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to

FALKLAND ISLANDS GAZETTE

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THE FALKLAND ISLANDS GAZETTE

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3 JANUARY 1977

No. 1

Appointments

Miss Sonia Summers, Clerk, Public Service, 23.8.76.

Manfred Michael Ian Keenleyside, Carpenter, Public Works Department, 9.12.76.

Promotion

William Arthur Etheridge, Assistant Secretary/Clerk of Councils, 12.11.76.

Completion of Contract

Peter Geoffrey Seazell, Uncertificated Teacher, Education Department, 15.12.76.

Resignations

Mrs. Joyce Allan, Clerk, Public Service, 15.12.76.

Charles Keenleyside, Cashier, Treasury Department, 17.12.76.

Charles Coutts, Filtration Plant Operator, Public Works Department, 2.1.77.

Completion of Tour

David Michael Burkitt, Magistrate, South Georgia, 13.11.76.

Resumption of Duty

Michael Raymond Pawley, Magistrate, South Georgia, 14.11.76.

NOTICES

No. 39.

16th December 1976.

School Terms 1977

Stanley Schools and all recognised full-time schools in Camp

1st Term — 14th February to 13th May
2nd Term — 30th May to 2nd September
3rd Term — 19th September to 16th December

Darwin Boarding School

1st Term — 16th February to 13th May
2nd Term — 6th June to 26th August
3rd Term — 19th September to 16th December

Recognised Camp Teachers

Tuition shall take place except during the following periods —

- (a) 17th December 1976 to 9th January 1977.
- (b) One week to coincide with the Annual Camp Sports Week or given station holidays in lieu of Sports Meeting.
- (c) 8th April - Good Friday.
- (d) One week to coincide with the traditional May Ball Week.
- (e) 22nd August to 28th August.
- (f) 8th December - Battle Day.

The school year shall end on Friday, 16th December 1977.

No. 40.

2nd December 1976.

Departure from the Colony of His Excellency the Governor

It is hereby notified for general information that His Excellency Neville Arthur Irwin French, Esq., C.M.G., M.V.O., Governor and Commander-in-Chief, left the Colony this day on leave of absence.

Ref. P/1302.

No. 41.

21st December 1976.

The Governor has been pleased to give directions for the publication of the following gracious message received from His Royal Highness The Prince Philip on the occasion of the Conferment of the Honorary Freedom of Stanley on the Royal Marines and also the Acting Governor's loyal telegram of gratitude therefor:

His Excellency Mr Neville French CMG MVO
Government House
Port Stanley Falkland Islands

Delighted to hear Royal Marines are to receive Freedom of City of Stanley. This gesture much appreciated by whole Corps. Best wishes for a happy occasion. Sorry I cannot return to Stanley for the ceremony.

Philip Captain General

To: Buckingham Palace for His Royal Highness
The Prince Philip:

Sir,

I am most grateful for your gracious message on the occasion of the Conferment on the Royal Marines of the Freedom of the City of Stanley. This was received most warmly by Falkland Islanders and Royal Marines alike and contributed greatly to a very successful occasion. I have the honour to be, Sir, Your Royal Highness's most humble and obedient Servant

G J A Slater, Acting Governor

2. The Governor has been pleased further to give directions for the publication of the text of; the Scroll, including the Resolution of Executive Council; the telegrams from the Commander-in-Chief Fleet; and the Commandant-General, and the Acting Governor's replies thereto; and of the telegram from Colonel Sir Stuart Pringle Bt., RM for all Royal Marines.

Resolution of the Executive Council

At a meeting of the Executive Council on 21st July 1976 the Governor in Council resolved, on the Motion of Councillor John Smith, to confer upon

THE ROYAL MARINES THE HONORARY FREEDOM OF STANLEY

in recognition of the close association which has existed between the Falkland Islands and the Royal Marines for more than two centuries, to record appreciation of the zeal and warmheartedness with which the members of the Corps have carried out their duties and contributed towards the general well-being of the community, and with a view to fostering further the traditional friendly attachment between the Royal Marines and the people of the Falkland Islands.

This Scroll is to certify that the Royal Marines have been duly admitted to the Honorary Freedom of Stanley in pursuance of the above resolution this 8th day of December 1976.

Signed R. V. Goss

Lieutenant-Colonel, Officer Commanding
Falkland Islands Defence Force.

Signed N. A. I. FRENCH

Governor and Commander-in-Chief.

From: Commander-in-Chief Fleet

To: His Excellency the Governor,
Falkland Islands

I am honoured that a fleet unit should have conducted itself so well over the years as to merit the presentation of the Freedom of Port Stanley by Your Excellency.

It is particularly appropriate that the presentation should take place on Battle Day with its special memories to the Royal Navy and to the Falkland Islands.

May I wish Your Excellency and the people of Port Stanley and the Falkland Islands all good fortune on this historic occasion.

To: Commander-in-Chief Fleet

From: Acting Governor

Most grateful to you for your message on the occasion of the Conferment on the Royal Marines of the Freedom of the City of Stanley. We all enjoyed the very smart parade, which fell neatly between two southern summer snow showers.

*Personal from the Commandant General Royal
Marines to His Excellency the Governor*

On behalf of the Royal Marines I wish to express our gratitude to you, the Executive Council and the people of the City of Stanley for the great honour which you are conferring on us today. We are most proud to receive the Freedom of the City of Stanley. Please convey our grateful and appreciative thanks to the Citizens and assure them that we shall always value their gesture to the Royal Marines.

Peter Whiteley Commandant General.

To: Commandant General Royal Marines

From: Acting Governor

Most grateful to you for your message on the occasion of the Conferment on the Royal Marines of the Freedom of the City of Stanley. We all enjoyed the very smart parade, which fell neatly between two southern summer snow showers.

To: H.M.S. Endurance

Naval Party 8901

From: Colonel Pringle for all Royal Marines

Congratulations on a well conducted, proud, parade. Brother marines around the Globe would have been proud of the freshness of your Laurels.

Ref. INT/21/7.

No. 43.

23rd December 1976.

Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974

1. Under the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974, every dog and cat, and a wide range of other mammals, imported into Great Britain must be licensed prior to importation and must undergo detention and isolation in approved quarantine premises for 6 months (or such longer period as the Minister of Agriculture, Fisheries and Food or the Secretary of State for Scotland may direct) at the owner's expense. There are no exceptions allowed to this period of quarantine but quarantined animals may be re-exported at any time provided certain conditions are met. The requirements apply to all mammals brought to Great Britain from abroad, whether or not they originate from Great Britain and no matter how short their stay abroad has been.

2. ARRANGEMENTS NECESSARY BEFORE AN ANIMAL IS SENT TO GREAT BRITAIN —

Before importing an animal into Great Britain you must obtain an import licence from either —

- i. the Secretary, Ministry of Agriculture, Fisheries and Food, Hook Rise South, Tolworth, Surbiton, Surrey KT6 7NF (telephone: 01-337 6611; telex: 22203) if the animal is to be quarantined in England or Wales; or

- ii. the Secretary, Department of Agriculture and Fisheries for Scotland, Chesser House, 500 Georgia Road, Edinburgh EH11 3AW (telephone 031-443 4020/9; telex: 72162) if the animal is to be quarantined in Scotland.

NOTE. *The Rabies (Importation of Dogs, Cats and other Mammals) Order 1974 gives powers to destroy animals landed without an import licence so it is important to ensure that the licensing requirements are met.*

3. Licence application forms and lists of approved quarantine premises/authorised carrying agents for dogs and cats may be obtained from MAFF or DAFS at the addresses above. There is hardly any quarantine accommodation for small pets such as hamsters, monkeys, guinea-pigs, rabbits (only European species of rabbits are allowed to be imported) etc and anybody contem-

plating the import of this type of pet is strongly advised to seek advice from MAFF or DAFS as to the requirements and situation before making any import arrangements.

4. Further details about the taking of pets to Great Britain may be obtained from the Secretariat.

Ref. FCO/11/8.

Plant Disease Regulation Ordinance (Cap. 50)

(under section 3 of the Ordinance)

In exercise of the powers conferred by Regulation 3 of the Plant Importation Regulations, His Excellency the Governor has been pleased to appoint —

MR. JAMES HENRY MCADAM

to be a Plant Inspector.

No. 42.

23rd December 1976.

FALKLAND ISLANDS COURT OF APPEAL

The following re-appointments have been made under Article 3 of the Falkland Islands Court of Appeal Order 1965 —

OFFICE	NAME	APPOINTMENT EFFECTIVE FROM
President of the Court of Appeal	Sir Alastair Forbes, K.B.,	1st July 1976
Justice of Appeal, Falkland Islands Court of Appeal	Sir Hugh Hurley, Kt.,	1st July 1976
Justice of Appeal, Falkland Islands Court of Appeal	Sir Lionel Brett, Kt.,	1st July 1976

2. The re-appointments are for a period of two years.

Ref. JUD/10/1.

The following Commission passed under the Royal Sign Manual and Signet, appointing JAMES ROLAND WALTER PARKER, ESQUIRE, O.B.E., to be Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, is published for general information.

Elizabeth the Second
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., &c., &c.

To Our Trusty and Well-beloved JAMES ROLAND WALTER PARKER,
ESQUIRE, Officer of Our Most Excellent Order of the British Empire,

GREETING:

Appointment of
J. R. W. Parker, Esq.
OBE, to be Governor.

I. We do, by this Our Commission under Our Sign Manual and Signet, appoint you, the said James Roland Walter Parker, to be, with effect from the time of your disembarkation in Our said Colony, Our Governor and Commander-in-Chief in and over Our Colony of the Falkland Islands and its Dependencies, during Our pleasure, with all the powers, rights, privileges and advantages to the said Office belonging or appertaining.

Officers and others to
obey.

II. And we do hereby command all and singular Our Officers and loving subjects in Our said Colony and its Dependencies, and all others whom it may concern, to take due notice hereof, and to give their ready obedience accordingly.

Termination of this
Commission.

III. And we do hereby direct that this Our Commission shall determine upon signification to that effect being given by Us through one of Our Principal Secretaries of State.

Given at Our Court of Saint James's, this 24th day of November,
1976, in the Twenty-fifth year of Our Reign.

BY HER MAJESTY'S COMMAND,
(sgd.) A. CROSLAND.

COMMISSION appointing
James Roland Walter Parker, Esquire, OBE,
to be Governor and Commander-in-Chief,
FALKLAND ISLANDS AND DEPENDENCIES.

Appointment of Governor's Deputy and specification of powers and functions vested in the Governor which he may exercise and perform.

WHEREAS paragraph (1) of Article 8 of the Falkland Islands Letters Patent, 1948 to 1962, provides that whenever the Governor has occasion to be absent from the seat of Government but not from the Colony, or to be absent from the Colony for a period which he has reason to believe will be of short duration, or whenever by reason of illness which he has reason to believe will be of short duration he considers it desirable so to do, he may, by Instrument under the Public Seal, appoint any person in the Colony to be his Deputy during such absence or illness, and in that capacity to exercise and perform for and on behalf of the Governor during such absence or illness all such powers and functions vested in the Governor as shall be specified in such Instrument:

AND WHEREAS Article 3 of the Falkland Islands Dependencies Letters Patent, 1908, provides that the Officer for the time being Administering the Government of the Colony of the Falkland Islands shall be Governor for the time being of the Falkland Islands Dependencies:

AND WHEREAS I shall have occasion to leave Stanley on the 29th day of December 1976 for the purpose of visiting East Falkland:

NOW, THEREFORE, under and by virtue of the powers aforesaid I, JAMES ROLAND WALTER PARKER, ESQUIRE, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, and Vice-Admiral of the same, do hereby appoint GORDON JAMES AUGUSTUS SLATER, ESQUIRE, to be Governor's Deputy in and for the Colony of the Falkland Islands and its Dependencies and in that capacity to exercise and perform for and on behalf of the Governor (except while and in so far as provision to the contrary made by the Governor under Article 8 of the said Letters Patent is operative) and subject always to the provisions of the said Letters Patent, all such powers and functions as are vested in the Governor other than those vested by sections 6, 18 and 21A, sub-section (1) of section 24 and sub-section (1) of section 26, of the Falkland Islands (Legislative Council) Orders, 1948 to 1973, by paragraph (1) of Article 10 and Articles 13, 15 and 16 of the said Letters Patent and by paragraph (b) of clause 3, sub-paragraph (a) of paragraph (1) of clause 5 and clause 22 of the Royal Instructions to the Governor dated the 13th day of December 1948.

This Instrument shall come into operation on the 29th day of December 1976 and shall remain in force until my return to Stanley.



GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, this 29th day of December in the year of Our Lord One thousand Nine hundred and Seventy-six.

J. R. W. PARKER.

Governor and Commander-in-Chief.

Instrument under the Public Seal of the Colony of the Falkland Islands appointing Lieutenant-Colonel Richard Victor Goss, O.B.E., E.D., to be a Member of the Executive Council.

J. R. W. PARKER



*By His Excellency JAMES ROLAND WALTER PARKER,
Officer 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.*

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

AND WHEREAS by Instructions under the Royal Sign Manual and Signet, bearing date the 13th day of December 1948, it is declared that the Governor may, from time to time, appoint persons other than ex-officio Members to be Members of the Executive Council of the Colony.

NOW, THEREFORE, I, JAMES ROLAND WALTER PARKER, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies, do hereby appoint—

LIEUTENANT-COLONEL RICHARD VICTOR GOSS, O.B.E., E.D.

to be a Member of my Executive Council until the 31st day of December 1977.

GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 29th day of December in the Year of Our Lord One thousand Nine hundred and Seventy-six.

By His Excellency's Command,

ARTHUR J. P. MONK,

Chief Secretary.

EXC/19/1C.

Instrument under the Public Seal of the Colony of the
Falkland Islands appointing William Henry Goss, Esq., J.P.,
to be a Member of the Executive Council.

J. R. W. PARKER



*By His Excellency JAMES ROLAND WALTER PARKER,
Officer 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.*

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

AND WHEREAS by Instructions under the Royal Sign Manual and Signet, bearing date the 13th day of December 1948, it is declared that the Governor may, from time to time, appoint persons other than ex-officio Members to be Members of the Executive Council of the Colony.

NOW, THEREFORE, I, JAMES ROLAND WALTER PARKER, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies, do hereby appoint—

WILLIAM HENRY GOSS, ESQ., J.P.

to be a Member of my Executive Council until the 31st day of December 1977.

GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 29th day of December in the Year of Our Lord One thousand Nine hundred and Seventy-six.

By His Excellency's Command,

ARTHUR J. P. MONK,

Chief Secretary.

EXC/19/1C.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXXVI

1 FEBRUARY 1977

No. 2

Appointments

Robert John Kersey, Certificated Teacher,
Education Department, 20.1.77.

Denise Jane Kersey, Certificated Teacher,
Education Department, 20.1.77.

Completion of Contract

David Noel Meanwell, Certificated Teacher,
Education Department, 15.1.77.

Miss Dorothy Margaret Forster, Nursing Sister,
Medical Department, 25.1.77.

NOTICES

No. 1. 1st January 1977.

New Year Honours 1977

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

HAROLD BENNETT, ESQUIRE
to be an Officer of the Most Excellent Order of the
British Empire.

No. 2.

12th January 1977.

It is hereby notified that the following dates
have been set aside as Public Holidays in Stanley
in 1977 —

New Year's Day (in lieu of)	... Monday, 3rd January
Jubilee Sports Meeting	... Tuesday, 22nd February Wednesday, 23rd February Thursday, 24th February Friday, 25th February
Good Friday	... Friday, 8th April
Her Majesty the Queen's Birthday	... Thursday, 21st April
October Bank Holiday	... Monday, 3rd October
Anniversary of the Battle of the Falkland Islands	... Thursday, 8th December
Christmas Holidays	... Sunday, 25th December Monday, 26th December Tuesday, 27th December Wednesday, 28th December

Ref. INT/21/5.

No. 3. 13th January 1977.

With reference to the Instrument under the Public Seal of the Colony dated 29th December 1976, it is hereby notified that His Excellency the Governor returned to Stanley on Sunday, 2nd January 1977.

Ref. GOV/19/1.

No. 4. 14th January 1977.

Prison Ordinance 1966

It is notified that the following have been appointed the Board of Visiting Justices for 1977—

MR. J. BOUND, E.D., J.P., (*Senior Member*)

MRS. JESSIE BOOTH, J.P., (*Member*)

MR. W. H. GOSS, J.P., (*Member*)

Ref. POL/19/1.

No. 5. 17th January 1977.

Marriage Ordinance (Cap. 43) Section 5

The following are registered as Ministers for celebrating marriages—

THE RIGHT REVEREND CYRIL JAMES TUCKER, C.B.E.,
M.A., *Lord Bishop of the Falkland Islands.*

THE REVEREND CANON JACK GOULD, *Honorary Canon of Christ Church Cathedral.*

THE REVEREND GERALD SMITH, *Chaplain, Christ Church Cathedral.*

THE RIGHT REV. MONSIGNOR DANIEL SPRAGGON,
M.B.E., *Prefect Apostolic of the Falkland Islands and Dependencies.*

THE REVEREND FATHER PHILLIP BRUGGEMAN, *Priest, St. Mary's Church.*

Ref. INT/39/1.

No. 6. 18th January 1977.

The findings of the Cost of Living Committee for the quarter ended 31st December 1976 are published for general information—

Quarter ended	Percentage increase over 1971 prices
31st December 1976	128.17%

2. In accordance with the principle of the Wages Agreement for Stanley the average increase over the last four quarters is 112.19% and a further wage award of 2½p per hour is therefore payable with effect from 1st January 1977.

Ref. INT/2/3.

No. 7. 18th January 1977.

Public Health Ordinance (Cap. 54)

The following have been re-appointed members of the Board of Health for the Colony until 30th June 1977—

THE SENIOR MEDICAL OFFICER — *Chairman*

DR. K. E. DUNNETT

THE HON. L. G. BLAKE, J.P.

THE HON. W. E. BOWLES

SUPERINTENDENT OF PUBLIC WORKS

CHIEF POLICE OFFICER.

Ref. MED/19/1.

No. 8. 24th January 1977.

With reference to the Instrument under the Public Seal of the Colony dated 4th January 1977, it is hereby notified that His Excellency the Governor returned to Stanley on Friday, 7th January 1977.

Ref. GOV/19/1.

No. 9. 24th January 1977.

With reference to the Instrument under the Public Seal of the Colony dated 12th January 1977, it is hereby notified that His Excellency the Governor returned to Stanley on Friday 14th January 1977.

Ref. GOV/19/1.

No. 10. 24th January 1977.

The Air Navigation (Overseas Territories) Order 1976
(Article 92)

Pursuant to Article 92 of the Air Navigation (Overseas Territories) Order 1976, Mr. Norman M. Hall, of the Civil Aviation Department is hereby authorised for the purposes of any of the provisions of the Order specified in the following Schedule—

SCHEDULE

Article 9 (4) (d)

Article 11 (5) (e)

2. The Notice issued under Article 81 of the Colonial Air Navigation Orders 1961 to 1972 dated 8th January 1976, in so far as it relates to Mr. Derek S. Bramley, is cancelled.

J. R. W. PARKER,
Governor.

Ref. AIR/10/2.

No. 11. 24th January 1977.

The Air Navigation (Overseas Territories) Order 1976
(Article 66(1))

Pursuant to Article 66(1) of the Air Navigation (Overseas Territories) Order 1976, the area of water specified in column 2 of the Schedule adjacent to the place specified in column 1 of the Schedule is hereby notified as a Government aerodrome available for take-off and landing by aircraft of the Falkland Islands Government Air Service.

SCHEDULE

Column 1 PLACE	Column 2 AERODROME
Brenton Loch	Brenton Loch

J. R. W. PARKER,
Governor.

Ref. AIR/10/2.

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by Section 4 of the Customs Ordinance I hereby appoint Mr. D. Evans to be a Deputy Collector of Customs for the purpose of clearing "Lindblad Explorer" from New Island, Falkland Islands on the 24th January 1977.

L. J. HALLIDAY,
Collector of Customs.

21st January 1977.

Appointment of Governor's Deputy and specification of powers and functions vested in the Governor which he may exercise and perform.

WHEREAS paragraph (1) of Article 8 of the Falkland Islands Letters Patent, 1948 to 1962, provides that whenever the Governor has occasion to be absent from the seat of Government but not from the Colony, or to be absent from the Colony for a period which he has reason to believe will be of short duration, or whenever by reason of illness which he has reason to believe will be of short duration he considers it desirable so to do, he may, by Instrument under the Public Seal, appoint any person in the Colony to be his Deputy during such absence or illness, and in that capacity to exercise and perform for and on behalf of the Governor during such absence or illness all such powers and functions vested in the Governor as shall be specified in such Instrument:

AND WHEREAS Article 3 of the Falkland Islands Dependencies Letters Patent, 1908, provides that the Officer for the time being Administering the Government of the Colony of the Falkland Islands shall be Governor for the time being of the Falkland Islands Dependencies:

AND WHEREAS I shall have occasion to leave Stanley on the 4th day of January 1977 for the purpose of visiting East Falkland:

NOW, THEREFORE, under and by virtue of the powers aforesaid I, JAMES ROLAND WALTER PARKER, ESQUIRE, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, and Vice-Admiral of the same, do hereby appoint GORDON JAMES AUGUSTUS SLATER, ESQUIRE, to be Governor's Deputy in and for the Colony of the Falkland Islands and its Dependencies and in that capacity to exercise and perform for and on behalf of the Governor (except while and in so far as provision to the contrary made by the Governor under Article 8 of the said Letters Patent is operative) and subject always to the provisions of the said Letters Patent, all such powers and functions as are vested in the Governor other than those vested by sections 6, 18 and 21A, sub-section (1) of section 24 and sub-section (1) of section 26, of the Falkland Islands (Legislative Council) Orders, 1948 to 1973, by paragraph (1) of Article 10 and Articles 13, 15 and 16 of the said Letters Patent and by paragraph (b) of clause 3, sub-paragraph (a) of paragraph (1) of clause 5 and clause 22 of the Royal Instructions to the Governor dated the 13th day of December 1948.

This Instrument shall come into operation on the 4th day of January 1977 and shall remain in force until my return to Stanley.

LS

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, this 4th day of January in the year of Our Lord One thousand Nine hundred and Seventy-seven.

J. R. W. PARKER.

Governor and Commander-in-Chief.

Appointment of Governor's Deputy and specification of powers and functions vested in the Governor which he may exercise and perform.

WHEREAS paragraph (1) of Article 8 of the Falkland Islands Letters Patent, 1948 to 1962, provides that whenever the Governor has occasion to be absent from the seat of Government but not from the Colony, or to be absent from the Colony for a period which he has reason to believe will be of short duration, or whenever by reason of illness which he has reason to believe will be of short duration he considers it desirable so to do, he may, by Instrument under the Public Seal, appoint any person in the Colony to be his Deputy during such absence or illness, and in that capacity to exercise and perform for and on behalf of the Governor during such absence or illness all such powers and functions vested in the Governor as shall be specified in such Instrument:

AND WHEREAS Article 3 of the Falkland Islands Dependencies Letters Patent, 1908, provides that the Officer for the time being Administering the Government of the Colony of the Falkland Islands shall be Governor for the time being of the Falkland Islands Dependencies:

AND WHEREAS I shall have occasion to leave Stanley on the 12th day of January 1977 for the purpose of visiting West Falkland:

NOW, THEREFORE, under and by virtue of the powers aforesaid I, JAMES ROLAND WALTER PARKER, ESQUIRE, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, and Vice-Admiral of the same, do hereby appoint GORDON JAMES AUGUSTUS SLATER, ESQUIRE, to be Governor's Deputy in and for the Colony of the Falkland Islands and its Dependencies and in that capacity to exercise and perform for and on behalf of the Governor (except while and in so far as provision to the contrary made by the Governor under Article 8 of the said Letters Patent is operative) and subject always to the provisions of the said Letters Patent, all such powers and functions as are vested in the Governor other than those vested by sections 6, 18 and 21A, sub-section (1) of section 24 and sub-section (1) of section 26, of the Falkland Islands (Legislative Council) Orders, 1948 to 1973, by paragraph (1) of Article 10 and Articles 13, 15 and 16 of the said Letters Patent and by paragraph (b) of clause 3, sub-paragraph (a) of paragraph (1) of clause 5 and clause 22 of the Royal Instructions to the Governor dated the 13th day of December 1948.

This Instrument shall come into operation on the 12th day of January 1977 and shall remain in force until my return to Stanley.

LS

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, this 12th day of January in the year of Our Lord One thousand Nine hundred and Seventy-seven.

J. R. W. PARKER.

Governor and Commander-in-Chief.

Statement made in the House of Commons by the Rt. Hon. Anthony Crosland, M.P., Secretary of State for Foreign and Commonwealth Affairs, on Wednesday afternoon, 2nd February, 1977.

With permission, Mr Speaker, I will make a statement on the Falkland Islands and our relations with Argentina.

Since my Rt. Hon. Friend, now Prime Minister, made a statement on this subject on January 14 of last year, Lord Shackleton has presented his "Economic Survey of the Falkland Islands". The whole House will join me in warmly thanking him and his colleagues for this immensely thorough and wide-ranging report.

The survey paints a vivid picture of this small community of 1900 people, 7500 miles away, yet staunchly British and with rich potential in the seas around them. But currently they face an uncertain economic future. The economy, essentially a mono-culture based on wool, is stagnant: the resources do not exist to exploit the new potential in other fields: and emigration is increasing.

To remedy this situation, Lord Shackleton made a large number of recommendations, many of which will require further study and detailed consultation with the Islanders. Meanwhile H M G will proceed to implement those internal constitutional changes which have already been approved by the Falkland Islands Legislative Council.

The recommendations on development aid will fall to my Hon. Friend the Minister for Overseas Development to implement. But I can say now that the Government are ready to consider, after such pre-investment studies as may be required, agricultural diversification, mutton freezing, knitwear production, and improvements to education. We also propose to pay special and urgent attention to the Islands' internal communications, with particular reference to the availability and maintenance of an efficient local air service.

The Survey further recommended certain major capital projects, notably an enlargement of the airport and a pilot fishing project, which would bring the total recommended expenditure by the U K up to some pounds sterling 13-14 million. The Government, like Lord Shackleton and his colleagues, are in no doubt that the potential for development is there, and they will at the appropriate moment commission the essential preliminary studies to determine whether airport enlargement is likely to be practicable and cost effective.

But for the rest, we cannot at this time accept the more costly recommendations. The overseas aid budget, recently cut in the December public expenditure exercise, would not stand it. There are more urgent claims from much poorer communities. And the right political circumstances do not exist.

In Lord Shackleton's words, "In any major new developments of the Islands' economy, especially those relating to offshore resources, co-operation with Argentina — even participation — should, if possible, be secured". The Government agree. Such new developments require a framework of greater political and economic co-operation in the region as a whole. Without such a framework, the prospect of achieving a prosperous and durable future for the Islands is bleak.

The Government have therefore decided that the time has come to consider both with the Islanders and the Argentine Government whether a climate exists for discussing the broad issues which have a bearing on the future of the Falkland Islands and the possibilities of co-operation between Britain and Argentina in the region of the South West Atlantic.

I must make certain things absolutely clear. First, any such discussion, which would inevitably raise fundamental questions on the relationship between the Islands, Britain and Argentina, would take place under the sovereignty umbrella: that is, H M G would wholly reserve their position on the issue of sovereignty, which would in no way be prejudiced. Secondly, any changes which might be proposed must be acceptable to the Islanders, whose interests and well-being remain our prime concern. In consequence, there must be full consultation with the Islanders at every stage: nothing will be done behind their back.

To fulfil this pledge, I am sending my Rt. Hon. Friend the Minister of State to the Falkland Islands in mid February to hear from the Islanders at first hand how they view their future. He will also visit Buenos Aires. His object will be, in effect, to see whether terms of reference can be agreed for further more formal talks between the parties concerned.

Mr Speaker, my Rt. Hon. Friend the Prime Minister said this to the House last January. "Given good will on both sides, Britain and Argentina should be able to transform the area of dispute concerning the sovereignty over the Islands into a factor making for co-operation between the two countries which would be consonant with the wishes and interests of the Falkland Islanders". Today, as twelve months ago, the situation in the South West Atlantic is a source of potential confrontation of which there have been recent examples. It is co-operation not confrontation, both in the Islands and in the Dependencies, which we seek to achieve.

STATUTORY INSTRUMENTS

1976 No. 1784

COPYRIGHT

The Copyright (International Conventions)
(Amendment No. 2) Order 1976

Made - - - - - 27th October 1976
Laid before Parliament 4th November 1976
Coming into Operation 25th November 1976

At the Court at Buckingham Palace, the 27th day of October 1976

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by and with the advice of Her Privy Council, and by virtue of the authority conferred upon Her by sections 31, 32 and 47 of the Copyright Act 1956 (*a*) and of all other powers enabling Her in that behalf, is pleased to order, and it is hereby ordered, as follows —

1. (1) This Order may be cited as the Copyright (International Conventions) (Amendment No. 2) Order 1976, and shall come into operation on 25th November 1976.

(2) The Interpretation Act 1889 (*b*) shall apply to the interpretation of this Order as it applies to the interpretation of an act of Parliament.

2. The Copyright (International Conventions) Order 1972 (*c*), as amended (*d*), shall be further amended as follows —

- (a) in Schedule 1 (which names the countries of the Berne Copyright Union) there shall be included a reference to Libya;
- (b) in Schedule 2 (which names the countries party to the Universal Copyright Convention but not Members of the Berne Union) there shall be included a reference to Colombia and a related reference to 18th June 1976;
- (c) in Schedule 3 (countries in whose case copyright in sound recording includes the exclusive right of public performance and broadcasting) there shall be included a reference to Colombia;
- (d) in Schedules 4 and 5 (countries whose broadcasting organisations have copyright protection in relation to their sound and television broadcasts) there shall be included references to Colombia and related references to 17th September 1976 in the list of dates in those two Schedules.

3. (1) This Order except for Article 2 (*d*) shall extend to all the countries mentioned in the Schedule hereto.

(2) Article 2 (*d*) shall extend to Gibraltar and Bermuda.

N. E. Leigh.

(a) 1956 c. 74.

(b) 1889 c. 63.

(c) S.I. 1972/673 (1972 I, p. 2172).

(d) The amendments are not relevant to the subject matter of this Order.

SCHEDULE

COUNTRIES TO WHICH THIS ORDER EXTENDS

Bermuda
Belize
British Virgin Islands
Cayman Islands
Falkland Islands and Dependencies
Gibraltar
Hong Kong
Isle of Man
Montserrat
St. Helena and its Dependencies

EXPLANATORY NOTE

(This Note is not part of the Order)

This Order further amends the Copyright (International Conventions) Order 1972.

It takes account of —

- (a) the accession of the Libyan Arab Republic to the Berne Copyright Convention;
- (b) the accession of Colombia to the Universal Copyright Convention, and
- (c) the accession of Colombia to the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations.

The Order extends, so far as is appropriate, to dependent countries of the Commonwealth to which the 1972 Order extends.

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 January 1977 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. If however in any quarter the Index should exceed the average figure for the last four quarters by six points then the excess points will be taken into immediate account for the cost of living award. The payment in respect of the excess points will be adjusted as necessary, in future quarterly reviews of the cost of living.

N.B. When calculating the advance payment in excess of the first six points, $\frac{1}{2}$ p advance will be made in any case where the excess not already taken into account reaches one point.

(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.

(c) SLAUGHTERMEN AND LORRY DRIVERS.

Slaughtermen shall be provided with suitable protective clothing and footwear.

All drivers of petrol, steam or diesel engines, whether stationary or mobile, shall be paid for all working hours of the day on which the employee drives, irrespective of the period during which he is actually driving.

2. Prevailing Rates.

Class				Hourly Rate.
1. Tradesmen	...	...	...	91½p
2. Apprentices		1st year		61p
		2nd year		62½p
		3rd year		65½p
		4th year		69p
		5th year		76½p
3. Handymen	...	...	...	74p to 82½p according to ability.
4. Slaughtermen and tradesmen's mates		...	...	73p
5. Lorry Drivers, including men tending stationary engines or boilers				74p
6. Labourers		Age		Hourly Rate.
		14-15		53p
		15-16		56½p
		16-17		61½p
		17-18		66p
		18 and over		72p

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 young 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 4p 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 4p to 7½p 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 15p 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 1½p 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 2p 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 2½p per hour extra and no other allowance.

4. Working Hours.

The normal working hours shall be 40 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.

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 40 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 40-hour week by allowing time off during normal working hours, at a time to be agreed with the employer.

6. Public Holidays.

In addition to receiving double time for working on a public holiday employees shall be entitled to 8 hours holiday.

7. Holidays.

(a) ANNUAL HOLIDAYS.

All employees shall be entitled to accumulate holidays at the rates and to the maximum hereinafter set out, namely —

<i>Earning rate per month of continuous service</i>	<i>Maximum accumulation</i>
1½ days	320 hours

In the event of an employee terminating his service prior to the completion of the first six months of service he shall forfeit any holiday entitlement not taken.

The maximum of 320 hours referred to above shall not apply to any excess over that amount accumulated as at 31st December 1976.

Paid holidays may be 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 eight days shall be paid holidays for all employees :—

New Year's Day, Good Friday, The Queen's Birthday and Commonwealth Day, October Bank Holiday, Anniversary of Battle of Falkland Islands, Christmas Day, Boxing Day, and one other day to coincide with the Annual Stanley Sports Meeting.

- (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 Saturday or a Sunday the next working day shall be the holiday.

8. Sick Pay.

- (a) Employees who have not completed three months' service with their employer shall not be entitled to sick pay.
- (b) If sickness lasts for more than two working days an employee shall be entitled to the following sick pay commencing on the first day of sickness on the production of a medical certificate —
 - (i) Employees who have completed three months' service with their employer —
 - Full pay for the first two weeks.
 - Half pay for the third and fourth weeks.
 - (ii) Employees who have completed three years' service with their employer —
 - Full pay for the first four weeks.
 - Half pay for the following nine weeks.
- (c) 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.
- (d) An employer may demand a medical certificate before making any payment in respect of sick pay.
- (e) The Workmen's Compensation Ordinance shall apply in cases of sickness resulting from accidents at work. The Foreman and the Union Delegate must confirm in writing any accident at work.

9. Termination of Employment.

Except in the case of misdemeanour, when an employee may be summarily dismissed, the following notice of termination of employment shall be given —

- (i) Employees who have completed ten years' service with their employer —
 - One months notice.
- (ii) Employees who have completed five years' service with their employer —
 - Two weeks' notice.
- (iii) All other employees —
 - One week's notice.

If desired employers may pay wages in (i), (ii) or (iii), as appropriate, in lieu of giving notice.

N.B. In addition to the Public Holidays listed under 7 (b) above employees will be entitled to paid holidays for those days published as public holidays in 1977 for the Jubilee Celebrations.

10. General.

- (a) 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.
- (b) 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.
- (c) 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.
- (d) All employers shall display for the benefit of their employees copies of Regulations and Rules pertaining to wages and conditions of service of workers.
- (e) All employers shall ensure that tractors are fitted with safety cabs.

Ref. TRE/2/9.



THE FALKLAND ISLANDS GAZETTE

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1 MARCH 1977

No. 3

Appointments

Miss Una Summers, Clerk, Public Service, 25.10.76.

Reginald Norman Kenneth Silvey, Police Constable, Police and Prisons Department, 15.2.77.

Miss Dinah May Brown, Nursing Sister, Medical Department, 25.2.77.

Miss Ann Caswell, Nursing Sister, Medical Department, 25.2.77.

Re-appointments

Trevor Jervis Shaw, Certificated Teacher, Education Department, 10.2.77.

Mrs. Maureen Hazel Shaw, Certificated Teacher, Education Department, 10.2.77.

Acting Appointment

Dr. Keith Edward Dunnett, M.B., B.Chir., Acting Senior Medical Officer, Medical Department, 10.2.77.

Completion of Contract

Mrs. Jane Harrison, Laboratory Assistant, Medical Department, 11.2.77.

NOTICES

No. 12. 4th February 1977.

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

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

Medical Practitioners	Qualifications
COX, Frederick Campbell	M.B., Ch.B., (Glasgow) M.R.C.P. (U.K.)
DUNNETT, Keith Edward	M.B., B.Chir. (Cantab)
SUMMERS, Peter George Herbert	M.B., B.S., M.R.C.S., L.R.C.P., F.R.C.S. (Ed) D.A.

Midwives

BENNETT, Valerie Elizabeth	S.R.N., S.C.M.
COLLINS, Barbara	S.R.N., S.C.M.
COX, Catriona Margaret	R.G.N., S.C.M., H.V. cert.
FELTON, Elizabeth Agnes	S.E.N., S.C.M.
STEAD, Elizabeth Ann	S.R.N., S.C.M.
WILSON, Dorothea May	S.R.N., S.C.M., M.S.R.

Dental Surgeon

WATSON, Robert Muir	L.D.S., R.C.S.
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Ref. MED/7/3.

No. 13.

15th February 1977.

Stanley Town Public Services Ordinance 1973

In exercise of the powers conferred on him by section 8 of the Stanley Town Public Services Ordinance 1973 His Excellency the Governor has been pleased to appoint MR. DENNIS T. DAVIS to be Inspector of the Fire Brigade.

Ref. STF/15.

No. 13A.

18th February 1977.

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by section 4 of the Customs Ordinance I hereby appoint Mr. D. Evans to be a Deputy Collector of Customs for the purpose of clearing "Lindblad Explorer" from New Island, Falkland Islands on the 22nd February 1977.

L. J. HALLIDAY,
Collector of Customs.

Ref. CH/3.

No. 14.

24th February 1977.

Public Health Ordinance (Cap. 54)

The following have been appointed to be the Hospital Visiting Committee for the year 1977 —

Mrs. Hulda Stewart (*Chairman*)
Mrs. Hermine Johnston
The Right Reverend
Monsignor D. M. Spraggon, M.B.E.

Ref. MED/19/2.

No. 15.

28th February 1977.

Currency Notes Rules

In exercise of the powers conferred by rule 3 of the Currency Notes Rules, His Excellency the Governor has been pleased to approve the appointment of Miss K. Dobbins to be a Currency Officer with effect from 14th February 1977.

Miss Dobbins replaces Mr. Nicholas Timothy Thomas Keenleyside who ceased to be a Currency Officer on termination of service in the Treasury on 31st October 1976.

H. T. ROWLANDS,
Commissioner of Currency.

Ref. TRE/19/1.

Appointment of Governor's Deputy and specification of powers and functions vested in the Governor which he may exercise and perform.

WHEREAS paragraph (1) of Article 8 of the Falkland Islands Letters Patent, 1948 to 1962, provides that whenever the Governor has occasion to be absent from the seat of Government but not from the Colony, or to be absent from the Colony for a period which he has reason to believe will be of short duration, or whenever by reason of illness which he has reason to believe will be of short duration he considers it desirable so to do, he may, by Instrument under the Public Seal, appoint any person in the Colony to be his Deputy during such absence or illness, and in that capacity to exercise and perform for and on behalf of the Governor during such absence or illness all such powers and functions vested in the Governor as shall be specified in such Instrument:

AND WHEREAS Article 3 of the Falkland Islands Dependencies Letters Patent, 1908, provides that the Officer for the time being Administering the Government of the Colony of the Falkland Islands shall be Governor for the time being of the Falkland Islands Dependencies:

AND WHEREAS I shall have occasion to leave Stanley on the 17th day of February 1977 for the purpose of visiting East and West Falkland;

NOW, THEREFORE, under and by virtue of the powers aforesaid I, JAMES ROLAND WALTER PARKER, ESQUIRE, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, and Vice-Admiral of the same, do hereby appoint GORDON JAMES AUGUSTUS SLATER, ESQUIRE, to be Governor's Deputy in and for the Colony of the Falkland Islands and its Dependencies and in that capacity to exercise and perform for and on behalf of the Governor (except while and in so far as provision to the contrary made by the Governor under Article 8 of the said Letters Patent is operative) and subject always to the provisions of the said Letters Patent, all such powers and functions as are vested in the Governor other than those vested by sections 6, 18 and 21A, sub-section (1) of section 24 and sub-section (1) of section 26, of the Falkland Islands (Legislative Council) Orders, 1948 to 1973, by paragraph (1) of Article 10 and Articles 13, 15 and 16 of the said Letters Patent and by paragraph (b) of clause 3, sub-paragraph (a) of paragraph (1) of clause 5 and clause 22 of the Royal Instructions to the Governor dated the 13th day of December 1948.

This Instrument shall come into operation on the 17th day of February 1977 and shall remain in force until my return to Stanley.

LS

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, this 17th day of February in the year of Our Lord One thousand Nine hundred and Seventy-seven.

J. R. W. PARKER.
Governor and Commander-in-Chief.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXXVI

11 APRIL 1977

No. 4

Appointments

Miss Teresa Dobbins, Laboratory Technician, Medical Department, 9.11.76.

William Duncan, Assistant Filtration Plant Operator, Public Works Department, 13.12.76.

Darwin Lewis Clifton, Police Constable, Police and Prisons Department, 1.4.77.

Re-appointment

Douglas John Hansen, Clerk, Public Service, 22.11.76.

Completion of Contract

Terence John Clarke, Carpenter, Public Works Department, 13.3.77.

Resignations

Trevor Morrison, Police Constable, Police and Prisons Department, 9.12.76.

Mrs. Charlene Rowland née Short, Clerk, Public Service, 10.3.77.

NOTICES

No. 16. 8th March 1977.

Intimation has been received from the Right Honourable the Secretary of State for Foreign and 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.
2/76	Supplementary Appropriation (1974-75) Ordinance 1976	TRE/14/5.
3/76	Administration of Estates (Amendment) Ordinance 1976	LEG/10/6.
4/76	Dogs (Amendment) Ordinance 1976	POL/4/2 & AGR/10/4.
5/76	Livestock (Amendment) Ord. 1976	AGR/10/2.
6/76	Old Age Pensions (Amend.) Ord. 1976	TRE/2/3.

No. 17. 8th March 1977.

With reference to the Instrument under the Public Seal of the Colony dated 17th February 1977, it is hereby notified that His Excellency the Governor returned to Stanley on Saturday, 19th February 1977.

Ref. GOV/19/1.

No. 18. 23rd March 1977.

Hydatid Eradication (Dogs) Order 1975

(Under Section 12A of the Dogs Ordinance)
(Cap. 21)

The Governor has appointed the following person to be an Inspector for the purposes of this Order —

MR. R. S. WHITLEY — STANLEY

Ref. AGR/7/16.

No. 19. 24th March 1977.

With reference to the Instrument under the Public Seal of the Colony dated 17th March 1977, it is hereby notified that His Excellency the Governor returned to Stanley on Monday 21st March 1977.

Ref. GOV/19/1.

No. 20. 24th March 1977.

Intimation has been received from the Right Honourable the Secretary of State for Foreign and 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.
DS 1/75	Falkland Islands Dependencies Conservation Ordinance 1975	FIS/10/1 III.
DS 2/75	Application of Colony Laws Ordinance 1975	LEG/10/37.
DS 3/75	Supplementary Appropriation (Dependencies) (1972-73) Ordinance 1975	SG/14/3.
DS 4/75	Supplementary Appropriation (Dependencies) (1973-74) Ordinance 1975	SG/14/3.

No. 21. 24th March 1977.

His Excellency the Governor has been pleased to appoint —

DAVID JOHN ORCHARD

to be a Magistrate for the Falkland Islands Dependency of South Georgia, with effect from 7th February 1977.

Ref. SG/19/1.

No. 23. 31st March 1977.

Her Majesty the Queen in Council made the following Order on 15th December 1976 —

S. I. 1976 No. 2144

FUGITIVE CRIMINAL

**THE UNITED STATES OF AMERICA (EXTRADITION)
ORDER 1976**

2. Copies of the Order, which extends to the Falkland Islands and Dependencies, may be seen at the Chief Secretary's Office during normal office hours

Ref. LEG/10/48.

No. 24. 11th April 1977.

Tourist Advisory Board

The following have been appointed members of the Tourist Advisory Board for a two year period—

Mr. G. Cheek *Chairman*
Mrs. J. Cheek
Mrs. L. Halliday
Mrs. S. Miller
Mr. P. Short
Mr. I. Strange.

Ref. DEV/7/2.

No. 25. 11th April 1977.

With reference to the Instrument under the Public Seal of the Colony dated 3rd April 1977, it is hereby notified that His Excellency the Governor returned to Stanley on Wednesday 6th April 1977.

Ref. GOV/19/1.

**LIVESTOCK (AMENDMENT) ORDINANCE
(No. 5 of 1976)**

**Livestock (Amendment) Ordinance 1976
(Commencement) Notice 1977**

In exercise of the powers conferred by section 1 of the Livestock (Amendment) Ordinance 1976, the Governor hereby appoints the 1st May 1977 as the day on which the said Ordinance shall come into operation.

By Command,
ARTHUR J. P. MONK,
Chief Secretary.

29th March 1977.

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

IN THE MATTER of Edward Victor Johnson, deceased, of Stanley, Falkland Islands, who died at Stanley, Falkland Islands, on the 3rd December 1975, intestate.

WHEREAS Ada Annie Elizabeth Cartmell, eldest daughter of the above-named deceased has applied for Letters of Administration to administer the estate of the said deceased in the Colony

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

H. BENNETT,
Registrar.

Stanley,
Falkland Islands.
22nd March 1977.
SC & L/23/76.

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

IN THE MATTER of George Douglas Smith, deceased, of Stanley, Falkland Islands, who died at Stanley, Falkland Islands, on the 22nd July 1976, intestate.

WHEREAS William Edward Bowles, Attorney for the widow of the above-named 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.
30th March 1977.
SC & L/13/76.

No. 22.

31st March 1977.

The following revised list of Magistrates, Justices of the Peace, and Commissioners for Oaths at present resident in the Colony and Dependencies is published for general information —

MAGISTRATES AND JUSTICES OF THE PEACE

C. H. Robertson, J.P.	...	...	...	27.11.36	...	...	...	Stanley
H. Bennett, O.B.E., J.P. <i>Senior Magistrate</i>	...	...	...	22.7.46	...	...	...	Stanley
J. Bound, E.D., J.P.	...	...	...	3.1.53	...	...	...	Stanley
W. H. Clement, J.P.	...	...	...	5.10.54	...	...	...	Stanley
S. Miller, J.P.	...	...	...	3.6.55	...	...	...	Stanley
Mrs. C. Luxton, J.P.	...	...	...	17.9.57	...	...	...	Stanley
Hon. A. B. Monk, J.P.	...	...	...	2.5.60	...	...	...	San Carlos
Hon. H. L. Bound, M.B.E., J.P.	...	...	...	11.7.63	...	...	...	Stanley
Mrs. J. Booth, J.P.	...	...	...	5.8.67	...	...	...	Stanley
Hon. W. H. Goss, J.P.	...	...	...	12.7.69	...	...	...	Stanley
Hon. L. G. Blake, J.P.	...	...	...	12.7.69	...	...	...	Hill Cove
J. D. Barton, J.P.	...	...	...	12.7.69	...	...	...	Teal Inlet
M. R. Pawley, <i>Magistrate</i>	...	...	...	18.12.73	...	...	...	South Georgia
B. Hardcastle, J.P.	...	...	...	30.10.74	...	...	...	Darwin
D. J. Orchard, <i>Relief Magistrate</i>	...	...	...	7.2.77	...	...	...	South Georgia

COMMISSIONERS FOR OATHS

J. R. Cockwell	...	...	...	8.2.71	...	...	...	Fox Bay East
G. O. Evans	...	...	...	8.2.71	...	...	...	Pebble Island
R. J. Ferguson	...	...	...	8.2.71	...	...	...	Weddell Island
W. R. Luxton	...	...	...	8.2.71	...	...	...	Chartres
A. C. Miller	...	...	...	8.2.71	...	...	...	Port San Carlos
S. R. Miller	...	...	...	8.2.71	...	...	...	Keppel Island
K. J. McPhee	...	...	...	8.2.71	...	...	...	Green Patch
R. B. Napier	...	...	...	8.2.71	...	...	...	West Point Island
R. M. Pitaluga, O.B.E.	...	...	...	8.2.71	...	...	...	Salvador
J. R. Robertson	...	...	...	8.2.71	...	...	...	Fox Bay West
O. R. Smith	...	...	...	8.2.71	...	...	...	Johnson's Harbour
L. Grant	...	...	...	23.3.71	...	...	...	Port Louis
A. Pole-Evans	...	...	...	23.3.71	...	...	...	Saunders Island
A. T. Blake	...	...	...	5.7.73	...	...	...	North Arm
P. C. Robertson	...	...	...	23.11.73	...	...	...	Port Stephens

Ref. LEC/19/5c.

Appointment of Governor's Deputy and specification of powers and functions vested in the Governor which he may exercise and perform.

WHEREAS paragraph (1) of Article 8 of the Falkland Islands Letters Patent, 1948 to 1962, provides that whenever the Governor has occasion to be absent from the seat of Government but not from the Colony, or to be absent from the Colony for a period which he has reason to believe will be of short duration, or whenever by reason of illness which he has reason to believe will be of short duration he considers it desirable so to do, he may, by Instrument under the Public Seal, appoint any person in the Colony to be his Deputy during such absence or illness, and in that capacity to exercise and perform for and on behalf of the Governor during such absence or illness all such powers and functions vested in the Governor as shall be specified in such Instrument:

AND WHEREAS Article 3 of the Falkland Islands Dependencies Letters Patent, 1908, provides that the Officer for the time being Administering the Government of the Colony of the Falkland Islands shall be Governor for the time being of the Falkland Islands Dependencies:

AND WHEREAS I shall have occasion to leave Stanley on the 17th day of March 1977 for the purpose of visiting East Falkland:

NOW, THEREFORE, under and by virtue of the powers aforesaid I, JAMES ROLAND WALTER PARKER, ESQUIRE, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, and Vice-Admiral of the same, do hereby appoint GORDON JAMES AUGUSTUS SLATER, ESQUIRE, to be Governor's Deputy in and for the Colony of the Falkland Islands and its Dependencies and in that capacity to exercise and perform for and on behalf of the Governor (except while and in so far as provision to the contrary made by the Governor under Article 8 of the said Letters Patent is operative) and subject always to the provisions of the said Letters Patent, all such powers and functions as are vested in the Governor other than those vested by sections 6, 18 and 21A, sub-section (1) of section 24 and sub-section (1) of section 26, of the Falkland Islands (Legislative Council) Orders, 1948 to 1973, by paragraph (1) of Article 10 and Articles 13, 15 and 16 of the said Letters Patent and by paragraph (b) of clause 3, sub-paragraph (a) of paragraph (1) of clause 5 and clause 22 of the Royal Instructions to the Governor dated the 13th day of December 1948.

This Instrument shall come into operation on the 17th day of March 1977 and shall remain in force until my return to Stanley.

LS

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, this 17th day of March in the year of Our Lord One thousand Nine hundred and Seventy-seven.

J. R. W. PARKER,
Governor and Commander-in-Chief.

Appointment of Governor's Deputy and specification of powers and functions vested in the Governor which he may exercise and perform.

WHEREAS paragraph (1) of Article 8 of the Falkland Islands Letters Patent, 1948 to 1962, provides that whenever the Governor has occasion to be absent from the seat of Government but not from the Colony, or to be absent from the Colony for a period which he has reason to believe will be of short duration, or whenever by reason of illness which he has reason to believe will be of short duration he considers it desirable so to do, he may, by Instrument under the Public Seal, appoint any person in the Colony to be his Deputy during such absence or illness, and in that capacity to exercise and perform for and on behalf of the Governor during such absence or illness all such powers and functions vested in the Governor as shall be specified in such Instrument:

AND WHEREAS Article 3 of the Falkland Islands Dependencies Letters Patent, 1908, provides that the Officer for the time being Administering the Government of the Colony of the Falkland Islands shall be Governor for the time being of the Falkland Islands Dependencies:

AND WHEREAS I shall have occasion to leave Stanley on the 3rd day of April 1977 for the purpose of visiting East and West Falkland:

NOW, THEREFORE, under and by virtue of the powers aforesaid I, JAMES ROLAND WALTER PARKER, ESQUIRE, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, and Vice-Admiral of the same, do hereby appoint GORDON JAMES AUGUSTUS SLATER, ESQUIRE, to be Governor's Deputy in and for the Colony of the Falkland Islands and its Dependencies and in that capacity to exercise and perform for and on behalf of the Governor (except while and in so far as provision to the contrary made by the Governor under Article 8 of the said Letters Patent is operative) and subject always to the provisions of the said Letters Patent, all such powers and functions as are vested in the Governor other than those vested by sections 6, 18 and 21A, sub-section (1) of section 24 and sub-section (1) of section 26, of the Falkland Islands (Legislative Council) Orders, 1948 to 1973, by paragraph (1) of Article 10 and Articles 13, 15 and 16 of the said Letters Patent and by paragraph (b) of clause 3, sub-paragraph (a) of paragraph (1) of clause 5 and clause 22 of the Royal Instructions to the Governor dated the 13th day of December 1948.

This Instrument shall come into operation on the 3rd day of April 1977 and shall remain in force until my return to Stanley.



GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, this 3rd day of April in the year of Our Lord One thousand Nine hundred and Seventy-seven.

J. R. W. PARKER,
Governor and Commander-in-Chief.

FUGITIVE OFFENDERS ACT 1967

(1967 c. 68)

Fugitive Offenders (Designated Commonwealth Countries)
Order 1977

No. 1 of 1977.

J. R. W. PARKER.

Governor.

(S.I. 1968 No. 113).

(S.I. 1968 No. 292).

In exercise of the powers conferred by section 2(1) of the Fugitive Offenders Act 1967 (as modified and adapted by the Fugitive Offenders (Falkland Islands and Dependencies) Order 1968), and the Fugitive Offenders (Overseas Territories) Order 1968, the Governor, with the approval of the Secretary of State, has made the following order —

Citation.

1. This Order may be cited as the Fugitive Offenders (Designated Commonwealth Countries) Order 1977.

Designated Commonwealth Countries.

2. The countries specified in the Schedule are hereby designated for the purposes of section 1 of the Fugitive Offenders Act 1967.

Cancellation of previous Orders.

(3 of 1968, 9 of 1968,
2 of 1971, 4 of 1971,
13 of 1971 & 2 of 1974.)

3. The Fugitive Offenders (Designated Commonwealth Countries) Order 1968, the Fugitive Offenders (Designated Commonwealth Countries) (No. 2) Order 1968, the Fugitive Offenders (Designated Commonwealth Countries) Order 1971, the Fugitive Offenders (Designated Commonwealth Countries) (No. 3) Order 1971, the Fugitive Offenders (Designated Commonwealth Countries) (No. 4) Order 1971 and the Fugitive Offenders (Designated Commonwealth Countries) Order 1974 are cancelled.

SCHEDULE

Australia, and the following territories, namely the territory of Norfolk Islands, Australian Antarctic territory, the territory of Cocos (Keeling) Islands, the territory of Christmas Island, the territory of Heard and McDonald Islands and the territory of Ashmore and Cartier Islands which are treated as part of Australia.

The Commonwealth of the Bahamas.

The People's Republic of Bangladesh.

Barbados.

Botswana.

Canada.

The Cook Islands which are treated as a separate country at the request of the New Zealand Government.

The Republic of Cyprus.

Fiji.

The Gambia.

Ghana.

Grenada.

Guyana.

India.

Jamaica.

Kenya.

Lesotho.

Malawi.

Malaysia.

Malta.

Mauritius.

Nauru.

New Zealand and the territories of Niue and Tokelau Islands which are treated as part of New Zealand.

Nigeria.

Pakistan.

Independent State of Papua New Guinea.

The Republic of Seychelles.

Sierra Leone.

Singapore.

Sri Lanka.

Swaziland.

Tonga.

Trinidad and Tobago.

Uganda.

Independent State of Western Samoa.

Zambia.

By His Excellency's Command,

ARTHUR J. P. MONK,

Chief Secretary.

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

1976 No. 2153

COPYRIGHT

The Copyright (International Conventions)
(Amendment No. 3) Order 1976

Made - - - - -	15th December 1976
Laid before Parliament	23rd December 1976
Coming into Operation	14th January 1977

At the Court at Buckingham Palace, the 15th day of December 1976.

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by and with the advice of Her Privy Council, and by virtue of the authority conferred upon Her by sections 31, 32 and 47 of the Copyright Act 1956 (*a*) and of all other powers enabling Her in that behalf, is pleased to order, and it is hereby ordered, as follows —

1. (1) This Order may be cited as the Copyright (International Conventions) (Amendment No. 3) Order 1976, and shall come into operation on 14th January 1977.

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

2. The Copyright (International Conventions) Order 1972 (*c*), as amended (*d*), shall be further amended as follows —

- (a) in Schedule 1 (which names the countries of the Berne Copyright Union) there shall be included a reference to the Bahamas;
- (b) in Schedule 3 (countries in whose case copyright in sound recordings includes the exclusive right of public performance and broadcasting) there shall be included a reference to Guatemala;
- (c) in Schedules 4 and 5 (countries whose broadcasting organisations have copyright protection in relation to their sound and television broadcasts) there shall be included references to Guatemala and related references to 14th January 1977 in the list of dates in those two Schedules.
- (d) in Schedule 6 (which names countries to which Parts I and II of the said Order extend) the name of the Bahama Islands, and the date indicated in relation to that country, shall be omitted.

3. (1) This Order except for Article 2 (*c*) shall extend to all the countries mentioned in the Schedule hereto.

(2) Article 2 (*c*) shall extend to Gibraltar and Bermuda.

N. E. LEIGH,
Clerk of the Privy Council.

(*a*) 1956 c. 74. (*b*) 1889 c. 63. (*c*) S.I. 1972/673 (1972 I, p. 2172).
(*d*) The amendments are not relevant to the subject matter of this Order.

SCHEDULE

COUNTRIES TO WHICH THIS ORDER EXTENDS

Bermuda.
Belize.
British Virgin Islands.
Cayman Islands.
Falkland Islands and Dependencies.
Gibraltar.
Hong Kong.
Isle of Man.
Montserrat.
St. Helena and its Dependencies.

EXPLANATORY NOTE

(This Note is not part of the Order)

This Order further amends the Copyright (International Conventions) Order 1972. It takes account of the attainment of independence by the Bahamas and of their accession to the Berne Copyright Convention and Guatemala's accession to the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations.

The Order extends, so far as is appropriate, to dependent countries of the Commonwealth to which the 1972 Order extends.

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

1977 No. 47

FUGITIVE CRIMINAL

The Fugitive Offenders (Overseas Territories) Order 1977

<i>Made</i> - - - - -	<i>17th January 1977</i>
<i>Laid before Parliament</i>	<i>25th January 1977</i>
<i>Coming into Operation</i>	<i>16th February 1977</i>

At the Court at Buckingham Palace, the 17th day of January 1977.

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 (Overseas Territories) Order 1977.

(2) This Order shall come into operation on 16th February 1977.

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.

3. The Schedule to the Fugitive Offenders (New Hebrides) Order 1968 (*c*) shall have effect as if references to the High Commissioner were references to the Resident Commissioner.

4. Section 19 of the Schedule to the Fugitive Offenders (New Hebrides) Order 1968 is amended —

(a) in subsection (1), by deleting the definition of "High Commissioner";

(b) by deleting subsection (4).

5. (1) Each of the Orders in Council specified in Part 1 of Schedule 1 hereto is amended in the manner set out in Part 2 of that Schedule.

(2) Each of the Orders in Council specified in Part 1 of Schedule 2 hereto is amended in the manner set out in Part 2 of that Schedule.

N. E. LEIGH,
Clerk of the Privy Council.

(a) 1967 c. 68. (b) 1889 c. 63. (c) S.I. 1968/1091 (1968 II, p. 2974)

SCHEDULE 1

Article 5 (1)

PART 1

Title	Reference
The Fugitive Offenders (Bermuda) Order 1967	S.I. 1967/1905 (1967 III, p. 5215).
The Fugitive Offenders (British Honduras) Order 1967	S.I. 1967/1906 (1967 III, p. 5226).
The Fugitive Offenders (British Indian Ocean Territory) Order 1968	S.I. 1968/183 (1968 I, p. 499).
The Fugitive Offenders (British Solomon Islands Protectorate) Order 1967	S.I. 1967/1907 (1967 III, p. 5237).
The Fugitive Offenders (Cayman Islands) Order 1968	S.I. 1968/112 (1968 I, p. 306).
The Fugitive Offenders (Falkland Islands and Dependencies) Order 1968	S.I. 1968/113 (1968 I, p. 317).
The Fugitive Offenders (Gibraltar) Order 1967	S.I. 1967/1909 (1967 III, p. 5259).
The Fugitive Offenders (Hong Kong) Order 1967	S.I. 1967/1911 (1967 III, p. 5281).
The Fugitive Offenders (Montserrat) Order 1967	S.I. 1967/1913 (1967 III, p. 5303).
The Fugitive Offenders (St. Helena) Order 1968	S.I. 1968/184 (1968 I, p. 510).
The Fugitive Offenders (Sovereign Base Areas of Akrotiri and Dhekelia) Order 1967	S.I. 1967/1916 (1967 III, p. 5336).
The Fugitive Offenders (Turks and Caicos Islands) Order 1968	S.I. 1968/185 (1968 I, p. 521).
The Fugitive Offenders (Virgin Islands) Order 1967	S.I. 1967/1915 (1967 III, p. 5325).

PART 2

In subsection 19 (2) in the Schedule there shall be substituted for paragraph (c) the following paragraph —

“(c) in relation to the New Hebrides as references to the Resident Commissioner in the New Hebrides;”.

SCHEDULE 2

Article 5 (2)

PART 1

Title	Reference
The Fugitive Offenders (Gilbert Islands) Order 1975	S.I. 1975/1512 (1975 III, p. 5051).
The Fugitive Offenders (Pitcairn) Order 1968 as amended by	S.I. 1968/884 (1968 II, p. 2321).
The Fugitive Offenders (Pitcairn) (Amendment) Order 1973	S.I. 1973/761 (1973 I, p. 2421).
The Fugitive Offenders (Tuvalu) Order 1975	S.I. 1975/1508 (1975 III, p. 5030).

PART 2

In subsection 19 (2) in the Schedule there shall be substituted for paragraph (b) the following paragraph —

“(b) in relation to the New Hebrides as references to the Resident Commissioner in the New Hebrides;”.

EXPLANATORY NOTE

(This Note is not part of the Order)

This Order amends the Fugitive Offenders (New Hebrides) Order 1968 so as to transfer to the Resident Commissioner in the New Hebrides the functions of the High Commissioner for the Western Pacific under the Fugitive Offenders Act 1967 as extended to the New Hebrides. It also makes consequential amendments to those Orders extending the Act of 1967 to certain other overseas territories.

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

1977 No. 56

COPYRIGHT

The Copyright (International Conventions)
(Amendment) Order 1977

Made - - - - -	17th January 1977
Laid before Parliament	25th January 1977
Coming into Operation	23rd February 1977

At the Court at Buckingham Palace, the 17th day of January 1977.

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by and with the advice of Her Privy Council, and by virtue of the authority conferred upon Her by sections 31, 32 and 47 of the Copyright Act 1956 (a) and of all other powers enabling Her in that behalf, is pleased to order, and it is hereby ordered, as follows —

1. (1) This Order may be cited as the Copyright (International Conventions) (Amendment) Order 1977, and shall come into operation on 23rd February 1977.

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

2. The Copyright (International Conventions) Order 1972 (c), as amended (d), shall be further amended by the inclusion in Schedule 1 (which names the countries of the Berne Copyright Union) of a reference to Surinam.

3. This Order shall extend to all the countries mentioned in the Schedule hereto.

N. E. LEIGH,
Clerk of the Privy Council.

SCHEDULE

COUNTRIES TO WHICH THIS ORDER EXTENDS

Bermuda.	Gibraltar.
Belize.	Hong Kong.
British Virgin Islands.	Isle of Man.
Cayman Islands.	Montserrat.
Falkland Islands and Dependencies.	St. Helena and its Dependencies.

EXPLANATORY NOTE

(This Note is not part of the Order)

This Order further amends the Copyright (International Conventions) Order 1972. It takes account of the accession of the Republic of Surinam to the Berne Copyright Convention.

The Order extends to dependent countries of the Commonwealth to which the 1972 Order extends.

(a) 1956 c. 74. (b) 1889 c. 63. (c) S.I. 1972/673 (1972 I, p. 2172).
(d) The amendments are not relevant to the subject matter of this Order.

MEMORANDUM



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXXVI

26 MAY 1977

No. 5

Appointments

Gavin McMillan, Clerk, Public Service, 3.3.77.

Leslie James Lee, Carpenter, Public Works Department, 21.4.77.

Acting Appointment

Rex Browning, Acting Deputy Chief Secretary, 5.5.77.

Completion of Contract

Michael David Reeve, Certificated Teacher, Education Department, 17.4.77.

Resignation

Donald Jaffray, Police Constable, Police and Prisons Department, 20.4.77.

NOTICES

No. 26. 18th April 1977.

The findings of the Cost of Living Committee for the quarter ended 31st March 1977, are published for general information —

Quarter ended	Percentage increase over 1971 prices
31st March 1977	137.91%

2. In accordance with the principle of the Wages Agreement for Stanley the average increase over the last four quarters is 121.74% and a further wage award of 2½ p per hour is therefore payable with effect from 1st April 1977.

Ref. INT/2/3.

No. 27. 19th April 1977.

With reference to the Instrument under the Public Seal of the Colony dated 13th April 1977, it is hereby notified that His Excellency the Governor returned to Stanley on Thursday, 14th April 1977.

Ref. GOV/19/1.

No. 28. 22nd April 1977.

With reference to Gazette Notice No. 17 of 12th June 1974 it is hereby notified that the Apprenticeship Board has been reconstituted as follows —

Chairman	... Mr. S. A. Booth
Ex-officio	... Superintendent of Education
Representatives of Employers	Superintendent of Works Manager, Cable & Wireless Ltd.
Representatives of Operatives	General Secretary, General Employees' Union Mr. W. E. Bowles

Ref. ESA/19/1.

No. 29. 27th April 1977.

Silver Jubilee Celebrations Committee

The following persons have been appointed members of a committee for the purpose of co-ordinating those celebrations of Her Majesty The Queen's Silver Jubilee, which are to take place in the Colony during 1977 —

The Honourable J. Smith (Chairman)
Mr. E. F. Luxton
Mrs. Velma Malcolm
Mrs. Betty Miller
The Reverend G. Smith
Major J. N. Willoughby, R.M.
vice Major R. A. Hooper, R.M.

Ref. ROY/1/1.

No. 30. 28th April 1977.

The Air Navigation (Overseas Territories) Order 1977

It is notified for general information that the above Order —

- (a) came into operation on 9th April 1977, for the purpose of Articles 60 (6), 88 and 91; and
- (b) shall come into operation on 9th June 1977, for all other purposes.

Ref. AIR/10/2.

No. 31. 27th April 1977.

Intimation has been received from the Right Honourable the Secretary of State for Foreign and 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.
1/76	Appropriation (1976/77) Ordinance 1976	TRE/14/9.
		Ref. LEG/10/42.

No. 32. 2nd May 1977.

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

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

"I should be grateful if you would convey to Her

Majesty the Queen the loyal and heartfelt greetings of her subjects in the Falkland Islands and Dependencies on the occasion of Her Majesty's birthday, and with humble duty I ask Her Majesty to accept our most respectful good wishes."

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

"Your telegram has been laid before the Queen. I am commanded to convey Her Majesty's sincere appreciation and thanks to you and to all who associated themselves with your message of loyal greetings on the occasion of Her Majesty's birthday."

Ref. INT/21/6.

No. 33. 11th May 1977.

Hydatid Eradication (Dogs) Order 1975

(Under section 12A of the Dogs Ordinance, Cap. 21)

The Governor has appointed the following person to be an Inspector for the purposes of this Order —

Mr. C. E. Molkenbuhr — Port Howard

Ref. AGR/7/16.

PROCLAMATION

No. 1 of 1977

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

Orders in Council, 1948 to 1976.

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.

J. R. W. PARKER

LS

By His Excellency JAMES ROLAND WALTER PARKER, ESQUIRE, Officer 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.

WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1976, 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, JAMES ROLAND WALTER PARKER, Officer 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 14th day of June 1977 at 10.00 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 23rd day of May in the Year of Our Lord One thousand Nine hundred and Seventy-seven.

By His Excellency's Command,

ARTHUR J. P. MONK,
Chief Secretary.

Ref. LEC/35/1.

Appointment of Governor's Deputy and specification of powers and functions vested in the Governor which he may exercise and perform.

WHEREAS paragraph (1) of Article 8 of the Falkland Islands Letters Patent, 1948 to 1962, provides that whenever the Governor has occasion to be absent from the seat of Government but not from the Colony, or to be absent from the Colony for a period which he has reason to believe will be of short duration, or whenever by reason of illness which he has reason to believe will be of short duration he considers it desirable so to do, he may, by Instrument under the Public Seal, appoint any person in the Colony to be his Deputy during such absence or illness, and in that capacity to exercise and perform for and on behalf of the Governor during such absence or illness all such powers and functions vested in the Governor as shall be specified in such Instrument:

AND WHEREAS Article 3 of the Falkland Islands Dependencies Letters Patent, 1908, provides that the Officer for the time being Administering the Government of the Colony of the Falkland Islands shall be Governor for the time being of the Falkland Islands Dependencies:

AND WHEREAS I shall have occasion to leave Stanley on the 13th day of April 1977 for the purpose of visiting West Falkland:

NOW, THEREFORE, under and by virtue of the powers aforesaid I, JAMES ROLAND WALTER PARKER, ESQUIRE, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, and Vice-Admiral of the same, do hereby appoint GORDON JAMES AUGUSTUS SLATER, ESQUIRE, to be Governor's Deputy in and for the Colony of the Falkland Islands and its Dependencies and in that capacity to exercise and perform for and on behalf of the Governor (except while and in so far as provision to the contrary made by the Governor under Article 8 of the said Letters Patent is operative) and subject always to the provisions of the said Letters Patent, all such powers and functions as are vested in the Governor other than those vested by sections 6, 18 and 21A, sub-section (1) of section 24 and sub-section (1) of section 26, of the Falkland Islands (Legislative Council) Orders, 1948 to 1973, by paragraph (1) of Article 10 and Articles 13, 15 and 16 of the said Letters Patent and by paragraph (b) of clause 3, sub-paragraph (a) of paragraph (1) of clause 5 and clause 22 of the Royal Instructions to the Governor dated the 13th day of December 1948.

This Instrument shall come into operation on the 13th day of April 1977 and shall remain in force until my return to Stanley.

LS

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, this 13th day of April in the year of Our Lord One thousand Nine hundred and Seventy-seven.

J. R. W. PARKER,
Governor and Commander-in-Chief.

A Bill for An Ordinance

Title. **Further to amend the Pensions Ordinance 1965.**

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

Short title. **1.** This Ordinance may be cited as the Pensions (Amendment) Ordinance 1977, and shall be deemed to have come into force on 1st January 1974, except that Section 2 (A) thereof shall be deemed to have come into force on 1st April 1972.

Amendment of section 2
of Ordinance No. 6 of
1965.

2. Section 2 (1) of the Pensions Ordinance 1965 is amended —

(A) by substituting a colon for the full stop at the end of the definition "Inducement Allowance" and adding the following — "Provided that in respect of the period from 1st April 1972 to 31st December 1973 it means the inducement allowance referred to in paragraph 5 of the Overseas Service (Falkland Islands) Agreements 1971 and 1972;"

(B) by substituting the following for the definition of "PENSIONABLE EMOLUMENTS" —

"PENSIONABLE EMOLUMENTS"

(a) in respect of public service of non-designated officers under the Government of the Colony include —

- (i) salary;
- (ii) personal allowances; and
- (iii) overseas allowance;

but do not include any other emoluments or allowances whatever;

- (b) in respect of public service of designated officers under the Government of the Colony include —
 - (i) equivalent United Kingdom salary; and
 - (ii) inducement element;
 but do not include any other emoluments or allowances whatever;
- (c) in respect of other public service means emoluments which count for pension in accordance with the law or regulations in force in such service";
- (c) by inserting in their proper alphabetical positions, the following new definitions —

"DESIGNATED OFFICER" means a pensionable officer designated as such in pursuance of the Overseas Service (Falkland Islands) Agreement 1961 or the Overseas Service (Falkland Islands) Agreements 1971 and 1972, or any agreement specified by the Governor with the consent of the Secretary of State for the purpose of this definition.

"EQUIVALENT UNITED KINGDOM SALARY" means the notional United Kingdom salary taken into account in calculating the salary supplement of a designated officer, as notified to the Government of the Colony by the Government of the United Kingdom.

"INDUCEMENT ELEMENT" means the inducement element taken into account in calculating the salary supplement of a designated officer as notified to the Government of the Colony by the Government of the United Kingdom.

"NON-DESIGNATED OFFICER" means a pensionable officer not designated in pursuance of the Overseas Service (Falkland Islands) Agreement 1961 or the Overseas Service (Falkland Islands) Agreements 1971 and 1972, or any agreement specified by the Governor with the consent of the Secretary of State for the purpose of the definition of "DESIGNATED OFFICER".

"SALARY SUPPLEMENT" means the supplement paid to a designated officer by administrative arrangements for the period from 1st January 1974 to 30th March 1976 and thereafter in pursuance of the Overseas Service (Falkland Islands) (Continuance) Agreement 1971/1976."

OBJECTS AND REASONS

To include inducement allowance payable under the Overseas Service (Falkland Islands) Agreements 1971 and 1972 as a pensionable emolument under the terms of the Pensions Ordinance, and changes arising from the inception of the system of United Kingdom Related Pensionable Emoluments with effect from 1st January 1974.

Ref. TRE/10/3.

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 1977.

(2) The provisions of Sections 2 and 3 of this Ordinance shall come into operation on the 4th day of July 1977 and the provisions of Section 4 of this Ordinance shall come into operation on the 27th day of June 1977.

Amendment of Section 6.

2. Section 6 of the Old Age Pensions Ordinance 1952 (hereinafter referred to as the principal Ordinance) is amended in subsection (2) by —

- (i) deleting in paragraph (a) "62p" and substituting "72p";
- (ii) deleting in paragraph (b) "92p" and substituting "£1.08"; and
- (iii) deleting in paragraph (c) "£1.54" and substituting "£1.80".

Amendment of Section 6A.

3. Section 6A of the principal Ordinance is amended in subsection (2) by deleting "£1.54" and substituting "£1.80".

Amendment of Schedule.

4. The Schedule to the principal Ordinance is amended by deleting "£9.00", "£6.00", "£6.00" and "£6.00" and substituting "£10.50", "£7.00", "£7.00" and "£7.00" respectively.

OBJECTS AND REASONS

To increase contributions —

- (a) by employed male and female contributors from 62p to 72p per week;
- (b) by employers of male and female employees from 92p to £1.08 per week; and
- (c) by self-employed male and female contributors from £1.54 to £1.80 per week.

To increase pensions —

- (a) for married men from £9.00 to £10.50 per week; and
- (b) for unmarried persons from £6.00 to £7.00 per week.

Ref. TRE/2/1.

A Bill for
An Ordinance
Further to amend the Non-contributory
Old Age Pensions Ordinance 1961.

(4th July 1977)

BE IT ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —	Title.
1. This Ordinance may be cited as the Non-contributory Old Age Pensions (Amendment) Ordinance 1977 and shall come into operation on the 4th day of July 1977.	Date of commencement.
2. Section 4 of the Non-contributory Old Age Pensions Ordinance 1961 (hereinafter referred to as the principal Ordinance) is amended by —	Enacting clause.
(i) deleting in paragraph (b) "£500" and substituting "£650";	Short title and commencement.
(ii) deleting in paragraph (c) "£300" and substituting "£400";	
and	
(iii) deleting in paragraph (d) "£300" and substituting "£400".	Amendment of Section 4.
3. The Schedule to the principal Ordinance is amended by deleting "£6.00", "£4.00" and "£4.00" and substituting the following respectively —	Amendment of Schedule.
"£8.50", "£6.00" and "£6.00".	(7 of 1961)

OBJECTS AND REASONS

The objects of this Bill are —

- (a) to increase the maximum statutory income for the receipt of a pension —
 - (i) married man from £500 to £650;
 - (ii) single person from £300 to £400; and
- (b) to increase pensions —
 - (i) for a married man from £6 to £8.50 per week;
 - (ii) for a single person from £4 to £6 per week.

Ref. TRE/2/2.

A Bill for An Ordinance

Title.

To provide for the payment of allowances to Unofficial Members of the Executive Council and to make provision for matters incidental thereto.

Date of commencement.

(19)

Enacting clause.

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

Short title and commencement.

1. This Ordinance may be cited as the Executive Council (Allowances) Ordinance 1977, and shall come into operation on the day of 1977.

Interpretation.

2. In this Ordinance, unless the context otherwise requires —
“Council” means the Executive Council of the Colony;
“member” means an unofficial member of the Council.

Allowances of members.

3. Members shall be paid, from money provided by the Legislative Council, allowances in respect of their services as members at such rates as the Governor in Council may from time to time by order authorize.

Decision of Presiding Officer.

4. If any question arises as to whether any member is or is not entitled to any payment under the provisions of this Ordinance or of any order made thereunder, the decision on such question of the President of the Council, or of any person entitled to preside over the Council, shall be final and shall not be questioned save in the Council.

Prohibition against double allowances.

5. Not more than one allowance, whether under this Ordinance or under the Legislative Council (Allowances) Ordinance 1977, shall be payable to any one member.

OBJECTS AND REASONS

This Bill provides for the payment of allowances to unofficial members of the Executive Council in respect of their services as members.

Ref. EXC/10/1.

A Bill for
An Ordinance

To provide for the payment of allowances
to Unofficial Members of the Legislative Council,
to empower the Governor in Council to make
declarations that membership of certain bodies
shall not be an office of emolument under the
Crown and to make provision for matters inci-
dental thereto.

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 Legislative Council
(Allowances) Ordinance 1977, and shall come into operation on the
day of 1977.

Short title and commence-
ment.

2. In this Ordinance, unless the context otherwise requires —
“Council” means the Legislative Council of the Colony;
“member” means an unofficial member of the Council.

Interpretation.

3. Members shall be paid, from money provided for the
purpose by the Council, allowances in respect of their services as
members at such rates as the Governor in Council may from time to
time by order authorize.

Allowances of members.

4. The Governor in Council may, by order in the Gazette,
declare, either generally or in relation to any person named in such
order, that membership of any council, commission, board, committee
or other body named in such order shall not be an office of emolument
under the Crown.

Declarations in respect of
certain bodies.

5. If any question arises as to whether any member is or is
not entitled to any payment under the provisions of this Ordinance
or of any order made thereunder, the decision on such question of the
President of the Council, or of any person entitled to preside over
the Council, shall be final and shall not be questioned save in the
Council.

Decision of Presiding
Officer.

6. Not more than one allowance, whether under this Ordin-
ance or the Executive Council (Allowances) Ordinance, 1977, shall be
payable to any one member.

Prohibition against double
allowances.

OBJECTS AND REASONS

This Bill makes provision for the payment of allowances to unofficial
members of the Legislative Council in respect of their services as members
and empowers the Governor in Council to declare that membership of certain
bodies shall not be regarded as an office of emolument under the Crown.

Ref. LEC/10/2.

A Bill for An Ordinance

Title.

Further to amend the Income Tax Ordinance.

Date of commencement.

(1st January 1977)

Enacting clause.

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

Short title and commence-
ment.

1. (1) This Ordinance may be cited as the Income Tax
(Amendment) Ordinance 1977.

Cap. 32.

(2) The amendment to the Income Tax Ordinance made by
section 2 shall apply in relation to all assessments made in respect of
the year of assessment commencing on the 1st day of January 1978
and subsequent years of assessment.

Amendment of section 8.

2. Section 8 of the Income Tax Ordinance is amended —
- (a) in paragraph (m) by deleting the full stop and substituting a semi-colon; and
 - (b) by inserting after paragraph (m) the following new paragraph —

“(n) any allowance paid to any unofficial member of the Executive or Legislative Councils under the provisions of the Executive Council (Allowances) Ordinance 1977 or the Legislative Council (Allowances) Ordinance 1977 in respect of services as a member of council.”.

OBJECTS AND REASONS

The object of this Bill is to exempt unofficial members of the Executive and Legislative Councils from the payment of income tax on any allowance payable to them in respect of their services as members of councils.

Ref. INC/10/5.

Interpretation and General Clauses Ordinance

Arrangement of Clauses

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A Bill for An Ordinance

Title.

To consolidate and amend the law relating to the construction, application and interpretation of laws, to make general provisions with regard thereto, to define terms and expressions used in laws and public documents, to make general provision with regard to public officers, public contracts and civil and criminal proceedings and for purposes and for matters incidental thereto or connected therewith.

Date of commencement.

(19)

Enacting clause.

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

PART I

SHORT TITLE AND APPLICATION

Short title.

1. This Ordinance may be cited as the Interpretation and General Clauses Ordinance.

Application.

2. (1) Save where the contrary intention appears either from this Ordinance or from the context of any other Ordinance or instrument, the provisions of this Ordinance shall apply to this Ordinance and to any other Ordinance in force, whether such other Ordinance came or comes into operation before or after the commencement of this Ordinance, and to any instrument made or issued under or by virtue of any such Ordinance.

(2) This Ordinance shall be binding on the Crown.

PART II

INTERPRETATION OF WORDS AND EXPRESSIONS

3. "act", when used with references to an offence or civil wrong, includes a series of acts, an illegal omission and a series of illegal omissions; Interpretation of words and expressions.
- "Act" and "Statute" mean an Act or Statute of Parliament;
- "adult" means a person who has attained the age of eighteen years;
- "aircraft" means any machine that can derive support in the atmosphere from the reactions of the air;
- "alien" means any person who is not a British subject, a British protected person or a citizen of the Republic of Ireland;
- "amend" means repeal, revoke, cancel, add to or vary and the doing of all or any of such things simultaneously or by the same Ordinance or instrument;
- "arrestable offence" means an offence for which the sentence is fixed by law or for which a person may under or by virtue of any law be sentenced to imprisonment for a term exceeding twelve months, and an attempt to commit any such offence;
- "Attorney General" means the Attorney General of the Falkland Islands;
- "British subject" means a person who is a British subject by virtue of any provision of the British Nationality Act 1948; (1948 c. 56)
- "Christian name" means any name prefixed or suffixed to a surname, whether received in Christian baptism or otherwise;
- "Clerk of Councils" means the Clerk to the Executive Council and the Legislative Council and any person appointed by the Governor to be Deputy Clerk of Councils;
- "coin" means gold, silver, bronze, cupro-nickel or other coin in use as legal currency in the Falkland Islands;
- "The Colony" means the Colony of the Falkland Islands and shall be deemed to include the territorial waters thereof;
- "Colonial waters" include territorial waters;
- "Chief Secretary" means the Chief Secretary of the Falkland Islands and the Deputy Chief Secretary;
- "commencement", when used with reference to any Ordinance, means the date on which the Ordinance came or comes into operation;
- "committed for trial", when used in relation to any person, means —
- (a) committed to prison with a view to his being tried before the Supreme Court; or
 - (b) admitted to bail upon recognizance to appear and stand his trial before the Supreme Court;
- "common law" means the common law of England;
- "consul" and "consular officer" mean any person, including the head of a consular post, recognized by the competent authority of the receiving state as entrusted in that capacity with the exercise of consular functions;

"contravene" in relation to any requirement or condition prescribed in any Ordinance or in any grant, permit, licence, lease or authority granted under or by virtue of any Ordinance includes a failure to comply with that requirement or condition;

"court" means any court of the Colony of competent jurisdiction;

"Cown Agents" means the persons or body for the time being acting as Crown Agents for Oversea Governments and Administrations;

"Crown lease" means any lease granted by the Crown, any instrument whereby the term of a Crown lease may have been extended or the provisions thereof varied and any agreement for a Crown lease;

"daily penalty" means a penalty for each day on which the offence is continued after conviction therefor;

"definition" means the interpretation given by an Ordinance to any word or expression;

"The Dependencies" mean the Dependencies of the Colony of the Falkland Islands, and shall be deemed to include the territorial waters thereof;

"document" means any publication and any matter written, expressed or described upon any substance by means of letters, characters, figures or marks, or by more than one of these means;

"Dues" means rates, taxes and duties;

"Estate" means any estate, right, title, interest, claim or demand in to or upon property;

"Executive Council" means the Executive Council of the Falkland Islands;

"export" means to take out or cause to be taken out of the Colony by air, land or water;

"Financial Secretary" means the Financial Secretary of the Falkland Islands and the Deputy Financial Secretary;

"financial year" means the period from the 1st day of July in any year to the 30th day of June in the immediately succeeding year, both days inclusive;

"folio" means seventy-two words;

"Gazette" means —

- (a) the Falkland Islands Government Gazette and any supplement thereto; and
- (b) any Special Gazette or Gazette Extraordinary;

"Gazetted" means published in the Gazette;

"Government" means the Government of the Falkland Islands;

"Government Notice" or "General Notice" means an announcement not of a legislative character made by or with the authority of the Governor in the Gazette;

"Government Printer" means the Government Printer of the Falkland Islands and any other printer authorized by or on behalf of the Governor to print the Gazette, any Ordinance or any other document of the Government;

"Governor" means —

- (a) the Governor of the Falkland Islands;
- (b) the Acting Governor;
- (c) to the extent to which a deputy to the Governor is authorized to perform on behalf of the Governor any functions of the Governor, the Deputy to the Governor; and
- (d) the officer for the time being administering the Government of the Colony;

"Governor in Council", "Governor in Executive Council" and "Governor with the advice of the Executive Council" mean the Governor acting after consultation with the Executive Council in accordance with Royal Instructions but not necessarily in such Council assembled nor necessarily in accordance with such advice;

"Harbour" means any port declared a harbour by the Governor in Council;

"health officer" means —

- (a) the Senior Medical Officer;
- (b) any person appointed as a health officer by the Governor; and
- (c) any person for the time being performing the duties of a health officer under any Ordinance;

"immovable property" means —

- (a) land, whether covered by water or not;
- (b) any estate, right, interest or easement in or over any land; and
- (c) things attached to land or permanently fastened to anything attached to land;

"imperial enactment" means —

- (a) any Act;
- (b) any Order in Council;
- (c) any Letters Patent or Royal Instructions; and
- (d) any rule, regulation, proclamation, order, notice, rule of court, by-law, or other instrument made under or by virtue of any Act, Order in Council, Letters Patent or Royal Instructions;

"import" means to bring or cause to be brought into the Colony by air, land or water;

"infant" and "minor" mean a person who has not attained the age of eighteen years;

"instrument" includes any publication in the Gazette having legal effect;

"judge" means the person nominated or any judge appointed by the Governor under section 8 of the Administration of Justice Ordinance; Cap. 3.

"justice" and "justice of the peace" mean a person appointed to be a justice of the peace for the Colony either by the Governor or by or under any Ordinance;

"land" means land and any messuages, houses, building or other constructions standing thereon;

"law" means any law for the time being in force in, having legislative effect in, extending to, or applicable in, the Colony;

Cap. 3.

"Legislative Council" means the Legislative Council of the Falkland Islands;

"Magistrate" means a person appointed by the Governor to be a Magistrate for the Colony;

"master", when used with reference to a vessel, means the person (except a pilot) having for the time being command or charge of the vessel;

Cap. 45.

"medical practitioner", "registered medical practitioner" and any words importing that a person is recognized by any Ordinance to be a medical practitioner in the Falkland Islands or a member of the medical profession in the Falkland Islands, mean a person duly registered as, or deemed to be registered as, a medical practitioner under the Medical Practitioners, Midwives and Dentists Ordinance;

"month" means calendar month;

"movable property" means property of every description except immovable property;

"oath" and "affidavit" include, in the case of persons allowed or required by law to affirm instead of swearing, affirmation; and "swear" in the like case includes affirm;

"occupy" includes use, inhabit, be in possession of or enjoy the land or premises to which the word relates, otherwise than as a mere servant or for the mere purpose of the care, custody or charge thereof;

"occupier" means any person who uses, inhabits, possesses, or enjoys the premises in respect of which that word is used otherwise than as a servant or caretaker;

"offence" includes any crime, treason, felony or misdemeanour and any contravention or other breach of, or failure to comply with, any provision of any Ordinance, for which a penalty is provided;

"or", "other" and "otherwise" shall be construed disjunctively and not as implying similarity, unless the word "similar" or some other word of like meaning is added;

"Order in Council" means an order made by Her Majesty in Her Privy Council;

"Ordinance" and "enactment" mean —

(a) any Ordinance enacted by the Governor by and with the advice and consent of the Legislative Council; and

(b) any subsidiary legislation made under any such Ordinance or proclamation;

"Owner" means a person receiving the rent of the property in respect of which that word is used either on his own account, or as trustee, agent, or manager, or who would receive the same if such property were let to a tenant;

"Parliament" and "Imperial Parliament" mean the Parliament of England, the Parliament of Great Britain and the Parliament of the United Kingdom;

"per cent", when used in relation to a rate of interest payable in any circumstances, means the rate of interest specified payable in respect of a year, unless it is expressly provided that it is payable in respect of any other period;

"person" includes any public body and any body of persons, corporate or unincorporate, and this definition shall apply notwithstanding that the word "person" occurs in a provision creating or relating to an offence or for the recovery of any fine or compensation;

"personal name" means the names other than a surname which a person most commonly adopts in conjunction with his surname or, in the case of a person having no surname, the names which he commonly adopts;

"pier" includes every quay, wharf or jetty of whatever description connected to and having direct access to the shore and used or intended to be used for the purposes of a pier, quay, wharf or jetty;

"police officer" and terms or expression referring to ranks in the Falkland Islands Police Force shall bear the meanings respectively assigned to them by the Police Ordinance;

"power" includes any privilege, authority and discretion;

"prescribed" and "provided", when used in or with reference to any Ordinance, mean prescribed or provided by that Ordinance or by subsidiary legislation made under that Ordinance;

"prison" means any place or building or portion of a building set apart for the purpose of a prison under any Ordinance relating to prisons;

"Privy Council" means the Lords and others for the time being of Her Majesty's Most Honourable Privy Council;

"Proclamation" means a proclamation of the Governor under the Public Seal;

"property" includes —

- (a) money, goods, choses in action and land; and
- (b) obligations, easements and every description of estate, interest and profit, present or future, vested or contingent, arising out of or incident to property as defined in paragraph (a) of this definition;

"public" includes any class of the public;

"publication" means —

- (a) all written and printed matter;
- (b) any record, tape, wire, perforated roll, cinematograph film or other contrivance by means of which any words or ideas may be mechanically, electronically or electrically produced, reproduced, represented or conveyed;
- (c) anything whether of a similar nature to the foregoing or not, containing any visible representation, or by its form, shape, or in any manner, capable of producing, reproducing, representing or conveying words or ideas; and
- (d) every copy and reproduction of any publication as defined in paragraphs (a), (b) and (c) of this definition;

"public body" includes —

- (a) the Executive Council;
- (b) the Legislative Council;
- (c) any department of the Government; and
- (d) any undertaking by or of the Government;

"public holiday" and "general holiday" mean any day which is appointed to be a general holiday under the provision of section 73;

"public office" means any office or employment the holding or discharging of which by a person would constitute that person a public officer;

"public officer" and "public servant" mean any person holding an office of emolument under the Crown in right of the Government of the Falkland Islands, whether such office be permanent or temporary;

"public place" means —

- (a) any public street or pier, or any public garden; and
- (b) any theatre, place of public entertainment of any kind, or other place of general resort, admission to which is obtained by payment or to which the public have or are permitted to have access;

"public seal" means the public seal of the Falkland Islands;

"registered", when used with reference to a document, means registered under the provisions of any law applicable to the registration of such document;

"Registrar" means the Registrar of the Supreme Court;

"repeal" includes rescind, revoke, cancel or replace;

"rules of court", when used in relation to any court, means rules made by the authority having for the time being power to make rules and orders regulating the practice and procedure of such court;

"Secretary of State" means one of Her Majesty's Principal Secretaries of State for the time being;

"sell" includes exchange and barter;

"ship" includes every description of vessel used in navigation not exclusively propelled by oars;

"sign" includes, in the case of a person unable to write, the affixing or marking of a seal, mark or thumbprint;

"Stanley" means the area defined in the Stanley Rates Ordinance;

"standard time" means standard time as defined in section 68;

"statutory declaration", if made —

- (a) in the Colony, means a declaration under the Statutory Declaration Act 1835;
- (b) in any part of the Commonwealth except the Colony, means a declaration made before a justice of the peace, notary public, or other person having authority therein under any legal provision for the time being in force in such part to take or receive a declaration;
- (c) in any other place, means a declaration before a British consul or person having authority under any Act for the time being in force to take or receive a declaration;

"street" and "road" mean —

- (a) any highway, street, road, bridge, thoroughfare, parade, square, court, alley, lane, bridle-way, footway, passage, tunnel; and

- (b) any open place, whether situate on land leased from the Crown or not, used or frequented by the public or to which the public have or are permitted to have access;

"Suburban land" or "suburbs" means (1) land outside Stanley bounded on the north by the Murrel River and Port William, on the south and east by Port Harriet and the sea and on the west by a line drawn from a point on the Murrel River commonly known as "Furze Bush" to the summit of Mount Harriet and thence along the eastern boundary of No. 1 section to the west of Port Harriet, and (2) land outside the limit or boundary of any place declared to be a town but not more than six miles from the centre of such town;

"subsidiary legislation" and "regulations" mean any proclamation, rule, regulation, order, resolution, notice, rule of court, by-law or other instrument made under or by virtue of any Ordinance and having legislative effect;

"summary conviction" means a summary conviction by a magistrate in accordance with the provisions of the Administration of Justice Ordinance;

Cap. 3.

"Supreme Court" means the Supreme Court of the Falkland Islands;

"territorial waters" means such part of the sea adjacent to the coast of the Colony as is deemed by international law to constitute the territorial waters of the Falkland Islands;

"Town" means land within the limits of any place declared to be a Town under section 103 of this Ordinance;

"treaty" means a treaty, convention or agreement made with a foreign state, and any protocol or declaration attached thereto or independent thereof but referring thereto;

"triable summarily" means triable by a magistrate, in accordance with the provisions of the Administration of Justice Ordinance;

Cap. 3.

"United Kingdom" means the United Kingdom of Great Britain and Northern Ireland;

"vessel" means any ship or boat and any description of vessel used in navigation;

"waters of the Colony" and "Colonial waters" mean —

- (a) all waters, whether navigable or not, included in the Colony; and
- (b) territorial waters;

"will" includes any testamentary instrument;

"words" includes figures and symbols;

"writing" and "printing" include writing, printing, lithography, photography, typewriting and any other mode of representing words in a visible form;

"year" means a year according to the Gregorian calendar;

"years of age" and words of a like meaning, when used with reference to the age of any person, mean years of age according to the English reckoning of ages.

4. (1) "Commonwealth" means collectively —
 - (a) the United Kingdom;

Definitions of "Commonwealth" and "British" territory.

- (b) any British territory; and
- (c) any other state or territory which may be specified by the Governor in accordance with the provisions of subsection (3).

(2) "British territory" and "British possession" mean any state or territory which may be specified by the Governor in accordance with the provisions of subsection (3).

(3) The Governor may, by notice in the Gazette, order that any state or territory shall be a state or territory specified for the purposes of paragraph (c) of subsection (1) or of subsection (2).

Grammatical variations
and cognate expressions.

5. Where any word or expression is defined in any Ordinance, such definition shall extend to the grammatical variations and cognate expressions of such word or expression.

References to Government
property.

6. Where reference is made in any Ordinance to property and the expressions used in relation thereto imply that such property is owned by, or belongs to, the Government, or convey a similar meaning, such reference shall be deemed to refer to such of the property of the Crown of the description mentioned as has been appropriated to the use of the Government.

Provisions for gender
and number.

7. (1) Words and expressions importing the masculine gender include the female.

(2) Words and expressions in the singular include the plural and words and expressions in the plural include the singular.

Service by post.

8. Where any Ordinance authorizes or requires any documents to be served or any notice to be given by post or by registered post, whether the expression "serve" or "give" or "send" or any other expression is used, the service or notice shall be deemed to be effected by properly addressing, pre-paying the postage thereon and dispatching it by post or by registered post, as the case may be, to the last known postal address of the person to be served or given notice, and, unless the contrary is proved, such service or notice shall be deemed to have been effected at the time at which the document or notice would be delivered in the ordinary course of post.

PART III

GENERAL PROVISIONS AS TO ORDINANCES

Ordinance to be public
Ordinance.

9. Every Ordinance shall be a public Ordinance and shall be judicially noticed as such.

Sections and schedules.

10. (1) Every section of an Ordinance shall have effect as a substantive enactment without introductory words.

(2) Every schedule to or table in any Ordinance and any notes to such schedule or table shall be construed and have effect as part of such Ordinance.

Citation of Ordinance.

11. (1) Where any Ordinance is referred to, it shall be sufficient for all purposes to cite such Ordinance by —

- (a) the title, short title or citation thereof;
- (b) its number among the Ordinances of the year in which it was enacted; or
- (c) by any chapter number lawfully given to it under the authority of any Ordinance providing for the issue of a revised or other edition of the laws of the Falkland Islands.

(2) Any reference made to any Ordinance, in accordance with the provisions of subsection (1), may be made according to the title, short title, citation, number or chapter number used in copies of Ordinances printed by the Government Printer.

12. The printing by the Government Printer of any duly enacted Ordinance, or of any official document countersigned by the Chief Secretary or by any person duly authorized by the Governor, shall be a sufficient publication and promulgation thereof.

Government publications.

13. (1) Where it is provided that any Ordinance may, as to the whole or any part thereof, be cited with any other Ordinance or with any group of Ordinances, all such Ordinances shall be read and construed together, and any such group shall be construed as including such first mentioned Ordinance.

Collective citation.

(2) Where it is provided that two or more Ordinances may together be cited by a collective short title or citation containing therein the years of the first and last of such Ordinances, such short title or citation shall be construed to include all the Ordinances covered by the same, or any of them.

14. (1) Where in any Ordinance a reference is made to another Ordinance, such reference shall be deemed to include a reference to such last mentioned Ordinance as the same may from time to time be amended.

Reference to Ordinance as amended.

(2) Where any Ordinance repeals and re-enacts, with or without modification, any provision of a former Ordinance, references in any other Ordinance to the provision so repealed shall be construed as references to the provision so re-enacted.

15. In any Ordinance a description or citation of a portion of an Ordinance shall be construed as including the word, section or other part mentioned or referred to as forming the beginning and as forming the end of the portion comprised in the description or citation.

Citation of part of Ordinance.

16. (1) Any reference in any Ordinance to "any Ordinance" or to "any enactment" shall be construed as a reference to any Ordinance for the time being in force.

Construction of reference to Ordinance, section, etc.

(2) Where in any Ordinance there is a reference to a section, Part, Chapter or schedule by number or letter only, and not in conjunction with the title or short title of any other Ordinance, such reference shall be construed as a reference to the section, Part, Chapter, or schedule of that number or letter contained in the Ordinance in which such reference occurs.

(3) Where in any section of any Ordinance there is a reference to a subsection, paragraph, sub-paragraph or other division by number or letter only, and not in conjunction with the number of any section of that or of any other Ordinance, such reference shall be construed as a reference to the subsection, paragraph, sub-paragraph or other division of that number or letter contained in the section in which such reference occurs.

(4) The provisions of subsections (2) and (3) shall apply *mutatis mutandis* to subsidiary legislation.

(5) Any reference to an Ordinance in any Ordinance shall include a reference to any subsidiary legislation made under the Ordinance to which reference is made.

17. (1) Where any section, subsection or paragraph of any Ordinance is taken verbatim from, or is substantially similar to, a section, subsection or paragraph of any imperial enactment, there may be added to the marginal note of the section, subsection or paragraph of the Ordinance a reference, in abbreviated form, to such section, subsection or paragraph of the imperial enactment.

Marginal notes.

(2) A reference added under subsection (1) shall not have any legislative effect and shall not in any way vary, limit or extend the interpretation of any Ordinance.

(3) A marginal note to any provision of any Ordinance shall not have any legislative effect and shall not in any way vary, limit or extend the interpretation of any Ordinance.

General principles of interpretation.

18. An Ordinance shall be deemed to be remedial and shall receive such fair, large and liberal construction and interpretation as will best ensure the attainment of the object of the Ordinance according to its true intent, meaning and spirit.

Inspection of Ordinances.

19. A copy of any Ordinance shall be available for inspection during office hours at any place appointed by the Governor.

PART IV

COMMENCEMENT, DISALLOWANCE, AMENDMENT AND REPEAL

Commencement of Ordinance.

20. Every Ordinance shall —

- (a) be published in the Gazette; and
- (b) come into operation on the expiration of the day next preceding the day of such publication or, if it is provided in the Ordinance or in some other law that such Ordinance shall come into operation on some other day, then it shall come into operation on the expiration of the day next preceding such other day.

Disallowance.

21. (1) Where any Ordinance is disallowed by Her Majesty, such disallowance shall be notified by the Governor by notice in the Gazette; and from and after the date of publication of such notice the Ordinance shall cease to have effect.

(2) Where notice of disallowance of any Ordinance is notified in accordance with the provisions of subsection (1), the provisions of section 23 shall apply in respect of such disallowance as if the words "disallowance" and "disallowed" were substituted therein for the words "repeal" and "repealed" respectively.

(3) Any Ordinance repealed or amended by any Ordinance disallowed shall revive and continue in force in its original form with effect from the date of publication of the notice referred to in subsection (1).

Ordinance and amending Ordinance to be read as one.

22. Any Ordinance which amends any other Ordinance shall be read and construed as one with the amended Ordinance, and the amended Ordinance may, in the amending Ordinance, be referred to as the "principal Ordinance", "principal regulations" or as the case may be.

Effect of repeal generally.

23. Where an Ordinance repeals in whole or in part any other Ordinance, the repeal shall not —

- (a) revive anything not in force or existing at the time at which the repeal takes effect;
- (b) affect the previous operation of any Ordinance so repealed or anything duly done or suffered under any Ordinance so repealed;
- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under any Ordinance so repealed;
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any Ordinance so repealed; or
- (e) affect any investigation, legal proceeding or remedy in respect of any right, privilege, obligation, liability, penalty,

forfeiture or punishment as aforesaid; and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the repealing Ordinance had not been passed.

24. Where any Ordinance repealing in whole or in part any former Ordinance is itself repealed, such last repeal shall not revive the Ordinance or provision previously repealed, unless provision is made to that effect.

Repealed Ordinance not revived.

25. Where any Ordinance repeals in whole or in part any other Ordinance and substitutes other provisions therefor, the repealed Ordinance shall remain in force until the substituted provisions come into operation.

Repeal and substitution.

26. Where any Ordinance which has been amended by any other Ordinance is repealed, such repeal shall include the repeal of all those provisions of such other Ordinance by which such first mentioned Ordinance was amended.

Repeal of amended Ordinance to include amendments.

27. Upon the expiry or lapse of any Ordinance, the provisions of section 23 shall apply as if such Ordinance had been repealed.

Effect of expiry of Ordinance.

PART V

SUBSIDIARY LEGISLATION

28. Where an Ordinance confers power on any authority to make subsidiary legislation, the following provisions shall have effect with reference to the making thereof —

General provision with regard to power to make subsidiary legislation.

- (a) when any subsidiary legislation purports to be made in exercise of a particular power or powers, it shall be deemed also to be made in exercise of all other powers thereunto enabling;
- (b) no subsidiary legislation shall be inconsistent with the provisions of any Ordinance;
- (c) subsidiary legislation may at any time be amended by the same authority and in the same manner by and in which it was made:

Provided that where such authority has been replaced wholly or in part by another authority, the power conferred hereby upon the original authority may be exercised by the replacing authority concerning all matters or things within its jurisdiction as if it were the original authority;

- (d) where any Ordinance confers power on any authority to make subsidiary legislation for any general purpose, and also for any special purpose incidental thereto, the enumeration of the special purposes shall not be deemed to derogate from the generality of the powers conferred with reference to the general purpose;
- (e) subsidiary legislation may provide that a contravention or breach thereof shall be punishable on summary conviction by such fine not exceeding two hundred pounds or by such term of imprisonment not exceeding six months as may be specified in the subsidiary legislation or by both such fine and imprisonment;
- (f) subsidiary legislation may amend any forms contained in the Ordinance under which such subsidiary legislation is made and may prescribe new forms for the purpose thereof and for the purposes of such subsidiary legislation; and

- (g) subsidiary legislation may provide for the imposition of fees and charges in respect of any matter with regard to which provision is made in such subsidiary legislation or in the Ordinance under which such subsidiary legislation is made.

Fees and charges.

29. (1) Where provision is made by any subsidiary legislation in respect of fees or other charges, such subsidiary legislation may provide for all or any of the following matters —

- (a) specific fees or charges;
- (b) maximum or minimum fees or charges;
- (c) maximum and minimum fees or charges;
- (d) the payment of fees or charges either generally or under specified conditions or in specified circumstances;
- (e) the exemption of any person or class of persons from the payment of fees or charges; and
- (f) the reduction, waiver or refund, in whole or in part, of any such fees or charges, either upon the happening of a certain event or in the discretion of a specified person.

(2) Where any reduction, waiver or refund, in whole or in part, of any fee or charge is provided for by any subsidiary legislation, such reduction, waiver or refund may be expressed to apply or be applicable either generally or specially —

- (a) in respect of certain matters or transactions or classes of matters or transactions;
- (b) in respect of certain documents or classes of documents;
- (c) in respect of the occurrence or the termination of any event;
- (d) in respect of certain persons or classes of persons; or
- (e) in respect of any combination of such matters, transactions, documents, events or persons,

and may be expressed to apply or be applicable subject to such conditions as may be specified in the subsidiary legislation or in the discretion of any person specified therein.

Effect of subsidiary legislation.

Construction of subsidiary legislation.

30. Subsidiary legislation shall be judicially noticed.

31. Where any Ordinance confers power to make any subsidiary legislation, expressions used in the subsidiary legislation shall have the same meaning as in the Ordinance conferring the power, and any reference in such subsidiary legislation to "the Ordinance" shall be construed as a reference to the Ordinance conferring the power to make such subsidiary legislation.

Exercise of statutory powers between enactment and commencement of Ordinance.

32. Where an Ordinance is not to come into operation on or before the expiration of the day next preceding the day of the publication thereof and confers power to make any appointment, to make any subsidiary legislation, to issue notices, to prescribe forms or to do any other thing for the purposes of the Ordinance, such power may be exercised at any time after the publication of the Ordinance in the Gazette:

Provided that any appointment, subsidiary legislation, instrument, notice, form or thing made, granted, issued, prescribed, given or done under such power shall not, unless the appointment, subsidiary legislation, instrument, notice, form or thing is necessary for bringing the Ordinance into operation, come into operation or have any effect until the Ordinance comes into operation.

Acts done under subsidiary legislation deemed done under Ordinance.

33. An act shall be deemed to be done under an Ordinance or by virtue of the powers conferred by an Ordinance or in pursuance or execution of the provisions of or under the authority of an Ordinance, if it is done under or by virtue of or in pursuance or execution

of or under the authority of subsidiary legislation made under any power contained in that Ordinance.

34. (1) All rules, regulations and by-laws shall be laid on the table of the Legislative Council at the next sitting thereof after the publication in the Gazette of such rules, regulations or by-laws.

Placing of rules, regulations and by-laws before Legislative Council.

(2) Where rules, regulations or by-laws have been laid on the table of the Legislative Council, in accordance with the provisions of subsection (1), the Legislative Council may, by resolution passed at the next sitting of the Legislative Council held after the sitting at which they were so laid, provide that any such rules, regulations or by-laws shall be amended in any manner whatsoever and if any such resolution is so passed, the said rules, regulations or by-laws shall, without prejudice to anything done thereunder, be deemed to be amended as from the date of publication in the Gazette of such resolution.

(3) Any resolution passed by the Legislative Council in accordance with subsection (2) shall be published in the Gazette not later than fourteen days after the passing thereof or within such further period as the Governor may allow in any particular case.

35. Where any Ordinance provides that subsidiary legislation shall be subject to the approval of the Legislative Council or of any other authority, or contains words to the like effect, then —

Approval of Legislative Council to subsidiary legislation.

- (a) the subsidiary legislation shall be submitted for the approval of the Legislative Council or other authority; and
- (b) the Legislative Council may by resolution or the other authority may by order amend the whole or any part of the subsidiary legislation.

36. (1) Where any Ordinance —

Effect of repeal on subsidiary legislation.

- (a) repeals any former Ordinance and substitutes other provisions therefor; or
- (b) repeals any former Ordinance and re-enacts such former Ordinance with or without modification,

any subsidiary legislation made under the former Ordinance and in force at the commencement of the repealing Ordinance shall, so far as it is not inconsistent with the repealing Ordinance, continue in force and have the like effect for all purposes as if made under the repealing Ordinance.

(2) Where any subsidiary legislation is continued in force by virtue of subsection (1), such subsidiary legislation may be from time to time amended as if it had been made under the repealing Ordinance.

37. Where any form is prescribed by or under any Ordinance, deviations therefrom, not affecting the substance of such form shall not invalidate it.

Forms.

PART VI

POWERS

38. Where any Ordinance confers power upon any person to —

Presumption of lawful exercise of power.

- (a) make any subsidiary legislation;
- (b) make any instrument; or
- (c) exercise any power,

and the Ordinance conferring the power prescribes conditions, subject to the observance, performance or existence of which any such power may be exercised, such conditions shall be presumed to have been

duly fulfilled if in the subsidiary legislation or instrument exercising the power there is a statement that the subsidiary legislation or instrument is made, or the power exercised, in exercise of, or in pursuance of, the power conferred by such Ordinance, or a statement to the like effect.

Exercise of powers.

39. (1) Where any Ordinance confers any power or imposes any duty, then the power may be exercised and the duty shall be performed from time to time as occasion requires.

(2) Where any Ordinance confers any power or imposes any duty on the holder of any public office as such, then the power may be exercised and the duty shall be performed by the holder for the time being of that public office.

Construction of enabling words.

40. (1) Where any Ordinance confers upon any person power to do or enforce the doing of any act or thing, all such powers shall be deemed to be also conferred as are reasonably necessary to enable the person to do or enforce the doing of the act or thing.

(2) Without prejudice to the generality of subsection (1), where any Ordinance confers power —

- (a) to provide for, prohibit, control or regulate any matter, such power shall include power to provide for the same by the licensing thereof and power to prohibit acts whereby the prohibition, control or regulation of such matter might be evaded;
- (b) to grant a licence, Crown lease, permit, authority, approval or exemption, such power shall include power to impose reasonable conditions subject to which such licence, Crown lease, permit, authority, approval or exemption may be granted;
- (c) to approve any person or thing, such power shall include power to withdraw approval thereof;
- (d) to give directions, such power shall include power to couch the same in the form of prohibitions.

(3) Without prejudice to the generality of subsection (1), whenever in any Ordinance the expression “as the Governor may appoint” or “as the Governor may direct” or “as the Governor may specify” or “as the Governor may prescribe” or “as may be designated by the Governor”, or any similar expression referring to the Governor, appears and no power is expressly conferred upon the Governor to make the appointment, give the direction or specification, prescribe or make the designation, as the case may be, such power shall nevertheless be deemed to be conferred.

(4) Subsection (3) shall have effect in relation to the Governor in Council, a public officer, a public body or other person as it has effect in relation to the Governor.

Power to issue licences, etc., discretionary.

41. (1) Where any Ordinance confers power upon any person to issue, grant, give or renew any licence, Crown lease, authority, approval or permit, the person so empowered shall have a discretion either to issue, grant, give or renew or to refuse to issue, grant, give or renew such licence, Crown lease, authority, approval or permit.

(2) Nothing in this section shall affect any right which may be conferred by any Ordinance upon any person to appeal against a refusal to issue, grant, give or renew any licence, Crown lease, authority, approval or permit.

Power to appoint includes power to suspend, dismiss, re-appoint, etc.

42. Where any Ordinance confers a power or imposes a duty upon any person to make any appointment or to constitute or establish any board, tribunal, commission, committee or similar body, then the person having such power or duty shall also have the power —

- (a) to remove, suspend, dismiss or revoke the appointment of, and to re-appoint or reinstate, any person appointed in exercise of such power or duty;
- (b) to revoke the appointment, constitution or establishment of, or to dissolve, any board, tribunal, commission, committee or similar body appointed, constituted or established, in exercise of such power or duty, and to re-appoint, reconstitute or re-establish the same; and
- (c) to specify the period for which any person appointed in exercise of such power or duty shall hold such appointment:

Provided that where the power or duty of such person so to act is only exercisable upon the recommendation, or is subject to the approval or consent, of some other person, then such power shall only be exercisable upon such recommendation or subject to such approval or consent.

43. (1) Where any Ordinance confers powers or imposes duties upon a specified public officer, such officer may delegate any other public officer or the person for the time being holding any office designated by him to exercise such powers or perform such duties on his behalf and thereupon, or from the date specified by such specified public officer, the person delegated shall have and may exercise such powers and perform such duties.

Delegation by specified public officers.

(2) Nothing in subsection (1) shall authorize a specified public officer to delegate any person to making subsidiary legislation or to hear any appeal.

(3) Where any Ordinance confers any power or imposes any duty upon a specified public officer and such power is exercised or such duty is performed by any other public officer, the specified public officer shall, unless the contrary is proved, be deemed to have delegated the latter public officer under subsection (1) to exercise the power or perform the duty.

(4) In this section "specified public officer" means the person for the time being holding any public office which has been specified, either generally or for the purposes of any particular Ordinance, under this section by the Governor by notice in the Gazette.

44. (1) Where any Ordinance confers power upon any person to delegate the exercise on his behalf of any of the powers or the performance of any of the duties conferred or imposed upon him under any Ordinance —

Effect of delegation of powers and duties.

- (a) such delegation shall not preclude the person so delegating from exercising or performing at any time any of the powers or duties so delegated;
- (b) such delegation may be conditional, qualified or limited in such manner as the person so delegating may think fit;
- (c) where the delegation may be made only with the approval of some person, such delegation may be conditional, qualified or limited in such manner as the person whose approval is required may think fit;
- (d) the delegation may be to a named person or to the person for the time being holding any office designated by the person so delegating; and
- (e) any delegation may be amended by the person so delegating.

(2) The delegation of any power shall be deemed to include the delegation of any duty incidental thereto or connected therewith and the delegation of any duty shall be deemed to include the delegation of any power incidental thereto or connected therewith.

Exercise of powers in special cases.

45. Where any Ordinance confers any power or imposes any duty upon the holder of any public office and either —

- (a) that office has been abolished; or
- (b) no person has been appointed to discharge the functions of that office;

those powers and duties may be exercised or performed —

- (i) in the case of making subsidiary legislation, by the Governor; and
- (ii) in any other case, by the holder of such other public office as the Governor may by order direct.

Power to make public instruments and perform acts.

46. Where any Ordinance confers power upon any person to make, issue or approve any proclamation, order, notice, declaration, instrument, notification, licence, permit, register or list, such power shall include power —

- (a) to amend or suspend such proclamation, order, notice, declaration, instrument, notification, licence, permit, register or list;
- (b) to substitute another proclamation, order, notice, declaration, instrument, notification, licence, permit, register or list for one already made, issued or approved;
- (c) to withdraw approval of any proclamation, order, notice, declaration, instrument, notification, licence, permit, register or list so approved; and
- (d) to declare the date of the coming into operation, and the period of operation, of any such proclamation, order, notice, declaration, instrument, notification, licence, permit, register or list.

Power to relate back appointment.

47. Any appointment made under the provisions of any Ordinance may be declared to have effect as from the date upon which the person appointed in fact began to exercise the powers and perform the duties of his appointment, not being a date earlier than the commencement of the Ordinance under which the appointment is made.

PART VII

BOARDS AND COMMITTEES

Power to appoint chairman.

48. Where any Ordinance confers power upon any person to appoint any persons to be members of any board, tribunal, commission, committee or similar body, the person so appointed may appoint a chairman, a deputy chairman, a vice-chairman and a secretary of such board, tribunal, commission, committee or similar body.

Power to appoint public officer to board, etc.

49. Where any Ordinance confers power upon any person to appoint any persons to be members of any board, tribunal, commission, committee or similar body, the person so empowered may appoint any public officer, by his official designation, to be a member of such board, tribunal, commission, committee or similar body, and, on such appointment and until such appointment shall be revoked or otherwise determined, the person for the time being holding the public office in question shall be a member of such board, tribunal, commission, committee or similar body.

Appointment of alternates.

50. Where any board, tribunal, commission, committee or similar body is established by or under any Ordinance, any person who is empowered by such Ordinance to appoint any or all of the members thereof may —

- (a) appoint one or more duly qualified persons to be alternate members of the same, and any one such alternate member

may attend any meeting of the same when a substantive member is temporarily unable to attend for any reason; and

- (b) appoint a duly qualified person to be a temporary member of the same in the place of any substantive member who is precluded by illness, absence from the Colony or any other cause from exercising his functions as such,

and when attending any meeting of such board, tribunal, commission, committee or similar body, such alternate or temporary member shall be deemed for all purposes to be a member of the same.

51. Where any board, tribunal, commission, committee or similar body is established by or under any Ordinance, the powers of such board, tribunal, commission, committee or similar body shall not be affected by —

Powers of board, etc.,
not affected by vacancy.

- (a) any vacancy in the membership thereof;
- (b) any defect in the appointment or qualification of a person purporting to be a member thereof; or
- (c) any minor irregularity in the convening of any meeting thereof.

52. (1) Where any Ordinance confers a power or imposes a duty upon a body or number of persons consisting of or being not less than three, such power may be exercised or duty performed in the name of that body or number of persons by a majority of those persons.

Power of majority and
exercise of powers.

(2) Whenever such body or number of persons is assembled, the chairman or other member presiding shall have a casting as well as a deliberative vote, in all matters in which a decision is taken by vote by whatever name such vote may be called.

(3) The exercise of any power vested in such body or number of persons may be signified either by the chairman or other person presiding at the meeting or other deliberation at which such power was exercised or at which, as the case may be, authority to exercise it was conferred, or by any person from time to time authorized by such body or persons to signify the exercise of such power.

53. Where any Ordinance constitutes any board, tribunal, commission, committee or similar body to be a body corporate having perpetual succession and a common seal, and any document requires to be sealed with such common seal, then such common seal shall be affixed by the chairman of such board, tribunal, commission, committee or similar body, or by any member thereof appointed by the chairman for that purpose, and shall be authenticated by the signature of the chairman or such member.

Seal.

PART VIII

PUBLIC OFFICERS AND PUBLIC CONTRACTS

54. In any Ordinance, instrument, warrant or process of any kind, any reference to a public officer, or to a person holding a public office by a term designating his office, shall include a reference to any person for the time being lawfully discharging the functions of that office, or of any part of such functions, and any person appointed to act in or perform the duties of such office, or any part of such duties, for the time being.

References to public
officer.

55. (1) The Legislative Council may by resolution provide for the transfer to any public officer of any functions exercisable by virtue of any Ordinance by another public officer.

Power to transfer
functions of public
officers.

(2) A resolution under this section may contain such incidental, consequential and supplemental provisions as may be necessary or expedient for the purpose of giving full effect to the resolution.

(3) A certificate issued by the Chief Secretary that any property vested in a public officer immediately before a resolution under this section takes effect has been transferred by virtue of the resolution to another public officer shall be conclusive evidence of the transfer.

(4) In this section —

“functions” includes powers and duties;

“public officer” includes any corporation created for the purpose of incorporating a person for the time being holding a public office.

Change of title of office.

56. The Chief Secretary may, by notice (which may be given retrospective effect) in the Gazette, declare a change in title of any public officer or public body, or of any person referred to in any Ordinance, and the notice may contain provisions substituting the new title in any Ordinance relating to the public officer, public body or person and in any instrument, contract or legal proceedings made or commenced before the date on which the notice takes effect.

Appointment of officers
by name or office.

57. Where any Ordinance confers power upon any person to appoint or name a person to have and exercise any powers or perform any duties, the person so empowered may either appoint a person by name or direct the person for the time being holding any office designated by him to have and exercise such powers or perform such duties; and thereupon, or from the date specified by the person so empowered, the person appointed by name or the person holding the office aforesaid shall have and may exercise such powers or perform such duties accordingly until such appointment be revoked or otherwise determined.

Filling vacancy.

58. (1) When any Ordinance confers a power or imposes a duty upon a public officer and such public officer is unable to exercise the powers or perform the duties of his office, owing to absence or inability to act from illness or any other cause, the Governor may, by notice in the Gazette, direct that such power shall be had and may be exercised and such duty shall be performed by a public officer named by, or by a public officer holding the office designated by, the Governor, subject to such conditions, exceptions and qualifications as the Governor may direct.

(2) Any direction by the Governor under subsection (1) may be given —

(a) in anticipation of any absence or inability occurring; or

(b) subsequently thereto and may relate back to the commencement of such absence or inability.

(3) Where any Ordinance confers powers or imposes duties upon a public officer and a new post is subsequently created in the same or another Government department, the Governor may, by notice in the Gazette, direct that the said powers and duties or any of them shall be exercised by any holder of the new post so created, either to the exclusion of or in addition to the first named public officer or otherwise.

Power to appoint while
holder on retirement
leave.

59. (1) Where the holder of any public office is on leave of absence pending the relinquishment by him of such office, another person may be appointed to the same public office.

(2) Where two or more persons are holding the same public office by reason of an appointment made in accordance with subsection (1), then, for the purposes of any Ordinance and in respect of

any power conferred or duty imposed upon the holder of such office, the person last appointed to the office shall be deemed to be the holder thereof.

60. In any contract or other document, signed, executed or made by the Governor or by any public officer on behalf of the Governor or the Government or of any Government department, it shall not be necessary to name the Governor or such public officer, but it shall be sufficient to name the office held by the Governor or such public officer, and the Governor or public officer shall be deemed to be a party thereto as if the Governor or such public officer were a corporation sole with perpetual succession for this purpose.

Contracts by public officer.

61. Any contract or other document signed, executed or made before the commencement of this Ordinance by the Governor or by any public officer on behalf of the Governor or the Government or of any Government department shall be enforceable as if the office of Governor or such public officer had, at the time of such execution or making, been a corporation sole with perpetual succession for this purpose.

Effect of past contracts by public officer.

62. The omission to add the title of the public office held by the Governor or any public officer signing or executing any contract or other document after the signature of such officer shall not exclude such contract or other document from the operation of sections 60 and 61.

Omission of title after signature of public officer immaterial.

PART IX

CROWN, GOVERNOR AND GOVERNOR IN COUNCIL

63. (1) Where any Ordinance confers a power or imposes a duty upon the Governor or the Governor in Council to make any subsidiary legislation or appointment, give any directions, issue any order, authorize any thing or matter to be done, grant any exemption, remit any fee or penalty, or exercise any other power or perform any other duty, the exercise of such power or the performance of such duty may be signified —

Signification of orders of Governor and Governor in Council.

- (a) in the case of the Governor, under the hand of the Chief Secretary;
- (b) in the case of the Governor in Council, under the hand of the Clerk of Councils.

(2) Notwithstanding the provisions of subsection (1), proclamations shall be made or issued only under the hand of the Governor himself.

64. (1) Where any Ordinance confers powers or imposes duties upon the Governor, he may delegate any person by name or the person holding any office designated by him to exercise such powers or perform such duties on his behalf and thereupon, or from the date specified by the Governor, the person so delegated shall have and may exercise such powers and perform such duties.

Delegation by Governor.

(2) Without prejudice to the provisions of any Letters Patent or Royal Instructions relating to the appointment of a deputy to the Governor, nothing in subsection (1) shall authorize the Governor to delegate any person to make subsidiary legislation, issue proclamations or to determine any appeal.

(3) Where any Ordinance confers powers or imposes duties upon the Governor and such power is exercised or such duty is performed by any public officer, the Governor shall, unless the contrary is proved, be deemed to have delegated such public officer under subsection (1) to exercise the powers or perform the duty.

Appeals and objections to
Governor in Council.

65. (1) Where any Ordinance confers upon any person a right of appeal or objection to the Governor in Council, such appeal or objection shall be governed by rules made in accordance with subsection (2).

(2) The Governor in Council may make rules governing the procedure to be followed in appeals or objections to the Governor in Council.

(3) The conferring by any Ordinance of a right of appeal or objection to the Governor in Council shall not prevent any person from applying to the Supreme Court for an order of mandamus, certiorari, prohibition, injunction or any other order, instead of appealing or making an objection to the Governor in Council, where an application for such an order would lie, but no proceedings by way of mandamus, certiorari, prohibition, injunction or other order shall be taken against the Governor in Council in respect of any such appeal or objection to the Governor in Council or any proceedings connected therewith.

(4) The Governor in Council, when considering any appeal or objection to him (whether by way of petition or otherwise, and whether such appeal or objection is made by virtue of any Ordinance or otherwise) shall act in an administrative or executive capacity and not in a judicial or quasi-judicial capacity and shall be entitled to consider and take into account any evidence, material, information or advice in his absolute discretion.

(5) The Governor in Council, when considering any appeal or objection to him (whether by way of petition or otherwise and whether such appeal or objection is made by virtue of any Ordinance or otherwise) against any decision of any person, public officer or public body, may confirm, vary or reverse such decision or substitute therefor such other decision or make such other order as the Governor in Council may think fit.

References to the
Sovereign.

66. Any reference to the Sovereign or to the Crown shall be construed as a reference to the Sovereign for the time being.

Saving of rights of Crown.

67. No Ordinance shall in any manner whatsoever affect the right of or be binding on the Crown unless it is therein expressly provided or unless it appears by necessary implication that the Crown is bound thereby.

PART X

TIME AND DISTANCE

Time.

68. When any expression of time occurs the time referred to shall, unless it is otherwise expressly provided, be held to signify the standard time adopted for the Colony by order of the Governor.

References to "am" and
"pm".

69. The expression "am" indicates the period between midnight and the following noon, and the expression "pm" indicates the time between noon and the following midnight. Where two such expressions occur conjunctively in relation to any specified hour or in conjunction with the word "sunset" or "sunrise", they shall be construed as relating to a consecutive period of time.

Provision where no time
prescribed.

70. Where no time is prescribed or allowed within which any thing shall be done, such thing shall be done without unreasonable delay, and as often as due occasion arises.

Computation of time.

71. In computing time for the purposes of any Ordinance —

- (a) a period of days from the happening of any event or the doing of any act or thing shall be deemed to be exclusive of the day on which the event happens or the act or thing is done;

- (b) if the last day of the period is a public holiday the period shall include the next following day, not being a public holiday;
- (c) where any act or proceeding is directed or allowed to be done or taken on a certain day, then if that day is a public holiday, the act or proceeding shall be considered as done or taken in due time if it is done or taken on the next following day, not being a public holiday;
- (d) where an act or proceeding is directed or allowed to be done or taken within any time not exceeding six days, no public holiday shall be reckoned in the computation of that time.

72. Where in any Ordinance a time is prescribed for doing any act or taking any proceeding and power is given to a court, public body, public officer or other authority to extend such time, then the power may be exercised by the court, public body, public officer or other authority although the application for the same is not made until after the expiration of the time prescribed.

Power to extend time.

73. The Governor in Council may from time to time, by notice in the Gazette, appoint any day to be a public holiday.

Public holidays.

74. In the measurement of any distance for the purposes of any Ordinance, that distance shall be measured in a straight line on a horizontal plane.

Distance.

75. Any summons, notice, warrant or other process may be issued, served or executed and any arrest, search or seizure may be carried out or made on any day, whether a public holiday or not, and at any hour of the day or night.

Warrants, etc., valid on public holiday.

PART XI

IMPERIAL ENACTMENTS

76. An imperial enactment shall be judicially noticed as such and shall be read with such modifications as to names, localities, courts, officers, persons, moneys, penalties or otherwise as may be necessary to make the same applicable to the circumstances of the Colony.

Modifications.

77. An imperial enactment may be cited by a short title or citation, if any, or by reference to the regnal or calendar year in which it was passed or by the number assigned to any statutory instrument or statutory rule and order.

Citation of imperial enactments.

78. A reference in any law to an imperial enactment or to any provision, part or division thereof shall be construed as a reference to the same as the same may be from time to time amended and as a reference to any imperial enactment or to any provision, part or division of an imperial enactment, substituted therefor.

Construction of reference to imperial enactment.

79. A reference in any law to any imperial Act shall include a reference to any Order in Council, rule, regulation, proclamation, order, notice, rule of court, by-law or other instrument made under or by virtue thereof and having legislative effect.

References to subsidiary legislation under imperial Acts.

80. Any imperial enactment shall be construed in accordance with the terms thereof and of any interpretation statute applicable thereto and, to the extent to which no provision is made in the imperial enactment or in such statute for the interpretation thereof, in accordance with provisions of this Ordinance as if such imperial enactment were itself an Ordinance; and any reference in this Ordinance to an Ordinance shall, in the interpretation of an imperial enactment, include a reference to imperial enactments.

Construction of imperial enactments.

Copies of imperial enactments.

81. A copy of an imperial enactment shall, if it —

- (a) is published in the Gazette or purports to be printed by the Government Printer; or
- (b) is contained in any printed collection purporting to be published or printed by authority,

be deemed, until the contrary is proved, to be an authentic copy of the imperial enactment as at the date of such publication or printing.

PART XII

FEES, PENALTIES OFFENCES AND PROCEEDINGS

Attempts to commit offences.

82. (1) A provision in any Ordinance which creates or results in the creation of an offence shall be deemed to include a provision that an attempt to commit such an offence shall itself constitute an offence which may be dealt with and punished in like manner as if the offence had been committed.

(2) Where a person is charged with an offence, he may be convicted of having attempted to commit that offence although he was not charged with the attempt.

(3) Nothing in this section shall affect any law relating to attempts to commit offences at common law.

Reference to an offence to include attempts, etc.

83. (1) Where —

- (a) any Ordinance confers a power or imposes a duty which is to be exercised or performed consequent upon a conviction of an offence or in relation to a person who is detained in custody for an offence; or
- (b) a reference is otherwise made in any Ordinance to an offence,

then that power or duty or that reference shall be deemed to be also exercisable or performable consequent upon a conviction of, or include a reference to, as the case may be —

- (i) an attempt to commit that offence;
- (ii) aiding, abetting, counselling or procuring that offence; and
- (iii) a conspiracy to commit that offence.

(2) Subsection (1) shall apply to powers of imposing pecuniary penalties and of forfeiture, seizure and search, and to powers and discretions to cancel, suspend or refuse to issue any licence, permit or other authorization, but nothing in this section shall apply to any offence for which a sentence of death may be imposed, or be deemed to authorize the imposition of any sentence of imprisonment otherwise than in default of payment of any pecuniary penalty which may be imposed by virtue of this section.

Acts constituting two or more offences.

84. Where any act constitutes two or more offences, whether under the same Ordinance or otherwise, the offender shall be liable to be prosecuted and punished for any or all such offences but shall not be liable to be punished twice for the same offence.

Liability of directors, etc.

85. Where a person by whom an offence under any Ordinance has been committed is a company and it is proved that the offence was committed with the consent or connivance of a director or other officer concerned in the management of the company, or any person purporting to act as such director or officer, the director or other officer shall be guilty of the like offence.

Imposition of penalty not to bar civil action.

86. The imposition of a penalty or fine by or under any Ordinance shall not relieve any person from liability to answer in damages to a person injured.

87. Where in any Ordinance a penalty is prescribed for an offence under that Ordinance, such provision shall imply —

Penalties prescribed to be deemed maximum penalties.

- (a) that such offence shall be punishable upon conviction by a penalty not exceeding the penalty prescribed; and
- (b) if the amount of the fine is unspecified, that such offence shall, without prejudice to any law against excessive or unreasonable fines or assessments, be punishable by a fine of any amount.

88. Where in any Ordinance a penalty is set out at the foot of any section or part thereof the same shall mean that any contravention of that section or part shall be an offence under such Ordinance punishable upon conviction by a penalty not exceeding the penalty so set out.

Statement of penalty at end of section.

89. Where in any Ordinance more than one penalty is prescribed for an offence, the use of the word "and" shall mean that the penalties may be inflicted alternatively or cumulatively.

Certain penalties may be cumulative.

90. (1) Where any provision in any Ordinance creates, or results in the creation of, an offence, the offence shall be triable summarily only, unless —

Trial of offences.

- (a) the offence is declared to be treason, felony or misdemeanour;
- (b) the words "upon indictment" appear; or
- (c) the offence is declared to be a "misdemeanour triable summarily".

(2) Where any provision in any Ordinance creates, or results in the creation of, an offence and —

- (a) the offence is declared to be treason, felony or misdemeanour; or
- (b) subject to subsection (4), the words "upon indictment" appear,

the offence shall be triable only upon indictment.

(3) Where any provision in any Ordinance creates, or results in the creation of, an offence and the offence is declared to be a "misdemeanour triable summarily", the offence shall be triable either on indictment or summarily.

(4) Where any provision in any Ordinance creates, or results in the creation of, an offence and the offence is declared to be triable either summarily or upon indictment or to be punishable on summary conviction or on indictment, the offence shall be triable either on indictment or summarily.

(5) Nothing in this section shall affect the powers conferred upon a magistrate by the Administration of Justice Ordinance or by any other law to try an indictable offence summarily.

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91. Where an offence is a misdemeanour by any law and no punishment is provided therefor, that offence shall be punishable by imprisonment for seven years and a fine of £2,000.

Punishment of misdemeanour.

92. Where the fiat, authorization, sanction, consent or authority of the Governor or any other public officer is necessary before any prosecution or action is commenced, or for any purpose whatsoever in connection with any proceeding, any document purporting to bear the fiat, authorization, sanction, consent or authority of the Governor, or such public officer, as the case may be, shall, until the contrary is proved, be received as evidence in any proceeding without proof being given that the signature to such fiat, authorization, sanction, consent or authority is that of the Governor or such public officer.

Evidence of signature or fiat, etc.

- Prosecution of offences.** 93. Where any Ordinance provides that no prosecution for an offence shall be commenced without the consent of some person other than the Attorney General, such a provision shall not derogate from the powers of the Attorney General in respect of the prosecution of that offence.
- Amendment of penalty.** 94. Where an act or omission constitutes an offence and the penalty for such offence is varied between the time of the commission of such offence and the conviction thereof, the offender shall be liable to the penalty prescribed at the time of the commission of the offence.
- Disposal of fines and penalties.** 95. Any fine or penalty imposed by or under the authority of any Ordinance shall be paid into the general revenue of the Colony:
 Provided that the Governor may direct the payment to any aggrieved person, or to any person whose information or evidence has led to the conviction of the offender or to the recovery of the fine or penalty, of such proportion of the fine or penalty as he may think fit.
- Disposal of forfeits.** 96. (1) Where under any Ordinance any movable property is adjudged by any court or other authority to be forfeited, it shall be forfeited to the Crown, and the net proceeds thereof, if it is ordered by a competent authority to be sold, shall be paid into the general revenue of the Colony.
 (2) Nothing in this section shall affect any provision in any Ordinance whereby any portion of any forfeit or of the proceeds of any forfeit is expressed to be recoverable by any person or may be granted by any authority to any person.
- Award of compensation.** 97. (1) The Legislative Council may by resolution award compensation, by way of either a single payment or periodical payments, from the general revenue of the Colony to any person injured in the execution of a moral or legal duty to assist in the prevention of or resistance to crime or any offence, or to the dependants of a person so injured who dies as a result of such injury.
 (2) Any award made under this section may be made subject to such conditions as may be specified in such resolution and may at any time be varied or revoked by the Legislative Council by resolution.
 (3) No award made under this section shall be assignable or transferable or liable to be attached, sequestered or levied upon for or in respect of any debt or claim whatsoever other than a debt due to the Government.
- Reduction, etc., of fees and charges.** 98. Any fee or charge made payable by or under any Ordinance to the Crown or the Government or to any public body or public officer, not being a fee or charge which is regulated by rules of court —
 (a) may be reduced or varied by order of the Governor:
 Provided that no variation thereof shall cause such fee or charge to exceed the original figure;
 (b) may be remitted or refunded, in whole or in part, in any particular case and on any special ground by the Governor;
 (c) subject as aforesaid shall be paid into or from the general revenue of the Colony.
- Collection of fees.** 99. (1) Where by any Ordinance the signature of the Governor or of any public officer is required to any certificate, authorization, consent, licence, permit or exemption, or any alteration, transfer or renewal thereof, addition thereto or endorsement thereon, or any copy of the same, and no fee for such signature is prescribed by law, there shall be payable for such signature such fee as the Governor may prescribe by notice in the Gazette.

(2) Where any Ordinance requires or authorizes the issue of any document by a public officer, such public officer may, subject to any directions of the Governor, issue a duplicate of such document, upon payment of such fee as may be prescribed by law or as the Governor may prescribe by notice in the Gazette if no fee is prescribed by law.

(3) Where any Ordinance requires or authorizes any alteration, transfer, or endorsement of or addition to any certificate, authorization, consent, licence, permit or exemption by a public officer, such fee shall be payable therefor as may be prescribed by law or as the Governor may prescribe by notice in the Gazette if no fee is prescribed by law.

(4) Where an extract of any document, book, record or instrument may be properly certified by a public officer as a true extract of such document, book, record or instrument, such fee shall be payable for the certifying of the extract by such officer as may be prescribed by law or as the Governor may prescribe by notice in the Gazette if no fee is prescribed by law.

PART XIII

MISCELLANEOUS

100. (1) A copy of an Ordinance shall, if published in the Gazette or purporting to be printed by the Government Printer, be deemed to be an authentic copy of that Ordinance as at the date of such publication or printing.

Copies of Ordinances,
etc., in Gazette.

(2) A copy of any other instrument shall, if published in the Gazette or purporting to be printed by the Government Printer, on its production be admitted as prima facie evidence thereof in all courts and for all purposes whatsoever without any further proof.

101. (1) The Attorney General may, by order published in the Gazette, rectify any clerical or printing error appearing in any Ordinance, not being an Ordinance contained in a booklet prepared under the authority of the Revised Edition of the Laws Ordinance.

Rectification of errors.

(2) Every order made under this section shall be laid on the table of the Legislative Council without unreasonable delay, and, if a resolution is passed at the next sitting of the Legislative Council held after the sitting at which the order is so laid that the order be annulled, it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder, or to the making of a new order.

102. (1) Where any person, public officer, Government department or public body is required to do anything for which a fee is to be paid or a charge made under any Ordinance, such person, public officer, Government department or public body may decline to do that thing until the fee or charge is paid or, where the precise amount of the payment to be made cannot be ascertained until the thing is done, until there be paid such amount as may be estimated to be the correct amount by the person, public officer or the responsible officer of the Government department or public body required to do the thing.

Performance of acts for
which payment is
required.

(2) Where a thing has been done for which an estimated amount shall have been paid, such amount shall be adjusted to the correct amount either by means of a further payment or by a refund of the amount overpaid.

103. The Governor in Council may, with the approval of the Secretary of State, declare any place to be a town, and define the extent, limits, and boundaries of such town and of its suburbs, and vary or alter such extent, limits and boundaries:

Declaration of town.

Provided that no part of the boundaries of the town shall be more than two miles, nor the suburbs more than six miles from the centre of the town.

Division of Colony into districts.

104. The Governor in Council may, when it is considered convenient for the more efficient operation of any Ordinance or any other purpose, divide, subdivide and re-divide the Colony into districts, or alter the boundaries of any such districts.

Authority to print copies.

105. The Government Printer may, with the authority of the Governor, print copies of any Ordinance with all additions, omissions, substitutions and amendments effected by any amending Ordinances, and such copies shall be deemed to be authentic copies of the Ordinance as amended as at the date of such printing.

Cap. 33.

106. The Interpretation and General Law Ordinance is hereby repealed.

OBJECTS AND REASONS

The title to the Bill is self-explanatory.

Ref. LEG/10/5.

A Bill for

An Ordinance

To repeal the Government Employees Provident Fund Ordinance.

Title.

(

19

)

Date of commencement.

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

Enacting clause.

1. This Ordinance may be cited as the Government Employees Provident Fund (Repeal) Ordinance 1977.

Short title.

2. The Government Employees Provident Fund Ordinance is repealed.

Repeal of Cap. 28.

3. Any depositor having money in the Non-Pensionable Employees Provident Fund, a fund established under section 4 of the Repealed Ordinance at the date of the repeal of the Ordinance shall receive the full amount standing to his credit on that date, and any surplus thereafter remaining in the Fund shall be transferred to the general revenues of the Colony.

Repayment to depositors and disposal of surplus.

4. Nothing in this Ordinance shall affect any right, privilege, obligation or liability acquired or incurred under the Ordinance hereby repealed and any legal proceedings or remedy may be instituted, continued or enforced, as if this Ordinance had not been passed.

Effect of repeal.

—————

OBJECTS AND REASONS

To repeal the Government Employees Provident Fund Ordinance, the objects of which have been provided for by subsequent legislation, and there remains only one contributor to the fund established under the Ordinance.

Ref. TRE/2/4.



THE FALKLAND ISLANDS GAZETTE (Extraordinary)

PUBLISHED BY AUTHORITY

Vol. LXXXVI

27 MAY 1977

No. 6

No. 35.

27th May 1977.

PETROLEUM PRODUCTS ORDINANCE 1973

(No. 20 of 1973)

Petroleum Products Ordinance 1973 (Commencement) Notice 1977.

IN EXERCISE of the powers conferred by Section 1 of the Petroleum Products Ordinance 1973, the Deputy Governor hereby appoints the 27th day of May 1977 as the day on which the said Ordinance shall come into operation.

By Command,

ARTHUR J. P. MONK,
Chief Secretary.



THE FALKLAND ISLANDS GAZETTE (Extraordinary)

PUBLISHED BY AUTHORITY

Vol. LXXXVI

1 JUNE 1977

No. 7

A Bill for An Ordinance

Further to amend the Legislative Council
(Elections) Ordinance 1948. Title.

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

1. This Ordinance may be cited as the Legislative Council
(Elections) (Amendment) Ordinance 1977, and shall come into
operation on the day of 1977. Short title and commence-
ment.

2. Section 2 of the Legislative Council (Elections) Ordinance
(hereinafter referred to as the principal Ordinance) is amended — Amendment of section 2.

- (a) by the deletion of the definition of "Order in Council";
- (b) by inserting after the definition of "Council" the following
new definition —
 " "Qualifying day" means the day of in
 each year".

- (c) by the deletion of the definition of "Qualifying period" and
the substitution of the following —

 " "Qualifying period" means —

- (i) in the case of a person born in the Colony twelve
months' continuous residence preceding the qualifying
day; or
- (ii) in the case of a person not born in the Colony three
years' continuous residence preceding the qualifying
day."

- (d) by the deletion of the definition "Electoral area" and;
- (e) by inserting after the definition of "Election Officer", the following —
 " "Camp" means the whole area of the Colony outside the town of Stanley."

Repeal and replacement
of section 3.

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

"Electoral
Areas and
Electoral
Divisions.

3. (1) For the purpose of elections to the Legislative Council the Colony shall be divided into —

- (a) four electoral areas, East Stanley and West Stanley, and East Falklands and West Falklands, and
- (b) two electoral divisions, Stanley and Camp.

(2) The boundaries of the electoral areas and the electoral divisions shall be as set out in the Second Schedule to the Ordinance.

(3) Elections for an electoral area shall be held on one day followed within a period of not more than three weeks by elections for the electoral divisions when required.

(4) A candidate for elections to an electoral area may be a candidate for election to a vacancy in an electoral division —

- (i) if he is unsuccessful in an election to an electoral area; and
- (ii) he is not barred from standing for election under subsection (5).

(5) Any candidate who fails to obtain one-tenth or more of the total number of votes polled for in an electoral area election shall be barred from standing for an electoral division election."

Addition of new section
3A.

4. The principal Ordinance is amended by the addition after section 3, of the following new section —

"Representation
of Electorates.

3A. Six members shall be elected to the Legislative Council in accordance with the provisions of this Ordinance to represent the following electoral areas and electoral divisions —

(1) one member shall be elected for each of the electoral areas of East Stanley, West Stanley, East Falklands and West Falklands.

(2) One member shall be elected for each electoral division of Stanley and of Camp."

Amendment of section 4.

5. Section 4 of the principal Ordinance is amended —

- (a) by the insertion after the words "electoral area" of the following —
 "or an electoral division"; and
- (b) by the insertion after the words "in the area" of the following —
 "or in the division".

Amendment of section 5.

6. Section 5 of the principal Ordinance is amended by the insertion after the words "electoral area" of the following —
 "or electoral division"

7. Section 6 of the principal Ordinance is amended —

Amendment of section 6.

- (a) in paragraph (a) by the deletion of "21" and the substitution of the following

"18";

- (b) by the deletion of paragraph (c) and the substitution of the following new paragraph —

“(c) has continuously resided in the Colony during the qualifying period and is normally resident in the electoral area or the electoral division on qualifying day.”.

- (c) by the deletion of the first proviso and the substitution of the following —

“Provided that a person who is normally resident in an electoral area or an electoral division shall be deemed to be resident therein on the qualifying day notwithstanding his absence overseas or otherwise on that day, if he intends to resume actual residence within six months from the date of his departure from the area or division.”.

- (d) in the second proviso by the insertion after the words “electoral area” of the following —

“or electoral division”.

8. Section 7 of the principal Ordinance is repealed and replaced by the following —

Repeal and replacement of section 7.

“Register of electors.

7. (1) It shall be the duty of every registration officer to prepare and publish once in each year, should the Governor so decide, a register of electors for his electoral area or electoral division and every such register shall —

- (a) be published in the Gazette not later than the day of in each year;
- (b) come into force immediately; and
- (c) remain in force until the register next compiled is published.

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

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

9. Section 8 of the principal Ordinance is amended —

Amendment of section 8.

- (a) by the insertion after the word “area” wherever it occurs, the following —

“or division”;

- (b) in subsection (1) by the insertion after the words “the register” of the following —

“and a supplement to the register containing names of postal voters”;

- (c) in paragraph (a) of subsection (1) by deleting “as soon as may be after receiving such notice as is mentioned in subsection (1) of section 7 of this Ordinance”; and

- (d) in subsection (2) by deleting “one month” and the substitution of the following —

“ten days”.

Addition of new section
8A.

10. The principal Ordinance is amended by the addition after section 8 of the following new section —

"Postal voting

8A. (1) Notwithstanding the provisions of this Ordinance every elector registered in any electoral area or electoral division who due to illness, incapacity of travelling to the voting area, intended absence at sea, or residing in any one of the remote areas mentioned in the Fifth Schedule or temporary absence from the Colony at the date of any election shall, if he so desires, complete Form F in the Third Schedule and be entered on the postal voters list which shall be prepared by the registration officer for his electoral area or electoral division.

(2) Every elector whose name is on the postal voters list for any electoral area or electoral division shall be entitled to vote by sending his ballot paper by post to the returning officer, but shall not, so long as his name is on that list, be entitled to vote in any other manner.

(3) (a) The registration officer shall each year, should the Governor so decide, prepare and add as a supplement to the register a separate list for each electoral area and each electoral division, of persons entitled to vote as postal voters;

(b) The names in the Postal Voters List shall be arranged in the same order as that in which those names appear in the register under subsection (2) of section 7;

(c) The registration officer shall keep a record of any address which may be furnished to him by or in respect of any person placed on the Postal Voters List as the address which is to be for the time being the address of the voter and, as soon as practicable, shall cause instructions to be sent to the voters as to the mode of voting under those provisions of this Ordinance.

(4) The returning officer shall, in the case of a contested election for any electoral area or any electoral division, as soon as practicable after the issue of the proclamation appointing the day on which the election is to be held, send a postal voters ballot paper in Form G in the Third Schedule to each elector whose name is on the postal voters list and who is entitled to vote at that election, to the address recorded by the registration officer, together with a declaration of identity in Form H in the Third Schedule and a certificate as contained in Form I in the Third Schedule, and if such ballot paper duly marked by the postal voter and accompanied by a declaration of identity and a certificate as contained in the Third Schedule, is received by the returning officer before the close of the poll it shall be counted by him and treated for all purposes in the same manner as a ballot paper placed in the ballot box in the ordinary way."

Repeal of section 9.

11. Section 9 of the principal Ordinance is repealed.

12. Subsection (1) of section 10 of the principal Ordinance is amended as follows — Amendment of section 10.

- (a) by the insertion after the word "area" wherever it occurs of the following —
"or division";
- (b) by the deletion of "30" and the substitution of the following —
"10";
- (c) by the deletion of the words "Form in the Schedule" where they first occur and the substitution of the following —
"Form A in the First Schedule";
- (d) by the deletion of the words "Form in the Schedule" where they secondly appear and the substitution of the following
"Form J in the Fourth Schedule";
- (e) by the deletion of the words "to the Legislative Council (Elections) (Amendment) Ordinance 1959";
- (f) by the insertion after the words "electoral area" of the following —
"or electoral division".

13. Section 11 of the principal Ordinance is amended —

Amendment of section 11.

- (a) by the deletion of the word "Magistrate" wherever it occurs and the substitution of the following —
"Senior Magistrate";
- (b) in subsection (3) by the deletion of the words "ten days" and the substitution of the following —
"seven days".

14. Section 12 of the principal Ordinance is repealed.

Repeal of section 12.

15. Section 13 of the principal Ordinance is amended in subsection (1) by the insertion after the words "electoral area" of the following —

Amendment of section 13.

"or electoral division".

16. Section 15 of the principal Ordinance is amended —

Amendment of section 15.

- (a) in subsection (1) by the insertion after the words "electoral area" of the following —
"or electoral division"; and
- (b) in subsection (2) —
 - (i) in paragraph (e) by the deletion of the word "district" and the insertion after the word "electoral" of the following —
"area or electoral division"; and
 - (ii) by the deletion of paragraph (j) and the substitution therefor of the following —
"(j) has not ordinarily resided in the Colony for a period of not less than three years"; and
 - (iii) by the deletion of the full stop at the end of paragraph (k) and the substitution therefor of a colon and the word "or"; and
 - (iv) by the insertion after paragraph (k) of the following new paragraph —
"(l) is not a British Subject and has not attained the age of twenty-one years".

- Amendment of section 16.** **17.** Section 16 of the principal Ordinance is amended —
- (a) in subsection (1) as follows —
 - (i) by the insertion after the words “Form B in the” of the following —
“First”; and
 - (ii) by the insertion after the words “electoral area” of the following —
“or electoral division”; and
 - (iii) by the addition after the words “Justice of the Peace” of the following —
“or Commissioner for Oaths”;
 - (b) in subsection (2) by the insertion after the words “electoral area” of the following —
“or electoral division”; and
 - (c) in subsection (6) by the insertion after the words “electoral area” of the following —
“or electoral division”.
- Amendment of section 19.** **18.** Section 19 of the principal Ordinance is amended in paragraph (a) of subsection (2) by the insertion after the words “electoral area” of the following —
“or electoral division”.
- Amendment of section 24.** **19.** Section 24 of the principal Ordinance is amended in subsection (1) by inserting after the words “Form C in the” of the following —
“First”.
- Amendment of section 26.** **20.** Section 26 of the principal Ordinance is amended —
- (a) in subsection (1) by the deletion of the words brackets and comma “(or in the case of an election in the electoral area of Stanley, two candidates)”;
 - (b) in subsection (2) by substituting the word “any” for the word “each” where it appears.
- Amendment of section 29.** **21.** Section 29 of the principal Ordinance is amended in subsection (1) by the insertion after the words “Form D in the” of the following —
“First”;
- Amendment of section 32.** **22.** Section 32 of the principal Ordinance is amended by the insertion —
- (a) after the words “ballot boxes” of the following —
“and postal votes”;
 - (b) after the words “electoral area” of the following —
“or electoral division”.
- Amendment of section 36.** **23.** Section 36 of the principal Ordinance is amended in subsection (1) by the deletion of the words “or in the case of an election in the Stanley electoral area the two candidates who have received the greatest number of votes”.
- Amendment of section 39.** **24.** Section 39 of the principal Ordinance is amended —
- (a) in subsection (1) —
 - (i) by the deletion of the words “one-eighth” and the substitution therefor of the following —
“one tenth”; and

- (ii) by the insertion after the words "electoral area" of the following —
 "or electoral division"; and
- (b) in subsection (2) by the deletion of the words "one-eighth" and the substitution of the following —
 "one-tenth".
25. Section 40 of the principal Ordinance is amended by the insertion after the words "electoral area" in subsection (1) of the following —
 "or electoral division". Amendment of section 40.
26. Section 41 of the principal Ordinance is amended — Amendment of section 41.
- (a) in paragraph (a) of subsection (1) by the insertion after the words "electoral area" where they appear of the following —
 "or electoral division"; and
- (b) in subsection (3) by the insertion after the words "electoral area" of the following —
 "or electoral division".
27. The procedure set out in sections 7, 9 and 12 of the Legislative Council (Elections) Ordinance with the following amendments — Saving and transitional.
- (i) by adding in sections 7 and 12 after the words "electoral area" and "electoral areas" where they appear the words —
 "or electoral division" and "or electoral divisions";
 and
- (ii) by adding in section 9 after the word "area" where it appears the words —
 "or division",
- repealed or replaced by this Ordinance shall apply for the compiling of the electoral register and the supplement to the register containing the names of postal voters for the first general election to be held after the coming into force of this Ordinance.
28. The Schedule to the principal Ordinance is repealed and replaced by the following new Schedules. Repeal of Schedule and replacement of new Schedules.

OBJECTS AND REASONS

The object of this Bill is to make provision for the election of six members to the Legislative Council; to divide the Colony into areas and divisions appropriate for such election and generally to make the necessary amendments to the Legislative Council (Elections) Ordinance following from the aforesaid action.

FORM A.

FIRST SCHEDULE

(Section 10)

FORM OF CLAIM

To the Registration Officer * ELECTORAL AREA
 * ELECTORAL DIVISION

I claim to have my name included in the register of electors for the

* ELECTORAL AREA of

* ELECTORAL DIVISION of

Surname (*in block letters*)

Other names

Address

I certify that I am a British subject, that I have attained the age of 18 years and that I resided in the Electoral Area/Electoral Division of..... since and that I am normally resident in the Electoral Area/Electoral Division.

Dated this day of 197.....

Applicant.

* Delete whichever is inapplicable.

FORM B.

(Section 16)

NOMINATION FORM

Name of candidate (*in full*)

Address

Name of proposer (*in full*).....

Signature of proposer

Signed by the above named (*proposer*)

in my presence the day of 197.....

* *Justice of the Peace.*

* *Commissioner for Oaths.*

Name of seconder (*in full*)

Signature of seconder

Signed by the above named seconder

in my presence the day of 197.....

* *Justice of the Peace.*

* *Commissioner for Oaths.*

We the undersigned being electors do hereby support the foregoing nomination —

1.

2.

3.

4.

5.

6.

7.

Handed in at a.m. on the day of 197.....

* Delete whichever is inapplicable.

Returning Officer.

FORM C.

BALLOT PAPER

(Section 24)

No.....

FALKLAND ISLANDS
LEGISLATIVE COUNCIL ELECTIONS

FALKLAND ISLANDS
LEGISLATIVE COUNCIL ELECTIONS

- * ELECTORAL AREA
- * ELECTORAL DIVISION

BALLOT PAPER - COUNTERFOIL

BALLOT PAPER

ELECTOR'S SERIAL NUMBER

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

* Delete whichever is inapplicable.

Official Mark.

REVERSE

No.....
(Corresponding with that on Counterfoil)

- * ELECTORAL AREA of
- * ELECTORAL DIVISION of

Date

* Delete whichever is inapplicable

FORM D.

DECLARATION

(Section 29)

I, of
solemnly and sincerely declare that I am the same person whose name appears as

.....
No. in the register of electors in force for the * Electoral
Area / * Electoral Division.

Declaration made in the presence of

Signed

- PRESIDING OFFICER.
- * Stanley.
 - * Camp.
 - * East Falklands.
 - * West Falklands.
 - * East Stanley.
 - * West Stanley.

* Delete whichever is inapplicable.

SECOND SCHEDULE

FORM E.

(Section 3)

1. The names and boundaries of each electoral division and each electoral area shall be as specified in the table hereto.
2. The boundary of the electoral divisions and electoral areas mentioned in the second and third columns of the table shall be taken to be those boundaries as constituted on the day of one thousand nine hundred and seventy..... provided that any misnomer or inaccurate description of any of those electoral divisions or electoral areas shall not in any way prevent or abridge the operation of this Ordinance with respect to the subject of the description, if it is so designated as to be commonly understood.

Name	Boundaries of divisions	Boundaries of areas
Stanley	that area as defined in the Stanley rates Ordinance 1973.	
Camp	the whole of Camp other than the area of Stanley as defined in the First Schedule to the Stanley Rates Ordinance 1973.	
West Falkland		that area known as West Falkland.
East Falkland		that area of East Falkland remaining after the excision of Stanley.
West Stanley		all that area West of the middle line of Villiers Street.
East Stanley		all that area East of the middle line of Villiers Street.

THIRD SCHEDULE

FORM F.

(Section 8A (1))

APPLICATION TO VOTE BY POST

I, *(surname)* (BLOCK LETTERS)
(other names) (BLOCK LETTERS)
am qualified to be registered as an elector for the * electoral area / * electoral division of
I apply to be treated as a postal voter at the electoral area / electoral division of elections because I am likely to be unable to go to the polling station due to * illness, * incapacity of travelling to the voting area, * intended absence at sea, * temporary absence from the Colony or * residing in a remote area. My address is *(address in full in block letters)*
.....
Signature..... Date

* Delete whichever is inapplicable.

FORM G.

POSTAL BALLOT PAPER

(Section 8A (4))

No.....

FALKLAND ISLANDS
LEGISLATIVE COUNCIL ELECTIONS

FALKLAND ISLANDS
LEGISLATIVE COUNCIL ELECTIONS
* ELECTORAL AREA
* ELECTORAL DIVISION

BALLOT PAPER - COUNTERFOIL

BALLOT PAPER
.....
.....
.....

ELECTOR'S SERIAL NUMBER

Official Mark

* Delete whichever is inapplicable.

REVERSE

No.....
(Corresponding with that on Counterfoil)

* ELECTORAL AREA of

* ELECTORAL DIVISION of

Date

* Delete whichever is inapplicable.

FORM H.

POSTAL VOTER'S DECLARATION

(Section 8A (4))

I, of
solemnly and sincerely declare that I am the same person whose name appears as
.....

No. in the register of electors (postal voters list) in force for the * Electoral Area
of / * Electoral Division of

(Signed)

* ELECTORAL AREA of East Falklands
West Falklands
East Stanley
West Stanley

* ELECTORAL DIVISION of Stanley
Camp

* Delete whichever is inapplicable.

FORM I.

(Section 8A. (4))

POSTAL VOTER'S CERTIFICATE

ELECTION IN THE ELECTORAL AREA OF.....
ELECTORAL DIVISION OF.....

I certify that (name).....
who is numbered in the register of electors (postal voting list) for the electoral area
of or electoral division of
named above, is likely to be unable to go in person to the polling station at the election on
(date of poll)
by reason on that date of —

- * illness.
- * incapacity of travelling to the voting area.
- * absence at sea, or
- * temporary absence from the Colony.
- * residing in a remote area.

Date Signature

Doctor/ Justice of the Peace/ Minister of Religion/ Police Officer.

* Delete whichever is inapplicable.

FORM J.

(Section 10)

FOURTH SCHEDULE
FORM OF OBJECTION

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

To the registration officer for the electoral area /electoral division of

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

as an elector ‡

The grounds of my objections are
.....
.....

I am entered in the electors lists as an elector for the above electoral area / electoral division
as follows x
.....
.....

Signed

Address

Date

* Here insert extracts from printed electors lists, stating registration unit or name and address.
‡ Delete if inapplicable.
x Here insert extract from printed electors lists.

(Section 8A)

FIFTH SCHEDULE
SEDGE ISLAND
SEA LION ISLAND

A Bill for An Ordinance To provide for the service of the year 1977-78.

Title.

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

Enacting clause.

1. This Ordinance may be cited for all purposes as the Appropriation (1977-78) Ordinance 1977.

Short title.

2. The Governor may cause to be issued out of the Public Revenue and other funds of the Colony and applied to the service of the period 1st July 1977 to 30th June 1978, a sum not exceeding Two million, two hundred and thirty thousand, eight hundred and forty-six 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 1977-78.

Appropriation of
£2,230,846 for the service
of the year 1977-78.

SCHEDULE

Schedule.

Number	HEAD OF SERVICE	£
I.	The Governor	33,196
II.	Agriculture	6,568
III.	Aviation	114,972
IV.	Customs and Harbour	33,953
V.	Education	153,171
VI.	Medical	184,084
VII.	Meteorological	10,928
VIII.	Military	5,192
IX.	Miscellaneous	17,672
X.	Pensions and Gratuities	43,283
XI.	Police and Prisons	25,312
XII.	Posts and Telecommunications	132,607
XIII.	Public Works	159,835
XIV.	Public Works Recurrent	119,820
XV.	Public Works Special	40,685
XVI.	Secretariat, Treasury and Central Store	153,436
XVII.	Overseas Passages	70,429
XVIII.	Social Welfare	27,046
XIX.	Supreme Court and Legal	15,117
XX.	Training	15,000
Total Ordinary Expenditure		1,362,306
Development A		
	Expenditure to be met from Colony funds	153,130
Development B		
	Expenditure to be met from U.K. Aid	515,410
Total Ordinary and Development Expenditure		2,030,846
XXI.	Transfer to Development Fund	200,000
Total Expenditure		£ 2,230,846

A Bill for
An Ordinance

Title. To legalise certain payments made in the year 1975-76 in excess of the Expenditure sanctioned by Ordinance No. 1 of 1975.

Preamble. Whereas it is expedient to make further provision for the service of the Colony for the period 1st July 1975 to 30th June 1976.

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 (1975-76) Ordinance 1977.

Appropriation of excess expenditure for the period 1st July 1975 to 30th June 1976. 2. The sums of money set forth in the Schedule hereto having been expended for the services herein mentioned beyond the amounts granted for those services by the Ordinance providing for the service for the period 1st July 1975 to 30th June 1976, 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		£
I.	The Governor	4,167
III.	Aviation	29,687
VIII.	Military	3,178
IX.	Miscellaneous	14,070
X.	Pensions and Gratuities	4,780
XV.	Public Works Special	15,228
XVI.	Secretariat, Treasury and Central Store ...	22,027
XVII.	Overseas Passages	58
		£ 93,195

OBJECTS AND REASONS

The amounts appearing in the Schedule are those by which the amounts approved in the appropriation Ordinance for 1975/76 were exceeded. This Bill seeks formal approval for the excess expenditure.

Ref. TRE/14/6.



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10 JUNE 1977

No. 8

Appointment

Russell George Thomas Hooper, Pilot, Civil Aviation Department, 26.5.77.

Acting Appointments

Ronald John Clarke, Acting Foreman, Public Works Department, 5.5.77.

Leslie Harris, Acting Power Station Supervisor, Public Works Department, 12.5.77.

Completion of Contract

Mrs. Barbara Collins (née Teague), Nursing Sister, Medical Department, 10.6.77.

Resignation

Miss Marilyn Joyce Allan, Nurse, Medical Department, 20.5.77.

NOTICES

No. 34. 26th May 1977.

His Excellency the Governor has been pleased to appoint —

JOHN ANDREW THOMAS FOWLER

of Darwin, East Falklands, to be a Registrar under section 4 of the Marriage Ordinance (Cap. 43) for the purpose of celebrating the marriage of Doreen Emily Jaffray with Lewis Ronald Morrison both of Goose Green, at Darwin.

Ref. LEG/19/14.

No. 36.

30th May 1977.

Whereas His Excellency the Governor has been notified that the Honourable L. G. Blake, J.P. Elected Member for West Falkland, proposes to be absent from the Colony with permission with effect from 19th May 1977, and in accordance with Section 5 of the Royal Instructions, His Excellency has informed the Legislative Council that it is desirable that they elect a person from among the Elected Members of the Legislative Council to be temporarily a member of the Executive Council, it is notified that unofficial members of the Legislative Council have elected the Honourable A. B. Monk, J.P., Elected Member for East Falkland, to be temporarily a member of Executive Council during the absence from the Colony of the Honourable L. G. Blake, J.P.

Ref. EXC/19/1C.

No. 37.

31st May 1977.

With reference to the Instrument under the Public Seal of the Colony dated 26th May 1977, it is hereby notified that His Excellency the Governor returned to Stanley on Monday, 30th May 1977.

Ref. GOV/19/1.

No. 38. 27th May 1977.

Petroleum Products Ordinance 1973

It is hereby notified that the Governor has authorized with effect from the 27th day of May 1977 —

YACIMIENTOS PETROLIFEROS FISCALES

to supply, market, and keep on their premises East of Port Stanley, wholly or partly for sale, petroleum products.

Ref. FUE/13/6.

No. 39. 8th June 1977.

Silver Jubilee Medal, 1977

The Governor directs it to be notified, for general information, that the Queen's Medal to commemorate Her Majesty's Silver Jubilee has been awarded to the following persons —

His Excellency James Roland Walter Parker, O.B.E.,
Governor and Commander-in-Chief

Ludvick Riley Anderson

Stuart Alfred Booth

William John Jones

Charles Maddocks

Mrs. Betty Lois Miller

Mrs. Edith Winifred Smith

Captain Phillip George Summers, *Adjutant,*
Falkland Islands Defence Force.

Ref. ROY/1/1.

Probate

In the Supreme Court of the Falkland Islands

**NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE
(Cap. 1)**

IN THE MATTER of Elizabeth Margaret Summers, deceased, of Stanley, Falkland Islands, who died at Stanley, Falkland Islands, on the 26th April 1977, intestate.

WHEREAS Aubrey Vernon Summers, widower of the above-named 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.
7th June 1977

SC & L/6/77.

Appointment of Governor's Deputy and specification of powers and functions vested in the Governor which he may exercise and perform.

WHEREAS paragraph (1) of Article 8 of the Falkland Islands Letters Patent, 1948 to 1962, provides that whenever the Governor has occasion to be absent from the seat of Government but not from the Colony, or to be absent from the Colony for a period which he has reason to believe will be of short duration, or whenever by reason of illness which he has reason to believe will be of short duration he considers it desirable so to do, he may, by Instrument under the Public Seal, appoint any person in the Colony to be his Deputy during such absence or illness, and in that capacity to exercise and perform for and on behalf of the Governor during such absence or illness all such powers and functions vested in the Governor as shall be specified in such Instrument:

AND WHEREAS Article 3 of the Falkland Islands Dependencies Letters Patent, 1908, provides that the Officer for the time being Administering the Government of the Colony of the Falkland Islands shall be Governor for the time being of the Falkland Islands Dependencies:

AND WHEREAS I shall have occasion to leave Stanley on the 27th day of May 1977 for the purpose of visiting East Falkland:

NOW, THEREFORE, under and by virtue of the powers aforesaid I, JAMES ROLAND WALTER PARKER, ESQUIRE, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, and Vice-Admiral of the same, do hereby appoint GORDON JAMES AUGUSTUS SLATER, ESQUIRE, to be Governor's Deputy in and for the Colony of the Falkland Islands and its Dependencies and in that capacity to exercise and perform for and on behalf of the Governor (except while and in so far as provision to the contrary made by the Governor under Article 8 of the said Letters Patent is operative) and subject always to the provisions of the said Letters Patent, all such powers and functions as are vested in the Governor other than those vested by sections 6, 18 and 21A, sub-section (1) of section 24 and sub-section (1) of section 26, of the Falkland Islands (Legislative Council) Orders, 1948 to 1973, by paragraph (1) of Article 10 and Articles 13, 15 and 16 of the said Letters Patent and by paragraph (b) of clause 3, sub-paragraph (a) of paragraph (1) of clause 5 and clause 22 of the Royal Instructions to the Governor dated the 13th day of December 1948.

This Instrument shall come into operation on the 27th day of May 1977 and shall remain in force until my return to Stanley.

LS

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, this 26th day of May in the year of Our Lord One thousand Nine hundred and Seventy-seven.

J. R. W. PARKER.
Governor and Commander-in-Chief.

The Falkland Islands Additional Instructions 1977

31st March 1977

ELIZABETH R.

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

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

Citation, construction, publication and commencement.

1. (1) These Instructions may be cited as the Falkland Islands Additional Instructions 1977 and shall be construed as one with the Instructions under the Royal Sign Manual and Signet to Our Governor and Commander-in-Chief in and over Our said Colony and Dependencies dated the 13th December 1948, as amended by Additional Instructions dated 27th November 1951, 15th November 1955 (a), 10th September 1964 (b) and 10th April 1973 (c) (which Instructions, as so amended, are hereinafter called "the Instructions of 1948").

(2) These Instructions shall be published in the Gazette and shall take effect on a date to be notified by the Governor by Proclamation in the Gazette, being the date on which the Legislative Council firsts meets after the coming into force of the Falkland Islands (Legislative Council) (Amendment) Order 1977.

Amendment of Clause 3 of Instructions of 1948.

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

"3. (1) The Executive Council shall consist of —

- (a) two Ex-officio Members, namely the Chief Secretary and the Financial Secretary;
- (b) two Unofficial Members, who shall be appointed by the Governor by Instrument under the Public Seal (hereinafter called 'Appointed Members') from among persons who do not hold offices of emolument under the Crown in the Colony; and
- (c) two Elected Members, who shall be elected in accordance with the next following paragraph by the Elected Members of the Legislative Council from the Elected Members of that Council.

(2) At the first meeting of the Legislative Council after every General Election the Elected Members of the Legislative Council shall elect two of their number to be Members of the Executive Council, one for twelve months and the other for eighteen months. Subsequent elections shall be held before the expiry of each of those periods and of each period of one year thereafter, at which one Member of the Executive Council shall be elected, who may be the same Member or a different Member of the Legislative Council. And so on until there remain six months or less between the expiry of a period of election and the latest date for the dissolution of the Legislative Council."

Amendment of Clause 4 of Instructions of 1948.

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

- (a) by deleting the words "Nominated Independent and" in subparagraph (7)(e), and by substituting a semi-colon followed by the word "or" for the full-stop at the end of that sub-paragraph;

(a) S.I. 1955 II, p. 3187. (b) S.I. 1964 III, p. 5254. (c) S.I. 1973 I, p. 2636.

- (b) by inserting the following sub-paragraph after sub-paragraph (7) (e) —

“(f) if at the expiry of the period for which he is elected to the Executive Council he is not re-elected to the Executive Council under clause 3 (2) of these Instructions.”.

4. Clause 5 of the Instructions of 1948 is amended by deleting the words “Nominated Independent and” in sub-paragraph (1) (b). Amendment of Clause 5 of Instructions of 1948.

Given at Our Court at St. James's this 31st day of March, 1977,
in the 26th year of Our Reign.

STATUTORY INSTRUMENTS

1977 No. 423

SOUTH ATLANTIC TERRITORIES

The Falkland Islands (Legislative Council)
(Amendment) Order 1977

Made - - - - 9th March 1977

Laid before Parliament *17th March 1977*

Coming into Operation In accordance with Article 1 (3)

At the Court of Saint James, the 9th day of March 1977

Present,

The Counsellors of State in Council

Whereas Her Majesty, in pursuance of the Regency Acts of 1937 to 1953, was pleased, by Letters Patent dated the 3rd day of February 1977, to delegate to the six Counsellors of State therein named or any two or more of them full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required :

Now, therefore, Her Majesty Queen Elizabeth The Queen Mother and Her Royal Highness the Princess Anne, being authorised thereto by the said Letters Patent, and in pursuance of the powers conferred by the British Settlements Acts 1887 and 1945 (a) and all other powers enabling Her Majesty, and by and with the advice of Her Majesty's Privy Council, do on Her Majesty's behalf order, and it is hereby ordered, as follows—

Citation, construction and commencement

1. (1) This Order may be cited as the Falkland Islands (Legislative Council) (Amendment) Order 1977 and shall be construed as one with the Falkland Islands (Legislative Council) Orders 1948 to 1975 (*b*), which Orders are hereinafter referred to as “the principal Order”.

(2) This Order and the principal Order may be cited together as the Falkland Islands (Legislative Council) Orders 1948 to 1977.

(3) This Order shall come into operation on a date to be notified by the Governor by Proclamation in the Gazette, which shall be a date not earlier than the day after the date of dissolution of the existing Legislative Council.

(a) 1887 c. 54; 1945 c. 7 (9 & 10 Geo. 6).

(b) S.I. 1948/2573, 1950/1184, 1951/1946, 1955/1650, 1964/1397, 1972/668, 1973/598, 1975/1706 (Rev. VII, p. 591; 1948 I, p. 1018); 1950 I, p. 683; 1951 I, p. 682; 1955 I, p. 833; 1964 III, p. 3204; 1972 I, p. 2150; 1973 I, p. 1908; 1975 III, p. 5813.

Amendment of Part II of the principal Order

2. For Part II of the principal Order there is substituted the following Part —

"PART II

The Legislative Council

Establishment of Legislative Council.	3. There shall be a Legislative Council in and for the Colony constituted in accordance with the provisions of this Order.
Composition of Legislative Council.	4. The Legislative Council shall consist of — (a) the Governor, as President; (b) two Ex-officio Members; (c) six Elected Members.
Ex-officio Members.	5. The Ex-officio Members of the Legislative Council shall be the Chief Secretary and the Financial Secretary.
Elected Members.	6. The Elected Members shall be persons qualified in accordance with the provisions of this Order and elected in the manner provided by any law for the time being in force in the Colony.
Extraordinary Members.	7. The Governor may summon any person to any meeting of the Council, notwithstanding that such person may not be a member of the Council when, in the opinion of the Governor, the business before the Council renders the presence of such a person desirable. Any person so summoned shall be entitled to take part in the proceedings of the Council relating to the business in respect of which he is summoned as if he were a Member of the Council, except that he shall not have the right to vote in the Council.
Cessation of Elected Membership.	8. Every Elected Member shall cease to be a Member at the next dissolution of the Council after his election, or previously thereto if his seat shall become vacant under the provisions of this Order, but, if qualified, shall be eligible for re-election from time to time.
Qualifications for Elected Membership.	9. Subject to the provisions of section 10 of this Order, any person who is a British subject of the age of twenty-one or upwards shall be qualified to be an Elected Member of the Council, and no other persons shall be qualified to be elected thereto or, having been so elected, shall sit or vote in the Council or in any Committee thereof.
Disqualifications for Elected Membership.	10. No person shall be qualified to be elected as an Elected Member or, having been so elected, shall sit or vote in the Council, who at the time of election— (a) is, by virtue of his own act, under any acknowledgement of allegiance, obedience or adherence to a foreign Power or State; or (b) is an undischarged bankrupt, having been declared a bankrupt under any law in force in any part of Her Majesty's dominions or in any territory under Her Majesty's protection or in any territory in which Her Majesty has from time to time jurisdiction; or

- (c) has, in any part of Her Majesty's dominions or in any territory under Her Majesty's protection or in any territory in which Her Majesty has from time to time jurisdiction, been sentenced to death or to imprisonment (by whatever name called) for a term exceeding six months, and has not either suffered the punishment to which he was sentenced or such other punishment as may by competent authority have been substituted therefor or received a free pardon; or
- (d) has been declared to be of unsound mind under any law in force in the Colony; or
- (e) is a party to, or partner in a firm, or a director or manager of a company, which is a party to, any subsisting contract with the Government of the Colony for or on account of the public service and has not published within one month before the day of election in the Gazette and in a newspaper circulating in the electoral district for which he is a candidate a notice setting out the nature of such contract and of his interest, or of the interest of such firm or company, therein; or
- (f) holds any office of emolument under the Crown in the Colony; or
- (g) (i) is not qualified to be registered as an elector under the provisions of any law for the time being in force in the Colony or, being so qualified, is not so registered; or
 - (ii) is disqualified for election by any law for the time being in force in the Colony by reason of his holding, or acting in, any office the functions of which involve:
 - (a) any responsibility for, or in connection with, the conduct of any election; or
 - (b) any responsibility for the compilation or revision of any electoral register; or
 - (iii) has not ordinarily resided in the Colony for a period of not less than three years; or
- (h) is disqualified for membership of the Council by any law for the time being in force in the Colony relating to offences connected with the election of Elected Members.

Vacation of
Seats.

11. (1) The seat of an Elected Member of the Council shall become vacant—

- (a) upon his death; or
- (b) if he shall be absent from two consecutive meetings of the Council without having obtained from the Governor, before the termination of either of such meetings, permission to be or to remain absent therefrom; or

- (c) if he shall do, concur in or adopt any act done with the intention that he shall become a subject or citizen of any foreign Power or State; or
- (d) if he shall, by writing under his hand directed to the Governor, resign his seat in the Council; or
- (e) if he shall be appointed to any office of emolument under the Crown; or
- (f) if he shall become disqualified from being registered as an elector under the provisions of any law of the Colony in that behalf, or, not being so disqualified, shall cease to be registered as such; or
- (g) if he shall otherwise cease to be qualified for election under the provisions of this Order.

(2) Subject to the provisions of this Order, all questions which may arise as to the right of any person to be or remain an Elected Member shall be determined by the Supreme Court of the Colony in accordance with the provisions of any law for the time being in force in the Colony.

Temporary
Members.

12. (1) Whenever there shall be a vacancy in the number of persons sitting as Ex-officio Members of the Council by reason of the fact that —

- (a) an Ex-officio Member is administering the Government of the Colony; or
- (b) the person holding the substantive appointment of Financial Secretary is lawfully discharging the functions of Chief Secretary; or
- (c) the person holding the substantive appointment of Chief Secretary or Financial Secretary is incapable by reason of illness of discharging the functions of his office; or
- (d) no person is holding the substantive appointment of Chief Secretary or Financial Secretary; or
- (e) an Ex-officio Member is absent from the Colony,

the Governor may by Instrument under the Public Seal appoint a person to be a temporary Ex-officio Member for the period of such vacancy.

(2) Any person appointed to be a temporary Ex-officio Member shall be a person holding office of emolument under the Crown in the Colony and, so long as his appointment shall subsist, the provisions of this Order shall, subject to the provisions of this section, apply to him as if he were an Ex-officio Member.

(3) The Governor shall forthwith report every temporary appointment made under this section to Her Majesty through a Secretary of State and such appointment may (without prejudice to anything done by virtue thereof) be revoked by the Governor by Instrument under the Public Seal.

(4) A temporary appointment made under this section shall cease to have effect on notification by the Governor, or on supercession of the appointment by

the definitive appointment of a person to fill the vacancy, or when the vacancy shall otherwise cease to exist.

Presiding in
Legislative
Council.

13. The Governor, if present, shall preside at meetings of the Council, and in his absence such Member as the Governor may from time to time appoint in writing, or in the absence of the Member so appointed or if no Member be so appointed, the Member present who stands first in order of precedence shall preside.

Precedence of
Members.

14. (1) After the Governor, the Members of the Council shall take precedence among themselves as Her Majesty may specially assign, and in default thereof as follows —

Firstly, the Ex-officio Members in the order in which their offices are referred to in section 5 of this Order;

Secondly, the Elected Members, according to the length of time during which they have been continuously Members of the Council, Members elected at the same time taking precedence among themselves in such order as the Governor may direct.

(2) For the purposes of this section —

(a) Members elected to the Council as first constituted under this Order shall be deemed to have been elected on the date on which the report of the return of the first successful candidate for election in the applicable General Election is made to the Governor; and

(b) in ascertaining the period during which a person has continuously been a Member of the Council:

(i) no account shall be taken of any interval between the vacation by that person of his seat in the Council in consequence of the expiration of his tenure of office or a dissolution of the Council and the date of his re-election to fill a vacancy in the Council caused by that expiration of tenure or that dissolution; and

(ii) if any person having been, for any period immediately before the appointed day, a Member of the Legislative Council constituted by the Letters Patent of 1892, was elected as a Member by virtue of the first elections to the Council after the appointed day, he shall be deemed to have been a Member of the Council so constituted for that period; and no account shall be taken of any interval between the day preceding the appointed day and the date upon which he was first elected to the Council, or of any interval in his membership of the Legislative Council constituted by the Letters Patent of 1892 between the

expiration of his tenure of office and his election to fill the vacancy thereby caused.

Filling of
vacancies.

15. Whenever the seat of an Elected Member becomes vacant, a fresh election shall be held to fill the vacancy in accordance with the provisions of this Order."

Amendment of section 26 of the principal Order

3. Section 26 of the principal Order is amended by deleting the words "and appointment" in subsection (2).

Amendment of section 30 of the principal Order

4. Section 30 of the principal Order is amended by deleting the words "or appointed" and "or appointment" wherever they appear in subsection (1) (a), and by substituting the words "Chief Secretary" for the words "Colonial Secretary" in subsection (2).

5. In the case of the first general election to be held after the coming into force of this Order, section 26 (2) of the principal Order (which requires an election to be held within three months of every dissolution) shall be read as if the words "four months" were substituted for the words "three months".

N. E. LEIGH,

Clerk of the Privy Council.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order provides for the abolition of the seats of the two Nominated Independent Members of the Legislative Council of the Falkland Islands and the increase from four to six in the numbers of seats of Elected Members.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXXVI

11 JULY 1977

No. 9

Appointment

Richard James Stevens, Teacher, Education Department, 23.6.77.

NOTICES

No. 40. 29th June 1977.

The following telegrams which were exchanged on the occasion of Her Majesty the Queen's Silver Jubilee are published for general information —

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

On the occasion of Her Majesty's Silver Jubilee, I should be grateful if you would convey to Her Majesty the Queen the loyal and heartfelt greetings of Her subjects in the Falkland Islands and Dependencies who, with humble duty, ask Her Majesty to accept their most respectful congratulations and felicitous good wishes.

PARKER - Governor.

*From Her Majesty the Queen
to His Excellency the Governor*

I thank you and the people of the Falkland Islands and Dependencies most sincerely for your kind message on the occasion of my Silver Jubilee.

ELIZABETH R.

Ref. ROY/1/1.

No. 41. 8th July 1977.

The Air Navigation (Overseas Territories) Order 1977
(Article 92)

Pursuant to Article 92 of the Air Navigation (Overseas Territories) Order 1977, Mr. Stephen Hughes, of the Civil Aviation Department is hereby authorized for the purposes of any of the provisions of the Order specified in the following Schedule —

SCHEDULE

Article 9 (4) (d)

Article 11 (5) (e)

2. The Notice issued under Article 81 of the Colonial Air Navigation Orders 1961 to 1972 dated 8th January 1976, insofar as it relates to Mr. Ian B. Bridges, is cancelled.

J. R. W. PARKER,
Governor.

No. 42. 8th July 1977.

Birthday Honours 1977

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

ARTHUR JOSEPH PHILIP MONK, ESQ.,

to be an Officer of the Most Excellent Order of the British Empire; and

DENNIS JOHN SOLLIS, ESQ., B.E.M.,

to be a Member of the Most Excellent Order of the British Empire.

Ref. ROY/31/4.

11th July 1977.

No. 43.

HER MAJESTY THE QUEEN'S SILVER JUBILEE

His Excellency the Governor directs the publication, for general information, of the following Address of Congratulation transmitted to the Secretary of State for Foreign and Commonwealth Affairs for submission to Her Majesty the Queen on the occasion of Her Majesty's Silver Jubilee:

"We, the Governor and Commander-in-Chief, and the Members of Executive and Legislative Councils of the Colony of the Falkland Islands humbly desire, on behalf of the whole population of the Colony, to convey to Your Majesty, on the happy occasion of Your Majesty's Silver Jubilee, an assurance of the respectful affection borne by everyone in this Colony to Your Majesty's Throne and Person, and they hope and pray that Your Majesty's reign may be prolonged to bring new strength to the great Commonwealth of which this Colony forms so small, but so loyal a part."

Ref. ROY/1/1.

PROCLAMATION

No. 2 of 1977

Made under section 24 of the Falkland Islands (Legislative Council)
Orders in Council, 1948 to 1976.

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.

J. R. W. PARKER



*By His Excellency JAMES ROLAND WALTER PARKER,
ESQUIRE, Officer 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.*

WHEREAS by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1976, 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, JAMES ROLAND WALTER PARKER, Officer 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 19th day of July 1977 at 3.00 p.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 11th day of July in the Year of Our Lord One thousand Nine hundred and Seventy-seven.

By His Excellency's Command,

ARTHUR J. P. MONK,
Chief Secretary.

Ref. LEC/35/1.

Appointment of Governor's Deputy and specification of powers and functions vested in the Governor which he may exercise and perform.

WHEREAS paragraph (1) of Article 8 of the Falkland Islands Letters Patent, 1948 to 1962, provides that whenever the Governor has occasion to be absent from the seat of Government but not from the Colony, or to be absent from the Colony for a period which he has reason to believe will be of short duration, or whenever by reason of illness which he has reason to believe will be of short duration he considers it desirable so to do, he may, by Instrument under the Public Seal, appoint any person in the Colony to be his Deputy during such absence or illness, and in that capacity to exercise and perform for and on behalf of the Governor during such absence or illness all such powers and functions vested in the Governor as shall be specified in such Instrument:

AND WHEREAS Article 3 of the Falkland Islands Dependencies Letters Patent, 1908, provides that the Officer for the time being Administering the Government of the Colony of the Falkland Islands shall be Governor for the time being of the Falkland Islands Dependencies:

AND WHEREAS I shall have occasion to leave Stanley on the 9th day of July for the purpose of visiting the Camp.

NOW, THEREFORE, under and by virtue of the powers aforesaid I, JAMES ROLAND WALTER PARKER, ESQUIRE, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, and Vice-Admiral of the same, do hereby appoint GORDON JAMES AUGUSTUS SLATER, ESQUIRE, to be Governor's Deputy in and for the Colony of the Falkland Islands and its Dependencies and in that capacity to exercise and perform for and on behalf of the Governor (except while and in so far as provision to the contrary made by the Governor under Article 8 of the said Letters Patent is operative) and subject always to the provisions of the said Letters Patent, all such powers and functions as are vested in the Governor other than those vested by sections 6, 18 and 21A, sub-section (1) of section 24 and sub-section (1) of section 26, of the Falkland Islands (Legislative Council) Orders, 1948 to 1973, by paragraph (1) of Article 10 and Articles 13, 15 and 16 of the said Letters Patent and by paragraph (b) of clause 3, sub-paragraph (a) of paragraph (1) of clause 5 and clause 22 of the Royal Instructions to the Governor dated the 13th day of December 1948.

This Instrument shall come into operation on the 9th day of July 1977 and shall remain in force until my return to Stanley.

LS

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, this 8th day of July in the year of Our Lord One thousand Nine hundred and Seventy-seven.

J. R. W. PARKER,
Governor and Commander-in-Chief.

Assented to in Her Majesty's name this 29th day of June 1977.

J. R. W. PARKER,
Governor.

LS

No. 1



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.
Governor.

An Ordinance

Title.

To provide for the service of the year
1977-78.

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 (1977-78) Ordinance 1977.

Appropriation of
£2,235,405 for the service
of the year 1977-78.

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 1977 to 30th June 1978, a sum not exceeding Two million, two hundred and thirty-five thousand, four hundred and five 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 1977-78.

SCHEDULE

Schedule.

Number	HEAD OF SERVICE	£
I.	The Governor	33,196
II.	Agriculture	6,568
III.	Aviation	112,372
IV.	Customs and Harbour	34,089
V.	Education	149,804
VI.	Medical	184,284
VII.	Meteorological	10,928
VIII.	Military	5,892
IX.	Miscellaneous	19,672
X.	Pensions and Gratuities	43,283
XI.	Police and Prisons	25,102
XII.	Posts and Telecommunications	133,252
XIII.	Public Works	160,085
XIV.	Public Works Recurrent	120,370
XV.	Public Works Special	42,860
XVI.	Secretariat, Treasury and Central Store	142,766
XVII.	Overseas Passages	70,429
XVIII.	Social Welfare	27,046
XIX.	Supreme Court and Legal	14,867
XX.	Training	15,000
Total Ordinary Expenditure		1,351,865
Development A		
	Expenditure to be met from Colony funds	153,130
Development B		
	Expenditure to be met from U.K. Aid	530,410
Total Ordinary and Development Expenditure		2,035,405
XXI.	Transfer to Development Fund	200,000
Total Expenditure		£ 2,235,405

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.

W. A. ETHERIDGE,
Clerk of the Legislative Council.

Ref. TRE/14/10.

Assented to in Her Majesty's name this 29th day of June 1977.

J. R. W. PARKER,
Governor.



No. 2



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.
JAMES ROLAND WALTER PARKER, O.B.E.
Governor.

An Ordinance

Title.

To legalise certain payments made in the year 1975-76 in excess of the Expenditure sanctioned by Ordinance No. 1 of 1975.

Preamble.

Whereas it is expedient to make further provision for the service of the Colony for the period 1st July 1975 to 30th June 1976.

Enacting clause.

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

Short title.

1. This Ordinance may be cited for all purposes as the Supplementary Appropriation (1975-76) Ordinance 1977.

Appropriation of excess expenditure for the period 1st July 1975 to 30th June 1976.

2. The sums of money set forth in the Schedule hereto having been expended for the services herein mentioned beyond the amounts granted for those services by the Ordinance providing for the service for the period 1st July 1975 to 30th June 1976, 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							£
I.	The Governor	...	...	...	...	...	4,167
III.	Aviation	...	...	...	...	...	29,687
VIII.	Military	...	...	...	...	...	3,178
IX.	Miscellaneous	...	...	...	...	...	14,070
X.	Pensions and Gratuities	...	...	...	...	...	4,780
XV.	Public Works Special	...	...	...	...	...	15,228
XVI.	Secretariat, Treasury and Central Store	...	...	...	...	...	22,027
XVII.	Overseas Passages	...	...	...	...	...	58
							£ 93,195

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.

W. A. ETHERIDGE,
Clerk of the Legislative Council.

Ref. TRE/14/6.

Assented to in Her Majesty's name this 30th day of June 1977.

J. R. W. PARKER,
Governor.



No. 3



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.
Governor.

An Ordinance

Title.

Further to amend the Post Office Ordinance.

Date of commencement.

(11th July 1977)

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 Post Office (Amendment) Ordinance 1977.

Repeal and replacement of section 8.

2. Section 8 of the Post Office Ordinance is repealed and replaced by the following new section —

"Payment for carriage of mail.

8. The Postmaster shall, on demand, pay to the master, owner or agent of any vessel, not being Government or under contract with the Government, such fee, for mail safely carried and delivered, as may be fixed from time to time by the Governor in Council."

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

W. A. ETHERIDGE,
Clerk of the Legislative Council.

Ref P&T/10/3.

Assented to in Her Majesty's name this 30th day of June 1977.

J. R. W. PARKER,
Governor.



No. 4



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.
Governor.

An Ordinance

Further to amend the Stanley Town
Public Services Ordinance 1973. Title.

(11th July 1977)

Date of commencement.

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

Enacting clause.

1. This Ordinance may be cited as the Stanley Town Public Services (Amendment) Ordinance 1977.

Short title.

2. Section 25 of the Stanley Town Public Services Ordinance 1973 is amended by —

Amendment of section 25.
(6 of 1973)

(a) renumbering it as subsection (1) thereof; and

(b) inserting the following new subsection —

“(2) Any person who fails to comply with any rule made under subsection (1) shall be guilty of an offence.”.

—
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.

W. A. ETHERIDGE,
Clerk of the Legislative Council.

Ref. INT/10/3.

Assented to in Her Majesty's name this 30th day of June 1977.

J. R. W. PARKER,
Governor.

LS

No. 5



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.

Governor.

An Ordinance

Title.

Further to amend the Pensions Ordinance 1965.

Enacting clause.

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

Short title and commencement.

1. This Ordinance may be cited as the Pensions (Amendment) Ordinance 1977, and shall be deemed to have come into force on 1st January 1974, except that Section 2 (A) thereof shall be deemed to have come into force on 1st April 1972.

Amendment of section 2 of Ordinance No. 6 of 1965.

2. Section 2 (1) of the Pensions Ordinance 1965 is amended —

(A) by substituting a colon for the full stop at the end of the definition "Inducement Allowance" and adding the following — "Provided that in respect of the period from 1st April 1972 to 31st December 1973 it means the inducement allowance referred to in paragraph 5 of the Overseas Service (Falkland Islands) Agreements 1971 and 1972;";

(B) by substituting the following for the definition of "PENSIONABLE EMOLUMENTS" —

"PENSIONABLE EMOLUMENTS"

(a) in respect of public service of non-designated officers under the Government of the Colony include —

- (i) salary;
- (ii) personal allowances; and
- (iii) overseas allowance;

but do not include any other emoluments or allowances whatever;

- (b) in respect of public service of designated officers under the Government of the Colony include —
 - (i) equivalent United Kingdom salary; and
 - (ii) inducement element;
 but do not include any other emoluments or allowances whatever;
- (c) in respect of other public service means emoluments which count for pension in accordance with the law or regulations in force in such service";
- (c) by inserting in their proper alphabetical positions, the following new definitions —

"DESIGNATED OFFICER" means a pensionable officer designated as such in pursuance of the Overseas Service (Falkland Islands) Agreement 1961 or the Overseas Service (Falkland Islands) Agreements 1971 and 1972, or any agreement specified by the Governor with the consent of the Secretary of State for the purpose of this definition.

"EQUIVALENT UNITED KINGDOM SALARY" means the notional United Kingdom salary taken into account in calculating the salary supplement of a designated officer, as notified to the Government of the Colony by the Government of the United Kingdom.

"INDUCEMENT ELEMENT" means the inducement element taken into account in calculating the salary supplement of a designated officer as notified to the Government of the Colony by the Government of the United Kingdom.

"NON-DESIGNATED OFFICER" means a pensionable officer not designated in pursuance of the Overseas Service (Falkland Islands) Agreement 1961 or the Overseas Service (Falkland Islands) Agreements 1971 and 1972, or any agreement specified by the Governor with the consent of the Secretary of State for the purpose of the definition of "DESIGNATED OFFICER".

"SALARY SUPPLEMENT" means the supplement paid to a designated officer by administrative arrangements for the period from 1st January 1974 to 30th March 1976 and thereafter in pursuance of the Overseas Service (Falkland Islands) (Continuance) Agreement 1971/1976."

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.

W. A. ETHERIDGE,
Clerk of the Legislative Council.

Assented to in Her Majesty's name this 30th day of June 1977.

J. R. W. PARKER,
Governor.



No. 6



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.
Governor.

An Ordinance

Title. To repeal the Government Employees Provident Fund Ordinance.

Date of commencement. (11th July 1977)

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 Government Employees Provident Fund (Repeal) Ordinance 1977.

Repeal of Cap. 28. 2. The Government Employees Provident Fund Ordinance is repealed.

Repayment to depositors and disposal of surplus. 3. Any depositor having money in the Non-Pensionable Employees Provident Fund, a fund established under section 4 of the Repealed Ordinance at the date of the repeal of the Ordinance shall receive the full amount standing to his credit on that date, and any surplus thereafter remaining in the Fund shall be transferred to the general revenues of the Colony.

Effect of repeal. 4. Nothing in this Ordinance shall affect any right, privilege, obligation or liability acquired or incurred under the Ordinance hereby repealed and any legal proceedings or remedy may be instituted, continued or enforced, as if this Ordinance had not been passed.

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.

W. A. ETHERIDGE,
Clerk of the Legislative Council.

Ref. TRE/2/4.

Assented to in Her Majesty's name this 29th day of June 1977.

J. R. W. PARKER,
Governor.

LS

No. 7



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.
Governor.

An Ordinance

To provide for the payment of allowances to Unofficial Members of the Executive Council and to make provision for matters incidental thereto.

Title.

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

Enacting clause.

1. This Ordinance may be cited as the Executive Council (Allowances) Ordinance 1977, and shall come into operation on a day to be appointed by the Governor by notice in the Gazette.

Short title and commencement.

2. In this Ordinance, unless the context otherwise requires —
“Council” means the Executive Council of the Colony;
“member” means an unofficial member of the Council.

Interpretation.

3. Members shall be paid, from money provided by the Legislative Council, allowances in respect of their services as members at such rates as the Governor in Council may from time to time by order authorize.

Allowances of members.

4. For all or any of the purposes of Clause 2 (4) of the Falkland Islands (Legislative Council) Order in Council 1948, members of the Council receiving allowances in respect of their Service as members of the Council shall not be considered to hold an office of emolument under the Crown.

Allowances not to be considered an emolument under the Crown.

Decision of Presiding
Officer.

5. If any question arises as to whether any member is or is not entitled to any payment under the provisions of this Ordinance or of any order made thereunder, the decision on such question of the President of the Council, or of any person entitled to preside over the Council, shall be final and shall not be questioned save in the Council.

Prohibition against double
allowances.

6. Not more than one allowance, whether under this Ordinance or under the Legislative Council (Allowances) Ordinance 1977, shall be payable to any one member.

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.

W. A. ETHERIDGE,
Clerk of the Legislative Council.

Ref. EXC/10/1.

Assented to in Her Majesty's name this 29th day of June 1977.

J. R. W. PARKER,
Governor.



No. 8



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.
Governor.

An Ordinance

To provide for the payment of allowances
to Unofficial Members of the Legislative Council,
to empower the Governor in Council to make
declarations that membership of certain bodies
shall not be an office of emolument under the
Crown and to make provision for matters inci-
dental thereto.

Title.

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

Enacting clause.

1. This Ordinance may be cited as the Legislative Council
(Allowances) Ordinance 1977, and shall come into operation on a day
to be appointed by the Governor by notice in the Gazette.

Short title and commence-
ment.

2. In this Ordinance, unless the context otherwise requires —
“Council” means the Legislative Council of the Colony;
“member” means an unofficial member of the Council.

Interpretation.

3. Members shall be paid, from money provided for the
purpose by the Council, allowances in respect of their services as
members at such rates as the Governor in Council may from time to
time by order authorize.

Allowances of members.

4. The Governor in Council may, by order in the Gazette,
declare, either generally or in relation to any person named in such
order, that membership of any council, commission, board, committee
or other body named in such order shall not be an office of emolument
under the Crown.

Declarations in respect of
certain bodies.

Decision of Presiding
Officer.

5. If any question arises as to whether any member is or is not entitled to any payment under the provisions of this Ordinance or of any order made thereunder, the decision on such question of the President of the Council, or of any person entitled to preside over the Council, shall be final and shall not be questioned save in the Council.

Prohibition against double
allowances.

6. Not more than one allowance, whether under this Ordinance or the Executive Council (Allowances) Ordinance, 1977, shall be payable to any one member.

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.

W. A. ETHERIDGE,
Clerk of the Legislative Council.

Ref. LEC/10/2.

Assented to in Her Majesty's name this 29th day of June 1977.

J. R. W. PARKER,
Governor.



No. 9



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.
Governor.

An Ordinance Further to amend the Income Tax Ordinance.

(1st January 1977)

Date of commencement.

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

Enacting clause.

1. (1) This Ordinance may be cited as the Income Tax (Amendment) Ordinance 1977.

Short title and commencement.

(2) The amendment to the Income Tax Ordinance made by section 2 shall apply in relation to all assessments made in respect of the year of assessment commencing on the 1st day of January 1978 and subsequent years of assessment.

Cap. 32.

2. Section 8 of the Income Tax Ordinance is amended —

Amendment of section 8.

(a) in paragraph (m) by deleting the full stop and substituting a semi-colon; and

(b) by inserting after paragraph (m) the following new paragraph —

“(n) any allowance paid to any unofficial member of the Executive or Legislative Councils under the provisions of the Executive Council (Allowances) Ordinance 1977 or the Legislative Council (Allowances) Ordinance 1977 in respect of services as a member of council.”.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

W. A. ETHERIDGE,
Clerk of the Legislative Council.

Ref. INC/10/5.

Assented to in Her Majesty's name this 30th day of June 1977.

J. R. W. PARKER,
Governor.



No. 10



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.
Governor.

An Ordinance

Title.

Further to amend the Old Age Pensions Ordinance 1952.

Enacting clause.

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 1977.

(2) The provisions of Sections 2 and 3 of this Ordinance shall come into operation on the 4th day of July 1977 and the provisions of Section 4 of this Ordinance shall come into operation on the 27th day of June 1977.

Amendment of section 6.

2. Section 6 of the Old Age Pensions Ordinance 1952 (hereinafter referred to as the principal Ordinance) is amended in subsection (2) by —

- (i) deleting in paragraph (a) "62p" and substituting "72p";
- (ii) deleting in paragraph (b) "92p" and substituting "£1.08"; and
- (iii) deleting in paragraph (c) "£1.54" and substituting "£1.80".

Amendment of section 6A.

3. Section 6A of the principal Ordinance is amended in subsection (2) by deleting "£1.54" and substituting "£1.80".

Amendment of Schedule.

4. The Schedule to the principal Ordinance is amended by deleting "£9.00", "£6.00", "£6.00" and "£6.00" and substituting "£10.50", "£7.00", "£7.00" and "£7.00" 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.

W. A. ETHERIDGE,
Clerk of the Legislative Council.

Ref. TRE/2/1.

Assented to in Her Majesty's name this 30th day of June 1977.

J. R. W. PARKER,
Governor.



No. 11



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.
Governor.

An Ordinance

Further to amend the Non-contributory Old Age Pensions Ordinance 1961.

(4th July 1977)

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 Non-contributory Old Age Pensions (Amendment) Ordinance 1977 and shall come into operation on the 4th day of July 1977.

Short title and commencement.

2. Section 4 of the Non-contributory Old Age Pensions Ordinance 1961 (hereinafter referred to as the principal Ordinance) is amended by —

Amendment of section 4.

- (i) deleting in paragraph (b) "£500" and substituting "£650";
- (ii) deleting in paragraph (c) "£300" and substituting "£400";
- and
- (iii) deleting in paragraph (d) "£300" and substituting "£400".

3. The Schedule to the principal Ordinance is amended by deleting "£6.00", "£4.00" and "£4.00" and substituting the following respectively —

Amendment of Schedule.
(7 of 1961)

"£8.50", "£6.00" and "£6.00".

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.

W. A. ETHERIDGE,
Clerk of the Legislative Council.

Ref. TRE/2/2.

Protection of Wrecks Ordinance 1977

ARRANGEMENT OF SECTIONS

Section

1. Citation
 2. Interpretation
 3. Protection of sites of historic wrecks
 4. Prohibition on approaching dangerous wrecks
 5. Saving
 6. Penalties
-

Assented to in Her Majesty's name this 7th day of July 1977.

J. R. W. PARKER,
Governor.



No. 12



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.
JAMES ROLAND WALTER PARKER, O.B.E.
Governor.

An Ordinance

To secure the protection of wrecks in territorial waters and sites of such wrecks, from interference by unauthorised persons; and for connected purposes.

Title.

(11th July 1977)

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 Protection of Wrecks Ordinance 1977.

Citation.

2. In this Ordinance —

“Colonial waters” means any part of the sea within the seaward limits of the territorial waters of the Colony and includes any part of a river within the ebb and flow of ordinary spring tides;

“the sea” includes any estuary or arm of the sea; and reference to the sea bed includes any area submerged at high water of ordinary spring tides.

Interpretation.
1973 c. 33 s. 3(1).

3. (1) If the Governor is satisfied with respect to any site in Colonial waters that —

Protection of sites of historic wrecks.
1973 c. 33 s. 1.

(a) it is, or may prove to be, the site of a vessel lying wrecked on or in the sea bed; and

- (b) on account of the historical, archaeological or artistic importance of the vessel, or of any objects contained or formerly contained in it which may be lying on the sea bed in or near the wreck, the site ought to be protected from unauthorised interference,

he may by order designate an area round the site as a restricted area.

(2) An order under this section shall identify the site where the vessel lies or formerly lay, or is supposed to lie or have lain, and —

- (a) the restricted area shall be all within such distance of the site (so identified) as is specified in the order, but excluding any area above high water mark of ordinary spring tides; and
- (b) the distance specified for the purposes of paragraph (a) above shall be whatever the Governor thinks appropriate to ensure protection for the wreck.

(3) Subject to section 5 below, a person commits an offence if, in a restricted area, he does any of the following things otherwise than under the authority of a licence granted by the Governor —

- (a) he tampers with, damages or removes any part of a vessel lying wrecked on or in the sea bed, or any object formerly contained in such a vessel; or
- (b) he carries out diving or salvage operations directed to the exploration of any wreck or to removing objects from it or from the sea bed, or uses equipment constructed or adapted for any purpose of diving or salvage operations; or
- (c) he deposits, so as to fall and lie abandoned on the sea bed, anything which, if it were to fall on the site of a wreck (whether it so falls or not), would wholly or partly obliterate the site, or obstruct access to it, or damage any part of the wreck;

and also commits an offence if he causes or permits any of these things to be done by others in a restricted area, otherwise than under the authority of such a licence.

(4) Before making an order under this section, the Governor shall consult with such persons as he considers appropriate having regard to the purposes of the order; but this consultation may be dispensed with if he is satisfied that the case is one in which an order should be made as a matter of immediate urgency.

(5) A licence granted by the Governor for the purposes of subsection (3) above shall be in writing and —

- (a) the Governor shall in respect of a restricted area grant licences only to persons who appear to him either —
 - (i) to be competent, and properly equipped, to carry out salvage operations in a manner appropriate to the historical, archaeological or artistic importance of any wreck which may be lying in the area, and of any objects contained or formerly contained in a wreck, or
 - (ii) to have any other legitimate reason for doing in the area that which can only be done under the authority of a licence;
- (b) a licence may be granted subject to conditions or restrictions, and may be varied or revoked by the Governor at any time after giving not less than one week's notice to the licensee; and

- (c) anything done contrary to any condition or restriction of a licence shall be treated for purposes of subsection (3) above as done otherwise than under the authority of the licence.

(6) Where a person is authorised, by a licence of the Governor granted under this section, to carry out diving or salvage operations, it is an offence for any other person to obstruct him, or cause or permit him to be obstructed, in doing anything which is authorised by the licence, subject however to section 5 below.

4. (1) If the Governor is satisfied with respect to a vessel lying wrecked in Colonial waters that —

Prohibition on approaching dangerous wrecks.
1973 c. 33 s. 2.

- (a) because of anything contained in it, the vessel is in a condition which makes it a potential danger to life or property; and
- (b) on that account it ought to be protected from unauthorised interference,

he may by order designate an area round the vessel as a prohibited area.

(2) An order under this section shall identify the vessel and the place where it is lying and —

- (a) the prohibited area shall be all within such distance of the vessel as is specified by the order, excluding any area above high water mark of ordinary spring tides; and
- (b) the distance specified for the purposes of paragraph (a) above shall be whatever the Governor thinks appropriate to ensure that unauthorised persons are kept away from the vessel.

(3) Subject to section 5 below, a person commits an offence if, without authority in writing granted by the Governor, he enters a prohibited area, whether on the surface or under water.

5. Nothing is to be regarded as constituting an offence under this Ordinance where it is done by a person —

Saving.
1973 c. 33 s. 3(3).

- (a) in the course of any action taken by him for the sole purpose of dealing with an emergency of any description; or
- (b) in exercising, or seeing to the exercise of functions conferred by or under an enactment on him; or
- (c) out of necessity due to stress of weather or navigational hazards.

6. A person guilty of an offence under section 3 or section 4 above shall be liable on summary conviction to a fine of not more than £400, or on conviction on indictment to a fine of not less than £400.

Penalties.
1973 c. 33 s. 3(4).

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.

W. A. ETHERIDGE,
Clerk of the Legislative Council.

Assented to in Her Majesty's name this 7th day of July 1977.

J. R. W. PARKER,
Governor.



No. 13



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.
Governor.

An Ordinance

Title.

To make provision for the preparation
and publication of a revised edition of the
laws of the Colony.

Date of commencement.

(11th July 1977)

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 Revised Edition of the
Laws Ordinance 1977.

Definitions.

2. In this Ordinance —

“Imperial Laws” means Imperial Statutes, Imperial Orders in
Council, Royal Proclamations, Letters Patent and Royal
Instructions and any legislation or instrument made there-
under and includes any amendment made to such Imperial
Laws by any Ordinance or subsidiary legislation;

“Laws” means Ordinances, subsidiary legislation and Imperial
Laws;

“Revised Edition” means the revised edition of the laws of
the Colony and the Dependencies to be prepared under the
authority of this Ordinance;

"Subsidiary legislation" means the proclamations, rules, regulations, orders, by-laws, notifications, resolutions and other forms of subordinate legislation made or enacted under the authority of any Ordinance.

3. (1) FREDERICK GEORGE COOKE, Barrister-at-Law, is hereby appointed the Commissioner to prepare a revised edition of the written Laws of the Colony and the Dependencies.

Appointment of
Commissioner.

(2) If the said Commissioner is unable for any cause fully to discharge his duties under this Ordinance, the Governor may appoint some other fit and proper person to be the Commissioner in his stead.

4. (1) The revised edition shall comprise —

Matters to be included in
the revised edition.

- (a) all Ordinances in force in the Colony and Dependencies, except such as are omitted under the provisions of sections 6 and 7;
- (b) all subsidiary legislation in force in the Colony and Dependencies, except such as is omitted under the provisions of sections 6 and 7:

Provided that in lieu of republishing any subsidiary legislation, the Commissioner may, where he considers it convenient, set out the effect of the legislation in tabular or abbreviated form; and

- (c) such Imperial Laws in force in the Colony as the Commissioner may consider it desirable to republish or lists of and references to all or any such Imperial Laws.

(2) The revised edition shall contain also —

- (a) a list of all Ordinances contained in the last revised edition and a chronological list of all Ordinances subsequently enacted, with notes showing how the same have been dealt with;
- (b) a list of all Ordinances omitted from the revised edition under the provisions of section 6;
- (c) a table of contents; and
- (d) an alphabetical index.

5. (1) Subject to the provisions of section 8, each Ordinance shall form a separate chapter and chapters shall be numbered and arranged under such titles as the Commissioner may determine and below the number of each chapter there shall be set out the subject matter of the chapter and the date on which the principal Ordinance came into force.

Form of the revised
edition.

(2) The number and year of the principal Ordinance and of any amending or incorporated law shall be set out in the margin at the commencement of each chapter and the Commissioner may also, so far as may be convenient, set out in the margin in respect of any section that has been amended, a reference to the amending enactment.

6. (1) It shall not be necessary for the Commissioner to include in the revised edition —

Omission of subsisting
laws.

- (a) any current financial Appropriation Ordinance;
- (b) any law containing only special provision in relation to the pension of any person named therein; and
- (c) any law which he considers unnecessary to republish as not being of general or of current importance.

(2) Any Ordinance or subsidiary enactment omitted from the revised edition under the provisions of subsection (1) shall remain in full force until the same have expressly been repealed or revoked or shall have expired or become spent or had their effect.

Other matter that may be omitted.

7. The Commissioner may also, where he considers it convenient, omit from the revised edition —

- (a) laws or parts of laws which have been repealed or revoked expressly or by necessary implications, or which have expired or have become spent or have had their effect;
- (b) repealing or revoking enactments and tables and lists of repealed or revoked enactments whether contained in schedules or otherwise;
- (c) preambles and long titles to and recitals in law;
- (d) all introductory words of enactment;
- (e) enactments prescribing the date when, or the manner in which, any law or part of any law is to come into operation;
- (f) amending laws or parts thereof when the amendments effected thereby have been embodied by the Commissioner in the laws to which they relate;
- (g) transitional provisions; and
- (h) in any enactment, the interpretation of any expression which is defined in similar or identical terms with the definition of that expression contained in the Interpretation and General Clauses Ordinance.

Miscellaneous powers of Commissioner.

8. (1) The Commissioner shall have power —

- (a) to arrange the laws by chapters in such order and manner and in such groups as he may determine;
- (b) to consolidate into one law any two or more laws in *pari materia*, making such alterations as are thereby rendered necessary or expedient and offering such date thereto as may seem most convenient;
- (c) to divide any law into two or more laws and to make such amendments, including the supplying of titles or the alteration of existing titles, as are thereby rendered necessary;
- (d) to transfer any provision contained in any law from that law to any other law to which, in his opinion, it more properly belongs;
- (e) to alter the order of sections, subsections or paragraphs in or schedules to any law or to set out any section or paragraph of any law as a schedule to that law or to transfer it to an existing schedule or to set out any schedule or part of a schedule as a section or paragraph of the law;
- (f) to alter the form or arrangement of any section, subsection or paragraph of any law either by combining it in whole or in part with another section, subsection or paragraph or by dividing it into two or more subsections or paragraphs or by transposing words;
- (g) to transfer to subsidiary legislation any part of an Ordinance which may, in his opinion, more conveniently be included as subsidiary legislation under that, or any other Ordinance;
- (h) to divide any law into parts or other divisions and to give to each such part or division a suitable heading;

- (i) to make such adaptations of or amendments to any law as may be required by virtue of any statutory provision having taken into effect or as may appear to be necessary or proper as a consequence of Constitutional or other changes in the Colony or the Dependencies or any other country or in or to any international body or organisation;
- (j) to make such formal alterations as to names, localities, offices, titles and ranks and otherwise as may be necessary to bring any law into conformity with circumstances;
- (k) to simplify the phraseology of any law and to make such formal alterations to any law as are necessary or expedient for recurring uniformity of expression;
- (l) to correct grammatical or typographical errors in the existing laws, and for that purpose to make verbal additions or alterations not affecting the meaning of any law;
- (m) to correct cross-references;
- (n) to supply or alter marginal notes;
- (o) to supply or alter tables of contents;
- (p) to number or renumber the sections or paragraphs in any laws where in his opinion it is desirable to do so;
- (q) to frame and insert definitions of terms or expressions used in any Ordinance and to substitute other terms and expressions of a like nature for those used; and
- (r) generally, to do all things relating to form and method which, in his opinion, may be necessary for the perfecting of the revised edition.

(2) The Commissioner, in republishing any Imperial Laws, treaty or convention or any extract thereof, may republish the same as amended by any other instrument or as modified in its application to the Colony and the Dependencies.

9. The powers conferred on the Commissioner by this Ordinance shall not be taken to imply any power in him to make alteration or amendment in the matter or substance of any law or part thereof and not provided for in this Ordinance.

Limitation of the Commissioner's powers.

10. (1) If the Commissioner considers it desirable that in the preparation of the revised edition there should be omissions or amendments other than those authorised by sections 6, 7 and 8 or when the revision of any law requires its entire recasting, he may draft a bill or bills setting forth such alterations and amendments and authorising them to be made or for the re-enactment of any law so recast and every such bill shall be submitted to the Executive and Legislative Councils in the ordinary way.

Amendment not authorised by sections 6, 7 and 8.

(2) Any such bill may have reference to more laws than one, although such laws may not be in *pari materia*.

11. The revised edition shall contain a clear indication whether each law included therein is in force in the Dependencies.

Laws in force in the Dependencies to be indicated.

12. All subsidiary legislation made under any law included in the revised edition, and in force at the date when the revised edition comes into force, shall continue in force until otherwise provided; and any reference in any such subsidiary legislation to the law under which it is made, or to any part thereof, or to any other enactment, shall where necessary and practicable, be construed as a reference to the corresponding provision in the revised edition.

Saving of existing subsidiary legislation.

13. (1) Where in any Ordinance reference is made to any map, chart or plan annexed to that Ordinance it shall be lawful for the Commissioner to omit from the revised edition that map, chart or plan.

Maps, charts and plans to be omitted from the revised edition.

(2) When the revised edition has been brought into force in pursuance of section 16, the Governor shall cause a duly authenticated copy of any map, chart or plan omitted by the Commissioner in pursuance of this section to be deposited in the office of the Registrar General and that deposited copy shall be open during the regular hours of opening of the said office to the inspection of any member of the public without fee, and any member of the public shall be entitled to receive an accurate copy of any such map, chart or plan upon the payment therefor of such fee as may be prescribed by the Governor. Any map, chart or plan so deposited shall have the force of law as if it were included in the revised edition.

Construction of references to repealed or amended enactments.

14. Wherever in any enactment or in any document of whatever kind, any reference is made to any enactment affected by or under the operation of this Ordinance, the reference shall, where necessary and practicable, be construed as a reference to the corresponding enactment in the revised edition.

Authentication of the revised edition.

15. Three copies of the revised edition shall be dated and signed by the Commissioner and by the Governor and shall be sealed with the Public Seal and deposited with the records of the Supreme Court.

Bringing of revised edition into force.

16. (1) The Governor being authorised thereto by a resolution of the Legislative Council may by proclamation approve the revised edition and order that the revised edition shall come into operation.

(2) Such proclamation shall specify —

- (a) the date as at which the revised edition represents the laws of the Colony; and
- (b) the date on which the revised edition is to come into operation.

Effect of the revised edition.

17. From the date when the revised edition comes into operation, it shall, subject to the provisions of sections 6 and 9 be, and shall be taken by all courts and for all purposes to be, the authentic version of the written laws of the Colony as at the date referred to in section 16 (2) (a).

Method of compiling revised edition.

18. (1) The revised edition shall be compiled in loose leaf form:

Provided that any Ordinance or the subsidiary legislation made thereunder may be bound separately or together in booklet form.

(2) Each Ordinance as prepared in accordance with the powers conferred by this Ordinance shall be contained in a separate numbered Chapter, which shall also contain the subsidiary legislation made under such Ordinance.

(3) Imperial Laws as prepared in accordance with the powers conferred by this Ordinance shall be contained in numbered appendices.

Distribution of copies of revised edition.

19. (1) Copies of the revised edition shall be distributed among such persons, officers, departments and institutions as the Governor may direct.

(2) There shall be offered to the public such number of copies at such prices as the Governor may direct.

Repeal of Ordinance.
(3 of 1943)

20. The Revised Edition of the Laws Ordinance 1943 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.

W. A. ETHERIDGE,

Clerk of the Legislative Council.

Ref. LEG/10/5.

Interpretation and General Clauses Ordinance

Arrangement of Sections

PART I

SHORT TITLE AND APPLICATION

Section

1. Short title
2. Application

PART II

INTERPRETATION OF WORDS AND EXPRESSIONS

3. Interpretation of words and expressions
4. Definitions of "Commonwealth" and "British Territory"
5. Grammatical variations and cognate expressions
6. References to Government property
7. Provisions for gender and number
8. Service by post

PART III

GENERAL PROVISIONS AS TO ORDINANCES

9. Ordinance to be public Ordinance
10. Sections and schedules
11. Citation of Ordinance
12. Government Publications
13. Collective citation
14. Reference to Ordinance as amended
15. Citation of part of Ordinance
16. Construction of reference to Ordinance, section, etc.
17. Marginal notes
18. General principles of interpretation
19. Inspection of Ordinances

PART IV

COMMENCEMENT, DISALLOWANCE, AMENDMENT AND REPEAL

20. Commencement of Ordinance
21. Disallowance
22. Ordinance and amending Ordinance to be read as one
23. Effect of repeal generally
24. Repealed Ordinance not revived
25. Repeal and substitution
26. Repeal of amended Ordinance to include amendments
27. Effect of expiry of Ordinance

PART V

SUBSIDIARY LEGISLATION

28. General provision with regard to power to make subsidiary legislation
29. Fees and charges
30. Effect of subsidiary legislation
31. Construction of subsidiary legislation
32. Exercise of statutory powers between enactment and
commencement of Ordinance
33. Acts done under subsidiary legislation deemed done under Ordinance

Section

- 34. Placing of rules, regulations and by-laws before Legislative Council
- 35. Approval of Legislative Council to subsidiary legislation
- 36. Effect of repeal on subsidiary legislation
- 37. Forms

PART VI

POWERS

- 38. Presumption of lawful exercise of power
- 39. Exercise of powers
- 40. Construction of enabling words
- 41. Power to issue licences, etc., discretionary
- 42. Power to appoint includes power to suspend, dismiss, re-appoint, etc.
- 43. Delegation by specified public officers
- 44. Effect of delegation of powers and duties
- 45. Exercise of powers in special cases
- 46. Power to make public instruments and perform acts
- 47. Power to relate back appointment

PART VII

BOARDS AND COMMITTEES

- 48. Power to appoint chairman
- 49. Power to appoint public officer to board, etc.
- 50. Appointment of alternates
- 51. Powers of board, etc., not affected by vacancy
- 52. Power of majority and exercise of powers
- 53. Seal

PART VIII

PUBLIC OFFICERS AND PUBLIC CONTRACTS

- 54. References to public officer
- 55. Power to transfer functions of public officers
- 56. Change of title of office
- 57. Appointment of officers by name or office
- 58. Filling vacancy
- 59. Power to appoint while holder on retirement leave
- 60. Contracts by public officer
- 61. Effect of past contracts by public officer
- 62. Omission of title after signature of public officer immaterial

PART IX

CROWN, GOVERNOR AND GOVERNOR IN COUNCIL

- 63. Signification of orders of Governor and Governor in Council
- 64. Delegation by Governor
- 65. Appeals and objections to Governor in Council
- 66. References to the Sovereign
- 67. Saving of rights of Crown

PART X

TIME AND DISTANCE

- 68. Time
- 69. References to "am" and "pm"

Section

- 70. Provision where no time prescribed
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- 72. Power to extend time
- 73. Public Holidays
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- 75. Warrants, etc., valid on public holiday

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- 76. Modifications
- 77. Citation of imperial enactments
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FEES, PENALTIES, OFFENCES AND PROCEEDINGS

- 82. Attempts to commit offences
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- 85. Liability of directors, etc.
- 86. Imposition of penalty not to bar civil action
- 87. Penalties prescribed to be deemed maximum penalties
- 88. Statement of penalty at end of section
- 89. Certain penalties may be cumulative
- 90. Trial of offences
- 91. Punishment of misdemeanour
- 92. Evidence of signature or fiat, etc.
- 93. Prosecution of offences
- 94. Amendment of penalty
- 95. Disposal of fines and penalties
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- 100. Copies of Ordinances, etc., in Gazette
- 101. Rectification of errors
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- 103. Declaration of Town
- 104. Division of Colony into Districts
- 105. Authority to print copies
- 106. Repeal of Interpretation and General Law Ordinance

Assented to in Her Majesty's name this 7th day of July 1977.

J. R. W. PARKER,
Governor.



No. 14



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.
Governor.

An Ordinance

Title.

To consolidate and amend the law relating to the construction, application and interpretation of laws, to make general provisions with regard thereto, to define terms and expressions used in laws and public documents, to make general provision with regard to public officers, public contracts and civil and criminal proceedings and for purposes and for matters incidental thereto or connected therewith.

Date of commencement.

(11th July 1977)

Enacting clause.

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

PART I

SHORT TITLE AND APPLICATION

Short title.

1. This Ordinance may be cited as the Interpretation and General Clauses Ordinance.

Application.

2. (1) Save where the contrary intention appears either from this Ordinance or from the context of any other Ordinance or instrument, the provisions of this Ordinance shall apply to this Ordinance and to any other Ordinance in force, whether such other Ordinance came or comes into operation before or after the commencement of this Ordinance, and to any instrument made or issued under or by virtue of any such Ordinance.

(2) This Ordinance shall be binding on the Crown.

PART II

INTERPRETATION OF WORDS AND EXPRESSIONS

3. "act", when used with references to an offence or civil wrong, includes a series of acts, an illegal omission and a series of illegal omissions; Interpretation of words and expressions.
- "Act" and "Statute" mean an Act or Statute of Parliament;
- "adult" means a person who has attained the age of eighteen years;
- "aircraft" means any machine that can derive support in the atmosphere from the reactions of the air;
- "alien" means any person who is not a British subject, a British protected person or a citizen of the Republic of Ireland;
- "amend" means repeal, revoke, cancel, add to or vary and the doing of all or any of such things simultaneously or by the same Ordinance or instrument;
- "arrestable offence" means an offence for which the sentence is fixed by law or for which a person may under or by virtue of any law be sentenced to imprisonment for a term exceeding twelve months, and an attempt to commit any such offence;
- "Attorney General" means the Attorney General of the Falkland Islands;
- "British subject" means a person who is a British subject by virtue of any provision of the British Nationality Act 1948; (1948 c. 56)
- "Christian name" means any name prefixed or suffixed to a surname, whether received in Christian baptism or otherwise;
- "Clerk of Councils" means the Clerk to the Executive Council and the Legislative Council and any person appointed by the Governor to be Deputy Clerk of Councils;
- "coin" means gold, silver, bronze, cupro-nickel or other coin in use as legal currency in the Falkland Islands;
- "The Colony" means the Colony of the Falkland Islands and shall be deemed to include the territorial waters thereof;
- "Colonial waters" include territorial waters;
- "Chief Secretary" means the Chief Secretary of the Falkland Islands and the Deputy Chief Secretary;
- "commencement", when used with reference to any Ordinance, means the date on which the Ordinance came or comes into operation;
- "committed for trial", when used in relation to any person, means —
- (a) committed to prison with a view to his being tried before the Supreme Court; or
 - (b) admitted to bail upon recognizance to appear and stand his trial before the Supreme Court;
- "common law" means the common law of England;
- "consul" and "consular officer" mean any person, including the head of a consular post, recognized by the competent authority of the receiving state as entrusted in that capacity with the exercise of consular functions;

"contravene" in relation to any requirement or condition prescribed in any Ordinance or in any grant, permit, licence, lease or authority granted under or by virtue of any Ordinance includes a failure to comply with that requirement or condition;

"court" means any court of the Colony of competent jurisdiction;

"Crown Agents" means the persons or body for the time being acting as Crown Agents for Oversea Governments and Administrations;

"Crown lease" means any lease granted by the Crown, any instrument whereby the term of a Crown lease may have been extended or the provisions thereof varied and any agreement for a Crown lease;

"daily penalty" means a penalty for each day on which the offence is continued after conviction therefor;

"definition" means the interpretation given by an Ordinance to any word or expression;

"The Dependencies" mean the Dependencies of the Colony of the Falkland Islands, and shall be deemed to include the territorial waters thereof;

"document" means any publication and any matter written, expressed or described upon any substance by means of letters, characters, figures or marks, or by more than one of these means;

"Dues" means rates, taxes and duties;

"Estate" means any estate, right, title, interest, claim or demand in to or upon property;

"Executive Council" means the Executive Council of the Falkland Islands;

"export" means to take out or cause to be taken out of the Colony by air, land or water;

"Financial Secretary" means the Financial Secretary of the Falkland Islands and the Deputy Financial Secretary;

"financial year" means the period from the 1st day of July in any year to the 30th day of June in the immediately succeeding year, both days inclusive;

"folio" means seventy-two words;

"Gazette" means —

(a) the Falkland Islands Government Gazette and any supplement thereto; and

(b) any Special Gazette or Gazette Extraordinary;

"Gazetted" means published in the Gazette;

"Government" means the Government of the Falkland Islands;

"Government Notice" or "General Notice" means an announcement not of a legislative character made by or with the authority of the Governor in the Gazette;

"Government Printer" means the Government Printer of the Falkland Islands and any other printer authorized by or on behalf of the Governor to print the Gazette, any Ordinance or any other document of the Government;

“Governor” means —

- (a) the Governor of the Falkland Islands;
- (b) the Acting Governor;
- (c) to the extent to which a deputy to the Governor is authorized to perform on behalf of the Governor any functions of the Governor, the Deputy to the Governor; and
- (d) the officer for the time being administering the Government of the Colony;

“Governor in Council”, “Governor in Executive Council” and “Governor with the advice of the Executive Council” mean the Governor acting after consultation with the Executive Council in accordance with Royal Instructions but not necessarily in such Council assembled nor necessarily in accordance with such advice;

“Harbour” means any port declared a harbour by the Governor in Council;

“health officer” means —

- (a) the Senior Medical Officer;
- (b) any person appointed as a health officer by the Governor; and
- (c) any person for the time being performing the duties of a health officer under any Ordinance;

“immovable property” means —

- (a) land, whether covered by water or not;
- (b) any estate, right, interest or easement in or over any land; and
- (c) things attached to land or permanently fastened to anything attached to land;

“imperial enactment” means —

- (a) any Act;
- (b) any Order in Council;
- (c) any Letters Patent or Royal Instructions; and
- (d) any rule, regulation, proclamation, order, notice, rule of court, by-law, or other instrument made under or by virtue of any Act, Order in Council, Letters Patent or Royal Instructions;

“import” means to bring or cause to be brought into the Colony by air, land or water;

“infant” and “minor” mean a person who has not attained the age of eighteen years;

“instrument” includes any publication in the Gazette having legal effect;

“judge” means the person nominated or any judge appointed by the Governor under section 8 of the Administration of Justice Ordinance; Cap. 3.

“justice” and “justice of the peace” mean a person appointed to be a justice of the peace for the Colony either by the Governor or by or under any Ordinance;

“land” means land and any messuages, houses, building or other constructions standing thereon;

“law” means any law for the time being in force in, having legislative effect in, extending to, or applicable in, the Colony;

Cap. 3.

"Legislative Council" means the Legislative Council of the Falkland Islands;

"Magistrate" means a person appointed by the Governor to be a Magistrate for the Colony;

"master", when used with reference to a vessel, means the person (except a pilot) having for the time being command or charge of the vessel;

Cap. 45.

"medical practitioner", "registered medical practitioner" and any words importing that a person is recognized by any Ordinance to be a medical practitioner in the Falkland Islands or a member of the medical profession in the Falkland Islands, mean a person duly registered as, or deemed to be registered as, a medical practitioner under the Medical Practitioners, Midwives and Dentists Ordinance;

"month" means calendar month;

"movable property" means property of every description except immovable property;

"oath" and "affidavit" include, in the case of persons allowed or required by law to affirm instead of swearing, affirmation; and "swear" in the like case includes affirm;

"occupy" includes use, inhabit, be in possession of or enjoy the land or premises to which the word relates, otherwise than as a mere servant or for the mere purpose of the care, custody or charge thereof;

"occupier" means any person who uses, inhabits, possesses, or enjoys the premises in respect of which that word is used otherwise than as a servant or caretaker;

"offence" includes any crime, treason, felony or misdemeanour and any contravention or other breach of, or failure to comply with, any provision of any Ordinance, for which a penalty is provided;

"or", "other" and "otherwise" shall be construed disjunctively and not as implying similarity, unless the word "similar" or some other word of like meaning is added;

"Order in Council" means an order made by Her Majesty in Her Privy Council;

"Ordinance" and "enactment" mean —

(a) any Ordinance enacted by the Governor by and with the advice and consent of the Legislative Council; and

(b) any subsidiary legislation made under any such Ordinance or proclamation;

"Owner" means a person receiving the rent of the property in respect of which that word is used either on his own account, or as trustee, agent, or manager, or who would receive the same if such property were let to a tenant;

"Parliament" and "Imperial Parliament" mean the Parliament of England, the Parliament of Great Britain and the Parliament of the United Kingdom;

"per cent", when used in relation to a rate of interest payable in any circumstances, means the rate of interest specified payable in respect of a year, unless it is expressly provided that it is payable in respect of any other period;

“person” includes any public body and any body of persons, corporate or unincorporate, and this definition shall apply notwithstanding that the word “person” occurs in a provision creating or relating to an offence or for the recovery of any fine or compensation;

“personal name” means the names other than a surname which a person most commonly adopts in conjunction with his surname or, in the case of a person having no surname, the names which he commonly adopts;

“pier” includes every quay, wharf or jetty of whatever description connected to and having direct access to the shore and used or intended to be used for the purposes of a pier, quay, wharf or jetty;

“police officer” and terms or expression referring to ranks in the Falkland Islands Police Force shall bear the meanings respectively assigned to them by the Police Ordinance;

“power” includes any privilege, authority and discretion;

“prescribed” and “provided”, when used in or with reference to any Ordinance, mean prescribed or provided by that Ordinance or by subsidiary legislation made under that Ordinance;

“prison” means any place or building or portion of a building set apart for the purpose of a prison under any Ordinance relating to prisons;

“Privy Council” means the Lords and others for the time being of Her Majesty’s Most Honourable Privy Council;

“Proclamation” means a proclamation of the Governor under the Public Seal;

“property” includes —

- (a) money, goods, choses in action and land; and
- (b) obligations, easements and every description of estate, interest and profit, present or future, vested or contingent, arising out of or incident to property as defined in paragraph (a) of this definition;

“public” includes any class of the public;

“publication” means —

- (a) all written and printed matter;
- (b) any record, tape, wire, perforated roll, cinematograph film or other contrivance by means of which any words or ideas may be mechanically, electronically or electrically produced, reproduced, represented or conveyed;
- (c) anything whether of a similar nature to the foregoing or not, containing any visible representation, or by its form, shape, or in any manner, capable of producing, reproducing, representing or conveying words or ideas; and
- (d) every copy and reproduction of any publication as defined in paragraphs (a), (b) and (c) of this definition;

“public body” includes —

- (a) the Executive Council;
- (b) the Legislative Council;
- (c) any department of the Government; and
- (d) any undertaking by or of the Government;

"public holiday" and "general holiday" mean any day which is appointed to be a general holiday under the provision of section 73;

"public office" means any office or employment the holding or discharging of which by a person would constitute that person a public officer;

"public officer" and "public servant" mean any person holding an office of emolument under the Crown in right of the Government of the Falkland Islands, whether such office be permanent or temporary;

"public place" means —

- (a) any public street or pier, or any public garden; and
- (b) any theatre, place of public entertainment of any kind, or other place of general resort, admission to which is obtained by payment or to which the public have or are permitted to have access;

"public seal" means the public seal of the Falkland Islands;

"registered", when used with reference to a document, means registered under the provisions of any law applicable to the registration of such document;

"Registrar" means the Registrar of the Supreme Court;

"repeal" includes rescind, revoke, cancel or replace;

"rules of court", when used in relation to any court, means rules made by the authority having for the time being power to make rules and orders regulating the practice and procedure of such court;

"Secretary of State" means one of Her Majesty's Principal Secretaries of State for the time being;

"sell" includes exchange and barter;

"ship" includes every description of vessel used in navigation not exclusively propelled by oars;

"sign" includes, in the case of a person unable to write, the affixing or marking of a seal, mark or thumbprint;

"Stanley" means the area defined in the Stanley Rates Ordinance;

"standard time" means standard time as defined in section 68;

"statutory declaration", if made —

- (a) in the Colony, means a declaration under the Statutory Declaration Act 1835;
- (b) in any part of the Commonwealth except the Colony, means a declaration made before a justice of the peace, notary public, or other person having authority therein under any legal provision for the time being in force in such part to take or receive a declaration;
- (c) in any other place, means a declaration before a British consul or person having authority under any Act for the time being in force to take or receive a declaration;

"street" and "road" mean —

- (a) any highway, street, road, bridge, thoroughfare, parade, square, court, alley, lane, bridle-way, footway, passage, tunnel; and

- (b) any open place, whether situate on land leased from the Crown or not, used or frequented by the public or to which the public have or are permitted to have access;

"Suburban land" or "suburbs" means (1) land outside Stanley bounded on the north by the Murrel River and Port William, on the south and east by Port Harriet and the sea and on the west by a line drawn from a point on the Murrel River commonly known as "Furze Bush" to the summit of Mount Harriet and thence along the eastern boundary of No. 1 section to the west of Port Harriet, and (2) land outside the limit or boundary of any place declared to be a town but not more than six miles from the centre of such town;

"subsidiary legislation" and "regulations" mean any proclamation, rule, regulation, order, resolution, notice, rule of court, by-law or other instrument made under or by virtue of any Ordinance and having legislative effect;

"summary conviction" means a summary conviction by a magistrate in accordance with the provisions of the Administration of Justice Ordinance;

Cap. 3.

"Supreme Court" means the Supreme Court of the Falkland Islands;

"territorial waters" means such part of the sea adjacent to the coast of the Colony as is deemed by international law to constitute the territorial waters of the Falkland Islands;

"Town" means land within the limits of any place declared to be a Town under section 103 of this Ordinance;

"treaty" means a treaty, convention or agreement made with a foreign state, and any protocol or declaration attached thereto or independent thereof but referring thereto;

"triable summarily" means triable by a magistrate, in accordance with the provisions of the Administration of Justice Ordinance;

Cap. 3.

"United Kingdom" means the United Kingdom of Great Britain and Northern Ireland;

"vessel" means any ship or boat and any description of vessel used in navigation;

"waters of the Colony" and "Colonial waters" mean —

(a) all waters, whether navigable or not, included in the Colony; and

(b) territorial waters;

"will" includes any testamentary instrument;

"words" includes figures and symbols;

"writing" and "printing" include writing, printing, lithography, photography, typewriting and any other mode of representing words in a visible form;

"year" means a year according to the Gregorian calendar;

"years of age" and words of a like meaning, when used with reference to the age of any person, mean years of age according to the English reckoning of ages.

4. (1) "Commonwealth" means collectively —
(a) the United Kingdom;

Definitions of "Commonwealth" and "British" territory.

- (b) any British territory; and
- (c) any other state or territory which may be specified by the Governor in accordance with the provisions of subsection (3).

(2) "British territory" and "British possession" mean any state or territory which may be specified by the Governor in accordance with the provisions of subsection (3).

(3) The Governor may, by notice in the Gazette, order that any state or territory shall be a state or territory specified for the purposes of paragraph (c) of subsection (1) or of subsection (2).

Grammatical variations
and cognate expressions.

5. Where any word or expression is defined in any Ordinance, such definition shall extend to the grammatical variations and cognate expressions of such word or expression.

References to Government
property.

6. Where reference is made in any Ordinance to property and the expressions used in relation thereto imply that such property is owned by, or belongs to, the Government, or convey a similar meaning, such reference shall be deemed to refer to such of the property of the Crown of the description mentioned as has been appropriated to the use of the Government.

Provisions for gender
and number.

7. (1) Words and expressions importing the masculine gender include the female.

(2) Words and expressions in the singular include the plural and words and expressions in the plural include the singular.

Service by post.

8. Where any Ordinance authorizes or requires any documents to be served or any notice to be given by post or by registered post, whether the expression "serve" or "give" or "send" or any other expression is used, the service or notice shall be deemed to be effected by properly addressing, pre-paying the postage thereon and dispatching it by post or by registered post, as the case may be, to the last known postal address of the person to be served or given notice, and, unless the contrary is proved, such service or notice shall be deemed to have been effected at the time at which the document or notice would be delivered in the ordinary course of post.

PART III

GENERAL PROVISIONS AS TO ORDINANCES

Ordinance to be public
Ordinance.

9. Every Ordinance shall be a public Ordinance and shall be judicially noticed as such.

Sections and schedules.

10. (1) Every section of an Ordinance shall have effect as a substantive enactment without introductory words.

(2) Every schedule to or table in any Ordinance and any notes to such schedule or table shall be construed and have effect as part of such Ordinance.

Citation of Ordinance.

11. (1) Where any Ordinance is referred to, it shall be sufficient for all purposes to cite such Ordinance by —

- (a) the title, short title or citation thereof;
- (b) its number among the Ordinances of the year in which it was enacted; or
- (c) by any chapter number lawfully given to it under the authority of any Ordinance providing for the issue of a revised or other edition of the laws of the Falkland Islands.

(2) Any reference made to any Ordinance, in accordance with the provisions of subsection (1), may be made according to the title, short title, citation, number or chapter number used in copies of Ordinances printed by the Government Printer.

12. The printing by the Government Printer of any duly enacted Ordinance, or of any official document countersigned by the Chief Secretary or by any person duly authorized by the Governor, shall be a sufficient publication and promulgation thereof.

Government publications.

13. (1) Where it is provided that any Ordinance may, as to the whole or any part thereof, be cited with any other Ordinance or with any group of Ordinances, all such Ordinances shall be read and construed together, and any such group shall be construed as including such first mentioned Ordinance.

Collective citation.

(2) Where it is provided that two or more Ordinances may together be cited by a collective short title or citation containing therein the years of the first and last of such Ordinances, such short title or citation shall be construed to include all the Ordinances covered by the same, or any of them.

14. (1) Where in any Ordinance a reference is made to another Ordinance, such reference shall be deemed to include a reference to such last mentioned Ordinance as the same may from time to time be amended.

Reference to Ordinance as amended.

(2) Where any Ordinance repeals and re-enacts, with or without modification, any provision of a former Ordinance, references in any other Ordinance to the provision so repealed shall be construed as references to the provision so re-enacted.

15. In any Ordinance a description or citation of a portion of an Ordinance shall be construed as including the word, section or other part mentioned or referred to as forming the beginning and as forming the end of the portion comprised in the description or citation.

Citation of part of Ordinance.

16. (1) Any reference in any Ordinance to "any Ordinance" or to "any enactment" shall be construed as a reference to any Ordinance for the time being in force.

Construction of reference to Ordinance, section, etc.

(2) Where in any Ordinance there is a reference to a section, Part, Chapter or schedule by number or letter only, and not in conjunction with the title or short title of any other Ordinance, such reference shall be construed as a reference to the section, Part, Chapter, or schedule of that number or letter contained in the Ordinance in which such reference occurs.

(3) Where in any section of any Ordinance there is a reference to a subsection, paragraph, sub-paragraph or other division by number or letter only, and not in conjunction with the number of any section of that or of any other Ordinance, such reference shall be construed as a reference to the subsection, paragraph, sub-paragraph or other division of that number or letter contained in the section in which such reference occurs.

(4) The provisions of subsections (2) and (3) shall apply *mutatis mutandis* to subsidiary legislation.

(5) Any reference to an Ordinance in any Ordinance shall include a reference to any subsidiary legislation made under the Ordinance to which reference is made.

17. (1) Where any section, subsection or paragraph of any Ordinance is taken verbatim from, or is substantially similar to, a section, subsection or paragraph of any imperial enactment, there may be added to the marginal note of the section, subsection or paragraph of the Ordinance a reference, in abbreviated form, to such section, subsection or paragraph of the imperial enactment.

Marginal notes.

(2) A reference added under subsection (1) shall not have any legislative effect and shall not in any way vary, limit or extend the interpretation of any Ordinance.

(3) A marginal note to any provision of any Ordinance shall not have any legislative effect and shall not in any way vary, limit or extend the interpretation of any Ordinance.

General principles of interpretation.

18. An Ordinance shall be deemed to be remedial and shall receive such fair, large and liberal construction and interpretation as will best ensure the attainment of the object of the Ordinance according to its true intent, meaning and spirit.

Inspection of Ordinances.

19. A copy of any Ordinance shall be available for inspection during office hours at any place appointed by the Governor.

PART IV

COMMENCEMENT, DISALLOWANCE, AMENDMENT AND REPEAL

Commencement of Ordinance.

20. Every Ordinance shall —

- (a) be published in the Gazette; and
- (b) come into operation on the expiration of the day next preceding the day of such publication or, if it is provided in the Ordinance or in some other law that such Ordinance shall come into operation on some other day, then it shall come into operation on the expiration of the day next preceding such other day.

Disallowance.

21. (1) Where any Ordinance is disallowed by Her Majesty, such disallowance shall be notified by the Governor by notice in the Gazette; and from and after the date of publication of such notice the Ordinance shall cease to have effect.

(2) Where notice of disallowance of any Ordinance is notified in accordance with the provisions of subsection (1), the provisions of section 23 shall apply in respect of such disallowance as if the words "disallowance" and "disallowed" were substituted therein for the words "repeal" and "repealed" respectively.

(3) Any Ordinance repealed or amended by any Ordinance disallowed shall revive and continue in force in its original form with effect from the date of publication of the notice referred to in subsection (1).

Ordinance and amending Ordinance to be read as one.

22. Any Ordinance which amends any other Ordinance shall be read and construed as one with the amended Ordinance, and the amended Ordinance may, in the amending Ordinance, be referred to as the "principal Ordinance", "principal regulations" or as the case may be.

Effect of repeal generally.

23. Where an Ordinance repeals in whole or in part any other Ordinance, the repeal shall not —

- (a) revive anything not in force or existing at the time at which the repeal takes effect;
- (b) affect the previous operation of any Ordinance so repealed or anything duly done or suffered under any Ordinance so repealed;
- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under any Ordinance so repealed;
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any Ordinance so repealed; or
- (e) affect any investigation, legal proceeding or remedy in respect of any right, privilege, obligation, liability, penalty,

forfeiture or punishment as aforesaid; and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the repealing Ordinance had not been passed.

24. Where any Ordinance repealing in whole or in part any former Ordinance is itself repealed, such last repeal shall not revive the Ordinance or provision previously repealed, unless provision is made to that effect.

Repealed Ordinance not revived.

25. Where any Ordinance repeals in whole or in part any other Ordinance and substitutes other provisions therefor, the repealed Ordinance shall remain in force until the substituted provisions come into operation.

Repeal and substitution.

26. Where any Ordinance which has been amended by any other Ordinance is repealed, such repeal shall include the repeal of all those provisions of such other Ordinance by which such first mentioned Ordinance was amended.

Repeal of amended Ordinance to include amendments.

27. Upon the expiry or lapse of any Ordinance, the provisions of section 23 shall apply as if such Ordinance had been repealed.

Effect of expiry of Ordinance.

PART V

SUBSIDIARY LEGISLATION

28. Where an Ordinance confers power on any authority to make subsidiary legislation, the following provisions shall have effect with reference to the making thereof —

General provision with regard to power to make subsidiary legislation.

- (a) when any subsidiary legislation purports to be made in exercise of a particular power or powers, it shall be deemed also to be made in exercise of all other powers thereunto enabling;
- (b) no subsidiary legislation shall be inconsistent with the provisions of any Ordinance;
- (c) subsidiary legislation may at any time be amended by the same authority and in the same manner by and in which it was made:

Provided that where such authority has been replaced wholly or in part by another authority, the power conferred hereby upon the original authority may be exercised by the replacing authority concerning all matters or things within its jurisdiction as if it were the original authority;

- (d) where any Ordinance confers power on any authority to make subsidiary legislation for any general purpose, and also for any special purpose incidental thereto, the enumeration of the special purposes shall not be deemed to derogate from the generality of the powers conferred with reference to the general purpose;
- (e) subsidiary legislation may provide that a contravention or breach thereof shall be punishable on summary conviction by such fine not exceeding two hundred pounds or by such term of imprisonment not exceeding six months as may be specified in the subsidiary legislation or by both such fine and imprisonment;
- (f) subsidiary legislation may amend any forms contained in the Ordinance under which such subsidiary legislation is made and may prescribe new forms for the purpose thereof and for the purposes of such subsidiary legislation; and

- (g) subsidiary legislation may provide for the imposition of fees and charges in respect of any matter with regard to which provision is made in such subsidiary legislation or in the Ordinance under which such subsidiary legislation is made.

Fees and charges.

29. (1) Where provision is made by any subsidiary legislation in respect of fees or other charges, such subsidiary legislation may provide for all or any of the following matters —

- (a) specific fees or charges;
- (b) maximum or minimum fees or charges;
- (c) maximum and minimum fees or charges;
- (d) the payment of fees or charges either generally or under specified conditions or in specified circumstances;
- (e) the exemption of any person or class of persons from the payment of fees or charges; and
- (f) the reduction, waiver or refund, in whole or in part, of any such fees or charges, either upon the happening of a certain event or in the discretion of a specified person.

(2) Where any reduction, waiver or refund, in whole or in part, of any fee or charge is provided for by any subsidiary legislation, such reduction, waiver or refund may be expressed to apply or be applicable either generally or specially —

- (a) in respect of certain matters or transactions or classes of matters or transactions;
- (b) in respect of certain documents or classes of documents;
- (c) in respect of the occurrence or the termination of any event;
- (d) in respect of certain persons or classes of persons; or
- (e) in respect of any combination of such matters, transactions, documents, events or persons,

and may be expressed to apply or be applicable subject to such conditions as may be specified in the subsidiary legislation or in the discretion of any person specified therein.

Effect of subsidiary legislation.

Construction of subsidiary legislation.

30. Subsidiary legislation shall be judicially noticed.

31. Where any Ordinance confers power to make any subsidiary legislation, expressions used in the subsidiary legislation shall have the same meaning as in the Ordinance conferring the power, and any reference in such subsidiary legislation to “the Ordinance” shall be construed as a reference to the Ordinance conferring the power to make such subsidiary legislation.

Exercise of statutory powers between enactment and commencement of Ordinance.

32. Where an Ordinance is not to come into operation on or before the expiration of the day next preceding the day of the publication thereof and confers power to make any appointment, to make any subsidiary legislation, to issue notices, to prescribe forms or to do any other thing for the purposes of the Ordinance, such power may be exercised at any time after the publication of the Ordinance in the Gazette:

Provided that any appointment, subsidiary legislation, instrument, notice, form or thing made, granted, issued, prescribed, given or done under such power shall not, unless the appointment, subsidiary legislation, instrument, notice, form or thing is necessary for bringing the Ordinance into operation, come into operation or have any effect until the Ordinance comes into operation.

Acts done under subsidiary legislation deemed done under Ordinance.

33. An act shall be deemed to be done under an Ordinance or by virtue of the powers conferred by an Ordinance or in pursuance or execution of the provisions of or under the authority of an Ordinance, if it is done under or by virtue of or in pursuance or execution

of or under the authority of subsidiary legislation made under any power contained in that Ordinance.

34. (1) All rules, regulations and by-laws shall be laid on the table of the Legislative Council at the next sitting thereof after the publication in the Gazette of such rules, regulations or by-laws.

Placing of rules, regulations and by-laws before Legislative Council.

(2) Where rules, regulations or by-laws have been laid on the table of the Legislative Council, in accordance with the provisions of subsection (1), the Legislative Council may, by resolution passed at the next sitting of the Legislative Council held after the sitting at which they were so laid, provide that any such rules, regulations or by-laws shall be amended in any manner whatsoever and if any such resolution is so passed, the said rules, regulations or by-laws shall, without prejudice to anything done thereunder, be deemed to be amended as from the date of publication in the Gazette of such resolution.

(3) Any resolution passed by the Legislative Council in accordance with subsection (2) shall be published in the Gazette not later than fourteen days after the passing thereof or within such further period as the Governor may allow in any particular case.

35. Where any Ordinance provides that subsidiary legislation shall be subject to the approval of the Legislative Council or of any other authority, or contains words to the like effect, then —

Approval of Legislative Council to subsidiary legislation.

- (a) the subsidiary legislation shall be submitted for the approval of the Legislative Council or other authority; and
- (b) the Legislative Council may by resolution or the other authority may by order amend the whole or any part of the subsidiary legislation.

36. (1) Where any Ordinance —

Effect of repeal on subsidiary legislation.

- (a) repeals any former Ordinance and substitutes other provisions therefor; or
- (b) repeals any former Ordinance and re-enacts such former Ordinance with or without modification,

any subsidiary legislation made under the former Ordinance and in force at the commencement of the repealing Ordinance shall, so far as it is not inconsistent with the repealing Ordinance, continue in force and have the like effect for all purposes as if made under the repealing Ordinance.

(2) Where any subsidiary legislation is continued in force by virtue of subsection (1), such subsidiary legislation may be from time to time amended as if it had been made under the repealing Ordinance.

37. Where any form is prescribed by or under any Ordinance, deviations therefrom, not affecting the substance of such form shall not invalidate it.

Forms.

PART VI

POWERS

38. Where any Ordinance confers power upon any person to —

Presumption of lawful exercise of power.

- (a) make any subsidiary legislation;
- (b) make any instrument; or
- (c) exercise any power,

and the Ordinance conferring the power prescribes conditions, subject to the observance, performance or existence of which any such power may be exercised, such conditions shall be presumed to have been

duly fulfilled if in the subsidiary legislation or instrument exercising the power there is a statement that the subsidiary legislation or instrument is made, or the power exercised, in exercise of, or in pursuance of, the power conferred by such Ordinance, or a statement to the like effect.

Exercise of powers.

39. (1) Where any Ordinance confers any power or imposes any duty, then the power may be exercised and the duty shall be performed from time to time as occasion requires.

(2) Where any Ordinance confers any power or imposes any duty on the holder of any public office as such, then the power may be exercised and the duty shall be performed by the holder for the time being of that public office.

Construction of enabling words.

40. (1) Where any Ordinance confers upon any person power to do or enforce the doing of any act or thing, all such powers shall be deemed to be also conferred as are reasonably necessary to enable the person to do or enforce the doing of the act or thing.

(2) Without prejudice to the generality of subsection (1), where any Ordinance confers power —

- (a) to provide for, prohibit, control or regulate any matter, such power shall include power to provide for the same by the licensing thereof and power to prohibit acts whereby the prohibition, control or regulation of such matter might be evaded;
- (b) to grant a licence, Crown lease, permit, authority, approval or exemption, such power shall include power to impose reasonable conditions subject to which such licence, Crown lease, permit, authority, approval or exemption may be granted;
- (c) to approve any person or thing, such power shall include power to withdraw approval thereof;
- (d) to give directions, such power shall include power to couch the same in the form of prohibitions.

(3) Without prejudice to the generality of subsection (1), whenever in any Ordinance the expression “as the Governor may appoint” or “as the Governor may direct” or “as the Governor may specify” or “as the Governor may prescribe” or “as may be designated by the Governor”, or any similar expression referring to the Governor, appears and no power is expressly conferred upon the Governor to make the appointment, give the direction or specification, prescribe or make the designation, as the case may be, such power shall nevertheless be deemed to be conferred.

(4) Subsection (3) shall have effect in relation to the Governor in Council, a public officer, a public body or other person as it has effect in relation to the Governor.

Power to issue licences, etc., discretionary.

41. (1) Where any Ordinance confers power upon any person to issue, grant, give or renew any licence, Crown lease, authority, approval or permit, the person so empowered shall have a discretion either to issue, grant, give or renew or to refuse to issue, grant, give or renew such licence, Crown lease, authority, approval or permit.

(2) Nothing in this section shall affect any right which may be conferred by any Ordinance upon any person to appeal against a refusal to issue, grant, give or renew any licence, Crown lease, authority, approval or permit.

Power to appoint includes power to suspend, dismiss, re-appoint, etc.

42. Where any Ordinance confers a power or imposes a duty upon any person to make any appointment or to constitute or establish any board, tribunal, commission, committee or similar body, then the person having such power or duty shall also have the power —

- (a) to remove, suspend, dismiss or revoke the appointment of, and to re-appoint or reinstate, any person appointed in exercise of such power or duty;
- (b) to revoke the appointment, constitution or establishment of, or to dissolve, any board, tribunal, commission, committee or similar body appointed, constituted or established, in exercise of such power or duty, and to re-appoint, reconstitute or re-establish the same; and
- (c) to specify the period for which any person appointed in exercise of such power or duty shall hold such appointment:

Provided that where the power or duty of such person so to act is only exercisable upon the recommendation, or is subject to the approval or consent, of some other person, then such power shall only be exercisable upon such recommendation or subject to such approval or consent.

43. (1) Where any Ordinance confers powers or imposes duties upon a specified public officer, such officer may delegate any other public officer or the person for the time being holding any office designated by him to exercise such powers or perform such duties on his behalf and thereupon, or from the date specified by such specified public officer, the person delegated shall have and may exercise such powers and perform such duties.

Delegation by specified public officers.

(2) Nothing in subsection (1) shall authorize a specified public officer to delegate any person to making subsidiary legislation or to hear any appeal.

(3) Where any Ordinance confers any power or imposes any duty upon a specified public officer and such power is exercised or such duty is performed by any other public officer, the specified public officer shall, unless the contrary is proved, be deemed to have delegated the latter public officer under subsection (1) to exercise the power or perform the duty.

(4) In this section "specified public officer" means the person for the time being holding any public office which has been specified, either generally or for the purposes of any particular Ordinance, under this section by the Governor by notice in the Gazette.

44. (1) Where any Ordinance confers power upon any person to delegate the exercise on his behalf of any of the powers or the performance of any of the duties conferred or imposed upon him under any Ordinance —

Effect of delegation of powers and duties.

- (a) such delegation shall not preclude the person so delegating from exercising or performing at any time any of the powers or duties so delegated;
- (b) such delegation may be conditional, qualified or limited in such manner as the person so delegating may think fit;
- (c) where the delegation may be made only with the approval of some person, such delegation may be conditional, qualified or limited in such manner as the person whose approval is required may think fit;
- (d) the delegation may be to a named person or to the person for the time being holding any office designated by the person so delegating; and
- (e) any delegation may be amended by the person so delegating.

(2) The delegation of any power shall be deemed to include the delegation of any duty incidental thereto or connected therewith and the delegation of any duty shall be deemed to include the delegation of any power incidental thereto or connected therewith.

Exercise of powers in special cases.

45. Where any Ordinance confers any power or imposes any duty upon the holder of any public office and either —

- (a) that office has been abolished; or
- (b) no person has been appointed to discharge the functions of that office;

those powers and duties may be exercised or performed —

- (i) in the case of making subsidiary legislation, by the Governor; and
- (ii) in any other case, by the holder of such other public office as the Governor may by order direct.

Power to make public instruments and perform acts.

46. Where any Ordinance confers power upon any person to make, issue or approve any proclamation, order, notice, declaration, instrument, notification, licence, permit, register or list, such power shall include power —

- (a) to amend or suspend such proclamation, order, notice, declaration, instrument, notification, licence, permit, register or list;
- (b) to substitute another proclamation, order, notice, declaration, instrument, notification, licence, permit, register or list for one already made, issued or approved;
- (c) to withdraw approval of any proclamation, order, notice, declaration, instrument, notification, licence, permit, register or list so approved; and
- (d) to declare the date of the coming into operation, and the period of operation, of any such proclamation, order, notice, declaration, instrument, notification, licence, permit, register or list.

Power to relate back appointment.

47. Any appointment made under the provisions of any Ordinance may be declared to have effect as from the date upon which the person appointed in fact began to exercise the powers and perform the duties of his appointment, not being a date earlier than the commencement of the Ordinance under which the appointment is made.

PART VII

BOARDS AND COMMITTEES

Power to appoint chairman.

48. Where any Ordinance confers power upon any person to appoint any persons to be members of any board, tribunal, commission, committee or similar body, the person so appointed may appoint a chairman, a deputy chairman, a vice-chairman and a secretary of such board, tribunal, commission, committee or similar body.

Power to appoint public officer to board, etc.

49. Where any Ordinance confers power upon any person to appoint any persons to be members of any board, tribunal, commission, committee or similar body, the person so empowered may appoint any public officer, by his official designation, to be a member of such board, tribunal, commission, committee or similar body, and, on such appointment and until such appointment shall be revoked or otherwise determined, the person for the time being holding the public office in question shall be a member of such board, tribunal, commission, committee or similar body.

Appointment of alternates.

50. Where any board, tribunal, commission, committee or similar body is established by or under any Ordinance, any person who is empowered by such Ordinance to appoint any or all of the members thereof may —

- (a) appoint one or more duly qualified persons to be alternate members of the same, and any one such alternate member

may attend any meeting of the same when a substantive member is temporarily unable to attend for any reason; and

- (b) appoint a duly qualified person to be a temporary member of the same in the place of any substantive member who is precluded by illness, absence from the Colony or any other cause from exercising his functions as such,

and when attending any meeting of such board, tribunal, commission, committee or similar body, such alternate or temporary member shall be deemed for all purposes to be a member of the same.

51. Where any board, tribunal, commission, committee or similar body is established by or under any Ordinance, the powers of such board, tribunal, commission, committee or similar body shall not be affected by —

Powers of board, etc.,
not affected by vacancy.

- (a) any vacancy in the membership thereof;
- (b) any defect in the appointment or qualification of a person purporting to be a member thereof; or
- (c) any minor irregularity in the convening of any meeting thereof.

52. (1) Where any Ordinance confers a power or imposes a duty upon a body or number of persons consisting of or being not less than three, such power may be exercised or duty performed in the name of that body or number of persons by a majority of those persons.

Power of majority and
exercise of powers.

(2) Whenever such body or number of persons is assembled, the chairman or other member presiding shall have a casting as well as a deliberative vote, in all matters in which a decision is taken by vote by whatever name such vote may be called.

(3) The exercise of any power vested in such body or number of persons may be signified either by the chairman or other person presiding at the meeting or other deliberation at which such power was exercised or at which, as the case may be, authority to exercise it was conferred, or by any person from time to time authorized by such body or persons to signify the exercise of such power.

53. Where any Ordinance constitutes any board, tribunal, commission, committee or similar body to be a body corporate having perpetual succession and a common seal, and any document requires to be sealed with such common seal, then such common seal shall be affixed by the chairman of such board, tribunal, commission, committee or similar body, or by any member thereof appointed by the chairman for that purpose, and shall be authenticated by the signature of the chairman or such member.

Seal.

PART VIII

PUBLIC OFFICERS AND PUBLIC CONTRACTS

54. In any Ordinance, instrument, warrant or process of any kind, any reference to a public officer, or to a person holding a public office by a term designating his office, shall include a reference to any person for the time being lawfully discharging the functions of that office, or of any part of such functions, and any person appointed to act in or perform the duties of such office, or any part of such duties, for the time being.

References to public
officer.

55. (1) The Legislative Council may by resolution provide for the transfer to any public officer of any functions exercisable by virtue of any Ordinance by another public officer.

Power to transfer
functions of public
officers.

(2) A resolution under this section may contain such incidental, consequential and supplemental provisions as may be necessary or expedient for the purpose of giving full effect to the resolution.

(3) A certificate issued by the Chief Secretary that any property vested in a public officer immediately before a resolution under this section takes effect has been transferred by virtue of the resolution to another public officer shall be conclusive evidence of the transfer.

(4) In this section —

“functions” includes powers and duties;

“public officer” includes any corporation created for the purpose of incorporating a person for the time being holding a public office.

Change of title of office.

56. The Chief Secretary may, by notice (which may be given retrospective effect) in the Gazette, declare a change in title of any public officer or public body, or of any person referred to in any Ordinance, and the notice may contain provisions substituting the new title in any Ordinance relating to the public officer, public body or person and in any instrument, contract or legal proceedings made or commenced before the date on which the notice takes effect.

Appointment of officers
by name or office.

57. Where any Ordinance confers power upon any person to appoint or name a person to have and exercise any powers or perform any duties, the person so empowered may either appoint a person by name or direct the person for the time being holding any office designated by him to have and exercise such powers or perform such duties; and thereupon, or from the date specified by the person so empowered, the person appointed by name or the person holding the office aforesaid shall have and may exercise such powers or perform such duties accordingly until such appointment be revoked or otherwise determined.

Filling vacancy.

58. (1) When any Ordinance confers a power or imposes a duty upon a public officer and such public officer is unable to exercise the powers or perform the duties of his office, owing to absence or inability to act from illness or any other cause, the Governor may, by notice in the Gazette, direct that such power shall be had and may be exercised and such duty shall be performed by a public officer named by, or by a public officer holding the office designated by, the Governor, subject to such conditions, exceptions and qualifications as the Governor may direct.

(2) Any direction by the Governor under subsection (1) may be given —

(a) in anticipation of any absence or inability occurring; or

(b) subsequently thereto and may relate back to the commencement of such absence or inability.

(3) Where any Ordinance confers powers or imposes duties upon a public officer and a new post is subsequently created in the same or another Government department, the Governor may, by notice in the Gazette, direct that the said powers and duties or any of them shall be exercised by any holder of the new post so created, either to the exclusion of or in addition to the first named public officer or otherwise.

Power to appoint while
holder on retirement
leave.

59. (1) Where the holder of any public office is on leave of absence pending the relinquishment by him of such office, another person may be appointed to the same public office.

(2) Where two or more persons are holding the same public office by reason of an appointment made in accordance with subsection (1), then, for the purposes of any Ordinance and in respect of

any power conferred or duty imposed upon the holder of such office, the person last appointed to the office shall be deemed to be the holder thereof.

60. In any contract or other document, signed, executed or made by the Governor or by any public officer on behalf of the Governor or the Government or of any Government department, it shall not be necessary to name the Governor or such public officer, but it shall be sufficient to name the office held by the Governor or such public officer, and the Governor or public officer shall be deemed to be a party thereto as if the Governor or such public officer were a corporation sole with perpetual succession for this purpose.

Contracts by public officer.

61. Any contract or other document signed, executed or made before the commencement of this Ordinance by the Governor or by any public officer on behalf of the Governor or the Government or of any Government department shall be enforceable as if the office of Governor or such public officer had, at the time of such execution or making, been a corporation sole with perpetual succession for this purpose.

Effect of past contracts by public officer.

62. The omission to add the title of the public office held by the Governor or any public officer signing or executing any contract or other document after the signature of such officer shall not exclude such contract or other document from the operation of sections 60 and 61.

Omission of title after signature of public officer immaterial.

PART IX

CROWN, GOVERNOR AND GOVERNOR IN COUNCIL

63. (1) Where any Ordinance confers a power or imposes a duty upon the Governor or the Governor in Council to make any subsidiary legislation or appointment, give any directions, issue any order, authorize any thing or matter to be done, grant any exemption, remit any fee or penalty, or exercise any other power or perform any other duty, the exercise of such power or the performance of such duty may be signified —

Signification of orders of Governor and Governor in Council.

- (a) in the case of the Governor, under the hand of the Chief Secretary;
- (b) in the case of the Governor in Council, under the hand of the Clerk of Councils.

(2) Notwithstanding the provisions of subsection (1), proclamations shall be made or issued only under the hand of the Governor himself.

64. (1) Where any Ordinance confers powers or imposes duties upon the Governor, he may delegate any person by name or the person holding any office designated by him to exercise such powers or perform such duties on his behalf and thereupon, or from the date specified by the Governor, the person so delegated shall have and may exercise such powers and perform such duties.

Delegation by Governor.

(2) Without prejudice to the provisions of any Letters Patent or Royal Instructions relating to the appointment of a deputy to the Governor, nothing in subsection (1) shall authorize the Governor to delegate any person to make subsidiary legislation, issue proclamations or to determine any appeal.

(3) Where any Ordinance confers powers or imposes duties upon the Governor and such power is exercised or such duty is performed by any public officer, the Governor shall, unless the contrary is proved, be deemed to have delegated such public officer under subsection (1) to exercise the powers or perform the duty.

Appeals and objections to
Governor in Council.

65. (1) Where any Ordinance confers upon any person a right of appeal or objection to the Governor in Council, such appeal or objection shall be governed by rules made in accordance with subsection (2).

(2) The Governor in Council may make rules governing the procedure to be followed in appeals or objections to the Governor in Council.

(3) The conferring by any Ordinance of a right of appeal or objection to the Governor in Council shall not prevent any person from applying to the Supreme Court for an order of mandamus, certiorari, prohibition, injunction or any other order, instead of appealing or making an objection to the Governor in Council, where an application for such an order would lie, but no proceedings by way of mandamus, certiorari, prohibition, injunction or other order shall be taken against the Governor in Council in respect of any such appeal or objection to the Governor in Council or any proceedings connected therewith.

(4) The Governor in Council, when considering any appeal or objection to him (whether by way of petition or otherwise, and whether such appeal or objection is made by virtue of any Ordinance or otherwise) shall act in an administrative or executive capacity and not in a judicial or quasi-judicial capacity and shall be entitled to consider and take into account any evidence, material, information or advice in his absolute discretion.

(5) The Governor in Council, when considering any appeal or objection to him (whether by way of petition or otherwise and whether such appeal or objection is made by virtue of any Ordinance or otherwise) against any decision of any person, public officer or public body, may confirm, vary or reverse such decision or substitute therefor such other decision or make such other order as the Governor in Council may think fit.

References to the
Sovereign.

66. Any reference to the Sovereign or to the Crown shall be construed as a reference to the Sovereign for the time being.

Saving of rights of Crown.

67. No Ordinance shall in any manner whatsoever affect the right of or be binding on the Crown unless it is therein expressly provided or unless it appears by necessary implication that the Crown is bound thereby.

PART X

TIME AND DISTANCE

Time.

68. When any expression of time occurs the time referred to shall, unless it is otherwise expressly provided, be held to signify the standard time adopted for the Colony by order of the Governor.

References to "am" and
"pm".

69. The expression "am" indicates the period between midnight and the following noon, and the expression "pm" indicates the time between noon and the following midnight. Where two such expressions occur conjunctively in relation to any specified hour or in conjunction with the word "sunset" or "sunrise", they shall be construed as relating to a consecutive period of time.

Provision where no time
prescribed.

70. Where no time is prescribed or allowed within which any thing shall be done, such thing shall be done without unreasonable delay, and as often as due occasion arises.

Computation of time.

71. In computing time for the purposes of any Ordinance —

- (a) a period of days from the happening of any event or the doing of any act or thing shall be deemed to be exclusive of the day on which the event happens or the act or thing is done;

- (b) if the last day of the period is a public holiday the period shall include the next following day, not being a public holiday;
- (c) where any act or proceeding is directed or allowed to be done or taken on a certain day, then if that day is a public holiday, the act or proceeding shall be considered as done or taken in due time if it is done or taken on the next following day, not being a public holiday;
- (d) where an act or proceeding is directed or allowed to be done or taken within any time not exceeding six days, no public holiday shall be reckoned in the computation of that time.

72. Where in any Ordinance a time is prescribed for doing any act or taking any proceeding and power is given to a court, public body, public officer or other authority to extend such time, then the power may be exercised by the court, public body, public officer or other authority although the application for the same is not made until after the expiration of the time prescribed.

Power to extend time.

73. The Governor in Council may from time to time, by notice in the Gazette, appoint any day to be a public holiday.

Public holidays.

74. In the measurement of any distance for the purposes of any Ordinance, that distance shall be measured in a straight line on a horizontal plane.

Distance.

75. Any summons, notice, warrant or other process may be issued, served or executed and any arrest, search or seizure may be carried out or made on any day, whether a public holiday or not, and at any hour of the day or night.

Warrants, etc., valid on public holiday.

PART XI

IMPERIAL ENACTMENTS

76. An imperial enactment shall be judicially noticed as such and shall be read with such modifications as to names, localities, courts, officers, persons, moneys, penalties or otherwise as may be necessary to make the same applicable to the circumstances of the Colony.

Modifications.

77. An imperial enactment may be cited by a short title or citation, if any, or by reference to the reign or calendar year in which it was passed or by the number assigned to any statutory instrument or statutory rule and order.

Citation of imperial enactments.

78. A reference in any law to an imperial enactment or to any provision, part or division thereof shall be construed as a reference to the same as the same may be from time to time amended and as a reference to any imperial enactment or to any provision, part or division of an imperial enactment, substituted therefor.

Construction of reference to imperial enactment.

79. A reference in any law to any imperial Act shall include a reference to any Order in Council, rule, regulation, proclamation, order, notice, rule of court, by-law or other instrument made under or by virtue thereof and having legislative effect.

References to subsidiary legislation under imperial Acts.

80. Any imperial enactment shall be construed in accordance with the terms thereof and of any interpretation statute applicable thereto and, to the extent to which no provision is made in the imperial enactment or in such statute for the interpretation thereof, in accordance with provisions of this Ordinance as if such imperial enactment were itself an Ordinance; and any reference in this Ordinance to an Ordinance shall, in the interpretation of an imperial enactment, include a reference to imperial enactments.

Construction of imperial enactments.

Copies of imperial enactments.

81. A copy of an imperial enactment shall, if it —

- (a) is published in the Gazette or purports to be printed by the Government Printer; or
- (b) is contained in any printed collection purporting to be published or printed by authority,

be deemed, until the contrary is proved, to be an authentic copy of the imperial enactment as at the date of such publication or printing.

PART XII

FEES, PENALTIES OFFENCES AND PROCEEDINGS

Attempts to commit offences.

82. (1) A provision in any Ordinance which creates or results in the creation of an offence shall be deemed to include a provision that an attempt to commit such an offence shall itself constitute an offence which may be dealt with and punished in like manner as if the offence had been committed.

(2) Where a person is charged with an offence, he may be convicted of having attempted to commit that offence although he was not charged with the attempt.

(3) Nothing in this section shall affect any law relating to attempts to commit offences at common law.

Reference to an offence to include attempts, etc.

83. (1) Where —

- (a) any Ordinance confers a power or imposes a duty which is to be exercised or performed consequent upon a conviction of an offence or in relation to a person who is detained in custody for an offence; or
- (b) a reference is otherwise made in any Ordinance to an offence,

then that power or duty or that reference shall be deemed to be also exercisable or performable consequent upon a conviction of, or include a reference to, as the case may be —

- (i) an attempt to commit that offence;
- (ii) aiding, abetting, counselling or procuring that offence; and
- (iii) a conspiracy to commit that offence.

(2) Subsection (1) shall apply to powers of imposing pecuniary penalties and of forfeiture, seizure and search, and to powers and discretions to cancel, suspend or refuse to issue any licence, permit or other authorization, but nothing in this section shall apply to any offence for which a sentence of death may be imposed, or be deemed to authorize the imposition of any sentence of imprisonment otherwise than in default of payment of any pecuniary penalty which may be imposed by virtue of this section.

Acts constituting two or more offences.

84. Where any act constitutes two or more offences, whether under the same Ordinance or otherwise, the offender shall be liable to be prosecuted and punished for any or all such offences but shall not be liable to be punished twice for the same offence.

Liability of directors, etc.

85. Where a person by whom an offence under any Ordinance has been committed is a company and it is proved that the offence was committed with the consent or connivance of a director or other officer concerned in the management of the company, or any person purporting to act as such director or officer, the director or other officer shall be guilty of the like offence.

Imposition of penalty not to bar civil action.

86. The imposition of a penalty or fine by or under any Ordinance shall not relieve any person from liability to answer in damages to a person injured.

87. Where in any Ordinance a penalty is prescribed for an offence under that Ordinance, such provision shall imply —

Penalties prescribed to be deemed maximum penalties.

- (a) that such offence shall be punishable upon conviction by a penalty not exceeding the penalty prescribed; and
- (b) if the amount of the fine is unspecified, that such offence shall, without prejudice to any law against excessive or unreasonable fines or assessments, be punishable by a fine of any amount.

88. Where in any Ordinance a penalty is set out at the foot of any section or part thereof the same shall mean that any contravention of that section or part shall be an offence under such Ordinance punishable upon conviction by a penalty not exceeding the penalty so set out.

Statement of penalty at end of section.

89. Where in any Ordinance more than one penalty is prescribed for an offence, the use of the word "and" shall mean that the penalties may be inflicted alternatively or cumulatively.

Certain penalties may be cumulative.

90. (1) Where any provision in any Ordinance creates, or results in the creation of, an offence, the offence shall be triable summarily only, unless —

Trial of offences.

- (a) the offence is declared to be treason, felony or misdemeanour;
- (b) the words "upon indictment" appear; or
- (c) the offence is declared to be a "misdemeanour triable summarily".

(2) Where any provision in any Ordinance creates, or results in the creation of, an offence and —

- (a) the offence is declared to be treason, felony or misdemeanour; or
- (b) subject to subsection (4), the words "upon indictment" appear,

the offence shall be triable only upon indictment.

(3) Where any provision in any Ordinance creates, or results in the creation of, an offence and the offence is declared to be a "misdemeanour triable summarily", the offence shall be triable either on indictment or summarily.

(4) Where any provision in any Ordinance creates, or results in the creation of, an offence and the offence is declared to be triable either summarily or upon indictment or to be punishable on summary conviction or on indictment, the offence shall be triable either on indictment or summarily.

(5) Nothing in this section shall affect the powers conferred upon a magistrate by the Administration of Justice Ordinance or by any other law to try an indictable offence summarily.

Cap. 3.

91. Where an offence is a misdemeanour by any law and no punishment is provided therefor, that offence shall be punishable by imprisonment for seven years or a fine of £2,000.

Punishment of misdemeanour.

92. Where the fiat, authorization, sanction, consent or authority of the Governor or any other public officer is necessary before any prosecution or action is commenced, or for any purpose whatsoever in connection with any proceeding, any document purporting to bear the fiat, authorization, sanction, consent or authority of the Governor, or such public officer, as the case may be, shall, until the contrary is proved, be received as evidence in any proceeding without proof being given that the signature to such fiat, authorization, sanction, consent or authority is that of the Governor or such public officer.

Evidence of signature or fiat, etc.

Prosecution of offences.

93. Where any Ordinance provides that no prosecution for an offence shall be commenced without the consent of some person other than the Attorney General, such a provision shall not derogate from the powers of the Attorney General in respect of the prosecution of that offence.

Amendment of penalty.

94. Where an act or omission constitutes an offence and the penalty for such offence is varied between the time of the commission of such offence and the conviction thereof, the offender shall be liable to the penalty prescribed at the time of the commission of the offence.

Disposal of fines and penalties.

95. Any fine or penalty imposed by or under the authority of any Ordinance shall be paid into the general revenue of the Colony:

Provided that the Governor may direct the payment to any aggrieved person, or to any person whose information or evidence has led to the conviction of the offender or to the recovery of the fine or penalty, of such proportion of the fine or penalty as he may think fit.

Disposal of forfeits.

96. (1) Where under any Ordinance any movable property is adjudged by any court or other authority to be forfeited, it shall be forfeited to the Crown, and the net proceeds thereof, if it is ordered by a competent authority to be sold, shall be paid into the general revenue of the Colony.

(2) Nothing in this section shall affect any provision in any Ordinance whereby any portion of any forfeit or of the proceeds of any forfeit is expressed to be recoverable by any person or may be granted by any authority to any person.

Award of compensation.

97. (1) The Legislative Council may by resolution award compensation, by way of either a single payment or periodical payments, from the general revenue of the Colony to any person injured in the execution of a moral or legal duty to assist in the prevention of or resistance to crime or any offence, or to the dependants of a person so injured who dies as a result of such injury.

(2) Any award made under this section may be made subject to such conditions as may be specified in such resolution and may at any time be varied or revoked by the Legislative Council by resolution.

(3) No award made under this section shall be assignable or transferable or liable to be attached, sequestered or levied upon for or in respect of any debt or claim whatsoever other than a debt due to the Government.

Reduction, etc., of fees and charges.

98. Any fee or charge made payable by or under any Ordinance to the Crown or the Government or to any public body or public officer, not being a fee or charge which is regulated by rules of court —

(a) may be reduced or varied by order of the Governor:

Provided that no variation thereof shall cause such fee or charge to exceed the original figure;

(b) may be remitted or refunded, in whole or in part, in any particular case and on any special ground by the Governor;

(c) subject as aforesaid shall be paid into or from the general revenue of the Colony.

Collection of fees.

99. (1) Where by any Ordinance the signature of the Governor or of any public officer is required to any certificate, authorization, consent, licence, permit or exemption, or any alteration, transfer or renewal thereof, addition thereto or endorsement thereon, or any copy of the same, and no fee for such signature is prescribed by law, there shall be payable for such signature such fee as the Governor may prescribe by notice in the Gazette.

(2) Where any Ordinance requires or authorizes the issue of any document by a public officer, such public officer may, subject to any directions of the Governor, issue a duplicate of such document, upon payment of such fee as may be prescribed by law or as the Governor may prescribe by notice in the Gazette if no fee is prescribed by law.

(3) Where any Ordinance requires or authorizes any alteration, transfer, or endorsement of or addition to any certificate, authorization, consent, licence, permit or exemption by a public officer, such fee shall be payable therefor as may be prescribed by law or as the Governor may prescribe by notice in the Gazette if no fee is prescribed by law.

(4) Where an extract of any document, book, record or instrument may be properly certified by a public officer as a true extract of such document, book, record or instrument, such fee shall be payable for the certifying of the extract by such officer as may be prescribed by law or as the Governor may prescribe by notice in the Gazette if no fee is prescribed by law.

PART XIII

MISCELLANEOUS

100. (1) A copy of an Ordinance shall, if published in the Gazette or purporting to be printed by the Government Printer, be deemed to be an authentic copy of that Ordinance as at the date of such publication or printing.

Copies of Ordinances,
etc., in Gazette.

(2) A copy of any other instrument shall, if published in the Gazette or purporting to be printed by the Government Printer, on its production be admitted as prima facie evidence thereof in all courts and for all purposes whatsoever without any further proof.

101. (1) The Attorney General may, by order published in the Gazette, rectify any clerical or printing error appearing in any Ordinance, not being an Ordinance contained in a booklet prepared under the authority of the Revised Edition of the Laws Ordinance.

Rectification of errors.

(2) Every order made under this section shall be laid on the table of the Legislative Council without unreasonable delay, and, if a resolution is passed at the next sitting of the Legislative Council held after the sitting at which the order is so laid that the order be annulled, it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder, or to the making of a new order.

102. (1) Where any person, public officer, Government department or public body is required to do anything for which a fee is to be paid or a charge made under any Ordinance, such person, public officer, Government department or public body may decline to do that thing until the fee or charge is paid or, where the precise amount of the payment to be made cannot be ascertained until the thing is done, until there be paid such amount as may be estimated to be the correct amount by the person, public officer or the responsible officer of the Government department or public body required to do the thing.

Performance of acts for
which payment is
required.

(2) Where a thing has been done for which an estimated amount shall have been paid, such amount shall be adjusted to the correct amount either by means of a further payment or by a refund of the amount overpaid.

103. The Governor in Council may, with the approval of the Secretary of State, declare any place to be a town, and define the extent, limits, and boundaries of such town and of its suburbs, and vary or alter such extent, limits and boundaries:

Declaration of town.

Provided that no part of the boundaries of the town shall be more than two miles, nor the suburbs more than six miles from the centre of the town.

Division of Colony into districts.

104. The Governor in Council may, when it is considered convenient for the more efficient operation of any Ordinance or any other purpose, divide, subdivide and re-divide the Colony into districts, or alter the boundaries of any such districts.

Authority to print copies.

105. The Government Printer may, with the authority of the Governor, print copies of any Ordinance with all additions, omissions, substitutions and amendments effected by any amending Ordinances, and such copies shall be deemed to be authentic copies of the Ordinance as amended as at the date of such printing.

Cap. 33.

106. The Interpretation and General Law 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.

W. A. ETHERIDGE,
Clerk of the Legislative Council.

Ref. LEG/10/5.

Assented to in Her Majesty's name this 7th day of July 1977.

J. R. W. PARKER,
Governor.

LS

No. 15



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.

Governor.

An Ordinance

Further to amend the Legislative Council
(Elections) Ordinance 1948. Title.

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

1. This Ordinance may be cited as the Legislative Council (Elections) (Amendment) Ordinance 1977, and shall come into operation on a date to be notified by His Excellency the Governor by publication in the official Gazette. Short title and commencement.

2. Section 2 of the Legislative Council (Elections) Ordinance (hereinafter referred to as the principal Ordinance) is amended — Amendment of section 2.

- (a) by the deletion of the definition of "Order in Council";
- (b) by inserting after the definition of "Council" the following new definition —

"“Qualifying day” means the 15th day of July in each year”.

- (c) by the deletion of the definition of "Qualifying period" and the substitution of the following —

"“Qualifying period” means —

- (i) in the case of a person born in the Colony twelve months' continuous residence preceding the qualifying day; or
- (ii) in the case of a person not born in the Colony three years' continuous residence preceding the qualifying day.”.

- (d) by the deletion of the definition "Electoral area" and;
- (e) by inserting after the definition of "Election Officer", the following —
 " "Camp" means the whole area of the Colony outside the town of Stanley."

Repeal and replacement
of section 3.

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

"Electoral
Areas and
Electoral
Divisions.

3. (1) For the purpose of elections to the Legislative Council the Colony shall be divided into —

- (a) four electoral areas, East Stanley and West Stanley, and East Falklands and West Falklands, and
- (b) two electoral divisions, Stanley and Camp.

(2) The boundaries of the electoral areas and the electoral divisions shall be as set out in the Second Schedule to the Ordinance.

(3) Elections for an electoral area shall be held on one day followed within a period of not more than three weeks by elections for the electoral divisions when required.

(4) A candidate for elections to an electoral area may be a candidate for election to a vacancy in an electoral division —

- (i) if he is unsuccessful in an election to an electoral area; and
- (ii) he is not barred from standing for election under subsection (5).

(5) Any candidate who fails to obtain one-tenth or more of the total number of votes polled for in an electoral area election shall be barred from standing for an electoral division election."

Addition of new section
3A.

4. The principal Ordinance is amended by the addition after section 3, of the following new section —

"Representation
of Electorates.

3A. Six members shall be elected to the Legislative Council in accordance with the provisions of this Ordinance to represent the following electoral areas and electoral divisions —

(1) one member shall be elected for each of the electoral areas of East Stanley, West Stanley, East Falklands and West Falklands.

(2) One member shall be elected for each electoral division of Stanley and of Camp."

Amendment of section 4.

5. Section 4 of the principal Ordinance is amended —

- (a) by the insertion after the words "electoral area" of the following —
 "or an electoral division"; and
- (b) by the insertion after the words "in the area" of the following —
 "or in the division".

Amendment of section 5.

6. Section 5 of the principal Ordinance is amended by the insertion after the words "electoral area" of the following —
 "or electoral division"

7. Section 6 of the principal Ordinance is amended —

Amendment of section 6.

- (a) in paragraph (a) by the deletion of "21" and the substitution of the following —

"18";

- (b) by the deletion of paragraph (c) and the substitution of the following new paragraph —

"(c) has continuously resided in the Colony during the qualifying period and is normally resident in the electoral area or the electoral division on qualifying day."

- (c) by the deletion of the first proviso and the substitution of the following —

"Provided that a person who is normally resident in an electoral area or an electoral division shall be deemed to be resident therein on the qualifying day notwithstanding his absence overseas or otherwise on that day, if he intends to resume actual residence within six months from the date of his departure from the area or division."

- (d) in the second proviso by the insertion after the words "electoral area" of the following —

"or electoral division".

- (e) by the insertion of a third proviso —

"Provided further that a person born in the Colony who is normally resident in an electoral area or an electoral division shall be deemed to be resident therein on the qualifying day notwithstanding his absence from his electoral area or electoral division for a period not exceeding six months during the qualifying period."

8. Section 7 of the principal Ordinance is repealed and replaced by the following —

Repeal and replacement of section 7.

"Register of electors.

7. (1) It shall be the duty of every registration officer to prepare and publish once in each year, should the Governor so decide, a register of electors for his electoral area or electoral division and every such register shall —

- (a) be published in the Gazette not later than the 15th day of September in each year;
- (b) come into force immediately; and
- (c) remain in force until the register next compiled is published.

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

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

9. Section 8 of the principal Ordinance is amended —

Amendment of section 8.

- (a) by the insertion after the word "area" wherever it occurs, the following —

"or division";

- (b) in subsection (1) by the insertion after the words "the register" of the following —

"and a supplement to the register containing names of postal voters";

- (c) in paragraph (a) of subsection (1) by deleting "as soon as may be after receiving such notice as is mentioned in subsection (1) of section 7 of this Ordinance"; and
- (d) in subsection (2) by deleting "one month" and the substitution of the following —
"ten days".

**Addition of new section
8A.**

10. The principal Ordinance is amended by the addition after section 8 of the following new section —

"Postal voting

8A. (1) Notwithstanding the provisions of this Ordinance every elector registered in any electoral area or electoral division who due to illness, incapacity of travelling to the voting area, intended absence at sea, or residing in any one of the remote areas mentioned in the Fifth Schedule or temporary absence from the Colony at the date of any election shall, if he so desires, complete Form F in the Third Schedule and be entered on the postal voters list which shall be prepared by the registration officer for his electoral area or electoral division.

(2) Every elector whose name is on the postal voters list for any electoral area or electoral division shall be entitled to vote by sending his ballot paper by post to the returning officer, but shall not, so long as his name is on that list, be entitled to vote in any other manner.

(3) (a) The registration officer shall each year, should the Governor so decide, prepare and add as a supplement to the register a separate list for each electoral area and each electoral division, of persons entitled to vote as postal voters;

(b) The names in the Postal Voters List shall be arranged in the same order as that in which those names appear in the register under subsection (2) of section 7;

(c) The registration officer shall keep a record of any address which may be furnished to him by or in respect of any person placed on the Postal Voters List as the address which is to be for the time being the address of the voter and, as soon as practicable, shall cause instructions to be sent to the voters as to the mode of voting under those provisions of this Ordinance.

(4) The returning officer shall, in the case of a contested election for any electoral area or any electoral division, as soon as practicable after the issue of the proclamation appointing the day on which the election is to be held, send a postal voters ballot paper in Form G in the Third Schedule to each elector whose name is on the postal voters list and who is entitled to vote at that election, to the address recorded by the registration officer, together with a declaration of identity in Form H in the Third Schedule and a certificate as contained in Form I in the Third Schedule, and if such ballot paper duly marked by the postal voter and accompanied by a declaration of identity and a certificate as contained in the Third

Schedule, is received by the returning officer before the close of the poll it shall be counted by him and treated for all purposes in the same manner as a ballot paper placed in the ballot box in the ordinary way.”.

11. Section 9 of the principal Ordinance is repealed.

Repeal of section 9.

12. Subsection (1) of section 10 of the principal Ordinance is amended as follows —

Amendment of section 10.

- (a) by the insertion after the word “area” wherever it occurs of the following —
“or division”;
- (b) by the deletion of “30” and the substitution of the following —
“10”;
- (c) by the deletion of the words “Form in the Schedule” where they first occur and the substitution of the following —
“Form A in the First Schedule”;
- (d) by the deletion of the words “Form in the Schedule” where they secondly appear and the substitution of the following
“Form J in the Fourth Schedule”;
- (e) by the deletion of the words “to the Legislative Council (Elections) (Amendment) Ordinance 1959”;
- (f) by the insertion after the words “electoral area” of the following —
“or electoral division”.

13. Section 11 of the principal Ordinance is amended —

Amendment of section 11.

- (a) by the deletion of the word “Magistrate” wherever it occurs and the substitution of the following —
“Senior Magistrate”;
- (b) in subsection (3) by the deletion of the words “ten days” and the substitution of the following —
“seven days”.

14. Section 12 of the principal Ordinance is repealed.

Repeal of section 12.

15. Section 13 of the principal Ordinance is amended in subsection (1) by the insertion after the words “electoral area” of the following —

Amendment of section 13.

“or electoral division”.

16. Section 15 of the principal Ordinance is amended —

Amendment of section 15.

- (a) in subsection (1) by the insertion after the words “electoral area” of the following —
“or electoral division”; and
- (b) in subsection (2) —
 - (i) in paragraph (e) by the deletion of the word “district” and the insertion after the word “electoral” of the following —
“area or electoral division”; and
 - (ii) by the deletion of paragraph (j) and the substitution therefor of the following —
“(j) has not ordinarily resided in the Colony for a period of not less than three years”; and
 - (iii) by the deletion of the full stop at the end of paragraph (k) and the substitution therefor of a colon and the word “or”; and

(iv) by the insertion after paragraph (k) of the following new paragraph —

“(l) is not a British Subject and has not attained the age of twenty-one years”.

Amendment of section 16.

17. Section 16 of the principal Ordinance is amended —

(a) in subsection (1) as follows —

(i) by the insertion after the words “Form B in the” of the following —

“First”; and

(ii) by the insertion after the words “electoral area” of the following —

“or electoral division”; and

(iii) by the addition after the words “Justice of the Peace” of the following —

“or Commissioner for Oaths”;

(b) in subsection (2) by the insertion after the words “electoral area” of the following —

“or electoral division”; and

(c) in subsection (6) by the insertion after the words “electoral area” of the following —

“or electoral division”.

Amendment of section 19.

18. Section 19 of the principal Ordinance is amended in paragraph (a) of subsection (2) by the insertion after the words “electoral area” of the following —

“or electoral division”.

Amendment of section 24.

19. Section 24 of the principal Ordinance is amended in subsection (1) by inserting after the words “Form C in the” of the following —

“First”.

Amendment of section 26.

20. Section 26 of the principal Ordinance is amended —

(a) in subsection (1) by the deletion of the words brackets and comma “(or in the case of an election in the electoral area of Stanley, two candidates)”;

(b) in subsection (2) by substituting the word “any” for the word “each” where it appears.

Amendment of section 29.

21. Section 29 of the principal Ordinance is amended in subsection (1) by the insertion after the words “Form D in the” of the following —

“First”;

Amendment of section 32.

22. Section 32 of the principal Ordinance is amended by the insertion —

(a) after the words “ballot boxes” of the following —

“and postal votes”;

(b) after the words “electoral area” of the following —

“or electoral division”.

Amendment of section 36.

23. Section 36 of the principal Ordinance is amended in subsection (1) by the deletion of the words “or in the case of an election in the Stanley electoral area the two candidates who have received the greatest number of votes”.

24. Section 39 of the principal Ordinance is amended —

Amendment of section 39.

(a) in subsection (1) —

(i) by the deletion of the words “one-eighth” and the substitution therefor of the following —

“one tenth”; and

(ii) by the insertion after the words “electoral area” of the following —

“or electoral division”; and

(b) in subsection (2) by the deletion of the words “one-eighth” and the substitution of the following —

“one-tenth”.

25. Section 40 of the principal Ordinance is amended by the insertion after the words “electoral area” in subsection (1) of the following —

Amendment of section 40.

“or electoral division”.

26. Section 41 of the principal Ordinance is amended —

Amendment of section 41.

(a) in paragraph (a) of subsection (1) by the insertion after the words “electoral area” where they appear of the following —

“or electoral division”; and

(b) in subsection (3) by the insertion after the words “electoral area” of the following —

“or electoral division”.

27. The procedure set out in sections 7, 9 and 12 of the Legislative Council (Elections) Ordinance with the following amendments —

Saving and transitional.

(i) by adding in sections 7 and 12 after the words “electoral area” and “electoral areas” where they appear the words —

“or electoral division” and “or electoral divisions”;
and

(ii) by adding in section 9 after the word “area” where it appears the words —

“or division”,

repealed or replaced by this Ordinance shall apply for the compiling of the electoral register and the supplement to the register containing the names of postal voters for the first general election to be held after the coming into force of this Ordinance.

28. The Schedule to the principal Ordinance is repealed and replaced by the following new Schedules.

Repeal of Schedule and replacement by new Schedules.

FIRST SCHEDULE

FORM A.

(Section 10)

FORM OF CLAIM

To the Registration Officer * ELECTORAL AREA
 * ELECTORAL DIVISION

I claim to have my name included in the register of electors for the

* ELECTORAL AREA of

* ELECTORAL DIVISION of

Surname (*in block letters*)

Other names

Address

I certify that I am a British subject, that I have attained the age of 18 years and that I resided in the Electoral Area/Electoral Division of..... since and that I am normally resident in the Electoral Area/Electoral Division.

Dated this day of 197.....

Applicant.

* Delete whichever is inapplicable.

FORM B.

(Section 16)

NOMINATION FORM

Name of candidate (*in full*)

Address

Name of proposer (*in full*).....

Signature of proposer

Signed by the above named (*proposer*)

in my presence the day of 197.....

* *Justice of the Peace.*

* *Commissioner for Oaths.*

Name of seconder (*in full*)

Signature of seconder

Signed by the above named seconder

in my presence the day of 197.....

* *Justice of the Peace.*

* *Commissioner for Oaths.*

We the undersigned being electors do hereby support the foregoing nomination —

1.

2.

3.

4.

5.

6.

7.

Handed in at a.m. on the day of 197.....

* Delete whichever is inapplicable.

Returning Officer.

FORM C.

(Section 24)

BALLOT PAPER

No.....

FALKLAND ISLANDS
LEGISLATIVE COUNCIL ELECTIONS

FALKLAND ISLANDS
LEGISLATIVE COUNCIL ELECTIONS

- * ELECTORAL AREA
- * ELECTORAL DIVISION

BALLOT PAPER - COUNTERFOIL

BALLOT PAPER

ELECTOR'S SERIAL NUMBER

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

Official Mark.

* Delete whichever is inapplicable.

REVERSE

No.....

(Corresponding with that on Counterfoil)

- * ELECTORAL AREA of
- * ELECTORAL DIVISION of

Date

* Delete whichever is inapplicable

FORM D.

(Section 29)

DECLARATION

I, of
solemnly and sincerely declare that I am the same person whose name appears as

.....
No. in the register of electors in force for the * Electoral
Area / * Electoral Division.

Declaration made in the presence of

Signed

PRESIDING OFFICER.

- * Stanley.
- * Camp.
- * East Falklands.
- * West Falklands.
- * East Stanley.
- * West Stanley.

* Delete whichever is inapplicable.

SECOND SCHEDULE

FORM E.

(Section 3)

1. The names and boundaries of each electoral division and each electoral area shall be as specified in the table hereto.
2. The boundary of the electoral divisions and electoral areas mentioned in the second and third columns of the table shall be taken to be those boundaries as constituted on the twenty-first day of June one thousand nine hundred and seventy-seven provided that any misnomer or inaccurate description of any of those electoral divisions or electoral areas shall not in any way prevent or abridge the operation of this Ordinance with respect to the subject of the description, if it is so designated as to be commonly understood.

Name	Boundaries of divisions	Boundaries of areas
Stanley	that area as defined in the Stanley rates Ordinance 1973.	
Camp	the whole of Camp other than the area of Stanley as defined in the First Schedule to the Stanley Rates Ordinance 1973.	
West Falkland		that area known as West Falkland.
East Falkland		that area of East Falkland remaining after the excision of Stanley.
West Stanley		all that area West of the middle line of Dean Street.
East Stanley		all that area East of the middle line of Dean Street.

THIRD SCHEDULE

FORM F.

(Section 8A (1))

APPLICATION TO VOTE BY POST

I, *(surname)* (BLOCK LETTERS)
(other names) (BLOCK LETTERS)
am qualified to be registered as an elector for the * electoral area / * electoral division of
I apply to be treated as a postal voter at the electoral area / electoral division of elections because I am likely to be unable to go to the polling station due to * illness, * incapacity of travelling to the voting area, * intended absence at sea, * temporary absence from the Colony or * residing in a remote area. My address is *(address in full in block letters)*
.....
Signature..... Date

* Delete whichever is inapplicable.

FORM G.

(Section 8A (4))

POSTAL BALLOT PAPER

No.....

FALKLAND ISLANDS
LEGISLATIVE COUNCIL ELECTIONS

FALKLAND ISLANDS
LEGISLATIVE COUNCIL ELECTIONS

- * ELECTORAL AREA
- * ELECTORAL DIVISION

BALLOT PAPER - COUNTERFOIL

BALLOT PAPER

ELECTOR'S SERIAL NUMBER

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

Official Mark

* Delete whichever is inapplicable.

REVERSE

No.....

(Corresponding with that on Counterfoil)

- * ELECTORAL AREA of
- * ELECTORAL DIVISION of

Date

* Delete whichever is inapplicable.

FORM H.

(Section 8A (4))

POSTAL VOTER'S DECLARATION

I, of
solemnly and sincerely declare that I am the same person whose name appears as

.....
No. in the register of electors (postal voters list) in force for the * Electoral Area
of / * Electoral Division of

(Signed)

- * ELECTORAL AREA of East Falklands
 West Falklands
 East Stanley
 West Stanley
- * ELECTORAL DIVISION of Stanley
 Camp

* Delete whichever is inapplicable.

FORM I.

(Section 8A. (4))

POSTAL VOTER'S CERTIFICATE

ELECTION IN THE ELECTORAL AREA OF.....
ELECTORAL DIVISION OF.....

I certify that (name).....
who is numbered in the register of electors (*postal voting list*) for the electoral area
of or electoral division of
named above, is likely to be unable to go in person to the polling station at the election on
(*date of poll*)

by reason on that date of —

- * illness.
- * incapacity of travelling to the voting area.
- * absence at sea, or
- * temporary absence from the Colony.
- * residing in a remote area.

Date

Signature

Doctor/ Justice of the Peace/ Minister of Religion/ Police Officer.

* Delete whichever is inapplicable.

FORM J.

(Section 10)

FOURTH SCHEDULE FORM OF OBJECTION

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

To the registration officer for the electoral area /electoral division of

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

as an elector ‡

The grounds of my objections are

I am entered in the electors lists as an elector for the above electoral area / electoral division
as follows x

Signed

Address

Date

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

‡ Delete if inapplicable.

x Here insert extract from printed electors lists.

(Section 8A)

FIFTH SCHEDULE

Beaver Island, Carcass Island, Golding Island, Lively Island, New Island, Sea Lion Island, Sedge Island, Speedwell Island, West Point Island and any other island or place so designated by the Governor by notice in the Gazette.

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.

W. A. ETHERIDGE,
Clerk of the Legislative Council.

Ref. LEC/10/1.

Assented to in Her Majesty's name this 7th day of July 1977.

J. R. W. PARKER,
Governor.



No. 16



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.
Governor.

An Ordinance

To control the use of the Stanley Airport.

Title.

Date of commencement.

(11th July 1977)

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 Stanley Airport (Regulations) Ordinance, 1977.

Interpretation.

2. In this Ordinance, unless the context otherwise requires —

“airport” means all that piece or parcel of land known as Stanley Airport together with the buildings and erections thereon within the boundaries delineated on the approved plan;

“approved plan” means the latest approved by the Governor under subsection (1) of section 3 incorporating any amendments thereto as approved;

“Superintendent” means the Superintendent of Stanley Airport.

Area of airport to be shown on a plan approved by the Governor.

3. (1) The Governor may approve a plan delineating the area and boundaries of the airport and may from time to time approve a new plan in substitution therefor and amendments to such plan or substituted plan.

(2) The Governor's approval of any plan or amendments thereto under subsection (1) shall be endorsed on the plan under the hand of the Chief Secretary.

(3) A copy of the approved plan shall be kept in the office of the Superintendent.

4. (1) The Governor in Council may, for the purpose of controlling the use of the airport, by regulation provide for — Regulations.

- (a) the preservation of order and property and the prevention of nuisance therein;
- (b) the control within the airport of aircraft on the ground;
- (c) the moving within the airport of aircraft on the ground;
- (d) the control therein or exclusion therefrom of persons, vehicles, animals and articles;
- (e) the moving within the airport of any vehicle, animal or article;
- (f) the restriction of access by the public thereto, and the days and times of admission thereto;
- (g) the control of the sale, advertisement or distribution of any goods, food or drink therein;
- (h) the designation by the Superintendent of car parks for the use of vehicles of any description or any particular type or class or for the use of persons of any particular class;
- (i) the fees payable for the use of car parks;
- (j) the control of the use of car parks;
- (k) the collection of airport revenues;
- (l) the control of unauthorized buildings being erected in the take-off flight path area;
- (m) the removal from the airport of vehicles which contravene any provision of this Ordinance, the sale of vehicles so removed, and the fees payable in respect of such removal or sale;
- (n) empowering the Superintendent, any person authorized by him in writing for the purposes of this Ordinance or any police officer to give such orders, either orally or in writing, or to do such acts as may be specified for carrying into effect any regulation.

(2) Regulations made under this section may provide that contravention of specified provisions of such regulations or of any order given under such regulations shall be an offence and may provide penalties for such offence not exceeding a fine of two hundred pounds.

5. In any prosecution for an offence contrary to any regulation made under section 4, a copy of the approved plan certified by the Superintendent to be a copy of such plan shall be conclusive proof of the area and boundaries of the airport. Any such copy purporting to be certified by the Superintendent shall be deemed, until the contrary is proved, to have been certified by him.

Proof of area and
boundaries of airport.

6. (1) Where the driver of a vehicle is alleged to be guilty of an offence under this Ordinance —

- (a) the driver of the vehicle shall on demand give to the Superintendent or any person authorized by him in writing for the purposes of this Ordinance or any police officer his correct name and address and any other information concerning the vehicle which it is in his power to give;

Obligation to give information as to identification.

- (b) the owner of the vehicle shall, within fourteen days of being so required (such requirement having been made within fourteen days after the date of the alleged offence) give such information as may be required by the Superintendent or any person authorized in writing by him for the purposes of this Ordinance or any police officer as to the identity of the driver of the vehicle; and
- (c) any other person shall, within fourteen days of being so required (such requirement having been made within fourteen days after the date of the alleged offence) give such information as may be required by the Superintendent or any person authorized in writing by him for the purposes of this Ordinance or any police officer, being information which it is in his power to give and which may lead to the identification of the driver.

(2) Any person who contravenes any of the provisions of this section shall be guilty of an offence and shall be liable on conviction to a fine of two hundred pounds:

Provided that in the case of any proceedings against the owner of a vehicle it shall be a sufficient defence if he proves to the satisfaction of the court or magistrate that he did not know and could not with reasonable diligence have ascertained the identity of the driver.

(3) A requirement under paragraph (b) or (c) of subsection (1) may be in writing and may be served on the owner of the vehicle or other person, as the case may be, by post.

Proof in summary proceedings of identity of driver of vehicle.

7. Where in any summary proceedings in respect of an offence under this Ordinance —

- (a) it is proved that a requirement under paragraph (b) of subsection (1) of section 6 that information be given as to the identity of the driver of a particular vehicle on the particular occasion to which the proceedings relate has been served by post on the defendant; and
- (b) a document purporting to be signed by the defendant and stating that he was the driver of that vehicle on that occasion is produced to the court or magistrate,

the court or magistrate may, until the contrary is proved, accept that document as evidence that the defendant was the driver of that vehicle on that occasion.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

W. A. ETHERIDGE,
Clerk of the Legislative Council.

Ref. AIR/10/5.

Assented to in Her Majesty's name this 8th day of July 1977.

J. R. W. PARKER,
Governor.



No. 17



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.
Governor.

An Ordinance
Further to amend the Income Tax Ordinance.

(1st January 1978)

Title.

Date of commencement.

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

Enacting clause.

1. This Ordinance may be cited as the Income Tax (Amendment) (No. 2) Ordinance 1977, and shall apply to assessments for the year of assessment commencing on the 1st day of January 1978 and to subsequent years of assessment.

Short title and commencement.

2. Section 21 of the Income Tax Ordinance (hereinafter referred to as the principal Ordinance) is amended in subsection (2) by deleting "40 per centum" and substituting the following —
"45 per centum"

Amendment of section 21.

3. Section 11 of the principal Ordinance is repealed and replaced by the following new section —

Repeal and replacement of section 11.

"Depreciation

11. In ascertaining the chargeable income of any person engaged in a trade, business, profession or vocation, there shall be deducted or charged as the case may be any amounts authorized by the Sixth Schedule to be deducted or charged on account of depreciation or balancing charge."

4. The principal Ordinance is amended by adding after the Fifth Schedule the following new Schedule —

Addition of Sixth Schedule.

"SIXTH SCHEDULE Section 11.
DEPRECIATION

Interpretation.

1. In this Schedule —

"expenditure", in relation to the cost of a capital asset, means the amount spent upon the provision of that asset by the person claiming the depreciation deduction, reduced by the amount of any grant, subsidy or contribution towards that cost made by any other person or authority;

"written-down value", in relation to a capital asset, means the amount of the expenditure upon that asset less the sum of any wear and tear and depreciation deductions made in respect of that asset for all earlier years or which could have been made if the asset had been employed continuously since the expenditure was incurred in the production of income.

- | | |
|----------------------|---|
| Deduction. | 2. Where a person referred to in section 11 employs during the year immediately preceding the year of assessment in the course of his trade, business, profession or vocation any of the capital assets specified in paragraph 3 of this Schedule, there shall be allowed, upon his making a claim thereto, a deduction on account of the depreciation of such assets (in this Schedule referred to as a "depreciation deduction"). |
| Assets qualifying. | 3. The capital assets in respect of which a depreciation deduction may be claimed are buildings (excluding land), ships, and machinery and plant other than ships. |
| Amount of deduction. | 4. The amount of a depreciation deduction shall be — <ul style="list-style-type: none"> (a) where the asset is machinery or plant other than a ship, twenty-five per cent, (b) where the asset is a ship or a building, ten per cent, of the written-down value of the asset. |
| Balancing deduction. | 5. Where during the year immediately preceding the year of assessment a capital asset in respect of which a wear and tear or a depreciation deduction has been made is sold, scrapped or destroyed and the amount of the sale proceeds or insurance recoveries is less than the written-down value, there shall be made a deduction equal to the amount of the deficiency. |
| Balancing charge. | 6. Where during the year immediately preceding the year of assessment a capital asset in respect of which a wear and tear or a depreciation deduction has been made is sold or destroyed and the amount of the sale proceeds or insurance recoveries is more than the written-down value, the amount of the excess (or the total amount of all wear and tear and depreciation deductions made, if less) shall be additional income chargeable to tax for that year of assessment. |
| Buildings. | 7. Where a building is bought or sold together with land the Commissioner shall make such apportionment of the total sum as is just for the purpose of arriving at the separate value of the building." |

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.

W. A. ETHERIDGE,
Clerk of the Legislative Council.

Assented to in Her Majesty's name this 8th day of July 1977.

J. R. W. PARKER,
Governor.

LS

No. 18



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.
Governor.

An Ordinance

Further to amend the Income Tax Ordinance. Title.

(1st January 1978)

Date of commencement.

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

Enacting clause.

1. This Ordinance may be cited as the Income Tax (Amendment) (No. 3) Ordinance 1977, and shall apply to assessments for the year of assessment commencing on the 1st day of January 1978 and to the subsequent years of assessment.

Short title and commencement.

2. Section 14 of the Income Tax Ordinance (hereinafter referred to as the principal Ordinance) is amended in subsection (1) by deleting "£500" and substituting the following —

Amendment of section 14.

"£750"

3 Section 15 of the principal Ordinance is amended —

Amendment of section 15.

(a) in subsection (1), by deleting "£180" and substituting the following —

"£300"

(b) in subsection (2), by deleting "£100" and substituting the following —

"£150"

- (c) in subsection (3) (a)
- (i) by deleting "£200" and substituting the following —
"£350"
- (ii) by deleting "£100" and substituting the following —
"£250"
- (d) in subsection (4), by deleting "£230" and substituting the following —
"£350"
- (e) by inserting after subsection (4) the following new subsection —
- "Deduction in respect of wife's earned income. (5) If the total income of any individual includes any earned income of his wife there shall be a deduction of an additional one-fifth of the amount of that earned income provided that such deduction shall not in the case of any individual exceed £200."

Amendment of section 16.

4. Section 16 of the principal Ordinance is amended —
- (a) in subsection (1), by deleting "£130" and substituting the following —
"£250"
- (b) in paragraph (i) of the proviso to subsection (1), by deleting "£150" and substituting the following —
"£280"

Amendment of section 16A.

5. Section 16A of the principal Ordinance is amended by deleting "£600" wherever it occurs, and substituting the following —
"£900"

Amendment of section 21.

6. Section 21 of the principal Ordinance is amended in subsection (1) by deleting from "On every" to "45 per cent" and substituting the following —

"On every pound of —

the first	£500	of chargeable income	17½ per cent
the next	£500	" "	22½ per cent
" "	£500	" "	27½ per cent
" "	£1,000	" "	35 per cent
" "	£1,000	" "	40 per cent
" "	£1,000	" "	45 per cent
the remainder of chargeable income			50 per cent."

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.

W. A. ETHERIDGE,
Clerk of the Legislative Council.

Ref. INC/10/1.

CUSTOMS ORDINANCE

(Chapter 16)

Resolution of the Legislative Council.

No. 1 of 1977.

J. R. W. PARKER,
Governor.

RESOLUTION made and passed by the Legislative Council under section 5 of the Customs Ordinance on the 21st day of June 1977.

THIS RESOLUTION may be cited as the Customs (Amendment of Duties) Resolution 1977 and shall come into operation on the 21st day of June 1977.

Citation and commencement.

IT IS HEREBY RESOLVED in exercise of the powers conferred by section 5 of the Customs Ordinance that paragraph 2 of the Customs Order be amended by deleting "£12.00", "78p", "90p", "£4.20", "£2.88" and "£2.40" and substituting the following —

Amendment of paragraph 2.
(Cap. 16 sub. leg.)

"£13.50", "90p", "£1.10", "£5.00", "£3.30" and "£2.80" respectively.

W. A. ETHERIDGE,
Clerk of the Legislative Council.

Ref. CUS/10/1.

A Bill for An Ordinance

Title.

Further to amend the Legislative Council (Elections) Ordinance.

Enacting clause.

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

Short title and commencement.

1. This Ordinance may be cited as the Legislative Council
(Elections) (Amendment) (No. 2) Ordinance 1977 and shall come into
operation on a day to be appointed by the Governor by notice in the
Gazette.

Amendment of section 2.

2. Section 2 of the Legislative Council (Elections) Ordinance
(hereinafter referred to as the principal Ordinance) is amended —

(a) by inserting after the definition of “member” the following
new definition —

“ordinarily resided” has the same meaning assigned thereto
by the Schedule to the Falkland Islands (Legislative
Council) Orders in Council 1948 to 1977;

(b) by the deletion of the definition of “qualifying period” and
the substitution of the following —

“ “qualifying period” means —

(i) in the case of a person born in the Colony, the
preceding twelve months ending on qualifying
day;

(ii) in the case of a person not born in the Colony,
the preceding three years ending on qualifying
day.”.

Amendment of section 6.

3. Section 6 of the principal Ordinance is amended —

(a) in paragraph (c) by deleting “continuously” and substi-
tuting the following —

“ordinarily”;

(b) by deleting the third proviso.

OBJECTS AND REASONS

To remedy an inadvertent misconstruction concerning the definition of
“qualifying period” and the qualification of electors.

Ref. LEC/10/1.



THE FALKLAND ISLANDS GAZETTE (Extraordinary)

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21 JULY 1977

No. 10

Legislative Council (Elections) (Amendment) Ordinance 1977
(No. 15 of 1977)

Legislative Council (Elections) (Amendment) Ordinance 1977
(Commencement) Notice 1977

In exercise of the powers conferred by section 1 of the Legislative Council (Elections) (Amendment) Ordinance 1977, the Governor hereby appoints the 21st day of July 1977 as the day on which the said Ordinance shall come into operation.

20th July 1977.

Ref. LEC/10/1.

By Command,
ARTHUR J. P. MONK,
Chief Secretary.

Legislative Council (Elections) (Amendment) (No. 2) Ordinance 1977
(No. 19 of 1977)

Legislative Council (Elections) (Amendment) (No. 2) Ordinance 1977
(Commencement) Notice 1977

In exercise of the powers conferred by section 1 of the Legislative Council (Elections) (Amendment) (No. 2) Ordinance 1977, the Governor hereby appoints the 21st day of July 1977 as the day on which the said Ordinance shall come into operation.

20th July 1977.

Ref. LEC/10/1.

By Command,
ARTHUR J. P. MONK,
Chief Secretary.

PROCLAMATION

No. 3 of 1977

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.

J. R. W. PARKER



By His Excellency JAMES ROLAND WALTER PARKER, ESQUIRE, Officer 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.

WHEREAS it is provided by subsection (1) of Section 26 of the Falkland Islands (Legislative Council) Orders in Council, 1948-1976, 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, JAMES ROLAND WALTER PARKER, in pursuance of the powers vested in me by the said Falkland Islands (Legislative Council) Orders in Council, 1948-1976, do hereby order and proclaim the dissolution of the Legislative Council, with effect from the 20th day of July 1977.

GOD SAVE THE QUEEN

Given at Government House, Stanley, this 19th day of July 1977.

By His Excellency's Command,

ARTHUR J. P. MONK,

Chief Secretary.

Ref. LEC/35/1.

PROCLAMATION

No. 4 of 1977

BY HIS EXCELLENCY JAMES ROLAND WALTER PARKER, ESQUIRE, Officer 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 and Vice-Admiral of the same.

WHEREAS it is provided by subsection (3) of section 1 of the Falkland Islands (Legislative Council) (Amendment) Order 1977 that the said Order shall come into operation on a date to be notified by the Governor by Proclamation in the Gazette, which shall be a date not earlier than the day after the date of dissolution of the existing Legislative Council:

AND WHEREAS the existing Legislative Council was dissolved on the 20th day of July 1977:

NOW, THEREFORE, I, JAMES ROLAND WALTER PARKER, do hereby PROCLAIM that the Falkland Islands (Legislative Council) (Amendment) Order 1977 shall come into operation on the 21st day of July 1977.

Given under my hand and the Public Seal of the Colony of the Falkland Islands this 20th day of July 1977.



J. R. W. PARKER,

Governor.

GOD SAVE THE QUEEN

Ref. LEG 10/32II.

Assented to in Her Majesty's name this 21st day of July 1977.

J. R. W. PARKER,
Governor.

LS

No. 19



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.
Governor.

An Ordinance
Further to amend the Legislative Council
(Elections) Ordinance. Title.

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

1. This Ordinance may be cited as the Legislative Council (Elections) (Amendment) (No. 2) Ordinance 1977 and shall come into operation on a day to be appointed by the Governor by notice in the Gazette. Short title and commencement.

2. Section 2 of the Legislative Council (Elections) Ordinance (hereinafter referred to as the principal Ordinance) is amended — Amendment of section 2.

- (a) by inserting after the definition of "member" the following new definition —
"ordinarily resided" has the same meaning assigned thereto by the Schedule to the Falkland Islands (Legislative Council) Orders in Council 1948 to 1977;
- (b) by the deletion of the definition of "qualifying period" and the substitution of the following —
" "qualifying period" means —
 - (i) in the case of a person born in the Colony, the preceding twelve months ending on qualifying day;
 - (ii) in the case of a person not born in the Colony, the preceding three years ending on qualifying day."

Amendment of section 6.

3. Section 6 of the principal Ordinance is amended —

(a) in paragraph (c) by deleting “continuously” and substituting the following —

“ordinarily”;

(b) by deleting the third proviso.

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.

W. A. ETHERIDGE,
Clerk of the Legislative Council.

Ref. LEC/10/1.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXXVI

19 AUGUST 1977

No. 11

Appointments

Mrs. Gladys Carey, Nurse, Medical Department, 1.6.76.

Lawrence Gordon Blizard, Clerk/Storekeeper, Medical Department, 1.9.76.

Miss Sandra Booth, Clerk, Public Service 1.7.77.

Russell John Summers, Electrician, Electrical Section, Public Works Department, 1.7.77.

Acting Appointments

Miss Linda Margaret Lyse, Acting Senior Clerk, Treasury Department, 21.7.77.

Phillip George Summers, Acting Financial Secretary, Treasury Department, 29.7.77.

Michael Luxton, Acting Deputy Financial Secretary, Treasury Department, 29.7.77.

Wallace Carlinden Hirtle, Acting Commissioner of Income Tax, Income Tax Office, 29.7.77.

Promotion

Michael Luxton, Assistant Secretary (Finance), Treasury Department, 21.7.77. (On probation).

NOTICES

No. 44. 12th July 1977.

With reference to the Instrument under the Public Seal of the Colony dated 8th July 1977, it is hereby notified that His Excellency the Governor returned to Stanley on Sunday, 10th July 1977.

Ref. GOV/19/1.

No. 45. 12th July 1977.

The findings of the Cost of Living Committee for the quarter ended 30th June 1977, are published for general information —

Quarter ended	Percentage increase over 1971 prices
30th June 1977	144.28%

2. In accordance with the principle of the Wages Agreement for Stanley the average increase over the last four quarters is 132.39% and a further wage award of 1½p per hour is therefore payable with effect from 1st July 1977.

Ref. INT/2/3.

No. 46.

12th July 1977.

Air Fares and Conditions of Carriage

The Air Fares and Conditions of Carriage (Gazette Notice No. 33 of 1973) as amended (Gazette Notices No. 28 of 1975 and No. 15 of 1976) is amended by deleting Section I Scheduled Passenger Flights and substituting the following new section —

I. SCHEDULED PASSENGER FLIGHTS

(1) Passenger fares for scheduled flights are calculated on the straight line distance between points of departure and destination. The fare consists of two elements forming a single whole —

- (a) a charge of 15 pence per mile plus
- (b) a flat rate (popularly known as the boarding charge) for passengers other than medical passengers, of —
 - (i) £6 for adults;
 - (ii) £3 for children between the age of 7 and school leaving age (but see Part III);
 - (iii) £1.50 for children from 1 to 7 years (but see Part III);
 - (iv) nil for children under 1 year; or
- (c) a flat rate for medical passengers of —
 - (i) £2 for adults (but see Part II);
 - (ii) £1.50 for children between the age of 7 and school leaving age (but see Part II);
 - (iii) 75 pence for children from 1 to 7 years (but see Part II);
 - (iv) nil for children under 1 year.

(2) Children over seven years of age are charged at the full fare (but see Part III);

(3) Children between one and seven years of age are charged half fare (but see Part III);

(4) Children under one year of age when accompanied by an adult travel free of charge.

(5) Ministers of Religion are carried free of charge provided —

- (a) the aircraft is going to the destination required by the Minister for reasons other than the Minister's journey;
- (b) there is a vacant seat in the aircraft.

(6) Every passenger may take with him free of charge personal baggage to a maximum weight of 30 lb. Baggage in excess of this weight will be carried only at the aircraft commander's discretion and shall be paid for at air freight rates. (Part VI. 1. Conditions of Carriage paragraph (5) refers).

(7) A rebate of 10 pence per mile will be given to persons normally resident in the Colony.

(8) 'Normally resident' means a person (together with his family) who normally resides in the Colony, or is in the Colony under a contract of service to an employer who has a place of business in the Colony, or has resided in the Colony for a continuous period of not less than one year since arriving in, or returning to the Colony or persons paying Falkland Islands income tax.

Ref. AIR/2/1.

No. 47. 13th July 1977.

Hydatid Eradication (Dogs) Order 1975

(Under section 12A of the Dogs Ordinance, Cap. 21)

The Governor has appointed the following persons to be Inspectors for the purposes of this Order —

Mr. F. J. Ferguson	—	Goose Green
Mr. T. McMullen	—	Egg Harbour
Mr. S. F. Smith	—	Speedwell Island
Mr. J. L. Short	—	Weddell Island.

Ref. AGR/7/16.

No. 48. 21st July 1977.

General Election 1977

It is notified that the following persons have been appointed Returning Officers for the Constituencies shown against their names —

Mr. C. Maddocks	West Falkland Electoral Area
Mr. J. Fowler	East Falkland Electoral Area
Mr. H. Bennett, O.B.E.	West Stanley Electoral Area
Mr. H. Luxton	East Stanley Electoral Area
Mr. C. Maddocks	Camp Division
Mr. H. Bennett, O.B.E.	Stanley Division.

No. 49. 21st July 1977.

General Election 1977

It is notified that the following persons have been appointed Registration Officers for the Constituencies shown against their names —

Mr. C. Maddocks	West Falkland
Mr. J. Fowler	East Falkland
Mr. S. Smith	West Stanley
Mrs. M. Jennings	East Stanley
Mr. V. Steen	Stanley
Mr. L. McGill	Stanley
Miss L. Lyse	Stanley
Mr. G. McMillan	Stanley.

No. 50. 22nd July 1977.

POST OFFICE ORDINANCE (Chapter 52)

Carriage of Mail

Notice is hereby given that pursuant to section 8 of the Post Office Ordinance, the Governor in Council has fixed the fee of 69p per bag for mail

safely carried and delivered by any vessel, not being a Government vessel or a vessel under contract with the Government.

Ref. P&T/10/3.

No. 51. 27th July 1977.

Public Health Ordinance (Cap. 54)

The following have been re-appointed members of the Board of Health for the Colony until 30th September 1977 —

The Senior Medical Officer — *Chairman*
Dr. K. E. Dunnett
The Hon. W. E. Bowles
Superintendent of Public Works
Chief Police Officer.

Ref. MED/19/1.

No. 52. 27th July 1977.

Darwin Boarding School Fees

It is hereby notified for general information that the annual charge for board and lodgings at Darwin Boarding School has been increased from £36 to £54 and that the charge for meals to non-boarders has been increased from 5p to 10p per child per meal.

The new rates take effect from the term commencing in September 1977.

Ref. EDU/9/3.

No. 53. 22nd July 1977.

Departure from the Colony of His Excellency the Governor

It is hereby notified for general information that His Excellency James Roland Walter Parker, Esquire, O.B.E., Governor and Commander-in-Chief, left the Colony this day on temporary leave of absence.

Ref. GOV/19/1.

No. 54. 22nd July 1977.

Acting Governor

It is hereby notified for general information that Gordon James Augustus Slater, Esquire, has been appointed Acting Governor during the temporary leave of absence of His Excellency the Governor.

Ref. GOV/19/1.

In the Supreme Court of the Falkland Islands

NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE (Cap. 1)

IN THE MATTER of Ian Thomas Campbell, deceased of Stanley, Falkland Islands, who died at Mare Harbour, Falkland Islands, on the 14th October 1976, intestate.

WHEREAS Nadine Campbell, widow of the above-named 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 July 1977.
Ref. SC & L/7/77.

GENERAL ELECTION 1977

LEGISLATIVE COUNCIL (ELECTIONS) ORDINANCE

NOTICE

(Under Section 9 (1))

As required by Section 9 of the Legislative Council (Elections) Ordinance a list of electors for each of the four electoral areas has been prepared and is published with this Notice.

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

3. The electors lists may be inspected in Stanley at the Secretariat, the Post Office and the Library during normal hours, and in Camp at Fox Bay East and at the Store, Goose Green. Copies have also been sent to all farm managers.

ARTHUR J. P. MONK,
Chief Secretary.

17th August 1977

LEGISLATIVE COUNCIL (ELECTIONS) ORDINANCE

INTERPRETATION AND GENERAL CLAUSES ORDINANCE

NOTICE

In exercise of my powers under section 43 (1) of the Interpretation and General Clauses Ordinance I designate STUART ALFRED BOOTH henceforth to exercise such powers and perform such duties on my behalf as are required of me by sections 9, 12 and 14 of the Legislative Council (Elections) Ordinance (Cap 37).

ARTHUR J. P. MONK,
Chief Secretary.

19th August 1977

EAST STANLEY ELECTORAL AREA

LIST OF ELECTORS

1	Alazia, Joseph William *	59	Cantlie, Sheila Muriel *
2	" Patrick Ellery	60	" William Joseph
3	Aldridge, Emma Jane *	61	Cartmell, Ada Annie Elizabeth
4	Allan, Clive	62	Cheek, Dorothy Mary Gladys *
5	" Hector *	63	" Frederick John *
6	" Irene Marina	64	Clarke, Doreen
7	Anderson, Eddie	65	" Ronald John
8	" Edward Bernard *	66	Cletheroe, Albert Richard *
9	" Elizabeth Nellie	67	" Daphne Harriet *
10	" Gertrude Maud *	68	" Emily Ellen *
11	" Hector Christian	69	" Stanley William *
12	" Helen	70	Clifton, Charles *
13	" Mildred Nessie	71	" Darwin Lewis *
14	" Richard Louis	72	" Jessie Emily Jane
15	Ashley, Nora Phyllis *	73	Coleman, Frederick Albert *
16	Barnes, Brian Ormonde	74	Coutts, Charles Lindsay
17	" Ernest	75	" Olga
18	" Molly Stella	76	" William John
19	" Sigrid Geraldine Wells	77	Craigie-Halkett, Ethel Jane *
20	Berntsen, Delhi Ambrose	78	Etheridge, Alice Mary
21	" Florence	79	Felton, Derek Roy *
22	" Judy Marie	80	" Elizabeth Agnes *
23	" Kathleen Gladys *	81	" Isabella Violet
24	" Marjorie Florence	82	" Walter Arthur
25	" Trevor John	83	Fleuret, Kathleen Mary *
26	" William Blyth *	84	" Theodore Clovis *
27	Betts, Alexander Jacob	85	Ford, Dorothy Minnie *
28	" Frederick Charles *	86	" James Edward
29	" George Winston	87	" Michael
30	" Geraldine Fay	88	Gaiger, Phyllis Ann
31	" Isabella *	89	Goodwin, Colin Valentine
32	Biggs, Alastair Gordon	90	" June Elizabeth
33	" Edith Joan	91	" Laurence Henry
34	" Hilda Evangeline *	92	" Mary Ann *
35	" Irene Mary *	93	Goss, Dorothy Ellen
36	" Madge Bridget Frances *	94	" Elizabeth Rose *
37	Binnie, Jean Sarah	95	" Grace Elizabeth *
38	" May *	96	" Margaret Rose
39	" Terence William	97	" Peter
40	Blizard, Lawrence Gordon	98	" Richard Victor *
41	Bonner, Roderick Richard	99	" Simon Peter Miller
42	" Violet *	100	" William Henry *
43	Booth, Joseph Boris *	101	Halliday, Ann Miller Blyth
44	" Mary	102	" Fanny Stanbury *
45	" Myriam Margaret	103	" John Henry *
46	" Sandra Beatrice *	104	" John James *
47	Browning, James Samuel *	105	" Susan Elizabeth *
48	" Margaret Lilian *	106	Hansen, Douglas John
49	" Rex	107	Hardy, Douglas Morgan
50	" Richard William	108	Harris, Jill Yolanda Miller
51	Burns, Mary Anne *	109	" Leslie Sidney
52	" William Peter Thomas *	110	Harrison, George *
53	Buse, Paullina Ovedia *	111	Hewitt, David George
54	" Ralph Martin Herman *	112	" Olga
55	Butler, Lawrence Jonathan	113	" Rachel Catherine Orissa
56	" Orlanda Betty	114	" Robert John David
57	Campbell, Nadine	115	Hills, Mary Elizabeth *
58	Cantlie, Derek William *	116	Hirtle, Caroline Ellen *

* NOT LIABLE TO SERVE AS A JUROR

117	Hirtle, Robert Clarence *	183	McKay, Daisy
118	" Sandra May Winifred	184	" David
119	Jacobsen, James Sarin	185	" Laura Jessie
120	Jaffray, Angus	186	" Neil *
121	" Estell Anita	187	" Michael *
122	" Rebecca Dickson *	188	" Rosie Louisa Grace *
123	" William *	189	" Stephen John
124	Johnson, Howard William *	190	McLaren, Anthony James
125	Jones, Albert Charles	191	" Ellen Rose
126	" David Richard	192	McLeod, David
127	" Doreen Evelyn Margaret	193	" Margaret Anne
128	" Glynn Charles *	194	" William
129	" William John	195	McMillan, William *
130	Kenny, Erling	196	McPhee, Emily Mary Ellen
131	" Thelma Valdina *	197	" Grace Darling *
132	King, Gladys Evelyn	198	" Patrick
133	" Vernon Thomas	199	Neilson, Barry Marwood
134	Kirk, Althea Maria	200	Newman, Adrian Henry Frederick
135	Lang, Colin David	201	" Clive Alexander *
136	" James Patrick *	202	" Joyce Noreen
137	" May Malvina	203	" Rebecca Dickson
138	" William Frank	204	" Wilfred Lawrence *
139	Larsen, Ellen	205	Pauloni, Robert Romeo *
140	" Margaret	206	Peake, Arthur
141	" Margaret Anne	207	Peck, Burned Brian
142	Lellman, Francis Theodore *	208	" Beatrice Ena *
143	Lyse, Ethel Malvina	209	" Desmond Douglas Bernard *
144	" Linda Margaret *	210	" Edith *
145	" Reginald Sturdee	211	" Evelyn Elizabeth
146	Martin, George Alexander *	212	" Mary *
147	May, Heather	213	" Percy Philip *
148	" James John	214	" William George Edward *
149	" Roderick James *	215	Perry, Annie Elizabeth *
150	" William Albert	216	" Beatrice Annie Jane *
151	Middleton, Brian *	217	" Christopher *
152	" Cyril	218	" Euphemia *
153	" Ellen *	219	" Stella Margeory *
154	" James (3) *	220	" William John *
155	" Jane *	221	Phillips, Carol Joan
156	" Joan Eliza	222	" Terence
157	" Leonard	223	Pole-Evans, Amy Rose
158	" Margaret Wilhelmina	224	" Michael Anthony
159	" Shirley	225	Poole, Evelyn May
160	Miller, Betty Lois *	226	" Raymond John *
161	" Sydney *	227	" William John
162	Milne, Henry Millar	228	Porter, William Kenneth
163	" Madeline Marie Irma	229	" Mary *
164	Minto, Gladys Elizabeth	230	Reive, Frederick John
165	" Leonard	231	" Leonard Lawrence *
166	Morrison, Basil	232	Roberts, Laura May
167	" Catherine Rose	233	" Ronald William *
168	" Clair Linda	234	" William Henry
169	" Donald Ewan *	235	Robertson, Charles Honeyman *
170	" Fayan	236	Robson, Gladys Mary
171	" Marjorie Beatrice	237	" Louis Michael
172	" Mary Ellen *	238	" Patricia Laura *
173	" William Roderick Halliday	239	" Violet Malvina Emily *
174	" Patrick	240	Rowlands, Catherine Anne
175	Murphy, Michael James *	241	" Daisy Malvina
176	" Bessie	242	" Harold Theodore *
177	Macaskill, John	243	" John Richard
178	" Jeannette May	244	Ross, Robin Noel *
179	MacDonald, Yvonne Helen	245	Seeley, Shirley Eva
180	McAskill, Jane Eliza *	246	Short, Agnes Mary Ann *
181	McGill, Doris Mary	247	" Emily Christina
182	" Keith William *	248	" Florence Mary *

249	Short, Frederick George *	268	Stewart, Keith Gordon
250	„ John George Archibald *	269	„ Robert
251	„ Montana Tyrone	270	„ Yvonne Malvina
252	„ Peter Robert	271	Summers, Aubrey Vernon *
253	„ Riley Ethro	272	„ Nigel Clive
254	„ Rose	273	„ Pamela Rosemary Cheek
255	Smith, Eric	274	„ Russel John *
256	„ Hannah Caroline *	275	„ Sonia
257	„ Ileen Rose	276	„ Sylvia Jean *
258	„ John *	277	„ Tony
259	„ Mary Ellen	278	Thom, David Anderson
260	„ Paulette Rose	279	„ Dorothy Irene
261	„ Robert William	280	„ Norma Ann *
262	Spall, Christopher Richard	281	Thompson, William John
263	Spencer, Elizabeth Agnes *	282	Watts, Veronica
264	„ William Ernest *	283	Whitney, Catherine Margaret Rebecca
265	Stacey, Lilian Clara *	284	„ Frederick Eddy
266	Steen, Emma Jane	285	„ Frederick William
267	Stewart, David William	286	„ Susan Joan

* NOT LIABLE TO SERVE AS A JUROR

WEST STANLEY ELECTORAL AREA

LIST OF ELECTORS

1001	Abbott, Jack *	1061	Butler, Frederick Lowther Edward Olai
1002	Alazia, Albert Faulkner	1062	" George Joseph
1003	" Colleen *	1063	" Joan May
1004	" Freda	1064	Campbell, Ethel *
1005	" Grace Elizabeth *	1065	" Ray *
1006	" James Andrew	1066	Card, Peter Alan
1007	" Maggie Ann	1067	Carey, Anthony Michael
1008	" William Charles	1068	" Gladys
1009	" Yvonne	1069	" Mary Ann Margaret
1010	Aldridge, Stephen Charles *	1070	" Terence James
1011	Anderson, John *	1071	Cartnell, Frederick James
1012	" Kathleen Iris	1072	" Sarah Matilda *
1013	" Ludvick Riley *	1073	Cheek, Gerald Winston
1014	Andreasen, Emily *	1074	" John Edward
1015	Barnes, Frederick William *	1075	" Janet Linda
1016	" Mabel Ann *	1076	" Marie
1017	Barton, Dorothy Iowa *	1077	Clarke, Camilla Marie
1018	Bennett, Harold *	1078	" Derek Simon *
1019	" Lena Grace Gertrude	1079	" Jane Lucacia *
1020	" Stanley *	1080	" Martin James
1021	Berntsen, Mary Clarissa Elizabeth *	1081	" Rudy Thomas
1022	" Marlene Rose	1082	Clausen, Lilian Rose Orissa
1023	Betts, Melody Christine	1083	Clement, Wickham Howard *
1024	" Terence Severine	1084	Cletheroe, Leslie John *
1025	Berrido, Philip *	1085	" Lily Catherine
1026	Biggs, Basil William	1086	" William Harold
1027	" Bernard Layton *	1087	Clifton, Leonard
1028	" Betty Josephine	1088	" Thora Janeene
1029	" Kathleen Frances *	1089	Countts, Malvina Mary
1030	" Leslie Frederick	1090	Cox, Catriona Margaret
1031	" Peter Julian Basil	1091	" Frederick Campbell *
1032	Binnie, Malcolm George Stanley	1092	Davis, Lena Victoria *
1033	Blackley, Charles David	1093	Daykin, Kathleen Ruth Elmer *
1034	" Hilda	1094	Dettleff, Hansen Christopher *
1035	" Janet Agnes Mary *	1095	Dobbys, Jeannie Lilian Mary
1036	Blyth, Agnes Ruth	1096	" Teresa Ellen *
1037	" Alfred John *	1097	" Timothy John
1038	Bonner, Donald William	1098	Duncan, Alice Florence
1039	" Hazel Mary	1099	" Doreen
1040	" Paul Roderick	1100	" Joan Ellen
1041	" Vera Joan	1101	" William
1042	Booth, Jessie *	1102	Etheridge, Georgina Bond *
1043	" Stuart Alfred	1103	" William Arthur *
1044	Borland, Daniel	1104	Ferguson, Ethel Mary *
1045	Bound, Henry John Lennard *	1105	Ford, Arthur Henry
1046	" Horace Leslie *	1106	" Barry William
1047	" Joan	1107	" Colleen Mary
1048	Bowles, Norma Evangeline	1108	" Elizabeth Margaret
1049	" William Edward	1109	" Frederick James
1050	Braxton, Thomas Nathaniel John *	1110	" Glenda
1051	Browning, Trevor Osnett	1111	" Violet Irene
1052	Bundes, Muriel Gladys	1112	" William John
1053	" Robert John Christian *	1113	Fullerton, Mary Ellen
1054	Burns, Frederick John *	1114	Gilding, Jacqueline
1055	" Iola Winnifred Mary	1115	" Peter Bernard
1056	" Martha *	1116	Gleadell, Ernest Charles Stanbury *
1057	Buse, Franz John	1117	Gooch, Dudley Frederick
1058	Butcher, Michael George	1118	Goodwin, Dorothy Idina
1059	" Trudi	1119	" Jacqueline Nancy
1060	Butler, Elsie Maud		

* NOT LIABLE TO SERVE AS A JUROR

1120	Goodwin, John Kenneth *	1184	Livermore, Shelley *
1121	" June Elizabeth Rose	1185	Luxton, Constance *
1122	" Mary Agnes Alice	1186	" Ernest Falkland *
	Crawford *	1187	" Henry Thomas
1123	" Robin	1188	" Michael
1124	" William Andrew Nutt	1189	" Nicola
1125	Halliday, Evelyn Edna	1190	" Sybil Grace *
1126	" Joyce Isabella Patience	1191	" Winifred Ellen
1127	" Kenneth William	1192	Lyse, George Walter *
1128	" Leslie John *	1193	" Sydney Russell *
1129	" Mabel *	1194	Malcolm, Ailsa *
1130	" Margaret Mary	1195	" George
1131	" Raynor	1196	" Velma
1132	" William John *	1197	Marsh, Robin Frank
1133	Hansen, Louisa Hannah *	1198	Middleton, James (2) *
1134	Hardy, Elsie *	1199	" James Stewart *
1135	" Jean	1200	" Marion Sarah Ellen
1136	Harvey, James Claude	1201	Miller, Florence Roberta *
1137	Heathman, Albert Stanley Kenneth *	1202	" Stanley Frank *
1138	" Ewart Tony	1203	Miranda, Winifred Dorothy
1139	" Violet *	1204	Morrison, Douglas Roy *
1140	Henricksen, Albert James	1205	" Elizabeth Margaret May *
1141	Hewitt, James *	1206	" Gerald
1142	Hills, Heather Margaret	1207	" Mary Ann *
1143	" Richard William	1208	" Jean Buik
1144	" William Phorsen *	1209	" Roderick *
1145	Hirtle, Mary Ann *	1210	McAskill, Susan Blanche *
1146	" Robert Andrew Eric	1211	McCallum, Bettina Kay
1147	" Wallace Carlinden *	1212	" Ellen *
1148	Hobman, Anilda Marilu	1213	" Jack
1149	Howatt, Derek Frank	1214	McGill, Glenda
1150	" Enid	1215	" Ian Peter
1151	Jaffray, Donald	1216	" Len Stanford *
1152	Jennings, Dora Irene *	1217	McKay, Gerard
1153	" Hamish Warren	1218	" James John *
1154	" Margaret Ellen	1219	" Jane Elizabeth
1155	" Mary Ann Ellen	1220	" Paulina Agatha
1156	" Neil	1221	McLeod, Archibald *
1157	Johnson, Beatrice Ellen *	1222	" Ellen May *
1158	" Gerard Thomas Spencer *	1223	" Murdoch Angus *
1159	" Gladys Mabel	1224	McMillan, Donald Hugh *
1160	" Patrick Thomas	1225	" Frances Evelyn
1161	" Stanley Howard *	1226	" Gavin *
1162	" Stanley Peter	1227	McPhee, Marjorie May
1163	Johnston, Gordon Macdonald	1228	" Owen Horace
1164	" Hermine Muriel	1229	" Terence Owen
1165	Keenleyside, Charles Desmond	1230	" Sheila Margaret
1166	" Dorothy Maud	1231	Neilson, Mabel *
1167	" Manfred Michael Ian	1232	Newall, Joseph Orr
1168	" Nicholas Timothy	1233	" Trudi Malvina
	Thomas *	1234	Pearson, Isabella *
1169	Kerr, James	1235	Peart, Edward James Campbell *
1170	" Margaret Joyce	1236	" Robert Ernest *
1171	King, Desmond George Buckley	1237	" Rose Louisa
1172	" Nanette	1238	Peck, Elsie Grace *
1173	Kiddle, Malvina Thelma	1239	" James Watson Cranmer *
1174	" Peter *	1240	" Shirley
1175	" Robert	1241	" Terence John *
1176	Lee, Alfred Francis *	1242	Perkins, Vivienne Esther Mary
1177	" Alfred Leslie	1243	Perry, Hilda Blanche
1178	" Elsie Adelaide *	1244	" Robert Juan Carlos
1179	" Leslie James	1245	" Thomas George
1180	" Malvina	1246	Pettersson, Eileen Heather
1181	" Patrick James	1247	" Tony
1182	" Trudi Dale *	1248	Poole, Charles Lawrence *
1183	Lehen, Maurice *	1249	" Isabella Jane *

1250	Reid, Pamela Margaret	1285	Stewart, Phyllis Marjorie
1251	Reive, Ernest	1286	Strange, Ian John
1252	" Roma Endora Mary	1287	Summers, Brian
1253	" Terence	1288	" Christina Maud
1254	Rowlands, Lucy *	1289	" Dorothy Constance
1255	Rozee, Betty	1290	" Edith Catherine
1256	" Derek Robert Thomas	1291	" Gloria Jane
1257	" Robert Keith *	1292	" Iris Blanche
1258	Ryan, Bridget Rose	1293	" Keith Medlicott
1259	" David Anthony	1294	" Kenneth Claud
1260	Shedden, James Alexander	1295	" Lavina *
1261	Short, Agnes Jane	1296	" Melvin Nigel
1262	" Charles William	1297	" Owen William
1263	" Philip Stanley	1298	" Philip George
1264	" Rose Stella	1299	" Veronica
1265	" Thomas Henry	1300	" Victor Leonard *
1266	Skilling, Thomas *	1301	Thain, Gladys
1267	Smith, James Stanley	1302	Turner, Alva Ynonne
1268	" Jessie Maud *	1303	" Melvyn George
1269	" Michael Edmund	1304	Villanueva, Maria Marta
1270	" Raymond William	1305	Wallace, Stuart Barrett
1271	" Violet Catherine *	1306	Watson, Catherine Wilhelmina Jessie
1272	Sollis, Denis John *	1307	" Glenda Joyce
1273	" Sarah Emma Maude	1308	" Louis James
1274	Sornsen, George Albert *	1309	" Neil
1275	" Isabella *	1310	Watts, Ada Mabel *
1276	Spraggon, Daniel Martin *	1311	" Patrick James
1277	Spruce, Helena Joan	1312	Whitney, Ellen Brenda
1278	" Terence George	1313	" Patrick George
1279	Steen, Gail	1314	Williams, Charlotte Agnes *
1280	" Vernon Robert	1315	" Eugene
1281	Stephenson, James	1316	" John Dolan *
1282	" Joan Margaret	1317	" Marlene Rose Elizabeth
1283	Stewart, Hulda Fraser	1318	Wilson, Dorothea May *
1284	" John		

* NOT LIABLE TO SERVE AS A JUROR

East Falkland Electoral Area

LIST OF ELECTORS

1	Alazia, Charlie	64	Davis, Elsie Gladys Margaret †
2	" Freda Evelyn	65	" Joan Lucy Ann
3	" Hazel	66	" Reginald John
4	" Henry John	67	" Violet
5	" Thora Lilian †	68	" William James
6	Anderson, Gloria	69	" William John †
7	" Gordon	70	" Yona
8	" Jenny	71	Dearling, Leo Alexander
9	" Tony James	72	Dickson, Caroline Christine Bird †
10	Baillie, Keith	73	" Doreen
11	" Virginia Elizabeth Sarah	74	" Gerald William
12	Balfour, Edward McMahon	75	" Iris
13	Barton, Coral Inez	76	" Ronald Edward
14	" John David †	77	Edwards, David
15	Beattie, Betty	78	Fairlie, Ivan William
16	" Thomas George	79	Faria, Mary Ann
17	Bennett, Neville Kenneth	80	Ferguson, Finlay James
18	" Valerie Elizabeth	81	Finlayson, Barry Donald
19	Berntsen, Alexander John †	82	" Charles John
20	" Cecelia de Rosa	83	" Hugh
21	" Ellen Rose	84	" Iris Dwenda Margaret
22	" Frederick George	85	" Iris Heather
23	" Jeanette	86	" Peter †
24	" John Alexander	87	" Phyllis
25	" Lavina Maud †	88	Ford, Charles David
26	" Mary Anne Margaret	89	" Fanny Davidson
27	" Olaf Christian Alexander	90	" Hazel
28	" Raymond	91	" John
29	" Valdemar Lars	92	" Robert †
30	" William Alexander †	93	Gaiger, Kenneth William
31	Biggs, James Keith	94	Giles, Gilbert
32	Billett, Leslie William	95	Gleudell, Anne †
33	Binnie, Linda Rose	96	Goodwin, Douglas Sturdee
34	" Ronald Eric	97	" Michael Sturdee
35	Blake, Anthony Thomas	98	" Robert Christopher
36	" Lyndsay Rae	99	" Sarah Margaret Rose
37	Bonner, Doreen Milliam	100	" Una
38	" Henry John	101	Goss, Eric Miller
39	" Keith James	102	" Roderick Jacob
40	Brooks, Frank	103	" Shirley Ann
41	Browning, David Lennard	104	Grant, Leonard John
42	" Frances Agnes	105	" Mildred
43	" Kelvin	106	Greenshields, Harland Llewellyn
44	Carey, Michael Raymond	107	" Janet Louisa
45	" Trudi Ann	108	Hadden, Alexander Burnett
46	Cartnell, Andrew Nutt	109	" Sheila Peggy
47	Clark, Derek	110	Halliday, Gerald
48	" Mary Ellen	111	Hardcastle, Brook †
49	Clarke, Ian	112	" Eileen Beryl
50	" Jeanette	113	Hatch, Albert John
51	" Michael Jan	114	Hirtle, Leonard Lloyd
52	" Valerie Ann †	115	" Shirley
53	Clasen, Clarvis Edward	116	Humphreys, Dennis James
54	" Frederick James	117	Hutton, Elizabeth Isabella
55	" Mally	118	" Philip
56	Clausen, Denzil	119	Jaffray, Alexander
57	" Henry Edward	120	" Brian
58	Cletheroe, Kenneth Stanley	121	" Eileen
59	Clifton, Doreen	122	" Elliott Jessie
60	" Terence Charles	123	" Helen Rose
61	Coutts, Alexander †	124	" Ian
62	Davis, Aase	125	" John Willie
63	" Albert Henry	126	" Phyllis

† NOT LIABLE TO SERVE AS A JUROR.

127	Jaffray, Robin George	192	McRae, James Bartholomew
128	" Tony	193	" Malvina Mary
129	" Velma Emily	194	" Robert George Hector
130	Keane, Alva Rose Marie	195	Newman, Dorothy Elizabeth †
131	" Thomas James	196	" Marlene
132	Knight, Nigel Arthur	197	" Raymond Winston
133	" Shirley Louvain Patricia	198	Nightingale, Richard
134	Larsen, Ronald Ivan	199	Packer, Robert Neil
135	" Yvonne	200	Parrin, Norman George †
136	May, Brian Roy	201	Pederson, Mary Ann
137	" Bruce Raymond	202	Perry, Augustav Walter
138	" Corenne Norma	203	" Thora Virginia
139	" Monica	204	Phillips, Albert James
140	Middleton, Dennis Michael	205	" Charles William
141	" Sharon Elizabeth	206	" David Dawson
142	Miller, Alan Charles	207	" Jesse †
143	" Betty	208	" Jessie Catherine †
144	" Carol	209	" Lynda
145	" James	210	Pitaluga, Jene Ellen
146	" Timothy John Durose	211	" Robin Andreas Mackintosh †
147	Minnell, Benjamin James	212	Reid, Colleen Rose
148	" Hazel Eileen	213	" Reynold Gus
149	Monk, Adrian Bertrand †	214	Robson, Raymond Nigel
150	" Nora May	215	Short, Andrez Peter †
151	Morrison, Doreen Emily †	216	Sinclair, Celia Joyce
152	" Hyacinth Emily	217	" Simon Keith
153	" John Murdo	218	Smith, David
154	" Lewis Ronald †	219	" Edith Mary †
155	" Michael John	220	" Edith Winifred †
156	" Nanette	221	" Frederick George Peter
157	" Norman	222	" George Patterson
158	" Ronald Terence	223	" Henry William
159	" Stewart	224	" Jenny Lorraine
160	" Susan Margaret	225	" Sidney Frederick
161	" Trevor	226	" Norah
162	" Trudi Lynette	227	" Osmond Raymond
163	" Violet Sarah	228	Sornsen, James Winston
164	MacDonald, Colin George	229	Spinks, Alexander
165	" Irene	230	" Malvina Ellen
166	McBain, Arthur	231	Stewart, George Alexander
167	" Rhoda	232	" Sylvia Rose
168	McCallum, Christopher John	233	Summers, Derek †
169	" James	234	" Michael Kenneth
170	McKay, Clara Mary	235	" Rowena †
171	" Frazer Roderick	236	" Sheila
172	" Heather Valerie	237	" Stanley Frederick †
173	" Rex	238	" Sybella Catherine
174	" Roderick John	239	" Terence
175	" William Robert	240	" William Edward †
176	McKee, John †	241	Tasker, Dennis George
177	McKenzie, Alice Maude	242	Thompson, George Henry
178	" Charles Alexander Albert John	243	Thorsen, Gloria Penelope
179	" James	244	Turner, Diana Jane
180	McLeod, Albert John	245	" Ronald
181	" Christine Marion Agnes	246	Vidal, Eileen Norah
182	" Donald Henry	247	Wemyss, Peter James
183	" Robert	248	" Zena Jessie
184	" Robert John	249	Whitney, Agnes Katherine
185	" Sarah Rose	250	" Dennis
186	McMullen, June	251	" Henry Leslie
187	" Tony	252	" Keith
188	McNally, Gaye	253	" Lana Rose
189	" Robert John	254	" Leona Ann
190	McPhee, Kenneth John	255	Wilson, John
191	" June Iris	256	" Margaret Jean

† NOT LIABLE TO SERVE AS A JUROR.

West Falkland Electoral Area

LIST OF ELECTORS

501	Alazia, Dorothy Fay	560	Dickson, Edward Thomas Crawford
502	" George Robert	561	" Harold Edward †
503	Aldridge, Caroline Mary	562	" Mildred Ellen
504	" Brian George †	563	Donnelly, Daniel
505	" Kenneth John	564	" Joyce Elizabeth
506	" Olive Elizabeth	565	Duncan, Avis Marion
507	" Thomas George	566	" David John †
508	Amadio, Rita Ellen Ottile †	567	" James Alexander
509	Anderson, Marina Rose	568	" Peter Reed Howard
510	" Margaret Catherine	569	Dunford, David Philip
511	" Nigel	570	Evans, Derek Stanley
512	" Reginald Stanford	571	" Gladys Alberta
513	" Ronald	572	" Griffith Owen
514	" Thomas †	573	" Margaret Ann
515	Barnes, Deirdre	574	" Olwyn Carol
516	" Marshall	575	" Raymond
517	" William Frederick John	576	Fairley, John
518	Berntsen, Arina Janice	577	Featherbe, Terence Randall
519	" Kathleen Edith Mary Lucy Crawford	578	Felton, Anthony Terence
520	" Kenneth Frederick	579	" John Roy Stanley
521	" Leon	580	" Judith Orissa
522	" Sidney Lawrence	581	" Violet Regina Margaret
523	Bertrand, Catherine Gladys	582	Ferguson, Robert John
524	" Cecil William Wickham †	583	" Thelma
525	Betts, Alan Sturdee †	584	Findlay, Gerald
526	" Arthur John	585	Fogerty, Brenda Diane Joanna †
527	" Bernard Keith	586	" Richard Edwin John
528	" Cyril Severine †	587	Forster, Gwyneth May
529	" Donald William	588	" James
530	" Ellen Alma †	589	Gleadell, Ian Keith
531	" Hyacinth Emily †	590	" Mavis Marie
532	" Irene Marion	591	Goodwin, Bert Samuel †
533	Biggs, Clarence George	592	" Emily Rose
534	" Michael Elfred	593	" Hazel Rose
535	Binnie, Albert Frederick	594	" Kathleen Edith Marguerite †
536	" Horace James †	595	" Marina
537	" Rose †	596	" Raymond Hayward
538	Blackley, Candy Joy	597	" Rupert Valentine †
539	" John David	598	" William John Maurice
540	" Maurice	599	Halliday, Christina Jane †
541	Blake, Lionel Geoffrey †	600	" John Arthur Leslie †
542	" Sally Gwynfa	601	Hansen, Ian †
543	Bonner, Simon	602	" Lionel Raymond
544	Chandler, Ann Beatrice	603	" Rose Idina
545	" Edward	604	" Terence Darwin
546	Chater, Anthony Richard	605	Harvey, Alfred Sydney
547	Clarke, David James	606	" Jen
548	" Fiona Alison	607	" Muriel Elizabeth Elsie
549	" Terence John	608	" Valerie Ann
550	Cockwell, Grizelda Susan	609	Hayward, Peter Dennis
551	" John Richard	610	Hirtle, Doris Linda
552	Cofre, Dierdre Emma	611	" Fenton
553	" Elvio	612	Hobman, John Malcolm
554	Collins, Alfred Arthur	613	Hurst, David William
555	Coutts, Frederick George	614	" Una
556	Cusworth, Alan David	615	Laffi, Kathleen Mary
557	" Alana Marie	616	Lee, Carole
558	Davidson, Donald	617	" Elizabeth
559	" Margaret Christine	618	" John Alfred

† NOT LIABLE TO SERVE AS A JUROR.

619	Lee, June Elliot	665	Plummer, Cecil Hicks Joseph †
620	„ Rodney William	666	Pole-Evans, Anthony Reginald
621	„ Sidney Simpson	667	„ David Llewellyn †
622	Llamasa, George Alexander †	668	„ Jessie
623	Luxton, Patricia Maureen	669	„ Shirley Helen
624	„ William Robert	670	„ William Reginald
625	Lyse, Ernest Lewis †	671	Porter, Charles
626	MacBeth, Phyllis Elizabeth Grace	672	„ George
627	„ Raymond John	673	„ Jean Lavinia
628	„ William Campbell	674	„ Joan
629	Maddocks, Charles	675	Reeves, Cheryl Rose
630	„ Iris May	676	„ Ronald James
631	„ Robert Charles	677	Robertson, Ann
632	Marsh, Alastair Roy †	678	„ James Richard
633	„ Frank	679	„ Peter Charles
634	„ June Helen	680	„ Robin Evelyn Thelma
635	„ Roy Thomas	681	Robson, Gerard Michael
636	Miller, Carol	682	Ross, Lachlan
637	„ Simon Roy	683	„ Roy
638	Molkenbuhr, Betty Marie	684	„ William Henry
639	„ Claudio Eugenio	685	Sackett, Albert John
640	„ Gwynne Edwina †	686	„ Marjorie
641	Morrison, Charlene	687	Short, Christina Ethel
642	„ Eric George	688	„ Donald Robert Gordon
643	„ Kenneth	689	„ Evelyn May Elizabeth
644	„ Lena	690	„ George Charles
645	„ Leslie Theodore Norman	691	„ Isobel Rose
646	„ Muriel Eliza Ivy †	692	„ Joseph Leslie
647	Murphy, Ann Susan †	693	„ Patrick Warburton
648	„ Roy David	694	Small, Lee Oliver
649	McCormick, Pauline Margaret Ruth	695	Smith, Alice Maud †
650	„ Ronald	696	„ Francis David †
651	McGill, Gary †	697	„ Gerard Alexander
652	„ Lorraine Iris	698	„ Gwenifer May
653	„ Robin Perry	699	„ Heather
654	McKay, Isabella Alice	700	„ Janice
655	„ Richard	701	„ Keva Elizabeth
656	McRae, David Michael	702	„ Peter Lars
657	„ Gloria Linda †	703	„ Robin Charles
658	„ Richard Winston	704	Stewart, George Nathaniel
659	Napier, Lily	705	Strange, Anne
660	„ Roderick Bertrand	706	Summers, Dennis David †
661	Newman, Frederick Clarence Walwin	707	Watson, Hannah Maude
662	Peake, Fay Christina	708	White, Kathleen Elizabeth
663	Peck, Maureen Heather	709	„ John Wright †
664	„ Patrick William		

† NOT LIABLE TO SERVE AS A JUROR.



THE
FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

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23 SEPTEMBER 1977

No. 12

Appointments

Gerard Robson, Uncertificated Teacher, Education Department, 1.9.76.

Miss Darlene Valentina Short, Clerk, Public Service, 15.2.77.

Mrs. Mary Fullerton, Housekeeper, Government House, 1.7.77.

Mrs. Jessie Booth, Private Secretary, Secretariat, 1.7.77.

Thomas Edward Lamin, Superintendent of Education, 18.8.77.

Ronald Roberts, Motor Mechanic, Public Works Department, 1.9.77.

David Smith Emsley, Pilot, Aviation Department, 8.9.77.

Acting Appointment

Rex Browning, Acting Deputy Chief Secretary, Secretariat, 5.5.77 - 8.9.77.

Promotions

Miss Sonia Summers to Senior Clerk, Post Office, 1.7.77.

William Andrew Nutt Goodwin, Mate/Engineer, m.v. Forrest, Harbour Department, 1.7.77.

Resignation

Charles Jones, Assistant Filtration Plant Operator, Public Works Department, 21.9.77.

NOTICES

No. 55. 5th September 1977.

Legislative Council (Elections) Ordinance
Appointment of Presiding Officers

The following persons are appointed Presiding Officers and Deputy Presiding Officers for the Legislative Council Elections 1977.

FOX BAY EAST AND WEST

Presiding Officer Mr. J. R. Cockwell
Deputy Presiding Officers Mr. C. Porter
Mr. D. W. Hurst

GOOSE GREEN

Presiding Officer Mr. N. K. Bennett
Deputy Presiding Officers Mr. J. R. Coates
Mr. R. J. Kersey

STANLEY EAST

Presiding Officer Mrs. M. Jennings
Deputy Presiding Officers Mr. T. Pettersson
Miss T. Dobbys

STANLEY WEST

Presiding Officer Mr. W. Etheridge
Deputy Presiding Officers Mr. L. McGill
Miss A. Malcolm

FLIGHTS TO CAMP

Presiding Officers Mr. V. T. King, M.B.E.
Mr. O. McPhee
Mr. M. Luxton
Mr. S. Smith
Deputy Presiding Officers Mr. B. Ford
Mr. D. Howatt
Mr. G. McMillan
Mr. P. Watts.

No. 56. 22nd September 1977.

ELECTIONS 1977

Polling Hours

In accordance with section 22 of the Legislative Council (Elections) Ordinance His Excellency the Acting Governor has approved the following hours of polling in the forthcoming election:

CAMP 9.0 a.m. to 7.0 p.m.
STANLEY 9.0 a.m. to 6.0 p.m.

Ref. LEC/20/3.

No. 57.

21st September 1977.

General Elections 1977

In accordance with section 19 of the Legislative Council (Elections) Ordinance, I, STUART ALFRED BOOTH, do hereby certify that the following candidates have been duly nominated for the Electoral Areas shown —

West Stanley Electoral Area

1. JOHN EDWARD CHEEK of West Stanley

Proposed by Betty Josephine Biggs*Seconded by* Velma Malcolm

Supported by Owen Horace McPhee
Jeannie Lilian Mary Dobbins
Sarah Emma Maud Sollis
Ernest Falkland Luxton
Michael Luxton
Paul Roderick Bonner
Richard William Hills

2. DAVID ANTHONY RYAN of West Stanley

Proposed by Albert Faulkner Alazia*Seconded by* Rudy Thomas Clarke

Supported by Ernest Falkland Luxton
Donald Jaffray
Gerard Thomas Spencer Johnson
Peter Kiddle
Iris Blanche Summers
Freda Alazia
James Andrew Alazia

3. STUART BARRETT WALLACE of West Stanley

Proposed by Neil Watson*Seconded by* James Stanley Smith

Supported by Arthur Henry Ford
Elizabeth Harriet Ford
Louis James Watson
Patrick James Lee
Terence George Spruce
Robert Ernest Peart
Barry William Ford

East Stanley Electoral Area

No nominations were received for the East Stanley Electoral Area.

East Falkland Electoral Area

1. ADRIAN BERTRAND MONK of San Carlos

Proposed by Keith Baillie*Seconded by* Henry John Bonner

Supported by Michael John Morrison
Ronald Edward Dickson
John Wilson
Mary Anne Margaret Berntsen
Timothy John Durose Miller
Alexander Burnett Hadden
Simon Keith Sinclair

West Falkland Electoral Area

1. LIONEL GEOFFREY BLAKE of Hill Cove

Proposed by Grizelda Susan Cockwell*Seconded by* James Richard Robertson

Supported by John Richard Cockwell
Robin Evelyn Thelma Robertson
Rita Ellen Ottile Amadio
Dennis David Summers
Cecil Hicks Joseph Plummer
Bert Samuel Goodwin
Horace James Binnie

2. ALAN DAVID CUSWORTH of Fox Bay West

Proposed by Patrick William Peck*Seconded by* Kathleen Mary Laffi

Supported by John Alfred Lee
Eric George Morrison
Jean Lavinia Porter
Pauline Margaret Ruth McCormick
Peter Dennis Hayward
Donald Robert Gordon Short
Peter Reed Howard Duncan

3. DEREK STANLEY EVANS of New Island

Proposed by Iris May Maddocks*Seconded by* Charles Porter

Supported by David William Hurst
Kenneth John Aldridge
Maurice Blackley
Marjorie Sackett
Albert John Sackett
George Porter
Joan Porter

S. A. BOOTH,
Elections Supervisor.

The Legislative Council (Elections) Ordinance

WRIT OF ELECTION

You are hereby directed to receive nominations for candidates to the Legislative Council at Stanley on Wednesday, 21st September, 1977, between the hours of 10.00 a.m. and 12 noon.

You are further directed that should more than one candidate be nominated you are to hold an election in accordance with the Legislative Council (Elections) Ordinance on Thursday, 6th October, 1977, in the Parish Hall, Stanley, and to return this Writ duly endorsed in accordance with the said Ordinance.

Dated this 25th day of August, 1977.



G. J. A. SLATER,
Acting Governor.

The Returning Officer,
East Stanley Electoral Area.
Ref. LEC/20/3.

The Legislative Council (Elections) Ordinance

WRIT OF ELECTION

You are hereby directed to receive nominations for candidates to the Legislative Council at Stanley on Wednesday 21st September, 1977, between the hours of 10.00 a.m. and 12 noon.

You are further directed that should more than one candidate be nominated you are to hold an election in accordance with the Legislative Council (Elections) Ordinance on Thursday, 6th October, 1977, in the Ante-room to the Court and Council Chamber, Stanley, and to return this Writ duly endorsed in accordance with the said Ordinance.

Dated this 25th day of August, 1977.

(LS)

G. J. A. SLATER,
Acting Governor.

The Returning Officer,
West Stanley Electoral Area.
Ref. LEC/20/3.

The Legislative Council (Elections) Ordinance

WRIT OF ELECTION

You are hereby directed to receive nominations for candidates to the Legislative Council at Darwin on Wednesday, 21st September, 1977, between the hours of 10.00 a.m. and 12 noon.

You are further directed that should more than one candidate be nominated you are to hold an election in accordance with the Legislative Council (Elections) Ordinance at the place and on the dates which will be notified to you, and to return this Writ duly endorsed in accordance with the said Ordinance.

Dated this 25th day of August, 1977.

(LS)

G. J. A. SLATER,
Acting Governor.

The Returning Officer,
East Falkland Electoral Area.
Ref. LEC/20/3.

The Legislative Council (Elections) Ordinance

WRIT OF ELECTION

You are hereby directed to receive nominations for candidates to the Legislative Council at Fox Bay East on Wednesday, 21st September, 1977, between the hours of 10.00 a.m. and 12 noon.

You are further directed that should more than one candidate be nominated you are to hold an election in accordance with the Legislative Council (Elections) Ordinance at the place and on the dates which will be notified to you, and to return this Writ duly endorsed in accordance with the said Ordinance.

Dated this 25th day of August, 1977.

(LS)

G. J. A. SLATER,
Acting Governor.

The Returning Officer,
West Falkland Electoral Area.
Ref. LEC/20/3.

Legislative Council (Elections) Ordinance
WRIT OF ELECTION FOR DIVISIONS

You are hereby directed to receive nominations for candidates for election to the Legislative Council at Stanley on Tuesday, 11th October, 1977, between the hours of 10.00 a.m. and 12 noon.

You are further directed that should more than one candidate be nominated you are to hold an election in accordance with the Legislative Council (Elections) Ordinance on Wednesday, 26th October, 1977, in the Ante-room to the Court and Council Chamber, Stanley, and to return this Writ duly endorsed in accordance with the said Ordinance.

Dated this 16th day of September, 1977.

(LS)

The Returning Officer,
Stanley Division

G. J. A. SLATER,
Acting Governor.

Legislative Council (Elections) Ordinance
WRIT OF ELECTION FOR DIVISIONS

You are hereby directed to receive nominations for candidates for election to the Legislative Council at Fox Bay East on Tuesday, 11th October, 1977, between the hours of 10.00 a.m. and 12 noon.

You are further directed that should more than one candidate be nominated you are to hold an election in accordance with the Legislative Council (Elections) Ordinance at the place and on the dates which will be notified to you and to return this Writ duly endorsed in accordance with the said Ordinance.

Dated this 16th day of September, 1977.

(LS)

The Returning Officer,
Camp Division.

G. J. A. SLATER,
Acting Governor.

Legislative Council (Elections) Ordinance
Interpretation and General Clauses Ordinance

NOTICE OF DELEGATION

WHEREAS I, CHARLES MADDOCKS, have been appointed Returning Officer for the Camp Electoral Division under section 5 of the Legislative Council (Elections) Ordinance; and

WHEREAS it is necessary to appoint a person to receive nominations under the said Ordinance for that part of the electoral division lying within East Falkland;

I HEREBY, in exercise of the powers conferred on me in accordance with the said section and section 43(1) of the Interpretation and General Clauses Ordinance, depute JOHN ANDREW THOMAS FOWLER to receive nominations for the said part of the division in accordance with the Writ of Election at a place and time to be notified to him in writing.

1st September 1977.

Ref. LEC/20/3.

C. MADDOCKS,
*Returning Officer for
Camp Electoral Division.*

Legislative Council (Elections) Ordinance Cap. 37

WRIT OF ELECTION FOR CAMP ELECTORAL DIVISION

WHEREAS sub-section 1 of paragraph 13 of the Legislative Council (Elections) Ordinance provides that the Governor shall issue a Writ of Election for electoral areas or divisions;

AND WHEREAS I have appointed MR. CHARLES MADDOCKS to be Returning Officer for the said Electoral Division, and the said CHARLES MADDOCKS has deputed JOHN ANDREW THOMAS FOWLER to receive nominations for that part of the electoral division lying within East Falkland;

NOW THEREFORE, under and by virtue of the powers aforesaid, I, GORDON JAMES AUGUSTUS SLATER, Acting Governor of the Colony of the Falkland Islands, DO HEREBY appoint the said JOHN ANDREW THOMAS FOWLER to receive nominations for the said part of the division at GOOSE GREEN on Tuesday, 11th October 1977, between the hours of 10.00 a.m. and 12 noon.

AND I FURTHER DIRECT that any such nominations should be communicated by the Deputy Returning Officer to the said CHARLES MADDOCKS by the quickest available means.

LS

GIVEN UNDER MY HAND and the Public
Seal of the Colony of the Falkland Islands
at Government House, Stanley, this 15th
day of September in the year of Our Lord
One thousand Nine hundred and Seventy-
seven.

G. J. A. SLATER,
Acting Governor.

EAST STANLEY ELECTORAL AREA

REGISTER OF ELECTORS

1	Alazia, Joseph William *	59	Cantlie, Sheila Muriel *
2	" Patrick Ellery	60	" William Joseph
3	Aldridge, Emma Jane *	61	Cartmell, Ada Annie Elizabeth
4	Allan, Clive	62	Cheek, Dorothy Mary Gladys *
5	" Hector *	63	" Frederick John *
6	" Irene Marina	64	Clarke, Doreen
7	Anderson, Eddie	65	" Ronald John
8	" Edward Bernard *	66	Cletheroe, Albert Richard *
9	" Elizabeth Nellie	67	" Daphne Harriet *
10	" Gertrude Maud *	68	" Emily Ellen *
11	" Hector Christian	69	" Stanley William *
12	" Helen	70	Clifton, Charles *
13	" Mildred Nessie	71	" Darwin Lewis *
14	" Richard Louis	72	" Jessie Emily Jane
15	Ashley, Nora Phyllis *	73	Coleman, Frederick Albert *
16	Barnes, Brian Ormonde	74	Coutts, Charles Lindsay
17	" Ernest	75	" Olga
18	" Molly Stella	76	" William John
19	" Sigrid Geraldine Wells	77	Craigie-Halkett, Ethel Jane *
20	Berntsen, Delhi Ambrose	78	Etheridge, Alice Mary
21	" Florence	79	Felton, Derek Roy *
22	" Judy Marie	80	" Elizabeth Agnes *
23	" Kathleen Gladys *	81	" Isabella Violet
24	" Marjorie Florence	82	" Walter Arthur
25	" Trevor John	83	Fleuret, Kathleen Mary *
26	" William Blyth *	84	" Theodore Clovis *
27	Betts, Alexander Jacob	85	Ford, Dorothy Minnie *
28	" Frederick Charles *	86	" James Edward
29	" George Winston	87	" Michael
30	" Geraldine Fay	88	Gaiger, Phyllis Ann
31	" Isabella *	89	Goodwin, Colin Valentine
32	Biggs, Alastair Gordon	90	" June Elizabeth
33	" Edith Joan	91	" Laurence Henry
34	" Hilda Evangeline *	92	" Mary Ann *
35	" Irene Mary *	93	Goss, Dorothy Ellen
36	" Madge Bridget Frances *	94	" Elizabeth Rose *
37	Binnie, Jean Sarah	95	" Grace Elizabeth *
38	" May *	96	" Margaret Rose
39	" Terence William	97	" Peter
40	Blizard, Lawrence Gordon	98	" Richard Victor *
41	Bonner, Roderick Richard	99	" Simon Peter Miller
42	" Violet *	100	" William Henry *
43	Booth, Joseph Bories *	101	Halliday, Ann Miller Blyth
44	" Mary	102	" Fanny Stanbury *
45	" Myrian Margaret	103	" John Henry *
46	" Sandra Beatrice *	104	" John James *
47	Browning, James Samuel *	105	" Susan Elizabeth *
48	" Margaret Lilian *	106	Hansen, Douglas John
49	" Rex	107	Hardy, Douglas Morgan
50	" Richard William	108	Harris, Jill Yolanda Miller
51	Burns, Mary Anne *	109	" Leslie Sidney
52	" William Peter Thomas *	110	Harrison, George *
53	Buse, Paullina Ovedia *	111	Hewitt, David George
54	" Ralph Martin Herman *	112	" Olga
55	Butler, Lawrence Jonathan	113	" Rachel Catherine Orissa
56	" Orlanda Betty	114	" Robert John David
57	Campbell, Nadine	115	Hills, Mary Elizabeth *
58	Cantlie, Derek William *	116	Hirtle, Caroline Ellen *

* NOT LIABLE TO SERVE AS A JUROR

117	Hirtle, Robert Clarence *	183	McKay, Daisy
118	" Sandra May Winifred	184	" David
119	Jacobsen, James Sarin	185	" Laura Jessie
120	Jaffray, Angus	186	" Neil *
121	" Estell Anita	187	" Michael *
122	" Rebecca Dickson *	188	" Rosie Louisa Grace *
123	" William *	189	" Stephen John
124	Johnson, Howard William *	190	McLaren, Anthony James
125	Jones, Albert Charles	191	" Ellen Rose
126	" David Richard	192	McLeod, David
127	" Doreen Evelyn Margaret	193	" Margaret Anne
128	" Glynn Charles *	194	" William
129	" William John	195	McMillan, William *
130	Kenny, Erling	196	McPhee, Emily Mary Ellen
131	" Thelma Valdina *	197	" Grace Darling *
132	King, Gladys Evelyn	198	" Patrick
133	" Vernon Thomas	199	Neilson, Barry Marwood
134	Kirk, Althea Maria	200	Newman, Adrian Henry Frederick
135	Lang, Colin David	201	" Clive Alexander *
136	" James Patrick *	202	" Joyce Noreen
137	" May Malvina	203	" Rebecca Dickson
138	" William Frank	204	" Wilfred Lawrence *
139	Larsen, Ellen	205	Pauloni, Robert Romeo *
140	" Margaret	206	Peake, Arthur
141	" Margaret Anne	207	Peck, Burned Brian
142	Lellman, Francis Theodore *	208	" Beatrice Ena *
143	Lyse, Ethel Malvina	209	" Desmond Douglas Bernard *
144	" Linda Margaret *	210	" Edith *
145	" Reginald Sturdee	211	" Evelyn Elizabeth
146	Martin, George Alexander *	212	" Mary *
147	May, Heather	213	" Percy Philip *
148	" James John	214	" William George Edward *
149	" Roderick James *	215	Perry, Annie Elizabeth *
150	" William Albert	216	" Beatrice Annie Jane *
151	Middleton, Brian *	217	" Christopher *
152	" Cyril	218	" Euphemia *
153	" Ellen *	219	" Stella Margeory *
154	" James (3) *	220	" William John *
155	" Jane *	221	Phillips, Carol Joan
156	" Joan Eliza	222	" Terence
157	" Leonard	223	Pole-Evans, Amy Rose
158	" Margaret Wilhelmina	224	" Michael Anthony
159	" Shirley	225	Poole, Evelyn May
160	Miller, Betty Lois *	226	" Raymond John *
161	" Sydney *	227	" William John
162	Milne, Henry Millar	228	Porter, William Kenneth
163	" Madeline Marie Irma	229	" Mary *
164	Minto, Gladys Elizabeth	230	Reive, Frederick John
165	" Leonard	231	" Leonard Lawrence *
166	Morrison, Basil	232	Roberts, Laura May
167	" Catherine Rose	233	" Ronald William *
168	" Clair Linda	234	" William Henry
169	" Donald Ewan *	235	Robertson, Charles Honeyman *
170	" Fayen	236	Robson, Gladys Mary
171	" Marjorie Beatrice	237	" Louis Michael
172	" Mary Ellen *	238	" Patricia Laura *
173	" William Roderick Halliday	239	" Violet Malvina Emily *
174	" Patrick	240	Rowlands, Catherine Anne
175	Murphy, Michael James *	241	" Daisy Malvina
176	" Bessie	242	" Harold Theodore *
177	Macaskill, John	243	" John Richard
178	" Jeannette May	244	Ross, Robin Noel *
179	MacDonald, Yvonne Helen	245	Seeley, Shirley Eva
180	McAskill, Jane Eliza *	246	Short, Agnes Mary Ann *
181	McGill, Doris Mary	247	" Emily Christina
182	" Keith William *	248	" Florence Mary *

249	Short, Frederick George *	268	Stewart, Keith Gordon
250	" John George Archibald *	269	" Robert
251	" Montana Tyrone	270	" Yvonne Malvina
252	" Peter Robert	271	Summers, Aubrey Vernon *
253	" Riley Ethro	272	" Nigel Clive
254	" Rose	273	" Pamela Rosemary Cheek
255	Smith, Eric	274	" Russel John *
256	" Hannah Caroline *	275	" Sonia
257	" Ileen Rose	276	" Sylvia Jean *
258	" John *	277	" Tony
259	" Mary Ellen	278	Thom, David Anderson
260	" Paulette Rose	279	" Dorothy Irene
261	" Robert William	280	" Norma Ann *
262	Spall, Christopher Richard	281	Thompson, William John
263	Spencer, Elizabeth Agnes *	282	Watts, Veronica
264	" William Ernest *	283	Whitney, Catherine Margaret Rebecca
265	Stacey, Lilian Clara *	284	" Frederick Eddy
266	Steen, Emma Jane	285	" Frederick William
267	Stewart, David William	286	" Susan Joan

* NOT LIABLE TO SERVE AS A JUROR

WEST STANLEY ELECTORAL AREA

REGISTER OF ELECTORS

1001	Abbott, Jack *	1061	Butler, Frederick Lowther Edward Olai
1002	Alazia, Albert Faulkner	1062	" George Joseph
1003	" Colleen *	1063	" Joan May
1004	" Freda	1064	Campbell, Ethel *
1005	" Grace Elizabeth *	1065	" Ray *
1006	" James Andrew	1066	Card, Peter Alan
1007	" Maggie Ann	1067	Carey, Anthony Michael
1008	" William Charles	1068	" Gladys
1009	" Yvonne	1069	" Mary Ann Margaret
1010	Aldridge, Stephen Charles *	1070	" Terence James
1011	Anderson, John *	1071	Cartinell, Frederick James
1012	" Kathleen Iris	1072	" Sarah Matilda *
1013	" Ludvick Riley *	1073	Cheek, Gerald Winston
1014	Andreasen, Emily *	1074	" John Edward
1015	Barnes, Frederick William *	1075	" Janet Linda
1016	" Mabel Ann *	1076	" Marie
1017	Barton, Dorothy Iowa *	1077	Clarke, Camilla Marie
1018	Bennett, Harold *	1078	" Derek Simon *
1019	" Lena Grace Gertrude *	1079	" Jane Lucacia *
1020	" Stanley *	1080	" Martin James
1021	Berntsen, Mary Clarissa Elizabeth *	1081	" Rudy Thomas
1022	" Marlene Rose	1082	Clausen, Lilian Rose Orissa
1023	Betts, Melody Christine	1083	Clement, Wickham Howard *
1024	" Terence Severine	1084	Cletheroe, Leslie John *
1025	Berrido, Philip *	1085	" Lily Catherine
1026	Biggs, Basil William	1086	" William Harold
1027	" Bernard Layton *	1087	Clifton, Leonard
1028	" Betty Josephine	1088	" Thora Janeene
1029	" Kathleen Frances *	1089	Countts, Malvina Mary
1030	" Leslie Frederick	1090	Cox, Catriona Margaret
1031	" Peter Julian Basil	1091	" Frederick Campbell *
1032	Binnie, Malcolm George Stanley	1092	Davis, Lena Victoria *
1033	Blackley, Charles David	1093	Daykin, Kathleen Ruth Elmer *
1034	" Hilda	1094	Dettleff, Hansen Christopher *
1035	" Janet Agnes Mary *	1095	Dobbys, Jeannie Lilian Mary
1036	Blyth, Agnes Ruth	1096	" Teresa Ellen *
1037	" Alfred John *	1097	" Timothy John
1038	Bonner, Donald William	1098	Duncan, Alice Florence
1039	" Hazel Mary	1099	" Doreen
1040	" Paul Roderick	1100	" Joan Ellen
1041	" Vera Joan	1101	" William
1042	Booth, Jessie *	1102	Etheridge, Georgina Bond *
1043	" Stuart Alfred	1103	" William Arthur *
1044	Borland, Daniel	1104	Ferguson, Ethel Mary *
1045	Bound, Henry John Lennard *	1105	Ford, Arthur Henry
1046	" Horace Leslie *	1106	" Barry William
1047	" Joan	1107	" Colleen Mary
1048	Bowles, Norma Evangeline	1108	" Elizabeth Harriet
1049	" William Edward	1109	" Frederick James
1050	Braxton, Thomas Nathaniel John *	1110	" Glenda
1051	Browning, Trevor Osneith	1111	" Violet Irene
1052	Bundes, Muriel Gladys	1112	" William John
1053	" Robert John Christian *	1113	Fullerton, Mary Ellen
1054	Burns, Frederick John *	1114	Gilding, Jacqueline
1055	" Iola Winnifred Mary	1115	" Peter Bernard
1056	" Martha *	1116	Gleadell, Ernest Charles Stanbury *
1057	Buse, Franz John	1117	Gooch, Dudley Frederick
1058	Butcher, Michael George	1118	Goodwin, Dorothy Idina
1059	" Trudi	1119	" Jacqueline Nancy
1060	Butler, Elsie Mand		

* NOT LIABLE TO SERVE AS A JUROR

1120	Goodwin, John Kenneth *	1184	Livermore, Shelley *
1121	" June Elizabeth Rose	1185	Luxton, Constance *
1122	" Mary Agnes Alice Crawford *	1186	" Ernest Falkland *
1123	" Robin	1187	" Henry Thomas
1124	" William Andrew Nutt	1188	" Michael
1125	Halliday, Evelyn Edna	1189	" Nicola
1126	" Joyce Isabella Patience	1190	" Sybil Grace *
1127	" Kenneth William	1191	" Winifred Ellen
1128	" Leslie John *	1192	Lyse, George Walter *
1129	" Mabel *	1193	" Sydney Russell *
1130	" Margaret Mary	1194	Malcolm, Ailsa *
1131	" Raynor	1195	" George
1132	" William John *	1196	" Velma
1133	Hansen, Louisa Hannah *	1197	Marsh, Robin Frank
1134	Hardy, Elsie *	1198	Middleton, James (2) *
1135	" Jean	1199	" James Stewart *
1136	Harvey, James Claude	1200	" Marion Sarah Ellen
1137	Heathman, Albert Stanley Kenneth *	1201	Miller, Florence Roberta *
1138	" Ewart Tony	1202	" Stanley Frank *
1139	" Violet *	1203	Miranda, Winifred Dorothy
1140	Henricksen, Albert James	1204	Morrison, Douglas Roy *
1141	Hewitt, James *	1205	" Elizabeth Margaret May *
1142	Hills, Heather Margaret	1206	" Gerald
1143	" Richard William	1207	" Mary Ann *
1144	" William Phorsen *	1208	" Jean Buik
1145	Hirle, Mary Ann *	1209	" Roderick *
1146	" Robert Andrew Eric	1210	McAskill, Susan Blanche *
1147	" Wallace Carlinden *	1211	McCallum, Bettina Kay
1148	Hobman, Anilda Marilu	1212	" Ellen *
1149	Howatt, Derek Frank	1213	" Jack
1150	" Enid	1214	McGill, Glenda
1151	Jaffray, Donald	1215	" Ian Peter
1152	Jennings, Dora Irene *	1216	" Len Stamford *
1153	" Hamish Warren	1217	McKay, Gerard
1154	" Margaret Ellen	1218	" James John *
1155	" Mary Ann Helen	1219	" Jane Elizabeth
1156	" Neil	1220	" Paulina Agatha
1157	Johnson, Beatrice Ellen *	1221	McLeod, Archibald *
1158	" Gerard Thomas Spencer *	1222	" Ellen May *
1159	" Gladys Mabel	1223	" Murdoch Angus *
1160	" Patrick Thomas	1224	McMillan, Donald Hugh *
1161	" Stanley Howard *	1225	" Frances Evelyn
1162	" Stanley Peter	1226	" Gavin *
1163	Johnston, Gordon Macdonald	1227	McPhee, Marjorie May
1164	" Hermine Muriel	1228	" Owen Horace
1165	Keenleyside, Charles Desmond	1229	" Terence Owen
1166	" Dorothy Maud	1230	" Sheila Margaret
1167	" Manfred Michael Ian	1231	Neilson, Mabel *
1168	" Nicholas Timothy Thomas *	1232	Newall, Joseph Orr
1169	Kerr, James	1233	" Trudi Malvina
1170	" Margaret Joyce	1234	Pearson, Isabella *
1171	King, Desmond George Buckley	1235	Peart, Edward James Campbell *
1172	" Nanette	1236	" Robert Ernest *
1173	Kiddle, Malvina Thelma	1237	" Rose Louisa *
1174	" Peter *	1238	Peck, Elsie Grace *
1175	" Robert	1239	" Frances *
1176	Lee, Alfred Francis *	1240	" James Watson Cranmer *
1177	" Alfred Leslie	1241	" Shirley
1178	" Elsie Adelaide *	1242	" Terence John *
1179	" Leslie James	1243	Perkins, Vivienne Esther Mary
1180	" Malvina	1244	Perry, Hilda Blanche
1181	" Patrick James	1245	" Robert Juan Carlos
1182	" Trudi Dale *	1246	" Thomas George
1183	Lehen, Maurice *	1247	Pettersson, Eileen Heather
		1248	" Tony
		1249	Poole, Charles Lawrence *

1250	Poole, Isabella Jane *	1286	Stewart, John
1251	Reid, Pamela Margaret	1287	„ Phyllis Marjorie
1252	Reive, Ernest	1288	Strange, Ian John
1253	„ Roma Endora Mary	1289	Summers, Brian
1254	„ Terence	1290	„ Christina Maud
1255	Rowlands, Lucy *	1291	„ Dorothy Constance
1256	Rozee, Betty	1292	„ Edith Catherine
1257	„ Derek Robert Thomas	1293	„ Gloria Jane
1258	„ Robert Keith *	1294	„ Iris Blanche
1259	Ryan, Bridget Rose	1295	„ Keith Medlicott
1260	„ David Anthony	1296	„ Kenneth Claud
1261	Shedden, James Alexander	1297	„ Lavina *
1262	Short, Agnes Jane	1298	„ Melvin Nigel
1263	„ Charles William	1299	„ Owen William
1264	„ Philip Stanley	1300	„ Philip George
1265	„ Rose Stella	1301	„ Veronica
1266	„ Thomas Henry	1302	„ Victor Leonard *
1267	Skilling, Thomas *	1303	Thain, Gladys
1268	Smith, James Stanley	1304	Turner, Alva Ynonne
1269	„ Jessie Maud *	1305	„ Melvyn George
1270	„ Michael Edmund	1306	Villanueva, Maria Marta
1271	„ Raymond William	1307	Wallace, Stuart Barrett
1272	„ Violet Catherine *	1308	Watson, Catherine Wilhelmina Jessie
1273	Sollis, Denis John *	1309	„ Glenda Joyce
1274	„ Sarah Emma Maude	1310	„ Louis James
1275	Sornsen, Agnes Caroline *	1311	„ Neil
1276	„ George Albert *	1312	„ Robert
1277	„ Isabella *	1313	Watts, Ada Mabel *
1278	Spraggon, Daniel Martin *	1314	„ Patrick James
1279	Spruce, Helena Joan	1315	Whitney, Ellen Brenda
1280	„ Terence George	1316	„ Patrick George
1281	Steen, Gail	1317	Williams, Charlotte Agnes *
1282	„ Vernon Robert	1318	„ Eugene
1283	Stephenson, James	1319	„ John Dolan *
1284	„ Joan Margaret	1320	„ Marlene Rose Elizabeth
1285	Stewart, Hulda Fraser	1321	Wilson, Dorothea May *

* NOT LIABLE TO SERVE AS A JUROR

EAST FALKLAND ELECTORAL AREA

REGISTER OF ELECTORS

1	Alazia, Charlie	64	Davis, Joan Lucy Ann
2	" Freda Evelyn	65	" Reginald John
3	" Hazel	66	" Violet
4	" Henry John	67	" William James
5	" Thora Lilian †	68	" William John †
6	Anderson, Gloria	69	" Yona
7	" Gordon	70	Dearling, Leo Alexander
8	" Jenny	71	Dickson, Caroline Christine Bird †
9	" Tony James	72	" Doreen
10	Baillie, Keith	73	" Gerald William
11	" Virginia Elizabeth Sarah	74	" Iris
12	Balfour, Edward McMahon	75	" Ronald Edward
13	Barton, Coral Inez	76	Edwards, David
14	" John David †	77	Fairlie, Ivan William
15	Beattie, Betty	78	Faria, Mary Ann
16	" Thomas George	79	Ferguson, Finlay James
17	Bennett, Neville Kenneth	80	Finlayson, Barry Donald
18	" Valerie Elizabeth	81	" Charles John
19	Berntsen, Alexander John †	82	" Hugh
20	" Ellen Rose	83	" Iris Dwenda Margaret
21	" Frederick George	84	" Iris Heather
22	" Jeanette	85	" Peter †
23	" John Alexander	86	" Phyllis
24	" Lavina Maud †	87	Ford, Charles David
25	" Mary Anne Margaret	88	" Fanny Davidson
26	" Olaf Christian Alexander	89	" Hazel
27	" Raymond	90	" John
28	" Valdemar Lars	91	" Robert †
29	" William Alexander †	92	Gaiger, Kenneth William
30	Biggs, James Keith	93	Giles, Gilbert
31	Billett, Leslie William	94	Gleadell, Anne †
32	Binnie, Linda Rose	95	Goodwin, Douglas Sturdee
33	" Ronald Eric	96	" Isobel Helena †
34	Blake, Anthony Thomas	97	" Michael Sturdee
35	" Lyndsay Rae	98	" Robert Christopher
36	Bonner, Doreen Milliam	99	" Sarah Margaret Rose
37	" Henry John	100	" Una
38	" Keith James	101	Goss, Eric Miller
39	Brooks, Frank	102	" Roderick Jacob
40	Browning, David Lennard	103	" Shirley Ann
41	" Frances Agnes	104	Grant, Leonard John
42	" Kelvin	105	" Mildred
43	Carey, Michael Raymond	106	Greenshields, Harland Llewellyn
44	" Trudi Ann	107	" Janet Louisa
45	Cartmell, Andrew Nutt	108	Hadden, Alexander Burnett
46	Clark, Derek	109	" Sheila Peggy
47	" Mary Ellen	110	Halliday, Gerald
48	Clarke, Ian	111	Hardcastle, Brook †
49	" Jeanette	112	" Eileen Beryl
50	" Michael Jan	113	Hatch, Albert John
51	" Valerie Ann †	114	Hirtle, Leonard Lloyd
52	Clasen, Clarvis Edward	115	" Shirley
53	" Frederick James	116	Humphreys, Dennis James
54	" Mally	117	Hutton, Elizabeth Isabella
55	Clausen, Denzil	118	" Philip
56	" Henry Edward	119	Jaffray, Alexander
57	Cletheroe, Kenneth Stanley	120	" Brian
58	Clifton, Doreen	121	" Eileen
59	" Terence Charles	122	" Elliott Jessie
60	Coutts, Alexander †	123	" Helen Rose
61	Davis, Aase	124	" Ian
62	" Albert Henry	125	" John Willie
63	" Elsie Gladys Margaret †	126	" Phyllis

† NOT LIABLE TO SERVE AS A JUROR.

127	Jaffray, Robin George	192	McPhee, June Iris
128	" Tony	193	McRae, James Bartholomew
129	" Velma Emily	194	" Malvina Mary
130	Keane, Alva Rose Marie	195	" Robert George Hector
131	" Thomas James	196	Newman, Dorothy Elizabeth †
132	Kiddle, Robert Karl	197	" Marlene
133	Knight, Nigel Arthur	198	" Raymond Winston
134	" Shirley Louvain Patricia	199	Nightingale, Richard
135	Larsen, Ronald Ivan	200	Packer, Robert Neil
136	" Yvonne	201	Parrin, Norman George †
137	May, Brian Roy	202	Pederson, Mary Ann
138	" Bruce Raymond	203	Perry, Augustav Walter
139	" Corenne Norma	204	" Thora Virginia
140	" Monica	205	Phillips, Albert James
141	Middleton, Dennis Michael	206	" Charles William
142	" Sharon Elizabeth	207	" David Dawson
143	Miller, Alan Charles	208	" Jesse †
144	" Betty	209	" Jessie Catherine †
145	" Carol	210	" Lynda
146	" James	211	Pitaluga, Jene Ellen
147	" Timothy John Durose	212	" Robin Andreas Mackintosh
148	Minnell, Benjamin James	213	Reid, Colleen Rose
149	" Hazel Eileen	214	" Reynold Gus
150	Monk, Adrian Bertrand †	215	Robson, Raymond Nigel
151	" Nora May	216	Short, Andrez Peter †
152	Morrison, Doreen Emily †	217	Sinclair, Celia Joyce
153	" Hyacinth Emily	218	" Simon Keith
154	" John Murdo	219	Smith, David
155	" Lewis Ronald †	220	" Edith Mary †
156	" Michael John	221	" Edith Winifred †
157	" Nanette	222	" Frederick George Peter
158	" Norman	223	" George Patterson
159	" Ronald Terence	224	" Henry William
160	" Stewart	225	" Jenny Lorraine
161	" Susan Margaret	226	" Sidney Frederick
162	" Trevor	227	" Norah
163	" Trudi Lynette	228	" Osmond Raymond
164	" Violet Sarah	229	Sornsen, James Winston
165	MacDonald, Colin George	230	Spinks, Alexander
166	" Irene	231	" Malvina Ellen
167	McBain, Arthur	232	Stewart, George Alexander
168	" Rhoda	233	" Sylvia Rose
169	McCallum, Christopher John	234	Summers, Derek †
170	" James	235	" Michael Kenneth
171	McKay, Clara Mary	236	" Rowena †
172	" Frazer Roderick	237	" Sheila
173	" Heather Valerie	238	" Stanley Frederick †
174	" Rex	239	" Sybella Catherine
175	" Roderick John	240	" Terence
176	" William Robert	241	" William Edward †
177	McKee, John †	242	Tasker, Dennis George
178	McKenzie, Alice Maude	243	Thompson, George Henry
179	" Charles Alexander Albert John	244	Thorsen, Gloria Penelope
180	" James	245	Turner, Diana Jane
181	McLeod, Albert John	246	" Ronald
182	" Christine Marion Agnes	247	Vidal, Eileen Norah
183	" Donald Henry	248	Wemyss, Peter James
184	" Robert	249	" Zena Jessie
185	" Robert John	250	Whitney, Agnes Katherine
186	" Sarah Rose	251	" Dennis
187	McMullen, June	252	" Henry Leslie
188	" Tony	253	" Keith
189	McNally, Gaye	254	" Lana Rose
190	" Robert John	255	" Leona Ann
191	McPhee, Kenneth John	256	Wilson, John
		257	" Margaret Jean

† NOT LIABLE TO SERVE AS A JUROR.

WEST FAULKLAND ELECTORAL AREA

REGISTER OF ELECTORS

501	Alazia, Dorothy Fay	560	Dickson, Harold Edward †
502	" George Robert	561	" Mildred Ellen
503	Aldridge, Caroline Mary	562	Donnelly, Daniel
504	" Brian George †	563	" Joyce Elizabeth
505	" Kenneth John	564	Duncan, Avis Marion
506	" Olive Elizabeth	565	" David John †
507	" Thomas George	566	" James Alexander
508	Amadio, Rita Ellen Ottile †	567	" Peter Reed Howard
509	Anderson, Marina Rose	568	Dunford, David Philip
510	" Margaret Catherine	569	Evans, Derek Stanley
511	" Nigel	570	" Gladys Alberta
512	" Reginald Stanford	571	" Griffith Owen
513	" Ronald	572	" Margaret Ann
514	" Thomas †	573	" Olwyn Carol
515	Barnes, Deirdre	574	" Raymond
516	" Marshall	575	Fairley, John
517	" William Frederick John	576	Featherbe, Terence Randall
518	Berntsen, Arina Janice	577	Felton, Anthony Terence
519	" Kathleen Edith Mary Lucy Crawford	578	" John Roy Stanley
520	" Kenneth Frederick	579	" Judith Orissa
521	" Leon	580	" Violet Regina Margaret
522	" Sidney Lawrence	581	Ferguson, Robert John
523	Bertrand, Catherine Gladys	582	" Thelma
524	" Cecil William Wickham †	583	Findlay, Gerald
525	Betts, Alan Sturdee †	584	Fogerty, Brenda Diane Joanna †
526	" Arthur John	585	" Richard Edwin John
527	" Bernard Keith	586	Forster, Gwyneth May
528	" Cyril Severine †	587	" James
529	" Donald William	588	Gleadell, Ian Keith
530	" Ellen Alma †	589	" Mavis Marie
531	" Hyacinth Emily †	590	Goodwin, Bert Samuel †
532	" Irene Marion	591	" Emily Rose
533	Biggs, Clarence George	592	" Hazel Rose
534	" Michael Elfred	593	" Kathleen Edith Marguerite †
535	Binnie, Albert Frederick	594	" Marina
536	" Horace James †	595	" Raymond Hayward
537	" Rose Helen †	596	" Rupert Valentine †
538	Blackley, Candy Joy	597	" William John Maurice
539	" John David	598	Halliday, Christina Jane †
540	" Maurice	599	" John Arthur Leslie †
541	Blake, Lionel Geoffrey †	600	Hansen, Ian †
542	" Sally Gwynfa	601	" Lionel Raymond
543	Bonner, Simon	602	" Rose Idina
544	Chandler, Ann Beatrice	603	" Terence Darwin
545	" Edward	604	Harvey, Alfred Sydney
546	Chater, Anthony Richard	605	" Jen
547	Clarke, David James	606	" Muriel Elizabeth Elsie
548	" Fiona Alison	607	" Valerie Ann
549	" Terence John	608	Hayward, Peter Dennis
550	Cockwell, Grizelda Susan	609	Hirtle, Doris Linda
551	" John Richard	610	" Fenton
552	Cofre, Dierdre Emma	611	Hobman, John Malcolm
553	" Elvio	612	Hurst, David William
554	Coutts, Frederick George	613	" Una
555	Cusworth, Alan David	614	Laffi, Kathleen Mary
556	" Alana Marie	615	Lee, Carole
557	Davidson, Donald	616	" Elizabeth
558	" Margaret Christine	617	" John Alfred
559	Dickson, Edward Thomas Crawford	618	" June Elliot

† NOT LIABLE TO SERVE AS A JUROR.

619	Lee, Rodney William	664	Plummer, Cecil Hicks Joseph †
620	„ Sidney Simpson	665	Pole-Evans, Anthony Reginald
621	Llamosa, George Alexander †	666	„ David Llewellyn †
622	Luxton, Patricia Maureen	667	„ Jessie
623	„ William Robert	668	„ Shirley Helen
624	Lyse, Ernest Lewis †	669	„ William Reginald
625	MacBeth, Phyllis Elizabeth Grace	670	Porter, Charles
626	„ Raymond John	671	„ George
627	„ William Campbell	672	„ Jean Lavinia
628	Maddocks, Charles	673	„ Joan
629	„ Iris May	674	Reeves, Cheryl Rose
630	„ Robert Charles	675	„ Ronald James
631	Marsh, Alastair Roy †	676	Robertson, Ann
632	„ Frank	677	„ James Richard
633	„ June Helen	678	„ Peter Charles
634	„ Roy Thomas	679	„ Robin Evelyn Thelma
635	Miller, Carol	680	Robson, Gerard Michael
636	„ Simon Roy	681	Ross, Lachlan
637	Molkenbuhr, Betty Marie	682	„ Roy
638	„ Claudio Eugenio	683	„ William Henry
639	„ Gwynne Edwina †	684	Sackett, Albert John
640	Morrison, Charlene	685	„ Marjorie
641	„ Eric George	686	Short, Christina Ethel
642	„ Kenneth	687	„ Donald Robert Gordon
643	„ Lena	688	„ Evelyn May Elizabeth
644	„ Leslie Theodore Norman	689	„ George Charles
645	„ Muriel Eliza Ivy †	690	„ Isobel Rose
646	Murphy, Ann Susan †	691	„ Joseph Leslie
647	„ Roy David	692	„ Patrick Warburton
648	McCormick, Pauline Margaret Ruth	693	Small, Lee Oliver
649	„ Ronald	694	Smith, Alice Maud †
650	McGill, Gary †	695	„ Francis David †
651	„ Lorraine Iris	696	„ Gerard Alexander
652	„ Robin Perry	697	„ Gwenifer May
653	McKay, Isabella Alice	698	„ Heather
654	„ Richard	699	„ Janice
655	McRae, David Michael	700	„ Keva Elizabeth
656	„ Gloria Linda †	701	„ Peter Lars
657	„ Richard Winston	702	„ Robin Charles
658	Napier, Lily	703	Stewart, George Nathaniel
659	„ Roderick Bertrand	704	Strange, Anne
660	Newman, Frederick Clarence Walwin	705	Summers, Dennis David †
661	Peake, Fay Christina	706	Watson, Hannah Maude
662	Peck, Maureen Heather	707	White, Kathleen Elizabeth
663	„ Patrick William	708	„ John Wright †

† NOT LIABLE TO SERVE AS A JUROR.

EAST STANLEY ELECTORAL AREA

POSTAL VOTERS LIST

41	Bonner, Roderick Richard	174	Morrison, Patrick
100	Goss, William Henry	199	Neilsen, Barry Marwood
135	Lang, Colin David	237	Robson, Louis Michael
151	Middleton, Brian	244	Ross, Robin Noel

WEST STANLEY ELECTORAL AREA

POSTAL VOTERS LIST

1015	Barnes, Frederick William	1238	Peck, Elsie Grace
1016	„ Mabel Ann	1240	„ James Watson Cranmer
1035	Blackley, Janet Agnes Mary	1249	Poole, Charles Lawrence
1056	Burns, Martha	1250	„ Isabella Jane
1141	Hewitt, James	1267	Skilling, Thomas
1151	Jaffray, Donald	1273	Sollis, Denis John
1158	Johnson, Gerard Thomas Spencer	1277	Sornsen, Isabella
1171	King, Desmond George Buckley	1281	Steen, Gail
1172	„ Nanette	1282	„ Vernon Robert
1183	Lehen, Maurice	1297	Summers, Lavina
1199	Middleton, James Stewart	1312	Watson, Robert
1212	McCallum, Ellen		

EAST FALKLAND ELECTORAL AREA

POSTAL VOTERS LIST

57	Cletheroe, Kenneth Stanley	96	Goodwin, Isobel Helena
58	Clifton, Doreen	182	McLeod, Christine Marion Agnes
59	„ Terence Charles	187	McMullen, June
64	Davis, Joan Lucy Ann	226	Smith, Sidney Frederick

WEST FALKLAND ELECTORAL AREA

POSTAL VOTERS LIST

523	Bertrand, Catherine Gladys	610	Hirtle, Fenton
524	„ Cecil William Wickham	621	Llamasa, George Alexander
549	Clarke, Terence John	625	MacBeth, Phyllis Elizabeth Grace
557	Davidson, Donald	627	„ William Campbell
558	„ Margaret Christine	635	Miller, Carol
569	Evans, Derek Stanley	636	„ Simon Roy
572	„ Margaret Ann	651	McGill, Lorraine Iris
577	Felton, Anthony Terence	652	„ Robin Perry
580	„ Violet Regina Margaret	658	Napier, Lily
591	Goodwin, Emily Rose	659	„ Roderick Bertrand
609	Hirtle, Doris Linda		

Appointment of Governor's Deputy and specification of powers and functions vested in the Governor which he may exercise and perform.

WHEREAS paragraph (1) of Article 8 of the Falkland Islands Letters Patent, 1948 to 1962, provides that whenever the Governor has occasion to be absent from the seat of Government but not from the Colony, or to be absent from the Colony for a period which he has reason to believe will be of short duration, or whenever by reason of illness which he has reason to believe will be of short duration he considers it desirable so to do, he may, by Instrument under the Public Seal, appoint any person in the Colony to be his Deputy during such absence or illness, and in that capacity to exercise and perform for and on behalf of the Governor during such absence or illness all such powers and functions vested in the Governor as shall be specified in such Instrument:

AND WHEREAS Article 3 of the Falkland Islands Dependencies Letters Patent, 1908, provides that the Officer for the time being Administering the Government of the Colony of the Falkland Islands shall be Governor for the time being of the Falkland Islands Dependencies:

AND WHEREAS I shall have occasion to leave Stanley on the 25th day of September 1977 for the purpose of visiting the Camp.

NOW, THEREFORE, under and by virtue of the powers aforesaid I, GORDON JAMES AUGUSTUS SLATER, ESQUIRE, Acting Governor of the Colony of the Falkland Islands and its Dependencies do hereby appoint ARTHUR JOSEPH PHILIP MONK, ESQUIRE, Officer of the Most Excellent Order of the British Empire, to be Governor's Deputy in and for the Colony of the Falkland Islands and its Dependencies and in that capacity to exercise and perform for and on behalf of the Governor (except while and in so far as provision to the contrary made by the Governor under Article 8 of the said Letters Patent is operative) and subject always to the provisions of the said Letters Patent, all such powers and functions as are vested in the Governor other than those vested by sections 6, 18 and 21A, sub-section (1) of section 24 and sub-section (1) of section 26, of the Falkland Islands (Legislative Council) Orders, 1948 to 1973, by paragraph (1) of Article 10 and Articles 13, 15 and 16 of the said Letters Patent and by paragraph (b) of clause 3, sub-paragraph (a) of paragraph (1) of clause 5 and clause 22 of the Royal Instructions to the Governor dated the 13th day of December 1948.

This Instrument shall come into operation on the 25th day of September 1977 and shall remain in force until my return to Stanley.

LS

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, this 23rd day of September in the year of Our Lord One thousand Nine hundred and Seventy-seven.

G. J. A. SLATER,
Acting Governor.

AIR NAVIGATION (OVERSEAS TERRITORIES) ORDER 1977
(S. I. 1977/422)

Falkland Islands Air Navigation (Fees) Regulations 1977

No. 1 of 1977.

G. J. A. SLATER,
Acting Governor.

IN EXERCISE of the powers conferred by Article 91 of the Air Navigation (Overseas Territories) Order 1977, the Governor has made the following regulations —

Citation and commencement.

1. These regulations may be cited as the Falkland Islands Air Navigation (Fees) Regulations 1977 and shall come into operation on the 1st day of October 1977.

Interpretation.

2. In these regulations, unless the context otherwise requires "Order" means the Air Navigation (Overseas Territories) Order 1977.

Fees.

3. The fees specified in the Schedule shall be payable for the purposes of the Air Navigation (Overseas Territories) Order 1977.

SCHEDULE

Regulation 3.

FEES

Certificate of Registration (Article 4(8))

1. The fee to be paid for the issue of a certificate of registration of an aircraft pursuant to Article 4(8) of the Order shall be in accordance with the following scale —

Where the maximum total weight —	£
(a) does not exceed 6,000 lb	1.50
(b) exceeds 6,000 lb but does not exceed 12,500 lb	6.00
(c) exceeds 12,500 lb but does not exceed 30,000 lb	12.50
(d) exceeds 30,000 lb but does not exceed 100,000 lb	30.00
(e) exceeds 100,000 lb	50.00

For the purposes of this paragraph "maximum total weight" means the maximum total weight authorized in the certificate of airworthiness in force in respect of the aircraft or, if no such certificate is in force, in the certificate of airworthiness last in force in respect of that aircraft. In any case "maximum total weight" means the maximum total weight authorized of the prototype or modification thereof to which the aircraft in the opinion of the Governor conforms.

Permit for an aircraft to fly without a Certificate of Airworthiness (Article 7(1))

2. The fees to be paid in respect of an application for a permit to fly in pursuance of proviso (e) to Article 7(1) of the Order shall be as follows —

For any investigations required by the Governor in connection with the application, a fee of an amount equivalent to the cost of making such investigations but not exceeding 50p per lb of the maximum total weight of the aircraft for any year, or part of a year, of the period required for carrying out the investigations.

For the permit, a fee of £1.

For the purpose of this paragraph "maximum total weight" means the maximum total weight specified in the application for the permit.

First Issue of Certificate of Airworthiness (Article 8(1))

3. Where an application is made for the first issue of a certificate of airworthiness in respect of an aircraft there shall be paid for the investigations required by the Governor in pursuance of Article 8(1) of the Order (not including the investigation of any aircraft engine) a fee of an amount equal to the

cost of making the investigations but not exceeding £1 per lb of the maximum total weight of the aircraft for any year, or part of the year, of the period required for carrying out the investigations:

Provided that —

- (1) in the case of an aircraft which in the opinion of the Governor conforms to a prototype aircraft or to a modification of a prototype aircraft, the fee to be paid shall be —
- | | £ |
|---|------|
| (a) in the case of a glider of which the maximum total weight does not exceed 2,000 lb | 2.00 |
| (b) in the case of a glider of which the maximum total weight exceeds 2,000 lb | 5.00 |
| (c) in any other case, a fee in accordance with the following table — | |
| (i) when the maximum total weight does not exceed 2,000 lb in respect of each 1,000 lb or part thereof | 5.00 |
| (ii) when the maximum total weight exceeds 2,000 lb in respect of each 1,000 lb or part thereof | 7.00 |
- (2) in the case of an aircraft which in the opinion of the Governor is a modification of a prototype aircraft the fee shall not be less than that which would have been payable if paragraph (1) of this proviso had applied.

For the purpose of this paragraph "maximum total weight" means the maximum total weight specified in the application for the certificate.

Approval of Engine

(Article 8(1))

4. The fees to be paid in respect of an application for the approval of an engine, whether in connection with an application for the issue or renewal of a certificate of airworthiness or for any other of the purposes of the Order (including any investigations required for the purpose) shall be in accordance with the following scale —

- | | |
|--|------|
| (a) When the power output of the engine as determined by the Governor — | £ |
| (i) does not exceed 200 B.H.P. or 500 lb thrust | 2.00 |
| (ii) exceeds 200 B.H.P. or 500 lb thrust but does not exceed 500 B.H.P. or 1,250 lb thrust | 4.00 |
| (iii) exceeds 500 B.H.P. or 1,250 lb thrust but does not exceed 1,000 B.H.P. or 2,500 lb thrust | 6.00 |
| (iv) exceeds 1,000 B.H.P. or 2,500 lb thrust but does not exceed 2,000 B.H.P. or 5,000 lb thrust | 8.00 |
| (b) When the power output as so determined exceeds 2,000 B.H.P. or 5,000 lb thrust, in respect of the first 2,000 B.H.P. or 5,000 lb thrust | 8.00 |
| and in respect of each additional 100 B.H.P. or 250 lb thrust | 0.50 |

Second or Subsequent Issue or Renewal of Certificate of Airworthiness

(Article 8(1) and (6))

5. When an application is made for the second or subsequent issue or the renewal of a certificate of airworthiness in pursuance of Article 8 (1) or (6) of the Order, the fee to be paid in respect thereof (including any investigations required in connection with the application) shall be £3 in the case of a glider where the maximum total weight authorized of the glider does not exceed 2,000 lb, and in any other case shall be in accordance with the following sub-paragraphs —

- | | |
|--|------|
| (a) When the maximum total weight authorized for the aircraft does not exceed 2,000 lb, in respect of each 1,000 lb or part thereof | £ |
| ... | 5.00 |
| (b) When the maximum total weight authorized for the aircraft exceeds 2,000 lb, but does not exceed 5,000 lb, in respect of each 1,000 lb or part thereof | 7.00 |
| (c) When the maximum total weight authorized for the aircraft exceeds 5,000 lb, in respect of each 1,000 lb or part thereof | 9.00 |

Validation of Certificate of Airworthiness

(Article 8(5) and (6))

6. The fee to be paid in respect of an application for —

- (1) the first issue of a certificate of validation of a certificate of airworthiness in respect of any aircraft in pursuance of Article 8 (5) of the Order (including any investigation required in connection with the application) shall be the same as the fee which would be paid under paragraph 3 of this Schedule in respect of an application for the first issue of a certificate of airworthiness in respect of that aircraft, assuming it to be an aircraft which in the opinion of the Governor was a modification of a prototype aircraft;

- (2) the second or subsequent issue or the renewal of such certificate of validation in pursuance of Article 8 (5) and (6) of the Order shall be the same as the fee which would be paid under paragraph 5 of this Schedule in respect of the second or subsequent issue or the renewal of a certificate of airworthiness in respect of that aircraft.

Approval of Persons (Articles 8(8) and 11(5) (f))

7. The fee to be paid by a person for the making of inspections of his organisation for the purposes of Articles 8 (8) and 11 (5) (f) of the Order shall be £50 per annum for each branch of the organisation which is separately inspected.

Approval in respect of aircraft and equipment including modification, repair, etc (excluding engines and radio apparatus) (Articles 8(7), 11(4) and 13(2))

8. The fee to be paid in respect of an application for approval pursuant to any requirement of Articles 8 (7), 11 (4) or 13 (2) of the Order (other than for approval of an engine) shall be an amount equivalent to the cost of making the investigations which the Governor deems necessary for the purpose but not exceeding £1,000 for any year, or part of a year, of the period required for carrying out the investigations.

Approval of type, etc., of Radio Apparatus (Article 14(5))

9. The fee to be paid in respect of an application for the approval by the Governor of radio apparatus or the manner of the installation thereof, or of any modification of the apparatus or the manner of its installation, for the purpose of Article 14(5) of the Order shall be an amount equivalent to the cost of making the investigation which the Governor deems necessary for the purpose but not exceeding £1,000 for any year, or part of a year, of the period required for carrying out the investigations.

Licences for Aircraft Maintenance Engineers and Aircraft Radio Maintenance Engineers (Article 12)

10. The fee to be paid in respect of a licence as an aircraft maintenance engineer or aircraft radio maintenance engineer in pursuance of Article 12 of the Order shall be as follows —
- | | £ |
|--|------|
| In respect of an application for a licence | 5.00 |
| In respect of an application for the extension of a rating included in a licence | 3.50 |
| In respect of an application for the renewal of a licence — | |
| if the applicant is not required to pass an examination | 2.50 |
| if the applicant is required to pass an examination | 5.00 |

Provided that the fees specified above shall cover only one examination in respect of the inclusion or extension of a rating in a licence and, if an additional examination is required in respect of such inclusion or extension, the fee to be paid for such additional examination shall be £3.50.

Licences for Flight Crew (Article 19) and Ratings therein (Article 20(1) (a) and 20(1) (d))

11. (1) The following fees shall be paid on application for the grant or renewal of a licence to act as —
- | | £ |
|--|------|
| (a) a professional pilot | 5.00 |
| (b) a flight navigator, or a flight engineer, or a flight radiotelegraphy operator (except when the applicant is the holder of a flight radiotelegraphy operator's temporary licence), or a private pilot | 3.00 |
| (c) a flight radiotelephony operator, whether the licence is general or restricted (except where the applicant is the holder of a licence to act as a pilot, flight navigator, flight engineer or flight radiotelegraphy operator) or a student pilot | 2.00 |

- (2) The following fees shall be paid on application for the grant or renewal of any licence to act as a member of the flight crew of an aircraft or for the inclusion or renewal of a rating in such a licence, in respect of such of the following examinations as may be required —

- | | £ |
|---|------|
| (a) For an official general examination on aircraft — | |
| (i) for the full examination | 3.00 |
| (ii) for a part of the examination | 2.00 |
| (b) For an official examination on the performance of aircraft | 5.00 |

- | | | |
|-----|--|-------|
| (c) | For an official technical examination on application for the inclusion of an aircraft rating for a single type of aircraft in a licence or for the extension of such a rating to include any additional type of aircraft — | £ |
| | (i) if the maximum total weight authorized of the aircraft does not exceed 12,500 lb | 6.00 |
| | (ii) if the maximum total weight authorized of the aircraft exceeds 12,500 lb | 9.00 |
| (d) | For an official examination in radiotelephony which consists of not more than two parts — | |
| | for each part of the examination, on each occasion when that part is taken | 1.00 |
| (e) | For an official examination on the Morse code | 1.00 |
| (f) | For any other official technical examination, which consists of not more than 11 parts — | |
| | for each part of the examination on each occasion when that part is taken | 2.00 |
| (g) | For an official flying test on application for the inclusion in a pilot's licence of a flying instructor's rating or an assistant flying instructor's rating or for the renewal of such a rating | 5.00 |
| (h) | For any other official flying test, by day or by night | 10.00 |
- (3) For the purposes of this paragraph —
- “a licence to act as a professional pilot” means a licence of one of the following classes —
- Commercial Pilot's Licence (Aeroplanes)
 - Senior Commercial Pilot's Licence (Aeroplanes)
 - Airline Transport Pilot's Licence (Aeroplanes)
 - Commercial Pilot's Licence (Helicopters and Gyroplanes)
 - Airline Transport Pilot's Licence (Helicopters and Gyroplanes)
 - Commercial Pilot's Licence (Balloons)
 - Commercial Pilot's Licence (Airships)
 - Commercial Pilot's Licence (Glider)
 - Commercial Pilot's Licence (Flying Machines)
 - Senior Commercial Pilot's Licence (Flying Machines)
 - Airline Transport Pilot's Licence (Flying Machines);
- “a licence to act as a private pilot” means a licence of one of the following classes —
- Private Pilot's Licence (Aeroplanes)
 - Private Pilot's Licence (Helicopters and Gyroplanes)
 - Private Pilot's Licence (Balloons and Airships)
 - Private Pilot's Licence (Flying Machines).

Official Medical Examination

12. The fees to be paid for an official medical examination, when required, shall be as follows —
- | | | | |
|-----|---|---|-------|
| (a) | On application for the grant of any licence to act as a member of the flight crew of an aircraft (including a student pilot's licence) or as an air traffic controller or student air traffic controller | £ | 10.00 |
| | Provided that where the Governor is satisfied that the applicant has previously been medically examined in connection with an application for a licence for which there is required a standard of medical fitness not inferior to that required for the licence for which the application is made the fee shall be | | 3.00 |
| (b) | For any other purpose of the Order or any regulations made thereunder | | 3.00 |

Aerodrome Licences

(Article 68)

13. Subject to the provisions of this paragraph the fees to be paid in respect of aerodrome licences shall be as follows —
- | | | |
|--|--|------|
| For an official inspection of an aerodrome not followed by the grant or renewal of a licence | £ | 7.50 |
| For the grant of a licence for a period not exceeding three days, including the official inspection of the aerodrome | | 7.50 |
| For the grant or renewal of a licence for a period exceeding three days, including official inspection of the aerodrome | | |
| | The fee specified in the table at the foot of this paragraph | |
| For the variation of a licence | | 5.00 |

Provided that where a licence is granted or renewed for a period which will expire within twelve months from the date on which the grant or renewal becomes operative and an application is made for the renewal of the licence, or for the grant of a further licence to the same person for the same aerodrome, for any subsequent period falling within those twelve months, then —

- (a) if the application is for the renewal of the licence without variation or for the grant of a further licence on the same terms as the previous licence, no fee shall be payable in respect of the renewal or grant; and
- (b) if the application is for the renewal of the licence with variations or for the grant of a further licence on terms different from those of the previous licence, the application shall be treated for the purpose of this paragraph as if it were an application for the variation of a licence.

Table						Fee payable
						£
The weight certified in the application for the grant or renewal of the licence as being the maximum total weight authorized of the heaviest aircraft which the applicant expects to use the aerodrome, while the licence is in force, for the purpose of the public transport of passengers or of instruction in flying —						
Not exceeding 6,500 lb ...	...	...	...	...	...	10.00
Exceeding 6,500 lb but not exceeding 15,000 lb	...	...	...	...	...	25.00
Exceeding 15,000 lb ...	...	...	...	...	...	50.00

Validation of a Licence
(Articles 12(5) and 21)

14. Where an application is made for the issue of a certificate of validation of a licence under the Order the following fees shall be paid —

For an official medical examination (if required)	}	In each case the fees appropriate in the grant of a licence equivalent to that for which validation is sought.
For a technical examination (if required)		
For an official flying test (if required)		
For a certificate ...		1.50

Copies of Documents

15. The fee to be paid for the issue by the Governor of a copy or replacement of a document issued under the Order or under regulations made thereunder shall be £1:

Provided that for a copy or replacement of a flight manual or performance schedule relating to a certificate of airworthiness the fee shall be an amount equal to the cost of preparing the copy or replacement as the case may be, but shall not exceed £8.

By Command,
ARTHUR J. P. MONK,
Chief Secretary.

PUBLIC HEALTH ORDINANCE
(Chapter 54)

Medical Fees (Amendment) Regulations 1977

No. 2 of 1977.

J. R. W. PARKER,
Governor.

IN EXERCISE of the powers conferred by section 55 of the Public Health Ordinance, the Governor in Council has made the following regulations —

1. These regulations may be cited as the Medical Fees (Amendment) Regulations 1977 and shall come into operation on the 1st day of August 1977. Citation and commencement.

2. Schedule A to the Medical Fees Regulations 1973 (hereinafter referred to as the principal regulations) is amended — Amendment of Schedule A.
(5 of 1973)

(a) by deleting paragraph 1 and substituting the following —

"Attendance
of medical
officer.

1. (1) Attendance by a medical officer to a person normally resident in the Colony —

(a) for the first visit ... 50p;

(b) for each subsequent visit ... 30p;

Provided that such fees may be doubled in the case of a visit made between 7 p.m. and 7 a.m., if, in the opinion of the medical officer, the circumstances do not warrant a night call.

(2) Attendance by a medical officer to a person not normally resident in the Colony the charge shall be £5 per visit .";

(b) in paragraph 3 by deleting "22p" and "19p" and substituting the following respectively —

"30p" and "25p";

(c) in sub-paragraph (b) of paragraph 6 (1) by deleting "£50" and substituting the following —

"£100";

(d) in sub-paragraph (c) of paragraph 6 (1) by deleting "£1" and substituting the following —

"£5".

3. Schedule B to the principal regulations is amended —

Amendment of Schedule B.

(a) by deleting paragraph 1 and substituting the following —

"Out-patients
fees.

1. (1) The following out-patient fees shall be charged in respect of persons normally resident in the Colony —

(a) for the first consultation ... 30p;

(b) for each subsequent consultation ... 25p;

Provided that special diagnostic, medical, surgical or laboratory services may be charged at a higher rate but not exceeding £9.50.

(2) In the case of a person not normally resident in the Colony the charge for each consultation shall be £5. Special services may be charged at a higher rate.";

(b) in sub-paragraph (a) of paragraph 2 by deleting "£1.50" and "£3.00" and substituting the following respectively —

"£2.00" and "£4.00";

- (c) by deleting sub-paragraph (b) of paragraph 2 and substituting the following —

“(b) Persons who are not normally resident in the Colony in a private or general ward —
£25 per day or part day.”;

- (d) by deleting sub-paragraph (b) of paragraph 3 and substituting the following —

“(b) Persons not normally resident in the Colony —
(i) for delivery £150;
(ii) Caesarian section £250.”;

- (e) by deleting sub-paragraph (1) of paragraph 4 and substituting the following —

“X-ray
examinations.

4. (1) The following charges shall be made in respect of X-ray examinations —

- (a) Persons normally resident in the Colony —
(i) Skiagram — 30p to £1.30;
(ii) Barium series and IVP — £3.95;
(b) Persons not normally resident in the Colony
(i) Skiagram — £5;
(ii) Barium series and IVP — £30.”;

- (f) by deleting paragraph 5 and substituting the following —

“Surgical
operations.

5. The following charges shall be made in respect of surgical operations —

- (a) Persons normally resident in the Colony —
(i) Minor operations — £1.30 to £3.95;
(ii) Major operations (which shall include abdominal operations) £6.55 to £19.70 inclusive of anaesthetic;
(b) Persons not normally resident in the Colony
(i) Minor operations — £10;
(ii) Major operations (which shall include abdominal operations) £25 to £300 inclusive of anaesthetic.”;

- (g) by inserting after paragraph 5 the following new paragraph—

“Blood
transfusion.

6. Blood transfusion — Persons not normally resident in the Colony £15 per unit of blood.”.

Amendment of Schedule
D.

4. Schedule D to the principal regulations is amended by inserting after item 7 the following new item —

“8. The following charges shall be levied on persons not normally resident in the Colony —

- | | |
|-------------------------------------|--------------|
| (a) For each consultation | £5 |
| (b) X-ray | £5 |
| (c) Special dental treatment | £5 to £25 |
| (d) Dental appliances | £5 to £25.”. |

Amendment of Schedule
F.

5. Schedule F to the principal regulations is amended in paragraph 2 by deleting “£2.52”, “£5.04” and “£2.50” and substituting the following respectively —

“£3.24”, “£6.48” and “£3.25”.

Made by the Governor in Council this 20th day of July 1977.

W. A. ETHERIDGE,
Clerk of the Executive Council.

Ref. MED/2/2.

HARBOUR ORDINANCE

(Chapter 30)

Harbour (Amendment) Regulations 1977

No. 3 of 1977.

G. J. A. SLATER,
Acting Governor.

IN EXERCISE of the powers conferred by section 3 of the Harbour Ordinance, the Governor in Council has made the following regulations —

1. These regulations may be cited as the Harbour (Amendment) Regulations 1977, and shall come into operation on the 1st day of October 1977. Citation and commencement.

2. Item 2 of Schedule III to the Harbour Regulations is amended in the third column by deleting "£20" and substituting the following — Amendment of Schedule III.

"£35".

Made by the Governor in Council this 6th day of September 1977.

W. A. ETHERIDGE,
Clerk of Councils.

Ref. CUS/10/3.

CUSTOMS ORDINANCE

(Chapter 16)

Customs (Fees) (Amendment) Regulations 1977

No. 4 of 1977.

G. J. A. SLATER,
Acting Governor.

IN EXERCISE of the powers conferred by section 230 of the Customs Ordinance, the Governor in Council has made the following regulations —

1. These regulations may be cited as the Customs (Fees) (Amendment) Regulations 1977 and shall come into operation on the 1st day of October 1977. Citation and commencement.

2. The Customs (Fees) Regulations 1975 are amended by adding, after regulation 4, the following regulation — Addition of regulation 4A.

"Entering or clearing other than at declared port. 4A. Entering or clearing at any place other than a declared port, the fee shall be £100 plus the full cost of the return fare of the Customs Officer."

Made by the Governor in Council this 6th day of September 1977.

W. A. ETHERIDGE,
Clerk of Councils.

Ref. CUS/10/1.

POST OFFICE ORDINANCE
(Chapter 52)

Post Office (Amendment) Order 1977

No. 2 of 1977

G. J. A. SLATER,
Acting Governor.

IN EXERCISE of the powers conferred by section 4 of the Post Office Ordinance, the Governor in Council has made the following order —

Citation and commencement.

1. This order may be cited as the Post Office (Amendment) Order 1977 and shall come into operation on the 1st day of October 1977.

Amendment of paragraph 2.

2. Paragraph 2 of the Post Office Order 1976 is amended —

(a) by deleting sub-paragraphs (f) to (i) inclusive and substituting the following —

"Letters, etc.

(f) Postal Packets — the rates shall be —

(i) Inland —

Not over	$\frac{1\text{ oz}}{3\text{ p}}$	$\frac{2\text{ oz}}{6\text{ p}}$	$\frac{4\text{ oz}}{8\text{ p}}$	$\frac{8\text{ oz}}{15\text{ p}}$	$\frac{1\text{ lb}}{28\text{ p}}$	$\frac{2\text{ lb}}{48\text{ p}}$	$\frac{4\text{ lb}}{78\text{ p}}$
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(ii) To the United Kingdom or any part of the Commonwealth —

Not over	$\frac{1\text{ oz}}{5\text{ p}}$	$\frac{2\text{ oz}}{9\text{ p}}$	$\frac{4\text{ oz}}{12\text{ p}}$	$\frac{8\text{ oz}}{24\text{ p}}$	$\frac{1\text{ lb}}{46\text{ p}}$	$\frac{2\text{ lb}}{80\text{ p}}$	$\frac{4\text{ lb}}{£1.30}$
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(iii) To all other parts of the world —

Not over	$\frac{1\text{ oz}}{10\text{ p}}$	$\frac{2\text{ oz}}{18\text{ p}}$	$\frac{4\text{ oz}}{24\text{ p}}$	$\frac{8\text{ oz}}{48\text{ p}}$	$\frac{1\text{ lb}}{92\text{ p}}$	$\frac{2\text{ lb}}{£1.60}$	$\frac{4\text{ lb}}{£2.60}$
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Postcards.

(g) Postcards — the rates shall be —

(i) Inland 2p;

(ii) United Kingdom or any part of the Commonwealth 4p;

(iii) To all other countries 7p.

Printed Papers.

(h) Printed Papers — the rates shall be —

(i) Inland —

Not over	$\frac{2\text{ oz}}{3\text{ p}}$	$\frac{4\text{ oz}}{4\text{ p}}$	$\frac{8\text{ oz}}{6\text{ p}}$	$\frac{1\text{ lb}}{11\text{ p}}$	$\frac{2\text{ lb}}{18\text{ p}}$	$\frac{4\text{ lb}}{26\text{ p}}$
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for each additional 2 lb or part thereof 13p;

(ii) To the United Kingdom or any part of the Commonwealth —

Not over	$\frac{1\text{ oz}}{3\text{ p}}$	$\frac{2\text{ oz}}{4\text{ p}}$	$\frac{4\text{ oz}}{6\text{ p}}$	$\frac{8\text{ oz}}{10\text{ p}}$	$\frac{1\text{ lb}}{18\text{ p}}$	$\frac{2\text{ lb}}{30\text{ p}}$	$\frac{4\text{ lb}}{42\text{ p}}$
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for each additional 2 lb or part thereof 21p;

(iii) To all other countries —

Not over	$\frac{1\text{ oz}}{5\text{ p}}$	$\frac{2\text{ oz}}{8\text{ p}}$	$\frac{4\text{ oz}}{11\text{ p}}$	$\frac{8\text{ oz}}{20\text{ p}}$	$\frac{1\text{ lb}}{36\text{ p}}$	$\frac{2\text{ lb}}{60\text{ p}}$	$\frac{4\text{ lb}}{84\text{ p}}$
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for each additional 2 lb or part thereof 42p;

Literature for the blind — Free.

Small
Packets.

(i) Small Packets — the rates shall be —

To all parts of the world —

Not over	<u>4 oz</u>	<u>8 oz</u>	<u>1 lb</u>	<u>2 lb</u>
	11 p	20 p	36 p	60 p

(b) in sub-paragraph (p) by deleting “8p” and “16p” and substituting the following respectively —

“15p” and “20p”.

Made by the Governor in Council this 6th day of September 1977.

W. A. ETHERIDGE,
Clerk of Councils.

Ref. P&T/2/9C.

Assented to in Her Majesty's name this 8th day of September 1977.

G. J. A. SLATER,
Acting Governor.

No. DS1



1977

Falkland Islands Dependencies

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

GORDON JAMES AUGUSTUS SLATER,
Acting Governor.

An Ordinance

Title.

To apply certain Laws of the Colony to the Dependencies.

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

Short title.

1. This Ordinance may be cited as the Application of Colony Laws Ordinance 1977.

Application of Colony Ordinances.

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.

SCHEDULE

No.	Short title	Effective date
6 of 1977	Government Employees Provident Fund (Repeal) Ordinance 1977	21st September 1977
12 of 1977	Protection of Wrecks Ordinance 1977	21st September 1977
13 of 1977	Revised Edition of the Laws Ordinance 1977	21st September 1977
14 of 1977	Interpretation and General Clauses Ordinance	21st September 1977
17 of 1977	Income Tax (Amendment) (No. 2) Ordinance 1977	1st January 1978
18 of 1977	Income Tax (Amendment) (No. 3) Ordinance 1977	1st January 1978

Promulgated by the Acting Governor on the 8th day of September 1977.

ARTHUR J. P. MONK,
Chief Secretary.

Ref. LEG/10/37.

Assented to in Her Majesty's name this 15th day of September 1977.

G. J. A. SLATER,
Acting Governor.

LS

No. DS2



1977

Falkland Islands Dependencies

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.
GORDON JAMES AUGUSTUS SLATER,
Acting Governor.

An Ordinance

To provide for the service between the first day of July 1975 and the thirtieth day of June 1976.

Title.

(1st July 1975)

Date of commencement.

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

1. This Ordinance may be cited for all purposes as the Appropriation (Dependencies) (1975-76) Ordinance, 1977.

Short title.

2. The Governor may cause to be issued out of Public Revenue and other funds of the Dependencies and applied to the service of the period ending the thirtieth day of June 1976 a sum not exceeding Nineteen thousand seven hundred and thirty-six pounds which sum is granted and shall be appropriated for the purposes and to defray the charges of the several services expressed and particularly mentioned in the Schedule hereto which will come in course of payment during the period from the first day of July 1975 to the thirtieth day of June 1976.

Appropriation of £19,736 for service of the year ending 30th June 1976.

SCHEDULE

Schedule.

Head of Service					Amount
A.	Personal Emoluments	...	...	...	590
B.	Other Charges	...	...	...	19,146
Total Expenditure					£ 19,736

Promulgated by the Acting Governor on the 15th day of September 1977.

ARTHUR J. P. MONK,
Chief Secretary.

Ref. SG/14/4.

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

1977 No. 830

COPYRIGHT

**The Copyright (International Conventions)
(Amendment No 2) Order 1977**

Made - - - - 11th May 1977

Laid before Parliament 19th May 1977

Coming into Operation 9th June 1977

At the Court at Buckingham Palace, the 11th day of May 1977

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by and with the advice of Her Privy Council, and by virtue of the authority conferred upon Her by sections 31, 32 and 47 of the Copyright Act 1956 (a) and of all other powers enabling Her in that behalf, is pleased to order, and it is hereby ordered, as follows —

1. (1) This Order may be cited as the Copyright (International Conventions) (Amendment No. 2) Order 1977, and shall come into operation on 9th June 1977.

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

2. The Copyright (International Conventions) Order 1972 (c), as amended (d), shall be further amended as follows —

(a) in Schedule 1 (which names the countries of the Berne Copyright Union) there shall be included a reference to the Arab Republic of Egypt;

(b) in the said Schedule the Bahamas and Poland shall be indicated with an asterisk denoting that they are also party to the Universal Copyright Convention.

3. This Order shall extend to all the countries mentioned in the Schedule hereto.

N. E. LEIGH,

Clerk of the Privy Council.

(a) 1956 c. 74. (b) 1889 c. 63. (c) S.I. 1972/673 (1972 I, p. 2172).
(d) The amendments are not relevant to the subject matter of this Order.

SCHEDULE

COUNTRIES TO WHICH THIS ORDER EXTENDS

Bermuda	Gibraltar
Belize	Hong Kong
British Virgin Islands	Isle of Man
Cayman Islands	Montserrat
Falkland Islands and Dependencies	St. Helena and its Dependencies.

EXPLANATORY NOTE

(This Note is not part of the Order)

This Order further amends the Copyright (International Conventions) Order 1972. It takes account of the accession of the Arab Republic of Egypt to the Berne Copyright Convention and of the Bahamas and Poland to the Universal Copyright Convention.

The Order extends to dependent countries of the Commonwealth to which the 1972 Order extends.

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

1977 No. 1256

COPYRIGHT

**The Copyright (International Conventions)
(Amendment No. 3) Order 1977**

<i>Made</i> - - - -	26th July 1977
<i>Laid before Parliament</i>	3rd August 1977
<i>Coming into Operation</i>	24th August 1977

At the Court at Buckingham Palace, the 26th day of July 1977

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by and with the advice of Her Privy Council, and by virtue of the authority conferred upon Her by sections 31, 32 and 47 of the Copyright Act 1956 (*a*) and of all other powers enabling Her in that behalf, is pleased to order, and it is hereby ordered as follows —

1. (1) This Order may be cited as the Copyright (International Conventions) (Amendment No. 3) Order 1977, and shall come into operation on 24th August 1977.

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

2. The Copyright (International Conventions) Order 1972 (*c*) as amended (*d*), shall be further amended as follows —

- (a) in Schedule 3 (countries in whose case copyright in sound recordings includes the exclusive right of public performance and broadcasting) there shall be included a reference to Uruguay;
- (b) in Schedules 4 and 5 (countries whose broadcasting organisations have copyright protection in relation to their sound and television broadcasts) there shall be included references to Uruguay and related references to 24th August 1977 in the list of dates in each of those two Schedules.

3. (1) This Order except for Article 2 (*b*) shall extend to all the countries mentioned in the Schedule hereto.

(2) Article 2 (*b*) shall extend to Gibraltar and Bermuda.

N. E. LEIGH,
Clerk of the Privy Council.

(*a*) 1956 c. 74. (*b*) 1889 c. 63. (*c*) S.I. 1972/673 (1972 I, p. 2172.)
(*d*) The amendments are not relevant to the subject matter of this Order.

SCHEDULE

COUNTRIES TO WHICH THIS ORDER EXTENDS

Bermuda	Gibraltar
Belize	Hong Kong
British Virgin Islands	Isle of Man
Cayman Islands	Montserrat
Falkland Islands and Dependencies	St. Helena and its Dependencies.

EXPLANATORY NOTE

(This Note is not part of the Order)

This Order further amends the Copyright (International Conventions) Order 1972. It takes account of the accession of Uruguay to the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations.

The Order extends, so far as is appropriate, to dependent countries of the Commonwealth to which the 1972 Order extends.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXXVI

31 OCTOBER 1977

No. 13

Appointments

Dr. Alison Ann Mackintosh, M.B., Ch.B. Medical Officer Medical Department, 22.9.77.

Lee Oliver Small, Police Constable, Police and Prisons Department, 18.10.77.

Acting Appointments

Douglas Roy Morrison, Acting Chief Secretary, Secretariat, 6.10.77 - 12.10.77.

Philip George Summers, Acting Financial Secretary, Treasury Department, 29.7.77 - 13.10.77.

Michael Luxton, Acting Deputy Financial Secretary, Treasury Department, 29.7.77 - 13.10.77.

Wallace Carlinden Hirtle, Acting Commissioner of Income Tax, Income Tax Office, 29.7.77 - 13.10.77.

Basil Morrison, Acting Superintendent of Public Works, Public Works Department, 6.10.77.

NOTICES

No. 58. 28th September 1977.

With reference to the Instrument under the Public Seal of the Colony dated 23rd September 1977, it is hereby notified that His Excellency the Acting Governor returned to Stanley on Sunday, 25th September 1977.

Ref. GOV/19/1.

No. 59. 30th September 1977.

The Air Navigation (Overseas Territories) Order 1977
(Article 92)

Pursuant to Article 92 of the Air Navigation (Overseas Territories) Order 1977, Mr. John Edward Cheek and Mr. Michael Harris, both of Cable & Wireless Limited, are hereby authorized for the purposes of any of the provisions of the Order specified in the following Schedule—

SCHEDULE (Article 9(4)(d))

2. This authority is in respect of radio and ancillary equipment fitted in private aircraft operated and registered in the Colony.

G. J. A. SLATER,
Acting Governor.

No. 60.

21st October 1977.

The findings of the Cost of Living Committee for the quarter ended 30th September 1977 are published for general information—

Quarter ended	Percentage increase over 1971 prices
30th September 1977	149.72%

2. In accordance with the principle of the Wages Agreement for Stanley the average increase over the last four quarters is 140.02% and a further wage award of 1p per hour is therefore payable with effect from 1st October 1977.

Ref. INT/2/3.

No. 61.

21st October 1977.

General Election 1977

In accordance with section 19 of the Legislative Council (Elections) Ordinance, it is hereby notified that the following candidates have been nominated for the Stanley Division—

- EDDIE ANDERSON of Stanley

<i>Proposed by</i>	Darwin Lewis Clifton
<i>Seconded by</i>	John Richard Rowlands
<i>Supported by</i>	Violet Bonner Heather May William Albert May Walter Arthur Felton Trudi Butcher Michael George Butcher Patrick Morrison
- WILLIAM EDWARD BOWLES of Stanley

<i>Proposed by</i>	Barry Marwood Neilson
<i>Seconded by</i>	Roderick Richard Bonner
<i>Supported by</i>	Patrick Ellery Alazia Violet Malvina Emily Robson Dennis John Sollis Robert John Christian Bundes Kathleen Ruth Elmer Daykin Teresa Ellen Dobbins George Joseph Butler

3. JOHN EDWARD CHEEK of Stanley

Proposed by Velma Malcolm
Seconded by Betty Josephine Biggs
Supported by Stuart Barrett Wallace
 Kathleen Gladys Berntsen
 Derek Roy Felton
 Betty Lois Miller
 Michael Luxton
 Owen Horace McPhee
 Jack Abbott

4. DAVID ANTHONY RYAN of Stanley

Proposed by Albert Faulkner Alazia
Seconded by Rudi Thomas Clarke
Supported by Ernest Falkland Luxton
 Iris Blanche Summers
 Lawrence Jonathan Butler
 Peter Kiddle
 Freda Alazia
 James Andrew Alazia
 Frederick Eddy Whitney

It is also notified that the following candidates have been nominated for the Camp Division —

1. ALAN DAVID CUSWORTH of Fox Bay West

Proposed by Patrick William Peck
Seconded by Charles Porter
Supported by Anthony Richard Chater
 Anne Strange
 John Alfred Lee
 Elizabeth Lee
 Maureen Heather Peck
 Kathleen Mary Laffi
 David Philip Dunford

2. WILLIAM ROBERT LUXTON of Chartres

Proposed by Iris May Maddocks
Seconded by Michael Elfred Biggs
Supported by Grizelda Susan Cockwell
 Maurice Blackley
 Caroline Mary Aldridge
 Joan Porter
 Kenneth John Aldridge
 Albert John Sackett

3. TIMOTHY JOHN DUROSE MILLER of Darwin

Proposed by Sharon Elizabeth Middleton
Seconded by Andrew Nutt Cartmell
Supported by Dennis Michael Middleton
 Alexander Burnett Hadden
 Thomas Anderson
 Betty Marie Molkenbuhr
 Claudio Eugenio Molkenbuhr
 Kenneth John McPhee
 Ronald James Reeves

Ref. SEC/20/3.

No. 62.

24th October 1977.

In accordance with the provisions of section 8 (2) of the Livestock Ordinance (Cap. 40) notice is hereby given that the Ear Mark known as "Fore Bit" has been approved and registered in the name of A. T. Felton, of Beaver Island.

Ref. AGR/10/2.

In the Supreme Court of the Falkland Islands

NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE (Cap. 1)

IN THE MATTER of Francis Henry Hewitt Smith, deceased of Johnson's Harbour, Falkland Islands, who died at Stanley, Falkland Islands on the 3rd July 1977, intestate.

WHEREAS Louis James Watson, brother-in-law of the above-named 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 September 1977.
 S.C. & L/10/77.

In the Supreme Court of the Falkland Islands

NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE (Cap. 1)

IN THE MATTER of Alexander Berrido, deceased of Goose Green, Falkland Islands, who died at Goose Green on the 26th July 1977, intestate.

WHEREAS Shirley Eva Seeley, niece of the above-named 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.
 10th October 1977.
 S.C. & L/14/77.

Appointment of Governor's Deputy and specification of powers and functions vested in the Governor which he may exercise and perform.

WHEREAS paragraph (1) of Article 8 of the Falkland Islands Letters Patent, 1948 to 1962, provides that whenever the Governor has occasion to be absent from the seat of Government but not from the Colony, or to be absent from the Colony for a period which he has reason to believe will be of short duration, or whenever by reason of illness which he has reason to believe will be of short duration he considers it desirable so to do, he may, by Instrument under the Public Seal, appoint any person in the Colony to be his Deputy during such absence or illness, and in that capacity to exercise and perform for and on behalf of the Governor during such absence or illness all such powers and functions vested in the Governor as shall be specified in such Instrument:

AND WHEREAS Article 3 of the Falkland Islands Dependencies Letters Patent, 1908, provides that the Officer for the time being Administering the Government of the Colony of the Falkland Islands shall be Governor for the time being of the Falkland Islands Dependencies:

AND WHEREAS I shall have occasion to leave Stanley on the 29th day of October 1977 for the purpose of visiting East and West Falkland.

NOW, THEREFORE, under and by virtue of the powers aforesaid I, JAMES ROLAND WALTER PARKER, ESQUIRE, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, and Vice-Admiral of the same, do hereby appoint GORDON JAMES AUGUSTUS SLATER, ESQUIRE, to be Governor's Deputy in and for the Colony of the Falkland Islands and its Dependencies and in that capacity to exercise and perform for and on behalf of the Governor (except while and in so far as provision to the contrary made by the Governor under Article 8 of the said Letters Patent is operative) and subject always to the provisions of the said Letters Patent, all such powers and functions as are vested in the Governor other than those vested by sections 6, 18 and 21A, sub-section (1) of section 24 and sub-section (1) of section 26, of the Falkland Islands (Legislative Council) Orders, 1948 to 1973, by paragraph (1) of Article 10 and Articles 13, 15 and 16 of the said Letters Patent and by paragraph (b) of clause 3, sub-paragraph (a) of paragraph (1) of clause 5 and clause 22 of the Royal Instructions to the Governor dated the 13th day of December 1948.

This Instrument shall come into operation on the 29th day of October 1977 and shall remain in force until my return to Stanley.

LS

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, this 28th day of October in the year of Our Lord One thousand Nine hundred and Seventy-seven.

J. R. W. PARKER,
Governor and Commander-in-Chief.

PROCLAMATION

No. 6 of 1977

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.

BY HIS EXCELLENCY JAMES ROLAND WALTER PARKER, ESQUIRE, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, and Vice-Admiral of the same.

WHEREAS it is provided by subsection (1) of section 24 of the Falkland Islands (Legislative Council) Orders 1948 to 1977 that the sittings of the Legislative Council shall be held at such times and places as the Governor shall from time to time appoint by proclamation published in the Gazette:

NOW, THEREFORE, I, JAMES ROLAND WALTER PARKER, do hereby PROCLAIM that the next sitting of the Legislative Council of the Falkland Islands shall be held at 10.00 o'clock in the forenoon of Monday, the 21st day of November 1977, at the Court and Council Chambers in the town of Stanley in the Falkland Islands.

Given under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, Falkland Islands this 31st day of October in the year of Our Lord One thousand nine hundred and seventy-seven.



J. R. W. PARKER,
Governor.

GOD SAVE THE QUEEN

Ref. LEC/35/1.

INCOME TAX ORDINANCE

(Cap. 32)

Income Tax (Annual Values) Rules 1977

(under sections 5 (b) (ii) and 5 (c) of the Ordinance)

No. 1 of 1977.

J. R. W. PARKER,
Governor.

IN EXERCISE of the powers conferred by sections 5 (b) (ii) and 5 (c) of the Income Tax Ordinance, the Governor in Council has made the following rules —

1. (1) These rules may be cited as the Income Tax (Annual Values) Rules 1977. Citation and commencement.

(2) The provisions of these Rules shall have effect with respect to tax chargeable for the year of assessment commencing on the 1st day of January 1978, and for all subsequent years of assessment.

2. For the purposes of prescribing the annual value of any allowance in respect of employment received otherwise than in money, the following shall be deemed to be chargeable income under section 5 (b) (ii) of the Income Tax Ordinance — Allowances.

- (a) the estimated value of any light, power or fuel supplied free of charge by an employer;
- (b) the value of any board, lodging or board and lodging where it is fully and continuously provided during any period of employment, and where the recipient maintains no other fixed place of abode in the Colony while so employed.

3. The following values are hereby prescribed for the purposes of sections 5 (b) (ii) and 5 (c) of the Income Tax Ordinance — Values.

- | | | |
|--|--------|----------------|
| (i) Farm manager's house outside Stanley | ... | £120 |
| (ii) Married employee with outside house | ... | nil. |
| (iii) Employee with settlement house | ... .. | £70 |
| (iv) Single employee in outside house | ... .. | nil. |
| (v) Single employee in cookhouse | ... .. | £30 |
| (vi) Ships' personnel | ... .. | £180 |
| (vii) Servants living in | ... .. | £120 |
| (viii) Staff, other than servants, living in institutional accommodation — | | |
| (a) Accommodation, including fuel, light or power | £120 | |
| (b) Food per adult person | ... .. | £135 |
| (ix) Persons provided with free fuel in Stanley | ... | £54 |
| (x) Persons provided with free light or power in Stanley | ... | £18 |
| (xi) Employee provided with free board and lodging in Stanley other than those living in institutional accommodation — | | |
| Single employee | ... .. | £255 |
| Married couples | ... .. | £350 |
| Married couples with children | ... .. | £350 + £50 |
| | | for each child |
| (xii) Persons provided with a house in Stanley — | | |

CATEGORY (A)

A house in which any person can be expected to live —
 Furnished £3.75 per room per month.
 Unfurnished £3.00 per room per month.

CATEGORY (B)

A house, equal in all respects to those in category (A) but which has permanent disadvantages, such as semi-detached properties with over-thin dividing walls —

Furnished £3.40 per room per month.

Unfurnished £2.60 per room per month.

CATEGORY (C)

Other houses lacking privacy and which have to be decorated by the occupant —

Furnished £2.60 per room per month.

Unfurnished £2.00 per room per month.

Exclusion of bathroom,
etc.

4. For the purposes of these Rules a room shall not include a garage, outbuilding, porch, bathroom, hall or passage, and no house shall be deemed to contain more than seven rooms.

Revocation.
(3 of 1968)

5. The Income Tax (Annual Values) Rules 1968, are revoked.

Made by the Governor in Council on the 19th day of July 1977.

W. A. ETHERIDGE,

Clerk of Councils.

Ref. INC/10/5.

DOGS ORDINANCE
(Cap. 21)

Dogs (Amendment) Rules 1977

No. 2 of 1977.

G. J. A. SLATER,
Acting Governor.

IN EXERCISE of the powers conferred by section 13 of the Dogs Ordinance, the Governor in Council has made the following rules —

1. These rules may be cited as the Dogs (Amendment) Rules 1977 and shall come into operation on the 1st January 1978. Citation and commencement.
2. Rule 3 of the Dogs Rules is amended by the deletion of the words "one pound fifty pence" and the substitution therefor of the following — Amendment of Rule 3.
(Vol. II. p. 181)
"five pounds".

Made by the Governor in Council this 2nd day of September 1977.

W. A. ETHERIDGE,
Clerk of Councils.

Ref. AGR/10/4.

LEGISLATIVE COUNCIL (ELECTIONS) ORDINANCE
(Cap. 37)

Legislative Council (Elections) (Variation of Date) Order 1977

No. 3 of 1977.

G. J. A. SLATER,
Acting Governor.

IN EXERCISE of the powers conferred by section 52 of the Legislative Council (Elections) Ordinance, the Governor has made the following order —

1. This order may be cited as the Legislative Council (Elections) (Variation of Date) Order 1977.
2. In view of the unavoidable delay in completing the poll for the West Falkland Electoral Area, Nomination Day for the Camp Division is deferred from Tuesday, the 11th day of October 1977 to Thursday, the 13th day of October 1977.

By Command,

D. R. MORRISON,

Acting Chief Secretary.

10th October 1977.

Ref. LEC/20/3.

A Bill for An Ordinance

Title. Further to amend the Family Allowances
Ordinance 1960.

Date of commencement. (1st January 1978)

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

Short title and commence-
ment. 1. This Ordinance may be cited as the Family Allowances
(Amendment) Ordinance 1977 and shall come into operation on the
1st day of January 1978.

Amendment of section 3.
9 of 1960. 2. Section 3 of the Family Allowances Ordinance 1960 is
amended in subsection (2) by substituting —

- (i) for "fifty pence",
"one pound"; and
- (ii) for "one pound",
"two pounds".

OBJECTS AND REASONS

The amendments made by this Bill increase family allowances by one hundred per cent with effect from the 1st January 1978.

Ref. TRE/10/1.



THE FALKLAND ISLANDS GAZETTE

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14 NOVEMBER 1977

No. 14

Appointments

Mrs. Shirley Peck, Clerk, Public Service, 6.9.76.

Miss Kim Rita Anne Robertson, Clerk, Public Service, 2.3.77.

Miss Nancy Stephenson, Clerk, Public Service, 1.11.77.

William John Coutts, Technician, Posts and Telecommunications Department, 12.11.77.

Acting Appointments

Ronald John Clarke, Acting Foreman, Public Works Department, 5.5.77 - 3.11.77.

Leslie Harris, Acting Power Station Supervisor, Public Works Department, 12.5.77 - 27.10.77.

NOTICES

No. 63. 22nd October 1977.

With reference to Gazette Notice No. 53 dated 22nd July 1977, it is hereby notified that His Excellency the Governor returned to the Colony on Friday, 21st October 1977. Ref. GOV/19/1.

No. 64. 3rd November 1977.

With reference to the Instrument under the Public Seal of the Colony dated 28th October 1977, it is hereby notified that His Excellency the Governor returned to Stanley on Monday, 31st October 1977. Ref. GOV/19/1.

LEGISLATIVE COUNCIL (ELECTIONS) ORDINANCE (Chapter 37)

NOTICE

(under section 4 of the Ordinance)

His Excellency the Governor has been pleased to nominate WILLIAM HENRY GOSS, ESQUIRE, J.P., to be a member of the Legislative Council of the Colony, representing the electoral area of East Stanley.

By Command,

JOHN MASSINGHAM,

Chief Secretary.

2nd November 1977.

Ref. LEC/19/1.

EXECUTIVE COUNCIL (ALLOWANCES) ORDINANCE 1977 (No. 7 of 1977)

Executive Council (Allowances) Ordinance 1977 (Commencement) Notice 1977

IN EXERCISE of the powers conferred by section 1 of the Executive Council (Allowances) Ordinance 1977, the Governor hereby appoints the 21st September 1977 as the day on which the said Ordinance shall be deemed to have come into operation.

By Command,

JOHN MASSINGHAM,

Chief Secretary.

11th November 1977.

Ref. EXC/10/1.

LEGISLATIVE COUNCIL (ALLOWANCES) ORDINANCE 1977
(No. 8 of 1977)

Legislative Council (Allowances) Ordinance 1977
(Commencement) Notice 1977

IN EXERCISE of the powers conferred by section 1 of the Legislative Council (Allowances) Ordinance 1977, the Governor hereby appoints the 21st September 1977 as the day on which the said Ordinance shall be deemed to have come into operation.

By Command,
JOHN MASSINGHAM,
Chief Secretary.

11th November 1977.

Ref. LEC/10/2.

In the Supreme Court of the Falkland Islands

IN THE MATTER of the Estate of Keith William Luxton, deceased.

NOTICE IS HEREBY GIVEN that all creditors and other persons having claims against the estate of the late Keith William Luxton of Stanley who died at Stanley on the 24th day of March 1977, are requested to send in writing particulars of their claims to me the undersigned, on or before the 14th day of November 1977, after which date I will proceed to distribute the assets of the said deceased.

Stanley,
Falkland Islands.
14th October 1977.

W. R. LUXTON,
Executor.

In the Supreme Court of the Falkland Islands

IN THE MATTER of the Estate of Alexander Berrido, deceased.

NOTICE IS HEREBY GIVEN that all creditors and other persons having claims against the estate of the late Alexander Berrido of Goose Green who died at Goose Green on the 26th day of July 1977, are requested to send in writing particulars of their claims to me the undersigned on or before the 1st day of December 1977, after which date I will proceed to distribute the assets of the said deceased.

Stanley,
Falkland Islands.
31st October 1977.

S. SEELEY,
Administratrix.

In the Supreme Court of the Falkland Islands

NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE
(Cap. 1)

IN THE MATTER of David Leonard Browning, deceased of Goose Green, Falkland Islands, who died at Stanley, Falkland Islands, on the 30th September 1977.

WHEREAS Trevor Osneth Browning, son of the above-named deceased has applied for Letters of Administration (with the Will annexed) to administer the estate of the said deceased in the Colony.

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

Stanley,
Falkland Islands.
9th November 1977.
SC & L/13/77.

H. BENNETT,
Registrar.

No. 65.

3rd November 1977.

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

2/77	Supplementary Appropriation (1975-76) Ordinance 1977	TRE/14/6
3/77	Post Office (Amendment) Ordinance 1977	P&T/10/3
4/77	Stanley Town Public Services (Amendment) Ordinance 1977	INT/10/3
6/77	Government Employees Provident Fund (Repeal) Ordinance 1977	TRE/2/4
7/77	Executive Council (Allowances) Ordinance 1977	EXC/10/1
8/77	Legislative Council (Allowances) Ordinance 1977	LEC/10/2
9/77	Income Tax (Amendment) Ordinance 1977	INC/10/5
10/77	Old Age Pensions (Amendment) Ordinance 1977	TRE/2/1
11/77	Non-contributory Old Age Pensions (Amendment) Ordinance 1977	TRE/2/2
12/77	Protection of Wrecks Ordinance 1977	LEG/10/45
13/77	Revised Edition of the Laws Ordinance 1977	LEG/10/5
14/77	Interpretation and General Clauses Ordinance	LEG/10/5
15/77	Legislative Council (Elections) (Amendment) Ordinance 1977	LEC/10/1
16/77	Stanley Airport (Regulations) Ordinance 1977	AIR/10/5
17/77	Income Tax (Amendment) (No. 2) Ordinance 1977	INC/10/5
18/77	Income Tax (Amendment) (No. 3) Ordinance 1977	INC/10/5
19/77	Legislative Council (Elections) (Amendment) (No. 2) Ordinance 1977	LEC/10/1.

Ref. LEG/10/42.

Instrument under the Public Seal of the Colony of
the Falkland Islands appointing William Robert Luxton,
Esquire, to be a Member of the Executive Council.

J. R. W. PARKER,



By His Excellency JAMES ROLAND WALTER PARKER,
ESQUIRE, *Officer 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.*

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

AND WHEREAS by Instructions under the Royal Sign Manual and Signet, bearing date the 13th day of December 1948, it is declared that the Governor may, from time to time, appoint persons other than ex-officio Members to be Members of the Executive Council of the Colony.

NOW, THEREFORE, I, JAMES ROLAND WALTER PARKER, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies, do hereby appoint—

WILLIAM ROBERT LUXTON, ESQUIRE,

to be a Member of my Executive Council.

GOD SAVE THE QUEEN

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

By His Excellency's Command,

JOHN MASSINGHAM,
Chief Secretary.

EXC/19/1C.

PROCLAMATION

No. 5 of 1977

Made under section 2 of the Place-Names Ordinance 1956.

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.

BY HIS EXCELLENCY JAMES ROLAND WALTER PARKER, ESQUIRE, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, and Vice-Admiral of the same.

WHEREAS it is provided by section 2 of the Place-Names Ordinance 1956 that the Governor may by Proclamation under his hand declare and publish a list of the names of various islands and lands constituting the Dependencies and of the coasts, peninsulas, capes, headlands, seas, straits, sounds, bays, inlets and other physical features thereof; and of the harbours and whaling stations therein, and may from time to time in like manner add to or alter such list;

AND WHEREAS it appears to the Governor expedient that the list of place-names declared and published under Proclamation No. 3 of 1975 should be added to and altered:

NOW, THEREFORE, I, JAMES ROLAND WALTER PARKER, do hereby DECLARE the place-names in the Dependencies of the Colony of the Falkland Islands, listed in the Gazetteer of the Falkland Islands Dependencies (South Georgia and the South Sandwich Islands) published by Her Majesty's Stationery Office, London, and dated the 1st December 1976 to be accepted as place-names for official use.

Proclamations No. 1 of 1963, No. 3 of 1964, No. 1 of 1974 and No. 3 of 1975 are hereby cancelled.

Given under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, this 1st day of November in the Year of Our Lord One thousand Nine hundred and Seventy-seven.



J. R. W. PARKER,
Governor.

GOD SAVE THE QUEEN

Ref. SG/31/1.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

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16 DECEMBER 1977

No. 15

Appointment

Gerald Morrison, Assistant Filtration Plant Operator, Public Works Department, 6.7.77.

Acting Appointment

Len McGill, Officer-in-Charge, Central Store, 14.11.77.

Resignation

Miss Margaret Larsen, Telephone Operator, Posts & Telecommunications Department, 12.12.77.

NOTICES

No. 66. 13th December 1977.

Intimation has been received from the Right Honourable the Secretary of State for Foreign and Commonwealth Affairs to the effect that Her Majesty will not be advised to exercise her powers of disallowance in respect of the following Ordinances of the Dependencies of the Falkland Islands:

No.	Title	Ref.
DS 1/77	Application of Colony Laws Ordinance 1977	LEG/10/37.
DS 2/77	Appropriation (Dependencies) (1975-76) Ordinance 1977	SG/14/4.
		Ref. LEG/10/42.

No. 67. 13th December 1977.

It is hereby notified that the following dates have been set aside as Public Holidays in Stanley in 1978:

New Year's Day (in lieu of)	... Monday, 2nd January
Good Friday	... Friday, 24th March
Her Majesty the Queen's Birthday	... Friday, 21st April
October Bank Holiday	... Monday, 2nd October
Anniversary of the Battle of the Falkland Islands	... Friday, 8th December
Christmas Holidays	... Monday, 25th December Tuesday, 26th December Wednesday, 27th December.

Ref. INT/21/5.

In the Supreme Court of the Falkland Islands

IN THE MATTER of the Estate of Francis Henry Hewitt Smith, deceased.

NOTICE IS HEREBY GIVEN that all creditors and other persons having claims against the estate of the late Francis Henry Hewitt Smith of Johnson's Harbour who died at Stanley on the 3rd day of July 1977, are requested to send in writing particulars of their claims to me the undersigned, on or before the 19th day of December 1977, after which date I will proceed to distribute the assets of the said deceased.

L. J. WATSON,
Administrator.

Stanley.

18th November 1977.

In the Supreme Court of the Falkland Islands

NOTICE UNDER THE ADMINISTRATION OF ESTATES ORDINANCE (Cap. 1)

IN THE MATTER of Agnes Christina Clasen deceased of Goose Green, Falkland Islands, who died at Stanley on the 22nd March 1977, intestate.

WHEREAS Frederick James Clasen, widower of the above-named deceased has applied for Letters of Administration to administer the estate of the said deceased in the Colony.

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

H. BENNETT,
Registrar.

Stanley,

Falkland Islands.

1st December 1977.

SC & L/17/77.

CUSTOMS ORDINANCE (Cap. 16)

In exercise of the powers conferred by section 4 of the Customs Ordinance I hereby appoint Mr. D. Evans to be a Deputy Collector of Customs for the purpose of clearing "Lindblad Explorer" from New Island, Falkland Islands on the 9th December 1977.

5th December 1977.

L. J. HALLIDAY,
Collector of Customs.

Appointment of Governor's Deputy and specification of powers and functions vested in the Governor which he may exercise and perform.

WHEREAS paragraph (1) of Article 8 of the Falkland Islands Letters Patent, 1948 to 1962, provides that whenever the Governor has occasion to be absent from the seat of Government but not from the Colony, or to be absent from the Colony for a period which he has reason to believe will be of short duration, or whenever by reason of illness which he has reason to believe will be of short duration he considers it desirable so to do, he may, by Instrument under the Public Seal, appoint any person in the Colony to be his Deputy during such absence or illness, and in that capacity to exercise and perform for and on behalf of the Governor during such absence or illness all such powers and functions vested in the Governor as shall be specified in such Instrument:

AND WHEREAS Article 3 of the Falkland Islands Dependencies Letters Patent, 1908, provides that the Officer for the time being Administering the Government of the Colony of the Falkland Islands shall be Governor for the time being of the Falkland Islands Dependencies:

AND WHEREAS I shall have occasion to leave Stanley on the 16th day of December 1977.

NOW, THEREFORE, under and by virtue of the powers aforesaid I, JAMES ROLAND WALTER PARKER, ESQUIRE, Officer of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of the Falkland Islands and its Dependencies, and Vice-Admiral of the same, do hereby appoint GORDON JAMES AUGUSTUS SLATER, ESQUIRE, to be Governor's Deputy in and for the Colony of the Falkland Islands and its Dependencies and in that capacity to exercise and perform for and on behalf of the Governor (except while and in so far as provision to the contrary made by the Governor under Article 8 of the said Letters Patent is operative) and subject always to the provisions of the said Letters Patent, all such powers and functions as are vested in the Governor other than those vested by sections 6, 18 and 21A, sub-section (1) of section 24 and sub-section (1) of section 26, of the Falkland Islands (Legislative Council) Orders, 1948 to 1973, by paragraph (1) of Article 10 and Articles 13, 15 and 16 of the said Letters Patent and by paragraph (b) of clause 3, sub-paragraph (a) of paragraph (1) of clause 5 and clause 22 of the Royal Instructions to the Governor dated the 13th day of December 1948.

This Instrument shall come into operation on the 16th day of December 1977 and shall remain in force until my return to Stanley.



GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, this 15th day of December in the year of Our Lord One thousand Nine hundred and Seventy-seven.

J. R. W. PARKER.
Governor and Commander-in-Chief.

BY THE QUEEN A PROCLAMATION

DETERMINING THE SPECIFICATIONS AND DESIGNS FOR,
AND GIVING CURRENCY TO, SILVER AND CUPRO-NICKEL
COINS IN HER MAJESTY'S COLONY OF THE FALKLAND
ISLANDS.

ELIZABETH R

RICHARD

WHEREAS Her Majesty, in pursuance of the Regency Acts 1937 to 1953, was pleased, by Letters Patent dated the 10th day of October 1977, to delegate to the six Counsellors of State therein named or any two or more of them full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to approve and sign on Her Majesty's behalf any Proclamation relating to the affairs of any of Her Majesty's Colonies and to do on Her Majesty's behalf anything required to be done in relation to any such Proclamation:

Now, therefore, We, Elizabeth the Queen Mother and Richard, Duke of Gloucester, being authorised thereto by the said Letters Patent, and in pursuance of the powers conferred by section 11 of the Coinage Act 1870, and all other powers enabling Her Majesty, and by and with the advice of Her Majesty's Privy Council, do on Her Majesty's behalf proclaim, direct and ordain as follows —

1. This Proclamation shall be published in the Official Gazette of the Falkland Islands and shall come into force there on the date of such publication.
2. New coins, being coins of standard weight of 28.28 grams, a standard diameter of 38.61 millimetres and of a circular shape, of the following denominations shall be made at Her Majesty's Mint —
 - (a) silver coins of the denomination of fifty pence;
 - (b) cupro-nickel coins of the denomination of fifty pence.
3. The designs for the said coins shall be as follows —
 - (a) The obverse shall have the impression of Her Majesty's Effigy with the inscription "QUEEN ELIZABETH THE SECOND 1952-1977".
 - (b) The reverse shall have the impression of the Coat of Arms of the Falkland Islands with additional embellishment in the form of a running cord or rope with the inscription "FALKLAND ISLANDS" at the top and at the bottom "FIFTY PENCE".
 - (c) Every silver and cupro-nickel coin shall have graining on the edge.
4. The said coins shall be current within Her Majesty's Colony of the Falkland Islands.

Given at the Court of Saint James, this 25th day of October
in the year of Our Lord One thousand nine hundred and
seventy-seven and in the twenty-sixth year of Her Majesty's
Reign.

GOD SAVE THE QUEEN

Assented to in Her Majesty's name this 28th day of November 1977.

J. R. W. PARKER,
Governor.

LS

No. 20



1977

Colony of the Falkland Islands

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.
Governor.

An Ordinance

Title.

Further to amend the Family Allowances
Ordinance 1960.

Date of commencement.

(1st January 1978)

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

Short title and commence-
ment.

1. This Ordinance may be cited as the Family Allowances
(Amendment) Ordinance 1977 and shall come into operation on the
1st day of January 1978.

Amendment of section 3.
9 of 1960.

2. Section 3 of the Family Allowances Ordinance 1960 is
amended in subsection (2) by substituting—

- (i) for "fifty pence",
"one pound"; and
- (ii) for "one pound",
"two pounds".

—
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.

W. A. ETHERIDGE,
Clerk of Councils.

Ref. TRE/10/1.

Assented to in Her Majesty's name this 24th day of November 1977.

J. R. W. PARKER,
Governor.

LS

No. DS 3



1977

Falkland Islands Dependencies

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.
JAMES ROLAND WALTER PARKER, O.B.E.
Governor.

An Ordinance

To provide for the service between the
first day of July 1976 and the thirtieth day
of June 1977.

Title.

(1st July 1976)

Date of commencement.

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

1. This Ordinance may be cited for all purposes as the Appropriation (Dependencies) (1976-77) Ordinance 1977.

Short title.

2. The Governor may cause to be issued out of Public Revenue and other funds of the Dependencies and applied to the service of the period ending the thirtieth day of June 1977 a sum not exceeding thirty-nine thousand and thirty-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 period from the first day of July 1976 to the thirtieth day of June 1977.

Appropriation of £39,034 for service of the year ending 30th June 1977.

SCHEDULE

Schedule.

Head of Service					Amount
A.	Personal Emoluments	...	...	...	590
B.	Other Charges	...	...	...	38,444
Total Expenditure					£ 39,034

Promulgated by the Governor on the 24th day of November 1977.

JOHN MASSINGHAM,
Chief Secretary.

Ref. SG/14/5.

Assented to in Her Majesty's name this 24th day of November 1977.

J. R. W. PARKER,
Governor.



No. DS 4



1977

Falkland Islands Dependencies

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, O.B.E.
Governor.

An Ordinance

Title.

To provide for the service between the first day of July 1977 and the thirtieth day of June 1978.

Date of commencement.

(1st July 1977)

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

Short title.

1. This Ordinance may be cited for all purposes as the Appropriation (Dependencies) (1977-78) Ordinance 1977.

Appropriation of £84,646 for service of the year ending 30th June 1978.

2. The Governor may cause to be issued out of Public Revenue and other funds of the Dependencies and applied to the service of the period ending the thirtieth day of June 1978 a sum not exceeding eighty-four thousand, six hundred and forty-six pounds which sum is granted and shall be appropriated for the purposes and to defray the charges of the several services expressed and particularly mentioned in the Schedule hereto which will come in course of payment during the period from the first day of July 1977 to the thirtieth day of June 1978.

Schedule.

SCHEDULE

Head of Service					Amount
A.	Personal Emoluments	...	...	...	973
B.	Other Charges	...	...	...	23,673
C.	Special Expenditure	...	...	...	60,000
Total Expenditure					£ 84,646

Promulgated by the Governor on the 24th day of November 1977.

JOHN MASSINGHAM,
Chief Secretary.

Ref. SG/14/6.

FUGITIVE OFFENDERS ACT 1967
(1967 c. 68)

Fugitive Offenders (United Kingdom Dependencies) (Amendment)
Order 1977.

No. 4 of 1977.

J. R. W. PARKER,
Governor.

IN EXERCISE of the powers conferred by section 2 (2) (c) and (3) of the Fugitive Offenders Act 1967 and the Fugitive Offenders (Falkland Islands and Dependencies) Order 1968, the Governor with the approval of the Secretary of State, has made the following Order —

1967 c. 68.
S.I. 113 of 1968.

1. This Order may be cited as the Fugitive Offenders (United Kingdom Dependencies) (Amendment) Order 1977.

2. For the proviso set out in Article 4 of the Fugitive Offenders (United Kingdom Dependencies) Order 1969 (hereinafter referred to as "the principal Order") there shall be substituted the following —

2 of 1969.

"Provided that an offence of which a person is accused or has been convicted in the New Hebrides shall not be a relevant offence unless he is liable to be tried therefor or, as the case may be, has been convicted thereof, by the High Court of the New Hebrides or by the former High Court of the Western Pacific or by the Joint Court established for the New Hebrides."

3. For the words "British Solomon Islands Protectorate" in Article 3 of the principal Order and in the Schedule to that Order there shall be substituted the words "Solomon Islands".

4. The words "Brunei" and "The Government of Brunei" shall be omitted from the Schedule to the principal Order.

5. For the words "Her Majesty's High Commissioner for the Western Pacific or the Resident Commissioner for the New Hebrides acting with his authority" in the Schedule to the principal Order there shall be substituted the words "The Resident Commissioner in the New Hebrides".

By Command,
JOHN MASSINGHAM,
Chief Secretary.

Ref LEG/10/22D.

PROTECTION OF WRECKS ORDINANCE 1977

(No. 12 of 1977)

Protection of Wrecks (Designation) Order 1977

No. 5 of 1977

IN EXERCISE of the powers conferred by section 3 (1) of the Protection of Wrecks Ordinance 1977 the Governor has made the following order —

Citation.

1. This order may be cited as the Protection of Wrecks (Designation) Order 1977.

Designation of restricted area.

2. An area within 300 yards of the centre of the site of the vessel St. Mary lying wrecked at Kelp Lagoon, Fitzroy, Falkland Islands is hereby designated as a restricted area within the meaning of section 3 of the Protection of Wrecks Ordinance 1977.

By Command,

JOHN MASSINGHAM,

Chief Secretary.

1st December 1977

Ref. LEG/10/45

AIR NAVIGATION (OVERSEAS TERRITORIES) ORDER 1977

Customs (Stanley Airport) Order 1977

No. 6 of 1977

S.I. 1977
No. 422

IN EXERCISE of the powers conferred by Article 76 of the Air Navigation (Overseas Territories) Order 1977 the Governor has made the following order —

Citation.

1. This order may be cited as the Customs (Stanley Airport) Order 1977

Designation of customs airport.

2. Stanley Airport situated at Cape Pembroke Peninsular is hereby designated a customs airport within the meaning of Article 76 of the Air Navigation (Overseas Territories) Order 1977.

By Command,

JOHN MASSINGHAM,

Chief Secretary.

1st December 1977

Ref. AIR/10/3 II

A Bill for
An Ordinance

Further to amend the Stanley Town Public Title.
Services Ordinance 1973.

(19) Date of commencement.

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 Stanley Town Public Short title.
Services (Amendment) Ordinance 1978.

2. Subsection (2) of section 25 of the Stanley Town Public Amendment of section 25.
Services Ordinance 1973 is amended by inserting after “offence” the 6 of 1973.
following —

“and shall be liable on summary conviction to a fine not
exceeding £200”.

OBJECTS AND REASONS

This Bill provides for a penalty which may be imposed in respect of
the contravention of any rules made under Part II of the Stanley Town Public
Services Ordinance 1973.

Ref. INT/10/3.

A Bill for
An Ordinance

Title. To amend the Protection of Wrecks Ordinance
1977.

Date of commencement. (19)

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

Short title. 1. This Ordinance may be cited as the Protection of Wrecks
(Amendment) Ordinance 1978.

Amendment of section 6.
12 of 1977. 2. Section 6 of the Protection of Wrecks Ordinance 1977
is amended by deleting "less than £400" and substituting the
following —
"more than £1,000".

OBJECTS AND REASONS

The provisions of this Bill fix the maximum penalty to which a person guilty of an offence under the Protection of Wrecks Ordinance 1977 may be liable.

Ref. LEG/10/45.

A Bill for
An Ordinance
To amend the Christ Church Trust Ordinance. Title.

(19) Date of commencement.

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

1. This Ordinance may be cited as the Christ Church Trust (Amendment) Ordinance 1978. Short title.

2. The preamble of the Christ Church Trust Ordinance (hereinafter referred to as the principal Ordinance) is amended by inserting after "1892," the following — Amendment of preamble.

"revised and published as a New Constitution on the 22nd day of December 1974,".

3. Section 2 of the principal Ordinance is amended by deleting "clause 18, or hereafter to be assumed under clause 19, of the said Deed of Constitution and Consecration" and substituting the following — Amendment of section 2.

"clause 5 of the said New Constitution".

OBJECTS AND REASONS

The amendments made by this Bill are consequential upon the revision of the Deed of Constitution and Consecration of Christ Church Cathedral.

Ref. INT/39/2.

Registration of United Kingdom Patents Ordinance (Cap. 58)

It is hereby notified for general information that Letters Patent, particulars of which appear in the Schedule hereto have been registered in the Register of Patents on the dates shown.

H. Bennett,
Registrar General.

SCHEDULE

Registration No.	Date of Registration	Name of Applicant	Registered Address	No. of grant in United Kingdom	Nature of Invention
5143	17.7.70	Farbwerke Hoechst Aktiengesellschaft, vormals Meister Lucius & Bruning	6230 Frankfurt, (M)-Hoechst, Germany.	1,149,391	"Benzenesulphonyl-ureas and process for their manufacture"
5268	6.5.71	Eli Lilly and Company	740 South Alabama Street, Indianapolis, State of Indiana, U.S.A.	1,174,435	"7-Alpha-amino-3-methyl cephalosporin analogues, pharmaceutical compositions comprising the same and processes for preparing the same"
5474	22.8.72	E. I. Du Pont de Nemours & Company	Wilmington 98, State of Delaware, U.S.A.	1,181,023	"1-Carbamoyl-N-(substituted-carbamoyloxy) - Thioformimidates and their use as pesticides"
5761	16.1.74	Imperial Chemical Industries Limited	Imperial Chemical House, Millbank, London, SW1P 4QG	1,317,320	"Method and apparatus for seismic prospecting"
5968	28.1.75	Eli Lilly and Company	307 East McCarty Street, City of Indianapolis, State of Indiana, U.S.A.	1,283,811	"3-Mercaptothiazole or mercaptotetrazole cephalosporins and process for preparing the same"
6010	28.5.75	Eli Lilly and Company	307 East McCarty Street, City of Indianapolis, State of Indiana, U.S.A.	1,269,851	"Sweetened compositions"
6011	28.5.75	Eli Lilly and Company	307 East McCarty Street, City of Indianapolis, State of Indiana, U.S.A.	1,269,852	"6-Trifluoromethyl-tryptophane and process for producing the same"
6093	19.8.75	Imperial Chemical Industries Limited	Imperial Chemical House, Millbank, London, SW1P 4QG	1,376,513	"Marine seismic prospecting"
6274	26.7.76	Imperial Chemical Industries Limited	Imperial Chemical House, Millbank, London, SW1P 4QG	1,415,706	"Marine seismic prospecting"
6281	10.8.76	F. Hoffman-la Roche Aktiengesellschaft	124-184 Grenzacherstrasse, Basle, Switzerland	1,331,823	"A benzodiazepine derivative"
6355	7.4.77	Eli Lilly and Company	307 East McCarty Street, City of Indianapolis, State of Indiana, U.S.A.	1,345,676	"Antibiotic A"

Registration of United Kingdom Trade Marks Ordinance (Cap. 59)

The following list of Trade Marks Registrations renewed in the Falkland Islands during the period 1st January 1975 to 31st December 1975, is published for general information. The Trade Marks Register may be inspected at the Office of the Registrar General, Stanley.

H. Bennett,
Registrar General.

Registration No.	Renewal No.	Effective date of renewal	Proprietor	Description of Goods
5221	5964	9.1.75	Rothmans of Pall Mall Limited	tobacco, whether manufactured or unmanufactured, for export from the United Kingdom to and sale in all countries of the world except the Channel Islands, the Republic of Ireland, Fiji and Malta.
5005	5965	15.12.74	Distillers Corporation (S.A.) Limited	Spirits (beverages) and liqueurs.
5007	5967	28.12.74	The National Brewing Co.	Malt beverages included in Class 32.
5050	5969	30.1.75	The Rover Company, Limited	Land motor vehicles and parts thereof included in Class 12.
4955	5970	8.8.75	Reemtsma Cigarettenfabriken G.m.b.H.	tobacco, cigarettes, cigars and cigarillos.
3107	5971	14.9.74	Columbia Broadcasting System, Inc.	grooved phonograph records, phonographs, phonograph turntables, phonograph pick-ups, loud speakers, amplifiers, record changers, tone arms and apparatus for reproducing sound, all these goods being sold complete.
3950	5972	10.3.75	Columbia Broadcasting System, Inc.	Gramophone records; record players, pick-ups, radio receiving apparatus, apparatus for amplifying sound, television receiving apparatus, aerials, loud speakers; and parts of all said goods included in Class 9.
5174	5975	24.11.74	Reemtsma Cigarettenfabriken G.m.b.H.	tobacco; cigarettes, cigars and cigarillos; and cigarette papers.
4836	5976	14.3.75	Castrol Limited	Industrial oils and greases (other than edible oils and fats and essential oils); and lubricants and fuels.
5307	5982	14.1.75	RCA Corporation	Apparatus and instruments, all for recording, storing, transmitting, relaying, receiving, reproducing, analysing, processing and/or selecting information, data, sound, music, pictures and/or signals, gauges; apparatus and instruments for testing, measuring, weighing, and indicating; laser apparatus; apparatus and instruments, all included in Class 9 for controlling machines or industrial processes, and for research and investigation; recording media and cartridges for storing recording tapes and wires; apparatus and instruments, all included in Class 9 for the navigation and/or control of land, water, air and/or space vehicles and of satellites or rockets in space or in aerospace; apparatus and instruments for use in radio, telegraph and telephone communication, and in television and signalling; apparatus and instruments, all included in Class 9 for scientific purposes and for use in laboratories; apparatus for teaching; parts included in Class 9 of all the aforesaid goods.
5306	5983	2.1.75	RCA Corporation	Machines for washing and/or drying laundry; machines for manufacturing television tubes; electric generators; electric motors (not for land vehicles); and parts included in Class 7 of all the aforesaid goods.

Registration No.	Renewal No.	Effective date of renewal	Proprietor	Description of Goods
5308	5984	2.1.75	RCA Corporation	installations and appliances included in Class 11 for heating, lighting, cooking, cooling, refrigerating, air conditioning, ventilating, drying and for sanitary purposes; and parts included in Class 11 of all the aforesaid goods.
4892	5985	31.12.74	Chesebrough-Pond's Inc.	chemical substances prepared for use in medicine and pharmacy.
3330	5986	26.3.75	Timex Corporation	all goods included in Class 14 but not including smokers' articles or any goods of the same description as smokers' articles.
3758	5992	17.4.75	Rothmans of Pall Mall Limited	tobacco, whether manufactured or unmanufactured.
5420	5993	28.3.75	P. J. Carroll & Co. Ltd.	tobacco, whether manufactured or unmanufactured.
2937	5994	28.2.75	Williams & Humbert Ltd.	sherry wine.
5206	5996	5.3.75	N. V. Philips' Gloeilampenfabrieken	gramophone record containers of cardboard, of paper, or of flexible plastic film, albums for gramophone records.
4006	5997	29.1.75	The Coca-Cola Company	all goods included in Class 30, but not including cereals.
4007	5998	29.1.75	The Coca-Cola Company	preparations included in Class 32 for making beverages.
5001	5999	20.2.75	The Coca-Cola Company	non-alcoholic beverages and preparations for making beverages, all included in Class 32.
3772	6004	2.4.75	Imperial Chemical Industries	The heading of Class 22 is as follows — Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks; padding and stuffing materials (hair, capoc, feathers, seaweed, etc.); raw fibrous textile materials.
3800	6007	15.6.75	William Grant & Sons Ltd.	blended Scotch Whisky (in bottles only) for export.
5204	6016	4.6.75	N. V. Philips' Gloeilampenfabrieken	all goods included in Class 11. The heading of Class 11 is as follows — Installations for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes.
5286	6017	1.7.75	N. V. Philips' Gloeilampenfabrieken	industrial oils and greases (other than edible oils and fats and essential oils); lubricants; dust laying and absorbing compositions; none of the aforesaid goods being for vehicles.
3231	6018	12.7.75	S. Simpson, Ltd.	trousers.
1432	6023	28.6.75	Chesebrough-Pond's Inc.	ointments, cerates, and cold creams, all being medicated preparations, and petroleum jelly prepared for use in medicine and pharmacy; none being goods for manufacture and sale in the United Kingdom of Great Britain and Northern Ireland, the Channel Islands and the Isle of Man.
5250	6032	21.6.75	The Coca-Cola Company	non-alcoholic beverages and preparations for making such beverages; all included in Class 32.
3439	6033	9.7.75	Swift & Company	coffee, cocoa, sugar, rice, tapioca, sago, flour, food preparations for human use made from cereals; bread, biscuits (other than biscuits for animals), cakes, pastry, ices, honey, treacle; yeast, baking powder, salt (for food), mustard, pepper, vinegar, sauces, spices (other than poultry spice); and ice.
3438	6034	9.7.75	Swift & Company	all goods included in Class 29. The heading of Class 29 is as follows — Meat, fish, poultry and game, meat extracts; preserved, dried and cooked fruits and vegetables; jellies; jams; eggs, milk and other dairy products; edible oils and fats; preserves, pickles

Registra- tion No.	Renewal No.	Effective date of renewal	Proprietor	Description of Goods
1445	6035	21.8.75	John Dewar & Sons Limited	whisky.
3169	6038	7.7.75	John Dewar & Sons Limited	scotch whisky.
1664	6041	30.7.75	Beecham Group Limited	saline being a medicinal preparation included in Class 3.
5285	6042	10.7.75	N. V. Philips' Gloeilampenfabrieken	toys and playthings, all being mechanically, electrically or electronically operated; and parts and fittings included in Class 28 for all the aforesaid goods.
5374	6074	10.7.75	N. V. Philips' Gloeilampenfabrieken	electrically operated horological and chronometric instruments and electrically operated clocks, all for incorporation into scientific, electrical and electronic apparatus; and parts and fittings included in Class 14 for the aforesaid instruments and clocks.
3771	6075	2.4.75	Carreras Limited	manufactured tobacco.
5234	6076	7.5.75	Rothmans of Pall Mall Limited	tobacco, whether manufactured or unmanufactured, for export from the United Kingdom to and sale in all countries of the world, except the Channel Islands, the Republic of Ireland, Fiji and Malta.
4289	6077	9.6.75	American-Cigarette Company (Overseas) Limited	all goods included in Class 34. The heading of Class 34 is as follows — tobacco, raw and manufactured; smokers' articles; matches.
5377	6083	10.7.75	N. V. Philips' Gloeilampenfabrieken	scientific, electrical, nautical, surveying, electronic, control and welding apparatus and instruments, all included in Class 9; wireless, television, telecommunication, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life saving and teaching apparatus and instruments; coin or counter-freed apparatus; talking machines; sound and image amplifying, recording and reproducing apparatus, instruments and media; gramophone records, tapes for reproducing and recording sound and images, carrying cases for gramophone records, racks adapted to hold gramophone records; fitted cases, cassettes and reels, all for the storage of recording tapes and for recording wires; spindle hole adaptors for gramophone records; films prepared for exhibition, cassettes or containers included in Class 9 for storage of films; microphones; photographic flash lamps; photographic dark room lamps; infra-red and ultra-violet apparatus and lamps, all included in Class 9; electronic tubes (not for lighting); semi-conducting devices included in Class 9; photo-electric cells; electrodes and holders therefor; protective shields, goggles and clothing for protection against accident or injury (not wholly or principally of rubber, synthetic rubber, balata, gutta percha or caoutchouc), all for use by welding operatives; wire and cables, all being electric; cases fitted or shaped for scientific, mechanical, electrical and electronic apparatus and instruments; computers, data processing apparatus, adding machines, accounting machines, counting machines, invoicing machines, apparatus for recording data on cards by means of perforations and telegraphic transmitting and receiving apparatus (all using perforated paper strips), and combinations of any of the aforesaid apparatus and instruments; cash registers; calculating machines; fire extinguishing apparatus; parts included in Class 9 of electrical, optical and mechanical signal transmission apparatus for use with accounting machines, calculating machines typewriters and with recording and counting registers; electrical registering apparatus; relays included in Class 9; time recording instruments, instruments for the automatic control of predetermined signals, automatically controlled devices for feeding paper into accounting machines, all being electrically operated; and parts and fittings included in Class 9 for all the aforesaid goods.

Registration No.	Renewal No.	Effective date of renewal	Proprietor	Description of Goods
5374	6084	10.7.75	N. V. Philips' Gloeilampenfabrieken	(As registration No. 5377 - Renewal No. 6083).
5046	6099	12.11.75	Rothmans of Pall Mall Limited	tobacco, whether manufactured or unmanufactured.
3233	6091	6.9.75	S. Simpson, Limited	complete articles of clothing, but not including trousers or suits or outer clothing.
2489	6092	18.10.75	Pye Limited	radio apparatus and parts thereof; gramophone pick-ups; microphones, amplifiers and loud-speakers, all for use in the electrical reproduction of sound; television apparatus and parts thereof; electrical oscillation generators; electric batteries and electric accumulators.
5222	6096	24.7.75	Rothmans of Pall Mall Limited	tobacco, whether manufactured or unmanufactured for export from the United Kingdom, to and sale in all countries of the world except the Channel Islands, the Republic of Ireland, Fiji and Malta.
5046	6099	12.11.75	Tanqueray Gordon & Co. Limited	spirituous liquors (beverages).
3329	6106	18.10.75	Philip Morris Incorporated	cigarettes.
3430	6107	25.11.75	British-American Tobacco Company Limited	cigarettes.
5331	6108	21.10.75	Interbank Card Association	paper and paper articles, all included in Class 16; books and printed matter.
2861	6109	22.11.75	John Walker & Sons Limited	fermented liquors and spirits.
5240	6113	21.10.75	Interbank Card Association	paper and paper articles, all included in Class 16; books and printed matter.
5223	6119	12.12.75	Reemtsma Cigarettenfabriken, G.m.b.H.	tobacco, cigars, cigarettes and snuff.
1484	6120	3.10.75	The Borden Company	powdered milk.
5183	6121	18.12.75	Sperry Rand Corporation	steering and stabilising apparatus for aircraft and for water craft, and hydraulically operated stabilising apparatus for ships.
3869	6122	17.10.75	Unilever Limited	toilet soap (perfumed).

Registration of United Kingdom Trade Marks Ordinance (Cap. 59)

The following list of Trade Marks Registered in the Falkland Islands during the period 1st January 1975 to 31st December 1975 is published for general information. The Trade Marks Register may be inspected at the Office of the Registrar General, Stanley.

H. Bennett,
Registrar General.

Registration No.	Date of Registration	Proprietor	Description of Goods
5966	28.1.75	The Van Ryn Wine & Spirit Company Limited	South African liqueurs and brandy.
6002	9.4.75	Cussons (International) Limited	perfumes, non-medicated toilet preparations, cosmetic preparations, dentifrices, depilatory preparations, toilet articles (not included in other classes), sachets for use in waving hair, shampoos, soaps and essential oils.
6003	9.4.75	Cussons (International) Limited	deodorants for personal use, for export.
6015	5.6.75	White Horse Distillers Limited	Scotch Whisky.
6019	10.6.75	Nestle's Products Limited	dietetic foods and dietetic beverages; infants' and invalids' foods; none being for export to that part of the People's Republic of Southern Yemen formerly known as Aden, or to Bahrain.
6020	10.6.75	Chesebrough-Pond's Inc.	petroleum jelly used for the currying and stuffing of leather. 'VASELINE'
6021	10.6.75	Chesebrough-Pond's Inc.	toilet articles (not included in other classes) and preparations for the hair, none being goods for manufacture and sale in the United Kingdom of Great Britain and Northern Ireland, the Channel Islands and the Isle of Man. 'VASELINE'
6022	10.6.75	Chesebrough-Pond's Inc.	lubricants. 'VASELINE'
6026	19.6.75	BASF Aktiengesellschaft	chemical products for industrial purposes; plastics in the form of chips, beads, granules, powder, dispersions and solutions, for industrial use; fertilisers. 'BASF'
6028	19.6.75	BASF Aktiengesellschaft	chemical products included in Class 1 for use in agriculture, horticulture and forestry; and chemical substances for use in making silage. 'BASF'
6028A	19.6.75	BASF Aktiengesellschaft	colouring matters (other than for laundry or toilet use) and dyestuffs (not for toilet purposes). 'BASF'
6029	19.6.75	BASF Aktiengesellschaft	herbicides and pesticides. 'BASF'
6030	19.6.75	BASF Aktiengesellschaft	magnetic recording tapes. 'BASF'
6031	19.6.75	BASF Aktiengesellschaft	electronic data processing apparatus and instruments; peripheral apparatus and instruments, all for process control in industrial processes; electronic storage and retrieval information apparatus for use with data processing systems; electronic sound and video recording and reproducing apparatus and instruments; magnetic heads; automatic controls for speed, tone and picture quality; pick-ups; microphones; loudspeakers and headphones; radio and television sets; audiovisual apparatus and instruments; picture

Registra- tion No.	Date of Registration	Proprietor	Description of Goods
			and film production apparatus; programme testing devices and electronic instructional apparatus; teaching and instruction programmes recorded on film, magnetic tapes, discs and disc-packs; unrecorded and pre-recorded magnetic tapes, discs and disc-packs, all for sound recording and for use with motion pictures and motion picture stills, data processing apparatus, measured value recordings and control signals; cassettes containing magnetic tapes, discs and disc-packs, gramophone records and video-discs; cassettes for the storage of magnetic tapes, discs, disc-packs, audio and video-discs; reels for magnetic tapes; electric batteries and accumulators.
6086	6.8.75	Interlight ...	office requisites (other than furniture) and writing implements.
6095	9.9.75	Time Computer Inc. ...	watches and clocks; horological and chronometrical instruments and parts and fittings for all the aforesaid goods.
6114	21.10.75	The Gillette Company ...	writing instruments, inks included in Class 16; stationery.

VICEROY

Reg. No. 5966

LEATHER

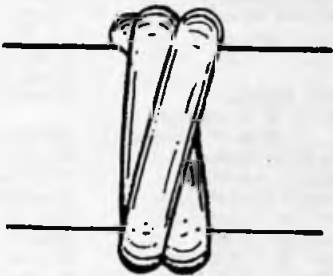
Reg. No's 6002 & 6003



Reg. No. 6015

Nestlé

Reg. No. 6019



Reg. No. 6086



Reg. No. 6031

PULSARE

Reg. No. 6095



Reg. No. 6114

FARMING STATISTICS FOR 1976-77

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

OWNER	NAME OF STATION	RAMS	EWES			WETHERS	HOGGETS	TOTAL	SHEEP SHORN
			BREEDING	CAST	MAIDEN				
EAST FALKLAND									
H. & R. Hills	Moody Valley *	34	685	* 250	146	1,333	413	2,861	2,761
San Carlos Sheep Farming Co., Ltd.	San Carlos	373	8,230	1,158	2,543	8,808	5,413	26,525	23,297
R. M. Pitaluga & Co., Ltd.	Gibraltar	171	5,466	220	1,558	6,869	3,562	17,846	15,358
Falkland Islands Co., Ltd.	Darwin & Walker Creek	1,281	33,629	344	10,414	36,051	19,846	101,565	93,412
" " " "	Fitzroy	309	8,938	987	2,400	5,289	5,843	23,766	21,260
" " " "	Green Patch	150	3,642	† 3,056	1,235	6,814	2,015	16,912	14,710
Smith Bros.	Berkeley Sound	173	5,632	315	1,308	4,911	3,016	15,355	13,327
Mrs. G. E. Browning	Mullet Creek	37	779	63	—	266	184	1,329	1,022
Mrs. G. E. Browning & R. W. Browning	Bluff Cove	52	1,808	—	340	616	664	3,480	2,616
Mrs. S. R. Stewart	Port Louis	204	4,175	220	937	3,634	1,992	11,162	9,676
Port Louis Ltd.	Douglas	252	5,881	‡ 460	1,190	5,712	2,732	16,227	13,915
Douglas Station, Ltd.	Port San Carlos	388	10,700	—	3,100	8,961	7,899	31,048	26,320
Port San Carlos, Ltd.	Evelyn	383	8,398	293	2,010	5,651	5,371	22,106	19,015
Teal Inlet, Ltd.	Rincon Grande	150	2,893	600	570	3,900	1,082	9,195	8,530
Estate H. J. Pitaluga	Sparrow Cove	16	356	—	—	124	410	906	859
C. Bundes & R. Hills	North Arm	934	21,660	5,386	5,445	18,751	13,038	65,214	60,818
Falkland Islands Co., Ltd.	Bluff Cove								
R. J. & P. Goss	Mountain	1	—	1,082	115	43	70	1,311	821
		4,908	122,872	14,434	33,311	117,733	73,550	366,808	327,717

* Includes Port Harriet Farm

* 100 Dry † 2,701 Dry ‡ Dry

WEST FALKLAND									
J. L. Waldron, Ltd.	Port Howard	366	13,390	—	4,014	11,991	7,871	37,632	35,254
Holmested Blake & Co., Ltd.	Hill Cove	422	11,678	1,132	3,213	13,195	6,520	36,160	32,836
Falkland Islands Co., Ltd.	Port Stephens	170	12,120	—	2,279	10,643	4,635	29,847	25,931
Falkland Islands Co., Ltd.	Fox Bay West	373	9,988	468	2,892	10,526	6,014	30,261	26,609
Packe Bros. & Co. Ltd.	Fox Bay East	319	9,921	160	2,443	8,866	6,112	27,821	25,032
Chartres Sheep Farming Company, Ltd.	Chartres	479	8,745	595	2,710	8,867	5,518	26,905	25,589
Bertrand & Felton, Ltd.	Roy Cove	168	6,465	196	2,201	7,192	3,317	19,539	*
		2,288	72,307	2,551	19,752	71,280	39,987	208,165	171,251

* Figure not available

ISLANDS									
J. Hamilton. (Estates) Ltd.	Weddell Group	176	3,731	195	947	3,172	2,116	10,337	9,963
" " " "	Saunders	113	2,578	—	608	2,620	1,361	7,280	6,439
Dean Bros. Ltd. " "	Pebble	199	5,369	600	1,520	2,828	2,988	13,504	17,779
R. McGill	Carcass	16	420	* 177	203	687	374	1,877	2,016
New Is. Preservation Ltd.	New	8	621	30	290	1,043	440	2,432	2,364
T. C. Clifton	Sea Lion	10	463	120	142	589	286	1,610	1,561
R. B. Napier	West Point	12	600	—	411	870	336	2,229	2,197
Falkland Islands Co., Ltd.	Speedwell Group	94	2,827	1,521	1,024	4,240	2,201	11,907	11,271
W. MacBeth	Sedge	12	130	120	70	602	95	1,029	945
Falkland Islands Co., Ltd.	Lively & Bleaker	89	2,281	—	890	2,921	1,654	7,835	7,633
S. R. & C. Miller	Keppel	26	945	80	253	1,198	601	3,103	3,017
		755	19,965	2,843	6,358	20,770	12,452	63,143	65,175

* Dry

SUMMARY 1972-77

EAST FALKLAND	...	...	...	...	4,908	122,872	14,434	33,311	117,733	73,550	366,808	327,717
WEST FALKLAND	...	...	...	...	2,288	72,307	2,551	19,752	71,280	39,987	208,165	171,251
ISLANDS	...	...	...	...	755	19,965	2,843	6,358	20,770	12,452	63,143	65,175
TOTALS 1976-1977					7,951	215,144	19,828	59,421	209,783	125,989	638,116	564,143
1975-1976					7,872	218,512	13,921	60,271	212,241	131,902	644,819	580,724
1974-1975					8,020	218,460	11,606	60,968	209,506	135,454	644,014	565,631
1973-1974					7,786	220,876	15,556	50,856	200,761	132,312	628,147	553,285
1972-1973					7,957	223,414	10,415	52,707	205,364	112,651	612,508	564,776

TOTAL WOOL CLIP IN 1000 LBS	LAMBS		SHEEP DISPOSED OF	HORSES	CATTLE	DOGS	POULTRY	SWINE	ACRES CULTIV- ATED	LABOUR	EAR MARK
	MAREED	DIPPED									
EAST FALKLAND											
19.0	586	413	204	7	55	—	—	—	—	4	Fork & Slit
195.0	5,840	5,413	1,644	135	500	37	444	—	4	16	Fore Bayonet
119.3	3,836	3,606	1,443	50	105	18	84	—	6	11	Fore Bayonet
675.4	22,006	19,846	8,420	372	1,668	128	648	13	428	46	Double Swallow
162.2	6,406	5,843	4,115	99	237	33	125	—	—	13	" "
120.6	2,352	2,015	1,669	50	254	30	88	—	—	10	" "
92.4	3,318	3,016	375	50	198	19	70	—	—	5	Triangle "
5.4	268	240	132	—	19	1	23	—	—	2	Back Bayonet
18.0	687	664	186	3	29	7	49	—	—	2	Fore Bayonet &
81.0	2,159	1,992	578	37	104	18	—	—	—	6	Fork [Back Slit
98.4	3,059	2,732	756	138	303	29	17	—	—	7	Fork
245.6	8,134	7,661	2,775	122	700	29	189	—	—	14	Slit
144.3	6,001	5,371	1,460	105	296	28	90	—	622	13	Back Square
75.9	1,112	—	540	89	68	12	96	10	—	4	Slit
6.9	430	410	330	4	14	—	—	—	—	2	Fore Bayonet
432.2	14,219	13,038	3,286	307	914	75	459	—	—	27	Double Swallow
7.0	—	70	—	—	—	—	—	—	—	—	Half Half-penny
2,498.6	80,413	72,330	27,913	1,568	5,464	464	2,382	23	1,060	182	

WEST FALKLAND

273.6	8,336	7,871	4,131	187	1,018	53	—	—	366	20	Fork
272.1	7,299	6,520	2,663	94	355	54	—	—	—	19	Fore Bayonet
167.1	4,744	4,635	1,561	101	319	32	84	2	—	17	Double Swallow
200.9	6,214	5,882	1,686	96	159	24	118	—	—	16	Fore Bayonet
223.6	6,553	6,112	3,516	216	483	49	—	—	—	21	Fore Bit
202.5	6,412	5,648	2,360	126	397	42	262	—	—	16	Double Swallow
163.5	3,461	—	—	60	200	31	—	—	—	15	Front Square
1,503.3	43,019	36,668	15,917	880	2,931	285	464	2	366	124	

ISLANDS

79.9	2,288	2,116	2,034	67	180	5	—	—	—	11	Fork
57.3	1,492	1,361	532	30	102	15	—	—	4	4	"
158.7	3,008	2,988	1,686	58	241	23	154	—	6	11	Back Bayonet
21.1	387	374	544	2	23	4	30	—	—	1	Fore Bayonet
27.4	447	440	257	2	36	4	35	—	—	1	Fork
17.9	303	287	230	5	9	3	12	—	—	—	Plain Ear
21.2	336	—	317	4	33	8	44	—	—	1	Back Square
109.4	2,326	2,201	2,138	—	—	11	—	—	—	1	Double Swallow
8.1	95	—	76	—	12	2	19	—	—	1	Fore Bayonet
69.1	1,832	1,654	1,184	—	—	—	—	—	—	—	Double Swallow
*	601	—	100	5	80	6	30	—	3	1	Back Square
570.1	13,115	11,421	9,098	173	716	81	324	—	13	32	

* Included in Pebble Island

2,499	80,413	72,330	27,913	1,568	5,464	464	2,382	23	1,060	182	
1,503	43,019	36,668	15,917	880	2,931	285	464	2	366	124	
570	13,115	11,421	9,098	173	716	81	324	—	13	32	
4,572	136,547	120,419	52,928	2,621	9,111	830	3,170	25	1,439	338	
4,938	144,571	131,614	59,498	2,687	9,341	820	2,109	24	13,850	330	
4,715	148,594	133,280	56,279	2,754	9,462	856	2,399	28	13,656	360	
4,389	147,391	129,703	48,483	2,874	9,128	845	2,752	42	12,261	382	
4,417	125,735	109,105	62,995	2,759	9,269	886	3,107	10	10,598	368	

SHEEP DISPOSED OF

	SOLD LOCALLY FOR BREEDING OR FURTHER USE	SLAUGHTERED				EXPORTED
		MUTTON (Stanley)	MUTTON (Farm)	SKINS	OTHER PURPOSES	
EAST FALKLAND	4,053	5,195	7,270	10,651	744	—
WEST FALKLAND	30	781	4,345	10,361	400	—
ISLANDS	1,714	3,196	1,740	2,390	58	—
TOTAL 1976-1977	5,797	9,172	13,355	23,402	1,202	—
1975-1976	1,023	7,188	15,191	30,069	6,027	—
1974-1975	4,947	8,282	13,801	28,692	557	—
1973-1974	6,991	8,381	12,684	18,983	926	518
1972-1973	4,359	6,848	13,309	12,319	1,202	24,958



THE
FALKLAND ISLANDS GAZETTE
Supplement No. 1

1st JULY 1977

Minutes of Meeting of Legislative Council
held 14th - 22nd June 1977

MINUTES OF THE MEETING OF THE LEGISLATIVE COUNCIL

HELD IN STANLEY FROM 14th-22nd JUNE 1977

The Council assembled at 10.00 a.m. on Tuesday 14th June 1977. His Excellency the Governor, Mr J R W Parker, OBE, presiding.

PRESENT:

The Honourable the Chief Secretary (Mr A J P Monk OBE)
The Honourable the Financial Secretary (Mr H T Rowlands)
The Honourable A B Monk JP (Elected Member for East Falkland)
The Honourable W E Bowles (First Elected Member for Stanley)
The Honourable John Smith (Second Elected Member for Stanley)
The Honourable A B Hadden BEM (Nominated Independent Member)
G J A Slater Esq (Deputy Governor Designate,
Extraordinary Member)

ABSENT:

The Honourable L G Blake JP (Elected Member for West Falkland)
The Honourable H L Bound MBE JP (Nominated Independent Member)

PRAYERS

Prayers were said by the Reverend Gerald Smith, Chaplain of Christ Church Cathedral.

CONFIRMATION OF MINUTES

The Minutes of the Meeting of Legislative Council held 15th-25th June 1976, having been previously circulated, were confirmed.

ADDRESS BY THE PRESIDENT

Before I commence my address this morning, Honourable Members will undoubtedly wish to pay tribute in a moment of silence to the memory of Mr Keith Luxton, who served with distinction as an honoured member of this Council, and of the Rt Hon Anthony Crosland, our former Secretary of State, who both sadly passed away this year.

In welcoming Honourable Members to this Session of the Legislative Council may I first express my personal pleasure at having the privilege of presiding over your deliberations. This is a first occasion for me in more ways than one - not only as President of your Council, with the weight of all its historic traditions and customs behind it but, also, as President of any such Council in one of Her Majesty's overseas territories. I therefore approach my task today in all humility, and with not a little trepidation. There is a custom in the British Parliament that the Speaker of the House of Commons, as its President, should appear to be dragged unwillingly to the Chair on his first appointment. The reason is that, in days long gone by, he might literally have lost his head by too bold and presumptuous a discharge of his office. I cannot say I fear any such similar fate, although I am only too aware of the pitfalls that might trip my feet in ascending to this dais. So, Honourable Members, I would beg your indulgence in advance, and your kindly correction, should I be in error under your Rules and Standing Orders.

I am, of course, no stranger to any of you individually. We have met, some of us formally in the Executive Council, and all of us informally in Joint Council, several times, and over many, many hours, since my arrival in the Islands last December. I would like to say, now, how much I have valued your wise advice and counsel, as my guides and mentors, through my early and, as I think we have been only too aware, difficult months. I could not have begun to enter on my duties without your valuable help and support. For this I shall be forever grateful. In return I hope I may have been able to establish that I do not see my role as Governor to be that of a neutral figurehead, but that I sit among you as one deeply concerned in your affairs, with the added duty to represent your views to Her Majesty's Government in London.

I would also like to take this opportunity to thank everyone in the Islands for the warm welcome given to my wife and me when we have been able to travel about. We have now been to almost all settlements, even though some of our visits have had unfortunately to be rather brief. Everywhere we have met with great kindness and generous hospitality, and it has given us a wonderful opportunity to make many friends and enjoy their company. We shall continue our touring as often as we can, staying longer, if we may, where, so far, we have only been able to drop in for an hour or so.

So much for me personally. At our meeting today our numbers are diminished by the absence of Councillors Blake and Bound, both of whom are now in the United Kingdom where Councillor Blake is representing the Falklands at Her Majesty's Silver Jubilee Celebrations and at a seminar of the UK branch of the Commonwealth Parliamentary Association. We shall miss them in our debates, but I am sure these will be made lively enough by those of us who remain. In referring to the Commonwealth Parliamentary Association, during the India and Mauritius meetings of which Councillor Blake did such valuable service to the Falklands, I should mention that Councillor Adrian Monk and our Clerk, Mr Bill Etheridge, will be representing us at the September CPA Conference at Ottawa, as

/guests

guests of the Association and the Canadian branches. They will have a busy time of it, but I am sure we can wish them an enjoyable, as well as a fruitful journey.

At this point, I am sure Members will wish me to tender our congratulations to the Honourable Chief Secretary on his well-deserved award, along with that of Captain Sollis, in the Birthday Honours List. Her Majesty was graciously pleased to make Mr Arthur Monk an Officer, and Captain Sollis a Member of the Order of the British Empire.

This sitting of Council is the first which has been possible, for many reasons I regret to say, for nearly 12 months. As well as the examination of the Budget estimates of revenue and expenditure, there are a large number of other Bills to consider, to make our workload a heavy one. Some of the Bills you may possibly regard as requiring little more than formal acceptance. Others I expect will require considerable debate. So that we may not again allow our work to pile up I would hope that in future Council could sit at more frequent intervals during the year. There is however a difficulty here. The burden on the Secretariat, and particularly on the Clerk, in preparing for each meeting and compiling the record etc afterwards, is an extremely heavy one. As things are, one could not contemplate more than perhaps three sittings in a year. It may be we should look to see whether there can be some streamlining, not necessarily of our procedures, but of the paperwork which is involved. It may be thought that, for example, a full record of every word which is said in Council is not always necessary provided that the essence of members' opinions is recorded, particularly as the proceedings are broadcast. This is a matter which might perhaps be looked at when a new Council is elected later this year, unless members would wish to comment on it at this meeting.

I must now say something on the subject of elections. Members have before them a Bill to provide for a revised Elections Ordinance. The changes in the election arrangements which are proposed in the Bill substantially follow from the recommendations of the Select Committee on the Constitution, which, as Members will recall, reported in July 1975. The Committee's principal recommendation was to add two further constituency seats to the Legislative Council, to replace those of the nominated members, thus maintaining the non-official majority but on a fully elected basis. This, and the other proposed changes, have now been implemented in our constitution by Legislative Instruments laid before the Privy Council and approved by Her Majesty in March of this year. The delay which followed the Select Committee's report and the making of these Instruments was naturally the cause of some concern to Members and to the public generally. There were a number of reasons to account for it, but Members will recall that the Minister of State, during his visit here last February, recognised the need to rectify the position as quickly as possible by the making of the Instruments I have referred to.

Since then the process of drafting the necessary Elections Ordinance has been occupying a great deal of the time and energy of our small legal staff. It is a complicated piece of legislation; the more so since, in its initial operation, it has to cover a transition from the old arrangement for drawing up electoral registers to the new one. We are therefore allowed, by the Privy Council, a period of four months between Dissolution of this present Council and the election of a new body. I expect later this month, or early next, when the business arising from this Session has been taken care of, to be able to announce a Dissolution. Elections could then take place, no later I hope than October, on new electoral registers covering all voters who have attained the age of 18 years. We will then have a new Council, elected under the revised

Constitution. In future years the process of compiling a register will be much simplified and if it should prove necessary, we need not then have to put up with so long a period between dissolution and election. But no way has been found to get round it this year.

When the new Council is in being, there will be further opportunity for our Constitution to be looked at again to see whether changes to improve our Government need be made. We shall still have a division of responsibility between the Legislative Council and the Executive Council, with a rotating elected membership of the latter. It may be for consideration whether this distinction is entirely necessary. At the very least I would look forward to a greater involvement of all Councillors in our day-to-day affairs. One way in which this may be done is through the creation of more Standing and Advisory Committees, not to defer, but to promote action in the interests of the community. We have already a few of these. Pre-eminently there is of course the Standing Finance Committee and the Select Committee on the Estimates, on which all Members of this Council serve. They both have a very important part to play in the regulation of our financial affairs and I would hope to see emerging from them even more recommendations which might improve the management of our government. We also have the Education Advisory Committee, with a membership drawn from Council, from the teaching profession, and from interested members of the public. It has lately been agreed that there should also be a Medical Committee of similar composition. A Transport Committee is being set up, as well as an Aviation Advisory Committee to look into the future of our air service. There are similar executive and advisory Committees in regard to the hydatidosis campaign, public health, livestock control and immigration policy. We may soon have to consider the re-establishment of the Development Committee, and whether the fields of welfare, public housing and other social problems should not also be covered. By this I should like to see as wide an involvement as possible of public-spirited people throughout the Islands in our machinery for progress. In particular, with the voting age coming down to 18, I hope that young Islanders will be attracted to serve in this way. They have a bigger stake than any of us in the future of the Islands. We want to hear, we need to hear, what their views are. The Councils will, of course, still have to take the decisive lead in our affairs, working, not behind closed doors, but in the full process of an open democracy.

Before returning to internal matters I should now say a few words about those external concerns which have been much in our minds of late, and will undoubtedly continue to be so for some time to come. They are of immense importance to the future well-being of all the people of the Islands and must pre-occupy our thoughts even though we may engage our day-to-day attention on more immediate problems. At this point I would like to say how much I have admired, and respected, the calm and responsible way in which Islanders have responded to a situation which no one would willingly have wished to face, but which most realise must be faced nonetheless. Not only have I been impressed, living among you, but it is clear that so have many influential people, who are far away from the Islands, particularly those whose duty it is to safeguard our interests. The words of Ministers and other Members in the recent debates in Parliament clearly showed this, and I have no doubt at all that it has helped reinforce their determination to keep the interests and welfare of the Islanders in the forefront of their minds when developing their policies. Islanders have shown they are a sensible, pragmatic, and above all, loyal community, with deeply-felt needs and concerns, and an ability to express themselves with sober but realistic forthrightness.

/If I may

If I may quote from what Mr Ted Rowlands said in the House on his return from his visit in February this year: "Before I went to the Islands I cared objectively. I had come to understand and appreciate the problems. I now understand how one leaves at least half one's heart in the Islands. I now have a subjective caring as well as an objective one". Those words indicate, I think, the impression made on the Minister by the dignified and positive attitude shown by Islanders (and their Councillors) during his many conversations here. I am entirely convinced that if we can continue to maintain a firm but steady and calm posture in the months ahead, not listening to rumour and speculation, but relying on our own cool judgment, we shall have the greatest influence on the conduct of the negotiations, the purpose of which Mr Rowlands fully explained during his visit, and which Her Majesty's Government will shortly embark upon with the Argentine Government.

We must remember that while they continue we shall have upon us the eyes of many throughout the world. They will want to see us stand up steadily and unitedly for ourselves, as Falkland Islanders, imbued with those very qualities which derive from our British heritage.

There have now been three major debates this year in the House of Commons, and the House of Lords, about the political and economic future of the Islands, with several other exchanges as a result of questions which have been put to Ministers. The texts of all these debates and discussions have been made available throughout the Islands by radio and in print. In them, and also in the agreed Communiqué which was issued at the end of Mr Rowlands' visit, we have been given the firmest of assurances, on every occasion, about the safeguards which will protect our position in the course of these vital negotiations.

I would like to add just one thing more on this subject. It is that the depth and extent of the discussions which Honourable Members had with Mr Rowlands, in Joint Council, may not be generally appreciated. In fact, Councillors will recall they spent at least eight long and arduous hours in plenary session, putting their point of view with great clarity and vigour of expression to the Minister, in an atmosphere of very considerable mutual respect and understanding, but leaving no doubt in the Minister's mind what Islanders' wishes and feelings were. I have sat in on, and taken part in, many not dissimilar discussions at other times and in other places around the world. I can think of no other occasion when the ground was so well covered, and every point so fully brought out, as was the case at these meetings. I would like to say to all Councillors that, in my humble opinion you served your people well. It will now be for the next Session of Council, with the mandate it will have received from the electorate, to consider whether such proposals as may emerge in the course of the negotiations can be, in the words of the Secretary of State, "acceptable to the Islanders". I am sure this will be done in the same spirit of reasoned objectivity and discernment which prevailed during the talks with Mr Rowlands.

It is now customary for me to pass on to matters affecting the departments, giving some indication of their present work and plans. There is a good deal I would like to say by way of commendation and encouragement about each department, but I think at this time it would be proper for me to concentrate on those areas which are currently of major public interest. Perhaps I might take the Medical Department first.

/For various reasons

For various reasons, known to us all, the staff situation in the Department has for some time been rather difficult. We now look to be entering on to a better state of affairs. By the end of August of this year the Department should have a full complement of nursing and medical staff for the first time for a large number of years. We are glad to have Dr Cox back with us after overseas leave, part of which he devoted to valuable and wide-ranging discussions which will have a considerable bearing on the future planning of the Department's work. Dr Dunnett will be back after his leave in a few weeks' time and we are expecting Dr Alison Mackintosh to join the staff in August. We shall then have said farewell to Dr Peter Summers who has stood in admirably for his colleagues during their absences from the Colony and, while doing so, has made, I know, a considerable contribution to many aspects of the Department's work and planning.

By the acquisition of new diagnostic and therapeutic equipment during this present financial year, and with further proposed purchases during 1977/78, the medical services will be raised to the best modern standards available to a community the size of the Falklands. It is also hoped to increase the general standard of nursing care by recruiting, if Members agree the provision for this post in the estimates, a fourth trained sister, and by establishing local training and registration of junior nurses. This could lead towards a start on a Camp district nursing service which was one of the recommendations made in the Shackleton Report, to which I shall refer later.

Altogether the Department's planning should reduce the commitment to medical treatment overseas by the improvement of local diagnostic and surgical services and by the institution of a more active policy of preventive medicine. In this connection I should mention the hydatid screening survey which Dr Cox and his team will be carrying out, and which forms part of our attack on this troublesome disease, in which our Veterinary Officer is also playing a large part on the dog and livestock side. I am glad to be able to say that the efforts of the Hydatidosis Committee over many years, under the Chairmanship of Mr Sidney Miller, are now bearing fruit, and we now have a very good hope of getting this problem at least under control and, in the course of a few years, eradicated altogether.

I must, however, mention the problem of Camp medical visiting which I know, from my own discussions in the Camp and particularly in the West, bulks large in the public mind. Looking back over the records in the archives I see that the attempt to find a solution to the problem has been a pre-occupation of the Colony from the end of the last century, and perhaps even before that. I think that people in the Camp have a realistic and understanding assessment of the limitations that must constrain day-to-day medical attention in their areas. But no-one is under any illusion, and certainly not the doctors, that Camp medical visiting is at present performed in an ideal fashion. In my view the key to a reasonable solution lies in the air service.

I should therefore like to tackle this question next. As everyone knows, the Aviation Department has gone through a very sad period which has deeply affected us all. The tremendous loss of Captain Ian Campbell shock the entire Colony and, for a while, that dreadful accident looked as if it might cause FIGAS to cease its operations entirely. Severe restrictions had to be placed on the carrying capacity of the two replacement aircraft which were received, I am glad to say in very quick time, with financial help from the Ministry of Overseas Development. These restrictions have continued until now, but it is expected that the Civil Aviation Authority in London, as a result of an exhaustive examination of the problems involved, will shortly be able to lift the restrictions. In the meantime Captain

/Jim Kerr

Jim Kerr has carried on to maintain the best service he could, deferring his leave until we could secure new pilots. He has been helped in this by the forbearance of the general public.

Happily we now have Captain Russ Hooper, a highly experienced pilot who is already entering fully on his duties, and it is expected shortly to make a further recruitment. With these officers, and with Major Willoughby of the Marines as reserve emergency pilot, we look forward to the re-establishment of full flying in the Islands. We must, however, look prudently to the future. Because of the dedicated service of Captains Kerr and Campbell in providing an air-taxi type operation whatever the conditions, insufficient thought was, I think, given to what might happen were they no longer available, and what sort of operation and type of aircraft would best meet the needs of the Islands as we move into the future. As part of the survey which the Overseas Development Ministry is mounting to look into the whole of our internal communications problems, the air service will receive close attention. To prepare for the Survey's visit, an Aviation Advisory Committee has been set up under the Chairmanship of Mr. Robin Pitaluga, on which Mr. Bill Luxton and our other local aviation experts will serve. In this connection I would like to pay tribute to the very valuable assistance which our two private pilots gave to the community during the difficult months when FIGAS either could not fly at all or had to fly on a restricted basis. Both Mr. Pitaluga and Mr. Luxton willingly stepped into the breach whenever they could spare the time from their busy farms. I would also like to wish Chief Technician Ian Bridges the best of luck in the future when he shortly leaves the ground staff, one of whom, Mr. Vernon Steen, will also soon be going to the UK for a lengthy period of technical training. It is also hoped at last to make positive progress in the selection of local candidates for pilot training, to provide us, within the next two or three years, with a new generation of local pilots.

Still on the subject of aviation, we are now awaiting advice from the Consultants, the Crown Agents and the Civil Aviation Authority in the UK as to when operations can commence at the new airport at Cape Pembroke, and when LADE, whose personnel have continued to give us a regular and reliable service to the mainland, can land and take off from it. Government has not yet taken over the airfield complex and its present, most untidy, appearance indicates that much work has still to be done. This apart, there are still a number of problems to be resolved in connection with the subsidiary services, including the access road, and these are being taken up with the Ministry of Overseas Development.

At this point I would like to say that Mr. Bala Kanagasabai, on loan to us from the Commonwealth Fund for Technical CO-operation, has been a tower of strength in the resolution of many of our aviation problems. If he is a typical example, we should not overlook the Commonwealth Fund when seeking some of our future experts.

Our next field of particular interest is of course education. On purposeful advance in this area will rest much of our future development progress. We must raise the standard of educational attainment to the highest level possible in the Islands, not only to provide the widest field of decently educated young citizens but to draw from them suitable material for senior posts in government, commerce, and the technical professions. Ideally one would like to see overseas education confined to the acquisition of only the highest academic and technical skills. For a start, we must set the general standards up to GCE 'O' level even if, for a while, we cannot tackle the next 'A' level stage. The senior school has already begun on an 'O' level course which will carry more students to this stage than hitherto was possible. By the concentration of senior school education in Stanley for all children over the age of nine, and with the building of a new boarding hostel, the provision of funds for which is now being examined by the Ministry of Overseas Development, we

shall be in a better position to deploy our teachers to better advantage than we do now. This may in time mean some extension of the present senior school which, incidentally, now has a new library, the first 3,500 books for which were kindly donated by the British Council, a fine addition to the public library service devotedly run by Mr Stuart Booth. I shall be trying the British Council for more help in this direction, particularly to serve the Camp with an improved supply of books; they have in fact already offered us a further grant.

The Junior school, under its new headmaster, is also making most satisfactory progress. This still leaves us with the difficult question of primary and junior education in the Camp where the system of travelling teachers and settlement schools is not a happy one. The Education Committee are looking earnestly for solutions to this problem. It will be a task of high priority for the new Superintendent of Education, whose arrival we look forward to in August of this year. Up to now the position has been filled on a temporary basis by Mr Frank O'Reilly, headmaster of Stanley Senior School, and I should like to commend him for the most satisfactory way he has coped with both jobs.

Another of our problem areas, as I am sure the Superintendent of Public Works will agree, is his Department. Throughout the world, Public Works Departments are always the Aunt Sallys, as it were, of any administration, with their faults highlighted and their achievements unrecognised or just taken for granted. The problem lies always in the availability of money, for skilled staff, for labour, plant, transport and materials. I do not think that it can be contested that over the years the PWD has become short of resources, while the tasks loaded on to it have been increased. We can see the results of this very easily in the condition of the Stanley roads, and in the state and high costs of the town's water supply, without going into the rapidly approaching problem of sewage disposal. While being unable to do very much to alleviate these situations the Department is hard put to it to keep up with the repair and maintenance of government buildings and staff housing, a greater demand for which will inevitably arise as we bring in more experts to help with our development.

When Honourable Members go into Select Committee on the Estimates I hope you will be able to look sympathetically and constructively at the immediate problems of the Department. In the long term we will have to consider a major reorganisation of our infrastructure construction capacity, and I shall be referring to this later when talking about our development plans. In the meantime I would like to say that in spite of the difficulties they face, Mr Royans and his staff, as I have personally seen, maintain very high standards of skill and performance where they are able to deploy their resources. And in this connection I must also add a word about the efficient service given by the Power and Electrical section in their day-to-day operations and during emergencies, and by the volunteer Fire Brigade, whose equipment and training is being brought up to a high standard by Mr Bob Stewart and his staff, following the visit here by Mr Dennis Davis of the Cheshire Fire Brigade.

The Post Office staff and operators have continued, under Mr Henry Luxton, to handle mail, telegraph and telephone traffic in their usual exemplary fashion - and Cable and Wireless on external communications. Stamp issues are going well and over £50,000 in revenue is currently estimated to be received from this source; we must still, however, look for ways of increasing this revenue. A new definitive issue will shortly be made, based on designs by Councillor John Smith. They will be beautiful stamps which should greatly attract collectors. The department was pleased to welcome back Mr Bill Roberts after a two-year secondment to Cable and Wireless, and his experience will be

invaluable in the installation of the proposed new Camp communications system. Mr Patrick Watts is being relieved as much as possible from other duties to look after our broadcasting service; the recent introduction of his local news bulletins has, I believe, been widely welcomed, particularly in the Camp, from where, I am sure, Mr Watts would be only too glad to receive contributions. We are currently considering the whole question of the future of broadcasting in the Islands and a memorandum on this will be submitted in the near future. The aim will be to secure broadcasting as a separate public service, under the control of a public Board, with the Government supplying the facilities but not the direction; to inform without restriction, to entertain with enjoyment. I am also looking for a way in which we could join broadcasting with the appointment of a Camp Entertainments Officer, to jolly us all up in the long winters. Looking farther into the future, we might see if some form of television broadcasting is feasible.

The strength of the Police Force has recently been increased although the problem of recruitment still remains. The future training of recruits will, however, be greatly improved as a result of the Chief Police Officer's attendance last year at the National Police College at Bramshill in the UK, and by the forthcoming arrival of Sergeant Gargate from the UK who is expected to take up his duties in late August. While, in this law-abiding community, a large police force would hardly seem necessary, it is perhaps not generally appreciated that much of police work is concerned with welfare and other social problems. A well-trained force can have an important bearing on our community development, particularly if, as we hope, we are able to progress towards an economic expansion.

As Members will have appreciated from the Bills before you, excellently printed in our small and overworked Printing Office, our unique Legal Department, in the person of Mr Harold Bennett, with the advice of Mr Frederick Cooke, who is currently visiting Stanley, copes efficiently with our law administration. Mr Bennett was most meritoriously awarded an OBE in the New Year Honours List.

The Meteorological Department, as well as providing excellent forecasts for our general information and for the internal and external air services, is also supplying data on solar radiation, sea-water and atmospheric dust sampling, and climatology for international research centres.

The Falkland Islands Defence Force has continued to maintain a high standard of drill and training with their new weapons, integrating for operational purposes with the Royal Marine detachment, who had the honour to receive the Freedom of Stanley in December last.

Finally, in this round-up of departmental activities, the Collector of Customs, who also somehow finds time to discharge the duties of Harbournmaster and Agricultural Officer, has reported that, during the period from December to February last, four visits by tourist ships were made to Port Stanley, bringing some 2,400 tourists.

Before I leave this part of my Address, and get on to our financial and development affairs, I must not overlook the private sector which, in the present balance of our economy, produces the wealth the public sector spends. And here I must mention the Falkland Islands Company which provides many of the internal and external commercial services which are essential to the smooth running of our trade, and is, in fact, the largest single producer of that trade. But I have particularly in mind the farming community in the Camp, on whom we almost entirely depend for our national

/livelihood.

livelihood. It is by the efforts of the farm-managers, the shepherds, the navvies, the handyman, supported by their wives, that we get the wool by which we pay our way. With them I must couple for commendation the officers and crews of our coastal vessels, and the jetty gang, who bring in the wool and load it for shipment.

Life in the Camp, although attractive to me as a townsman, can be hard if the weather is bad, lacking in amenities for entertainment and very isolated, particularly if one is on a remote island. Camp people have not had an easy time of it in the recent past, and I am especially conscious of the effect the disruption in our communications has had in the West. We must strive to ensure that all our working people, wherever they are, get the best service we can afford. We are all part of the one community, whether we are in the public or private sectors, in Stanley or in the Camp.

Now to our financial affairs, which the Treasury staff, under the Honourable Financial Secretary, have managed with their customary exactitude and dedication. The Honourable Financial Secretary will be outlining our present situation in detail, and laying before you the Estimates of Revenue and Expenditure for 1977/78, which you will then consider in Committee. During your deliberations I am sure you will wish to bear three considerations in mind. First we must progress; we can no longer stand still in our development or we shall find ourselves moving back in a world of rising costs and increasing sophistication of goods and services. Second, to progress must therefore mean expenditure, however carefully it is applied to achieve the maximum cost effectiveness. And third, our present financial situation, though on the face of it healthy, does not allow us any great leeway, and we shall have to sail even closer to the wind than we have done heretofore.

The deficit in the Budget for the 1976/77 financial year is now estimated to come out at around £20,000, an improvement on the original estimated deficit of £60,000. A surplus of £46,000 is forecast for the 77/78 year, with reserves around the £600,000 mark. Of these reserves it is proposed to transfer £200,000 to replenish the Colony's Development Fund which is now virtually exhausted. Apparently not too bad a situation if we had no more to do than just about pay our way at the current level of activity, and at current prices. But we have much more to do.

While Islanders generally enjoy a simple but reasonably comfortable standard of living, and there is none of the real poverty seen in the less fortunate and deprived areas of the world, we cannot be complacent about this. We will undoubtedly have to look at the structure of our wages and salaries to encourage the acquisition of skills, and their retention in the Islands; the alternative is to meet the need with an increased OSAS-supplemented staff which in itself would continue the anomalies of the present situation. Next, we shall soon have quite a large recurrent expenditure in maintaining the new airfield's services. We must, as our revenue proposals will try to do, raise the thresholds of income tax liability, particularly for the lower-paid family man. We must increase the plant, material and transport resources of the Public Works Department and provide the right sort of equipment for our Medical Services. We must keep the Air Service up-to-date.

We must, and I would like to emphasise this point very strongly, provide some increase in the presently heavily-burdened Secretariat if we are to cope with all the work that development entails. If we are to encourage our young people, both those who have left and those still here, to make a career in the Civil Service, we must be able to offer them worthwhile posts and a ladder of advancement; at the present and foreseeable levels of staffing we are in no danger of creating a self-perpetuating bureaucracy.

/Over and above

Over and above all this is the uncertainty of the wool price - fairly good at the moment, but, as we all know, not a stable factor. A daunting prospect? Not entirely, in my view. We have internal resources we have not yet fully tapped. Above all, I think we now have a determination to proceed with our development on our own, until those larger prospects held out in the Shackleton Report can be realised, which will not be for some years yet. To gear ourselves both for the long and the short term future we shall be urgently looking at our legislative and other machinery, to up-date it with regard to public land acquisition, to the retention of funds, to the marketing of wool, to banking, to taxation policy, to mineral rights, and to financial support for young farmers wishing to strike out on their own. We shall soon have the advice of the recently appointed Fiscal Adviser, Mr Pepper, who is now engaged on his preparatory work in London and will shortly visit the Islands. We have welcomed the appointment of a Hides and Skins Adviser, and have requested the services of an expert experienced in all aspects of wool marketing. We are seeking assistance in the institution of better savings and banking facilities, and consideration is being given to the institution of a Pay-As-You-Earn taxation system. Later in the year, we are promised a senior Economist from the ODM to assist us in the drawing up of a development plan for the next five years. We shall be watching with close interest the exploratory pre-investment studies into inshore crab fishing and processing being undertaken by the Falkland Islands Company and their Japanese partners, and also the private development of small-scale cottage and horticultural enterprises. In this connection the Minister of Overseas Development has offered to provide any advice the Government might require, particularly on a mutton-freezing project on which we shall of course have to consult the Sheepowners' Association.

On the projects side, the Grasslands Trials Unit, already doing valuable work in schemes for pasture and livestock improvement, which could lead to an increased wool yield, has been strengthened by additional staff, and two more should be with us later.

A team of experts is now being assembled by the ODM to make a thorough-going practical investigation of our internal transport and communications problems. This will cover the air service, inter-Island shipping, and the long mooted Stanley-Darwin all weather road, which I would like to see joined by a ferry link with a similar road in the West, forming the basis for a passable Camp track network; something which would transform the social and economic life of the Islands. We are awaiting the report of a Crown Agents' mechanical engineer, sent here by ODM last month to examine the condition and suitability of the plant on offer by the airport contractor. If, after negotiation, this could be purchased, it would at long last give the Public Works Department the equipment to tackle some of our major infrastructure tasks. In this connection I should mention that we are discussing with the British Antarctic Survey the possibility of shipping the remainder of the heavy equipment and material from South Georgia which the Falkland Islands Government bought at a very low price from a former whaling concern. Some of it came up last season, and the next shipment should allow us, for one thing, to build a facility to slip the Forrester, and even the Monsunen, for inspection and repair in Stanley, instead of sending the vessels to the mainland at considerable expense. We should also examine whether there is a need to strengthen and lengthen the public jetty, linking it to the facilities for storage space offered us by the acquisition of the nearby British Antarctic Survey premises.

Our industrial relations are good, thanks to the goodwill and moderation shown in their negotiations by the General Employees' Union, by the Sheepowners' Association and by other Stanley employers. We are not, I think, faced with the restrictions on the deployment of our manpower that so bedevil industrial life in other countries. But I am not sure we make the best use we can of the not overlarge, but highly adaptable, human resources that we have. Partly this may be due to the traditional structure of our farming industry, where costs are forcing

change. But as well as finance, one of the main constraints to our development is the shortage of certain middle-level technical skills. For this we must look to overseas recruitment until we can train up our young people. But we must ensure that we have the nucleus of a local labour force for a project construction team. They will initially be engaged in preparing the access road and opening up the quarry in preparation for the causeway and jetty-head to be built at the YPF plant. The construction of this will be a major job and may take at least 12 months. Until it is finished the YPF Agreement cannot be fully implemented. So far only petrol and kerosene are available at the new cheap prices and the supply of gas oil from this source must wait until it can be piped from tankers over the new jetty; it would not be economic, or even physically possible, to bring it in in drums. In the meantime, therefore, we must rely on gas oil supplies drawn from the Admiralty tanks and sold through the Falkland Islands Company.

A further project which we should tackle soon is the provision of more housing, both for the accommodation of expatriate experts and for Islanders in need. If expansion of economic activity is to happen we must have the housing to support it. We are expecting to acquire a number of houses under the airport contract along with the purchase of others made vacant by the departure of the contractors' personnel. But I would look forward to the establishment of a housing corporation which could determine our housing needs, erect new housing and make the necessary financial advances for their private purchase. It is hoped that ideas can be drawn together on this subject for the formulation of a policy as early as possible. It may not be realised that, as in most other urban communities around the world, housing in Stanley is beginning to become a small but already difficult social problem.

To the cost of all this development the Falkland Islands Government is, as I have said, only able to contemplate an immediate contribution of £200,000. We may be able to increase this in the light of our fiscal, economic and wool marketing experts' advice, but not perhaps until the next financial year. In the meantime, in the absence of any substantial private investment, we must rely on the success of our project applications to the Ministry of Overseas Development, and on a small grant for medical equipment from the European Development Fund. Our current ODM loan for various projects is almost entirely committed. The form of its replenishment will depend on the case we can make, supported by the advice given by visiting experts. I am certain that we shall get a sympathetic consideration of our requests. But organisations like the ODM cannot commit themselves in advance and these negotiations do take time. It is for us to put up the most realistic case we can for further aid and our arguments will be greatly helped if we show we ourselves are prepared to put as much as we can into our own development.

I realise I have not made much explicit reference to the Shackleton Report in what I have said so far. I can however assure you that the contents of that uniquely valuable document are very much in the minds of the Administration as essential background to the consideration of almost all our planning. Some of the financial recommendations of the Report have found their way into this year's Budget proposals; others will do so later when we have had the necessary technical advice. And if what I have said this morning on our development proposals is ticked off against a Shackleton check list - I keep one by me in my office - it will be seen they are in conformity with the internal self-help suggestions in the Report: the rest will be taken into account as soon as there is time and opportunity. But the Report's major recommendations on the external, off-shore developments, are not entirely within our competence to decide upon as the Islands' Government. They will come within the compass of the forthcoming negotiations with the Argentine Government, and economic co-operation in that sphere can, as the Report indicates, give us the opportunity to realise the maximum benefit from the exploitation of the resources available around us in our unique geographical position.

/If I may

If I may now turn to the Bills we will be considering after we have disposed of the Appropriation Bill, and the Elections Ordinance. There are measures for the increase of contributory and non-contributory old age pensions, for the payment of allowances to cover the expenses of Councillors, for the protection of wrecks, for the revision of the laws, amongst other matters.

Finally this is Jubilee Year and I am sure that this Council will wish to pass a Resolution congratulating Her Majesty on Her successful and happy reign for the past 25 years. Our own celebrations have been spread to take place throughout the year, starting with the Jubilee Sports last February. They will continue with an inter-denominational Thanksgiving Service on 31 July and I believe other events are planned, in addition, I might say, to a Silver Jubilee election in the Spring!

Honourable Members, in closing my Address this morning I wish to end on an optimistic note. I am conscious that we are in something of a trough at the moment, a trough in our expectations and in our capacity to move forward. I have outlined our problems at the length I have because I think it serves no purpose to gloss over them. But I am confident that we have the will, we have the energy, we have the adaptability to overcome these problems. We are, I am quite certain, at a point of take-off in our fortunes from which we can rise to a new level of life which will in no way destroy or impair the manifold pleasures of the old accustomed ways. To the young people, impatient for advancement, my advice would be to stay here, work hard at acquiring the needed skills, and see these Islands through to the happy future they can have: to be a haven of prosperity, good-will and good living in the stormy South Atlantic seas.

And in these we must steer by our own bright Island stars, avoiding the rocks of dissention and dispute which lie on every side, until we can furl our sails in a bountiful and safe anchorage.

The President then adjourned the meeting and directed that the Council should resume at 10.00 on Wednesday 15th June 1977.

Council re-assembled at 10.00 on Wednesday 15th June 1977.

The President

Before we begin this morning I would like to make a rather sad announcement: Councillor John Smith heard I think this morning that his father had passed away in the UK yesterday. He will be absent from our proceedings for part of the morning while he is telephoning his mother to see whether he should not fly home to UK either this week or next week. I think we would all wish to express our condolences to Councillor Smith on his sad bereavement.

MOTION OF THANKS TO THE PRESIDENT ON HIS
ADDRESS TO COUNCIL

The Honourable A B Monk JP

Your Excellency, Honourable Members. I find it a bit difficult being the first in the firing line as it were, after Your Excellency's most excellent and eloquent address. May I take the opportunity to welcome Your Excellency to this Chamber and to thank you for your address. I was very happy to hear Your Excellency say that you wish to be seen as fully identified with our problems - the first amongst equals, as it were, not just a Foreign and Commonwealth Office appointee. On the occasion of Her Majesty's Jubilee it is a great honour for me to be able to speak as an Elected Representative of this Legislative Council of one of Her Majesty's territories. As a British citizen also I would like to send Her Majesty my loyal greetings on the occasion of her Silver Jubilee as Queen. Long may the Elected representatives of the people of the Falklands be able to stand up in this Chamber and address the President of this Council as Her Majesty's representative. (I suppose it dates me a bit but I did attend a formal Jubilee celebration in 1935 as a midshipman on one of Her Majesty's destroyers). As everyone is aware I am sure, and to use the hackneyed commercial phrase, we've been busy fighting off our take-over bid for many years and I suppose we can say recently the pace of action has heightened a bit and we have been subjected to much commercial propaganda and other pressures; told to do this, do that, and told that if we only had not done this or had not done that everything would have been all right, and we would have been saved. It is at times very difficult to know who is speaking in our true interests. I hope you will hear later on, all of you, at this meeting, some information on what I have said with regard to commercial propaganda.

This Council is due to be shortly dissolved - sounds as though we are a collection of sugar cubes or something - a new and more democratic Council will then be elected under the new Constitution, we hope. That's a very good thing and it will give me personally very great pleasure to see democracy take a step forward here. There is still a long way to go before entrenched privileges are finally overcome; however the change should quicken with the advent of an all-elected Council. The fact of having an all-elected Council will of course place a great burden on the shoulders

/of the electorate,

of the electorate, since they and only they can choose the councillors. An all-elected Council implies that the Council has the full mandate of the people, therefore the people have got to think very carefully who they put in, especially at this time. I believe there is plenty of talent amongst Falkland Islanders to choose from; plenty of up and coming young men whose voices should be heard and who have many years to live out here. Even though the present Council is not fully democratic in that we have nominated members - most excellent people though they are - and as a result has been accused by press releases and various other means of almost every crime in the book, including giving the Falklands away, I believe this Council has taken a very responsible view and acted in the people's best interests. We have done nothing to change the sovereignty position or jeopardise it. We merely agreed that Mr Ted Rowlands should go to Argentina to see if there were not areas of cooperation; all without prejudice to our sovereignty position. It is necessary certainly for everybody to be wide awake at this time, to make quite certain our agreement with the British government and Mr Ted Rowlands is not exploited or changed in any way. We must all of us hold a watching brief in my view. A recent utterance by one of Her Majesty's ministers in another place has disturbed many people, and it disturbed me. I think we must make it quite clear to all concerned that while we stick by our agreement with Mr Ted Rowlands we are not as it were pawns in some international bargaining game. We do not intend to swap our birth-right for an Argentine mess of pottage. We are not prepared to compromise our basic sovereignty position for fat chunks of development aid.

Your Excellency covered wide areas in your address and paid high tribute to many people. I will not attempt to be so far-ranging since I lack Your Excellency's eloquence.

Your Excellency mentioned that more frequent meetings of Legislative Council should be held and mentioned the secretarial problem. In my view the transport of camp Members is a far more valid reason for not holding meetings too often. Of course if we eventually develop a road system that problem will be largely overcome. I have always thought in fact, insofar as the Secretariat is concerned, that there are too many bosses and not enough cooks in there. There seem to be too many people saying 'type this', 'do that' but not enough doing the typing or whatever. They know how to spend the money of course but that is the same as the Education Department, which is somewhere in the order of £150,000 I believe. In spite of all this expenditure it seems to be impossible to get copies of Bills to Councillors more than two or three days before a meeting. I know the rules lay down that two or three - two days I think - is the minimum period. However a lot of these Bills are very complicated; they concern our future. One Bill, to do with legal phraseology - called 'Interpretation and General Clauses Ordinance' - has forty pages of close print. Since the Bill is presumably important to us - all of us - Councillors should in my view understand the general principle before they agree to it. Now they can be expected to do that - and there are plenty of other bills, fourteen of them I think, all laid on your plate as it were - two or three days before you have to discuss them;

/one Bill in fact I never

one Bill in fact I never even knew was coming up, I heard about it on the Government news service. (Actually it's a very nice Bill, I am all in favour because I have a vested interest since I only have to pay OAP for another 100 weeks and then I can sit back and wait I hope). Anyway, I think a real effort should be made to get copies of Bills to Councillors so that they can really give them some serious study.

Your Excellency mentioned numerous experts expected to arrive soon and give us further advice. No doubt a lot of this will be tremendously valuable; however we do run the risk in my view of getting so much advice from overseas experts on almost every conceivable subject and aspect of our lives that we neglect the opinions of Islanders here. All the advice from overseas experts is their own on how they think we should do things. Maybe sometimes people here have other ideas, and better ideas. We must not get so attuned to overseas voices that we fail to hear what Falkland Islanders want and how they want to do it.

I would like to say thank you, Your Excellency, for your address.

The Honourable W E Bowles

Your Excellency, Honourable Members. Sir, it is my privilege on behalf of my constituents, to welcome you to this Chamber. Your most excellent and frank address to this Council yesterday morning, with particular emphasis on development - our future development - is heartening and stimulating to us all. It is to this point that I particularly wish to draw Council's attention. I am not going to talk about our Departments: that will come later in the Budget session, when we go into Select Committee. Nor am I going to criticise those Departments.

Ted Rowlands told us when he was here that most of our development, or our urgent development, was on our doorstep and you so rightly stated in your address that if we want progress then it means expenditure. If we don't spend the money we won't progress; if we spend the money in the correct way then we must sort out our priorities and decide what part of development is going to come first, second, third, fourth and so on. There are many projects in the pipeline: some have been talked about, some have been started, some have been partially started, some have never even got off the ground. I would like to run through a few of these just to jog the memory of Councillors so that when the priority list is drawn up we can get it right.

We've been talking about jetties, we've been talking about roads and the repair of roads (some of this work of course is remedial); we've got some pegs driven in the ground for a school hostel; we've got an extensive road to build from Stanley to Darwin I hope in my lifetime anyway. These are a few of the things. There are other smaller jobs which have still to be done: the hangar slipway we have to think about very urgently in my view because we have got a £14,000 set of floats on each Beaver which has to be reasonably protected. I am sure that this has not gone unnoticed by the Administration.

/Naturally for development

Naturally for development we need manpower and we are fully aware that a lot of manpower has been released by the run-down by the contractor at the airport, and most of this labour I think will be used up when the priorities and the work are fully planned and organised. There are opportunities for those men who have acquired skills by working at the airport - various types of skills - which I think will be most useful for every part of our development and I think we should make full use of these.

One other point I want to make, regarding the remark made by Judith Hart in the House the day before yesterday. She has a very responsible job towards the Falklands and I hope she, too, like Ted Rowlands, will start to care - and I think she will - subjectively as well as objectively.

I would like to support the Motion of Thanks.

The Honourable A B Hadden BEM

Your Excellency, Honourable Members. I should just like to also welcome you to this your first Legislative Council and to congratulate you on a very excellent maiden speech.

I am surprised that nothing has been said about the Shackleton Report - maybe I should not be surprised, it is quite a fearsome document - or the airport. I agree with almost everything that my Honourable Friend has just said so I need not repeat that but just a quick word on the Shackleton 'affair' if you like. This very excellent team which we did ask for, which we did get and which worked very hard for several months to produce a most excellent report, and I find it very odd that somewhere in the report they criticise us for having so many experts in the past who have produced excellent reports and that nobody has taken any notice of these reports, they have just gone by the board. Shackleton and his team have produced a report and we have almost done the same thing with that: we haven't really accepted it in the way it was intended to be accepted, and I say this because it was stressed time and time again that the first priority was to get the airport lengthened and strengthened. We hear from AIL and various other people that if we had this airport they would come and their money would be used in the Colony, we all know that, it's obvious. HMG will give us some money for hostels, for roads and for various other projects which are all very fine but if, as it seems, we are not going to get the people to use these services without getting the airport strengthened and lengthened, it would appear to be more money down the drain. Maybe, I don't know, we ought to suggest, say well, we can wait a couple of years for a road or a hostel or whatever, and put the money into the airport project, get it up to the standard that we would like and then say to these chappies, right, there's the airport, come with your plans and your money; and the rest could follow from that. This is more or less the thought. It seems to me rather odd that we asked for these people and are not accepting their report as we ought to have done.

You said in your speech yesterday, Sir, that we must progress, that we can no longer stand still in our development; it is I admit very difficult to know exactly how to do it but I do maintain that if we cannot get outside development which will eventually encourage investment by local people, we are going to be on a very sticky wicket. We need a lot of money

/to do a lot of jobs

to do a lot of jobs and I am not sure where all the money is coming from. In the course of the next few days we will probably have a very good idea; how much we can get, how much we can't get. There is only so much you can take from the people, only so much you can take, and from what you can take you have to decide how much you can spend and how much you can save for a rainy day, and then I suppose we must decide on our priorities. If we can't have A because B is more important, then we have to spend our money that way. There is time for all of this to be thrashed out later, Your Excellency, so that at the moment I really should not say much more, just say thank you for your speech, Sir.

The Honourable the Financial Secretary

Your Excellency, I would like to join in the Motion of Thanks. I am afraid my heavy duties will come later in the day when I have to present the Budget, but I would like to mention one thing, and that is the mention of the bosses and cooks in the Secretariat. I would like to say that certainly on the Treasury side the cooks work very hard, and as far as I know the bosses and cooks work very hard in the Secretariat. I think one thing that people do not appreciate is the increase in the volume of work, and it is one of those things which seems inevitable. The price of democracy in the Colony must be quite fantastic. However I agree with the Elected Member for East Falkland, it is important, but the price is very high. I join in the welcome to Your Excellency to the Falklands and support the Motion.

The Honourable the Chief Secretary

Your Excellency, it is not normal for the Official Members of this Council to indulge in any remarks at this stage, in any contentious remarks, and I don't intend to depart from that precedent.

I entirely identify with the remarks made by my Honourable Friend, particularly with regard to Her Majesty's Silver Jubilee and the shall we say coincidental drive that that seems to have revived in Britain and the drive that I know your presence here, Sir, has generated. A new impetus has I am sure been given to our whole purpose by the demands you have made on yourself. I know this only too well and I am sure everybody else does, and I would if I may, presume at this point Sir to identify with these remarks your very much, I think I can say, loved wife, who has made herself very much a friend amongst the people of the Colony and I am sure that a lot of the energy that you have been able to impart to us and give to your own life, your own work duties, is based on the great support you get from your lady wife.

You gave us yesterday, Sir, a formidable list of matters with which we shall be confronted and, like my Honourable Friends, I do not propose to go through that catalogue; it is long. I would like to say however that it does hold out I think much greater prospects than anything that this Colony has seen before. I think we are used to hearing speeches at budget time, forward-looking speeches, but they do have a looking-glass element in them of jam tomorrow, jam yesterday but never jam today. I think, Sir, you have given us some hope that we might get some jam this evening.

/I place very great emphasis

I place ~~very~~ great emphasis on the points made by the Honourable Elected Member for East Falkland. They are well taken and it is a pity I think that we cannot do more to perhaps get more people at the middle level - not just the lower levels - of the Service, and I see perhaps some contradiction between the delays with which the work of Council is inevitably dealt; he did refer to the late arrival of some Bills, for which I hope he will accept my apologies. But it is a fact that the list of Bills this time is really formidable and without the cooks and the soup-makers I don't think we would have had the very excellent brew that at least I am sure we are going to hear about later on this morning from the Treasury kitchen.

The Honourable Elected Member for East Falkland also referred to the fact that this was by way of being a temporary or locum Council. I thoroughly agree with him that the Council has nevertheless discharged its duties in an exemplary fashion and not avoided its responsibilities. It has, like any good locum, dealt with the patients as would any locum, and I am quite certain that the patient will be passed on to the substantive Council in very good health.

There is one final point that I would like to refer to concerning the plethora of advice and reports that Government receives from time to time. It has always been a precept of mine that the most difficult part of a report is implementing it. I think I could write a report; I think we all could on almost anything. The difficult part - and I have made this point several times before - is trying to relate that report and the results that flow from it to the machinery of the government with which that report is concerned and which will have to implement it at a later date. This alone I think is a very cogent argument for a strengthening of the staff that have to deal with these matters; we are going to be embarked on a very large scale development programme; it is going to make increasing demands not only on my office but on other departments of Government and each of these departments needs strengthening but most of all, in my view, it is the coordinating role that needs to be reinforced and I am very conscious that strive as hard as we can, this coordinating role is not always discharged in the exemplary and smooth fashion that I would like to see, but which is essential if we are going to get departments working in the way they would like to work between themselves and the way they would like to conduct their own activities. I see no escape from this conclusion that there must be some strengthening of the Civil Service; and I think it is appropriate to mention also that I think the Civil Service should not be regarded as a separate part of the community. A civil servant is nothing more than a non civil servant working in a civil service office; in much the same way as a pedestrian is a motorist out of his car. Similarly, a person who works in the private sector tends at times to be separated out. I think this is wrong. I think it is far better to try and look at this that we are all in this, we all have to work together to ensure that the development that I am sure is possible in this Colony and for which you gave us so much hope yesterday can be brought to fruition. I should like to thank Your Excellency.

The President

Thank you Honourable Members for your kind words and I think also for the very useful points that were brought out in the course of your addresses. Thank you very much.

PAPERS LAID ON THE TABLE BY THE HON. CHIEF SECRETARY

Medical Report 1975

Copies of subsidiary Legislation made or approved by the Governor in Council since June 1976.

QUESTIONS FOR ORAL REPLY

The Clerk

Question No 1 of 1977 by the Honourable A B Monk JP

Mr A B Monk

When will our airfield be operational and used for LADE ?

Chief Secretary

Sir, Government hopes that the Stanley airfield will be acceptable for operation by the LADE airline during July this year but the Honourable Elected Member for East Falkland will appreciate that the programme of acceptance is also dictated by the conditions in the Contract and the legal implications of bringing an airport into operation.

Mr A B Monk

Can the Honourable Chief Secretary tell me if the work is satisfactory or if there are other problems with regard to the acceptance ?

Chief Secretary

The project - which we refer to as the Airport Project - is in fact a contract let on our behalf by the Crown Agents and included in contractual documents which cover three quite thick volumes; it is therefore a complex question to answer, but to try and simplify it as much as possible and as I am able, the consultants - the consulting engineers, who are the equivalent of our Clerks of Works - have to indicate to the client that the work has been what is called substantially completed and when they are satisfied that this is so they will give Certificates of Substantial Completion. It is a debatable point and can even go to litigation at what stage these can be given. There have been some Certificates of Substantial Completion already issued to the contractor, which have attached to them schedules of work which is still outstanding and against which there is a construction date, so in a sense this becomes a contract within a contract. We are watching this very closely because it could create a situation where the maintenance period for these particular items is shortened.

It was frankly a surprise to me that Certificates of Substantial Completion could be given for parts of a contract, but the contract itself does enable this, so the short answer is that there are some works to be done, there are still some problems. His Excellency mentioned yesterday in his address that anyone who has a look at the airfield site would think there is quite an extraordinary amount of work yet to be done, but Government is purposed to make sure that it does not accept the airfield until it is satisfied that it is in a condition satisfactory to be taken over.

/I am sorry

I am sorry I cannot be more definitive about this but it is a highly complex matter on which we are seeking as much expert advice as we can and we will monitor the future work as closely as we have tried to monitor the past parts of the Contract.

Mr A B Monk

Can the Honourable Chief Secretary tell me if a Certificate has been given for the acceptance of the runway part of the project ?

Chief Secretary

A Certificate of Substantial Completion has been given for the runway part of the project.

Mr W E Bowles

Can the Chief Secretary give us an assurance, while we are on the airport construction, that the original access road known as Surf Bay Road will be returned to its original state or even better than it was before the contract started ?

Chief Secretary

No, Sir, I am unable to give this definitive answer sought by the Honourable Mr Bowles, but I have promised to look into this. I believe there is a possibility that we may be able to enforce this. I will look into the matter and report direct to the Honourable Member if this is suitable.

Mr W E Bowles

Thank you very much.

The Clerk

No 2 of 1977 by the Honourable A B Monk JP

Mr A B Monk

Is the Administration aware that some isolated communities are having to go many weeks without mail drops ? We are all aware of the problems which have beset FIGAS in recent months and no one can expect to see a service comparable to the past until manning problems etc are solved. However it does seem that the high priority once given to mail dropping no longer applies. Will the Administration give an assurance that in future mail drops especially to isolated communities will be given a high priority ?

Chief Secretary

Sir, to answer the Honourable Elected Member for East Falkland, we are only too uncomfortably aware and with regret have to admit that some isolated communities must sometimes at least go a number of weeks without a mail drop. I am in fact most grateful to my Honourable Friend for coupling this question to an appreciation of the problems of the several departments concerned, but notably of course to the problems that have beset FIGAS during recent months.

As regards the reported decreasing regard for priority given to mail dropping, I hope I can reassure the Honourable Member - and through him his constituents, whose case he has pressed personally in my office and in this Chamber on several occasions most forcefully - I hope I can give the reassurance that

/this problem is never

this problem is never very far out of our thoughts in my office, in the air service and above all in the post office. I will most willingly give the assurance the Honourable Member seeks that mail drops will continue to receive a very high priority, and even now every opportunity is taken not only of air drops but deliveries by other means as well.

The Clerk

No 3 of 1977 by the Honourable A B Monk JP

Mr A B Monk

Will the Financial Secretary tell me the total area of Government land rented for farming purposes and for what total amount per annum?

Financial Secretary

Yes, Sir: approximately 20,000 acres; the rent £454.39.

The Clerk

No 4 of 1977 by the Honourable W E Bowles

Mr W E Bowles

Sir, will Government inform Council (a) if a candidate or candidates have been selected for pilot training, and (b) whether any training establishment in the UK has agreed to accept Falkland Islands candidates?

Chief Secretary

Yes, Sir. I am glad to inform the Honourable Mr Bowles that Government has selected four candidates who have progressed through all the tests that we can give them, educational and medical, and they have satisfied us. Their applications have now been sent on to the authorities in London, which in this case are the Ministry of Overseas Development and the British Council, who in conjunction with the Civil Aviation Authority will be the last authorities on this case, so we cannot be absolutely definite that each or any of them will come up to the criteria laid down.

As regards the other part of the Honourable Mr Bowles' question, yes, the Air Training School in Perth, Scotland, has agreed to train candidates submitted by us, provided they come up to the criteria that they lay down. The permission given so far therefore has been in particular cases and not of a general nature, but I am quite confident that if the candidates are acceptable to the British Council authorities and ODM we would have no problem in placing them at the Air Training School, Perth.

Mr A B Hadden

How long is the training expected to last?

Chief Secretary

I am not absolutely certain but training of a pilot from the day he first sets foot into a 'plane until he is allowed to take passengers is of the order of about two years - this includes his initial training, his advanced training, and then of course his localisation and conversion here. We make our own rules under the Air Navigation

/Order as regards

Order as regards the amount of hours in command that a pilot must have, but it is prudent on the advice of the Superintendent of Civil Aviation to ensure that a man has a fair number of hours under his belt before he actually flies passengers around.

The Clerk

No 5 of 1977 by the Honourable W E Bowles

Mr W E Bowles

Has the Administration seriously reconsidered the export of wildlife, on a strictly controlled basis, as a source of future income?

Chief Secretary

I suppose the short answer to the Honourable Mr Bowles to his question is that the Administration has not reconsidered the export of wildlife since the last decision was made, and the decision then was only of a temporary nature and never publicly expressed, to the best of my knowledge; but to go into it a bit more deeply, the question of exporting wildlife has come up to Government by various means on numerous occasions in recent years and certainly since I have been here it has been a chestnut that has been before Council on a number of occasions, and it has also been brought to our attention by conservationists and - dare I say it - anti-conservationists; but the embargo that I think the Honourable Member is referring to which was never made explicit was nevertheless a deliberate decision, or deliberate restriction, enjoined on us for conservation purposes and I think the origins of it were that it was brought to Government's attention at the time that much wildlife, not only here but throughout the world, went through the most cruel treatment during transportation such that the mortality rate was extraordinarily high, and I think no one round this table or in the Colony would be a party to cruelty to any form of wildlife, and I think this was the motivation behind the decision.

On the other hand it would be idle to deny the fact that there is a vociferous lobby throughout the world arguing for a complete embargo on the exportation of penguins and other types of wildlife. Government has to balance this against the prospects of earning substantial revenue which we have often been told is possible.

In short therefore, Government is alive to this problem and it realises that genuine fears are aroused if the export of penguins in particular is not controlled and particularly if these poor birds end up in the wrong place having been badly treated, badly handled and it gets to the notice of those organisations whose interests it is to protect animals.

Probably the eventual answer would be a complete re-examination of Government's legislation, which I can show to the Honourable Member if he so wished - and in fact the Honourable Mr Bowles may wish to initiate this re-examination. Our aim should in my view be that the exportation of wildlife is licenced in a manner such that it protects our wildlife, it prevents cruelty and it prevents the wildlife ending up at the wrong destination, particularly if that destination merely uses it for their own commercial ends.

/Mr W E Bowles

Mr W E Bowles

In thanking the Chief Secretary for his reply I too would agree with him wholeheartedly on the cruelty angle and everything else, but my words "strictly controlled basis" I thought would have covered this and standards could be set for the export of wildlife in a manner in which cruelty would be avoided at all costs, especially now with air transportation rather than five days on the DARWIN; but does he not agree that there is an income to be made from this which Government should not overlook if the cruelty aspect can be overcome?

Chief Secretary

Yes, I go along with that entirely and I think the answer is - and I apologise if I did not make it clear originally - that a substantial increase in the licencing fees and a tightening up of the licencing mechanism through a revision of our legislation - and this could be done either on Government initiative or indeed on the Honourable Councillor's initiative - but this I think is the ultimate way we should achieve the control we are after. We would utilise the fee and licencing structure as a filter to ensure that we get revenue and also weed out the propitious and irresponsible exporters. Possibly we could couple this too with some exploration of organisations which are responsible, in which case you could liaise profitably and usefully with the World Wildlife Fund and similar organisations which have a high reputation.

Council adjourned for a short period.

The President

Before we resume questions, Councillor John Smith, who had to be absent when the Motion on the address was taken, I understand would like to say a few words.

The Honourable J Smith

Your Excellency, Honourable Members. In rising to support the Motion of Thanks to your most wide-ranging and encouraging address I would first like to welcome Your Excellency to this House and make just some observations on some of the points which you raised.

The element of faith in the future which prevailed throughout your address did I am sure a great deal to reassure the people of this Colony. This is the twentieth century and we must wake up to the fact that it is and get with it. We have, as it were, for a long time been grinding along in low range and the time has come for us to change into a higher gear and to get on with things and progress.

Progress and development mean people and people mean houses; in any development housing, I feel, must have the highest priority. We already have without any large development going on a housing problem in Stanley. If our young, and indeed our older people, are to remain here, then they must have somewhere to live and it is unfortunate that some families should have to move from Stanley to the camp due to housing problems, and likewise why should

/families be destined

families be destined to stay forever in the camp because there are no houses for them in Stanley. I would like to see very much the establishment of a housing corporation and even a system of Government or council houses brought into being as quickly as possible so that we can face and keep pace with development.

Coupled with housing in the proposed development is the question of manpower and the question I ask is where is it all going to come from. We presently have I imagine only sufficient manpower to embark on one project at a time. If that is going to be the case then development is going to be rather a slow business.

The first sods have been cut on the site of the new school hostel and another at the site of the YPF oil jetty, but how are we going to manage both of these capital projects as well as maintaining Stanley, the new airport, and hopefully a start on the road to Darwin? The question of manpower is large but not insurmountable, but I feel it should be looked at urgently. It is pleasing to note that a great number of the labour - much of it semi-skilled - has been absorbed into our PWD from JCL but it would be embarrassing to find ourselves in the unhappy position of having the money, the machinery and not enough men. If we can, as I am sure we will, solve the problem of housing and manpower then we can tackle development and progress in earnest. The schemes which Your Excellency outlined are the most encouraging we have heard for years. We have the projects and even better we know that the money to support them is likely to be forthcoming. This is a start on which hopefully the foundations of a new future can be laid, the building of which will do much to strengthen our position socially, commercially, as well as a prosperous Colony.

I would like also, Sir, to comment briefly on just a few other points raised in your address.

The Government news bulletins are most welcome and were very much needed. Especially the Court news, which, unpleasant though it may be to those concerned, does much to dispel the rumour and often malicious gossip which often surrounds such cases. From what I've heard the service is so efficient that some members of Government learn details about their future before being informed officially. At least the news service is getting the news.

I must confess I was dismayed at the suggestion of increasing the staff at the Secretariat; I really do think that there are a large number of people there at present and any more might tend to clog the works rather than speed up the administration.

I wholeheartedly agree with the training of our young people within the Civil Service and I hope that we will be able to absorb them into our Civil Service and into the other branches of development. It is also very reassuring in the field of education to see that 'O' levels are again being taken in the senior school. This I am sure will do a great deal to keep parents with older children within the Colony, but we must make sure that we can use their talents and abilities within the Colony.

/PWD have been doing an

PWD have been doing an unenviable and very thankless job but it is hoped that with more men at least some of the strain may be taken off. I did notice the other day that the Government dumper truck was fully manned with a crew of five on its journey through the town.

Much has been said recently about our external affairs so I will not dwell long on that subject except to say, Sir, that I agree that we are in a difficult and delicate situation and we should by all means examine proposals on other people's ideas for our future and wellbeing, but I know I speak for a great many people in the Colony when I say that we shall not be forced, pushed or persuaded into any situation which is not acceptable to us. Your Excellency, I wish to support the Motion of Thanks.

The Clerk

No 6 of 1977 by the Honourable W E Bowles

Mr W E Bowles

When will a road repair programme commence in Stanley and what priorities are envisaged ?

Chief Secretary

I could attempt to answer the second part of the question first, what priorities are envisaged; I have no doubt depending on where we lived the priorities would be seen differently, but the Superintendent of Public Works' idea of priority, for which he has bid in the next financial year's Estimates, is a substantial improvement to Villiers Street; but Government hopes that we can enlarge on this and extend it and make this a really worthwhile - but it would be a costly and large - project. We are not going to do this in the way that the Public Works Department has been constrained in the past. In fact the PWD has carried out continuing maintenance work on several roads in Stanley during recent months: in the bottom of Dean Street there has been reasonably substantial filling in and renewal of that awful section; I know of many pitfalls higher up the hill and in many other roads but despite what I think is the general view the department has been continuing work on an occasional basis, on a maintenance basis only, for instance on Barrack Street, John Street, Davis Street, St Mary's Walk, Reservoir Road, Dean Street, Ross Road West, Brandon Road and Drury Street. Now this is work of a temporary maintenance nature and it often goes unseen (and it often gets washed away by the next heavy fall of rain) but this is what frankly Government has imposed on the department and if there is to be a meaningful road repair programme, which is the first part of the Honourable Member's question, then I think we as a government have got to remove the shackles from that department and provide them with the manpower and the funds and the machinery that all this entails. For too long I think we have kept this department on a very tight rein and given the best will in the world I don't see how that department can discharge its duties in the way that we would all like, that the public would like. It must be assisted with finance before it can undertake a worthwhile project.

/Hopefully some of the funds

Hopefully some of the funds for this will come from our own resources but hopefully, too, we will be able to join investigation of this matter to the investigation of the other transportation problems shortly to be investigated by the Internal Communications Study Team which we are expecting within the next few months.

Mr W E Bowles

I am sure my neighbours on Villiers Street will be delighted to know that they are first on the list. Will the Administration also consider Brandon Road, Snake Hill, Hackett's Hill, Callaghan Road, King Street and the completion of Ebebe Street ?

Chief Secretary

Yes, Sir.

The Clerk

No 7 of 1977 by the Honourable J Smith

Mr J Smith

Sir, what measures are being taken by Government to prevent damage to gardens and property in Stanley caused by cattle roaming in from the Common ?

Chief Secretary

Sir, during recent months in an attempt to prevent incursion of cattle into town and damage to property and gardens, Government has undertaken, through the Agricultural Department, some repair of the fences and a continual check of the fences on the Common, and I am assured that those fences are now in an adequate state of repair, although a continuous watch will be kept.

Attention is also being given by the same department in conjunction with the Public Works Department to the cattle grids, but these present a special problem and I think I have heard as many views on a suitable design for a cattle grid as people I have asked advice from. It seems that our cattle are particularly intelligent and soon learn how to cross cattle grids, unless they are extremely hazardous.

In addition, particular and special attention was given to this problem some months ago by a special administrative committee which was set up, which included the Public Works Department, members of the GTU and the Agricultural Department, to see what could be done and it was largely as a result of their recommendations that these repairs of fences and cattle grids were carried out.

One recommendation we could not carry through because it would have involved the creation of a new department which frankly would have had my support but I do not think we would have commanded much support from the holders of the purse-strings.

Further, the Agricultural Department, the Public Works Department and the Police have all been involved in monitoring this situation and have done virtually as much as they can to prevent cattle straying into Stanley. Probably the only defect now remaining for attention by Government is the cattle grid near the Met Station, and the PWD intend to give this further attention very shortly.

/I suppose it is worth mentioning

I suppose it is worth mentioning also that we do know that at least in one case, and probably more, cattle have entered gardens because the gates of the gardens have been left open, and I suppose the simple solution there is for us all to ensure that our gates are kept shut wherever possible, and I think it is also worth drawing to attention to Honourable Members that while Government will do everything possible to prevent cattle straying into town, there is liability imposed on the dozen or so people who have grazing licences to graze cattle on the Common to restrain their cattle. I am advised that in fact if a person who has cattle on the Common allows that cattle to stray, he can be actionable by private litigation. I don't think anyone will want to go to that extent but there is a liability on those persons to ensure that their cattle do not stray and it may be that if we were to enforce more vigorously the covenants in the leases that these owners of cattle have, this might be one solution to the problem. We could for instance if a person is a continual offender, consider withholding the renewal of the lease. But these are drastic measures and I would hope that we would not have to resort to anything like that. I think once it is known that there is a liability on the owners of cattle to try and prevent this, together with the other measures that the government departments are taking, hopefully we should be able to contain even "Bovril". (The Agricultural Dept bull). As I say it is a very difficult problem but we are doing all we can and if we have the public support I am sure we can remedy this nuisance.

Mr J Smith

Thank you for your reply, Sir. May I ask one supplementary, and that is, is Government aware that there are two bulls frequently on our streets in Stanley after dark? - I could not phrase that in any other fashion, Sir; I'm sorry - one is regarded as being tame but if goaded or even in a playful mood it could inflict serious and even grievous damage to both persons and property, and this is also causing concern to our dairy people in Stanley in as much as it does take the control of calving somewhat out of their hands. I feel that Government should pay special attention to this aspect.

Chief Secretary

I did know that one had strayed in on one occasion and I think it is a serious point that the Honourable Mr Smith has made, and if we can continue to keep the fences repaired, if we get this cattle grid repaired at the Met Station, I think we can contain the situation. If there is anything else that government can do I am sure we will be only too glad - the FWD would be only too glad to assist, pressed as they are with other priorities; I am sure they find it as much of a nuisance to have to deal with this. I know the Superintendent is continually worried by persons complaining because they have had their property damaged; so if anyone can think of any way in which we can improve the situation I would welcome these suggestions.

/Mr A B Monk

Mr A B Monk

Years ago when I kept a horse in Stanley and it strayed ~~it~~ was locked in the pound and I was fined. Is there a pound now, a government pound, for straying animals?

Chief Secretary

To the best of my knowledge there is not a pound, although we do have an ordinance, known as the Treapass Ordinance, whereby animals to the best of my knowledge and ad referendum to that Ordinance can be impounded and the owner charged for the cost of impounding the animal.

Mr A B Monk

Do you not think that should be done, and we should have a government pound in Stanley?

Chief Secretary

I think it is certainly worth investigation and you would have to find a suitable area for it; I think that is a very well worthwhile suggestion; we should certainly take that up.

The Clerk

No 8 of 1977 by the Honourable J Smith

Mr J Smith

Will Government advise on the state of the swimming pool project and the state of the Fund?

Financial Secretary

Yes, Sir. Lack of funds has prevented progress on this project. You will recall that at last year's Budget Meeting of Council I advised of an application having been made to the European Development Fund for aid. Our application was unsuccessful. A substantial sum was also set aside last year in our development estimates, but owing to the need to purchase the Beaver aircraft all development funds from Colony sources were utilised on the purchase of these aircraft.

The plans and estimates for the project have been completed by Mr Brian Ashfield and Mr Philip Thompson free of charge. The balance of funds available at the end of June 1977 is expected to be in the region of £9,300. This includes £2,000 due from the Great Britain project. I was pleased the other day to receive a telephone call from Mr Pepper in which he referred to the swimming pool project, and it seems that the Ministry of Overseas Development are awaiting further information on this project and when Mr Pepper arrives in the Colony I will be taking the matter up with him.

Mr W E Bowles

Can the Administration give some indication of the date envisaged for commencement of work on the swimming pool?

/Financial Secretary

Financial Secretary

No, Sir. The commencement date cannot be given at this stage; we first of all must be sure that we have the money or the possibility of funds to complete the project before we start.

Mr A B Hadden

Has a sum been suggested for the total cost ?

Financial Secretary

Yes, Sir. The estimates prepared by Messrs. Ashfield and Thompson were in the region of £60,000.

The Clerk

No 9 of 1977 by the Hon J Smith

Mr J Smith

What progress has been made in respect of the Old Age Pensions and Children's Allowances following replies given to questions No 5 and No 9 at the 1976 meeting of the Legislative Council ?

Financial Secretary

Sir, the matter was referred to the British Government for advice on the Old Age Pensions scheme and in January Mr Colin Harris visited the Colony to advise on these matters. His report is awaited and the matters relating to the OAP scheme will be left in abeyance pending his report, with the exception of the proposals made at this meeting for increases in both non-contributory and contributory Old Age Pensions.

In addition it is proposed that we should increase the Family Allowances by one hundred per cent. These points will be raised later on in this meeting.

The Clerk

No 10 of 1977 by the Honourable A B Hadden BEM

Mr A B Hadden

Sir, when does Government expect the new R/T sets to be installed in all camp settlements?

Chief Secretary

Very briefly, Sir, we hope that this can be done as soon as possible. There are certain difficulties in the way: the first is that this is a project which is financed partly from Colony funds and partly from UK funds. As regards the Colony funds, we have deployed some of these already for acquiring four sets which were used in the pilot scheme, in conjunction with the very good and valuable work done by a special committee set up to look into these new sets. This committee recommended some months ago, and as soon as they recommended and made a firm proposal that we should go for a particular set a project submission for the UK portion of the money was made, and I have within the last month received a letter from ODM to the effect that they are now, to quote them, seeking advice on the proposal we have submitted.

/Therefore while

Therefore while we hope that this will get into operation as soon as possible, and I would like to be able to give a definite date when all settlements will be supplied with the new sets, I think it would be wrong and over-optimistic and misleading to state anything. But as soon as the project has the approval from the Ministry of Overseas Development we shall acquire all the sets and distribute them so that the technical officers of the Posts and Telecommunications Department can supply them to camp.

Perhaps if I had to guess, allowing for all these steps I would think - and I would hope not to have to be held to this - I would hope that within a period of eight to nine months we could have all settlements equipped with these new sets.

The Clerk

No 11 of 1977 by the Honourable A B Hadden BEM

Mr A B Hadden

Sir, would Government consider making the Old Age Pensions payable free of income tax ?

Financial Secretary

No, Sir. There is no sound reason for exempting OAPs from the provisions of the Income Tax Ordinance.

The Clerk

No 12 of 1977 by the Honourable A B Hadden BEM

Mr A B Hadden

Sir, would Government please report progress on AIL's - that is Alginate Industries Limited - proposals to develop a kelp industry in the Colony ?

Chief Secretary

Yes, Sir. It is with some regret that my reply to this question is a very disappointing one, in that Government has recently been advised that AIL now wishes to surrender the exclusive covenants of its licence with effect from September this year so that all it would be left with would be a licence under the appropriate Ordinance which would give it no exclusive rights to our kelp resources but leave the door open for other companies. This might seem attractive in one way but what it virtually means is that AIL, who from September of this year would have had to pay £7,500 per annum and invest two million pounds during the next two years, have now withdrawn from this commitment. I think this is something to be regarded more in sorrow than in anger, particularly as this Government I think has given every possible encouragement to this company, and we have gone out of our way in several ways to encourage them, and we have had what amounts to a mere pittance by way of licence and retention fees.

The grounds the company state for this action is that they have doubts about the time scale of demand for alginates throughout the world, and they link it to the major question of world trade, which in turn they say depends upon such factors as the price of oil. On the other hand, the company states that the question of sovereignty and the likelihood of a satisfactory solution to it is perhaps

/now at a lower ebb

now at a lower ebb than it was. In this connection they refer to the Shackleton mission and to the optimistic assessment of the Islands' future. That report gave them considerable hopes which have now been dashed by - and I quote - government's ill-timed approach to the Argentine government combined with Parliamentary statements in which extracts of that report were quoted out of context. That seems to me to be a very strange remark when it is at this time that we need the support of the private sector in our endeavours to resolve the sovereignty issue, that we should be confronted with what one might almost call a wintering approach. If ever we needed support from the private sector it is now and there is no doubt that Shackleton can be quoted out of context, and if one quoted Shackleton back one I think could come to the conclusion that now is the time for companies to show the earnest of their intentions by positive and concrete investment in this Colony.

To sum up therefore, Sir, we find this offer of AIL's most disheartening and disappointing. For several years there have been hopes for the company to show a real earnest and we believe that any company could demonstrate its genuine desire to support the Colony by tangible investment at this time.

The Shackleton report, as my Honourable Friends will recall, laid stress on the need for economic cooperation with our neighbours in certain fields and I see no reason for using this as an excuse. We would much prefer to have purposeful development as a demonstration of faith in the Colony.

Government has however not abandoned hope that this company may reconsider their position and we propose therefore to emphasise that they can demonstrate their faith in our future more by speedy and effective investment and in fulfilment of their promises over many years rather than by an offer to withdraw. If we are unsuccessful in this approach I think it may be the general view that to continue with an offer to contribute £2,500, which was established in 1972 and is now worth very much less than that, is a derisory offer.

Mr A B Hadden

I thank the Chief Secretary for his reply. Are we to assume then that if the airstrip was lengthened and strengthened they would come and operate now? This seems to have been the major obstacle from the information we have had previously.

Chief Secretary

Unfortunately, no. Even if the airstrip was lengthened and strengthened to take the largest aircraft this would still not be sufficient guarantee to the company. At one time I believe this was the major constraint that they saw to their development but they have gone beyond that and coupled it to the political aspect.

/Mr A B Hadden

Mr A B Hadden

I thank the Chief Secretary. Has Government any information that AIL are considering kelp exploration in the Argentine?

Chief Secretary

Unfortunately, Sir, I have no information which could either confirm or rebutt that statement at this stage.

Mr A B Monk

Is it not a fact that AIL never applied to the British Government or ECGD for guarantees ?

Chief Secretary

To the best of my knowledge, Sir, that is the case. There was talk and even correspondence with Export Credit Guarantee Department and I believe an offer of assistance was held out, at least an offer to examine it. To the best of my knowledge no approach was made by the company to ECGD. There was a feasibility study which I believe was conducted at least partly with IIG funds by Humphreys and Glasgow which was the nearest they came to an approach, but that was not followed up either.

Mr A B Monk

Can the Chief Secretary confirm that in fact AIL have a very promising field of kelp in another area ?

Chief Secretary

Yes, Sir, as their Annual Report indicates, they have had feelers out in many areas of the world for many years now and some of those, such as Iceland, are collapsing which at one time looked to be very promising. Others which looked to be not quite so promising are now very much more successful. These are notably Tasmania, I believe, Chile and Norway. This is available in their Annual Report and they have indicated that they are at the moment able to sustain their operations from these sources without coming to what they themselves know as the largest kelp resources in the world, the Falkland Islands.

Mr J Smith

Sir, have any other companies expressed interest in obtaining a licence to deal with kelp resources in the Falkland Islands ?

Chief Secretary

Yes, there was an approach made some years ago by Kelco but they, I believe, have an association with AIL. We are now doing all we can and have been for some time to see if other companies throughout the world might have been interested. Those enquiries of course would have had to be conducted with reference to the exclusive licence that AIL possesses and we would have had to offer under the conditions of the licence held by AIL our first concession to them except in their present concessionary area. This throws a completely different light on the picture and we will have to press with vigour - even more vigour - to try and attract other companies.

/Mr W E Bowles

Mr W E Bowles

Is the Administration aware that certain kelp companies in the United States now inject the kelp in order to give it a three-fold production in one year, therefore making our kelp rather inaccessible or uneconomic ?

Chief Secretary

I learned very recently that this is so. In fact I think if one had to read between the lines of statements over recent years, it is perhaps the technical problems which have inhibited development here, technical problems which the company would have found more expensive to overcome than elsewhere.

Mr A B Hadden

I understand that if you later on this year or when the time comes can say 'this is it, we've finished with you' or have some sort of agreement which is negotiable again, when this comes along it may be a better idea to withdraw the licence altogether and look elsewhere.

Chief Secretary

It is a rather complicated licence in fact, they have an agreement with government whereby they would be granted the first access to kelp resources; they have a licence to a concessionary area, which is defined, and is the area mainly to the South and East of Stanley where the largest kelp resources exist. This is in several stages but the original licence would have imposed quite heavy penalties with effect from September this year and removed the exclusivity of the licence unless they showed a real earnest of their intentions by that date.

By an exchange of letters in 1973 this exclusivity was extended on the condition that they injected two million pounds of investment in active processing of the kelp during the period September 1977 to September 1979, after which the conditions again became renewable and the fees went up substantially and were also adjusted in relation to the wholesale price index.

So what has happened now is that they asked for the exclusivity to be extended and now they offer - you might say they are pre-empting their position - to surrender that exclusivity, and I think the Honourable Member's proposal at the end of his statement just now may be the end of the road but I would hope that we can convince AIL that they have a duty to us; we have honoured our past agreement and we would hope that they could honour theirs by some really positive investment in the Colony.

As I said in my original answer, if our approach in that regard is unsuccessful, it may well be that we regard their offer of £2,500 a year as derisory.

Mr A B Hadden

I understand that AIL are members of the 'Friends of the Falkland Islands'. Would Government consider such action to be the actions of a friend?

/Chief Secretary

Chief Secretary

I suppose to be strictly fair one would regard this as the actions of a strictly commercial kind. We would hope that their connection with us is not of a commercial nature only but it is of a friend, and we would look to friends at this time to show even at some cost to themselves the sincerity of their friendship by investing in the Colony, and I still hope that we can maintain this relationship and convince them that it is in their interests and our interests to continue with the original proposal and develop our alginates as quickly as possible.

Mr A B Monk

Does not the Administration think it is very odd that there should be a complete turn-round in Alginate Industries' point of view from that they expressed on the 14th of February, when they held out glowing prospects for untold millions of pounds in revenue, and a few months later they come up with something completely contrary ?

Chief Secretary

I find it most surprising and very difficult to understand. I suppose at the worst, the worst construction one could put on it is that it looks rather dissimulating, but I hope that we can convince them - as I have repeated already too many times - that it is not in their interests, that we do not accept their argument for withdrawal, we think they are wrong, we think there is every reason for them to go ahead.

QUESTIONS FOR WRITTEN REPLY

Question No 1/77 by the Honourable A B Monk JP

"Why has not the Administration implemented the Motion passed by this Council on Tuesday 15th June 1976 ? The Motion being:

'That Government brings into effect a landing tax to be paid by all persons entering the Colony and its Dependencies, other than permanent residents: that is to say persons who normally reside in the Colony and have done so for not less than one year, and persons engaged in work for the British Antarctic Survey in the Dependencies. It is proposed that the tax should be £5 per person'."

Reply by the Honourable Chief Secretary

"Sir, Government has in fact looked very closely at the matter referred to in the Honourable Member's Motion, both as regards persons arriving by sea and air.

As regards those arriving by sea, Government believes a tax or levy would be most appropriate in respect of vessels bringing wealthy tourists and from which Government and the Colony at present derive little income. For instance, Government has examined whether it would be appropriate for such vessels to pay a capitation fee related to the number of passengers or, alternatively, to the size of the vessel, or its carrying capacity. Care must however be taken to avoid too early an imposition of a tax which could inhibit tourism development, an industry which so far has had

/only a small beginning

"only a small beginning but which is regarded as a key one in Government's development plans. The matter has been noted for reference to the Fiscal Adviser, and information about the practice in similar circumstances in other territories is being sought.

As regards persons using Stanley Airport, Government has accepted that there should be an embarkation (not a landing) tax at the airport, applicable to all passengers, with certain small exceptions arising from our international obligations. This decision has been taken after careful examination of practice elsewhere and on advice from the Airport Superintendent. It is proposed that this tax should be set at a reasonable level, although by comparison with other airports it is considered to be rather high.

Government is conscious that it must try to offset recurrent expenditure on the airport by revenue from the same source, but believe it would be unwise to set a fee inordinately high by comparison with other airports, and deter tourists. Government would prefer to see what the effect and earnings of the proposed tax will be and if need be review the position later.

In addition to the embarkation tax, Government proposes, in time, to levy other fees (such as for car-parking, etc) at the airport, and has prepared legislation for this purpose."

Question No 2/77 by the Honourable W E Bowles

"Will Government explore the setting up of a road construction unit in conjunction with the internal communications system as laid out in the Shackleton Report ?"

Reply by the Honourable Chief Secretary

"Sir, as part of its new development proposals and planning the Falkland Islands Government is pressing urgently for acceptance of a number of projects. One to which we give a very high priority is the construction of a road between Stanley and Darwin. This echoes the very high priority given to it by Councillors at their joint meeting with the Minister of State in February.

Our planning, which involves Government in overcoming several constraints such as the purchase of equipment and plant, and the acquisition of additional buildings and technical expertise, is being pressed with vigour; it is now at a near-critical stage but Government is able to take a cautiously optimistic view of prospects that a really meaningful plan will emerge and will include investigation by an expert team on the construction of a road to Darwin.

/It will be appreciated

"It will be appreciated that the Shackleton recommendations were of a tentative nature. They have, however, been supported by this government so far as the recommendations for a road construction unit are concerned.

There are further studies yet to be made and ODM has promised to send out a team to conduct a thorough survey of the Colony's internal communications. The road to Darwin will be one of the main subjects for study."

Question No 3/77 by the Honourable J Smith

"Who is going to build the YPF Jetty ?"

Reply by the Honourable Chief Secretary

"Sir, it has not yet been decided who is to build the jetty. This major undertaking, a stone-filled causeway with a 200 ft interlocking concrete block jetty head and berthing dolphins for a tanker, has been designed by the consultants, Rendel Palmer & Tritton, and will require considerable capacity, expertise and support in the construction field. A number of options are being actively considered by Her Majesty's Government, who will substantially finance the project.

To facilitate operations when a decision is reached in London, the Falkland Islands Government have been asked to arrange for Public Works Department to make an early start on a quarry access road east of the YPF depot in Stanley; this work is now in hand."

Question No 4/77 by the Honourable John Smith

"By what figure has the recent increase in air fares from Comodoro Rivadavia to Buenos Aires and return, increased the cost of Government passages, and is Government satisfied at the explanation given by the authorities concerned for the increase ?"

Reply by the Honourable Chief Secretary

"The return fare from Comodoro Rivadavia to Buenos Aires was increased on 16 May 1977 from £53.92 to £118.48.

Immediately this increase was known we made urgent enquiries and representations, and have now been advised that the increase resulted from an incorrect application of the regulations by the airlines arising from difficulties over international fares.

The position has now been rectified and the fare will return to the previous rate. By the date of issue of this reply the necessary steps should have been taken to effect this readjustment.

We enquired further whether those passengers who had already been required to pay the increased fare would be reimbursed and, although we have not yet been given an affirmative answer, we have been advised that those passengers concerned should apply for reimbursement through Vice Comodoro Carnelli. We will be following up this point.

On 1 June, the fare between Stanley and Comodoro Rivadavia rose by £5.24 to £31.18, but we are satisfied that this, one of a number of recent fluctuations in this fare, is in order."

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Question No 5/77 by the Honourable J Smith

"Will Government give a breakdown of expenditure in order to show how the rate per pound is arrived at for Stanley Rates?"

Reply by the Honourable Financial Secretary

"Sir, the Standing Finance Committee of the Legislature is authorised to make and levy rates on the owner of any premises in Stanley which are liable to rates. Sections 5 and 30 of the Stanley Rates Ordinance 1973 are relevant.

This year Standing Finance Committee first considered the following net expenditure for calculating the rate:

Garbage disposal	£3,500
Upkeep of Stanley	1,000
Street lighting	4,000
Fire brigade	2,350
Water supply	<u>26,636</u>
	37,486
<u>Deduct:</u> Estimated revenue from the sale of water	<u>1,400</u>
	36,086
<u>Deduct:</u> 25% in respect of Government properties	<u>9,021</u>
TOTAL	<u>£27,065</u>

The calculation was made as follows:

$£27,065 \div £23,582$ (net annual value of rateable premises)

= £1.14 per £

However, the Committee considered that the rate of £1.14 should not be levied and restricted the increase in the rate this year to 25% of the rate imposed in 1976. The calculation being: $125\% \times 79p = 98.75p$ rounded down to 98p.

The Honourable Member will no doubt be interested to learn that Standing Finance Committee has agreed to look into the question of the apparent high cost of the Stanley Water Supply in the hope that expenditure can be reduced."

Question No 6/77 by the Honourable A B Hadden BEM

"How much has the Grasslands Trials Unit cost the Falkland Islands Treasury since it started?"

Reply by the Honourable Chief Secretary

"Sir, the recorded expenditure out of local funds up to 15th June 1977 totals £5,947.90."

MOTIONS

A Motion for the adoption of the Report of the Standing Finance Committee for the period March 1976 to May 1977 was put by the Honourable Financial Secretary.

Financial Secretary

Your Excellency, Honourable Members. The Standing Finance Committee met on nine occasions during the past year and approved £403,864 in additional provision. £196 for the year 1974/75, £81,928 for the year 1975/76 and £321,740 for the year 1976/77. I should explain that during the present year of 1976/77 the large items of expenditure were on the Beaver aircraft and on the property acquired by this Government from the British Antarctic Survey. I beg to move that the Report of the Standing Finance Committee be adopted without debate.

The Honourable Chief Secretary seconded the Motion which was carried.

A Motion by the Honourable A B Monk JP

Your Excellency, Honourable Members, I beg to move that this Council adopt the following resolution by acclaim:

We, the Governor and Commander-in-Chief and the Members of the Executive and Legislative Councils of the Colony of the Falkland Islands, humbly desire on behalf of the whole population of the Colony to convey to Her Majesty on the happy occasion of Her Majesty's Silver Jubilee an assurance of the respectful affection borne by every one in this Colony to Your Majesty's throne and person and they hope and pray that Your Majesty's reign may be prolonged to bring new strength to the great Commonwealth of which this Colony forms so small but so loyal a part.

The Motion was seconded by the Honourable Mr W E Bowles and carried by acclamation.

The Council then adjourned for lunch and re-assembled at 2.00 p.m.

ORDERS OF THE DAY

BILLS

APPROPRIATION 1977 / 78 BILL 1977

Financial Secretary

Your Excellency, Honourable Members. It is customary both in this Colony and in other territories to review the finances relating to the current financial year, before dealing with the budget for the ensuing year. I will not depart from this tradition and briefly summarize the revised Estimates for 1976/77 before introducing the 1977/78 Revenue and Expenditure proposals.

/Additional revenue

Additional revenue of £134,000 is forecast, making a revised estimate of £1,185,000. Expenditure is revised at £1,206,000 which is almost £95,000 more than the original estimate. The deficit which was forecast at this time last year was £60,000. It is now considered that the deficit will be slightly in excess of £20,000 which is an improvement of almost £40,000.

The main increases in expenditure relate to the purchase of the British Antarctic Survey buildings and plant which were offered to Government at reasonable prices during the course of the year. Other large expenditure increases can be seen under the Public Works Department principally on the Water Supply, Repairs and Maintenance of Government Buildings and Installations, Motor Transport and Purchase of Furniture.

Under the Secretariat, Treasury and Central Store Head large increases appear for the purchase of stores, which is due to increases in prices of imports from Britain, and Income Tax Refunds. In this latter case there is matching revenue.

Higher investment and tax revenues are the main responsible factors for the increase in Revenue. The Ordinary Reserves of the Colony should be in the region of £600,000 at the end of June.

For the coming Financial Year, 1977/78, a surplus of £46,000 is forecast. Ordinary Revenue is estimated at £1,408,000 and Ordinary Expenditure at £1,362,000.

The estimate for Companies Tax is put at £400,000. This considerable increase is influenced by the prices obtained for the 1975/76 wool clip, which sold at an average of 91.5p per kilo, and by an increase in the rate of companies tax which I will refer to in a minute or two.

Consideration has been given to some of the recommendations in the Shackleton Report. Some are included in the revenue proposals contained in this Budget.

Under the Aviation Head of Revenue, it is proposed that the Air Service Boarding Fee, which at present stands at £4.50, should be increased to £6.00. The Air fares applicable to non-residents, it is suggested, should be increased to an economic level.

It is proposed that a £2.00 embarkation fee should be introduced on the opening of Stanley Airport.

It is proposed to increase import duties on tobacco from £2.40 to £2.80 per pound, which is about 3½p more on the popular 50g tin.

It is proposed that the duty on cigarettes should be increased from £2.88 to £3.30 per pound, which is approximately 2p more on a packet of 20. It is proposed that cigars be increased from £4.20 to £5.00 per pound.

The proposed increase in spirits is from £12.00 to £13.50 per gallon, that is 25p more on the bottle. It is proposed that the increase in duty on fortified wines should be increased from 90p to £1.10 per gallon, which is about 4p more on the bottle. Other wines it is proposed should be increased from 78p to 90p per gallon, which is 2p more on the regular size bottle.

/Under the revenue Head,

Under the Revenue Head, Fees and Fines, it is proposed that there should be some increases in the various medical fees, particularly those for non-residents, and it is proposed that non-residents should pay £5.00 for an out-patient consultation, which is at present charged at 22p. It is proposed to increase domiciliary visits from 30p to £10.00. For visits to ships outside Stanley and Port William it is proposed to charge £100.00 instead of the current fee of £50.00 and that the charge for each patient seen be increased from £1.00 to £5.00. Daily charges in the Hospital for non-residents it is proposed to increase from £10.00 to £25.00 per day.

For residents the following increases are proposed:

In-patient fees from £1.50 to £2.00 per day
Out-patient fees from 22p and 19p for the first
and subsequent consultations to 30p and 25p
respectively.

It is proposed to increase Camp Medical Subscriptions from £2.52 to £3.24 per annum for a single person, and for married men the increase should be from £5.04 to £6.48 per annum.

The employers' contribution, which is at present £2.50 per 1,000 sheep depastured, should be increased to £3.25.

It is proposed that the Darwin Boarding School Fees should be increased from £12.00 to £15.00 per child per term, and the charge for meals for day children be increased from 5p to 7p each.

Under the Harbour Head of Revenue, a nominal sum has been inserted for the suggested fee to be levied on passenger ships, but at present this matter is still under consideration. Further information on this subject is being sought from other territories and advice from our newly appointed Fiscal Adviser, Mr Pepper.

Under Investment Income a decrease in interest is shown from the reserves, largely because of the substantial expenditure planned for the Colony's development programme. A transfer of £50,000 from the Government Savings Bank to the General Revenues of the Colony is also included under this Head.

Under Internal Revenue it is proposed that there should be a substantial reform both in Income and Companies Tax. Bills, which have already passed through the Executive Council, will be published shortly and it is hoped that they may be taken to the second reading at this meeting, the Bills then passing through their final stages at the first meeting of the new Council, which I assume will be held towards the end of 1977.

The main Income Tax proposals are:

That the Personal Allowance to which every taxpayer is entitled be increased from £230 to £350,
that the allowance for a wife be increased from £180 to £300, and
that the allowance for a child, in the Colony, be increased from £130 to £250 and that for a child at school overseas be increased from £150 to £280.

/It is proposed that

It is proposed that the earned income relief maximum, which currently stands at £500, be lifted to £750.

It is proposed that the allowance for a dependent relative should be increased from £130 to £250, and that old age relief, which at present operates when the income is below £600, be adjusted to operate in a case where the income is not in excess of £900 per annum.

In order to compensate for some of the loss of income because of the changes in allowances, it is necessary to increase the tax rates and it is proposed that rates suggested in the Shackleton Report be introduced. The proposed increases are as follows:

On the first £500 chargeable income	from 15% to 17½%
On the next £500	" 20% to 22½%
" " " £500	" 25% to 27½%
" " " £1000	" 30% to 35%
" " " £1000	" 35% to 40%
" " " £1000	" 40% to 45%

and on all chargeable income over the first £4,500 from 45% to 50%. It is also proposed to increase the annual values applicable to allowances in kind by approximately 50%. Finally, with regard to taxation, it is proposed to introduce an additional allowance for earned income relief in respect of a wife - this is known as WEIR: Wife's Earned Income Relief.

It is proposed that all these adjustments should take effect from the 1978 year of assessment, that is, all income earned in this year, 1977, will be subject to the new taxation proposals. With regard to Companies Tax, it is proposed that the rate be increased from 40% to 45%, and that Capital allowances be adjusted for simplification and to encourage investment. In this connection it is proposed that there should be only two rates for depreciation (both reducing) and no initial allowances - 10% in the case of ships and buildings and 25% for the rest. Using the rate of 10% an asset is written off in 22 years and using the 25% rate an asset would be written off in eight years.

It is proposed that radio licences, which currently stand at £2.00, should be increased to £4.00.

Under the Miscellaneous Head of Revenue, Members will see that £50,000 is forecast for the issue of coins. This estimate is in respect of a coin to be struck to commemorate the Silver Jubilee. Mr Pepper is at present in touch with the Royal Mint making the necessary arrangements for the release of the coin.

Following increases in costs, in particular the increase in the cost of oil, an adjustment is necessary to the electricity tariff and it is proposed that the tariff be increased from 4.34p to 4.76p per unit. Honourable Members will also note that under this Head an increase is shown under Stanley Rates and this is brought about by the need to keep pace with the rapidly rising costs of the Water Supply and Fire Brigade.

/Under the Posts and

Under the Posts and Telecommunications Head of Revenue, the estimate for the Sale of Stamps includes the new definitive issue and special issues - one to commemorate the Coronation, one for the opening of the new airfield and one for the commemoration of the Falkland Islands' accession to the Universal Postal Union. It is proposed that inland postage rates be increased from 2p to 3p. It is also proposed that the telephone rental, which is at present £15 for domestic subscribers and £30 for businesses, be increased to £18 and £36 respectively.

It is proposed that all rents should be increased in respect of Government quarters to take account of higher costs. Another consideration in this connection is the fact that the occupants will not be meeting current increases in the Stanley Rates. It is therefore proposed that unfurnished quarters should be increased in the region of 10% but that furnished quarters should bear a greater burden because of very high costs of furniture, and it is proposed that these quarters should be increased by at least 20%.

The 1977/78 Expenditure proposals include provision for an additional pilot and also under the Aviation Head of Expenditure charges for maintenance of the Stanley Airport. Two larger items which do not appear in the current Estimates are: a fee of £8,500 for Telecommunications Maintenance Contract, and a sum for two handymen for general duties at the Airport. The Stanley Airport fuel bill is estimated at £4,000. A few items of Special Expenditure are for consideration, for example a lawn-mower, £300, and £100 for anti-hijacking equipment.

Under Customs and Harbour it is proposed to employ a full-time Clerk. A change in the establishment of mv FORREST is proposed by promoting the Senior Engineer to a new post of Mate/Engineer and the employment of an additional assistant Engineer. The post of Mate is to be abolished.

Education Department: it is proposed that the Teacher-in-Charge at the Junior School should be upgraded to Headmaster. A few New Items of Special Expenditure for the Education Department are also provided for.

The Medical Department Estimates include a new post of one Nursing Sister. This proposal is made as it is considered that an additional Sister is required to cope with the general workload and for the introduction of a formal teaching system for Junior Nurses. This post may enable a rudimentary District Nursing system to be established.

It is also proposed to abolish the post of part-time typist and engage a full-time Clerk. It is proposed to employ an additional part-time maid.

A sum has been inserted for the payment of a small fee to any Nurse living at a camp settlement who may be prepared to undertake camp District Nursing. Special Expenditure of the Medical Department includes a re-vote of a sum for the Hydatidosis Campaign, teaching aids for Junior Nurses, £600 for a green-house, and provision for the use of standard and safe pharmaceutical containers.

/It is also proposed to

It is also proposed to replace the dental unit which is at the end of its useful life. Replacement mattresses, medical gas cylinders and a hospital dishwasher, and a number of other smaller items of equipment are also provided for.

Police Department: a proposal has been made by the Chief Police Officer for an increase in the establishment. Another item which is new to this year's Estimates is the provision for housing allowances for Police Constables.

In the Public Works Department it is proposed to employ one additional Filtration Plant Operator.

Under Public Works Recurrent, provision is included for a caretaker for Stanley Garbage Disposal Unit and two full-time Firemen, as well as an additional mechanic for the Public Works Department.

Items of Public Works Special Expenditure include £4,500 for the continuation of the modernisation programme at the King Edward Memorial Hospital, £6,000 for converting three Government houses to oil-fired central heating, three new replacement Land Rovers, a diesel mini-bus and a replacement mini-Clubman. There is also provision for retaining walls around the oil tanks.

Secretariat, Treasury and Central Store: A bid is made for an increase in staff to cope with the development of the Colony. It is proposed to recruit a Development Officer, an Executive Officer for the Secretariat and an Assistant Secretary of Finance. An additional Assistant Secretary and Clerk of Councils has also been inserted in the Estimates. This post was in fact agreed to during the course of the current year. Provision is also made for a few items of office furniture for the Secretariat, Treasury and Central Store.

Social Welfare: Provision is included for the Social Welfare Officer, which is purely a transfer of this post from the Medical Department Estimates. It is considered that this classification is more appropriate. There is provision made for a 100% increase in Family Allowances. It is proposed to increase non-contributory Old Age Pensions by £2.50 per week for married couples and £2.00 per week for single persons.

Supreme Court and Legal Department: A new post is to be created in the Legal Department: a Senior Magistrate in addition to the Registrar.

Training: £15,000 is set aside this year for the training programme. This includes provision for training pilots, aircraft engineers and trainees in other fields, but no firm proposals are made at the present moment.

Under a new Head, Transfer to Development Fund, expenditure of £200,000 is envisaged for an injection of funds into the Colony's Development Fund. The balance of the Development Fund was exhausted this year largely attributable to the decision taken last spring to replace the Beavers. The £200,000 transfer to the Development Fund will allow the Colony to continue financing Development projects for which overseas aid is unavailable, and also to meet the local element in a case where the Colony

/is required to

is required to contribute part of the cost of a project for which UK Development Aid has been granted.

The following Development expenditure is included in the 1977/78 Estimates:

£25,000 for housing loans and for the repatriation scheme introduced last year;

£36,800 for new R/T sets;

Provision is made to purchase ten houses and to obtain plant for the establishment of a Development section of the Public Works Department;

£277,000 for a jetty for the unloading of fuel to the YPF tank farm;

£ 50,000 for the first stage of the proposed School Hostel;

£ 42,000 to provide for new X-ray equipment, a new ambulance and hospital theatre equipment;

£ 12,500 for the re-surfacing of a section of road within Stanley;

Approximately £14,000 to provide for the local expenses relating to Technical Cooperation. The large proportion of this vote relates to the Grasslands Trials Unit but includes local expenses in respect of other officers such as the Camp Education Adviser, the Archivist, Salaries Commissioner and Fiscal Adviser.

A token sum is inserted for the proposed road from Stanley to Darwin.

The total expenditure for Development projects for 1977/78 exceeds £668,000 of which it is forecast that £515,000 will come from overseas aid, leaving £153,000 to be financed from local funds.

It is anticipated that by the end of June 1978 the Ordinary Reserves of the Colony will amount to £440,000 and a balance of £50,000 will be left in the Colony's Development Fund.

Mention was made in Your Excellency's address of the appointment of a Fiscal Adviser, Mr Trevor Pepper, who is to arrive in the Colony shortly for a two-month stay. I therefore feel it would be prudent not to make any substantial comment at this stage on the financial position of the Colony but leave the economic assessment to the expert.

However I would be failing in my duty should I not briefly mention certain aspects of the Colony's finances.

While the reserves may be described as adequate, at the present moment, it is important to bear in mind that a considerable slice of the total revenue during 1977/78 is estimated to come from such sources as company taxation, the issue of coins and surplus Savings Bank income. This revenue cannot really be described as reliable revenue. I consider it important that the Colony should maintain a reasonable revenue reserve to meet temporary shortfalls. It is also important to ensure that when the price for wool is high and revenue is plentiful, recurrent expenditure is not unnecessarily allowed to surge up to a level which cannot be maintained. I fully appreciate the fact that we must

/face rising expenditure.

face rising expenditure. We are all aware that it is impossible to provide services at the same level of expenditure year after year.

It must also be borne in mind that it would be disastrous for the Colony if charges for services and other revenue rates expressed in monetary terms were to remain constant while inflation continues to rage throughout the world. The person who advocates no changes in the charges for services, must be educated to the fact that it is essential to keep these charges under review. I think we are all aware of the unpopularity of steep increases imposed infrequently. Regular frequent increases, I am led to believe, are much more acceptable.

There are a number of important factors relating to the revenue proposals to which I referred earlier and which call for special comment.

With regard to the proposal to increase medical fees, it is possible that a compulsory health insurance may be introduced during the course of the year. This scheme, which was conceived by the Senior Medical Officer and recommended by the Shackleton team, is to be studied further by Councils on receipt of the report by Mr Colin Harris, the expert from the U.K. Actuary's Department who visited the Colony in January and who is looking into the mechanics of implementing such a scheme.

The income tax proposals which I referred to are not insignificant; in particular they are especially favourable to the family man. The increase in the allowance for a child is approaching 100% and that for a wife over 60%. The papers which have been prepared by the Income Tax Officer and which I will now lay on the table illustrate substantial adjustments, in particular for the lower paid family man. You will appreciate the significance even further when I tell you that the estimated income tax revenue in the 1978 year of assessment on 1977 incomes would be in the region of £100,000 more should Council reject the proposals. It is considered that there is strong justification for proposing the increase in Customs duties, charges for services, etc., and reducing the direct taxation for the lower paid taxpayer.

In order that the public may have some idea of what the adjustments mean in simple terms: take for instance a married man with two children, who is receiving an annual earned income of £1,500. He would be required to pay, under the present system £74.55; under the proposed scheme he will be required to pay £5.77. A married man with three children with £1,800 earned income is at present required to pay tax of £96.40 but under the proposed system he will only pay £2.27.

One of the most important issues which Mr Pepper will be considering is an effective method of arresting the outflow of funds from the Colony and injecting those funds largely into productive investment in the Colony. It should be noted that the estimate of outflow of funds from company activity in the Falkland Islands, quoted in the Shackleton Report, in 1974 prices, was equivalent to over eleven million pounds, spread over the twenty-four year period 1951 to 1974.

Details are shown in the Shackleton Report at page 28.

In addition to making proposals for controlling the outflow of funds from the Colony, the Fiscal Adviser will be examining the commercial banking services in the Colony which now require expansion.

Honourable Members will note that the memorandum accompanying the Estimates is a little larger this year, and the intention of this is to provide you with as much detail and information as possible for your work in Select Committee. I trust you find it useful.

I beg to move that the Bill be read a first time.

The Honourable Chief Secretary seconded the Motion; the Bill was then read the first time and Honourable Members then spoke to the Motion for the second reading.

Chief Secretary

In rising to support the second reading of this Bill, Sir, I would like to congratulate the Financial Secretary on an incredible accomplishment: in these times of inflation to encompass within our resources and to demonstrate at the same time that we shall have the ability to carry out the purchases that we have been talking about earlier in this sitting is a remarkable achievement; not only have the calculations been a remarkable tour de force but the exposition has been most lucid, and I am sure a great help to us all.

I think there is very little left out of the Honourable Financial Secretary's statement that needs underlining except perhaps it is appropriate for me to say that I think it does demonstrate to us that self-help is going to be the thing that is going to pull us up by our own shoestraps, and also demonstrate to ourselves and EMG that we have a role to carry out. And I find personally the most interesting part of the Appropriation Bill that dealing with development, which shows a great degree of initiative and enterprise which I am sure those who wish to help us will find attractive. At the same time I think the proposals achieve what is generally known to be the wish of the people and certainly of this Council, that the burden of carrying out that development is shifted as much as possible on to those who can afford it. If one runs quickly down the list of additional expenditure one is struck I think by the fact that in these times of inflation the increase generally is a modest one; certainly not outstripping the inflation except in those special areas where it is necessary for a development purpose, and even on the ordinary expenditure estimates they are concomitant with the development estimates; they are intended to establish and create a base which will be able to carry this development load.

I have no doubt this will perhaps be one of the most contentious parts of the Bill but it has been very carefully looked at, very carefully discussed and I hope that this Council will agree that for too long we have creaked along with a machine that has been unable to implement the wealth of advice that we have heard spoken about earlier today because it has just not had the capacity, and I know from my experience here and from what the Auditors have told

/me that if we do not

me that if we do not extend the services that are available to implement our government machine, we will then have a bleak future. The welter of papers that are prepared for this session of Legislative Council alone I think demonstrates the burden on one section of the Civil Service, but there are other sections that are equally burdened and the increases where they do occur in percentage terms are not large and I think are fully justified. And lastly as we have heard they leave the door open for new and stimulating ideas from people such as the Government Actuary, the Fiscal Adviser, who doubtless will indicate to us even more ways by which we can pull ourselves up by our own shoestraps.

I beg to second the Motion.

Mr W E Bowles

I would like to congratulate the Financial Secretary on his excellent speech, and in times of inflation we cannot expect our fares and fees to stand still; he is quite right. Income Tax proposals I think will be received with enthusiasm. Not only do they give more relief to people in the more common brackets and offset their expenditure against the fees they are asked to pay, it makes all much easier. We will go into this in detail in Select Committee and there is no need to say too much about it now, but I don't think there is any need for despondency.

I would also like to mention the departmental heads who have submitted their estimates and I think this year they have done their job more religiously than they have ever done before, although naturally we will be looking at it and pruning it where we can - where it is necessary to prune it - but with development in mind if you prune too heavily you cannot expect results. What this Council has now to decide is where its priorities lie - and this is going to be a difficult decision - and how the money is going to be spent and where it is going to be spent. The speed of government business today I think is much greater than it was years ago and naturally causes more expenditure and increases the staff, and I would suggest that any member of the public who wants to know why there are such increases in staff, to look into this in more detail and get the views of the people who work in these departments. I know it is our job as Councillors to look into this for them and answer their questions as much as we can, but an awful lot of work goes on of which the general public are unaware. The preparation of these Bills and the papers we have today - I imagine Council alone causes government officers an awful lot of work, and without these papers, without this information, without these proposals and ideas, we can't work properly anyway.

I would like on behalf of everyone once again to congratulate the FS on his excellent address, and I look forward to the Select Committee stage.

/Mr A B Hadden

Mr A B Hadden

Your Excellency, I too would like to congratulate the Honourable the Financial Secretary because he must have taken a long time and spent a lot of overtime hours preparing this massive document. I have taken notes all the way through this thing which I am not going to deal with much at the moment because it is a waste of time - here, I mean- but I was very interested and I think the financial problems could possibly be solved, Sir, if we can produce an anti-hijacking device for £100 we could sell these to every airline in the world and we would not have to pay income tax again until I don't know when. This really is a cheering prospect, I must say.

I really only want to congratulate the Financial Secretary - quite an achievement to produce a document like this - and I am sure he is not expecting it to go without comment.

Mr A B Monk

Your Excellency, Honourable Members. I would like to congratulate the Honourable Financial Secretary for the very able way he has presented the Estimates, and he has quite overwhelmed me with figures. I really haven't anything to say at the moment. I was going to mention the anti-hijacking device myself, I thought perhaps that was overtime to a policeman for one hour a day or something, but perhaps we find it is something more sophisticated; we have to question him on that one when we get him in Committee.

I would like just to make a few general observations. To take taxation, companies' tax, he proposes to raise it to 45% which brings it fairly close, I think about 7% below the UK level, but also to increase the capital allowances of course, but I think probably the capital allowances are still very much larger in the UK and I just wonder whether in fact a company would not be paying more tax here at 45% even with the increased capital allowances than it would in the UK at 52% but with very much larger capital allowances. The reason I mention that is of course that I think we have to consider it because that would obviously encourage companies to try to avoid taxation here and pay it somewhere else, and obviously for a sheep farming company it is fairly easy to avoid taxation if you want to. I am not going to teach the Chief Financial Secretary how to do it, I am sure he knows it anyway.

With regard to personal taxation obviously it is a very welcome suggestion and it is something I have personally been advocating for quite a few years, that allowances should be raised because they were quite out of step with personal income. I still personally think that these sort of allowances should be linked to a Cost-of-Living index so that there is an automatic increase in them but this present suggestion is better than nothing but I do think they should be linked in some way to the Cost-of-Living index.

/I am very happy with regard

I am very happy with regard to air fares where it is proposed that non-residents should pay a realistic fare; as Honourable Members know, I have complained in the past, it is not much good having a tourist industry if we are subsidising every single flight made inside the Colony. There is only one reason we have tourists and that is to soak the beggars. We don't want to have them just for the colour of their eyes or anything.

I must say speaking as the East Falkland delegate I do object to the increase in telephone rental because we in camp also pay this telephone rental and at San Carlos for instance we have to pay two commercial telephone rentals and we have to also maintain 21 miles of telephone line at our own expense, and since we very often cannot get through to Stanley anyway, I really think it is a bit steep to increase it. I also do not agree with the increases in the internal postal rate to 3p because I don't think the internal postage service can by any stretch of the imagination be called a good one, and I really think that the general taxpayer should subsidise the internal postage rate. In fact, talking about increases in fees and radio licences and that sort of thing, all increases of that nature bear most heavily on the lower paid, and I think in a small country like this general revenue - in other words income tax - should bear the major cost of all these things because in that case the higher paid person is paying the greater share of the bill.

I am a little disappointed that we haven't already introduced a National Health Insurance stamp scheme for medical fees, and the whole system is so extraordinary and so appalling that I really do not see much point in increasing the camp medical fee because it is so infinitesimal that I am quite sure it does not pay the clerk's time to collect it even with the increase. Why we cannot have a National Health stamp scheme for the whole of the Falklands, do away with these wretched little medical fees, I cannot imagine.

I am also disappointed that we haven't got a PAYE scheme for tax. With earnings very much higher it is quite a problem for people to suddenly find two and three and four hundred pounds and very much larger sums sometimes in tax just like that whereas if they were paying under a PAYE system they would not suddenly find these very large sums of money and I think I did briefly mention at some other stage that I am disappointed there is not a scheme for taxing money going out of the Colony. So much time and energy has been put into this appalling 'Interpretation and General Clauses' Bill when a quarter of the energy could have produced a perfectly good scheme for taxing money going out of the Colony and we could be putting it into a development fund already.

However I must congratulate the Chief Financial Secretary on his exercise and thank God I did not have to do it myself.

/Financial Secretary

Financial Secretary

First of all I wish to thank Honourable Members for their kind remarks. There are a number of points which I think I should mention now. The point about company tax I think is quite important which the Honourable Member for East Falkland mentioned, and the only reason we are not taking the Bill through all its stages at this meeting is so everybody can see it well beforehand, give them plenty of time, the London companies plus the local companies, and they can obviously discuss it with their members, although I don't think that it is too severe; I think the proposal of a 5% increase is justified and that the allowances are all that we can afford at the moment.

As far as the personal tax goes I am also glad that the Honourable Elected Member for East Falkland mentioned this because I think an annual review is justified. I don't see how we can introduce a system that would link it to the Cost-of-Living scheme but at least we could make an annual review, and this is done in most countries.

I think I'll avoid the issue of telephone rentals at the moment and deal with that in Select Committee.

Postage from 2p to 3p: we seem to have this one coming up every year and I think it must be far cheaper now to send a letter round in the Falklands than it was when it was introduced. The value of the pound has gone down so much. I think it is important that these fees should be regularly reviewed and I don't think that we want to be accused that there is stagnation in the financial sector of government. The people who use the services should also make a reasonable contribution towards them. I appreciate the remark that the services should be subsidised, I think that is fair enough, but the person who uses the service should also pay a fair share.

The medical insurance scheme: we are going as fast as we can and we hope it will come up for consideration shortly.

I did not mention the PAYE system, I should have done, because a PAYE tax system is also under scrutiny now and we hope we will be able to refer this to representatives of employers and employees. It does certainly put quite a strain on employers and as far as employees go there are certain aspects of the scheme which they will want to know more about, too. One of these facts is that to introduce it the person will be required to pay not only his tax bill for the one year but he would also have his deductions starting right away, unless the Colony went without taxation for one year. This matter will have to be looked at and I am sure that all employees will want to know about this point.

As far as the money leaving the Colony is concerned, all Councillors are now wide awake to this and I think we are in debt to the Honourable L G Blake who is not with us today for putting forward a definite scheme which Mr Pepper is now studying in Britain.

The Bill was then read a second time and, on the proposal of the Chief Secretary, seconded by the Financial Secretary, it was referred to a Select Committee of the whole House. Council then adjourned.

/Council resumed

Council resumed at 10.30 a.m. on Tuesday 21 June 1977.

The President

Welcome back, Councillors, to the session after your long labours over the Estimates which I gather have engaged Councillors over the weekend and late on Sunday evening.

We have two absentees this morning: Councillor J Smith has of course had to fly home to the UK because of his father's death. He sought my permission to go and was exercising his mind about leaving the Council at this time but on my advice felt that responsibility lay with his mother.

The Deputy Governor is also given permission to be absent this morning. As you know I have asked him to coordinate arrangements for public transportation at this rather difficult time, bad weather and a heavy backlog at the air service, and he is away doing that.

Chief Secretary

Sir, the Select Committee established by you last week to investigate the Appropriation Bill 1977/78 has considered the proposals by departments during the last four and a half days. My remarks are entirely preparatory to the meat of the report which will be given to Council by the Honourable the Financial Secretary. It might be thought that the labours of the Select Committee would be reduced because we were depleted to half our normal number; in fact I would think that this has probably doubled the effort we have had to put into it and the load that we have had, accordingly, to put on to the Financial Secretary and his excellent staff, who have served the Select Committee extraordinarily well.

Councillors have been most exercised to ensure that the energy and drive and new outlook that you referred to in your opening address has been carried through into the Estimates of annual expenditure for the ensuing year, and I am sure that they have achieved what is always a very difficult balancing exercise. I think it is quite true to say, Your Excellency, that the Select Committee this year found their task considerably lightened by the diligence and effort and accuracy that departments have attempted to put into their estimates. I am sure we are all agreed that the estimates this year were better prepared than for several years and I think it is worth recording this tribute to departments' efforts.

The achievements of the Select Committee were particularly directed to development and in this regard I am quite sure that their recommendations to this Council, which will now be considered, will be for the benefit of the entire Colony, particularly in the hope that the development plan that we are now preparing will be carried forward quickly and fruitfully.

I should now like to leave the real meat of this report, Sir, to the Honourable the Financial Secretary.

/

Financial Secretary

Your Excellency, prior to dealing with the amendments to the Revenue and Expenditure Estimates, I will notify you of the Committee's recommendations regarding the proposed Revenue increases:

It was agreed to adopt the proposed increase from £4.50 to £6.00 in the internal air service boarding fee. It was also agreed to increase the mileage charge for non-residents from 10p to 15p per mile;

It was accepted that the proposed embarkation tax for Stanley Airport should be £2.00 per person and that this should be implemented;

It was also agreed to pass a Resolution to adopt the proposed increases in Customs duties on tobacco, cigarettes, cigars, spirits and wines;

It was agreed to implement the proposed increases in the medical fees for residents and non-residents;

It was agreed that the proposed increase in the electricity tariff from 4.34p to 4.76p per unit should be implemented;

It was also agreed that the proposed increase in the internal postage rate from 2p to 3p be adopted;

The Committee did not agree to the proposed increase in radio licences; the Committee also rejected the proposed increase in telephone rentals;

The proposals to increase Government house rents were agreed but taking into account the very high cost of furniture it was agreed that furnished quarters should be increased by 25% rather than the proposed 20%;

It was agreed that Darwin Boarding School fees be increased from £12.00 to £18.00 per child per term and that meals for day children should be increased from 5p to 10p each;

The Committee recommended that a fee of £100.00 be levied for clearing ships at ports other than at the two recognised ports of Stanley and Fox Bay; this fee to be in addition to the charge levied for transporting the Customs Officer;

The Committee also noted the need to enact legislation to increase the Stanley Dog Licence fees to take account of the cost of the new anti-Hydatid drug "Droncit".

The following amendments have been made to the Estimates in Select Committee:

/Revenue Estimates

Revenue Estimates

Head VII - Internal Revenue

- Item 7 - Radio Licences, decrease from £3,200 to £2,000
- Item 8 - Kelp licence, decrease from £2,501 to £1
- Item 9 - Export of wild life, increase from £1,000 to £3,500
- Item 10- Other Licences, increase from £1,300 to £1,400

Head X - Posts and Telecommunications

- Item 6 - Local Telephone Services, decrease from £9,600 to £8,000

Expenditure Estimates

Head III - Aviation

Change the title of Superintendent of Civil Aviation to Director of Civil Aviation.

- Item 1.iv - amend to read Clerk Section 6 and/or 11
- Item 16 - amend to read Maintenance of Field and Fences and increase from £100 to £600
- Item 33 - Fence, delete £3,500
- Item 34 - Paints for Runway and Windsocks, transfer from Special Expenditure to Other Charges, £1,200
- Item 37 - Anti-Hijacking Equipment, increase from £100 to £500

Head IV - Customs and Harbour

- Item 15 - Insurance, increase from £1,482 to £1,618

Head V - Education

- Item 1.i - Superintendent, decrease from £2,640 to £2,400
- Item 1.ii- Three vice two Headmasters, change the provision to £6,192 and insert under the Salary section Two at £2,112 and One in Section 2
- Item 7 - Provisions, Darwin School, decrease from £7,920 to £7,000
- Item 13- Heat, Light and Power, decrease from £17,213 to £15,000
- Item 22- Upkeep of Public Library, increase from £1,350 to £1,500

/Head VI - Medical

Head VI - Medical

Item 29 - Teaching Aids, transfer £200 from Special Expenditure to Other Charges

New Item, No 40 - Special Expenditure, Humidifier, £200

Head VIII - Military

Item 1 - amend to read Allowances to Staff Officer, Adjutant, Armourer and Quartermaster and increase from £390 to £590

Item 11- Ammunition, increase from £1,000 to £1,500

Head IX - Miscellaneous

Item 4 - Travelling and Subsistence Allowances, decrease from £1,200 to £500

Item 9 - Provident Fund Contributions, £100 reserved

Item 17- Legislative Council Election Expenses, increase from £800 to £1,000

Item 19- Commonwealth Parliamentary Association Conferences, increase from £500 to £1,000

New Item, No 20 - Allowances to Councillors, £2,000

Head XI - Police and Prisons

Item 1.iv - amend the title to read five vice four Constables, Section 9

Item 3 - Subsistence of Prisoners, decrease from £730 to £350

New Item, No 10 - Radio Equipment, £170

Head XII - Posts and Telecommunications

Under (a) Personal Emoluments, Telecommunications,

delete Communications Officer, Section 3,	£3,572
Two Technicians, Section 5,	£2,538
Apprentice Technician,	£1,300

and insert

Communications Supervisor, Section 3,	£3,113
Broadcasting Officer, Section 5,	£1,269
Senior Technician, Section 5,	£1,269
One Technician, Section 7,	£ 936
Two Apprentice Technicians,	£3,003

Item 1.xix - Cost-of-Living Allowances, increase from £11,585 to £12,550

Item 18 - Purchase and maintenance equipment Broadcasting and R/T, decrease from £7,500 to £5,000

/Head XIII - Public Works

Head XIII - Public Works

New Item, No 1.xxvii - Power Station Shift Allowances, £250

Head XIV - Public Works Recurrent

Item 4 - Purchase and repair of furniture, increase from £5,600 to £10,000, £4,400 reserved

Item 6 - Motor Transport & Plant, increase from £12,000 to £12,150

Item 17- Services Temporary Airfield, decrease from £950 to £450

Item 19- Fire Brigade, Wages and Upkeep, decrease from £7,250 to £3,750

Head XV - Public Works Special

Item 1 - Improvements KEM Hospital, increase from £4,500 to £8,000

Item 6 - Theatre complex, including emergency generator KEM Hospital, delete £3,500

Item 9 - Fire Brigade equipment, £500 reserved

Item 11- Two tarpaulins, delete £150

Item 13- Art easels Stanley Schools, delete £175

Item 16- Diesel Mini Bus PWD, increase from £3,000 to £5,000

Item 17- Landrover PWD, delete £4,000

Item 18- Landrover FIGAS, delete £4,000

Item 19- Landrover Police, delete £4,500

New Item, No 14 - Three Replacement Landrovers, £12,500

Item 22- Mini Clubman, increase from £1,200 to £1,700

Head XVI - Secretariat, Treasury & Central Store

Item 1.ix - Executive Officer Secretariat Section 3, delete £1,536

Item 1.xxi - Tourist Information Clerk Section 11, delete £664

Item 1.xxii- Development Officer, decrease from £2,400 to £10

New Item, No 1.ix - Private Secretary, Secretariat, Section 6, £1,320

Item 4 - Telegrams and Telex, decrease from £15,000 to £10,000

Item 18- Additional clerical staff, Secretariat, decrease from £3,500 to £1,100

/Head XIX -

Head XIX - Supreme Court and Legal

Item 7 - Honorarium & Expenses Supreme Court Judge,
decrease from £2,500 to £2,250

Development Estimates

Part 2 - Development

Development Revenue - United Kingdom Aid

New Item, No 12 - New aircraft floats, £15,000

Development Expenditure - United Kingdom Aid

New Item, No 17 - New aircraft floats, £15,000

The net result of the changes to the Estimates made in Select Committee is that the surplus that was estimated at £45,835 is increased to £53,576.

At the Committee stage, Clause 1 of the Bill was agreed and consideration of Clause 2 was deferred until after the Schedule had been considered.

The Enacting Clause and Title were agreed.

The Financial Secretary, seconded by the Chief Secretary, moved that the Schedule should stand part of the Bill, subject to the following amendments -

	<u>Delete</u> £	<u>Insert</u> £
III. Aviation	114,972	112,372
IV. Customs and Harbour	33,953	34,089
V. Education	153,171	149,804
VI. Medical	184,084	184,284
VIII. Military	5,192	5,892
IX. Miscellaneous	17,672	19,672
XI. Police and Prisons	25,312	25,102
XII. Posts and Telecommunications	132,607	133,252
XIII. Public Works	159,835	160,085
XIV. Public Works Recurrent	119,820	120,370
XV. Public Works Special	40,685	42,860
XVI. Secretariat, Treasury & Central Store	153,436	142,766
XIX. Supreme Court and Legal	15,117	14,867
Total Ordinary Expenditure	1,362,306	1,351,865
Development B		
Expenditure to be met from UK Aid	515,410	530,410
Total Ordinary and Development Expenditure	2,030,846	2,035,405
Total Expenditure	2,230,846	2,235,405

It was agreed that the Schedule as amended should stand part of the Bill and that Clause 2 should also stand part of the Bill subject to the following amendment -

That the words and figures "£2,230,846" be deleted and figures "£2,235,405" be substituted therefor.

Council resumed.

The Bill was read a third time and passed.

MOTION

To implement the decision of the Select Committee to increase the import duties on beer, spirits, wines and tobacco the Financial Secretary moved the following Resolution under a Certificate of Urgency:-

BE IT RESOLVED in exercise of the powers conferred by section 5 of the Customs Ordinance that paragraph 2 of the Customs Order be amended by deleting "£12.00", "78p", "90p", "£4.20", "£2.88", and "£2.40" and substitution of the following -

"£13.50", "90p", "£1.10", "£5.00", "£3.30" and "£2.80" respectively.

The Chief Secretary seconded the Motion which was carried with immediate effect.

SUPPLEMENTARY APPROPRIATION (1975/76) BILL 1977

Financial Secretary

Your Excellency, this is a very formal Bill, it comes up every year, it's the additional amount of money that has been spent over and above the amount appropriated for the year. This year it is for the year 1975/76, that is the year ending 30 June 1976, the amount is £93,195. The majority of this expenditure was incurred on aviation spirit for the Beaver aircraft, quite a large sum for new fire brigade equipment, income tax refunds and unallocated stores. As far as the income tax refunds go we had sufficient revenue to cover the expenditure but it is necessary to cover the additional amount in an Appropriation Ordinance. I beg to move the first reading of the Bill.

The Bill then passed through all its stages without debate or amendment.

PILOTAGE BILL 1976

Chief Secretary

Your Excellency, at the last sitting of this session of this Council in June 1976 a Pilotage Bill was put before Council but was referred to a Select Committee of which I was the Chairman, and the members were the Honourable A B Monk JP and the Honourable John Smith. We have considered this Bill at some length and report as follows:

Having considered the absence of available qualified persons in the Colony to operate pilotage as and when required and having come to the conclusion that these will not always be available, we recommend that the Bill be withdrawn because it would impose a burden and commitment on Government that it could not fulfill and mislead ships' masters into believing that facilities existed that were not always available.

Instead we believe the situation should remain as it is and that pilots should be provided administratively as and when required. Our report is unanimous.

Accordingly, Your Excellency, I beg to move that the Bill be withdrawn and we move to the next Order of the Day.

Mr A B Monk

Your Excellency, Honourable Members, I beg to support the Motion for the reasons already outlined by the Honourable the Chief Secretary. In principle I think the Bill is very good but it is no good having a sophisticated Ordinance to control pilotage and licence pilots if we haven't got the infrastructure, or whatever the right word is, to administer it. There are a lot of very complicated factors to be taken into consideration when you are providing a pilotage service and I do not think we can at this stage implement the Bill as it is. Therefore I support the Motion to withdraw the Bill.

There were no objections to the Motion and the Bill was withdrawn.

POST OFFICE (AMENDMENT) BILL 1976

Chief Secretary

Your Excellency, this Bill, entitled the Post Office (Amendment) Bill 1976, is a simple piece of legislation the object of which is to simplify the method of varying the fee payable for the carriage of mail bags containing mail. I beg to move the first reading of the Bill.

The Financial Secretary seconded the Motion and the Bill was read a first time.

/Chief Secretary

Chief Secretary

Your Excellency, Section 8 of the Post Office Ordinance, which is found in Chapter 52 of the Revised Laws of the Falkland Islands, 1950, provides for the Postmaster to pay the master of any ship for carrying local mails. This rate hitherto has been fixed by an Ordinance so that any variation of the rate must come before this Council to be effected. This is cumbersome and slow, unnecessarily so. The present rate, for instance, of 50p per bag is already overtaken and is inadequate and should be increased. Because of the rate of inflation current today it is likely that these rates will have to be increased more frequently in future and it would seem inappropriate to have to wait to come to this Council on each and every occasion that we want to revise this quite small administrative matter. The Bill proposes therefore to amend the Ordinance to authorise the Governor-in-Council to change the future rates from time to time as necessary and thus obviate the complicated procedure of proceeding to this Council.

The Bill has been considered by Executive Council and remitted to this Council. At the Committee stage, Your Excellency, I have one or two minor amendments to propose but at this point I beg merely to move the second reading of the Bill.

Honourable Members spoke to the Motion for the second reading as follows -

Mr A B Monk

When I first looked at this Bill I thought there was not much to say about it, that is obvious. And I do not oppose the Bill, but it always seems to me extraordinary that mail is charged at the rate of so much a bag. I know mail carried on ships around the islands is mostly parcel mail and they are generally reasonably sized bags but not always, at times they are very small bags. To make a standard rate per bag always seems to me an extraordinary way of charging; this sort of puts the carrier somewhat in the position of Sydney longshore men - many years ago when I was there there was a rule whereby in their little trolleys they were only allowed to have one bag of mail; it didn't matter whether it was a little one or a big one: one man had one bag of mail and that was it, and there was also a rule that lorries ashore were only allowed to carry twenty bags of mail and it didn't matter whether they were big ones or little ones.

It does seem to me that we should charge on a space basis or in some other manner or expect to pay rather on that sort of basis than so much a bag. However other than that I have no objection to the Bill.

Mr W E Bowles

I welcome this Bill, it is a bit of speeding up as it were and I would like to congratulate the soup-makers and the cooks for speeding up their recipes.

/Chief Secretary

Chief Secretary

I would like to take up the point made by the Honourable Elected Member for East Falkland. I think he has got a very good point and I would propose therefore that at the Committee stage the Bill now before Council should be amended by deleting the words "every mail bag containing".

At the Committee stage the Bill was amended (a) in clause 1 by deleting "1976" and substituting therefor "1977"; and (b) in clause 2 by deleting the words "every mail bag containing". The Bill then proceeded through its remaining stages without further debate or amendment and was passed.

STANLEY TOWN PUBLIC SERVICES (AMENDMENT) BILL 1977

Chief Secretary

Your Excellency, this Bill is again a simple Bill which seeks to remedy a defect in the original legislation providing for offences that are created under subsidiary legislation enacted under this Ordinance to be penalised. At the moment no penalty may attach to such offences. I beg to move that the Bill be read a first time.

The Financial Secretary seconded the Motion and the Bill was read a first time.

Chief Secretary

Your Excellency, the Stanley Town Public Services Bill is an enabling Ordinance to give Government power to regulate public services in Stanley. Being an enabling Ordinance this operation is normally conducted through subsidiary legislation. In fact there are no such regulations or rules or orders made under this Ordinance but it is Government's intention to preserve these powers for the future and I have no doubt that with the present problems that seem to be coming upon us as a result of our taking over the duties of the Stanley Town Council, we shall require subsidiary legislation in the not too distant future. Unfortunately the Ordinance does not provide that regulations or any subsidiary legislation made under this Ordinance may have penalties attached to them. The simple Bill now before Council proposes that any person who fails to comply with any rule made under the Ordinance shall be guilty of an offence and it is as simple as that. I beg to move the Bill be read a second time.

Honourable Members spoke to the Motion for the second reading as follows -

Mr A B Monk

This is one of the Bills which illustrates the complaint that we don't get the draft of the Bills submitted to us early enough. Quite frankly I have no doubt the Honourable the Chief Secretary's explanation was exceedingly lucid, but I haven't the faintest idea what he is talking about, simply because I did not have time to chase around and read the thing up and ask someone to explain it to me anyway. I think he is probably saying that if we are naughty boys and naughty girls we can be punished whereas we couldn't before; I suppose

/that is all right

that is all right so long as the punishment is in line with the offence and not too severe. I don't wish to oppose the Bill, in fact I will support it.

Chief Secretary

One very small point, Sir: I can only assume that the Bill which was published in 1976 in the Gazette could not have reached the Honourable Elected Member for East Falkland, which must have meant some slip-up in the mail.

At the Committee stage the date of the Bill was changed from 1976 to 1977 and the Bill proceeded through its remaining stages without further debate or amendment and was passed.

PENSIONS (AMENDMENT) BILL 1977

Chief Secretary

Your Excellency, this Bill is short but rather complex to explain. At the Motion for the second reading I will elaborate somewhat and I hope to clarify some of the complexities of the Bill. At the moment perhaps I may just state that it is intended by this Bill to include inducement allowances payable under the Overseas Services (Falkland Islands) Agreement 1971 and 1972 as pensionable emoluments under the terms of the Pensions Ordinance 1965 and changes arising from the inception of the system of U.K. Related Pensionable Emoluments with effect from 1st January 1974. This sounds like a lot of jargon and in a sense it is, but I hope at the Motion for the second reading I can clarify these points. I beg to move that the Bill be read a first time.

The Financial Secretary seconded the Motion and the Bill was read a first time.

Chief Secretary

Your Excellency, the Bill now before Council harks back to 1961 when this Government first entered into the Overseas Aid Agreement with Her Majesty's Government. This agreement was ratified and embodied in the Overseas Services Ordinance 1962. That Agreement referred to, and I quote, "inducement allowances", included for overseas officers which were pensionable, the portion of the pension related to those inducement allowances being reimbursed by Her Majesty's Government. The Agreement amongst other things stated, and I quote from section 8, "this Agreement shall terminate unless some special date is agreed between the Government of the Falkland Islands and the Government of the U.K. on the 31st day of March 1971" and, again I quote, "termination of this Agreement shall not affect the liability of the Government of the U.K. to make the reimbursements in respect of pensions."

/The history of the

The history of the Overseas Services Aid Agreement in this Colony is that the first Agreement in 1961 was superseded in fact by a simple exchange of letters between Her Majesty's Government and this Government with the approval of Executive Council. The second Agreement was due to expire on the 31st of March last year. Shortly before it was due to expire Government was concerned whether the OSAS arrangements were less burdensome on the Colony than were Technical Cooperation terms and a comparison was asked to be drawn up. To allow this to take place, the Agreement which was due to expire last March was extended by a further year, to the end of March this year. That comparison was carried out by the Honourable the Financial Secretary and it showed quite clearly that in almost every case - I think in every case in fact - the burden on this Colony for recruiting OSAS officers was less burdensome than TC ones, which I think was a surprise to us all.

The situation therefore, Your Excellency, is that we have overrun the period during which the Agreement was due to expire and not only have we overrun the Agreement but the pensions of the officers who are affected by this Pensions legislation - and there are very few: there are only seven, although only two are left in post - can now only be carried on without any regular basis. In order to regularise this position we now propose that the 1965 Pensions Ordinance should have the definitions in that Ordinance changed in the manner set out in the Bill before Council.

I would like to emphasise that there is no additional burden on this Colony as a result of this change or of extending the Agreement. The additional burden falls entirely on Her Majesty's Government and the pensions that will now be paid by HMG to the officers concerned will have the benefit of removing the disparities that existed between the Dependent Territories of Britain which still remain and which still recruit OSAS officers. The inducement allowance is something which is calculated by the Ministry of Overseas Development and is a portion of the supplementation and it is this part that attracts a pension, so that not all the supplementation is pensionable: only the inducement element.

So therefore perhaps to try and summarise and clarify the accounting arrangements, this Government - the Falkland Islands Government - pays the entire pension, which includes the pension related to the local salary element and the pension related to the inducement element. It is reimbursed for the pension payable for the inducement element.

Thus I think it is true to state that the legislation we have now before us stems from the original 1961/62 OSAS Agreement entered into by this Government with Her Majesty's Government. The new policy on pensionability applied by HMG is applied globally and is designed to prevent any anomalies and ensure that Her Majesty's Overseas Service Officers' pensionable emoluments are assessed on a comparable basis in all Dependent Territories.

Whereas previously there were disparities, this legislation will remove these. Finally I should like to emphasise, Your Excellency, that the law will only affect those few remaining Permanent and Pensionable officers and will not apply to contract officers, whose position remains unchanged. I beg to move the second reading of the Bill.

/The Bill then proceeded

The Bill then proceeded through its remaining stages without debate, or amendment, and was passed.

GOVERNMENT

EMPLOYEES PROVIDENT FUND (REPEAL) BILL 1977

Financial Secretary

Your Excellency, Honourable Members. The Government Employees Provident Fund is now down to one contributor and it is considered that maintaining the fund for one contributor is uneconomical and it cannot be justified any longer. We have discussed the matter with the contributor and he is satisfied as to the conditions regarding his medical treatment fees. All Provident Fund contributors have certain exemptions from fees and it has now come to a point where the Fund is to be closed. There are approximately £2,000 in the fund in addition to the amount due to the contributor and this money will be transferred to the General Revenue of the Colony.

During the Committee stage I will propose that the date of commencement of the Ordinance be the 30th of June 1977 and at the end of this month the Provident Fund will be closed.

The reason why the Provident Fund is reduced in number is due to the introduction of the Old Age Pension scheme and also the pensionability of civil servants. In 1954 civil servants in the Government service all became pensionable, other than those on contracts, and since that date the Pension Fund has been running down. I beg to move the first reading of the Bill.

The Chief Secretary seconded the Motion and the Bill was read a first time. The Motion for the second reading was passed without debate.

At the Committee stage the Financial Secretary's proposal that the date of commencement of the Ordinance should be 30th June 1977 was agreed and the Bill proceeded through its remaining stages without debate, or amendment, and was passed.

EXECUTIVE COUNCIL (ALLOWANCES) BILL 1977

Chief Secretary

Your Excellency, this Bill stems from the recommendations of the Select Committee on the Constitution and proposes to provide allowances for Councillors to Executive Council on similar lines to those to Legislative Council but to so operate the law that this does not count as an emolument to debar a Councillor from holding office. I beg to move the Bill be read a first time.

The Financial Secretary seconded the Motion and the Bill was read a first time.

/Chief Secretary

Chief Secretary

Your Excellency, this Bill is related to other Bills before Council which follow on this as Orders 9 and 10 on the Order Paper.

As I said at the Motion for the first reading, it is proposed to give to the Governor-in-Council powers to award allowances to councillors which shall be tax-free - perhaps I should quickly say it is only to unofficial councillors that this allowance will be paid, and rightly so. They stem directly from the recommendations of the Select Committee which was appointed with the Secretary of State's approval in 1974 on a Resolution of this Council and to which, of course, we shall return later today or tomorrow in connection with the Elections Ordinance, which is the final step in bringing the new Constitution into force.

At the Committee stage of this particular Bill, Your Excellency, I propose, for the avoidance of doubt, to introduce an amendment similar to that which is incorporated in the Legislative Council Allowances Bill, to put beyond any doubt that the allowances will not be regarded as emoluments to debar a councillor from holding office on any council.

The Bills have been considered by Executive Council already and remitted and this Bill, like the other two, does not infringe the Royal Instructions or any of the Constitutional Instruments. It did require Your Excellency's consent in accordance with section 18 of the Legislative Council Order-in-Council and this you were gracious enough to give some time ago. I beg to move that the Bill be read a second time.

Honourable Members spoke to the Motion for the second reading as follows -

Mr A B Monk

Your Excellency, Honourable Members. There is no date for this Bill but I understand it does not come into effect until the next Council is elected. I trust I am right in that respect and I think that's very right and proper.

I think there is one small defect in the Bill and that is that I do not consider councillors should get the allowance if they do not attend meetings. Now I realise that there are sometimes reasons for not attending meetings, as with regard to the Honourable John Smith, if he was an Executive Councillor, because of compassionate grounds, and obviously one would exclude that sort of thing, or for medical reasons, but I feel very strongly more particularly with regard to Elected Legislative Council members that if they cannot be bothered to be at the most important meeting of the year they should not get an allowance. I would propose an amendment to the Bill to cover this but unfortunately I haven't been able to work up a form of words. I think possibly the matter could be covered under Clause 3 where the Governor-in-Council determines the rate from time to time; well, I suppose he could determine a nil rate for someone who did not attend. I support the Bill with those reservations.

/Mr A B Hadden

Mr A B Eadden

I cannot agree more with what the Honourable Member for East Falkland has just said and that is really all except that I am sorry it has taken so long to be implemented.

Chief Secretary

I am indeed most grateful to my Honourable and respected friend, the Honourable Elected Member for East Falkland, for drawing this to our attention; I think it is a very valid point, Your Excellency. I think his mention of an amendment may in fact be possible under the subsidiary legislation which of course is provided for under this Ordinance, and I am sure that you will not be unmindful of the very helpful advice that he has given. I did say at my Motion for the first reading that I did have some amendments to propose and I have been turning over in my mind whether they are most appropriate now or at the Committee stage. I think on balance perhaps they are best left to the Committee stage.

At the Committee stage the following amendment was agreed -

"That Clauses 4 and 5 be renumbered 5 and 6 respectively and that a new Clause 4 be inserted, to read 'For all or any of the purposes of Clause 2 (4) of the Falkland Islands (Legislative Council Order-in-Council 1948, members of the Council receiving allowances in respect of their services as members of the Council shall not be considered to hold an office of emolument under the Crown.'"

It was further agreed that the Ordinance should come into operation on a date to be appointed by the Governor by notice in the Gazette.

The Bill then proceeded through its remaining stages without further debate or amendment and was passed.

LEGISLATIVE COUNCIL (ALLOWANCES) BILL 1977

Chief Secretary

Your Excellency, this Bill is very similar to the one that we have just enacted but provides allowances for members of the Legislative Council on the same basis. I beg to move that the Bill be read a first time.

The Financial Secretary seconded the Motion and the Bill was read a first time. Honourable Members spoke to the Motion for the second reading as follows -

Mr A B Monk

The remarks I made about members being absent in the Executive Council Members Bill apply equally I think to this one, in fact even more so; I think the electorate is entitled to see their member present at all the important meetings - and in fact really at all meetings - so that I do not think the allowances should be paid if there is a reason for not attending

/which is not agreed

which is not agreed by His Excellency in Council (for reasons of compassion or perhaps on medical grounds). I think the purpose of the Bill of course as everybody probably knows is not to provide members with large, non-taxed incomes and all that - probably get on the band-waggon - but is to remove a possible problem which members who do not have a very large income have in meeting expenses. Unavoidably there are some expenses connected with being a Member of Council and it seemed to us that some very worthy people, members of the public who could stand for election, were being deterred because they didn't feel that they could meet this additional expense, and so perhaps allowing persons with more money to get in who they didn't really want to see anyway. With these reservations, Sir, I support the Bill.

Mr W E Bowles

Your Excellency, Honourable Members. In principle I support these Bills because the general public asked for it and I think rightly so they deserve it. Not only does it give further opportunity for a wider ranging selection of the public to stand for election, but it also enables people who are employed on lower incomes to represent their constituents without any undue loss of salary or wages. I think this is what the public wanted at the time of the new Constitution talks - at least in my particular section of the West Falkland - and I fully support the Bill.

Mr A B Hadden

It is very simple and everyone would agree, especially the Members of Council agreed to it already anyhow. But it is very simply to prevent members of the public who are public spirited enough to accept these positions as Councillors, prevent them from being out of pocket due to their travelling and living in Stanley when meetings are on. I can see that in the future there will be, with the mountain of legislation as it is, more meetings and most especially people will have to make allowances for time off, people from the Camp especially have to find somewhere to stay and even on mutton and spuds, you don't get free board and lodgings any more. It is just to prevent members from being out of pocket and obviously not to discourage the less wealthy from standing as Councillors.

Chief Secretary

Once again, Your Excellency, I am very grateful to my Honourable Friends for making it crystal clear as I did not do that the allowances will not be lavish ones and it was very carefully discussed how they should be paid so as to remove any disesteem that might attach to any payment to any Councillor, and I believe it is no secret that it is proposed that it should be a flat rate allowance, so that there will be no question of having to ask Councillors to account for it. I thoroughly agree with what my Honourable Friends have said that this is a step - indeed a stride - in the road to democracy and very much welcomed and very much needed. I beg to move the second reading of the Bill.

/The Bill then proceeded

The Bill then proceeded through its remaining stages without further debate, or amendment, and was passed.

INCOME TAX (AMENDMENT) BILL 1977

Financial Secretary

Your Excellency, this Bill is very simple and I think has been explained fairly well by the Chief Secretary, because it is purely to avoid Councillors being taxed on the allowances that are paid to them. It is considered inappropriate that a Councillor should have to declare the allowance that he gets - the very small allowance which he will get compared with the amount of work that he will have to do - and is certainly not likely to make any profit out of it. It is purely to cover the expenses and there is no doubt that he will need every pound of it.

It would be quite inappropriate for him to have to account to the Income Tax Office for it and so this Bill is purely to prevent that horrible Commissioner of Income Tax getting his fingers on the allowances. I beg to move the first reading of the Bill.

The Bill then proceeded through all its stages without debate or amendment and was passed.

OLD AGE PENSIONS (AMENDMENT) BILL 1977

Financial Secretary

Your Excellency, this is one of the more welcome duties of the Financial Secretary, when he can propose an increase in the Old Age Pensions. It is also a great pleasure to be able to introduce this legislation during the year of Her Majesty's Silver Jubilee, as also the Old Age Pension Fund celebrates its silver jubilee - it is 25 years in June since the fund was inaugurated.

At that time the pensions which were payable were: £1.50 per week for a married person, £1.00 for an unmarried person and 50p for a widow. The increases proposed today are from £9.00 to £10.50 per week for a married person and from £6.00 to £7.00 for a single person and a widow. The increases from 1952 to date are 600% for married, 600% for unmarried and 1300% for a widow. The contributions in those days were 25p per week and we are proposing now that contributions be increased to £1.80 per week, which is approximately 620% increase overall from 1952, in 25 years.

The increase in contributions proposed in this Bill is for an employed male and female contributor from 62p to 72p per week and for an employer of a male and female per week from 92p to £1.08, increasing the self-employed male and female contributions from £1.54 to £1.80 per week.

/The cost of these

The cost of these increases is expected to be in the region of £9,000. This will gradually increase over the years as the number of pensioners grows. The additional income at present is estimated to be £8,000.

The Old Age Pensions scheme is now undergoing a major review by Mr Colin Harris from the U K Government Actuary Department, who visited the Colony in January this year. We have yet to receive his report but I have been in discussion with him and I am under the impression that it will be quite a long and involved report and there will be quite some considerable changes recommended. We hope it will not be too long before we are able to bring more legislation to Council for consideration and review many of the sections in the Old Age Pensions Ordinance. I think there are many improvements which can be made and this increase can only be regarded as a minor, but well justified, increase and it is a recommendation of the Board of Management of the Old Age Pensions Fund that there should be some interim measure before his report is received, and so Mr Harris has recommended these contribution increases and pensions increases as an interim measure until his final report is received and studied. I beg to move the first reading of the Bill.

The Chief Secretary seconded the Motion and the Bill was read a first time. Honourable Members spoke to the Motion for the second reading as follows -

Mr A B Monk

Your Excellency, Honourable Members. I really welcome this Bill; I am not sure that I should speak or vote on the subject since I have a personal and vested interest in the matter - I only have to pay about another 95 or 96 weeks I think and then I have just to sit back for five years hoping I live to draw it. Personally I say more power to Mr Harris' elbow and I hope he manages to increase it without jeopardising the fund. I support the Bill.

Mr W E Bowles

Your Excellency, Honourable Members. Naturally I support this Bill because I have been involved with Old Age Pensions ever since I've been on Council, and I welcome the Financial Secretary's new proposals, and I think we should pay a tribute to the Board of Management, who I know do a good job with the Old Age Pensions. At this time it is only a modest increase but I would like to urge any candidates for our new Council to keep their weather eye on the Old Age Pension, because it is a very important part of the establishment of this community. I fully support the Motion.

Mr A B Hadden

Your Excellency, no one is going to say anything against paying the old folks a few more bob because most of it will be taken up in rates and rents and new mutton prices which they've got to pay. I think it's maybe a pity that the review has not been received, but maybe before the end of this Jubilee year, which is also the jubilee year of the Old Age Pensions scheme, old age pensioners will really remember the Jubilee. I trust it will go through with no objections.

/Chief Secretary

Chief Secretary

I should like to tell Your Excellency how wholeheartedly I support this Bill. It is particularly welcome as it proves Councillors to have been right where perhaps the professional advisers in the past may have been wrong. For many years Councillors have been telling us that the professional actuaries have got it wrong, got their sums wrong, have been a bit too conservative, and I think on this occasion we must concede that Councillors have been right, and let's hope that when the definitive review comes along they might be even more right and there might be even further benefits, but of course it would be imprudent to commit Government to those in the future. As everyone I am sure wholeheartedly and fully - I certainly - support the Bill.

Financial Secretary

I welcome the comments made by all Honourable Members here and it is good to know that it has unanimous approval, and I have taken note of the points made by various Councillors of the fact that we should take action immediately we receive Mr Harris' report. This will be done.

The Bill then proceeded through its remaining stages without further debate, or amendment, and was passed.

NON-CONTRIBUTORY OLD AGE PENSIONS (AMENDMENT) BILL 1977

Financial Secretary

Your Excellency, this is more welcome legislation. Honourable Members present today will recall the last meeting of Legislative Council, at which the Honourable L G Blaka made a recommendation to increase the contributory Old Age Pensions, which was eventually approved. He then went on to ask Government to consider some improvement in the non-contributory Old Age Pensions. It is unfortunate that we have been unable to bring forward this legislation as there have been no further meetings of Council; however the increase proposed today takes account of the £1 per week awarded to the contributory old age pensioners at that time and also takes account of the last bill which I introduced.

The proposal is that a married man's pension under the non-contributory Old Age Pension scheme should be increased from £6.00 to £8.50 and for a single person from £4.00 to £6.00 per week.

The Bill also increases the maximum statutory income under which a pensioner becomes eligible to receive a non-contributory old age pension. It increases the married man from £500 to £650 and a single person from £300 to £400.

At present a single person who has in excess of £300 and a married man who has in excess of £500 per annum is not entitled to a pension and it is generally agreed that these figures should be increased.

I beg to move that the Bill be read a first time.

The Honourable A B Monk seconded the Motion and the Bill was read a first time. Honourable Members spoke to the Motion for the second reading as follows -

Mr A B Monk

Your Excellency, Honourable Members. I welcome this Bill, as I have seconded it. I don't think it is entirely what I would like to see. The maximum statutory income has been increased for married men from £500 to £650 and single person from £300 to £400 but I think in fact that instead of having a rigid cut-off point it would be more equitable if over a certain point a certain proportion of the pension was foregone - I mean you do have a situation under this proposed Bill where a married man earning £651 would seem to forego the whole of his pension of 52 weeks by £8.50 (I was trying to work that out actually when I had to second the Bill but I didn't arrive at the sum; no doubt somebody else has -) whatever the figure is; and it seems to me that's not very equitable. Possibly we could devise in the future, next Council could amend the thing to take care of that anomaly. Apart from that I support the Bill.

Mr A B Hadden

Again, no one is going to dispute the necessity for these increases. I just carried on the Honourable Adrian's calculation and I make it £442 so that all a married man need work is the amount which will bring him in the difference between 442 and 650 which is, to say the least, unfair.

We have a lot of pensioners in the Colony, and a lot of them work because they have worked all their lives; they just like working. Some of them need the money, some of them don't, we all know that, and some of them need it more than others, but they work because they like to work, and because they like to work they usually like to play and, well, a bob just doesn't go far in the Goose any more - or anywhere else for that matter.

I don't think we can expect a married couple over sixty-five to live on £650 a year, and a married couple of any age under that couldn't last for six months on the same sum, and although it is an improvement I should like to see it improved a lot more yet, because as time goes on, the number of people who will benefit will become less and less and I think if we possibly can we ought to try and give them a little more, especially maybe if we could tie to it, well if a man is fit at sixty-five, OK, we can give him so much and maybe we could tie it to an age payment or something, or if he gets sick, but I don't think we can really expect an active Falkland Islander pensioner to live on £650 a year, which is really what it amounts to. Nevertheless, I support the Bill as it stands.

Financial Secretary

I find the comments made by Honourable Members very interesting and have certainly taken note of them, but there is one important factor which we must face in the Falklands, and it is the fact that it is a small Colony and we have to be careful in introducing any legislation which becomes rather complex. To vary the rates of pension may take quite a large amount of administrative effort, I don't know. Certainly I will look at it and see whether we can introduce some

/amendment

amendment to the income limit; I think it is possible one of the best ways we can do this is to keep this income limit under review each year, but I would not like to commit myself here to say that we will start issuing graduated pensions. This may create quite a lot of additional work. However I will investigate the matter thoroughly and bring it before the next Legislative Council.

The Bill then proceeded through all its remaining stages without further debate, or amendment, and was passed.

PROTECTION OF WRECKS BILL 1976

Chief Secretary

Your Excellency, in brief this Bill proposes to protect wrecks from unauthorised interference on account of their historic, archaeological or artistic importance or their potentially dangerous condition. I believe it will command a fair amount of support and its genesis I believe was with one Councillor who unfortunately today is not with us. I beg to move that the Bill be read a first time.

The Financial Secretary seconded the Motion and the Bill was read a first time.

Chief Secretary

The Protection of Wrecks Bill derives from some concern expressed during the last two years about the way in which some of our wrecks of quite considerable value and interest to the Colony might be plundered, or even taken away all together. There are numerous such wrecks in our waters and because of the increasing interest amongst collectors and people interested in exploiting these things for museums and even commercial purposes, Government feels it prudent that we should enact some legislation to give Your Excellency in Council powers to define such wrecks or the area of such wrecks and to protect them. This is what the attached Bill proposes to do and again in brief I think the operative section of the Bill is Clause 3, which empowers the Governor, if satisfied that a site in colonial waters is or may prove to be that of a wrecked vessel requiring protection on the grounds set out in the Bill, he may designate by Order the area around that wreck as a restricted area, and you may specify acts which if done in such an area otherwise than under the authority of a licence granted by you, will constitute an offence under the Ordinance.

The remainder of the Bill is merely embellishing these powers but is necessary to make the Bill effective. I beg to move that the Bill be read a second time.

The Financial Secretary seconded the Motion, and Honourable Members spoke to the Motion as follows -

/Mr A B Monk

Mr A B Monk

Your Excellency, Honourable Members. I suppose the Bill is very worthy. Frankly I don't know much about wrecks; as a professional seafarer I was always trained to avoid that unfortunate situation, and luckily for me I have managed to do so.

I don't know whether my copy of the Ordinance is different from the Honourable the Chief Secretary's but my Clause 3 was certainly different to the one which was read out but looking through the thing I see that there are two threes; perhaps I have got things mixed up a bit.

Frankly I never have been able to get very interested in the subject of wrecks. A ship to me is simply a commercial carrier of cargoes or people on the sea, or maybe a warship. It is no different from a motorcar or a lorry, or an aeroplane. It carries things on the water whereas they carry things on land, and nobody gets quite so excited about a wrecked motorcar or a lorry or an aeroplane, and I just can't get interested in the subject of wrecks.

I would like to clarify this matter of Clause 3 which in my copy does not read the same as that which was read out by the Chief Secretary.

Subject to that I would support the Bill as one of no importance.

Mr A B Edden

Your Excellency, I do support the Bill not because it is one of no importance; I think it is rather important. We have little or nothing in the way of historical monuments if you like - and they are of considerable commercial value; there is one lying near us at the moment which I cannot for the life of me think why anybody at all would want it but if they want that, they are going to want an awful lot more. It is really beyond me but there is a tremendous interest in this sort of thing and I think per mile of coastline we should have more of these things than anybody else and if we want to protect them because someone wants to see them or wants to pay us to come and see them, obviously we ought to look after them. I think there is - or was in recent years - an old Land Rover in the Falklands which used to attract a great deal of attention, it used to ride on wheels like an engine of a train I think (I haven't seen it myself but it is here somewhere, or was until recently). Anything of that sort we ought to look after because if we don't somebody will come and take these things away or break them to pieces and they then have no value to the Colony whatever, and if we can use them to attract one or two more people maybe to come and spend some money, maybe if they give us a good bid for it and we find that we can't get an awful lot from it over the years then maybe we can sell it at a good price, but I think in the meantime until we can do something else about them we ought to look after them. I support the Bill.

Mr W E Bowles

Your Excellency, I would like to mention the third reason to protect the wrecks rather than the two already mentioned with regard to tourist attractions and so on: there is their

/potentially dangerous

potentially dangerous condition. I think this is vitally important. If we are going to keep the wrecks here and use them and protect them I think we have to make them less potentially dangerous, especially if people are going to want to go along and look at them, and I think that in future the Administration should keep a weather eye on this point. I support the Motion.

Chief Secretary

Your Excellency, if I can clear up the first point raised by the Honourable Elected Member for East Falkland, Clause 3 of the Bill commences at the foot of page 1 of the Bill and extends completely on to page 2 and over on to page 3; it is very lengthy, it is sub-divided into sub-paragraphs but it does specify that you have discretionary powers to designate an area as a restricted area because it contains or is suspected to contain a wreck, and some of those sub-paragraphs provide for what may be done or may not be done and I think it may be this discretionary power that will deal with the point raised by the Honourable Elected Member for Stanley in that it is discretionary, you do not have to do it, but if there is a danger of a wreck becoming a hazard then it can be designated a restricted area - although that is not the prime purpose of the Bill and I think it is appropriate to inject at this stage that neither is it the purpose of the Bill to deal with the recovery of wrecks, which is dealt with under the United Kingdom Act of 1874, so that the claiming of wrecks, the receiving of wrecks, does not fall within the purview of this Bill.

Incidentally, I have by me a list of the Orders of the Day with which we are now dealing and it sets out the proposer and seconder on which we have agreed, and I have a list here which reading across reads: Wrecks: CS-FS. I think you can interpret that in any way you like...

I would just like to make the point that the powers here are discretionary with the Governor so that no area is to be designated but if there is a danger of us either losing revenue or losing value or losing something that is valuable or something may become a hazard, we can then use the law.

At the Committee stage the alteration of the date from 1976 to 1977 was agreed and the Bill proceeded through its remaining stages without further debate, or amendment, and was passed.

REVISED EDITION OF THE LAWS BILL 1976

Chief Secretary

Your Excellency, the object of this Bill is to revise the Colony's laws, which were last revised and consolidated in 1950 under the Law Revision Act of 1943. The cost of the revision and consolidation will be borne by Her Majesty's Government. I beg to move the Bill be read a first time.

The Financial Secretary seconded the Motion and the Bill was read a first time.

Chief Secretary

Your Excellency, I would like to say that I think this Bill is self-explanatory, but I think that is courting disaster. I think the key point in the Bill, although I am sure I will not get universal approval on this, is that laws need bringing up to date; they need to be consolidated (it is twenty-seven years since they were last consolidated) and it will ultimately ease the burden on the judiciary, the legal officers and on every department, to have a set of laws which is comprehensive and up to date embodying all the amendments which have been made since 1950. It is proposed also that this consolidated edition should be in the form of a loose-leaf type binding so that amendments as they are made may be inserted with the greatest ease.

The basic powers that the Bill confers are that first it appoints and defines the powers of the Law Revision Commissioner, and as it has been said, his expenses will be borne entirely by Her Majesty's Government as part of Technical Co-operation aid to the Colony; secondly it defines the content, form and method of compilation of the revised edition; it provides also for the bringing into operation, distribution and effect of the revised edition, and finally it repeals the Revised Edition of the Laws Ordinance 1943.

There is a considerable amount of detail that I am sure Honourable Members may wish to go into; I would certainly go into a lot of detail which could amount to virtually reading out the entire Bill, but as I am sure it has been fully studied, I will leave the matter there at the moment and beg to move that the Bill be read a second time.

The Financial Secretary seconded the Motion and Honourable Members spoke to the Motion as follows -

Mr A B Monk

Your Excellency, Honourable Members, I know I really stick my neck out when I speak about matters such as this. When I first read the Bill it seemed to me that the Commissioner had such widespread and absolute powers to alter and interpret and shorten and lengthen and delete and what-have-you, repeal and revoke and all the rest of it, that I really thought then why an Ordinance at all, why not just have a Commissioner and he can carry on as he thinks fit. However I was immensely heartened to come to Clause 9, having waded from Clauses 1 to 8, which is entitled "Limitation of the Commissioner's powers": "Powers conferred on the Commissioner by this Ordinance shall not be taken to imply

/any power in him

any power in him to make alterations or amendments in the matter of substance of any law or part thereof and not provided for in this Ordinance". Well, I think probably that is really the most important clause, not because anyone would mistrust the ability and integrity of such an eminent authority as the Commissioner, but it would be quite invidious to give him total powers to make all the alterations that the previous clauses seem to indicate without those limitations.

Having found Clause 9 I am happy to support the Bill.

Mr W E Bowles

Your Excellency, Honourable Members. I support this Bill wholeheartedly; it is a long time now since we have had a consolidation of the laws and it is high time that the book was more easy to read, I think that's the thing, because it has been full of amendments since 1950; and what better year could we do it in than the Queen's Jubilee Year.

I fully support the Motion.

Mr A B Hadden

Your Excellency, this is something I couldn't get on with at all, it utterly confused me so that my favourite paragraph is number 8 (k) which says the Commissioner has power to simplify the phraseology of any law and to make alterations as are necessary for expedience and for uniformity of expression. I think I would give it more than my formal support if it could really make the thing more readable. Otherwise I do not feel qualified to say if it is right or wrong; I was taken up by that little paragraph and I hope my remarks get through. I support the Bill.

Chief Secretary

I think the Honourable Members have put their finger on the key points in the Bill, Sir. If there is to be any substantive change in the law it must obviously come before this Council, which is the only legislative body for this Colony other than the Secretary of State. So that Clause 9 is a key one and certainly I am sure we all agree with the Honourable Mr Hadden that if our laws can be simplified so very much the better. There is not I think anything in here that militates against democratic principles or against our normal procedure for taking legislation. They must still go through the normal Councils and there is no power granted to the Commissioner which could supersede that of this or any other Council.

At the Committee stage the alteration of the date from 1976 to 1977 was agreed and the Bill proceeded through its remaining stages without further debate, or amendment, and was passed.

/Interpretation and General

INTERPRETATION AND GENERAL CLAUSES BILL

Chief Secretary

Your Excellency. This Bill, Sir, I think, read with the introductory Preamble is self-explanatory and I beg to move that the Bill be read a first time.

The Financial Secretary seconded the Motion and the Bill was read a first time.

Chief Secretary

The Interpretation and General Clauses law which the Colony now possesses was enacted in 1949. It superseded - or largely superseded, because it didn't entirely repeal - an Ordinance enacted in 1900. Since then there have been many definitions, descriptions and interpretations which require closer and more definite clarification, as well as powers of delegation and specification of officers so that their duties may be performed by others in their absence provided they are properly appointed. These are some of the matters with which this Bill proposes to deal.

Part 2 of the Bill provides for a fairly large number of additional interpretations and definitions to cover most of those things which are not already included in ordinances and which are often referred to in the law but which, I think, as anyone who deals with the law must admit, in our present statute require further definition if they are to be made clear. This is not only so that the law can be enforced against any offender; it is also to be in the interests of the public so that the public may know what that law is.

Parts 3 and 4 are rather technical, covering provisions generally as to the bringing into force of ordinances, and Part 4 covers the commencement, disallowance, amendment and repeal of ordinances. Part 5 deals with matters that are not spelt out elsewhere in our Constitution with regard to the making of subsidiary legislation.

Part 6 deals generally with powers conferred under an ordinance and the exercise of those powers. Part 7 relates to the appointment of boards and committees.

Part 8 sets out in detail the position of the public service in relation to functions performed by them. In this connection it will be observed that by resolution this Council may transfer a function from one public servant to another. This part further deals with our position relevant to contracts entered into on behalf of the Government.

Part 9 deals with actions by the Governor; part 10 deals with further definitions, particularly those related to time and distance, which often are a source of confusion and worry in interpreting the law.

Part 11 deals with Imperial enactments generally and their application to the Colony. Part 12 deals with fees, penalties, offences and proceedings, and part 13 is a miscellaneous section.

/Like the previous Bill

Like the previous Bill it is a highly technical matter and it would be impossible without going into Select Committee to deal with each and every point that must be a concern of all Councillors. Government is however assured that every effort has been made to collect into one Ordinance a comprehensive list of definitions and matters with clarity and simplification in mind which should stand us in good stead for many years to come.

I beg to move that the Bill be read a second time.

The Financial Secretary seconded the Motion and Honourable Members spoke to the Motion as follows -

Mr A B Monk

Your Excellency, Honourable Members. One of the remarks made by the Honourable the Chief Secretary was that the Bill sought - these were probably not his words but I think that is what he meant - sought to lay out things so that all who deal with the law, those who deal with the law, he said, would know how they stood. Well, we all deal with the law. Every one of us, every citizen deals with the law, we are all subject to the law and it seems to me that we are progressing from a stage when colonial administrations kept us in order by cat-o'-nine-tails and a little legislation and so forth, but at this stage when we are all so bound up and confused by a multitude of Ordinances and legislation and you name it, that we are equally under control, we don't know which way to turn, we don't know whether we are doing something legal or illegal, because the whole thing is so complicated. This particular Ordinance was sprung on us two days before (in my case) we came into this Legislative Council meeting and frankly I haven't the faintest idea whether it's a good Ordinance or a bad one. I know we have a really eminent gentleman as our Commissioner, and we aren't in any way suggesting that he has done a bad job. I am sure he has made an excellent job from the legal point of view but whether we need the thing I don't know.

If you take Clause 91, which reads "when an offence is a misdemeanour by any law and no punishment is provided therefor that offence shall be punishable by imprisonment for 7 years and a fine of £2,000..." Well, I looked up the definition of the word misdemeanour and it seems to me that the definition covers a lot of pretty minor offences, very minor offences indeed, and it seems to me that it is very likely that not all those offences have a prescribed penalty laid down somewhere in our thousands of pages of legal mumbo-jumbo, I'm sure they haven't. But it seems to me that if these minor offences are not laid down somewhere then under Clause 91 we can go to prison if the judge so requires for seven years and be fined £2,000. For a miserable little offence which somebody has not laid down a penalty for. I think probably if the thing was explained to people like me, and a little time was taken to explain it, then we would all agree that it was a good ordinance, that it probably does put things in the right sense so that the ordinary man would understand it. But I don't know that it does. I was elected on this Legislative Council and I don't think I would be doing my duty if I agreed to pass

/something as complicated

something as complicated as this without really understanding it and knowing the general meaning of it. Therefore I would like to suggest that it be referred to a Select Committee, which would make recommendations for the next Council to consider.

Mr A B Hadden

Your Excellency, I don't understand it either. I haven't the faintest idea and when the Honourable Adrian was talking about this the other day I sneaked away and was having a look at the big book as well, and I just got the impression that we have all manner of punishments laid down before we come to this one and just in case we miss somebody out and if we haven't got an answer for the chappie we put him inside for seven years, by which time the laws might be revised and then he might be put in again for another seven years, or he may be let out again. I don't know. I think in all fairness we have to accept the Bill since it has obviously been prepared by someone who knows all about these things and it was stated, I think by the Chief Secretary, that it was an attempt to clarify and simplify the interpretation of various words; it probably pertains to modern day slang words which have crept in since the laws were revised. I think this one and the previous one probably go together but it is truly beyond me and I don't mind admitting it. It is far too confusing. But I would be prepared to accept that it's been done by someone who obviously knows what he is doing and it is being done for our benefit, and so I would support the Bill.

Mr W E Bowles

Your Excellency, Honourable Members. This Bill has 106 clauses in it and of course we cannot memorise them all and digest them as fully as we would like. When I looked at the Bill I saw it was for the interpretation of the law, and this is what I think it is basically for. I would like to support the Bill because I think this is something we are going to find very useful as a detailed supplement, unless I have misunderstood it. I would not like to say that this is the law, I think this is a reference to the law but I would like this to be clarified. If this is the case I fully support the Bill.

Chief Secretary

Your Excellency, I certainly did not expect this Bill to have an easy passage. I might have introduced a note of levity - unwanted levity perhaps - into the proceedings if I may with your permission read from the Legislative Council minutes of 1949, when the previous Interpretation and General Clauses law was enacted: "On the motion of the Honourable the Acting Colonial Secretary, seconded by the Honourable W J Hutchinson, the Bill amending the Interpretation and General Law Ordinance 1900 was read a first time. On further motion made and seconded the Standing Orders were suspended and the Bill was read a second time. The Honourable Mr A G Barton asked for further information on the powers of the Governor-in-Council and expressed himself as not being satisfied with definitions of the term as given in the Bill. He pointed out that the words to which he took exception did not appear in the previous Ordinance, No 3 of 1900. In reply the Acting Colonial Secretary stated that the definition was as drafted by His Majesty's legal advisers and referred to the relevant paragraph on page 23 of the Colonial Service by Sir Anthony Bertrand. The Bill was then committed and passed."

/Unfortunately

Unfortunately I don't have Sir Anthony Bertrand by me to assist me with this Bill, Sir, but to return to the very valid points made by the Councillors this afternoon: it is proper that this Bill should be looked at with some suspicion; it is proper that it should be questioned to see if it is exceeding the powers that already exist. With regard to the specific question relating to Clause 91 I am assured that this is the maximum and that the actual penalty imposed would be closely related to the seriousness of any Misdemeanour.

I regard this in very much the same way as the Honourable Mr Bowles, as a guide to the law, as much for the benefit of the Colony as for those who have to administer the day-to-day operation of the law, and I think it is important to remember that if it is defective - and I have no evidence to indicate that it is - it can always be amended by this Council. There is nothing definitive about any law; we can always amend it if we find that it is operating against the public interest. It is complex; it is very difficult. It is difficult I think for anybody to assimilate rapidly but if one looks upon it as an index to a book, which it probably is, it is an index to our laws, with definitions, it simplifies and explains, therefore I think it probably is as much in the interests of the public in whose interests the Councillors this afternoon have been rightly taking up the cudgels. I believe that we should have this Bill which we ought to regard as an essential part of our Constitution. It is perhaps the last rivet to nail into place with the constitutional instruments that we are about I hope to enact this afternoon.

On the proposal of the Chief Secretary, seconded by the Honourable W E Bowles, the President agreed to the appointment of a Select Committee of the whole House, under the Chairmanship of the Honourable A B Monk, to consider the Interpretation and General Clauses Bill in detail.

Council then adjourned while the Select Committee sat.

Council resumed at 10.30 a.m. on Wednesday 22nd June 1977.

The Chairman of the Select Committee set up to consider the Interpretation and General Clauses Bill reported as follows:

Mr A B Monk

Your Excellency, Honourable Members. The Select Committee has examined the Bill. The Select Committee co-opted the services of Mr Frederick Cooke, Barrister-at-Law, to advise them in the matter. The Bill was examined clause by clause and the Committee have several small amendments to introduce at the Committee stage of the Bill.

At the Committee stage the Bill was amended as follows -

In clause 3 the spelling of the word "crown" was corrected under the definition of "Crown Agents".

Clause 77 was amended by the deletion of the word "regnal" and the substitution therefor of the word "reign".

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Clause 91 was amended by the deletion of the word "and" and the substitution therefor of the word "or".

The Bill was then read a third time and, subject to the above amendments, was passed.

LEGISLATIVE COUNCIL (ELECTIONS) (AMENDMENT) BILL 1977

Chief Secretary

Your Excellency, this Bill is the final stage in the introduction of the recommendations of the Select Committee established in 1974. Its main provision is for the election of six members to the Legislative Council, to divide the Colony into areas and divisions appropriate to such election, and generally, to make the necessary amendments to the Legislative Council Elections Ordinance 1948. I beg to move that the Bill be read a first time.

The Honourable A B Monk seconded the Motion and the Bill was read a first time.

Chief Secretary

Your Excellency, I beg to move that the Bill be read a second time and that after it is seconded I speak again to introduce the Bill.

The Honourable A B Monk seconded the Motion and the Honourable the Chief Secretary then introduced the Bill -

Your Excellency, I am sure I shall have the indulgence of Council if I elaborate on this Bill at somewhat more length than is customary, if only because it is some time since the genesis of it emerged.

As Your Excellency and Councillors will recall, a Select Committee was established in early 1974 on a Motion of the Legislative Council, with the prior approval of the Secretary of State, to ascertain the views of the electorate on the subject of a change in the Constitution of the Colony and thereafter to make recommendations on the form such changes should take.

The progress of the Select Committee was fully explored during the last sitting of this Council and I think I can be forgiven if I do not rehearse that all over again. I think it is worth bearing in mind however that we perhaps should refresh our minds on some of the recommendations that the report contained.

It was presented to this Council on the 10th of June 1975 when the following Motion was passed:

"That the Report of the Select Committee on the Constitution which today was laid on the table be forwarded to Her Majesty's Principal Secretary of State with the recommendation that it be implemented as soon as possible."

/The sad story of the delay

The sad story of the delay has been fully explained elsewhere and I think is now generally known. It is I think agreed by all it is a pity that we had to wait so long, but at last we have reached the stage where we can bring the recommendations to fulfilment and those recommendations in the main were:

First, that the two elected members of the Executive Council elected at the start of each session of Legislative Council should hold office in the Executive Council for one year and eighteen months respectively and thereafter and again at every year seek re-election. In plain words this means we are adopting the normal procedure for rotating Councillors so that they have a more immediate discharge of their duties to the legislature and a closer link is established between the legislature and the executive.

Second, that the offices of the two nominated independent members of Council be abolished and the number of elected members be increased from four to six.

Third, that the Colony should be divided into two electoral divisions: 'Camp' and Stanley, and that each division should be divided into two electoral areas: East Falkland and West Falkland, and East Stanley and West Stanley. The two divisions and the four areas would each return one member to the Legislative Council. Area elections should be held first, followed later, but as soon as possible, by division elections.

Fourth, that the present qualifying period for electors of twelve months continuous residence in the Colony prior to qualifying day should be preserved for island born voters, but that for non-island born voters the period should be extended to three years; and further, that residents not born in the islands and who have been absent for a period of more than five years, should have to re-establish their qualification by a further three years' residence in the Colony.

Fifth, the Select Committee recommended that the age qualification for electors should be lowered from 21 to 18 years.

Sixth, that the proportion of votes needed to secure return of the deposit be reduced from one eighth to one tenth.

Seventh, that voters who are prevented by good reason from voting in person, and those in remote areas, should be allowed a postal vote.

Eighth - and the last of the main recommendations of the Select Committee - was that unofficial Councillors should be paid a reasonable remuneration, and we have already enacted legislation to that effect during this meeting.

The recommendation to rotate the election of two members of Legislative Council on the Executive Council will be implemented by the Royal Instruction which was signed by Her Majesty the Queen on the 31st of March 1977 and which will come into force when the next Legislative Council first meets.

/I think at this point

I think at this point it is worth dwelling for a moment on the complexity of the Legislative instruments that constitute the Constitution. We have Letters Patent, Royal Instructions and the Legislative Council Order-in-Council. The Letters Patent and the Royal Instructions are made by Her Majesty personally; the Legislative Council Orders-in-Council are made by the Privy Council, which advises Her Majesty. Before these are amended we are prevented from enacting any amending legislation of our own, and that is the reason why the Royal Instruction and the Legislative Council Order-in-Council have had to be amended before we could proceed to this amending Ordinance.

The other changes in the Constitutional instruments consequent upon the Select Committee's recommendations will be implemented by an additional Privy Council Order called the Falkland Islands Legislative Council (Amendment) Order 1977, which was made by the Privy Council on the 9th of March 1977 and which comes into force not earlier than a date following dissolution of this Council. This Order, in brief, provides for the abolition of nominated members, to increase the number of elected members from four to six and a transitional period for the forthcoming election to provide a period extending over four months for the new election to be held. I will come back to this point a little later on, but it will be seen that the way was cleared by the Royal Instruction and the Legislative Council Order-in-Council made this year for the major amendments - the abolition of nominated members and the extension from four to six elected members - to be proceeded with.

In the Bill there are still some amendments which I shall have to introduce at the Committee stage. I think it is worth explaining the reason for some of these, though, at this time.

A possible problem could for instance arise over the interpretation in the Bill of "continuous residence". This has been avoided by provisions in Clause 7 of the Bill which allow the Registration Officer to ignore occasional absences for a period of up to six months. At the same time we have incorporated into this Bill the recommendations in the Select Committee report and embodied also in the Royal Instructions and the Legislative Council Order-in-Council; we have taken advantage of the occasion to introduce some refinements which I think will lubricate the machinery of elections and make it simpler for future elections, but not unfortunately for the present one, to be carried out with less agony and over a shorter period.

These additional amendments I should add are in no way contentious and are not matters that would have been dealt with by a Select Committee. It is for instance proposed that in future the electoral register shall be compiled annually at the Governor's discretion. At present a register may not be compiled until the Council is dissolved and it is at that date, which also becomes the qualifying date for the election, that the electoral roll starts to be compiled; and it takes 87 days from that day until we can begin to take the poll. I think it must be generally agreed that this is an over-long period and it ought to be shortened if we can do it. So we have in this Bill taken this opportunity to provide that in future we shall be able to separate the qualifying day from the day of dissolution, and thus reach the situation where we can prepare a roll at any time at the Governor's discretion; I shall suggest a date when we come to the amendments, but it does mean that by this device we do not have to wait until we dissolve. We can do it in advance and then go straight to an election at very short notice.

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We have also, I think with success, managed to contract the period between the mandatory stages of an election, such as for claims and appeals. These at present are 30 days each and I think this is over-long and I think we can shorten these to 10 days each.

The task of translating the recommendations of the Select Committee into legal language and then the legal language into the practical mechanics of preparing an electors' register and holding the election has proved to be by no means an easy task. It has in fact proved to be a most complex and intricate one, in particular the transitional provisions; knowing that we are changing a well-tryed system and going into one that is unknown has proved immeasurably difficult. It has not been eased by the fact that it has not been possible to introduce the improvements in the electoral machinery that I have referred to for the forthcoming election.

I referred earlier to the fact that we still need some amendments to the Bill. Only two places are referred to in the Fifth Schedule of the Bill as remote areas, and I have no doubt that Councillors will wish to direct their attention to this Schedule to see what other places ought to be designated as such for the purposes of postal voting. These could of course be added at the Committee stage.

Similarly, in clause 2, under the definition of "qualifying day", the date has been left blank. We have looked at this closely and assuming that it is better to have elections during the summer and not in the winter, it would seem appropriate to insert as qualifying day for future elections the 15th of July which, if we work to a programme we have calculated would in future take 55 days to compile the roll would lead us in clause 8 to insert the date for publication of the electoral register of 15th September - in other words two clear months - so that we have given ourselves a little bit of leeway but of course the Council will still be in session during this time. In future this electoral roll will be compiled while the Council is still in session and it may be dissolved at any time by His Excellency, and that register will then be the substantive one for the ensuing year or longer period if His Excellency so directs.

Similarly, I think it is necessary, we will need to revise the division of Stanley. We had proposed in Form E that a suitable division of Stanley would be to use Villiers Street as a constituency boundary. In fact if we did this it would give a distribution of voters of 56.5% and 43.5%. If we select Dean Street we get a split of 46% and 54% and I would propose that in the Committee stage we accordingly allow an amendment to substitute Dean for Villiers whenever it occurs in Form E in the Second Schedule. Another amendment that we have to make is to insert a date of commencement in clause 1. As this is linked to the Legislative Council Order-in-Council, which Order-in-Council may not be brought into force until after dissolution, an appropriate date for this Bill may be, and I quote: "A date to be notified by His Excellency the Governor by publication in the official Gazette". We have looked closely at this but I see frankly no other way over this because we don't know when we are going to be dissolved - I am sure our President does, but we don't - and I think we may not and cannot anticipate his decision.

/There are certain procedural

There are certain procedural amendments, small drafting amendments, which I should now perhaps refer to. I shall now go through the amendments that I have referred to.

In clause 1, we insert the amendments I have just referred to.

In clause 2, I shall make an amendment that we insert the number "15th" and the word "July" against "qualifying day".

In clause 7, I believe we need a further proviso to subparagraph (c), which will read:

"Provided further that a person born in the Colony who is normally resident in an electoral area or an electoral division shall be deemed to be resident therein on the qualifying day notwithstanding his absence from his electoral area or electoral division for a period not exceeding six months during the qualifying period."

This is I think a sensible amendment to allow for persons who may be away on leave or sick but are nevertheless regarded as substantive residents of the Colony.

In clause 8 the amendment I have already referred to, we should insert I believe the number "15th" and the word "September".

In the Second Schedule, we shall substitute Dean for Villiers; and any other amendments that Councillors may wish to add to the Fifth Schedule with regard to remote areas for postal voting in accordance with Section 8 (a) of the Ordinance as it will be enacted.

Finally, Your Excellency, I apologise for going on at such length but as it is so long since we sat in Select Committee and made these recommendations I think perhaps I could be forgiven for this rather over-long exposition, and only hope that it has attempted to clear up and clarify some of the complexities of this very difficult bit of legislation. It does clear the way now for us to implement our new Constitution.

Mr A B Monk

After the Honourable the Chief Secretary's very complete talk on the Bill I do not propose to comment on the contents in any way but I would like to say that it gives me enormous pleasure to second this Bill, which marks a great step forward for democracy here and although I think we should probably need to from time to time amend it when we have experienced the operation as it were of Council, I think it is an enormous step forward in democracy here. Of course it has to be realised, I think, that an all-elected Council automatically places more of a burden on the electorate than they have had before. The sort of Council that they get is entirely dependent on the electorate selecting and voting for the right people and I think everyone must realise that fact; it is quite a heavy responsibility to undertake.

I have one or two small additions I would like to make particularly to the Fifth Schedule and also I am not sure whether I picked up the Chief Secretary right or not but I thought his amendment to clause (c) in Section 7 of the Ordinance was not perhaps worded as it ought to be, but perhaps that can be dealt with at the Committee stage. Anyway, in principle I support the Bill wholeheartedly.

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Mr W E Bowles

Your Excellency, Honourable Members. It is a climax for us I think to accept this Bill. A lot of work has been done and we have had lots of public meetings. Unfortunately I was not present at the Stanley meetings but was privileged to go round the West Falklands and find their views and I think in general this Bill will be what we promised the public it should be and I fully support the Bill.

Mr A B Hadden

Your Excellency, it is not what I would have wanted myself but it is what the electorate wanted; it seems to be the general consensus of opinion everywhere, it's what everyone else wanted to do; but I think we could have achieved near enough the same result with a lot less effort and a lot less expense. It may be recalled by some that last year the emphasis all through the Council was on unity, and I really can't understand why we must still divide the camp up into pieces, and Stanley up into pieces, separate Stanley from the Camp, the East from the West, and so on. It just doesn't make sense to me. I am all in favour of an all elected council; I have never been against that at all, but I think all councillors should represent the Falkland Islands. After all, we're no bigger than a village, maybe a little more scattered, but we are representing at the most some six hundred people I would think, maybe a little more now, but I think at the very most I would accept three councillors representing the camp and three representing Stanley; but to break it up into little pieces, to confuse the electors - and I am sure it's going to confuse people who may wish to stand for election. They will be wondering whether they should stand for a division or stand for an area or how they would apply themselves best to the problem - and it is a problem. But really it's nice that we are going to have an all elected council, although if we stop to think there could be little snags in that too. For example...

Mr A B Monk

The Honourable Member would have to stand...

Mr A B Hadden

...but of course, and my Honourable Friend from the East Falkland thinks I'm saying what I'm saying because I was a nominated member, I know that as well and we talk about this quite often. We haven't come to blows yet...but no, it's not that at all; I have already said that I am in favour of this. I said so at the meetings at Goose Green, and I haven't found it necessary to change my views since, that I wanted six people to represent the Falkland Islands and to go into all this expense of two elections, the uncertainty that goes with it, that people won't know who they're going to vote for and when we add the expense of having a massive campaign of telling people what to do and when and how and why and all this sort of thing. We could have got an all elected council much more easily and certainly much more cheaply and I think we would have been a more united council had we been representing the Falklands and not just a part of the Falklands, because with the best will in the world, first loyalties are going

/to be to the few people

to be to the few people who elected them. I really have no great objection, I just wanted to put my views to the meeting and it does seem a wee bit complicated to me that it should be divided up. I don't like the idea of divisions of anything in a small place anyway, because after all whatever goes on in this small community affects each and every one of us and each and every one of us, I believe, should be applying our aims and our thoughts and our time to solve the problems which affect all of us and not be worrying about a little corner of this small place. Your Excellency, these are my views on this Bill.

Financial Secretary

Your Excellency, I trust you will forgive me being an Official of this Council but I think it would be wrong if I didn't mention it. I have certain reservations on the new Constitution, but it is mainly with the mechanics of the thing. There is nothing in it which cannot be changed with regard to these reservations, we can change it any time; the main point which I have reservations on is the point which the Honourable Mr Hadden has mentioned, that of splitting some of the areas up, particularly Stanley, dividing it into two sections which being such a small place I feel is completely unnecessary. However the people of Stanley have requested that this should be so and there is no harm in going ahead now and trying it; the same as the camps, probably the areas which have been selected -- probably we could have got the camp cut into three areas if need be -- I think that could have saved the need for two elections; however having made those points I think that it is a step forward, we are moving some way, let's go ahead and try it and if there is any improvement which we can make later on, well, we can find out by experience what is needed. But I would like to commend the Committee for the hard work they have put in, in particular the Chief Secretary and his staff, I know something of the work that has been put into it, and our two legal experts, I think it's quite fantastic the patience they've shown, and quite frankly, I think I'll stick to finance. I support the Motion.

Chief Secretary

Your Excellency, I certainly take the points made by the Honourable the Financial Secretary and the Honourable Mr Hadden. If we can have a simple mechanism - and unfortunately I am no mechanic - I am sure we should have. The main point I am sure about this Bill is that it does give us a greater degree of democracy, and this is what we should concentrate on. I think this supersedes and overrides the objections to the mechanics of the Bill, cumbersome as they may seem. I believe, too, that no matter how a councillor was elected, if he was elected for the Falkland Islands I have no doubt he would still get his ear bent on local problems just as much as if he was elected for a constituency. I don't think any councillor here, any councillor that I have known, has regarded himself except as a councillor for the Colony, with the interests of the Colony at heart. Naturally he puts forward the views expressed to him by his constituents but I am sure, and I say this without any doubt or misgivings at all, that no councillor in my knowledge has had anything but the Colony at the forefront of his mind whenever he has addressed this Council or in any of his duties.

/I was hoping that this

I was hoping that this problem of simplicity in the election might not be referred to but as it has it obviously is a worrying one and I think it is therefore worth a little time to try and explore what simpler arrangements might be possible.

I listened not so long ago to the 'box' and heard an exposition of a darts championship and frankly I felt that I would be placed in a very similar situation, or could be, because I was left, not being familiar with the procedure for darts matches, and not paying all that much attention to it, I was left in some doubt as to who was going to play who, and I am sure that the secretary who had to prepare that list will have sympathy with me in trying to explain an elections system.

The most simple way to elect a person - and I have had this put to me - is why cannot we just choose our man from a list presented to us. This is the simple way: you just choose your man. And I have heard it also said that if you have three people to be elected say for Stanley and there are five candidates, you can do it in two ways: each voter gets one vote and the candidates who receive more votes are elected; alternatively each voter can have three votes and all the votes are totted up and again, those who get the most votes are elected. Simple. Is it in fact as simple as that? If we look closely at this what emerges on the first system is, supposing candidate A gets 50% of the votes, candidate B gets say 25% and candidate C 10%. On my reckoning that is 85% of the votes. You have 50% of the electorate represented by one candidate and 35% represented by two candidates. You can have an even greater distortion.

If you do it by giving each voter three votes, what you have in effect is that each voter I think places his list of candidates in an order of priority, and I have no doubt that most of these voters will have one preferred candidate. Supposing it is A, and supposing 40% favour candidate A as their first choice, and supposing also that there is another strong candidate, B, who gets a very nearly similar amount of votes as to put him in first place. But it could be - and I don't think it is unlikely - that those who vote for A may not vote for B; in fact they may vote for C, D and E to keep B out; and those who vote for B may also vote for C, D and E to keep A out. This could happen. So I think what you can finish up with is that the persons who are the preferred voters don't get elected, but those do get elected who pick up what one might call the residual, or default, votes.

And I think it's rather like a horticultural show: if you go to a horticultural show you think well, you've got judges, they pick three roses, instantaneous. It's easy, nothing to it, why can't we do the same. But do they? I don't think they do. Do say, six judges, select rose A and say "this is the top rose, that will get first prize" and then those six withdraw and the four remaining elect rose B in second place, and then those judges retire and what is left elect the third rose? No. What they do is all vote for the first rose, then they all vote for the second rose and then they all vote for the third rose; so what looks like one election is in fact three. And I think this is the only way the owner

/of that rose can be

of that rose can be certain that his rose has been elected by all the judges; and similarly I think this is the only way a candidate can get in and know that he has got there because he has been chosen in preference to other candidates and has not got there by picking up default votes.

I think these are the major objections. There are ways to overcome these by a complicated system of referred vote which they use in France - naturally...- but I am not sure that it is the sort of thing that we want here; it would be a complicated mathematical exercise and frankly I think people had this in mind when they decided that they would much prefer to be presented with a list of candidates and select one candidate from that list. Cumbersome as it may seem I think we probably achieved what is in fact the only sensible and the only practicable way of giving the electorate, who are not all that frequently confronted with an election, and if they have to choose three candidates from five, say, or any other sort of mechanism, I think this could be equally difficult or even more so than two elections. At least by being confronted by two elections and having to choose one candidate at each I think their job is simplified. Some people are presented with difficulties when they are presented with a ballot paper with a multiplicity of names and they have to choose a number of them.

I again apologise for such elaborate explanations; it obviously was a matter of some concern, Your Excellency, and I hope I may be forgiven for going over my time.

At the Committee stage the Bill was amended as follows -

In clause 1 by the deletion of all after the word "on" and the substitution therefor of the words "a date to be notified by His Excellency the Governor by publication in the official Gazette".

In clause 2 (b) by specifying the 15th day of July as being "qualifying day".

In clause 7 by the insertion of a third proviso (e) as follows -

"Provided further that a person born in the Colony who is normally resident in an electoral area or an electoral division shall be deemed to be resident therein on the qualifying day notwithstanding his absence from his electoral area or electoral division for a period not exceeding six months during the qualifying period."

In clause 8 (a) by specifying the date of publication of the register of electors as being the 15th day of September in each year.

In the Second Schedule by specifying the date in clause 2 as being the 21st day of June 1977.

In the Second Schedule by the deletion of the words "Villiers" where they appear in two places and the substitution therefor of the word "Dean".

In the Fifth Schedule by the addition of the following -

"Beaver Island, Carcass Island, Golding Island, Lively Island, New Island, Speedwell Island, West Point Island and any other island or place so designated by the Governor by notice in the Gazette."

The Bill was then read a third time and, subject to the above amendments, was passed.

STANLEY AIRPORT (REGULATIONS) BILL 1977

Chief Secretary

Your Excellency, this Bill has had to be prepared rather quickly at a late date and Your Excellency has signified that you would be prepared to admit it to the Order Paper under a Certificate of Urgency which I now table.

The purpose of the Bill is to provide enabling powers for regulations to be made to control a number of matters connected with the general use of the Stanley Airport. I beg to move that the Bill be read a first time.

The Financial Secretary seconded the Motion and the Bill was read a first time.

Chief Secretary

Your Excellency, it is normal practice in operating an airport to have regulations which control or give power to Government to control by regulation the operation and supervision of other activities which take place at an airport. The Bill now before Council has been prepared by the Legal Office in conjunction with the advice from the Airport Superintendent, and Government believes it should be passed into law as soon as possible to enable the Governor-in-Council to make regulations for the effective control and operation of Stanley Airport when it opens in the near future. The lack of any such regulations would make it difficult to control the operation of the airport and would not enable us to impose fees. The draft regulations have already been compiled and will be brought to Executive Council at the next convenient opportunity. The Bill was considered in draft by Executive Council and remitted to this Council.

The list of matters with which the regulations will deal are established by clause 4 of the Bill; it is a fairly comprehensive list but of course regulations will be made as they are required and will not necessarily cover every item listed in this Bill, which I repeat is an enabling Bill. I beg to move that the Bill be read a second time.

The Financial Secretary seconded the Motion and Honourable Members spoke to the Motion as follows -

Mr A B Monk

I am sure the general purpose of the Bill is excellent, to control these things, and I would in no way wish to oppose it but it rather horrifies me to see in clause 2 which is "Interpretation" that we then have a list of interpretations of various word meanings, and since we spent the best part of an hour discussing the Interpretation and General Clauses Bill, which was supposed as I understood it to obviate the necessity for interpretation clauses in Bills, we were supposed to be able to look it all up in one place, and one of the very first bills we are asked to consider after that exercise is one which has an interpretation clause and words which are not in the General Clauses and Interpretation Bill. It seems to me that if we go on like this we will have a General Clauses and Interpretation Bill - or whatever the thing is called - and we will still have to look into the other Bills to see what things mean. I must say I deplore the necessity for that.

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Mr A B Hadden

I support the Bill, Your Excellency. Obviously with an airport system such as we have any legislation necessary for the smooth running and preservation of such a site is absolutely necessary. I support the Bill.

Chief Secretary

Your Excellency, it is quite proper for the Honourable Elected Member for East Falkland to draw our attention to the need for additional definitions so soon after we have recently discussed the Interpretation and General Clauses Ordinance, but I think there is in fact a distinction between the definition in clause 2 of this Bill and the definitions in the Interpretation and General Clauses. The Interpretation and General Clauses law is intended to be of a general nature, whereas these definitions relate to particular specific matters; there is for instance "airport" and I think that has to be described. It refers to an approved plan which will be signed and I table it now; it is a plan which delineates the area of the airport. "The Superintendent" means the Superintendent of Stanley Airport. This I think is a shorthand way of avoiding every time in the subsequent clauses where these things, "airport", "approved plan" and "superintendent" are referred to, to have to spell it out on each and every occasion. I take the Honourable Member's point but these are related to this particular Ordinance only and not to the general law. If they could be incorporated in the Interpretation and General Clauses Ordinance so much the better but that is, as I have said, intended to be more of a general portmanteau nature.

At the Committee stage the Bill was amended as follows -

Clause 4 (1)(k) was altered to read "the collection of airport revenues;".

Clause 4 (1)(l) was altered to read "the control of unauthorised buildings being erected in the take-off flight path area;".

In clause 6 (1)(b) and (c) by the deletion of the word "requirements" and the substitution therefor of the word "requirement".

The Bill was then read a third time and, subject to the above amendments, was passed.

INCOME TAX (AMENDMENT) (No. 2) BILL 1977

Financial Secretary

Your Excellency, Members of this Council recognised some time ago the need for an economic survey of the Colony and this was undertaken by Lord Shackleton and his team, and one of the matters which was referred to Lord Shackleton was the need for tax reform in the Colony. One of the recommendations which comes from the report is for an increase in company tax and in capital allowances. The company tax proposal is that the rate should be increased from 40% to 45% and that a new system of depreciation allowances be introduced. This system has been drawn up for us by our very able income tax agent and adviser in the UK, Mr John Comben, and with your permission, Sir, I would read out passages from the letter in which he introduces this new system of depreciation.

/He writes:

He writes: "I think it is agreed that you need a new system. Your present arrangements are virtually those which existed in the United Kingdom before 1945. I think you need to repeal section 10.1(c) and rescind the relevant rules. I enclose my own suggestions for a new section 11 and a depreciation schedule. The scheme provides for annual allowances of only two rates; no initial allowances, with balancing allowances and charges when the asset is disposed of." He writes: "Your first reaction will probably be that to have only two rates, 10% for buildings and ships and 25% for the rest, is unduly simple and generous. If you do we can substitute more classes with more and lower rates; this is certainly negotiable. Perhaps I may remind you that applying any rate on a written down value basis you never in strict theory write off the whole of the cost. But the time taken to write off nine tenths of the cost is 22 years for the rate of 10% and 8 years for the rate of 25%. The following are some of the considerations I have in mind in drawing up my scheme: rapid writing off encourages capital re-equipment. It does take the place of the present initial allowances and to some extent has the same effect as the ill-fated profits tax investment allowance. If you have provision for a balancing charge when the asset is disposed of the annual rate is not so important since you will recover at that stage any excess depreciation you have given."

He goes on to say: "One of the criticisms of this system of writing off historical cost is that although it writes off the last item of plant to be bought it does not enable a trader to build up a fund to replace it by another item which, owing to inflation, will inevitably cost more." "This protest", he says, "used to be common in Britain, but I have not heard it since higher rates of annual allowances were introduced". And then he makes a very important point: "Having only two rates makes things very simple; this is so obvious that it needs no stressing".

I should mention the section referring to balancing allowances and balancing charges. This is an adjustment when the machinery or plant ceases to belong to the person, the trader, whether on sale or in any other event. The adjustments are made to ensure that the allowances previously made are either augmented or reduced so that the total allowances finally made will correspond with the net cost of the machinery or plant to the trader.

To sum up, this Bill proposes an increase of 5% in the company tax rate and a new system of depreciation allowances for all businesses, both companies and other bodies. I beg to move the first reading of the Bill.

The Chief Secretary seconded the Motion and the Bill was read a first time.

/Financial Secretary

Financial Secretary

Your Excellency, before moving the second reading of the Bill I lay on the table the Certificate of Urgency. I beg to move that the Bill be read a second time.

The Chief Secretary seconded the Motion and Honourable Members spoke as follows -

Mr A B Monk

Your Excellency, Honourable Members, I welcome the Bill. I think it's long overdue, we should have raised the rate before and also I think the industry will welcome the very much simpler rates for depreciation. Our present allowance is a bit of a jumble - it was to me anyway whenever I tried to apply it - and anyway when you have done it all you don't get much out of it in the end, so I think it is very welcome. I support the Bill.

Mr W E Bowles

Your Excellency, Honourable Members, I support this Bill too because this is one of the first Bills we have actually talked about in terms of simplification, because the rest have been so complicated this morning that I welcome the Bill for that reason alone, but I am sure that everybody will welcome this and it will encourage people to keep most of their profits here and will help us with our development.

Mr A E Hadden

Your Excellency, I am not very well versed in the matter of company taxation but from what I have heard in the last few minutes it sounds all right to me. I support the Bill.

The Bill then proceeded through its remaining stages without further debate, or amendment, and was passed.

INCOME TAX (AMENDMENT) (No. 3) BILL 1977

Financial Secretary

Your Excellency, the income tax proposals made in the budget speech have already been welcomed in the Colony. It was intended that this Bill should only be taken to the second reading but as Members of this Council have said for a very long time that we need reforms in personal taxation, it is only right to consider taking it through at this meeting, and I therefore lay on the table the Certificate of Urgency.

I have mentioned that Councillors have made strong representations for a revision of the personal allowances - in fact we have been inundated: besides Members of this Council, Members of the Executive Council, bodies like the General Employees' Union, the Civil Servants' Association; these requests are understandable. With erosion of money values which is now going on throughout the world, the real values of the allowances are constantly reduced and there is natural pressure for increasing the allowances. But the question of increases in allowances really depends on the calculation of the loss of revenue. Can the Government afford it, or, more precisely, will the Government be able to afford it in the coming year?

/After much consideration

After much consideration and a mass of tables and estimates prepared by the Income Tax Officer, a scheme has been devised which allows a considerable improvement in the present tax allowances. But it has been necessary to revise the rates of tax and the scales which are proposed in this Bill emanate from the Shackleton Report.

The scheme is particularly favourable to the lower paid family man. During the course of the Select Committee meeting on the Estimates the matter was discussed in detail and a further amendment was proposed: that we should increase the limit of the wife's earned income relief from £100, which I announced at the presentation of the Budget, to £200.

I will run through the proposals to increase the allowances:

The personal allowance, from £230 to £350 - this is the allowance which every taxpayer enjoys;

Allowance for wife, from £180 to £300;

Allowance for a child, from £130 to £250;

Allowance for a child at school overseas, £150 to £280;

Earned income relief maximum to be increased from £500 to £750;

The dependent relative allowance from £130 to £250;

Old Age relief, which currently applies when the income is below £600, will if the Bill passes apply when the income is below £900.

The deduction in respect of a female relative taking charge of children is increased from £100 to £150, and the Bill provides for a new deduction for wife's earned income relief, which is at the rate of one fifth of the wife's earned income with a maximum of £200.

The new tax scale is increased on the first £500 of chargeable income from 15% to 17½%; on the next £500 from 20% to 22½%; on the following £500 from 25% to 27½%; on the next £1,000 35%, on the following £1,000 40% and then another £1,000 at 45% and the remainder at 50%.

I must point out at this stage that it is proposed to review the value of benefits in kind and revise them upwards. This was last done in the late 1960s and this is a further recommendation of the Shackleton Report. However this is done in the Executive Council and then brought to this Legislative Council for approval. This will be done as soon as we possibly can. The proposal has already been considered in Executive Council informally and it has been suggested approximately a 50% increase in the value of benefits in kind, with the exception of the single person who lives in the cook-house, and it is intended that he should remain at the same. This has been recommended at this stage because it is thought that the family man already benefits greatly from this Bill.

/There is a small amendment

There is a small amendment which I will have to make at the Committee stage. This is due to an inadvertent omission of the personal allowance from the Bill. This wasn't intended but if I allow it to go through I am sure that Council will not be very popular.

On the proposal of the Financial Secretary, seconded by the Chief Secretary, the Bill was read a first time.

The Financial Secretary then moved the second reading and Honourable Members spoke to the Motion as follows -

Chief Secretary

I would like to congratulate the Treasury staff on an excellent job done under great pressure. This does, as the Honourable the Financial Secretary has said, Your Excellency, reflect the desire of this Council to do something, particularly for the income tax payer in the lower brackets, and we have looked, as we all know, at several tables - all compiled in the Treasury - before we finally found one that is we think ideal and meets all the requirements and I am sure it will be greatly welcomed throughout the Colony. I beg to support the Motion.

Mr A B Monk

Your Excellency, Honourable Members, I certainly support this Bill. We all have vested interests in the thing. It is unfortunate of course that the lower income groups will start paying tax at far too low a level but we do have a very real problem here. There is only a small number of taxpayers and there is not a very large spread as it were in the incomes. We don't have a large number of very highly paid people that could bear more the burden and I am quite certain that the Financial Secretary has really made a very good job of trying to balance these various things. I was a bit horrified to see nothing about personal allowances, I must say, and really thought the Financial Secretary was trying to pull a fast one on us, but however it was a printing error so I am quite happy to accept his statement that we are going to have an amendment and it will be inserted. I am very happy to support the Bill and I congratulate the Financial Secretary on it.

Mr W E Bowles

Your Excellency, on behalf of my constituents, especially the tax-paying constituents, I would like wholeheartedly to congratulate the Financial Secretary for his work and that of his staff in producing this Bill for us. I think this is one of the biggest steps forward that we have made for many years, one which will be welcomed - at least I've had no complaints yet, and I don't think I will get any. I think it is something that this outgoing Council will be remembered for. I would like to wholly support the Motion, Sir.

Mr A B Madden

Your Excellency, I have no complaints either and I would like to add my congratulations to the Financial Secretary and his staff for doing so much homework. We had a look at these figures the other day and they obviously weren't compiled in five minutes. I agree with the observations of the Honourable Mr Monk and I would like to support the Bill wholeheartedly.

/Financial Secretary

Financial Secretary

Your Excellency, I wish to thank Honourable Members for their kind remarks and I will certainly pass them on to the Income Tax Officer as well.

The point raised by the Elected Member for East Falkland I have taken; I accept the fact that some of the small incomes are still taxed. I think it is a very important point that he has made. This Bill is not necessarily the end of the road, we can make further adjustments from time to time and we are fortunate in having Mr Pepper, who will be arriving in the Colony shortly, and he may have some further improvement which we can add to our income tax law - for instance it may be possible to introduce a new section into our Old Age Pensions Ordinance, perhaps a small income relief. This may overcome some of the problems. However I will refer the matter to him and I thank the Honourable Elected Member for East Falkland for raising it.

There is one point which I should make certain and so that it is absolutely clear exactly when this Ordinance comes into operation. In the Income Tax office we always talk in terms of the year of assessment; the year of assessment for which this will apply will be the 1st of January 1978, but the year of assessment 1978 really means incomes for 1977, so therefore the Ordinance will take effect from the commencement of the year of assessment 1st January 1978 but it will be on the 1977 incomes.

At the Committee stage the Bill was amended as follows -

In clause 3 by the renumbering of paragraph (d) as paragraph (e) and the insertion of a new paragraph (d) as follows -

"(d) in subsection (4) by deleting "£230" and substituting "£350"."

The Bill then proceeded through its remaining stages without further debate or amendment and was passed.

Chief Secretary

Before we move to the next item on the Order Paper, Your Excellency, it might be appropriate in view of the excellent work that the Education Committee has been doing in the past months and the need for continuity, to seek Your Excellency's permission for this Committee to continue in being in an advisory capacity until Legislative Council is next elected. I think it is absolutely essential that this continuity should be preserved and Government must be carried on. There is no provision unfortunately in our Standing Rules and Orders for a Standing Committee to continue during a recess; such rules apply only to the Select Committees but I think this could be done administratively.

The President

I fully agree that the Committee should carry on its work.

/Mr A B Monk

Mr A B Monk

On behalf of the Committee, Sir, I would like to thank the Chief Secretary and yourself for your kind words and I am sure we will be pleased to do all we can.

MOTION FOR ADJOURNMENT

Chief Secretary

Your Excellency, I beg to move that this House stands adjourned sine die.

The Motion was seconded by the Honourable the Financial Secretary and Honourable Members spoke to the Motion as follows -

Mr W E Bowles

Your Excellency, Honourable Members. I wish to draw the attention of Councillors at this Motion of Adjournment to the future. First of all I would like too, on behalf of everyone in the Colony, to extend good wishes to the Honourable A B Monk, together with our able Secretary, Mr Bill Etheridge, to their forthcoming Commonwealth Parliamentary Association conference in Ottawa, in Canada. I am sure we all agree that they will do their best to impress on all Commonwealth representatives our case for their support.

I think we should not forget the services of our legal adviser, Mr Fred Cooke, whose work has been extremely valuable to us, both here and in the United Kingdom, and as he is leaving on Thursday may we wish him God-speed.

Referring to the new Constitution, unity and the future. The Bill we passed this morning is a step into the future. The divisions and the areas were proposed solely for elections. In no way were divisions envisaged after the election - we do not want them.

Ted Rowlands and his team have successfully negotiated in Buenos Aires and London, and in Stanley, that in future talks the Falkland Islands will be represented and perhaps an undesirable triangle may develop into a desirable circle.

In conclusion it must be unique for you too, Sir, as an incoming Governor, to have to face an outgoing Council, and I would like to extend my appreciation to all my colleagues both official, nominated and elected. Especially the officials who, at times, are battered - with work rather than in fact - by Councillors, and have always managed to weather the storm. Sir, I beg to support the Motion for Adjournment.

Mr A B Monk

Your Excellency, Honourable Members. In speaking to the Motion for Adjournment I don't want to say very much because I think I have probably said too much about other matters at various times. The meeting has been very long, too long really, because we have too few meetings; this is just one of my minor complaints. This Council had too few meetings. Of course there have been transport problems to put it mildly,

/and if future Councils have

and if future Councils have more meetings that might be one of the problems they will have to sort out. It is very difficult.

I think at last we are heading the right way, we are heading for democracy. It has been quite a hard and long battle to put these Constitution bills through but it was worth fighting for and in spite of my Honourable Friend's fears I think Falkland Islanders will know how to vote and who to vote for and if he or I are on the next Council at least we will have been both elected there.

I think we have seen a move forward in our taxation policy and as far as our 1977-78 estimates are concerned, there are two things in them, amongst a multitude of figures, that please me very much: a very much larger sum set aside for loans, £25,000. I think future Councils should seriously consider increasing this even above this figure to encourage people to take up loans and start farming and other businesses. The other thing that has pleased me is the transfer to Development funds of £200,000 from General Revenue, because that shows to the outside world that we are making some effort to find our own funds for development and not just spending our time asking for hand-outs from other people.

A lot more has got to be done, I think, in the fiscal field, we are of course going to get expert advice, and I hope it will lead to a tax on money flowing out of the Colony, and lead perhaps to some sort of Government development bonds which people can invest in instead of sending the money away, development bonds paying a rate of interest slightly below world rates. I think we want more sophisticated compulsory land purchase powers; there is an Ordinance I believe but it is relatively unsophisticated, it doesn't really cover the situation as we want it. I think we want this so that we can acquire areas suitable for development if it is in the Colony's interests.

I think above all though, at the moment, we want better communications, better radio and telephone links and of course better transport facilities. I am absolutely certain that if we are to develop, better transport is a must and I am convinced that only roads and a ferry link to the West will really open up the door to development. In the short term the air service is essential to all of us; in the long term I think roads are far more important if we are ever to have rural development, with the air service being mainly for a medical and mail service to isolated communities.

No matter which of the main problems confronting us one gives first priority to, they are formidable; I believe we can overcome them. I have sufficient faith in the people here to want to retire here when I get too old to work and since retiring means delegating authority to younger people, it means having faith in them, in my view. I believe if we are resolute, watchful and sensible we can overcome our political problem. There is an enormous amount of hard work ahead yet for everybody to ensure that the Colony prospers as a British country for the foreseeable future. Besides work it also calls for a common sense approach to trade and other links with our neighbours.

/I think this may well be

I think this may well be the last meeting of this Council, therefore I would like to thank the East Falkland electorate for making me their representative in the last election. I would also like to thank Government officials who often come in for much criticism and seldom for thanks. I would like to say that while I have not always agreed with administration policy and views I have had a tremendous amount of help and advice from individual Government officials. I would also like to thank the Honourable Elected Member for Stanley for his kind words and I would try to put our points of view with regard to sovereignty and in all other respects across to the Commonwealth delegates at the Commonwealth Parliamentary meeting in Ottawa.

I would like to support the Motion for Adjournment.

Mr A B Hadden

Your Excellency, Honourable Members. I don't intend to say a lot because we are very shortly to be dissolved and I would not really try and influence the next Council, but I do want to emphasise unity. Honourable Members will no doubt remember the call for unity that thundered out of this Chamber just twelve months ago and that was fine, the call was taken up and we noticed that people listened and one heard that we should not show any signs of disunity in any respect whatever. The need for unity within this Council, the need for unity within the Administration, the need for unity within the Colony; we still need this unity. I believe we need it more today than we did twelve months ago. I believe also that we will need it more in the months that lie ahead. We demonstrated this unity during the visit of Ted Rowlands MP and we did it with such earnestness and dignity that the Minister took with him a very favourable and lasting impression of this Colony and the folk who live here. Such an expression of unity can do nothing but good for all of us. We as a Council are called upon to make decisions on matters which, if we are honest, we often don't know much about, but we accept with our acceptance of a seat in this Council that we have to apply ourselves to the problems and produce what we honestly believe to be the best answer. We are not specialists, nor do we have ready access to specialists. We cannot just pick up the telephone when we have a problem and say 'what do we do about this'. However we do have access to specialists, but unfortunately they are most of the time in London or elsewhere. So that even if we do apply, and we often do get from these very eminent people the answers to the questions, to the problems, it just takes a little bit longer. So for the future I would only ask that the population, the people who are interested in the Colony, show a little more patience and consideration for the work that goes on in Council. I understand that it is difficult for them to appreciate what goes on because it's never been tried by them, but a little more patience, a little more understanding, would go a long way to help the Councillors to get on with their job.

It remains for me, Sir, to thank you for your patience, for your guidance and all the other help you have been giving us during my one year in office, and my thanks also go to the Chief Secretary, the Financial Secretary and every other officer of Government who has without batting an eyelid, if you like, always been so helpful; they have never considered it any trouble to advise me and I am sure the rest of Council Members. I would add my good wishes to the Honourable Adrian and Bill for their trip to Canada. I am sure we haven't got to worry about the Falkland Islands flag flying over Ottawa and I am sure the repercussions will find their way back here before too long.

/Your Excellency,

Your Excellency, I would like to support the Motion. I might maybe some day find a little niche in history, maybe when the third or fourth generation will be looking through the history books of the Falkland Islands they will say, "who was that fellow Hadden? I see he was the last person ever to be nominated to the Legislative Council of the Falkland Islands", and someone will say, "well, I can remember my great great grandad saying 'that will be the fellow we never could understand'", Thank you very much.

Financial Secretary

Your Excellency, first of all I would like to associate myself with the good wishes expressed by the Honourable Elected Member for Stanley for the visit to Ottawa of the Honourable Mr A B Monk and Mr Bill Etheridge. I wish them every success and I am sure that we will be well represented there. I also wish to thank Honourable Members for what they have said and also I would like to thank Honourable Members for the patience that they have shown towards the Financial bureaucrat! I must say that I not only thank the Members sitting here today, but I thank the Honourable L G Blake, the Honourable John Smith and the Honourable F L Bound in their absence. I trust that we'll see some of them back at this table again, even though they may make it a bit more difficult for me! Thank you, Sir. I support the Motion.

Chief Secretary

Your Excellency, I have already spoken too much today and I don't wish to draw the proceedings out over-long, but I cannot let the opportunity pass to thank my Honourable Friends for their very kind words and for their expressions of support for the Administration. Neither can I forget that they have said that a lot of the facility with which our work has been conducted is due entirely to your efforts, Your Excellency. And they have also said that we have reached a milestone, or a turning point, and I am quite sure that this is so. They have played a most important part in giving a new drive and impetus to the programme for the Colony which I am sure will be an example to the Council when it convenes after the next election.

I find it in a sense a very sad occasion that perhaps I shall be saying good-bye to some Councillors who may not return, or who may not want to return - I would not like to conjecture about that - but I have at all times found my association with Councillors a most agreeable and most helpful one; without their cooperation, their guidance and their criticism, I don't think the work of this Council could have been achieved in the way that it has been. It is comforting to know that there are many stimulating new ideas still to emerge from Councillors, and we have heard some of these referred to just now by the Honourable Elected Member for East Falkland, and I would like to reassure him that these are very much on Government's mind and some even on the stocks.

I would also like, Sir, to perhaps draw an analogy that as in any anthology, often the gems are by the 'anons' and I would like to thank the anons of this Colony, the ones who patiently and with great understanding, even fortitude, sustained the trials and tribulations that we have had to endure during recent months. Without their uncomplaining

support Government could not have functioned in this very difficult period in the way it has done, so to the 'anons' I am sure on behalf of myself and all my colleagues I would like to say thank you.

But most of all, Sir, I am sure that if there is any benefit - and I am sure there is some derived by the work of this Council, particularly during this sitting - it is mainly attributable to the excellent work of Councillors but most of all to your own wise guidance, Sir.

The President

Thank you, Honourable Members. Before I adjourn the House I would just like to say a few words.

In my opening address I said that I would be an apprentice President; well, every now and again the apprentice has dropped his tools; I don't think I've hurt anybody's toes particularly but there have been one or two slips from up here on the table, readily corrected I am glad to say by my Honourable Friend the Chief Secretary. But I have learned a great deal from sitting here through this sitting; I am almost getting to the point of moving Bills in my sleep, I think I have almost got the words off pat, and I can only promise that at the next session of Council I will hope to have passed out of the apprentice stage and become a junior tradesman. I think for me it has been a very valuable experience indeed, my first Council meeting; I certainly learned a great deal both about the work of Council and I have learned a great deal I think more about our island affairs.

We got through a very heavy workload efficiently, expeditiously and yet thoroughly. I regarded it as mainly clearing the decks for the future. We have removed, passed into legislation, a number of bills which had to be passed, are necessary, and now we can get on to the more forward looking programme that we all want to see. And of course this sitting is also most important because of its budget content, and I think we have produced a good budget, a socially conscious budget and a forward looking budget, which has made the most of our very slender resources and I think points a way to the future and for this, as Honourable Members have already said, we are indebted to the Honourable the Financial Secretary who has seemed to work unceasingly for the past several weeks; the light has been on in his office almost, it seems, night and day, I have even seen him going home at one o'clock in the morning - when I should have myself been tucked up in bed, but I was coming back from a party.

We have had a good budget and we are now looking to the future; we have had some good debates, many wise things have been said, many helpful things have been said. I would just like to perhaps comment on one or two of them.

It was mentioned earlier that we get a plethora of experts and advisers and reports. Well, we do. I think if all the reports were laid end to end or on top of each other they would probably reach the height of this building. There does seem to be a tendency whenever we come up against a problem we send for an expert. And it was said that there is a lot of expert knowledge in the Islands. I thoroughly agree. There is; a great deal of it. I am always coming up against it. There is enough knowledge here in the Islands not to do away with the external expert, but to support, to build up the information the external expert

/needs; not an expert,

needs; not an expert, a technician I think we really ought to call these people. But there is a great deal of knowledge in the Islands; I was very impressed with it. But we've got to get it out; we've got to encourage it, and that was why I suggested we should expand our committee system, not just to have more committees to whom we can pass our problems and so we can forget them, but committees or bodies of people, islanders, who would be involved in finding the solution to our problems.

One special external expert I well remember some years ago, a very senior civil servant in another territory, a developing country, quite an expert himself, but he said: "We are sick and tired of people coming here to tell us what our problems are"; he said: "We know what our problems are", and, he said, "coming here to tell us what the solutions are; we know what the solutions are. What we want is somebody to come and give us the technical help and get down with us to doing what needs to be done." Now there I think is the way we should look upon visiting experts here. We shall have to have survey teams, feasibility studies, pre-investment studies, call them what you will, while we are dependent on overseas sources for much of our development finance. It is just one of those things that go with getting money from other people. But we can do a great deal ourselves.

And on our legislation programme, admittedly we had Bills which seemed not to be particularly relevant to our immediate needs but I think in debate it has been shown that they are useful. But in future we do want legislation, this has been suggested during this sitting, on a number of matters which are directly related to our progress and I have already asked the Legal Adviser to prepare skeleton and draft Bills on a number of matters, on the retention of funds, on land control, on other financial and taxation affairs, and we already have drafted Bills that we should be looking at with the advice of Councillors in Executive Council and against any technical advice we get, such as from the Fiscal Adviser and others. But this is something that in the interregnum as it were we must press on with.

Now I would like to pay a few tributes. I paid in my opening address tribute to the help I had already received from Councillors both in Legislative Council and Executive Council; this has been reinforced during this session: my thanks are even greater. I particularly would like to thank - of course not that I don't expect to see them again - the Nominated Members, whose places will disappear under our New Constitution. And I think Councillor Hadden can be assured he has found a niche in history. He certainly found a very strong niche in my respect for him and I would hope that some time in the future, I don't want to have any influence at all on what might happen later in the year, but I would hope that some time in the future we might see him again in our Council affairs in a sufficiently respectable role, sufficient enough to satisfy the Honourable Member for East Falklands of his proper credentials; but I don't think even then it could improve his ability to offer sound and effective advice. I am also glad that Councillors Monk and Bowles will still be with me through the interregnum, if one may call it that, on my Executive Council, and I shall continue to value their advice.

/I have already mentioned

I have already mentioned the Financial Secretary and the good work he and his staff put on the Budget; also the great help the Chief Secretary has been to me both in preparing for this session and very quietly from down there guiding me through it, and has kept my paper going splendidly. At the end of the day I looked at it and wondered just where I was in it but we have managed between us to keep it straight; and also I would like to thank our legal counsellors, the Registrar of the Supreme Court, Mr Bennett, and the Legal Adviser, Mr Cooke, who between them have produced these excellent drafts of Bills which we've been working upon. And I think I might also add a word of thanks to our radio experts at the far end of the room who have been recording our voices, I won't exactly say for posterity, but at least for an evening audience. And I would add my good wishes to Councillor Monk and to our Clerk, Bill Etheridge, to wish them God-speed on their journey to Canada.

And in conclusion I would like to say that I too have the greatest optimism for the future. We are short of most things in the Islands except problems, we've got plenty of problems, but we're short of pretty well everything else, but problems can be overcome if there is a will to overcome them, and I am quite sure that at this point in time we not only have the will but the capacity to move forward into a different, more prosperous era.

Thank you again, Honourable Councillors. I adjourn the House sine die.



THE
FALKLAND ISLANDS GAZETTE
Supplement No. 2

19th AUGUST 1977

Minutes of Meeting of Legislative Council
held 19th July 1977

MINUTES OF THE MEETING OF THE LEGISLATIVE COUNCIL

HELD ON TUESDAY 19TH JULY 1977

The Council assembled at 3.00 p.m. on Tuesday 19th July 1977, His Excellency the Governor, Mr. J. R. W. Parker, O.B.E., presiding.

PRESENT

The Honourable the Chief Secretary (Mr. A. J. P. Monk, O.B.E.)
The Honourable the Financial Secretary (Mr. H. T. Rowlands)
The Honourable A. B. Monk, J.P. (Elected Member for East Falkland)
The Honourable W. F. Bowles (First Elected Member for Stanley)
The Honourable John Smith (Second Elected Member for Stanley)
The Honourable A. B. Hadden, B.E.H. (Nominated Independent Member)

ABSENT

The Honourable L. G. Blake, J.P. (Elected Member for West Falkland)
The Honourable H. L. Bound, M.B.E., J.P. (Nominated Independent Member)

PRAYERS

Prayers were said by the Reverend Gerald Smith, Chaplain of Christ Church Cathedral.

The President

"I welcome Honourable Members to this sitting of the Legislative Council. I must say it probably is a little surprising that after the rather marathon sitting we had a few weeks ago we should need to come together again. The purpose is to take a Bill which is of very considerable interest to everybody, rectifying an error which crept into one of the Ordinances which we passed at our last sitting."

ORDERS OF THE DAY

BILLS

LEGISLATIVE COUNCIL (ELECTIONS) (AMENDMENT) (NO. 2) BILL 1977

Chief Secretary

"Your Excellency, the Legislative Council Elections (Amendment) (No. 2) Ordinance 1977 proposes to remedy an inadvertent misconstruction concerning the definition of "qualifying period" and the qualification of electors. I beg to move that the Bill be read a first time."

The Financial Secretary seconded the Motion and the Bill was read a first time.

Chief Secretary

"Your Excellency, Honourable Members, it is perhaps unfortunate that we have had to return to Council, although it is much better to do this to make sure that we have got the proposals of the Select Committee absolutely right together with the wishes of the electorate, which was the charge put upon the Select Committee.

We attempted at great length in preparing the Bill taken by this Council only a month or so ago, to put those recommendations clearly into a law but, as I pointed out at the time and as I think Honourable Members all appreciated, it was a complex task and we were in many respects breaking new ground, not only in enlarging the elected element of the Council, but in a new type of procedure; and it is the procedure which has bedevilled us. The particular matter which this Bill now hopes to remedy concerns the qualifying period throughout which a person must be resident in the Colony if he is to qualify as an elector. The former Ordinance merely referred to "resided" or "residence" and therefore left a fair amount of discretion to the Registration Officer or those who had to hear appeals from him.

When drafting the previous Bill and incorporating into it the recommendations of the Select Committee to provide the different terms of qualification for electors born in the Colony and those not born in the Colony, the section was re-phrased so that it read that persons must be "continuously" resident in the Colony throughout the qualifying period, and accordingly the qualifying period was amended so that the twelve months' duration should remain for persons born in the Colony but was extended to three years for those not born in the Colony, and the residence duration for a candidate was changed from twelve months to three years.

The word "continuously" as I have said was used in the draft to clarify the word "residence" whereas formerly only the word "resided" had been used. The unfortunate consequence of this is that a fair number of persons, perhaps even a large number of persons, who previously would have been eligible to vote in the election, would now be disqualified from registration as electors because they had been or were temporarily absent. Even occasional absences, even sickness requiring an absence overseas, even a duty tour or leave, could have disqualified the person if that word "continuously" had been left in. This was never intended and consequently a proviso was inserted before the Bill reached Council on the last occasion, which hoped to remedy that restriction.

But it was discovered at short notice before the Bill was introduced in Council that the proviso was insufficient and Honourable Members will recall that a further proviso was tabled during the course of the Bill, which attempted to remedy the omission or oversight in the previous proviso. In fact, on close examination, it has emerged that this last proviso did not cover the point and in fact it could have only been covered by a series of provisos one succeeding another to accommodate every possible contingency.

And it emerged that the real culprit in this was the use of the word "continuously" which is unequivocal and means that a person must have been in the Colony throughout the qualifying period and as I said this was never intended. It was intended, and always has been, that occasional absences should be allowed for. Therefore if the word "continuously" was left in the legislation it would have the unintended and undesirable consequence of disenfranchising a considerable number of people. This is clearly unacceptable and a simple solution is to remove the word "continuously" and substitute for it the word "ordinarily".

"Ordinarily" and its cognate expressions in connection with "residence" or "resident" or "resided" has a clear meaning and definition in law and in our particular context it has the merit too that it is the terminology used in the Legislative Council Order in Council and is clearly defined in the schedules to that Order in Council.

So that what we now propose is a Bill which will remove the word "continuously" wherever it occurs with reference to "resided" and substitute for it the word "ordinarily". This means in fact that in Section 2 we replace the definition of "qualifying period" by the new definition set out in the Bill, and in Section 6 (c) we delete the word "continuously" and substitute for it the word "ordinarily".

To sum up, Your Excellency, the Bill proposes to remedy a defect, an inadvertent defect, which would have disenfranchised a considerable number of persons who ought not to have been disenfranchised. It was never intended that people should have to reside continuously without any absences at all during the qualifying period, it was meant to be interpreted in a just, generous and sensible way, but using the word "continuously" did not allow any flexibility at all and the Bill remedies this defect, I trust. I beg to move that the Bill be read a second time."

The Financial Secretary seconded the Motion and Honourable Members spoke as follows:

Mr. A. B. Monk

"Your Excellency, Honourable Members, the Honourable the Chief Secretary of course has put the whole thing so completely, that there is really little for me to say. Obviously I support the Bill because under the previous wording of "continuously" I was one of those persons who was going to be disenfranchised, so I can't be expected to like that. But also of course I support the Bill because we do want to get the Elections Ordinance correct and we don't want anybody to be disenfranchised because of incorrect wording. I beg to support the Motion."

The Bill passed through all its remaining stages without further debate, or amendment, and was passed.

Chief Secretary

"I beg to move that this House stands adjourned sine die."

The Honourable Financial Secretary seconded the Motion and Honourable Members spoke as follows:

Mr. A. B. Monk

"Your Excellency, I don't want to take up Honourable Members' time, but in speaking to this Motion I would like to say it has given me enormous pleasure to have served on a Council at a time when major constitutional advances have been made. With an all elected Council people have now an opportunity to elect a council that will mirror their thinking. This I think places an enormous responsibility on the shoulders of the electorate. No longer will the people be able to blame the officials or somebody else for frustrating the wishes of the elected representatives. The elected representatives will be in the majority.

I would also like to say that it has given me great pleasure to have been on a Council serving with the other Honourable Members who I think I can say have been not only good friends but good advisers and also with the official members, who have given me an enormous amount of help and advice, although I have not always agreed with it they have been extraordinarily helpful. I would also like to point out that though official members, they have in my opinion, always worked sincerely for the benefit of the Colony.

Finally I would like to say that it has given me great pleasure to have worked on a Council with Your Excellency as President. I think you have given us a lot of very good guidance and advice and I would like to wish you a pleasant holiday when you go away. I support the Motion."

Mr. J. Smith

"Your Excellency, I will be brief, but I too would like to say how much I have enjoyed serving on this Council and would like to express my best wishes for a good holiday for you and your wife this coming week; and I also think this might be an appropriate time for me to say that during my recent visit to London I had a meeting with the Falkland Islands Committee and a very long and useful discussion with the Members and the Chairman and I feel that in the future there will be a very much better and clearer understanding between the Falkland Islands Committee and the Falkland Islands Government. Many things were clarified at that meeting and I am confident now that we both understand a lot more about each other. People in the UK are very much aware of our particular problems and both within the Falkland Islands Committee and outside we do seem to have a very large number of friends who are willing and able to help us when and where necessary. Thank you Sir, I wish to support the Motion."

Mr. A. B. Hadden

"Your Excellency, Honourable Members, I haven't got much to say either, for it's not long since we were standing here saying all these things, but I reiterate my thanks to everyone as this might be my last chance. And I am sure that everyone will welcome the Bill that we have just passed, this amendment which really only emphasises and legalises what was really intended by the Select Committee and the original Bill. I am pleased that the mistake was noticed and action taken to remedy it in good time. Everything is now in order for the elections, we should really be getting on with it and the sooner we have a new Council the better (not that there is anything wrong with this one!) but since that is the way of things, the sooner the better.

For my part I would really like to see the next Council composed entirely of indigenous 'kelpers' because I think the next few years are going to be very very important and very serious years for all of us, particularly the people who represent us and it is important that we are represented by people who live here and have the most to gain or the most to lose.

I would just like to wish you a good holiday, Sir, and hope the summer is not over before you get home. Thank you very much."

The President

"Thank you Honourable Members for your good wishes for a holiday. I hope I may in the course of the next few weeks use a few days of the time I shall spend in the UK to get a holiday, but as things look at the moment with the programme I am building up for myself I think it will be more work and not a great deal of play. However I hope I will enjoy some of the summer and see some of the cricket.

I shall take away with me a good many thoughts and ideas which I shall want to discuss when I get to London, things that have been building up in my mind since I have been here, and ideas which have been put to me by Honourable Members during our various sessions. I cannot promise to come back with a briefcase loaded with proposals and agreements, but I hope to come back at least with some feeling that the journey was worthwhile and we are moving along a progressive path.

Tomorrow I shall dissolve this Council, which will be in a sense for me a rather sad thing to do. I very much enjoyed sitting with you Honourable Members in our Council. The Honourable Member for East Falkland has sometimes referred to the word "dissolution" as implying that Councillors were just cubes of sugar. I might perhaps say that my new secretary when she first came here, who had not come across the word before, typed it from my dictation as "desolation" - and in a sense it is: it is a waste of Councillors; I think it has been an excellent Council. But I look forward to the next one whatever its composition, which will be elected by about the third week of October. The election period will have started I've no doubt before I get back but I wish everybody who takes part, both candidates and voters, well in their choice and of course they will have to consider deeply the problems which lie ahead of us in both voting and putting forward their candidatures.

At our last sitting I did thank everybody for all they have done to help me since I have been here and while, as I said, I look forward to the new Council, my thanks are very deep indeed to you Honourable Members of the present Council, who steered me through a very difficult time for me, and I think a difficult time for all of us, but I hope that we have now reached a situation where we can look ahead with calmness and while I am away I hope that the progress of the Islands will go in in this even tenor till I come back. Thank you all Honourable Members.

I now declare this House adjourned sine die."



THE
FALKLAND ISLANDS GAZETTE
Supplement No. 3

16th DECEMBER 1977

Minutes of Meeting of Legislative Council
held 21st & 22nd November 1977

RECORD OF THE MEETING OF THE LEGISLATIVE COUNCIL

HELD ON MONDAY/TUESDAY 21st/22nd NOVEMBER 1977

The Council assembled at 10.00 a.m. on Monday 21st November 1977, His Excellency the Governor, Mr J R W Parker, OBE, presiding.

PRESENT:

The Honourable the Chief Secretary (Mr J D Massingham)
The Honourable the Financial Secretary (Mr H T Rowlands)
The Honourable A B Monk JP (Elected Member for East Falkland)
The Honourable W E Bowles (Elected Member for Stanley Division)
The Honourable W H Goss JP (Elected Member for Stanley East)
The Honourable S B Wallace (Elected Member for Stanley West)
The Honourable D S Evans (Elected Member for West Falkland)
The Honourable T J D Miller (Elected Member for Camp Division)

Clerk : Mr W A Etheridge

PRAYERS

Prayers were said by the Reverend Gerald Smith, Chaplain of Christ Church Cathedral.

ADMINISTRATION OF OATHS

After taking the prescribed oaths, Mr J D Massingham, Mr A B Monk, JP, Mr W E Bowles, Mr W H Goss, JP, Mr S B Wallace, Mr D S Evans and Mr T J D Miller took their seats as Members of Council.

ADDRESS BY THE PRESIDENT

In welcoming Councillors to this first meeting of the Legislative Council in the new session, I must add a particular word of welcome to those members who are taking part in our deliberations for the first time. To the Honourable the Chief Secretary, who has so recently arrived in the Colony, and to those who are now joining Council as a result of the recent elections. And here I would like to say a brief word of commendation for the way in which their election campaigns were conducted by all candidates - without personal rancour and with proper concentration on the real issues as they were seen to be.

I was not myself here for most of the time, and I understand that both the weather, and the complications in our newly tried-out voting procedures, made it a very difficult election to organise. All the more credit therefore to the Elections Supervisor, Mr Stuart Booth, and his team of officials, for the remarkably smooth and efficient way it was carried out. We now have some leisure to consider, in the light of this experience, whether or not it need be that our constitutional and legislative arrangements should be revised to make it a simpler business next time. Always provided, of course, that the true and clear voice of the people must be heard, and an undeniably democratic Council result, as it has on this occasion.

Before moving on, I would like to take this opportunity to pay a tribute to our former Chief Secretary, Mr Arthur Monk, at whose departure I was not, unfortunately, able to be present. During his term of office here, Arthur Monk served the Colony, my predecessor, and myself with commendable conscientiousness and devotion to duty. I am sure that all members of Council will wish him well in the future.

His successor, who is now sitting below me, needs, I think, little introduction as since his recent arrival he has energetically acquainted himself with a wide circle of people. But I have no doubt he will, quite rightly, seek the indulgence of members in his conduct of our business at this, his first, LEGCO session. I am equally sure that members will readily grant it. I well remember the kindness with which Council forgave my own sins of omission and commission during my early months, and I had longer to play myself in than Mr Massingham has had. His

particular case does not quite create a new record. There was, I believe, an earlier occasion when a new Colonial Secretary was plunged into Legislative Council within a week of his arrival! But I should imagine that Mr Haddingham is feeling he has quite enough on his own mind today to waste too much sympathy on that poor chap.

To the newly elected members of Council, and I think this applies to us all, may I say that, elaborate and formal though our procedures may seem to be, they are in tune with the importance of the function we have to perform - to provide for the good government of these Islands by legislative process. We may only be a small Colony, but the matters we have to deal with are as important, if not on occasion more so, than those dealt with in larger communities. Some formality, and propriety of debate, must therefore be respected if we are not to err in what we do. And it is pertinent to remember that, in our peculiar situation, our words go out beyond this Chamber, beyond even these Islands, to a wider audience outside.

Honourable Members, you will no doubt shortly indicate to me your chosen Members to represent you on my Executive Council. I think this would be a good opportunity for me to clarify how I see the division of powers and responsibilities between these two Councils. They are in fact, in my view, complementary and not separate. The purpose of the Executive Council is to deal with the day-to-day management of our affairs, subject to the legislation passed, and views expressed, in ordinances and motions in Legislative Council. The legislative safeguarding of the public good lies here in this Council; the Executive Council carries this a stage further in general administration.

In the Legislative Council also resides the power of control of the Colony's purse. The Standing Finance Committee and the Select Committee on the Estimates, both of which are composed of the full membership of this Chamber, meet almost as regularly as the Executive Council, and have an enormously important role to play in approving, in detail, the supply of funds to keep the Colony running. While the purpose of the SFC may seem at times to be rather narrow, and while it does not, in itself, decide on matters of policy which are the prerogative of the Executive Council, I nevertheless look to the Committee to put forward, as often as they wish, recommendations which EXCO will consider for

the better conduct of our affairs. I liken the whole system to that of a railway, with the train driven by the Executive Council, on lines laid down by LEGCO, with the SFC in the guards van, occasionally applying the brakes and locking out for signals of danger. Drivers, track-layers and guards, all have a complementary part to play in ensuring that the passengers safely reach their destination.

I do not intend, in my address today, to make a wide ranging and comprehensive survey of all our domestic affairs such as I gave, according to custom, at the July Budget Meeting. But I should highlight a few matters to show where we are going. When I went on leave, after the July Meeting, I took with me a whole bag-full of questions and problems. After nearly three exhausting months of it in London, I feel I have come back with a whole bag-full more. But that, I fear, is the way of it when the stage we are now at, in our new development upsurge, is reached. It is hard to see the wood for the trees. Or rather, like someone in the early stages of building a house, to see what one is going to do with all the muddle of timber, bricks, nails and paint, that are starting to arrive on the site.

One thing I should stress. Although, at times, my discussions at the Ministry of Overseas Development did not quite match up to my impatience for quick decisions, one must understand the Ministry's problems as well. Like all Government Departments, they have to account strictly for their monies, and rules of procedure have to be followed. This apart, there is certainly no unwillingness to move as quickly ahead as possible in helping us move ahead. But if we want their help - and our own resources are too limited for us not to want it - we must take things at the pace their procedures demand. We can spurt ahead in some directions, and this we will do whenever we can.

It is worth my saying that I had a long - in Ministerial terms - over an hour - highly useful discussion with Mrs Judith Hart, the Minister for Overseas Development. She now has a good understanding of our problems, and is sympathetic to them. This will help enormously in the future, and I am grateful to the Minister for her interest. The recent exchanges she had in Parliament, when she was subjected to a rather severe examination on some aspects of our aid requirements, must be seen in that

light. I am sure it will not have adversely affected her personal concern for us, which she demonstrated in our conversation.

We now have with us Mr Jeremy Peat, an CDM economist, who is here to evaluate solutions to our transportation problems. He has joined another member of the infrastructure team, Mr Jameson, a civil engineer from the Forestry Commission, who is looking specifically at cheap, quick and simple methods of building our much needed all-weather tracks. I am glad to say that his first impressions are very encouraging and, unlike many expert advisers, he is keen not just to produce a report, but to get on with the job while he is here. I shall be discussing this in Council, and I hope we can give him the go ahead. Alongside these two we also have Captain Woodward of the Royal Engineers who is to look practically at our plant maintenance and related problems, particularly the plant we hope to acquire from Johnston Construction Ltd. And early in the new year we are promised an expert management adviser whose task it will be to help reorganise the Public Works Department, so that we have the capacity to get on with the many construction jobs that lie ahead of us.

The Committee I set up under Mr Robin Pitaluga to look into the future of the Air Service has produced a very valuable interim report, which is concise in its findings that we now need to move into a new aircraft type to supplement our ageing but beloved Beavers. I will be submitting this report to EXCC, and the evaluation of its main proposals will form part of Mr Peat's assignment. As to the current operations of FIGAS, I am glad to say they are now much improved, with our three pilots in service, and flying under better weather conditions than were experienced during the winter when Captain Russ Hooper had to carry on manfully alone, except for the valuable assistance given by Major Willoughby. Captain Emsley has taken to the job - I will not say quite like a duck to the water - but certainly as the very able pilot he is. And Captain Jim Kerr has now returned refreshed from his leave, after his exhausting single-handed operation throughout the earlier part of this year, and has resumed the direction of the Air Service. It is clear however that even with three able pilots, two Beavers alone cannot at all times now meet the demands placed on the Service.

Mr Ritchie, who is a very experienced man indeed - I knew him when he was in the Ministry of Finance in Fiji, and we are lucky to have his services - has quickly got down to an examination of our salaries structure in his role of Salaries Commissioner. I am sure we shall all look forward to his report, which he hopes to complete in a few weeks. It will then be laid before EXCO.

Another report EXCO will be asked to consider is that of Mr Pepper, who carried out a survey of our fiscal affairs during the winter. This is a lengthy, and most comprehensive document, which contains many suggestions we shall be seeking ways to implement so as to increase our financial and revenue resources.

Following on Mr Pepper's visit, and partly at his suggestion, we had Dr Barlow from the Tropical Products Institute, who looked into the possibility of simple, inexpensive methods of curing hides and skins. I must confess to a little initial uncertainty about this idea when it was first mooted, but we decided to welcome it, and I am glad we did so. Dr Barlow also turned out to be an expert who was not content just to produce a report, but to get down to really showing us how it could be done. I believe he generated a great deal of enthusiasm for his methods while he was here, which we must endeavour to maintain.

I am glad to learn that Home Industries is taking up the retail end of small-scale skins production. Home Industries, which I understand is shortly to form into a cooperative, is deserving of as much support as the enterprise can be given. I am glad to learn that, on the initiative of the Falkland Islands Company, a working relationship has been established with a woollen mill in North Wales which will lead to knitwear made from Falklands wool coming on to the market, through Home Industries, and hopefully to its eventual production in the Islands. As regards another of the Falkland Islands Company's initiatives, the experiments recently conducted by Mr Duran into the drying of fish hay, I understand, show enough promise for the Company to consider making a substantial investment to start commercial production.

On another drying process, that of kelp for fertilisers and animal feeding supplements, the Tropical Products Institute, which I mentioned earlier, has arranged to receive regular samples from the Grasslands Trials Unit for chemical and organic

analysis, to see what benefits could be obtained. We may seem a long way from the Tropics, but the Tropical Products Institute, in spite of its name, has a wide-ranging expertise in all forms of agricultural production which can be drawn upon by countries seeking to diversify their development.

The Grasslands Trials Unit itself is now back into full-swing, with two new members, Mr Maitland, the Field Officer, and Dr Summers, the Goose Officer, following Mr Campbell Kerr's return from leave. Although from what I heard of his activities, there was not a lot of leave in it for him either - this seems to be a feature of UK leave for all of us; there is so much to do while one is able to tramp up and down the corridors of power, spare time for a holiday quickly gets taken up. The Honourable Financial Secretary himself got through quite a lot of business while he was in London, as I saw at the time, particularly in successfully concluding the negotiations with the World Wildlife Fund for a place for us on the Fund's important and lucrative, coin issue scheme.

We also had a quick visit, arranged while I was in London, by the ODE's architectural adviser, Mr Riley, who specifically looked into the construction of a school hostel in Stanley which we would like to see started as soon as possible. There may be a little delay in getting permanent buildings erected, but I am hopeful that we shall, in the meantime, be able to make suitable temporary arrangements. I have asked Mr Lamin, our newly arrived Superintendent of Education who has also got down to his duties with commendable energy, to plan, if possible, for an August 1978 date for the concentration of senior school education at Stanley. If this can be achieved, we will have made a good start into a new era for the education of our children, although much, I admit, still has to be done about primary education in the Camp.

I must also add a word of welcome to our third Doctor, to reinforce our excellent medical services team. I refer to Dr. Alison Mackintosh, who will be well known to many of you already. We travelled down in the John Biscoe, from Montevideo, with her husband who is to take up a two year assignment with BAS in the Antarctic. This young couple of doctors seem to be basing the early years of their marriage on the principle that absence makes the heart grow fonder - they recently, I believe,

undertook separate assignments in Greenland. I am sure we must be grateful for it, as it has allowed us the services of a first-class lady doctor for the next couple of years.

There is one other matter which cropped up during my leave, to which I might perhaps refer, although I did mention it during the broadcast interview I had with Mr Patrick Watts in the evening of my return. It concerns the future of the Falkland Islands Company. As soon as I arrived home I learnt of the bid that the Laird Group Ltd. had made for Charringtons, the parent holding company of the Falkland Islands Company. I was in immediate and constant touch with Mr John Dowling, the Chief Executive of Charringtons, over this bid, which seemed to have serious implications for the future running of the Company. As a result of a meeting I had with Lord Shackleton I approached Kleinwort Benson, a large firm of city merchant bankers, to ask if they would advise in the matter on behalf of the Islands Councils. The Deputy Chairman of the Bank, Mr Caldecott, kindly undertook to do this on a courtesy basis, and we were able to make our concern known to the Office of Fair Trading which supervises such takeover bids. In the end Lairds withdrew their bid, and, as you will probably know, an agreed merger took place between the Coalite and Chemical Company of Bolsover and Charringtons. I remained closely in touch with Mr Dowling, who has now joined the Board of Coalite, up until the time of my departure from London and we have agreed to maintain correspondence on any developments that may ensue. The Falkland Islands Company is now part of a larger industrial organisation - which incidentally, does not otherwise have any interest in wool production - but hopefully it will now be left to manage its operations, which are so essential to the Islands affairs, in much the same way as hitherto. I am particularly interested in the Company's recently indicated intention to make land available for small-scale

farming, and I am sure that any practicable proposal to this end will receive close attention in Council.

While on the subject of the Falkland Islands Company I would like to thank the local management for its cooperation in helping us over the recent fuel shortage problems, which arose as a result of the teething troubles encountered in the initial stages of the partial implementation of the VPF Agreement. We expect, as a result of the representations we have made, to have now got this matter on to an even keel, and our future fuel supplies will be assured.

Next, although it is now some little time since they returned, may I welcome back Councillor Adrian Monk and our Clerk, Mr Bill Etheridge, from their attendance, with Mrs Monk, at the Commonwealth Parliamentary Association Conference in Canada. I understand they had an exhausting but exhilarating programme to undergo, during which Councillor Monk spoke up for the Islands' case and made many valuable contacts. If their modesty forbids them from saying so, I am sure we can all be certain they did an excellent job in this important forum, which would follow on the good work Mr Tim Blake did at previous conferences in other parts of the world.

Honourable Councillors, we are now shortly to see a resumption of the talks between Her Majesty's Government and the Argentine Government, at Ministerial level, within the framework of the negotiations which both countries agreed to hold consequent upon the then Secretary of State's statement in Parliament in February of this year, and subsequent to Mr Ted Rowlands' visit to the Islands later that month. I think I need hardly now repeat, in full terms, the Ministerial assurances we have received, and which have been reiterated many times, and which can be summed up in the guarantee that during those negotiations there will be close and continual consultation with the Islands Councils and their people, and that any changes which might be proposed must be acceptable to the Islanders. I am sure you will wish to bear this in mind in the course of our deliberations in this Chamber, and as we carefully consider the most prudent position we should adopt, at this time.

Honourable Members, the administration's legislative business at this meeting is confined to the presentation of only one bill - the amendment to the Family Allowances Ordinance. But we have a number of questions and motions on the Order Paper, and I propose we should now adjourn, to continue our sitting after luncheon, when Members may undoubtedly wish to speak to my Address.

The Council adjourned at 10.45 a.m. and resumed at 14.06 p.m.

ANNOUNCEMENT

The President

"The elected members of this Council have elected the Hon T J D Miller and the Hon W E Bowles to be members of the Executive Council for periods of eighteen and twelve months respectively in accordance with Royal Instructions."

MOTION OF THANKS TO HIS EXCELLENCY ON HIS ADDRESS
TO COUNCIL

The Hon A B Monk JP

"Your Excellency, Honourable Members, I would like to thank Your Excellency for your Address this morning. I am personally pleased and honoured to be an elected member of this Council - this Legislative Council represents an advance for democracy in this country and any advance in democracy means more responsibilities for the elected members. We've seen that some people have almost inferred that government of this Colony should be carried on from London. I consider that this Council and Executive Council, Your Excellency, is the government of this Colony. We've got to discharge our responsibilities; government rests here, not with commercially sponsored individuals overseas. I regard the opinions of anybody that is prepared to reside and work in this Colony as more important than the opinions of a Falkland Islander who considers the country is not good enough for him to live and work in. Your Excellency referred to possible reforms of Council which may be necessary in the light of the recent election, and I think that is quite true; the recent election was a very frustrating and difficult affair indeed and did point out some deficiencies. However, whatever reforms we introduce we must retain the essentially democratic nature of this Council, as Your Excellency pointed out.

I am unable to agree entirely with the analogy Your Excellency drew to the functions of Exco and Legco. May I refer to it perhaps as the railway analogy. Executive Council has, historically, made policy, but it need not be the sole policy-making body. Indeed it should not be, in my view. One of the reasons Executive Council has made policy in the past has, in my view, been that they have had the full availability of expert assistance from the Administration and even from the Foreign and Commonwealth Office in drafting Bills and so forth. It also must be remembered, I think, that 95% of Bills and legislation, as it were, emanating from Executive Council, are, in fact, emanating from the Administration and merely passed on from Executive Council. There is no reason whatsoever why Legislative Council can't make policy. There is no reason why private members cannot sponsor their own Bills, Resolutions and Motions. The only limiting factor in the past has been the difficulty that Councillors had in getting the necessary expertise in drafting these things and researching the information, and very often, if the legislation has not met

/with the approval of the

with the approval of the Administration it has, as I very well know, been very difficult to extract this expertise from the Administration; but Legislative Council should not consider itself as merely a pair of railway lines supporting the engine of Executive Council, deciding whether it's going to move forwards, backwards or not at all.

I suppose the most important thing on our horizon, obviously, is sovereignty, but I don't think we should allow ourselves to become so obsessed by the sovereignty problem that we ignore the other problems - the internal problems - as long as we stand fast on our view that we wish to remain British and encourage Members of Parliament in the British House of Commons and others overseas who support us in that view, I think we are doing our duty. But we must not become so obsessed by the problem that we lose interest in any form of improvement here.

Internally we have problems with communications, education, and medical services and we wish to develop. And with regard to communications I suppose it's fair to say that FIGAS is a definite must socially. Without FIGAS we cannot exist as a community and we've probably got to make some improvement in FIGAS. With the ever-growing cost of operating Beavers and the difficulty of getting spares and all the rest of it; and it would seem that our excellent FIGAS Committee recommend that we should buy an Islander aircraft. We've ample funds for doing this and I think we should get down to it and do just that. Roads would obviously be of enormous social benefit to those areas they service and I think it's been shown in the past that roads do tend to promote economic development. They do not necessarily mean that you'll get economic development, but without roads you almost certainly won't.

The Falkland Islands Government Air Service can only provide very limited development, in such things as a specialised tourist industry and so forth. With regard to roads I think we have probably got to make some fairly hard decisions. Once we determine - and if we determine we are going to have a road system then we've got to say to ourselves, 'We must acquire a strip of land along the route of the road before we build it', We must acquire the land at the unimproved prices, because along the route of the road is where future development will almost certainly take place; and it is in the interests of the citizens of this Colony that they should have the land where this development is to take place. We of course have, as it were, a committee of experts here, Mr Peat, Mr Jameson and Capt Woodward, reviewing all our communications, transport situation, and it would be invidious to come down and say we should do this and that until they have made their report. But with regard to sea communications versus roads and the air communications for small isolated island communities, I think it's been shown everywhere in the world that sea transport is notoriously inflexible and slow.

One of our services we have to give serious attention to is education; and the previous Council has strongly recommended that we should concentrate secondary education in Stanley, and indeed I thought we'd even approved a plan of a school hostel in Stanley and the site for it and I thought that in fact even

/some work had taken place

some work had taken place - on the drains or something - up there. But it seems that the hostel is not approved or even started, and it's difficult for me to understand why this should be. I looked at what I thought was a very full plan of the thing and approved it along with other members. We must make headway here and if necessary we must spend our own money in starting this. We have our own money and we must spend it in order to get this thing off the ground; I am quite convinced. One of the problems with education in the Camp especially has been the shortage of staff, and since there's twenty or twenty-five thousand unemployed teachers in the United Kingdom, so I'm told, it's very difficult for me to understand why we can't get three or four here out of all that large number of teachers - there must be some that wish to come here. One of the reasons seems to be that teachers here only have to give a very short period of notice if they do not wish to renew their contract - something like three months - and I am told it takes nine months to recruit a replacement, so you automatically get a six months gap. Well, I think that whole situation needs looking into.

Also with regard to education, the overseas grants system is in my opinion an iniquitous situation, system, which is only benefitting those people with the means to take advantage of it - and I personally have been one of them. It does not necessarily benefit the child who could use the benefit of a higher education; it simply allows the parent with some money to send a child overseas. And I think we must alter the whole system and concentrate on providing full secondary education here and only after that - with the children that show the ability - provide overseas academic or technical education.

With regard to the medical service, I personally think we are extraordinarily lucky to have such a good medical service, and I really must commend the Medical Department for the quite obvious - in my view - quite obvious improvements that have been made in the last few years.

We have had a visit by Mr Pepper who, I understand, was going to produce a report telling us how we could overhaul our fiscal arrangements; how we can, I hope, get our hands on some of the money that is leaving the Colony and so build up our own development fund. It's very important that we should in my view invest some of our own money in development instead of asking ODM to put money up. I'm sure if we could put up our bit there would be greater keenness. I await Mr Pepper's report with interest. I think we must, with regard to development, mention the FIC's Green Patch proposition. I think we must seriously evaluate, seriously consider and seriously study this proposition. Maybe it's not what we want; maybe it's of no use. Maybe it's the very thing. But the fact that there is a proposition put up for providing opportunities to individuals must call for very serious study.

I would also like to talk if I may about services to isolated areas. Now I know there has been a lot of criticism in the past of services that are provided for isolated areas, and it has been perfectly valid. There is no question but that

/in some isolated areas

in some isolated areas we do not provide very good services. But I think at the same time we have to say to ourselves, 'How much can we afford to spend on services to very isolated areas? Should people in isolated areas be costing tax payers six times as much as people, say, in Stanley or Goose Green?' I think we've got to honestly say that we cannot provide a full service to some of these areas. Therefore we cannot expect them to pay full tax, or even in one or two cases, any tax at all. I don't think, in spite of the look of horror upon the Honourable Financial Secretary's face, that the financial loss in the one or two cases would be terribly serious, but it is really wrong in my view to expect these people to pay full taxes when they are getting very little for it.

I suppose one of the most important things for keeping this Colony going is keeping the people here. And if possible, increasing the population. And I think we'll only keep the people here if we can provide security. Obviously the sovereignty issue is one of the things which makes people insecure but I think if we view this sovereignty issue as something we've got to stand steadfast and firm on and keep our opinions before the British government, we must not become too obsessed by it. I think there are other things that make people here sometimes feel insecure.

We have no national pension scheme. I must commend the Falkland Islands Company for their private pension scheme and in fact for their publishing - giving firm conditions of service to their employees - laid out I believe in something called a 'little Blue Book'. I must admit that no FIC employee has ever allowed me to look at the little Blue Book but I am told that it is a very worthwhile document. A pension in old age and security are very important, but private pension schemes can be a bit restrictive. If you are an employee in a big private firm with a pension scheme after you have done your ten or twelve years and you begin qualifying for a pension you are, as it were, hooked. Also, private pension schemes are very difficult for the small employer to operate, for obvious reasons. I think we should have a national one, paid for in the same way as we pay for old age. Another, talking about security again - and we must have security - is full employment (which we have, very luckily - probably the only country in the world) but we must provide opportunities for our really enterprising people. I suppose you can say that contentment and security come from no external interference with your way of living, internal democracy, opportunities for employment and good social conditions.

I think I've probably spoken too long. I was told the other day - I don't know whether it was the Financial Secretary or the Chief Secretary who told me, but some Administration member anyway - that something like 14,000 sheets of paper were going to be used to print the minutes of the Budget meeting. I only hope that I haven't used up too many sheets and I can see the new members are very impatient because they have important messages to give us; and I must say I do welcome very much the new members. I suppose that you can say one of the faults of democracy is all the verbiage and talk that goes on - it gets very boring at times - but I think probably you will agree that that is better than police truncheons and the guns of dictator states.

I would like to thank Your Excellency."

/The Hon W E Bowles

The Hon W E Bowles

"Your Excellency, Honourable Members. I can assure our new Councillors that I will not take up as much paper in the minutes as the previous speaker has done. I welcome the new members, including our new Chief Secretary, to the now fully democratic Council. I'm delighted to be here and to publicly thank those people who voted for me and to put up with me for another session.

I know it might seem that Executive Council merely passes on a load of Bills from Government House, but I can assure my Honourable friends that they don't and they very often haggle a lot longer than Legislative Council members do about it at times, whether they be on Legislative Council or not. And it's not quite as easy as it may appear.

The new development upsurge I welcome. With the help of the Ministry of Overseas Development I think perhaps we may have got to the foundation stones stage and I hope, unlike our swimming pool, it gets a little further than that, Sir. I'm grateful to learn, too, that Mrs Hart is viewing our problems with sympathy and, we all hope, helpfulness. The advice of experts on transportation is of vital importance. We've relied on aircraft and small coastal vessels for many years and we are a country with the highest vehicle percentage per head in the world I believe, and I think it's high time we had some more roads to drive them on. And with the road to Darwin, I agree with my Honourable friend that it is of vital importance and it is going to open the place up and I think give people something to look forward to which has been long awaited. To go back to FIGAS, I shall be only too pleased to welcome the report of the Committee because we have to have our air service for the outlying areas - the West Falkland in particular - medical purposes and many other facilities we know they perform so well. I am not so sure in my own mind that a totally land-based service is the answer, because we are surrounded by water, we've got creeks running in all over the place, and if an aircraft has to make any emergency landing for any reason at all, I still wonder if float 'planes are not, at least the immediate answer, if not the long term one. I know that runways, maintenance costs and so on will play a big part in land-based aircraft, and I look forward to sizing up the two types of aircraft and perhaps the answer to this problem is the use of one to complement the other.

The Pepper Report: I think we can all look forward to that. I'm sure with his guidance we'll be able to sort out a lot of our problems for the future.

You mentioned in your speech, Sir, the hostel building which at the first stage we thought may well be temporary. I'm afraid I view this with a little suspicion because temporary buildings have a habit of becoming permanent. And I feel in the long term it is better to do the permanent building because, whatever your initial cost is, it's always cheaper today than it is likely to be tomorrow. If we do build a temporary building

/first, when we do get

first, when we do get round to the permanent one it will probably escalate by such a wide margin that we may not, by then, be able to afford it. I think we should look at this question far more closely and then decide whether we go for a temporary one and/or a permanent one, or whether we just go for a permanent complex and have one job and not two.

You did say, too, in your speech Sir, that fuel supplies should be getting back on an even keel, and with the rationing now suspended I appreciate this and hope that our future fuel supplies will be assured. You did not say so, and I do not blame you, for how long! I only hope that we can keep a watchful eye on this and make certain that the fuel supplies can be ordered well in advance and that YPF can keep a watchful eye on local consumption so that orders for the supply of fuel can be placed well in advance and avoid further fuel rationing - especially when it comes in the middle of the peat-carting or the shearing season. I just make that as a point of observation.

I would also like to thank my Honourable friend and his wife, the Hon Mr Monk, and also Mr Bill Etheridge, for their visit to Canada and I look forward to hearing the report on the visit to the Commonwealth Parliamentary Association meetings there. And I also endorse what he said that it is security we need in this place, and the sooner we have security here the sooner people will stop leaving the Islands. I think this is what we basically want: security, opportunity and something we can get off the ground and so I welcome your Address this morning and would like to support the Motion of Thanks."

The Hon W H Goss JP

"Your Excellency, Honourable Members, I don't think Mr Monk has left much for the rest of us to say, and I don't intend saying very much.

I would like to speak briefly on the all-weather tracks. Let us hope this won't just end at Goose Green, as has been mentioned, but that it goes on to some suitable port in the Sound and that we have a ferry across the Sound. This would be a very expensive proposition if people are going to expect to be able to come down in a Land Rover and hop on and go across to the other side. She would have to be a dual-purpose vessel, something that would do the ferrying across the Sound and do other work around the Islands. The ideal type of vessel in my opinion would be a landing craft; she would do any bulk sheep-lifting - we have talked of the export of sheep and meat for years - I doubt if it will ever materialise, but she would be ideal when you get a ship of any size to come here to pick up sheep and transport them from shore to ship. There are plenty that would come here, but ships that are going to carry large numbers of sheep in many cases are not insured to lay aground and in many cases would be very reluctant to do so. And with all our short jetties you can't expect them to go alongside under such circumstances.

/Development:

Development: we hear a lot talked about but nothing has ever materialised. We've got meat by the hundreds of tons which we throw away every year and half the world is starving. The development of the processing of meat and fish I think could be combined to give us another export. We cannot have development without exports; just development within the Islands is nothing, unless we develop farming. That's the only way we can develop. The fact that we can't get reasonable fertiliser, and I don't see how farms can be developed much beyond what they are. They might be able to improve on pasture rotation but this would not be to any great extent. At the moment - not quite so much at the moment but in the past - the tendency has been to exploit; to take everything out and put nothing in. I think that must be halted.

Education: I think the standard of education in the Colony is deplorable, and has been for some years. But it is encouraging to think that there are now moves afoot. It has been said that if we improve the standard of education the people will only go away. That's rubbish. There are people in our midst now who have come here and settled, and been here for many years and others who show signs of staying here and settling, and who are educated people. This doesn't hold water in my opinion.

I beg to support the Motion of Thanks."

The Hon S B Wallace

Your Excellency, Honourable Members. In rising to support this Motion of Thanks I would like to thank the people of West Stanley for the privilege of representing them here today.

In your Address, Sir, you likened our present situation to that of the initial stages of constructing a house. As with any house it is essential that we too build to last. Even more important, that we do not end up with a building which has lowered the tone of the neighbourhood with the result that the people it was intended for have gone elsewhere. All our plans for the future are threatened by the continuing decline of our population. If we do not halt this exodus, very soon we shall not have enough people to call a viable community, far less build for the future.

But I recognise that there are other causes for people deciding to emigrate. One factor that I think greatly contributes to the final decision and is not sufficiently appreciated, is the knowledge that our social services are now virtually controlled by Argentina. For many folk a most unsettling aspect of the situation is not just the fact that these services are controlled by that country - for after all few people would deny that the weekly air service has been of great benefit to our community; what people find more unsettling is that our government, in the past, has appeared to allow LADE and YPF to operate in whatever fashion they please. The most recent example of this was of course the fuel crisis when, with no warning, we were informed that there was no more petrol and very little kerosene. But before that the price /of fuel fluctuated

of fuel fluctuated as many as three times in a month despite previous assurance that it would be adjusted monthly. My point is, Sir, that it can hardly give people confidence to see their government stand by helpless in that sort of situation. Everything else apart, it does not seem unreasonable to ask that any company supplying such a vital service do so with some degree at least of competence and efficiency.

You remarked in your Address this morning, Sir, that we were shortly to receive the report prepared by the Fiscal Adviser. I hope that this report will include proposals for stemming the flood of potential revenue out of the Colony. One of the more aggravating aspects of the situation is that while we must tighten our belts, absentee shareholders live on the fat of our land.

I was pleased to hear that we are to receive advice on the reorganisation of the Public Works Department. The majority of Government departments are the target of criticism at some time or another, deservedly or not, but the PWD seem to receive more than most; and since this department will play an ever-increasing role in our development it is essential that it is operated efficiently and that its resources be fully utilised. Mention of the Public Works Department brings me to one or two problems here in Stanley which, though relatively unimportant, are nonetheless the cause of considerable inconvenience and dissatisfaction.

The first is what are jokingly called 'the Stanley roads'... I appreciate that the necessary permanent repairs will be costly, but I don't understand the thinking behind throwing lumps of cement into the craters; the results on past showing seem to be of very short-term benefit. Cement is not cheap. Is it beyond our capability to lay a few yards of tarmac?

The other matter is the condition of the Stanley boundary fence and cattle grids. Again I expect it is a matter of cost and priority. But it is certainly wrong to attempt to penalise owners of animals which, in the absence of any fence, stray into town. It is, after all, difficult to instruct a cow on the finer points of common grazing rights.

In your Address to Council this morning, Sir, you mentioned the delegation sent from here to the Commonwealth Parliamentary Association conference, and the excellent address given by the Hon Adrian Monk on that occasion. We should continue to make and take opportunities to promote a better awareness of our situation both within the international community and also in the United Kingdom. In this respect we should not forget the work of our friends in London. Some of us doubt the motives behind their efforts, but no one can doubt the support we now have is due almost solely to their work. It is unfortunately true that the word 'Colony' is not very well received in many quarters and it must therefore be for us who live here to demonstrate that we are proud of our heritage and wish to remain as we are: a British Crown Colony.

/This brings me to the

This brings me to the resumption of the talks between Her Majesty's Government and the government of Argentina. I believe my views on these talks and indeed on the sovereignty position are well known so I will not dwell on them here, except to reiterate my view that representatives from this Council should be present as observers at any future talks. We have, as you said in your Address, Sir, been given assurances that we will be kept fully informed, and I have no doubt that this will be so; but I believe that with Councillors present at these talks we should be able to make more accurate appraisal of any proposals that Council here may be called upon to consider.

Finally, Sir, it is my opinion that, though we should certainly explore possible avenues of co-operation with our neighbour, we cannot allow any further erosion of our sovereignty if we are to maintain the confidence of the people of the Falkland Islands.

Your Excellency, I wish to support the Motion."

The Hon D S Evans

Your Excellency, Honourable Members. In speaking to the Motion of Thanks I would first of all like to say how much we appreciate the effort you put in on our behalf in England, on what was supposed to have been a holiday. I would like to congratulate you on the amount you achieved. I was particularly interested to hear of your long talk with Mrs Judith Hart and the sympathetic attention our troubles received. I think that news more than offsets the worrying remarks that Mrs Hart made on a previous occasion.

I did know that I would be near the end of the list of people speaking, and I knew that many of the points would be covered, so I haven't really attempted to cover the same points.

The sovereignty issue will be well covered in this meeting of Legislative Council and I don't really propose to go into any details now. Since becoming a member of Legislative Council I am naturally much better informed on the situation as a whole. I must say now that in some cases my beliefs have had to be modified; in other cases they have been strengthened. This is bound to happen and in no way means that I feel less strongly about our situation. For instance I can now see that the hold-up of the hostel and the roads is nothing more than the slowness of bureaucratic processes. Councillors have done their very best to ensure that all the important issues that concern us are brought up and discussed openly in this meeting of Legislative Council.

We are also determined that whatever happens we'll try and take positive decisions, and not shirk our responsibilities or leave to others decisions that are truly ours.

/I must admit that I came

I must admit that I came to these meetings wondering if I was wasting my time, wondering if anything was going to be achieved and wondering if I was going to be swallowed up in the bureaucratic machine. What I have found is immensely encouraging. I've found in the Administration a great desire to break clear of the old choking paperwork and get on with something positive, the willingness to take calculated risks to get things moving. I've found a Council who want to work together, taking their responsibilities very seriously, and above all, who want to keep things open so that the people of these Islands know how and why decisions have been taken.

This Colony has been in a state of stagnation for a long time now. It is absolutely vital that we begin to move forward. It is even more vital that we move forward together, as one unit, people and government. This can only be done with trust and a willingness on both sides to count the good that has been achieved and not automatically look for the bad. We must help ourselves: it's no good sitting back expecting that Britain will do it all for us, and blaming her for being slow about it. There's no sense of pride in that; there's no sense of achievement. Only by helping ourselves can we gain a belief in ourselves. The next few years are vital: if this Administration is willing to take chances and get things moving, then this is one Councillor who is willing to back them all the way. I'd rather do something - even at the risk of making an unholy mess of it - than do nothing. We have the guidelines along which we should move: they've been well discussed this afternoon - the hostel, improved communications, an attempt to keep more money within the Islands; an attempt to begin expansion. What we can do on our own will be limited, but a community working together - there's virtually nothing that a determination to make a go of it can't achieve and often produces near miracles, while all the money in the world can do nothing if it's matched with apathy. I'm absolutely convinced the key to our future lies fundamentally in the attitude of the people of this Colony. We've got to stop bemoaning our fate; we've got to get down to doing something about it ourselves; I think at this time we have the Council and the Administration that can get things going. If we don't move now we never will. I hope that the people of these Islands will help us and encourage us, and forgive the inevitable bunglings and mistakes and judge us on the progress we achieve rather than the mistakes we make.

I wonder how many people in town and in the Administration have really examined the truth in the statement that without Camp Stanley could not exist. Some will automatically reject that statement; others won't have thought about it. Yet it is true. Falkland Islands Company and government employ most of the people in town. Without wool there would be no reason for the FIC to exist, and without the revenue from wool Government could not function. Therefore even if it's for the most selfish reasons it is in the interests of everyone in town to make sure that people stay in Camp. I wonder how many people in town have given any thought to what it must be like living in Camp right now. It's certainly no good adopting the attitude that if they don't like it and find it a bit tough they should get out. This Colony and you can't afford that.

/We're one community,

We're one community, not two separate communities. It is hard to describe how catastrophic the effect of the curtailed air service has been in Camp. Island people have virtually been made prisoners on their own islands. Mail at times has been a complete rarity. I know that time after time I wondered why I hadn't had a reply to a letter and on thinking about it remembered that the letter hadn't even got away.

Take Sea Lion Island for example. Some will say 'they should not be there', or shouldn't be paying any tax. But it's my belief that if we pull back off any of our land we are making a fatal mistake. Sea Lion Island went well over two months without mail, and I think it was a lot more than that, actually. It was only after telegrams and a request for a reduction in tax that any real effort was made to try and improve things. I doubt whether they had more than two mails in six months. What do you feel like in town if the Fokker misses just one overseas mail? This is typical of what happens in Camp. The services are there, but almost grudgingly. Is this the way to encourage people to stay in Camp?

Take the medical situation. I realise I'm on dangerous ground mentioning doctors if the past is anything to go by. I wonder if the doctors have bothered to think about the fact that by choosing to take Councillors' remarks personally they are depriving Camp of a chance to right possible wrongs. I don't advocate the return of a doctor to the West; but I would say that more trips like the one that Dr Cox has just completed are needed. A quick in-and-out visit of a couple of hours is not sufficient. It would be a help if more overnight stays could be arranged. It has a very bad psychological effect to be told - as we were during the crisis - that no doctor could be spared to come out to Camp because there had to be two doctors in Stanley. That makes one feel a very second-hand citizen.

Education in Camp is very poor. In the last year or two it's been appalling, with anything up to three or four months without a teacher. It's extremely disturbing to hear that the beats have been spread out even more. I haven't confirmed this, but this is the rumour that's going round. There is very little excuse that I can see for the fact that taped programmes are not now available in Camp settlements. Every possible thing that can improve standards to help the Camp teachers should be done. The taped programme was a good idea: that idea seems to have bogged down, in Stanley. At the age of eight we have had to send our children to Darwin School; it's very young. We accept this but it isn't easy, especially when we hear so many stories about the conditions at Darwin School. I intend making it my business to find out just what the conditions are really like. Children have rights as human beings as well as grown-ups. There must be no neglect of Darwin School because we'll be getting a new hostel. We are all very well aware of how long that kind of project can take to achieve. I'm already getting an insight into the attitude that was adopted with regard to Darwin School. As you may remember, in my election speech

/I said I would get something

I said I would get something done about the Darwin R/T. We've only one opportunity a week to talk to our children. Can't you see how frustrating it is to know that your child is talking to you on the R/T but he or she can't hear you and you can't talk to them. It isn't in the least bit funny and it's been going on for a long time now. I wrote to Darwin to find out more facts and I wrote to the appropriate government department. From Darwin I found they had borrowed a battery and a battery charger from a caretaker, because no one had seen fit to fulfil their requests for a battery charger for the school. From the government department I received a letter saying they had compared the signal strength with that of other stations and it was all right, and words to the effect that before long there would be a new R/T system anyway. Next time I'm exploding with frustration because I can't hear my son I'll remember those choice remarks with real affection.

This particular government department doesn't know me very well. Darwin school R/T is not right, and it is going to be fixed, one way or another. I don't sit here just to berate any government department: rather to show the general attitude. It is this kind of thing that does no good to the relations between Camp and town. We've got to work together as one community.

I went to a recent meeting of the local branch of the Falkland Islands Committee here and the most encouraging thing I saw was that one of the younger members of our community was elected to the committee. To me this is extremely important. There are the usual complaints about bored kids but few attempts to give them the encouragement to take an active part in the community. This has got to be done.

I would very much like to see the schools take an active part in this, if necessary within the curriculum. We have an older section of our community; I would love to see the younger people keeping an eye on the older ones: someone to talk to, someone to get a bucket of peat in, do some messages - it could spread to a bit of help in the garden, fixing things, helping out when an injustice is done, painting. Just company for the old people, and a little bit of help. Can't anyone see that these are the basic skills that we wish to teach our children anyway. They would be an active part of the community and give them a sense of responsibility that will stand them and our community in good stead. The idea of this is sound but can only be got off the ground if it has enthusiastic leadership. Again a half-hearted effort would fail. It's time we all stopped thinking only of ourselves and looked outward to see how we could help others.

I'd just like to add a little bit more to my speech - I didn't intend putting it in until I heard the speech of the Hon member for East Falklands. And I hope the Honourable member's attempt at washing his hands of government's responsibility for outlying areas is not universally shared by other Legco members. Are our outlying areas to do without mail? Are they to provide their own emergency service? I think the Hon member must be responsible for the 3p communications stamp. I've talked enough - not more boring speeches, as my young son would say. In conclusion I would just like to say that what I've found and

/heard since arriving in town

heard since arriving in town gives me personally hope that we can move forward out of the doldrums we're in now.

Your Excellency, I beg to support the Motion."

The Hon T J D Miller

"Your Excellency, Honourable Members. In replying to your Address of this morning I also would like to thank you for the amount of work that you put in on your recent trip to England on our behalf on what was supposed to have been a holiday. I welcome in particular what you said about development and the Ministry of Overseas Development. Perhaps at long last the message is getting through. I certainly hope so, because develop we must in order to survive and advance, and we have very little time left. I am also in full agreement with what you said about the Falkland Islands Company, now a small part of a large industrial organisation which is, no doubt, very happy to have Company profits but this does not necessarily help the Islands. The time may well come when this government may have to consider action to safeguard the interests of the Islands.

Regarding YPF and the recent fuel shortage, I do not consider that a shortage of some drums in a State company of a country with a population of 25 million can be described as teething troubles. To me it was just plain bad management on behalf of YPF. Also I deplore the silence from the previous administration here when that company altered the fuel prices on dates other than those previously specified, and, at one time, charged more than exchange rates suggested. We now know only too well just who controls fuel supplies and prices in these Islands. I recently lived in Argentina for a time, and it was my experience there that fuel shortages were a not too infrequent occurrence. Unless this government takes a firm line with YPF we will, in all probability, have a fuel shortage again sometime in the future although next time it might not be petrol - it could be gas oil - and I don't like to think what that would mean, not only to Stanley but also for the Camp and the industry on which the Colony relies for its livelihood.

Your Excellency, I welcome the forthcoming talks between Her Majesty's Government and the Argentine Government. We and the people of the Islands will approach them calmly and coolly, knowing full well our rights, and I fully support the views of the Hon Mr Stuart Wallace on this. Concerning development, we cannot continue as we are. The black cloud of the sovereignty issue has caused and is causing a feeling of insecurity in us all. This cloud must be removed once and for all. We cannot progress by sweeping the issue under the carpet or sovereignty umbrella, twenty-five year freeze or other deal. These will all inevitably affect our nationality and thus our security. Time is running out and the people of the Islands are losing confidence in the future, and no amount of talking will regain their confidence or that of overseas investors. We need action.

/There is in most of us

There is in most of us an earthy streak, a love, almost unconscious, of owning a piece of land, though regrettably too few who actually own land here take any practical steps to improve what they own. And large areas of these Islands are crying out for that improvement. Where opportunity to develop a piece of land or a small business is not forthcoming it is also from the best and most enterprising of our people that emigration begins. We must hold out to the enterprising business builder a reward which matches the risks of building up a firm or a farm. Government can stimulate and, if required, subsidise agricultural industry and fishing. Government can help to iron out the irregularities that make life in these Islands different and certainly not easy. But we need in the main leadership people of our own blood and tradition, reared amongst us, but with intelligence, drive and vision. During the 1939-45 war, one of Winston Churchill's calls to Roosevelt was "Give us the tools, and we will finish the job". This government must seek ways to give the willing and active Falkland Islander the chance of development in the form of low-interest loans and some farms are already making or planning to make land available. Such action will help develop these Islands as they should be developed, and the potential is here both on land and in the sea.

It is however of great importance if government, in part fulfilment of Lord Shackleton's advice, really does intend to appoint a Development Officer, as it should, then great thought must be given to this officer's selection. He must know and understand the Islanders who are looking for economic help in development whatever its form. Let us help people by all means but let us help them to help themselves. We in this Colony will not get anywhere unless we do it ourselves. No amount of overseas aid will help us unless we are prepared to work as well. Men and women of the best type look for opportunities requiring courage, vision and sacrifice and such people as these are not rare within these Islands. We must kindle the spark of incentive in our economy, because without that jobs cannot and will not be created.

Your Excellency, I welcome the arrival here of the Ministry of Overseas Development team to examine our internal transport problems as these problems are not only vital in our everyday lives but are crucial to development. We must improve things for Camp and the further you get from Stanley the worse the problem.

Moving now to a matter which has been concerning me for some time - that of our industry and the prices received for the wool produced. Traditionally on the open market Falkland wool has always received a slight premium over other wools of its type due to its special qualities. For the last few years our wool has not been sold at an open auction but generally by telephone between two firms. We were told then that this was in our interests. I wonder if it is still in our interests. Whenever a third buyer appears from time to time prices have risen noticeably. At the most recent sale this third buyer did not operate and prices realised for quality Falkland wool were the same, I repeat, the same, as for such British wools as Red Kempy and light grey Welsh, and for cast Swaledale.
/Now woolmen will know

Now woolmen will know that there is little comparison between those classes of wool and hogget and shearling Falkland wool. At the same time wool comparable to those classes from the Falklands realised prices some 20% higher than did ours. I am wondering, therefore, whether we are receiving a true and fair price for our wool, our only product and one on which not only private farms rely but also the product on which this government relies for the major part of its income.

Being the last member to rise to speak to the Motion of Thanks most of the things have been said and I'm in complete agreement, particularly with what was said by the Honourable Member for East Falkland and the Honourable Member for West Falkland. On more localised issues, I am pleased that there has recently been an extensive visit to Camp by a Medical Officer. I sincerely hope that this can be repeated in the not too distant future. These sort of visits help a lot in easing the Camp medical problems.

Your Excellency, we look forward with great optimism to hearing a report on the recent trials with VHF radio communications in the Camp. So far, unofficial reports are very promising. I trust that if this should be the best answer for future Camp radio communications, then we will move as quickly as possible to get the system operational. FIGAS is now thankfully returning to a near normal scale of operations, but I think that we are all agreed that alternative aircraft are needed. Not only to cope with the present demands but for future increases as we develop.

I am delighted to hear of the proposal to start centralising secondary education in the near future. It will indeed be as soon as we can do it as a higher standard of education is a very important matter for us all and particularly for families in the Camp.

Finally Your Excellency, may I make an appeal for unity. We are in a difficult period and will undoubtedly face a troubled time in the next few months. We can, and will, safely overcome our problems if we are all working together. I appeal for unity between Stanley and the Camp, for a better working relationship between the government and the Falkland Islands Committee; but above all, I appeal for unity between the people.

Your Excellency, I beg to support the Motion."

The Hon The Financial Secretary

"Your Excellency, even if it was appropriate for an official to criticise, I don't think there is anything left to criticise! However I will look for something outside the Islands in a few moments to criticise. The first thing I would like to associate myself with is the tribute you paid to the Hon Mr A B Monk and Mr Etheridge - their representation of the Falkland Islands at the talks in Canada. I should also like to welcome the new members to this Council, including my colleague, the new Chief Secretary. And I would also like to welcome back some of the old sparring partners!

One thing which you referred to was my visit abroad, and I must say that I enjoyed it a great deal; even the work was very enjoyable.

However there was one very small matter which relates to the Falkland Islands which I was not very pleased with, and that was the exhibit at the Commonwealth Institute in London. I was absolutely appalled when I visited the Institute. I thought it did not represent the Islands at all. I think that we here should guide the Commonwealth Institute and put forward a much better exhibit. I don't think we can put all the blame on them. I think there's probably been a lack of direction and assistance from us all here. If nothing better can be thought up I would suggest a model farm in miniature be assembled at the Institute building, because the very small and unrepresentative display there is terrible. I also noticed the Antarctic Territory was not much better and I advised the members of the British Antarctic Survey of this.

I've nothing further to add. I beg to support the Motion."

The Hon The Chief Secretary

"Your Excellency. Sir, in rising to support this Motion I may have to call for some slight credit on the indulgencies that you so generously asked for on my behalf earlier today. And particularly because I understand that it is a Parliamentary convention for a new member not to be controversial, but I notice that the Honourable Mover of this Motion indicated some misgivings about your analogy of the railway. And I myself was certainly worried, at first hearing, to your drawing attention to the muddle in the builder's yard. However if there is a muddle in the builder's yard, one of the things that I've learned in the very short time that I've been here is that there are some excellent people to help sort it out, and I'd like to place that on the record, because I've heard today, and have heard in informal meetings of my colleagues, of the tremendous range of tasks which face the official sector of our community. I would have been worried if I had not met and seen the quality of the work that goes on in all the departments. I think it's important to say that because we are a small community and I think the Falklands is well served in that sector. I have no misgivings about the support that I shall receive, and thereby the whole community, from all the departments, and in particular my own. I think I'm allowed on this occasion, Sir, to make points on clarification. I think it is important, since there was a misgiving expressed about the school hostel. It is not the intention to go for a temporary solution. On the contrary, in order to speed up the move, the possibility is being examined of some temporary solution which would accelerate the move while the permanent building was under construction and I think that it is this matter, which is still only being considered as a matter of feasibility, which demonstrates the mood we are attempting to inject of purposeful movement forward, cutting

/corners, not at the expense

corners, not at the expense of efficiency but to inculcate some of that spirit which my colleagues have mentioned about seeing things happen.

I was pleased to hear one of my colleagues mention, Sir, that we must not be frightened of making mistakes. Inevitably some may be made, but if their dimension is small and they are made for the right reasons then I don't think we have to fear the comments of the community, if we can show that things are moving forward.

Having said that, Sir, I am delighted also to support this Motion."

The President

"Well, thank you, Honourable Members. I think excellent speeches and some very valuable points were made, one of which I shall take. I must be careful with my analogies.

Now might we move on to other business before we take a natural break - in about a quarter of an hour."

PAPERS LAID ON THE TABLE BY THE HON THE CHIEF SECRETARY

Copies of subsidiary legislation made or approved by the Governor-in-Council since June 1977.

QUESTIONS FOR ORAL REPLY

Clerk

"Question No 13 of 1977 by the Hon W E Bowles"

"Can the Chief Secretary indicate when the pot-holes in Brandon Road and the surface of lower Hebe Street will be repaired to a publicly acceptable condition?"

Chief Secretary

"I regret that I am not yet able to give a precise date when work will be starting on making good the road surface in the two places to which the Hon Member has made reference. However I am pleased to be able to say that experiments are beginning this week using the tar spreader and spot-mix machine by a small group of the Public Works Department staff who have experience in using tar. These experimental trials will, it is hoped, prove a new method which is both more effective and cheaper than the previous use of cement. The PWD are confident of this and it will tackle the Hebe Street problem first and then surface a whole section of Brandon Road, work which will in itself help to test the suitability of the unfamiliar equipment and the method used."

Clerk

"Question No 14 of 1977 by the Hon W E Bowles"

"Will the Financial Secretary disclose the total cost to date of the oil jetty project?"

Financial Secretary

"Sir, the amount charged for this development project which is being financed by a grant from the British Government, up to the end of October, amounted to £8,274."

Mr A B Monk

"Will the Financial Secretary please tell us who is going to build the jetty, and why?"

Financial Secretary

"Could I ask this to wait please; there is a question on this later in the meeting?"

Chief Secretary

"May I, Sir, rise on a point of clarification and inform him that a written question has been tabled on these precise points, in the name of the Hon Stuart Wallace, and for the benefit of people who may not have read the answer it is expected that action on site construction will start next September."

Clerk

"Question No 15 of 1977 by the Hon W E Bowles"

"What is the maximum time limit before Stanley Airport is expected to earn some revenue?"

Chief Secretary

"With your permission, Sir, I would like to answer this question, together with Question No 18 in the name of the Hon Stuart Wallace. We have always been thinking, Sir, in minimum rather than maximum terms, and I am not unhopeful that the first revenues from Stanley Airport may be received this week.

The delay arose in opening the airport from the need to ensure that the LADE services to and from the new airport would be fully covered by the sovereignty umbrella in the same way as those from the temporary airfield. This was of course a matter between Her Majesty's Government in Britain and the Argentine Government. We have been continually pressing for an early decision. I am pleased to be able to say today, Sir, that HMG have now had the Argentine Government's confirmation that the 1972 Exchange of Notes also covers the LADE services to and from Stanley Airport. Accordingly we are informing LADE and private flyers that the airport is now open for their use."

/Mr T J D Miller

Mr T J D Miller

"May I ask the Hon The Chief Secretary, will there be an official opening ceremony involving British officials and British aircraft?"

Chief Secretary

"There will be an official opening of the Airport, Sir, but for obvious reasons it is preferable to have this following an adequate proving period. We have already asked the authorities in London to let us know what VIPs might be available to open it, but I can't give the Member an assurance of a British aircraft."

Mr W E Bowles

"Can the Hon The Chief Secretary indicate what amount of revenue is expected on the first week?"

Chief Secretary

"Sir, this is difficult because I am proposing to lay before the first meeting of Executive Council Regulations governing the revenue factors and this is beyond my powers to predict at this stage, until I have had Executive Council's opinions."

Clerk

"Question No 16 of 1977 by the Hon S B Wallace":

"Would the Administration explain what action it has taken to ensure that there is no repetition of the recent events leading to drastic fuel rationing being imposed?"

Chief Secretary

"Sir, the Administration is compiling a detailed record of the demand for, and the usage of, all types of fuel oils so that it is better able, in consultations with YPF, to represent any case for increasing both supplies and the reserve stocks."

Mr T J D Miller

"Sir, may I ask the Hon The Chief Secretary once this appraisal has been made, will the Administration ask YPF to maintain minimum fuel stocks in line with other international agreements?"

Chief Secretary

"I readily give the assurance that the Administration will take the point that the Councillor and my Honourable colleague has made."

/Question No 17 of 1977

Clerk

"Question No 17 of 1977 by the Hon S B Wallace":

"What aliens, if any, have enquired about or been granted, a licence to hold land in the Colony in the last twelve months?"

Chief Secretary

"Sir, Government has received no applications from aliens in the last twelve months for a licence to hold land, nor have any such licences been granted."

Clerk

"Question No 18 of 1977 by the Hon S B Wallace":

"What is causing the delay in bringing the permanent airstrip into operation?"

This Question was answered in conjunction with No 15 of 1977.

Clerk

"Question No 19 of 1977 by the Hon T J D Miller":

"It is apparent that FIGAS can no longer cope with a steadily increasing work load using only two Beaver aircraft on floats. The 'Islander' would appear to be suited to our needs to relieve the strain on a purely float 'plane service.

What action is the Administration taking in this field and are they still considering alternatives to the 'Islander'?"

Chief Secretary

"Sir, the 'Islander' and all alternatives are still under consideration. The Aviation Advisory Committee to look into the future of FIGAS, the establishment of which you announced at the last meeting of this Council, has just submitted an interim report which is to be laid before the new Executive Council at its first meeting. Meanwhile, as you've heard, Mr Jeremy Peat, of the Economic Planning Staff of the Ministry of Overseas Development, who arrived in Stanley on 17 November, is to prepare an integrated study of the Islands' internal transport system. It will be part of his brief to indicate how best resources may be deployed in maintaining communications which will meet the social, economic, commercial and developmental needs of the community. The Administration has been doing everything possible to help with these investigations and it would naturally be premature for them to anticipate the policy decisions of government."

Clerk

"Question No 20 of 1977 by the Hon T J D Miller":

"What action is the Administration taking to prevent the possible entry of foot and mouth disease into the Colony from South America?"

Chief Secretary

Sir, an official committee was appointed in September to investigate and implement ways of reducing the risk of introducing foot and mouth disease, from every possible source, not just from South America. On 12 October a Special Warrant was approved to enable the committee to implement its decisions.

The measures so far taken include: first, the provision of small printed forms for distribution on LADE aircraft requiring passengers to declare to the Customs Officer all foodstuffs, livestock, plants and seeds, and also to inform him if they have been on a farm or in contact with farm animals during the last three months.

The second measure is that visiting vessels are now being asked to store their food-waste in plastic bags for burning at the government incinerator, instructions for the construction of which have just been given. A third measure is that supplies of these plastic bags have been ordered so that these can be given to ships whenever necessary and the Public Works Department are constructing a special trailer for the transportation of this waste to the incinerator.

A fourth measure is that disinfectant mats and metal trays to form foot-baths have been purchased to be placed at the gangways of any visiting ships which arrive without these things. And finally the controls on the importation of a wide and extended range of animal products, which have previously been incorporated in a number of different Proclamations, have been consolidated within one Proclamation which has been prepared for His Excellency the Governor's signature."

Mr T J D Miller

"Sir, may I ask The Hon The Chief Secretary, in view of the risk that rats have been known to be carriers of foot and mouth disease, what action will the Administration take to ensure that rats from visiting ships do not come ashore?"

Chief Secretary

"Sir, I am pleased to be able to tell you that almost one of the first things which happened on my arrival here was a note from the Medical Officer pointing out the problem of rats on ships. I am assured that the Medical Department inspect ships very thoroughly and certainly, on two of the last three occasions, the ships have been virtually free of rats. We have a lively interest in this problem: the Medical Department and the Harbourmaster's Department are very aware now of the measures which we expect ships to take and also that I have made representations to the Argentine authorities about this problem."

Clerk

"Question No 21 of 1977 by the Hon T J D Miller":

"What action is Government taking to implement the recommendation that a boarding hostel be built in Stanley for Camp children in order to centralise secondary education?"

Chief Secretary

"Sir, the proposed establishment of a permanent boarding establishment in Stanley was the subject of a visit by Mr Riley, an Architectural Adviser from the Ministry of Overseas Development, last September. His report was brought by hand to us last Thursday and is now receiving urgent attention. Meanwhile the Superintendent of Education is actively exploring the feasibility of building a temporary hostel with prefabricated buildings which were surplus to the requirements of Johnston Construction Limited."

Clerk

"Question No 22 of 1977 by the Hon D S Evans":

"Could Government explain why, when the beat system of Camp teaching is already inadequate and stretched to the limit, they appear to be reducing the number of teachers on the beats thus aggravating the situation further?"

Chief Secretary

"Sir, the current reduction of Camp teachers is only temporary and is due largely to the return of the VSOs to Britain in August. Although indents for new teachers were sent forward some time ago, replacements will not be interviewed in Britain before December and cannot therefore be expected to arrive here before February or March. Our new Superintendent of Education is devising a system designed to avoid repetition of such gaps in the Education Department."

Clerk

"Question No 23 of 1977 by the Hon D S Evans":

"Could Government explain why, when an officer was appointed especially for the position and is now into his second tour, there is still no visible sign of the system of taped programmes for Camp children being implemented?"

Chief Secretary

"Sir, the cassette teaching system is now under way and the first basic teaching tapes are already in use in Camp. This project was originally frustrated by the long delays in the supply of the necessary equipment, and current plans aim at accelerating production and introduction of teaching tapes. All settlement schools now have players or audio units and transformers and teachers on beats are being supplied with players and transformers, as the material becomes available for the age groups concerned."

/Mr D S Evans

Mr D S Evans

"Sir, could you give any indication of when these things will be made available to beat teachers?"

Chief Secretary

"Sir, as I understand the problem, this is a sequential development from a basic age group developing as and when the material is produced and, of course, not all settlements will have such material if they do not have children of the age group for which material has already been prepared."

Clerk

"Question No 24 of 1977 by the Hon D S Evans":

"Could Government give assurances that now that we have a full complement of pilots every effort will be made to go back to a regular system of mail dropping so that irrespective of whether there is UK mail or not, all stations, including outlying islands such as Sedge and Sea Lion, can look forward to mail at least once every two weeks and preferably weekly?"

Chief Secretary

"Sir, I'm pleased to renew an assurance which has, I understand, been given to successive Councils, that every effort will be made to ensure that all inbound letter mail is delivered to the Camp within three flying days of its receipt in Stanley, a target which the Air Service has generally managed to achieve in the past and intends to maintain in the future. Close liaison is maintained between the Air Service and the Post Office, with particular interest in the smaller isolated settlements to ensure prompt delivery."

Mr D S Evans

"Sir, it's difficult because I have to ask another question. I would like to say a lot but it would be statement rather than question. I think I haven't the experience to do this well so I'll just thank the Honourable Member for this reply."

Chief Secretary

"May I say something, Sir, to encourage the Honourable Member to talk both with FIGAS and the Head of the Post Office to determine what his precise problems are, and I'm sure they'll be very ready to help him solve them."

Clerk

"Question No 25 of 1977 by the Hon W H Goss JP":

"What measures are envisaged to control the drift of sand on the North side of Cape Pembroke Airfield, and at the temporary airstrip when it is lifted?"

/Chief Secretary

Chief Secretary

"Sir, it is expected that the drift of sand will lessen considerably once the grassing which is already in progress at the new airport is completed and the new grass takes root. It is also envisaged that the area of the old airport will be grassed when the runway plates are lifted. It's been tentatively agreed already with the LADE authorities that the runway plates will not be removed before the spring of 1978 to enable government to take steps to prepare grassing of this area in the 1978 spring season. Government are also taking steps to prevent cattle grazing in the Cape Pembroke peninsula for the next two years in order to enable the sand grasses destroyed in the area by heavy machinery during the process of constructing the new airport to grow again. This safeguard ought to restore the landscape to its original condition and thus put an end to sand drift."

Mr W E Bowles

"One supplementary on that one. Can the Chief Secretary give us any indication how long it will take before the sand drift is in fact stopped?"

Chief Secretary

"I'm not prepared to offer any promises or even predictions on that, Sir. I have no knowledge of grass or the problem. But it's something we can look into and try and satisfy my Hon Colleague on what the expectation is."

Clerk

"Question No 26 of 1977 by the Hon W H Goss JP":

"Has anyone been reimbursed on the increase in air fares from Comodoro Rivadavia to Buenos Aires, and if not, how much money is involved?"

Chief Secretary

"I believe, Sir, that the Hon Member is referring to the increase charged in the return fare between Comodoro and Buenos Aires from £53.92 to £118.48, in May and June of the early part of this year. We are well aware of the claims for refund made on behalf of passengers here by the Falkland Islands Company, and there may have been others made individually. Her Majesty's Embassy in Buenos Aires were informed about the increase in May and were passed details of individual claims for reimbursement when these were made available to us, in August. The Embassy took the matter up promptly with the Argentine authorities with the result that in June the fare was returned to its earlier level. Reimbursement has not yet been made and this question is still being pursued energetically with the Argentine authorities by the Embassy. I have also made personal and informal representations to the Argentine authorities here and asked if they can do anything to hasten the resolution of this matter."

/Clerk

Clerk

"Question No 27 of 1977 by the Hon W H Goss JP":

"What plant and machinery does Government intend to purchase from Johnston Construction Limited and when?"

Chief Secretary

"Sir, we are hoping to acquire a range of different items of plant and machinery to be used in certain capital works projects planned. The items include such things as a grader, mechanical shovel, water pumps, rock drills and vehicles. I have deliberately used the word 'acquire' rather than 'buy' as it had been expected that these items might be transferred to government as part of the final settlement of the construction of the new airfield. Negotiations on that are still continuing in London and may, we understand, have run into some difficulties. The urgency of our having access to at least some of the equipment is well appreciated. Mr Jameson, the Roads Engineer on loan from the Forestry Commission, is already here and would like to start making use of certain items. The Hon Member may also be interested to know that Captain Woodward of the Royal Engineers arrived last Thursday to advise on the long-term problems of maintaining and operating heavy plant."

Mr A B Monk

"Your Excellency, could the Honourable The Chief Secretary please tell me if Captain Woodward or some suitable authority will be surveying this machinery as to its condition before we pay?"

Chief Secretary

"That, Sir, is an integral part of Captain Woodward's job here."

QUESTIONS FOR WRITTEN REPLY

Question No 7 of 1977 by the Hon S B Wallace

"What is the current situation regarding the recommended extension to the permanent airstrip?"

Reply by the Hon the Chief Secretary

Sir, in recommending a 900 metre extension of the runway at a cost of £3 - 4 million, the Shackleton Report last year conceded that "This is likely to be somewhat greater than the present value of additional income that might be generated by the extension, via additional economic activity."

This year three different Ministers, speaking in the House of Commons, have put forward HMG's views on the subject:

/On 2 February,

On 2 February, the late Mr Anthony Crosland, then Secretary of State for Foreign and Commonwealth Affairs, said: "The Government, like Lord Shackleton and his colleagues, are in no doubt that the potential for development is there, and they will at the appropriate moment commission the essential preliminary studies to determine whether airport enlargement is likely to be practicable and cost effective."

On 30 March, Mr Ted Rowlands said: "The extension of the runway, costing more than £5 million on current estimates, is a serious and important project, but it seems to us that on present evidence it would be hard to justify it. It could bear very heavily on the current revenue problems of the Islands. We have not closed the door to the project, but we need more convincing that it is viable."

On 13 July, answering another question in the Commons, Mr John Tomlinson said: "It is the Government's view that any extension of the airport would need to be based on a study of likely traffic and the cost effectiveness of a larger airport. This study could be undertaken only when we know what the major economic developments are likely to be."

The Falkland Islands Government are therefore waiting to hear further from HMG.

Question No 8 of 1977 by the Hon S B Wallace

"What explanation has been offered by YPF for the recent rapid fluctuation in the price of fuel?"

Reply by the Hon the Chief Secretary:

Sir, variations in prices of YPF products have been due to two factors - increases in prices in Argentina, and variations in the pound/peso exchange rate.

Due to a failure in communications on YPF's part, implementation of these price adjustments was delayed with the result that several adjustments took place in a short time. Our Embassy in Buenos Aires have taken the matter up with the Argentine authorities with a view to stabilising the situation.

Question No 9 of 1977 by the Hon S B Wallace

"When will full implementation of the YPF Agreement begin?"

Question No 10 of 1977 by the Hon S B Wallace

"When is it planned to begin work on the fuel jetty, and what labour is to be used?"

Reply by the Hon the Chief Secretary:

Sir, with permission I shall reply to questions Nos 9 and 10 together.

/It is expected

It is expected that actual on-site construction of the proposed YPF jetty will begin next September, although some preparatory work will commence earlier. Responsibility for the provision of this jetty falls to Her Majesty's Government and, after considering a number of alternatives, the Ministry of Overseas Development in London have decided in favour of an Argentine Air Force Maintenance team under Vice Comodoro Remorino, who is known to many Falkland Islanders from his work on the temporary airstrip. In reaching their decision the CDM are understood to have been strongly influenced by the lower price (£282,700) and shorter construction period (200 days - i.e. completion around April 1979) quoted by Vice Comodoro Remorino, in contrast to any other possibility. The Ministry also had in mind the likelihood that all available Island manpower would then be absorbed by other essential projects.

When the jetty is completed, the way will be open to full implementation of the YPF Agreement, which will mean that the Colony's most used fuel, gas-oil, will also go on sale in Stanley at mainland prices.

Question No 11 of 1977 by the Hon T J D Miller

"What reasons have LADE given for the forthcoming alteration of flights from Thursday to Monday?
Is the Government aware that this will necessitate many camp residents intending to fly out having to come into Stanley some four days beforehand instead of two days as at present?"

Reply by the Hon the Chief Secretary

Sir, according to the local LADE office the change in the local flight schedule had to be made in order to take into account seasonal changes in the flight schedules both of other national carriers within Argentina and of international airlines so that connections with those airlines could be satisfactorily assured.

Government is well aware of the difficulties that the proposed change will create for travellers from Camp and representations have accordingly been made to LADE.

Question No 12 of 1977 by the Hon T J D Miller

"Will the Government give camp patients who are brought into Stanley for medical treatment priority with the Air Service to return home once cleared from the Hospital?"

Reply by the Hon the Chief Secretary

Sir, the Air Service staff will continue to try to give priority to all patients returning home to Camp after their discharge from hospital. In practice, however, patients frequently request postponement of their return. Then, in common with all other travellers, it is impracticable for them to retain their priority status.

Question No 13 of 1977 by the Hon T J D Miller

"What plans have Government for repairing and improving the camp road system?"

Reply by the Hon the Chief Secretary

Sir, the Government has taken a major step towards the construction of a camp roads system, which hardly exists in any recognisable form at present.

Recognising that the social, economic, and agricultural development of the Islands is dependent upon an efficient integrated internal transport system; and realising too that to achieve this would be beyond our own resources, Government approached the Ministry of Overseas Development for assistance and advice.

An integrated Internal Transport Study began on 10 November with the arrival in Stanley of Mr Jameson, a Civil Engineer on loan from the Forestry Commission in Britain, with specialist experience in the construction and maintenance of all-weather tracks in rugged conditions.

Mr Jameson is looking initially at the possibility of constructing an all-weather track from Stanley to Darwin and from Stanley to Estancia, but he will also be advising on possible techniques of inexpensive construction of tracks throughout the two main islands, the likely costs of their efficient maintenance as well as evaluating their role within a flexible communications network.

The task of preparing the overall study, the emphasis of which should be to devise a practicable system, will fall to Mr Jeremy Peat of the Economic Planning Staff of the Ministry of Overseas Development, who was expected to arrive in Stanley on 17 November.

In the light of this study an application for the necessary funds will be made to the Ministry of Overseas Development.

Question No 14 of 1977 by the Hon D S Evans

"What progress has been made in investigating the possibility of having a national lottery?"

Reply by the Hon the Financial Secretary

Sir, Government asked the Ministry of Overseas Development early this year for expert advice on the fiscal structure of the Colony including, inter alia, the possibility of introducing a state lottery in the Falkland Islands.

The Fiscal Adviser, Mr Pepper, undertook this assignment on his recent visit to the Colony and has now given a clear exposition of the problems which may be encountered in introducing a state lottery.

/The outcome of the examination

The outcome of the examination is not encouraging and it can be said that the Government would itself be taking a gamble in introducing a state lottery.

The report by Mr Pepper will be considered in Executive Council shortly when a policy decision on the introduction of a state lottery will be taken.

Question No 15 of 1977 by the Hon D S Evans

"Could Government say whether they have any contingency plans in the event of the 'Monsunen' being found no longer economically viable and withdrawn from service before any replacement is obtained?"

Reply by the Hon the Chief Secretary

No, Sir. The Government have had no intimation that such contingency plans are necessary. It is true that the 'Monsunen' has incurred growing losses over the past two years, mainly owing to heavy increases in dry-docking charges. But it is understood that only a small loss is envisaged in the year ending 30 September 1978, and we have no reason to suppose that a shipping service so essential to the well-being of our wool industry is likely to be withdrawn.

Question No 16 of 1977 by the Hon W H Goss JP

"Territorial Waters"

"What are the limits of our Territorial Waters and if we have such limits, has it been internationally accepted?"

Reply by the Hon the Chief Secretary

Sir, Great Britain, like most nations, claims territorial waters to an extent of one marine league (three miles) measured from low-water mark. This claim is generally accepted internationally, but certain nations (Norway for one) claim that the marine league should be measured not from low-water mark but from arbitrary base lines joining points on the coast.

The British Government in support of its claim enacted section 7 of the Territorial Waters Jurisdiction Act 1878 which provides that:-

"The territorial waters of Her Majesty's dominions", in reference to the sea, means such part of the sea adjacent to the coast of the United Kingdom, or the coast of some other part of Her Majesty's dominions as is deemed by international law to be within the territorial sovereignty of Her Majesty; and for the purpose of any offence declared by this Act to be

/within the jurisdiction

within the jurisdiction of the Admiralty, any part of the open sea within one marine league of the coast measured from low-water mark shall be deemed to be open sea within the territorial waters of Her Majesty's dominions."

The Act of 1878 applies to any Colony.

Question No 17 of 1977 by the Hon W H Goss JP

"Rome Talks"

"Is it envisaged to send a Falkland Islands representative to any further talks that may take place, and if so would he be sent as observer only?"

Reply by the Hon the Chief Secretary

Sir, these are matters for Councillors to decide in the light of all the factors involved and having regard to the repeated assurances of Her Majesty's Ministers.

MOTION by the Hon the Chief Secretary

"That, in accordance with Standing Rules and Orders, section 40A, the following Committees of this Council be constituted:

Education Committee consisting of all Elected Members under the Chairmanship of the Hon D S Evans.

Development Committee consisting of the Hon A B Monk, the Hon W H Goss JP and the Hon D S Evans under the Chairmanship of the Chief Secretary.

In each case the Chairman and two members shall constitute a quorum."

Chief Secretary

"I rise to propose the adoption of this Motion, conscious that my colleagues have been giving careful thought and attention to the priorities that face them, and I think that these proposals are indicative of two of the principal problems to which this Council will wish to address itself. As you will observe, Sir, the Education Committee will consist of all the Elected Members and the Development Committee, on a rather more selective basis, under my own Chairmanship - but I think and expect on a temporary basis. I think there is nothing that I need add to this because the importance of this proposal is self-evident and I have nothing more to say, Sir, than to propose the adoption of this Motion."

The Motion was seconded by the Hon the Financial Secretary and adopted without debate.

/MOTION by the Hon the Fin Secretary

MOTION by the Hon the Financial Secretary

"That the Income Tax (Annual Values) Rules 1977 made by the Governor-in-Council on 19th July, 1977 in exercise of the powers conferred by sections 5. (b)(ii) and 5.(c) of the Income Tax Ordinance be confirmed, in accordance with the second proviso of section 5 of the Ordinance."

Financial Secretary

"Your Excellency, the prescribed values for the Income Tax assessment of benefits in kind are now hopelessly out of date. The last revision was made in 1968. The inflation in the past decade has made many of the values completely unrealistic. A review of annual values of benefits in kind was considered necessary at the time of the last Budget session and was in fact taken into account when the estimates of income tax revenue were compiled for the purpose of considering the income tax Bills passed by the Legislative Council at that meeting.

The Income Tax Ordinance requires the Rules to be made by the Governor-in-Council, and although the Rules were in fact made on the 19th day of July it has not been possible to refer them to the Legislative Council for confirmation until today. The majority of the values have been increased by approximately fifty per cent. Although the revised values are still not considered to be realistic, it is considered prudent not to go any further at this stage, largely because of the steep percentage increase. The matter will, however, be kept under review. It is generally felt that the right course is to make minor adjustments frequently rather than large infrequent adjustments.

I beg to move that the Motion be adopted."

The Motion was seconded by the Hon the Chief Secretary and Hon Members spoke to the Motion as follows -

Mr A B Monk

"Your Excellency, Honourable Members. I do reluctantly support the Motion. I've got to make one little point. The Honourable the Financial Secretary said that the rates were hopelessly out of date, because they were set some time ago. Well, I don't know, but after all the houses are getting more and more out of date too. I think my house is absolutely out of date and perhaps I should get a reduction! Another point, I always feel about this: especially in the Camp you have no option whatsoever - you've got to live in whatever house is allocated to you for the particular duty, whether an outside shepherd or a shepherd in a settlement, and that's the shepherd's house. That's it; you live in it; you can't say 'No, I don't like that house, I would like to go in a smaller one, it'll be cheaper for me'. It's just one of the facts of life. And so does the manager, of course.

/You can't decide to live

You can't decide to live in Stanley and manage from there. So that I always think that the condition of this tax is a little unfair, but I suppose we have to accept it. Harold's got to balance his Budget somehow!

The Motion was then adopted without further debate.

MOTION by the Hon the Financial Secretary

"That it be resolved that the Report of the Standing Finance Committee for the period 22nd June 1977 to 19th July 1977 be adopted."

Financial Secretary

"Your Excellency, Honourable Members, during the period ending 19th July 1977 the Standing Finance Committee met on 22nd June and 19th July and approved expenditure of £28,411 for 1976-77 and £3,520 for 1977-78 financial year. As the Report does not deal with expenditure proposed but not approved by the Committee, I beg to move that the Report of the Standing Finance Committee be adopted without debate."

The Chief Secretary seconded the Motion, which was then adopted without debate.

MOTION by the Hon D S Evans

"That this House wishes it to be conveyed to Her Majesty's Government that the people of the Falkland Islands have shown overwhelmingly that they wish to remain British and therefore calls upon Her Majesty's Government to honour the pledge that has been made by successive British Governments to respect the wishes of the Falkland Islands' people and declare unambiguously that as the people of the Falkland Islands wish to remain British they will be allowed to do so."

Mr D S Evans

"Your Excellency, Honourable Members, I think this Motion is self-explanatory. I don't think it should ever have been necessary in the first place. The British Government indicated that if we wished to remain British they would let us do so, and I think we've on many occasions shown overwhelmingly that we do wish to remain British. But there's been no reply to that, no confirmation that we can remain British. That's the purpose of this Motion. To just ask them to confirm that they will allow us to remain British. It's very necessary that we know this, and that we're told this for our own peace of mind, because it's the key to expansion. It's just a clear question, asking them to let us remain British as we've shown very clearly that we wish to remain so. And I think I needn't say any more."

Mr W E Bowles

"Your Excellency, Honourable Members, I wish to support this Motion, not because I doubt the British Government's sincerity in any way, but we need security and we need a statement from the British Government that we will always remain British. It might be a difficult one for the British Government to make, inasmuch as they accept that the wishes of the people will always be respected. If the wishes change - or the people do, of course - then they've got room to move. I don't think this type of attitude now is what the people really require. And, as I said in my election speech, that Great Britain is well aware of our wishes but yet we're living in a state of uncertainty. I would like to support this Motion and I'm pretty certain that the British Government is not just going to throw it out of the window, they are going to consider it very carefully and I would like to urge Honourable Members to give this their full support. Thank you, Sir."

Mr W H Goss

"Your Excellency, I beg to support the Motion. There has been a considerable change in the wording of this pledge from time to time and a reassurance would do a lot of good; for the peace of mind of people. Sometimes it's 'the wishes of the people', 'the interests of the people'; the Islanders - the Falkland Islanders - we see a change from time to time, to suit the occasion - for that's all it is. Thank you."

Mr T J D Miller

"Your Excellency, Honourable Members, in rising to support this Motion I feel that what the people of these Islands want from Her Majesty's Government is a clear statement that our wishes, not our interests, will be respected and upheld. At one time we were told that our wishes would be upheld, but recently this word has disappeared, and been replaced by the word 'interests'. The word 'interests' of the Islands is open to wide interpretation. What we, the Islanders, feel is in our best interests, is not necessarily what somebody else thinks is in our best interests. We know that the British Government has our thoughts - they know how we feel - but they haven't been able to express our wishes clearly and in a language that a layman can understand. We have had speeches from Ministers in Parliament supporting our case but they have put it in such a way that we are left thinking afterwards 'what did they really say'. They didn't really say anything. They certainly didn't say what we wanted them to say. What we want is a clear, forthright statement from the British Government that the Falkland Islands are British and will remain British, unless the people of those Islands decide otherwise. And it is highly unlikely that that is going to happen. What we want Britain, too, to do, is not just talk about our sovereignty but openly assert the British sovereignty of these Islands. Your Excellency, I beg to support the Motion."

/Mr S B Wallace

Mr S B Wallace

"Your Excellency, Honourable Members, my Honourable Friend on my right expressed my views exactly. What we require now is reassurance. The word 'interests' has crept in recently, and it must be our wishes that will be respected. Sir, I beg to support the Motion."

Mr A B Monk

"Your Excellency, Honourable Members, I wish to strongly support the Motion."

Financial Secretary

"Your Excellency, I have no reason to believe that the British Government will not respect the wishes of the people, but I also go along and support the private Motion."

The Motion was adopted.

MOTION by the Honourable T J D Miller

"That this House deplores the lack of visible movement by the British Government towards implementing the major recommendations of the Shackleton Report which is now eighteen months old."

Mr T J D Miller

"Your Excellency, Honourable Members, in introducing this Motion I wish to make it clear that the Shackleton recommendations to which I am particularly referring are those of the airport extension and proposals for a fishing industry. Our fish resources are a fact, not just a theory like oil. It is a fact that this area of the South Atlantic has a tremendous fishing potential in a world that is increasingly becoming short of protein. The Russians, the Japanese, the Koreans, the Polish, the Germans: they are not fishing around these waters for the fun of it, they are here because it is worth while for them to be here. What is Britain doing about it? Virtually nothing, except to tell us that nothing can be done without the approval of the Argentine dictatorship. We must not be deterred from initiating and developing such ventures as coastal and off-shore fishing and similar activities merely because this would be against the appeasement policy of the British Government towards Argentina. Britain should remember the fate of its appeasement policy towards Adolf Hitler and Mussolini in 1939, or 1938. Neither Alginat Industries nor any other major investor can be expected to appear here until the British Government openly asserts her sovereignty over these Islands, instead of just talking about it.

One of the ways - not the only way - in which Britain could show herself is by extending the airstrip so that as we develop larger aircraft will be able to come here, as they will need to. The present airstrip at Cape Pembroke cannot even take a medium-haul jet from Buenos Aires or other South

/American city

American city should the need arise. I am not talking in terms of an airport to receive direct flights from London - it would be very nice if they could come here but until we develop more it's just not on financially. What we do need, however, as pointed out by the Shackleton Report, is an airport capable of receiving medium-haul jets and partially loaded long-haul aircraft from South America in the first instance. Undoubtedly this will cost us more to run initially, but this cost would with time be offset by the inflow of investment in other industries using our two known resources: alginates and fish, for a start. British fishing concerns are at long last showing an interest here and are looking to the British Government to provide active support. This Britain must do before it is too late. In 1950 an Order-in-Council defined the boundary of our continental shelf as being the 200m isobath, that is 100 fathoms. Therefore, as I see it, we have no problem in that field for an in-shore industry. We have the raw material in abundance. Regarding the prospects for deep sea fishing, these are in some way tied up with international limits still to be settled. And the matter of policing the 200 mile limit must also be considered, but this is not insurmountable if you think of an aircraft. The fact is, though, that other countries are already starting to exploit these waters and Britain has no valid excuse for not doing so. Argentina, I understand, has claimed a 200-mile limit which, naturally, to their idea, includes us as part of their zone. I regret the fact that Britain has not, to my knowledge, lodged a counter-claim to protect our rights. We cannot continue as we are. The British Government must face up to the issue and the decision must be made. And once made, backed up by action and not just words and more experts. Thank you."

Mr S B Wallace

"Your Excellency, Honourable Members, the most relevant word in the Motion of the Honourable Mr T J Miller is 'major' - implementing the major recommendations of the Shackleton Report. The Shackleton Report made many recommendations, many of which we see are bearing fruit now. The airport extension was the most important, and there has been no move on that. It is important that we remember that the airport extension will not allow us to receive Concorde, simply short-haul jets from Buenos Aires or other South American cities. If we are to see any progress with tourism or alginates, we need at least to be able to have an economically loaded short-haul jet to land here. Nine hundred metres - another argument against the runway - has been the extra cost of maintaining it; I don't see how an extra 900 metres will be so relatively costly. The Honourable Tim Miller put his case fairly concisely and there's not much more I can say, but I would like to stress that the major recommendation was the airfield extension and so far there are not, I believe, sufficient reasons for the British Government to not go ahead with that. Sir, I beg to support the Motion."

/Mr A B Monk

Mr A B Monk

"Your Excellency, Honourable Members, I do support the Motion. I'm not certain in my own mind, and never have been, that the airport extension is of such major significance. It certainly had nothing to do with deterring Alginat Industries. We all know perfectly well why they didn't come. They found more profitable areas elsewhere. And it certainly would not deter an oil company. Building airstrips to oil companies is like spending pocket money. If an oil company wants to operate, they'll build an airstrip; they'll build a five-mile airstrip if they want it, and they might not even use the one at Cape Pembroke if they find it more convenient to go somewhere else. I don't believe it's got anything to do with deterring off-shore fishing whatsoever. I'm not certain even that off-shore fishing would to us make much difference. Pelagic whaling and pelagic fishing and that sort of thing is a self-contained business and, even supposing we had the right of an EEZ (Exclusiva Economic Zone) around our shores, very little would rub off on us except a very small licensing fee. But to imagine that we could ever police a one hundred fathom limit, or an EEZ of two hundred miles is like tilting at windmills. The Australian Government told us clearly - delegates from Australia when in Canada we were talking about this sort of thing - that they were totally unable to police their own two hundred mile limit. The New Zealand delegate told us the same thing. The Malayan delegate told us the same thing, that they were unable to control these areas - totally unable to. The British Government has before now announced that they haven't got the suitable ships to police their own area. How anyone expects they are going to police an area 8,000 miles from home, I don't know: I think one's got to be realistic about this. It's no use saying "This is our area, everyone else keep out", if you can't see that they keep out. If we declared an area for the British Government and everybody else fished in it, presumably British fishermen would get their share if they came down in sufficient numbers, but that's all; we couldn't deter the others, unless we have some form of joint agreement with our neighbour. Like it or not, if we want to exploit off-shore fishing and oil, we have to have some sort of participation agreement with our neighbour and it doesn't matter how you argue around it. I think - as I said, I support this Motion - but I don't attach quite the importance to the airport extension mentioned by previous speakers, nor to the fact that off-shore fishing hasn't come here yet. And I think the British Government has done quite a lot to implement the Shackleton Report. Probably a bit too slowly, but I think lately the tempo has stepped up, and I think, Sir, we have quite a lot to thank you yourself for your energetic approach to them in these matters. With those reservations I support the Motion."

Mr W E Goss

"Your Excellency, Honourable Members, regarding the lengthening of the airstrip in my own mind I am quite confident that the British Government will just do that if somebody comes along and says "I'm going to spend 'x' million pounds when you do it". They have to say they'll use the field if it's

/put there. I am quite

put there. I am quite certain that the Government will do that. I don't entirely agree with the Honourable Mr Monk that we have to have participation with Argentina on fish. Oil, yes, but I don't see that we have to have it on fish. And as for pelagic fishing, nothing, as he says, will rub off on us. Thank you, Sir."

Mr W E Bowles

"Your Excellency, Honourable Members, I support the Motion and I would like to thank Lord Shackleton for his work on his Report. It seems that the two major recommendations appear to be the airstrip and fishing. I am not too sure from memory that these were the two major ones, but they are the ones we have been talking about today. But I am pretty certain, if my memory serves me right, that the British Government did say they would consider extending the airstrip if it could be justified. That justification - I don't think we can expect in eighteen months, or five years even - we've got to get our development off the ground before we can expect the British Government to consider extending the airstrip. But they will do it. I am convinced they will do it. I can remember at one stage when some of my constituents in 1970-71 said we'd never even got a temporary airstrip, let alone a permanent one; and now we've got two airstrips. So I'm now worrying at all about the extension. If it's necessary we'll get it, and we'll welcome it if it gives us another outlet to the rest of the world with less restrictions and less dependence on other countries.

I'm sorry, Sir, I'm no authority on fishing. I've only gone fishing up the Murrel river and I'm not very good at that - but there is a small in-shore fishing thing on the cards, and let's have a look at it. Let's see how it goes. Let's try it out; let's see its potential, and then we can snowball the thing after that if there's big money in it for us. I would agree that deep-sea fishing is not going to bring a large income for us, unless one day we are going to own the whole fleet and sell the produce to somebody else, but I can't see that happening for a day or two! I think the recommendations from the Shackleton Report are now just starting to materialise. I am pretty convinced that they are starting to move and certainly with the present team we have I can foresee some visible movement on the Shackleton Report, and having worked very closely with Lord Shackleton on his visit here I am delighted with this and I support the Motion."

Mr D S Evans

"Your Excellency, Honourable Members. I deliberately stood up last because I am not sure of anything on this, I am quite happy to admit. The airport extension - it could be necessary, but I think we will have to wait until it is necessary. I think we've got enough on our hands with projects we're trying to implement now. It's going to extend all the facilities we have to do just these few things at home and, obviously if the need is there I'm pretty sure the airport will be extended. On fishing I don't think we have any chance of joining the pelagic fleets - it will

/have to be in-shore fishing.

have to be in-shore fishing. And there are attempts to get that going. It is moving: it's not being neglected altogether. And Alginates - I wasn't sure that they are interested in coming back. I was under the impression that if the sovereignty issue is settled, and things start to develop here, then Alginates will come back. But I think we'll have to wait until that happens. I think we've got to be a little clearer on the sovereignty before there'll be any hope of development in that way at all. I'm quite content that things are moving, possibly not on all the major recommendations, but things are moving and it's a good sign. And I think things may start to escalate if it starts to go right. And I just hope it does go right. I am quite happy to support the Motion."

Financial Secretary

"Your Excellency, I welcome the Motion put forward by Mr Miller because it gives an opportunity to discuss the matter though I'm afraid I do not support it, for the following reasons. For instance, as far as I know, there has been no rejection by Her Majesty's Government of any of the recommendations so far. It's purely a matter of timing and capacity. The British Government have mentioned on occasions that there should be a feasibility study before consideration of spending a large sum on the airport. And certainly as Financial Secretary of this Colony I would welcome that because I know what the cost - or some of the cost - of the maintenance of the present airport is, and also of the road, and also of the communications equipment. You may require greater capacity for much of the equipment there. Also this Council as far as I know have put forward to Her Majesty's Government a number of different priorities, but what I would like to see coming from this Council is a list of priorities stating exactly what we should go for. I would support that. I think we haven't done enough ground work - we have no development plan at present. The Shackleton Report gave us the basis for forming one but since that time there are very different views on the list of priorities. I think we should get our priorities right and then move forward. I noticed in your Address this morning you welcomed the Falkland Islands Company's initiative in establishing a fishing industry and we expect this cost may have to come from the private sector. However, I think we should give what we can to encourage it and Her Majesty's Government is looking into the question of fishing in the deep-sea areas of the South Atlantic, but first there have to be consultations with Argentina. I believe this. I go along completely with the Honourable Adrian Monk's view that it would be impossible for us to go alone - or even the British Government. It is a matter of international discussions and these are already in hand. We have had the talks in Rome which we were promised by the Minister Mr Edward Rowlands, and we have also noted that there is to be a follow-up meeting at Ministers' level. I think the British Government has done a lot so far, and although we would like to see the pace speeded up, as it is put, I don't think I can support the Motion."

/Chief Secretary

Chief Secretary

"Sir, I welcome the attempt by the Honourable the Financial Secretary to put this question into perspective. I'm not here as an apologist for the British Government - I represent the Falkland Islands Government and share fully the impatience of everybody to get things moving. I think we do have to remember perhaps what the Shackleton Report said about the airfield, and if I may just read a quotation from it: Lord Shackleton's comment was that the extension of the runway at a cost of 3 to 4 million pounds (the prices at the time of the report) is likely to be somewhat greater than the present value of additional income that might be generated by the extension by additional economic activity. This was faint but damning praise and is the point which British Ministers picked up. Most recently Mr Ted Rowlands on the 30th of March said the extension of the runway, costing more than 5 million pounds on current estimates, is a serious and important project but it seems to us on present evidence it would be hard to justify it. It could bear very heavily on the present revenue problem in the Islands. We have not closed the door on the project but we need more convincing that it is viable. Well, that's also a hedging statement, but I think the British Government still stands on the late Secretary of State's remark in the House of Commons in February, when he said that at the appropriate moment the essential preliminary studies will be made to determine whether it is likely to be practicable and cost-effective. I don't think that the British Government are likely to renege on that.

I think it is also significant that the attempts by the British Government through the Ministry of Agriculture, Food and Fisheries have shown that the British private enterprise has been less than firm in its view of moving into this area to fish. I don't think it right to blame the British Government for whatever reasons for the indifference of the British fishing industry. It is very hard in a democratic society to stimulate private interests into doing something they don't want to do. Nevertheless, the point behind this Motion is one we all share.

We need to implement, and I think it is instructive that the Shackleton Report contained ninety-one recommendations and in January of this year the Ministry of Overseas Development, to mention one part of the British Government, had moved in some way, though perhaps not far enough, on twenty-three of them. They had either initiated action or commented on a way forward. It is difficult for us, sitting here, to understand sometimes the problems at the other end, but nevertheless it doesn't detract from the fact that we must aim to pick out those things that we can, and recognisably, get moving at once. I share the reservations expressed by the Honourable the Financial Secretary. Thank you."

/Mr T J D Miller

Mr T J D Miller

"Your Excellency, some Honourable Members have, I think, misinterpreted me. I was talking about the major recommendations of the Shackleton Report, not the recommendations of the Shackleton Report. I welcome the fact that a number of recommendations have been moved on, both here and in Britain, but there hasn't been an awful lot of movement on the major recommendations - the principal recommendations in the Report. Also, regarding the airport extension, Alginate Industries did say that they would in fact be prepared to invest here if the airport was extended. Surely that was evidence enough for the British Government to start their preliminary studies. Regarding deep-sea fishing, the point of deep-sea fishing allied to a coastal fishing industry is not so much the revenue that would come in directly from a deep-sea fishing industry but from the fact that hopefully, and I'm sure that subsidiary industries would spring up associated to it and also it would bring more people here thus leading to more population. Thank you."

The President

"....there is a difficulty. Several Councillors have got up to speak on the Motion and have in fact questioned it, and then in the end said 'I support the Motion'.

The Motion is in rather strong terms which will, as it goes from this House deplore the lack of visible movement by the British Government towards implementing the major recommendations of the Shackleton Report, when I think the speeches this afternoon qualified in many ways the intents of the Motion. As I say I do feel in some difficulty. Does the House accept the Motion in its entirety? Do all Members accept it as it stands?"

Mr A B Monk

"Your Excellency, I criticise the Motion as it is and therefore I don't support it in its present wording."

Mr D S Evans

"I don't think I would like it to go forward as an outright condemnation of what's happened. I think things are moving, perhaps not as fast as we would like, but I'm quite hopeful."

The President

"As it stands I don't think it has the Agreement of the House, am I right?"

The President directed that the Motion lie on the Table and the Council adjourned at 16.52.

/The Council resumed

The Council resumed at 10.13 a.m. on Tuesday 22nd November 1977.

The President

"Good morning. May I go back to the business as we left it last night. We had a Motion before us and I said at the time there seemed to be indications of support for the Motion but not for its wording. And I felt that there was in fact an expression of opinion struggling to come out, so rather than talk the Motion out or to ask the Mover to withdraw it I let it lie on the Table, with the hope that we might, perhaps, possibly come to an agreed Motion. I have been informed this morning that Councillor Miller would like to replace his Motion with a further Motion and, while these circumstances are exceptional, I am perfectly agreeable to it because I would like a view expressed by this Council on the matter that Councillor Miller so ably put forward yesterday, and on which other Members spoke during the debate..."

Mr T J D Miller

"Your Excellency, if there is no objection I wish to withdraw the Motion as it was worded in its original form and I wish to propose the following Motion:

"That this House strongly urges the British Government to take every possible step to assist with the urgent implementation of the recommendations made in the Shackleton Report."

Thank you, Sir."

The revised Motion was seconded by the Hon S B Wallace and adopted without further debate or amendment.

MOTION by the Honourable S B Wallace

"That this House requests that representatives from this House are included as observers in any delegation sent by Her Majesty's Government to the forthcoming negotiations with the Government of Argentina."

Mr S B Wallace

"In introducing this Motion I would like to draw the Honourable Members' attention to the statement made by Her Majesty's Government to the effect that if we desired we shall have representatives included in any delegation sent by Her Majesty's Government to the forthcoming talks. It seems apparent that if they have made provision for us they recognise and accept that it is probable that we shall want to be represented there. It is however clearly up to us to make the request. It is always tempting to take the easy way out and do nothing, and that way some people may think there is less risk involved. But I believe that

/the people who elected us

the people who elected us expect more than to see us sit here in ignorance and wait for someone, however trusted, to inform us about proceedings that can very much affect our community. I would like to emphasise that my Motion requests that we have observers present. These observers would not have authority to participate in any way, simply to be there and enable this Council to hear of the proceedings from some of our own people and to fulfil the obligations we have to the people we represent. Sir, I beg to propose the Motion."

Mr T J D Miller

"In rising to second the Motion I would like to say that not only should it be the wish of elected representatives of this House to be present at negotiations with Argentina, but also it is our duty to the Islands and to our supporters in Parliament to do so. Had it not been for our support in Parliament and outside in 1968, I feel that it is unlikely that we should be assembled here today. Our presence is what the people of these Islands want, it is what they voted us on to Council for. It is indeed a very important decision for us to take, but when we stood as candidates for election to this House we knew and accepted that decisions must be made. We knew that decisions had to be made and we knew what the public wanted. They still want the same. I have talked with people who have been present at previous negotiations. They have assured me that the process is not as complicated as one might expect. And we have absolutely nothing to lose by being present. We have a lot to lose and would, I feel, be avoiding our responsibilities as Councillors if we did not go. The eyes not only of the Islands are on us at this time: the eyes of the free world are upon us, and I feel that unless we show that we care about our future and our Island home, then we cannot expect anyone to support our case and in the very near future we are going to need all the support we can get. I beg to second the Motion."

Mr D S Evans

"Your Excellency, Honourable Members, this is a real problem which has given me a lot of heartache and I have spent a lot of time thinking about it. I have made my mind up about this one and it is my opinion that we should not go. I should like to explain the background, really why this Motion is up. I am trying to represent the people of the West as far as possible. Obviously I have my own ideas, and talking to the people of the West they do very much want to have an observer at the talks; and although I never have been happy about it I believe that this kind of thing should be brought up in Council and should be discussed, openly, so that people can see why we are for it or against it and see the difficulties, too, in trying to come to a decision. I also put in a Motion which is more open-ended than this one just to make sure that this was discussed in Council. In fact we decided to take the Motion that was more specific, because we felt that we must make decisions, where possible and not just leave things vague - but we are inexperienced; we don't, to a great extent, know what we are doing.

/Since coming into town,

Since coming into town and talking and finding out more facts, I can now see that although things are moving slowly things are moving. The British Government is not just ignoring things as I thought and just waiting for the Argentines to participate and we won't get anything until they do participate. That isn't true; I can see that things are moving ahead and we are making progress. I can see now that the extension to the airstrip is not as simple as I thought it was; I suppose we are paying a lot of money on the upkeep of this one and in effect it is a white elephant. But we can manage the upkeep of this one, then if we get a bigger airstrip and we don't get the expected expansion, then we've got something on our hands that's going to be considerably more expensive than this one. And then we might find that we have to draw on our reserve funds used for better things. Things that will help our development. So I'm quite happy to see the airstrip stay as it is and if expansion comes then we move on the airstrip. This is the British Government's point all along the line and I'm beginning to understand what they're talking about now. I think I agree with that. I think the money can be better spent on things that can help us immediately: things like the hostel and internal expansion. So I can see the point on that. I don't think that they're deliberately stalling us on that.

I can see that if we've got fishing here, if we want to go beyond these shores, and the Argentines wish to cause trouble, it would be impossible to manage. They could cause all kinds of obstructions if they so wished. I can see that the oil couldn't possibly - if there's going to be oil taken from round these shores between us and Argentina - it's got to be a joint operation. So there have got to be talks. I think that these talks must go ahead. I think if we reject these talks altogether we've got to put ourselves in an intolerable position. All right, we might manage; maybe we could go back to a boat and forget about the air service, but if we just went back to the 'Darwin' era, then there's no hope of expansion. And I think we've got to expand. If we stay as we are, we just start to go downhill, so we've got to have some expansion, so we've got to consider ourselves and all these other things. We can't afford to alienate the Argentinians altogether. I think these talks are important. I think we have got to trust the British Government. Otherwise nothing will go forward.

I believe if we send an observer it is a good thing in that it shows people we are interested and we want to see what is going on; it has a bad effect in that it shows people that we don't trust the British Government. It's got another bad effect. It shows people - it shows us, it shows everybody - we've got no say in the matter. If we sit there as an observer whatever goes on we can do nothing about it. I feel that we are in a stronger position here. Anything that comes out of the talks has to come back here, has to be discussed here; there are assurances that it has to have our approval before anything will be done. And then, if it does have our approval

/it has to go before

it has to go before Parliament, so we have got safeguards. If there is going to be any double dealing, it will be done whether we are there or not. So I think we must indicate our trust in the British Government and wait and see what comes out of the talks."

Mr W E Bowles

"Your Excellency, Honourable Members. I appreciate Councillor Wallace's courage in putting this Motion forward, and I am pleased we can stand up here and talk about it today. I know everybody is concerned about this. But let us go back to the beginning. The United Nations asked Great Britain and Argentina to settle their differences about the Falkland Islands. They did not ask the Falkland Islands to assist or resist. We have many assurances from the British Government and the delegations that nothing will be done behind our backs. If there are any substantive policies or ideas coming out of any of these talks, they will be referred back to the Islands' Councils - and I mean Joint Councils - where they can be discussed and any decisions taken on our own territory. To confirm my faith in the British Government, I would like to draw Council's attention to the role of the Foreign and Commonwealth Office regarding our position. This Department is responsible for the discharge of British responsibility in the dependent territories mainly for defence and external affairs. We are also, Sir, in close contact with the Diplomatic Service. And I would like to quote from 'Britain 1977', the Jubilee edition: "The Diplomatic Service is also responsible for administering British aid, presenting British ideas, policies and objectives to people of overseas countries" - and this is the most important part - : "and protecting British interests abroad." I'm sure, Sir, that this includes the Falkland Islands. When we are formally invited to take part in talks and both sides are agreeable, then that is the time, in my mind, to take part in these talks. Sir, with all the faith I have in the British Delegation, and in Great Britain herself, my conscience is that of many of my constituents and does not permit me to support the Motion. Thank you."

Mr W H Goss

"Your Excellency, Honourable Members. I do not support the Motion. If we send an observer, I think he would virtually bring back nothing: his lips would be sealed. You had the Rome talks. Does anybody here know what transpired at the Rome talks? Does anybody in Britain? Does anybody in Argentina? At least if they do, I've never heard of it. Anybody who was sent, that's all he would be: an observer. And they're not going to let people into the House where the Conference is taking place who are going to bring out the information at this stage. It's all behind locked doors. They're talking; well, let them go on talking.

/We've got nothing to talk about.

We've got nothing to talk about. The dispute is between Britain and Argentina, not us. They're arguing it out, and I have faith in Britain. I object to the Motion."

Mr A B Monk

"Your Excellency, Honourable Members, I am completely confused as to what some previous speakers really do mean. Take the Honourable Member for the West Falklands. He says the people of West Falkland consider that somebody should be sent. Well, he represents them - I can only imagine that he is representing New Island, not the West Falkland. I consider we should send an observer. I do not agree with the Member for East Stanley who said that an observer would know nothing and could tell us nothing, and that they'd be behind locked doors and they would be standing outside like messenger boys. I've been to these talks twice, and in fact you were in the very room where the talks were and you heard every word, and on each occasion we reported to Joint Councils exactly what transpired, so it's nonsense to say he wouldn't know what was taking place. The only reason we don't know what was taking place is because no beggar was there. That's why. If we'd had an observer at Rome we would have known everything that took place. Maybe the talks were unimportant, but we certainly shan't know what really takes place in New York or Santiago or wherever the devil they're held if we don't send an observer. The Honourable Member for Stanley seems to think that everything should be left to the Foreign and Commonwealth Office, that all decisions should be taken by them and that it's entirely their responsibility. I don't know what all the pressure groups and anguish that's been taking place over the last few years are doing, then. They have been simply wasting their time, if FCO could have done the job perfectly well. It's perfectly obvious that we wouldn't be British subjects now if it had all been left to the FCO. I think Members are ducking their responsibility, if they don't send observers, and I deplore that attitude. I strongly support the Motion."

Financial Secretary

"Your Excellency, I notice that some are for and some are against sending people, and I thought it may be of use if I put forward my views on this matter. In fact, I am inclined to think that at this stage of the meetings there is little to gain by sending an observer to the talks. We haven't an agenda, we don't know what is being talked about as yet, and I think that before we send an observer we would want to know exactly what was being talked about and also that this Council gives some direction. The dispute is between the British Government and the Argentine Government. We have no dispute. All we want is self-determination. Therefore I feel that before any person is sent we should have more details. If there is, as I heard in a certain place, some tacit agreement at this stage I don't think that I would like to see a Falkland Islander included in a delegation who gave that tacit agreement. Therefore my view is that we should not send a representative to the talks at the moment."

/The President

The President

"Before I ask Councillor Wallace to respond to the debate, may I say a few words. There is clearly no united opinion on this, and I think on so important a matter it is essential that what goes out from this Council should reflect the united voice of the Councillors. It is an important matter; it could affect our future to a great extent. I don't want to guide Councillors to what my opinion on the matter is, but I think I would like to suggest that perhaps Councillors go into private session - to suspend Standing Rules and discuss this matter further - to see whether it's not possible to get an agreed Motion."

The Council went into a Select Committee of the whole House at 10.35 a.m. and when the Council resumed at 12.28 p.m. the Honourable S B Wallace spoke as follows:

"Sir, the essential purpose of my original Motion was to allow people to air their views on this issue which is of crucial importance to our community. I think that this has been done and in Committee we considered this issue of vital importance with correct regard to the sensibilities of our situation. Some Members of Council expressed a desire that we should not be represented; that this would be dangerous and might lead to a hardening of attitudes which might not be in the interests of our community. We have therefore agreed on the deletion in my original Motion of all the words after "That" and the insertion of the following:

"this Council is concerned about participation in any Anglo-Argentine talks about the future of the Islands and wishes to be consulted about the nature and timing of representation at substantive talks, on which the Islanders have already had assurances."

Sir, I would like to propose this amendment."

The Motion for the amendment was seconded by the Honourable T J D Miller and passed without debate.

FAMILY ALLOWANCES (AMENDMENT) BILL 1977

Financial Secretary

"Your Excellency, this Bill seeks to increase Family Allowances by one hundred percent with effect from the 1st of January 1978. Family Allowances are paid to a family with more than one child and are provided wholly out of general taxation. The present monthly allowances are paid at the rate of 50p each for the first two children and £1 per child thereafter. The proposed monthly rates are £1 each for the first two children and £2 for subsequent children.

/Select Committee

Select Committee on the 1977/78 Estimates agreed to make provision for the revised allowances in the Budget Meeting to take effect from the 1st of January. The annual estimated cost is £2,400. I beg to move the first reading of the Bill."

Mr A B Monk

"Your Excellency, Honourable Members, in rising to second the Motion I would like to point out that I have frequently in the past requested that this allowance be increased. I don't think it's been increased since 1960 - the 100% increase that is proposed now represents about 15% of the increase that should have been made in order to keep the value of the original 50p. In other words people drawing this allowance, even with the 100% increase, which my Honourable friend speaks of so proudly, are considerably worse off than they were in 1960. However, it is a small improvement. I only hope that my Honourable Financial friend will see his way to making a real improvement in bringing at least the value of the payment up to that which it was originally. The cost of the increase is somewhere about half the cost of the Police Land Rover, half the cost of one Land Rover to all the people that are eligible to draw this money. However it is an improvement and I support the Motion."

The Bill was read a first time and on the Motion for the second reading Honourable Members spoke to the Motion as follows:

Mr W E Bowles

"Your Excellency, I naturally support this Bill and, like my Honourable friend in East Falkland, know full well that it is a bit out of proportion perhaps to 1960 but I think we should reconsider this again at Budget time in 1978, and do a full scale analysis of the situation. In the meantime, Sir, I support the Bill."

Mr T J D Miller

"Your Excellency, Honourable Members, I too welcome this Bill and also agree with the views expressed that although it goes some way, it doesn't go far enough. And I feel that in the Budget next year not only the Family Allowances but all the social security payments should be revised and we should consider bringing them into line with the present day value of money. Sir, I beg to support the Bill."

Financial Secretary

"Your Excellency, I should like to assure Members of Council that I have taken note of their wish for another early review of the Family Allowances. I always like to make the point that we did consider earlier in the year the question of the allowances for families in connection with Income Tax.

/We did make some quite

We did make some quite large improvement there. But, however, I have taken note of this and we certainly will consider it further at the next Budget."

The Bill then passed through its remaining stages without amendment, or further debate, and was passed.

MOTION FOR THE ADJOURNMENT

Chief Secretary

"Your Excellency, I beg to move that this House stands adjourned sine die."

Financial Secretary

"I beg to second the Motion."

The President

"The Motion is that this House stands adjourned sine die. Does any Honourable Member wish to speak?"

Mr D S Evans

"Your Excellency, Honourable Members, I didn't know you could speak now, so this is off the cuff. Very much so. I would just like to say that it's been a very interesting meeting for all of us and we have tried to look at matters sensibly and take sensible decisions, decisions that haven't been easy at all. Views change; obviously my views have changed quite a lot since coming in, now that more facts have become available. But we were chosen by the people of our areas who must have thought we had some common sense and this is what we tried to use. I look forward to the next meeting, which I hope is as interesting as this one."

Mr A B Monk

"Your Excellency, Honourable Members, in supporting the Motion for the Adjournment I would like to say that I think that this short Council meeting has been quite one of the most interesting that I have attended and I think all the credit must go to the latest, as it were, Members of Council, who I think have provided some extraordinarily useful facts and discussions on many subjects. Also if I may briefly say so, I would like to say that I will submit today a report on my visit with Mr Etheridge to the Commonwealth Parliamentary Association Conference, and copies will be distributed, and I would like to express my sincere thanks for being sent there. And in winding up, Sir, I would like to say that I think we are fortunate that you worked so hard during your holiday and seem to have stirred things up to our benefit! I wish to support the Motion."

/Mr S B Wallace

Mr S B Wallace

"Sir, I also haven't anything prepared for this Motion for the Adjournment, but I would like to support the remarks of the Honourable Derek Evans. In this meeting we have dealt very much with issues which are the most in people's minds and we have tried to deal with them and make decisions which are in the best interests of the people we represent. I also would like to say that I have a much better awareness than I did three days ago of the complexities that beset our Administration. In this meeting we owe a lot of gratitude for the advice of the older Members of Council. I beg to support the Motion."

Chief Secretary

"Your Excellency, in rising perhaps to make a concluding speech in this meeting, I must admit that I approached it with some trepidation as an entirely new experience. I think that it's marked - we are not here to congratulate ourselves but some formidable decisions and problems were presented to Council. As a newcomer, I think the thing that struck me most was the spirit of tolerance and understanding of other people's points of view every Member showed. It's not important to present unanimity simply for its own sake, but that we reach unanimity without any rancour and with a complete regard for the differing points of views we presented, whether we represented the different parts of the Islands or, in the case of my colleague on my left and myself, the Administration. This I think augurs well for the future of this Council. If we can continue like that I think that the people who elected the Council need have no fears, the problems will be properly, sensibly and tolerantly considered. Perhaps I may conclude, Sir, by thanking you for your own guidance and help in making sure that those of us who were uncertain in what we were doing didn't feel too nervous about the way we did it."

The President

"Well, thank you Honourable Councillors. I think this has been a most useful and interesting meeting. We've had very good debates and there's no need to say they were on major matters of very considerable concern to us all. May I convey my own thanks to the new Councillors - and congratulations - for adapting so quickly to our procedures. I understand there was on the part of some Councillors a certain nervousness at coming into this Chamber. All I can say is that it was not apparent to me sitting up here. There have been some excellent debates, which followed the rules of procedure, the rules of debate, in every sentence. I think we can now all look forward to some very constructive debates in the future, and affairs will be conducted on the right lines even if they are not railway lines!

/There is one thing

There is one thing I would like to mention which has been mentioned to me before, and that is our seating. It's not entirely satisfactory sitting way up here. If Members would like to think about how we can better arrange the table to facilitate the debates and arrange the papers, I think we should be only too grateful to get these ideas put forward. If everyone is happy with the way we sit then we'll remain as we are. But it's possible that we can get a better arrangement of the room in future.

Once again, thank you, Gentlemen, and the House stands adjourned sine die."

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