	5	.....	
XI. Pensions & Gratuities ...	10100	0	0	10494	9	6	394	9	6	.....	
XII. Police & Prisons ...	5683	0	0	5268	7	11	.....			414	12	1
XIII. Posts & Telecommunications ...	50647	0	0	45707	14	0	.....			4939	6	0
XIV. Power & Electrical ...	18996	0	0	21629	15	8	2633	15	8	.....	
XV. Public Works ...	21010	0	0	18896	7	2	.....			2113	12	10
XVI. Public Works Recurrent ...	35324	0	0	42631	1	9	7307	1	9	.....	
XVII. Public Works Special Expenditure ...	4680	0	0	1577	0	8	.....			3102	19	4
XVIII. Secretariat & Treasury ...	27141	0	0	25828	11	5	.....			1312	8	7
XIX. Social Welfare ...	7720	0	0	8838	11	0	1118	11	0	.....	
XX. Supreme Court ...	2364	0	0	2271	2	9	.....			92	17	3
<i>Total Ordinary Expenditure Part I</i> ...	701267	0	0	702009	3	2	24292	8	6	23550	5	4
Part II. Development Expenditure												
A Colony ...	59146	0	0	12579	19	11	.....			46565	0	1
B Colonial Development & Welfare ..	12120	0	0	5727	4	7	.....			6392	15	5
<i>Total Expenditure Parts I and II</i> ...	772532	0	0	720316	7	8	24292	8	6	76508	0	10
Advances ...				133055	0	5						
Deposits ...				861869	12	3						
Remittances ...				271325	19	7						
Investments ...				1332421	9	1						
Old Age Pensions Equalisation Fund ...				9049	12	11						
Oil Stocks Replacement Fund ...				19084	0	0						
Development Fund ...				12579	19	11						
Land Sales Fund ...				293825	3	5						
Aviation Renewals Fund ...				1662	18	2						
Marine Renewals Fund ...				19182	10	6						
Power Station Renewals Fund ...				22068	10	6						
Workmen's Compensation Fund ...				5453	3	5						
Total Payments ...				3701894	7	10						
Balance as at 30th June, 1966				19996	7	6						
TOTAL ...	£			3721890	15	4						

H. T. ROWLANDS,
Acting Colonial Treasurer.
12th October, 1966.

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1 JULY 1967

(1) A sum of £2,609 : 17 : 0 due from H. M. G. in respect of under issues on the following C. D. & W. Schemes --

D295
D641
D644

(2) A sum of £28 : 5 : 11 due from H. M. Government in respect of under issues on O. S. A. S. - Inducement Allowances.

H. T. ROWLANDS,
Acting Colonial Treasurer,
12th October, 1966.



THE
FALKLAND ISLANDS GAZETTE
Supplement No. 1

1st JULY, 1967

MINUTES OF THE MEETING OF LEGISLATIVE COUNCIL

HELD AT STANLEY ON 4TH, 5TH, 6TH AND 8TH MAY 1967.

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 O.B.E., J.P.)
The Honourable Mr. R.V. Goss, E.D., 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 26th October 1966
were confirmed.

Address by the President

Honourable Members:

Time in the Falkland Islands passes quickly - too quickly - and it is difficult to credit that a whole year has already gone by since we held our last budget meeting.

This Council is now three-quarters of the way through its allotted term and early next year we are due to hold a general election. I have realised with sorrow that I myself am already half-way through my five year tenure of office; in many ways I feel as though I were just starting.

In our close-knit community it is rightly and understandably the custom to be modest about our progress. It is foreign to British ideas to stress achievement but it is no bad thing occasionally to count our blessings. It has indeed been a period of considerable activity and before we attempt to take a look to the future I would like to invite you to cast your minds back over the past year.

On the material side we have something to show: two new aircraft safely delivered all the way from Canada in order to maintain at its high level of efficiency the Government Air Service; a new cargo vessel well advanced under construction in England and intended to supplement the sea-borne service to the camp; a new telecommunications system which has resulted in a remarkable improvement in the efficiency of our daily contact with the outside world; the programmes for road reconstruction and road repair in Stanley both going ahead to the evident satisfaction of householders lucky enough to live near roads selected for priority treatment.

These are among the more obvious examples of what is afoot but there are many other activities, perhaps less well publicised. Important among these is the substantial development being undertaken on certain farms. This may not be spectacular but it is essential to the life of the Colony. Few indeed are the places I have visited where I have not been taken to see some fresh indication of pasture improvement. I hope that this year there will be another grasslands conference on the lines of that held last July. The increase in interchange of visits between farms has been, I feel, at least in part stimulated by the exchange of views at that well attended meeting.

An undertaking which I trust will be found useful is the setting up of experimental plots by the Grasslands Officer at a number of farms, thanks to the interest and cooperation of owners and managers. These experiments relate to the reaction of swards to trace elements and fertilisers, the establishment of grasses, legumes and pelleted clovers, the suitability of several varieties for hay crops as well as experiments on the control of erosion and various methods of sowing seed. Results are now becoming available from some of these experiments and, though nothing spectacular has been achieved, there is much of interest to be observed.

It will be a matter of importance to see that the value of these experiments is not lost. I feel that anyone would share my sentiment who has stood at the site of the Anson experimental farm and considered what might have been learned had that short lived venture not been abandoned 40 years ago.

And while on the subject of sheep farming I would like to take this opportunity to mention the retirement of Mr. Wickham Clement from the managership of Packe Brothers & Company. Mr. Clement is well known throughout the Colony as a stock man of tremendous experience; it is good to know that after his long service at Fox Bay he and Mrs. Clement will be living in Stanley and we look forward to having the benefit of his wise advice for many years to come.

Much activity in the Colony must of necessity relate to every day tasks and I would like to look for a few minutes at how these have been conducted during the past year.

First, communications. During 1966 the Government Air Service carried no less than 3,030 passengers, with an all time record of 354 passengers carried in the month of February and 13,500 lbs of freight and excess luggage. 905 flying hours were logged and 2,174 landings were made. This figure for the number of actual landings which are of course additional to mail drops, gives an indication of the extent of the service provided. I might mention that preliminary steps are being taken to try to find worthy successors to the aircraft engineers when their period of service draws to an end some 18 months from now.

The two aircraft, which for 13 years and 10 years respectively have given yeoman service in the islands, began to show their age last year and long and costly repairs were foreseen. Because of this and the knowledge that the standard Beaver was going out of production, a decision to replace the old aircraft was taken. The new Beavers arrived on 30th March. Their crossing of the last 480 miles to Stanley from Punta Arenas in 3 hours and 20 minutes demonstrated our proximity to a South American communications centre which has rapid and daily air links with the rest of the world.

Delays in the port of Montevideo drew attention to the fact that the Colony was carrying an unduly small reserve of aircraft fuel and steps were taken to acquire additional drums for storage, thus giving us a more substantial reserve.

The past 12 months have seen considerable activity in the Posts and Telecommunications Department. The Superintendent was on leave in the United Kingdom last year and took the opportunity to pay a number of visits in and around London with a view to assisting in coordinating the new telecommunications project and making the acquaintance of those connected with the scheme. That these visits were well worth while has been shown by the smoothness with which the complex arrangements for installation have since gone ahead.

As I mentioned last year, Cable and Wireless were invited to instal and maintain a complete modern system of radio communications between the Colony and the United Kingdom, mainly of course to cater for the requirements of the European Space Research Organisation.

Work started in August with the arrival of engineers, mast erectors and riggers and they were followed by further staff to instal the transmitters and ancillary equipment. By 1st January the new system was operational and I should like to take this opportunity of congratulating Mr. Thorogood and his team on the vigour and efficiency with which the project was conducted. It says much for both our own staff and for Cable & Wireless that all this work has been undertaken with a minimum of fuss and with great goodwill on all sides.

The Radio and Space Research station and the British Antarctic Survey are already able to have direct communication with their parent bodies in England and when the E.S.R.O. telemetry station becomes operational a further circuit will be provided.

I hope that Honourable Members, while in Stanley, may have an opportunity to see something of the new directional aerial system and the two automatic transmitters. There is some remarkably complex error correcting and channelling equipment and I am told that our installations are now of the most modern design. A new receiving station has been built near the Felton stream to the west of Stanley and six miles of underground cable have been laid to connect the stations at either end of the town. These cables have also been used to increase and improve the telephone capacity at the west end of Stanley.

With the assistance of a C.D. & W. grant, the public telephone service has been improved and extended to some 32 new subscribers and new cables have been connected to the Teal Inlet and North Arm systems.

The R/T service so ably operated by Miss McMullen has again had a successful year, with a marked increase in the number of telegrams handled. An innovation has been the introduction of a listening watch to cover all the hours of daylight.

The broadcasting station continues to provide a popular service. Morning programmes have been extended from three hours a week to five hours a week and additional school broadcasts have been organised.

In the Post Office itself, revenue is likely to be much as estimated with the exception that an increase may be anticipated from telegrams, consequent on the abolition in December of preferential rates on Government telegrams.

The present definitive issue of postage stamps has now been on sale for six years and preparations are under way for the production of a new definitive series, probably in the latter part of next year. A stamp design committee investigated a number of proposals for a suitable design for a new issue, bearing in mind that it is important from the point of view of revenue to retain the goodwill of stamp collectors. It is also important that designs should be attractive and if possible, on a theme common to all values. Eventually the choice fell on the plants of the Falkland Islands as a suitable subject, material was collected and the Crown Agents were asked to commission a professional stamp designer to execute preliminary designs. These are now awaited. It is hoped that the new set, which will be produced by the photogravure process, will be attractive and that revenue will be enhanced accordingly. The cost of producing stamps is expensive but, nevertheless, the return in relation to the initial outlay is expected to be high, particularly in the first year of sale.

The carriage of mails to and from the Colony is, as Hon. Members know, the subject of a contract with Darwin Shipping Ltd. Under the terms of the contract notice has been received from the company that it is their wish to negotiate a new contract when the present one expires this year. In this connection I feel it would be appropriate for a committee of Council Members to study the subject and recommend points which may be considered desirable to include in any new contract.

R.M.S. Darwin continued to provide most efficient service throughout the year and her passenger accommodation has frequently been fully booked.

I know that all Hon. Members said goodbye with real regret to Captain and Mrs. White when Captain White left recently to take up his new appointment as an Elder Brother of Trinity House after more than 20 years in command of the Company's ships. It is good to know that the new master of Darwin is himself a well known Falkland Islander.

Another well known figure to whom we are now sadly saying goodbye is Mr. Grierson, our most painstaking and cheerful Collector of Customs and Harbour Master. He has completed over 40 years in Government Service and has filled many responsible positions, both official and otherwise. We wish him and Mrs. Grierson every success in their new life in England, where I am sure that they will retain very close and continuing links with the Falkland Islands.

Stanley Harbour has been entered by more vessels than usual during the past eight months, the increase being largely accounted for by Russian fishing vessels. There have been few weeks in which a sea-going vessel of one sort or another has not been in port.

During 1966 the Government cargo vessel, M.V. Philomel, logged over 6,200 miles and, despite her age and condition, she provided a very welcome supplementary service to many settlements in camp. During the absence on leave of Mr. Sollis, the Government was fortunate in obtaining the services of Mr. E.B. Anderson as master of the ship.

For the Public Works Department the year has seen a number of improvements and developments, the most welcome of which is probably one to which I have already referred, namely, the start which has been made by contractors on repairs to tarmac roads in Stanley and the construction of new concrete roads by the Rock & Alluvium engineers.

In addition to a great deal of maintenance work, the Public Works Department has installed oil fired heating at the town hall and is in process of equipping the senior school with similar heating. The 6-inch oil pipeline from the oil tanks to the Government jetty should be completed this month; a new water main has been extended along Ross Road West and a science and woodwork classroom block erected at the senior school.

I would like to say that the organisation and output of work by the Public Works Department has been of a consistently high standard and I would like to comment on the admirable work done by the mechanical engineering staff in keeping on the road Government owned vehicles now well past their prime.

The Power and Electrical Department maintained supplies throughout Stanley with commendable efficiency and there was once again a general increase in electrical consumption, although postponement of the starting date for the E.S.R.O. telemetry station will mean that consumption will not reach the figure estimated for the current year.

The small but very efficient Medical Department have had a busy year, not helped by shortages, particularly among the hospital staff. Anyone who has contact with the hospital must admire the splendid work done by all who work there. Hon. Members will have heard with pleasure that Mrs. Fleuret, who had to retire in August for health reasons, is reported to be well again. We are glad to welcome Mr. Mahood as our new dentist.

The activities of the Education Department in 1966 have been fully covered in the Superintendent's annual report, of which Hon. Members have received copies. I do not think that I need do more than to draw attention to a few salient points.

We are suffering from a serious shortage of qualified teaching staff and I sincerely hope that on the Superintendent's forthcoming visit to England he will be able to recruit the men and women whom we need. Meanwhile we are grateful for the valued and willing assistance of temporary teachers, without whose help we should indeed be in sore straits. And, as in former years, we are pleased to have again with us in the camp V.S.O. teachers whose assistance is always most welcome.

The direct cost of schooling works out at about £126 a child, averaged over the Colony, with Darwin boarding school at about £344 each for its 41 pupils. These figures do not include expenditure on passages, travel expenses, pensions or the costs of recruitment.

Attendance figures at Stanley schools were particularly satisfactory and the Superintendent has commented that never have so many children attended without missing even half a day. For this improvement we are indebted to conscientious parents as well as to our teachers.

The open days at Stanley and Darwin schools attracted many people to see something of the work of the children and such occasions are obviously well worth the trouble taken in organising them.

An activity which does not attract a great deal of attention is evening classes. These are run by instructors who give up some of their free time most commendably to help our younger people; I hope that this winter attendance figures will be up on last year's.

During the year much minor legislation was dealt with and three major bills became law, namely the Employment of Children Ordinance, the Prisons Ordinance and the Murder (Abolition of Death Penalty) Ordinance.

Prior to the dissolution of this Council and in addition to the items on the present Order Paper, it is intended to bring before Council a comprehensive Police Bill which, like the Prisons Ordinance, should provide adequate guidance for the Police Force and the public alike. It is also hoped to bring to this Council a bill to replace our out of date Education Ordinance and a bill for the better handling of matrimonial causes.

In the Supreme Court 10 civil cases were heard in 1966 and one civil appeal and two criminal cases. The Court of Summary Jurisdiction dealt with 50 statutory offences, 35 civil matters and 10 domestic cases. Our system of Justices of the Peace works well and has the confidence of the public.

In the middle of last year Sir Ragnar Hyne, our Legal Adviser, who lived in England, was compelled by ill health to give up his duties and soon afterwards the sad news of his death was received. Although known to few people in the Colony, Sir Ragnar, during the two years he was our adviser took a very great interest in all that went on here and his help was of great assistance in drafting new legislation. He had a slight connexion with this part of the world in that his uncle was the manager at Stromness who cared for Shackleton's party at the end of their epic journey across South Georgia.

Our new Legal Adviser is Sir Hubert Flaxman, a distinguished former judge and administrator.

In addition to the considerable amount of routine work undertaken by the office of the Registrar of the Supreme Court, many of the Colony's legal records which were damaged by fire have now been carefully transcribed for record purposes.

The small police force carried out its duties efficiently during the year, and consideration is being given to the possibility of augmenting its numbers, should the need arise, by the recruiting of a limited number of special constables.

The Stanley Town Council has been active in its very necessary duties and the Fire Brigade last year successfully dealt with 13 fires, fortunately none of them too serious.

Labour relations have been harmonious throughout the year and we have to be thankful for the sound common sense which decides on the amicable settlement of labour problems as they arise from time to time.

Interest in the Defence Force has been kept alive by a cadre of enthusiasts and their training proved itself of value last September. As might be expected, the ranks of the Defence Force were swelled by many new volunteers after the DC4 incident. It is a matter of importance to keep the Force equipped and trained to the best possible standard and we have to thank the small training team of Royal Marines for the work they did with the Force during their time here. We now have a larger detachment of Royal Marines paid for by the British Government. Some have already visited camp stations and I hope that during this coming winter it will be possible to arrange for basic training to take place at as many settlements as possible.

Hon. Members will have regretted the news that the South Atlantic and South America Naval Command based on Simonstown has been abolished but we can still look forward to the annual visits of H.M.S. Protector and later the ice-strengthened ship which has been selected as her successor. We can also expect from time to time visits from other of H.M. Ships.

For the benefit of people outside these islands who imagine that we lead a dreary existence, I think that one should draw attention to the flourishing state of the many organisations which cater for leisure time activities. There must be few places in the world where the interests of such a small community as Stanley are catered for so extensively, with flourishing clubs for rifle shooting, football, cricket, badminton, golf, angling, squash, darts, and a number of more sedentary occupations.

Nor should such activities in the camp be overlooked since nearly every settlement has well organised social functions and the new Goose Green social club has got away to a flying start. A person deserving our thanks is the cinema officer who organises the rotation of films to camp stations.

The various sheep dog trials and the sports meetings at Hill Cove, Darwin and Stanley have all been well supported and Stanley has even managed to revive its boat races.

For young people the Girls Brigade and Boys Brigade and their junior counterparts have continued to provide enjoyment and the new Youth Club appears to be in a flourishing state.

The horticultural show in March with nearly double the number of exhibits over the previous year, gave an impressive demonstration of what can be grown in the way of vegetables, fruit and flowers.

Fund raising efforts were again well supported with substantial sums of money being raised for St. Mary's, the Cathedral and the Tabernacle, as well as for the Earl Haig Fund and the British Hospital in Montevideo.

A warm welcome has been given to the Reverend Mr. Millam and the Reverend Mr. Charman and their families on taking up their appointments at the Cathedral and the Tabernacle.

The seventy-fifth anniversary of the consecration of the Cathedral was marked with due ceremony and was the occasion of a visit by the Bishop and the publication of an attractively produced brochure running to 750 copies.

Another publication which has been greeted with interest is the first number of the Falkland Islands Journal which sets out to promote interest in the Falkland Islands and their history. Already over 400 copies have been sold.

The Government Printing Office, which was responsible for both these publications has had another busy year and the high standard of printing to which we are accustomed has been fully maintained by Mr. King and his assistants.

Despite difficulties of production the Monthly Review appeared regularly on time and our thanks are due to those who undertake the quite considerable task of editing our only newspaper. It has a circulation of well over 800, of which a high proportion of copies are posted overseas. A particularly impressive effort was the quick publication of a commemorative issue of the Review incorporating the five broadcasts which were made at the time of the DC4 incident.

The Biennial Report for 1964/65, printed in the United Kingdom, has at last made its appearance. It provides in convenient form many statistics about the Colony. And we have now yet another new map of the Falkland Islands, this time on a scale of 1:643,000 which shows the whole Colony conveniently on one sheet.

The collection of items for the museum proceeds steadily and there is already a surprising amount of material on display in temporary accommodation in the Secretariat.

Visitors from overseas have not been lacking and among them we have had the American oil prospectors Mr. Randell and Mr. Berg, who seem unfortunately to have found little to interest them professionally; Sir John Barlow; Professor and Mrs. Radforth from Canada, the one interested in peat the other in our marine life; Mr. Gorham of the New Brunswick Museum, also collecting specimens of marine life; M. Rolland, administrator of the French Southern and Antarctic Territories; Sir Vivian Fuchs; a number of American tourists, some of whom were on their second visit to the islands; Mr. Kenyon and Sir Cyril Osborne, Members of Parliament visiting the Colony under the auspices of the Commonwealth Parliamentary Association; and Mr. Guillebaud, the distinguished economist, to whose visit I shall be referring again later.

It may seem to some unduly optimistic to talk of the Falkland Islands having a tourist potential but I am sure that the day will come when a specialised type of tourist, drawn from the higher income groups in North America, will come here. Against that day we should disturb as little as possible our abundant and unique wild life which is most certainly a tourist attraction. A tourist hotel in the Falklands, a hovercraft to transport visitors - far-fetched today perhaps but by no means impossible. After all, tourism is already an established fact on the fringes of the Antarctic.

And here I should like to remark on the satisfactory relationship which this Colony enjoys with the British Antarctic Territory and the British Antarctic Survey, an organisation with which we have many close links. Colony and Survey each do much to help each other and I am particularly glad that this happy state of affairs continues and, indeed, is strengthened year by year. Hon. Members will be asked in Select Committee to consider certain aspects of the provision of meteorological services by the Survey's Stanley station; meanwhile, I should like to say that weather forecasts for the Colony are most certainly appreciated and indeed have become part of the pattern of our daily life.

With South Georgia too we have had close links throughout the year and, as in the past, a substantial proportion of the South Georgia staff is found from the Falkland Islands.

In a review of the year it is inevitable that the sterling work of many people should pass unmentioned - but not necessarily unnoticed. We have a responsible community here and an example of hard work and industry is set by many private citizens throughout the Colony. For this we must all be thankful.

And now I wish to say a few words about our financial position. The Hon. the Colonial Treasurer will of course be dealing with this subject in more detail.

In a Colony with a variety of problems to tackle, it is at least a help to know that the programme of expenditure set out in the draft estimates can be met from revenue and reserves and that thereafter there will still be a reasonably substantial balance remaining in reserve. It would be tempting fate to predict too far ahead, especially because so many financial considerations, including wool prices, are dictated by events outside our shores but I do not think it would be irresponsible to say that for the next year at least major financial worries should not be prominent in our affairs. This remark should most certainly not be interpreted as an invitation to cast financial thoughts from our minds; far from it. But it does mean that, if we take full advantage of the present reasonably favourable situation, we can plan for our future free at least from the overwhelming burden of financial distress. We would be well advised to make the best of such a blessing.

Although deficits were forecast in the estimates, the last two years have resulted in a modest surplus of revenue over expenditure. In the current year (1966/67) the picture is again of a balanced account instead of a deficit. This sounds like good news but if we analyse the reasons we find that this apparently satisfactory state of affairs is sometimes due to shortage of staff or to jobs not done. This takes some of the shine off what might otherwise be a matter for modest jubilation.

Reserves in support of the Ordinary budget are estimated to total £180,000: the estimated deficit for 1967/68 is £33,000.

As they stand at present, the Development estimates for 1967/68 are largely confined to continuing and completing the existing programme. We have had a comparatively high spending programme in 1966/67 - the Stanley roads, M.V. Forrest and the two new Beaver aircraft will, between them, account for over £90,000 from Colony sources and a further £32,000 from Colonial Development and Welfare sources, for which we have to thank H.M. Government.

The Development Fund is estimated to have an uncommitted balance of £183,000 at the end of the coming financial year and one of the matters we shall have to consider carefully is whether this will be sufficient to meet development expenditure for the immediate future or whether further contributions to the Development Fund should be made from ordinary revenue.

Because of our comparatively satisfactory financial position, we do have a little time in hand in which to plan. The value of time, as of money, depends on how intelligently it is employed. And here I would like to say something about the recent visit of Mr. Guillebaud.

Financial provision for a visit by an economist was made by this Council two years ago and eventually, after a long search, we were able to find in Mr. Guillebaud a person eminent in his profession who was willing and able to come here and study the economy of the islands at first hand. The expenses of his visit were, I am glad to say, largely met by the Ministry of Overseas Development.

As Hon. Members know, Mr. Guillebaud travelled extensively during his 5 weeks in the Islands and he made a point of meeting and talking with as many people as possible. We now await his report and I hope that it will contain observations and recommendations which will be helpful to this Government in planning the way ahead. His recommendations may affect the contents of the development plan.

Without anticipating what Mr. Guillebaud will have to say, I should mention that before leaving the Colony he stressed the widespread support he had found both in the camp and in Stanley for the inauguration of some sort of air link with the mainland. Many people feel, I think, that ability to come and go more easily and rapidly than at present would, paradoxically perhaps, help to stabilize our population.

For obvious economic reasons we can scarcely think in terms of running our own external air service but what we can do is to take a first step by providing ourselves with at least the bare essentials of a landing ground so that charter aircraft can land here under reasonable conditions. Preliminary surveys of a suitable area in the Cape Pembroke peninsula have already been made and Hon. Members will be invited to consider financial provision for these investigations to be carried a stage further.

I hope that Mr. Guillebaud's report will be ready at the end of this month. As I expect to be on vacation leave at that time, I have asked that copies be sent direct to the Acting Governor as well as to myself and in this way I hope that Hon. Members will have an opportunity to study it without undue delay. I should be surprised if, among other things, Mr. Guillebaud did not make recommendations designed to encourage the Government to provide substantial subsidies towards the cost of stabilizing the community, particularly in the camp.

It is with the expectation that Mr. Guillebaud's report will not be long making its appearance that I suggest that when Hon. Members of Council are in Stanley in July it will be necessary to hold an important meeting of the Standing Finance Committee. By then two matters are likely to have occupied the attention of Government: one is obviously the Guillebaud Report; the other concerned the Savings Bank, for Government is at present looking for ways in which the facilities of that bank can be improved and I would hope that by July it will be possible to put forward some concrete proposals.

And now I would like to end my address by speaking on a subject which all of us must have in mind, our relationship with the great world outside these islands.

On 23rd July last year, Honourable Members will remember hearing a broadcast commentary by a member of the Bank of London and South America. The subject was Britain, Argentina and the Falkland Islands. Remarks were made in that broadcast commentary for which we did not care but nevertheless they were made and listened to by a large audience.

We had our attention rudely drawn to the views of our powerful neighbour on the South American continent. A claim to sovereignty over the Falkland Islands was of course nothing new; it is something which has been reiterated from time to time over a very long period of years, something which even elderly people in the islands have grown up with. But 23rd July was the first occasion that we had heard a member of a British organisation, albeit certainly not a Government one, advocating the desirability of Britain relinquishing her claim in favour of Argentina.

Of course in 1964, as we all know, the Argentine Government brought up their claim in the United Nations Committee of 24 and the Committee noted the existence of a dispute between the United Kingdom and Argentina concerning sovereignty over these islands. The two Governments were invited to enter into official negotiations with a view to finding a peaceful solution to the problem, bearing in mind the provisions and objectives of the United Nations Charter and the interests of the population of the islands.

In September 1964 we had Fitzgerald's flying visit but it was not until November 1965 that the matter was up for discussion again, this time by the Fourth Committee of the United Nations. By 87 votes to none, with 13 abstentions, the United Kingdom and Argentina were urged to proceed with negotiations with a view to finding a peaceful solution to the problem.

At the United Nations the United Kingdom representative, Lord Caradon, reaffirmed British sovereignty over the Falkland Islands; he did not accept the legal or the historical account given by the Argentine representative. Lord Caradon stated that the United Kingdom was fully satisfied of the soundness of its title and sovereignty over this territory and he reiterated the importance of the interests and wishes of the inhabitants. He said: "The Falkland Islands want normal friendly relations with Argentina but do not wish to sever their connections with the United Kingdom. They are a small but prosperous community enjoying a high standard of living, people of great character and vitality".

Lord Caradon went on to say that the United Kingdom was ready to discuss with the Argentine Government ways and means to avoid damaging good relations between Argentina and the United Kingdom. The two governments could enter into discussions through diplomatic channels on suitable topics bearing in mind United Kingdom reservations about sovereignty and respect for the wishes and interests of the Falkland Islanders.

Honourable Members will remember that when Mr. Michael Stewart, then Foreign Secretary, visited Argentina in January 1966, he publicly stressed the importance which H.M.G. attach to the wishes of the inhabitants and suggested that Argentina should remove obstacles to free movement.

Then, as I have said, on 23rd July last year came that broadcast commentary. I think it gave us all rather a shock and in September I went to London to report fully on the views, as I understood them, of the people here. Talks had been held at the Foreign Office before I went to London and then came the DC4 incident when on 28th September an Argentine plane landed here in Stanley, providentially without injury to anyone. That incident did the Falkland Islands more good than harm for it demonstrated both to the youthful intruders and to the innocent passengers the realities of the situation here. It also gained for the islands some useful publicity in the United Kingdom.

As I said in this Council on my return from England in October, the British Government have the interests of the Falkland Islands very much at heart. The many people whom I met in London understand that the Islands are British, that they ask only to be allowed to lead their lives undisturbed, that their robustly pro-British sentiments come from the heart.

On 22nd March as you know, there was a B.B.C. broadcast arising out of the return to Buenos Aires of the Argentine Ambassador in London. Rumours which were current at that time were the subject of a Foreign Office statement which read: "Her Majesty's Government's view of their title to sovereignty over the Falkland Islands is unchanged. It is untrue that the British Government has decided to recognise Argentine sovereignty over the Falkland Islands".

Obviously the British Government would be glad to see an improvement in relations between the people of Argentina and the Falkland Islands. Restoration of communications and freedom of movement seem to the United Kingdom a necessary first step in this direction. But as far as H.M.G. are concerned, in any discussion of the future of the Islands it is the wishes of the inhabitants which must be the cardinal factor.

Discussions as to how the position can be improved will no doubt continue.

It would of course be wrong to pretend that our situation is a straightforward and easy one - I could only wish that it were - but the world is in some ways shrinking and it would indeed be surprising if the Falkland Islands were able to remain indefinitely outside the main stream of events. Nevertheless, we have the fact of the very real and strong links which bind the Falkland Islands to Britain, both economically and emotionally. We can rely on the British Government giving the most serious attention to the wishes of the people of the Falkland Islands and these wishes have been made clear in many ways during the past year.

There was the message of protest sent, as you all know, to the Secretary of State on 24th July after Executive Council had considered the broadcast of 23rd July.

Then came the DC4 incident and widespread reporting in the national newspapers at home of the reactions of Falkland Islanders to that intrusion.

We had Sir John Barlow here in November and I expect that Hon. Members will have read what he published on his return to England when he wrote: "The population is practically entirely British for there is no indigenous population. The Colony has been openly and freely occupied by us since 1833 and thus a Falkland population has arisen, some families having been there for five generations. They are British and their only wish is to remain so. Falklanders are a happy and contented community and only wish to be left alone under the British flag to work out their own salvation".

We have had the visit of the two Members of Parliament, Mr. Kenyon and Sir Cyril Osborne, who were left in no doubt regarding the feelings of people here.

We have had the visit of Mr. Guillebaud who during his five weeks in the Colony travelled widely and met a great many people. He was left under no misapprehension as to the views of Falkland Islanders.

So I do not think that it can ever be said that the people in these islands have not expressed their opinions. It is now up to us to see that, given our unique circumstances, we play our part in finding a realistic solution to our problems.

I hope that the report of Mr. Guillebaud on his economic survey of the Falkland Islands will give us the soundly based advice we need in order to take the initiative within the limits of the Colony in building up here the sort of community we want.

Decisions in these weighty matters do not lie entirely in our hands but we are by no means wholly deprived of the initiative and, lest my words may have appeared to some unduly sombre, I would bring to your notice a remark by Charles Darwin, one of the most famous of visitors to these islands. He wrote: "The traveller will meet with no difficulties or dangers nearly so bad as he beforehand anticipates".

Honourable Members, I would just like to add one thing to my address, before we adjourn. It is perhaps unusual for a Government to be placed in quite the position in which we find ourselves. We here are accustomed perhaps to administration but we are not accustomed to politics. We now find ourselves dealing with something which is strange to us and we are all, myself and Honourable Members, coping today - and we are going to have to cope in the future - with situations with which we have not had to cope before; we are becoming involved in the mainstream of world events.

Outside in the lobby are the pictures of some twenty of my predecessors. My place, however, is not outside in the lobby but here with you, the other members of this Government. The motto of this Colony is "Desire the Right". When I spoke for the first time from beside this chair, to take my oaths of office on my arrival in October 1964, I misquoted that motto. I said "Defend the Right". I trust I shall do my best both to desire and to defend it.

Papers laid on the Table by the Colonial Secretary.

- (i) Financial Report 1965/66.
- (ii) Report on the Working of the Government Employees' Provident Fund 1965/66.
- (iii) Report on the Working of the Government Savings Bank 1965/66.
- (iv) Report on the Working of the Currency Note Security Fund 1965/66.
- (v) Report on the Working of the Old Age Pensions Equalization Fund 1965/66.
- (vi) Auditor's Report on Accounts for 1964/65 and 1965/66.
- (vii) Medical Report 1966.
- (viii) Copies of subsidiary legislation made or approved by the Governor in Executive Council since May 1966.

MOTIONS

Assessment of Allowances in Kind for Income Tax Purposes

Mr. Miller: Your Excellency, Honourable Members, I have raised this motion because of very considerable feeling, mainly in the camp also partly in Stanley, concerning the increased taxation on the allowances in kind, and in raising this motion I am very conscious of the fact that most of the people concerned in this would possibly have been better represented if the motion had been raised by the two Honourable Stanley Members. But I am quite sure that I will have their full support at the end of this motion mainly because they are probably more concerned outside this Council with the bulk of the people who come under this extra taxation.

It's a large increase from 244% to 305% of the main items as far as camp work is concerned. I am well aware of course that in doing this, the Commissioner of Income Tax has not an easy task; in fact, I suppose nowhere in the world has any Commissioner of Income Tax received any approval really from the public and rather like the policeman in the opera, "his lot is not a happy one", and I would like to compliment the Commissioner of Income Tax on the zeal which he has shown for years in this unpopular job.

It is fairly recently that we have had circulars about unoccupied tussac islands, in case there was any source of revenue that could be received from there. Also recently, I believe, in his zeal which I thoroughly commend, he has been chasing up probate on wills of people of the Falkland Islands who died up to twenty years ago. This is all very commendable, and it is what we would expect him to do, but in this particular case of suddenly deciding to increase taxation on these valuations in kind, I think in that, he has very much over-stepped his powers. He will, in his reply, say he has not, because under section 5 (b) of the Income Tax Ordinance it actually says that it was approved by Council, at the time, that these allowances in kind may be taxed. As far as I can find, in copies of amendments of that Ordinance that I have, I cannot find any figures quoted nor could I find anywhere in what I have in my pile of ordinances, any powers to increase this without reference to Council. But I could be wrong of course, because probably like most unofficial people I have received these copies of the ordinances, and the Income Tax Ordinance of course was passed a long time ago, and the pile gets larger and larger, and I probably do not keep it very tidy, and it is not easy to turn up amendments to some of these ordinances. I have noticed the Honourable Colonial Secretary's copy of the legislation is fluttering with

attached/...

attached pieces of paper which is very necessary so that he can find things quickly; probably if I had done that also I would have been able to find some further amendments or references which the Commissioner will probably quote to us, but the amount of the tax is not very big and the increase he proposes is a big step up on the small tax.

It is questionable whether the amount that is going to be raised, apart from whether it should or should not be, is going to be much benefit to the Colony.

I would like to quote now from mail that arrived by the A.E.S., and I quote from the English press because the present Labour Government who have a very difficult job, or who are having a very difficult job, improving the finances of Britain in their Incomes and Prices Board which they set up as part of their machinery for improving or attempting to improve the finances of Britain. In the course of a small weekly wage increase to agricultural workers this last winter in England, they made the following interesting comment and I quote it. This is from the Scottish Farmer February 11th 1967, "The board do not consider that the non monetary advantages such as lower rents, tithe cottages and some food produce made any significant difference to the farm workers' situation." Indeed they suggest that the lack of security and extra inconvenience and expense of living in isolated places far from the shops offset these advantages. Well that would be an indication to me that even the Labour Government at home thinks these taxes are unnecessary and I would say, sir, that it then is probably up to this Council, as I see it, to do two or three things provided that I have full support for this motion.

In the select committee we must first of all find out exactly how the legislation is worded and the regulations under the Income Tax Ordinance, how they are worded; if they give power to the Commissioner of Income Tax to make these drastic changes on his own without consulting anybody, then I move that this Council must alter that ordinance to curtail these powers and that secondly, we must reword or produce an amendment to the ordinance, whether we decide as the Prices and Incomes Board at home suggest, that we should scrub them altogether or whether we decide to let them remain as they were will, I would say, be up to the select committee, but we have to decide something, because I am quite prepared to admit that I have recommended to as many people as have applied to me and to others who have not, that when they get these demands from the Commissioner of Income Tax for the 1966 taxation period, that they do nothing about it. They are allowed three months delay but after three months, if we do not pass an ordinance, the wrath of the law will descend upon my head and upon these other people also. They will have to pay if we are unable to alter this ordinance.

Mr. Blake: Your Excellency, I beg to second the Honourable the Elected Member for West Falklands in this motion.

Although possibly it is within the Commissioner's power and he may be required by the ordinances of the Colony to review the allowances in kind, to do so without consultation and to back date them also, is a type of old style Colonial ruling where authority makes the decisions and the populace follows happily behind.

I would like to emphasize one or two points Mr. Miller has made in his quotation from the Scottish Field with regard particularly to camp accommodation. This accommodation provides no security of tenure. The occupants of camp houses are required as a condition of their occupancy to provide accommodation for those persons and for such time as their manager should decide upon. I feel these houses cannot therefore come anywhere near the market value for rents, and although possibly an alteration is justified I think the quantities were outrageous.

The President: Honourable Members, the motion before the Council is that this House regards as unacceptable the action of the Commissioner for Income Tax in increasing taxation of allowances in kind for the 1966 taxation year by a large percentage without consultation with the Legislature.

Mr. Bonner: Sir, I would like to support wholeheartedly my colleague's motion and his remarks. I fully agree with everything that he has said and I would like to elaborate a little.

He said that perhaps the representatives of the working community would have been better to have presented this as it affected them more. Perhaps one of the reasons this has not been represented more forcefully to my Honourable friend on my left is that this increase in taxation was, to my way of thinking, not very well brought out; not a single tax-payer in my area had any idea that the allowances in kind had been increased and, to my way of thinking, sir, that is not a way for amicable relationships between the Treasury and the tax-payer. Admittedly the employers were circularized with it, but surely it is not an employer's job to inform people exactly what they have to pay in tax. I was under the impression that every tax-payer would be circularized with the change in policy. This was not done; not in my area at any rate.

I, too, agree with what my colleagues say with regard to taxation of the perks or allowances, whatever one likes to call it, for our country communities. I think it is a recognized fact that everywhere in the world, rural communities receive certain allowances in kind. They are time honoured procedures which have historical and social precedence but in no rural community in this modern day and age are those allowances taxed at their full value because they are reckoned as part of the countryman's living wage and I think also I am right in saying that as a general rule rural wages are lower than urban ones. There is also a certain feature to it, with regard to a person required to live in a certain type of accommodation because it is his job, not through his preference. I do not think that it is right for the man to be taxed, because for instance, a man is supposed to live in a castle, he should not be taxed at the rateable value of the castle because he is ordered to live there.

I won't elaborate on this any further, I just wish to assure my colleagues of my support and also to assure the Council that I, too, am in favour of this motion and I think, sir, that I would be a person who would be very happy to debate this further in select committee.

Thank you sir.

Mrs. Vinson: Your Excellency, Honourable Members, I entirely support the Elected Member for West Falkland in his motion. I agree with everything that has been said and I would also point out that the camp people have almost double houses to support for numbers of weeks in a year, when they have to be in the settlement and they also have to keep their home going.

Another thing I think that should come before the Council, is the fact that the numbers in the camp are getting less. We have got a drift to the town and anything like this is definitely going to make more people leave the camp and it is something we cannot afford. I think that this increase in taxation should have been publicized before it is brought before people and also in our area too, no ordinary person has been notified, the book-keeper I think is the only person who was given a list of these proposed new rates.

Mr. Goss: Your Excellency, I would just like to make it quite clear the reason why we have not raised this matter from Stanley; it is purely because we have no complaint. It seems to me that the matter is very much a camp problem with regard to the housing assessment and the only written complaint that I received on it, was under another hat and that was from the West Falkland and I referred the person to the Honourable Elected Member for the West Falkland. I would just like to make that clear, that is all sir, as the point had been mentioned. However, I would like to see the matter reviewed within this Legislature.

Mr. Cheek: Your Excellency, I wholly support the Honourable the Elected Member for the West Falkland.

The Colonial Secretary: Your Excellency, I am filled with amazement; I never thought that I would sit in this, our little Legislative Council, a place where, by tradition, we govern by consent, and hear a Member stand up and say, "I have advised my constituents to disobey the law,". The very law we are here to support! I am surprised; something has happened inside me today.

I am replying to this motion instead of the Honourable the Colonial Treasurer because he, as everyone knows, is the Commissioner of Income Tax, and, as we all know, the constitution does not give the Commissioner for Income Tax a place in this House.

The Honourable Elected Member for the West Falkland has made it all seem terribly serious; as if the world will come to an end and the camp collapse about him. I don't think this is so, and all we need is a moment of reflection. There is nothing sinister or improper about the action of the Commissioner for Income Tax, who acted strictly according to the law, and, indeed, with the consent of two Members who are here and who were present at certain discussions in the Executive Council.

It might be helpful if I trace the history of the circular to which the Members seem to have taken a certain degree of offence. It all started at the time of the Government officers' salary revision when certain Members, including the Honourable Member for the West Falkland, thought that the allowances in kind granted to certain Government officers living outside Stanley were out of date and not allied to what I seem to remember was referred to as "modern facts", and Members asked for this to be looked into. It would have been manifestly wrong, indeed unjust, to single out only Government servants for this treatment and the Commissioner of Income Tax, quite properly, looked at the problem as one affecting everyone in receipt of perquisites and he quite rightly refused to put out a notice of fixed scales for valuation. He correctly appreciates that his job is to assess, and not to issue dictatorial edicts which do not have the force of law.

The Honourable Member himself agreed that the scale of valuation should be adopted purely as a guide to the Income Tax Commissioner and that the scale could be varied by the Commissioner according to individual circumstances.

The circular was issued in which the words "guide to valuation of allowances in kind" were underlined and in capital letters. This first circular was perhaps a little abrupt, indeed brusque, and when this was realized a further circular was put out and it is such a clear one that I make absolutely no apology for reading part of it again. I quote, "The law relating to income tax does not attempt to set down hard and fast valuations for allowances in kind and my first circular was nothing more than a guide to the present value of things listed, and it was sent out at the request of a camp manager who thought that such a guide would be helpful."

The circular went on "The Commissioner is not empowered to make rules stating that these allowances will have certain values but he is required by law to see that the valuations are current and reasonable." The Commissioner is required by law to do this, and where there is doubt or argument between the parties, and a satisfactory answer cannot be found by negotiation, the matter can be referred by either party to the Court.

Members have said that only the management know about it and at Goose Green only the camp accountant or store keeper has received a copy. Every tax-payer has been advised of alterations made by the Commissioner and they have the right of appeal and surely that is fair enough?

Although this circular has not satisfied the movers of the motion, it did, I can assure this House, bring comments from somebody who quickly appreciated that with accommodation and perquisites varying as much as they do, all they had to do was put up a reasonable case to the Commissioner to obtain variation from the guide. That is all; put up your case. I do not see the difficulty in this at all. All that has to be done is to say, "You have said that our bunk-house is a superb Ritz type hotel; but it isn't. Our chaps don't get that. We want this to be looked at again."

Let me quote. Section 43 (1) of the Income Tax Ordinance says, "Any person, who, being aggrieved by an assessment made upon him, has failed to agree with the Commissioner of Income Tax may appeal against the assessment to the Judge in Chambers", and for those people who do not want their personal wealth to be known, I remind them that the term "Judge in Chambers" means a judge in his private office. Section 43(5) then goes on to say, "If the Judge is satisfied that the appellant is overcharged he may reduce the amount of the assessment." What more can be asked? This is a process of law. If you do not like it go to Court. Do not turn round and say "Don't send in your return". We make law here and we are in honour bound to support it. If we do not like the law we can alter it. The process is not to refuse to send in a return, but to make sure that the law is looked at and remoulded if necessary recast. The law and the sense of fair play, which we know the Commissioner of Income Tax has, is a sufficient shield, and Honourable Members need have no fears.

It has been said several times that the Commissioner has increased tax. He has not, he has only put out a circular saying that it is considered that these figures are a reasonable guide. He has not increased taxation. He has not the power to do so.

There has been a further reference to "and in select committee we will alter this." That is not the process, and the Honourable Member well knows it. The process is simply that we must look at it, put up a new draft and take it to the proper place, which is Executive Council, and there look at it and discuss it, and Honourable Members know how thoroughly that is done. Then, in due course, it will come to this Council to be voted upon. Laws are not taken into committee rooms and cut about and altered. The Member knows the drill full well.

The notion, as put, implies that the Commissioner should have consulted the Legislature, but the law does not allow this. The Commissioner could not have done what the Honourable Member says he should have done, and as I have already explained, what he did was right and proper.

I suggest that the way out of this is for the Honourable Member for the West Falkland to accept my assurance that I will look at the law again. I will discuss it with everyone concerned, which means the Members of this House, and I will prepare a paper to go in the proper manner to the Executive Council for consideration. In Executive Council it can be argued and cut about and altered as may be necessary, and perhaps, in due course if Executive Council considers that Your Excellency should be so advised, it will come to this House. That I will promise to do and that is the answer to this problem. We will look at the law again.

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In the meantime everyone should send in their income tax returns knowing full well that they are not being "got at" and that they have the right to appeal and indeed, in this country, where government is by consent, a very sympathetic view will always be taken. If the Honourable Members will accept this, I think that is all that need be done.

In any case, if the Honourable Members vote for the motion, it would be pointless, because as I have already said the law as it stands does not allow the Commissioner to do what the mover desires. If I may repeat the words of the motion: "This House regards as unacceptable, the action of the Commissioner for Income Tax in increasing taxation of allowances in kind by a large percentage without consultation with the Legislature." If the Honourable Member will accept my assurance that we will look at the income tax law again to see if anything needs to be done. I will gladly do my utmost to satisfy him and all other Members, but I cannot accept a vote on a motion which would suggest that something should be done contrary to existing law.

The President: The Honourable Elected Member for the West Falkland as the mover of the motion has a right to reply.

Mr. Miller: Your Excellency, Honourable Members, I am not disturbed at what I have heard the Colonial Secretary say but I am very angry. He said I made references or inferred that the camp is in a state of collapse, I cannot think where he heard that in my speech. He well knows that I am on record in Executive Council for saying the exact opposite. One of his colleagues is nearly always forcing that down our throats. Where he got that idea from I just don't know.

You say that the Commissioner acted according to law; what law?

The President: Will the Honourable Member address his remarks to the Chair please.

Mr. Miller: I beg your pardon sir. He said that the Commissioner acted according to the law, well what law? I asked that question in the first part of my speech because he has not yet quoted the law in which it says the Commissioner can increase these figures.

He then goes on to say that there has been no increase in taxation. Well, speaking only for the farm where I come from, everybody there, when they filled their assessments in, or rather I filled them in for them as I usually do to help them, I put in the old rates, but when the assessments came back I found out from the Income Tax Officer that these new rates had been applied. Well if that's not increased taxation then I am afraid I don't understand English. I'm afraid I am totally at a loss to understand that one and it is because of that, that I have told these men and other people not to pay it for the time being. He says he is horrified at that attitude, well I am very sorry if he is horrified. I am afraid that leaves me cold. The fact is that I am very angry about it and all my colleagues round this table obviously have the same opinion as myself. I am not on record as having been in agreement at any meeting, and I know where he means, about these increased allowances. You yourself, sir, will know that I have always been forceful in my talking against it and so have two other Members sitting at this table now. Why he should make those statements I don't know, but I have been feeling very angry making these notes while he has been talking and I am still angry.

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He refers to that paper as a guide to the Commissioner. I suppose it can only mean as a guide to the Commissioner in altering allowances according to where people live in the camp. How the Commissioner can know that when he has never been to the camp I just don't know. I couldn't do it myself anyway, and I have lived all my life in the camp. No two houses are alike. If that is meant to be a guide to allow the Commissioner to vary those rates, it has certainly not been applied at Roy Cove because he has put the full rate on to everybody. If that was a guide, I don't know how it is being used as a guide.

Well sir, there is probably nothing more for me to say except that I made the first part of my speech in a friendly way and since the Colonial Secretary's speech, I am now a very angry Member of this House. It is all very well for him to say that this has got to go through the usual channels. It depends upon how this House feels, I suppose. We cannot be hide bound by something that is written in a law if it offends our whole ideas of democracy. We cannot be hide bound just because the Commissioner says you will pay more for this and therefore the law says you must. Any alteration in the law will have to go through the usual channels. How long is that going to take? These taxes have got to be paid. It is going to be an awful lot of work for the Commissioner of Income Tax if the alteration to this ordinance takes so long that we have got to pay up what is demanded of us now, as we will by the month of June, and then he has got to do it all over again and pay everybody a rebate. Some people may have paid and left the Colony. I don't understand that procedure at all. This House is obviously indignant at what has happened and now the Colonial Secretary is trying to ride rough shod over us, sir.

The Colonial Secretary: May I rise on a point of clarification, sir?

The President: Certainly.

The Colonial Secretary: I didn't intend to make the Honourable Member angry, but once or twice I have heard him say that it would be a change to have a bit of a fight in Legislative Council and brighten it up a little. This is the first time, since I have been here that we have crossed swords. Debating swords: nothing more. That is my first point of clarification. I apologize to the Member that I overlooked the words "for the time being". When he said that he had advised people in camp not to send in their returns I had genuinely overlooked these words.

But I must, I think, also in clarification, quote an essential section of the law under which the Commissioner acted. The Honourable Member says I have not quoted the law. This is it: "Section 48 (1). The Commissioner shall proceed to assess every person chargeable with tax as soon as may be after the expiration of the time allowed to such person for the delivery of his return. Where a person has delivered a return, the Commissioner may accept the return and make an assessment accordingly or refuse to accept the return and to the best of his judgement determine the amount of the chargeable income of the person and assess him accordingly." This is the operative section upon which the Member seeks clarification and indeed it is, Your Excellency, the section I have offered to look at again. I have given my personal assurance I will see whether it requires modification.

Reference has been made to a democracy and the essence of democracy is the rule of law. We accept laws and if we don't like them we change them. It is only in dictatorships that people sweep away the law or fail to regard it. I am not riding rough shod. The last thing I want to

do is ride rough shod, but I must punch home this point. It is the law that must be changed and that takes time. If any individuals do not like their assessments they may appeal. I even went so far, perhaps almost improperly, to insert the words "sympathetic consideration". One cannot go much further than that. I hope that these points will, to some extent, clarify the issue.

The President: I see the Honourable Nominated Independent Member for West Falkland looking as if he wishes to speak. If it is on a matter of clarification or explanation then he is of course at liberty to do so.

Mr. Blake: Your Excellency, Honourable Members, I think it could possibly be stretched that this is on a matter of clarification.

I am sure that it would receive general acceptance that the law be changed. The objection that I am sure my colleagues and I have to the present situation is that this circular, being back dated, is in operation now, which allowed no chance for the correct and proper processes to be gone through before we were subject to the operation. Had this not been back dated, then the proper processes could have been used and it is that, that I think is at the heart of our objection.

The Colonial Secretary: Am I permitted the floor again, sir, to propose a counter motion which I'm sure would be helpful?

The President: In the circumstances, yes.

The Colonial Secretary: Despite the momentary anger which has rushed through this Chamber, I would like to propose that we use these words "This House requests that the Income Tax Ordinance, as amended, be re-examined with a view to making more clear the method by which allowances in kind are valued for the purposes of taxation." On a little thought I would go a step further and re-phrase this, "This House requests that, as a matter of urgency, the Income Tax Ordinance, as amended, be re-examined with a view to making more clear the method by which allowances in kind are valued for the purposes of taxation."

If the Honourable Member for the West Falkland will second that, then I am sure the air becomes clear, and I hope we have made our peace.

The President: Could this counter motion be produced in writing please and handed to the Clerk?

Honourable Members, at the moment we have an unseconded motion by the Honourable the Colonial Secretary that "This House requests, as a matter of urgency, that the Income Tax Ordinance, as amended", and I think one should explain the words "as amended" merely mean that the Income Tax Ordinance, which dates from a number of years ago, has been amended from time to time, therefore it is known as "the Income Tax Ordinance, as amended". I will start again "That this House requests, as a matter of urgency, the Income Tax Ordinance, as amended, be re-examined with a view to making more clear the method by which allowances in kind are valued for the purposes of taxation."

This/...

This is an amending motion that has not so far been seconded.

Mr. Miller: Your Excellency, Honourable Members, I won't second this motion because it only proposes that the Income Tax Ordinance, as amended, be re-examined with a view to making more clear the method by which, etc. Well I think we made it abundantly clear, or I have, and the people that supported me, that we don't like the method, and just to re-examine it doesn't necessarily mean that I am seconding an alteration. I don't know whether there has been any use in my getting up and saying that, sir. I am not prepared to second it because I don't like it. Where we go from there, sir, I don't know.

The President: Well one way we could go is for the Honourable the proposer of the amending motion to have another look at his wording.

The Colonial Secretary: Your Excellency, I don't see how I can. I must support the law as it stands and I honestly believe that the action taken by the Commissioner for Income Tax is acting in accordance with the law and I can do nothing which alters that in any way. I can look forward to a change. I cannot accept that we can go back. I consider going back would be ultra vires; It would be outside the law, and I think it would be improper to go back.

The Commissioner for Income Tax is fully aware of Members' views, and when returns come in, if they are fully substantiated with claims for reductions, we are not to suppose that he is going to do strange things. He will do what the law says he must do and an appeal can arise out of it. I am afraid I cannot see any way in which I can alter the counter-motion without doing something which, as I have already said, is ultra vires.

Unless Your Excellency can see through the cloud, I am at a loss.

The President: Honourable Members, it has been suggested that I should see through the cloud. I find such an exercise particularly difficult and I would like to say this; the sentiments expressed by the Honourable Elected Members, and indeed all Honourable Members, are fully appreciated. I find myself in a difficult position with regard to the motion of the Honourable Elected Member for West Falkland, not because of anything that he has said and not because of the general context of his remarks in any way. The essence of our proceedings here is that people should be able to express their views freely and on occasion forcefully. Where my difficulty arises is the actual wording of the Honourable Member's motion, where if this is carried to a vote as it stands, we are in fact saying something which is quite obviously unconstitutional, and if the Members would think again about the Honourable Member's motion, it does certainly put this House in a strange light when we say "That this House regards as unacceptable the action of the Commissioner for Income Tax in increasing taxation of allowances in kind for the 1966 taxation year by a large percentage without consultation with the Legislature." Honourable Members have already said very clearly what they feel about this and this is very largely acceptable but actually to vote on such a motion and to enshrine this in our proceedings as something on which this Council has consciously voted when in fact it contains statements which are not in accordance with the law, will put us on record as having done something really rather remarkable.

If/...

If Honourable Members feel that anything is to be gained by it, I would suggest that further proceedings on this particular item be temporarily adjourned until a later day in our present meeting so that if any clarification is required, there is time given for this to be done and then, before we disperse at the end of this present meeting, the matter will be further considered and if the Honourable Member for West Falkland still feels that the precise wording he has already chosen is the only wording which he wishes to put forward, then a vote can be taken on it. I don't know if this way through our difficulties is of any help to Honourable Members. If on the other hand Honourable Members feel that they want to go straight ahead now, that will be very largely to their wish but I must point out that in years to come the records of our meetings here will be open to public inspection at any time by anybody and at this present time in our history we wish to appear completely responsible.

Might I perhaps have a consensus of opinion as to whether the matter should be adjourned until later in our present meeting? I would like to ask the Honourable Member for West Falkland that.

Mr. Miller: Your Excellency, yes at the moment we seem to have come to a complete standstill and I understand the constitutional difficulty, but we also seem to be talking at cross purposes, because the Honourable the Colonial Secretary said that the Commissioner was acting within the law in increasing these figures but he still has not quoted any part of the ordinance where a Commissioner for Income Tax has power to increase figures. To my simple mind that means increasing taxation and there is a well known expression, "No taxation without representation". I still cannot follow that part of the Honourable the Colonial Secretary's argument and that is why I am not prepared to second his proposed re-wording of the motion. Probably it might be as well to leave it but we, in the course of this session, have got to do something about it because obviously from the temper of this side of the House we are not prepared to accept those figures.

If the motion or any amendments to the Income Tax Ordinance has to be carried out, it must be carried out fairly soon, otherwise by the law which the Colonial Secretary has quoted and of which I am fully aware, we will have to pay up fairly soon and then the Income Tax Officer, who is already fairly overburdened, will have a very great deal more work to do by writing to everybody informing them that they will have some money back. I think we could avoid all that if we could get on with this thing now.

I understand the constitutional difficulty but I don't see that that could be particularly unsurmountable. I think we could talk about this in Select Committee; we might arrive at something, even if it is informal in Select Committee which we go into shortly. We can make it the first speech before we get on to the estimates and thrash the thing out where we can speak more freely and easily, but obviously something has to be done because I still feel uneasy at the action of the Commissioner and so does the bulk of this Colony, and unless that is cleared up we are going to be an unhappy Colony for the rest of this year. We just have to do something about it.

The President: Well in view of what the Honourable Member has said, this matter will now be placed in abeyance until we resume before the end of this meeting. In the meantime I hope that opportunity will be taken to provide any Honourable Member, who is not clear on the position as far as the law is concerned, with full explanations in so far as anything that has not already been understood.

We will now proceed with the business on the order paper.

The Colonial Secretary: Your Excellency, once again on the point of clarification, may I make it clear that the Select Committee on the estimates is specifically appointed to deal with the estimates and although I am quite willing to talk about the problem informally in the committee room, it cannot be part and parcel of the Select Committee proceedings.

The President: This is fully understood, and I don't think that any other view is held.

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 June 1966 to April 1967 be adopted"

The Colonial Secretary seconded and the motion was put and carried.

BILLS

The Employment of Women, Young Persons and Children Bill.

The Colonial Secretary: Your Excellency, at first sight this is an oddity of a Bill, and Honourable Members and the public can be justifiably excused for wondering why on earth we should legislate for such a remote item as the night work of young persons employed in industry.

Women and young persons here are a darned sight better off than they are in most other parts of the world and this Bill does not seem to be of any serious importance to us. Existing conditions here are, to my mind at least, well in advance of what this Bill envisages.

However, superior bodies have decided that legislation of the nature contained in this Bill should be worldwide and we will do our bit. I hope this House will agree to the giving of effect to the International Conventions concerned which relate to the employment of women, young persons and children.

Due to our lack of industry the effectiveness of this legislation cannot be great, but we are probably the one remaining British Colony which has not applied the Conventions. As such we are subject to outside pressures which cannot be ignored.

The object of the Bill is to carry out International Conventions relating to:

- (a) the minimum age for admission of children to industrial employment;
- (b) the night work of young persons employed in industry;
- (c) the night work of women in industry; and
- (d) the minimum age for admission of children to employment at sea.

It/...

It makes effective the application of the four International Conventions which are listed on pages 4, 5, 6 and 7 of the Bill, and which are, by virtue of their application to the metropolitan territory, mandatory upon us.

I beg to move that the Bill be read a first time.

The Colonial Treasurer seconded and the motion was put and carried.

On further motions made and seconded the Bill was read a second time and passed through the committee stages without amendment. It was then read a third time and passed.

The Ionising Radiations (Protection of Workers)
(Amendment) Bill.

The Colonial Secretary: Your Excellency, this is a tiny Bill, which has no major political significance, and which does not encourage me to enthusiastic speech.

In 1966 this Legislature passed a Bill which became the Ionising Radiations (Protection of Workers) Ordinance, 1966. Our legal watchdogs in the Commonwealth Office point out that section 3 of that Ordinance is subject to ambiguity of interpretation and this Bill seeks to make the offending section more clear.

I beg to move that the Bill be read a first time.

The 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 Supplementary Appropriation (1965-66) Bill

The Colonial Treasurer: Your Excellency, this Bill is an annual formality and its purpose is to give legal effect to what the Standing Finance Committee have done and it refers to expenditure between 1st July 1965 and the 30th June 1966.

I beg to move the Bill be read a first time.

The Colonial Secretary seconded and the Bill was read accordingly.

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.

Administration of Justice (Amendment) Bill

The Colonial Secretary: Your Excellency, Honourable Members will recall the passing of the Appeals Ordinance, 1966, which set up a Court of Appeal for the Colony and Dependencies. This had the effect of abolishing direct appeal to Her Majesty's Privy Council. At the time we overlooked the fact that our Administration of Justice Ordinance would require suitable amendment to remove all references to the Privy Council and this Bill seeks to put the matter right.

I beg to move that the Bill be read a first time.

The 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/...

The Road Traffic (Amendment) Bill

The Colonial Secretary: Your Excellency, in 1964 the Honourable Nominated Independent Member for the East Falkland, Mr. Bonner, asked in this House that we should consider the introduction of simple third party insurance for all vehicles operating in camp. Insurance companies agreed that simple third party insurance could be extended throughout the Colony and they will now give increased cover for full third party insurance. There is, however, one big snag which is that insurance companies require drivers of vehicles to be licensed. Unfortunately we have not been able to work out a system of licensing for introduction throughout the Colony which is easily understandable and acceptable to everyone. Over the past three years I have spent a considerable amount of time trying to produce an acceptable draft but unfortunately I appear to be no nearer to a solution than were my predecessors who also produced drafts in 1960 and in 1962.

I am not quite sure where we are and I think there must be further consultation with all Unofficial Members to find out exactly what it is they require and obviously we shall then have to take a considerable amount of advice from our legal adviser.

I am not happy about this because I know that one day (and who knows it may not be very long) there will be a serious accident in camp and I hope then that the cry will not be "who would have thought it?" In these days of motorized transport it is unrealistic to pretend that there is no need for insurance cover. We must work out a satisfactory scheme of licensing to permit insurance of vehicles in the camp. It is surely not justifiable for us to allow this matter to go on as it has gone on for so many years.

During my investigations into the licensing and insurance of vehicles on a Colony-wide basis various points came to my notice and the Bill I am about to introduce takes care of these points.

I will take these points in detail at the committee stage but the main outline is as follows: We propose that special licences be issued to hire cars and taxis. It is essential that these vehicles be properly licensed to carry passengers and their luggage. Insistence upon such a licence means we shall have the powers to ensure that the hire car and taxi owners carry adequate and proper insurance cover. This is not an academic matter, as, to my knowledge, in the last year there have been three accidents in which such vehicles have been involved and it is a matter of luck that the passengers have not been injured or killed.

We also propose in this Bill that the age at which a licence to drive a motor vehicle may be granted shall be reduced from eighteen to seventeen years. Seventeen years of age applies in most other countries and I can see no reason why youngsters arriving from overseas who have already been granted a licence should be banned from having one here. However we propose that new drivers should undergo a driving test for which they would pay ten shillings a time.

It is also proposed that the penalty for non-registration of vehicles should be increased from £5 to £25. There has been an increase in the number of cases of non-registration of motor vehicles brought into the Colony and we think an increased penalty, which is not harsh, is justified.

Probably the most important part of the Bill is clause six where disqualified drivers are given the right to have their penalties reviewed from time to time. I cannot understand how or why this was not included when the Road Traffic Ordinance was first drafted.

There are some minor amendments which are of but a tidying up nature and I will refer to them later.

I beg to move that the Bill be read the first time.

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

The Colonial Secretary, seconded by the Colonial Treasurer, moved the second reading of the Bill:

Mr Bonner/...

Mr. Bonner: Your Excellency, Honourable Members, I should like to congratulate the Colonial Secretary on his efforts, indeed his considerable research, with which he tells us he has been delving into in this ordinance, in particular with regard to the camp driving and I am sorry that today he has not been able to produce any workable formula for some means whereby we can have some legal control over the camp driver with particular regard to the compulsory insurance of vehicles. I don't exactly take his point about the third party insurance, because I think we can now get an insurance policy for camp vehicles being driven anywhere in the Colony and I am assured by our insurers that the policy will be honoured in the case of any claim on it, but evidently it is difficult to make it compulsory. The third party insurance covers we can get now are being taken advantage of and quite a considerable number of drivers, well certainly on the East Falkland, have taken out these third party insurance policies.

I congratulate the Colonial Secretary on his tidying up of the ordinance and I hope that in the not too far distant future he will be able to produce a workable formula which will apply all over the Colony.

Thank you sir.

Mr. Blake: Your Excellency, in the amendment to section 3 of the original ordinance (clause 4 of the present ordinance) there is an increase in the penalty for the non-registration of vehicles. Unfortunately I did not look up the ordinance before this meeting, but there is a clause there that states that new vehicles entering the Colony shall be registered within so many days. On two occasions in the last two or three years I have been boned by the Superintendent of Police in a very friendly and kindly manner for the registration of vehicles that we had imported and he would have been completely within his power to prosecute me for failure to register these vehicles. However in both cases it was completely impossible for me to do so, because the registration form requires that I fill out engine numbers, etc., and as these vehicles were sitting in the warehouse in Stanley, the invoices were sitting somewhere in the nether regions that invoices get and the engine number was a complete mystery to me. In fact I had no idea whether they had rubber tyres or grass filled wheels even. It does mean that in cases of delay it is impossible to complete the registration and I would like to see an extension of the period in the original ordinance. However it may be too late.

The President: The Honourable the Colonial Secretary will no doubt deal with that point in due course. It is in fact section 3(2) to which the Honourable Member has referred and which reads, "Every motor vehicle, except that owned or used by the Governor, brought into the Colony should be registered within seven days of being so brought in" I think that it is the one the Honourable Member is thinking about.

Mr. Miller: Mainly an observation Your Excellency, arising from the seated Honourable Member on my left in which he said that he was able to take out third party insurance for some of his employees. Well that surprises me because I have a memory from an Executive Council meeting when we had legal opinion, and I understood, and the Colonial Secretary will put me right when he replies, that before you can license a machine and insure it for any form of risk, it has to be in a certain road-worthy state and I suppose the conditions required, as we were informed then, would apply possibly to 5% of vehicles in the camp; I wouldn't put it any higher than that. That was one of our chief difficulties and one of the difficulties in which the Colonial Secretary is struggling now in his attempt to arrive at a formula, because of the state of vehicles in the camp. If we have to comply with that law 95% of drivers in the

camp/....

camp would have to take to horses or stay on foot and if the Honourable Member on my left is able to obtain this insurance for his employees I should be most interested to know how because I would like to do likewise. Probably the answer will come when the Honourable the Colonial Secretary speaks later. It is just a point I would like cleared up.

The Colonial Secretary: I thank the Honourable Members for their helpful comments. I am glad to say peace appears to be with us once more. I can now stop twitching and wondering what is going to happen to me this afternoon.

The President: I am glad that the Honourable Colonial Secretary said peace and not pieces!

The Colonial Secretary: Our difficulty of course is to have a compulsory insurance. Members are quite right there. I agree with Mr. Miller, his memory is right, but I cannot provide him with the details at the moment: they are not immediately to hand. We are having difficulties over the question of roadworthiness, and there is another difficulty concerning entry on to private land, and all sorts of things connected with this, but we are on the way. I spoke about it because I know that much of this debate will be broadcast later and although it is my duty to speak to the chair and to this House, and not to the public outside, I am glad to know that anything we can say on the need for licensing will go out and be heard.

As far as the Honourable Nominated Independent Member for the West Falkland is concerned, I am deeply obliged to him for picking up the business of registering a vehicle within seven days. I think it is quite unreasonable that anyone should be forced to do things quickly when shipping documents are so difficult to come by. Here and now I can see no objection to accepting an amendment to this Bill to provide for seven days being turned into twenty-eight days. If it will be suitable to Members when we deal with the clauses I will introduce that. If your Excellency feels it is wrong of me to do so I would be delighted to receive your direction and we can proceed with it at a later date, but I do feel it is such a small and necessary amendment that we could take it here and now.

The President: All Honourable Members having spoken, the Bill will now be read a second time.

The Bill was accordingly read a second time and passed on to its committee stage. In committee, clauses 1, 2 and 3 were passed without amendment.

During the consideration of clause 4 Mr. Blake addressed Council:

Your Excellency, in nine cases out of ten I think that twenty-eight days is probably quite an adequate registration period but there is still that tenth case. I would have preferred the amendment to possibly keep the number of days at seven but instead of "on entry in the Colony", to amend that to "delivery to the owner". I don't know whether that is possible within Stanley, but the thing is, it is this case of vehicles which come into the Colony and sit in Stanley, particularly with regard to motor cycles which are in packing cases and you just have no idea of the details until you get that case open.

The Colonial Secretary: I take the Honourable Member's points. I hate having to do quick drafts like this; it is so easy to get trapped. I would like to suggest that we leave this in abeyance until we meet again in a few days time and I will produce a proper draft. I agree with the Honourable Member in everything he says.

The President: If Honourable Members are satisfied with that arrangement, this clause will be left over until Council meets again in a few days time, which will of course mean that we will not in fact proceed with the third reading of this Bill today. We therefore leave clause 4 in abeyance. Would the Honourable the Colonial Secretary like to take the remaining clauses?

Clauses 5, 6 and 7, the enacting clause and title were agreed to and the third reading was postponed until further consideration could be given to clause 4.

The Marriage (Amendment) Bill

Colonial Secretary: Your Excellency, from time to time and as opportunity occurs we try to bring the more used portions of our legislation up-to-date.

The latest such exercise dealt with the marriage ordinance wherein over the past few years several inconsistencies have been noted.

The Bill I am presenting seeks to correct these. I will provide the detail at the committee stage.

I beg to move that the Bill be read a first time.

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

On further motion made and seconded the Bill received its second reading and passed through the committee stage without amendment. It was then read a third time and passed.

The Old Age Pensions (Amendment) Bill

Colonial Treasurer: Your Excellency, the present rates of Old Age Pensions are inadequate. If that statement is accepted then Council may wish to consider means and ways in which the pension can contribute more effectively to the budget of the recipients. This Bill has this as its object.

The Old Age Pensions Ordinance was introduced into our lives in 1952. The total weekly contribution was then 5/- and this assured each contributor of a pension of 30/- a week if he was married, £1 a week if he was unmarried and 10/- for a widow provided her husband had been a pensioner. Improvements have been introduced from time to time, some based on higher contributions and some as the result of actuarial advice on what the fund could afford. The present position is that a total weekly contribution of 7/6 now ensures a pension of 52/- for a married man and 26/- for unmarried men and women.

A fundamental principle of the scheme is that pensions can only be paid at rates that the fund can afford. The fund depends upon contributions and interest from investments for its income. The amounts that come from contributions are controlled by this Council; the income from investments depends almost entirely on what funds are available for investment. Any improvement in the pension rates, therefore, rests for all practical purposes on the contribution rate unless another source of finance can be found. Let me repeat the last few words - unless another source of finance can be found.

A feature of previous increases in contributions and pensions has been that all pensions have benefitted, irrespective of whether the pensioner actually paid contributions at the higher rate or not. This had a profound effect on the amount of pension increase that the higher contributing rate could finance and substantial increases in contributions could only justify comparatively small increases in pensions. In reply to a question regarding the adjustments that would have to be made to increase pensions by 50% the Government Actuary in the United Kingdom advised that a weekly contribution of 14/- would be necessary. Let me repeat. For an increase of 50%, that is from 52/- to 78/- for a married man - the total weekly contribution from employee and employer would have to be 14/-. The Actuary referred to, and I quote "the liabilities of the past", that the principle of increasing all pensions created whenever a contribution rate is adjusted. I shall now explain how it is proposed to deal with these "liabilities of the past".

Although it is not apparent from the Bill as printed, and indeed there can be no reference in the Bill to this matter, it is the intention of Government not to burden contributors who pay at the proposed higher rates with increases in pensions for existing pensioners and contributors who are fully paid up and awaiting the award of a pension. Only those contributors who actually pay at these proposed increased rates will receive the enhanced rate of pension from the fund. Lest this should cause dismay in the minds of those persons who are excluded, let me quickly add that it is the intention of Government to increase their pension rates also but that the cost of this increase should be borne by the public revenue. In considering the provisions of this Bill, therefore, Honourable Members are asked to bear in mind that the higher pension rates quoted are based on the acceptance of a further proposal that the Colony revenue will bear the cost of increases for existing pensioners and contributors who are fully paid up and who are awaiting the award of pensions. The cost to the revenue, in the first instance, would be about £5,000 per annum. It will be appreciated that this requirement on the part of the revenue to meet increased pensions would gradually disappear unless of course the arrangement is repeated at some later date.

I shall now deal with the proposals contained in the Bill. They are very simple and require very little explanation -

1. The special rate of contribution by and on behalf of contributors between the ages of 18 and 21 years is abolished.
2. The contribution required of every employed contributor between the ages of 18 and 60 years is increased to 5/3 per week.
3. The contribution required of every employer of an employed contributor between the ages of 18 and 60 years is increased to 6/9 per week.
4. Every self employed person between the ages of 18 and 60 years is required to contribute at the rate of 12/- per week.

5. Pensions are increased from 52/- to 93/- per week for a married man and from 26/- to 46/6 per week for unmarried men and other persons considered for the purposes of the ordinance to be unmarried.

These proposals apply equally to female contributors.

This seems the appropriate point to refer back to the point on which I placed special emphasis when talking about the "liabilities of the past". It will be recalled that actuarial advice had been that a weekly pension of 78/- for a married man would require a contribution of 14/- per week if all pensions were to be increased and paid for from the fund. The proposals that are now put forward for consideration are noteworthy in that they recognize the injustice of burdening present and future contributors with past liabilities and that the time has come for the revenues of the Colony to play a part in this very important aspect of social welfare. I have explained how this is to be done. The result will be that the contribution rate, if increased to 12/- per week, can finance a weekly pension rate of 93/-. 93/- for 12/- compared with 78/- for 14/-. The key lies in the acceptance by this Council that the revenue should contribute. This proposal might be regarded as one of the most important social security matters ever to come before this House. I refer not only to the amount of money involved - and £5,000 from revenue is not small on our standards - but also to the precedent that such a measure would create.

I doubt if anyone will disagree with me when I say that much of the business that comes before this House has little claim to being interesting. That doesn't mean to say that it is not important; the two things do not necessarily go together. But here is a refreshing change and something that should figure prominently in public interest and debate. Do we want higher old age pensions and, if so, are we prepared to pay for them? For these and many other considerations that may arise, time for study and thought is necessary. To allow such time it is not proposed to proceed beyond the first reading of the Bill at this meeting. The Bill will, however, be introduced for the second time and, if accepted, its third and final reading at the spring meeting of Council. This should give ample time for everybody to have a good look at what is proposed and to make full enquiries into anything that has not been made clear to them. In this latter respect may I say that we in the Treasury would welcome enquiries and be glad to help in whatever way we can.

I beg to move the first reading of the Bill.

Colonial Secretary: Your Excellency, in rising to second the motion I would like to stress how important this Bill is and I hope that the industry, the Union and everyone concerned will give it their attention and thought and talk it over, so that when we meet again to take the second reading we will do so with the full support of the opinions of every voter.

I beg to second the motion.

The Bill was read accordingly.

The President: As Honourable Members are aware, it is not proposed to proceed to the second reading at this meeting.

The Appropriation (1967-68) Bill

The Colonial Treasurer: Your Excellency, going back to the budget meeting of Council last year, it will be recalled that a deficit of £28,000 on the Ordinary Revenue/Expenditure account was expected. The latest information suggests that this account will be very near balancing and may even show a small surplus. The improvement is largely due to better revenue yields under the headings of Investment, Internal Revenue, Posts and Telecommunications and Reimbursements. Total ordinary expenditure shows little change on revision.

As a result of this improvement we shall embark upon the financial year 1967/68 with reserves in support of the ordinary budget estimated to total £180,000. Estimated total ordinary expenditure for the coming year is £409,000 which is £19,000 more than was originally estimated for the current year. Of this increase £7,000 is accounted for by the insertion of provision for the initial expenditure on the new issue of stamps.

Total ordinary revenue is expected to be £377,000 or £14,000 more than was originally estimated for the current year. No provision is made for the sale of the new stamps for it is not thought that these will be available before the close of the year on 30th June 1968. The estimate does take into account a further transfer of surplus Savings Bank income amounting to £28,000. Revenue from the telegraph service is put at £16,300 but this should be regarded as subject to confirmation for we do not yet know exactly how the communications arrangement with ESRO will affect the revenue.

On the figures that appear in the estimates the revenue deficiency will be £33,000. As I stated earlier reserves total £180,000 and are adequate to absorb the deficit. No increased taxation measures are contemplated.

The programme outlined last year for the second part of the estimates (development) underwent considerable changes during the course of the year. A spending programme of £117,000 of which £62,000 was to be met from Colony sources, was anticipated when the estimates were prepared; it is now revised at £151,000 of which £97,000 is to come from Colony sources. These last two figures might have been considerably larger had not the failure to carry out a number of smaller projects offset to some extent the cost of purchasing the two new aircraft at a cost of £55,000, and this decision was of course reached after the estimates were approved.

The programme for 1967/68 is modest by comparison; a total of only £77,000 being estimated of which £37,000 is to come from Colony sources. The bulk of the expenditure is for the continuation, and in most cases completion, of existing schemes. Foremost in terms of money are the final instalments on m.v. "Forrest" and the renewed work on the Stanley roads. In this latter respect it is now expected that a further Colonial Development and Welfare grant of upwards of £38,000 will shortly be approved.

Two new schemes appear in the estimates. Phase II of the plan for the Modernization of Schools, provides for a new junior school to be erected in the grounds of the Infants School and a small sum of money is provided to enable investigations to proceed into possible sites for suitable landing grounds for an external air service.

Allowing for residual expenditure on all projects that appear in the estimates, the Development Fund will have an estimated uncommitted balance of £184,000 at 30th June 1968. This is a useful balance but sooner or later it will need to be supplemented by transfers from ordinary revenue. As ordinary revenue is fully committed to financing ordinary expenditure the implications of this statement will be obvious. Much depends, of course, on what our future spending programme is to be and to what extent assistance from Colonial Development and Welfare sources can be expected.

I beg to move the first reading of the Bill.

The/...

The Colonial Secretary seconded and 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 Colonial Treasurer seconded. 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 Monday the 8th May.

The prayer was read by the Reverend P.J. Millam.

The Appropriation (1967-68) Bill

The Colonial Treasurer: Your Excellency, the committee appointed by you met and considered the draft estimates together with the Bill. They recommend the following amendments to the draft estimates:

Under Revenue Head XII delete item 8 Victualling Allowance £200. Under Expenditure Head I The Governor increase item 1(i) from £2,500 to £3,000. Head VI Education delete item 1(xi) £200. Head XIV Power & Electrical insert new item Instructional Course £60. Head XVIII Secretariat, Treasury and Central Store decrease item 1(i) from £2,565 to £2,400. The effect of these comparative minor measures will be explained when the Bill comes to the committee stage.

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>
I The Governor	£9,449	£9,949
VI Education	59,526	59,326
XIV Power & Electrical	23,563	23,623
XVIII Secretariat, Treasury and Central Store	35,370	35,205
Total ordinary expenditure	409,451	409,646
Total expenditure	486,269	486,464

It was agreed that the schedule, as amended, should stand part of the Bill and that clause 2 be subject to the following amendment:

Delete the words and figures £486,269 and insert £486,464.

The Bill was read a third time and passed.

MOTION - Assessment of Allowances in Kind for Income Tax Purposes

President: Honourable Members, the motion before the House is that this House regards as unacceptable the action of the Commissioner for Income Tax in increasing taxation of allowances in kind for the 1966 taxation year by a large percentage without consultation with the Legislature. All Honourable Members had already spoken when we adjourned

but/...

but the debate on this motion had not been concluded because I had not put the question. I have been in considerable doubt whether the motion, as worded, infringed the rules of debate but rather than appear to wish in any way to attempt to influence any Honourable Member or to curb the rightful expression of opinion, I let the wording stand. Since we adjourned there has been time for reflection and I hope that the way may have been found to get round the difficulties which had arisen.

Colonial Secretary: Your Excellency, if you count us you will see that we are all here, and I think that we are all here in one piece! We have managed to reach a local agreement, which we feel is in accordance with the law and which is something we all desire. With my Honourable Friend the Elected Member for the West Falkland, we have drawn up a formula, which later we propose to present to the Governor in Council for consideration and we are of the opinion that the issue will be solved to everyone's satisfaction.

Mr. Miller: Your Excellency, Honourable Members, I entirely agree with the Colonial Secretary's short speech. Like himself I am glad we are all here in one piece and no visible marks. I am quite happy to agree with what he has said and the particular paragraph that I have in front of me will be made by the Governor in Council. I am quite happy with the outcome.

The President: Honourable Members, Rule No. 38 (1) of our Standing Rules and Orders reads as follows: "A motion may be withdrawn at the request of the mover if, on the President asking whether it be the pleasure of the Council that the motion be withdrawn, there is no dissent." May I ask the Honourable Elected Member for West Falkland whether it is his intention, from what he has just said, that he would wish to withdraw his motion on the understanding that the action which has been referred to by him will be taken?

Mr. Miller: Your Excellency, I wasn't altogether expecting that one, but it obviously agrees with all we have been saying in the last few minutes so if it will suit this Council and make the subsequent procedure more easy I am willing to withdraw it.

The President: It certainly does make the subsequent procedure far more easy. In fact we would otherwise be left in a state of suspended animation and although animation is something we want, suspense is something none of us want. I would therefore remind Members that in asking whether it be the wish of the Council that the motion be withdrawn I have to see that there is no dissent. I see no signs of dissent and I therefore take it that the motion is now withdrawn.

The Road Traffic (Amendment) Bill.

The President declared Council to be in committee.

Clauses 1, 2, 3, 5, 6, and 7 were agreed to and it was further agreed that clause 4 be amended to read -

"Section 3 of the principal Ordinance is amended -

- (a) by the deletion of subsection (2) and the substitution therefor of the following -

"(2) Every motor vehicle (except that owned or used by the Governor) brought into the Colony shall be registered within twenty-eight days after receipt of the vehicle by the owner thereof."

- (b) by the deletion, in subsection (3), of the figure '£5' and the substitution therefor of the figure '£25'."

The Bill was then 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: Honourable Members, before I put the question I should like to thank Honourable Members for the realistic way in which they have dealt with the interesting business before the House at this meeting.

It is sometimes said that the proceedings of this Council are of less interest to the public than they might be. I am certain that on this occasion this is most certainly not so. I would like to mention that the principal function of the Legislative Council, as its name implies, is obviously to legislate and one of the most important legislative measures requiring the approval of Council is the annual Appropriation Bill. But the Council also has numerous other important duties to perform; it approves or rejects proposals which take the form of motions for the provision of supplementary expenditure and such approval must in due course be confirmed by legislation. And most important the Council expresses its agreement or disagreement with various propositions covering topics of public importance which are placed before it in the form of motions. I think it is extremely important that this Council should be able to exercise to the full its power of representing the views of the electorate and I am quite certain that the debates which have taken place during the last few days have been extremely useful to us all.

Reference was made in the course of debate to the difficulty of keeping copies of the laws properly amended and I have every sympathy with Honourable Members in this matter. I should like to mention that it is proposed, over a period of time, to prepare copies of some of those laws more commonly in use with all amendments inserted up-to-date. Our staffing position does not allow this to be done quickly but a start is to be made shortly. I would also like to mention that in the office of the Registrar is a completely up-to-date set of the laws of the Colony always available and at the disposal of Members and there I realize as far as camp Members are concerned this is of less convenience than to those that live in Stanley. Nevertheless, those laws are available and the Registrar is always very willing to go through them and point out any amendments with which Members may not be familiar. I would now like to wish camp Members who have come in, despite difficulties of weather, a safe journey back to their homes.

The House stands adjourned sine die.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXVI.

1 AUGUST 1967

No. 9

Appointments

Dr. E. M. Nowak, Medical Officer, South Georgia, 22.6.67.

Miss Fay Berntsen, Nurse Probationer, Medical Department, 17.7.67.

Timothy James Valentine Smith, Assistant Master, Education Department, 28.7.67.

Completion of Tour

Michael Thomas Whitbread, Wireless Operator, South Georgia, 9.7.67.

Peter Blakeley, Handyman, South Georgia, 13.7.67.

NOTICES

No. 27. 12th July 1967.

The findings of the Cost of Living Committee for the quarter ended 30th June 1967 are hereby published for general information—

<i>Quarter ended</i>	<i>Adjusted Percentage increase over 1948 prices</i>
30th June 1967	112.44%

2. In accordance with the principle of the Pay and Working Rules for Stanley the average increase over the last four quarters is 110.75% and a further wage award of 1d per hour is therefore payable with effect from the 1st July 1967.

Ref. 0704/VI.

No. 28.

28th July 1967.

Marriage Ordinance (Section 10)

Mr. Rex Browning has been appointed a Registrar to celebrate the marriage of Anthony Terence Felton, divorcee and Violet Regina Felton, divorcee, at No. 7 Philomel Street, Stanley, Falkland Islands.

Ref. 1169.

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

NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE (Cap. 1)

In the matter of William John Reive, deceased, of Stanley, Falkland Islands, who died on the 27th June 1967.

WHEREAS Wallace Carlinden Hirtle, brother-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.

Stanley, Falkland Islands,
1st August 1967.
S. C. 28/67.

D. DESBOROUGH,
Acting Registrar.

INDEX OF LEGISLATION

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

Pensions (Pensionable Offices) Order, 1967.
Old Age Pensions Order, 1967.
Income Tax (Double Taxation Relief) (Amendment) Order, 1967.
Savings Bank (Amendment) Rules, 1967.
Privy Council Appeals (Revocation) Rules, 1967.
Road Traffic (Amendment) (No. 2) Regulations, 1967.

The Pensions Ordinance, 1965.

ORDER

(under section 2 of the Ordinance)

No. 1 of 1967.

W. H. THOMPSON,
Acting Governor.

6 of 1965.

In exercise of the powers vested in him by section 2 of the Pensions Ordinance, 1965, the Governor in Council has been pleased to order as follows —

Short title.

1. This Order may be cited as the Pensions (Pensionable Offices) Order, 1967.

Pensionable offices.

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

COLONY

THE GOVERNOR	Steward/Chauffeur
POLICE AND PRISONS	Inspector
PUBLIC WORKS	General Foreman

Made by the Governor in Council on the 14th day of July 1967.

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

Ref. 1171.

The Old Age Pensions (Amendment) Ordinance, 1958.

ORDER

(under section 2 of the Ordinance)

No. 2 of 1967.

W. H. THOMPSON,
Acting Governor.

In exercise of the powers vested in him by section 2 of the Old Age Pensions (Amendment) Ordinance, 1958, the Governor in Council has been pleased to order as follows —

1. This Order may be cited as the Old Age Pensions Order, 1967.

2. The provisions of the Old Age Pensions Ordinance, 1952, shall not apply and shall be deemed never to have applied to Lawrence Gordon Blizzard and Arthur John Leeks, of the Christian Church in England.

Made by the Governor in Council on the 14th day of July 1967.

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

Ref. 0323/A/VI.

The Income Tax Ordinance (Cap. 32)

ORDER

(under section 49 of the Ordinance)

No. 3 of 1967.

W. H. THOMPSON,
Acting Governor.

In exercise of the powers vested in him by the Income Tax Ordinance the Governor in Council has been pleased to order as follows —

Cap. 32.

1. This Order may be cited as the Income Tax (Double Taxation Relief) (Amendment) Order, 1967.

Short title.

2. The Arrangement made in 1949 between His Majesty's Government and the Government of the Falkland Islands for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income (hereinafter referred to as "the existing Arrangement") shall be amended —

Amendment to Schedule to Order No. 1 of 1949.

(a) by the addition at the end of paragraph 6 of the following new sub-paragraph —

"(3) If the recipient of a dividend is a company which owns 10 per cent or more of the class of shares in respect of which the dividend is paid then sub-paragraph (1) shall not apply to the dividend to the extent that it can have been paid only out of profits which the company paying the dividend earned or other income which it received in a period ending twelve months or more before the relevant date. For the purposes of this sub-paragraph the term "relevant date" means the date on which the beneficial owner of the dividend became the owner of 10 per cent or more of the class of shares in question:

Provided that this sub-paragraph shall not apply if the beneficial owner of the dividend shows that the shares were acquired for *bona fide* commercial reasons and not primarily for the purpose of securing the benefit of this paragraph."; and

(b) by the substitution for sub-paragraphs (1) and (2) of paragraph 13 of the following two new sub-paragraphs —

"(1) Subject to the provisions of the law of the United Kingdom regarding the allowance as a credit against United Kingdom tax of tax payable in a territory outside the United Kingdom (which shall not affect the general principle hereof) —

(a) Colonial tax payable under the laws of the Colony and in accordance with this Arrangement, whether directly or by deduction, on profits or income from sources within the Colony (excluding in the case of a dividend, tax which is not chargeable specifically on the dividend but which is tax, whether deducted from the dividend or not, payable in respect of the profits out of which the dividend is paid) shall be allowed as a credit against any United Kingdom tax computed by reference to the same profits, or income by reference to which the Colonial tax is computed;

(b) where a company which is a resident of the Colony pays a dividend to a company resident in the United Kingdom which controls, directly or indirectly, at least 10 per cent of

the voting power in the first-mentioned company, the credit shall take into account (in addition to any Colonial tax for which credit may be allowed under (a) of this sub-paragraph) the Colonial tax payable by that first-mentioned company in respect of the profits out of which such dividend is paid.

- (2) Subject to the provisions of the law of the Colony regarding the allowance as a credit against Colonial tax of tax payable in a territory outside the Colony (which shall not affect the general principle hereof) —

(a) United Kingdom tax payable under the laws of the United Kingdom and in accordance with this Arrangement, whether directly or by deduction, on profits or income from sources within the United Kingdom (excluding in the case of a dividend, tax which is not chargeable specifically on the dividend but which is tax, whether deducted from the dividend or not, payable in respect of the profits out of which the dividend is paid) shall be allowed as a credit against any Colonial tax computed by reference to the same profits, or income by reference to which the United Kingdom tax is computed;

(b) where a company which is a resident of the United Kingdom pays a dividend to a company resident in the Colony which controls directly or indirectly at least 10 per cent of the voting power in the first-mentioned company, the credit shall take into account (in addition to any United Kingdom tax for which credit may be allowed under (a) of this sub-paragraph) the United Kingdom tax payable by that first-mentioned company in respect of the profits out of which such dividend is paid."

Commencement.

3. This Arrangement shall enter into force when the last of all such things shall have been done in the United Kingdom and the Colony as are necessary to give the Arrangement the force of law in the United Kingdom and the Colony respectively, and the new sub-paragraph (3) of paragraph 6 of the existing Arrangement shall have effect immediately and the new sub-paragraphs (1) and (2) of paragraph 13 thereof shall have effect —

(a) in the United Kingdom:

- (i) as respects income tax including surtax for any year of assessment beginning on or after 6th April 1968; and
- (ii) as respects corporation tax for any financial year beginning on or after 1st April 1968.

(b) in the Colony:

1st January 1968.

Made by the Governor in Council on the 14th day of July 1967.

H. L. BOUND,

Clerk of the Executive Council.

Ref. 0527/IV.

The Savings Bank Ordinance (Cap. 61)

RULES

(under section 14 of the Ordinance)

W. H. THOMPSON,
Acting Governor.

No. 2 of 1967.

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

1. (1) These Rules may be cited as the Savings Bank (Amendment) Rules, 1967, and shall be read as one with the Savings Bank Rules, hereinafter referred to as the principal Rules.

(2) These Rules shall come into operation on the 30th day of June 1967.

2. Rule 8 of the principal Rules, as amended, is further amended by the deletion of the words —

“Deposits in the Savings Bank shall not in the aggregate exceed the sum of £10,000 in respect of one or more accounts held by any one depositor:”

and the substitution therefor of the words —

“Except that by the addition of accrued interest, deposits in the Savings Bank shall not in the aggregate exceed the sum of £10,000 in respect of one or more accounts held by any one depositor:”

Made by the Governor in Council on the 14th day of July 1967.

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

Ref. 0385/C.

Administration of Justice Ordinance (Cap. 3)

RULES

(under section 69 of the Ordinance)

W. H. THOMPSON,
Acting Governor.

No. 3 of 1967.

In exercise of the powers conferred by section 69 of the Administration of Justice Ordinance, the Governor in Council has made the following Rules —

1. These Rules may be cited as the Privy Council Appeals (Revocation) Rules, 1967.

2. The Privy Council Appeals Rules are revoked.

Citation.

Revocation of Privy
Council Appeals Rules.
Revised Edition. Vol. II.
p. 133.

Made by the Governor in Council on the 14th day of July 1967.

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

Ref. 2312/II.

The Road Traffic Ordinance (Cap. 60)

REGULATIONS

(under section 18 of the Ordinance)

No. 5 of 1967.

W. H. THOMPSON,
Acting Governor.

In exercise of the powers conferred by section 18 of the Road Traffic Ordinance, the Governor in Council has made the following Regulations —

Citation.

Revised Edition Vol. II.
p. 270.

1. These Regulations may be cited as the Road Traffic (Amendment) (No. 2) Regulations, 1967, and shall be read as one with the Road Traffic Regulations, hereinafter referred to as the principal Regulations.

Amendment of regulation 4.

2. Regulation 4 of the principal Regulations is amended by the deletion in paragraph (3) of the word "triannually" and the substitution therefor of the word "triennially".

Made by the Governor in Council on the 14th day of July 1967.

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

Ref. 1983/II.



THE FALKLAND ISLANDS GAZETTE

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1 SEPTEMBER 1967

No. 10

Appointment

John Allan Howarth, Senior Wireless Operator, South Georgia, 22.6.67.

Resignations

Miss Doreen Darnell Desborough, Telegraph Messenger, Posts and Telecommunications Department, 28.5.67.

George Patterson Smith, Constable, Falkland Islands Police Force, 15.8.67.

Miss Carole Wendy Ross, Clerk in the Public Service, 20.8.67.

NOTICES

No. 29. 3rd August 1967.

Intimation has been received from the Right Honourable the Secretary of State for Commonwealth Affairs 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:

No.	Title	Ref.
6/67	Appropriation (1967-68) Ord., 1967	0284/XX.

No. 30. 5th August 1967.

Administration of Justice Ordinance (Cap.3)
(Appointment under section 3)

Mrs. Jessie Booth to be a Justice of the Peace with effect from 5th August 1967.

Ref. 0457/III.

No. 31. 18th August 1967.

The Carriage by Air Acts (Application of Provisions) (Overseas Territories) Order 1967. (1967 No. 810)

The Carriage by Air (Overseas Territories) Order, 1967. (1967 No. 809).

The above Orders, having been made by The Queen's Most Excellent Majesty in Council, and

applied to the Falkland Islands came into operation on 1st June 1967.

Ref. 2411.

No. 33. 29th August 1967.

Immigration into the United Kingdom

Persons intending to immigrate and enter Britain permanently are advised that it will greatly facilitate their entry if they are in possession of a record of medical examination before leaving the Colony.

The medical examination procedure is entirely voluntary and is not insisted upon but intended entrants into Britain are advised to accept this procedure. Arrangements for medical examination can be made with the Senior Medical Officer.

Ref. C/2153.

Civil Aviation

The Carriage by Air Acts (Application of Provisions) (Overseas Territories) Order 1967

IN EXERCISE of the power conferred upon the Governor by Order 6 of the Carriage by Air Acts (Application of Provisions) (Overseas Territories) Order 1967 I direct, in respect of all carriage of persons, baggage or cargo performed by aircraft of the Falkland Islands Government Air Service, as defined in Schedule 2, Chapter 1, Articles 1 and 2 of the aforesaid Order, that the Government of the Falkland Islands shall be exempted from the requirements imposed by the Order to the extent that the limit of liability in each and every carriage or class of carriage shall not exceed the sum of £6,000, six thousand pounds.

Such exemption shall be deemed to come into operation on the 1st June 1967.

15th August 1967.

Ref. 2411.

FOOT-AND-MOUTH DISEASE

An outbreak of foot-and-mouth disease was confirmed in cattle in Tierra del Fuego in December 1966. The disease was confined to cattle and was eradicated by slaughter in mid-February 1967.

Although the Colony is protected from infection by the water barrier of the seas, importation of cloven-footed animals, or foodstuffs, or hay and straw could bring the disease into the Colony.

Although the recent outbreak was confined to cattle it must always be remembered that SHEEP ARE NOT IMMUNE.

The following notes will be of interest to all farmers and owners of cattle; extra copies are available free of charge on application to the Secretariat.

"Foot-and-mouth disease is an acute infectious disease which causes fever, followed by the development of vesicles or blisters - chiefly in the mouth and on the feet. The disease is caused by a virus, of which there are at least three 'types', each producing the same symptoms, and distinguishable only in the laboratory. It is probably more infectious than any other disease affecting man or animals and spreads rapidly if uncontrolled. Among farm stock, cattle, sheep, pigs and goats are susceptible. Rats and any wild cloven-footed animals can also contract it.

The interval between exposure to infection and the appearance of symptoms varies between twenty-four hours and ten days, or even longer. The average time, under natural conditions, is three to six days.

AFTER EFFECTS OF THE DISEASE

Foot-and-mouth disease is rarely fatal, except in the case of very young animals, which may die without showing any symptoms. Exceptionally, a severe form of the disease may cause sudden deaths among older stock.

The after effects of foot-and-mouth disease are serious. In addition to the trouble and expense involved in treating and nursing a herd or flock of sick animals, a reduction in the milk yield in a dairy herd will certainly be experienced. Mastitis may develop and the value of a cow be permanently reduced. In some cases chronic heart disease occurs. The raw surfaces left on the foot when the blisters burst are likely to become infected with various germs; this may lead to lameness and loss of a hoof.

SYMPTOMS

CATTLE

In the early stage, a rise in temperature is noticed and the animal is dull, blowing slightly and off its food. A cow in milk will show a sudden drop in yield. Blisters begin to develop, usually within a few hours, most frequently on the upper surface of the tongue and the bulbs of the heels. Feeding and cuddling may cease and the animal is 'tucked up', with staring coat. If at pasture, the animal will be away from the rest of the herd, and probably lying down. There is quivering of the lips and uneasy movement of the lower jaw, with copious, frothy saliva around the lips which drips to the ground; at intervals a smacking or sucking sound is produced by partial opening of the mouth.

About the same time there is evidence of pain in the feet. The animal lies down constantly and, when forced to move, walks very tenderly, occasionally shaking a leg as if to dislodge some object wedged between the clays. Lameness usually gets worse, until the animal can only hobble when moving on hard or uneven surfaces. Loss of condition is marked, partly on account of the fever and partly because the mouth is so painful that the animal is afraid to eat. Cows and heifers may develop blisters on the teats and resent any attempt at milking.

If the mouth is examined in the early stages, blisters on the dental pad, inside the lips, and sometimes on the muzzle, will be found, as well as those on the upper surface of the tongue. At first the blisters are seen as small raised areas, whitish in colour and containing fluid; they quickly increase in size until they may be as big as half a walnut. Two or more blisters may join to form a larger one, sometimes covering half the surface of the tongue. Later, the blisters burst and collapse, leaving the 'skin' loose and wrinkled, with a dead appearance. On handling, the 'skin' is easily removed, leaving a raw surface underneath.

When the blisters have burst the temperature falls, pain decreases and the animal may start to eat again.

The blisters develop on the feet about the same time as in the mouth, or a little later, they rarely appear first. Most commonly they are found at the bulbs of the heels, at the front of the cleft of the hoof, and in the cleft itself. They usually burst fairly quickly through movement of the feet, and then appear as a ragged tear exposing a raw surface.

SHEEP

The chief symptom is sudden, severe lameness, affecting one or more legs. The animal looks sick, lies down frequently and is very unwilling to get up. Usually all four feet are affected, and when the animal is made to rise, it stands in a half-crouching position, with the hind legs brought well forward, and seems afraid to move. Mouth symptoms are not often noticeable.

Blisters on the feet are found at the top of the hoof, where the horn joins the skin in the cleft of the foot. They may extend all round the coronet, and when they burst the horn is seen to be separated from the tissues underneath, and the hair round the hoof is damp. Unless complicated by foot rot, the foot is clean and there is no offensive smell. Blisters in the mouth, when they do develop, form on the tongue and dental pad.

PIGS

The chief symptom in pigs is sudden lameness. The animal prefers to lie down and when made to move squeals loudly and hobbles painfully, though lameness may not be so obvious when the pigs are on deep bedding or soft ground. The blisters form on the upper edge of the hoof, where the skin and horn meet, and on the heels and in the cleft. They may extend right round the hoof head, with the result that the horn becomes detached. At a later stage new horn starts to grow and the old hoof is carried down and finally shed. The process resembles the loss of a fingernail, following some blow or other injury.

Mouth symptoms are rarely noticed, but blisters may develop on the snout and on the tongue.

SPREAD

The virus is present in great quantity in the fluid from the blisters and it can also be found in the saliva, milk and dung. Contamination of any objects with any of these discharges is a danger to other stock. At the height of the disease, virus is present in the blood and all parts of the body. The virus is destroyed by heat, sunlight and disinfectants; COLD AND DARKNESS TEND TO KEEP IT ALIVE. Under favourable conditions it can survive for long periods.

Animals pick up the virus either by direct contact with an infected animal, or by contact with foodstuffs or other things which have been contaminated by such an animal, or by eating or coming in contact with some part of an infected carcass.

Places over which infected animals have travelled are dangerous until they have been disinfected. Roads may also become contaminated, and virus may be picked up and carried on the wheels of passing vehicles.

The boots, clothing, and hands of a stockman who has attended diseased animals can spread the disease; and dogs, cats, poultry, wild game and vermin may also carry infection.

As foot-and-mouth disease is extremely infectious and a very small quantity of virus is capable of infecting an animal, it is easy to realize how rapidly the disease could be spread throughout the country if no attempt were made to control it.

Outbreaks have occurred in Britain when the disease has been noted on the continent of Europe. In these cases it is believed that infection was carried on the feet and feathers of migrating birds. Infection may also be introduced in imported meat.

CONTROL

In countries where the disease arises only as a result of imported infection, the accepted policy is to stamp it out by slaughtering all affected stock and any others which have been exposed to such risk of infection that it is reasonably certain that they would develop the disease if left alive.

The infected premises are disinfected, and normally no fresh stock is allowed to be introduced for about six weeks. In addition to this, restrictions are imposed on the movement of animals within and into an area extending for about 10 miles in all directions around the infected place, and no movement of animals out of this area is permitted. In exceptional circumstances movement restrictions have to be imposed over a much wider area.

EARLY NOTIFICATION

The success of the slaughter policy depends on the prompt reporting of all suspected cases of disease. Delay allows the disease to get a start that is very difficult to overtake. Stock owners should therefore be constantly on the watch for any suspicious symptoms among their animals, even when the country is free from outbreaks of the disease.

Special care is necessary with sheep and pigs where lameness is often the only symptom. It must be remembered that pigs will 'go off their legs' for various reasons, and that foot-and-mouth disease is one of them; also that sheep can be lame from foot rot and foot-and-mouth disease at the same time. Suspicion should always be aroused when one or more pigs or sheep become lame suddenly and the lameness starts to spread through the herd or flock.

The owner of a suspected animal or carcass is required to report the fact to the Government. He is not expected to diagnose the disease, but he ought to know enough about it to suspect it.

All owners and stockmen should make themselves familiar with the symptoms.

PRECAUTIONS

There are steps which should be taken at once to lessen the risk of spreading the disease. The suspected animal should be isolated, and no one who has been in contact with it should be allowed to go among other stock. If the suspected animal is in an outlying area and has been there for some days, it is better to leave it where it is, provided the fences are sound.

No animals, vehicles, foodstuffs, milk, etc., should be moved from the suspected area and, if possible, no person should leave. Dogs, cats, and poultry should be shut in or tied up. Anyone leaving for some essential purpose should first thoroughly cleanse and disinfect his boots, wash his hands and, if practicable, change his clothing before leaving the premises. Special care should be taken to see that boots are really clean, and that no dirt or dung is left on the under-surface or in the grooves on the soles of rubber boots. Any reliable disinfectant is suitable, or a solution of washing soda in hot water can be used (one heaped double handful of soda in a two-gallon bucket of water).

Nobody should be allowed to enter the area, neither should vehicles be allowed to come in. The aim should be 'nothing in, nothing out'.

Neighbouring owners who hear that disease has been reported should restrict movements of their stock as far as possible. It is better to leave outlying stock where they are, unless they can be moved further from the suspected premises without coming in contact with the main herd."

Notice is given that Government already has powers under Section 42 of the Livestock Ordinance, Cap. 40, Laws of the Falkland Islands, to control the importation of animals and fodder for the purpose of preventing the introduction of infectious or contagious disorder.

Ref. 0797/T.

A Bill for An Ordinance To amend the Immigration Ordinance, 1965.

Title.

Date of commencement.

(, 1967)

Enacting clause.

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

Short title.
10 of 1965.

1. This Ordinance may be cited as the Immigration (Amendment) Ordinance, 1967, and shall be read as one with the Immigration Ordinance, 1965, hereinafter referred to as the principal Ordinance.

Amendment of section 11.

2. Section 11 of the principal Ordinance is amended by the deletion of subsections (3) and (4) and the substitution therefor of the following —

“(3) The Employment Permit shall forthwith cease to be effective and shall be deemed to have been cancelled if the holder —

(a) fails within one month from the date of his landing in the Colony to take up the employment in respect of which it was issued; or

(b) leaves the employment in respect of which his Employment Permit was issued.

(4) A person whose Employment Permit has been cancelled shall not take up new employment without having made application to and being granted a new Employment Permit by the Immigration Officer.”.

Amendment of section 23.

3. Section 23 of the principal Ordinance is amended —

(a) by the insertion in sub-paragraph (v) after the semicolon the word “or”;

(b) by the insertion after sub-paragraph (v) of the following new sub-paragraph —

“(vi) employs any person who is required to be in possession of an Employment Permit who does not possess such Employment Permit;”.

Amendment of the
principal Ordinance.

4. The principal Ordinance is amended by deleting the figures “30” in the margin opposite section 26 and substituting the figures “31”.

OBJECTS AND REASONS

The object of this Bill is to provide adequate control over persons to whom Employment Certificates have been issued under the Immigration Ordinance, 1965.

Ref. 0837/II.

A Bill for An Ordinance

To make further and better provision
for the conduct of certain matrimonial pro-
ceedings and matters incidental thereto or
connected therewith.

Title.

(, 1967)

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 Matrimonial Pro-
ceedings (Court of Summary Jurisdiction) Ordinance, 1967.

Short title.

2. In this Ordinance unless the context otherwise requires —

Interpretation.

“child”, in relation to one or both of the parties to a marriage,
includes an illegitimate or adopted child of that party or, as
the case may be, of both parties, but does not include a child
adopted by some other person or persons, and “parent”, in
relation to any child, shall be construed accordingly; “adopted”
means adopted in pursuance of an adoption order made under
the Adoption Act, 1958, or any enactment repealed by that
Act or by the Adoption Act, 1950;

“child of the family”, in relation to the parties to a marriage,
means —

- (a) any child of both parties; and
- (b) any other child of either party who has been accepted as
one of the family by the other party;

"dependant" means a person—

- (a) who is under the age of sixteen years; or
- (b) who, having attained the age of sixteen but not of twenty-one years, is either receiving full-time instruction at an educational establishment or undergoing training for a trade, profession or vocation in such circumstances that he is required to devote the whole of his time to that training for a period of not less than two years; or
- (c) whose earning capacity is impaired through illness or disability of mind or body and who has not attained the age of twenty-one years;

"drug addict" means a person (not being a mentally disordered person within the meaning of the Mental Treatment Ordinance) who, by reason of the habitual taking or using, otherwise than upon medical advice, of any drug to which any of the provisions of the Dangerous Drugs Ordinance, for the time being applies —

- (a) is at times dangerous to himself or to others, or incapable of managing himself or his affairs; or
- (b) so conducts himself that it would not be reasonable to expect a spouse of ordinary sensibilities to continue to cohabit with him;

"habitual drunkard" means a person (not being a mentally disordered person within the meaning of the Mental Treatment Ordinance) who, by reason of habitual intemperate drinking of intoxicating liquor —

- (a) is at times dangerous to himself or to others, or incapable of managing himself or his affairs; or
- (b) so conducts himself that it would not be reasonable to expect a spouse of ordinary sensibilities to continue to cohabit with him;

"interim order" means an order under section 8 of this Ordinance and includes any order made by virtue of section 10 of this Ordinance varying or reviving an order under the said section 8;

"matrimonial order" means an order under section 4 of this Ordinance and includes any order made by virtue of section 10 of this Ordinance varying or reviving an order under the said section 4.

Matrimonial proceedings
in court of summary
jurisdiction.

3. (1) A married woman or married man may apply by way of complaint to a court of summary jurisdiction for an order under this Ordinance against the other party to the marriage on any of the following causes of complaint arising during the subsistence of the marriage, that is to say, that the defendant —

- (a) has deserted the complainant; or
- (b) has been guilty of persistent cruelty to —
 - (i) the complainant; or
 - (ii) an infant child of the complainant; or
 - (iii) an infant child of the defendant who, at the time of the cruelty, was a child of the family; or
- (c) has been found guilty —
 - (i) on indictment, of any offence which involved an assault upon the complainant; or
 - (ii) by a court of summary jurisdiction, of an offence against the complainant under sections 20, 42, 43 or 47 of the Offences against the Person Act, 1861, being, in the case of the said section 42, an offence for which the defendant has been sentenced to imprisonment or any other form of detention for a term of not less than one month; or

- (iii) of, or an attempt to commit, an offence under any of sections 1 to 29 of the Sexual Offences Act, 1956, or against an infant child of the complainant, or against an infant child of the defendant who, at the time of the commission of or attempt to commit the offence, was a child of the family; or
- (d) has committed adultery; or
- (e) while knowingly suffering from a venereal disease has insisted on, or has without the complainant being aware of the presence of that disease permitted, sexual intercourse between the complainant and the defendant, or
- (f) is for the time being a habitual drunkard or a drug addict; or
- (g) being the husband, has compelled the wife to submit herself to prostitution or has been guilty of such conduct as was likely to result and has resulted in the wife's submitting herself to prostitution; or
- (h) being the husband, has wilfully neglected to provide reasonable maintenance for the wife or for any child of the family who is, or would but for that neglect have been, a dependant; or
- (i) being the wife, has wilfully neglected to provide, or to make a proper contribution towards, reasonable maintenance for the husband or for any child of the family who is, or would but for that neglect have been, a dependant, in a case where, by reason of the impairment of the husband's earning capacity through age, illness, or disability of mind or body, and having regard to any resources of the husband and the wife respectively which are, or should properly be made, available for the purpose, it is reasonable in all the circumstances to expect the wife so to provide or contribute.

(2) A court of summary jurisdiction shall have jurisdiction to hear a complaint under this section —

- (a) if at the date of the making of the complaint either the complainant or the defendant is resident in the Colony; or
- (b) except in the case of a complaint by virtue of paragraph (c) of the foregoing subsection, if the cause of complaint arose wholly or partly within the Colony; or
- (c) in the case of a complaint by virtue of the said paragraph (c), if the offence or attempt to which the complaint relates occurred within the Colony.

4. (1) Subject to the provisions of this section and of section 6 of this Ordinance, on hearing a complaint under section 3 by either of the parties to a marriage the court may make an order (in this Ordinance referred to as a "matrimonial order") containing any one or more of the following provisions, namely —

- (a) a provision that the complainant be no longer bound to cohabit with the defendant (which provision while in force shall have effect in all respects as a decree of judicial separation);
- (b) a provision that the husband shall pay to the wife such weekly sum not exceeding £7 10s. 0d. as the court considers reasonable in all the circumstances of the case;
- (c) where, by reason of the impairment of the husband's earning capacity through age, illness, or disability of mind or body, it appears to the court reasonable in all the circumstances so to order, a provision that the wife shall pay to the husband such weekly sum not exceeding £7 10s. 0d. as the court considers reasonable in all the circumstances of the case;
- (d) a provision for the legal custody of any child of the family who is under the age of sixteen years;

Order by court of summary jurisdiction in matrimonial proceedings.

- (e) if, in the case of any child committed by the order to the legal custody of any person, it appears to the court that there are exceptional circumstances making it desirable that the child should be under the supervision of an independent person, a provision that the child be under the supervision of a probation officer;
- (f) a provision for access to any child of the family by either of the parties or by any other person who is a parent of that child, in a case where the child is committed by the order to the legal custody of a person other than that party or parent;
- (g) a provision for the making by the defendant or by the complainant or by each of them, for the maintenance of any child of the family, of payments by way of a weekly sum not exceeding in the case of payments by either one of the parties in respect of any one child the sum of £2 10s. 0d., being —
 - (i) if and for so long as the child is under the age of sixteen years, payments to any person to whom the legal custody of the child is for the time being committed by the order, or by any other order made by a court in the Colony and for the time being in force;
 - (ii) if it appears to the court that the child is, or will be, or if such payments were made would be, a dependant though over the age of sixteen years, and that it is expedient that such payments should be made in respect of that child while such a dependant, payments to such person (who may be the child) as may be specified in the order, for such period during which the child is over the age of sixteen years but under the age of twenty-one years as may be so specified.

(2) Where, on a complaint under section 3 of this Ordinance, the court makes a matrimonial order on the ground that the defendant is for the time being a habitual drunkard or a drug addict, and the order contains such a provision as is mentioned in paragraph (a) of the foregoing subsection, then, if in all the circumstances, and after giving each party to the proceedings an opportunity of making representations, the court thinks it proper so to do, the court may include in that order —

- (a) if the complainant is the husband, a provision such as is mentioned in paragraph (b) of the foregoing subsection; or
- (b) if the complainant is the wife, a provision such as is mentioned in paragraph (c) of that subsection;

but save as aforesaid the said paragraphs (b) or (c) shall not authorise the court to require any payment such as is therein mentioned to be made by the complainant.

(3) The court hearing a complaint under section 3 of this Ordinance shall not make a matrimonial order containing a provision such as is mentioned in paragraphs (a), (b) or (c) of subsection (1) of this section —

- (a) on the ground that the defendant has committed an act of adultery, unless the court is satisfied that the complainant has not condoned or connived at, or by wilful neglect or misconduct conduced to, the act of adultery; or
- (b) where the complainant is proved to have committed an act of adultery during the subsistence of the marriage, unless the court is satisfied that the defendant has condoned or connived at, or by wilful neglect or misconduct conduced to, that act of adultery.

(4) The court shall not make an order containing such a provision as is mentioned in paragraph (d) of subsection (1) of this section in respect of any child with respect to whose custody an order made by a court in the Colony is for the time being in force.

(5) In considering whether any, and if so what, provision should be included in a matrimonial order by virtue of paragraph (g) of subsection (1) of this section for payments by one of the parties in respect of a child who is not a child of that party, the court shall have regard to the extent, if any, to which that party had, on or after the acceptance of the child as one of the family, assumed responsibility for the child's maintenance, and to the liability of any person other than a party to the marriage to maintain the child.

5. (1) Where a matrimonial order provides for a child to be under the supervision of a probation officer, that officer shall be selected in like manner as if the order were a probation order.

Supplementary provisions
as to supervision of a
child.

(2) Any provision of a matrimonial order that a child be under the supervision of a probation officer shall cease to have effect as respects any child when the child attains the age of sixteen years.

6. (1) Where the court has begun to hear a complaint —

- (a) under section 3 of this Ordinance; or
- (b) for the variation of a matrimonial order —
 - (i) by the revocation, addition or alteration of provision for the legal custody of a child; or
 - (ii) by the revocation of a provision that a child be under the supervision of a probation officer; or
- (c) for the revocation of a matrimonial order consisting of or including any such provision as aforesaid,

Special powers and duties
with respect to children.

then, whether or not the court makes the order for which the complaint is made, but subject to subsections (4) and (5) of section 4 of this Ordinance and subsection (6) of this section, the court may make a matrimonial order, containing, or, as the case may be, vary the matrimonial order so that it contains, any provision such as is mentioned in paragraphs (d) to (g) of subsection (1) of the said section 4 which, after giving each party to the proceedings an opportunity of making representations, the court thinks proper in all the circumstances; and the court shall not dismiss or make its final order on any complaint in a case where the powers conferred on the court by this subsection are or may be exercisable until it has decided whether or not, and if so how, those powers should be exercised.

(2) Where, on hearing such a complaint as aforesaid or a complaint for the variation of a matrimonial order by the revocation, addition or alteration of provision for access to a child, the court, after it has made any decision which falls to be made on the complaint with respect to any provision such as is mentioned in paragraphs (a) to (c) of subsection (1) of section 4 of this Ordinance, is of the opinion that it has not sufficient information to make the decision required by the foregoing subsection or, as the case may be, to make a decision as to access to the child, the court may call for a report, either oral or in writing, by a probation officer, with respect to such matters as the court may specify, being matters appearing to the court to be relevant to that decision.

(3) Any statement which is or purports to be a report in pursuance of the last foregoing subsection shall be made, or if in writing be read aloud, before the court at a hearing of the complaint, and immediately after it has been read aloud the court shall ask whether any party to the proceedings who is present at the hearing objects to anything contained therein; and where objection is made—

- (a) the court shall require the officer by whom the statement was or was purported to be made to give evidence on oath with respect to the matters referred to therein; and
- (b) any party to the proceedings may give or call evidence with respect to any matter referred to in the statement or in any evidence given by the officer.

(4) Subject to the next following subsection, the court may take account of any statement made or read aloud under the last foregoing subsection and of any evidence given under paragraph (a) of that subsection, so far as that statement or evidence relates to the matters specified by the court under subsection (2) of this section, notwithstanding any law relating to the admissibility of evidence.

(5) A report in pursuance of subsection (2) of this section shall not include anything said by either of the parties to a marriage in the course of an interview which took place with, or in the presence of, a probation officer with a view to the reconciliation of those parties, unless both parties have consented to its inclusion; and if anything so said is included without the consent of both those parties as part of any statement made or read aloud under subsection (3) of this section, then, unless both those parties agree otherwise, that part of the statement shall, for the purposes of the giving of evidence under the said subsection (3) and for the purposes of subsection (4) of this section, be deemed not to be contained in the statement.

(6) On the hearing of a complaint under section 3 of this Ordinance in the case of which there is a child of the family who is not a child of both parties, other than a child with respect to whose custody an order made by a court in the Colony is for the time being in force —

- (a) subsections (1) and (3) of this section shall have effect as if any person, who, though not a party to the proceedings, is a parent of that child and who is present at the hearing were a party to the proceedings; and
- (b) if any such person is not so present, the court shall not make a matrimonial order on the complaint unless it is proved to the satisfaction of the court, on oath or in such other manner as may be prescribed, that such steps have been taken as may be so prescribed with a view to giving notice to that person of the making of the complaint and of the time and place appointed for the hearing:

Provided that nothing in paragraph (b) of this subsection shall require notice to be given to any person as the father of an illegitimate child unless that person has been adjudged by a court to be the father of that child.

(7) Where for the purposes of this section the court adjourns the hearing of any complaint, then, subject to subsection (2) of section 46 of the Magistrates' Courts Act, 1952 (which requires adequate notice of the time and place of the resumption of the hearing to be given to the parties) the court may resume the hearing at the time and place appointed notwithstanding the absence of both or all of the parties.

(8) In any proceedings in which the powers conferred on the court by subsection (1) of this section are or may be exercisable, the question whether or not, and if so how, those powers should be exercised shall be excepted from the issues arising in the proceedings which, under the proviso to subsection (1) of section 60 of the Magistrates' Courts Act, 1952, must be determined by the court before the court may direct a probation officer to make to the court under that section a report on the means of the parties.

Refusal of order in case more suitable for Supreme Court.

7. Where on hearing any complaint under section 3 of this Ordinance a court of summary jurisdiction is of the opinion that any of the matters in question between the parties would be more conveniently dealt with by the Supreme Court, the court of summary jurisdiction may refuse to make a matrimonial order on the complaint, and no appeal shall lie from that refusal; but if in any proceedings in the Supreme Court relating to or comprising the same subject matter as that complaint, the Supreme Court so orders, the complaint shall be re-heard and determined by a court of summary jurisdiction.

8. (1) Where in the case of any complaint made to a court of summary jurisdiction under section 3 of this Ordinance —

Interim order by court of summary jurisdiction or Supreme Court.

- (a) the court of summary jurisdiction, at any time before making its final order on the complaint, adjourns the hearing of the complaint for any period exceeding one week; or
- (b) the court of summary jurisdiction refuses by virtue of section 7 of this Ordinance to make a matrimonial order on the complaint; or
- (c) after such a refusal by the court of summary jurisdiction as aforesaid or on an appeal under section 13 of this Ordinance from, or from the refusal of, a matrimonial order on the complaint, the Supreme Court by virtue of the said section 7 or 13 orders that the complaint shall be reheard by a court of summary jurisdiction,

then, in a case falling within paragraphs (a) or (b) of this subsection the court of summary jurisdiction, or in a case falling within paragraph (c) thereof the Supreme Court, may make an order under this section (in this Ordinance referred to as an "interim order").

(2) An interim order may contain —

- (a) any such provision as is mentioned in paragraphs (b), (c) or (g) of subsection (1) of section 4 of this Ordinance; and
- (b) where by reason of special circumstances the court thinks it proper, but subject to subsection (4) of the said section 4, any provision such as is mentioned in paragraphs (d) or (f) of that subsection;

and for the purposes of paragraph (a) of this subsection the reference in sub-paragraph (i) of the said paragraph (g) to any person to whom the legal custody of a child is for the time being committed by an order shall be construed as including a reference to any person, being one of the parties or a parent of the child, who for the time being has the care of the child, and an appeal against an interim order shall not lie if the appeal relates only to such a provision of the order as is mentioned in paragraph (a) of this subsection.

(3) Without prejudice to sections 9, 10 and 13 of this Ordinance, an interim order in connection with any complaint shall cease to be in force on whichever of the following dates occurs first, that is to say —

- (a) the date, if any, specified for the purpose in the interim order;
- (b) the date of the expiration of the period of three months beginning with the date of —
 - (i) the making of the interim order; or
 - (ii) if the interim order is one of two or more such orders made with respect to the same complaint by virtue of the same paragraph of subsection (1) of this section, the making of the first of those interim orders;
- (c) the date of the making of a final order on, or the dismissal of, the complaint by a court of summary jurisdiction.

(4) An interim order made by the Supreme Court under this section on ordering that a complaint be reheard by a court of summary jurisdiction shall, for the purposes of its enforcement and for the purposes of section 10 of this Ordinance, be treated as if it were an order of that court of summary jurisdiction and not of the Supreme Court.

(5) The powers conferred on the Supreme Court by this section shall be without prejudice to the powers of that court on an appeal under section 13 of this Ordinance from the refusal of an interim order by a court of summary jurisdiction.

Suspension or cessation of order.

9. (1) Where a matrimonial or interim order is made while the parties to the marriage in question are cohabiting —

- (a) the order shall not be enforceable and no liability shall accrue thereunder until they have ceased to cohabit; and
- (b) if in the case of a matrimonial order they continue to cohabit for the period of three months beginning with the date of the making of the order, the order shall cease to have effect at the expiration of that period:

Provided that, unless the court in making the order directs otherwise, this subsection shall not apply to any provision of the order —

- (i) committing a child to the legal custody of a person other than one of the parties, or for access to that child by either of the parties or by any other person who is a parent of the child; or
- (ii) providing for a child to be under the supervision of a probation officer; or
- (iii) for the making by either or each of the parties to a person other than one of the parties of payments for the maintenance of a child.

(2) Without prejudice to section 10 of this Ordinance, any provision of a matrimonial or interim order other than such a provision as is referred to in the proviso to the foregoing subsection shall cease to have effect upon the parties to the marriage in question resuming cohabitation.

(3) Where after the making by a court of summary jurisdiction of —

- (a) a matrimonial order consisting of or including a provision such as is mentioned in paragraphs (b), (c) or (g) of subsection (1) of section 4 of this Ordinance; or
- (b) an interim order,

proceedings between, and relating to the marriage of, the parties to the proceedings in which that order was made have been commenced in the Supreme Court, the Supreme Court may, if it thinks fit, direct that the said provision or, as the case may be, the interim order shall cease to have effect on such date as the Supreme Court may specify.

Revocation, revival and variation of orders.

10. (1) Subject to section 6 of this Ordinance, section 53 of the Magistrates' Courts Act, 1952 (which provides for the revocation, revival or variation, by order on complaint, of an order of a court of summary jurisdiction for the periodical payment of money) and the proviso to subsection (1) of section 55 of that Act (which relates to costs on the hearing of such a complaint) shall apply for the purpose of the revocation, revival or variation of any matrimonial or interim order as if that order were an order for the periodical payment of money, whether or not it is in fact such an order; and a complaint for the said purpose may be heard whatever the time at which it is made; and for the avoidance of doubt it is hereby declared that for the purposes of this Ordinance the expression "variation" in relation to any order includes the addition to that order of any provision authorised by this Ordinance to be included in such an order:

Provided that, without prejudice to the powers and duties of the court under section 6 of this Ordinance, nothing in this section shall authorise the making of a complaint —

- (a) for the variation of an order by the addition of a provision that a child be under the supervision of a probation officer; or
- (b) for the revival of any such provision as aforesaid which has ceased to be in force.

(2) Where on a complaint for the revocation of a matrimonial order it is proved that the parties to the marriage in question have

resumed cohabitation or that the party on whose complaint the order was made has during the subsistence of the marriage committed an act of adultery, the court shall revoke the order:

Provided that —

- (a) the court shall not be bound by reason of such a resumption of cohabitation to revoke any provision of the order such as is mentioned in the proviso to subsection (1) of section 9 of this Ordinance;
- (b) the court shall not revoke the order by reason of such an act of adultery as aforesaid —
 - (i) except at the request of the person who was the defendant to the proceedings in which the order was made; or
 - (ii) if the court is of the opinion that the person aforesaid has condoned or connived at, or by wilful neglect or misconduct condoned to, that act of adultery,

and shall not be bound by reason of that act of adultery to revoke any provision of the order included therein by virtue of paragraphs (d) to (g) of subsection (1) of section 4 of this Ordinance.

(3) The court before which there fall to be heard any proceedings for the variation of a provision for the payment of money contained in a matrimonial or interim order may, if it thinks fit, order that those proceedings and any other proceedings being heard therewith shall be treated for the purposes of the Magistrates' Courts Act, 1952, as domestic proceedings; and that Act shall thereupon have effect accordingly notwithstanding anything in subsection (1) of section 56 thereof; and no appeal shall lie from, or from the refusal of, an order under this subsection.

11. (1) It is hereby declared that any jurisdiction conferred on a court by virtue of section 10 of this Ordinance is exercisable notwithstanding that the proceedings are brought by or against a person residing outside the Colony:

Complaint for variation, etc., by or against person outside the Colony.

Provided that a matrimonial order shall not be varied by the addition of such a provision as is mentioned in paragraph (a) of subsection (1) of section 4 of this Ordinance if the defendant to the complaint for the variation resides outside the Colony.

(2) Where, at the time and place appointed for the hearing of a complaint by virtue of section 10 of this Ordinance, the defendant does not appear but —

- (a) the court is satisfied that there is reason to believe that the defendant has been outside the Colony during the whole of the period beginning one month before the making of the complaint and ending with the date of the hearing; and
- (b) it is proved to the satisfaction of the court, on oath, or in such other manner as may be prescribed, that such steps have been taken as may be so prescribed with a view to giving notice to the defendant of the making of the complaint and of the time and place aforesaid,

the court may, if it thinks it reasonable in all the circumstances so to do, proceed to hear and determine the complaint at the time and place appointed for the hearing or for any adjourned hearing in like manner as if the defendant had appeared at that time and place.

(3) Where a complaint for the revocation or variation of any provision for the making of payments by the complainant to the defendant is heard by virtue of subsection (2) of this section in the absence of the defendant, and the court is satisfied that there is reason to believe that during the period of six months immediately preceding the making of the complaint the defendant was continuously outside the Colony or was not in the Colony on more than thirty days, then, if in all the circumstances, and having regard to any communication to the court in writing purporting to be from the

defendant, the court thinks it reasonable so to do, the court may make the order for which the complaint is made or make such variation in that provision by way of reducing the amount of the payments as the court thinks fit.

(4) For the purposes of the hearing by virtue of subsection (2) of this section, in the absence of the defendant, of a complaint for the revocation or variation of a matrimonial order under which payments fall to be made by the complainant to the defendant through a court of summary jurisdiction, a certificate in writing by an officer of the court dated not earlier than ten days before the date of the hearing and stating that, during the period mentioned in paragraph (a) of subsection (2) of this section (or so much as precedes the date of the certificate) or, as the case may be, during the period mentioned in subsection (3) of this section —

- (a) every payment made under the order has been forwarded by the court collecting officer to an address outside the Colony; and
- (b) the defendant has not to the knowledge of the court collecting officer been in the Colony at any time or, in the case of the period mentioned in the said subsection (3), on more than thirty days, shall be sufficient evidence that there is reason to believe as mentioned in paragraph (a) of the said subsection (2) or, as the case may be, in the said subsection (3).

(5) Nothing in this section shall be construed as authorising the making of an order by virtue of section 10 of this Ordinance against a person residing outside the Colony for the inclusion in a matrimonial or interim order of any provision requiring payments to be made by that person exceeding in amount those, if any, required to be made by him under the order sought to be varied, unless the order by virtue of the said section 10 is made at a hearing at which either that person appears or the requirements of subsection (3) of section 47 of the Magistrates' Courts Act, 1952, with respect to proof of service of summons or appearance on a previous occasion are satisfied in respect of that person.

Parties to complaint for variation etc.

12. (1) A complaint by virtue of section 10 of this Ordinance for the revocation, revival or variation of a matrimonial or interim order may be made in the following cases by the following persons in addition to the parties to the marriage in question, that is to say —

- (a) where a child of the family is not a child of both the parties to the marriage, a complaint relating to any provision with respect to the child such as is mentioned in paragraphs (d) or (f) of subsection (1) of section 4 of this Ordinance may be made by any person who, though not one of the parties to the marriage, is a parent of the child;
- (b) a complaint relating to payments under the order such as are mentioned in paragraph (g) of the said subsection (1) may be made by any person to whom such payments fall, or upon the making of the order for which the complaint is made would fall, to be made;
- (c) where under the order a child is for the time being committed to the legal custody of some person other than one of the parents, a complaint relating to any provision with respect to the child such as is mentioned in the said paragraphs (d) or (f) may be made by any person to whose legal custody the child is committed by the order or who seeks the legal custody of the child by the complaint;
- (d) where under the order a child is for the time being under the supervision of a probation officer, the probation officer may make a complaint relating to any provision with respect to the child such as is mentioned in the said paragraphs (d), (f) and (g);

- (e) a complaint for the variation or revocation of a provision of the order that a child be under the supervision of a probation officer, may be made by a probation officer, or by any person to whose legal custody the child is for the time being committed by the order or who by the same complaint also seeks the legal custody of the child.

(2) Provision may be made by rules as to what persons shall be made defendants to any such complaint as aforesaid; and where in the case of any such complaint there are two or more defendants, the powers of the court under subsection (1) of section 55 of the Magistrates' Courts Act, 1952, shall be deemed to include power, whatever adjudication the court makes on the complaint, to order any of the parties to pay the whole or part of the costs of all or any of the other parties.

13. (1) Subject to section 7, subsection (2) of section 8 and subsection (3) of section 10 of this Ordinance, an appeal shall lie to the Supreme Court from, and from the refusal or revocation of, or a refusal to revoke, a matrimonial or interim order by a court of summary jurisdiction.

Appeals.

(2) Subject to subsection (3) of this section, any order of the Supreme Court on an appeal under this section shall for the purposes of the enforcement of the order and for the purposes of section 10 of this Ordinance be treated as if it were an order of the court of summary jurisdiction from which the appeal was brought and not of the Supreme Court.

(3) The last foregoing subsection shall not apply to an order directing that a complaint shall be re-heard by a court of summary jurisdiction or, without prejudice to the provisions of subsection (4) of section 8 of this Ordinance, to an order to which the said subsection (4) applies.

14. (1) A complaint under section 3 of this Ordinance on the ground of the commission of an act of adultery by the defendant may be heard if it is made within six months of the date when that act of adultery first became known to the complainant.

Time limit for complaint on ground of adultery.

(2) Such a complaint as aforesaid shall not be dismissed by reason only that it was not made within the six months allowed by the foregoing subsection if the court is satisfied that the complainant, on the date of the making of the complaint, had not been in the Colony for a continuous period of three months since the date of his return to the Colony after the expiration of the six said months or, if he was in the Colony at the expiration of those six months, the date of his last return to the Colony during those six months.

15. (1) Without prejudice to section 52 of the Magistrates' Courts Act, 1952, the court making an order by virtue of this Ordinance for payment of a periodical sum by one person to another may direct that it shall be paid through the court or to some third party on that other person's behalf instead of directly to that other person; and, for the purposes of any order made by virtue of this Ordinance, the said section 52 shall have effect as if, in subsection (2) thereof, for the words "the applicant for the order" in the first place where those words occur there were substituted the words "the person to whom the payments under the order fall to be made".

Enforcement etc.

(2) Where an order made by virtue of this Ordinance contains a provision committing a child to the legal custody of any person, a copy of the order may be served on any other person in whose actual custody the child for the time being is; and thereupon that provision without prejudice to any other remedy which may be available, be enforced under subsection (3) of section 54 of the Magistrates' Courts Act, 1952, as if it were an order of the court requiring that other person to give up the child to the person to whom the legal custody of the child is committed.

(3) Any person for the time being under an obligation to make payments under any order made in proceedings brought by virtue of this Ordinance shall give notice to such persons, if any, as may be specified in the order of any change of address; and any person who without reasonable excuse fails to comply with this subsection shall be liable on summary conviction to a fine not exceeding £5.

Rules.

16. The Governor in Council may make Rules —

- (a) prescribing the manner of, and the practice and procedure to be followed in, appeals to the Supreme Court under this Ordinance;
- (b) prescribing anything which may be prescribed;
- (c) generally for the better carrying out of the purposes and provisions of this Ordinance.

Cessation of application.

17. The Imperial enactments set out in the first column of the Schedule shall, to the extent specified in the second column thereof, cease to apply in the Colony.

SCHEDULE

CESSATION OF APPLICATION OF ENACTMENTS

	Imperial enactments	Extent of cessation of application
(58 & 59 Vict. c. 39)	The Summary Jurisdiction (Married Women) Act, 1895	The whole Act.
(10 & 11 Geo. 5 c. 63)	The Married Women (Maintenance) Act, 1920	The whole Act.
(15 & 16 Geo. 5 c. 51)	The Summary Jurisdiction (Separation and Maintenance) Act, 1925	The whole Act.
(12, 13 & 14 Geo. 6 c. 99)	The Married Women (Maintenance) Act, 1949	The whole Act.
(14 & 15 Geo. 6 c. 56)	The Guardianship and Maintenance of Infants Act, 1951	Section 2.
(15 & 16 Geo. 6 & 1 Eliz. 2 c. 55)	The Magistrates' Courts Act, 1952	In section 52 the proviso to subsection (2). In section 126, in subsection (1), the paragraph commencing with the words "Maintenance order".

OBJECTS AND REASONS

This Bill amends and consolidates certain laws relating to matrimonial proceedings in courts of summary jurisdiction.

The principal changes in the law, are:

- (a) the relief available to a husband is made substantially the same as that of a wife;
- (b) the court may order the wife to pay maintenance for the children and in certain cases for the husband;
- (c) the scope of the law has been widened to include a child of one party to the marriage who has been accepted as one of the family by the other;
- (d) increases in the weekly maintenance payments from £5 to £7 10s. 0d. in respect of a spouse and from £1 10s. 0d. to £2 10s. 0d. in respect of any one child.

Ref. 17/1938.

A Bill for An Ordinance

To make further and better provision
for the organisation, discipline, powers and
duties of the Falkland Islands Police Force,
and matters incidental thereto and con-
nected therewith. Title.

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

1. This Ordinance may be cited as the Police Ordinance, 1967. Short title.
2. In this Ordinance, unless the context otherwise requires — Interpretation.

“court” means a court of competent jurisdiction;
“Officer in Charge” means the person appointed by the Governor
under section 6 of this Ordinance to be in charge of the Police
Force;
“police officer” means any member of the Force;
“police reserve” means the Falkland Islands Police Reserve;
“standing orders” means all orders issued by the Officer in
Charge under this Ordinance for the instruction and guidance
of the members of the Force;
“subordinate officer” means any police officer below the rank
of sergeant;
“the Force” means the Police Force established under this
Ordinance and designated the Falkland Islands Police Force.

PART I

CONSTITUTION AND EMPLOYMENT OF FORCE

Establishment of the Force.

3. There shall be established in the Falkland Islands a Police Force to be known as the Falkland Islands Police Force.

Objects of the Force.

4. The Force shall be employed in and throughout the Colony for —

- (a) the preservation of the peace;
- (b) the maintenance of law and order;
- (c) the prevention and detection of crime;
- (d) the apprehension and guarding of offenders;
- (e) the protection of property, and for the performance of such duties police officers may carry arms.

Constitution of the Force.

5. The Force shall consist of such police officers as may from time to time be approved by the Governor and enrolled in the Force.

Appointment of Officer in Charge.

6. By notice in the Gazette the Governor may from time to time appoint for the command and control of the Force, an Officer in Charge as he may deem necessary.

General powers of Officer in Charge.

7. (1) The Officer in Charge shall, subject to the orders and directions of the Governor, have the command, superintendence, direction and control of the Force.

(2) The Officer in Charge may, subject to the orders and directions of the Governor, from time to time make orders for the general government of police officers, in relation to their enlistment, ranks, duties, discharge, training, accoutrements, clothing and equipment and places of residence, as well as their distribution and inspection and such other orders as he may deem expedient for promoting efficiency and discipline of such police officers.

(3) The Sergeant shall act as principal assistant to the Officer in Charge in the performance of his duties in respect of the Force. Any act or thing which may be done, ordered or performed by the Officer in Charge may, during the absence or incapacity of the Officer in Charge or to the extent to which he is authorised by him, be done, ordered or performed by the Sergeant.

Declaration to be made.

8. Every member of the Force shall, on his appointment as such, make and sign before a magistrate or a justice of the peace the following declaration —

"I do solemnly and sincerely declare and affirm that I will well and truly serve Our Sovereign Lady the Queen in the office of police officer for the Colony without favour or affection, malice or ill-will; and that I will to the best of my power cause the peace to be kept and prevent all offences against the person and properties of Her Majesty's subjects; and while I continue to hold the said office, I will to the best of my skill and knowledge, discharge all the duties thereof faithfully according to law.

C. D.

Signature of police officer.

Declared before me on this

day of

A. B.

Justice of the Peace"

PART II

STATUS, DUTIES, PRIVILEGES AND IMMUNITIES

Status of members of the Force.

9. Every person for the time being serving in the Force shall be deemed to be a member of the Force, and shall have and enjoy all the rights, powers, authorities, privileges and immunities conferred upon a member of the Force by any law which is now or may hereafter be in force in the Colony.

10. Every member of the Force shall have such rights, powers, authorities, privileges and immunities, and shall be liable to such duties and responsibilities as are conferred or imposed upon police officers or constables by any law which is now or may hereafter be in force in the Colony.

Rights and liabilities of members of the Force.

11. (1) Where the defence to any suit instituted against a police officer is that the act complained of was done in obedience to a warrant purporting to be issued by the Judge, a justice of the peace or any officer of any court, the court shall, upon production of the warrant containing the signature of any such person, notwithstanding any defect in such warrant, accept such warrant as prima facie evidence of the due making thereof, and upon proof that the act complained of was done in obedience to such warrant, enter judgment in favour of the police officer.

Non-liability for act done under warrant.

(2) No proof of the signature of such person shall be required unless the court has reason to doubt the genuineness thereof; and if it shall be proved that such signature is not genuine, judgment shall nevertheless be given for the police officer if it is proved that at the time when the act complained of was committed, he believed on reasonable grounds that such signature was genuine.

12. No salary or allowance paid to any member of the Force shall be liable to be attached, sequestered or levied upon for or in respect of any debt or claim for any money borrowed by him or any goods supplied to him or to any person on his behalf while he is a member of the Force.

Salary of police officer not to be attached.

13. It shall be the duty of all members of the Force —

General duties of the Force.

- (a) to preserve the peace and prevent and detect crime and other infractions of the law;
- (b) to apprehend and bring before a court persons found committing any offence rendering them liable to arrest without warrant, or whom they may reasonably suspect of having committed any such offence, or who may be charged with having committed any such offence;
- (c) to summon before a court and to prosecute persons reasonably suspected of having committed offences, where an order to that effect is made by the Colonial Secretary or the Officer in Charge, either generally or in any particular case or class of cases;
- (d) to serve and execute at any time all process which they may be directed by any competent authority to serve or execute;
- (e) to keep order in and within the precincts and in the vicinity of all courts during all sittings of such courts;
- (f) to collect and communicate to his superior officers intelligence affecting the public peace or public security;
- (g) to take all steps necessary to prevent the commission of offences and public nuisances;
- (h) to obey all lawful orders of his superior officers;
- (i) to perform the duties of prison officer or warder under the provisions of the Prison Ordinance, 1966; and
- (j) generally, to do and perform all the duties appertaining to the office of a police officer.

14. (1) A member of the Force shall perform such duties as the Officer in Charge or his superiors in the Force may direct.

Officer in Charge to direct duties.

(2) Any member of the Force, if so directed by the Officer in Charge, shall undertake such duties outside the Colony as may be

necessary for the due performance of the duties imposed on the Force by section 13 of this Ordinance.

Administrative Officer.

15. In any area or place where there is no police officer appointed to be in charge of the police stationed therein, the Administrative Officer in charge of that area or place shall, subject to the orders and directions of the Governor, exercise local control over such police in respect of their duties, discipline and well being.

Provided that nothing in this Ordinance shall be deemed to make such Administrative Officer a police officer, but nevertheless any such Administrative Officer shall, subject to any express limitations which may be imposed on him by the Governor, have all powers conferred by law upon police officers.

Police officers to be always on duty.

16. For the purposes of this Ordinance and any law, which is now or may hereafter be in force in the Colony, police officers shall be deemed to be always on duty when required to act as such.

Engaging in trade or business.

17. No member of the Force shall, while he holds such appointment, engage in any private business or trade without the prior consent in writing of the Colonial Secretary.

PART III

MEMBERSHIP OF ASSOCIATIONS, ETC.

Definition of "prohibited association".

18. For the purposes of this Part "prohibited association" means —

- (a) any league or association or body of persons, whether registered or not, which has for its objects or one of its objects, the promotion of feelings of ill-will and hostility between different classes of the community;
- (b) any association, society, club or body of persons, any of the objects of which may be subversive of good discipline on the part of a member of the Force, and which the Governor shall declare to be a prohibited association.

Penalty for offences in connection with prohibited associations.

19. (1) It shall not be lawful for —

- (a) any member of the Force to be or become a member of any prohibited association; or
- (b) any prohibited association to permit any member of the Force to receive any benefit, financial or otherwise, from the association or for any such association to receive money from a member of the Force.

(2) If there shall be any contravention of the provisions of this section, the member of the Force, the association, and every officer of the association who is knowingly a party to such contravention shall be guilty of an offence and liable on summary conviction to a fine not exceeding £25.

Prohibition against membership of trade unions.

20. (1) Except as regards membership of the Civil Servants Association, it shall not be lawful for a member of the Force to become a member of any trade union, or of any association having for its objects, or one of its objects, the controlling or influencing of the pay, pensions, or conditions of service of the Force and any member of the Force who contravenes this provision shall be disqualified from continuing to be a member of the Force; and if any member of the Force continues to act as such after becoming so disqualified, he shall forfeit all pension or gratuity rights and be disqualified from being thereafter employed in the Force.

(2) If any question arises whether any body is a trade union or an association to which this section applies, the question shall be determined by the Registrar of Trade Unions, whose decision shall be final.

PART IV

GENERAL ADMINISTRATION

21. (1) The Officer in Charge may from time to time issue standing orders, consistent with this Ordinance, for any of the following purposes, that is to say —

Standing orders.

- (a) duties to be performed by members of the Force;
- (b) the description and issue of uniforms, equipment and any other article necessary for the use of the Force;
- (c) the training of the Force;
- (d) the management and good government of all police buildings, accommodation, stores and furniture;
- (e) the posting of all members of the Force and the duties to be performed by them;
- (f) the welfare of members of the Force;
- (g) such other matters as may be necessary for preventing abuse or neglect of duty, for rendering the Force more efficient in the discharge of its duties and for carrying out the objects of this Ordinance.

(2) Every such standing order —

- (a) shall be subject to the approval of the Governor; and
- (b) shall be brought to the notice of every member of the Force, but need not be published in the Gazette.

22. No member of the Force shall be at liberty to resign from the Force until after the expiration of three months at least from the time when he gives to the Officer in Charge notice in writing of his intention to do so:

Resignation from the Force.

Provided that the Governor may in special circumstances allow a member of the Force to resign from the Force at any time between the giving of such notice and the expiration of the said period of three months.

23. Any member of the Force who leaves the Force at any time without the permission of the Governor, or without giving to the Officer in Charge a valid notice of his intention to resign from the Force, or before the expiration of any valid notice, shall be deemed to have illegally resigned from the Force, and shall be guilty of an offence and liable on summary conviction to a fine not exceeding £100 or to imprisonment not exceeding two months.

Penalty for illegal resignation.

24. It shall be sufficient in any charge or complaint for an offence under section 23 to state that the person proceeded against, being then a member of the Force, did illegally leave the Force, and the onus of proving that his leaving the Force was with the permission of the Governor and that a valid notice was given shall be on the person proceeded against.

Proving resignation with permission.

25. Any magistrate or justice of the peace, on a complaint being made to him on oath by any police officer that any member of the Force has illegally left the Force and that there is reasonable cause to suspect that such member of the Force is concealed in his own premises or on the premises of any other person, or is on board of any vessel within the limits of the Colony, shall grant to such police officer a warrant to search, with proper assistance, the premises or vessel in which such member of the Force is suspected of being concealed and, if found, to arrest him in order that he may be dealt with according to law.

Warrant to arrest police officer illegally leaving the Force.

26. Whenever any member of the Force ceases to belong to the Force he shall deliver over his uniforms and any other equipment which may have been supplied to him at such time and place and to

Return of equipment and clothing.

such person as shall be directed by the Officer in Charge. If he fails to produce, or to account satisfactorily for the absence of, such clothing or equipment he shall be guilty of an offence and liable on summary conviction to pay the value of the same, or in default of payment, to imprisonment not exceeding one month. If such failure to produce or to account satisfactorily be in the opinion of the court wilful, the defaulter shall be guilty of an offence and liable on summary conviction to a fine not exceeding £20.

Prolongation of service in case of war or emergency.

27. Any police officer whose period of service expires during a state of war or state of emergency may be retained in the Force and his service prolonged for such further period as the Governor may direct, but not for more than six months after the ending of such state or time.

PART V — DISCIPLINE

Method of dealing with offences by police officers.

28. (1) (a) Any offence committed by a member of the Force with respect to which criminal proceedings are not instituted in a court of competent jurisdiction shall be dealt with and punished in accordance with the provisions of this Ordinance and any regulations made by the Governor under the powers conferred on him by this Ordinance, and subject to the provisions of section 32 in accordance with Colonial Regulations and the Government General Orders;

(b) Any police officer convicted of a criminal offence by any court of competent jurisdiction may be reduced in rank or dismissed provided that the person so dealt with may within seven days of the notification to him of such reduction or dismissal, as the case may be, appeal to the Governor whose decision on the matter shall be final.

(2) In this Part "offence" means —

- (a) any offence against any other law;
- (b) any offence against, contravention of or failure to comply with this Ordinance;
- (c) any offence against, contravention of or failure to comply with standing orders.

Police officers guilty of offences.

29. (1) Any police officer who shall be guilty of any offence against discipline shall be liable on conviction in such manner and before such person as may be prescribed by Regulations to any of the punishments prescribed in section 30.

(2) Offences against discipline shall be those prescribed by Regulations made under section 38 of this Ordinance.

(3) A police officer shall not be dealt with under this Ordinance where the offence alleged against him is one cognisable under the general law:

Provided that any of the punishments specified in paragraphs (a) to (d) of section 30 shall be subject to the approval of the Governor.

Punishment.

30. When a charge or complaint is made against a subordinate officer for a disciplinary offence under the Regulations, the Officer in Charge may hear and determine the charge or complaint and where he is satisfied that the charge has been proved may recommend the imposition on the offender of any of the following punishments —

- (a) Dismissal;
- (b) Determination of services;
- (c) Reduction in rank;
- (d) Reduction in rate of pay;

- (e) Fine not exceeding £10;
- (f) Extra duty;
- (g) Reprimand;
- (h) Caution;

31. (1) The Officer in Charge shall have power under the preceding section to summon and examine witnesses on oath or affirmation and to require production of all documents relevant to such inquiry and to adjourn any hearing from time to time. In every case the proceedings shall be recorded in writing.

Powers of officers holding inquiry.

(2) Any person summoned as a witness under subsection (1) of this section who fails to attend at the time and place stated in the summons or at the adjournment or refuses to answer any question that is lawfully put to him shall be liable to conviction to a fine not exceeding £5 or to imprisonment for a period not exceeding one month; provided that no such witness shall be obliged to answer any question which may tend to incriminate him or render him liable to any forfeiture or penalty.

32. Any person who is dissatisfied with the decision of the Officer in Charge may appeal to the Governor in accordance with the Regulations relating to appeal made under this Ordinance.

Right of appeal to Governor.

33. Any police officer shall in respect of any matter not provided for in this Ordinance be subject to the provisions of Colonial Regulations and Government General Orders from time to time in force as may be applicable.

Application of Colonial Regulations and General Orders.

PART VI

DISPOSAL OF PROPERTY

34. Where any property has come into the possession of the police in connection with any criminal charge or under section 103 of the Larceny Act, 1861, the Court of Summary Jurisdiction may, on the application either by a member of the Force or by a claimant of the property, make an order for the delivery of the property to the person appearing to the court to be the owner thereof, or, if the owner cannot be ascertained, make such order with respect to the property as the court may think fit.

Power to make orders with respect to property in possession of police.

35. (1) Subject to the provisions of any other Ordinance it shall be the duty of every police officer to take charge of all unclaimed property and to furnish an inventory or description thereof to the Court of Summary Jurisdiction.

Unclaimed property.

(2) The Court of Summary Jurisdiction shall cause a notice to be posted in a conspicuous place at the Court of Summary Jurisdiction and at the Police Station specifying such property and calling upon any person who may have a claim thereto to appear and establish his claim within six months from the date of such notice.

(3) The Court of Summary Jurisdiction may also make such order as to such property as it may deem fit, including an order for detention, sale by auction or private treaty for the benefit of any person who may claim property or for the destruction of such property.

(4) The right to take legal proceedings for the recovery of such property or the proceeds of such sale shall cease if no person shall within six months from the date of the notice aforesaid establish his claim to such property or proceeds thereof.

(5) At the expiration of six months from the date of such notice the property or the proceeds of sale of such property shall, after deduction of any expenses incurred in connection therewith, be paid or returned to the finder of such property, provided he claims the same from the Police Station not later than nine months from the date of such notice.

(6) If at the expiration of three months from the date of expiry of such notice no claim has been made by the finder, the police shall refer the matter to the Court of Summary Jurisdiction who shall be at liberty to order any property other than money to be destroyed or sold by auction or private treaty. The proceeds therefrom and any unclaimed money shall forthwith be paid into the Treasury after deduction of any expense incurred.

Disposal of valueless unclaimed goods or chattels.

36. If goods and chattels of the nature specified in sections 34 and 35 are of no appreciable value or of value so small in the opinion of the Officer in Charge as to render impracticable the sale of such property, the Officer in Charge may order such property to be destroyed or otherwise disposed of as he thinks fit.

Disposal of perishable articles and livestock.

37. Where the property is a perishable article or livestock and the custody of the article or of the livestock involves unreasonable expense or inconvenience, it may be sold at any time but the proceeds of sale shall not be disposed of until they have remained in the possession of the police for a year unless it is proved to the satisfaction of the Officer in Charge that any person laying claim to such article or livestock is in fact the owner of such article or livestock in which case the Officer in Charge may pay the proceeds to the person whose ownership has been so established.

PART VII — MISCELLANEOUS

Regulations.

38. The Governor in Council may make Regulations relating to all or any of the following matters, that is to say —

- (a) the discipline and punishment of members of the Force;
- (b) the conduct of disciplinary proceedings;
- (c) appeals from the decision of the officer holding the inquiry into an offence against discipline;
- (d) the appointment of police officers and the promotion and reduction in rank of police officers;
- (e) the treatment of persons detained or confined in any police building;
- (f) the taking of measurements, photographs, and fingerprint impressions of persons in lawful custody;
- (g) prescribing anything which by this Ordinance is to be or may be prescribed; and
- (h) generally for the good order and government of the Force.

Application of Ordinance to persons already in the Force.

39. All police officers who at the date of commencement of this Ordinance are serving in the Force shall be deemed to have been appointed under and subject to the provisions of this Ordinance.

Repeal of Cap. 51.

40. The Police Ordinance is hereby repealed.

OBJECTS AND REASONS

This Bill provides comprehensive replacement for existing inadequate legislation, and it lays down —

- (a) the constitution and employment of the Police Force;
- (b) status, duties, privileges and immunities;
- (c) the position of Police Officers in relation to associations;
- (d) a code of general administration;
- (e) a code of discipline;
- (f) powers concerning the disposal of property; and
- (g) grants power to the Governor in Council to make Regulations in respect of the Force.

The Police Ordinance, 1967.

REGULATIONS

(under section 38 of the Ordinance)

1. These Regulations may be cited as the Police Regulations, 1967. Citation.

PART I

RECRUITMENT AND PROBATION

2. The following standard is required for enrolment of recruits for the Police Force — Physical standard for recruits.

- (a) Age: A minimum of eighteen years.
- (b) Of good physique.
- (c) Eyesight: Normal or fully corrected with spectacles.
- (d) Ears: No undue deafness.
- (e) Feet and legs: Sufficiently developed to cope with long periods of standing.

3. A recruit may, before entry into the Force, be required to pass a written educational examination, to be set and marked by the Superintendent of Education or such other person as the Colonial Secretary may approve. Examination before entry into Force.

4. A police officer will be on probation for two years after appointment as such, during which period his services may be dispensed with at any time if the Officer in Charge considers that he is not likely to become efficient and well conducted. If his services are so dispensed with, he will receive one month's notice. Probationary period.

PART II — DISCIPLINE

5. Any member of the Force commits an offence against discipline if he commits one or more of the offences set out below (hereinafter in these Regulations referred to as the disciplinary code) — Disciplinary code.

(1) Discreditable conduct, that is to say, if he acts in a disorderly manner or any manner prejudicial to discipline or reasonably likely to bring discredit on the reputation of the Force.

(2) Insubordinate or oppressive conduct, that is to say, if he —

- (a) is insubordinate by word, act or demeanour; or
- (b) is guilty of oppressive or tyrannical conduct towards an inferior in rank; or
- (c) uses obscene, abusive or insulting language to any other member of the Force; or
- (d) wilfully or negligently makes any false complaint or statement against any member of the Force; or
- (e) assaults any other member of the Force; or
- (f) improperly withholds any report or allegation against any member of the Force.

(3) Disobedience to orders, that is to say, if he disobeys or without good and sufficient cause omits or neglects to carry out any lawful order, written or otherwise, or any provision of any Standing Order or Routine Order, or contravenes any of the following requirements —

- (a) a police officer shall at all times abstain from activity which is likely to interfere with the impartial discharge of his duties or which is likely to give rise to the impression amongst members of the public that it may so interfere,

and in particular a police officer shall not take any active part in politics;

- (b) the place at which a police officer resides shall be subject to the approval of the Officer in Charge;
- (c) a police officer shall not wilfully refuse or neglect to discharge any lawful debt.

(4) Neglect of duty, that is to say, if he —

- (a) neglects or without good and sufficient cause omits promptly and diligently to attend to or carry out anything which is his duty as a police officer; or
- (b) idles or gossips while on duty; or
- (c) fails to work his beat in accordance with orders, or leaves his beat or other place of duty to which he has been ordered without due permission or sufficient cause; or
- (d) by carelessness or neglect permits a prisoner to escape; or
- (e) fails, when knowing where any offender is to be found, to report the same, or to make due exertions for making him amenable to justice; or
- (f) fails to report any matter which it is his duty to report; or
- (g) fails to report anything which he knows concerning a criminal charge, or fails to disclose any evidence which he, or any person within his knowledge, can give for or against any prisoner or defendant to a criminal charge; or
- (h) omits to make any necessary entry in any official document or book; or
- (i) neglects, or without good or sufficient cause omits to carry out, any instructions of a government medical officer, or while absent from duty on account of sickness, is guilty of any act or conduct calculated to retard his return to duty.

(5) Falsehood or prevarication, that is to say, if he —

- (a) knowingly makes or signs any false statement in any official document or book; or
- (b) wilfully or negligently makes any false, misleading or inaccurate statement; or
- (c) without good and sufficient cause destroys or mutilates any official document or record, or alters or erases any entry therein.

(6) Breach of confidence, that is to say, if he —

- (a) divulges any matter which is his duty to keep secret; or
- (b) gives notice directly or indirectly to any person against whom any warrant or summons has been or is about to be issued, except in the lawful execution of such warrant or service of such summons; or
- (c) without proper authority communicates to any person, who is not a member of the Force, any matter connected with the Force; or
- (d) without proper authority shows to any person outside the Force any book or written or printed document the property of the government; or
- (e) makes any anonymous communication to the Governor, any public officer, the Officer in Charge or to any superior officer; or
- (f) canvasses any member of the Legislative Council or any public officer with regard to any matter concerning the Force; or

- (g) signs or circulates any petition or statement with regard to any matter concerning the Force except through the proper channel of correspondence to the Officer in Charge; or
- (h) calls or attends any unauthorised meeting to discuss any matter concerning the Force.

(7) Corrupt practice, that is to say, if he —

- (a) receives any bribe; or
- (b) fails to account for or to make a prompt and true return of any money or property received by him in his official capacity; or
- (c) directly or indirectly solicits or receives any gratuity, present, subscription or testimonial, without the consent of the Officer in Charge; or
- (d) places himself under pecuniary obligation to any publican or any person who holds a licence concerning the granting or renewal of which the police may have to report or give advice; or
- (e) improperly uses his character and position as a member of the Force for his private advantage; or
- (f) in his capacity as a member of the Force, writes, signs or gives without the sanction of the Officer in Charge any testimonial or character or other recommendation with the object of obtaining employment for any person or of supporting an application for the grant of a licence of any kind; or
- (g) without the sanction of the Officer in Charge supports an application for the grant of a licence of any kind.

(8) Unlawful or unnecessary exercise of authority, that is to say, if he —

- (a) without good and sufficient cause makes any unlawful or unnecessary arrest; or
- (b) uses any unnecessary violence to any prisoner or other person with whom he may be brought into contact in the execution of his duty; or
- (c) is uncivil to any member of the public.

(9) Malingering, that is to say, if he feigns or exaggerates any sickness or injury with a view to avoiding duty.

(10) Absence without leave or being late for duty, that is to say, if he without reasonable excuse is absent without leave from or is late for parade, court or any other duty.

(11) Uncleanliness, that is to say, if he, while on duty or while off duty in uniform in a public place, is improperly dressed or is dirty or untidy in his person, clothing or accoutrements.

(12) Damage to clothing or other articles supplied, that is to say, if he —

- (a) wilfully or by carelessness causes any waste, loss or damage to any article of clothing or accoutrement, or to any book, document or other government property served out to him or used by him or entrusted to his care; or
- (b) fails to report any loss or damage as in the preceding paragraph however caused.

(13) Drunkenness on duty or soliciting drink, that is to say, if he —

- (a) without the consent of his superior officer, drinks or receives from any person any intoxicating liquor while on duty; or

- (b) demands or endeavours to persuade any other person to give him or to purchase or to obtain from him, any intoxicating liquor while he is on duty.

(14) Entering licensed premises, that is to say, if without permission he enters —

- (a) while on duty any premises where intoxicating liquor is served, sold, stored or distributed when his presence there is not required in the execution of his duty; or
- (b) any such premises in uniform while off duty.

(15) Lending, borrowing or accepting presents, that is to say, if he lends money to any superior in rank or borrows or accepts any present from any inferior in rank.

(16) Conviction for a criminal offence, that is to say, if he has been found guilty by a court of law of any criminal offence.

(17) Being an accessory to a disciplinary offence, that is to say, if he connives at or is knowingly an accessory to any offence against discipline.

PART III — DEFAULTERS

Misconduct report.

6. For any offence against the disciplinary code a police officer will, if considered necessary, be placed on the defaulter's report.

Entries on record.

7. Every punishment will be entered on the defaulter's record sheet.

Defaulter to be served with a copy or report.

8. A defaulter shall, when going off duty or if off duty, as soon as practicable, be supplied with a written copy of the report preferred against him, which must disclose an offence against the disciplinary code with such details of time and place as will leave him under no misapprehension as to the offence for which he is reported.

Defaulter to be afforded access to reports.

9. The defaulter will be afforded access to all reports and statements relevant to the report against him, as soon as they are prepared. If he so desires, he will be permitted to take copies in his own time. Each folio of a report or statement of which a copy is taken must be marked by him "Copy Taken" and initialled by him to show that he has seen it.

Questions to be answered on report form.

10. (1) The defaulter will be invited to state in writing on a report form whether he admits or denies the charge. He will also be invited to state thereon the names and address of any witnesses to relevant facts whose attendance at the hearing of the case he wishes to secure.

(2) He may be present when the statements of his witnesses are being taken.

Trifling irregularities.

11. Police officers are not necessarily to be reported for trifling irregularities which can often be dealt with by immediate verbal reprimand, brief particulars of which should at the time be recorded in the official pocket book of the officer by whom the reprimand is administered. Repeated acts of negligence, although in themselves trifling, must be brought to notice.

Trial of defaulters.

12. Offences against the disciplinary code will be tried by the Officer in Charge.

Other member of Force may assist defaulter.

13. (1) At the trial of an offence against the disciplinary code, the defaulter may be assisted by another member of the Force.

(2) The member of the Force assisting the defaulter or the defaulter may address the Officer in Charge trying the case and examine or cross-examine the witnesses.

(3) The defaulter will be permitted to give evidence on his own behalf.

14. If a defaulter absconds or refuses or neglects without good and sufficient cause to attend the hearing of the charge at the time and place appointed or is serving a sentence of imprisonment the case may be decided in his absence.

Absence of defaulter.

15. When a police officer is reported for rendering himself unfit for duty through drink, whether on or off duty, or for drinking on duty, he shall have the right to require that a medical practitioner shall be called to examine him.

Drunkenness — attendance of doctor.

16. The Officer in Charge, when trying a case against a defaulter, shall record the substance of the evidence in writing.

Recording of evidence.

PART IV

APPEALS AND CONFIRMATION OF PUNISHMENT

17. (1) A police officer who is not satisfied with a decision reached on the trial of any offence against the disciplinary code may, subject to the provisions of this Part, appeal to the Governor, who may vary the decision or allow or reject the appeal.

Conditions to be complied with.

(2) Appeals may only be made on the condition that the officer shall have made his whole defence and called all his available witnesses at the original hearing.

(3) Notice of intention to appeal must be given in writing within forty-eight hours of the award of the punishment, stating whether the appeal is against the finding or the punishment or both.

18. On appeal, the appellant shall, within the prescribed time, give notice of appeal by serving on the Officer in Charge a notice in writing of his intention to appeal and of the general grounds of such appeal.

Notice of appeal.

19. A police officer, if found guilty of an offence by the Officer in Charge, may appeal to the Governor only if he has been sentenced to dismissal, termination of service, reduction in rank or reduction in rate of pay.

Limits of appeal.

20. When a member of the Force appeals to the Governor the Officer in Charge shall forward all records, statements and other papers relevant to the hearing to the Colonial Secretary for onward transmission to the Governor.

Appeals to Governor.

21. Any punishment specified in paragraphs (a) to (d) of section 30 of the Ordinance awarded by the Officer in Charge shall be subject to the approval of the Governor.

Confirmation of punishment.

PART V

COMPLAINTS AGAINST POLICE

22. All complaints against members of the Force shall be investigated without delay

Complaints.

23. (1) When a complaint is lodged against a member of the Force it shall be the duty of the officer receiving it to record it in writing.

Complaints to be recorded in writing.

(2) The officer against whom the complaint is made, will, whenever practicable, be permitted to be present while any statements are being taken from the complainant.

24. In all cases of complaint against a police officer, the Officer in Charge shall enquire into the allegation

Investigating complaints.

25. When the enquiry has been completed the Officer in Charge shall inform the complainant of the result of such enquiry.

Complainant to be informed.

The Police Ordinance, 1967

REGULATIONS

Citation.

1. These Regulations may be cited as the Police Reserve Regulations, 1967.

Interpretation.

2. In these regulations, unless the context otherwise requires, "police reservist" means any member of the Police Reserve.

PART I — APPOINTMENT

Eligibility for appointment.

3. The Officer in Charge may, with the approval of the Governor, appoint as a police reservist any person —

- (a) who is not less than eighteen nor more than sixty years of age;
- (b) who is of good character;
- (c) who is of good health and physique; and
- (d) who is likely to become an efficient and well-conducted police reservist.

Application for appointment.

4. Any person wishing to be appointed as a police reservist shall apply to the Officer in Charge and shall supply such information as the Officer in Charge may require to enable him to decide whether or not the applicant should be so appointed.

Duration of appointment.

5. The appointment of a police reservist shall, unless otherwise specified by the Officer in Charge at the time of appointment, be without limitation as to period, subject to the provisions of regulations 8 and 9 and Part IV.

Declaration on appointment.

6. A police reservist shall on his appointment make and sign the declaration required to be made under section 8 of the Ordinance save that for the reference to police officer there shall be substituted reference to reserve police officer.

PART II

DETERMINATION OF SERVICE

7. A police reservist shall retire from his office as such on reaching the age of sixty-five years:

Provided that in any case, the Officer in Charge may permit a police reservist to continue to serve until such age not exceeding sixty-five as he may determine.

8. A police reservist may resign his office at any time upon giving to the Officer in Charge not less than one month's notice in writing:

Provided that the Officer in Charge may in any case allow a police reservist to withdraw from the Reserve at any time between the giving of the notice and the expiration of the said period of one month.

Determination by Officer in Charge.

9. The Officer in Charge may, at his discretion, determine the service of any police reservist by giving him not less than one month's notice in writing.

PART III

DUTIES, PRIVILEGES AND IMMUNITIES

Application of Part II of Ordinance.

10. Part II of the Ordinance shall apply to a police reservist as it applies to a member of the Force.

11. A police reservist shall, subject to the provisions of these Regulations, be subject to and governed by the provisions of any Standing Orders issued under the Ordinance in the same manner as a member of the Force, save in so far as such Standing Orders shall be expressed as not to be applicable to a police reservist.

Standing Orders and section 24 of the Ordinance.

PART IV

RANK AND CONDITIONS OF SERVICE

12. The Police Reserve shall consist of such numbers of the following ranks as the Governor may direct, in order of seniority as shown —

Sergeants
Constables.

Ranks in Reserve.

13. Any rank in the Police Reserve other than that of constable may be filled by a member of the Force, appointed to that rank in the Force and seconded for duty with the Police Reserve. Any member of the Force so seconded shall for all purposes be deemed to be still a member of the Force.

Secondment of police officers.

14. Police reservists shall receive such pay and allowances as may be assigned to them by the Governor in Council.

Pay and allowances.

15. The Pensions Ordinance and the Pensions Regulations shall not apply to a police reservist or (subject to regulation 16) to any service as a police reservist.

Service in Police Reserve not pensionable.

16. If a police reservist becomes a member of the Force, having been appointed thereto under the Ordinance, without any break in service, then one-half of his continuous service in the Police Reserve after the age of twenty years shall be deemed to have been service as a police officer for the purposes of the Pensions Ordinance and Pensions Regulations and to have been continuous with the period of his service as a police officer.

When service as police reservist may be pensionable service.

PART V

CONTROL AND DISCIPLINE OF POLICE RESERVE

17. Without prejudice to the powers conferred upon the Officer in Charge by regulation 9, and subject to the provisions of these Regulations —

Application of Police Ordinance and Police Regulations.

- (a) Part V of the Ordinance shall apply to a police reservist as it applies to a member of the Force;
- (b) Parts II, III, IV and V of the Police Regulations, shall apply to a police reservist as they apply to a member of the Force.

18. The Officer in Charge shall have command, superintendence and direction of the Police Reserve and shall be responsible for the efficient administration of the Police Reserve and for the proper expenditure of all public moneys appropriated for the service thereof.

Officer in Charge to command reserve.

A Bill for
An Ordinance

Title.

To legalise certain payments made in the year 1966-67 in excess of the Expenditure sanctioned by Ordinance No. 4 of 1966.

Preamble.

WHEREAS it is expedient to make further provision for the service of the Colony for the period 1st July 1966 to 30th June 1967.

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 (1966-67) Ordinance, 1967.

Appropriation of excess expenditure for the period 1st July 1966 to 30th June 1967.

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 1966 to 30th June 1967, 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
FALKLAND ISLANDS		£
III	Audit	1,168
V	Customs & Harbour	19
VII	Medical	447
IX	Military	943
X	Miscellaneous	11,765
XVII	Public Works Special	392
XVIII	Secretariat, Treasury & Central Store ...	5,162
		19,896
Development "A"		24,522
Total Expenditure £		44,418

OBJECTS AND REASONS

The amounts appearing in the Schedule are those by which the amounts approved in the Appropriation Ordinance for 1966/67 were exceeded. This Bill seeks formal covering approval for the excess expenditure.

A Bill for
An Ordinance
To revise the law relating to Education.

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 Education Ordinance, 1967.

Short title.

2. In this Ordinance and Regulations thereunder unless the context otherwise requires —

Definitions.

“child” means any person who has attained the age of five years and has not attained the age of fifteen years;

“parent” in relation to a child includes guardian and every person who has the actual custody of a child;

“recognised school” means a school approved by the Governor by notice in the Gazette;

“recognised teacher” means a teacher approved by the Governor by notice in the Gazette;

“Superintendent” means the Superintendent of Education or the Officer acting in that behalf;

“Headmaster” means the officer appointed to be in charge of a recognised school or schools;

"bursary" means an award enabling a pupil over the statutory school leaving age to continue his studies at an approved level either within or outside the Colony;

"scholarship" means an award enabling a pupil within the statutory school attendance age limits to continue his studies at an approved level outside the Colony;

"term" means the period appointed for continuous instruction in a school;

"overseas educational allowance" means an allowance to the parent of a child who is receiving full time education outside the Colony and is not in receipt of any other allowance or award from any public or institutional source.

PART I.

Education within the Colony.
Age of entry.

3. A child shall be entered at a recognised school on the first day of the term in which he shall reach the age of five years, provided that for the purposes of this section a term shall include the subsequent holiday period.

Boarding pupils Darwin School.

4. Boarding pupils at Darwin School shall be entered upon or after attaining the age of seven years, provided that entry after the twelfth birthday shall be at the discretion of the Superintendent of Education.

Age of entry camp tuition.

5. A child who is to receive tuition from a recognised teacher in camp shall attend for such tuition from the date of his fifth birthday.

Duty of parent to have child educated.

6. It shall be the duty of the parent of a child to cause that child to receive education by attending regularly either —

- (a) a recognised school; or
- (b) the classes held by a recognised teacher; or
- (c) in certain circumstances, with the permission of the Superintendent, to receive instruction by the parent:

Provided that it shall be a sufficient cause for non-compliance with the requirements of this section if:

- (a) in the case of a child under the age of seven years, there is neither a recognised school nor a recognised teacher within one mile, or in the case of a child of the age of seven years or over, within two miles from the residence of such child, provided further that this subsection shall not apply to a child resident within the limits of Stanley;
- (b) the child has been prevented from receiving education by reason of sickness;
- (c) the child is absent on any day set apart for religious observance by the religious body to which a parent belongs.

School attendance orders.

7. (1) If it appears to the Superintendent that any parent is failing to perform the duty imposed on him by section 4 he shall serve on such parent a notice requiring him within seven days, if the parent resides in Stanley, or thirty days if the parent resides outside Stanley, from the date of service thereof, to satisfy the Superintendent that the child is receiving sufficient education.

(2) If, after the said notice, and without reasonable cause, the parent of any child fails to cause the child to receive education as provided in section 4 the Superintendent shall serve on the parent an order in the prescribed form (hereinafter referred to as a school attendance order) requiring him to cause the child to receive education as specified in the order.

(3) Any person upon whom a school attendance order is served who fails to comply with the requirements of the order shall be guilty of an offence.

8. Children registered at a recognised school or with a recognised teacher may be inspected by a Government medical or dental officer at appropriate intervals as the Senior Medical Officer may direct and the parent of any such child who shall fail without reasonable cause to submit that child for such inspection shall be guilty of an offence.

Medical and dental inspections.

9. (1) The Superintendent shall cause inspection to be made of all recognised schools or classes under a recognised teacher at such intervals as may appear to him to be appropriate.

Inspection of schools.

(2) If any person obstructs a person authorised under this section to make an inspection in the execution of his duty he shall be liable on summary conviction to a fine not exceeding twenty pounds, or on a second or subsequent conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months, or to both such fine and imprisonment.

PART II.

SCHOLARSHIPS AND BURSARIES.

10. There shall be a scholarships board for the Colony composed of the following members —

Scholarships board.

The Colonial Secretary who shall be chairman of the board, the Superintendent and such other members not exceeding three as shall be appointed biennially by the Governor, and it shall be lawful for the Governor from time to time to fill any vacancy or vacancies on the board.

11. The board shall meet from time to time as may be necessary by order of the Governor, or on a summons from the chairman, or in his absence the senior member.

Meetings.

12. At all meetings of the board three members shall form a quorum for the transaction of business, and in the absence of the chairman the senior member present shall preside.

Quorum.

13. Minutes of proceedings of the board shall be entered in a book kept for the purpose by the chairman and a copy of the minutes shall be forwarded to the Governor in Council.

Minutes of board.

14. The board shall award scholarships and bursaries in accordance with Regulations made under this Ordinance for such purposes.

PART III. — GENERAL.

15. Any person guilty of an offence under this Ordinance for which a penalty is not prescribed shall be liable on summary conviction in the case of a first offence to a fine not exceeding five pounds, in the case of a second offence to a fine not exceeding twenty-five pounds and in the case of a third or subsequent offence to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months, or to both such fine and imprisonment.

16. (1) The Governor in Council may make Regulations for carrying this Ordinance into effect.

Regulations.

(2) In particular and without prejudice to the generality of the foregoing power such Regulations may —

- (a) prescribe the hours of attendance at schools;
- (b) prescribe the periods of vacation;
- (c) make provision for the closure of schools;

- (d) make provision for the administration of punishment in schools;
- (e) make provision for the medical examination of pupils;
- (f) make provision for the administration of boarding allowances;
- (g) make provision for the payment of assisted passages for pupils travelling within the Colony;
- (h) make provision for the sitting of overseas external examinations;
- (i) prescribe conditions for the grant and withdrawal of scholarships, overseas education allowances, and bursaries;
- (j) make provision concerning school buildings and physical conditions in schools.

Repeal. (Cap. 22)

17. The Education Ordinance is repealed.

OBJECTS AND REASONS

This Bill seeks to replace existing legislation which has been shown to be out-of-date and inadequate.

Provision is made for the statutory establishment of a Scholarships and Bursaries Board.

Ref. 2390.

The Education Ordinance (Cap. 22)

REGULATIONS

(under section 10 of the Ordinance)

PART I — GENERAL

1. These Regulations may be cited as the Schools Regulations.

Citation.

2. (1) The hours of attendance at recognised schools shall be from 9.0 a.m. to noon and from 2.0 p.m. to 4.0 p.m. on Mondays to Fridays except during periods of vacation or on public holidays.

Hours of attendance.

(2) Teachers shall open schools punctually at the times prescribed.

(3) Tuition by recognised teachers in camp shall be from 9.0 a.m. to noon and from 2.0 p.m. to 4.0 p.m. on Mondays to Fridays except during periods of vacation and public holidays.

3. Teachers shall register the attendance of children at each morning and afternoon session and shall not register an attendance where a child arrives more than fifteen minutes after the commencement of the session except in the case where a child is late because of medical or dental treatment.

Registration of pupils.

4. The regular school holidays shall be —

School holidays.

(1) Recognised schools other than Darwin Boarding School. The school year shall be of three terms, the first of thirteen weeks, the second of fourteen weeks and the third of thirteen weeks duration so arranged as to allow a holiday of two weeks towards the end of May, two weeks at the beginning of September and eight weeks beginning on the Friday of the week preceding the week in which Christmas Day occurs; such dates to be notified by publication in the Gazette.

Recognised schools.

(2) A mid-term holiday not exceeding one and a half days duration may be granted in each term at the discretion of the Headmaster.

(3) Darwin Boarding School. The school year shall be of three terms, the first term of not less than twelve weeks, the second of eleven weeks and the third of fourteen weeks duration so arranged as to allow three weeks holiday in May, three weeks in August and not less than nine weeks at Christmas.

5. Tuition by recognised teachers in camp will take place except during the following periods —

School holidays in camp.

- (a) three weeks commencing from the Friday of the week preceding the week in which Christmas Day occurs;
- (b) one week which shall coincide with the annual camp sports meetings;
- (c) two other weeks authorised by the Superintendent;
- (d) Battle Day and Good Friday.

6. The Senior Medical Officer may close any school or order the cessation of teaching by recognised teachers in the camp on account of disease or for any other sufficient cause.

Closure due to disease.

7. (1) Time tables and schemes of work shall be prepared in advance of the beginning of the school year by the Headmaster and submitted to the Superintendent for his approval.

Schemes of work.

(2) Schemes of work for use by recognised teachers in camp shall be prepared by the Superintendent.

8. (1) The senior teacher in each school shall maintain a log book containing entries relevant to the school, pupils and staff.

Log books.

(2) An entry shall not be removed or altered other than by a subsequent entry.

(3) Recognised teachers in camp shall maintain a log book containing entries relevant to all pupils in their charge.

Materials.

9. Half the cost of all materials used in the instruction of subjects of a practical nature other than that which the Headmaster decides is necessary for the purpose of instruction shall be borne by the parent of the child or by the pupil receiving such instruction.

Continuation classes.

10. (1) Any child over school leaving age but under seventeen years of age may attend continuation classes subject to expulsion from such classes if, in the opinion of the Headmaster, he is not availing himself of the instruction provided.

(2) Pupils attending continuation classes may be required to sit public examinations planned by recognised education authorities approved by the Superintendent.

Punishments.

11. (1) The Headmaster of Stanley Schools and the Headmaster of Darwin Boarding School may, should it be necessary, inflict moderate and reasonable corporal punishment. Such punishment shall be entered in the school log book.

(2) No child shall be detained after normal school hours for a period in excess of twenty minutes.

Ailments effecting progress.

12. The Superintendent may require the parent or guardian of any pupil suspected of suffering from a physical or mental defect having an adverse effect upon the child's educational progress to submit the pupil for medical inspection in accordance with arrangements made by him; and any such parent who fails without reasonable excuse to comply with any such requirement shall be liable on summary conviction to a fine of £5.

Boarding allowances camp children.

13. Boarding allowances at rates authorised by the Governor in Council shall be paid in respect of camp children lodging in Stanley for the sole purpose of attending Stanley Schools; and camp children lodging away from home in order to attend a recognised school or to study under a recognised teacher.

Fares for pupils to and from recognised schools.

14. Government shall pay half air fare or half sea passage for a child travelling to and from his home for a term of study at a recognised school within the Colony.

PART II

PAYMENT OF OVERSEAS EDUCATION ALLOWANCES

Definitions.

15. In this Part of these Regulations —

the term "child" means a son or daughter including a stepson, stepdaughter, lawfully adopted son or daughter, not having passed his or her eighteenth birthday and being unmarried and wholly dependent upon the person claiming the allowance. It shall also apply to a child who is in the legal custody of a person who is not the parent provided that the child is wholly dependent on the custodian;

the term "person" means anyone who normally resides in the Colony or is in the Colony under a contract of service and who is not entitled to any education allowance as an officer employed by the Colonial Government.

Rates of allowance.

16. (1) Rates of allowance shall be as follows —

- (a) for children who are between their eleventh and eighteenth birthdays on the first day of the term in respect of which allowance is claimed and who are at approved boarding schools in the United Kingdom, the Commonwealth or Uruguay.

- (b) for children attending approved schools in Uruguay which do not provide boarding facilities;
- (c) for children attending approved boarding schools in countries other than the United Kingdom, the Commonwealth or Uruguay, which have been approved by the Governor in Council —

first child	...	...	...	£235 per annum
second child	...	...	...	£285 per annum
third and each subsequent child	...	...	...	£335 per annum.

(2) Rates of allowance for children who are between their eleventh and eighteenth birthdays on the first day of term in respect of which the allowance is claimed and who are staying with guardians in the United Kingdom or Commonwealth or other location approved by the Governor in Council and attending day school —

Each child ... £65 per annum:

Provided that this allowance shall not be payable when a child is staying with a parent.

17. The following conditions shall apply to the payment of allowances —

Conditions attaching to the payment of the allowances.

- (1) The child shall receive full time education.
- (2) Annual reports on the progress and conduct of child shall be produced to the Superintendent on request.
- (3) Allowances shall be payable for each year of three school terms. The term in which a child reaches its minimum or maximum qualifying age shall be regarded as a full term. Where an adverse report on morals or character is received the payment of an allowance may be withheld.
- (4) Where some other form of assistance is received from a public or institutional source towards the cost of a child's education the amount of the education allowance shall be reduced so that the total payment shall not exceed the actual fees paid.

18. The decision of the Governor in Council with regard to the payment or disallowance of an overseas education allowance shall be final.

PART III

SCHOLARSHIPS AND BURSARIES

19. The scholarship board shall be guided by the result of an annual examination and the report of the Superintendent on the children concerned.

Annual examinations.

20. A child entering for the examination must be not more than 11 years and 3 months of age, and must be at least 10 years of age, on the 31st December of the year preceding that in which the award is made.

21. At least one parent of such a child must be —

Qualification of parent.

a Falkland Islander born; or

in permanent and pensionable employment of the Government of the Falkland Islands having completed at least one tour; or

on the 31st December of the year in which the examination be held have resided in the Falkland Islands for the five years immediately preceding and who shall satisfy the scholarship board of an intention to reside in the Colony for a further two years.

Tenure of scholarship.

22. Scholarships will be tenable for four years in the first instance at approved United Kingdom schools but may be extended to five years to enable scholars to pass the General Certificate of Education 'O' level examination and in exceptional cases to seven years to enable the scholars to pass the General Certificate of Education 'A' level examinations.

Content of scholarship.

23. A scholarship award may include free passages to and from the United Kingdom, free tuition, free board and lodging at the school, free board and lodging in the United Kingdom during holidays, provided that this shall not be payable when the child is staying with a parent, and reasonable fares to and from the holiday place in the United Kingdom. Awards shall not include pocket money or clothing.

Continuation of scholarship.

24. If the scholarship has been taken up or extended by the date of a parent's final departure from the Colony it shall continue.

Award of bursaries.

25. The board shall consider and make recommendations in respect of such applications for bursaries as may be made to it.

Other matters.

26. Any other matters relating to scholarships and bursaries not provided for in these Regulations shall be considered by the board which may submit recommendations to the Governor in Council.

The scholarship entitlement of a return passage shall be taken up within two years of the child completing the scholarship unless an extension of this period be granted by the Governor in Council.

Ref. 2394.

A Bill for An Ordinance

Further to amend the Non-Contributory Old Age Pensions Ordinance, 1961.

Title.

(, 1967)

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 Non-Contributory Old Age Pensions (Amendment) Ordinance, 1967.

Short title.

2. Section 4 (a) as amended is deleted and the following substituted therefor —

Amendment of section 4.
(7 of 1961)

“(a) (i) the person shall have attained the age of 74 years on or before 1st July 1961; or

(ii) a spinster who shall have attained the age of 65 years on or before 1st July 1970:

Provided that where the person is a widow whose husband died before 1st July 1952, or where a husband although alive on that date was excluded by age from contributing under the Old Age Pensions Ordinance, 1952, or where a husband was a contributor under the Old Age Pensions Ordinance, 1952, and died before reaching pensionable age and his contributions were refunded, she shall have attained the age of 65 years.”

OBJECTS AND REASONS

To enable spinsters and the widows of those contributors under the Old Age Pensions Ordinance, 1952, who died before reaching pensionable age and whose contributions were refunded, to qualify for a Non-Contributory Old Age Pension on reaching the age of 65 years.

Ref. 0323/F.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXVI.

2 OCTOBER 1967

No. 11

Appointment

Louis Michael Robson, Assistant Filtration Plant Operator, Public Works Department, 18.9.67.

Acting Appointments

Dennis Desborough, Acting Registrar General and Registrar Supreme Court, 3.4.67-1.9.67.

Andrew James Duncan, Acting Engineer m.v. 'Philomel' 13.3.67-6.9.67.

John Edward Cheek, Acting Supervisor, W/T Section, 13.3.67-1.9.67.

Willoughby Harry Thompson, M.B.E, Acting Governor, 15.5.67-22.9.67.

Resignation

Andrew James Duncan, Assistant Engineer m.v. 'Philomel', 6.9.67.

NOTICES

No. 34. 13th September 1967.

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

No.	Title	Ref.
3/67	Supplementary Appropriation (1965-66) Ordinance, 1967	0284/XVIII
4/67	Administration of Justice (Amendment) Ordinance, 1967	2312/II
5/67	Marriage (Amendment) Ordinance, 1967	1131
7/67	Road Traffic (Amend.) Ordinance, 1967	1983/II.

No. 35.

Colonial Secretary's Office,
Stanley, Falkland Islands.

The Carriage by Air Acts (Application of Provisions) (Overseas Territories) Order 1967

DIRECTION BY THE GOVERNOR UNDER SECTION 6.

IN EXERCISE of the powers conferred upon me by section 6 of the Carriage by Air Acts (Application of Provisions) (Overseas Territories) Order 1967 (hereinafter referred to as "the Order") I direct that, subject to the conditions and limitations hereinafter specified, carriage of persons to which Schedule 2 to the Order applies (namely carriage which is not international carriage as defined in Schedule 4 to the Order), being carriage in which, according to the contract made by the parties, the place of departure and the place of destination are within the Falkland Islands and Dependencies, shall be exempted from that part of paragraph (1) of Article 23 in Schedule 2 to the Order which provides that any provision tending to fix a lower limit of liability of the carrier than that which is laid down in that Schedule (namely eight hundred and seventy-five thousand francs) shall be null and void.

Conditions and limitations.

1. The limitation of liability of the carrier for each passenger shall not be lower than six thousand pounds sterling.

2. This exemption shall not apply in respect of any passenger unless, prior to the carriage of that passenger, there shall have been issued to him or her a ticket upon which is printed or written in letters not smaller than those in which are printed or written any other terms of the contract of carriage contained therein, the following words —

“The liability of the carrier in the event of the death or wounding of the passenger or any other bodily injury suffered by the passenger in the course of the carriage to which this ticket relates is limited to” followed by the words “six thousand pounds sterling”, or, if the limit is a sum greater than six thousand pounds sterling, by words stating that greater sum in terms of sterling.

3. Paragraph (2) of Article 23, and Articles 25 and 25A of Schedule 2 to the Order shall apply in relation to the limits of liability specified in this direction as they apply in relation to the limits of liability specified in Article 22 of that Schedule.

4. The Gazette Notice dated 15th August 1967 concerning the Carriage by Air Acts is hereby revoked.

Given under my hand at Stanley this 21st day of September 1967.

W. H. THOMPSON,
Acting Governor.

Ref. 2411.

PROCLAMATION

No. 3 of 1967.

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.

W. H. THOMPSON. *By His Excellency WILLOUGHBY HARRY THOMPSON, ESQUIRE, Member of the Most Excellent Order of the British Empire, Acting Governor of the Colony of the Falkland Islands and its Dependencies.*



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, WILLOUGHBY HARRY THOMPSON, Member of the Most Excellent Order of the British Empire, Acting Governor of 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 18th day of October 1967, 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 at Government House, Stanley, this 22nd day of September in the Year of our Lord One thousand Nine hundred and Sixty-seven.

By Command of the Acting Governor

H. L. BOUND,
Assistant Colonial Secretary.

Ref. 0529/IV.

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

1967 No. 877

COPYRIGHT

The Copyright (International Conventions)
(Amendment) Order, 1967

Made - - - - -	8th June 1967
Laid before Parliament	14th June 1967
Coming into Operation	15th June 1967

At the Court at Buckingham Palace the 8th day of June 1967

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers 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, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows —

1. The Copyright (International Conventions) Order 1964(b) (hereinafter referred to as "the principal Order"), as amended (c), shall be further amended by adding references to Argentina and Mexico in Part I of Schedule 1 (which names the countries of the Berne Copyright Union).

2. The provisions of this Order shall extend to the countries named in the Schedule hereto (being the countries to which Part I of the principal 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) Order 1967 and shall come into operation on 15th June 1967.

W. G. Agnew.

SCHEDULE

Countries to which the Order extends —

Bahama Islands	Isle of Man
Bermuda	Mauritius
British Honduras	Montserrat
Cayman Islands	Seychelles
Falkland Islands and its Dependencies	St. Helena and its Dependencies
Fiji	St. Lucia
Gibraltar	Virgin Islands
Grenada	

(a) 1956 c. 74.

(b) S.I. 1964/690 (1964 II, p. 1319).

(c) The amendments do not relate expressly to the subject matter of this Order

(d) 1889 c. 63.

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 fact that Argentina and Mexico have acceded to the Berne Copyright Convention.

Article 2 of the Order extends its provisions to the dependent countries of the Commonwealth where the Copyright Act 1956 is law.

Ref. 1873/II.

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

1967 No. 1151

COPYRIGHT

The Copyright (International Conventions)
(Amendment No. 2) Order, 1967

Made - - - - -	28th July 1967
Laid before Parliament	3rd August 1967
Coming into Operation	4th August 1967

At the Court at Buckingham Palace, the 28th day of July 1967

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers 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, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows —

1. The Copyright (International Conventions) Order 1964(b) (hereinafter referred to as "the principal Order"), as amended (c), shall be further amended by adding a reference to Uruguay in Part I of Schedule 1 (which names the countries of the Berne Copyright Union).

2. The provisions of this Order shall extend to the countries named in the Schedule hereto (being the countries to which Part I of the principal 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. 2) Order 1967 and shall come into operation on 4th August 1967.

W. G. Agnew.

SCHEDULE

Countries to which the Order extends —

Bahama Islands	Isle of Man
Bermuda	Mauritius
British Honduras	Montserrat
Cayman Islands	Seychelles
Falkland Islands and its Dependencies	St. Helena and its Dependencies
Fiji	St. Lucia
Gibraltar	St. Vincent
Grenada	Virgin Islands

(a) 1956 c. 74.

(b) S.I. 1964/690 (1964 II, p. 1319).

(c) The amendments do not relate expressly to the subject matter of this Order.

(d) 1889 c. 63.

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 fact that Uruguay has acceded to the Berne Copyright Convention.

Article 2 of the Order extends its provisions to the dependent countries of the Commonwealth where the Copyright Act 1956 is law.

Ref. 1873/II.

Regulations made by the Acting Governor under Royal Warrant dated the 21st March 1956, as amended by Royal Warrant dated the 10th April 1967.

W. H. THOMPSON,
Acting Governor.

THE COLONIAL FIRE BRIGADES LONG SERVICE MEDAL FALKLAND ISLANDS

In pursuance of the Royal Warrant dated the 21st March 1956, as amended by the Royal Warrant dated the 10th April 1967, and with the gracious approval of Her Majesty the Queen signified through the Right Honourable the Secretary of State for Commonwealth Affairs, His Excellency the Acting Governor is pleased to make and hereby makes the following Regulations:

1. These Regulations may be cited as the Colonial Fire Brigades Long Service Medal Regulations, 1967. Short title.

2. The Colonial Fire Brigades Long Service Medal will be granted as a reward for long service and good conduct to officers of properly organised Fire Brigades in the Falkland Islands and Dependencies, who on or after the 10th day of April 1967 shall have completed eighteen years' continuous service as hereinafter defined. Service required.

A clasp will also be granted to a recipient of the Medal on his completing twenty-five years' qualifying service, and a further Clasp on completing thirty years' qualifying service. For each Clasp so awarded a small silver rose may be added to the ribbon when worn alone.

3. Qualifying service in properly organised Fire Brigades of other Colonies or Territories under Her Majesty's Protection or Administration may be allowed to reckon towards the required period of qualifying service, if the total period of such service amounts to not less than eighteen years; provided, however, that where service has been rendered in more than one such territory as aforesaid an interval not exceeding twelve months between any two periods of service shall not be regarded as breaking the continuity of such service; provided also that a break in service not exceeding six calendar months in any one such territory shall not be regarded as breaking the continuity of such service. Continuity of service.

4. For the purpose of these Regulations service shall be reckoned only as qualifying service if it is certified that the character and conduct of the person recommended for the grant of the Medal or Clasp has been exemplary. Exemplary character.

An officer shall only be considered of exemplary character provided that, during his service in a Fire Brigade, he has not been —

- (a) reduced in rank;
- (b) officially reprimanded more than twice; and
- (c) has no adverse entry in his record during the last seven years prior to the award of the Medal.

For the purposes of the grant of a Clasp or Clasps to the Medal, an officer shall only be considered of exemplary character if he has had no adverse entry in his record since the grant of the Medal.

Recommendations.

5. Recommendations for the award of the Medal or Clasp shall be submitted by the Colonial Secretary or Chairman of the Stanley Town Council to the Governor or Officer Administering the Government. The Medal will be awarded on the authority of the Governor or Officer Administering the Government and a notification of such award shall be published in the Government Gazette.

Forfeiture and restoration.

6. (a) A recipient of the Medal or Clasp who is convicted of a criminal offence or is dismissed or removed from the Fire Service for misconduct shall forfeit the Medal or Clasp unless the Governor or Officer Administering the Government shall otherwise direct;

(b) A Medal or Clasp so forfeited may be restored to the recipient by the Governor or Officer Administering the Government at his discretion;

(c) A notice of forfeiture or restoration shall in every case be published in the Government Gazette.

Replacement of Medal.

7. Should the holder lose his Medal it may be replaced on repayment by the loser, unless the Governor or the Officer Administering the Government decides to relieve him of this liability.

STANLEY,
5th August 1967.

Ref. 1749.

2 OCTOBER 1967

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(1) A sum of £4,943 : 17 : 7 due from H. M. G. in respect of under issues on the following C. D. & W. Schemes —

(2) A sum of £452 : 7 : 5 due from H. M. G. in respect of the following O. S. A. S. under issues —

L. GLEADELL,
Colonial Treasurer,
8th September, 1967.

Statement shewing total Receipts for the year ended 30th June, 1967.

RECEIPTS.	Amount Estimated			Actual Receipts			Over the Estimate			Under the Estimate		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
I. Aviation	9500	0	0	11116	6	0	1616	6	0	.....	
II. Customs Duties	44600	0	0	41268	15	11	.....			3331	4	1
III. Dependencies Contribution to cost of Central Administration	10000	0	0	10000	0	0	.....			.....
IV. Electricity	32500	0	0	32453	6	0	.....			46	14	0
V. Fees & Fines	6268	0	0	7838	17	5	1570	17	5	.....	
VI. Harbour	3075	0	0	3425	18	6	350	18	6	.....	
VII. Investment	59400	0	0	67435	2	6	8035	2	6	.....	
VIII. Internal Revenue	152840	0	0	148637	3	6	.....			4202	16	6
IX. Land Sales	105	0	0	109	5	11	4	5	11	.....	
X. Miscellaneous	2110	0	0	8307	18	11	6197	18	11	.....	
XI. Posts & Telecommunications	24261	0	0	29168	16	6	4907	16	6	.....	
XII. Reimbursements	6480	0	0	9381	4	4	2901	4	4	.....	
XIII. Reimbursements from H.M.G. in respect of overseas officers	4989	0	0	5574	5	4	585	5	4	.....	
XIV. Rents	5730	0	0	5395	2	7	.....			334	17	5
<i>Total Ordinary Revenue</i>	361858	0	0	380112	3	5	26169	15	5	7915	12	0
Transfers from Development Fund	61652	0	0	86533	2	6	24881	2	6	.....	
Colonial Development & Welfare	54999	0	0	34582	18	4	.....			20416	1	8
<i>Total Revenue</i>	478509	0	0	501228	4	3	51050	17	11	28331	13	8
General Revenue Balance				17936	3	10						
Advances				155155	5	9						
Deposits				1059430	5	10						
Investments				638840	18	4						
Remittances				254674	11	8						
Old Age Pensions Equalisation Fund				29482	6	7						
Oil Stocks Replacement Fund				16595	15	2						
<i>Total Receipts</i>				2673343	11	5						
Balance 1st July, 1966				19996	7	6						
TOTAL				2693339	18	11						

Statement shewing total Payments for the year ended 30th June, 1967.

PAYMENTS.	Amount Estimated.			Actual Payments.			Over the Estimate.			Under the Estimate.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
I. The Governor ...	10469	0	0	9477	13	0	.....			991	7	0
II. Agriculture ...	6434	0	0	4637	18	10	.....			1796	1	2
III. Audit ...	1399	0	0	2566	14	5	1167	14	5	.....	
IV. Aviation ...	16648	0	0	15708	4	7	.....			939	15	5
V. Customs & Harbour ...	11662	0	0	11680	10	4	18	10	4	.....	
VI. Education ...	58759	0	0	52447	11	7	.....			6311	8	5
VII. Medical ...	41327	0	0	41773	12	11	446	12	11	.....	
VIII. Meteorological ...	800	0	0	762	1	5	.....			37	18	7
IX. Military ...	1918	0	0	2860	1	5	942	1	5	.....	
X. Miscellaneous ...	29200	0	0	40964	2	2	11764	2	2	.....	
XI. Pensions & Gratuities ...	14700	0	0	14449	2	6	.....			250	17	6
XII. Police & Prisons ...	4757	0	0	4547	13	9	.....			209	6	3
XIII. Posts & Telecommunications ...	54848	0	0	53191	12	3	.....			1656	7	9
XIV. Power & Electrical ...	25516	0	0	22881	14	4	.....			2734	5	8
XV. Public Works ...	20951	0	0	19880	7	10	.....			1070	12	2
XVI. Public Works Recurrent ...	39397	0	0	37910	19	11	.....			1486	0	1
XVII. Public Works Special ...	6570	0	0	6861	9	5	391	9	5	.....	
XVIII. Secretariat Treasury & Central Store ...	34279	0	0	39440	8	7	5161	8	7	.....	
XIX. Social Welfare ...	7700	0	0	7587	5	6	.....			112	14	6
XX. Supreme Court ...	2802	0	0	2526	14	6	.....			275	5	6
<i>Total Ordinary Expenditure</i> ...	390136	0	0	392155	19	3	19891	19	3	17872	0	0
Development Expenditure financed from Colony sources	61652	0	0	86173	15	11	24521	15	11	.....	
Development Expenditure financed from C. D. & W. sources	54999	0	0	32764	5	4	.....			22234	14	8
<i>Total Expenditure</i> ...	506787	0	0	511094	0	6	44413	15	2	40106	14	8
Advances ...				143060	3	10						
Deposits ...				971532	12	9						
Investments ...				685655	15	9						
Remittances ...				252881	3	4						
Old Age Pensions Equalisation Fund ...				10036	3	2						
Oil Stocks Replacement Fund ...				16272	16	7						
Development Fund ...				86533	2	6						
<i>Total Payments</i> ...				2677065	18	5						
Balance as at 30th June, 1967				16274	0	6						
TOTAL ...	£			2693339	18	11						

L. GLEADELL.

Colonial Treasurer.

8th September, 1967.

ANNUAL STOCK RETURN FOR 1966-1967.

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	24	384	547	170	47	232	1,404
San Carlos Sheep Farming Co., Ltd.	San Carlos	401	6,975	9,424	266	2,614	5,481	25,161
R. M. Pitaluga & Company	Gibraltar	232	6,021	5,578	216	1,460	3,571	17,078
Falkland Islands Co., Ltd.	Darwin & Walker Creek	1,506	32,914	32,404	342	8,788	17,612	93,566
" " " "	Fitzroy & Green Patch	459	13,051	14,260	1,042	3,349	8,251	40,412
Smith Bros.	Berkeley Sound	230	4,573	5,480	—	1,313	2,520	14,116
Mrs. G. E. Browning & Estate J. W. McGill	Mullet Creek	29	472	847	—	86	224	1,657
Mrs. F. O. Yonge	Bluff Cove	95	620	2,016	—	233	630	3,594
Estate T. Robson	Port Louis	153	3,680	4,458	204	895	2,155	11,545
Douglas Station, Ltd.	Douglas	239	6,171	7,395	—	1,711	3,444	18,960
Port San Carlos, Ltd.	Port San Carlos	367	8,530	10,427	—	3,088	6,702	29,114
Teal Inlet, Ltd.	Evelyn	355	7,680	8,885	23	2,660	5,769	25,372
Estate H. J. Pitaluga	Rincon Grande	105	3,767	2,886	595	811	2,004	10,168
C. Bundes & R. Hills	Sparrow Cove	10	363	480	—	80	87	1,020
Falkland Islands Co., Ltd.	North Arm	880	22,099	22,885	191	5,604	11,399	63,958
		5,085	117,300	127,972	3,049	32,738	70,081	356,225
WEST FALKLAND								
J. L. Waldron, Ltd.	Port Howard	435	11,138	13,750	135	3,787	8,439	37,684
Holmsted Blake & Co., Ltd.	Hill Cove	434	10,815	10,855	—	3,065	6,118	31,287
Falkland Islands Co., Ltd.	Port Stephens	519	10,724	11,012	288	2,617	6,227	31,387
Falkland Islands Co., Ltd.	Fox Bay West	438	10,395	10,013	—	2,589	5,255	28,690
Packe Bros. & Co. Ltd.	Fox Bay East	345	9,459	9,230	40	2,568	5,802	27,744
Chartres Sheep Farming Company, Ltd.	Chartres	316	7,567	9,626	—	2,081	4,010	23,600
Bertrand & Felton, Ltd.	Roy Cove	201	7,677	7,993	—	1,865	4,258	21,094
		2,688	67,775	71,579	463	18,872	40,109	201,486
ISLANDS								
J. Hamilton, (Estates) Ltd.	Weddell Group	177	3,586	4,303	—	1,122	1,949	11,137
Dean Bros. Ltd. " "	Saunders	135	2,332	2,554	—	830	1,652	7,503
" " " "	Pebble & Keppel	201	7,086	6,348	349	1,960	3,998	19,942
C. & K. "Bertrand	Jasons	19	651	725	—	212	471	2,078
J. Davis	Carcass	19	1,090	541	—	240	413	2,303
R. McGill	New & Hummock	46	937	922	—	339	634	2,878
R. B. Napier	Sea Lion	10	660	620	—	157	580	2,027
" " " "	West Point							
Falkland Islands Co., Ltd.	& Dunbar	21	1,200	700	30	293	490	2,734
W. MacBeth	Speedwell Group	143	3,286	3,924	439	1,442	2,939	12,173
Falkland Islands Co., Ltd.	Sedge	10	100	339	—	—	235	684
R. E. Short	Lively	69	1,367	2,160	—	636	1,502	5,734
" " " "	Elephant Jason	4	—	459	—	—	—	463
		854	22,295	23,595	818	7,231	14,863	69,656

SUMMARY OF STOCK RETURNS 1962-1967.

EAST FALKLAND	...	...	...	5,085	117,300	127,972	3,049	32,738	70,081	356,225
WEST FALKLAND	...	...	...	2,688	67,775	71,579	463	18,872	40,109	201,486
ISLANDS	...	...	...	854	22,295	23,595	818	7,231	14,863	69,656
TOTALS	1966-1967	8,627	207,370	223,146	4,330	58,841	125,053	627,367		
	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		

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

EAST FALKLAND

9.1	1,183	280	232	—	2	1	—	—	—	Fork & Slit.
165.4	22,969	6,326	5,481	2,497	189	487	1	280	6	Front Square.
123.7	15,003	4,127	3,631	1,447	76	188	—	137	—	Fore Bayonet.
723.8	86,973	20,271	17,612	10,580	545	1,998	—	—	16	Double Swallow.
250.1	33,625	9,603	8,251	4,503	220	803	—	258	—	Triangle. "
94.4	13,025	2,843	2,520	595	37	154	—	85	—	
8.0	1,414	286	224	122	—	24	—	63	—	Back Bayonet.
16.3	2,498	635	630	200	25	57	—	83	—	Fore Bayonet &
81.1	10,038	2,396	2,155	614	63	198	—	—	—	Fork. [Back Slit.
127.8	18,247	3,777	3,444	1,993	176	286	—	173	10	Fork.
216.3	26,189	7,678	6,702	3,525	158	282	—	—	—	Slit.
160.7	22,766	6,600	5,769	2,530	105	343	—	210	5	Back Square.
66.7	8,674	2,141	2,004	1,018	73	120	—	88	—	Slit.
9.5	818	127	87	—	4	—	—	—	—	Fore Bayonet.
462.9	58,127	13,897	11,399	4,578	432	1,118	—	—	8	Double Swallow.
2,515.8	321,549	80,987	70,141	34,202	2,105	6,059	1	1,377	45	

WEST FALKLAND

260.4	33,900	9,325	8,439	3,530	209	1,202	3	—	48	Fork.
236.0	29,916	7,045	6,118	3,913	173	459	2	—	—	Fore Bayonet.
211.9	27,413	5,786	6,227	1,229	188	502	—	191	5	Double Swallow.
230.5	26,906	5,999	5,255	2,031	119	223	—	123	7	Fore Bayonet.
237.4	25,001	6,490	5,802	2,990	200	426	—	395	20	Fore Bit.
174.6	22,190	4,718	4,010	1,353	168	407	1	264	10	Double Swallow.
167.5	18,582	4,636	4,258	1,585	101	222	1	—	—	Front Square.
1,518.3	183,908	43,999	40,109	16,631	1,158	3,441	7	973	90	

ISLANDS

94.2	10,162	2,024	1,949	871	87	241	—	102	—	Fork.
51.4	6,517	1,627	1,652	720	23	122	1	—	4	"
141.5	17,889	4,334	3,998	1,943	114	424	2	440	8	Back Bayonet.
18.2	1,874	471	471	—	—	—	—	—	—	Fore Bayonet.
22.0	2,278	413	—	406	4	21	—	58	—	
31.4	3,070	690	634	345	6	40	2	56	—	Fork.
16.8	1,638	584	580	274	4	22	—	15	—	Slit.
24.6	2,631	548	—	395	10	42	—	98	—	Back Square.
118.3	10,449	4,142	2,939	2,630	16	263	—	—	—	Double Swallow.
4.5	506	235	—	90	2	5	—	24	—	Fore Bayonet.
47.2	5,488	1,555	1,502	1,135	9	129	—	—	—	Double Swallow.
—	—	—	—	—	—	—	—	—	—	
570.1	62,502	16,623	13,725	8,809	275	1,309	5	793	12	

2,516	321,549	80,987	70,141	34,202	2,105	6,059	1	1,377	45	
1,518	183,908	43,999	40,109	16,631	1,158	3,441	7	973	90	
570	62,502	16,623	13,725	8,809	275	1,309	5	793	12	
4,604	567,959	141,609	123,975	59,642	3,538	10,809	13	3,143	147	
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	

SHEEP DISPOSED OF

	SOLD LOCALLY FOR BREEDING OR FURTHER USE	EXPORTED	SLAUGHTERED				
			MINK FARM	MUTTON	TALLOW	SKINS	OTHER PURPOSES
EAST FALKLAND	1,483	—	—	13,867	—	17,348	1,504
WEST FALKLAND	420	—	—	5,948	—	10,263	—
ISLANDS	1,596	—	—	3,163	—	3,524	526
TOTAL 1966-1967	3,499	—	—	22,978	—	31,135	2,030
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	—

IMPORTATIONS

From UNITED KINGDOM	From CHILE
Rams 4	Rams 12



THE FALKLAND ISLANDS GAZETTE

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1 NOVEMBER 1967

No. 12

Appointments

David Noel Meanwell, Assistant Master, Education Department, 23.9.67.

David George Hewitt, Engineman/Watch-keeper, Power & Electrical Department, 9.10.67.

Miss Anna Denholm, Nursing Sister, Medical Department, 16.10.67.

Miss Kay McGill, Nurse Probationer, Medical Department, 30.10.67.

Acting Appointments

Rex Browning, Acting Assistant Colonial Treasurer, 3.4.67-22.9.67

Stuart Alfred Booth, Acting Superintendent of Education, 15.5.67-15.10.67.

Promotions

Leslie Harris to Electrician, Power & Electrical Department, 1.11.67.

James Robert King to Senior Electrician, Power & Electrical Department, 1.11.67.

Transfer

Robert Stewart, from Assistant Filtration Plant Operator to Steward/Chauffeur, Government House, 20.9.67.

Resignation

Ronald Keith Betts, Carpenter, Public Works Department, 30.9.67.

NOTICES

No. 36. 6th October 1967.

His Excellency the Governor has been pleased to approve the award of The Colonial Fire Brigades Long Service Medal with two Clasps to

MORRIS ELLIS EVANS

Officer in Charge of the Stanley Fire Brigade.

Ref. 1749.

No. 37. 10th October 1967.

The findings of the Cost of Living Committee for the quarter ended 30th September 1967 are hereby published for general information —

Quarter ended	Adjusted Percentage increase over 1948 prices
30th September 1967	111.26%

2. In accordance with the principle of the Pay and Working Rules for Stanley the average increase over the last four quarters is 112.89% and a further wage award of 1d. per hour is therefore payable with effect from the 1st October 1967.

Ref. 0704/VI.

No. 38. 24th October 1967.

Intimation has been received from the Right Honourable the Secretary of State for Commonwealth Affairs 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:

No.	Title	Ref.
2/67	Ionising Radiations (Protection of Workers) (Amendment) Ordinance 1967	0535/XV.

Application for a Publican's Licence under the provisions
of the Licensing Ordinance

(Vol. I, Cap. 38)

In accordance with Section 7 (1) of the Licensing Ordinance, an application has been made by

CATHERINE MARGARET REBECCA WHITNEY — SHIP HOTEL

for a Publican's Retail Licence, and provided that no objection be taken to the granting of a licence before 10th November 1967, the same will be granted on 11th November 1967.

The Treasury,
Stanley.
21st October 1967.

L. GLEADELL,
Colonial Treasurer.

The following items which appeared in October 2nd Gazette should be entered in the Index of Legislation —

- The Carriage by Air Acts (Application of Provisions) (Overseas Territories) Order 1967.
 - The Copyright (International Conventions) (Amendment) Order 1967.
 - The Copyright (International Conventions) (Amendment No. 2) Order 1967.
 - The Colonial Fire Brigades Long Service Medal Regulations 1967.
-

Report on the working of the Old Age Pensions Equalisation Fund for the year 1966/67.

To The Honourable
The Colonial Secretary,
Stanley.

Colonial Treasury,
Stanley, Falkland Islands,
22nd September 1967.

Sir,

I have the honour to submit a report on the Old Age Pensions Equalisation Fund for the period 1st July 1966 to 30th June 1967, 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 1967.
4. Statement of Assets and Liabilities at 30th June 1967.
5. Statement of Investments held at 30th June 1967.

2. The revenue of the Fund for the year amounted to £23,805 : 7 : 7 and included two unusual items namely £263 : 17 : 0 from 'lump sum' contributions paid by and on behalf of female contributors and a further sum of £306 : 6 : 0 arrears of contributions from male contributors who have spent periods away from the Colony during which they did not, previously, contribute. Total revenue in 1965/66 amounted to £26,430 : 15 : 4.

3. Expenditure for the year totalled £8,090 : 9 : 11. During 1965/66 the total was £6,878 : 19 : 11.

4. The amount paid out in pensions was £5,883 : 0 : 2.

5. Refunds to contributors permanently leaving the Colony totalled £2,061 : 7 : 3.

6. Revenue exceeded expenditure by £15,714 : 17 : 8. In 1965/66 the surplus was £19,551 : 15 : 5.

7. During the year eight claims to pensions were allowed: none were disallowed. Four pensioners died. At 30th June 1967, fifty-nine persons were in receipt of a pension of whom twenty-five were married, sixteen were unmarried men (including widowers and divorced men) and eighteen were widows.

8. One hundred and thirty-nine (130 male and 9 female) new contributors registered during the year. Contributions were refunded to one hundred and one contributors who left the Colony permanently, and to three female contributors who married. Five contributors died.

9. The following amendment to the Old Age Pensions Ordinance was passed by the Legislature during the year —

Ordinance No. 10/66.

This amendment re-introduced the age of 60 as the qualifying age for the widow of a pensioner to receive a pension.

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 1967.

EXPENDITURE				REVENUE			
	£	s.	d.		£	s.	d.
To refunds of contributions on departure from the Colony	2,061	7	3	By sale of Stamps	13,622	6	6
„ refunds of overpayments	45	0	0	„ Dividends on Investments	9,610	4	1
„ Pensions	5,883	0	2	„ Lump sum contributions from female contributors	263	17	0
„ Stationery	5	15	6	„ repayment of contributions refunded	2	14	0
„ refunds to female contributors on marriage	19	7	0	„ Arrears of contributions	306	6	0
„ actuarial services	76	0	0				
„ Balance, carried down	15,714	17	8				
	<u>£23,805</u>	<u>7</u>	<u>7</u>		<u>£23,805</u>	<u>7</u>	<u>7</u>

INVESTMENTS ADJUSTMENT ACCOUNT

To Loss on sale Investments	1,945	13	3	By Profit on Sale of Investments	4,804	3	1
„ Balance to the Fund	3,731	5	9	„ Appreciation on revaluation	872	15	11
	<u>£5,676</u>	<u>19</u>	<u>0</u>		<u>£5,676</u>	<u>19</u>	<u>0</u>

THE FUND

To Balance at 30th June 1967	168,259	12	4	By Balance at 1st July 1966	148,813	8	11
				„ Balance of Revenue and Expenditure account brought down	15,714	17	8
				„ Balance of Investments Adjustment Account brought down	3,731	5	9
	<u>£168,259</u>	<u>12</u>	<u>4</u>		<u>£168,259</u>	<u>12</u>	<u>4</u>

STATEMENT OF ASSETS AND LIABILITIES

LIABILITIES				ASSETS			
Balance of the Fund at 30th June 1967	168,259	12	4	Market Value of Investments	164,141	19	10
				Cash in hands of the Colonial Treasurer	4,117	12	6
	<u>£168,259</u>	<u>12</u>	<u>4</u>		<u>£168,259</u>	<u>12</u>	<u>4</u>

L. GLEADELL,

Colonial Treasurer.

8th September 1967.

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, 1967			
			£	s.	d.	£	s.	d.	Price	£	s.	d.
British Guiana	1975/80	3	9,259	5	2	5,694	8	10	60	5,555	11	1
British Guiana	1980/85	5	3,514	13	4	2,407	10	11	66½	2,337	5	1
E.A.H.C.	1972/74	4	1,280	1	3	1,017	13	0	77½	992	0	11
E.A.H.C.	1973/76	4	1,302	18	3	970	13	5	73	951	2	6
E.A.H.C. (P & T)	1977/83	5¾	10,041	18	8	7,380	16	5	73½	7,380	16	5
E.A.H.C. (R & H)	1977/83	5¾	17,043	19	2	12,527	6	2	73½	12,527	6	2
Exchequer loan	1976/78	5	18,280	19	4	15,538	16	5	87½	15,995	16	11
Funding loan	1987/91	5¾	55,072	9	8	46,611	7	3	88	48,463	15	8
Funding loan	1985/87	6½	49,378	5	9	49,254	16	9	97	47,896	18	9
Jamaica	1977/82	6	1,000	0	0	895	0	0	82½	825	0	0
Jamaica	1978/80	6¼	546	19	3	486	15	11	84½	462	3	8
Kenya	1971/78	4½	494	1	7	373	0	7	76½	377	19	5
Kenya	1978/82	5	5,951	6	2	4,582	10	2	77½	4,612	5	3
New Zealand	1978/82	5¼	4,992	4	1	4,000	0	0	85	4,243	7	6
Savings Bonds	1965/75	3	924	8	7	684	1	6	77½	716	8	8
Trinidad	1973/76	4	2,682	15	3	2,092	11	1	76½	2,052	6	4
J. M. F.			8,751	15	6	8,751	15	6		8,751	15	6
Appreciation			190,518	1	0	163,269	3	11		164,141	19	10
						872	15	11				
			190,518	1	0	164,141	19	10		164,141	19	10

L. GLEADELL,
Colonial Treasurer.
8th September 1967.

TOWN COUNCIL ESTIMATES, 1968.

Service.	Actual 1966.		Approved Estimate 1967.		Revised Estimate 1967		Estimate 1968.	
	£	£	£	£	£	£	£	£
REVENUE.								
I. CEMETERY		56		85		55		50
II. MISCELLANEOUS								
a. Misc.	35		35		50		30	
b. Garbage removal ...	60		60		60		60	
c. Govt. Contribution								
Arch Green	26		52		78		52	
d. Interest -								
Investment Cemetery Fd.	124		124		124		124	
e. Interest - Savings Bank	205		203		203		70	
f. Interest - Investment					38		275	
C.A. Joint Misc. Fund								
		450		474		553		611
		83		70		80		70
III. LIBRARY								
IV. GENERAL RATE								
a. Rate	2757		3500		3485		3505	
b. Govt. Contribution ...	825		825		825		825	
		3582		4325		4310		4330
V. WATER RATE								
a. Rate	665		740		643		650	
b. Sales	392		350		480		335	
		1057		1090		1123		985
VI. TOWN HALL								
a. Hirings	722		650		775		700	
b. Govt. Contribution ...	621		863		596		860	
		1343		1513		1371		1560
VII. ADVANCES REPAID ...								
VIII. SALE OF PEAT		10		226		115		
		6581		7783		7607		7606
EXPENDITURE.								
I. TOWN CLERK		660		668		683		698
II. CEMETERY								
a. Wages	616		600		618		642	
b. Upkeep	33		100		60		100	
		649		700		678		742
III. FIRE BRIGADE								
a. Wages	99		114		129		114	
b. Upkeep	453		300		100		300	
		552		414		229		414
IV. LIBRARY								
a. Wages	224		300		300		300	
b. Upkeep	244		250		250		250	
		468		550		550		550
V. MISCELLANEOUS								
a. Telephones	57		57		57		57	
b. Stationery	9		5		11		10	
c. Old Age Pensions ...	35		36		36		36	
d. Elections								
e. Audit	20							
f. Insurance	148		20		20		20	
g. Unforeseen	35		98		99		99	
h. Telegrams			25		10		25	
		304		241		234		247
Carried forward ...		2633		2573		2374		2651

Service.	Actual 1966.		Approved Estimate 1967.		Revised Estimate 1967.		Estimate 1968.	
	£	£	£	£	£	£	£	£
<i>Brought forward</i> ...		2633		2573		2374		2651
VI. SCAVENGING								
a. Ash Contract ...	1216		1220		1220		1220	
b. Rodent Control ...	55		60		58		60	
		1271		1280		1278		1280
VII. STREET LIGHTS								
a. Current ...	665		800		640		700	
b. Repairs ...	103		100		100		100	
		768		900		740		800
VIII. TOWN HALL								
a. Wages ...	658		700		681		731	
b. Fuel ...	456		1100		998		1000	
c. Light ...	247		240		240		250	
d. Care & Maintenance ...	239		125		90		200	
e. Cleaning ...	23		40		30		140	
		1623		2205		2039		2321
IX. WATER SUPPLY								
a. Ships ...	173		150		210		230	
b. Connections ...	—		10		—		25	
		173		160		210		255
X. ARCH GREEN		77		100		130		100
XI. CEMETERY COTTAGE		26		100		155		100
XII. REFUND TO GOVERNMENT FROM SALE OF PEAT				110		52		—
EXTRAORDINARY EXPENDITURE								
a. Town Hall Improvement	15		50					
b. Town Hall Floor ...	105		—					
c. Town Hall Oil Heating Installation	473						5	
d. Treasury Commission on Deposit in C.A. Joint Miscellaneous Fund			—		50			
		593		50		50		5
		7164		7478		7028		7512

J. Leonard,
Town Clerk.
10.10.67.



THE FALKLAND ISLANDS GAZETTE

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7 DECEMBER 1967

No. 13

Acting Appointment

Kenneth Mills, Acting Senior Clerk, Posts & Telecommunications Department, 3.4.67-3.11.67.

Promotion

George Dixon, to Senior Plumber, Public Works Department, 20.11.67.

Resignation

Miss Eileen Halliday, Clerk Audit Department, 11.11.67.

NOTICES

No. 39. 30th November 1967.

Education Ordinance 1967

In accordance with section 2 of the Education Ordinance 1967 the following persons have been approved as recognized teachers by the Governor :

Mr. P. Martindale
Mrs. P. Cox
Mrs. E. Mitchie
Mr. D. Ryan
Mr. I. Daffern
Mr. G. Evans
Mr. R. Dismore
Mr. J. Pirrie.

Ref. 2390.

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

NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE
(Cap. 1)

In the matter of Hjalmar Fuhlendorff, deceased, of Stanley, Falkland Islands, who died on the 29th day of September 1967.

WHEREAS Valdemar Ernest Fuhlendorff, son of the above 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.
14th November 1967.
S.C. 38/67.

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

NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE
(Cap. 1)

In the matter of Charles Robert Skilling, deceased, of Stanley, Falkland Islands, who died on the 22nd day of August 1967.

WHEREAS Arthur Henry Ford, son-in-law of the above 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.
14th November 1967.
S.C. 36/67.

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

NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE
(Cap. 1)

In the matter of Ian Alexander McMillan, deceased, of Stanley, Falkland Islands, who died on the 16th day of October 1967.

WHEREAS Donald Hugh McMillan, 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.

16th November 1967.

S.C. 41/67.

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

NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE
(Cap. 1)

In the matter of Farquhar William Duncan McRae, deceased, of Weddell Island, Falkland Islands, who died on the 9th day of April 1967.

WHEREAS Richard Winston McRae, eldest son of the said deceased, has applied for Letters of Administration to administer the estate of the said deceased in the Colony.

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

H. BENNETT,
Registrar.

Stanley, Falkland Islands.

24th November 1967.

S.C. 14/67.

INDEX OF LEGISLATION

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

Old Age Pensions (Amendment) Ordinance 1967.
Police Ordinance 1967.
Matrimonial Proceedings (Court of Summary Jurisdiction) Ordinance 1967.
Non-Contributory Old Age Pensions (Amendment) Ordinance 1967.
Immigration (Amendment) Ordinance 1967.
Supplementary Appropriation (1966-67) Ordinance 1967.
Education Ordinance 1967.
Proclamation No. 4 of 1967 (Dissolution of Legislative Council).
Pensions (Amendment) (No. 3) Regulations 1967.
Licensing (Revocation) Regulations 1967.
The Fugitive Offenders Act 1967 (Commencement No. 1) Order 1967.
The Fugitive Offenders (Designated Commonwealth Countries) Order 1967.
The Fugitive Offenders (Extension) Order 1967.
Police Regulations 1967 (page 197).
Police Reserve Regulations 1967 (page 202).
Schools Regulations 1967 (page 225).

PROCLAMATION

No. 4 of 1967.

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

C. HASKARD.



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

WHEREAS it is provided by subsection (1) of section 26 of the Falkland Islands (Legislative Council) Order in Council, 1948-1950, that the Governor may dissolve the Legislative Council at any time;

AND WHEREAS it is necessary to make arrangements for a General Election within three months from the date of dissolution;

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 pursuance of the powers vested in me by the said Falkland Islands (Legislative Council) Order in Council, 1948-1950, do hereby order and proclaim the dissolution of the Legislative Council with effect from the 22nd day of December 1967.

GOD SAVE THE QUEEN

Given at Government House, Stanley, this 7th day of December 1967.

By His Excellency's Command,

W. H. THOMPSON,
Colonial Secretary.

Ref. 2417.

The Pensions Ordinance 1965

REGULATIONS

(under section 3 (2) of the Ordinance)

No. 9 of 1967.

C. HASKARD,
Governor.

In exercise of the powers conferred by subsection (2) of section 3 of the Pensions Ordinance, 1965, the Governor in Council, with the sanction of the Secretary of State, has made the following regulations —

Citation.

1. These Regulations may be cited as the Pensions (Amendment) (No. 3) Regulations, 1967.

Amendment of schedule.

2. The schedule to the Pensions Regulations, 1965, is amended by the insertion of the following words in their proper alphabetical context —

“Mid West Nigeria”.

Made by the Governor in Council the 17th day of October 1967.

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

Ref. 0829/V.

The Licensing Ordinance (Cap. 38)

REGULATIONS

(under section 83 of the Ordinance)

No. 10 of 1967.

C. HASKARD,
Governor.

In exercise of the powers conferred by section 83 of the Licensing Ordinance, the Governor in Council has made the following regulations —

Citation.

1. These Regulations may be cited as the Licensing (Revocation) Regulations, 1967.

Revocation.
(Vol. II p. 204.)

2. The Licensing Regulations are revoked.

Made by the Governor in Council the 17th day of October, 1967.

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

Ref. 1092.

Assented to in Her Majesty's name this 8th day of November 1967.

C. HASKARD,
Governor.



No. 8



1967

Colony of the Falkland Islands.

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

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

An Ordinance

Further to amend the Old Age Pensions Ordinance 1952. Title.

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

1. (1) This Ordinance may be cited as the Old Age Pensions (Amendment) Ordinance 1967 and shall be read as one with the Old Age Pensions Ordinance 1952, hereinafter referred to as the principal Ordinance. Short title and commencement.

(2) This Ordinance shall come into force on the first day of January, 1968.

2. Section 6 of the principal Ordinance is amended by the deletion of subsection (2) and the substitution therefor of the following — Amendment of section 6.

“(2) Subject to the provisions of this Ordinance —

- (a) every employed male person and every employed female contributor shall be liable to pay weekly contributions at the rate of 5/3 per week if between the ages of 18 and 60 years;
- (b) every employer of an employed person or a female contributor shall be liable to pay weekly contributions at the rate of 6/9 per week if the employed male person or female contributor is between the ages of 18 and 60 years;

- (c) every self-employed male person and every self-employed female contributor shall be liable to pay weekly contributions at the rate of 12/- per week if between the ages of 18 and 60 years."

Amendment of section 6A.

3. Section 6A of the principal Ordinance is amended —

- (a) by the insertion of the words "or she" immediately after the word "he" wherever that word occurs;
- (b) in subsection (2), by the deletion of the figures and words "7/6 per week if he is between the ages of 21 and 60 years or at the rate of 4/6 per week if he is between the ages of 18 and 21 years" and the substitution therefor of the figures and words "12/- per week if he is between the ages of 18 and 60 years".

Amendment of schedule.

- 4. The schedule to the principal Ordinance is amended by the deletion of the figures "52/-", "26/-", "26/-" and "26/-" and the substitution therefor of the figures "93/-", "46/6", "46/6" and "46/6" respectively.**

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. 0323/A/VI.

Assented to in Her Majesty's name this 8th day of November 1967.

C. HASKARD,
Governor.

LS

No. 9



1967

Colony of the Falkland Islands.

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

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

An Ordinance

To make further and better provision
for the organisation, discipline, powers and
duties of the Falkland Islands Police Force,
and matters incidental thereto and con-
nected therewith.

Title.

(1st December 1967)

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 Police Ordinance, 1967.

Short title.

2. In this Ordinance, unless the context otherwise requires —

Interpretation.

“court” means a court of competent jurisdiction;

“Officer in Charge” means the person appointed by the Governor under section 6 of this Ordinance to be in charge of the Police Force;

“police officer” means any member of the Force;

“police reserve” means the Falkland Islands Police Reserve;

“standing orders” means all orders issued by the Officer in Charge under this Ordinance for the instruction and guidance of the members of the Force;

“subordinate officer” means any police officer below the rank of sergeant;

“the Force” means the Police Force established under this Ordinance and designated the Falkland Islands Police Force.

PART I

CONSTITUTION AND EMPLOYMENT OF FORCE

Establishment of the Force.

3. There shall be established in the Falkland Islands a Police Force to be known as the Falkland Islands Police Force.

Objects of the Force.

4. The Force shall be employed in and throughout the Colony for —

- (a) the preservation of the peace;
- (b) the maintenance of law and order;
- (c) the prevention and detection of crime;
- (d) the apprehension and guarding of offenders;
- (e) the protection of property, and for the performance of such duties police officers may carry arms.

Constitution of the Force.

5. The Force shall consist of such police officers as may from time to time be approved by the Governor and enrolled in the Force.

Appointment of Officer in Charge.

6. By notice in the Gazette the Governor may from time to time appoint for the command and control of the Force, an Officer in Charge as he may deem necessary.

General powers of Officer in Charge.

7. (1) The Officer in Charge shall, subject to the orders and directions of the Governor, have the command, superintendence, direction and control of the Force.

(2) The Officer in Charge may, subject to the orders and directions of the Governor, from time to time make orders for the general government of police officers, in relation to their enlistment, ranks, duties, discharge, training, accoutrements, clothing and equipment and places of residence, as well as their distribution and inspection and such other orders as he may deem expedient for promoting efficiency and discipline of such police officers.

(3) The Sergeant shall act as principal assistant to the Officer in Charge in the performance of his duties in respect of the Force. Any act or thing which may be done, ordered or performed by the Officer in Charge may, during the absence or incapacity of the Officer in Charge or to the extent to which he is authorised by him, be done, ordered or performed by the Sergeant.

Declaration to be made.

8. Every member of the Force shall, on his appointment as such, make and sign before a magistrate or a justice of the peace the following declaration —

"I, do solemnly and sincerely declare and affirm that I will well and truly serve Our Sovereign Lady the Queen in the office of police officer for the Colony without favour or affection, malice or ill-will; and that I will to the best of my power cause the peace to be kept and prevent all offences against the person and properties of Her Majesty's subjects; and while I continue to hold the said office, I will to the best of my skill and knowledge, discharge all the duties thereof faithfully according to law.

C. D.

Signature of police officer.

Declared before me on this

day of

A. B.

Justice of the Peace"

PART II

STATUS, DUTIES, PRIVILEGES AND IMMUNITIES

Status of members of the Force.

9. Every person for the time being serving in the Force shall be deemed to be a member of the Force, and shall have and enjoy all the rights, powers, authorities, privileges and immunities conferred upon a member of the Force by any law which is now or may hereafter be in force in the Colony.

10. Every member of the Force shall have such rights, powers, authorities, privileges and immunities, and shall be liable to such duties and responsibilities as are conferred or imposed upon police officers or constables by any law which is now or may hereafter be in force in the Colony.

Rights and liabilities of members of the Force.

11. (1) Where the defence to any suit instituted against a police officer is that the act complained of was done in obedience to a warrant purporting to be issued by the Judge, a justice of the peace or any officer of any court, the court shall, upon production of the warrant containing the signature of any such person, notwithstanding any defect in such warrant, accept such warrant as prima facie evidence of the due making thereof, and upon proof that the act complained of was done in obedience to such warrant, enter judgment in favour of the police officer.

Non-liability for act done under warrant.

(2) No proof of the signature of such person shall be required unless the court has reason to doubt the genuineness thereof; and if it shall be proved that such signature is not genuine, judgment shall nevertheless be given for the police officer if it is proved that at the time when the act complained of was committed, he believed on reasonable grounds that such signature was genuine.

12. No salary or allowance paid to any member of the Force shall be liable to be attached, sequestered or levied upon for or in respect of any debt or claim for any money borrowed by him or any goods supplied to him or to any person on his behalf while he is a member of the Force.

Salary of police officer not to be attached.

13. It shall be the duty of all members of the Force —

- (a) to preserve the peace and prevent and detect crime and other infractions of the law;
- (b) to apprehend and bring before a court persons found committing any offence rendering them liable to arrest without warrant, or whom they may reasonably suspect of having committed any such offence, or who may be charged with having committed any such offence;
- (c) to summon before a court and to prosecute persons reasonably suspected of having committed offences, where an order to that effect is made by the Colonial Secretary or the Officer in Charge, either generally or in any particular case or class of cases;
- (d) to serve and execute at any time all process which they may be directed by any competent authority to serve or execute;
- (e) to keep order in and within the precincts and in the vicinity of all courts during all sittings of such courts;
- (f) to collect and communicate to his superior officers intelligence affecting the public peace or public security;
- (g) to take all steps necessary to prevent the commission of offences and public nuisances;
- (h) to obey all lawful orders of his superior officers;
- (i) to perform the duties of prison officer or warder under the provisions of the Prison Ordinance, 1966; and
- (j) generally, to do and perform all the duties appertaining to the office of a police officer.

General duties of the Force.

14. (1) A member of the Force shall perform such duties as the Officer in Charge or his superiors in the Force may direct.

Officer in Charge to direct duties.

(2) Any member of the Force, if so directed by the Officer in Charge, shall undertake such duties outside the Colony as may be

necessary for the due performance of the duties imposed on the Force by section 13 of this Ordinance.

Administrative Officer.

15. In any area or place where there is no police officer appointed to be in charge of the police stationed therein, the Administrative Officer in charge of that area or place shall, subject to the orders and directions of the Governor, exercise local control over such police in respect of their duties, discipline and well being.

Provided that nothing in this Ordinance shall be deemed to make such Administrative Officer a police officer, but nevertheless any such Administrative Officer shall, subject to any express limitations which may be imposed on him by the Governor, have all powers conferred by law upon police officers.

Police officers to be always on duty.

16. For the purposes of this Ordinance and any law, which is now or may hereafter be in force in the Colony, police officers shall be deemed to be always on duty when required to act as such.

Engaging in trade or business.

17. No member of the Force shall, while he holds such appointment, engage in any private business or trade without the prior consent in writing of the Colonial Secretary.

PART III

MEMBERSHIP OF ASSOCIATIONS, ETC.

Definition of "prohibited association".

18. For the purposes of this Part "prohibited association" means —

- (a) any league or association or body of persons, whether registered or not, which has for its objects or one of its objects, the promotion of feelings of ill-will and hostility between different classes of the community;
- (b) any association, society, club or body of persons, any of the objects of which may be subversive of good discipline on the part of a member of the Force, and which the Governor shall declare to be a prohibited association.

Penalty for offences in connection with prohibited associations.

19. (1) It shall not be lawful for —

- (a) any member of the Force to be or become a member of any prohibited association; or
- (b) any prohibited association to permit any member of the Force to receive any benefit, financial or otherwise, from the association or for any such association to receive money from a member of the Force.

(2) If there shall be any contravention of the provisions of this section, the member of the Force, the association, and every officer of the association who is knowingly a party to such contravention shall be guilty of an offence and liable on summary conviction to a fine not exceeding £25.

Prohibition against membership of trade unions.

20. (1) Except as regards membership of the Civil Servants Association, it shall not be lawful for a member of the Force to become a member of any trade union, or of any association having for its objects, or one of its objects, the controlling or influencing of the pay, pensions, or conditions of service of the Force and any member of the Force who contravenes this provision shall be disqualified from continuing to be a member of the Force; and if any member of the Force continues to act as such after becoming so disqualified, he shall forfeit all pension or gratuity rights and be disqualified from being thereafter employed in the Force.

(2) If any question arises whether any body is a trade union or an association to which this section applies, the question shall be determined by the Registrar of Trade Unions, whose decision shall be final.

PART IV

GENERAL ADMINISTRATION

21. (1) The Officer in Charge may from time to time issue standing orders, consistent with this Ordinance, for any of the following purposes, that is to say — Standing orders.

- (a) duties to be performed by members of the Force;
- (b) the description and issue of uniforms, equipment and any other article necessary for the use of the Force;
- (c) the training of the Force;
- (d) the management and good government of all police buildings, accommodation, stores and furniture;
- (e) the posting of all members of the Force and the duties to be performed by them;
- (f) the welfare of members of the Force;
- (g) such other matters as may be necessary for preventing abuse or neglect of duty, for rendering the Force more efficient in the discharge of its duties and for carrying out the objects of this Ordinance.

(2) Every such standing order —

- (a) shall be subject to the approval of the Governor; and
- (b) shall be brought to the notice of every member of the Force, but need not be published in the Gazette.

22. No member of the Force shall be at liberty to resign from the Force until after the expiration of three months at least from the time when he gives to the Officer in Charge notice in writing of his intention to do so: Resignation from the Force.

Provided that the Governor may in special circumstances allow a member of the Force to resign from the Force at any time between the giving of such notice and the expiration of the said period of three months.

23. Any member of the Force who leaves the Force at any time without the permission of the Governor, or without giving to the Officer in Charge a valid notice of his intention to resign from the Force, or before the expiration of any valid notice, shall be deemed to have illegally resigned from the Force, and shall be guilty of an offence and liable on summary conviction to a fine not exceeding £100 or to imprisonment not exceeding two months. Penalty for illegal resignation.

24. It shall be sufficient in any charge or complaint for an offence under section 23 to state that the person proceeded against, being then a member of the Force, did illegally leave the Force, and the onus of proving that his leaving the Force was with the permission of the Governor and that a valid notice was given shall be on the person proceeded against. Proving resignation with permission.

25. Any magistrate or justice of the peace, on a complaint being made to him on oath by any police officer that any member of the Force has illegally left the Force and that there is reasonable cause to suspect that such member of the Force is concealed in his own premises or on the premises of any other person, or is on board of any vessel within the limits of the Colony, shall grant to such police officer a warrant to search, with proper assistance, the premises or vessel in which such member of the Force is suspected of being concealed and, if found, to arrest him in order that he may be dealt with according to law. Warrant to arrest police officer illegally leaving the Force.

26. Whenever any member of the Force ceases to belong to the Force he shall deliver over his uniforms and any other equipment which may have been supplied to him at such time and place and to Return of equipment and clothing.

such person as shall be directed by the Officer in Charge. If he fails to produce, or to account satisfactorily for the absence of, such clothing or equipment he shall be guilty of an offence and liable on summary conviction to pay the value of the same, or in default of payment, to imprisonment not exceeding one month. If such failure to produce or to account satisfactorily be in the opinion of the court wilful, the defaulter shall be guilty of an offence and liable on summary conviction to a fine not exceeding £20.

Prolongation of service in case of war or emergency.

27. Any police officer whose period of service expires during a state of war or state of emergency may be retained in the Force and his service prolonged for such further period as the Governor may direct, but not for more than six months after the ending of such state or time.

PART V — DISCIPLINE

Method of dealing with offences by police officers.

28. (1) (a) Any offence committed by a member of the Force with respect to which criminal proceedings are not instituted in a court of competent jurisdiction shall be dealt with and punished in accordance with the provisions of this Ordinance and any regulations made by the Governor under the powers conferred on him by this Ordinance, and subject to the provisions of section 32 in accordance with Colonial Regulations and the Government General Orders;

(b) Any police officer convicted of a criminal offence by any court of competent jurisdiction may be reduced in rank or dismissed provided that the person so dealt with may within seven days of the notification to him of such reduction or dismissal, as the case may be, appeal to the Governor whose decision on the matter shall be final.

(2) In this Part "offence" means —

- (a) any offence against any other law;
- (b) any offence against, contravention of or failure to comply with this Ordinance;
- (c) any offence against, contravention of or failure to comply with standing orders.

Police officers guilty of offences.

29. (1) Any police officer who shall be guilty of any offence against discipline shall be liable on conviction in such manner and before such person as may be prescribed by Regulations to any of the punishments prescribed in section 30.

(2) Offences against discipline shall be those prescribed by Regulations made under section 38 of this Ordinance.

(3) A police officer shall not be dealt with under this Ordinance where the offence alleged against him is one cognisable under the general law:

Provided that any of the punishments specified in paragraphs (a) to (d) of section 30 shall be subject to the approval of the Governor.

Punishment.

30. When a charge or complaint is made against a subordinate officer for a disciplinary offence under the Regulations, the Officer in Charge may hear and determine the charge or complaint and where he is satisfied that the charge has been proved may recommend the imposition on the offender of any of the following punishments —

- (a) Dismissal;
- (b) Determination of services;
- (c) Reduction in rank;
- (d) Reduction in rate of pay;

- (e) Fine not exceeding £10;
- (f) Extra duty;
- (g) Reprimand;
- (h) Caution;

31. (1) The Officer in Charge shall have power under the preceding section to summon and examine witnesses on oath or affirmation and to require production of all documents relevant to such inquiry and to adjourn any hearing from time to time. In every case the proceedings shall be recorded in writing.

Powers of officers holding inquiry.

(2) Any person summoned as a witness under subsection (1) of this section who fails to attend at the time and place stated in the summons or at the adjournment or refuses to answer any question that is lawfully put to him shall be liable on conviction to a fine not exceeding £5 or to imprisonment for a period not exceeding one month; provided that no such witness shall be obliged to answer any question which may tend to incriminate him or render him liable to any forfeiture or penalty.

32. Any person who is dissatisfied with the decision of the Officer in Charge may appeal to the Governor in accordance with the Regulations relating to appeal made under this Ordinance.

Right of appeal to Governor.

33. Any police officer shall in respect of any matter not provided for in this Ordinance be subject to the provisions of Colonial Regulations and Government General Orders from time to time in force as may be applicable.

Application of Colonial Regulations and General Orders.

PART VI

DISPOSAL OF PROPERTY

34. Where any property has come into the possession of the police in connection with any criminal charge or under section 103 of the Larceny Act, 1861, the Court of Summary Jurisdiction may, on the application either by a member of the Force or by a claimant of the property, make an order for the delivery of the property to the person appearing to the court to be the owner thereof, or, if the owner cannot be ascertained, make such order with respect to the property as the court may think fit.

Power to make orders with respect to property in possession of police.

35. (1) Subject to the provisions of any other Ordinance it shall be the duty of every police officer to take charge of all unclaimed property and to furnish an inventory or description thereof to the Court of Summary Jurisdiction.

Unclaimed property.

(2) The Court of Summary Jurisdiction shall cause a notice to be posted in a conspicuous place at the Court of Summary Jurisdiction and at the Police Station specifying such property and calling upon any person who may have a claim thereto to appear and establish his claim within six months from the date of such notice.

(3) The Court of Summary Jurisdiction may also make such order as to such property as it may deem fit, including an order for detention, sale by auction or private treaty for the benefit of any person who may claim property or for the destruction of such property.

(4) The right to take legal proceedings for the recovery of such property or the proceeds of such sale shall cease if no person shall within six months from the date of the notice aforesaid establish his claim to such property or proceeds thereof.

(5) At the expiration of six months from the date of such notice the property or the proceeds of sale of such property shall, after deduction of any expenses incurred in connection therewith, be paid or returned to the finder of such property, provided he claims the same from the Police Station not later than nine months from the date of such notice.

(6) If at the expiration of three months from the date of expiry of such notice no claim has been made by the finder, the police shall refer the matter to the Court of Summary Jurisdiction who shall be at liberty to order any property other than money to be destroyed or sold by auction or private treaty. The proceeds therefrom and any unclaimed money shall forthwith be paid into the Treasury after deduction of any expense incurred.

Disposal of valueless unclaimed goods or chattels.

36. If goods and chattels of the nature specified in sections 34 and 35 are of no appreciable value or of value so small in the opinion of the Officer in Charge as to render impracticable the sale of such property, the Officer in Charge may order such property to be destroyed or otherwise disposed of as he thinks fit.

Disposal of perishable articles and livestock.

37. Where the property is a perishable article or livestock and the custody of the article or of the livestock involves unreasonable expense or inconvenience, it may be sold at any time but the proceeds of sale shall not be disposed of until they have remained in the possession of the police for a year unless it is proved to the satisfaction of the Officer in Charge that any person laying claim to such article or livestock is in fact the owner of such article or livestock in which case the Officer in Charge may pay the proceeds to the person whose ownership has been so established.

PART VII — MISCELLANEOUS

Regulations.

38. The Governor in Council may make Regulations relating to all or any of the following matters, that is to say —

- (a) the discipline and punishment of members of the Force;
- (b) the conduct of disciplinary proceedings;
- (c) appeals from the decision of the officer holding the inquiry into an offence against discipline;
- (d) the appointment of police officers and the promotion and reduction in rank of police officers;
- (e) the treatment of persons detained or confined in any police building;
- (f) the taking of measurements, photographs, and fingerprint impressions of persons in lawful custody;
- (g) prescribing anything which by this Ordinance is to be or may be prescribed; and
- (h) generally for the good order and government of the Force.

Application of Ordinance to persons already in the Force.

39. All police officers who at the date of commencement of this Ordinance are serving in the Force shall be deemed to have been appointed under and subject to the provisions of this Ordinance.

Repeal of Cap. 51.

40. The Police Ordinance is hereby 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. 0836/III.

The Police Ordinance, 1967.

REGULATIONS

(under section 38 of the Ordinance)

No. 7 of 1967.

C. HASKARD,
Governor.

1. These Regulations may be cited as the Police Regulations, 1967. Citation.

PART I

RECRUITMENT AND PROBATION

2. The following standard is required for enrolment of recruits for the Police Force — Physical standard for recruits.

- (a) Age: A minimum of eighteen years.
- (b) Of good physique.
- (c) Eyesight: Normal or fully corrected with spectacles.
- (d) Ears: No undue deafness.
- (e) Feet and legs: Sufficiently developed to cope with long periods of standing.

3. A recruit may, before entry into the Force, be required to pass a written educational examination, to be set and marked by the Superintendent of Education or such other person as the Colonial Secretary may approve. Examination before entry into Force.

4. A police officer will be on probation for two years after appointment as such, during which period his services may be dispensed with at any time if the Officer in Charge considers that he is not likely to become efficient and well conducted. If his services are so dispensed with, he will receive one month's notice. Probationary period.

PART II — DISCIPLINE

5. Any member of the Force commits an offence against discipline if he commits one or more of the offences set out below (hereinafter in these Regulations referred to as the disciplinary code) — Disciplinary code.

(1) Discreditable conduct, that is to say, if he acts in a disorderly manner or any manner prejudicial to discipline or reasonably likely to bring discredit on the reputation of the Force.

(2) Insubordinate or oppressive conduct, that is to say, if he —

- (a) is insubordinate by word, act or demeanour; or
- (b) is guilty of oppressive or tyrannical conduct towards an inferior in rank; or
- (c) uses obscene, abusive or insulting language to any other member of the Force; or
- (d) wilfully or negligently makes any false complaint or statement against any member of the Force; or
- (e) assaults any other member of the Force; or
- (f) improperly withholds any report or allegation against any member of the Force.

(3) Disobedience to orders, that is to say, if he disobeys or without good and sufficient cause omits or neglects to carry out any lawful order, written or otherwise, or any provision of any Standing Order or Routine Order, or contravenes any of the following requirements —

- (a) a police officer shall at all times abstain from activity which is likely to interfere with the impartial discharge of his duties or which is likely to give rise to the impression amongst members of the public that it may so interfere,

and in particular a police officer shall not take any active part in politics;

- (b) the place at which a police officer resides shall be subject to the approval of the Officer in Charge;
- (c) a police officer shall not wilfully refuse or neglect to discharge any lawful debt.

(4) Neglect of duty, that is to say, if he —

- (a) neglects or without good and sufficient cause omits promptly and diligently to attend to or carry out anything which is his duty as a police officer; or
- (b) idles or gossips while on duty; or
- (c) fails to work his beat in accordance with orders, or leaves his beat or other place of duty to which he has been ordered without due permission or sufficient cause; or
- (d) by carelessness or neglect permits a prisoner to escape; or
- (e) fails, when knowing where any offender is to be found, to report the same, or to make due exertions for making him amenable to justice; or
- (f) fails to report any matter which it is his duty to report; or
- (g) fails to report anything which he knows concerning a criminal charge, or fails to disclose any evidence which he, or any person within his knowledge, can give for or against any prisoner or defendant to a criminal charge; or
- (h) omits to make any necessary entry in any official document or book; or
- (i) neglects, or without good or sufficient cause omits to carry out, any instructions of a government medical officer, or while absent from duty on account of sickness, is guilty of any act or conduct calculated to retard his return to duty.

(5) Falsehood or prevarication, that is to say, if he —

- (a) knowingly makes or signs any false statement in any official document or book; or
- (b) wilfully or negligently makes any false, misleading or inaccurate statement; or
- (c) without good and sufficient cause destroys or mutilates any official document or record, or alters or erases any entry therein.

(6) Breach of confidence, that is to say, if he —

- (a) divulges any matter which is his duty to keep secret; or
- (b) gives notice directly or indirectly to any person against whom any warrant or summons has been or is about to be issued, except in the lawful execution of such warrant or service of such summons; or
- (c) without proper authority communicates to any person, who is not a member of the Force, any matter connected with the Force; or
- (d) without proper authority shows to any person outside the Force any book or written or printed document the property of the government; or
- (e) makes any anonymous communication to the Governor, any public officer, the Officer in Charge or to any superior officer; or
- (f) canvasses any member of the Legislative Council or any public officer with regard to any matter concerning the Force; or
- (g) signs or circulates any petition or statement with regard to any matter concerning the Force except through the proper channel of correspondence to the Officer in Charge; or

- (h) calls or attends any unauthorised meeting to discuss any matter concerning the Force.

(7) Corrupt practice, that is to say, if he —

- (a) receives any bribe; or
- (b) fails to account for or to make a prompt and true return of any money or property received by him in his official capacity; or
- (c) directly or indirectly solicits or receives any gratuity, present, subscription or testimonial, without the consent of the Officer in Charge; or
- (d) places himself under pecuniary obligation to any publican or any person who holds a licence concerning the granting or renewal of which the police may have to report or give advice; or
- (e) improperly uses his character and position as a member of the Force for his private advantage; or
- (f) in his capacity as a member of the Force, writes, signs or gives without the sanction of the Officer in Charge any testimonial or character or other recommendation with the object of obtaining employment for any person or of supporting an application for the grant of a licence of any kind; or
- (g) without the sanction of the Officer in Charge supports an application for the grant of a licence of any kind.

(8) Unlawful or unnecessary exercise of authority, that is to say, if he —

- (a) without good and sufficient cause makes any unlawful or unnecessary arrest; or
- (b) uses any unnecessary violence to any prisoner or other person with whom he may be brought into contact in the execution of his duty; or
- (c) is uncivil to any member of the public.

(9) Malingering, that is to say, if he feigns or exaggerates any sickness or injury with a view to avoiding duty.

(10) Absence without leave or being late for duty, that is to say, if he without reasonable excuse is absent without leave from or is late for parade, court or any other duty.

(11) Uncleanliness, that is to say, if he, while on duty or while off duty in uniform in a public place, is improperly dressed or is dirty or untidy in his person, clothing or accoutrements.

(12) Damage to clothing or other articles supplied, that is to say, if he —

- (a) wilfully or by carelessness causes any waste, loss or damage to any article of clothing or accoutrement, or to any book, document or other government property served out to him or used by him or entrusted to his care; or
- (b) fails to report any loss or damage as in the preceding paragraph however caused.

(13) Drunkenness on duty or soliciting drink, that is to say, if he —

- (a) without the consent of his superior officer, drinks or receives from any person any intoxicating liquor while on duty; or
- (b) demands or endeavours to persuade any other person to give him or to purchase or to obtain from him, any intoxicating liquor while he is on duty.

(14) Entering licensed premises, that is to say, if without permission he enters —

- (a) while on duty any premises where intoxicating liquor is served, sold, stored or distributed when his presence there is not required in the execution of his duty; or
- (b) any such premises in uniform while off duty.

(15) Lending, borrowing or accepting presents, that is to say, if he lends money to any superior in rank or borrows or accepts any present from any inferior in rank.

(16) Conviction for a criminal offence, that is to say, if he has been found guilty by a court of law of any criminal offence.

(17) Being an accessory to a disciplinary offence, that is to say, if he connives at or is knowingly an accessory to any offence against discipline.

PART III — DEFAULTERS

Misconduct report.

6. For any offence against the disciplinary code a police officer will, if considered necessary, be placed on the defaulter's report.

Entries on record.

7. Every punishment will be entered on the defaulter's record sheet.

Defaulter to be served with a copy or report.

8. A defaulter shall, when going off duty or if off duty, as soon as practicable, be supplied with a written copy of the report preferred against him, which must disclose an offence against the disciplinary code with such details of time and place as will leave him under no misapprehension as to the offence for which he is reported.

Defaulter to be afforded access to reports.

9. The defaulter will be afforded access to all reports and statements relevant to the report against him, as soon as they are prepared. If he so desires, he will be permitted to take copies in his own time. Each folio of a report or statement of which a copy is taken must be marked by him "Copy Taken" and initialled by him to show that he has seen it.

Questions to be answered on report form.

10. (1) The defaulter will be invited to state in writing on a report form whether he admits or denies the charge. He will also be invited to state thereon the names and address of any witnesses to relevant facts whose attendance at the hearing of the case he wishes to secure.

(2) He may be present when the statements of his witnesses are being taken.

Trifling irregularities.

11. Police officers are not necessarily to be reported for trifling irregularities which can often be dealt with by immediate verbal reprimand, brief particulars of which should at the time be recorded in the official pocket book of the officer by whom the reprimand is administered. Repeated acts of negligence, although in themselves trifling, must be brought to notice.

Trial of defaulters.

12. Offences against the disciplinary code will be tried by the Officer in Charge.

Other member of Force may assist defaulter.

13. (1) At the trial of an offence against the disciplinary code, the defaulter may be assisted by another member of the Force.

(2) The member of the Force assisting the defaulter or the defaulter may address the Officer in Charge trying the case and examine or cross-examine the witnesses.

(3) The defaulter will be permitted to give evidence on his own behalf.

Absence of defaulter.

14. If a defaulter absconds or refuses or neglects without good and sufficient cause to attend the hearing of the charge at the time and place appointed or is serving a sentence of imprisonment the case may be decided in his absence.

15. When a police officer is reported for rendering himself unfit for duty through drink, whether on or off duty, or for drinking on duty, he shall have the right to require that a medical practitioner shall be called to examine him.

Drunkenness — attendance of doctor.

16. The Officer in Charge, when trying a case against a defaulter, shall record the substance of the evidence in writing.

Recording of evidence.

PART IV

APPEALS AND CONFIRMATION OF PUNISHMENT

17. (1) A police officer who is not satisfied with a decision reached on the trial of any offence against the disciplinary code may, subject to the provisions of this Part, appeal to the Governor, who may vary the decision or allow or reject the appeal.

Conditions to be complied with.

(2) Appeals may only be made on the condition that the officer shall have made his whole defence and called all his available witnesses at the original hearing.

(3) Notice of intention to appeal must be given in writing within forty-eight hours of the award of the punishment, stating whether the appeal is against the finding or the punishment or both.

18. On appeal, the appellant shall, within the prescribed time, give notice of appeal by serving on the Officer in Charge a notice in writing of his intention to appeal and of the general grounds of such appeal.

Notice of appeal.

19. A police officer, if found guilty of an offence by the Officer in Charge, may appeal to the Governor only if he has been sentenced to dismissal, termination of service, reduction in rank or reduction in rate of pay.

Limits of appeal.

20. When a member of the Force appeals to the Governor the Officer in Charge shall forward all records, statements and other papers relevant to the hearing to the Colonial Secretary for onward transmission to the Governor.

Appeals to Governor.

21. Any punishment specified in paragraphs (a) to (d) of section 30 of the Ordinance awarded by the Officer in Charge shall be subject to the approval of the Governor.

Confirmation of punishment.

PART V

COMPLAINTS AGAINST POLICE

22. All complaints against members of the Force shall be investigated without delay

Complaints.

23. (1) When a complaint is lodged against a member of the Force it shall be the duty of the officer receiving it to record it in writing.

Complaints to be recorded in writing.

(2) The officer against whom the complaint is made, will, whenever practicable, be permitted to be present while any statements are being taken from the complainant.

24. In all cases of complaint against a police officer, the Officer in Charge shall enquire into the allegation

Investigating complaints.

25. When the enquiry has been completed the Officer in Charge shall inform the complainant of the result of such enquiry.

Complainant to be informed.

Made by the Governor in Council on the 20th day of October, 1967.

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

The Police Ordinance, 1967

REGULATIONS

No. 8 of 1967.

C. HASKARD,
Governor.

Citation.

1. These Regulations may be cited as the Police Reserve Regulations, 1967.

Interpretation.

2. In these regulations, unless the context otherwise requires, "police reservist" means any member of the Police Reserve.

PART I — APPOINTMENT

Eligibility for appointment.

3. The Officer in Charge may, with the approval of the Governor, appoint as a police reservist any person —

- (a) who is not less than eighteen nor more than sixty years of age;
- (b) who is of good character;
- (c) who is of good health and physique; and
- (d) who is likely to become an efficient and well-conducted police reservist.

Application for appointment.

4. Any person wishing to be appointed as a police reservist shall apply to the Officer in Charge and shall supply such information as the Officer in Charge may require to enable him to decide whether or not the applicant should be so appointed.

Duration of appointment.

5. The appointment of a police reservist shall, unless otherwise specified by the Officer in Charge at the time of appointment, be without limitation as to period, subject to the provisions of regulations 8 and 9 and Part IV.

Declaration on appointment.

6. A police reservist shall on his appointment make and sign the declaration required to be made under section 8 of the Ordinance save that for the reference to police officer there shall be substituted reference to reserve police officer.

PART II

DETERMINATION OF SERVICE

7. A police reservist shall retire from his office as such on reaching the age of sixty-five years:

Provided that in any case, the Officer in Charge may permit a police reservist to continue to serve until such age not exceeding sixty-five as he may determine.

8. A police reservist may resign his office at any time upon giving to the Officer in Charge not less than one month's notice in writing:

Provided that the Officer in Charge may in any case allow a police reservist to withdraw from the Reserve at any time between the giving of the notice and the expiration of the said period of one month.

Determination by Officer in Charge.

9. The Officer in Charge may, at his discretion, determine the service of any police reservist by giving him not less than one month's notice in writing.

PART III

DUTIES, PRIVILEGES AND IMMUNITIES

Application of Part II of Ordinance.

10. Part II of the Ordinance shall apply to a police reservist as it applies to a member of the Force.

11. A police reservist shall, subject to the provisions of these Regulations, be subject to and governed by the provisions of any Standing Orders issued under the Ordinance in the same manner as a member of the Force, save in so far as such Standing Orders shall be expressed as not to be applicable to a police reservist.

Standing Orders and section 24 of the Ordinance.

PART IV

RANK AND CONDITIONS OF SERVICE

12. The Police Reserve shall consist of such numbers of the following ranks as the Governor may direct, in order of seniority as shown —

Ranks in Reserve.

Sergeants
Constables.

13. Any rank in the Police Reserve other than that of constable may be filled by a member of the Force, appointed to that rank in the Force and seconded for duty with the Police Reserve. Any member of the Force so seconded shall for all purposes be deemed to be still a member of the Force.

Secondment of police officers.

14. Police reservists shall receive such pay and allowances as may be assigned to them by the Governor in Council.

Pay and allowances.

15. The Pensions Ordinance and the Pensions Regulations shall not apply to a police reservist or (subject to regulation 16) to any service as a police reservist.

Service in Police Reserve not pensionable.

16. If a police reservist becomes a member of the Force, having been appointed thereto under the Ordinance, without any break in service, then one-half of his continuous service in the Police Reserve after the age of twenty years shall be deemed to have been service as a police officer for the purposes of the Pensions Ordinance and Pensions Regulations and to have been continuous with the period of his service as a police officer.

When service as police reservist may be pensionable service.

PART V

CONTROL AND DISCIPLINE OF POLICE RESERVE

17. Without prejudice to the powers conferred upon the Officer in Charge by regulation 9, and subject to the provisions of these Regulations —

Application of Police Ordinance and Police Regulations.

- (a) Part V of the Ordinance shall apply to a police reservist as it applies to a member of the Force;
- (b) Parts II, III, IV and V of the Police Regulations, shall apply to a police reservist as they apply to a member of the Force.

18. The Officer in Charge shall have command, superintendence and direction of the Police Reserve and shall be responsible for the efficient administration of the Police Reserve and for the proper expenditure of all public moneys appropriated for the service thereof.

Officer in Charge to command reserve.

Made by the Governor in Council on the 20th day of October, 1967.

H. L. BOUND,

Clerk of the Executive Council.

Ref. 0836/III.

Assented to in Her Majesty's name this 8th day of November 1967.

C. HASKARD,
Governor.

LS

No. 10



1967

Colony of the Falkland Islands.

IN THE SIXTEENTH 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 make further and better provision for the conduct of certain matrimonial proceedings and matters incidental thereto or connected therewith.

Date of commencement.

(1st December 1967)

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 Matrimonial Proceedings (Court of Summary Jurisdiction) Ordinance, 1967.

Interpretation.

2. In this Ordinance unless the context otherwise requires —

“child”, in relation to one or both of the parties to a marriage, includes an illegitimate or adopted child of that party or, as the case may be, of both parties, but does not include a child adopted by some other person or persons, and “parent”, in relation to any child, shall be construed accordingly; “adopted” means adopted in pursuance of an adoption order made under the Adoption Act, 1958, or any enactment repealed by that Act or by the Adoption Act, 1950;

“child of the family”, in relation to the parties to a marriage, means —

- (a) any child of both parties; and
- (b) any other child of either party who has been accepted as one of the family by the other party;

"dependant" means a person—

- (a) who is under the age of sixteen years; or
- (b) who, having attained the age of sixteen but not of twenty-one years, is either receiving full-time instruction at an educational establishment or undergoing training for a trade, profession or vocation in such circumstances that he is required to devote the whole of his time to that training for a period of not less than two years; or
- (c) whose earning capacity is impaired through illness or disability of mind or body and who has not attained the age of twenty-one years;

"drug addict" means a person (not being a mentally disordered person within the meaning of the Mental Treatment Ordinance) who, by reason of the habitual taking or using, otherwise than upon medical advice, of any drug to which any of the provisions of the Dangerous Drugs Ordinance, for the time being applies —

- (a) is at times dangerous to himself or to others, or incapable of managing himself or his affairs; or
- (b) so conducts himself that it would not be reasonable to expect a spouse of ordinary sensibilities to continue to cohabit with him;

"habitual drunkard" means a person (not being a mentally disordered person within the meaning of the Mental Treatment Ordinance) who, by reason of habitual intemperate drinking of intoxicating liquor —

- (a) is at times dangerous to himself or to others, or incapable of managing himself or his affairs; or
- (b) so conducts himself that it would not be reasonable to expect a spouse of ordinary sensibilities to continue to cohabit with him;

"interim order" means an order under section 8 of this Ordinance and includes any order made by virtue of section 10 of this Ordinance varying or reviving an order under the said section 8;

"matrimonial order" means an order under section 4 of this Ordinance and includes any order made by virtue of section 10 of this Ordinance varying or reviving an order under the said section 4.

3. (1) A married woman or married man may apply by way of complaint to a court of summary jurisdiction for an order under this Ordinance against the other party to the marriage on any of the following causes of complaint arising during the subsistence of the marriage, that is to say, that the defendant —

- (a) has deserted the complainant; or
- (b) has been guilty of persistent cruelty to —
 - (i) the complainant; or
 - (ii) an infant child of the complainant; or
 - (iii) an infant child of the defendant who, at the time of the cruelty, was a child of the family; or
- (c) has been found guilty —
 - (i) on indictment, of any offence which involved an assault upon the complainant; or
 - (ii) by a court of summary jurisdiction, of an offence against the complainant under sections 20, 42, 43 or 47 of the Offences against the Person Act, 1861, being, in the case of the said section 42, an offence for which the defendant has been sentenced to imprisonment or any other form of detention for a term of not less than one month; or

Matrimonial proceedings
in court of summary
jurisdiction.

- (iii) of, or an attempt to commit, an offence under any of sections 1 to 29 of the Sexual Offences Act, 1956, or against an infant child of the complainant, or against an infant child of the defendant who, at the time of the commission of or attempt to commit the offence, was a child of the family; or
- (d) has committed adultery; or
- (e) while knowingly suffering from a venereal disease has insisted on, or has without the complainant being aware of the presence of that disease permitted, sexual intercourse between the complainant and the defendant, or
- (f) is for the time being a habitual drunkard or a drug addict; or
- (g) being the husband, has compelled the wife to submit herself to prostitution or has been guilty of such conduct as was likely to result and has resulted in the wife's submitting herself to prostitution; or
- (h) being the husband, has wilfully neglected to provide reasonable maintenance for the wife or for any child of the family who is, or would but for that neglect have been, a dependant; or
- (i) being the wife, has wilfully neglected to provide, or to make a proper contribution towards, reasonable maintenance for the husband or for any child of the family who is, or would but for that neglect have been, a dependant, in a case where, by reason of the impairment of the husband's earning capacity through age, illness, or disability of mind or body, and having regard to any resources of the husband and the wife respectively which are, or should properly be made, available for the purpose, it is reasonable in all the circumstances to expect the wife so to provide or contribute.

(2) A court of summary jurisdiction shall have jurisdiction to hear a complaint under this section —

- (a) if at the date of the making of the complaint either the complainant or the defendant is resident in the Colony; or
- (b) except in the case of a complaint by virtue of paragraph (c) of the foregoing subsection, if the cause of complaint arose wholly or partly within the Colony; or
- (c) in the case of a complaint by virtue of the said paragraph (c), if the offence or attempt to which the complaint relates occurred within the Colony.

Order by court of
summary jurisdiction in
matrimonial proceedings.

4. (1) Subject to the provisions of this section and of section 6 of this Ordinance, on hearing a complaint under section 3 by either of the parties to a marriage the court may make an order (in this Ordinance referred to as a "matrimonial order") containing any one or more of the following provisions, namely —

- (a) a provision that the complainant be no longer bound to cohabit with the defendant (which provision while in force shall have effect in all respects as a decree of judicial separation);
- (b) a provision that the husband shall pay to the wife such weekly sum not exceeding £7 10s. 0d. as the court considers reasonable in all the circumstances of the case;
- (c) where, by reason of the impairment of the husband's earning capacity through age, illness, or disability of mind or body, it appears to the court reasonable in all the circumstances so to order, a provision that the wife shall pay to the husband such weekly sum not exceeding £7 10s. 0d. as the court considers reasonable in all the circumstances of the case;
- (d) a provision for the legal custody of any child of the family who is under the age of sixteen years;

- (e) if, in the case of any child committed by the order to the legal custody of any person, it appears to the court that there are exceptional circumstances making it desirable that the child should be under the supervision of an independent person, a provision that the child be under the supervision of a probation officer;
- (f) a provision for access to any child of the family by either of the parties or by any other person who is a parent of that child, in a case where the child is committed by the order to the legal custody of a person other than that party or parent;
- (g) a provision for the making by the defendant or by the complainant or by each of them, for the maintenance of any child of the family, of payments by way of a weekly sum not exceeding in the case of payments by either one of the parties in respect of any one child the sum of £2 10s. 0d., being —
 - (i) if and for so long as the child is under the age of sixteen years, payments to any person to whom the legal custody of the child is for the time being committed by the order, or by any other order made by a court in the Colony and for the time being in force;
 - (ii) if it appears to the court that the child is, or will be, or if such payments were made would be, a dependant though over the age of sixteen years, and that it is expedient that such payments should be made in respect of that child while such a dependant, payments to such person (who may be the child) as may be specified in the order, for such period during which the child is over the age of sixteen years but under the age of twenty-one years as may be so specified.

(2) Where, on a complaint under section 3 of this Ordinance, the court makes a matrimonial order on the ground that the defendant is for the time being a habitual drunkard or a drug addict, and the order contains such a provision as is mentioned in paragraph (a) of the foregoing subsection, then, if in all the circumstances, and after giving each party to the proceedings an opportunity of making representations, the court thinks it proper so to do, the court may include in that order —

- (a) if the complainant is the husband, a provision such as is mentioned in paragraph (b) of the foregoing subsection; or
- (b) if the complainant is the wife, a provision such as is mentioned in paragraph (c) of that subsection;

but save as aforesaid the said paragraphs (b) or (c) shall not authorise the court to require any payment such as is therein mentioned to be made by the complainant.

(3) The court hearing a complaint under section 3 of this Ordinance shall not make a matrimonial order containing a provision such as is mentioned in paragraphs (a), (b) or (c) of subsection (1) of this section —

- (a) on the ground that the defendant has committed an act of adultery, unless the court is satisfied that the complainant has not condoned or connived at, or by wilful neglect or misconduct conducted to, the act of adultery; or
- (b) where the complainant is proved to have committed an act of adultery during the subsistence of the marriage, unless the court is satisfied that the defendant has condoned or connived at, or by wilful neglect or misconduct conducted to, that act of adultery.

(4) The court shall not make an order containing such a provision as is mentioned in paragraph (d) of subsection (1) of this section in respect of any child with respect to whose custody an order made by a court in the Colony is for the time being in force.

(5) In considering whether any, and if so what, provision should be included in a matrimonial order by virtue of paragraph (g) of subsection (1) of this section for payments by one of the parties in respect of a child who is not a child of that party, the court shall have regard to the extent, if any, to which that party had, on or after the acceptance of the child as one of the family, assumed responsibility for the child's maintenance, and to the liability of any person other than a party to the marriage to maintain the child.

Supplementary provisions
as to supervision of a
child.

5. (1) Where a matrimonial order provides for a child to be under the supervision of a probation officer, that officer shall be selected in like manner as if the order were a probation order.

(2) Any provision of a matrimonial order that a child be under the supervision of a probation officer shall cease to have effect as respects any child when the child attains the age of sixteen years.

Special powers and duties
with respect to children.

6. (1) Where the court has begun to hear a complaint —

- (a) under section 3 of this Ordinance; or
- (b) for the variation of a matrimonial order —
 - (i) by the revocation, addition or alteration of provision for the legal custody of a child; or
 - (ii) by the revocation of a provision that a child be under the supervision of a probation officer; or
- (c) for the revocation of a matrimonial order consisting of or including any such provision as aforesaid,

then, whether or not the court makes the order for which the complaint is made, but subject to subsections (4) and (5) of section 4 of this Ordinance and subsection (6) of this section, the court may make a matrimonial order, containing, or, as the case may be, vary the matrimonial order so that it contains, any provision such as is mentioned in paragraphs (d) to (g) of subsection (1) of the said section 4 which, after giving each party to the proceedings an opportunity of making representations, the court thinks proper in all the circumstances; and the court shall not dismiss or make its final order on any complaint in a case where the powers conferred on the court by this subsection are or may be exercisable until it has decided whether or not, and if so how, those powers should be exercised.

(2) Where, on hearing such a complaint as aforesaid or a complaint for the variation of a matrimonial order by the revocation, addition or alteration of provision for access to a child, the court, after it has made any decision which falls to be made on the complaint with respect to any provision such as is mentioned in paragraphs (a) to (c) of subsection (1) of section 4 of this Ordinance, is of the opinion that it has not sufficient information to make the decision required by the foregoing subsection or, as the case may be, to make a decision as to access to the child, the court may call for a report, either oral or in writing, by a probation officer, with respect to such matters as the court may specify, being matters appearing to the court to be relevant to that decision.

(3) Any statement which is or purports to be a report in pursuance of the last foregoing subsection shall be made, or if in writing be read aloud, before the court at a hearing of the complaint, and immediately after it has been read aloud the court shall ask whether any party to the proceedings who is present at the hearing objects to anything contained therein; and where objection is made—

- (a) the court shall require the officer by whom the statement was or was purported to be made to give evidence on oath with respect to the matters referred to therein; and
- (b) any party to the proceedings may give or call evidence with respect to any matter referred to in the statement or in any evidence given by the officer.

(4) Subject to the next following subsection, the court may take account of any statement made or read aloud under the last foregoing subsection and of any evidence given under paragraph (a) of that subsection, so far as that statement or evidence relates to the matters specified by the court under subsection (2) of this section, notwithstanding any law relating to the admissibility of evidence.

(5) A report in pursuance of subsection (2) of this section shall not include anything said by either of the parties to a marriage in the course of an interview which took place with, or in the presence of, a probation officer with a view to the reconciliation of those parties, unless both parties have consented to its inclusion; and if anything so said is included without the consent of both those parties as part of any statement made or read aloud under subsection (3) of this section, then, unless both those parties agree otherwise, that part of the statement shall, for the purposes of the giving of evidence under the said subsection (3) and for the purposes of subsection (4) of this section, be deemed not to be contained in the statement.

(6) On the hearing of a complaint under section 3 of this Ordinance in the case of which there is a child of the family who is not a child of both parties, other than a child with respect to whose custody an order made by a court in the Colony is for the time being in force —

- (a) subsections (1) and (3) of this section shall have effect as if any person, who, though not a party to the proceedings, is a parent of that child and who is present at the hearing were a party to the proceedings; and
- (b) if any such person is not so present, the court shall not make a matrimonial order on the complaint unless it is proved to the satisfaction of the court, on oath or in such other manner as may be prescribed, that such steps have been taken as may be so prescribed with a view to giving notice to that person of the making of the complaint and of the time and place appointed for the hearing:

Provided that nothing in paragraph (b) of this subsection shall require notice to be given to any person as the father of an illegitimate child unless that person has been adjudged by a court to be the father of that child.

(7) Where for the purposes of this section the court adjourns the hearing of any complaint, then, subject to subsection (2) of section 46 of the Magistrates' Courts Act, 1952 (which requires adequate notice of the time and place of the resumption of the hearing to be given to the parties) the court may resume the hearing at the time and place appointed notwithstanding the absence of both or all of the parties.

(8) In any proceedings in which the powers conferred on the court by subsection (1) of this section are or may be exercisable, the question whether or not, and if so how, those powers should be exercised shall be excepted from the issues arising in the proceedings which, under the proviso to subsection (1) of section 60 of the Magistrates' Courts Act, 1952, must be determined by the court before the court may direct a probation officer to make to the court under that section a report on the means of the parties.

7. Where on hearing any complaint under section 3 of this Ordinance a court of summary jurisdiction is of the opinion that any of the matters in question between the parties would be more conveniently dealt with by the Supreme Court, the court of summary jurisdiction may refuse to make a matrimonial order on the complaint, and no appeal shall lie from that refusal; but if in any proceedings in the Supreme Court relating to or comprising the same subject matter as that complaint, the Supreme Court so orders, the complaint shall be re-heard and determined by a court of summary jurisdiction.

Refusal of order in case more suitable for Supreme Court.

Interim order by court of summary jurisdiction or Supreme Court.

8. (1) Where in the case of any complaint made to a court of summary jurisdiction under section 3 of this Ordinance —

- (a) the court of summary jurisdiction, at any time before making its final order on the complaint, adjourns the hearing of the complaint for any period exceeding one week; or
- (b) the court of summary jurisdiction refuses by virtue of section 7 of this Ordinance to make a matrimonial order on the complaint; or
- (c) after such a refusal by the court of summary jurisdiction as aforesaid or on an appeal under section 13 of this Ordinance from, or from the refusal of, a matrimonial order on the complaint, the Supreme Court by virtue of the said section 7 or 13 orders that the complaint shall be reheard by a court of summary jurisdiction,

then, in a case falling within paragraphs (a) or (b) of this subsection the court of summary jurisdiction, or in a case falling within paragraph (c) thereof the Supreme Court, may make an order under this section (in this Ordinance referred to as an "interim order").

(2) An interim order may contain —

- (a) any such provision as is mentioned in paragraphs (b), (c) or (g) of subsection (1) of section 4 of this Ordinance; and
- (b) where by reason of special circumstances the court thinks it proper, but subject to subsection (4) of the said section 4, any provision such as is mentioned in paragraphs (d) or (f) of that subsection;

and for the purposes of paragraph (a) of this subsection the reference in sub-paragraph (i) of the said paragraph (g) to any person to whom the legal custody of a child is for the time being committed by an order shall be construed as including a reference to any person, being one of the parties or a parent of the child, who for the time being has the care of the child, and an appeal against an interim order shall not lie if the appeal relates only to such a provision of the order as is mentioned in paragraph (a) of this subsection.

(3) Without prejudice to sections 9, 10 and 13 of this Ordinance, an interim order in connection with any complaint shall cease to be in force on whichever of the following dates occurs first, that is to say —

- (a) the date, if any, specified for the purpose in the interim order;
- (b) the date of the expiration of the period of three months beginning with the date of —
 - (i) the making of the interim order; or
 - (ii) if the interim order is one of two or more such orders made with respect to the same complaint by virtue of the same paragraph of subsection (1) of this section, the making of the first of those interim orders;
- (c) the date of the making of a final order on, or the dismissal of, the complaint by a court of summary jurisdiction.

(4) An interim order made by the Supreme Court under this section on ordering that a complaint be reheard by a court of summary jurisdiction shall, for the purposes of its enforcement and for the purposes of section 10 of this Ordinance, be treated as if it were an order of that court of summary jurisdiction and not of the Supreme Court.

(5) The powers conferred on the Supreme Court by this section shall be without prejudice to the powers of that court on an appeal under section 13 of this Ordinance from the refusal of an interim order by a court of summary jurisdiction.

9. (1) Where a matrimonial or interim order is made while the parties to the marriage in question are cohabiting —

Suspension or cessation of order.

- (a) the order shall not be enforceable and no liability shall accrue thereunder until they have ceased to cohabit; and
- (b) if in the case of a matrimonial order they continue to cohabit for the period of three months beginning with the date of the making of the order, the order shall cease to have effect at the expiration of that period:

Provided that, unless the court in making the order directs otherwise, this subsection shall not apply to any provision of the order —

- (i) committing a child to the legal custody of a person other than one of the parties, or for access to that child by either of the parties or by any other person who is a parent of the child; or
- (ii) providing for a child to be under the supervision of a probation officer; or
- (iii) for the making by either or each of the parties to a person other than one of the parties of payments for the maintenance of a child.

(2) Without prejudice to section 10 of this Ordinance, any provision of a matrimonial or interim order other than such a provision as is referred to in the proviso to the foregoing subsection shall cease to have effect upon the parties to the marriage in question resuming cohabitation.

(3) Where after the making by a court of summary jurisdiction of —

- (a) a matrimonial order consisting of or including a provision such as is mentioned in paragraphs (b), (c) or (g) of subsection (1) of section 4 of this Ordinance; or
- (b) an interim order,

proceedings between, and relating to the marriage of, the parties to the proceedings in which that order was made have been commenced in the Supreme Court, the Supreme Court may, if it thinks fit, direct that the said provision or, as the case may be, the interim order shall cease to have effect on such date as the Supreme Court may specify.

10. (1) Subject to section 6 of this Ordinance, section 53 of the Magistrates' Courts Act, 1952 (which provides for the revocation, revival or variation, by order on complaint, of an order of a court of summary jurisdiction for the periodical payment of money) and the proviso to subsection (1) of section 55 of that Act (which relates to costs on the hearing of such a complaint) shall apply for the purpose of the revocation, revival or variation of any matrimonial or interim order as if that order were an order for the periodical payment of money, whether or not it is in fact such an order; and a complaint for the said purpose may be heard whatever the time at which it is made; and for the avoidance of doubt it is hereby declared that for the purposes of this Ordinance the expression "variation" in relation to any order includes the addition to that order of any provision authorised by this Ordinance to be included in such an order:

Revocation, revival and variation of orders.

Provided that, without prejudice to the powers and duties of the court under section 6 of this Ordinance, nothing in this section shall authorise the making of a complaint —

- (a) for the variation of an order by the addition of a provision that a child be under the supervision of a probation officer; or
- (b) for the revival of any such provision as aforesaid which has ceased to be in force.

(2) Where on a complaint for the revocation of a matrimonial order it is proved that the parties to the marriage in question have

resumed cohabitation or that the party on whose complaint the order was made has during the subsistence of the marriage committed an act of adultery, the court shall revoke the order:

Provided that —

- (a) the court shall not be bound by reason of such a resumption of cohabitation to revoke any provision of the order such as is mentioned in the proviso to subsection (1) of section 9 of this Ordinance;
- (b) the court shall not revoke the order by reason of such an act of adultery as aforesaid —
 - (i) except at the request of the person who was the defendant to the proceedings in which the order was made; or
 - (ii) if the court is of the opinion that the person aforesaid has condoned or connived at, or by wilful neglect or misconduct conduced to, that act of adultery,

and shall not be bound by reason of that act of adultery to revoke any provision of the order included therein by virtue of paragraphs (d) to (g) of subsection (1) of section 4 of this Ordinance.

(3) The court before which there fall to be heard any proceedings for the variation of a provision for the payment of money contained in a matrimonial or interim order may, if it thinks fit, order that those proceedings and any other proceedings being heard therewith shall be treated for the purposes of the Magistrates' Courts Act, 1952, as domestic proceedings; and that Act shall thereupon have effect accordingly notwithstanding anything in subsection (1) of section 56 thereof; and no appeal shall lie from, or from the refusal of, an order under this subsection.

Complaint for variation,
etc., by or against person
outside the Colony.

11. (1) It is hereby declared that any jurisdiction conferred on a court by virtue of section 10 of this Ordinance is exercisable notwithstanding that the proceedings are brought by or against a person residing outside the Colony:

Provided that a matrimonial order shall not be varied by the addition of such a provision as is mentioned in paragraph (a) of subsection (1) of section 4 of this Ordinance if the defendant to the complaint for the variation resides outside the Colony.

(2) Where, at the time and place appointed for the hearing of a complaint by virtue of section 10 of this Ordinance, the defendant does not appear but —

- (a) the court is satisfied that there is reason to believe that the defendant has been outside the Colony during the whole of the period beginning one month before the making of the complaint and ending with the date of the hearing; and
- (b) it is proved to the satisfaction of the court, on oath, or in such other manner as may be prescribed, that such steps have been taken as may be so prescribed with a view to giving notice to the defendant of the making of the complaint and of the time and place aforesaid,

the court may, if it thinks it reasonable in all the circumstances so to do, proceed to hear and determine the complaint at the time and place appointed for the hearing or for any adjourned hearing in like manner as if the defendant had appeared at that time and place.

(3) Where a complaint for the revocation or variation of any provision for the making of payments by the complainant to the defendant is heard by virtue of subsection (2) of this section in the absence of the defendant, and the court is satisfied that there is reason to believe that during the period of six months immediately preceding the making of the complaint the defendant was continuously outside the Colony or was not in the Colony on more than thirty days, then, if in all the circumstances, and having regard to any communication to the court in writing purporting to be from the

defendant, the court thinks it reasonable so to do, the court may make the order for which the complaint is made or make such variation in that provision by way of reducing the amount of the payments as the court thinks fit.

(4) For the purposes of the hearing by virtue of subsection (2) of this section, in the absence of the defendant, of a complaint for the revocation or variation of a matrimonial order under which payments fall to be made by the complainant to the defendant through a court of summary jurisdiction, a certificate in writing by an officer of the court dated not earlier than ten days before the date of the hearing and stating that, during the period mentioned in paragraph (a) of subsection (2) of this section (or so much as precedes the date of the certificate) or, as the case may be, during the period mentioned in subsection (3) of this section —

- (a) every payment made under the order has been forwarded by the court collecting officer to an address outside the Colony; and
- (b) the defendant has not to the knowledge of the court collecting officer been in the Colony at any time or, in the case of the period mentioned in the said subsection (3), on more than thirty days, shall be sufficient evidence that there is reason to believe as mentioned in paragraph (a) of the said subsection (2) or, as the case may be, in the said subsection (3).

(5) Nothing in this section shall be construed as authorising the making of an order by virtue of section 10 of this Ordinance against a person residing outside the Colony for the inclusion in a matrimonial or interim order of any provision requiring payments to be made by that person exceeding in amount those, if any, required to be made by him under the order sought to be varied, unless the order by virtue of the said section 10 is made at a hearing at which either that person appears or the requirements of subsection (3) of section 47 of the Magistrates' Courts Act, 1952, with respect to proof of service of summons or appearance on a previous occasion are satisfied in respect of that person.

12. (1) A complaint by virtue of section 10 of this Ordinance for the revocation, revival or variation of a matrimonial or interim order may be made in the following cases by the following persons in addition to the parties to the marriage in question, that is to say —

Parties to complaint for variation etc.

- (a) where a child of the family is not a child of both the parties to the marriage, a complaint relating to any provision with respect to the child such as is mentioned in paragraphs (d) or (f) of subsection (1) of section 4 of this Ordinance may be made by any person who, though not one of the parties to the marriage, is a parent of the child;
- (b) a complaint relating to payments under the order such as are mentioned in paragraph (g) of the said subsection (1) may be made by any person to whom such payments fall, or upon the making of the order for which the complaint is made would fall, to be made;
- (c) where under the order a child is for the time being committed to the legal custody of some person other than one of the parents, a complaint relating to any provision with respect to the child such as is mentioned in the said paragraphs (d) or (f) may be made by any person to whose legal custody the child is committed by the order or who seeks the legal custody of the child by the complaint;
- (d) where under the order a child is for the time being under the supervision of a probation officer, the probation officer may make a complaint relating to any provision with respect to the child such as is mentioned in the said paragraphs (d), (f) and (g);

- (e) a complaint for the variation or revocation of a provision of the order that a child be under the supervision of a probation officer, may be made by a probation officer, or by any person to whose legal custody the child is for the time being committed by the order or who by the same complaint also seeks the legal custody of the child.

(2) Provision may be made by rules as to what persons shall be made defendants to any such complaint as aforesaid; and where in the case of any such complaint there are two or more defendants, the powers of the court under subsection (1) of section 55 of the Magistrates' Courts Act, 1952, shall be deemed to include power, whatever adjudication the court makes on the complaint, to order any of the parties to pay the whole or part of the costs of all or any of the other parties.

Appeals.

13. (1) Subject to section 7, subsection (2) of section 8 and subsection (3) of section 10 of this Ordinance, an appeal shall lie to the Supreme Court from, and from the refusal or revocation of, or a refusal to revoke, a matrimonial or interim order by a court of summary jurisdiction.

(2) Subject to subsection (3) of this section, any order of the Supreme Court on an appeal under this section shall for the purposes of the enforcement of the order and for the purposes of section 10 of this Ordinance be treated as if it were an order of the court of summary jurisdiction from which the appeal was brought and not of the Supreme Court.

(3) The last foregoing subsection shall not apply to an order directing that a complaint shall be re-heard by a court of summary jurisdiction or, without prejudice to the provisions of subsection (4) of section 8 of this Ordinance, to an order to which the said subsection (4) applies.

Time limit for complaint on ground of adultery.

14. (1) A complaint under section 3 of this Ordinance on the ground of the commission of an act of adultery by the defendant may be heard if it is made within six months of the date when that act of adultery first became known to the complainant.

(2) Such a complaint as aforesaid shall not be dismissed by reason only that it was not made within the six months allowed by the foregoing subsection if the court is satisfied that the complainant, on the date of the making of the complaint, had not been in the Colony for a continuous period of three months since the date of his return to the Colony after the expiration of the six said months or, if he was in the Colony at the expiration of those six months, the date of his last return to the Colony during those six months.

Enforcement etc.

15. (1) Without prejudice to section 52 of the Magistrates' Courts Act, 1952, the court making an order by virtue of this Ordinance for payment of a periodical sum by one person to another may direct that it shall be paid through the court or to some third party on that other person's behalf instead of directly to that other person; and, for the purposes of any order made by virtue of this Ordinance, the said section 52 shall have effect as if, in subsection (2) thereof, for the words "the applicant for the order" in the first place where those words occur there were substituted the words "the person to whom the payments under the order fall to be made".

(2) Where an order made by virtue of this Ordinance contains a provision committing a child to the legal custody of any person, a copy of the order may be served on any other person in whose actual custody the child for the time being is; and thereupon that provision without prejudice to any other remedy which may be available, be enforced under subsection (3) of section 54 of the Magistrates' Courts Act, 1952, as if it were an order of the court requiring that other person to give up the child to the person to whom the legal custody of the child is committed.

(3) Any person for the time being under an obligation to make payments under any order made in proceedings brought by virtue of this Ordinance shall give notice to such persons, if any, as may be specified in the order of any change of address; and any person who without reasonable excuse fails to comply with this subsection shall be liable on summary conviction to a fine not exceeding £5.

16. The Governor in Council may make Rules —

Rules.

- (a) prescribing the manner of, and the practice and procedure to be followed in, appeals to the Supreme Court under this Ordinance;
- (b) prescribing anything which may be prescribed;
- (c) generally for the better carrying out of the purposes and provisions of this Ordinance.

17. The Imperial enactments set out in the first column of the Schedule shall, to the extent specified in the second column thereof, cease to apply in the Colony.

Cessation of application.

SCHEDULE

CESSATION OF APPLICATION OF ENACTMENTS

	Imperial enactments	Extent of cessation of application
(58 & 59 Vict. c. 39)	The Summary Jurisdiction (Married Women) Act, 1895	The whole Act.
(10 & 11 Geo. 5 c. 63)	The Married Women (Maintenance) Act, 1920	The whole Act.
(15 & 16 Geo. 5 c. 51)	The Summary Jurisdiction (Separation and Maintenance) Act, 1925	The whole Act.
(12, 13 & 14 Geo. 6 c. 99)	The Married Women (Maintenance) Act, 1949	The whole Act.
(14 & 15 Geo. 6 c. 56)	The Guardianship and Maintenance of Infants Act, 1951	Section 2.
(15 & 16 Geo. 6 & 1 Eliz. 2 c. 55)	The Magistrates' Courts Act, 1952	In section 52 the proviso to subsection (2). In section 126, in subsection (1), the paragraph commencing with the words "Maintenance order".

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

H. L. BOUND,

Clerk of the Legislative Council.

Ref. 2416.

Assented to in Her Majesty's name this 8th day of November 1967.

C. HASKARD,
Governor.

LS

No. 11



1967

Colony of the Falkland Islands.

IN THE SIXTEENTH 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 Non-Contributory Old Age Pensions Ordinance, 1961.

Title.

Date of commencement.

(1st December 1967)

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 Non-Contributory Old Age Pensions (Amendment) Ordinance, 1967.

Amendment of section 4.
(7 of 1961)

2. Section 4 (a) as amended is deleted and the following substituted therefor —

“(a) (i) the person shall have attained the age of 74 years on or before 1st July 1961; or

(ii) a spinster who shall have attained the age of 65 years on or before 1st July 1970:

Provided that where the person is a widow whose husband died before 1st July 1952, or where a husband although alive on that date was excluded by age from contributing under the Old Age Pensions Ordinance, 1952, or where a husband was a contributor under the Old Age Pensions Ordinance, 1952, and died before reaching pensionable age and his contributions were refunded, she shall have attained the age of 65 years.”

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. 0323/F.

Assented to in Her Majesty's name this 8th day of November 1967.

C. HASKARD,
Governor.

LS

No. 12



1967

Colony of the Falkland Islands.

IN THE SIXTEENTH 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 Immigration Ordinance,
1965. Title.

(1st December 1967)

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 Immigration (Amendment) Ordinance, 1967, and shall be read as one with the Immigration Ordinance, 1965, hereinafter referred to as the principal Ordinance.

Short title.
10 of 1965.

2. Section 11 of the principal Ordinance is amended by the deletion of subsections (3) and (4) and the substitution therefor of the following—

Amendment of section 11.

“(3) The Employment Permit shall forthwith cease to be effective and shall be deemed to have been cancelled if the holder—

- (a) fails within one month from the date of his landing in the Colony to take up the employment in respect of which it was issued; or
- (b) leaves the employment in respect of which his Employment Permit was issued.

(4) A person whose Employment Permit has been cancelled shall not take up new employment without having made application to and being granted a new Employment Permit by the Immigration Officer.”.

Amendment of section 23.

3. Section 23 of the principal Ordinance is amended —

- (a) by the insertion in sub-paragraph (v) after the semicolon the word “or”;
- (b) by the insertion after sub-paragraph (v) of the following new sub-paragraph —
 - “(vi) employs any person who is required to be in possession of an Employment Permit who does not possess such Employment Permit;”.

Amendment of the principal Ordinance.

4. The principal Ordinance is amended by deleting the figures “30” in the margin opposite section 26 and substituting the figures “31”.

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. 0837/II.

Assented to in Her Majesty's name this 8th day of November 1967.

C. HASKARD,
Governor.

LS

No. 13



1967

Colony of the Falkland Islands.

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

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

An Ordinance

To legalise certain payments made in the year 1966-67 in excess of the Expenditure sanctioned by Ordinance No. 4 of 1966. Title.

WHEREAS it is expedient to make further provision for the service of the Colony for the period 1st July 1966 to 30th June 1967. Preamble.

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

1. This Ordinance may be cited for all purposes as the Supplementary Appropriation (1966-67) Ordinance, 1967. Short title.

2. The sums of money set forth in the Schedule hereto having been expended for the services therein mentioned beyond the amounts granted for those services by the Ordinance providing for the service for the period 1st July 1966 to 30th June 1967, the same are hereby declared to have been duly laid out and expended for the service of the Colony in that period, and are hereby approved, allowed and granted in addition to the sum mentioned for those services in the said Ordinance. Appropriation of excess expenditure for the period 1st July 1966 to 30th June 1967.

Schedule.

SCHEDULE

Number	Head of Service	Amount
FALKLAND ISLANDS		£
III	Audit	1,168
V	Customs & Harbour	19
VII	Medical	447
IX	Military	943
X	Miscellaneous	11,765
XVII	Public Works Special	392
XVIII	Secretariat, Treasury & Central Store ...	5,162
		19,896
Development "A"		24,522
Total Expenditure		£ 44,418

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. 0284/XIX.

Assented to in Her Majesty's name this 8th day of November 1967.

C. HASKARD,
Governor.



No. 14



1967

Colony of the Falkland Islands.

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

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

An Ordinance **To revise the law relating to Education.**

(1st December 1967)

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

1. This Ordinance may be cited as the Education Ordinance, 1967.

2. In this Ordinance and Regulations thereunder unless the context otherwise requires —

“child” means any person who has attained the age of five years and has not attained the age of fifteen years;

“parent” in relation to a child includes guardian and every person who has the actual custody of a child;

“recognised school” means a school approved by the Governor by notice in the Gazette;

“recognised teacher” means a teacher approved by the Governor by notice in the Gazette;

“Superintendent” means the Superintendent of Education or the Officer acting in that behalf;

“Headmaster” means the officer appointed to be in charge of a recognised school or schools;

Title.

Date of commencement.

Enacting clause.

Short title.

Definitions.

"bursary" means an award enabling a pupil over the statutory school leaving age to continue his studies at an approved level either within or outside the Colony;

"scholarship" means an award enabling a pupil within the statutory school attendance age limits to continue his studies at an approved level outside the Colony;

"term" means the period appointed for continuous instruction in a school;

"overseas educational allowance" means an allowance to the parent of a child who is receiving full time education outside the Colony and is not in receipt of any other allowance or award from any public or institutional source.

PART I.

Education within the Colony.
Age of entry.

3. A child shall be entered at a recognised school on the first day of the term in which he shall reach the age of five years, provided that for the purposes of this section a term shall include the subsequent holiday period.

Boarding pupils Darwin School.

4. Boarding pupils at Darwin School shall be entered upon or after attaining the age of seven years, provided that entry after the twelfth birthday shall be at the discretion of the Superintendent of Education.

Age of entry camp tuition.

5. A child who is to receive tuition from a recognised teacher in camp shall attend for such tuition from the date of his fifth birthday.

Duty of parent to have child educated.

6. It shall be the duty of the parent of a child to cause that child to receive education by attending regularly either —

- (a) a recognised school; or
- (b) the classes held by a recognised teacher; or
- (c) in certain circumstances, with the permission of the Superintendent, to receive instruction by the parent:

Provided that it shall be a sufficient cause for non-compliance with the requirements of this section if:

- (a) in the case of a child under the age of seven years, there is neither a recognised school nor a recognised teacher within one mile, or in the case of a child of the age of seven years or over, within two miles from the residence of such child, provided further that this subsection shall not apply to a child resident within the limits of Stanley;
- (b) the child has been prevented from receiving education by reason of sickness;
- (c) the child is absent on any day set apart for religious observance by the religious body to which a parent belongs.

School attendance orders.

7. (1) If it appears to the Superintendent that any parent is failing to perform the duty imposed on him by section 6 he shall serve on such parent a notice requiring him within seven days, if the parent resides in Stanley, or thirty days if the parent resides outside Stanley, from the date of service thereof, to satisfy the Superintendent that the child is receiving sufficient education.

(2) If, after the said notice, and without reasonable cause, the parent of any child fails to cause the child to receive education as provided in section 4 the Superintendent shall serve on the parent an order in the prescribed form (hereinafter referred to as a school attendance order) requiring him to cause the child to receive education as specified in the order.

(3) Any person upon whom a school attendance order is served who fails to comply with the requirements of the order shall be guilty of an offence.

8. Children registered at a recognised school or with a recognised teacher may be inspected by a Government medical or dental officer at appropriate intervals as the Senior Medical Officer may direct and the parent of any such child who shall fail without reasonable cause to submit that child for such inspection shall be guilty of an offence.

Medical and dental inspections.

9. (1) The Superintendent shall cause inspection to be made of all recognised schools or classes under a recognised teacher at such intervals as may appear to him to be appropriate.

Inspection of schools.

(2) If any person obstructs a person authorised under this section to make an inspection in the execution of his duty he shall be liable on summary conviction to a fine not exceeding twenty pounds, or on a second or subsequent conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months, or to both such fine and imprisonment.

PART II.

SCHOLARSHIPS AND BURSARIES.

10. There shall be a scholarships board for the Colony composed of the following members —

Scholarships board.

The Colonial Secretary who shall be chairman of the board, the Superintendent and such other members not exceeding three as shall be appointed biennially by the Governor, and it shall be lawful for the Governor from time to time to fill any vacancy or vacancies on the board.

11. The board shall meet from time to time as may be necessary by order of the Governor, or on a summons from the chairman, or in his absence the senior member.

Meetings.

12. At all meetings of the board three members shall form a quorum for the transaction of business, and in the absence of the chairman the senior member present shall preside.

Quorum.

13. Minutes of proceedings of the board shall be entered in a book kept for the purpose by the chairman and a copy of the minutes shall be forwarded to the Governor in Council.

Minutes of board.

14. The board shall award scholarships and bursaries in accordance with Regulations made under this Ordinance for such purposes.

PART III. — GENERAL.

15. Any person guilty of an offence under this Ordinance for which a penalty is not prescribed shall be liable on summary conviction in the case of a first offence to a fine not exceeding five pounds, in the case of a second offence to a fine not exceeding twenty-five pounds and in the case of a third or subsequent offence to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months, or to both such fine and imprisonment.

16. (1) The Governor in Council may make Regulations for carrying this Ordinance into effect.

Regulations.

(2) In particular and without prejudice to the generality of the foregoing power such Regulations may —

- (a) prescribe the hours of attendance at schools;
- (b) prescribe the periods of vacation;
- (c) make provision for the closure of schools;

- (d) make provision for the administration of punishment in schools;
- (e) make provision for the medical examination of pupils;
- (f) make provision for the administration of boarding allowances;
- (g) make provision for the payment of assisted passages for pupils travelling within the Colony;
- (h) make provision for the sitting of overseas external examinations;
- (i) prescribe conditions for the grant and withdrawal of scholarships, overseas education allowances, and bursaries;
- (j) make provision concerning school buildings and physical conditions in schools.

Repeal. (Cap. 22)

17. The Education 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. 2390.

The Education Ordinance (Cap. 22)
REGULATIONS
 (under section 10 of the Ordinance)

No. 6 of 1967.

C. HASKARD,
Governor.

PART I — GENERAL

1. These Regulations may be cited as the Schools Regulations. Citation.
2. (1) The minimum number of hours of tuition at Stanley Schools and Darwin Boarding School shall be twenty-five per week: Hours of attendance.
 Provided that the minimum number of hours of tuition in the reception class, Stanley Infant School, shall be twenty-two and one half per week.
 (2) The times of attendance shall be prescribed by the Superintendent of Education.
 (3) The minimum number of hours of tuition by recognised teachers in camp shall be twenty-two and one half per week. The times of attendance shall be subject to local circumstances and shall be prescribed by the Superintendent of Education in consultation with farm managers.
3. Teachers shall register the attendance of children at each morning and afternoon session and shall not register an attendance where a child arrives more than fifteen minutes after the commencement of the session except in the case where a child is late because of medical or dental treatment. Registration of pupils.
4. The regular school holidays shall be — School holidays.
 (1) Recognised schools other than Darwin Boarding School. Recognised schools.
 The school year shall be of three terms, the first of thirteen weeks, the second of fourteen weeks and the third of thirteen weeks duration so arranged as to allow a holiday of two weeks towards the end of May, two weeks at the beginning of September and eight weeks beginning on the Friday of the week preceding the week in which Christmas Day occurs; such dates to be notified by publication in the Gazette.
 (2) A mid-term holiday not exceeding one and a half days duration may be granted in each term at the discretion of the Headmaster.
 (3) Darwin Boarding School. The school year shall be of three terms, the first term of not less than twelve weeks, the second of eleven weeks and the third of fourteen weeks duration so arranged as to allow three weeks holiday in May, three weeks in August and not less than nine weeks at Christmas.
5. Tuition by recognised teachers in camp will take place except during the following periods — School holidays in camp.
 (a) three weeks commencing from the Friday of the week preceding the week in which Christmas Day occurs;
 (b) one week which shall coincide with the annual camp sports meetings;
 (c) two other weeks authorised by the Superintendent;
 (d) Battle Day and Good Friday.
6. The Senior Medical Officer may close any school or order the cessation of teaching by recognised teachers in the camp on account of disease or for any other sufficient cause. Closure due to disease.
7. (1) Time tables and schemes of work shall be prepared in advance of the beginning of the school year by the Headmaster and submitted to the Superintendent for his approval. Schemes of work.

- (2) Schemes of work for use by recognised teachers in camp shall be prepared by the Superintendent.
- Log books.** 8. (1) The senior teacher in each school shall maintain a log book containing entries relevant to the school, pupils and staff.
- (2) An entry shall not be removed or altered other than by a subsequent entry.
- (3) Recognised teachers in camp shall maintain a log book containing entries relevant to all pupils in their charge.
- Materials.** 9. Half the cost of all materials used in the instruction of subjects of a practical nature other than that which the Headmaster decides is necessary for the purpose of instruction shall be borne by the parent of the child or by the pupil receiving such instruction.
- Continuation classes.** 10. (1) Any child over school leaving age but under seventeen years of age may attend continuation classes subject to expulsion from such classes if, in the opinion of the Headmaster, he is not availing himself of the instruction provided.
- (2) Pupils attending continuation classes may be required to sit public examinations planned by recognised education authorities approved by the Superintendent.
- Punishments.** 11. (1) The Headmaster of Stanley Schools and the Headmaster of Darwin Boarding School may, should it be necessary, inflict moderate and reasonable corporal punishment. Such punishment shall be entered in the school log book.
- (2) No child shall be detained after normal school hours for a period in excess of twenty minutes.
- Ailments effecting progress.** 12. The Superintendent may require the parent or guardian of any pupil suspected of suffering from a physical or mental defect having an adverse effect upon the child's educational progress to submit the pupil for medical inspection in accordance with arrangements made by him; and any such parent who fails without reasonable excuse to comply with any such requirement shall be liable on summary conviction to a fine of £5.
- Boarding allowances camp children.** 13. Boarding allowances at rates authorised by the Governor in Council shall be paid in respect of camp children lodging in Stanley for the sole purpose of attending Stanley Schools; and camp children lodging away from home in order to attend a recognised school or to study under a recognised teacher.
- Fares for pupils to and from recognised schools.** 14. Government shall pay half air fare or half sea passage for a child travelling to and from his home for a term of study at a recognised school within the Colony.

PART II

PAYMENT OF OVERSEAS EDUCATION ALLOWANCES

Definitions.

15. In this Part of these Regulations —

the term "child" means a son or daughter including a stepson, stepdaughter, lawfully adopted son or daughter, not having passed his or her eighteenth birthday and being unmarried and wholly dependent upon the person claiming the allowance. It shall also apply to a child who is in the legal custody of a person who is not the parent provided that the child is wholly dependent on the custodian;

the term "person" means anyone who normally resides in the Colony or is in the Colony under a contract of service and who is not entitled to any education allowance as an officer employed by the Colonial Government.

16. (1) Rates of allowance shall be as follows —

Rates of allowance.

- (a) for children who are between their eleventh and eighteenth birthdays on the first day of the term in respect of which allowance is claimed and who are at approved boarding schools in the United Kingdom, the Commonwealth or Uruguay.
- (b) for children attending approved schools in Uruguay which do not provide boarding facilities;
- (c) for children attending approved boarding schools in countries other than the United Kingdom, the Commonwealth or Uruguay, which have been approved by the Governor in Council —

first child	...	...	...	£235 per annum
second child	...	...	...	£285 per annum
third and each subsequent child	...	...	...	£335 per annum.

(2) Rates of allowance for children who are between their eleventh and eighteenth birthdays on the first day of term in respect of which the allowance is claimed and who are staying with guardians in the United Kingdom or Commonwealth or other location approved by the Governor in Council and attending day school —

Each child ... £65 per annum:

Provided that this allowance shall not be payable when a child is staying with a parent.

17. The following conditions shall apply to the payment of allowances —

Conditions attaching to the payment of the allowances.

- (1) The child shall receive full time education.
- (2) Annual reports on the progress and conduct of child shall be produced to the Superintendent on request.
- (3) Allowances shall be payable for each year of three school terms. The term in which a child reaches its minimum or maximum qualifying age shall be regarded as a full term. Where an adverse report on morals or character is received the payment of an allowance may be withheld.
- (4) Where some other form of assistance is received from a public or institutional source towards the cost of a child's education the amount of the education allowance shall be reduced so that the total payment shall not exceed the actual fees paid.

18. The decision of the Governor in Council with regard to the payment or disallowance of an overseas education allowance shall be final.

PART III
SCHOLARSHIPS AND BURSARIES

19. The scholarship board shall be guided by the result of an annual examination and the report of the Superintendent on the children concerned.

Annual examinations.

20. A child entering for the examination must be not more than 11 years and 3 months of age, and must be at least 10 years of age, on the 31st December of the year preceding that in which the award is made.

21. At least one parent of such a child must be —

Qualification of parent.

- a Falkland Islander born; or
- in permanent and pensionable employment of the Government of the Falkland Islands having completed at least one tour; or

on the 31st December of the year in which the examination be held have resided in the Falkland Islands for the five years immediately preceding and who shall satisfy the scholarship board of an intention to reside in the Colony for a further two years.

Tenure of scholarship.

22. Scholarships will be tenable for four years in the first instance at approved United Kingdom schools but may be extended to five years to enable scholars to pass the General Certificate of Education 'O' level examination and in exceptional cases to seven years to enable the scholars to pass the General Certificate of Education 'A' level examinations.

Content of scholarship.

23. A scholarship award may include free passages to and from the United Kingdom, free tuition, free board and lodging at the school, free board and lodging in the United Kingdom during holidays, provided that this shall not be payable when the child is staying with a parent, and reasonable fares to and from the holiday place in the United Kingdom. Awards shall not include pocket money or clothing.

Continuation of scholarship.

24. If the scholarship has been taken up or extended by the date of a parent's final departure from the Colony it shall continue.

Award of bursaries.

25. The board shall consider and make recommendations in respect of such applications for bursaries as may be made to it.

Other matters.

26. Any other matters relating to scholarships and bursaries not provided for in these Regulations shall be considered by the board which may submit recommendations to the Governor in Council.

The scholarship entitlement of a return passage shall be taken up within two years of the child completing the scholarship unless an extension of this period be granted by the Governor in Council.

Made by the Governor in Council on the 20th day of October 1967.

H. L. BOUND,

Clerk of the Executive Council.

Ref. 2390.

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

1967 No. 1256 (C.23)

FUGITIVE CRIMINAL

The Fugitive Offenders Act 1967 (Commencement No. 1) Order 1967

Made - - - - *16th August 1967*

In exercise of the powers conferred on me by section 22 of the Fugitive Offenders Act 1967 (a), I hereby make the following Order—

1. Subject to the next following Article, the Fugitive Offenders Act 1967 shall come into force—

- (a) on 25th August 1967, for the purposes of any provision thereof conferring power on Her Majesty to make an Order in Council, and
- (b) on 1st September 1967, for the purposes of any other provision thereof.

2. (1) Nothing in Article 1 of this Order shall apply in relation to Southern Rhodesia.

(2) Nothing in Article 1 (b) of this Order shall bring any provision of the Fugitive Offenders Act 1967 other than section 18(2) (powers of local legislatures) into force in relation to any country to which Her Majesty is empowered by paragraph (c) of section 2 (2) of the said Act (definition of "United Kingdom dependency") to apply the said section 2 (2).

3. This Order may be cited as the Fugitive Offenders Act 1967 (Commencement No. 1) Order 1967.

Denis Healey,
One of Her Majesty's Principal
Secretaries of State.

Whitehall.
16th August 1967.

(a) 1967 c. 68.

EXPLANATORY NOTE

(This Note is not part of the Order).

Article 1 of this Order provides that, subject to Article 2, the Fugitive Offenders Act 1967 shall come into force on 25th August 1967 for the purpose of enabling Orders in Council to be made under the Act (Article 1(a)) and for all other purposes on 1st September 1967 (Article 1(b)).

Article 2(1) provides that Article 1 shall not apply in relation to Southern Rhodesia.

Article 2(2) provides that Article 1 (b) shall not bring any provision of the Act other than section 18 (2) (which relates to the powers of local legislatures) into force in relation to a protectorate or protected state.

 STATUTORY INSTRUMENTS

1967 No. 1302

FUGITIVE CRIMINAL

 The Fugitive Offenders (Designated Commonwealth
Countries) Order 1967

Made - - - - - 31st August 1967

Laid before Parliament 31st August 1967

Coming into Operation 1st September 1967

At the Court at Balmoral, the 31st day of August 1967

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 2 (1) of the Fugitive Offenders Act 1967 (*a*), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows —

1. The countries specified in the Schedule hereto are hereby designated for the purposes of section 1 of the Fugitive Offenders Act 1967.

2. This Order may be cited as the Fugitive Offenders (Designated Commonwealth Countries) Order 1967 and shall come into operation on 1st September 1967.

W. G. Agnew.

SCHEDULE

Australia	Malawi
Barbados	Malaysia
Botswana	Malta
Canada	New Zealand
Ceylon	Nigeria
The Republic of Cyprus	Pakistan
The Gambia	Sierra Leone
Ghana	Singapore
Guyana	Tanzania
India	Trinidad and Tobago
Jamaica	Uganda
Kenya	Zambia
Lesotho	

(a) 1967 c. 68.

EXPLANATORY NOTE

(This Note is not part of the Order).

This Order designates certain Commonwealth countries for the purposes of the Fugitive Offenders Act 1967 which, in providing for the return of offenders from the United Kingdom to other parts of the Commonwealth, distinguishes between designated Commonwealth countries and United Kingdom dependencies. For example, the offences for which a person may be returned under the Act are, in the case of return to a dependency, those punishable by a superior court with twelve months' imprisonment but, in the case of return to a designated country, those described in Schedule 1 (section 3).

Ref. 1464.

STATUTORY INSTRUMENTS

1967 No. 1303

FUGITIVE CRIMINAL

The Fugitive Offenders (Extension) Order 1967

Made - - - - 31st August 1967
Laid before Parliament 1st September 1967
Coming into Operation 2nd September 1967

At the Court at Balmoral, the 31st day of August 1967
Present,
The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by sections 17 and 20 of the Fugitive Offenders Act 1967 (a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows —

- 1. (1) This Order may be cited as the Fugitive Offenders (Extension) Order 1967.
- (2) This Order shall come into operation on 2nd September 1967.
- (3) In its application to the New Hebrides and Swaziland this Order shall have effect to the extent only of Her Majesty's jurisdiction.

Citation, commencement and application.

- 2. (1) In this Order —

Interpretation.

- "Act" means the Fugitive Offenders Act 1967;
- "country" includes any territory;
- "dealt with" means tried or returned or surrendered to any country or detained with a view to trial or with a view to such return or surrender;
- "Governor" in relation to any country other than a country mentioned in subsection (2) of this section means the person or persons administering the government of that country;
- "Schedule 2" means Schedule 2 to this Order;
- "United Kingdom dependency" means —
 - (a) any colony (not being a colony for whose external relations a country other than the United Kingdom is responsible);
 - (b) any associated state within the meaning of the West Indies Act 1967 (b); and
 - (c) any country outside Her Majesty's dominions (being a country in which Her Majesty has jurisdiction, or over which She extends protection, in right of Her Government in the United Kingdom) to which Her Majesty has by Order in Council, whether before or after the

(a) 1967 c. 68. (b) 1967 c. 4.

commencement of this Order, applied section 2 (2) of the Act,
not being in any case a country which is or forms part of a designated Commonwealth country.

(2) In this Order references to Governor shall be construed—

- (a) in relation to the New Hebrides as references to Her Majesty's High Commissioner for the Western Pacific and, to the extent that authority to perform functions under Schedule 1 to this Order may be assigned by the High Commissioner to the Resident Commissioner for the New Hebrides, to the Resident Commissioner;
- (b) in relation to Swaziland as references to Her Majesty's Commissioner for Swaziland.

(3) Where Her Majesty has by Order in Council, whether before or after the commencement of this Order, designated for the purposes of section 1 of the Act any country for the time being mentioned in section 1 (3) of the British Nationality Act 1948 (a) (countries having separate citizenship), or any other country within the Commonwealth, that country shall, unless it is otherwise provided by order of the Governor, be a designated Commonwealth country for the purposes of this Order; and any country so designated is in this Order referred to as a designated Commonwealth country.

(4) The Interpretation Act 1889 (b) shall apply, with the necessary adaptations, for the purpose of interpreting this Order and otherwise in relation thereto as it applies for the purpose of interpreting, and in relation to, Acts of Parliament.

Extension of section 14 of Fugitive Offenders Act 1967 to certain territories.

3. Section 14 of the Fugitive Offenders Act 1967 as modified and adapted in Schedule 1 hereto shall extend to the territories specified in Schedule 2.

W. G. Agnew.

Section 3.

SCHEDULE 1

Restriction upon proceedings for other offences.

14. (1) This section applies to any person accused or convicted of an offence under the law of or of any part of any territory specified in Schedule 2 who is returned to the territory —

- (a) from the United Kingdom, under the Act;
- (b) from any designated Commonwealth country or from the Republic of Ireland under any law of that country corresponding with the Act;
- (c) from any United Kingdom dependency, under the Act as extended to that dependency or under any corresponding law of that dependency.

(2) A person to whom this section applies shall not, during the period described in subsection (3) of this section, be dealt with in the territory for or in respect of any offence committed before he was returned to the territory other than —

- (a) the offence in respect of which he was returned;
- (b) any lesser offence proved by the facts proved for the purposes of securing his return; or
- (c) any other offence in respect of which the Government of the country or Governor of the dependency from which he was returned may consent to his being dealt with.

(3) The period referred to in subsection (2) of this section in relation to a person to whom this section applies is the period beginning with the day of his arrival in the territory on his return as mentioned in subsection (1) of this section and ending ninety days after the first subsequent day on which he has the opportunity to leave the territory.

(a) 1948 c. 56.

(b) 1889 c. 63.

SCHEDULE 2

Section 3.

Bahamas.	Hong Kong.
Bermuda.	Mauritius.
British Antarctic Territory.	Montserrat.
British Honduras.	New Hebrides.
British Indian Ocean Territory.	Pitcairn, Henderson, Ducie and Oeno.
British Solomon Islands Protectorate.	St. Helena and its Dependencies.
Cayman Islands.	Seychelles.
Central and Southern Line Islands.	Sovereign Base Areas of
Falkland Islands (Colony and	Dhekelia and Akrotiri.
Dependencies).	Swaziland.
Fiji.	Turks and Caicos Islands.
Gibraltar.	Virgin Islands.
Gilbert and Ellice Islands Colony.	

EXPLANATORY NOTE

(This Note is not part of the Order).

This Order extends section 14 of the Fugitive Offenders Act 1967, with modifications, to the territories specified in Schedule 2.

Ref. 1464.



THE
FALKLAND ISLANDS GAZETTE
Supplement No. 2

7th DECEMBER 1967

MINUTES OF THE MEETING OF LEGISLATIVE COUNCIL

HELD AT STANLEY ON 18TH OCTOBER 1967.

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)

Prayer

The prayer was read by the Reverend P.J. Millam.

Confirmation of Minutes

The Minutes of the meeting of Legislative Council held on 4th, 5th, 6th
and 8th May 1967 were confirmed.

Address by the President

Honourable Members:

I should like to welcome you to this meeting of Council, the last, I am sorry to say, in the life of the present legislature. As Honourable Members are aware, it is proposed to hold our general elections in March and although that is still some months ahead I feel that on this present occasion it is appropriate for me to thank all present members of Council who have so generously given of their time in the public interest.

I sometimes wonder to what extent it is realized that elected and nominated independent members undertake a considerable amount of work, all of it voluntary, on behalf of their constituents and for the good of the Colony in general. We are indeed fortunate that the tradition of public service is well established in the Falkland Islands.

I understand that perhaps some members may not be standing again for election but, until such time as the date for nominations has passed, it would be inappropriate for me to refer to this specifically. We do however know that we shall with regret miss, when next we meet, the Honourable Nominated Independent Member for East Falkland, Mr. Bonner, and I should like in this Chamber formally to thank him for the public spirited service which he has given to this Council over the past seven years.

The principal function of the Legislative Council, as its name implies, is to legislate and I think that this Council can look back over the past $3\frac{1}{2}$ years with a degree of satisfaction in that, not only has a great deal of amending legislation been enacted to bring our laws up to date but a number of really important measures have been passed. I would like here to thank those who have spent much time and care in attending to the drafting of this legislation.

This Council also acts as a very necessary watchdog over the public purse, by virtue of its essential role in approving the annual estimates and scrutinizing applications for supplementary expenditure through its Standing Finance Committee.

Another important function of the Council is that it is in debate in this Chamber that it can express its agreement or disagreement with various propositions concerning topics of public importance which are placed before it in the form of motions, or which are raised by individual members as questions, or in debate upon the motion for the adjournment of the Council.

In all these ways within the House and in many others outside, Honourable Members can rightly feel that they make an essential contribution to the government of the Colony.

Turning now to another subject, Honourable Members will have received copies of the report by Mr. Guillebaud, whose terms of reference were "to conduct an economic survey of the Falkland Islands". I feel that his report provides us with an authoritative statement of facts as seen through the eyes of an experienced - indeed an eminent - man who is completely independent and thus free to speak and write as he wishes. Mr. Guillebaud has commented on a number of aspects of the farming industry in the Colony, the fertility of the soil, and the prospects for diversification of the economy. He has examined the national income and the balance of payments and he has made observations regarding the standard of living, levels of remuneration, the public finances and the state of the population.

In addition to conducting an economic survey, Mr. Guillebaud was asked to make any recommendations which in his view would be in the interests of the economy of the Islands and their inhabitants, and his recommendations concern a variety of subjects, including particularly incentives for agricultural improvement.

A foreword has been included in each copy of the report stating that publication by the Government is not to be taken to imply agreement or acceptance by the Government of all or any part of the report or of any of the recommendations made in it. The views expressed are Mr. Guillebaud's own. However, I hope that the report will be studied seriously. Every aspect of it will most certainly be closely examined by the Government and will form the basis of action to the extent that is appropriate to our needs.

A limited number of unbound copies of the report have been received from London and will be available to members of the public after binding.

When I addressed Council in May, I mentioned our hope to improve the facilities offered by the Savings Bank; our Legal Adviser, Sir Hubert Flaxman, whom I had the pleasure of meeting in London, has provided us with his suggestions for legislation. Those are being studied and are likely to form a subject for discussion at the first meeting of Council next year.

Beyond our borders, talks between the British and Argentine Governments have continued on a confidential basis and are still continuing. As I said in May, restoration of communications and freedom of movement between Argentina and the Falkland Islands seems a necessary first step to a relaxation of tension. Until this can be achieved, I do not see very much chance of progress. I spoke at length on this subject at our last meeting and I have nothing today to add to what I said then.

I would end my remarks by referring to a subject which is much in our minds, namely, the comparatively poor prices which have been realized at recent wool sales and the tendency for world wool prices to drop. This tendency I fear, if unchecked, must have a serious effect on the economy of the Colony. Although we hope that the effect will not be felt immediately here, we can predict with some accuracy that, as far as the Government is concerned, internal revenue is likely to be reduced in 1969 and 1970. It must therefore be our endeavour to take every possible step which common sense dictates to cushion the effect of this disagreeable trend in wool prices.

At our last meeting I said that because of our comparatively satisfactory financial position we have a little time in hand in which to plan. The value of time, as I reminded Council, depends on how intelligently it is employed and it will certainly be the endeavour of the Government - as indeed of the Colony as a whole - to meet this situation, of which we have due warning, with sane and sensible measures. In achieving success, the deliberations of this Council will play a most important role.

QUESTION FOR ORAL REPLY

The Nominated Independent Member for West Falkland: Is it the intention of Government that the valuation of allowances in kind shall remain at those figures acceptable for the year of assessment ending 31st December 1966? Further, that this valuation shall not be changed until the Income Tax Ordinance has been amended to allow Legislative Council to fix these levels?

The Colonial Secretary: It is intended that for the purposes of income tax assessment for the year 1967, based on the earnings for 1966, the value of allowances in kind shall remain unchanged. Honourable Members will appreciate that the re-examination of the whole ordinance is a matter of considerable complexity. The Commissioner of Income Tax undoubtedly needs clear instructions, in the form of legislation, as to what he is required to do.

Naturally I cannot commit the Members of the next Council to any particular course of action, but in the interim period I cannot envisage a situation arising that will involve any change.

RESOLUTION

The Colonial Treasurer moved the adoption of the following Resolution:

"BE IT RESOLVED that the Report of the Standing Finance Committee for the period May 1967 to September 1967 be adopted."

The Colonial Secretary seconded and the motion was put and carried.

BILLS

The Old Age Pensions (Amendment) Bill

The Colonial Treasurer: Your Excellency, this Bill is now up for the second reading and I shall do no more than outline the proposals. They are very simple and they are these:

That the special rate of contributions by and on behalf of contributors between the ages of 18 and 21 years be abolished. That the contribution required of every employed person between the ages of 18 and 60 years be increased to 5/3d per week. That the contribution required of every employer of an employed contributor between the ages of 18 and 60 years be increased to 6/9d per week. That every self employed person between the ages of 18 and 60 years be required to contribute at the rate of 12/- per week and that pensions be increased from 52/- per week to 93/- per week for a married man and from 26/- per week to 46/- per week for unmarried men and other persons considered for the purposes of the ordinance to be unmarried.

One other factor that goes with this but is not part of the Bill is that existing pensioners and fully paid-up contributors will receive the increased pensions with effect from the date on which the ordinance comes into force and that the cost of these increases shall be borne by the public revenue. The Old Age Pensions Equalization Fund will only bear the cost of increased pensions where the contributor has in fact paid at these proposed higher rates.

I beg to move the second reading of the Bill.

The Colonial Secretary seconded the motion

Mr. Goss: Your Excellency, at the end of May 1967 by courtesy of the Union, I issued a circular on the proposed amendments in old age pensions contributions and the object of this circular was to assist in presenting the facts of the proposed amendments to enable each individual to quietly study them and comment on them accordingly if they so desired. I have received quite a response from members in the camp and the response is favourable towards the proposed amendments. I have heard no dissenting voice at all. There is, however, one point which was brought out throughout this correspondence and that is a request that Government consider reducing the pensionable age from 65 to 60 years, it being considered rather unfair to life in the Colony - the rather hard working life that people have - that on reaching the age of 60 years that persons should have to wait a further five years before receiving a pension. This arises from members in the camp, from the members of the National Progressive Party and lastly but by no means leastly from the members of the Stanley Benefit Club. I would therefore suggest, Sir, in support of these requests that I have received that our next move in improving the old age pension scheme should be with this particular request in mind.

The President: Does any other Honourable Member wish to speak? (pause)
In the absence of any further speakers the Bill will now be read a second time.

The Bill was read accordingly and passed through all its committee stages without amendment.

On further motion made and seconded the Bill was read a third time and passed. (see continuation on page 12)

The Police Bill

The Colonial Secretary: Your Excellency, a very well know citizen said in my hearing the other day that he was astounded the Government should waste its time writing long unnecessary laws such as "this new thing for the Police".

How wrong that person was and how necessary it is that we have adequate legislation for our Police Force. How far can the police go in dealing with the public? What rights have the public in respect of the police? What protection has the poor policeman from a sometimes unreasonable public? These and many other points are answered in this Bill wherein the objects of our Police Force are laid down: and what important objects they are. The preservation of the peace; the maintenance of law and order; the prevention and detection of crime; the apprehension and guarding of offenders; and the protection of all property.

Powers of the Officer in Charge: the status, duties, privileges and immunities of the force are laid down. Police officers are for the first time under our law fully protected when they perform duties in obedience to warrants issued to them.

Under clause 13 of the Bill duties are set out in full and the Officer in Charge of the force given adequate powers to see that these duties are carried out.

The Bill envisages impartiality and neutrality of force members in matters of association.

The Officer in Charge is given clear direction as to the orders he may issue.

In clauses 22 to 27 police officers are shown the conditions under which they serve.

Matters of discipline are fully explained.

In Part 4 the disposal of public property is laid down. Hitherto this has not been covered in our law.

Whenever a new Bill, to which Regulations are attached, is published, those Regulations appear in the Official Gazette at the same time. The object of this is to make it clear to everyone concerned what the intentions of Government are in respect of the Bill. Although this House does not approve Regulations, Members are perfectly at liberty to draw the attention of Government to any or all of the Regulations which they may consider to be wrong or unsuitable in any way. Honourable Members will, I know, already have studied the Regulations as printed and I think they will agree that they are comprehensive. I am particularly pleased to be able to draw attention to Part 5 of the Regulations, which deals with complaints against the police. So far we have had no such legislation. This is not to say that complaints have not been dealt with, but life is always easier if guidance is provided when unpleasant matters are raised (and complaints are nearly always unpleasant matters).

Honourable Members have already approved comprehensive prisons' legislation and if they will approve this Bill they will be providing matching law in respect of the police.

Within the last year we have had the case of a Mr. Napier who on return to England gave us a very bad press, suggesting that the Falkland Islands are a jackboot police state. This shows how necessary it is to have everything down in black and white. Just in case anyone should think Mr. Napier had a case, let me say that there was not one grain of truth in his accusations.

Earlier this year it gave all Members of this House great pleasure to provide the wherewithal for the appointment of a Falkland Islander to head our Police Force. We wish him well and may he find in this new legislation support and guidance.

I would like to draw attention to the regrettable fact that over the last year there has been a disturbing amount of theft, much of it on a large scale. The Police Force have acted commendably and several persons connected with theft and the receiving of stolen property have appeared before the courts. In a community as small as this, this does not make the Police Force particularly popular in some quarters. However, to safeguard the public these unpleasant jobs have to be done, and, in doing them, the police need our reasonable protection.

I beg to move the first reading of the Bill.

The Colonial Treasurer seconded and the Bill was read a first time. On further motion made and seconded the Bill was read a second time.

During the committee stage the following amendment was agreed to:-

Clause 31(2) line 4 - amend the words "liable to conviction" to read "liable on conviction"

The Bill was then read a third time and passed.

The Matrimonial Proceedings (Court of Summary Jurisdiction) Bill

The Colonial Secretary: Your Excellency, in the quiet and unheralded working of our courts matrimonial causes take up a lot of time. Hitherto we have not had our own legislation and we have relied upon Imperial enactments. No less than six of these enactments apply and anyone who is not a skilled lawyer and used to reading complicated law, is, to use a non parliamentary phrase, in a hell of a mess.

This Bill, which is based on the latest available British legislation, supersedes the offending enactments and brings together in one folio provision for the conduct of matrimonial proceedings and connecting matters.

The principal points are -

Firstly; the relief available to a husband is made substantially the same as that available to a wife. It used to be that a wife could claim relief from a husband but not a husband from a wife. Those who support the equality of women should note this major victory; we men now smile contentedly at the thought of being maintained by our erring wives.

Secondly; Courts are given power to order wives to pay maintenance for children and in certain circumstances for the husband. It might interest Members to know that we have had cases here where mothers have virtually abandoned their children and refused to take cognizance of them.

Thirdly; an important addition is the inclusion of a child as one of the family when the child of one party to a marriage has been accepted by the other party.

Fourthly; the court's powers and duties in the interests of children are widened and I would like it stressed just how important this is in the local context.

Fifthly; where an order is made while the parties are living together under the same roof, the order is to be suspended and will ultimately cease to have effect only if they continue to cohabit (and not merely if they continue so to live).

Sixthly; the court is in certain circumstances given power to revoke or vary an order for maintenance if the party in whose favour it is made is living abroad.

Seventhly; increases in the weekly maintenance payments from £5 to £7. 10. 0d. in respect of a spouse and from £1. 10. 0d. to £2. 10. 0d. in respect of any one child. These increases represent the limits of award and are in line with the present cost of living.

If Honourable Members should reject this Bill we shall continue to operate under the applied Acts which are listed on the last page of the Bill, but they are not up to date nor do they give our courts the freedom and powers we consider necessary.

Matrimonial proceedings are never nice and nearly always very painful and we should have at our finger tips the best available law and I am sure that this Bill is the best available law.

I beg to move that the Bill be read a first time.

The Colonial Treasurer seconded the motion and the Bill was read accordingly.

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

The Bill then passed through its committee stage without amendment and was read a third time and passed.

The Non - Contributory Old Age Pensions (Amendment) Bill

The Colonial Treasurer: Your Excellency, this is the ordinance that provides small pensions for those persons who are excluded from the benefits of the contributory scheme. From time to time we come across people in various categories who are new to us and for whom there is no provision and this Bill is no exception to that trend. The people we are now wishing to extend the benefits of the Non-Contributory Ordinance to are these: spinsters who have attained the age of 65 years before the 1st July 1970 and widows whose husbands were alive at the time of the introduction of the contributory scheme but who died and whose contributions were refunded, so that these widows are now without benefits from either scheme. The intention is to give them the benefits of the non-contributor scheme.

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 and entered its committee stage.

The Colonial Treasurer: Your Excellency, I could add perhaps that the reason for stipulating the date 1st July 1970 for spinsters who should reach the age of 65 years before that date is simply that any spinster who reaches 65 years of age after that date, will of course benefit from the contributory scheme.

The Bill then proceeded to pass through all its committee stages and was subsequently read a third time and committed.

The Immigration (Amendment) Bill

The Colonial Secretary: Your Excellency, Honourable Members will recall the passing of the Immigration Ordinance, 1965 and the debate in this Chamber. It is a pleasure to report that the ordinance has worked well in all but one respect. I am referring to a defect which has become apparent with the passage of time. It concerns the issue of employment permits. As the law stands an employment permit may be issued to any immigrant who has entered into a contract of service with an employer to be performed in the Colony, and it entitles the holder thereof to enter the Colony and remain herein for such period as shall be stated on the permit. This appears to be clear enough but unfortunately the next sub-paragraph in the original ordinance was so drafted as to make it appear that if an immigrant had not had his permit cancelled within one month of landing he could stay here for ever. This was never our intention. Obviously we must have a hold over persons who break their contracts or who make themselves undesirable.

This Bill makes our intention clear. If a person fails to enter the job for which a permit has been granted, or if he leaves the employment in respect of which it was issued, we reserve our right to insist that the person concerned should make a new application.

Naturally if the circumstances should arise where an application is refused it must become an offence to employ the person, and an amendment to the list of offences has been included.

There is also one minor amendment which puts right an original drafting error which is of no legal importance whatsoever.

I beg to move that the Bill be read a first time.

Mr. Goss seconded the motion and the Bill was read accordingly.

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

The Bill then passed through committee and was read a third time and passed.

The Supplementary Appropriation (1966/67) Bill

The Colonial Treasurer: Your Excellency, there is a schedule to this Bill in which the heads of expenditure are set out where the amounts of expenditure exceeded the amount provided by the Appropriation Ordinance which was passed for the year of account 1966/67. The total is £44,413 but that does not mean of course that we spent £44,418 more than we intended. Other heads showed savings and the net expenditure over the original estimate was only £4,307. All of this expenditure has been examined quite closely by the Standing Finance Committee and reported to Council at various times.

I beg to move the first reading of the Bill.

The Colonial Secretary 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 committed.

The Education Bill

The Colonial Secretary: Your Excellency, it is my pleasure to present for the approval of this House a new Education Bill. When I first arrived here I made up my mind that something needed to be done about the very scanty, un-informative and out-of date legislation then standing.

The Bill now submitted is entirely home-grown and does, I feel, take into account all that is needed to give us a modern legal framework on which to base our educational system.

The Bill and Regulations have been examined by our legal adviser and the legal and educational advisers of the Commonwealth Office. It might interest Honourable Members to know that the Commonwealth Office consider them to be fully comprehensive and well suited to our needs.

What is more important, all members of the education committee of this Legislature have discussed them and had access to drafts and re-drafts for some time now. They have all given their blessing. When we were last in committee no member could think of anything more to add or take away from the versions published in the Gazette.

This, I think, is an appropriate moment to say that our education committee has been a great success. Although the committee will die on the dissolution of this House, a new one will be formed when the new Legislature meets and I hope the members of it will be as interested and as diligent as the members of the present one have been. The driving force provided by the committee and the fact that the Superintendent of Education knows that he can seek and receive positive guidance from this House has done much good. There is still a long way to go, but I am sure we are on the right road and that this Bill is one of the signposts along that road.

The first part of the Bill is an improved version of the existing ordinance and does not appear to require any particular explanation.

The second part, which deals with scholarships and bursaries, makes legal and emphasises the continuing need for a board of persons to make recommendations in respect of scholarships and bursaries which, as most people know, mainly concern education overseas. However, members of your education committee feel it is high time we started thinking about providing competitive scholarships to Darwin Boarding School for those children in camp who have wide awake parents. It is distressing that in camp there are still a few parents who do not appear to care sufficiently for education and who refuse to let their children go to the Darwin Boarding School. Let me say in a loud voice that even our little world is not standing still and any parent who fails to encourage his or her child to the maximum effort in the field of education is doing the child a gross disservice. Then tucked away in a remote camp house it may seem that education is unnecessary but believe me it is vitally necessary. The Falklands cannot stay still. The past, whether we like it or not, has gone; it is but a memory. The present is but a fleeting breath and only the future counts. Unless there are skills, the skills developed by the consciousness of an educated society, no person will be able to last the course.

Before I leave scholarships and bursaries I would like to pay tribute to three people who have served willingly and without publicity on the hitherto almost unknown scholarships' board. They are Mrs. Volma Malcolm, Mrs. Connie Luxton (I am sure she will not mind me referring to her as Mrs. Connie) and Monsignor James Ireland. It has been my pleasure to sit with them and take their advice. Over the years they have taken their task very seriously, extremely efficiently and with absolute fairness. I hope that we shall continue to have the benefit of their invaluable assistance.

The third part of the Bill lays down penalties and lists the Regulations which the Governor in Council may make. This list is comprehensive and requires no explanation.

One major change is that the power to raise the school leaving age no longer rests with the Governor in Council. You will see in the second clause of the Bill that a "child" is defined as "any person who has attained the age of five years and has not attained the age of fifteen years". A change of school age means a change of that definition; a process which must be the subject of consideration in this Chamber.

Comprehensive Regulations will be promulgated as soon as the Bill becomes law and, in accordance with custom, the intended Regulations have appeared in the Official Gazette for all to see.

I beg to move that the Bill be read a first time.

The Colonial Treasurer seconded the motion and the Bill was read accordingly.

The Colonial Secretary seconded by the Colonial Treasurer, moved the second reading.

Mrs. Vinson: Your Excellency, Honourable Members, I have looked over this Bill at great length as it has been one of my biggest interests in the Falklands.

I notice in Part I, the Boarding School at Darwin should be entered after attaining the age of seven years. Now, I may be a little ahead of time here, but it has been suggested that the age should be nine years. I wonder if that could be altered to "nine years or not less than seven if vacancies exist". There has been a lot of thought and time given to education lately and the camp has been very much in everybody's thoughts, especially as this seminar we've had where the young people attending gave a great deal of help over camp education. Stanley, I am not dealing with because it has a more straight forward school and has regular hours every day.

That brings me to the Regulations and the hours of attendance. Darwin Boarding School at the moment has a period from 9 till 12.45 with a half hour break for their 'smoko'. I don't really feel that that should be altered. Also they do a Saturday morning period from 9 till 10.45. The children have longer holidays and they are in the building. It seems over the period of ten years in which the school has been in existence that those hours are very suitable. I feel it is as well to voice this opinion in Council.

The school year at Darwin Boarding School has been divided into periods of twelve, eleven and fourteen weeks. I know this has been thought about quite a lot, but it is suggested that twelve, twelve and thirteen weeks might be better. A fourteen week term seems very long.

I hope the Colonial Secretary doesn't feel that I am too much of a nuisance over this, but feel that we might settle these small problems now rather than bring them up later.

Mr. Miller: Your Excellency, Honourable Members, one of the points my Honourable Friend has raised is the school hours which she brought to my notice this morning. Unfortunately by an oversight, I do not appear to have been issued with a copy of the Regulations and so I had not noticed the hours. Although I have no objection to the school hours as they stand, it would seem to me a little odd and perhaps a little dangerous if the hours are going to be laid down in the Regulations that they should be different for Darwin Boarding School. I don't think I am exaggerating, if there is an irate or an annoyed mother at Darwin that goes striding across the green at Darwin to the Boarding School where they go on much longer, wrenches the door open, holds out a watch and says "Five past twelve. My kids out!" I don't know what the teacher could do except let them go out. On the other hand the teacher may have the same views. He may bang on his desk and say "Well it's twelve o'clock, you can go." I think it's something we should be careful about Sir, because somebody might be feeling a little annoyed and cause a lot of trouble. I'm only suggesting that these Regulations should be carefully scrutinized so that there are no loopholes.

The Colonial Secretary: Your Excellency, straight away let me say that Mrs. Vinson is never a nuisance. What has been said both by the Honourable Mrs. Vinson and the Honourable Mr. Miller is common sense and I will take these reasonable points as they come up.

The education committee feels very strongly, and I agree with my fellow members of the committee, that the time has come to alter the age qualifications for Darwin Boarding School but it requires a certain amount of planning. The Superintendent of Education, who has just returned from leave, has been told that he has to plan for a change. He is convinced that within a year he can make the necessary arrangements for an alteration of the age for Darwin Boarding School. If I remember some of our early discussions in committee correctly, I think we agreed with either the Superintendent of Education or during his absence, the Acting Superintendent of Education, that a period of grace should be given. We also felt, and I stand to be corrected by the Honourable Member, that we would have to prepare public opinion for a change of this nature. But we certainly think that the ages for entry to Darwin Boarding School should be altered. This ties up with basic camp education and the seminar, when all the camp teachers came together at Darwin Boarding School for three days of talking over their problems. All camp education must now be angled to Darwin Boarding School. The declared aim of camp education is to prepare children to go to boarding school. This will take time to work out but I provisionally accept a change in the entry age to Darwin Boarding School. I would ask that as far as this particular Bill be concerned, we do not attempt an amendment at this stage. It needs to come forward with all the pros and cons laid down and go through the process, (tiresome as it may be) of a short amending Bill. I would ask the Honourable Member whether she would accept that having declared the aim to change the entry age of pupils to Darwin Boarding School she would be content to leave it there for the time being. She has my assurance that we are pressing on with the practical study of this problem.

The seminar was a success and there will now be an annual meeting for camp teachers and I hope there will come a time when we can have a get-together of all teachers. But never let it be said, if we do have a get-together of all teachers, that Stanley educational matters have swamped those of camp. We are convinced that the camp seminar must remain a separate entity.

In my very first draft, I omitted times because they change so much. But for some reason which I cannot now remember, we came back to stating times and I accept that Part I of the Regulations, where they deal with times and terms, should be re-drafted. If we do have to insert times we will provide variation clauses, but it may not be necessary to state any times at all. We may be able to make provision for administrative direction which might get around the problem. I agree with Honourable Members that the Regulations as drafted now appear to be clumsy.

I hope that dispenses the clouds.

I have an apology to make to the Honourable Elected Member for the West Falkland in that he did not receive his copy of the Regulations. I am very sorry.

The President: In view of the fact that the Honourable Elected Member for East Falkland raised a particular point, before we proceed might I enquire whether the Honourable Member is content to accept the Honourable Colonial Secretary's assurance in that particular matter.

Mrs. Vinson: Your Excellency, yes this does clear the point, thank you. I thought it was better to bring it up now, in case we passed it and put into law something which would have to be changed by the new Council.

The Colonial Secretary: I am most grateful to the Honourable Member for raising the matter and we can now follow it along. I am extremely grateful and you know how much I support you in this particular subject.

The Bill was then read a second time.

In committee the Bill passed through all its stages without amendment and was read a third time and passed.

The Old Age Pensions (Amendment) Bill

The Colonial Secretary: Your Excellency, may I rise on a point of order? When the Honourable the Colonial Treasurer introduced the Old Age Pensions (Amendment) Bill, he omitted to refer to the date on which the increased contributions and increased pensions would take effect and in the Bill as printed there is a blank in clause 1 sub section (2) which reads "This Ordinance shall come into force on the" but no date is named.

The Colonial Treasurer explained that the intention was to introduce the new contribution and pension rates on 1st January 1968. After full consideration had been given the Honourable the Colonial Secretary moved the following motion:-

"That the Old Age Pensions (Amendment) Ordinance,,1967
shall come into force on the first day of January 1968"

The Colonial Treasurer seconded and the motion was carried.

Motion for Adjournment

The Colonial Secretary: Your Excellency, in rising to move the adjournment of this House, I would like to thank Your Excellency and all Honourable Members for the courtesy, help and goodwill of the last four years and I hope that our next Council will be as pleasant and as helpful as this one has been.

I beg to move that this House stands adjourned.

The Colonial Treasurer seconded and the motion was put and carried.