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to

FALKLAND ISLANDS GAZETTE

1978

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THE FALKLAND ISLANDS GAZETTE

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16 JANUARY 1978

No. 1

Appointments

Peter Gaskins, Headmaster, Infant and Junior School, Education Department, 1.7.77.

Miss Shelley McKay, Telephone Operator, Posts & Telecommunications Department, 13.12.77.

Miss Shelley Livermore, Clerk, Public Service, 1.1.78.

Acting Appointment

Len McGill, Officer-in-Charge, Central Store, 14.11.77 - 14.12.77.

Promotion

Miss Linda Margaret Lyse, Senior Clerk, Treasury, 17.11.77.

Completion of Tour

David John Orchard, Magistrate, South Georgia, 16.11.77.

Resumption of Duty

Michael Raymond Pawley, Magistrate, South Georgia, 16.11.77.

NOTICES**Customs Ordinance (Cap. 16)**

In exercise of the powers conferred by section 4 of the Customs Ordinance I hereby appoint Mr. H. T. Luxton to be a Deputy Collector of Customs for the period 17th - 19th December 1977, inclusive.

L. J. HALLIDAY,
Collector of Customs.

16th December 1977.

No. 68. 20th December 1977.

School Terms 1978

Stanley Schools and all recognized full-time schools in Camp

1st Term — 13th February to 12th May
2nd Term — 29th May to 1st September
3rd Term — 18th September to 15th December

Darwin Boarding School

1st Term — 15th February to 12th May
2nd Term — 5th June to 25th August
3rd Term — 18th September to 15th December

Recognized Camp Teachers

Tuition shall take place except during the following periods —

- 17th December 1977 to 8th January 1978.
- One week to coincide with the annual Camp Sports Week or given station holiday in lieu of Sports Meeting.
- 24th March - Good Friday.
- One week to coincide with the traditional May Ball Week.
- 21st August to 27th August.
- 8th December - Battle Day.

The school year shall end on Friday, 15th December 1978.

T. E. LAMIN,
Superintendent of Education.

Ref. EDU/21/1.

No. 69. 23rd December 1977.

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

CAPTAIN PHILLIP GEORGE SUMMERS
Falkland Islands Defence Force

Ref. ROY/31/4.

No. 70. 29th December 1977.

With reference to the Instrument under the Public Seal of the Colony dated 15th December 1977, it is hereby notified that His Excellency the Governor returned to Stanley on Tuesday, 20th December 1977.

Ref. GOV/19/1.

No. 1. 3rd January 1978.

NEW YEAR HONOURS 1978

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

HIS EXCELLENCY

JAMES ROLAND WALTER PARKER, ESQ., O.B.E.,
to be a Companion of the Most Distinguished
Order of St. Michael and St. George; and

HAROLD THEODORE ROWLANDS, ESQ.,
to be an Officer of the Most Excellent Order of the
British Empire.

Ref. ROY/31/4.

No. 2. 3rd January 1978.

Public Health Ordinance (Cap. 54)

The following have been appointed members
of the Board of Health for the Colony until 31st
December 1978 —

The Senior Medical Officer — *Chairman*

Dr. K. E. Dunnett

Dr. A. A. Mackintosh

The Hon. W. H. Goss, J.P.

The Hon. S. B. Wallace
The Chief Police Officer
The Superintendent of Public Works.

Ref. MED/19/1.

No. 3. 12th January 1978.

Prison Ordinance 1966

It is notified that the following have been
appointed the Board of Visiting Justices for 1978—

Mr. H. L. Bound, M.B.E., J.P. (*Senior Member*)

Mr. S. Miller, J.P. (*Member*)

Mrs. C. Luxton, J.P. (*Member*)

Ref. POL/19/1.

No. 4. 13th January 1978.

With reference to the Instrument under the
Public Seal of the Colony dated 20th December
1977, it is hereby notified that His Excellency the
Governor returned to Stanley on Wednesday 11th
January 1978.

Ref. GOV/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 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.

LS

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.

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 21st 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 of the 21st day of December 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 20th 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.

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, Companion of the Most Distinguished Order of Saint Michael and Saint George, 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, Companion of the Most Distinguished Order of Saint Michael and Saint George, 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.

GOD SAVE THE QUEEN

Given under my hand and the Public Seal of the Colony at Government House, Stanley, this 16th day of January in the Year of Our Lord One thousand Nine hundred and Seventy-eight.

By His Excellency's Command,

D. R. MORRISON,

Deputy Chief Secretary.

EXC/19/1C.

PROCLAMATION

No. 7 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 paragraph (2) of clause 1 of the Falkland Islands Additional Instructions 1977 that the said Additional Instructions 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 first meets after the coming into force of the Falkland Islands (Legislative Council) (Amendment) Order 1977.

AND WHEREAS the said Falkland Islands (Legislative Council) (Amendment) Order 1977 came into force on the 21st day of July 1977:

AND WHEREAS the Legislative Council first meets after the coming into force of the said Falkland Islands (Legislative Council) (Amendment) Order 1977 on the 21st day of November 1977:

NOW, THEREFORE, I, JAMES ROLAND WALTER PARKER, do hereby PROCLAIM that the Falkland Islands Additional Instructions 1977 shall take effect on the 21st day of November 1977.

GIVEN under my hand and the Public Seal of the Colony of the Falkland Islands at Government House, Stanley, Falkland Islands, this 21st 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. LEG/10/32II.

CORRECTED REPRINT

(This corrected version should be substituted for that published in Gazette
Volume LXXXVI, No. 12 on 23rd September 1977).

 STATUTORY INSTRUMENTS

1977 No. 830

COPYRIGHT

**The Copyright (International Conventions)
(Amendment No. 2) Order 1977.**

<i>Made</i> - - - - -	<i>11th May 1977</i>
<i>Laid before Parliament</i>	<i>19th May 1977</i>
<i>Coming into Operation</i>	<i>9th June 1977</i>

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 relevant amending Order is S.I. 1976/2135 (1976 III, p. 6007).

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. 1632

COPYRIGHT

**The Copyright (International Conventions)
(Amendment No. 4) Order 1977**

Made - - - - - 11th October 1977

Laid before Parliament 19th October 1977

Coming into Operation 9th November 1977

At the Court at Buckingham Palace, the 11th day of October 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. 4) Order 1977, and shall come into operation on 9th November 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 the Central African Empire.

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 Central African Empire to the Berne Copyright Convention.

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

Registration of United Kingdom Trade Marks Ordinance (Cap. 59)

10

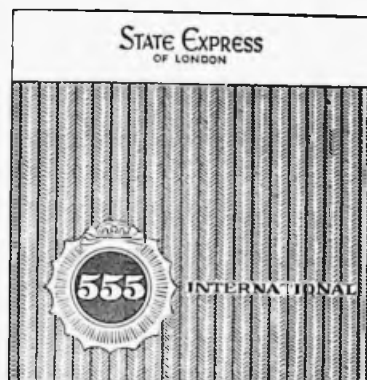
The following list of Trade Marks Registered in the Falkland Islands during the period 1st January 1976 to 31st December 1976 is published for general information. The Trade Marks Register may be inspected at the Office of the Registrar General, Stanley.

H. Bennett,
Registrar General.

Registration No.	Date of Registration	Proprietor	Description of Goods
6130	16.1.76	Allen & Hanburys Limited	pharmaceutical preparations and substances for human use and veterinary use.
6140	30.1.76	Ardath Tobacco Company Limited	cigarettes.
6145	10.2.76	Heuga Export A.G.	carpets, mats, included in Class 27, rugs (floor coverings), carpet tiles, matting and floor covering materials for existing floors.
6160	17.2.76	Brown & Williamson Tobacco Corporation (Export) Limited ...	tobacco, whether manufactured or unmanufactured.
6161	25.2.76	James Buchanan & Company Limited	wines, spirits (beverages) and liqueurs.
6208	27.4.76	Brown & Williamson Tobacco Corporation (Export) Limited ...	tobacco, whether manufactured or unmanufactured.
6209	27.4.76	Levi Strauss & Co.	overalls, jeans, jackets, trousers & slacks, all being articles of outer clothing for men. 'LEVI'S'
6244	31.5.76	Ford Motor Company	Replacement parts included in Class 9 for motor land vehicles.
6245	31.5.76	Ford Motor Company	Replacement parts included in Class 11 for motor land vehicles.
6246	31.5.76	Ford Motor Company	Replacement parts included in Class 12 for motor land vehicles
6247	31.5.76	Ford Motor Company	Replacement parts included in Class 7 for motor land vehicles.
6260	18.6.76	British-American Tobacco Company Limited	tobacco, whether manufactured or unmanufactured.
6270	26.7.76	Toyota Jidosha Kogyo Kabushiki Kaisha (Toyota Motor Co. Ltd.)	Motorcars and forklift trucks, and parts and fittings included in Class 12 for such goods.
6271	26.7.76	Toyota Jidosha Kogyo Kabushiki Kaisha (Toyota Motor Co. Ltd.)	Motor land vehicles and parts and fittings thereof included in Class 12 for such goods.
6273	26.7.76	Biro Bic Limited	razors, razor blades, razor cases, razor straps, mechanical sharpeners for safety razor blades, hand tools, hand instruments, included in Class 8; cutlery (other than surgical cutlery), forks and spoons.
6284	19.8.76	James Buchanan & Company Limited	Scotch Whisky.
6289	20.9.76	British-American Tobacco Company Limited	tobacco, whether manufactured or unmanufactured.
6291	12.10.76	Certina Kurth Freres S.A.	Horological and chronometric apparatus and instruments, and parts and fittings for all such goods, jewellery, imitation jewellery and articles included in Class 14 made of precious metal or coated therewith.
6296	29.10.76	White Horse Distillers Limited	Scotch Whisky.
6302	24.11.76	Appendagez Inc.	trousers, slacks, shirts, pants, trunks, shorts, jackets, skirts & hats. 'APPENDAGEZ'

TRANDATE

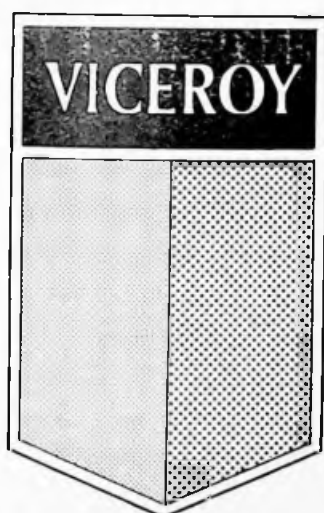
Reg. No. 6130



Reg. No. 6140



Reg. No. 6145



Reg. No. 6160



Reg. No. 1661

PHOENIX

Reg. No. 6208

MOTORCRAFT

Reg. No. 6244

MOTORCRAFT

Reg. No. 6245

MOTORCRAFT

Reg. No. 6246

MOTORCRAFT

Reg. No. 6247



Reg. No. 6260



Reg. No. 6289

**CERTINA**

Reg. No. 6291

TOYOTA

Reg. No's. 6270 & 6271



Reg. No. 6273



Reg. No. 6296

Registration of United Kingdom Trade Marks Ordinance (Cap. 59)

12

The following list of Trade Marks Registrations renewed in the Falkland Islands during the period 1st January 1976 to 31st December 1976, 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
5564	6131	12.12.75	American Brands, Inc.	Preserved, frozen, dried, or cooked fruits and vegetables; jellies and dairy products, all for food; edible oils and edible fats; soups, meat extracts; meat stews; salad dressings; canned or frozen sea foods included in Class 29; and vegetable juices for cooking.
5565	6132	12.12.75	American Brands, Inc.	tobacco, whether manufactured or unmanufactured; cigarettes and cigars; and smokers' articles included in Class 34.
5566	6133	12.12.75	American Brands, Inc.	alcoholic beverages and preparations for making such beverages, all included in Class 33.
5567	6134	12.12.75	American Brands, Inc.	non-alcoholic beverages and preparations for making such beverages, all included in Class 32; fruit juices, and vegetable juices (beverages).
5569	6135	12.12.75	American Brands, Inc.	coffee; tea; mixtures of coffee and chicory, coffee essences and coffee extracts; chicory and chicory mixtures, all for use as substitutes for coffee; flour and preparations made from cereals for food for human consumption; biscuits (other than biscuits for animals); pastry; non-medicated confectionery; vinegar, sauces, spices (other than poultry spice), condiments (for food), sugar, juices, syrup (golden), honey and treacle.
5224	6137	18.12.75	Cointreau	liqueurs.
3870	6139	14.10.75	Unilever Limited	toilet preparations for the teeth.
2561	6142	13.3.76	William Sanderson & Co. Limited	Scotch Whisky.
5142	6146	6.2.76	Verlag Aenne Burda	printed matter, newspapers and periodicals, dressmakers' patterns (paper) and books.
2004	6147	28.2.76	The Mentholum Company Limited	chemical substances prepared for use in medicine and pharmacy.
2330	6148	7.2.76	Proctor & Gamble Limited	bleaching preparations for laundry use, soap powder not being veterinary or medicated soap.
2509	6158	11.4.76	The Distillers Agency Limited	whisky.
5201	6159	13.3.76	N. V. Philips' Gloeilampenfabrieken	electrically operated toothbrushes and parts and fittings therefor included in Class 21.
1169	6162	2.4.76	Goodall Backhouse & Company	a sauce.
3905	6168	3.4.76	James Buchanan & Company Limited	whisky.

Registration No.	Renewal No.	Effective date of renewal	Proprietor	Description of Goods
5376	6171	31.3.76	N. V. Philips' Gloeilampenfabrieken ...	games (other than ordinary playing cards), toys and playthings, all being mechanically, electrically or electronically operated; kits of parts for the construction of toy models of scientific, mechanical, electrical and electronic apparatus and instruments; parts and fittings included in Class 28 for all the aforesaid goods; ornaments and decorations for Christmas trees.
5333	6174	26.2.76	Germaine Czerefkow ...	perfumes, eau de cologne, non-medicated toilet preparations, cosmetics, preparations for the hair, essential oils, dentifrices, perfumed soaps and toilet articles included in Class 3.
3051	6175	15.5.76	Tanqueray Gordon & Co. Limited ...	dry gin.
5876	6178	8.1.76	Liggett & Myers Inc. ...	cigarettes.
1848	6181	16.4.76	Aspro-Nicholas Limited ...	chemical substances prepared for use in medicine and pharmacy, but not including medicinal oils and not including any goods of a like kind to medicinal oils.
3959	6186	15.4.76	Avon Cosmetics Limited ...	cosmetics and non-medicated toilet preparations.
4067	6187	21.11.76	Rothmans of Pall Mall Limited ...	tobacco, whether manufactured or unmanufactured.
4290	6188	30.12.76	American-Cigarette Company ...	filter tipped cigarettes.
5219	6206	28.3.76	The House of Edgeworth Inc. ...	manufactured tobacco.
5387	6207	24.12.76	Distillers Corporation (S.A.) Limited ...	wines, spirits (beverages) and liqueurs.
5568	6211	5.2.76	American Brands, Inc. ...	alcoholic beverages and preparations for making such beverages, all included in Class 33.
5570	6212	5.2.76	American Brands, Inc. ...	tobacco, whether manufactured or unmanufactured, cigarettes and cigars, and smokers' articles included in Class 34.
5571	6213	5.2.76	American Brands, Inc. ...	non-alcoholic beverages and preparations for making such beverages, all included in Class 32; fruit juices, and vegetable juices (beverages).
5572	6214	5.2.76	American Brands, Inc. ...	coffee, tea; mixtures of coffee and chicory, coffee essences and coffee extracts; chicory and chicory mixtures, all for use as substitutes for coffee; flour and preparations made from cereals for food for human consumption; biscuits (other than biscuits for animals); pastry; non-medicated confectionery; vinegar, sauces, spices (other than poultry spice); condiments (for food), sugar juices, syrup (golden), honey and treacle.
5573	6215	5.2.76	American Brands, Inc. ...	preserved, frozen, dried or cooked fruits and vegetables; jellies and dairy products, all for food; meat stews; salad dressings; canned or frozen sea foods included in Class 29, and vegetable juices for cooking.
5625	6219	3.7.76	Standard Oil Company of California ...	all goods included in Class 4.
5282	6220	8.5.76	N. V. Philips' Gloeilampenfabrieken ...	electrically operated machines for domestic use; electric can openers; electric sharpening machines; electric washing machines; electric drying machines; clothes-drying machines.

Registration No.	Renewal No.	Effective date of renewal	Proprietor	Description of Goods
5375	6221	8.5.76	N. V. Philips' Gloeilampenfabrieken ...	electrically and/or electronically operated or controlled appliances, apparatus and instruments for surgical, medical, dental, therapeutic and veterinary use, X-ray appliances, apparatus and instruments for surgical, medical, dental, therapeutic, veterinary, scientific and industrial use; X-ray image intensifiers; appliances and devices for protection against X-rays; electrically operated hearing aids for the deaf; electrically heated blankets; lamps included in Class 10; surgical lighting apparatus; magnetic apparatus for surgical purposes; and parts and fittings included in Class 10 for all the aforesaid goods; X-ray photographs; cassettes for X-ray films; and stands for X-ray apparatus.
5283	6222	8.5.76	N. V. Philips' Gloeilampenfabrieken ...	all goods included in Class 11, but not including installations for steam generating, water supply or sanitary purposes.
5284	6223	8.5.76	N. V. Philips' Gloeilampenfabrieken ...	electrically operated horological and chronometric instruments and parts and fittings therefor, all for incorporation into scientific and electrical and electronic apparatus; electrically operated clocks and parts and fittings therefor.
5200	6224	8.5.76	N. V. Philips' Gloeilampenfabrieken ...	storage racks included in Class 20 and cabinets; stands, legs and tables, for use with radio and television and sound recording, sound amplifying and sound reproducing media; containers and boxes, all included in Class 20 for carrying tools, components and testing apparatus for servicing radio, television, sound recording, sound amplifying and sound reproducing apparatus and instruments.
5287	6225	8.5.76	N. V. Philips' Gloeilampenfabrieken ...	electric generators; electrically operated machines for domestic use; can openers (electric); high voltage generators; machine tools; conveyors (machines), compressors (machines); motors and engines (none being for land vehicles); valves and lubricators, all being parts of engines or of motors; welding machines; paper-making machines, drilling machines, glass-working machines, moulding machines, wire-making machines, tube-breaking machines, grinding machines, mixing machines, pressing machines, cutting machines, drying machines, humidifying machines, cleaning machines and office machines, all included in Class 7; sewing machines, openwork (a jour) machines for textile fabrics, weaving machines; magnetic and centrifugal separating machines, wood-processing machines, metal-working machines; machines for use in the electrotechnical, chemical, pharmaceutical, packaging, textile, metal and cable-and-wire-making industries; machines for use in the manufacture of fibres and synthetic materials; magnetic clarifiers, magnetic filters, filters and magnetic drain plugs, all being parts of engines, of motors or of machines; wheels, self-lubricating bearings, roller bearings, driving belts, couplings, clutches and swash plates, all being parts of machines; diamond dies being of wire-drawing machines; tools being parts of crushing machines; electrically operated lawn mowers; electric sharpening machines; and parts and fittings included in Class 7 for all the aforesaid goods.
5207	6226	8.5.76	N. V. Philips' Gloeilampenfabrieken ...	storage racks included in Class 20 and cabinets; stands, legs and tables for use with radio and television and sound recording, sound amplifying and sound reproducing media; containers and boxes included in Class 20 for carrying tools, components and testing apparatus for servicing radio, television, sound recording, sound amplifying and sound reproducing apparatus and instruments.
5208	6227	8.5.76	N. V. Philips' Gloeilampenfabrieken ...	anti-static dusters for cleaning gramophone records; electrically operated brushes and combs and parts and fittings therefor included in Class 21.
5460	6229	26.10.76	St. Regis Tobacco Corporation Limited	tobacco, whether manufactured or unmanufactured.

Registration No.	Renewal No.	Effective date of renewal	Proprietor	Description of Goods
2537	6230	19.6.76	Castrol Limited ...	oils for heating, lighting and lubricating.
3951	6231	4.7.76	Kellogg Company ...	substances used as food made from corn or rice in flaked, granular or similar forms.
3928	6232	15.5.76	Industrial Chemical Industries	all goods included in Class 1.
3929	6233	15.5.76	Industrial Chemical Industries	paints, varnishes (other than insulating varnish) lacquers; preservatives against rust and against deterioration of wood; colouring matters (not for toilet or laundry purposes); dyestuffs; mordants; natural resins.
3930	6234	15.5.76	Industrial Chemical Industries	bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; essential oils.
3931	6235	15.5.76	Industrial Chemical Industries	industrial oils and greases (other than edible oils and fats and essential oils); lubricants; dust laying and absorbing compositions; fuels (including motor spirit) and illuminants.
3932	6236	15.5.76	Industrial Chemical Industries	pharmaceutical, veterinary and sanitary substances; disinfectants; preparations for killing weeds and destroying vermin.
3933	6237	15.5.76	Industrial Chemical Industries	ammunition and projectiles; explosive substances.
3131	6238	15.5.76	Industrial Chemical Industries	building materials (not of metal), cement, lime, plaster (for building or for casting); road making materials (not of metal); asphalt, pitch and bitumen.
3925	6239	15.5.76	Industrial Chemical Industries	salt and gelatine, all for food.
5397	6248	17.6.76	Reemtsma Cigarettenfabriken G.m.b.H.	tobacco (manufactured) for export other than for export to the Republic of Ireland.
3265	6249	14.6.76	British-American Tobacco Company Limited	all goods included in Class 34. The heading of Class 34 is as follows — Tobacco, raw and manufactured; smokers' articles; matches.
5253	6250	28.5.76	Brown & Williamson Tobacco Corporation (Export) Limited	tobacco whether manufactured or unmanufactured, all being for export except to the Republic of Ireland.
3315	6251	18.5.76	British-American Tobacco Company Limited	tobacco, whether manufactured or unmanufactured.
1744	6252	5.7.76	Aspro-Nicholas Limited	chemical substances prepared for use in medicine and pharmacy but not including medicinal oils and not including any goods of a like kind to medicinal oils.
1887	6262	18.6.76	The General Electric Company Limited	electrical machinery included in this Class and parts of such machinery included in this Class.
1888	6263	18.6.76	The General Electric Company Limited	electrical instruments and apparatus included in this Class.
1889	6264	18.6.76	The General Electric Company Limited	electrical fittings of metal not included in other Classes.
5232	6269	12.8.76	British-American Tobacco Company Limited	tobacco, whether manufactured or unmanufactured, for export except to the Republic of Ireland, the United States of America, Cuba, Puerto Rico and the Phillipine Islands.
4665	6280	5.10.76	Macdonald Greenlees Limited	fermented liquors and spirits.
5003	6286	28.6.76	Chesebrough-Pond's Inc.	all goods included in Class 48.
5350	6292	23.7.76	Culemborg Exploitatie Maatschappij N.V.	ale and porter; non-alcoholic drinks and preparations for making such drinks, all included in Class 32 (Schedule IV).

Registration No.	Renewal No.	Effective date of renewal	Proprietor	Description of Goods
2252	6293	25.9.76	Birds Eye Foods Limited	meat, poultry, game, fish, vegetables, eggs, butter, cream, cheese, lard (for food), milk, yoghurt and fruits, all being preserved by a quick freezing process.
3350	6294	29.9.76	Philip Morris & Company Limited	manufactured tobacco.
5225	6295	15.10.76	Richardson-Merrell Inc.	salves (medicated) for human use.
3988	6301	4.12.76	The Rover Company Limited	cycles, motor cars and other vehicles, included in this Class.
4747	6306	21.9.76	Turmac Tobacco Company B.V.	cigarettes, cigars and tobacco.
4105	6307	14.9.76	Carreras Limited	tobacco, whether manufactured or unmanufactured.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXXVII

10 FEBRUARY 1978

No. 2

Appointments

Charles Jones, Filtration Plant Operator, Public Works Department, 4.1.78.

Miss Margaret Ann Maureen Lawrence, Assistant to the Governor, Government House, 23.1.78.

Jeremy Peter Baylis, Teacher, Education Department, 24.1.78.

Resignation

Mrs. Rose Louisa Peart, Police Woman, Falkland Islands Police Force, 10.1.78.

NOTICES

No. 5. 18th January 1978.

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

Quarter ended	Percentage increase over 1971 prices
31st December 1977	161.42%

2. In accordance with the principle of the Wages Agreement for Stanley the average increase over the last four quarters is 148.33% and a further wage award of 3p per hour is therefore payable with effect from 1st January 1978.

Ref. INT/2/3.

No. 6. 27th January 1978.

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)
MACKINTOSH, Alison Ann	M.B., ch.B. (Aberdeen)
Midwives	
BROWN, Dinah May	S.R.N., S.C.M.
CASWELL, Ann	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. (England)

Ref. MED/7/3.

No. 7.

30th January 1978.

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 Ordinance of the Colony —

No.	Title	Ref.
5/77	Pensions (Amendment) Ordinance 1977	TRE/10/3 Ref. LEG/10/42.

No. 8.

10th February 1978.

Air Fares and Conditions of Carriage

The Air Fares and Conditions of Carriage (Gazette Notice No. 33 of 1973) is amended by the deletion in section IV CHARTER FLIGHTS 2. Rates (1) and (2) of "£54" and "£5" and the substitution therefor of "£108" and "£10" respectively, with effect from 13th February 1978.

Ref. AIR/2/1.

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

IN THE MATTER of Gladys Elizabeth Browning, deceased of Mullet Creek Farm, Falkland Islands, who died at Stanley, Falkland Islands on the 28th day of September 1977.

WHEREAS Hazel Alazia, 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.
17th January 1978.
SC & L/22/77.

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 on the 27th December 1977.

L. J. HALLIDAY,
Collector of Customs.

22nd December 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 on the 14th January 1978.

L. J. HALLIDAY,
Collector of Customs.

10th January 1978.

Customs Ordinance (Cap. 16)

In exercise of the powers conferred by Section 4 of the Customs Ordinance I hereby appoint Mr. H. T. Luxton to be a Deputy Collector of Customs for the purpose of clearing "World Discoverer" from West Point Island, Falkland Islands on the 20th January 1978.

L. J. HALLIDAY,
Collector of Customs.

17th January 1978.

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 1st February 1978.

L. J. HALLIDAY,
Collector of Customs.

27th January 1978.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXXVII

9 MARCH 1978

No. 3

Appointments

Miss Teresa Rose McGill, Clerk, Public Service,
23.1.78.

Peter Biggs, Clerk, Public Service, 1.2.78.

NOTICES

No. 9. 13th February 1978.

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 of the Falkland Islands:

No.	Title	Ref.
DS 3/77	Appropriation (Dependencies) (1976-77) Ordinance 1977	SG/14/5
DS 4/77	Appropriation (Dependencies) (1977-78) Ordinance 1977	SG/14/6
		Ref. LEG/10/42.

No. 10. 16th February 1978.

Marriage Ordinance (Cap 43) Section 5

The following are registered as Ministers for celebrating marriages —

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 AUGUSTINE MONAGHAN, *Priest, St. Mary's Church.*

Ref. INT/39/1.

No. 12. 17th February 1978.

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.
20/77	Family Allowances (Amendment) Ordinance 1977	TRE/10/1
		Ref. LEG/10/42.

No. 13.

16th February 1978.

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 Mr. Derek Frank Howatt to be a Currency Officer with effect from the 6th February 1978.

Mr. Howatt replaces Mr. Michael Luxton who ceased to be a Currency Officer on termination of service in the Treasury on 6th February 1978.

H. T. ROWLANDS,
Commissioner of Currency.

No. 14

22nd February 1978.

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.
1/77	Appropriation (1977-78) Ord., 1977	TRE/14/10.
		Ref. LEG/10/42.

No. 15.

2nd March 1978.

His Excellency the Governor has been pleased to appoint —

MR. ANTHONY THOMAS BLAKE

of North Arm, East Falkland, to be a Registrar under section 4 of the Marriage Ordinance (Cap. 43) for the purpose of celebrating the marriage of Sydney Frederick Smith, divorcee, with Joan Lucy Ann Davis, spinster, both of Speedwell Island, at North Arm.

Ref. LEG/19/2.

No. 16.

7th March 1978.

With reference to the Instrument under the Public Seal of the Colony dated 27th February 1978, it is hereby notified that His Excellency the Governor returned to Stanley on Thursday 2nd March 1978.

Ref. GOV/19/1.

No. 17. 8th March 1978.

Public Health Ordinance (Section 54)

The following have been appointed to be the Hospital Visiting Committee for the year 1978 —

The Right Reverend

Monsignor D. M. Spraggon, M.B.E. (*Chairman*)

Mrs. Hermine Johnston

Mrs. Hulda Stewart.

Ref. MED/19/2.

No. 18. 8th March 1978.

**The Air Navigation (Overseas Territories) Order 1977
(Article 92)**

Pursuant to Article 92 of the Air Navigation (Overseas Territories) Order 1977, Mr. William Henry Roberts and Mr. Arthur Peake, both of the Posts and Telecommunications Department, are hereby authorized for the purposes of any of the provisions of the Order specified in the following Schedule —

SCHEDULE

- Article 11 (4)
- Article 12 (1) to (5)
- Article 13 (2)
- Article 14 (5)
- Article 17.

2. This authority is in respect of radio and ancillary equipment fitted in Falkland Islands Government aircraft operated and registered in the Colony.

J. R. W. PARKER,
Governor.

No. 19. 8th March 1978.

**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 11 (4)
- Article 12 (1) to (5)
- Article 13 (2)
- Article 14 (5)
- Article 17.

2. This authority is in respect of radio and ancillary equipment fitted in private aircraft operated and registered in the Colony.

3. Gazette Notice No. 59 of 1977 is cancelled.

J. R. W. PARKER,
Governor.

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 20th February 1978.

L. J. HALLIDAY,
Collector of Customs.

16th February 1978.

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

IN THE MATTER of Annie Margaret Williams, deceased of Stanley, Falkland Islands, who died at

Stanley, Falkland Islands on the 6th day of August 1977.

WHEREAS Patrick James Watts, nephew 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.

H. BENNETT,
Registrar.

Stanley,

Falkland Islands.

16th February 1978.

SC & L/8/78.

In the Supreme Court of the Falkland Islands

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

IN THE MATTER of Oscar Karl Buse, deceased of Goose Green, Falkland Islands, who died at Comodoro Rivadavia, Argentina on the 1st day of July 1977.

WHEREAS Olga Coutts, sister 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.

8th March 1978.

SC & L/15/77.

In the Supreme Court of the Falkland Islands

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

IN THE MATTER of William John Perry, deceased of Stanley, Falkland Islands, who died at Stanley, Falkland Islands on the 27th day of December 1977.

WHEREAS Harold Bennett, 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.

8th March 1978.

SC & L/6/78.

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 28th day of February 1978 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, Companion of the Most Distinguished Order of Saint Michael and Saint George, 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 JOHN DUDLEY MASSINGHAM, 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 1977, 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 28th day of February 1978 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 27th day of February in the year of Our Lord One thousand Nine hundred and Seventy-eight.

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



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXXVII

24 APRIL 1978

No. 4

Appointments

Mrs. Veronica Watts, Nurse, Medical Department, 1.1.77.

David Slaven Hazell, Police Constable, Falkland Islands Police Force, 21.4.78.

Mrs. Alice Mary Etheridge, Police Constable, Falkland Islands Police Force, 24.4.78.

Dr. David Alexander Mackintosh, M.B., Ch.B., Medical Officer, Medical Department, 24.4.78.

Retirement

Valdemar Ernest Fuhlendorff, Senior Technician and Broadcasting Officer, 26.3.78.

Resignations

David Richard Jones, Plumber, Public Works Department, 9.4.78.

Thomas William Royans, Superintendent of Public Works, Public Works Department, 22.4.78.

NOTICES

No. 20.

29th March 1978.

With reference to the Instrument under the Public Seal of the Colony dated 17th March 1978, it is hereby notified that His Excellency the Governor returned to Stanley on Friday 24th March 1978.

Ref. GOV/19/1.

No. 22.

10th April 1978.

Live Stock Ordinance (Cap 40) (Section 3)

His Excellency the Governor has been pleased to appoint —

MR. R. S. WHITLEY, M.R.C.V.S.

to be an Inspector with effect from 3rd April 1978 for the purpose of examining sheep at Dunnose Head for keds.

Ref. AGR/7/10.

3rd April 1978.

No. 21.

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
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
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

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 19th day of March 1978 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, Companion of the Most Distinguished Order of Saint Michael and Saint George, 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 JOHN DUDLEY MASSINGHAM, 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 1977, 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 19th day of March 1978 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-eight.

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

SHIPWORKERS' PROTECTION ORDINANCE
(Chapter 64)

Shipworkers' Protection (Amendment) Regulations 1978

No. 2 of 1978.

J. R. W. PARKER,
Governor.

IN EXERCISE of the powers conferred by section 2 of the Shipworkers' Protection Ordinance, the Governor in Council has made the following regulations —

Citation.

1. These regulations may be cited as the Shipworkers' Protection (Amendment) Regulations 1978.

Amendment of regulation
7.
Cap. 64 sub. leg.

2. Paragraph (1) of regulation 7 of the Shipworkers' Protection Regulations is amended by inserting after "secured" the following —
"not inclined at too steep an angle, constructed of material of good quality and in good condition,".

Made by the Governor in Council this 5th day of April 1978.

W. A. ETHERIDGE,
Clerk of Councils.

Ref. LEG/10/26.

A Bill for An Ordinance Further to amend the Employment of Women, Young Persons and Children Ordinance 1967.

(19)

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

- | | |
|--|--|
| <p>1. This Ordinance may be cited as the Employment of Women, Young Persons and Children (Amendment) Ordinance 1978.</p> <p>2. The Schedule to the Employment of Women, Young Persons and Children Ordinance 1967 is amended —</p> <p>(a) in Article 2 of Part I —</p> <p style="padding-left: 20px;">(i) by deleting "fourteen" and substituting the following —
"fifteen";</p> <p style="padding-left: 20px;">(ii) by deleting the comma after "thereof" and substituting a full stop;</p> <p style="padding-left: 20px;">(iii) by deleting "other than" to the end of the Article;</p> <p style="padding-left: 20px;">(iv) by adding the following proviso —
"Provided that, except in the case of employments which, by their nature or the circumstances in which they are carried on, are dangerous to the life, health or morals of the persons employed therein, national laws or regulations may permit such children to be employed in undertakings in which only members of the employer's family are employed.";</p> <p>(b) in Article 3 of Part I by deleting "Article 2" and substituting the following —
"this Convention";</p> <p>(c) in Article 4 of Part I by deleting "sixteen" and substituting "eighteen";</p> <p>(d) in Article 2 of Part IV —</p> <p style="padding-left: 20px;">(i) by deleting "fourteen" and substituting the following —
"fifteen";</p> <p style="padding-left: 20px;">(ii) by adding the following proviso —
"Provided that national laws or regulations may provide for the issue in respect of children of not less than fourteen years of age of certificates permitting them to be employed in cases in which an educational or other appropriate authority designated by such laws or regulations is satisfied, after having due regard to the health and physical condition of the child and to the prospective as well as to the immediate benefit to the child of the employment proposed, that such employment will be beneficial to the child.".</p> | <p>Title.</p> <p>Date of commencement.</p> <p>Enacting clause.</p> <p>Short title.</p> <p>Amendment of Schedule.
(1 of 1967)</p> |
|--|--|

OBJECTS AND REASONS

The object of this Bill is to bring the law into line with two International Labour Conventions which fix the minimum age for admission of children to employment in industry and at sea.

A Bill for An Ordinance

Title. Further to amend the Registration of United Kingdom Patents Ordinance (Chapter 58) by providing for the registration in the Colony of certain patents granted in countries which are parties to the European Patents Convention and 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. 1. This Ordinance may be cited as the Registration of United Kingdom Patents (Amendment) Ordinance 1978.

Amendment of section 2. 2. Section 2 of the Registration of United Kingdom Patents Ordinance (hereinafter referred to as the principal Ordinance) is amended by the deletion of the words "patent in the United Kingdom" appearing therein and by the substitution therefor of the words "United Kingdom patent (which expression shall in this Ordinance include a patent treated under any Patents Act in force in the United Kingdom as being granted under such Act by reason of its being a European Patent (UK))".

Amendment of section 3. 3. Section 3 of the principal Ordinance is amended by the deletion of subsection (2) and the substitution therefor of the following —

"(2) Two certified copies of the complete specification or specifications and in the case of a patent treated as being granted in the United Kingdom by virtue of the provisions of section 2, a certificate by an officer duly authorized under the Patent Act that the United Kingdom has accepted the European Patent (UK) designating the United Kingdom as being effective in the United Kingdom and that the particulars of the application are true (including the drawing, if any) in relation to any patent."

Amendment of section 8. 4. Section 8 of the principal Ordinance is amended by the addition immediately after the figures "1949" appearing therein of the words "or any other Patents Act for the time being in force".

OBJECTS AND REASONS

Under the Patent Act 1977 there are two kinds of patents having validity in the United Kingdom. Those granted under the United Kingdom domestic law and covered by the Falkland Islands existing legislation and those granted under the European Patent Convention (which in due course will include "Community Patents") which might not be covered. Under section 77 of the Patents Act 1977, any such patent designating the United Kingdom would be deemed a United Kingdom patent for the purposes of domestic United Kingdom law. As some doubt arises whether those granted under the European Patent Convention would be covered by section 2 of the Registration of United Kingdom Patents Ordinance (Cap. 58) the amendments set out in the Bill are considered appropriate to rectify the position.

Ref. LEG/1/3.



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10 MAY 1978

No. 5

Appointment

Miss Marilyn Bonner, Nurse Medical Department, 1.11.76.

Acting Appointments

Miss Darlene Valentina Short, Senior Clerk, Public Works Department, 4.5.78.

Patrick McPhee, Workshop Supervisor, Public Works Department, 4.5.78.

Re-appointment

Mrs. Catherine Ann Rowlands, R/T Operator, Posts & Telecommunications Department, 25.11.77.

NOTICES

No. 23. 26th April 1978.

His Excellency the Governor has been pleased to appoint —

MARTIN JOHN BAKER

to be a Magistrate for the Falkland Islands Dependency of South Georgia, with effect from 23rd April 1978.

Ref. SG/19/1.

No. 24. 1st May 1978.

INTERPRETATION AND GENERAL CLAUSES ORDINANCE
(No. 14 of 1977)

Change of title of office

IN EXERCISE of the powers conferred on him by section 56 of the Interpretation and General Clauses Ordinance, the Governor hereby declares a change in the title of the public office of Superin-

tendent of Public Works to the title of Director of Public Works with effect from the 13th day of February 1978.

Ref. STF/3.

No. 25.

8th May 1978.

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

On the occasion of Her Majesty's Birthday I should be grateful if you would convey to Her Majesty the Queen the loyal and affectionate greetings of her subjects in the Falkland Islands and Dependencies. 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. 26.

9th May 1978.

His Excellency the Governor has been pleased to award the Colonial Police Long Service Medal to

INSPECTOR DONALD HUGH McMILLAN

of the Falkland Islands Police Force.

Ref. INT/10/2.



THE FALKLAND ISLANDS GAZETTE

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Vol. LXXXVII

9 JUNE 1978

No. 6

Appointments

Mrs. Ailsa Heathman, Clerk, Public Service, 1.7.77.

Phillip John Middleton, Certificated Teacher, Education Department, 20.5.78.

Acting Appointment

Robert John Kersey, Headmaster, Darwin Boarding School, 12.5.78.

NOTICES

No. 27. 18th May 1978.

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

1st and 2nd bar to the Efficiency Decoration —

LT. COLONEL R. V. GOSS, O.B.E., E.D.

2nd Clasp to the Efficiency Medal —

SECOND LIEUTENANT H. T. LUXTON

1st Clasp to the Efficiency Medal —

PRIVATE D. J. HANSEN

Efficiency Medal —

SECOND LIEUTENANT B. W. FORD

SERGEANT B. MORRISON

CORPORAL N. MORRISON

CORPORAL V. R. STEEN

PRIVATE R. L. HENRICKSEN

ROY/31/4.

No. 28. 23rd May 1978.

The findings of the Cost of Living Committee for the quarter ended 31st March 1978, are published for general information —

Quarter ended

31st March 1978

*Percentage increase
over 1971 prices*

154.13%

2. The scale of wages remains unaltered as a result of the review.

Ref. INT/2/3.

No. 29. 23rd May 1978.

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. N. A. KNIGHT — North Arm

Ref. AGR/7/16.

No. 30. 26th May 1978.

Her Majesty the Queen in Council made the following Order on 21st March 1978 —

S. I. 1978 No. 455

FUGITIVE CRIMINAL

THE FRANCE (EXTRADITION) (AMENDMENT)
ORDER 1978

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. 31. 5th June 1978.

With reference to the Instrument under the Public Seal of the Colony dated 29th May 1978, it is hereby notified that His Excellency the Governor returned to Stanley on Wednesday, 31st May 1978.

Ref. GOV/191.

No. 32.

9th June 1978.

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. A. H. DAVIS — Lively Island

MR. D. P. DUNFORD — Fox Bay West.

Ref. AGR/7/16.

In the Supreme Court of the Falkland Islands

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

IN THE MATTER of Sarah Craig Cartmell, deceased of Stanley, Falkland Islands, who died at Stanley, Falkland Islands on the 27th day of July 1976.

WHEREAS Aubrey Vernon Summers, brother-in-law of the above-named deceased has applied for Letters of Administration to administer the estate of the 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.
23rd May 1978.
S. C. & L./16/78.

In the Supreme Court of the Falkland Islands

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

IN THE MATTER of Ernest Lewis Lyse, deceased of Pebble Island, Falkland Islands, who died at

Stanley, Falkland Islands on the 16th day of September 1977.

WHEREAS Henry John Lennard Bound, Attorney for the brother of the above-named deceased has applied for Letters of Administration to administer the estate of the deceased in the Colony.

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

H. BENNETT,
Registrar.

Stanley,
Falkland Islands.
26th May 1978.
S. C. & L./14/78.

In the Supreme Court of the Falkland Islands

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

IN THE MATTER of Roderick Donald William John Jaffray, deceased of North Arm, Falkland Islands, who died at Stanley, Falkland Islands on the 3rd day of April 1977.

WHEREAS Velma Emily Jaffray, widow of the above-named deceased has applied for Letters of Administration to administer the estate of the 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 June 1978.
S. C. & L./17/78.

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 30th day of May 1978, for the purpose of visiting West Falkland Islands:

NOW, THEREFORE, under and by virtue of the powers aforesaid I, JAMES ROLAND WALTER PARKER, ESQUIRE, Companion of the Most Distinguished Order of Saint Michael and Saint George, 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 JOHN DUDLEY MASSINGHAM, 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 1977, 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 30th day of May 1978 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 29th day of May in the year of Our Lord One thousand Nine hundred and Seventy-eight.

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

PROCLAMATION

No. 1 of 1978

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, Companion of the Most Distinguished Order of Saint Michael and Saint George, 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 Tuesday, the 20th day of June 1978 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 29th day of May in the year of Our Lord One thousand nine hundred and seventy-eight.

LS

J. R. W. PARKER,
Governor.

GOD SAVE THE QUEEN

Ref. LEC/35/1. II.

REGISTRATION OF UNITED KINGDOM TRADE MARKS ORDINANCE
(Chapter 59)

Trade Marks Rules 1978

No. 1 of 1978.

IN EXERCISE of the powers conferred by section 13 of the Registration of United Kingdom Trade Marks Ordinance, and with the approval of the Governor, the Registrar has made the following rules —

1. These rules may be cited as the Trade Marks Rules 1978 and shall come into operation on the 1st day of January 1979.

Citation and commencement.

2. Every application or request to the Registrar under the provisions of the Ordinance shall be made in writing and shall be signed by the party applying or by a person duly authorized on his behalf.

Applications generally.

3. Where the Trade Mark to be registered is a device, every application under section 4 of the Ordinance shall be accompanied by two prints of the trade mark.

Prints of device accompanying application for registration.

4. Any application for an entry in the trade marks register under section 10 shall be accompanied by a certified copy of the document or documents showing the assignment or transfer of the privileges and rights in the trade mark or of any other instrument showing a change in the title to or giving an interest in such privileges and rights. Such copy shall be deemed to be certified as a true copy if —

Change of title applications as to.

(a) in British Territory or in any place under the protection of the Crown or where the Crown has jurisdiction, it is —

- (i) duly certified as a true copy by an official of the Government to whose custody the original is committed; or
- (ii) duly certified as a true copy by a Notary Public of such territory or place; or
- (iii) duly certified as a true copy on oath by the person holding the original at the time of the application before some person having authority to administer an oath;

(b) in any other place, it is —

- (i) duly certified as a true copy by an official of the Government to whose custody the original is committed; the signature or seal of such official being authenticated by any of the British officials mentioned in section 6 of the Commissioners for Oaths Act, 1889; or
- (ii) duly certified as a true copy by a Notary Public of such place, the certificate of the Notary being authenticated as in paragraph (i); or
- (iii) duly certified as a true copy on oath by the person holding the original at the time of the application before a person having authority to administer an oath as provided by section 3 of the Commissioners for Oaths Act, 1889, the status of the person administering the oath being authenticated in section 6 of that Act.

5. On every application for a certificate or for copies, the person bespeaking the same shall, if necessary for the purpose of such certificate or copies where the trade mark is a device, supply the Registrar with a print or prints of the trade mark.

Supply of prints necessary for certificate or for copies.

Renewal of registration.

6. Notification under section 15 of the Ordinance of renewal of registration shall be made within six months of the date of renewal in the United Kingdom.

Evidence of renewal.

7. A certificate of the Registrar of Trade Marks in the United Kingdom that a trade mark has been renewed shall be sufficient evidence of the fact.

Fees.

8. The fees to be paid to the Registrar under the Ordinance are as follows —

On an application under section 4 to include the issue of the Certificate of Registration under section 5 (Registration of Trade Mark)	£
On an application under section 10 (Assignment)	6.00
On an application under section 12 (Registered User)	3.00
On a notification of renewal under section 15 (Renewal of Registration)	6.00
On a request under section 16 (To cancel, correct or change)	3.00
On a certificate by the Registrar	1.00
On a search of the Register ... }	for the first hour or part thereof £1.00 and
On a search of the record relating to a particular trade mark ... }	for each subsequent hour or part thereof ...
On inspection of a document filed	1.00
On inspection of a document filed	0.50
For copies of document —	
(a) for an office copy - each folio 72 words or figures	0.25
(b) for a plain copy - each folio 72 words or figures	0.10
and if more than one copy bespoken —	
(c) for examining a plain copy and marking as an office copy - each folio of 72 words or figures ...	0.15
for extracts of documents - each folio of 72 words or figures	0.25.

9. The Registration of United Kingdom Trade Marks Rules 1962 are revoked.

Dated this 9th day of June 1978.

H. BENNETT,
Registrar.

Ref. LEG/10/51.

A Bill for An Ordinance

To provide for the service of the year
1978-79.

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 (1978-79) Ordinance 1978.

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 1978 to 30th June 1979, a sum not exceeding Three million, three hundred and ninety-two thousand, five hundred and fifty-eight pounds, which sum is granted and shall be appropriated for the purposes and to defray the charges of the several services expressed and particularly mentioned in the Schedule hereto which will come in course of payment during the year 1978-79.

Appropriation of
£3,392,558 for the service
of the year 1978-79.

SCHEDULE

Schedule.

Number	HEAD OF SERVICE	£
I.	The Governor	34,718
II.	Agriculture	15,564
III.	Aviation	137,645
IV.	Customs and Harbour	57,860
V.	Education	200,590
VI.	Medical	243,120
VII.	Meteorological	13,292
VIII.	Military	6,380
IX.	Miscellaneous	28,540
X.	Pensions and Gratuities	40,862
XI.	Police and Prisons	31,616
XII.	Posts and Telecommunications	146,628
XIII.	Public Works	206,444
XIV.	Public Works Recurrent	181,180
XV.	Public Works Special	53,800
XVI.	Secretariat, Treasury and Central Store	182,450
XVII.	Overseas Passages	114,800
XVIII.	Social Welfare	37,756
XIX.	Supreme Court and Legal	17,603
XX.	Training	15,000
	Total Ordinary Expenditure	1,765,848
Development A	Expenditure to be met from Colony funds	145,640
Development B	Expenditure to be met from U.K. Aid	1,481,070
	Total Expenditure	£ 3,392,558

A Bill for An Ordinance

Title.

To legalise certain payments made in the year 1976-77 in excess of the Expenditure sanctioned by Ordinance No. 1 of 1976.

Preamble.

WHEREAS it is expedient to make further provision for the service of the Colony for the period 1st July 1976 to 30th June 1977.

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 (1976-77) Ordinance 1978.

Appropriation of excess expenditure for the period 1st July 1976 to 30th June 1977.

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 1976 to 30th June 1977, 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	£
II.	Agriculture	2,538
IV.	Customs and Harbour	8,831
IX.	Miscellaneous	2,966
XI.	Police and Prisons	75
XIV.	Public Works Recurrent	11,402
XV.	Public Works Special	34,919
XVI.	Secretariat, Treasury and Central Store ...	31,166
XVII.	Overseas Passages	7,929
XX.	Supreme Court and Legal	1,022
		£ 100,848
Development A		
	Expenditure to be met from Colony Funds ...	50,203
Development B		
	Expenditure to be met from U.K. Aid	112,521
		£ 263,572

OBJECTS AND REASONS

The amounts appearing in the Schedule are those by which the amounts approved in the appropriation Ordinance for 1976/77 were exceeded. This Bill seeks formal approval for the excess expenditure.

Ref. TRE/14/9.

A Bill for An Ordinance

Further to amend the Old Age Pensions Ordinance 1952. Title.

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

1. (1) This Ordinance may be cited as the Old Age Pensions (Amendment) Ordinance 1978. Short title and commencement.

(2) The provisions of section 2 and sections 4 to 9 of this Ordinance shall come into operation on the 3rd day of July 1978 and the provisions of sections 3 and 10 shall come into operation on the 10th day of July 1978.

2. Section 2 of the Old Age Pensions Ordinance 1952 (hereinafter referred to as the principal Ordinance) is amended — Amendment of section 2.
(3 of 1952)

(a) in the definition of "employed person" by deleting "18" and substituting the following —

"17"; and

(b) in the definition of "self-employed person" by deleting "18" and substituting the following —

"17".

Amendment of section 5.

3. Section 5 (1) of the principal Ordinance is amended —
- (a) in paragraph (a) by deleting “65” and substituting the following —
“64”;
 - (b) in paragraph (b) by deleting “65” and substituting the following —
“64”; and
 - (c) in paragraph (e) by deleting “65” and substituting the following —
“64”.

Amendment of section 6.

4. Section 6 (2) of the principal Ordinance is amended —
- (a) in paragraph (a) —
 - (i) by deleting “72p” and substituting the following —
“£1.00”; and
 - (ii) by deleting “18 and 60 years” and substituting the following —
“17 and 64 years”;
 - (b) in paragraph (b) —
 - (i) by deleting “£1.08” and substituting the following —
“£2.34”; and
 - (ii) by deleting “18 and 60 years” and substituting the following —
“17 and 64 years”;
 - (c) in paragraph (c) —
 - (i) by deleting “£1.80” and substituting the following —
“£3.34”; and
 - (ii) by deleting “18 and 60 years” and substituting the following —
“17 and 64 years”;
 - (d) in the proviso by deleting “60” and substituting the following —
“64”; and
 - (e) by adding after subsection (5) the following new subsection—
“(6) Any contributor unable to make the contributions required under this section shall on or before his fiftieth birthday apply to the Board for assistance in the payment of such contributions if necessary to the full extent of contributions, and, if the Board is satisfied that he is unable to make the contributions required, contributions on his behalf shall be paid out of the general revenues of the Colony.”.

Amendment of section 6A.

5. Section 6A (2) of the principal Ordinance is amended —
- (a) by deleting “£1.80” and substituting the following —
“£3.34”; and
 - (b) by deleting “18 and 60 years” and substituting the following —
“17 and 64 years”.

Amendment of section 6B.

6. Section 6B of the principal Ordinance is amended —
- (a) in paragraph (b) by deleting “£300” and “£100” and substituting the following respectively —
“£800 and £250”;

- (b) in paragraph (e) by deleting "60" and substituting the following —

"64"; and

- (c) in the proviso to paragraph (f) by deleting "£300" and "£100" and substituting the following —

"£800" and "£250".

7. Section 6C of the principal Ordinance is amended by deleting "60" and substituting the following —

Amendment of section 6C.

"64 years".

8. Section 9 of the principal Ordinance is amended by deleting "sixty years" and substituting the following —

Amendment of section 9.

"64 years".

9. Section 11 of the principal Ordinance is amended by deleting "sixty-five years" and substituting the following —

Amendment of section 11.

"64 years".

10. The Schedule to the principal Ordinance is amended by deleting "£10.50", "£7.00", "£7.00" and "£7.00" and substituting the following respectively —

Amendment of Schedule.

"£13.50", "£9.00", "£9.00" and "£9.00".

OBJECTS AND REASONS

This Bill provides for —

- (a) Increasing weekly pensions —
 Married couple from £10.50 to £13.50.
 Single person from £7.00 to £9.00.
- (b) Increasing weekly contributions —
 Employed persons from 72p to £1.
 Self-employed persons £1.80 to £3.34.
 Employers of employed persons £1.08 to £2.34.
- (c) Extending the period of contributing to the Old Age Pensions Fund from 60 years of age to the prescribed pensionable age.
- (d) Lowering pensionable age from 65 to 64 years.
- (e) Lowering the age of entering the scheme from 18 to 17 years.
- (f) Providing for Government assistance to a male contributor, who is over 50 years of age, with Old Age Pensions Contributions in a case of hardship.
- (g) Increasing the level of income, in section 6B of the Old Age Pensions Ordinance, where a female contributor becomes liable to contribute to the Old Age Pensions Fund:
 From £300 per annum together with an additional £100 per annum for every child of school age maintained by her, to £800 and £250 respectively.

Ref. TRE/2/1.

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

Title.

Date of commencement.

(1st January 1980)

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 Income Tax (Amendment) Ordinance 1978 and shall apply to assessments for the year of assessment commencing on the 1st day of January 1980 and to all subsequent years of assessment.

Amendment of section 5.
(Cap. 32)

2. Section 5 of the Income Tax Ordinance is amended —
- (a) by deleting the colon at the end of paragraph (f) and substituting a semi-colon; and
 - (b) by adding after paragraph (f) the following new paragraph —
“(g) family allowances paid under section 3 of the Family Allowances Ordinance 1960:”.

OBJECTS AND REASONS

The object of this Bill is to make family allowances paid by the Falkland Islands Government taxable. The reason for the proposed legislation is to ensure that the greatest benefit of family allowance is received by those who are more in need of it.

Ref. INC/10/5.

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

Title.

(1st January 1979)

Date of commencement.

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

Enacting clause.

1. This Ordinance may be cited as the Income Tax (Amendment) (No.2) Ordinance 1978 and shall apply to assessments for the year of assessment commencing on the 1st day of January 1979 and to all subsequent years of assessment.

Short title and commencement.

2. Section 2 of the Income Tax Ordinance is amended by inserting after the definition of "Chargeable income", the following new definition —

Amendment of section 2.
(Cap. 32)

" "Income arising from a source outside the Colony" does not include, in the case of income from an employment, such part of that income as constitutes remuneration for services actually performed in the Colony."

OBJECTS AND REASONS

This Bill is designed to ensure that income which arises from a source outside the Colony and which constitutes remuneration for services actually performed in the Colony is chargeable to Falkland Islands Income Tax.

Ref. INC/10/5.

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

Title.

Date of commencement.

(1st January 1979)

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 Income Tax (Amendment) (No. 3) Ordinance 1978, and shall apply to assessments for the year of assessment commencing on the 1st day of January 1979 and to subsequent years of assessment.

Amendment of section 14.
(Cap. 32)

2. Section 14 of the Income Tax Ordinance (hereinafter referred to as the principal Ordinance) is amended in subsection (1) by deleting "£750" and substituting the following —

"£850".

Amendment of section 15.

3. Section 15 of the principal Ordinance is amended —
- (a) in subsection (1), by deleting "£300" and substituting the following —
"£350";
 - (b) in subsection (2), by deleting "£150" and substituting the following —
"£175";
 - (c) in subsection (3) (a) —
 - (i) by deleting "£350" and substituting the following —
"£500"; and
 - (ii) by deleting "£250" and substituting the following —
"£300";

(d) in subsection (4), by deleting "£350" and substituting the following —

"£400"; and

(e) in subsection (5), by deleting "£200" and substituting the following —

"£230".

4. Section 16 of the principal Ordinance is amended —

Amendment of section 16.

(a) in subsection (1), by deleting "£250" and substituting the following —

"£300"; and

(b) in paragraph (i) of the proviso to subsection (1), by deleting "£280" and substituting the following —

"£320".

5. Section 16A of the principal Ordinance is amended by deleting "£900" wherever it occurs and substituting the following —

Amendment of section 16A.

"£1050".

OBJECTS AND REASONS

Largely to take account of the decrease in the value of money the following adjustments to personal income tax allowances and reliefs are proposed —

	<i>Present</i>	<i>Proposed</i>
	£	£
Maximum allowance earned income relief ...	750	850
Deduction for wife	300	350
Deduction for female relative taking charge of children	150	175
Dependent relative allowance	250	300
Maximum limit of relative's income to which Dependent Relative Allowance applies	350	500
Personal Allowance	350	400
Maximum wife's earned income relief	200	230
Child Allowance	250	300
Child Allowance applicable to a child receiving education overseas	280	320
Old Age Relief married $\frac{3}{4}$ ths of the difference between total income and	900	1050
Unmarried $\frac{1}{3}$ rd of the difference between total income and	900	1050

Ref. INC/10/5.

A Bill for An Ordinance To amend the Interpretation and General Clauses Ordinance 1977.

Title.

Date of commencement.

(11th July 1977)

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 Interpretation and General Clauses (Amendment) Ordinance 1978 and shall be deemed to have come into operation on the 11th day of July 1977.

Addition of new section
81A.
(14 of 1977)

2. The Interpretation and General Clauses Ordinance 1977 (hereinafter referred to as the principal Ordinance) is amended by adding after section 81 the following new section —

"Laws of
England
in force.

81A. (1) The common law and the general statutes in force in England on the 22nd day of May 1900, shall be in force in the Colony in so far as the circumstances of the Colony permit, and provided they are not inconsistent with, or repugnant to, any Ordinance or Order in Council.

(2) So much of the enactments specified in the Schedule to this Ordinance as is not already in force in the Colony, and is capable of being applied therein by Ordinance, shall apply therein with such modifications as the circumstances of the Colony require."

Addition of Schedule.

3. The principal Ordinance is amended by adding after section 106 the following Schedule —

"SCHEDULE

(section 81A (2))

- (1) Merchant Shipping Acts 1894-1948.
- (2) Married Women's Property Act 1907.
- (3) Protection of Animals Act 1911.
- (4) Forgery Act 1913.
- (5) Trustee Act 1925.
- (6) Marriage (Prohibited Degree of Relationship) Act 1931.
- (7) Children and Young Persons Act 1933, section 1.
- (8) Counterfeit Currency (Convention) Act 1935.
- (9) Infanticide Act 1938.
- (10) Criminal Justice Act 1948, section 2."

OBJECTS AND REASONS

The amendments made by this Bill are considered necessary to preserve the position that existed before the Interpretation and General Clauses Ordinance 1977, came into force, and until such time as an appropriate Ordinance can be enacted, which will set out the Imperial Enactments applicable to the Colony from the date of coming into operation of the proposed new Ordinance.

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

Title.

(1st January 1979)

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 Licensing (Amendment) Ordinance 1978 and shall come into operation on the 1st day of January 1979.

Short title and commencement.

2. Section 3 of the Licensing Ordinance (hereinafter referred to as the principal Ordinance) is amended by deleting subsection (1) and substituting the following —

Amendment of section 3.
(Cap. 38)

“(1) The Licensing authority may, subject as hereinafter mentioned, grant the following licences upon payment of the fees respectively set out against them.

Description of licence					Amount of Fee
1.	Wholesale licence	...	...	...	£60.00
2.	Retail licence	...	...	...	£30.00
3.	Club licence	...	...	...	£20.00
4.	Tobacco licence (for Stanley and within fifteen miles by land and sea)	...	...	...	£6.00
5.	Tobacco licence (outside the above limit)	...	...	...	£3.00
6.	Restaurant licence	...	...	...	£10.00
7.	Packet licence	...	...	...	£20.00
8.	Auctioneer's licence	...	...	...	£10.00
9.	Auctioneer's licence (occasional)	...	...	...	£2.00
10.	Billiard Table licence (each table)	...	...	...	£5.00.”.

Amendment of section 12.

3. Section 12 of the principal Ordinance is amended —
- (a) in paragraph (a) by deleting "25p" and substituting the following —
"£3.00"; and
- (b) in paragraph (b) by deleting "50p" and substituting the following —
"£5.00".

Amendment of section 13.

4. Section 13 of the principal Ordinance is amended by deleting "50p" and "25p" and substituting the following respectively—
"£2.00" and "£1.00".

Amendment of section 41.

5. Section 41 of the principal Ordinance is amended in subsection (2) by deleting "£5" and substituting the following —
"£10.00".

Amendment of section 71.

6. Section 71 of the principal Ordinance is amended —
- (a) in paragraph (a) by deleting "10p" and substituting the following —
"£1.00"; and
- (b) in paragraph (b) by deleting "20p" and substituting the following —
"£2.00".

Amendment of section 80.

7. Section 80 is amended by deleting "12½p" and substituting the following —
"£1.00".

OBJECTS AND REASONS

The original fees in the Licensing Ordinance were fixed a long time ago and because of the decrease in the value of money it is proposed that they should be updated as follows —

Wholesale licence	...	...	from £30 to £60 (12 months)
Retail licence	...	...	from £15 to £30 (6 months)
Club licence	...	...	from £10 to £20 (12 months)
Tobacco licence - Stanley	...	...	from £3 to £6 (12 months)
Tobacco licence outside Stanley	...	...	from £1.50 to £3 (12 months)
Restaurant licence	...	...	from £5 to £10 (6 months)
Packet licence	...	...	from £10 to £20 (12 months)
Auctioneer's licence	...	...	from £5 to £10 (12 months)
Auctioneer's licence (occasional)	...	...	from £1 to £2 (1 day)
Billiard table licence	...	...	from £2.50 to £5 (6 months)
Billiard table (special licence)	...	...	from 10p and 20p per hour to £1 and £2 per hour
Special Publican's licence (extension of opening hours)	...	...	from 25p and 50p to £3 and £5 per hour
Occasional liquor licence	...	...	from 50p and 25p to £2 and £1 per hour
Publican's licence for additional bar	...	...	from £5 to £10
Occasional Tobacco licence	...	...	from 12½p to £1

Ref. LEG/10/33.

A Bill for An Ordinance

Further to amend the British Nationality 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 British Nationality (Amendment) Ordinance 1978.

Short title.

2. Section 3 of the British Nationality Ordinance (hereinafter referred to as the principal Ordinance) is repealed and replaced by the following new section —

Repeal and replacement
of section 3.
(Cap. 6)

"Schedule
of fees.

3. The fees appointed in the Schedule shall be taken in the various matters respectively specified, in the manner therein shown."

3. The principal Ordinance is amended by adding, after section 3, the following new section —

Addition of new section
4.

"Schedule may
be amended
by Governor
in Council.

4. The Governor in Council may by order amend the Schedule."

Repeal and replacement
of Schedule.

4. The Schedule to the principal Ordinance is repealed and replaced by the following —

SCHEDULE

(Section 3.)

Table of fees.

Matter in which fee may be taken	Amount of fee	To whom fee is to be paid
	£	
1. Registration as a citizen under s.5A (1) of the British Nationality Act 1948	35.00	Financial Secretary
*2. Registration as a citizen under s.5A (2) of the British Nationality Act 1948	65.00	The same
3. Registration as a citizen under s.6 (1) of the British Nationality Act 1948	35.00	The same
4. Registration of a woman as a citizen under s. 6 (2) of the British Nationality Act 1948	35.00	The same
*5. Grant of a certificate of naturalisation under s. 10 of the British Nationality Act 1948 —		
(a) To a British protected person 	65.00	The same
(b) To an alien 	85.00	The same
6. Registration as a citizen under s. 12 (6) of the British Nationality Act 1948	35.00	The same
7. Registration of a declaration of intention to resume British Nationality under s. 16 (2) of the British Nationality Act 1948	35.00	The same
8. Grant of a certificate of citizenship in case of doubt under s. 25 of the British Nationality Act 1948	65.00	The same
9. Registration of a declaration of intent to resume citizen- ship under s. 4 (2) of the Cyprus Act 1960	35.00	The same
10. Registration as a citizen under s. 1 of the British Nationality Act 1964	35.00	The same
11. Registration of a stateless person of full age as a citizen under s. 1 of the British Nationality (No.2) Act 1964	35.00	The same
12. Registration of a woman as a British subject under s.1 of the British Nationality Act 1965	35.00	The same
13. Supplying a certified true copy of any notice, certificate, order, declaration or entry given, granted or made under the British Nationality Act 1948	5.00	The same
14. Witnessing the signing of an application or declaration mentioned in paragraph 4 of Schedule 1 to the British Nationality Regulations 1975	1.00	If the application or declaration is witnessed, or the oath administered, by a commissioner for oaths or notary public to the commissioner or notary public.
15. Administering the oath of allegiance 	1.00	

- * Where a husband and wife apply at the same time for registration as citizens of the United Kingdom and Colonies under section 5A (2) of the 1948 Act or for the grant of certificate of naturalisation and are residing together at the time of the application and the fee payable in respect of the husband's registration or certificate is paid, the fee payable in respect of the wife's registration or certificate shall be £35.

OBJECTS AND REASONS

This Bill specifies a new table of increased fees for grants of certificates of naturalisation and other matters under the British Nationality Acts.

It also simplifies the method of amending the table of fees.

A Bill for
An Ordinance
Further to amend the Family Allowances
Ordinance 1960.

Title.

(1st January 1979)

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 Family Allowances
(Amendment) Ordinance 1978 and shall come into operation on the
1st day of January 1979.

Short title and commence-
ment.

2. Section 3 (2) of the Family Allowances Ordinance 1960 is
amended by deleting "one pound" and "two pounds" and substituting
the following respectively —

Amendment of section 3.
(9 of 1960)

"two pounds" and "four pounds"

OBJECTS AND REASONS

The amendments made by this Bill increase the family allowances by
one hundred per cent with effect from 1st January 1979.

Ref. TRE/10/1.

A Bill for An Ordinance

Title. Further to amend the Non-contributory
Old Age Pensions Ordinance 1961.

Date of commencement. (3rd July 1978)

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 Non-contributory
Old Age Pensions (Amendment) Ordinance 1978 and shall come into
operation on the 3rd day of July 1978.

Amendment of section 4.
(7 of 1961) 2. Section 4 of the Non-contributory Old Age Pensions
Ordinance 1961 (hereinafter referred to as the principal Ordinance)
is amended by —

(a) deleting in paragraph (b) "£650" and substituting the
following —

"£1,300";

(b) deleting in paragraph (c) "£400" and substituting the
following —

"£800"; and

(c) deleting in paragraph (d) "£400" and substituting the
following —

"£800".

Amendment of Schedule. 3. The Schedule to the principal Ordinance is amended by
deleting "£8.50", "£6.00" and "£6.00" and substituting the following
respectively —

"£11.00", "£8.00" and "£8.00".

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 £650 to £1,300;

(ii) Single person from £400 to £800; and

(b) to increase pensions —

(i) for a married man from £8.50 to £11.00 per week;

(ii) for a single person from £6.00 to £8.00 per week.

Ref. TRE/2/2.



THE
FALKLAND ISLANDS GAZETTE
Supplement No. 1

17th JULY 1978

Minutes of Meeting of Legislative Council
held 20th - 27th June 1978

MINUTES OF THE MEETING OF THE LEGISLATIVE COUNCIL
HELD IN STANLEY FROM 20th-27th JUNE 1978

The Council assembled at 10.00 a.m. on Tuesday 20th June 1978, His Excellency the Governor, Mr J R W Parker CMG CBE, presiding.

PRESENT:

The Honourable the Chief Secretary (Mr J D Massingham)
The Honourable the Financial Secretary (Mr H T Rowlands CBE)
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 MBE JP (Elected Member for East Stanley)
The Honourable S B Wallace (Elected Member for West Stanley)
The Honourable D S Evans (Elected Member for West Falkland)

ABSENT:

The Honourable T J D Miller (Elected Member for Camp Division)
(Attending Commonwealth Parliamentary
Association Regional Conference
in Trinidad & Tobago)

PRAYERS

Prayers were said by the Reverend Gerald Smith, Chaplain of Christ Church Cathedral.

CONFIRMATION OF MINUTES

The Minutes of the Meetings of Legislative Council held during 1978, viz. those held from 14th to 22nd June, 19th July and 21st/22nd November, having been previously circulated, were confirmed.

ADDRESS BY THE PRESIDENT

Honourable Members,

May I bid you welcome to this, our second meeting in the current session of Legislative Council. We are without the presence of Councillor Tim Miller this morning, who should be on his way back from the Commonwealth Parliamentary Association Regional meeting in Trinidad and Tobago. He will hopefully be with us tomorrow when we shall be interested to hear, in due course, an account of his experiences at the meeting. This is of course perhaps our most important meeting of the year, during which the Honourable Financial Secretary presents his Budget and reports on our financial situation. It is, therefore, very much his occasion.

It is however customary for me to give an account, from this chair, of our general affairs, reviewing progress made in the various departments of the Administration. I want however, this morning, to concentrate less on the past and more on the future. I am sure that what you - and indeed your constituents throughout the Islands - most want to hear from me is some positive news about the progress that is being made with the various development projects upon the success of which so many hopes for the Colony's future prosperity depend.

At the time that I last addressed you in this Chamber Mr Peat of the Ministry of Overseas Development and Mr Jameson of the Forestry Commission had just embarked upon their study of the Colony's internal communications. Working in close liaison with them was Captain Woodward of the Royal Engineers, whose task it was to assess the problems that would attend our acquisition of the heavy machinery left behind by Johnston Construction Limited, and to make recommendations how best these problems could be solved.

Other visitors followed close upon them: first Mr Hodges, ODM's Engineering Adviser, and then Mrs Johnson and Mr Sparkhall of the same Ministry. These visits were of great significance to the Colony in maintaining a dialogue with the Ministry of Overseas Development and fostering a good understanding with the Ministry, the principal source not just of our development aid funds but our agent in Britain for recruitment, training, and the provision of expert advice of every sort. These intervening months have therefore proved exceptionally busy ones for those principally concerned with tackling our development problems. I should not like to have to calculate the time that has been spent in formulating and presenting the Colony's case for funds, nor to have to measure the yards of teleprinter tape that have carried it.

The general public - indeed, you yourselves - have, if I may say so, shown remarkable restraint at what must often have seemed a totally static situation. I freely admit that I have been watching the weeks passing with growing

/impatience and

impatience and mounting frustration at my inability to make any statement that substantial progress had been made, let alone an announcement that an actual project had begun.

So I am especially pleased to be able to open this meeting by confirming that a significant agreement has now been reached which will enable a major start to be made on the largest of our communications projects.

I refer of course to the construction of an all-weather track from Stanley to Darwin, capable of taking vehicles of all descriptions, which will be the first stage in a road development programme that should gradually and systematically extend, so far as is practicable, throughout the Islands. The Ministry of Overseas Development has recently agreed to make grants totalling just on £870,000 towards the cost of this project over a period of three years. To match this liberal grant, Government has readily agreed to make its own contribution of a maximum of £120,000 over the same period of time.

Following this agreement, the first preparatory steps are now being taken. These are to convert the old power station and the BAS workshop into plant and mechanical workshops for the heavy machinery without which we cannot hope to undertake either the imminent - or any longer term - development projects.

This was one of the results of Captain Woodward's visit. The second was the arrival, early in May, of Warrant Officer Buckett of the Royal Engineers and Staff Sergeant Tanguai of the Royal Electrical and Mechanical Engineers to give us their expert help in overhauling all the plant and machinery we have acquired. In welcoming them to the Islands I should like to place on record the Colony's gratitude to Captain Woodward for his help, and to the Ministry of Defence for having agreed to make their services available at no cost to ourselves. I was pleased that many Honourable Councillors were able to accompany me recently to see what is being done at the workshops. Following that visit I do not think that any of us have any illusions about the magnitude of the task which Mr Buckett and Sergeant Tanguai have before them.

As an initial part of their contribution to the cost of the project the Ministry of Overseas Development ordered a new grader, which arrived only last weekend on the Annette Danielsen. This brings me to a significant aspect of the project as a whole. A substantial part of the money granted to us for the project will be devoted, as time goes on, to the repair and, where necessary, replacement of the heavy plant and equipment. The intention is that, at the end of the day, we shall not only have used the plant on the construction of the road but will have a completely re-furnished kit of plant and machinery that can go on to be used, effectively, on further projects.

/In other words

In other words we shall not just use up and discard the machines as we go along. They will be re-built and replaced as they wear out. To this end a Bill will be placed before you at this meeting to enable the necessary accounting authority to be set up.

A physical start on the actual road will now have to await the better weather and the arrival of the new substantive Director of Public Works, Mr Alan Mason, who should be here in the next week or so. Fortunately he is a highly qualified Civil and Structural Engineer of great experience, and we shall be demanding a great deal of him. Apart from the basic design of the road, he will soon be engaged in supervising the site works and infrastructure for the new School Hostel as well as tackling the innumerable other tasks that fall to the Public Works Department.

It will be a formidable task, but I am confident that the Department will give him strong support. We have been fortunate in having Mr Ted Pike with us for three months earlier this year. I should like to pay tribute not just to the prodigious amount of work that he accomplished in his short stay, but to his having engendered a new confidence in the Department.

Mr Pike succeeded in demonstrating what good professional management can achieve, and his successor will be able to count on having the support of three Superintendents. Let no-one think that this is extravagant. If the Public Works Department is to accomplish the tasks that we are going to demand of it, then the work must have skilled and experienced supervision.

Happily the Superintendent in charge of road construction will be Mr Basil Morrison, who is at present receiving specialist instruction whilst on attachment to the Forestry Commission. We are indebted to the Commission and to Mr Vic Jameson for having made all these arrangements. Another member of PWD, Mr Rudy Clarke, is also receiving specialist training whilst he is on leave in Britain.

I have made particular mention of this because it is now a basic element of Government policy that every opportunity must be given to members of the public service - at all levels and in every department - to receive training to enable them both to enhance their existing capabilities and eventually to reduce the need to recruit officers overseas.

Proposals will be coming before you for expanding the Nurses' Training Scheme and for introducing in-service secretarial and clerical training in the Public Service for school-leavers. Meanwhile, every effort will be made to encourage training overseas; but not just in academic institutions but by means of individually arranged working attachments.

/Meanwhile

Meanwhile it is most encouraging to hear that Mr Vernon Steen and Mr Peter King have been doing so well on their training courses. Mr Gerard Robson will be going to Britain in September for training in the preparation of educational material for Camp teaching. The pace of training is indeed beginning to quicken and we have been encouraged by the flexible, constructive and sympathetic way in which ODM is responding to our requests for special assistance in this key area.

Whilst speaking of education in its widest sense, I should now refer to the new Stanley School Hostel project. This, too, has not moved along quite as fast as I would have wished but the contractual arrangements for its design and construction are at this present moment being finalised in London. In addition, Mr Pike and Mr Mason are now engaged there in estimating and ordering the materials that will be required for all the site and other works. Much hard work by many people has already gone into this project and we should be able to see its beginning as soon as the better weather comes. The estimated date for the completion of the Hostel is now around the Spring of 1979.

I want to return now for a moment to our other problems of inter-island communication. Government is conscious that the investment in a road link to Darwin from Stanley is of little immediate encouragement to people living on West Falkland, even though such a road may ultimately offer the possibility of establishing a ferry link for which, I am glad to say, the Ministry of Overseas Development have offered to set up a feasibility study at the appropriate time. Mindful of this, Government is all the more determined to press forward with the early introduction of a larger land-based aircraft for FIGAS, a recommendation of the Future of FIGAS Committee which I set up last year under the chairmanship of Mr Robin Fitaluga.

I have been most impressed, in going round the Islands, to see the enthusiastic response which settlement managers have made to the suggestion they should seek suitable sites for airstrips and the amount of preparatory work which has already gone into them. It may take some time for all the airstrips to be ready for use, but I am glad to say that a most encouraging start has been made.

Our ideas have centred around the acquisition of a Britten-Norman Islander aircraft, and the Administration has long since been in correspondence with the manufacturers about detailed specification and performance data. It is inevitable that a good deal of this investigatory work must go on before a firm order can be placed. And here I must mention an important matter which I feel must govern our decision. The cost of the acquisition of such a new aircraft, and of the ancilliary equipment and hangar that must go with it, will be high. It is just possible that we could find the money from our own resources, but that

/would leave our reserves

would leave our reserves, as I am sure the Honourable Financial Secretary would emphatically agree, at an uncomfortably low level. I therefore have felt it essential that we should seek to obtain aid support for the venture, and urgent discussions are now in train with the Ministry of Overseas Development to seek their assistance. I am not unhopeful of the outcome - we have considerable Ministerial support, not least from Mr Ted Rowlands - but we may have a tough little battle on our hands to convince the Ministry of the economic viability of the project, apart from its social and welfare considerations.

The one other question of communications - in its widest sense - that I should mention is that of the R/T. I am only too well aware, from personal experience, of the difficulties that people in Camp are now encountering with our ageing Berrys. I am glad to say that an order has been placed for a number of new transceivers to replace the worst of the existing Berrys and they should be with us very soon. In the meantime the R/T Committee and its Technical Sub-Committee is looking urgently into the possibility of an island-wide VHF link. We have recently had from the Home Office in London some encouraging advice about the use of VHF frequencies for general communications. It should be possible to make a firm announcement about this in the near future.

So much for development projects.

It has been, as I have said, customary on these occasions to review the more important events that have taken place since Council last met, and to mention the achievements and aspirations of departments. While, as I have indicated, I do not intend to do so in detail now, there are three items that I would not want to pass unremarked.

In June 1977 ten pupils took the 'O' level English examinations and six sat the 'O' level examination in Spanish. This month the total number of 'O' level examinations taken locally will have risen to forty-seven, with eleven candidates taking from three to six subjects. Everyone will, I am confident, be most encouraged by this very vivid evidence of the Education Department's determination to provide, here in the Islands, a sound educational course that is internationally accepted, and thus to put an end to our having to send our children away from their home environment.

Honourable Members will soon be examining plans for the further improvement of our Medical Department. I should not like this opportunity to pass without paying tribute to the work that Dr Derek Cox has achieved during his service in the Colony. He worked with great dedication and considerable success, much of which was - as he himself would be the first to admit - due to the strong support

/that he received

that he received from the Matron, Miss Dorothea Wilson, who will be retiring very soon. Everyone in the Colony owes much to them and we wish them both - and Mrs Cox - every success in the future.

Now for the last item in this brief review of domestic events. As everyone knows, the work of the Grasslands Trials Unit was recently reviewed during a visit by Mr John Eadie of the Hill Farm Research Organisation; Professor Dunnet of Aberdeen University; and Mr Bob Taddell from the Ministry of Overseas Development. Although, as a result of their visit, some technical alterations and changes of emphasis will be made in the Unit's programme, the work that GTU is doing was not merely commended, but ODM has agreed to extend its commitment to the under-writing of the costs of this project, that lies at the very heart of the Colony's economy. The team's Agronomist, Mr Jim McAdam, will be leaving us tomorrow on the completion of his tour of duty. I should like to thank him for the work that he has done and to extend to him and his family our best wishes.

In reviewing the financial progress of the Colony the Honourable Financial Secretary will no doubt refer to the future wool market prospects on which our economy so heavily depends. I am glad to say these are, at the moment, not unfavourable, judging by the best advice we can get. We must however bear in mind that the costs of wool production are moving ever upwards while the price the world offers us tends to be of a static nature. We must hope to see the gap between the two kept as wide as possible; if it narrows too much our revenue will suffer. Our farm management is, I am also glad to say, at a high level of efficiency; the work of the GTU can help to add to that efficiency but it will of course be a slow process and sudden breakthroughs are not to be expected. It is all the more important, therefore, that every encouragement should be given to that major part of our community which works so hard to our overall benefit in the Camp. On then, our future depends. However, we must, at the same time, pay close attention to the problems of Stanley in the provision of housing, good services, and of course attention to the perennial problem of the Stanley roads.

I am conscious that there are other matters and people that I might have mentioned, but I want now to pass from our domestic to our external affairs, which are very much in people's minds at the moment. I notice there are a number of Questions and Motions on the Order Paper which will give Honourable Members an opportunity to express, freely and fully, their deeply held opinions on these matters, but with, I am sure, the usual restraint and care we have to exercise in our choice of words when speaking about these subjects. Since we met Mr Ted Rowlands in Rio in December, for what I think Members would agree

/was a valuable

was a valuable and frank exchange of views with him, Falklands affairs have been discussed several times and at considerable length, in both Houses of Parliament in London, with leading members of both Government and Opposition, including the Prime Minister and other Ministers, making clear statements on policy towards the major issues which concern us, which I am sure it has been reassuring for us to hear.

One thing we can be certain of is that the case of the Falkland Islanders is being kept well to the fore in the minds of both Parliament and public in Britain. We are in no danger of being forgotten, although we are so many thousands of miles away. I can assure you that the Administration and my Office play their full part in this; our telex machines are kept very busy, keeping those at the London end busy as well.

Of late however, we have been sorely troubled by a series of intrusive adventures against our sovereign interests - on land, on the sea, in the air. They have been totally objectionable, not only to us here in the Islands, but also to Her Majesty's Ministers in London. As you will have heard, the firmest expressions of the serious view taken of these incidents have been lodged on each occasion. And here perhaps I might correct an impression which some people might have about the effectiveness of such protests. For a responsible Government, such as that of the United Kingdom, to deliver a formal note of protest to another, is a very major step indeed in international and diplomatic affairs. The fact of it has very significant international implications, within the context of the manner in which peaceful countries are expected by the world community to order their affairs, one with another. As I have indicated, the United Kingdom Government does not take this sort of action lightly; the fact that they have lately done so, promptly and repeatedly, is, to my mind, a reassuring affirmation of Ministers' concern for our interests and security.

These all-too-frequent irritants which we have suffered lately do no good at all. They are no incentive to the maintenance of a willingness on the part of the people of these small Islands to endeavour to find some agreed way of living in peace, harmony and co-operation with our neighbours - an aim I think we all share, for it is essential to the well-being of everyone in this part of the world.

It was the Islanders' sensible wish to achieve some measure of that happy co-operation which encouraged them to give their agreement to the effort Mr Rowlands undertook to make in his negotiations. I think we would all still wish those negotiations to bear fruit, so that we can continue our way of life in peace and mutually

/beneficial development.

beneficial development. If you will allow me, I am sure I can say on behalf of every right-minded person here that we are sincerely appreciative of the help we are given in hospital and medical care, in the much improved external air service, in fuel and other supplies.

But any extension into a wider co-operation will only be possible on the basis of an acceptance of the principle that the wishes of the Islanders as regards their future must be fully recognised as the main concern, and that the Islanders are entitled, as are all other such national communities, to the internationally accepted right of self-determination. I am sure we were all glad to know that those sentiments were so fully endorsed, on all sides, in both Houses of Parliament, where our final safeguard lies.

Finally, and returning to our domestic affairs, during my travels about the Islands, I have been struck most forcibly not only by the typically British calm of the ordinary people in the face of all our uncertainties, but also by the remarkably democratic atmosphere which now pervades our way of life. It may find a quiet and polite expression, but ordinary folk, in their ordinary way, have a very sensible appreciation of what they want and what they lack. I have always found talking to working people in their homes a happy, enjoyable and stimulating experience indeed.

But I have also come to recognise that, working within our present, perhaps rather over-elaborate manner of constitutional Government can present difficulties to Councillors, who have to combine the responsibilities of being the representatives as well as the leaders of their community, with those of Executive Government. When I spoke at the opening of this Session, with a Council elected under the revised Constitution, I suggested that we might perhaps consider from time to time how these new arrangements were working out. I think they are not doing too badly, but perhaps some readjustment might be possible in one or two respects, and I shall be interested to hear from Honourable Members whatever views they may have on the matter.

Now we should proceed to our business. Apart from the Questions and M^otions I have referred to, and the Honourable Financial Secretary's Budget statement, we also have a number of Bills to consider. As they are listed on the Order Paper, I will not detail them here, and the more important of them stem in fact from the budgetary proposals. We shall, however, have a heavy workload to get through and if Honourable Members are agreeable I suggest we now go into recess to sit again at a quarter past two o'clock this afternoon.

On the direction of the President Council then adjourned and re-assembled at 2.18 p.m. on Tuesday 20th June 1978.

MOTION OF THANKS TO THE PRESIDENT ON HIS ADDRESS TO
COUNCIL

The Hon A B Monk JP

Your Excellency, Honourable Members

In rising to propose a Motion of Thanks to Your Excellency for your Address this morning, I am frankly worried. My first concern is that because I seem to be the longest surviving member of Council, both with regard to actual age and also with regard to service, I've got to get up first - or it is usual that I should get up first. One therefore cannot learn anything from previous speakers!

Also I am worried about our position vis-a-vis Argentina. Your Excellency explained, and I entirely accept the explanation, that a formal protest that a peace-loving country such as Britain recently made to Argentina about Southern Thule and the overflying of our air space is a major diplomatic move. However Argentina apparently does not recognise this fact, since they have rejected this formal protest, or these formal protests, as we heard on the BBC at 12.15 this morning. Of what use are formal protests from peace-loving nations if the other side pays no attention? It is a bit like the peaceful citizen being accosted by an armed bandit: in spite of strong protests the bandit takes his money anyway.

Your Excellency mentioned development and it is very reassuring to hear that Falkland Islanders will be playing such leading roles in the building of our Colony road system and the new school hostel and other projects. I would like to refer again to the Colony road system; in my view the Stanley-Goose Green section is merely the first part, between the two largest population centres, of a general Colony road system. And in that context I welcome the information that ODM are prepared to sponsor a feasibility study on the East-West ferry which such a Colony road system would require to be of any use. I am convinced that without a road system no development is possible; with it development is not necessarily inevitable, but without it real development internally will never happen. There are of course opponents of this concept. Real internal development will alter the way the material benefits are distributed: significantly alter it. Properly handled far more should rub off on people here; the stranglehold held by an overseas monopoly subsidiary company will be loosened. But is it being properly organised? Have we got legislation on the books to acquire areas for development that we think necessary? The answer of course is no. Is it even in the pipeline? The answer of course is no. What, I think we are entitled to ask, is our

/Legal Adviser in the UK

Legal Adviser in the UK doing? The answer unfortunately seems to be, copying Hong Kong legislation, and such matters as the Interpretation and General Clauses Bill - and even then getting it wrong, it seems, since we seem to have to amend the thing this session. The result of no comprehensive legislation being on the books when the road is started, or even before it is started, means that owners through whose land we propose to put the road will see their properties increase tremendously in value and will be the largest beneficiaries of the scheme. At the moment we have legislation on the books which enables us only to acquire a narrow strip a few yards wide for a public purpose or a road.

I do not propose to mention the Bills we are asked to consider, I think that is better done at the time they are presented. I do detect however a continuation of the old idea of penny pinching increases in small petty fees and taxes; fees and taxes that virtually yield nothing when one is talking about expenditure of £1,700,000 as we are for 1978-79, but fees and taxes which are a hardship for pensioners and people without much money and extremely irritating and extremely costly to collect usually.

When talking of development Your Excellency mainly talked about new projects, and very worthy ones. However our main industry, sheep farming, was mentioned but in my view insufficiently. Some - repeat, some - smaller ranches and farming is essential in my view - more is essential in my view - to give people a stake in those Islands. However I think it's honestly got to be said that when one looks around the farms and small ranches that are presently being run, that the emphasis usually, not inevitably, is on extraction and not improvement. Fairly often our smallest farms, farmed by owners resident in the Falklands, are the poorest examples of how farming should be done. If we get further subdivision in some area I hope we shall see something different; I hope we shall see some farmers improving their holdings, putting something back into them.

The GTU has recently issued a paper purporting to show that an expenditure of about £20 an acre in materials will produce a significant increase in production from ewes. If one includes labour etc the figure probably will be nearer £35 an acre of ewe ground. Obviously if applied to thousands of acres of ewe ground this represents very large money. I wonder if perhaps we should seek some finance, long term soft loans or something of that nature, to enable this concept to be tested on an industrial scale. Obviously safeguards will have to be made to ensure the Colony gains some benefit from this sort of thing but I feel that to get off the ground on an industrial scale some sort of subsidy or incentive of that nature is going to have to be given. This of course would not be the case if Government had an experimental farm of sufficient scope and size.

/Recently a Falkland Islands

Recently a Falkland Islands Committee sponsored commercial organisation has once again been interfering in our affairs by actively lobbying ODM in a blatant attempt to interfere with our intention to purchase an Islander aircraft. The gentleman responsible for this, who is shortly to visit the Colony, will doubtless try to persuade individuals and industry to support this commercially sponsored organisation. The organisation is an off-shoot of the Falkland Islands Committee, but it is a long way different to that Committee and there is no resemblance to that worthwhile organisation which was set up by such patriots as the late Mr A G Barton. I think we must make it quite clear to this individual when he visits us and to other members of the organisation, that we want government here, not government by commercial hacks in London.

Your Excellency mentioned education and the advances we are making in the standards. I believe you said that forty-seven persons took 'O' level exams for various subjects - I may be wrong in that statement, perhaps you said forty-seven people passed exams; I think it was the number that took exams. The important thing of course is how many people do pass the exams. Virtually anyone can take these things, but it's the passing of them, and I hope there is a high level of passes. I think we owe a great deal to our present energetic Superintendent of Education; I also think that our present Chairman of the Education Committee has really livened that organisation up, and it should have good results.

With regard to agriculture, as Your Excellency and Honourable Members know, we were recently advertising for an Agricultural Officer, as we think the Department will grow in importance and there should be somebody in charge who really can develop this, and we were unsuccessful. I wonder, Your Excellency, Honourable Members, whether it may be an idea to consider looking around and advertising for suitable applicants with necessary educational standards who would be sent for training to an agricultural college for a course, or an agreed degree if they had sufficient academic qualifications, so that they could come back here and eventually take over our Agricultural Department. Meanwhile it seems to me we might reasonably ask ODM if they would second somebody through the GTU unit to take charge of our Agricultural Department, and I think it would be quite reasonable for us to pay our share of the salary that we intended to pay whoever we got through the advertisement.

Your Excellency, Honourable Members, I think I have probably talked far too much and I'm afraid I shall probably be talking far too much again. I would like to propose the Motion of Thanks to Your Excellency for the Address.

/The Hon W E Bowles

The Hon W E Bowles

Your Excellency, Honourable Members

First of all, Sir, may I welcome you and your wife back to the Capital. Your recent tours of the Camp and especially those parts of the West Falkland you visited were no doubt appreciated by all concerned and well worthwhile both to yourselves and to campers.

It is pleasing for me to see some of our Senior School pupils present at this meeting. If I may add, the first Legislative Council meeting I attended was during my latter years at school and on that particular occasion nearly all the members walked out. I do not expect that to happen at this meeting. It is good to see the pupils here and it is good for them.

I would like to turn Council's attention now to Stanley rates, a topical subject at the moment. The time has come with inflation for me to urge that legislation be drawn up to consider extending the time limit for the payment of rates to September or thereabouts. Stanley rates are made in late May of each year and at present have to be paid by June 30th if a 5% penalty is to be avoided. This time limit is too short, and an extension of the limit is surely not much to ask. Regarding rates remission on account of poverty, I would urge consideration of a Bill to remove the word "poverty" and replace it with a more suitable word or phrase to suit this community. I think "reduced circumstances" would seem adequate.

Your Address this morning hinged heavily on development which is important to us all. This meeting has a long way to go I would like now to support the Motion of Thanks.

The Hon V H Goss MBE JP

In rising to support the Motion of Thanks, Your Excellency, I would like first to say something about education. It is very encouraging to see that education is slowly coming forward. I still think it's got a long way to go; we have heard it talked of ever since I was a small boy: improve standards of education. But we saw very very little materialise and in fact in many cases it went back. It is encouraging to see that this now is going forward. When we met here last in this House we talked of the hostel and I think we all thought that the foundations had been laid and the hostel perhaps on the way to being built, but it is still not even in sight as far as I can see. It is a long way off but we hope it will still come. The present Superintendent of Education I think is doing a good job; he is certainly on the right track and let us hope that he will get somewhere in this very urgent and needed move.

/Regarding the all-weather

Regarding the all-weather road, we keep saying, to Darwin; I think that is ridiculous. It should go right through to the Sound. It is not just one community we should consider, we must consider the lot; the West Falklands too. The ferry across the Sound will be a long way off yet but we could make do with what we've got. Brenton Loch is still the obvious place for me for the termination, not Darwin. Let Darwin be connected by a branch road the same as all the other farms are going to be, let the farms do it themselves if they want to; but not just go there and stop. Go up to the head of the Boca and when it comes round to festivals, people wanting to get to town, all those instances we had when there were no aircraft, the 'Monsunen' is quite capable of that: it could probably bring ten Landrovers across at a time; she has a sea truck; as there is no jetty the 'Forrest' is out unless she goes to San Carlos.

We've all talked about development and we could carry on talking a lot more. There will be no development in this Colony until the political situation is solved. Solve that and we will get somewhere. Until then we won't.

Your Excellency, I support the Motion of Thanks.

The Honourable S B Wallace

Your Excellency, Honourable Members

In rising to support this Motion of Thanks to Your Excellency's Address I would first like to comment on Your Excellency's remarks regarding the necessity for limiting any extension of the links we presently have with our neighbour. Now and again someone says that if we do not co-operate with that country we are burying our head in the sand. On the contrary, I have felt increasingly that we are being wilfully blind if we think for a moment that it is even remotely possible for us to have a purely commercial relationship with a country which has a population of millions, a military dictatorship, and which has for many years claimed sovereignty over our country. I feel it must be the policy of Government not to permit any further exploitation of these links which we already have with our neighbour. We have made it abundantly clear that we do not wish to be any more involved with Argentina than is absolutely necessary. Government must reflect on those wishes in our day-to-day dealings with that country.

We will have ample opportunity later in this meeting to air our views on the recent activities of Argentina on and around our territory so I will not dwell on these here except to say that these totally illegal and aggressive acts do not demonstrate the lasting mutually acceptable solution to any problem. I was interested to hear your comments on the protests made by Her Majesty's Government about these all too frequent provocations. Lacking as we certainly are in intimate knowledge of the workings of international diplomacy in common with many people, I

/wonder about the effectiveness

wonder about the effectiveness of such protests. It certainly does not seem that the Argentine view such protests in the same light as Your Excellency. I cannot entirely agree that recent statements in another place have indicated a clear policy. I have frequently felt that often they are open to many interpretations.

I feel too that one of the most encouraging signs of progress on our domestic scene has been the increased opportunities for our people to go overseas for further training and to my mind the very obvious efforts of our Education Department to provide our young people with the knowledge and ability to enable them to best benefit from these opportunities.

If we are to expect our PWD to cope with projects that the generous help of ODM make possible, we must provide them with the necessary resources. In my opinion, for too long we have simply not given them the tools to do the job. Once the PWD is re-organised I hope that as soon as possible something will be done about the Stanley roads. I appreciate there is much to do, but Stanley is our capital, it is the first place that people visiting the Falklands see, it is also a home for some one thousand people who cannot be expected to have a great sense of civic pride when often they cannot leave their property without first donning wellingtons.

While speaking of Stanley affairs, it has been suggested to me that we should consider forming a committee to deal with some of the less important but nonetheless irritating problems we have in town. I think this is an excellent idea. Such a committee could be responsible for things like the upkeep of the Town Hall, which at present is almost sordid; keeping the greens tidy - that sort of thing. At the moment as things are it is inevitable that these things are relegated to a back seat in our list of priorities. This need not happen. I am not thinking of another Town Council; rather a properly constituted committee possibly consisting of Stanley Councillors and perhaps three other people, with an annual allocation from general revenue.

We have recently benefited greatly from the sale of postage stamps. I think we must take care that we do not kill this provider of golden eggs. We must not adopt a sales policy that ultimately results in there being no market for our stamps. Equally we should not be guided solely by the self-interest of a small group of people. Personally I contribute very little to this sort of revenue - I average about three stamps a week and don't worry unduly if they are not a gutter pair!

/Your Excellency mentioned

Your Excellency mentioned wool prices and the increased cost of wool production. Although I know very little about marketing wool, this always seems to be the cry of one section of our community -yet they don't look noticeably slimmer!

Your Excellency quite rightly commended Dr Cox and the Medical Department on their efforts. We are now more than ever aware of the need to maintain vigilance regarding the presence of hydatid disease. I was therefore appalled to learn recently that one farm had not been complying with essential regulations regarding this matter. I hope that this situation will not continue.

I would like, lastly, to depart a little from tradition and say something complimentary about our Administration. Several people have commented to me on the new sense of purpose and desire to help which they felt has become evident in the Secretariat in recent months. I find this most heartening. It has never been so important that we have confidence in our Administration; it is equally necessary that the public are kept fully informed, and in this respect, the regular Government bulletins are excellent. If we are to continue to progress we must have the support of the entire community and if people are not kept fully informed we will certainly not get it.

I would like to support the Motion.

The Hon D S Evans

Your Excellency, Honourable Members

In speaking to this Motion of Thanks I try to look back over the last seven or eight months to the last Logco meeting. I try to gauge how we are progressing with our efforts to develop. To people in Town and Camp it probably seems that nothing much has been achieved. There is more positive talk of a road but no road started; there is talk of a school hostel but where is it? There is talk of an Islander aircraft but where is it? It all seems to be moving painfully slowly. From my position as a Councillor working with the Administration I can say that great efforts are being made to get things done; not only here but with Her Majesty's Government, especially Ted Rowlands. Choking paper work is not just a Falkland Islands disease; it is a world-wide sickness and we have to live with it. We are moving forward; tremendous efforts are being made and results will come despite the red tape.

/I think we all realise

I think we all realise that we will have to develop to survive. What worries me is that as soon as a line of development is adopted, everyone rushes in to tell you that it is no good and that this, that and the other should have been done instead. If we waited for people to agree on the right way to develop we'd wait for ever. It worries me because no matter what steps Government take to provide opportunities for development, only the people of these Islands can make development work. It is essential that we look for the good in the opportunities that are provided and capitalise on them. We must work together, not against each other. Far too many people continually hark back to the bad things that have happened in the past. The past is gone. We must leave it and look to the future.

The first section of our island road system will link Stanley to Darwin and go on to the Sound. It is only the first section that could be justified in terms of CDM expenditure. A lot of people are unhappy because they feel that the main beneficiaries of the first section of the road will be the FIC. Government must make sure that the opportunity is provided for development along the road so that it isn't just the FIC who benefit. Any thinking person must feel uneasy about the position of the FIC: they've been involved in several takeovers now and are becoming a smaller and smaller part of bigger and bigger concerns, all profit-motivated. Possibly the Directors of the FIC still care for the welfare of the Colony, but can the same be said of the people who give them their orders? I don't feel strongly that it would be a good idea to break up the big farms, but I do feel strongly that more of the land should be owned by the people of these Islands. The obvious place for small one-or two-family units are the smaller islands. I do take the point that the Councilor from East Falkland made. I think it is quite correct; a lot of the small islands aren't being run as they should be run. But I think these are the places where small units have the best chances of making a go of it. Undoubtedly the FIC will benefit greatly from the first section of the islands' road. In return it would be a magnificent gesture on the part of the FIC and a true indication of their interest in the welfare of these Islands if they rented or sold their islands to private individuals.

I now would like to turn to a theme I first thought of at the last Legco meeting. I have often wondered why the standard of school work falls off so badly when the children reach their teens. I could never put my finger on the answer. But it is obvious; it is there in the Bell report: the children lose interest because they're not being taught the right things. With the exception of children who choose to go on to try to get GCEs, the older children must be taught those things that are relevant to their life

/in these Islands.

in these Islands. We are now trying to change the system so that it does cater for their real needs. Part of that change is to show the children that they belong to a community and have a worthwhile part to play in that community. I am still pushing to have the idea accepted that the children can help the older section of the community. I know they can. It is a matter of having the right guidance. One of the excuses I am given is that the parents will object. Why? Can't we all see that at present the children are bored because they haven't enough to occupy their minds? They would still be learning their three R's but there is more to education than that. They have to learn to fit into our community as useful members. We have to build a community spirit in this Colony. If the present generation is content only to find fault in everything, then our only hope lies in the next generation. They must learn to accept responsibility.

There is a great tendency in these Islands to think that Government is a fairy godmother: Government must do this, leave it to Government, it's Government's responsibility. I am afraid Government is too short of money to fill all requirements. We should be helping ourselves and each other. On the subject of old people and helping each other, a lot of the old people in town are ex-campers; I feel that Camp should be doing more to help: mutton, beef, butter and cream is what the old people miss. Don't tell me that Camp can't spare it and pay for its freight. It could soon be arranged for someone in town to collect and share out. It is a far more useful cause than the sweepstake. And there's plenty of money for sweepstakes. I would like people to think about that in Camp and if they were willing to help let me know and I will try to organise things in Stanley.

The sovereignty issue is always hanging over our heads. If at all possible it must be solved by peaceful means. Obviously we want friendly relations with Argentina and I believe that HMG is right to pursue that policy. I have strong reservations - very strong reservations - as to how often we can play down the insults that Argentina is dishing out and yet still have talks that mean anything. Provocations such as these must eventually lead to confrontation; we can only hope that someone over on the coast will realise that confrontation is not in the best interests of either side. If the protests by Her Majesty's Government to Argentina were a major diplomatic move, then the rejection of those protests by Argentina must be viewed in the same light.

Your Excellency, Honourable Members, I beg to support the Motion of Thanks.

/The Hon the Financial Secretary

The Hon The Financial Secretary

Your Excellency,
This is purely for the Elected Members to put forward their views and only in cases where the record needs to be put straight do the Officials rise.

On this occasion I find that I have very little to put forward. I think the only point which was raised in connection with the finances of the Colony was that the Elected Member for Stanley has put forward a request that Government should consider introducing legislation for lengthening the period that the people of Stanley are given to pay their rates. I can see no objection whatsoever to this and I can assure him that Government will now look at his request and hope that legislation will come forward before the next year which we require to collect Stanley rates.

I should like to support the Motion of Thanks.

The Hon The Chief Secretary

Sir, in rising to associate myself with this Motion I find that I particularly want to thank you for a stimulating speech, because it stimulates so many interesting ideas which the Administration can now consider and, unlike the Honourable Member who proposed the Motion, I don't have the difficulty of not knowing what's been said, but rather the difficulty of trying to pick up all the very many points which are of interest; and I don't think that I should attempt to do all of these things. But it is perhaps worthwhile placing on the record just one or two points which may need clarification.

If I may trespass slightly on the preserve of the Hon. the Financial Secretary, my colleague, in terms of looking at the fiscal arrangements of the Colony, which have been criticised, that we hope soon to have a Fiscal Adviser join us on a long-term advisory contract funded by the Ministry of Overseas Development, and we shall look forward to discussing before long some of his proposals in a positive form in this Chamber.

We have heard too at the last meeting some criticism from the Honourable Member who would normally be sitting opposite me about the way in which our wool is marketed, and one of the Honourable Members touched on this in the course of his speech this afternoon. I have recently heard from the Commonwealth Secretariat that they have agreed to provide a specialist to look at the wool marketing arrangements of this Colony, to assure us that we are doing things in the best possible way and to the advantage of the Colony and of the industry. It is not an inquisition, it is an attempt to assure ourselves that the foundation of our prosperity is being conducted in a correct commercial manner.

/Another point

Another point which I think I ought to mention is the question of what Government might do to improve the assistance that the agricultural industry gets. It is very disappointing to us that our search for an Agricultural Officer has proved abortive, because it is not easy in the Administration to consider what is after all our major industry without having anybody - and I don't mean to disparage the officer who very excellently combines the head of that department's work with all the other duties he has to do - it is not very reassuring to have nobody with any special qualifications and Government is looking ahead and we are hoping that a Technical Co-operation award will be made to go and study at the North of Scotland College of Agriculture so that in whatever capacity he may return here to lend his knowledge to this important sector. We are not just concerned at the immediate future; we are looking as far as possible to the far distant future as well.

This is an opportunity for the Administration to tidy up a few points. It is also an opportunity I think to dispel a popular misconception that prevails in most of the world, certainly in these Islands and, I suspect, even around this table where I am standing now, that public servants get some sort of pleasure about shuffling paper. Now it is our profession and duty to shuffle it but if we can see results at the end, then we as taxpayers and citizens share the satisfaction of the rest of the community, and the thought that at last some major projects are getting under way is as encouraging to officials as it is to Honourable Councillors and to members of the public.

Having said that, Sir, I will say no more and very heartily support the Motion of Thanks.

The President

Thank you, Honourable Members. Could I just explain that when the Honourable Tim Miller returns tomorrow I shall offer him the opportunity to speak to the Address which he hasn't yet heard - by then he'll have got the jist of it - and to put forward his Questions and Motions, so we may need to break into the business we are at at the time for Councillor Miller to speak.

I would like also at this point to offer congratulations and thanks, before we go on to the Orders of the Day, to Councillor Bill Goss for the award in the Birthday Honours of the MBE and also, if I might say so at this time, as I haven't had an opportunity otherwise, to congratulate Mrs Velma Malcolm on the award of the British Empire Medal. I am sure Honourable Members too were delighted at the recognition of the services of these worthy people. Thank you very much.

PAPERS LAID ON THE TABLE BY THE HON. THE CHIEF SECRETARY

Copies of subsidiary legislation made or approved by the Governor in Council since the 21st November, 1977.

Mr D S Evans

Your Excellency, Honourable Members

On behalf of the Education Committee I would like permission to read a statement on Camp education. This is in place of the paper which should have been laid on the Table but which has not yet been prepared.

I would like to explain that this statement has been produced to try and indicate what is happening with Camp education now and ideas and plans that are being discussed for the future.

I would like to start with recruitment. This is of immediate interest to everyone in Camp and we have some quite good news on this. One Camp teacher is due to arrive this Saturday, and a second one should leave the UK on the 27th and arrive here on the 1st of July. Three further candidates have been accepted and Camp education should be up to its full establishment by August. The achievement of a full establishment will enable the Education Department to arrange beats to follow a more regular and less erratic routine. Discussions with the Director of Civil Aviation have helped to plan beats which could be more effectively maintained. Several beats, on the advice of farm managers, will involve a good deal of overland travel and it is hoped that, with the co-operation of farms, it will be possible to maintain these more effectively even when flying is difficult.

The Education Committee has discussed several moves to upgrade the quality of education in the Camp. An increased portion of recurrent funds for materials and equipment is to go to children in Camp to help this process.

The Education Department hopes to increase the in-service training given to Camp teachers in order to ensure that the most effective use is made of all new aids.

The Education Committee recommended that Government should encourage the development of settlement schools by introducing a more relevant scale of subsidies for farm-employed teachers and adopting a common scheme for granting subsidies for farm school buildings. Government will also be asked to consider schemes to permit children to travel into settlements for schooling.

Through an ODM-supported link with the Faculty of Education at Brighton it is hoped that specialist staff will visit us and help to plan and produce aids geared to the particular needs of Camp children.

Under the cassette teaching programme, more than half of the basic tapes have now been completed. The current programme should be fully completed by October. This will enable the cassette organiser to make more visits to Camp.

To support these developments the Education Department plans to move two Falkland Islanders into new and significant posts. Mr Gerard Robson will leave in September on a British Council-organised course on the planning and production of educational materials. Miss Coleen Carey, who is currently completing a British Council-sponsored degree course in the UK, should return in September to take up a post which will involve the selection and supply of school materials and library books to children in Camp.

All these moves to strengthen settlement schools and improve the quality of materials used by children in Camp homes should help to reduce our dependence on the irregular visits of travelling teachers. The Camp teachers should work increasingly with basic aids to support an organised syllabus.

At the adult level, a new British Council scheme will provide several thousand pounds during the next three years for the purchase of resource books for use in settlements and Camp homes. These are not intended to be the heavy tomes so popular with 'winter quiz' organisers, but more handy reference books for the home handyman, housewife, horticulturalist and hobbyist, and the Education Department would in fact welcome suggestions from Camp for suitable titles for books.

Preparatory to the introduction of some of these innovations the Superintendent of Education plans to visit a number of settlements and islands during the next few months, and the cassette teacher hopes to visit all settlement schools on completion of his production programme.

The Education Committee later hopes to see the appointment of a Camp Education organiser on a par with our current head teacher posts, who would oversee these plans for development of Camp education and integrate the schemes of work and materials used in all our schools.

On the establishment of the Stanley hostel and the addition of facilities for the development of secondary education, it is hoped that the parents of all the children in Camp will wish them to have the opportunity to benefit from the workshop facilities and specialist teaching offered. With the eventual extension of the hostel facilities and appropriate communications, it might ultimately be possible to consider the admission of younger children from isolated homes, perhaps initially on a weekly boarder basis.

However our immediate objectives must be to bring Camp teaching staff up to full scale, to improve the quality of learning material and to enable teachers and parents to take full advantage of any outside assistance that is offered.

Thank you, Your Excellency.

QUESTIONS FOR ORAL REPLY

No 1 of 1978 by the Hon D S Evans

At this time, when it is important to attract more people to these Islands, what has Government done to introduce a proper immigration policy?

Chief Secretary

Sir, whilst Government would generally welcome suitable immigrants, particularly from Britain, it has regretfully not yet proved possible to offer suitable inducement to newcomers. Honourable Members are of course aware that funds are available to assist Islanders who may wish to return.

Mr D S Evans

What is the present procedure if someone from overseas applies for a job?

Chief Secretary

If there is an application for a job it is submitted by the employers to the Immigration Officer, with full details of the man, his family, the type of contract he is being offered and the terms of his contract, for consideration by the Immigration Advisory Committee who then advise the Governor in Council what decision should be taken about the issue of an entry and work permit.

Mr D S Evans

May I ask the Honourable Member another supplementary question - could you please tell me who are the members of the Immigration Advisory Committee?

/Chief Secretary

Chief Secretary

I should do my best to answer that, Sir. It is chaired by Lt Col The Hon R V Goss; other members include Mr F M Milne, one other member of the General Employees' Union, one other member representing the Sheepowners' Association and of course the Immigration Officer is also in attendance.

Mr S B Wallace

How have Falkland Islanders in England been made aware that there are funds for passages to the Falklands?

Chief Secretary

I am sorry to say Sir I can't answer that question, except that where applications have been made since I arrived here, the position has been explained to those who have asked about it.

Mr A B Monk

You mentioned that preference was given to British citizens but since Britain is part of the EEC do we have in fact to consider them in the same way?

Chief Secretary

I think the Honourable Member has misunderstood what I said: no preference is given to British people; I said Government would welcome immigrants particularly from Britain.

Mr S B Wallace

What is the policy regarding the issue of work permits to people arriving?

Chief Secretary

Each case is taken on its merit - the position is considered sympathetically by the Committee and advice is then taken. It is impossible to generalise on a subject which must depend on the integral and basic merit of each particular case.

Mr D S Evans

Has an attempt been made to keep a register of available jobs? This would be especially useful for people who are thinking of entering these Islands.

Chief Secretary

I will be very happy Sir and look forward to Honourable Members proposing a new post to get under way the work involved!

/Mr A B Monk

Mr A B Monk

What is the situation with regard to EEC citizens? Do they get preference over other non-British citizens or not?

Chief Secretary

The question is a hypothetical one because it hasn't arisen so far as I am aware since I've been dealing with it, and no doubt the position will be considered again on its merits if it should arise.

Mr A B Monk

I suggest the Honourable Member is dodging the question. There must be a policy; what is it?

Chief Secretary

Certainly the Honourable Member is dodging the question. Sir, I would take the point that the Honourable Member is making and will consider with my colleagues in Government what that policy should be.

Mr A B Monk

Do I take it that there is no policy then?

Chief Secretary

Certainly Sir, there is a very distinct policy about the encouragement of immigrants to these Islands.

Mr A B Monk

I think Sir the question referred to EEC citizens. What is the policy with regard to them? Is it different from other non-British citizens or not?

The President

I think if I might interject this is becoming something of a debate. I think the Honourable the Chief Secretary has indicated that he would consult on this matter.

Chief Secretary

I think the Honourable Member is making a very important point but one on which I need consult my colleagues in Government.

No 2 of 1978 by the Hon D S Evans

Two fishing surveys have been carried out by a Japanese company around these Islands during the last three years; what were the results of these surveys?

Chief Secretary

Sir, these two surveys were commissioned by private interests. Whilst a copy of one was kindly made available to Government and a brief summary of the other, I am doubtful about the propriety of my revealing more than that their findings seem to Government generally inconclusive, but as in-shore fishing might prove of some significant development to the Colony, perhaps I might be allowed to take this opportunity briefly to explain what plans Government has for investigating these resources.

At present no-one has an accurate idea of exactly what fish may be lurking in our inshore waters - that is to say within approximately fifty miles of our coastline. Accordingly Dr Dennis Hall, Principal Fisheries Adviser of the Ministry of Overseas Development, is planning to visit Stanley in September or October of this year to assess the methods required and the manpower and equipment available locally for carrying out an inshore fishing survey. Such a reconnaissance visit would apparently be an essential preliminary before the Ministry could contemplate investing the considerable funds needed for any full-scale programme.

Meanwhile Government has agreed that the Tropical Products Institute, a misnamed but important part of the Ministry, should investigate as a matter of urgency the market potential for salmon from the Falklands, taking into account the problems of transportation, and to assess the scale of the likely markets and present prices and future price trends. If the results of this preliminary investigation are favourable, a salmon ranching expert would also visit the Colony at about the same time as Dr Hall. Then if so recommended a private project for breeding and catching salmon would be set up and carried out for a minimum period of three years.

Mr S B Wallace

Who were the private interests involved in the original surveys?

Chief Secretary

I understand that this was the Taiyo Fishing Company.

No 3 of 1978 by the Hon D S Evans

"What assistance is Government intending to give to the smaller islands to help them prepare the new grass airstrips?"

Chief Secretary

Sir, the FIGAS Advisory Committee has stressed that the responsibility for the preparation, maintenance and marking of farm strips should be that of the farms themselves although the Aviation Department will provide advice in all matters concerning the strips. Government may eventually also be in a position to help in preparation of the strips by providing some of the plant, though transportation problems could prove a severe constraint on this.

Mr D S Evans

Have Government considered the possibility of cash grants or interest-free loans?

Chief Secretary

Not so far Sir but I cannot anticipate what Government's reaction might be to any requests that might be put forward.

Questions No 4, 5 and 6 of 1978 were submitted by the Hon T J D Miller. The Clerk explained that, as The President had indicated, these would be taken when Mr Miller was present.

No 7 of 1978 by the Hon J E Bowles

"At what precise date does the Administration propose the opening of Stanley airport, what steps are envisaged for the ceremony and at what date will the temporary airstrip be removed?"

Chief Secretary

With permission, I shall take this Question with No 10 in the name of the Honourable Member for West Stanley and No 15 in the name of the Honourable Member for East Falkland.

Neither date nor plans for the ceremony of opening the airport have yet been finalised. In answer to the second part of the Honourable Member's question, I have to say that no definite date has been fixed for the removal of the temporary airstrip, which is likely to remain for some time yet.

/Mr J E Bowles

Mr W E Bowles

Does the Chief Secretary envisage that there will be a formal opening of Stanley airport?

Chief Secretary

That I very much hope, since we have planned a rather fine issue of stamps to celebrate the occasion.

Mr S B Wallace

Did the Administration not give an undertaking that the temporary airstrip would be removed this Spring?

Chief Secretary

I am not aware that the Administration gave any such undertaking but I stand to be corrected.

Mr J H Goss

There wasn't an assurance given that it would be removed, but it was anticipated that it would be removed in September when the question was raised regarding re-grassing.

Chief Secretary

Sir, again, I am not aware that an undertaking was made; there is an obligation eventually for the airstrip to be removed but I myself have no knowledge of any undertakings or assurances having been made or given.

No 8 of 1978 by the Hon W E Bowles

"Sir, will the Chief Secretary indicate whether Government is fully satisfied with the standard of safety equipment currently carried on all local coastal vessels?"

Chief Secretary

Sir, as there are no laws requiring small boats to carry safety equipment, Government has no real means of satisfying itself about standards. The Harbour Master does of course try to maintain a close liaison with boat owners in an informal effort to ensure that adequate safety equipment is carried.

Mr A B Monk

I think the Honourable Secretary referred to small coastal vessels. The question refers to local coastal vessels.

Chief Secretary

That is an important distinction and I am grateful to the Honourable Member for drawing my attention to it. The major vessels plying for hire here are subject to Merchant Shipping Acts and there are very strict rules governing the safety equipment they should carry. My understanding in drafting this reply to refer to the small vessels was in my belief that the Hon. Member proposing the question wanted to know about the types of vessels not governed by the Merchant Shipping Acts.

No 9 of 1978 by the Hon W E Bowles

"In view of the growing number of proposed new posts in Government for the Civil Service, including those of a temporary nature, will the Chief Secretary give details of the estimated overall cost which will be financed by the Falkland Islands taxpayer?"

Chief Secretary

Sir, the Budget proposals which will shortly be laid before Honourable Members for consideration, include 18 possible new posts, the estimated cost of which would be £35,000. The proposed new posts are as follows, and I will take them by Department:-

Within the Agricultural Department,
One Agricultural Officer;

In the Customs & Harbour Department,
An Engineer for m.v. 'Forrest', and this would be a transfer from unestablished to Permanent and Pensionable staff;

In the Education Department,
One school teacher,
Two camp teachers,
One handyman for the Stanley schools;

In the Medical Department,
Two junior nursing posts,
One district nurse,
One social worker,
One handyman for the hospital;

Within the Secretariat,
A Development Officer,
A secretary for the Development Officer,
A Clerical Training Supervisor, and
up to 4 trainee clerk-secretaries who
would be available for all Departments of Government.

No 10 of 1978 by the Hon S B Wallace

"When is Stanley Airport to be officially opened?"

This question was answered in conjunction with No 7.

No 11 of 1978 by the Hon S B Wallace

"On what projects do the Administration plan to utilise the money promised by the Ministry of Overseas Development for expenditure on our internal communications?"

Chief Secretary

Sir, the Ministry of Overseas Development have granted £788,500 over a period of three years towards the total estimated cost of £908,500 for the construction of the Stanley-Darwin link of the Islands' road development programme. This grant, as you explained this morning, Sir, will be matched by Government expenditure of up to £120,000 over the same period.

Additionally the Ministry have granted an initial sum of £80,000 towards the cost of rehabilitating equipment acquired by Government from Johnston Construction Limited. This sum includes cost of the services of Warrant Officer Buckett and Staff Sergeant Tangui, whose arrival in Stanley has been so welcome, the cost of materials for converting the new heavy engineering workshop and store and purchase of the new grader that arrived last weekend on the 'Annette Danielson'. Apart from internal communications the Ministry have also agreed to give an as yet unspecified amount for the construction of the new school hostel. Together the combined amount should be well in the region of one and a quarter million pounds.

No 12 of 1978 by the Hon S B Wallace

"Have Government considered linking Old Age Pensions to the Retail Price Index?"

Financial Secretary

Proposals contained in the recent report by the Government Actuary include a form of index linkage. Implementation of the proposals is now in progress. The question of including provision in the Old Age Pensions Ordinance for a regular review of pensions will be given early consideration.

No 13 of 1978 by the Hon W E Goss MBE JP

"In the event of a holiday falling on a Friday will the Administration consider making provision for OAP payments to be made on the Thursday prior to the Holiday? I understand that some pensioners suffered hardships last Christmas."

/Chief Secretary

Chief Secretary

Sir, I am pleased to be able to assure the Honourable Member that there will be no difficulty about implementing his helpful suggestion. Indeed, pensions are already normally paid on Thursdays whenever a public holiday falls on a Friday.

Mr W H Goss

I thank the Honourable Member. They weren't, not last Christmas.

Chief Secretary

Actually, Sir, we regret any person who may have suffered because of the deficiency.

No 14 of 1978 by the Hon W H Goss MBE JP

"I understand that Upland geese are considered a potential danger to aircraft at Stanley airport and that controlled shooting is carried out. Will the Administration consider permitting the public to take geese from the Peninsula by means other than the use of firearms or permit organised shooting?"

Chief Secretary

Sir, the Cape Pembroke Peninsula has been declared a Sanctuary under the Wild Animals and Birds Protection Ordinance and to allow the indiscriminate trapping or shooting of Upland geese there would not be in the public interest and might constitute a possible hazard to the safety of those many people who use it for recreation.

No 15 of 1978 by the Hon A B Monk JP

"When will the temporary Argentine airstrip be removed?"

This question was answered in conjunction with No 7.

No 16 of 1978 by the Hon A B Monk JP

"Does the British Government now accept the concept of dual nationality, that is to say if British citizens accept the citizenship of a foreign country and its passport can they retain their British citizenship and British passport?"

Chief Secretary

Sir, the British Government have accepted the concept of dual citizenship ever since the 1st January 1949, when the British Nationality Act 1948 took effect.

/Under existing legislation

Under existing legislation a person who is a British subject, citizen of the United Kingdom and Colonies, retains this status and the eligibility to hold a British passport if he or she acquires the citizenship of another country.

No 17 of 1978 by the Hon A B Monk JP

"Does the Argentine Government take the view that our refusal to allow the sale of Douglas Station or any other major area of land to a foreigner is affecting the outcome of the UK-Argentine discussions on our future?"

Chief Secretary

Sir, this Government cannot answer for the Argentine Government on this or any other subject.

Mr A B Monk

Can the Honourable Member tell me if they ever advanced this as an objection?

Chief Secretary

Not to my knowledge.

QUESTIONS FOR WRITTEN REPLY

Appendix I.

M O T I O N S

Motion by the Honourable the Financial Secretary:

"That it be resolved that the Report of the Standing Finance Committee for the period 20th July 1977 to 24th May 1978 be adopted."

Financial Secretary

Your Excellency, since the last meeting of this Council the Standing Finance Committee have met on five occasions and approved £833,597 in additional provisions. The bulk of these relate to the transfer of funds largely for development purposes from the Ordinary Reserves of the Colony to the Colony's Development Fund and for expenditure on overseas aid for the rehabilitation and storage of the Public Works Department equipment, which came to us under the Airport contract. The Report does not contain any proposals put to the Committee which were not approved and I therefore beg to move that the Report of the Standing Finance Committee be adopted without debate.

The Motion was seconded by the Honourable the Chief Secretary and carried without debate.

/Motion by the Hon

Motion by the Honourable A B Monk JP:

"That this Council views the shortage of teachers in Camp with great concern and instructs the Administration to take energetic steps to remedy the situation and report back to Council at the earliest opportunity."

Mr A B Monk

Your Excellency, Honourable Members, in view of the fact that the Honourable Member for West Falklands, Chairman of the Education Committee, has given us a very considerably detailed statement about this very matter, I wish to withdraw the Motion.

Motion by the Honourable A B Monk JP:

"That all dogs imported into the Colony shall be quarantined for 180 days. The period of 180 days may be reduced by the Governor in Council to not less than 90 days if the importer can produce proof that neither the dogs nor the carriers have had any contact with any rabies-infested area within 180 days previous to landing the dogs in the Colony."

Mr A B Monk

Your Excellency, Honourable Members, I really think it is very important that dogs imported into the Colony, whether from Britain or anywhere else, by ship or by air, which could touch any rabies-infested country, should under no circumstances have the quarantine period reduced. I know people argue that if the dogs are in cages on board a ship that touches Argentina or anywhere else, that there is no possibility of infection by rabies; but I disagree strongly with that hypothesis since any person who has travelled on ships, or especially any person who has been to sea, knows how easily rats find it to walk up a gangway - they can do it a lot easier than some of the crew returning late at night, I can assure you! And I am sure Honourable Members, Your Excellency, will agree with me that the disease once seen in human beings rather horrifies you and it must be avoided at all costs.

Some importers of dogs also argue that by the end of six months young dogs if they are kept in quarantine are of no further use, but of course that argument is completely fallacious. I have imported dogs into the Colony three times myself and one lot were young dogs and in no case were they useless when they came out of quarantine, although they didn't do quite as long as that. The main object of bringing dogs into the Colony, in my view, is to import the blood so that you can breed from them. Generally speaking imported dogs when used in our conditions, on large numbers of sheep, have in my experience been virtually useless. It is the blood you want for future generations.

/I do strongly urge

I do strongly urge Honourable Members to seriously consider the proposal that under no circumstances should we relax our rules with regard to the importation of dogs if there is any chance that the carrier or the dogs have had any contact with a rabies-infested area within the last 180 days of landing here.

Mr S B Wallace

I wish to support this Motion. In fact I am told that our vet, Mr Whitley, is at this moment gathering information about this subject in England, so I would like to support the Motion subject to the advice which he gives us on his return.

Chief Secretary

Sir, I myself welcome the Honourable Member's Motion because as the previous speaker has already indicated, this is something which has been giving the Administration some concern. I wouldn't like to prejudge the issue by going the whole way with the Honourable Member's suggestion until there has been an opportunity thoroughly to explore what our quarantine regulations and rules should be. He may be entirely right in his suppositions but the Honourable Stuart Wallace has mentioned that Mr Whitley, our vet, is engaged in consulting the proper authorities in Britain about this. We have been in contact with the Veterinary Attache of Her Majesty's Embassy in Buenos Aires about conditions prevailing particularly in the Argentine, and I am not unhopeful that the Government will be able to lay before this Council suggestions for the emendation and improvement of present rules and regulations at present governing quarantine as a whole.

Mr D S Evans

Your Excellency, Honourable Members, I don't know a lot about this. In the first place I couldn't understand why this Motion was necessary, but I did go and check in the Agricultural Department and apparently the rules as they stand state the minimum period of quarantine is 90 days; that is the minimum period and really the length of quarantine is up to the Officer-in-Charge of the Agricultural Department, and he accepts I assume advice from the Veterinary Officer, so the period although the minimum is 90 days, will be whatever the Veterinary Officer thinks necessary, so it did seem to me that we are fairly well covered anyhow. But we certainly don't want rabies here, not at any cost, so I will support the Motion.

Mr W H Goss

There seems to be, or may have been, a loophole somewhere, or the Honourable Member wouldn't have brought this forward. I think rabies is a very, very serious disease and all precautions should be taken to prevent it

/getting into the Colony.

getting into the Colony. In fact if someone wants his dog sooner this should not be considered. If there is a rule or a regulation laid down that the dog must do 180 days, or 90 days, well that's that.

The President

I gather that this Motion has general acceptance and the Chief Secretary has suggested that the Administration will invite advice to bring forward amendments to our present legislation - which I think it wants, I think the legislation is inadequate; it's ambiguous, which is the whole problem. Perhaps Honourable Members can then accept the position that the Chief Secretary will bring forward more advice in due course.

Motion by the Honourable A B Monk JP:

"That Her Majesty's Government be urged to declare that under no circumstances would the ceding of uninhabited areas of the Falkland Islands or its Dependencies be considered as a means of obtaining an agreement with Argentina concerning the sovereignty of the remainder."

Mr A B Monk

Your Excellency, Honourable Members, the reason I would like this Motion to be adopted is that I detected - not a desire, perhaps the idea, that this might possibly be one way in which our sovereignty problems could be solved: by ceding uninhabited areas of the Falkland Islands and Dependencies; the inhabited bits might be left in peace. But I strongly oppose this concept because uninhabited areas may be unattractive bare rocks and may be hundreds of miles from us here; they at the same time might control areas of sea which ultimately would be the main areas for our development in fishing and oil and that sort of thing, and also one has to consider that there are uninhabited areas here, very close to this town, and where does one end when talking about an uninhabited area. Therefore I think it is vitally important that when talking sovereignty, when discussing sovereignty, considering sovereignty of the Falklands and its Dependencies which is the sovereignty of the whole, the uninhabited parts and the inhabited parts of the whole, and that no ceding of the uninhabited parts would be considered in order to gain an agreement with regard to the inhabited bits.

Mr S B Wallace

I wish to oppose this Motion. I don't see that there is any way in which Her Majesty's Government would make such a declaration without jeopardising the talks. I think also that we have agreed to these negotiations; it would be a serious mistake for us to say "yes, you may negotiate," and then in the next breath say "but you may not even consider such and such a move."

/This may provide

This may provide the other party with all the justification they need to turn around and say well, we tried to talk about it but they wouldn't even consider it. I think this would be an extremely dangerous image for us to project especially at this time when the opposition are doing a tremendous job tarnishing theirs. Regarding the Dependencies, it is totally inconceivable to me that the Argentine would consider a solution of this nature, but imagining that the impossible were to happen and it turned out that we could possibly rid ourselves of the anxiety we've had for years over that uninhabited remote lump of rock one thousand miles away, then I think at least we ought to consider it. As far as the Falkland Islands are concerned, we have made it absolutely clear to Her Majesty's Government that we wish every part of it, inhabited or not, to remain British. We have been told that any solution should be acceptable to us and I see no way in which a solution which sought to cede any part of our Islands would be in any way acceptable, since no matter what is considered the solution must be acceptable; I feel it would be unwise to hamper the effectiveness of Her Majesty's negotiations. I must oppose the Motion.

Mr V E Bowles

Your Excellency, Honourable Members, I wish to firmly support the Motion. This is a matter of principle, not a matter of bits of rock or bits of this or bits of that. It is a matter of principle. If the British Government have a dependent territory, whether it's a bit of rock, a bit of sea or a bit of land, they must do the utmost to protect it. We may have a piece of rock out there; if it is part of the Falkland Islands Dependencies or part of the Falkland Islands themselves I think we have every right to defend it. As it is a dependent territory and therefore a responsibility of Her Majesty's Government, I cannot see even Her Majesty's Government acceding to anything of this nature.

Mr J H Goss

Your Excellency, Councillors, I rise to support this Motion. I think it would be weakness on our part to consider what at this stage appears unimportant. Extreme weakness: it's only letting the wedge come another few inches further under the door. I support the Honourable Member's Motion.

Mr D S Evans

Your Excellency, Honourable Members, I also wish to support the Motion. These lumps of rock are not in the Falklands; I think they are the key to the Antarctic. I also think that if we start allowing the Argentinians to have little lumps of rocks there is no telling where it will end. We could eventually find ourselves ringed by Argentinian possessions. If that were to occur then our chances of survival would be nil. Your Excellency, I would like to support the Motion.

The Motion was carried.

/Motion by the Hon A B Monk

Motion by the Hon A B Monk JP:

"That this Council wishes to inform Her Majesty's Government that we consider it essential that one or more elected members of Council be invited to form part of any United Kingdom delegation engaged in Ministerial or other definitive talks concerning our future."

Mr A B Monk

Your Excellency, Honourable Members, in making this Motion I do so because this very subject was debated in this Council last Meeting and I have always been rather confused as to what the final decision was. It did seem to me that it was rather a deadlock. In my view it is vitally important that an elected member or elected members of Council should be part of any United Kingdom delegation engaged in definitive talks with the Argentine Government. Some of the views advanced against it when we talked about it before were that "oh well, if an agreement is made which we don't like, well then, the members will be blamed." Well, if members of Council elected by the people cannot take the responsibility for saying what they think when members of a delegation or anywhere else in the people's interests, then they shouldn't be elected and they shouldn't be on this Council. We have to realise that we must be prepared to take the responsibility if necessary. In my view if we do not have Councillors as members of the UK delegation, then we cannot blame the United Kingdom Government if they don't fully appreciate our points of view when talking with the Argentine. I wish to propose the Motion.

Mr W H Goss

Your Excellency, I rise to strongly oppose the Motion. Argentina does not recognise us as part of the argument; the argument is not between us and Argentina, it is between Argentina and Britain. And as for anybody to go there and expect to bring back anything more beneficial to us than we already have from the British Government is just a waste of time. The Councillor himself who goes may know just what transpires but, say, they decide to go along with something and he's in a minority, he's got to go along with it. He's part and parcel of the meeting, and yet we'll have a representative there who went along with what they agreed on, and when he comes back here it may be something that we do not agree to. No; I oppose the Motion. Thank you.

/Mr S B Wallace

Mr S B Wallace

Your Excellency, Honourable Members, my copy of this Motion says it is essential that one or more elected members of Council form part of any United Kingdom delegation. To my mind that has got nothing to do with whether we wish to go or not, simply that we be invited. So I would simply like to support the Motion, Sir.

Mr D S Evans

Your Excellency, Honourable Members, I feel the same as the Honourable Member for Stanley. This Motion to me reads that we ask to be invited. We have been invited; we've been told by Ted Rowlands several times that if we wish to go we can go. We have had the other discussion before, and if the earlier discussion is what we're discussing I'm quite willing to talk about it, but this appears to me just to say that we ask to be invited; we know we've been invited so I don't think this Motion is necessary, so I'll stand against it.

Chief Secretary

It is convention that Official members of Council don't talk on controversial issues and I only wish to make a point of clarification which indeed the Honourable Member for West Falkland has made, that if, as I understand it, we have already received an invitation, which Councillors themselves agreed in the joint communique issued after the Rio Talks, and which was subsequently confirmed by Lord Goronwy-Roberts in a Statement in the House of Lords on 17th January, perhaps Honourable Members might wish to consider the possibility of amending the Motion to say that it welcomes the invitation that has been offered by Her Majesty's Government. This is simply a point of clarification.

Mr W E Bowles

Your Excellency, Honourable Members, I am a little bit confused exactly what the Motion is now. As it stands if we think we should be invited to go there then we make up our minds at the time considering what the talks are going to be about whether we go or we don't. I proposed a similar sort of Motion last time because I agreed with what Councillor Goss said, that the argument is not between the Falkland Islands Government at all, it's got nothing to do with it, it's between Britain and Argentina, it's for them to sort out, and if we're invited to take part then we make up our minds when the invitation arises. Thank you, Sir.

Mr A B Monk

Your Excellency, Honourable Members, I am nearly as confused as the Honourable Mr Bowles now, but certainly

/as the Motion was written

as the Motion was written it is "be invited". I still think the Motion should go through under those words because it is a reminder that we want to be invited and we may not always be dealing with this present British Government, and it's not a bad thing to periodically remind the British Government that this is our feeling, that we want to be invited; so I consider the Motion as it is printed should go forward.

In answering Mr Goss, the Honourable Member for East Stanley, who says that if you go as part of a delegation you are tarred with the brush of whatever decision they come to, is of course nonsense. If you go as part of a delegation and you find that the stance which is going to be taken in the negotiations is one with which you disagree, there is nothing whatsoever to stop you leaving the delegation then and there, and there is no point more strongly made that you disagree with what they are going to talk about than by walking out on the thing. I think we are dodging our responsibility if we don't want to attend these things and I think in fact if there is any confusion, any sign that this Council does not consider that members should attend these things, then I really think we should go to the public and ask them in an election what they think about it, because there are very strong views held in the public about this matter and I think we should have it quite clear in our minds what the public think.

The President

The Motion as it is proposed by the Honourable Councillor seems to comply with the facts as they are at the moment, that an invitation has been issued and we wish to maintain that invitation and I think the Motion on that basis is carried.

Motion by the Honourable S B Wallace:

"That this House ask the Administration to prepare and put before Council the legislation necessary for the control and operation of co-operatives."

Mr S B Wallace

In the Shackleton Report it was recommended that this Government should stimulate and encourage opportunities for local investment. A co-operative is in my view one of the most practical ways for those with perhaps less capital to invest. They can invest in an enterprise which can benefit not only themselves as investors but many other people besides. However as things are at present we have no co-operatives ordinance; there is therefore no legal framework in which the business of such an enterprise can be conducted. I understand that there is, as things are, no limit to the liability of those people who invest in them. This unlimited liability makes it an

/extremely unfavourable

extremely unfavourable proposition for any investor; I think that new concerns have enough problems getting off the ground here without an obstacle like this. People would be even more reluctant to invest in an undertaking which has no legal basis. I think it is important that we encourage and promote initiative in all sectors of our community, yet in this particular case the lack of necessary legislation is an obstacle in the path of success of, in my opinion, an extremely desirable venture. I propose the Motion.

Mr A B Monk

Your Excellency, Honourable Members, I wish to second the Motion. I am slightly confused by what Councillor Wallace said, because I think he said at one stage that the investor had no liability and probably he meant in fact that the investor's liability is unlimited, and I think that is the aspect of it which prohibits the setting out and investing in co-operatives, because if you set up a co-operative without this legislation and the thing goes broke, well then, all the belongings of each investor are deemed to be, as I understand it, part of the co-operative's assets, and of course that is rather a daunting prospect if the manager absconds with the cash or can't pay the bills. I strongly support the Honourable Member's Motion.

Mr W E Bowles

Your Excellency, Honourable Members, I too feel that if we are going to expand, legislation will be necessary to get these things going and I would like to support the Motion.

Mr W H Goss

In rising to speak to the Motion, Sir, I would say we've gone along quite a long time without such legislation but if it is necessary then we must have it. Regarding liability I sometimes wonder about these limited companies that we see about with limited capital. We know perfectly well that their expenditures and debts could be a lot more than that and surely the money would be recoverable from somebody, be it limited or not. I support the Motion.

Mr D S Evans

Your Excellency, Honourable Members, I also support the Motion. I am a member of the Co-op and I don't like the idea of this unlimited liability! I don't really know much about this business at all but if forming co-ops is going to help development then I'm all for it. I would like to support the Motion.

Chief Secretary

I rise only to add my views to those that have already been raised, that this seems to be a timely and useful suggestion, to which we will look with the least possible delay.

The Motion was accepted.

/Motion by the Hon S B Wallace

Motion by the Honourable S B Wallace:

"That this House request of Her Majesty's Government that Falkland Islanders be entitled to a right of abode in the United Kingdom."

Mr S B Wallace

Your Excellency, Honourable Members, I am sure that this is not the first time by any means that this matter has been discussed by Council but until recently I did think it was the first time we had a Motion. It seems clear to me that we must make representations to Her Majesty's Government to have returned to all Falkland Islanders the right of abode in the United Kingdom. It seems probable that our failure to make known our wishes in the past may have resulted in the loss of that right in the first place. I think members are sufficiently aware of our feeling but I would like to emphasise that as an entirely British community, all of us with close ties and most having their family origin in the United Kingdom, we are unique among other British territories and colonies; for us Britain is the Mother country; for us there is no alternative. It seems natural that people if they wish to take advantage of the benefits of an industrialised society should turn to that society from which we derive our heritage, yet a small number of our people may not, even if they wish, enter the United Kingdom entirely free of any restrictions. The number of people involved at this moment is not great but it will increase as future generations of islanders come along, and for this reason I make this request now. I beg to propose the Motion.

Mr W H Goss

Your Excellency, Honourable Members, we are in an entirely different position to people in New Zealand or Australia or any other former Colony; the fact that this is a Crown colony and with a foreign power having designs on it may mean that if we don't accept their flag we would have to get out; we have nowhere else to look but to Britain. I strongly support the Motion.

Mr W E Bowles

Your Excellency, Honourable Members, I think everybody supports this Motion, but I was under the impression that Falkland Islanders already have the right of abode in the United Kingdom. This was talked about at length in 1975 with David Ennals in Rio and he gave us an assurance that if we applied to the Foreign & Commonwealth Office, who was our link with the British Government, the right of abode would be granted to any Falkland Islanders wishing to take up residence in the UK. A lot of the problem has come about because Falkland Islanders have gone to the United Kingdom and applied to the Home Office for the right of abode and this is the wrong procedure;

/given the right procedure

given the right procedure, those people who want to take up abode in the United Kingdom should not have any problem. If there is it is new to me. Although I firmly support the Motion I thought in some ways the Motion was not really necessary, but I do admire Councillor Wallace for bringing it forward.

Mr A B Monk

Your Excellency, Honourable Members, I strongly support the Motion. I would have liked to have seen it worded slightly different and to have included the right of work also, because I think that is very important. As it is presently worded it is only requesting the right for pensioners or wealthy people to live there, obviously the rest couldn't if they weren't allowed to work there. But I think the Honourable Member for Stanley is incorrect to say that Falkland Islanders have the right to live in the United Kingdom. I think what David Ennals told us in fact was that a sympathetic approach would be made to bending the rules to allow them to live in the United Kingdom, but that as the rules read they were not in fact entitled as of right.

I think that is entirely wrong, that kind of approach; they should not have to bend the rules to let Falkland Islanders live in the United Kingdom: the rules should say that they should be allowed to live in the United Kingdom as British citizens. With the reservation, as I say, that I would have preferred the words also "to work" in the United Kingdom, I strongly support the Honourable Stuart Wallace's Motion.

Mr D S Evans

Your Excellency, Honourable Members, I also would like to support the Motion. There is an awful lot of strong feeling about this in the Islands and I think the more we can bring it up for debate and present it to Her Majesty's Government the better. I think everything's been said that needs to be said; I don't think I'll say any more, I'll just support the Motion.

Mr S B Wallace

I would just like to thank Honourable Members for supporting the Motion.

The Motion was carried.

Motion by the Honourable D S Evans:

"That this Council would like to express its thanks to all the Members of Parliament and ordinary people of Great Britain, whose support to us in our wish to remain British is vital at this crucial time and is greatly appreciated."

/Mr D S Evans

Mr D S Evans

Your Excellency, Honourable Members, I introduced this Motion because I think it is high time that we let people in Britain who are supporting our wish to remain British know how much we appreciate their efforts. I sometimes worry that the sounds of this Council at times of "mini-crises" if you like, must make them wonder if what they are doing is worthwhile and if in fact we care whether they support us or not. This Motion is merely to let them know that we do appreciate their support and that it is vital at this time and it is only because of their support that we have been able to agree to talks and to allow some issues to be discussed, because we know that we have strong support in Britain and in effect the British Government would find it very hard to do anything against our interests.

Mr W E Goss

Your Excellency, Honourable Members, I support this Motion and agree with what the Honourable Member said, not that very much can be said on it other than to show our appreciation for what the Members of Parliament and the British Government are doing on our behalf. I support the Motion.

Mr S B Wallace

I simply wish to strongly support the Motion, Sir.

Mr A B Monk

I wish to support the Motion.

Mr W E Bowles

I shall not go against the Motion either, Sir.

The Motion was carried.

Motion by the Honourable D S Evans:

"That this Council would like to request that the Administration of this Colony prepare legislation to provide for the compulsory purchase of land by Government when necessary to help promote development."

Mr D S Evans

Your Excellency, Honourable Members, this is an obvious step to take; this had to be brought up. There is no point in building a road unless we can have development along the road. We are talking about development in several fields nearly all of which will require land. We have already discussed this at length in our speeches I think and there really isn't much left to say. I know that we already have legislation which says (I may be

corrected on this) that the Governor can acquire land for a public purpose. The definition of a public purpose seems to be causing some confusion and really we cannot go ahead if this confusion continues and nothing is done about it. I don't know in fact if this requires new legislation or if the public purpose piece can be clarified, but I do think we must go ahead at all speed and make sure that we can acquire the land that we need for development.

Mr A B Monk

Your Excellency, Honourable Members, in rising to speak to this Motion I touch on the matter referred to in my reply to the Address. It is absolutely vital of course and I cannot understand why we haven't made a lot more progress already towards having this legislation. It seems to me that there is a lot of foot dragging somewhere. I cannot understand what our legal expert in the UK is doing, why he hasn't managed to produce something along these lines; it seems fairly obvious that we are still not going to have this legislation when the road starts and it would be very unfortunate indeed if the main beneficiaries of the road turned out to be the owners of land along this road. It would be very unfortunate if the road is through before we come up with some form of legislation; it would be too late then, the land would have doubled, trebled, quadrupled in value and the best sites for development would have been selected already. It may be that the most worthy citizens who should be encouraged won't get the opportunity. I really do strongly feel that urgent efforts must be made to get this legislation on the books before we start the road. I beg to support the Motion.

Mr W E Bowles

Your Excellency, Honourable Members, I too support the Motion and until we have the line of the road fully confirmed I cannot see how we can get this compulsory purchase of land going until we know exactly where the land is. But as for preparing legislation for it when necessary I think we should go ahead as soon as possible. I don't know what the proposer means by "when necessary" if he means before the road starts, after it gets going or when the line of the road is confirmed. I would like to support the Motion.

Mr S B Wallace

Your Excellency, Honourable Members, I don't entirely agree with the Honourable mover of this Motion that there is any confusion regarding the definition of a "public purpose". A road is obviously a public purpose. However I do think this Motion will encourage the Administration to ensure that our existing legislation is adequate for our coming needs.

/I equally strongly oppose

I equally strongly oppose the idea that we should take land from anyone before we have a road. I must oppose the Honourable Member for East Falkland. At the same time I would not favour taking land from a company without good and sufficient reason; as a government we must be just and in my opinion it would not be any sort of justice to compel someone to sell land simply because we hope to use it some time in the future. Equally, since we are investing large sums of public money in our development I would hope that no-one would obstruct its progress. I wish to support the Motion.

Mr W H Goss

Your Excellency, Honourable Members. I support the Motion. Regarding the acquiring of land along the road, I think it's absolutely unnecessary for us to specifically state any particular spot. We just put the machinery in action that we can acquire land, or the Government can acquire land or take land, anywhere they think fit, for the benefit of the community or for development. There may not be any need to take land; probably the people who already own the land along the road are prepared to develop it. I support the Motion.

Financial Secretary

Your Excellency, I would like to rise on a point of explanation. During the study undertaken, or in progress, by the Green Patch Committee, I had reason to communicate with our Legal Adviser in Britain, Mr Frederick Cooke, and in a recent letter he pointed out that he was now engaged in producing some legislation for the purpose of obtaining land for development purposes, and also we have consulted him on a proposal to introduce legislation for the issue of land bonds so that we have the funds or the means of paying for such land. The two proposals I think go together and I trust that we will soon be having something concrete to bring before Councillors.

Chief Secretary

I can add very little to what the Honourable the Financial Secretary has already said, but that the points made so forcibly by Honourable Members will not be lost on Government.

Mr D S Evans

Your Excellency, Honourable Members, just two points that came up. I think the definition of "public purpose" would apply possibly to development along the road rather than to acquiring the land for the road itself. As to when we take the land over I think really that is a matter for Council as a whole to decide.

The Motion was carried.

/Motion by the Hon D S Evans

Motion by the Hon D S Evans:

"That this Council views the Argentine action of occupying Southern Thule and the subsequent incident involving the Polish fishing vessels as acts of deliberate provocation, and such acts if continued would prejudice the outcome of future talks with Argentina."

Mr D S Evans

Your Excellency, Honourable Members, I think this is something about which we all feel very strongly. My purpose in putting this Motion forward is to make sure a statement goes out from this House on this matter. I don't think we can leave it and ignore it even though the British Government is doing all it can to remedy things. I do think that this House should issue a statement on how it feels. I felt very strongly about the Thule Island affair, but I feel even more strongly about the fact that 'planes apparently came over here deliberately to scare off fishing vessels that were in our waters with our permission. To me that was extremely serious. I would like very strongly to back Her Majesty's Government's protests. I only hope that they aren't rejected and I do feel very strongly if this does continue then it is jeopardising future talks. These things really are, to me, insults; if we are talking then this kind of thing shouldn't be going on behind our backs, or what's the point of talking. I could say an awful lot on this but I think I shall just leave it at that, and let the Honourable Members have a say.

Mr A B Monk

Your Excellency, Honourable Members, I would like to support the Motion, with particular reference to the Southern Thule aspect of it. I am not absolutely certain in my mind frankly about the Polish fishing vessels incident. I think the British Government - I may be quite wrong, maybe I have the facts quite wrong - but I think in effect the British Government complained formally about the intrusion of aircraft over our airspace. I don't think that they complained about the fishing vessels. I do not myself see how they could complain about the incident of the fishing vessels, nor frankly do I see how we legally can either. Our territorial limit extends for three miles, no more, and what two foreign countries do outside that 3-mile area, whether it's Argentine ships with Polish fishing vessels or Russian ships with British ships, is nothing whatsoever to do with us in my view. I simply cannot see that we can legally complain about it. If the Argentine vessels had come into Berkeley Sound and chased out the factory ship which was anchored there (I saw it there when we were at Green Patch, it was inside our territorial waters), yes, you have a cast iron case for making a complaint. But if the Argentine naval vessel interferes with a foreigner's shipping on the high seas, outside our territorial waters, I don't think there is anything we can do to complain about it.

/The intrusion into our

The intrusion into our airspace, that I resent strongly and insofar as it refers to that I support the Motion; I support the Motion with regard to Southern Thule; but with regard to the Polish fishing vessels I honestly don't think that we can make a protest to the Argentine Government about that on the grounds that they are infringing our territorial position.

Mr W H Goss

Your Excellency, Honourable Members, I support the Motion and I don't agree with the Honourable Member for East Falklands about the fishing incident, that it's got nothing to do with us. For Argentina to chase that ship away from there she must be claiming those waters and if we ever got the political situation sorted out it is obvious that we are going to want to claim a 200-mile limit. The position of this ship was right on the hundred-fathom line as mapped out on the present-day chart. I think I am right in saying that we have got some coverage regarding our continental shelf; the hundred-fathom line I am quite prepared to accept is slightly further South. It is a little more to the East than charted; but we are still on that gradient, which I think goes down to about 400 metres which is the accepted thing. I beg to support the Motion.

Mr S B Wallace

Your Excellency, Honourable Members, I think the most significant fact about this Motion is that it is on our Order Paper at all today. Since negotiations began we have taken care, almost excessive care, to say nothing which could in any way jeopardise them; the same cannot be said of Argentina. I did not wish, and still do not wish, to jeopardise the negotiations but if they are not to become a farce, acts like the occupation of Southern Thule and these flights and in my view the most ominous act so far, that of stopping another nation's ship on the international waters around our islands, must cease. I beg to support the Motion.

Mr W E Bowles

Your Excellency, Honourable Members, the Councillor for the East Falklands did get me a little bit confused at one stage over the legality aspect of this Polish vessel incident but with the marine knowledge of the councillor sitting at the other side of the table I accept his better judgement and I think in every respect the British Government will expect us to support their protest, therefore I support the Motion.

The Motion was carried.

Motion by the Honourable D S Evans:

"That this Council review the present arrangements for payment of allowances to Councillors."

Mr D S Evans

Your Excellency, Honourable Members - a slight change from the last Motion. I have brought this up because it appears to be the right procedure for trying to obtain an extra allowance so that I can visit my constituents. You will appreciate that living on New Island it is not possible to walk to other stations, or swim, but I do feel strongly that I ought to be able to get around to all the camp stations simply to explain things, explain what is being done, explain what is happening, give reasons. I think this is very important, it can't be done - it's impossible to do it - over the R/T, it's not easy to do it in letters. The only way to do it is to go and talk to people. I can't afford to do this on the allowance I have been given so I put forward this Motion to see whether Councillors will agree either to change the present arrangements for payments or find some way by which I can be allowed to go round camp stations on the West.

Mr S B Wallace

Your Excellency, Honourable Members, democracy obviously has its price and I agree that camp councillors probably require additional allowances. I would like to propose that we discuss this in Select Committee.

Mr W H Goss

Your Excellency, Honourable Members, I support the Motion. We have to face the fact that we here in Stanley can contact members of the public, or they can contact us, much easier than a member in the camp can, and if he has got to pay all his own expenses ... flights particularly in the case of the member on New Island, it would be very expensive. I beg to support the Motion.

Mr A B Monk

Your Excellency, Honourable Members, I always was given to understand that members had to declare an interest at times like this; I think we've all got an interest and I don't quite know how we can talk about it; however I would like to support the Motion by the Honourable Stuart Wallace that the matter be referred to Select Committee. I don't really think it's very feasible for us to fix it without that. This is a Motion I support.

Mr W E Bowles

Your Excellency, Honourable Members, I take the point by the Honourable Member for West Falklands and I share his concern for his constituents. It is a difficult subject

/to talk about

to talk about and I would like it referred to Select Committee so we can come back and make a public statement at a later date.

Financial Secretary

Your Excellency, I see no objection if Honourable Members wish to discuss it behind closed doors but I would think that we should ensure whatever the outcome it is embodied in legislation, and I would propose that the discussions which they wish to undertake in Select Committee should be followed by referring legislation to Council to provide for, perhaps, an increase in the allowances to cover this.

The Motion was accepted and referred for consideration to the Select Committee on the Appropriation Bill.

ORDERS OF THE DAY

BILLS

The Appropriation (1978/79) Bill 1978.

Financial Secretary

Your Excellency, Honourable Members, principally because of the good news from the Postmaster that the net income from philatelic sales will be £150,000 more than his original estimate for 1977/78, there is a considerable improvement in the Colony's income and expenditure account for the current year. The revised estimates for 1977/78 show that expenditure is now expected to reach £1,413,000, i.e. approximately £60,000 more than estimated. The revised estimate of revenue is over £1,600,000, approximately £200,000 more than the original estimate. This improvement indicates that the surplus of revenue over expenditure for the current year will be increased from £53,000 to £189,000, i.e. an increase of £136,000. With the transfer of £490,000 to the Colony's Development Fund which was agreed to during the year, the reserves supporting the ordinary revenue and expenditure account are now estimated to amount to slightly over £340,000 at the end of this month, which is the end of our current financial year.

The Budget for the coming year 1978/79 balances at £1.76 million. Revenue from companies' tax is estimated at £575,000. The element of tax from sheep-farming companies included in that estimate is based on the proceeds of the 1976/77 wool clip, which averaged approximately 115.8p per kilo.

/The major proposals

The major proposals related to taxation this year are relevant to income tax. It is proposed to increase the personal allowance from £350 to £400 and the allowance for a wife from £300 to £350. It is proposed to increase the child allowance from £250 to £300 and the allowance in respect of a child at school overseas from £280 to £320. It is proposed to increase the earned income relief maximum from £750 to £850 and to up-lift the maximum earned income relief limit in the case of a wife from £200 to £230. It is proposed that persons over 60 be able to claim old age relief when their income is not more than £1,050 rather than the present level of £900 per annum. It is proposed that the allowance for a female relative in charge of children be increased from £150 to £175. It is proposed that the allowance for a dependent relative be increased from £250 to £300.

There is only one proposal relating to customs duties this year and that is an increase in the import duty on spirits from £13.50 to £15 per gallon. This will increase the duty on a bottle by 25p.

A revision of the Falkland Islands Government Air Service fare structure is proposed; the major proposal is an increase in the mileage rate for non-residents, from 15p to 25p. It is proposed that the boarding fee applicable to all adult passengers should be increased from £6 to £8, that is an increase of £2 on every journey regardless of the destination. On a short flight, for example from Stanley to Green Patch, the percentage increase would amount to just under 30% whereas on a longer flight, for example from Stanley to Port Stephens, the increase would be only 17%. Some minor adjustments are proposed to charges for medical flights, mainly streamlining. It is also proposed to revise the charges for air freight. The proposal is to introduce a minimum charge of 50p for up to 5lb, thereafter a rate of 10p per lb up to 50lb. In excess of 50lb the rates to be 15p per lb. The air freight rates have not been changed for a considerable time, and with the erosion in the value of money the present charges are way below the level in value at the time they were last revised and require up-dating.

It is proposed to increase the electricity tariff in Stanley from 4.76p to 5.25p per unit. A straight calculation of the tariff on the customary basis indicates that the tariff should be increased to 6.03p per unit, but because of the exceptionally large increase cognizance has been taken of the advice given in the Shackleton Report, that is to adjust the price down by a factor to avoid depressing consumption by too large a tariff increase.

Besides the above mentioned revenue proposals some other adjustments in rents and fees are proposed, to up-date the charges. An increase in the telephone rentals by 50p per month is proposed, and a £1 increase per month for business telephones. An increase of 15p per minute in telephone calls to Argentina is proposed.

/It is proposed that fees

It is proposed that fees under the Licensing Ordinance should be increased, the majority of which have not been up-dated for more than 30 years. It is proposed to double the fees for the main licenses, for example the whole-sale liquor, publicans' retail, club, tobacco and restaurants.

Other significant items of revenue in the 1979 estimates include £180,000 from the sale of stamps. The following issues are included in this figure: £60,000 for the Coronation issue; the opening of the Airport issue, first stamp commemorative issue, and the maps and charts issue are all expected to amount to £15,000 each. The sale of the current definitive issue in the 1978/79 year is expected to realise £60,000.

It is estimated that £50,000 will be received in 1978/79 from the sale of Jubilee coins. This will bring the total proceeds from the Jubilee coinage issue to £80,000.

Finally on the revenue side of the estimates the sum of £50,000 is included being surplus revenue from the Government Savings Bank.

In turning to the expenditure side of the estimates I will comment on the items as they appear on the estimates: the first Head requiring comment being Head II, Agriculture. The expenditure proposals for this year include provision for the recruitment of an Agricultural Officer.

In the Customs and Harbour Department provision is made for new lights for Navy Point and Blanco Bay; in the m.v. 'Forrest' section of expenditure provision is made for the up-grading of an engineer to the permanent and pensionable establishment. A deep-freeze and a number of replacements are also included, for example a new radio, and radar aerial drive unit. Provision of £15,000 is made for docking of the 'Forrest' in South America.

Several changes are made in the estimates relating to the Education staff: certificated teachers have been re-designated qualified teachers and the establishment is being increased from 17 to 18. The establishment of uncertificated teachers is increased from 7 to 9. The increases in staff are largely due to the proposed appointment of a Camp Education Assistant, the up-grading of a temporary teacher and the phasing out of personnel who have assisted the Colony in recent years from a voluntary service organisation in Britain.

A proposal is made to recruit a full-time handyman for the Stanley schools; he will also be required to undertake repairs and maintenance at the Stanley school hostel.

Proposed additions to the Medical staff include an increase of two junior nursing posts, a social worker to continue after the expiry of the current term of engagement of the present VSO social welfare officer. A token sum is inserted for the new post of district nurse. Provision is made for a full-time handyman to carry out all repairs and maintenance in the hospital, both interior and exterior. Bids for special expenditure items in the Medical Department amount to £11,700 and range from £4,000 for an oxygen concentrator to £200 for a potato peeler. Other items include the conversion of beds, replacement of mattresses, up-dating Camp medicine chests, including the provision of special emergency equipment; kitchen refrigerator, trailer and office furniture.

The Police and Prisons estimates include provision for the recruitment of a cadet. Provision is also made for two filing cabinets and a finger-print camera.

In the Posts and Telecommunications Department estimates, substantial expenditure is envisaged on improving the philatelic division of that department. The Administration places great importance on forward planning and the need to maintain attractive stamp issues and the expansion of sales and so it is proposed to establish a Philatelic Bureau consisting of a Controller and two Clerks. A proposal is also included in the P&T estimates for the broadcasting secretary to be re-graded and to be brought on to the permanent establishment.

A number of posts have been re-designated in the Public Works Department, following the recent re-organisation undertaken by Mr Pike and the decision made by this Council earlier this year to strengthen the supervisory capability of the department to undertake major development projects. The new establishment includes three supervisory officers, namely a Buildings Superintendent, a Mechanical Superintendent and a Roads Superintendent, all working under the direction of the Director of Public Works. Other posts proposed for re-designation are as follows: the Senior Plumber, to be changed to Water Supervisor, and the Workshop Supervisor now becomes the Mechanical Assistant Superintendent. In the Electrical Division it is proposed to employ a standing watchkeeper. Mr Pike has proposed that all labour engaged on maintenance of roads, buildings, fences and minor works be charged to one sub-head under the title of Labour, to ease the work in the office, thereby avoiding an increase in the office staff because of the development projects.

The estimates of public works special expenditure total just over £50,000. The majority of this expenditure relates to items carried forward from the 1977-78 year.

/The estimates relating

The estimates relating to the Secretariat include the newly approved post of Development Officer, his Private Secretary, a Clerical Training Supervisor and four trainee clerk-secretaries. It is also proposed to purchase an electronic stencil cutter for the Secretariat.

The Social Welfare Head includes provision for an increase of 100% in family allowances. The Charitable Relief vote is to have a new name from the 1st July: it will in future be known as Social Welfare Grants. It is proposed to make substantial increases in Old Age Pensions, which will cost the OAP fund in the region of £18,000 in 1978/79, thereafter increasing. Approximately £2,000 from the tax-payer is required to meet proposed increases for non-contributory pensioners.

The estimates of expenditure make provision for training and the sum of £15,000 has been inserted.

The 1978/79 development estimates are of great significance and of paramount importance in the policy of maintaining and strengthening internal communications in the Colony. The sum of £400,000 is included to cover the first year's expenditure on the first section of the Colony's road programme; the first section being of course from Stanley to Darwin. The sum of £290,000 is included for the purchase of an Islander aircraft and hangar. For replacing and improving the R/T network £70,000 is included.

A provisional estimate of £400,000 is included for another item of major importance: the Stanley school hostel.

A number of small farms have shown interest in fencing programmes for pasture improvement and a figure of £13,000 is provided for subsidies to farmers.

The provision for loans has been increased this year to £50,000. The development estimates also incorporate both receipts from the British Government and payments made on the two projects for which they are totally responsible, i.e. the causeway and berth for off-loading oil products and the permanent airfield. The payments relating to the permanent airfield represent the retention money which will become due to the contractors.

The sum of £15,000 has been inserted for the possibility of commencing a house building programme in 1978/79 to alleviate the housing shortage in Stanley. Provision is also made to replace the ambulance and purchase hospital theatre equipment. A modest sum is included for re-surfacing of Stanley roads. Approximately £20,000 is provided for local expenses relating to Technical Assistance, the majority of which is for the continuation and expansion of the Grasslands Trials Unit. Other TA projects include the re-arrangement of the Colony's archives,

/Fiscal Adviser,

Fiscal Adviser, Camp Education Adviser and other experts likely to be visiting the Colony from the Ministry of Overseas Development. It is forecast that expenditure of £1,481,000 will be borne by the United Kingdom Government during the year and £146,000 will fall to be met from the Colony's Development Fund.

The Colony's finances at the end of June 1979 are estimated to total £574,000 i.e. £343,000 in ordinary reserves and £231,000 in the development fund. These reserves are in my opinion now below what I would describe as a healthy minimum. While I do not advocate maintaining reserves to a standard more than necessary it is important that careful consideration is given to maintaining a reasonable level of reserve balances.

Ordinary expenditure, of which the majority is recurrent, has grown by approximately £400,000 in the last 12 months. It is of course pleasing to note that a substantial percentage of the increase is attributable to attempting to improve the services provided by Government and increasing the ability of Government to undertake vital development projects. It is fortunate that we are able to estimate for matching revenue, principally tax on the net proceeds of the 1976/77 wool clip and higher receipts from the sale of postage stamps.

The estimates also include an element of revenue which can be described as windfall revenue and which will not be available to us in future years. However after sounding a note of caution it seems that future prospects are not altogether gloomy. I am advised that wool prices at present are firm. The future prospects as far as we can tell are also not gloomy - in fact it would seem that we could expect to have reasonable prices and our stamps revenue is still climbing.

Other sources of revenue are under examination and in this connection Mr Ritchie, who has had an enormous experience in South Pacific regions and who undertook the recent salaries revision, will be arriving in the Colony in the coming financial year to continue the fiscal survey which was started last year by Mr Pepper. A considerable amount of work is still necessary in this field before the major proposals can be considered in depth. Information has already been passed on to Mr Ritchie and more information is now being sought from other territories which he requires for the commencement of studies relevant to our taxation system.

I will not go into details here but there are a number of hurdles to contend with before proposing major changes in taxation policy. If progress is good, any proposals that may commend themselves for implementation will be brought before Legislative Council at a very early date for consideration. I would imagine that we would have some proposals ready for the summer meeting of this Council.

/Besides the study

Besides the study of fiscal measures there is a considerable amount of other activity in the financial division of government. A much needed new index of retail prices is to be drawn up soon. The extension of the Government Savings Bank services is being planned, the introduction of a funding scheme coming under the Plant and Transport authority is receiving attention, and the Public Works Department voluntary PAYE system is to commence in July as a first step in PAYE.

I will lay on the Table the calculations produced by the Income Tax Officer showing the effect of the new income tax proposals. The public will undoubtedly be interested in some comparisons of tax on sample incomes; a married man with two children receiving an annual earned income of £1,800 will pay £9.27 compared with £46.92 on the present system. A married man with three children receiving an annual earned income of £2,100 and who would be paying £45.52 at present, would on the new rates not have to pay any tax.

Finally there is the question of the outflow of funds from the Colony. In order that I am able to give some indication to Mr Ritchie of Councillors' views it may be helpful if Honourable Members would state their views on the size of the margin of the profits that should be retained in the Colony and the purpose to which these should be applied. We have already the views of previous serving Councillors; the answers from new Councillors should be a considerable help to Mr Ritchie. I look forward to hearing from Councillors on this matter perhaps either during the debate or during the course of the Select Committee meeting.

I beg to move the first reading of the Bill.

The Honourable the 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.

Mr S B Wallace

Your Excellency, Honourable Members, I would like to offer my congratulations to the Financial Secretary and his staff for the presentation of the Estimates - I don't wonder that the Treasury require new calculators! I will not commit myself to opposing or for that matter supporting any of the proposals at this stage but I would like to comment on one or two of them.

I do not think the idea of employing handymen to work only in one department is a good one. Surely we should instead aim at enlarging the PWD pool of labour and then deploying them effectively. I am also dismayed at the apparent policy of converting Government quarters

/to oil fires

to oil fires; I appreciate that in some cases it is desirable and there is no point in paying somebody a vast salary and having them chop peat all day, but I don't think it makes economic sense having a cheap fuel we can produce locally and Government encouraging the import of an expensive substitute.

The increase in electricity tariffs seems to be massive. I think we should consider a two-tier tariff system, one in which domestic consumers and commercial concerns are charged at separate rates.

Regarding the margin of profits which may be retained in the Colony, in order to give any advice on this I really must seek advice from people who are rather more informed than I am on this.

I was pleased to see the emphasis on development which is evident in these Estimates; the expense is daunting but if we are to avoid further stagnation we must invest in our future; if we do not we cannot expect to see any degree of social or economic improvement. Thank you.

Mr A B Monk

Your Excellency, Honourable Members, like the Honourable Stuart Wallace I don't propose to either endorse or otherwise any of the specific proposals for increasing revenue, raising revenue or spending it. There are one or two interesting little points I think nowadays in our budget.

Seventeen years ago the revenue from company tax and the revenue from income tax showed a difference of about two to one in favour of company tax; the revenue from income tax was quite small. Since then company tax, which includes profits tax, has increased roughly 500%. Personal income tax on the other hand has increased 1,000%, so that nowadays personal income tax is assuming a very much greater percentage of our revenue than it did before, and it is rapidly approaching the amount that is paid on company tax. Whether that is because the individual earners are getting better rewarded and so paying more in tax than they did before is a good point, but I think it really wants to be reviewed; I would like our fiscal expert to consider this when he comes and to see whether the two systems of tax have not got a bit out of line, whether we should be increasing our company tax more or altering it in some way to attract more revenue. I have always said and I still say even with the improvements that the tax on the lower paid individuals is excessive. I intend to propose an amendment in the Income Tax (Amendment) Bill later on concerning private personal tax, but I won't go into that now, but I think it might go some way to remedying the present situation.

I think the presentation by the Honourable Chief Financial Secretary was admirable and I fully endorse the words of the Honourable Councillor who said that he could fully understand that they wear their calculators out; I don't wonder they don't wear themselves out too, frankly.

Mr W E Bowles

Your Excellency, Honourable Members, I too would like to convey my congratulations to the Financial Secretary on his presentation of the Appropriations Bill. I am not going to say anything about it now because we have an awful lot of work to do before we say yea or nay to it anyway, and I look forward to Select Committee.

Mr W H Goss

Your Excellency, Honourable Members, I support the Motion and also congratulate the Financial Secretary on his efforts. To try and take any section or tear any one bit to pieces here, this is not the time nor the place to do it and I look forward to tearing much to bits in Select Committee.

Mr D S Evans

Your Excellency, Honourable Members, as a very new member I don't think I have anything to say at this stage. I think here I have to rely very heavily on the experience of the members such as the Honourable Member for East Falkland. It sounds as though it may be an interesting experience if we are tearing people to pieces but I will just wait and see! I would also like to congratulate the Financial Secretary on an awesome effort.

Financial Secretary

Your Excellency, Honourable Members, I would like to thank Honourable Members for their kind remarks and to take up just one or two points which they have raised I would like to refer to:

The point on company tax and personal tax; this is of major importance and it is a point that we have under consideration at the moment. I think Honourable Members will be aware of the interim report which was written by Mr Pepper and there are still some difficulties in implementing the proposal and obtaining more details for the introduction of a new company tax. We are bedevilled with two types of companies, locally resident companies and UK resident companies. In this connection we are also considering the ways and means of introducing a withholding tax, but there is little point in expanding now. This, I can assure Honourable Members, will be looked into before the next tax year, which will commence on the 1st January next. I hope it will be finalised by then.

The details of the expenditure which the West Stanley Councillor referred to certainly can be looked at; we are not committed in any way; it is not a fait accompli; and each Head of Department will be able to put his case in detail to the members of the Select Committee and then if the expenditure is not justified obviously Honourable Members will then axe it.

/I feel that there is

I feel that there is a great pleasure now in noting the views of Councillors and also the public generally in the explanations referred to both in Council and outside Council on the development projects of the Colony. It seems at last we are moving ahead and developing and despite the very high expenditure, I feel that we may have some trimmings in Select Committee, but we will not have anything that will jeopardise the move forward, nothing that will hold back development.

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 at 5.40 p.m.

Council resumed at 10.00 a.m. on 26th June 1978.

The President

Good morning, Honourable Councillors. The House now resumes. Before we proceed to the Report of the Select Committee for the next stage of the Appropriations Bill, now we have the Honourable Councillor Miller with us after his delayed flight back from Trinidad and Tobago caused by the snowy weather we had last week, I would like to suggest to him, if he wished, he may like to speak on the Motion of Thanks to the Address which he wasn't here to hear, but I think probably by now he might have seen, and afterwards proceed to his Questions, which we weren't able to take last week. I am sure in speaking Councillor Miller will no doubt give us an account of what took place at the CPA Conference. I have had the privilege of seeing a transcript of the speech he made at the Conference, which did in fact make headline news in the local press, and I think using the time-old phrase for that occasion I can say "Councillor Miller, you spoke well" on our behalf.

Mr T J D Miller

Thank you, Your Excellency.

Your Excellency, Honourable Members, ladies and gentlemen, firstly may I say how glad I am to be back here after a frustrating three days in Comodoro Rivadavia trying to guess what my colleagues were brewing up in my absence.

As most will know, I left the Islands on 7th June to attend the 14th Caribbean Regional Conference of the Commonwealth Parliamentary Association, held in Trinidad and Tobago from the 10th to the 18th June. First of all I would like to thank the President and other members of our local CPA Branch for selecting me to represent the Falklands there. It was a great pleasure to do so and I only hope that my efforts there would lead to more understanding and support in our fight for self-determination. Nearly everyone I met knew more or less where we were and what the basic problem is. All were extremely

/interested to know

interested to know the details and appeared to be very sympathetic with our cause. As well as imparting information I spent some time gathering information of use to us. Two items I found particularly interesting were: that Bermuda, a British Colony the same as us, claims its own 200 mile fishing limit. Like us Bermuda lacks the means of patrolling its waters. Yet apparently all concerned pay the necessary licences; in fact it appears to be self-policing, as those who pay make sure that others do so as well. The Bermuda Government also reserves the right to put people on any ships for inspection purposes.

The other item was that the Cayman Islands, at one time had a sovereignty dispute so to speak with the United Nations, who thought that they should become independent even though they did not want to. Eventually an investigating team of the Committee of Twenty-four, the decolonization committee of the UN, visited the Islands and had their eyes opened for them. Consequently the United Nations has now left the Cayman Islanders in relative peace.

Rather than go into all the other details now of my visit to the CPA Conference, I hope to be interviewed on a radio broadcast shortly and will also be giving a full report to the local CPA Branch, and I would now like to move on to other matters. Before I do so, though, I would like to record my thanks to the Trihidad and Tobago Branch of the Commonwealth Parliamentary Association, their government and their people for the tremendous hospitality offered to me and all the other delegates throughout our stay there.

Your Excellency, in replying to your Address I welcome in particular your reference to the intention of giving local members of the public service every opportunity to receive training to enhance their capabilities and eventually reduce the need to recruit overseas officers.

The future of the Falkland Islands depends not only on Britain's attitude to us; it depends very largely on ourselves and it is up to us, the Islanders, to make every effort to advance. It is no good sitting back criticising everyone else for not doing so and so when you yourself are not doing much about it either and that, I am afraid, is what many people in these Islands spend their time doing. Nobody, nobody is going to help you unless you are prepared to make an effort yourself. Many people rightly criticise the failure of some landowners to invest capital here, but ironically many of those same people have their own money either invested overseas or sitting virtually idle in the local savings bank.

The small industries and co-operatives that we all need, need the support of all of us. Many people here shout

/about what

about what so-and-so should do with his money, but those same people themselves seem to be strangely reluctant to put their own money where their mouth is, as the phrase goes. I firmly believe in the future of the Falkland Islands but if we fail to survive - I don't think we will - but if we fail to survive the blame will only lie with us, the Falkland Islanders; not with Britain: it will lie with us because we were not prepared to make an effort. As I've said, I firmly believe in the future of the Falklands, but our future will be largely what we make of it, and it is up to all of us to make an effort where we can.

Equally however it must be the aim of this government to encourage and stimulate new enterprise where possible in the private sector and we should not duck from any action or legislation needed to get the corporate sector to invest in the Islands and develop. There are still some firms, both overseas and locally based ones, which are doing absolutely nothing towards increasing output by investment, and this government cannot let that situation continue.

I welcome the proposed construction of a road from Stanley to Darwin, so long as it does not end there, and I am sure it will not. If it did I fear it would be a fatal mistake for the rest of the camp. However, first things first; we have to make a start and it is logical that one starts from Stanley and moves out, initially westwards. We have got I believe the support of the top of the Overseas Development Ministry but there appear to be frustrating delays in implementing an approved project by civil servants' bureaucracy and inefficiency somewhere along the line. The two Royal Engineers now with us - I would like to extend a welcome to them - spent I understand six weeks doing nothing waiting to come out here; six weeks they could have spent here. Also they were given the impression that there would be a team of Royal Engineers here to work with.

Moving on now to the proposed school hostel, I had hoped to hear during this meeting who was going to build the hostel and when they were going to start it. I hope we will hear publicly very soon.

I would like also to add my name to those who have thanked people for jobs well done. Mr Fike, the temporary Director of Public Works, Jim McAdam of GTU and especially to Dr Derek Cox of the Medical Department; I hope that one day he will perhaps return to us.

Your Excellency, referring to the purchase of a new aircraft for FIGAS, a Britten-Norman Islander; we need that aircraft, regardless of who is to pay for it and we must have it soon. Therefore I cannot see why we are not going ahead with the purchase and construction

/of a hangar

of a hangar to receive the aircraft when it finally comes. Surely if Her Majesty's Government eventually agree to help us re-equip FIGAS, then a new hangar is an essential part of that programme, so I assume that they would take over the cost.

Concerning the present operation of FIGAS, I would like to say that last Spring I did not believe that our air service would ever return to the efficient friendly service that we all knew. I know, as we all do that during the last three months it has been hit by one problem after another, but last Summer we did have the old service that we all knew back again. And I want to congratulate not only our pilots, Jim Kerr, Dave Emsley and more recently Gary Studd, but also the hard-working mechanics and ground crew who, together with pilots, make a good service possible.

Your Excellency, you referred rightly to the totally objectionable actions taken against us recently by Argentina. I fully accept that it is indeed a very major step in international and diplomatic affairs for a responsible government such as that of the United Kingdom to deliver a formal note of protest to another. That is very true. The point is however that I do not concede that the other government, namely the Argentine one, to be responsible. They certainly do not behave like a responsible government. Their abysmal record of human rights speaks for itself, and their rejection of the Beagle Channel Arbitration Court's findings makes, to my mind, their signature to any document concerning the Falklands to be virtually worthless. They are breaking the Communications Agreement over the white card - they have been doing so for a long time. Britain tells us she is protesting and pursuing the matter. For two years Britain has been pursuing the matter, to what result? Nothing. I suggest that it is about time we insist on all Argentines coming here having valid Argentine passports.

Southern Thule has been occupied and the British protest rejected by Argentina. We hear that London is pursuing the matter and in the view of the Foreign & Commonwealth Office our protest legally covers our sovereignty; this I regret does not completely reassure me. I think that in practice possession is nine-tenths of ownership.

Polish ships are molested in international waters close to us, and claimed by Argentina. Argentine aircraft overfly our territory, not only an illegal action but also endangering the lives of those in other aircraft which were flying at the same time. I do not believe that Argentina has any real intention of coming to an agreement which would respect our wishes and rights as people; I suspect that they are out for one thing:

/territorial expansion.

territorial expansion. We have no quarrel with the Argentine people; we just want to be left in peace so that we and they can get on with the job of developing the resources of this part of the world as any two countries working together for the benefit of both. It is my view, though, that in the face of continued Argentine aggression, the sovereignty umbrella is becoming a bit of a farce, and I firmly believe that we must draw a line somewhere. Therefore I wish to make it clear that I cannot support any future Anglo-Argentine negotiations which include sovereignty until the situation on Southern Thule Island, and that of who has rights over waters within 200 miles of the Falklands and Dependencies have been resolved.

Your Excellency, I am sure that my colleagues will have covered all the other items I am interested in, such as camp education, pensions, tax relief for married working couples etc., and I am as keen as anyone to learn from my friend across the table, the Financial Secretary, what happened in Select Committee last week.

I wish to support the Motion.

QUESTIONS FOR ORAL REPLY

No 4 of 1978 by the Hon T J D Miller:

"What defence security measures are taken at Stanley airport during overseas flight operations, and are they considered adequate by the defence authorities?"

Chief Secretary

Sir, the security measures are considered adequate but if I were to divulge their nature here it would defeat the very purpose for which they have been made, and I hope Sir that Honourable Members would therefore be willing to observe the convention that generally applies in Houses such as this of not pressing Government to reveal matters of this sort.

Mr T J D Miller

I would like to thank the Honourable the Chief Secretary for his reply but would like to further ask if he would be able to answer, do these security measures taken at Stanley airport include anti-hijacking precautions?

Chief Secretary

This is a point which the defence authorities do keep in mind, Sir.

No 5 of 1978 by the Hon T J D Miller

"Is it proposed that the planned road from Stanley to Darwin will end at Darwin or continue by ferry across the Sound and into West Falklands?"

Chief Secretary

Sir, it is envisaged that the proposed road from Stanley to Darwin will only be the first stage in the development of a road system throughout the Islands. Government therefore welcomed the suggestion made by Messrs Feat and Jameson in their internal communications study that before the road to Darwin is completed the whole question of coastal shipping requirements should be re-examined with the specific view to continuing the road to Darwin and establishing a ferry link with West Falkland. It is Government's intention that this suggestion should be taken up with the Ministry of Overseas Development at the right time and we are reassured that the Ministry themselves have indicated that they will be sympathetic to our approach.

Mr T J D Miller

I wish to thank the Honourable the Chief Secretary for his most excellent reply, which I think will go a long way to reassuring people in Camp, particularly those on West Falkland, that they are not going to be more cut off than they were before.

No 6 of 1978 by the Hon T J D Miller

"For what reason will the Argentine STN vessel 'Canal de Beagle' be visiting Stanley next month?"

Chief Secretary

Sir, we were advised that the 'Canal de Beagle' will soon be making her maiden voyage and calling at a number of ports, and we also received an informal request for confirmation that the visit would be acceptable, and we have replied that we have no objection to the visit. No reasons have been given.

Mr T J D Miller

Sir, I would like to ask the Honourable the Chief Secretary if it is not true that this ship on her maiden voyage as an Argentine ship will be visiting a number of Argentine Patagonian ports?

Chief Secretary

I believe this is to be so, Sir, but I have had no formal notification of this from the Argentine authorities.

/Mr T J D Miller

Mr T J D Miller

Sir, in view of the fact that this ship is visiting a number of Argentine ports and she wishes to come to Port Stanley for no apparent reason - I understand that this ship is of such a size that in fact she could not come alongside any of the jetties here, and therefore there is no economic reason for her visit here - I would like to ask the Chief Secretary if it would be possible for him to agree that the reason for the visit of this ship here is political?

Chief Secretary

I take the point that the Honourable Member is trying to make, but I can't know the reasons which the Argentine authorities may have in mind, and since we have had no formal notification it is very difficult for me to comment on the purpose.

MOTION

The President

We have had a late Motion by the Honourable A B Monk which I agreed to add to the Order Paper.

Motion by the Honourable A B Monk JP:

"Notwithstanding the acquisition of the actual land required for the construction of the Stanley to Darwin road, and any future roads, under Section 44 of the Land Ordinance (Cap 36), this Council considers that the Colony and not the individual landowners should be the sole beneficiary of the betterment value which will accrue to the whole lands through which these roads will pass, and, in the immediate case of the Stanley to Darwin road, accordingly requests the Administration to enter into urgent negotiations with the landowners with a view to an agreed resumption to the Crown at existing use value of an adequate area of such land as will have a potential developmental interest. Such land to be then leased back on such non-transferable and other conditions as the Governor in Council may deem expedient".

Mr A B Monk

Your Excellency, Honourable Members, in rising to propose this Motion I really find it very difficult to say very much more about it because the Motion is, I think, self-explanatory. What the Motion seeks to do is to separate the present powers which Government has, to take without compensation for a public purpose a narrow strip of land so many yards wide - the figure escapes me - in order to build a road for a public purpose between two points. The purpose of this Motion is rather different and I am not entirely happy that

/the present legislation

the present legislation covers this particular case, and we think a rather different form of legislation, which would rely on the voluntary co-operation of the landowners through which the road passes - on a voluntary rather than a mandatory basis - and which would of course involve negotiations concerning the existing use value of the land. What we have in mind, of course, is that the road passing through land will inevitably increase the use value of the land if development takes place along it, and we think the definite value, as it is termed, should accrue to the whole Colony and not to the individuals who by chance own the land through which roads will go. I beg to propose the Motion.

Mr S B Wallace

Your Excellency, Honourable Members, I rise to second this Motion. The Honourable Member for East Falkland has explained the purpose of this Motion admirably and there is not much else I can say. Obviously it is desirable that the entire community benefit from any development rather than those who happen to own the land which is to be improved at some public expense. I think the idea that the Administration negotiate with a view to an agreed resumption to the Crown is excellent; in this way all the parties involved will have an opportunity to make representations since the land would be leased back to the original owner who would not be deprived of the use of such land but neither would he be able to cash in at the expense of the whole community.

Mr D S Evans

Your Excellency, Honourable Members, there isn't much I can say on this Motion now; I think the ground has been extremely well covered by the two Honourable Members who have already spoken. To me this is a logical extension to the Motion which we passed earlier in this session asking that the Administration should look carefully into the question of preparing legislation to allow for the acquisition of land for development. I welcome this Motion and would like to support it.

Mr T J D Miller

Sir, I would like to add my general support to this Motion as I would like to take it not as anything specific but a general guideline to the Administration to start negotiations for this sort of thing. I would like to say - I hope I am correct in saying - that this does not rule out the possibility of the present landowners coming up with ideas for developing the land to the mutual benefit of everybody in the Falklands, I would hope that they would be given a chance as well. Thank you.

Mr W H Goss

Your Excellency, Honourable Members, yes, I would like to support this Motion. It does not only give

/the Company a chance,

the Company a chance, or whoever may own the land along the line, but it gives everybody a chance of coming along and I think it is machinery which is long overdue in being put into operation.

The President

If no other Members wish to speak I take it the Motion has the approval of the House.

ORDERS OF THE DAY

REPORT OF THE SELECT COMMITTEE ON THE APPROPRIATION BILL

Chief Secretary

Sir, I rise to report only that on Friday evening the Select Committee on the Appropriation Bill concluded its investigation and discussion of the details of the Bill and I shall leave it to my colleague the Honourable the Financial Secretary to explain the findings of the Committee. Thank you Sir.

Financial Secretary

Your Excellency, during the course of the Select Committee meeting the revenue proposals were discussed in detail and there is a general consensus of opinion that they should be implemented. I will briefly summarise the recommendations in order that they are recorded for public information.

The Income Tax proposals were in general accepted. The Bill for the income tax reform will be considered later at this meeting and it is understood that one Honourable Member will be proposing an amendment to the Wife's Earned Income Relief.

It was agreed that the duty on spirits be increased and a Resolution for the adjustment of these duties will be introduced immediately after the Appropriation Bill has passed through all its stages.

It was agreed that the air service fare structure be revised as detailed in the budget proposals, i.e. the boarding fee to be increased by £2 for all adult passengers and in the case of non-residents the mileage rate be increased from 15p to 25p. The proposed adjustments to the FIGAS air freight rates were approved and I think it may be of interest to mention that during the discussion with the Director of Civil Aviation on the revenue proposals the Committee noted that the mileage charge, which is now 5p, was the same, one shilling, when Mr Kerr first arrived in the Colony in 1954!

It was agreed that the tariff for electric energy be increased from 4.76p to 5.25p per unit and that the Stanley

/telephone rental

telephone rental be increased by £6 per annum, that is for domestic telephones, and double that amount for business telephones.

The increases in the fees payable under the Licensing Ordinance were also accepted.

The following amendments have been made to the Estimates in Select Committee:

Revenue Estimates:

Head X - Posts and Telecommunications Department

Item 1. Sale of Stamps -
Increase from £180,000 to £200,000

On the Expenditure side of the Estimates, under

Head III - Aviation

Item 13. Handyman and Labourers -
Increase from £3,900 to £5,200

Item 17. Fuel for vehicles & heat and light -
Increase from £5,500 to £6,000

Item 19. Uniforms for staff -
Decrease from £300 to £50

Head V - Education

Item 12. Domestic staff & school cleaning -
Decrease from £9,702 to £7,731

Education Special Expenditure,
New Item - Domestic science equipment £500

Head VI - Medical

Item 3. Wages of caretakers and handymen -
Decrease from £6,200 to £4,200

Item 10. Fuel for vehicles -
Decrease from £600 to £400

Item 29. Maintenance of hospital -
Delete £2,000

Item 32. Overseas nurse training -
Delete £10

I might mention at this stage that the reason for this is that we have a training Head and it is considered that it would be more appropriately charged to that.

Item 33. Visits of medical specialists -
Decrease from £1,000 to £500

Item 38. Oxygen concentrator -
Increase from £4,000 to £5,000

Head VI - Medical (Cont'd)

Item 42. Hospital badges -
Decrease from £500 to £10

Item 43. Trailer -
Decrease from £400 to £100

Head IX - Miscellaneous

Item 19. Allowance to Councillors -
Increase from £2,000 to £2,350

New Item 20. Contribution to Commonwealth Parliamentary
Association working capital fund £500

Head XII - Posts & Tels

Personal Emoluments, new Philatelic Bureau,
Delete Controller £4,140 and replace with
Senior Clerk £2,376

Item 17. Purchase and maintenance of equipment,
broadcasting and R/T -
Reduce from £7,700 to £5,200

Head XIII - Public Works

Personal Emoluments, Senior Filtration Plant Operator
Reduce from £2,640 to £10

Head XV - Public Works Special Expenditure

Item 6. Diesel minibus PWD -
Delete £5,000

Item 7. Replacement Landrovers -
Decrease from £16,500 to £12,000

Item 14. Tool store for handyman Stanley school -
Delete £300

Item 17. Photocopier PWD -
Delete £1,100

Head XVI - Secretariat, Treasury & Central Store

Decrease provision under Personal Emoluments in
respect of the Clerical Training Supervisor from
£2,376 to £10

Head XVIII - Social Welfare

New Item 6. Subsidy to Old Age Pensions Equalisation
Fund £25,000

Changes made in the Estimates increase the surplus of
revenue over expenditure from £655 to £19,386.

/At the Committee stage,

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 -

Head III - Aviation

Delete	£ 37,645
Insert	£139,195

Head V - Education

Delete	£200,590
Insert	£199,119

Head VI - Medical

Delete	£243,120
Insert	£238,620

Head IX - Miscellaneous

Delete	£ 28,540
Insert	£ 29,390

Head XII - Posts & Tels

Delete	£146,628
Insert	£142,364

Head XIII - Public Works

Delete	£206,444
Insert	£203,814

Head XV - Public Works Special

Delete	£ 53,800
Insert	£ 42,900

Head XVI - Secretariat, Treasury & Central Store

Delete	£182,450
Insert	£180,084

Head XVIII - Social Welfare

Delete	£ 37,756
Insert	£ 62,756

Total Ordinary Expenditure: delete	£1,765,848
insert	£1,767,117

Total Expenditure :	delete £3,392,558
	insert £3,393,827

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

part of the Bill subject to the following amendment -

That the words and figures "£3,392,558" be deleted and "£3,393,827" 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 duty on spirits 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 Ordinance be amended in item 2 by deleting "£13.50" and substituting the following -

"£15.00".

The Chief Secretary seconded the Motion which was carried with immediate effect.

ORDERS OF THE DAY

BILLS

SUPPLEMENTARY APPROPRIATION (1976/77) BILL 1978

Financial Secretary

Your Excellency, this Bill is a pure formality but it is necessary to legalize all the expenditure in excess of the provision included in the Appropriation Ordinance and all items on the Schedule to the Bill have been considered in the Standing Finance Committees which have been held from time to time and all SFC Reports with which this expenditure deals have been included in this report and have been accepted by this Council. This is a pure formality and I beg to move the first reading of the Bill.

The Bill then passed through all its stages without debate or amendment.

STANLEY TOWN PUBLIC SERVICES (AMENDMENT) BILL 1978

Chief Secretary

Sir, the Bill we have before us is a further amendment to the Stanley Town Public Services Ordinance because the amending ordinance last year contained a number of offences

/but prescribed

but prescribed no penalties. The 1977 Ordinance is thus ineffective and this Bill seeks to remedy this. I beg to move that the Bill be read a first time.

The Motion was seconded by the Financial Secretary 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, I would like to say a few words on the Motion, and I support the Motion really but I think it would be much nicer if at the same time we are increasing the penalties for doing things wrong the services were increased in value to the citizens of Stanley as well. I beg to support the Motion.

The Bill then proceeded through its remaining stages without further debate, or amendment, and was passed.

PROTECTION OF WRECKS (AMENDMENT) BILL 1978

Sir, when the Ordinance, which was passed last year, was submitted for the signification of Her Majesty's pleasure, the Falkland Islands Government were advised that it is considered undesirable in law to prescribe minimum penalties. Accordingly a new Bill is now being brought forward prescribing a maximum penalty. This should suitably rectify the matter and I therefore beg to move that the Bill be given its first reading.

The Bill then proceeded through all its stages without debate, or amendment, and was passed.

CHRIST CHURCH TRUST (AMENDMENT) BILL 1978

Chief Secretary

Sir, this is a straightforward measure to amend the Christ Church Trust Ordinance of 1893 to take account of the revised constitution of Christ Church Cathedral which took effect on the 22nd day of December 1974, having been approved by the registered vestry, the trustees and the then Bishop of the Falkland Islands. I beg, Sir, to move the first reading of the Bill.

The Bill then proceeded through all its stages without debate, or amendment, and was passed.

EMPLOYMENT OF WOMEN, YOUNG PERSONS AND CHILDREN (AMENDMENT) BILL 1978

Chief Secretary

Sir, the Bill that we have before us seeks to bring up to date certain references in the schedule of the Employment of Women, Young Persons and Children Ordinance of

1967. The International Labour Conventions to which reference is made in parts 1 and 4 of the schedule to the Ordinance have themselves been revised and this Bill is designed simply to substitute appropriate references. No change of policy or substance is proposed and our Ordinance is fully in accord with our obligations under the respective Conventions. I therefore beg to move the first reading of the Bill.

The Bill then proceeded through all its stages without debate, or amendment, and was passed.

REGISTRATION OF UK PATENTS (AMENDMENT) BILL 1978

Chief Secretary

Sir, the United Kingdom has recently modified its patent system to make it compatible with the European Patent Convention and the practices of the European Community. Two significant changes have been made by the enactment of the UK Patents Act 1977: first the procedure for the granting of a patent application has been modified to accord with those laid down in the European Convention, and there are now to be two kinds of patents having validity in the UK - those granted under British domestic law and those granted under the European Patent Convention itself. The situation regarding patents registered in this Colony under the UK Registration of Patents Ordinance has become unclear since the enactment of the UK Patents Act of 1977 and at the suggestion of the Department of Trade, the Bill before us has been prepared to allow the registration in the Falkland Islands of all patents having validity in the United Kingdom. I beg to move the first reading of the Bill.

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

Your Excellency, Honourable Members, I don't really profess to understand anything about the registration of patents, but it is very evident to me that we have to go into this legal procedure, print these things, do the ground work and spend quite a lot of time and money having our Administration officials preparing this sort of legislation just because the EEC or the British Government thinks it is desirable, and I would like to make just one point: does the fee for registering patents out here cover the expense of preparing this sort of legislation adequately - in other words paying for the time of our highly paid Administration officials - and I would hope that the Administration keep this in mind and if necessary revise the schedule of fees. I beg to support the Motion.

/The President

The President

I wonder whether the Registrar of the Supreme Court might at this stage answer the Honourable Member's point?

Financial Secretary

Perhaps I can mention one thing here - I am pleased that the Honourable Elected Member for East Falkland has brought this up. The fee of £1.00 does appear to require revision and we will look into this at the earliest opportunity and bring it up to date. I think it is a valid point which the Honourable A D Monk has made.

The Bill then proceeded through its remaining stages without further debate, or amendment, and was passed.

INCOME TAX (AMENDMENT) BILL 1978

Financial Secretary

Your Excellency, during the course of the debate on Family Allowances at the last meeting of this session of the Legislative Council I was requested to consider keeping Family Allowances up to a realistic level. This consideration has been given and during the course of it I found myself in some difficulty in coming to a decision on the matter; not being a family man I thought I should get an unbiased view from outside the Colony. This I have done. I had noticed that elsewhere in the world family allowances are subject to income tax and it seemed that this should be the appropriate thing to do here. My Hon. Friend the Elected Member for East Falkland has, as long as I know, been asking this Government to keep the family allowances under regular review. I think what has been inhibiting perhaps previous Councils on this matter is that many of the families are quite well off and they do not really require the same extent of benefit as a poorer family. I put this to our Income Tax Adviser in the UK and he came back with the following answer:

"I think the suggestions contained in your letter are very reasonable. Since there is presumably no means test the allowances received by well off families will be the same as those received by poor families who are more in need of them. Making the allowances subject to income tax goes a long way towards equalising the position. Some years ago we had a similar debate in this country as regards the family allowances paid here and by one means or another they were made taxable."

This Bill that we are now considering is for the taxation of family allowances. I would like to mention at this point that there is a further Bill to be considered on

/the Agenda today,

the Agenda today, and also there is a Bill changing the income tax structure to give more benefit to families in the way of allowances under income tax for wives and families, and I hope that Honourable Members will note this when we are considering the Bill before us. I beg to move the first reading of the Bill.

The Bill was then 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 object to the family allowances being taxed. We are prepared to make a small sum of £10,000 available for family allowances, that is all we are going to make available under the proposed increase in the Bill which is going to come before us. I think it is a penny-pinching and mean policy if we are then going to consider taking £1,000 or £1,500 of it back again. I think it is fully in line with our penny-pinching and mean policy with regard to a lot of miserable little fees and fines in other areas. I therefore beg to oppose the Motion.

Mr S B Wallace

Your Excellency, Honourable Members, I agree that this does not seem an extremely good idea bearing in mind that the family allowance is not large at this moment, but as the Honourable Member for East Falkland said in terms of Colony expenditure is £10,000 and I feel this is a significant amount of money. I think that as we also have plans to increase this in coming years it seems reasonable to me that those most in need receive greater benefits and since we have no means test this to me is an acceptable alternative. I support the Bill.

Mr D S Evans

Your Excellency, Honourable Members, I think it is an excellent thing that we are increasing these allowances and are hoping to continue to increase allowances. I don't see why rich people should have the same benefit from it as the poorer people and to a rich, or richer family, this amount is pocket money. I think it is a reasonable thing to tax it. I would like to support the Bill.

Mr T J D Miller

Your Excellency, I would like to support this Bill. I don't like the thought of family allowances being taxed but in fact of course those whom it will affect tax-wise will tend to be those who can afford to pay the tax anyway but those who really need the family allowances, the lower paid people with fairly large families, with the larger income tax allowances it's unlikely that they would be taxed anyway, but it is a very fair means I feel, since we have no means test, of ensuring that the benefits go, or we try to put the benefits, where they are most needed.

/Mr W H Goss

Mr W H Goss

Your Excellency, Honourable Members, I rise to support the Bill. I think it's quite right and just that anybody who is getting the allowances and does not really need them can quite afford to pay the tax that will be paid on them, and it eases the pressure on the lower paid person. Irrespective of income or salary you all get the same amount of money. I beg to support the Bill.

Mr W E Dowles

Your Excellency, Honourable Members, I too support the Bill. I don't think the Financial Secretary had any intention of pinching pennies from anybody; I think what he wanted was a fair and reasonable answer to a problem which I think he has solved adequately.

The President

There seems to be a consensus to support the Bill so the Bill will be read a second time.

The Bill then proceeded through its remaining stages without further debate, or amendment, and was passed.

FAMILY ALLOWANCES (AMENDMENT) BILL 1978

Financial Secretary

Your Excellency, this Bill is more or less self-explanatory. It proposes an increase in family allowances by 100%. This is to take effect from the next year in which family allowances start, the 1st January 1979, and it seems that we should keep up our family allowances to a reasonable level and now that we have agreed to tax them I will ensure that these family allowances are considered annually. I beg to move that the Bill be read a first time.

The Chief Secretary seconded the Motion and the Bill was read a first time. Honourable Members then spoke to the Motion for the second reading as follows -

Mr A B Monk

Your Excellency, Honourable Members, I have supported the increase in family allowances for many years and it is very nice to see it come along and of course I would heartily support the Motion. I would like to correct the Hon. the Financial Secretary on one point: when he says that the Bill provides for a 100% increase in family allowances. In fact it provides for a variable increase of from 100% for the people with very little means, to only 55% for those paying the maximum tax rate - not that I object that those paying the more tax will only get 55% of it, but I think that if one is going to have a variable allowance of that nature it would have been much better if we had had a means test instead of taxing it as per the last Ordinance. However I wish to support this particular Bill.

/Mr W E Dowles

Mr W E Dowles

Your Excellency, Honourable Members, I too would like to support this Bill and I would also like to commend the Financial Secretary once again for his decision to consider this annually. I think this is another good step.

Mr W H Goss

Your Excellency, Honourable Members, I support the Bill and I also support the idea of a means test. It would be a very good thing indeed because you are still getting an allowance; if someone is paying tax on this in the higher brackets I think he can well afford to do without the family allowance. It would mean a reduced expense for Government. Thank you.

Financial Secretary

Taking note of the points raised by the two Honourable Members on the question of a means test and quite frankly Government will consider any suggestion put forward by them, but at this stage I certainly think that a means test in the Falklands is a relatively difficult thing and it will create extra work on the part of the Administration, whereas we have a sort of means test by introducing taxation on the allowance.

The Bill then proceeded through its remaining stages without further debate, or amendment, and was passed.

INCOME TAX (AMENDMENT)(No 2) BILL 1978

Financial Secretary

Your Excellency, this Bill is designed to ensure that all income arising from a source outside the Colony as constitutes remuneration for services actually performed in the Colony is subject to Falkland Islands income tax. I see no good reason for not taxing such income in full and therefore propose that the Bill be read a first time.

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 S D Wallace

Your Excellency, Honourable Members, I think it is reasonable that if someone derives an income from this Colony in whatever manner it should all be subject to our tax so that this Colony benefits. I support the Bill.

The Bill then proceeded through its remaining stages without further debate, or amendment, and was passed.

OLD AGE PENSIONS (AMENDMENT) BILL 1978

Financial Secretary

Your Excellency, this Bill is one of the more significant pieces of legislation that we have under consideration for this meeting. It is the first stage of the implementation of the Harris Report. Honourable Members will recall last year Mr Colin Harris from the Overseas Actuary's Department visited the Colony to advise us on the Old Age Pensions scheme and during the course of his stay here many members of the public and also members of the last Council had many discussions with Mr Harris.

His findings have been published in a report issued to Government and we have decided in picking out those more urgent matters which we want to get on with; there are some items which will require further investigation. We rather hurriedly brought this matter to Council because of its importance to the community as a whole. If I could ask Honourable Members to refer to the Objects and Reasons of this Bill and I will take each proposal separately and comment on them.

The first proposal is to increase pensions. This we consider as very important with inflation as it is. It is proposed that a married couple should receive a pension of £13.50. At the present time they are receiving £10.50. It is proposed that the pension for a single person should be £9.00 per week rather than the £7.00 currently paid.

In order to finance these increases and keep the Fund in a reasonably healthy state it is proposed that the weekly contribution should be increased. The proposal is that an employed person should be required to pay £1.00 rather than the 72p per week at present, and the increase for a self-employed person is from £1.80 to £3.34 and the employers' element of contribution for an employee is from £1.08 to £2.34.

Another very important point which arises from this report is consideration of extending the period of contributing to the Fund. At present a person ceases to contribute on reaching the age of 60. It is considered in the report, after discussions here in the Colony, that there was no good reason for this period of marking time, that is from the date you attain the age of 60 when you cease contributing, to the date when you become entitled to a pension, at 65; and even more relevant in this connection is the fact that the majority of people in the Colony are still working until they reach the age of 65. I admit there are a few exceptions. It is a fact, those people who are now awaiting the payment of a pension are in fact working, or the majority of them are.

/The question of phasing

The question of phasing this feature in has quite some significance; do we ask people to pay all the arrears of contributions if we are going to make the period of contributing longer? It was rather felt that the answer to that question is that we should not ask for any contributions which would have fallen due if this provision had been in before. In other words we do not intend to collect any arrears of contributions but it is considered that we should ask those people to commence contributing from the date when this Ordinance comes into operation until they reach pensionable age. It is felt that this would not be too great a hardship. However if there is hardship in any case there is provision in this Bill to provide for Government to give that person assistance and we already have provision for a female contributor to obtain assistance on application to the Board in the case of hardship, and now it is proposed that we should extend it to the male contributor. That should overcome this problem.

One point which the Actuary considered was the fact of reducing the pensionable age. He states in his report that he received many requests for reducing the pensionable age to 60. This he considers is far too expensive and in considering the recommendations of the Harris Report the Board of Management of the Old Age Pensions Fund considered that we should move some way in this direction. It was felt that many people did not live very long to enjoy a pension so we considered that even if we got a reduction of one year, from 65 to 64, it would be a greater spread of the benefit of pensions throughout the Colony, and therefore we are proposing that the pensionable age be lowered from 65 to 64. In order to help to finance the proposals it is felt that there is no good reason why a person who takes on a job when they are 17 years old should not pay a contribution towards the Old Age Pensions and therefore it is proposed to reduce the age of contributing from 18 to 17 years. This would mean that if a person took a job at 17 years of age he or she would be required to contribute to the Fund; it would not mean that a person who was not gainfully occupied should contribute. So therefore someone who is 17 and still goes to school would not pay; this would apply only when they are gainfully occupied in the Colony.

Another item which Honourable Members asked for consideration at the last meeting of Council, or during a short informal meeting after, was that we should consider increasing the level of income where a female contributor becomes liable to contribute to the Old Age Pension Fund. At present it is £300 per annum together with an additional £100 for every child of school age maintained by her. It is proposed that we should increase the income limit to £800 per annum and £250 respectively.

/As the Bill was rather

As the Bill was rather rushed we find that there are some important features which were not taken into account and it will have an effect on widows in particular, and we are proposing amendments at the Committee stage to ensure that the widows are not detrimentally affected; in fact they will still continue to receive a pension at 60 and their contributions will also cease at 60. I beg to move the first reading of the Bill.

The Motion was seconded by the Chief Secretary and the Bill was read a first time. Honourable Members then spoke to the Motion for the second reading as follows -

Mr. A. B. Monk

Your Excellency, Honourable Members, I wish to speak to the Motion but I find that the largest part of my notes are now useless because the Honourable Chief Financial Secretary has given us such a full summing-up of the reasons for the various proposals. Obviously I strongly support the increased pension rates in some cases - I beg your pardon, I support the rates proposed but I do not support the proposed contribution rates in some cases. I think the employees' contribution rate proposed of £1.00 which is 30.8 recurring percent increase is right and can well be afforded, but the proposed employers' contribution rate of £2.34 represents an increase of 116.67%; now I don't object to that increase as such, I think employers can probably well afford to pay, but what it in fact means is that the self-employed person is going to have a very much increased rate to pay, because he or she pays the same as the employees' and the employers' contribution rates added together. There may also be some effect on the unemployed if they have to refund payments. I consider that the rate of £3.34 is too high a rate to expect a lot of self-employed people to pay. However as the Honourable Chief Financial Secretary has said, Mr Harris in his Actuarial Review showed quite conclusively that unless this rate of contribution was made, well then we would gradually deplete the Fund. I think that he said that in round about ten years' time the income from contributions and from the interest on investments would start becoming less than our outgoings, having regard to the increase in pensions which we hope to make continually, and also our age structure which apparently is going to mean that we are going to have more pensioners, and the effect of that of course would be that we would start spending the capital of our fund and gradually depleting it. Obviously that is a very irresponsible policy so we have to recover in some manner enough money to keep the fund viable as a long-term proposition, and I suggest that we should consider returning to a system which we had for many years, where a subvention was made annually from General Revenue to the Fund and I suggest if the

/employers' contribution

employers' contribution is increased at the same percentage rate as the employees', in other words at 38.9% near enough, then the employers' contribution would be raised from £1.08 to £1.50 and this would mean that a self-employed person's contribution would be £2.50, which is a more reasonable figure in my view. However this would cause a short-fall in income to the Fund of somewhere in the region of £23,000 per year annually, that is if we are to maintain the Fund at its level, and therefore I consider we should make an annual subvention from General Revenue of £25,000. There are all sorts of implications which possibly only the Chief Financial Secretary with his intimate knowledge of the details could tell us, and there are also of course implications as he pointed out with regard to the proposal to lower the age limit when you have to start paying. There are even implications in my view - what happens if the 17-year-old is at school, and so forth. Also at the other end if you are going to start paying out at 64 instead of 65 you have implications too. I mention all the ideas which I think should be incorporated but I think it would be better if instead of proposing specific amendments at this stage I proposed that the Bill be referred to a Select Committee for further discussion.

Mr I E Bowles

Your Excellency, Honourable Members, I am not going to add anything to what my Honourable Friend for East Falkland has said because I think he has covered the ground pretty well. We want to go into detail because there are an awful lot of people involved and there are an awful lot of phrases which want clarifying to my way of thinking; I don't want to argue with the Actuary because he is a very clever man and has given us a very good report but sometimes in this Colony on paper and in theory some things which may well seem to be adequate have a different aspect when subjected to local conditions. I think in this particular case these things do arise. I think it is heartening to know that by the time I am ready to receive my pension I will be able to have one more enjoyable year on a pension than perhaps those who are already receiving it have done, and I would also like to support the Motion that we refer this to a Select Committee.

Mr S B Wallace

Your Excellency, Honourable Members, I welcome any measure which increases benefits that old folk receive especially when they are the result of what I thought was a professional yet sympathetic report. This is one area where I feel my lack of experience on these matters. I agree with the Honourable Member for East Falkland that contributions of three pounds odd may be too high for some self-employed or unemployed people but it did

/seem to me that

seem to me that possibly a cheaper and easier way would be to make special provision for those people rather than the whole Colony; however since I understand that this Government subvention has been recommended by the Actuary several times in the past I agree that this may be a solution. One thing which concerns me about this subvention is that it will be an ever-increasing item of expenditure and although I agree that it ensures that the larger tax-payer contributes most, it is also true that we already spread our revenue thinly and have an extremely low surplus without this added expenditure. I think that the proposal to make contributions payable between the ages of 17 and 64 is acceptable, bearing in mind that significantly increased benefits will now be paid from the lower age of 64. I was concerned also about those people between the ages of 70 and 80 and 60 and 64 who would be required to recommence contributing. However I see that the Hon. the Financial Secretary has assured us that this could be paid from General Revenue and that sympathetic consideration will be given to aiding those claiming hardship. I support the Motion that we discuss this in Select Committee.

Mr T J D Miller

Your Excellency, Honourable Members, I too would like to add my full support to the proposal put forward by my colleague from East Falklands that the total contribution figure be reduced and a corresponding amount put into the Fund in the form of a Government subvention. Also referring to the last speaker's remarks that this is going to be a recurring burden on Government's expenditure, I think if Government is going to spend money in a particular field they must ensure that their revenue comes in to offset that expenditure in some form of revenue proposal; on the corporate sector we must get a certain amount of that money back again. There is one particular item that I am not at all happy about and that is the proposal that those people who are now over 60 although they won't have to make any back contributions will be expected to recommence payment until they reach the age of 64. There will be a provision for them to appeal under hardship for a reduction in their payments or a waiving of any payment at all, but we all know that everybody quite rightly has a degree of pride and the majority of people although they are probably entitled to relief are very reluctant to ask for relief. Also what would happen to these people if the employer is unwilling to recommence contributing for them? Somebody who's been working for a firm for 20 or 30 years retires in the early sixties age group then doesn't expect to have to pay any more, and neither does his employer. I am not at all happy about this particular part of the Bill and I support the proposal that we go into Select Committee.

Mr W H Goss

Your Excellency, Honourable Members, in the event of a person having to recommence paying I feel that he is to a point compensated inasmuch as he starts his pension one year earlier than he does on the present scheme. As for the 17- and 18-year-olds we must have 18-year-olds in a similar position, either at school or not working, so if they start at 18 now in a few years' time we will be taxing quite a few more people. I beg to support the Motion.

Mr D S Evans

Your Excellency, Honourable Members, I think all the points that I wanted to make have been covered and I am not an expert on this anyhow. I do think it will all be thrashed out when we go into Select Committee. There is only one point which I would like to make which hasn't been stressed so far; it is this business of increasing the level of income before a contributor becomes liable to contribute into the Pension Fund. I am very pleased that it has been put up to the amount it has but I would like to urge the Financial Secretary to keep this under consideration from year to year so that we don't get to a position where it becomes ridiculous again. I would like to support the Motion that we refer the Bill to a Select Committee.

Financial Secretary

Your Excellency, in rising on some points of explanation I think there are some valid points being made around the Table today and I like the responsible way in which they have been made. For instance everybody realises that when you pay pensions you have to have some way of financing them, and I agree that there are so many factors here and it is such an important piece of legislation that referring it to a Select Committee will obviously be the best way, especially when there are so many details required. I think the proposal made by the Honourable Member for East Falkland will be welcomed certainly by the Old Age Pensions Board of Management; they were under the impression that the contributions were rather high; so before going further I think we should agree if some Member will propose that the Bill be put to a Select Committee after the second reading. But before taking my seat again I would just like to congratulate the East Falklands Actuary on the tables compiled by him for the contributions.

The Bill was then referred to a Select Committee of the whole House, under the Chairmanship of the Chief Secretary, which was instructed to report back to the present meeting of the Council.

NON-CONTRIBUTORY OLD AGE PENSIONS (AMENDMENT) BILL 1978

Financial Secretary

Your Excellency, this Bill is much more easily explained than the last one. It contains two main provisions, the first is to increase the pension for a non-contributory pensioner from £8.50 to £11.00 per week in the case of a married man and for a single person from £6.00 to £8.00 per week. The other important provision relates to the income limit for the receipt of a pension. Honourable Members asked at the last meeting that this be reviewed and we have agreed to increase the maximum statutory income for the receipt of a pension: in the case of a married man from £650 to £1,300 per annum and in the case of a single person from £400 to £800. Honourable Members will note that the actual cost to the Colony diminishes gradually for this pension. I beg to move the first reading of the Bill.

The Motion was seconded by the Chief Secretary and the Bill was read a first time. Honourable Members then spoke to the Motion for the second reading.

Mr D S Evans

Your Excellency, Honourable Members, I had somebody approach me on this problem of maximum income before your pension steps and obviously it was completely out of date; if I am correct in saying this as it stood once you were earning £400 a year then your pension was affected if not stopped altogether, which is ridiculous in this day and age. I am extremely pleased to know that the rates have been doubled and I would just like the Financial Secretary to know that I for one would like him to keep it under review. I beg to support the Bill.

Financial Secretary

Sir, I will note the point made by the Honourable Member for West Falklands and I agree that it was delayed but it will be kept under review in the future.

The Bill then proceeded through its remaining stages without further debate, or amendment, and was passed.

INCOME TAX (AMENDMENT) (No 3) BILL 1978

Financial Secretary

Your Excellency, this Bill is designed to implement proposals made in the Budget for increasing the allowances for income tax.

The first proposal is that the maximum allowance for Earned Income Relief should be increased from £750 to £850. That the deduction for a wife be increased from

/£300 to £350.

£300 to £350. The deduction for a female relative in charge of children to be increased from £150 to £175; that the allowance for a dependent relative be increased from £250 to £300, and that the maximum limit of the relative's income to which a dependent relative's allowance applies be increased from £350 to £500. That the personal allowance which all tax-payers enjoy be increased from £350 to £400. That the maximum Wife's Earned Income Relief be increased from £200 to £230; that the allowance for a child be increased from £250 to £300 and in the case of a child receiving education overseas it be increased from £280 to £320. The qualifying limit for old age relief to be increased from the present £900 to £1,050; in the case of a married man the difference is two thirds and in the case of a single person the difference is one third. Honourable Members have been supplied with details of how this will affect tax-payers at various levels of income. The table was prepared by the Income Tax Officer and I trust that this will give them a fully detailed explanation. I therefore beg to move the first reading of the Bill.

The Motion was seconded by the Chief Secretary and the Bill was read a first time. Honourable Members then spoke to the Motion for the second reading as follows -

Mr A B Monk

Your Excellency, Honourable Members. I welcome the increased allowances that the Financial Secretary has detailed. I don't think that they go far enough but one has to consider the implications on our revenue. One of the interesting things I think about our revenue is that personal taxation has increased, if you consider it as a percentage of total personal and company taxation, then personal taxation has increased at double the rate of the company taxation - that is the revenue from it. And if you look at this table which was prepared by the Income Tax Officer you see even under the new proposals the single man is going to start paying tax at round about £900 income and so on. Well, really, those are almost derisory levels of income, the sort of levels that one would expect in a Third World African country, and to expect people to support a wife on £900 income and to pay tax is terrible. However the improvements are welcome but I do not consider the purely derisory improvements in the maximum Wife's Earned Income Relief; it's purely derisory: £230 from £200, £30. I consider that a wife should be entitled to the same Earned Income Relief percentage as the husband, that is to say I think that the WEIR should be as is detailed for the husband or the main tax-payer in Section 14 sub-section 1 of the present Income Tax Ordinance. I am told that this would have a very detrimental effect upon our revenue. It is beyond my capacity to make a calculation and it may well be that until a better scale of taxation can be devised which

/taxes the lower end less

taxes the lower end less and the upper end more we will have to consider a lower rate of Earned Income Relief for the woman, but still I am quite certain very much higher than the proposed maximum rate of £230. Therefore I am, at the appropriate time, going to propose that the Bill be referred to a Select Committee so that we can get expert advice about this matter.

Mr T J D Miller

Your Excellency, Honourable Members, I too would like to support the proposal of my colleague from the East Falkland that this Bill be referred to a Select Committee to consider the increase in the Earned Income Relief of a married woman who is working. As the other members will know I had the intention a while ago of introducing a Motion during this session to the effect that working wives should have equal rights with their husbands as regards Earned Income Relief but obviously as there are financial implications to this I agreed to wait until we could get the information from the Financial Secretary. However I do agree with my friend from East Falklands that we should try to see if we can find some way of increasing the figure mentioned of £230; the increase of £30 is ridiculous. I wish to support the Bill.

Mr S D Wallace

Your Excellency, Honourable Members, I think all of us are concerned with the working wives' lot at the moment; I think we all realise that throughout the Islands the working wife contributes greatly to our well-being and I too look forward to discussing the matter of Earned Income Relief in Select Committee. I think it is very encouraging to see these allowances go up along with other allowances; obviously we are making a start to keep these things under review. I would like to support the Bill.

Financial Secretary

Your Excellency, I think the course proposed by the Member for East Falkland would seem to be the way to deal with the Bill and obviously he will be making a proposal that it be referred to a Select Committee on the second reading. I think it is better that it be discussed in detail in Select Committee because there are quite a number of implications which Members should be aware of before they make an amendment.

At the second reading it was proposed by the Honourable A D Monk that the Bill be referred to a Select Committee. The Motion was seconded by the Honourable T J D Miller and carried.

LICENSING (AMENDMENT) BILL 1978

Financial Secretary

Your Excellency, Honourable Members have referred this morning to the fact that we should keep fees and allowances up to date especially when they are expressed in monetary terms. The Licensing Ordinance appears not to have been reviewed for a very long time - it certainly has not received attention since I joined the Treasury in 1948, thirty years ago, and I think that it calls for some review at this stage. In some cases the paper on which a receipt or license is issued must be costing twice the price of the fee! It is, therefore, proposed that the following fees be increased:

That for a wholesale liquor license which runs for 12 months be increased from £30 to £60;

For a retail license which is valid for 6 months increase from £15 to £30;

A club license which runs for a year from £10 to £20;

The annual tobacco license in Stanley from £3 to £6; for outside of Stanley from £1.50 to £3;

Restaurant license, which is valid for 6 months, from £5 to £10 and a packet license, which is current for 12 months, from £10 to £20.

I should like to mention at this point that one person asked me whether I was going to tax all packets in the Colony and I explained that this license refers to the selling of liquor in the coastal waters of the Falkland Islands, and the last issued was in respect of RMS 'Darwin'. However it may be that if there are tourist ships around the Islands we may use it again.

Auctioneer's license - it is proposed should be increased from £5 to £10 for a year, and occasional auctioneer's license from £1 to £2 for one day.

Billiard table license from £2.50 to £5 for 6 months, and the billiard table special license from 10p to 20p per hour to £1 and £2 per hour. This relates to billiard tables that are hired out and the last license we issued was to the Stanley Arms.

Special publican's license, extension of opening hours, which runs from 25p for any hour before midnight to 50p for every hour thereafter, it is proposed to increase to £3 and £5 per hour. Occasional liquor license from 50p and 25p depending on whether it's Stanley or outside, to £2 and £1.

Publican's license for additional bar from £5 to £10 and the occasional tobacco license from 12½p to £1.

I beg to move that the Bill be read a first time.

/The Motion was seconded

The Motion was seconded by the Chief Secretary and the Bill was read a first time. Honourable Members then spoke to the Motion for the second reading as follows -

Mr A B Monk

Your Excellency, Honourable Members, I support nearly all the Bill, with the exception of a section - I am not quite sure which number it is - but it refers to the occasional liquor license and that part of it which is concerned with the camp. It does seem to me that under the Bill we are going to be expected to pay £1 per hour if we have a little bar to sell liquor to a few outsiders who come for two nights' dancing or something like that in the winter, and it seems to me that if we have a two-nighter dance and the bar happens to be open in the total of the two days for a matter of about twelve hours, we've got to charge £12 to the little dance committee which really is not very funny considering that it is a purely social occasion, so I would like to propose an amendment to the Bill that the figure of 25p per hour be retained in that section where it refers to occasional liquor licenses for the camp.

Mr S D Wallace

Your Excellency, Honourable Members, I would just like to say that after thirty years I think the proposed increases are reasonable and I support the Bill as a whole.

Financial Secretary

Your Excellency, I am pleased the Honourable Member for East Falkland brought this matter to my attention; as a matter of fact in the Objects and Reasons, which of course do not form part of the Bill, we do have £1 per hour but should be £1 per day. That is my error, I'm sorry, and so it's not quite so severe and I trust that the Honourable Member will now be able to accept the revised charge. My apologies.

Mr A B Monk

Your Excellency, I withdraw my amendment.

The Bill then proceeded through its remaining stages without further debate, or amendment, and was passed.

INTERPRETATION AND GENERAL CLAUSES (AMENDMENT) BILL 1978

Chief Secretary

Sir, I detect probably some signs of dismay from Members of the previous Council that I should have to rise this morning to propose an amendment to the Interpretation and General Clauses Ordinance; but we have before us a Bill which is seeking to remedy an omission in the Ordinance of 1977. The omission has meant that the common law and certain general statutes enforced in England on the 2nd May 1900 and upon which reliance is placed in

our Courts ceased to be in force with effect from the 11th July last year when the Ordinance came into operation. It is essential for the proper administration of justice that until the enactment of a comprehensive ordinance setting out the Imperial enactments applicable to the Colony, that the status quo ante should be restored, so that the position before enactment of the 1977 Interpretation and General Clauses Ordinance is preserved in respect of the particular enactments listed in the schedule of the Bill before us. 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.

BRITISH NATIONALITY (AMENDMENT) BILL 1978

Chief Secretary

Sir, the British Nationality Ordinance provides inter alia for the levying of fees for services provided in connection with nationality matters. These fees are reviewed from time to time by the Home Secretary and the Secretary of State for Foreign and Commonwealth Affairs has now notified Government of a revision to be effective as soon as possible after the 1st March 1978. This Bill seeks to do this and revised fees will become effective immediately on publication of the Ordinance. This opportunity has also been taken to simplify any future revisions of fees by providing that the schedule of fees should be amended by the Governor in Council after notification by the Secretary of State rather than by the preparation and consideration of an amending ordinance on each and every occasion. I therefore beg to move that the Bill be given its first reading.

The Bill then proceeded through all its stages without debate, or amendment, and was passed.

PLANT AND TRANSPORT AUTHORITY BILL 1978

Chief Secretary

Sir, before introducing the Bill I lay on the Table of the House the Certificate of Urgency under which I introduce the Bill now before us. Naturally I regret that we are having to proceed with this with what may appear to Hon. Members to be somewhat indecent haste, but Members will recall that when the Ministry of Overseas Development indicated that they were prepared to make us a grant towards the construction of the Stanley-Darwin section of our road development programme, one of the conditions that they laid down was that we should implement a funding scheme in order that provision should be made eventually to replace without further recourse to ODM funding, the machinery which has been acquired from Johnston

Construction Limited and indeed from the Ministry of Overseas Development itself. It was indicated to us at the time that certain other administrations had model schemes which we might follow and we attempted to see if there were any models which would be useful to us but to our surprise we found that in other areas there was no similar legislation and indeed one or two territories had simply proceeded under the fiat of the Executive Council or Cabinet or Ministerial Council, whichever was appropriate. I think although this was as it were a condition of ODM's grant, it is not a condition which we felt any hesitation about accepting, since Mr Pike who was then professionally advising us in the construction sector, indicated that this normally works well elsewhere, and indeed it would provide a good and viable method of charging to the Ministry of Overseas Development grant the hiring of plant and machinery for the road project. Of course it will also enable us to hire out machinery to any enterprise which might want to make use of it.

The Bill before us, and perhaps I may be allowed to offer congratulations to a colleague, because it's not an easy one to start from scratch, and the Registrar of the Supreme Court has worked fast and in his customary way very expeditiously on this. The Bill before us is simply designed to enable us to set up an authority. Having that authority with its general powers and its due legal constraints it will then be for the authority to work out the precise way in which it operates, and this is something for which we will have to await the arrival of the substantive Director of Public Works, who will not only be, if this Bill is passed, the Vice-Chairman of the authority, but of course a key figure in its operation.

Beyond that, Sir, I think there is very little more that I can say except that it provides yet another organ of Government but it will not be an undue strain upon the resources of Government, since the people who will man it will be taken from within the Government and if in setting it up we have to take on any staff there will be a charge against the authority on the cost of the projects involved, so that it should not be a drain on the Colony's resources. Having said that, Sir, I beg to move the first reading of this Bill.

The Motion was seconded by the Financial Secretary and the Bill was read a first time. Honourable Members then spoke to the Motion for the second reading as follows -

Mr A D Monk

Your Excellency, Honourable Members, at the appropriate time I would like to propose that the Bill be referred to a Select Committee.

/Mr D S Evans

Mr D S Evans

Your Excellency, Honourable Members, this is the one thing I spoke out against in my initial speech. We had a Bill placed before us at five minutes' notice and cannot possibly even begin to understand it until we have looked at it very carefully. I would like to second Councillor Monk's proposal that we look at it in a Select Committee.

Mr S B Wallace

Your Excellency, Honourable Members, as my Honourable Friend the Member for West Falkland said, we have had this Bill at very late notice, but I also think that we are going to have enough problems getting this project on the road and that this Bill may better facilitate the efficient functioning of the scheme. I look forward to Select Committee.

At the second reading the Honourable A B Monk proposed that the Bill be referred to a Select Committee. The Motion was seconded by the Honourable S B Wallace and carried.

Council then adjourned and resumed at 10.00 a.m. on Tuesday 27th June 1978.

REPORT OF THE SELECT COMMITTEE ON THE OLD AGE PENSIONS
(AMENDMENT) BILL 1978

Chief Secretary

Sir, I rise to report that the Select Committee on the Old Age Pensions Bill met yesterday afternoon to consider possible changes in the proposed provisions of the Bill.

The Committee agreed to adopt the proposal made in this Chamber by the Honourable Member for East Falkland that the weekly contribution from self-employed persons should be increased from £1.80 to only £2.50 and not to £3.34 as was originally proposed. Similarly, the contribution from employers should be increased to only £1.50. To offset these lower contributions a provision of £25,000 is being made from General Revenue. Appropriate amendments will be tabled when the Bill reaches the Committee stage and certain other consequential amendments will also be made at that time, especially to ensure that the status quo for widows is preserved.

Contributors between the ages of 60 and 64 who have ceased making contributions will now be asked to resume making payments but I want to place on the record the express and unanimous wish of Honourable

/Members that due

Members that due account will be taken in any case where the resumption of this obligation causes hardship. Any such cases will be considered sympathetically, for it is the overall intention of this Bill to improve the lot of our older citizens and not to make it more difficult.

At the Committee stage of the Bill the following amendments were proposed and agreed:-

(1) In clause 4 by deleting paragraphs (a) to (d) and substituting the following -

(a) in paragraph (a) -

- (i) by inserting after "female contributor" the following -
"other than the widow of a contributor";
- (ii) by deleting "72p" and substituting the following -
"£1.00"; and
- (iii) by deleting "18 and 60 years" and substituting the following -
"17 and 64 years";

(b) in paragraph (b) -

- (i) by inserting after "female contributor" the following -
"other than the widow of a contributor";
- (ii) by deleting "£1.00" and substituting the following -
"£1.50"; and
- (iii) by deleting "18 and 60 years" and substituting the following -
"17 and 64 years";

(c) in paragraph (c) -

- (i) by inserting after "female contributor" the following -
"other than the widow of a contributor";
- (ii) by deleting "£1.80" and substituting the following -
"£2.50"; and
- (iii) by deleting "18 and 60 years" and substituting the following -
"17 and 64 years"; and

(d) by deleting the proviso;

- (2) by deleting clause 5 and substituting the following -
- "5. Section 6A(2) of the principal Ordinance is amended -
- (a) by deleting "£1.80" and substituting the following -
"£2.50"; and
 - (b) by deleting "18 and 60 years" and substituting the following -
"17 and 64 years"; and
 - (c) by adding at the end thereof the following -
"or in the case of the widow of a contributor between the age of 17 and 60 years"; "
- (3) in clause 6 by deleting paragraph (b) and substituting the following -
- " (b) in paragraph (e) -
- (i) by inserting after "female contributor" the following -
"other than the widow of a contributor";
 - (ii) by deleting "60" and substituting the following -
"64"; "
- (4) by deleting clause 7;
- (5) by deleting clause 8 and substituting the following -
- "8 Section 9 of the principal Ordinance is amended -
- (a) by deleting "ten consecutive years" and substituting the following -
"14 consecutive years";
 - (b) by deleting "sixty years" and substituting the following -
"64 years"; and
 - (c) by deleting the full stop at the end thereof and substituting a colon and by inserting thereafter the following proviso -

"Provided that contributions shall not be payable in respect of the period between the day any contributor or female contributor attained the age of 60 years and the 3rd of July 1978." ; and
- (6) by renumbering clauses 8 to 10 as 7 to 9.

The Bill was then read a third time and passed.

REPORT OF THE SELECT COMMITTEE ON THE INCOME TAX (AMENDMENT)
(NO 3) BILL 1978

Chief Secretary

Sir, the Select Committee met yesterday afternoon to consider the Income Tax (Amendment) (No 3) Bill and agreed that the maximum Earned Income Relief that may be claimed by a wife should be increased to £850. The proposed figure had been only £230. The Committee gave careful consideration to the question of the entirely separate tax assessment of husbands and wives; however the Committee recognises that this might have fundamental repercussions on our tax structure. Accordingly the Committee is content that the matter should be further studied as a matter of urgency by our new Fiscal Adviser.

At the Committee stage of the Bill the following amendment was proposed and agreed -

"that clause 3 be amended in paragraph (e) by deleting "£230" and substituting "£850".

The Bill was then read a third time and passed.

REPORT OF THE SELECT COMMITTEE ON THE PLANT & TRANSPORT
AUTHORITY BILL 1978

Chief Secretary

The meeting of the Select Committee yesterday afternoon enabled Honourable Members to consider the Bill for the establishment of the plant and transport authority more carefully. Whilst in general no major alterations have been made, the Committee felt that there might be value in changing the wording of certain clauses to associate the Executive Council more closely with the working of the authority, and I shall be proposing an amendment accordingly when the Bill reaches the appropriate stage.

At the Committee stage of the Bill the following amendments were proposed and agreed -

"that the words "the Governor" shall be deleted wherever they occur in clauses 4, 6, 11 and where they occur in clause 16(1) for the second time, and substituted respectively by the words "Governor in Council"."

The Bill was then read a third time and passed.

MOTION FOR ADJOURNMENT

Chief Secretary

I beg to move that this House stands adjourned sine die.

Financial Secretary

Your Excellency, in rising to second the Motion for the Adjournment I will, with your permission, Sir, make a short statement on the progress of the Committee set up by you to investigate the feasibility of the venture proposed by the Falkland Islands Company for the division of Green Patch farm into smaller farming units. The Committee has now completed its study of the project. The three experienced farmers on the Committee made an extensive on-the-spot inspection of the area. The Committee has discussed the project with some of the younger islanders who were interested in having a stake in the country. The Committee will be reporting to you within a couple of weeks and there is no doubt whatsoever that the report will indicate that the venture is most promising. It would be wrong for me to go into further details in this House at this stage.

I beg to second the Motion.

Mr W E Bowles

Your Excellency, Honourable Members, first of all I would like to extend a warm welcome back to Mr Tim Miller and extend our thanks to him for his excellent public relations exercise performed in Trinidad & Tobago on our behalf. Once again we extend on behalf of everyone our good wishes to Mr and Mrs Monk who will be representing us in Jamaica at the forthcoming Annual Conference of the Commonwealth Parliamentary Association.

To our new Councillors after their first Budget meeting having given their full interest I think this, the first real democratic budget, has been a step forward in our future planning and welfare. What of the future - something we all have to face; the sovereignty issue, our state of indecision. As the United Nations have asked Britain and Argentina to settle their differences over our Islands it would appear we should be able to ask the UN if a special concession could not be granted in our unique and unusual situation. Until this state of indecision is solved a new industry will not be forthcoming, but if we are to retain our population then new industries and opportunities to my mind is the way to do it. It appears at times that if the people will not change their wishes then the other solution is to change the people, but if we grant local opportunities - which this Government is doing - then we should in theory be able to retain the people.

/Sea passages:

Sea passages: the 1971 Agreement is now all but forgotten and there seems to be no prospect for the carriage of passengers by sea. If this is to be so then I feel we should amend the Agreement, or implement it. At the moment as it reads it is a partial agreement.

However I am satisfied that Falkland Islanders have been given generous opportunities for training to key posts in the Civil Service and the more they can be encouraged the better and our stability should then become as it should for the future.

I was heartened by the remarks of the Financial Secretary on Green Patch. I think this too is something which should benefit the Islands and the community as a whole.

Sir, I beg to support the Motion for the Adjournment.

Mr S B Wallace

Your Excellency, the emphasis on forward thinking that was evidenced in this year's Estimates and in our business during this meeting has been very welcome. I was particularly pleased that we have created new opportunities for our young people to gain secretarial skills within the Administration - this is certainly the right kind of progress.

I am concerned, though, that in our need to develop we take care that we safeguard those things which we already enjoy; it must be remembered that it is the people who live here now upon whom our hopes for the future rest.

Another thing which I found encouraging in the Estimates was the sum of £50,000 set aside for loans. This is vital if people are to be able to launch new enterprises or buy homes; the £15,000 for the construction of houses, though perhaps small, is in our circumstances a heartening indication of our awareness to make better provision in this regard.

There are so many things about our fiscal scene that need looking at, I was therefore pleased to hear that we shall soon have expert advice on these matters; it is obviously essential that if we decide to make any changes they are in the best interests of the Colony and not made for purely short-term gain. I have always felt that we must keep people informed. I would find it very difficult if I could not hear people's views on our affairs. Here in town there is no difficulty about this but in camp the situation is of course quite different. I was therefore pleased when in Select Committee it was unanimously agreed to increase the allowances of the Members representing the East and West Falklands by £100 to £350 and that of the Member representing both East and West Falkland by £150 to £400. These increases are primarily intended to enable camp members to make more regular visits around their constituencies and also to, at least, partly cover the additional expenses which Councillors who do not live in Stanley incur when they visit town on Council business.

/In winding up

In winding up, Sir, I would like to say that I found my first Budget meeting stimulating and informative although a little hard on the nerves.

I would like to support the Motion for the Adjournment.

Mr A D Monk

Your Excellency, Honourable Members, the previous speakers of course have largely said all the things which I had noted down so there is not too much left for me now except to express my thanks to colleagues for their faith in choosing me to go to represent the Council at the Commonwealth Parliamentary Association Conference in Jamaica. I will undoubtedly try and see that the delegates of all countries are reminded of our views and our sovereignty problem; I only hope I am able to do it as well as the Honourable Tim Miller has done it at the Regional Conference in Trinidad and Tobago.

I think our views on sovereignty have been clearly expressed by all Members in this Council so I don't think there is any point in going over that.

I believe we have made some advances in our tax structure lately; we have tried, and I think we have succeeded in lifting the burden a little from the shoulders of those who are least able to bear it. There is a great deal more to do and, as the Hon. Stuart Wallace has said, we look forward to the arrival of Mr Ritchie and to his recommendations. Old age pensioners have had a small increase in their pensions; I think it is still too low but there again, we have to take into consideration our available means, and perhaps when Mr Ritchie comes he might be able to tell us how we can increase it yet more.

The enormous cost of the Government to administer so few people is I think cause of great alarm - to me anyway; it comes up every year not only because of inflation but also because it seems to have generated that sort of movement in excess of inflation, and I think it behoves all of us to try and see that the money is wisely spent.

I was somewhat dismayed when one of my constituents visiting Stanley met me on the road the other day; we were talking about the Budget and I said I hoped that some of the amendments might "help you and others", and he said "Mr Monk, please don't do anything more for me; I really can't afford it". It was a little bit dismaying.

I would like to say thank you again to all Councillors for selecting me to go to the CPA Conference, and I would like to support the Motion for the Adjournment.

/Mr D S Evans

Mr D S Evans

Your Excellency, Honourable Members, in rising to speak to this Motion for the Adjournment I would like first of all to comment on the proceedings of the last week. As a new Budget boy I tended to rely on the experience of the long-standing members of Council. In this context I must congratulate the Member for East Falkland for his understanding of financial matters. Yesterday I spent a fascinating hour watching the Financial Secretary and the Chief Secretary bobbing up and down like yo-yos as they went through the procedure for taking Bills. Obviously it would pay the Honourable Elected Members to allow the first dozen Bills to go through unchallenged, tire out the two Official Members and then pounce on them when they are too exhausted to speak.

The Select Committee has provided an excellent chance not only to learn how Government is financed but to talk to Heads of Departments and find out their problems and I found it a most useful experience. It would have been very nice if we could have squashed all the proposed increases in the cost of services but I am afraid that with rising costs in all sectors these increases are inevitable and we can only attempt to cushion the blows and make sure no-one suffers real hardship.

I welcome the move to try to get ahead with this business of sorting out how we acquire land for development; we can no longer afford to delay on this matter. We have all had a chance to say what we feel about the political problems of the moment. In this context it is my belief that it is the actual wording of the Motion we passed that is important; more so than the debates around it. It is this wording that is read overseas. At this time I feel it is extremely important to let both sides know that we are extremely anxious and apprehensive about these latest incidents and that in our view if they continue these incidents they will jeopardise future talks. There must be a limit to our tolerance; if Argentina continues to make these offensive moves we will have to harden our attitude. The Honourable Member for East Falkland continues to press Council into committing the Council to attend the next round of talks. My attitude has not changed and the views I expressed at the last Council meeting stand. In fact with the increased aggression of Argentina, it has hardened. However I feel that it would be unwise for us to commit ourselves either way at this time. The situation is changing constantly. Why commit ourselves now and lose our options; far better to wait until we know that talks are about to take place and then decide.

Your Excellency, I wish to support the Motion.

/Mr T J D Miller

Mr T J D Miller

Your Excellency, Honourable Members, in rising to speak to the Motion for the Adjournment I still rise to a certain extent as someone who has yet to go through a Budget in Select Committee as unfortunately, due to bad weather, I was not here. However I wasn't completely in the dark as to what was going on as I had of course been through the Budget proposals a week or so beforehand when they were considered in Executive Council.

Some have said that it is a standstill Budget because there are no dramatic revenue increases. I find that hard to understand. I would have thought the last thing anyone would have wanted was dramatic revenue increases. I think it is indeed very much a forward looking budget; there are a number of new ideas and new proposals in it and we have tried to keep the small increases in revenue down in such a way that they least affect those who cannot afford to pay them.

One thing I would particularly like to refer to is the proposed creation of a Philatelic Bureau. I am very pleased with this proposal indeed as our stamp sales, that is the philatelic side of our revenue, is now I believe our second biggest source of income after taxation. I believe we must do all that we can to increase this within a sensible stamp policy. My colleague across the table, the Honourable Chief Secretary, will know that I have my reservations over the latest stamp issue but however I am prepared to wait and see and the proof of the pudding is in the eating. However I feel we must be very careful in the future with our stamp policy in the type of stamps that we issue; they must be very closely related to definite events in the Islands and those of omnibus issues which obviously we join in, Royal events, we must ensure that they are of very high quality. I had a number of discussions with CMA delegates in Trinidad who were interested in philatelic policies and they fully agreed with me. One or two of them in particular came from countries in the West Indies who have gone too far and commercialised their stamp policies, and ruined their markets, and they are now getting far less income than they used to. Also, I would like to see in the future perhaps the Falkland Islands Philatelic Bureau will be able to participate in international stamp exhibitions in different parts of the world and further boost our sales and advertise our stamps overseas.

Also in the Budget I was very pleased to see that we are managing to do a little bit more for our old people. As I said yesterday, I am not too happy with the idea of asking the over 60s to start paying the contributions again, but then of course they will be getting a pension a year earlier now and I think the general principle is right; we want to try and pay a higher pension, which of course means higher contributions and the old saying is that you cannot please everybody all of the time.

/One thing that I was

One thing that I was a little bit disappointed in was that nothing as yet has come out of the Tepper Report, the first fiscal report. I know it was a very complicated report and many things in it will need further study and clarification. However there were one or two items which I thought we might have been able to include in this Budget - in particular the introduction of landing charges for tourists, either per head or port dues on a ship according to the number of passengers it carries. Obviously it could not be a very high figure as we provide very few on-shore services, but at least if we introduced a fairly low figure, say £1 a head or something like that, we would then be able to build up a fund to provide for the on-shore tourist facilities which we so badly need.

One thing does trouble me though with our present state of financial affairs. Everything, whatever form of taxation or revenue, everything eventually comes off the sheep's back and as everybody knows farming production costs are rising. Fortunately the world wool price is holding fairly well and the outlook is not too bad, but the sheep's back cannot remain straight for ever. Sooner or later, as Government expenses carry on rising, the sheep's back is going to start to bend a bit, therefore I fully agree with my colleague the Honourable Member for Stanley that not only is there a need for new and improved infrastructure but there is a need for new industry to produce more revenue.

Finally Your Excellency I would like to thank my colleagues for their confidence in sending me to Trinidad and Tobago to represent the Falklands there. I hope I achieved something; however, once again, the proof of the pudding is in the eating. Also, I don't think I mentioned it yesterday, I would like to say thanks to Mr Tim Blake and my colleague for East Falkland, Mr Adrian Monk, who have represented the Falklands previously in such conferences, and a number of delegates had either met them personally at previous conferences or had met people who had met them and were asking after them. I would also like to extend my best wishes to the Hon. Adrian Monk on his forthcoming visit to Jamaica.

Your Excellency, I beg to support the Motion for Adjournment.

Mr W H Goss

Your Excellency, Honourable Members, in rising to support this Motion I find I have very little to say. I don't think there is any object in us trying to analyse what we have done or what we have achieved. I think the best judges of that ought to be the people as time goes on. If the sheep's back does bend then I think we could perhaps consider making recommendations to grow more grass or perhaps get a subsidy from the Post Office or general taxation in the camp. I beg to support the Motion.

/Chief Secretary

Chief Secretary

Your Excellency, in rising to wind up this Motion I would like to take this opportunity to mention a topic which has been very much in people's minds but about which very little has been said at this meeting, for reasons quite beyond the control of all of us: it is the school hostel.

You mentioned in your opening Address the yards of teleprinter tape that are involved in a project, and a few more yards arrived only yesterday from the Ministry of Overseas Development, and the information that was contained in them was that CDH are now recommending that a final agreement should be made with Transocean Associates, the joint venture, for the construction of the school hostel. This recommendation, which I think may surprise a number of Members, has been reached only after the most careful and serious appraisal of all the tenders and the information that we have received indicates that the joint venture will provide us with the best design and certainly the most readily maintained school hostel. There are a number of other factors but it is quite clear that there is no viable alternative but to accept the recommendations that have been made to us and we can therefore expect two members of the contracting company to be here in early July to make their exploratory investigation of the site.

Beyond that, Sir, I think there are only three short points that I want to make: the first one if I may take this opportunity of reaffirming that the stamp policy of the Islands, which is so important to us, so dramatically important - I think the revenue figures indicate that stamps are a major industry in these Islands - that there is no intention of lurching into that area of gimmickry and nonsensical sales that have destroyed so many other stamp issuing ventures. The object of the Philatelic Bureau is to improve marketing methods, make them more aggressive and more enterprising in order to enhance the revenue so far as is possible, because we cannot always expect to rely on the very large sales of the omnibus issues associated with the Silver Jubilee and the Coronation. I think it is important that people should realise that we are not departing from the statement which was made in the early part of last year.

The other point that I would like to make, Sir, is that these occasions are always immensely valuable to my Colleague the Honourable the Financial Secretary and myself, to listen to the very interesting and helpful suggestions that come from our colleagues on Council.

We have a vast quarry of ideas on which to mine and upon which to work as soon as this House adjourns, and it is particularly helpful to us that our deliberations were conducted without pyrotechnics and passion and that we grappled with the very considerable problems we tackled in a spirit of unity.

/And that then brings

And that then brings me to a last point, Sir, and as always it is not simply a matter of courtesy, it is a great help to us to be guided with such kindly tolerance by yourself; your occasional lifting your eyes from Standing Orders enables us to conduct our business much more expeditiously and for that, Sir, we all thank you.

The President

Well Honourable Members I really have got very little to say. I echo most of the sentiments that have been expressed around the Table today. I am very grateful to the Financial Secretary for intimating that we will shortly have a report from the Green Patch Investigating Committee and I would like to thank the Committee for their hard work; I was very gratified to hear that the prospects are hopeful.

This has been I think a very constructive meeting and a good many wise and forward-looking speeches have been made. Our speeches aren't long but I was most impressed with their content and I think that probably lengthy speeches tend to obscure a lack of content. I think we had good, solid points made by Honourable Councillors and those Councillors who are not so new to the game now, have been around for quite a number of months, have been sitting with me in Council, I think they are expressing themselves and feeling for their constituents in an exceedingly - perhaps I might say so - statesmanlike way.

Councillors have done good work upon our Bills and on the Budget and here I would of course wish to offer my congratulations to the Financial Secretary for the hard work that I know he puts in, has put in, on preparing the papers for us, and also if I might say so to the Registrar of the Supreme Court, the results of whose work on the papers that you saw before us was the cause for us - as one Member said - to be always bobbing up and down.

Councillors have been particularly vigilant in picking out one or two flaws and faults which necessarily creep into Bills; they are things which probably I should have noticed, because I'm supposed to look at these Bills before they come before Council; yet these little things have been picked up by Councillors and I am very grateful to see that Councillors are really doing their job.

We've resolved quite a number I think of long-standing problems, income tax and pensions have been resolved but there are still quite a number more for the future.

/We are I think from

We are I think from where we sit on the Administration very conscious of the rise in cost of Government, and very conscious of the fact that our main income to some extent is a static one, or at least we have little control, we cannot push up our revenue as easily as we can push up our expenditure, and we must watch this for the future, and we must look very much to the future now. I do share Councillors' impatience over the slowness in getting projects started; it's been extremely frustrating but I think things are now coming together, we shall be moving, there will be some movement, very soon. I know people are tired of hearing me say this but I think we are now on the brink of doing so. The Chief Secretary has mentioned the hostel; I have had a very encouraging letter in last Saturday's mail about aid for the aircraft; we still have a lot of questions to answer, but the tone of the letter is very encouraging.

If I might just mention something that Councillor Goss referred to, about the road. We talk about it as the Stanley to Darwin road, or the first stage of the road network; well of course Darwin isn't necessarily the end of it: if the road-building gang gets a sufficiently good, high rise, who knows where the impetus will carry them! It's not all that far down to the Sound. And I might add in that connection some information which might be of interest; I have asked that in next year's survey programme that HMS 'Endurance' should do a complete survey of the waters in the Sound, from Port Sussex, Brenton Loch, Egg Harbour on the one side across to the Port Howard area on the other side, to find the best harbour and the best crossings for any future ferry that we might be able to establish there. We will do a complete survey of all the waters in that area.

I did mention in my opening Address the possibility that Councillors might have some views on amending our procedures or on any improvement in our Constitution. Nobody has yet, but I think some reflection on this point might produce some ideas which we are all always ready to listen to. We certainly do have a very complex way of going about things, it is rather complex for such a small Colony; it gets it right, there is no doubt about that, but we do seem to bob up and down quite a bit, and I seem to be going through rather a pantomime up here which I wondered if some of the school children yesterday when they were sitting there understood quite what was going on. But it does get it right. But if we can streamline it then I think it will be all for the good.

Finally in thanking Honourable Members for their patience with me up here on this dais, I would also like to add my thanks to the Clerk who is now sitting beside me and keeping me somewhat straighter on the procedure than I have been on previous occasions, and also for the hard work he does on preparing our papers.

The Motion is that this House stand adjourned sine die and I accordingly adjourn it.

LEGISLATIVE COUNCIL

20th June, 1978.

APPENDIX I

QUESTIONS FOR WRITTEN REPLY

LEGISLATIVE COUNCIL

20th June, 1978.

QUESTIONS FOR WRITTEN REPLY

Question No. 1/78 by Hon. D. S. Evans

"Now that we are to get a new Development Officer can Government say what development he will be responsible for?"

Reply by the Hon. Chief Secretary

Working in the closest collaboration with the Financial Secretary and the Chief Secretary the Development Officer will have principal responsibility for the organisation, implementation and supervision of the Government's development strategy; for monitoring the progress of actual projects; for encouraging both new and existing enterprises; for maintaining liaison with the Ministry of Overseas Development and other development agencies and donors as well as with potential investors; for assessing the value of new proposals coming forward from all sources; and for reviewing both the local situation and also external trends.

These responsibilities follow closely those envisaged for this particular post by the Shackleton Economic Survey at page 84 of Volume Two of the Report.

Question No. 2/78 by the Hon. D. S. Evans

"Could Government indicate what efforts are being made to overcome the frustrating delays in getting the new Camp teachers down here and what steps are being taken to avoid this type of delay in future?"

Reply by the Hon. Chief Secretary

Government has been very conscious of the need to recruit Camp teachers as quickly as possible and is therefore pleased that information recently received from the Ministry of Overseas Development indicates that Mr. Hamblin will arrive on Saturday, 24th June, and that another teacher, Mr. Sinclair, should arrive on 1st July. Three other teachers (Messrs. McCarter, Hodgkinson, Langston) have been nominated and we are awaiting confirmation that they have accepted appointments. The establishment would then be complete.

Indents were placed as far back as July 1977 and augmented in January of this year.

ODM have now provided Government with a list of candidates for Camp teacher posts, which should help speed up the process of recruitment by eliminating the need to hold further interviews. This means that we nominate a suitable candidate and ODM initiates the standard recruitment procedures.

Unfortunately Government has been unable to propose any short cut that would significantly reduce recruitment procedures in Britain, which are beyond Government's control. These involve advertising; convening interview boards; medically examining selected candidates; and then calling for references, etc. Possible further delays can happen because candidates generally can only give notice to their employer once selection has been confirmed. Sometimes, moreover, candidates withdraw when the recruitment process is already well-advanced. (This has happened with at least one of the candidates recently).

Government is in continuous touch with ODM about delays in recruitment which, of course, affect almost all departments.

Question No. 3/78 by the Hon. D. S. Evans

"Once the air service is back to normal operation would Government consider the possibility of mail pick-ups from the small islands in the winter time when there are very few landings, even if it were only with a frequency of once a month?"

Reply by the Hon. Chief Secretary

Once FIGAS is operating again at full strength the opportunity will be taken to review the possibility of including more frequent mail pick-ups from the small islands during the winter months.

Question No. 4/78 by the Hon. T. J. D. Miller

"On a recent occasion when an F28 aircraft of LADE was carrying out trials at Stanley Airport an aircraft of the Argentine Navy flew low over parts of the Falklands without permission from Stanley Airport control. What action has been taken by the Administration here and HMG in the face of this illegal and dangerous action?"

Reply by the Hon. Chief Secretary

This incident was referred to in a Government House statement broadcast on 2nd and 3rd June, in which, as no doubt the Honourable Members heard, it was stated that, because of the serious implications of the matter, it had been reported to the Secretary of State.

It is understood that H M Charge d'Affaires in Buenos Aires has, on instructions, formally expressed the serious view HMG take of the matter.

Question No. 5/78 by Hon. T. J. D. Miller

"Will the proposed oil jetty be capable of handling cargo ships? If not, will it be possible to add such facilities to the jetty at a later date?"

Reply by the Hon. Chief Secretary

Although the proposed oil jetty could be used for the handling of cargo ships, its basic purpose as a fuel jetty could impose some constraint upon its being used for other purposes because of fire hazards. This, however, is a matter which will be kept under review to ensure the maximum advantage can be derived from the project.

Question No. 6/78 by the Hon. T. J. D. Miller

"Has Government been reimbursed on the increase in air fares from Comodoro Rivadavia to Buenos Aires in 1977, and if not, how much money is involved?"

Question No. 7/78 by the Hon. S. B. Wallace

"Have LADE refunded the money collected in error from persons leaving the Colony immediately following the increase effected on 16th May 1977?"

Reply by the Hon. Chief Secretary

On 9th June 1978 LADE placed on deposit at the Treasury the sum of £1,355.76 in respect of 46 named passengers who had been overcharged.

Arrangements are in hand to reimburse the persons concerned.

Question No. 8/78 by the Hon. S. B. Wallace

"Have the results of the seismic surveys undertaken by Geophysical Services Inc. and Western Geophysics been received?"

Reply by the Hon. Chief Secretary

Government has not yet received the results of either of these two surveys.

It is understood that it will take some time for the complex technical data obtained from the surveys to be analysed and evaluated.

Question No. 9/78 by the Hon. S. B. Wallace

"What extra expenses are incurred by the Colony due to the Saturday LADE flights?"

Reply by the Hon. Chief Secretary

The cost of opening Stanley Airport every Saturday is made up of the following payments to the employees concerned:-

Two Handymen	£24.98
Six Firemen	£82.69
One driver	£11.10
	<u>£118.77</u>

Government had explored with LADE the possibility of the additional flight being made on a week-day. As it did not prove possible, Government is keeping the matter under review.

Question No. 10/78 by the Hon. S. B. Wallace

"What is the situation regarding the swimming pool project?"

Reply by the Financial Secretary

It had been the intention to convert the old Power Station building into a Swimming Pool but local funds were insufficient. It was therefore necessary to seek overseas aid. Requests for aid to all known overseas sources were unsuccessful.

Honourable Members are already aware that the old Power Station has been now put to good use for the plant workshop essential for the Colony's Development programme; in particular the internal roads network and the construction of the School Hostel.

Recently documents have been received from Mr. John Dowling of the Falkland Islands Company Limited giving details of a small swimming pool which he suggested may be worth considering for constructing at the site of the Stanley School Hostel. If Mr. Dowling's suggestion is feasible the cost of such a pool may be within the amount already available in the Swimming Pool Fund.

The documents on the suggested pool will be forwarded to the new Director of Public Works for the purpose of seeking his advice shortly after he takes up office.

Councils will be kept informed on this project.

Question No. 11/78 by the Hon. S. B. Wallace

"Who will be consultant engineers for the Stanley fuel jetty?"

Reply by the Hon. Chief Secretary

The Consultant Engineers who were retained by the British Government for the design of this project are Rendel Palmer and Tritton.

Question No. 12/78 by the Hon. S. B. Wallace

"On what terms has the additional plot of land been rented to Gas del Estado?"

Reply by the Hon. Chief Secretary

An application has been received from Gas del Estado for a plot of land close to the site of the proposed oil jetty to build a bulk storage tank from which portable containers could be replenished locally.

This request is still under consideration and the terms on which any lease might be granted would, of course, be for the Governor in Council to determine.

Any such lease would not be an "additional" plot, since Gas del Estado does not have any leased land at present. A temporary site was informally allocated to Gas del Estado in the area of the "German Camp" to enable them to store cylinders, and the present application is to establish a more satisfactory and formal arrangement.

Question No. 13/78 by the Hon. S. B. Wallace

"What plans are there for effecting permanent repairs to the Stanley roads?"

Reply by the Hon. Chief Secretary

It has not yet been possible to formulate any long-term plans for the repair of the roads in Stanley. But, with the arrival of the new Director of Public Works - a professional engineer of great experience - and the return of the Superintendent of Works (Roads) from specialist training in Britain, it is expected that proper attention can be given to this long outstanding problem.

The recent successful resurfacing of Hebe Street has demonstrated that PWD has the capability to tackle the task and suggests also that what is now required is systematic management planning.

Question No. 14/78 by the Hon. S. B. Wallace

"When and how is it planned to effect a "Pay As You Earn" method of collecting income tax?"

Reply by the Hon. Financial Secretary

Professional advice has been sought on the introduction of Income Tax PAYE system in the Falkland Islands.

The expert advice which Government has received indicates that a PAYE system identical to the scheme in the United Kingdom and other territories would not be justified in such a small community as in the Falkland Islands.

It is mentioned in the report made by Mr. Pepper that there is a general consensus of opinion in certain sectors of the community that some voluntary scheme might be tried.

The introduction of a voluntary scheme for Government Employees has been contemplated and in this connection it is intended to introduce a voluntary PAYE system for employees in the Public Works Department with effect from July 1978.

This scheme will be tried and carefully monitored for the purpose of judging whether it would be advantageous to extend the scheme in the Colony.

Question No. 15/78 by the Hon. S. B. Wallace

"What has been done to ensure that in future the issue of white cards properly reflect the provisions of the 1972 communications agreement?"

Reply by the Hon. Chief Secretary

The 1971 Joint statement specifies that travel documents (white cards) are to be issued to residents of the Falkland Islands and Argentina, who wish to travel between these two countries.

The British Government have been discussing with the Argentine Government, for some time, the question of the issue of white cards. The Argentine Government have not yet produced an acceptable solution and the British Government are continuing to press the matter.

Question No. 16/78 by the Hon. S. B. Wallace

"Why is LADE permitted to operate its own private radio station?"

Reply by the Hon. Chief Secretary

LADE operates its own radio station in Stanley as specifically authorised by paragraph (4) (d) of the Exchange of Notes between the British and Argentine Governments on 2nd October 1972 for the provision of a regular air service.

Questions Nos. 17/78 and 18/78 by the Hon. A. B. Monk, J.P.

"How many persons and who, are presently taking advanced level academic or technical courses overseas at our expense?"

"Who decides who goes and who appoints the body that does decide?"

Reply by the Hon. Chief Secretary

Nobody is being trained overseas at Government expense.

The following six people are undergoing training at present:-

Mr. V. Steen	Aircraft engineering
Mr. E. Anderson	Pilot training
Mr. P. King	Office management
Mr. B. Morrison	Road construction
Mr. R. Clarke	Heavy vehicle maintenance
Miss C. Carey	BA Course in English: University of Essex.

(An application on behalf of Mr. Jaime Robertson to study Agriculture is under consideration).

However, their training expenses are being met by the Ministry of Overseas Development. The only expense to the Colony, in the case of serving officers, is the cost of their salary, which would be paid in any case.

The selection of candidates in open competition for training (e.g. pilots) is by recommendation of an appointments board, the composition of which is set out in the Colony's General Orders. The Board normally works in close co-operation with whichever training establishment is to receive the trainees, and may rely heavily upon their advice for the final determination of which candidate is to be selected.

Candidates for normal in-service career training are nominated - often at the suggestion of visiting specialists - by the Head of Department, who may require members of his staff to be trained for the implementation of specific development projects.

The final decision of the acceptance or rejection of candidates for academic and institutional courses, to be funded by the Ministry of Overseas Development, lies with the Ministry's agents, the British Council, who make the final assessment whether a candidate meets the academic and medical requirements stipulated by the training institution.

Each year the Colony is offered a scholarship by the Commonwealth Education Fellowship Fund, and at present Mr. Nicholas Keenleyside holds such an award, which again is costing the Colony nothing. Mr. John Barton has been nominated for the next award.



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No. 7

Appointments

John Roland Ayres, Pilot, Aviation Department, 24.6.78.

Keith David Hamblin, Uncertificated Teacher, Education Department, 24.6.78.

Jonathan Shand Sinclair, Uncertificated Teacher, Education Department, 1.7.78.

Acting Appointment

Keith Edward Dunnett, M.B., B.Chir., Acting Senior Medical Officer, Medical Dept., 12.6.78.

Completion of Contract

Miss Dorothea May Wilson, S.R.N., S.C.M., M.S.R., Matron, Medical Department, 8.7.78.

Resignation

Ronald Roberts, Motor Mechanic, Public Works Department, 4.7.78.

NOTICES

No. 32. 9th June 1978.

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. A. H. DAVIS — LIVELY ISLAND

MR. D. P. DUNFORD — Fox Bay West.

Ref. AGR/7/16.

No. 34. 26th June 1978.

With reference to the Instrument under the Public Seal of the Colony dated 8th June 1978, it is hereby notified that His Excellency the Governor returned to Stanley on Friday, 16th June 1978.

Ref. GOV/19/1.

No. 35. 29th June 1978.

The Electricity Supply Regulations 1969
(Regulation 10)

Notice is hereby given that the rate charged for the supply of electrical energy by the Stanley Power

Station has been reviewed in accordance with the Regulations and will be 5.25p per unit with effect from 1st July 1978.

Ref. ELE/2/1.

No. 36.

11th July 1978.

It is with deep regret that His Excellency the Governor learned of the death of Lt. Col. the Honourable Richard Victor Goss, O.B.E., E.D., on Sunday 9th July 1978.

The funeral service will be held in Christ Church Cathedral at 11.0 a.m. on Thursday, 13th July.

As a mark of respect to the late Lt. Col. Goss, who was a member of the Executive Council of the Colony, Staff Officer of the Falkland Islands Defence Force and A.D.C. to the Governor, Government Offices will be closed next Thursday morning.

Ref. INT/35/1.

In the Supreme Court of the Falkland Islands

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

IN THE MATTER of Frederick John Reive, deceased of Stanley, Falkland Islands, who died at Stanley, Falkland Islands, on the 15th March 1978.

WHEREAS Leonard Lawrence Reive, brother of the above-named deceased has applied for Letters of Administration to administer the estate of the deceased in the Colony.

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

H. BENNETT,
Registrar.

Stanley,
Falkland Islands.
27th June 1978.
SC & L/23/78.

No. 33.

9th June 1978.

FALKLAND ISLANDS COURT OF APPEAL ORDER 1965
(S.I. 1965 No. 589)

Appointments

(under Article 3 (3) of the Order)

In accordance with instructions given by Her Majesty through a Secretary of State, the Governor has been pleased to make the following appointments —

Office	Name	Effective date
President of the Court	Sir Alistair Forbes, K.B.	1st July 1978
Justice of Appeal	Sir W. Hugh Hurley, Kt.	1st July 1978
Justice of Appeal	Sir Lionel Brett, Kt.	1st July 1978

The appointments are for a period of two years.

Ref. JUD/10/1.

FOREIGN JUDGMENTS (RECIPROCAL ENFORCEMENT) ORDINANCE 1959
(No. 4 of 1959)

Foreign Judgments (Reciprocal Enforcement) (Amendment) Order 1978

No. 1 of 1978.

J. R. W. PARKER,
Governor.

IN EXERCISE of the powers conferred by section 9 of the Foreign Judgments (Reciprocal Enforcement) Ordinance 1959, the Governor in Council has made the following order —

Citation.

1. This order may be cited as the Foreign Judgments (Reciprocal Enforcement) (Amendment) Order 1978.

Amendment of preamble.

2. The preamble to the Foreign Judgments (Reciprocal Enforcement) Order 1975 (hereinafter referred to as the principal Order) is amended by inserting after "Dependencies" wherever it occurs the following —

"and judgments given on appeal therefrom".

Amendment of First Schedule.

3. The First Schedule to the principal Order is amended by inserting after "Queensland" the following —

"South Australia".

Made by the Governor in Council the 24th day of May 1978.

W. A. ETHERIDGE,
Clerk of Councils.

Ref. LEG/10/18 II.

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 June 1978, for the purpose of visiting East and West Falkland Islands:

NOW, THEREFORE, under and by virtue of the powers aforesaid I, JAMES ROLAND WALTER PARKER, ESQUIRE, Companion of the Most Distinguished Order of Saint Michael and Saint George, 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 JOHN DUDLEY MASSINGHAM, 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 1977, 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 June 1978 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 June in the year of Our Lord One thousand Nine hundred and Seventy-eight.

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

CUSTOMS ORDINANCE
(Chapter 16)

Resolution of the Legislative Council

No. 1 of 1978.

J. R. W. PARKER,
Governor.

RESOLUTION made and passed by the Legislative Council under section 5 of the Customs Ordinance on the 26th day of June 1978.

Citation and commencement.

THIS RESOLUTION may be cited as the Customs (Amendment of Duties) Resolution 1978 and shall come into operation on the 26th day of June 1978.

Amendment of paragraph 2.

IT IS HEREBY RESOLVED in exercise of the powers conferred by section 5 of the Customs Ordinance that paragraph 2 of the Customs Ordinance be amended in item 2 by deleting "£13.50" and substituting the following — "£15.00".

W. A. ETHERIDGE,
Clerk of Councils.

Ref. CUS/10/1.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,
Governor.



No. 1



1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.
Governor.

An Ordinance

Title.

To provide for the service of the year
1978-79.

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 (1978-79) Ordinance 1978.

Appropriation of
£3,393,827 for the service
of the year 1978-79.

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 1978 to 30th June 1979, a sum not exceeding Three million, three hundred and ninety-three thousand, eight hundred and twenty-seven pounds, which sum is granted and shall be appropriated for the purposes and to defray the charges of the several services expressed and particularly mentioned in the Schedule hereto which will come in course of payment during the year 1978-79.

SCHEDULE

Schedule.

Number	HEAD OF SERVICE						£
I.	The Governor	...	...	...	...	...	34,718
II.	Agriculture	...	...	...	...	...	15,564
III.	Aviation	...	...	...	...	...	139,195
IV.	Customs and Harbour	...	...	...	...	...	57,860
V.	Education	...	...	...	...	...	199,119
VI.	Medical	...	...	...	...	...	238,620
VII.	Meteorological	...	...	...	...	...	13,292
VIII.	Military	...	...	...	...	...	6,380
IX.	Miscellaneous	...	...	...	...	...	29,390
X.	Pensions and Gratuities	...	...	...	...	...	40,862
XI.	Police and Prisons	...	...	...	...	...	31,616
XII.	Posts and Telecommunications	...	...	...	...	...	142,364
XIII.	Public Works	...	...	...	...	...	203,814
XIV.	Public Works Recurrent	...	...	...	...	...	181,180
XV.	Public Works Special	...	...	...	...	...	42,900
XVI.	Secretariat, Treasury and Central Store	...	...	...	...	...	180,084
XVII.	Overseas Passages	...	...	...	...	...	114,800
XVIII.	Social Welfare	...	...	...	...	...	62,756
XIX.	Supreme Court and Legal	...	...	...	...	...	17,603
XX.	Training	...	...	...	...	...	15,000
Total Ordinary Expenditure							1,767,117
Development A							
Expenditure to be met from Colony funds							145,640
Development B							
Expenditure to be met from U.K. Aid							1,481,070
Total Expenditure							£ 3,393,827

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.

R. BROWNING,
for Clerk of Councils.

Ref. TRE/14/13.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,
Governor.



No. 2



1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.
Governor.

An Ordinance

Title.

To legalise certain payments made in the year 1976-77 in excess of the Expenditure sanctioned by Ordinance No. 1 of 1976.

Preamble.

WHEREAS it is expedient to make further provision for the service of the Colony for the period 1st July 1976 to 30th June 1977.

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 (1976-77) Ordinance 1978.

Appropriation of excess expenditure for the period 1st July 1976 to 30th June 1977.

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 1976 to 30th June 1977, 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							£
II.	Agriculture	...	...	...	...	...	2,538
IV.	Customs and Harbour	...	...	...	...	...	8,831
IX.	Miscellaneous	...	...	...	...	...	2,966
XI.	Police and Prisons	...	...	...	...	...	75
XIV.	Public Works Recurrent	...	...	...	...	...	11,402
XV.	Public Works Special	...	...	...	...	...	34,919
XVI.	Secretariat, Treasury and Central Store	...	...	...	...	...	31,166
XVII.	Overseas Passages	...	...	...	...	...	7,929
XX.	Supreme Court and Legal	...	...	...	...	...	1,022
							<hr/>
							£ 100,848
Development A							
	Expenditure to be met from Colony Funds	...	...	...	...	...	50,203
Development B							
	Expenditure to be met from U.K. Aid	...	...	...	...	...	112,521
							<hr/>
							£ 263,572

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.

R. BROWNING,
for Clerk of Councils.

Ref. TRE/14/9.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,
Governor.



No. 3



1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.
Governor.

An Ordinance

Title.

To amend the Interpretation and
General Clauses Ordinance 1977.

Date of commencement.

(11th July 1977)

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 Interpretation and General Clauses (Amendment) Ordinance 1978 and shall be deemed to have come into operation on the 11th day of July 1977.

Addition of new section
81A.
(14 of 1977)

2. The Interpretation and General Clauses Ordinance 1977 (hereinafter referred to as the principal Ordinance) is amended by adding after section 81 the following new section —

"Laws of
England
in force.

81A. (1) The common law and the general statutes in force in England on the 22nd day of May 1900, shall be in force in the Colony in so far as the circumstances of the Colony permit, and provided they are not inconsistent with, or repugnant to, any Ordinance or Order in Council.

(2) So much of the enactments specified in the Schedule to this Ordinance as is not already in force in the Colony, and is capable of being applied therein by Ordinance, shall apply therein with such modifications as the circumstances of the Colony require."

3. The principal Ordinance is amended by adding after section 106 the following Schedule — Addition of Schedule.

“SCHEDULE (section 81A (2))

- (1) Merchant Shipping Acts 1894-1948.
- (2) Married Women's Property Act 1907.
- (3) Protection of Animals Act 1911.
- (4) Forgery Act 1913.
- (5) Trustee Act 1925.
- (6) Marriage (Prohibited Degree of Relationship) Act 1931.
- (7) Children and Young Persons Act 1933, section 1.
- (8) Counterfeit Currency (Convention) Act 1935.
- (9) Infanticide Act 1938.
- (10) Criminal Justice Act 1948, section 2.”

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.

R. BROWNING,
for Clerk of Councils.

Ref. LEG/10/5 II.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,
Governor.



No. 4



1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.
Governor.

An Ordinance

Title. To amend the Christ Church Trust Ordinance.

Date of commencement. (17th July 1978)

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

Short title. 1. This Ordinance may be cited as the Christ Church Trust (Amendment) Ordinance 1978.

Amendment of preamble. 2. The preamble of the Christ Church Trust Ordinance (hereinafter referred to as the principal Ordinance) is amended by inserting after "1892," the following —

"revised and published as a New Constitution on the 22nd day of December 1974,".

Amendment of section 2. 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 —

"clause 5 of the said New Constitution".

—
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.

R. BROWNING,
for Clerk of Councils.

Ref. INT/39/2.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,
Governor.



No. 5



1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.
Governor.

An Ordinance

Further to amend the Stanley Town Public Services Ordinance 1973. Title.

(17th July 1978)

Date of commencement.

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

1. This Ordinance may be cited as the Stanley Town Public Services (Amendment) Ordinance 1978. Short title.

2. Subsection (2) of section 25 of the Stanley Town Public Services Ordinance 1973 is amended by inserting after "offence" the following — Amendment of section 25. 6 of 1973.

"and shall be liable on summary conviction to a fine not exceeding £200".

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.

R. BROWNING,
for Clerk of Councils.

Ref. INT/10/3.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,
Governor.



No. 6



1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.
JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.
Governor.

An Ordinance

Title.

To amend the Protection of Wrecks Ordinance
1977.

Date of commencement.

(17th July 1978)

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".

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.

R. BROWNING,
for Clerk of Councils.

Ref. LEG/10/45.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,
Governor.

LS

No. 7



1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.
Governor.

An Ordinance

Further to amend the Employment of Women,
Young Persons and Children Ordinance 1967. Title.

(17th July 1978)

Date of commencement.

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

1. This Ordinance may be cited as the Employment of Women, Young Persons and Children (Amendment) Ordinance 1978. Short title.

2. The Schedule to the Employment of Women, Young Persons and Children Ordinance 1967 is amended — Amendment of Schedule.
(1 of 1967)

(a) in Article 2 of Part I —

- (i) by deleting "fourteen" and substituting the following —
"fifteen";
- (ii) by deleting the comma after "thereof" and substituting a full stop;
- (iii) by deleting "other than" to the end of the Article;
- (iv) by adding the following proviso —

"Provided that, except in the case of employments which, by their nature or the circumstances in which they are carried on, are dangerous to the life, health or morals of the persons employed therein, national laws or regulations may permit such children to be employed in undertakings in which only members of the employer's family are employed.";

- (b) in Article 3 of Part I by deleting "Article 2" and substituting the following —
"this Convention";
- (c) in Article 4 of Part I by deleting "sixteen" and substituting "eighteen";
- (d) in Article 2 of Part IV —
 - (i) by deleting "fourteen" and substituting the following —
"fifteen";
 - (ii) by adding the following proviso —
"Provided that national laws or regulations may provide for the issue in respect of children of not less than fourteen years of age of certificates permitting them to be employed in cases in which an educational or other appropriate authority designated by such laws or regulations is satisfied, after having due regard to the health and physical condition of the child and to the prospective as well as to the immediate benefit to the child of the employment proposed, that such employment will be beneficial to the child."

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.

R. BROWNING,
for Clerk of Councils.

Ref. LEG/10/20.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,
Governor.

LS

No. 8



1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.

Governor.

An Ordinance

Further to amend the Registration of United Kingdom Patents Ordinance (Chapter 58) by providing for the registration in the Colony of certain patents granted in countries which are parties to the European Patents Convention and for matters incidental thereto.

Title.

(17th July 1978)

Date of commencement.

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

1. This Ordinance may be cited as the Registration of United Kingdom Patents (Amendment) Ordinance 1978.

Short title.

2. Section 2 of the Registration of United Kingdom Patents Ordinance (hereinafter referred to as the principal Ordinance) is amended by the deletion of the words "patent in the United Kingdom" appearing therein and by the substitution therefor of the words "United Kingdom patent (which expression shall in this Ordinance include a patent treated under any Patents Act in force in the United Kingdom as being granted under such Act by reason of its being a European Patent (UK))".

Amendment of section 2.

3. Section 3 of the principal Ordinance is amended by the deletion of subsection (2) and the substitution therefor of the following —

Amendment of section 3.

"(2) Two certified copies of the complete specification or specifications and in the case of a patent treated as being granted in the United Kingdom by virtue of the provisions of section 2, a certificate by an officer duly authorized under the Patent Act

that the United Kingdom has accepted the European Patent (UK) designating the United Kingdom as being effective in the United Kingdom and that the particulars of the application are true (including the drawing, if any) in relation to any patent."

Amendment of section 8.

4. Section 8 of the principal Ordinance is amended by the addition immediately after the figures "1949" appearing therein of the words "or any other Patents Act for the time being in force".

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.

R. BROWNING,
for Clerk of Councils.

Ref. LEG/1/3.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,
Governor.

LS

No. 9



1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.
Governor.

An Ordinance

Further to amend the Family Allowances Ordinance 1960. Title.

(1st January 1979)

Date of commencement.

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

1. This Ordinance may be cited as the Family Allowances (Amendment) Ordinance 1978 and shall come into operation on the 1st day of January 1979.

Short title and commencement.

2. Section 3 (2) of the Family Allowances Ordinance 1960 is amended by deleting "one pound" and "two pounds" and substituting the following respectively —

Amendment of section 3.
(9 of 1960)

"two pounds" and "four 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.

R. BROWNING,
for Clerk of Councils.

Ref. TRE/10/1.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,
Governor.



No. 10



1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.
JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.
Governor.

An Ordinance
Further to amend the Income Tax
Ordinance.

Title.

Date of commencement.

(1st January 1980)

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 Income Tax (Amendment) Ordinance 1978 and shall apply to assessments for the year of assessment commencing on the 1st day of January 1980 and to all subsequent years of assessment.

Amendment of section 5.
(Cap. 32)

2. Section 5 of the Income Tax Ordinance is amended —
- (a) by deleting the colon at the end of paragraph (f) and substituting a semi-colon; and
 - (b) by adding after paragraph (f) the following new paragraph —
“(g) family allowances paid under section 3 of the Family Allowances Ordinance 1960:”.

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.

R. BROWNING,
for Clerk of Councils.

Ref. INC/10/5.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,
Governor.

LS

No. 11



1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.
JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.
Governor.

An Ordinance

Further to amend the Income Tax Ordinance.

Title.

(1st January 1979)

Date of commencement.

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

1. This Ordinance may be cited as the Income Tax (Amendment) (No.2) Ordinance 1978 and shall apply to assessments for the year of assessment commencing on the 1st day of January 1979 and to all subsequent years of assessment.

Short title and commencement.

2. Section 2 of the Income Tax Ordinance is amended by inserting after the definition of "Chargeable income", the following new definition —

Amendment of section 2.
(Cap. 32)

"Income arising from a source outside the Colony" does not include, in the case of income from an employment, such part of that income as constitutes remuneration for services actually performed in the Colony."

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

R. BROWNING,
for Clerk of Councils.

Ref. INC/10/5.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,
Governor.



No. 12



1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.

Governor.

An Ordinance

Title.

Further to amend the Non-contributory Old Age Pensions Ordinance 1961.

Date of commencement.

(3rd July 1978)

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 Non-contributory Old Age Pensions (Amendment) Ordinance 1978 and shall come into operation on the 3rd day of July 1978.

Amendment of section 4.
(7 of 1961)

2. Section 4 of the Non-contributory Old Age Pensions Ordinance 1961 (hereinafter referred to as the principal Ordinance) is amended by —

(a) deleting in paragraph (b) "£650" and substituting the following —

"£1,300";

(b) deleting in paragraph (c) "£400" and substituting the following —

"£800"; and

(c) deleting in paragraph (d) "£400" and substituting the following —

"£800".

Amendment of Schedule.

3. The Schedule to the principal Ordinance is amended by deleting "£8.50", "£6.00" and "£6.00" and substituting the following respectively —

"£11.00", "£8.00" and "£8.00".

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.

R. BROWNING,
for Clerk of Councils.

Ref. TRE/2/2.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,
Governor.

LS

No. 13



1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.
Governor.

An Ordinance

Further to amend the Income Tax Ordinance.

Title.

(1st January 1979)

Date of commencement.

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

1. This Ordinance may be cited as the Income Tax (Amendment) (No. 3) Ordinance 1978, and shall apply to assessments for the year of assessment commencing on the 1st day of January 1979 and to 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 "£750" and substituting the following —

Amendment of section 14.
(Cap. 32)

"£850".

3. Section 15 of the principal Ordinance is amended —

Amendment of section 15.

(a) in subsection (1), by deleting "£300" and substituting the following —

"£350";

(b) in subsection (2), by deleting "£150" and substituting the following —

"£175";

- (c) in subsection (3) (a) —
 - (i) by deleting “£350” and substituting the following —
“£500”; and
 - (ii) by deleting “£250” and substituting the following —
“£300”;
- (d) in subsection (4), by deleting “£350” and substituting the following —
“£400”; and
- (e) in subsection (5), by deleting “£200” and substituting the following —
“£850”.

Amendment of section 16.

4. Section 16 of the principal Ordinance is amended —

- (a) in subsection (1), by deleting “£250” and substituting the following —
“£300”; and
- (b) in paragraph (i) of the proviso to subsection (1), by deleting “£280” and substituting the following —
“£320”.

Amendment of section 16A.

5. Section 16A of the principal Ordinance is amended by deleting “£900” wherever it occurs and substituting the following —
“£1050”.

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.

R. BROWNING,
for Clerk of Councils.

Ref. INC/10/5.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,
Governor.

LS

No. 14



1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.

JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.
Governor.

An Ordinance

Further to amend the Old Age Pensions Ordinance 1952. Title.

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

1. (1) This Ordinance may be cited as the Old Age Pensions (Amendment) Ordinance 1978. Short title and commencement.

(2) The provisions of section 2 and sections 4 to 8 of this Ordinance shall come into operation on the 3rd day of July 1978 and the provisions of sections 3 and 9 shall come into operation on the 10th day of July 1978.

2. Section 2 of the Old Age Pensions Ordinance 1952 (hereinafter referred to as the principal Ordinance) is amended — Amendment of section 2.
(3 of 1952)

(a) in the definition of "employed person" by deleting "18" and substituting the following —

"17"; and

(b) in the definition of "self-employed person" by deleting "18" and substituting the following —

"17".

Amendment of section 5.

3. Section 5 (1) of the principal Ordinance is amended —
- (a) in paragraph (a) by deleting “65” and substituting the following —
“64”;
 - (b) in paragraph (b) by deleting “65” and substituting the following —
“64”; and
 - (c) in paragraph (e) by deleting “65” and substituting the following —
“64”.

Amendment of section 6.

4. Section 6 (2) of the principal Ordinance is amended —
- (a) in paragraph (a) —
 - (i) by inserting after “female contributor” the following —
“other than the widow of a contributor”;
 - (ii) by deleting “72p” and substituting the following —
“£1.00”; and
 - (iii) by deleting “18 and 60 years” and substituting the following —
“17 and 64 years”;
 - (b) in paragraph (b) —
 - (i) by inserting after “female contributor” the following —
“other than the widow of a contributor”;
 - (ii) by deleting “£1.08” and substituting the following —
“£1.50”; and
 - (iii) by deleting “18 and 60 years” and substituting the following —
“17 and 64 years”
 - (c) in paragraph (c) —
 - (i) by inserting after “female contributor” the following —
“other than the widow of a contributor”;
 - (ii) by deleting “£1.80” and substituting the following —
“£2.50”; and
 - (iii) by deleting “18 and 60 years” and substituting the following —
“17 and 64 years”;
 - (d) by deleting the proviso; and
 - (e) by adding after subsection (5) the following new subsection—
“(6) Any contributor unable to make the contributions required under this section shall on or before his fiftieth birthday apply to the Board for assistance in the payment of such contributions, if necessary to the full extent of contributions, and, if the Board is satisfied that he is unable to make the contributions required, contributions on his behalf shall be paid out of the general revenues of the Colony.”.

Amendment of section 6A.

5. Section 6A (2) of the principal Ordinance is amended —
- (a) by deleting “£1.80” and substituting the following —
“£2.50”;
 - (b) by deleting “18 and 60 years” and substituting the following —
“17 and 64 years”; and
 - (c) by adding at the end thereof the following —
“or in the case of the widow of a contributor between the age of 17 and 60 years”;

6. Section 6B of the principal Ordinance is amended —

Amendment of section 6B.

- (a) in paragraph (b) by deleting “£300” and “£100” and substituting the following —
“£800 and £250”;
- (b) in paragraph (e) —
 - (i) by inserting after “female contributor” the following —
“other than the widow of a contributor”; and
 - (ii) by deleting “60” and substituting the following —
“64”; and
- (c) in the proviso to paragraph (f) by deleting “£300” and “£100” and substituting the following —
“£800” and “£250”.

7. Section 9 of the principal Ordinance is amended —

Amendment of section 9.

- (a) by deleting “ten consecutive years” and substituting the following —
“14 consecutive years”;
- (b) by deleting “sixty years” and substituting the following —
“64 years”; and
- (c) by deleting the full stop at the end thereof and substituting a colon and by inserting thereafter the following proviso —
“Provided that contributions shall not be payable in respect of the period between the day any contributor or female contributor attained the age of 60 years and the 3rd July 1978.”.

8. Section 11 of the principal Ordinance is amended by deleting “sixty-five years” and substituting the following —
“64 years”.

Amendment of section 11.

9. The Schedule to the principal Ordinance is amended by deleting “£10.50”, “£7.00”, “£7.00” and “£7.00” and substituting the following respectively —

Amendment of Schedule.

“£13.50”, “£9.00”, “£9.00” and “£9.00”.

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.

R. BROWNING,
for Clerk of Councils.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,
Governor.



No. 15



1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.
JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.
Governor.

An Ordinance
Further to amend the Licensing Ordinance.

Title.

Date of commencement. *(1st January 1979)*

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 Licensing (Amendment) Ordinance 1978 and shall come into operation on the 1st day of January 1979.

Amendment of section 3.
(Cap. 38)

2. Section 3 of the Licensing Ordinance (hereinafter referred to as the principal Ordinance) is amended by deleting subsection (1) and substituting the following —

“(1) The Licensing authority may, subject as hereinafter mentioned, grant the following licences upon payment of the fees respectively set out against them.

Description of licence					Amount of Fee
1.	Wholesale licence	...	...	...	£60.00
2.	Retail licence	...	...	...	£30.00
3.	Club licence	...	...	...	£20.00
4.	Tobacco licence (for Stanley and within fifteen miles by land and sea)	...	...	...	£6.00
5.	Tobacco licence (outside the above limit)	...	...	...	£3.00
6.	Restaurant licence	...	...	...	£10.00
7.	Packet licence	...	...	...	£20.00
8.	Auctioneer's licence	...	...	...	£10.00
9.	Auctioneer's licence (occasional)	...	...	...	£2.00
10.	Billiard Table licence (each table)	...	...	...	£5.00.”.

3. Section 12 of the principal Ordinance is amended — Amendment of section 12.
 (a) in paragraph (a) by deleting “25p” and substituting the following —
 “£3.00”; and
 (b) in paragraph (b) by deleting “50p” and substituting the following —
 “£5.00”.
4. Section 13 of the principal Ordinance is amended by Amendment of section 13.
 deleting “50p” and “25p” and substituting the following respectively—
 “£2.00” and “£1.00”.
5. Section 41 of the principal Ordinance is amended in Amendment of section 41.
 subsection (2) by deleting “£5” and substituting the following —
 “£10.00”.
6. Section 71 of the principal Ordinance is amended — Amendment of section 71.
 (a) in paragraph (a) by deleting “10p” and substituting the following —
 “£1.00”; and
 (b) in paragraph (b) by deleting “20p” and substituting the following —
 “£2.00”.
7. Section 80 is amended by deleting “12½p” and substituting Amendment of section 80.
 the following —
 “£1.00”.

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.

R. BROWNING,
for Clerk of Councils.

Ref. LEG/10/33.

Assented to in Her Majesty's name this 7th day of July 1978.

J. R. W. PARKER,
Governor.



No. 16



1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.
JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.
Governor.

An Ordinance

Title.

Further to amend the British Nationality Ordinance.

Date of commencement.

(17th July 1978)

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

Short title.

1. This Ordinance may be cited as the British Nationality (Amendment) Ordinance 1978.

Repeal and replacement
of section 3.
(Cap. 6)

2. Section 3 of the British Nationality Ordinance (hereinafter referred to as the principal Ordinance) is repealed and replaced by the following new section —

"Schedule
of fees.

3. The fees appointed in the Schedule shall be taken in the various matters respectively specified, in the manner therein shown."

Addition of new section
4.

3. The principal Ordinance is amended by adding, after section 3, the following new section —

"Schedule may
be amended
by Governor
in Council.

4. The Governor in Council may by order amend the Schedule."

4. The Schedule to the principal Ordinance is repealed and replaced by the following — Repeal and replacement
of Schedule.

SCHEDULE (Section 3.)
Table of fees.

Matter in which fee may be taken	Amount of fee	To whom fee is to be paid
	£	
1. Registration as a citizen under s.5A (1) of the British Nationality Act 1948	35.00	Financial Secretary
*2. Registration as a citizen under s.5A (2) of the British Nationality Act 1948	65.00	The same
3. Registration as a citizen under s.6 (1) of the British Nationality Act 1948	35.00	The same
4. Registration of a woman as a citizen under s. 6 (2) of the British Nationality Act 1948	35.00	The same
*5. Grant of a certificate of naturalisation under s. 10 of the British Nationality Act 1948 —		
(a) To a British protected person 	65.00	The same
(b) To an alien 	85.00	The same
6. Registration as a citizen under s. 12 (6) of the British Nationality Act 1948	35.00	The same
7. Registration of a declaration of intention to resume British Nationality under s. 16 (2) of the British Nationality Act 1948	35.00	The same
8. Grant of a certificate of citizenship in case of doubt under s. 25 of the British Nationality Act 1948	65.00	The same
9. Registration of a declaration of intent to resume citizen- ship under s. 4 (2) of the Cyprus Act 1960	35.00	The same
10. Registration as a citizen under s. 1 of the British Nationality Act 1964	35.00	The same
11. Registration of a stateless person of full age as a citizen under s. 1 of the British Nationality (No.2) Act 1964	35.00	The same
12. Registration of a woman as a British subject under s.1 of the British Nationality Act 1965	35.00	The same
13. Supplying a certified true copy of any notice, certificate, order, declaration or entry given, granted or made under the British Nationality Act 1948	5.00	The same
14. Witnessing the signing of an application or declaration mentioned in paragraph 4 of Schedule 1 to the British Nationality Regulations 1975	1.00	If the application or declaration is witnessed, or the oath administered, by a commissioner for oaths or notary public to the commissioner or notary public.
15. Administering the oath of allegiance 	1.00	

* Where a husband and wife apply at the same time for registration as citizens of the United Kingdom and Colonies under section 5A (2) of the 1948 Act or for the grant of certificate of naturalisation and are residing together at the time of the application and the fee payable in respect of the husband's registration or certificate is paid, the fee payable in respect of the wife's registration or certificate shall be £35.

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.

R. BROWNING,
for Clerk of Councils.

Ref. LEG/10/19.

Air Fares and Conditions of Carriage

The following charges and conditions of carriage shall come into operation on the 1st July 1978.

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 25 pence per mile plus;
- (b) a flat rate (popularly known as the boarding charge) for passengers of —
 - (i) £8 for adults;
 - (ii) £3 for children between the age of seven and school leaving age (but see Part III below);
 - (iii) £1.50 for children from one to seven years (but see Part III below);
 - (iv) nil for children under one year.
- (2) Children over seven years of age are charged at the full mileage rate (but see Part III below).
- (3) Children between one and seven years of age are charged half the mileage rate (but see Part III below).
- (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 lbs. Baggage in excess of this weight will be carried only at the aircraft commander's discretion and shall be charged at 10 pence per lb for the first 10 lbs and at the rate of 15 pence per lb thereafter.
- (7) A rebate of 20 pence per mile will be given to persons normally resident in the Colony (in the case of children between one and seven years of age 10 pence per mile).
- (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 any person paying Falkland Islands income tax.

II. MEDICAL FLIGHTS

(1) Medical flights are made at the request of the Senior Medical Officer. Applications for medical flights should be sent to the Senior Medical Officer and not to the Air Service. All bookings received by the Air Service from farm managers or private individuals will be treated as private bookings and charged as such.

(2) There is no charge against a patient proceeding to Stanley Hospital for the treatment or control of tuberculosis, the full cost both ways being met from the Medical Department votes.

(3) There is no charge against a patient for emergency cases to Stanley for Hospital treatment but 25% of the air fare is charged to the patient for the return flight, the inward flight and the balance of the return flight are charged to Medical Department votes.

(4) Non-urgent medical cases travel both ways at assisted passage rates, i.e. 25% of the air fare payable by the patient and 75% by the Medical Department.

III. SCHOOL FLIGHTS

(1) In all cases School Flights must be booked through the Superintendent of Education. All bookings received by the Air Service from farm managers or private individuals will be treated as private bookings and charged as such.

(2) Children travelling by air to or from school at the beginning or end of the recognized school terms are charged half fare appropriate to their age group, the balance being met from the Education vote.

(3) Should a child attending school away from home proceed on holiday to a settlement other than his or her home, the Education Department will meet 50% of the charge provided it does not exceed the normal half fare for the journey between the school and the child's home. Excess distance travelled will be charged to the parent at the full fare rate in addition to the half fare between school and home.

IV CHARTER FLIGHTS

I. CONDITIONS

(1) Charter bookings can normally only be accepted when both aircraft are in service. It may, however, be possible to undertake a charter with only one aircraft available when bookings are light.

(2) Although charters will not normally be given priority over private bookings, application for priority can be made to the Chief Secretary as in the case of private bookings.

(3) Aircraft on charter are still at the disposal of the Senior Medical Officer and may be diverted at any time during charter at his request if required for an urgent medical case.

(4) Government reserves the right to utilise an aircraft under charter during any waiting time or at any time during charter when the aircraft is travelling empty.

(5) Persons requiring this service should if possible advise the Air Service Office at least seven clear days before the required date. Full particulars of route, passengers and/or freights must be advised at the time of booking.

2. RATES

(1) £108 per hour (commencing from the time of 'engine on' at Stanley to the time of 'engine off' at Stanley rounded to the nearest 15 minutes).

(2) 2 hours free waiting, thereafter a demurrage charge of £10 per hour or part thereof will be levied.

(3) Charges will be reduced by the amount earned by carrying other passengers (with the consent of the charterer).

3. PASSENGER AND FREIGHT LIMITATIONS

Aircraft leaving a pick up point with full fuel load can only carry four adult passengers plus luggage or 1,000 lbs of freight; when full fuel load is not required one extra passenger or 250 lbs of freight can be carried.

4. DELAYS

(1) Delays caused solely by the weather will not normally be charged to the charterer. If an aircraft is compelled or required to spend the night away from Stanley on account of the charterer the basic waiting fee of £10 per hour (after the initial two hours free waiting period) will be charged up to 6.0 p.m (Stanley time). Thereafter a consolidated overnight fee of £50 will be charged and will apply until 10.0 a.m. (Stanley time) the following morning when, if the aircraft is still retained by the charterer, the basic waiting fee of £10 an hour will be charged.

(2) Overnight charters will not, however, be accepted in normal circumstances and the overnight charges outlined above are only intended to apply in the case of unforeseen delays caused by the charterer. In such cases the Air Service reserves the right to return to Stanley if the aircraft commander considers this to be desirable and another charter at the usual rates will be necessary if further flying is required to complete the charter.

V. PRIORITY FLIGHTS

(1) Government reserves the right at all times to refuse passage to any person, or to carry freight or livestock.

(2) Flight priorities are—

1st priority	...	Medical flights;
2nd priority	...	Delivery and collection of overseas mail (letters only);
3rd priority	...	Members of Executive and Legislative Councils and Government officials travelling on duty;
4th priority	...	Ordinary passenger flights (any person in this category may apply to the Chief Secretary for a higher priority on compassionate or urgent business or other relevant grounds);
5th priority	...	Freight and livestock.

VI AIR FREIGHT

1. CONDITIONS OF CARRIAGE

(1) No guarantee of delivery by air can be given.

(2) Air freight cannot be registered or insured and all freight is carried at owner's risk.

(3) Explosive or inflammable articles must not be sent as air freight.

(4) All packages consigned as freight must be clearly addressed with the weight marked on the package.

(5) Rates for the carriage of air freight will be—

<i>Weight</i>			<i>Rate</i>
On the first 50 lbs	...	...	10 pence per lb.
Above 50 lbs	...	...	15 pence per lb.
Minimum charge	...	...	50 pence.

(6) Half the normal rate will be charged for the freighting into Stanley of fresh produce when the space would otherwise be unused.

2. Dogs

(1) All dogs carried must be accompanied by the owner or a person known to the dog appointed by the owner.

(2) Owners will provide muzzle, collar and chain to be used as instructed by the aircraft's commander.

(3) Dogs will be securely chained to the holding down bolts in the rear of the aircraft.

(4) Owners or their representatives will be required to load and unload their own dogs as advised by the air service staff.

(5) Government will provide polythene sheeting to protect passengers' luggage.

(6) Only one dog will be accepted on an aircraft at any one time.

(7) A dog will not be granted a passage if any passenger already on board raises objection.

(8) Last minute bookings for dogs cannot be accepted.

(9) All owners must produce a certificate signed by an appointed inspector, certifying that —

(a) the dog has been dosed with Droncit within six weeks of the flight;

(b) the dog has been bathed using carbolic lifebuoy soap within twelve hours of the flight time.

(10) Rates for carriage of dogs shall be —

(a) a flat rate of £1 plus

(b) a charge of 2½ pence per mile.

3. CATS

All cats must be enclosed in a cat basket or a well ventilated cat-proof box.

4. SHEEP

(1) Sheep will not be accepted on aircraft carrying passengers.

(2) Sheep when accepted must be accompanied by a stockman and will be carried at charter rates only.

(3) Loading and unloading will be carried out under the supervision of the aircraft commander.

Nothing mentioned above over-rides Government's right to refuse passage or the aircraft commander's authority to refuse passage.

VII. DELIVERY OF PAPER MAIL TO CAMP SETTLEMENTS BY AIR

(1) Paper mail will be delivered by air to all farms as and when opportunity occurs and provided that such distribution does not interfere with the carriage of passengers, ordinary mail and freight.

(2) The following flat charges will be made irrespective of the distance carried —

Not exceeding 30 lbs, 20 pence; not exceeding 70 lbs, 50 pence; not exceeding 100 lbs, 75 pence.

(3) Charges will be borne by the farms.

VIII CANCELLATION

Government Notice No. 33, Air Fares and Conditions of Carriage of the 23rd July 1973 is hereby cancelled with effect from 1st July 1978.

JOHN MASSINGHAM,
Chief Secretary.

AIR/2/1.

WAGES AGREEMENT

The following agreement has been reached between the Government and the General Employees' Union. The agreement shall be effective for a period of one year from 1st January 1978 and shall apply to the hourly paid employees of Government in Stanley. (In recognition of the widely differing conditions of service offered by Government on the one hand and by the Falkland Islands Company on the other it has been agreed by all the parties concerned that, on this occasion and henceforward, a separate agreement should be made between the General Employees' Union and each of the respective Employers).

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, ½p 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	...	£1.09
2. Apprentices	1st year	0.75½p
	2nd year	0.77p
	3rd year	0.80½p
	4th year	0.84p
	5th year	0.92½p
* An apprenticeship should not commence before the 15th birthday.		
3. Handymen (according to ability)	...	0.89½p to 0.99p
4. Slaughtermen and tradesmen's mates	...	0.88½p
5. Lorry Drivers, including men tending stationary engines or boilers		0.89½p
6. Tractor Drivers		0.92½p
7. Labourers	Age	Hourly Rate.
	14-15	0.66½p
	15-16	0.70½p
	16-17	0.76p
	17-18	0.81p
	18 and over	0.87½p

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.

N.B. It should be noted that the above mentioned rates exclude the 3p per hour, in respect of increase in cost of living, awarded to hourly paid employees with effect from 1st January 1978.

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 precise rate for each job shall be agreed between Employer and Employees except that the following jobs shall automatically qualify for 14p per hour: Crushing stone, handling cement in bags, handling filtration plant chemicals, handling gas oil and cleaning blocked sewers.

(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 8p to 15p 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 25p 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 3p 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 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. This will also apply to tallymen.

(e) PAINT SPRAYING.

Employees engaged on paint spraying shall be paid 5p 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 misleemeanour, 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.

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.

Separate agreements have been negotiated on this occasion, and will be negotiated in future, for employees of Government and of the Falkland Island Company, respectively, all the parties concerned consider there is some value in their continuing to negotiate such agreements jointly rather than separately so far as this proves possible.

Ref. TRE/2/9.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXXVII

18 AUGUST 1978

No. 8

Appointments

John Charles Hodgkinson, Assistant Teacher,
Education Department, 26.7.78.

Acting Appointments

Thomas George Perry, Officer in Charge, Public
Works Department, 11.5.78 - 23.7.78.

Dinah May Brown, Acting Matron, Medical
Department, 8.7.78 - 31.7.78.

Ann Caswell, Acting Matron, Medical Depart-
ment, 1.8.78.

Completion of Contract

Dr. Frederick Campbell Cox, M.B., Ch.B., M.R.C.P.,
Senior Medical Officer, Medical Department, 11.6.78.

Resignation

Russell George Thomas Hooper, Pilot, Civil
Aviation Department, 29.7.78.

NOTICES

No. 37. 19th July 1978.

The findings of the Cost of Living Committee
for the quarter ended 30th June 1978 are published
for general information —

<i>Quarter ended</i>	<i>Percentage increase over 1971 prices</i>
30th June 1978	166.98%

2. In accordance with the principle of the
Wages Agreement for Stanley the average increase
over the last four quarters is 159.80%, and a further
wage award of 1½ pence per hour is therefore
payable with effect from 1st July 1978.

Ref. INT/2/3.

No. 38. 2nd August 1978.

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. T. J. D. MILLER — Walker Creek.

Ref. AGR/7/16.

No. 39.

8th August 1978.

Appointment

His Excellency the Governor has been pleased
to make the following appointment in the Falkland
Islands Defence Force with effect from 10th July
1978 —

2nd Lieutenant H. T. Luxton to be Adjutant.

Ref. SEC/19/1.

No. 40.

8th August 1978.

Appointment

His Excellency the Governor has been pleased
to make the following appointment in the Falkland
Islands Defence Force under section 7(1) of the
Defence Force (Amendment) Ordinance 1973 —

Captain P. G. Summers, E.D., to be Staff Officer
with effect from 10th July 1978.

Ref. SEC/19/1.

No. 41.

8th August 1978.

Promotions

His Excellency the Governor has been pleased
to make the following promotions in the Falkland
Islands Defence Force with effect from 8th August
1978 —

Captain P. G. Summers, E.D., to the rank of Major
2nd Lieut. H. T. Luxton to the rank of Lieutenant
2nd Lieut. B. W. Ford to the rank of Lieutenant.

Ref. SEC/19/1.

No. 42.

17th August 1978.

With reference to the Instrument under the
Public Seal of the Colony dated 21st July 1978, it
is hereby notified that His Excellency the Governor
returned to Stanley on Wednesday 26th July 1978.

Ref. GOV/19/1.

No. 43. 17th August 1978.

Departure from the Colony of His Excellency the Governor

It is hereby notified for general information that His Excellency James Roland Walter Parker, Esquire, C.M.G., O.B.E., Governor and Commander-in-Chief left the Colony on this day on temporary leave of absence.

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 Richard Victor Goss, deceased of Stanley, Falkland Islands, who died at Stanley, Falkland Islands on the 9th day of July 1978.

WHEREAS Harold Bennett, Attorney for the widow of the above-named deceased has applied for Letters of Administration to administer the estate of the 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.
31st July 1978.
SC & L/26/78.

Notice under the Trustee Act 1925, section 27.

Re: Maurice Lehen, deceased, late of 5 John Street, Stanley, Falkland Islands, who died on the 29th day of October 1977.

NOTICE IS HEREBY GIVEN pursuant to section 27 of the Trustee Act 1925, that any person having a claim against or an interest in the Estate of Maurice Lehen is hereby required to send particulars in writing of his claim or interest to Harold Bennett sole executor of the Will of the said Maurice Lehen, and to send such particulars not later than the 30th day of September 1978, after which date the executor will distribute the estate among the persons entitled thereto having regard only to the claims and interests of which he has had notice and will not, as respects the property so distributed, be

liable to any person of whose claim he shall not then have had notice.

H. BENNETT,
Executor.

Stanley.
31st July 1978.

In the Supreme Court of the Falkland Islands

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

IN THE MATTER of Martha Burns, deceased of Stanley, Falkland Islands, who died at Stanley, Falkland Islands on the 20th day of June 1978.

WHEREAS Frederick John Burns, son of the above-named deceased has applied for Letters of Administration to administer the estate of the 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 August 1978.
SC & L/24/78.

In the Supreme Court of the Falkland Islands

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

IN THE MATTER of Thomas Skilling, deceased of Stanley, Falkland Islands, who died at Stanley, Falkland Islands on the 2nd day of March 1978, *testate*.

WHEREAS the estate remains unrepresented the Supreme Court has appointed the Official Administrator, as administrator of the estate of the said deceased in the Colony.

NOTICE IS HEREBY GIVEN:

- (a) that all creditors having claims against the said estate should submit their claims to the undersigned on or before the 1st day of September 1978; and
- (b) that all persons indebted to the said estate are hereby requested to make payment forthwith.

Dated at Stanley this 2nd day of August 1978.

H. BENNETT,
Official Administrator.

SC & L/22/78.

PROCLAMATION

No. 2 of 1978

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 HONOUR JOHN DUDLEY MASSINGHAM, ESQUIRE, Acting Governor of the Colony of the Falkland Islands and its Dependencies, and Vice-Admiral of the same.

WHEREAS by Article 7 (1) of the Falkland Islands Letters Patent 1948 to 1962, under the Great Seal of the United Kingdom of Great Britain and Northern Ireland, it is provided that whenever the Office of Governor is vacant, or the Governor is absent from the Colony or is from any cause prevented from or incapable of, acting in the duties of his Office, then such other person as We may appoint under our Sign Manual and Signet, or if there is no such person in the Colony so appointed and capable of discharging the duties of the administration, the Senior Member of the Executive Council then in the Colony and so capable, shall during Our pleasure, administer the Government of the Colony:

AND WHEREAS His Excellency JAMES ROLAND WALTER PARKER, ESQUIRE, Companion of the Most Distinguished Order of Saint Michael and Saint George, 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, has this day left the Colony on leave of absence:

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

NOW, THEREFORE, I, JOHN DUDLEY MASSINGHAM, Chief Secretary of the Colony, the Senior Member of the Executive Council aforesaid, do hereby proclaim and make known that, in pursuance of the said Article 7 (1) of the said Letters Patent and having taken the oaths prescribed by law, I have this day assumed the administration of the Government of the Colony.

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



JOHN MASSINGHAM.
Acting Governor.

GOD SAVE THE QUEEN

Instrument under the Public Seal of the Colony of the Falkland Islands appointing Douglas Roy Morrison, Esquire, O.B.E., to be a Temporary Member of the Executive Council.

BY HIS HONOUR JOHN DUDLEY MASSINGHAM, ESQUIRE, Acting Governor of the Colony of the Falkland Islands and its Dependencies, and Vice-Admiral of the same.

WHEREAS by the Falkland Islands Letters Patent 1948 to 1962, under the Great Seal of the United Kingdom of Great Britain and Northern Ireland, constituting the office of Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies, it is amongst other things declared that there shall be an Executive Council in and for the said Colony and for the Dependencies which shall consist of such persons as may be directed by Instructions 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, as amended by Additional Instructions dated the 27th day of November 1951, 15th day of November 1955, 10th day of December 1964, 10th day of April 1973, and 31st day of March 1977, it is declared that the Governor may, by Instrument under the Public Seal, appoint to be temporarily a member of the Executive Council, in the case of the incapacity of an Ex-officio Member a person who holds an office of emolument under the Crown in the Colony:

NOW, THEREFORE, I, JOHN DUDLEY MASSINGHAM, do hereby appoint:

DOUGLAS ROY MORRISON, ESQUIRE, O.B.E., Acting Chief Secretary

to be a temporary Ex-officio Member of my Executive Council.

GIVEN under my hand and the Public Seal of the Colony at Government House, Stanley, this 17th day of August in the Year of Our Lord One thousand Nine hundred and Seventy-eight.



JOHN MASSINGHAM,
Acting Governor.

GOD SAVE THE QUEEN

Assented to in Her Majesty's name this 14th day of August 1978.

J. R. W. PARKER,
Governor.

LS

No. 17



1978

Colony of the Falkland Islands

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.
JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.
Governor.

An Ordinance

To provide for the establishment of a Plant and Transport Authority, to define its powers and functions and to provide for matters connected therewith or incidental thereto.

Title.

(1st July 1978)

Date of commencement.

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

1. This Ordinance may be cited as the Plant and Transport Authority Ordinance 1978 and shall come into operation on the 1st day of July 1978.

Short title and commencement.

2. In this Ordinance, unless the context otherwise requires —
“Authority” means the Plant and Transport Authority established by section 3;
“financial year” means the period commencing on the 1st day of July each year and ending on the 30th day of June in the year following except that the period from the establishment of the Authority to the 30th day of June next thereafter shall be deemed to be a financial year.

Interpretation.

3. There is hereby established an Authority to be called the Plant and Transport Authority which shall, in that name, be a body corporate with perpetual succession and shall be capable of suing and being sued, and subject to this Ordinance of doing and suffering all such other acts and things as bodies corporate may lawfully do or suffer.

Establishment and incorporation of Plant and Transport Authority.

4. The functions of the Authority shall be to control a fund created to provide monies for the purchase, repair, maintenance and replacement of such engine-driven, engineering construction plant and

Functions of Authority.

engine-driven vehicles as from time to time the Authority may acquire by purchase or otherwise and for such other purposes as the Governor in Council may from time to time approve.

General powers of Authority.

5. Subject to section 6, the Authority may do all such things as are calculated to facilitate, or are incidental or conducive to, the better carrying out of its functions and to such end may include —

- (a) the acquisition, taking or leasing, purchasing, holding and enjoying any property and selling, letting or otherwise disposing of the same;
- (b) the establishment and maintenance of workshops and offices;
- (c) entering into any contract;
- (d) charging for the use of any facilities or services provided by the Authority.

Restrictions as to future financial commitments.

6. Without the prior approval of the Governor in Council, no contract shall be made in the exercise of any of the powers conferred upon the Authority by this Ordinance that itself is likely, or together with all other contracts previously entered into are likely, to involve expenditure by the Authority in any subsequent financial year under any of the major heads of expenditure of an amount or aggregate amount exceeding the sum in the estimate of expenditure approved by the Governor in Council for the same major head of expenditure in respect of the year in which such contract is entered into (and not transferred to any other major head by the Authority) together with any sum transferred to that head by the Authority during that year (other than a sum transferred thereto from any unallocated balance or surplus shown in the estimates for that year).

Seal of the Authority.

7. (1) The Authority shall have a common seal, and the fixing of the seal shall be authenticated by the signature of any two members of the Authority, authorized by resolution of the Authority either generally or specifically to act for that purpose.

(2) Any document purporting to be a document duly executed with the seal of the Authority shall be received in evidence and shall, unless the contrary is proved, be presumed to be a document so executed.

Cases where contracts need not be under seal.

8. Any contract which if made between private persons would be by law required to be in writing, signed by the parties to be charged therewith, may be made on behalf of the Authority in writing signed by any person generally or specifically authorized by the Authority for that purpose.

Membership of Authority.

9. The Authority shall consist of the following members —

- (a) The Financial Secretary (*Chairman*);
- (b) The Director of Public Works (*Vice-Chairman*);
- (c) The Mechanical Superintendent of the Public Works Department;
- (d) such other members as the Governor may from time to time appoint.

Meetings of Authority.

10. (1) Meetings of the Authority shall be held at intervals not exceeding three months.

(2) Whenever the Authority is considering the acquisition, replacement or disposal of any item the Head of the Department operating the item, or his representative, shall be invited to attend the meeting of the Authority.

Grants.

11. Each financial year there may be paid to the Authority out of the monies provided by the Legislative Council such sum as the Governor in Council may approve for the purpose of assisting the Authority to exercise its functions.

12. The revenue of the Authority shall be applied in defraying the charges of the Authority. Application of revenue.

13. Each year, before a date to be appointed by the Governor, the Authority shall forward to the Financial Secretary, for the approval of the Governor, estimates of its income and expenditure for the same year: Estimates.

Provided that the estimates for the first financial year of the Authority shall be forwarded as soon as practicable after the commencement of this Ordinance.

14. (1) The Authority shall keep proper accounts of all income and expenditure and shall maintain proper and adequate records thereof. Accounts.

(2) As soon as may be convenient after the end of each financial year the Authority shall cause to be drawn up a statement of income and expenditure during such financial year and a statement of the assets and liabilities of the Authority on the last day thereof.

15. (1) The accounts of the Authority shall be audited by the Government Auditor. Audit.

(2) The auditors shall audit the statements drawn up under subsection (2) of section 14 as soon as possible and shall make a report thereon to the Authority.

16. (1) The Authority shall as soon as possible after the end of each financial year, but not later than six months after the end of each financial year or such longer period as the Governor may as to any particular year allow, make to the Governor in Council therewith a copy of the statements drawn up under subsection (2) of section 14 and the report made under subsection (2) of section 15 and shall publish such reports and statements. Report etc., to be laid on the table of the Legislative Council and published.

(2) The Governor shall cause to be laid on the table of the Legislative Council the reports and statements received by him under subsection (1).

17. All funds of the Authority that are not immediately required shall be deposited with any bank or savings bank nominated by the Financial Secretary, or, shall be invested on behalf of the Authority, under the direction of the Financial Secretary, in such securities, as shall be approved from time to time by the Governor in Council, and the interest arising from such deposit or investment shall be from time to time paid to the credit of the Authority. Investment of surplus funds.

18. The Governor in Council may make all such regulations as may be necessary for the purpose of giving effect to the provisions of this Ordinance. Regulations.

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. PWD/10/19.

STANLEY AIRPORT (REGULATIONS) ORDINANCE 1977

Stanley Airport Regulations 1978

No. 1 of 1978.

J. R. W. PARKER,
Governor.

IN EXERCISE of the powers conferred by section 4 of the Stanley Airport (Regulations) Ordinance 1977, the Governor in Council has made the following regulations —

PART I.

PRELIMINARY

1. These regulations may be called the Stanley Airport Regulations 1978.
2. In these regulations, unless the context otherwise requires —
 - (a) “aircraft” means any machine that can derive support in the atmosphere from the reaction of the air other than the reactions of the air against the earth’s surface.
 - (b) “apron” means the hardstanding adjacent to the terminal building intended to accommodate aircraft for the purpose of loading or unloading passengers, mail or cargo, refuelling, parking or maintenance.
 - (c) “airport police” means the civil aviation security personnel and such other personnel duly authorized in writing by the Superintendent to carry out police duties at the airport.
 - (d) “manoeuvring area” means that part of the airport to be used for the take-off and landing of aircraft and for the surface movement of aircraft associated with take-off and landing, excluding apron.
 - (e) “movement area” means that part of the airport to be used for take-off and landing of aircraft and for the surface movement of aircraft.
 - (f) “park” means the standing of a vehicle, including an aircraft, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading.
 - (g) “restricted airport area” means that part of the terminal building used for the processing of passengers, crew and cargo through entry or exit formalities, and those areas reserved for passengers and crews in transit.
 - (h) “the airport authority” means the Superintendent or any other officer duly authorized to act in that capacity by the Governor.
 - (i) “terminal building” means the building at which embarking or disembarking passengers and baggage or cargo are processed.
 - (j) “taxiway” means the defined paths on the airport prepared for the use of taxiing aircraft.
 - (k) “taxi-holding position” means the designated position short of which taxiing aircraft may be required to stop.

PART II.

GENERAL REGULATIONS

3. Any person at the airport shall abide by these regulations and all other instructions and directions issued by the Superintendent.
4. The airport shall be operational during the specified hours except in cases of unserviceability when the Superintendent may temporarily close down the movement area wholly or in part for use by aircraft.
5. The Superintendent may delay or forbid the departure of an aircraft from the airport for securing the safety of aircraft and of persons and property.
6. No person shall land at or take off from the airport any aircraft which is not equipped with two-way radio communications with the air traffic control unit unless he has been especially authorized so to do by the Superintendent or by the air traffic controller.
7. No person shall park, house, run up aircraft or carry out repairs to aircraft, vehicles or other equipment in any place in the airport not allocated for the purpose by the airport authority or without his consent.

8. When an aircraft is parked or housed in the airport the person for the time being in charge of the aircraft shall remove it if the Superintendent or the air traffic controller so order for reasons of safety or management.

9. No person shall store goods, barrels, packing and building materials or any other objects in the airport, in any place not allocated for the purpose by the Superintendent. Special instructions may be issued by the Superintendent in regard to storage or transport of dangerous goods.

10. (a) Without prejudice to the provision of Article 79 of The Air Navigation (Overseas Territories) Order 1977 it shall be the duty of any person witnessing any accident or fire within the airport area to report the accident or fire immediately to the airport authority.

(b) The occupier of any airport premises where a fire has occurred shall submit to the Superintendent a report in writing giving all particulars within 24 hours of the occurrence of the fire.

11. The Superintendent may remove or have removed from the airport area any stray cattle or any other animal or bird constituting a danger to aerial navigation or the safety of aircraft using the airport.

12. Any person finding a lost article shall deposit such article with the Superintendent. If the article is not claimed within thirty (30) days or in the case of perishables within twelve (12) hours, the article shall be disposed of in such manner as may be directed by the Government.

13. No person other than a person authorized so to do, shall carry any firearms, explosives or other inflammable materials in the airport without the written permission of the Superintendent and in accordance with the conditions contained in the permission.

14. Any lessee, tenant or occupier of premises in the airport shall —

- (a) provide in an accessible place first aid kits of a type approved by the Superintendent;
- (b) provide in an accessible place well maintained fire fighting appliances and equipment to a standard approved by the Superintendent of the Fire Brigade;
- (c) have available on the premises, where appropriate, sufficient trained personnel for the operation of the equipment referred to in paragraph (b) when needed.

15. (a) No person shall in the airport instal or cause to be installed for use in any building any engine or electrical apparatus of any kind, or make, or cause to be made any alteration or addition to any existing electrical installation or any building without the consent of the airport authority.

(b) No person shall instal facilities for the charging of batteries in any place in the airport unless such place has been inspected and approved by the airport authority.

16. No person in the airport shall except with the approval of the Superintendent in writing and under such terms and conditions as may be prescribed —

- (a) carry on a trade or any other operation of a commercial nature;
- (b) display advertising boards or posters or distribute pamphlets, printed matter or circulars or deliver speeches in public or carry out any other act of propaganda;
- (c) make a public collection;
- (d) make music or sing in public;
- (e) kindle open fires; or
- (f) keep any domestic or other animal.

17. No person shall at the airport —

- (a) deposit rubbish, paper or other refuse in places or receptacles other than those intended for the purpose;
- (b) feed stray birds or animals or leave scraps of food in the open;
- (c) walk or drive in any place other than the roads or paths set apart for the purpose;
- (d) play games in the open in places other than those allocated for the purpose;
- (e) clean or repair vehicles in places other than those allocated for the purpose;
- (f) remain in any place after having been ordered to leave by a duly authorized officer;
- (g) make drawings or write or scratch on walls, pavements or furniture or destroy or otherwise deface any building, sign or other equipment;

- (h) make unnecessary noise or commit any act which may disturb order and safety at the airport or cause bodily harm to persons or damage to property;
- (i) use a sanitary convenience in a disorderly manner;
- (j) trespass on lawns and planted areas in the airport;
- (k) abandon any property or other things in the airport.

18. No person shall smoke —

- (a) on the apron;
- (b) within a distance of 100 feet from stationary aircraft and fuel trucks; or
- (c) in any other place where any notice prohibiting smoking is displayed by boards or other signs.

19. (a) No person shall drive any vehicle on airport roads except in conformity with rules, directions and signs prescribed by the airport authority or the police authority.

(b) Pedestrians shall have the right of way over vehicular traffic within any areas marked off as being for the use of pedestrians.

20. No person other than the following shall enter or remain on the apron —

- (a) a person lawfully assigned to duty therein;
- (b) a passenger and a member of the crew of aircraft proceeding to or coming from an aircraft; or
- (c) a person holding a permit issued by the Superintendent giving access to the apron, provided he has duties to perform therein.

21. No person or vehicle other than the following shall enter or remain on the manoeuvring area —

- (a) safety vehicles;
- (b) airport operations and management;
- (c) police;
- (d) airport construction and maintenance units of the Public Works Department including aeronautical telecommunications;
- (e) aircraft servicing units; or
- (f) any other person authorized by the Superintendent for special duties.

22. No person shall drive a vehicle on the manoeuvring area except in accordance with the provisions specified in Schedule A.

23. No person shall move or stand or drive or park any vehicle or cause any obstruction on any part of the airport except in accordance with permission or directions given by the Superintendent or any other duly authorized police officer.

24. No person other than the following shall enter or remain in restricted areas including passenger lounges —

- (a) a person lawfully assigned to duty therein;
- (b) a passenger;
- (c) a member of the crew of aircraft;
- (d) a person holding a permit issued by the Superintendent giving access to the restricted areas, provided he has duties to perform therein.

25. Personnel responsible for the handling of passengers shall ensure that the passengers proceed on the apron only in compact groups and under escort of an airline official.

26. Airline personnel responsible for the handling of an aircraft shall remove all vehicles and other materials used in the handling of an aircraft immediately after departure of the aircraft concerned, or place them in the section of the apron designated for that purpose.

27. Personnel responsible for fuelling of an aircraft shall ensure that fuel or oil spillage on the apron is immediately covered with sawdust and removed and shall in addition report to the airport authority or the airport Fire Brigade every case of such spillage.

28. The person in charge of an aircraft shall ensure that when the aircraft is on the apron the radar equipment thereof is inoperative.

29. No person shall bring any animal into the airport without prior permission from the Superintendent, and it must be either on a lead or in an approved container.

30. The fees payable in respect of landings, housing and parking of aircraft shall be in accordance with the charges specified in Schedule B.

31. Unless otherwise agreed upon in writing with the owner or operator of an aircraft the fees due for landing and other matters are payable prior to departure of the aircraft.

32. The person in command of an aircraft shall ensure —

- (1) That an aircraft moving on the airport under its own power is at all times steered by and under the control of a competent person.
- (2) That the towing of an aircraft on the airport is carried out only with a competent person in the cockpit for operation of the brakes.
- (3) That towing on the apron is done with the concurrence of the appropriate air traffic control unit whose directions will be strictly observed.

33. The person in command of an aircraft shall ensure that prior to the starting of an aircraft's engine or engines suitable chocks are placed against the front of the wheels of the main landing gear and or the nose wheel.

34. The person in command of an aircraft shall ensure that prior to starting the aircraft engines, all persons unconnected with the operation, fuel trucks and other implements are removed as far as possible away from the immediate vicinity of the aircraft.

35. The person in command of an aircraft shall ensure that the aircraft is not started while spilled fuel remains under it.

36. When an aircraft is on the apron with its engine running the person in command shall ensure —

- (a) that a competent person is in the cockpit to operate the controls;
- (b) that a competent person is placed outside the aircraft so as to be able to give directions to the person in the cockpit;
- (c) that in the immediate vicinity there is a fire extinguisher of adequate type and capacity;
- (d) that adequate precautions are taken to ensure that the slipstream or jet efflux will not cause damage to buildings or other objects and hazard to persons or vehicles;
- (e) that a listening watch is maintained on the appropriate frequency.

37. No person shall run up aircraft engines except in places assigned for the purpose or without the approval of the air traffic controller.

38. No person shall start or run up engines of aircraft inside hangars.

39. Any person operating starter units and other mobile equipment shall ensure that they are so positioned near an aircraft in such a way that they can be moved away freely from the aircraft.

40. No person shall refuel any equipment provided with a combustion motor while such equipment is in operation.

41. No person shall operate on the apron equipment incorporating combustion motors unless they are provided with spark-proof exhaust pipes.

42. No person shall operate mobile equipment on the aircraft parking apron unless such equipment is provided with parking brakes or other adequate blocking devices.

43. No person shall operate vehicles used for the transportation of fuel unless such vehicles carry at least one fire extinguisher, ready for immediate action, which in the opinion of the airport authority is of adequate capacity and suitable for fighting burning liquids.

44. No person shall operate a fuel truck unless it is under constant supervision of a competent person or is parked in a parking place intended for fuel trucks.

45. No person shall fuel aircraft or transfer aircraft fuel except in the open and at a distance of at least 50 feet from hangars and other buildings. Fuelling is not permitted within a distance of 300 feet from a radar installation in operation.

46. No person shall fuel or defuel an aircraft within a distance of 50 feet from objects liable to produce sparks.

47. No person engaged in fuelling or transferring fuel shall wear hobnailed or steel bound footwear.

48. No person engaged in fuelling or defuelling operations shall perform such operations unless there is within immediate reach at least one additional fire extinguisher of adequate type and capacity, in addition to the fire extinguishing agents on the fuel truck itself.

49. No person performing fuelling operations shall use any lamp other than gaslight lamps at the site.

50. No person shall during fuelling or defuelling operations —

- (a) carry out any work on the aircraft near the filling or air release orifices of the tanks;
- (b) make or break an electrical contact inside the aircraft or between the aircraft and any object outside;
- (c) set switches including those of radio installations in any position other than the position of rest, except switches pertaining to equipment necessary for fuelling and to lighting necessary for safety purposes.

51. The person in charge of the fuelling of an aircraft shall ensure that the aircraft, fuel truck, hoses, filters and all other fuelling apparatus are adequately bonded and the following manipulations are performed consecutively —

- (a) The aircraft and the fuel truck shall be earthed;
- (b) The aircraft and the fuel truck shall be connected;
- (c) The clip of the hose nozzle shall be connected to the aircraft before the charging hole of the aircraft fuel tank is opened.

52. No person shall fuel aircraft with passengers on board unless he has obtained the consent of the airport authority, and the following additional precautions are taken —

- (a) passengers shall be told that fuelling is about to take place and that smoking and making or breaking electrical contacts is prohibited.
- (b) passengers shall be instructed to remain in their seats.
- (c) all doors of the aircraft shall be open and provided with safe stairs, exits and stairs shall be unobstructed by baggage or other material.
- (d) there shall be a member of the crew or a competent employee of the operator inside the aircraft, in order to exercise supervision of the above requirements.
- (e) fuelling shall be stopped immediately if, and as long as fuel vapour is observed inside the aircraft or when such other fact likely to be hazardous is detected.

53. The airport authority may prohibit the fuelling of an aircraft during a thunderstorm over or in the immediate vicinity of the airport, or in any other special circumstances.

54. The airport authority may grant exemption from one or more of the above restrictions when aircraft fuel having a flash point higher than 100° F is used.

PART III

PENALTIES

55. Any person who contravenes any of the provisions of these regulations or any rule prescribed or any lawful order or instruction issued by the Superintendent or person authorized by him for the purpose of enforcement of these regulations may be removed or ejected from the airport by a police officer and may in addition be liable on conviction to a fine of two hundred pounds.

SCHEDULE A.

Regulations for the Promotion of Safety and Order at Stanley Airport.

AIRPORT VEHICLE CONTROL:

1. No person shall operate a vehicle on the airport unless —

- (a) he holds a licence or permit to operate that particular type and class of vehicle;
- (b) the vehicle is equipped to the satisfaction of the traffic police.

2. The operator of a vehicle on the airport shall comply with any traffic directions given to him by a duly authorized officer.

3. Every person on the airport shall produce to a duly authorized officer on demand —
 - (a) any permit issued to him under these regulations;
 - (b) any licence or permit authorizing him to drive a vehicle.
4. The Superintendent may exempt any person or class of persons from the provisions of these regulations insofar as may be necessary for the efficient performance of duties in the service of the Crown or in execution of duly authorized work on the airport.
5. Except as authorized by the Superintendent, only those vehicular operations which may be categorized as a service function under the following will be permitted to operate on manoeuvring and movement areas —
 - (a) safety vehicles — crash, medical, fire;
 - (b) airport operations and management;
 - (c) airport police and security;
 - (d) airport construction and maintenance units of the Public Works Department including aeronautical telecommunications.
6. Every person who drives a vehicle in the performance of a service function, is responsible for being familiar with authorities, regulations and procedures. He shall use discreet judgment in application of the procedures detailed herein.
7. A vehicle operator must determine that the equipment under his charge is operating satisfactorily and must be familiar with the airport layout, visual signals and rules. He will also notify through his immediate supervisor any equipment malfunction, runway and taxiway obstruction or other potential hazardous condition which he may observe in the course of his duty.
8. Vehicles shall remain clear and give right of way to aircraft on manoeuvring and movement areas.
9. No equipment, mobile or otherwise, may be left unattended at any time on the manoeuvring area.
10. No vehicle shall be driven within an area where it will come under the influence of the jet or slipstream of manoeuvring aircraft.
11. The blinking on and off of runway lights shall be a warning signal for all vehicles to leave the runway immediately.
12. Prior to proceeding onto the manoeuvring area, the vehicle operator shall visually ensure that aircraft are not approaching or departing.
13. All vehicles and equipment operating on the manoeuvring area shall be equipped either with functioning two-way radio on the appropriate ground control frequency operated by an approved person or be under the escort of a vehicle so equipped and manned.
14. Before proceeding onto the manoeuvring area the vehicle operator shall listen out to avoid interfering with other communications on the ground control frequency before transmitting his request for clearance.
15. All instructions from ground control shall either be acknowledged as understood, or the vehicle operator shall repeat his request or enquiry.
16. Requests for clearance of vehicles to specific locations shall include the intended route to be followed.
17. The ground control clearance to a specific location by a specified route authorizes the vehicle to proceed to that location without further clearance; however should it be necessary to restrict the vehicle on its intended route the ground controller shall either clear the vehicle to a location short of the conflicting area or shall require the vehicle to obtain a further clearance before entering the conflicting area.
18. When a vehicle operator is instructed to hold clear of the runway or is awaiting clearance to cross or proceed onto a runway he shall hold his vehicle at the taxipost or at least 100 feet from the edge of the runway.
19. When a vehicle operator is instructed to clear a runway he shall immediately proceed out of it and advise ground control when clear.
20. In the event of a vehicle becoming unserviceable while on the manoeuvring area the vehicle operator shall immediately advise ground control of his location and difficulty and request advice or assistance.

21. Whenever mobile equipment is operating on a ground or fleet basis it shall remain under the control of a competent supervisor who shall be responsible for requesting and acknowledging all ground control instructions.
22. All radio communications with ground control shall be in English or a language approved by the airport authority, and standard phraseology shall be used.
23. The ICAO phonetic alphabet shall be used at all times when phonetics are required.
24. All vehicles shall be assigned an identification according to the classification of their service use. The identification shall include a specific number (one-two-three etc.) for each vehicle.

Service	Identification
Fire-Crash-Safety	Red
Airport Operations & Management	Staff
Airport Police	Police
Airport construction & maintenance of Public Works Department	Truck
Aeronautical Telecommunications Construction Maintenance ...	Radio
Aircraft servicing	Service
(e.g. Red One, Staff 2, Truck 1 etc.)	

SCHEDULE B.

Landing, Housing, Parking of Aircraft and Embarkation Fees.

1. Except as provided all aircraft and passengers using the facilities provided at the Stanley Airport are liable for payment of charges as detailed hereunder.

(a) PASSENGER SERVICE CHARGES:

An embarkation tax of £2.00 shall be levied at the airport for every passenger departing the Colony through the airport. A passenger manifest for every flight (departure) shall be submitted to the Superintendent by the airline before each departure from the airport.

Exemptions: children under two years of age.

(b) TARIFF OF LANDING, HOUSING, PARKING AND TERMINAL CHARGES:

Fees for landing are computed on the basis of maximum gross all-up weight as indicated on the Certificate of Airworthiness. Except where arrangements for payment of charges on a monthly basis have been negotiated, all landing, housing or parking charges shall be payable prior to departure of an aircraft.

LANDING CHARGES (aircraft)

Aircraft weight	Charge
Up to and including 2,500 lbs.	£2.50
Exceeding 2,500 lbs. but not exceeding 5,000 lbs.	£5.00
Exceeding 5,000 lbs.	£1.00 per 1,000 lbs. or part thereof.
Night landing surcharge	Additional 25%

PARKING CHARGES (aircraft)

Aircraft weight	Charge per 24 hours or part thereof.
Up to 10,000 lbs. or less	£2.00
Exceeding 10,000 lbs. but not exceeding 30,000 lbs.	£3.00
Exceeding 30,000 lbs. but not exceeding 60,000 lbs.	£5.00
Exceeding 60,000 lbs. but not exceeding 90,000 lbs.	£7.00
Exceeding 90,000 lbs. but not exceeding 120,000 lbs.	£10.00

HANGAR OR HOUSING CHARGES

The housing charge shall be levied in respect of every complete period of 24 hours or part thereof when hangarage is available or provided at the airport. The housing charge will be 50% of the landing charge for each complete period of 24 hours or part thereof.

2. The airport authority may detain or impound an aircraft pending settlement of fees payable by that aircraft.

3. The payment of landing charges shall entitle an aircraft to —

- (a) The use of the airport for landing and take-off.
- (b) The use of the aeronautical fixed telecommunications service for signals associated with its operation.
- (c) The use of the aeronautical mobile telecommunications service for communications associated with its operation.
- (d) The use of radio navigational, visual navigational and other landing aids and lighting.
- (e) En route and terminal weather services and forecasts.

4. No reduction in landing charges is permissible by reason of non-availability of any of the published airfield services or facilities.

5. When the airport is used for 3 or more consecutive landings by an aircraft owned by an air transport undertaking for the purpose of training its own personnel, or by an aircraft used by a private pilot for the purpose of extending his licence, only 50 per cent of the normal fees for landing shall be payable.

6. Any flight undertaken solely for the purpose of mercy missions and search and rescue operations shall be exempt from the levy of a landing charge.

7. Foreign military or civil aircraft owned and operated by a foreign Government carrying officials of that Government on state visits shall not be liable to the payment of landing, housing, parking or terminal charges.

8. Parking charges shall be levied, in the first instance, in respect of any period exceeding two hours, and thereafter in respect of every succeeding complete period of two hours when an aircraft is parked on the loading apron.

9. When facilities in the terminal building are used for the processing of passengers a terminal area charge is payable.

10. No housing or parking charge shall be levied in respect of a period when an aircraft is detained for the purpose of inspection by a Government aircraft inspector, or due to congestion of the parking area or due to such other cause which in the opinion of the airport authority is not attributable to the owner or operator.

Made by the Governor in Council this 23rd day of February 1978.

W. A. ETHERIDGE,
Clerk of Councils.

Ref. AIR/10/2E.

NATURE RESERVES ORDINANCE 1964

(No. 8 of 1964)

ORDER

(under section 3 of the Ordinance)

No. 2 of 1978.

J. R. W. PARKER,
Governor.

IN EXERCISE of the powers conferred by section 3 of the Nature Reserves Ordinance 1964, the Governor in Council has made the following order —

Citation.

1. This order may be cited as the Nature Reserve (Sea Dog and Arch Islands) Order 1978.

Declaration of nature reserve.

2. Sea Dog Island and Arch Islands (including Arch Island East, Natural Arch, Clump Island, Tussac Island, Pyramid Rock, Last Rock and Albemarle Rock) are hereby declared to be nature reserves for the purpose of protecting the indigenous flora and fauna thereon and for providing under suitable conditions and control, special opportunities for the study of and research into matters relevant thereto.

Made by the Governor in Council this 31st day of January 1978.

W. A. ETHERIDGE,
Clerk of Councils.

Ref. FIS/31/5.

EXECUTIVE COUNCIL (ALLOWANCES) ORDINANCE 1977

(No. 7 of 1977)

Executive Council (Allowances) Order 1978

No. 3 of 1978.

J. R. W. PARKER,
Governor.

IN EXERCISE of the powers conferred by section 3 of the Executive Council (Allowances) Ordinance 1977 the Governor in Council has made the following order —

Citation.

1. This order may be cited as the Executive Council (Allowances) Order 1978.

Allowances.

2. An allowance at the rate of £250 is authorized under section 3 of the Executive Council (Allowances) Ordinance 1977 with effect from the 1st July 1978.

Made by the Governor in Council this 1st day of August 1978.

W. A. ETHERIDGE,
Clerk of Councils.

Ref. EXC/10/1.

LEGISLATIVE COUNCIL (ALLOWANCES) ORDINANCE 1977
(No. 8 of 1977)

Legislative Council (Allowances) Order 1978

No. 4 of 1978.

J. R. W. PARKER,
Governor.

IN EXERCISE of the powers conferred by section 3 of the Legislative Council (Allowances) Ordinance 1977 the Governor in Council has made the following order —

1. This order may be cited as the Legislative Council (Allowances) Order 1978. Citation.

2. The following allowances are authorized under section 3 of the Legislative Council (Allowances) Ordinance 1977 with effect from the 1st July 1978 — Allowances.

- (a) Members for the electoral areas of East and West Stanley and the Member for the electoral division of Stanley an allowance at the rate of £250 per annum;
- (b) Members for the electoral areas of East and West Falklands an allowance at the rate of £350 per annum; and
- (c) the Member for the electoral division of the Camp an allowance at the rate of £400 per annum.

Made by the Governor in Council this 1st day of August 1978.

W. A. ETHERIDGE,
Clerk of Councils.

Ref. LEC/10/2.

OLD AGE PENSIONS ORDINANCE 1952
(3 of 1952)

Old Age Pensions (Amendment) Regulations 1978

No. 3 of 1978.

J. R. W. PARKER,
Governor.

IN EXERCISE of the powers conferred by section 25 of the Old Age Pensions Ordinance 1952, the Governor in Council has made the following regulations —

1. These regulations may be cited as the Old Age Pensions (Amendment) Regulations 1978. Citation.

2. Regulation 21 of the Old Age Pensions Regulations 1952 (hereinafter referred to as the principal Regulations) is amended by deleting "65" and substituting the following— Amendment of regulation 21.
(5 of 1952)

"64".

3. Regulation 23 of the principal Regulations is revoked. Revocation of regulation 23.

Made by the Governor in Council this 1st day of August 1978.

W. A. ETHERIDGE,
Clerk of Councils.

Ref. TRE/2/1.

HARBOUR ORDINANCE
(Chapter 30)

Harbour (Amendment) Regulations 1978

No. 4 of 1978.

J. R. W. PARKER,
Governor.

IN EXERCISE of the powers conferred by section 3 of the Harbour Ordinance, the Governor in Council has made the following regulations —

Citation and commence-
ment.

1. These regulations may be cited as the Harbour (Amendment) Regulations 1978 and shall come into operation on the 1st day of September 1978.

Amendment of Schedule
III.

2. Schedule III to the Harbour Regulations is amended by deleting Item 1 and substituting the following —

“1. HARBOUR DUES

The following harbour dues shall be payable on vessels arriving in the Colony —

	£
Vessels under 15 tons	Free
Vessels of 15 tons and up to 50 tons	30
Vessels of over 50 tons and up to 500 tons	60
Vessels of over 500 tons and up to 800 tons	80
Vessels of over 800 tons and up to 1,500 tons	100
Vessels of over 1,500 tons and up to 2,000 tons	140
Vessels of over 2,000 tons and up to 5,000 tons	180
Vessels of over 5,000 tons and up to 10,000 tons	220
Vessels of over 10,000 tons and up to 12,000 tons	260
Vessels of over 12,000 tons	300”.

Made by the Governor in Council this 2nd day of August 1978.

W. A. ETHERIDGE,
Clerk of Councils.

Ref. CUS/10/3.



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXXVII

8 SEPTEMBER 1978

No. 9

Appointments

Patrick Morrison, Engineer, m.v. Forrest, Customs & Harbour Department, 1.7.78.

Miss Marilyn Patricia Robinson, Teacher, Education Department, 13.8.78.

Miss Lesley Ann Baskeyfield, Matron, Medical Department, 23.8.78.

Acting Appointment

Miss Ann Caswell, Acting Matron, Medical Department, 1.8.78 - 22.8.78.

Completion of Contract

Mrs. Jane Griffiths, Teacher, Education Department, 26.8.78.

Richard Owen Griffiths, Teacher, Education Department, 26.8.78.

Resignation

Dr. David Alexander Mackintosh, M.B., Ch.B., Medical Officer, Medical Department, 15.8.78.

Mrs. Ailsa Heathman, Clerk, Public Service, 20.8.78.

NOTICES

No. 44.

30th August 1978.

It is with deep regret that His Honour the Acting Governor announces the death on 29th August 1978 of Mr. William John Coutts, Technician in the Posts & Telecommunications Department.

Ref. P/692.

No. 45.

1st September 1978.

Currency Notes Rules

In exercise of the powers conferred by rule 3 of the Currency Notes Rules, His Honour the Acting Governor has been pleased to approve the appointment of Miss Teresa McGill to be a Currency Officer with effect from 1st September 1978.

H. T. ROWLANDS,
Commissioner of Currency.

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

IN THE MATTER OF Jesse Phillips, deceased of Stanley, Falkland Islands, who died at Goose Green, Falkland Islands on the 12th June 1978.

WHEREAS Terence Phillips, son of the above-named deceased has applied for Letters of Administration to administer the estate of the 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 August 1978.
SC & L/25/78.

Assented to in Her Majesty's name this 7th day of September 1978.

JOHN MASSINGHAM,
Acting Governor.



No. DS 1



1978

Falkland Islands Dependencies

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.
JOHN DUDLEY MASSINGHAM
Acting Governor.

An Ordinance

Title.

To apply certain Laws of the Colony to the Dependencies.

Short title.

1. This Ordinance may be cited as the Application of Colony Laws Ordinance 1978.

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

Number	Short title	Effective date
3 of 1978	Interpretation and General Clauses (Amendment) Ordinance 1978	11th July 1977
6 of 1978	Protection of Wrecks (Amendment) Ordinance 1978	8th September 1978
7 of 1978	Employment of Women, Young Persons and Children (Amendment) Ordinance 1978	8th September 1978
8 of 1978	Registration of United Kingdom Patents (Amendment) Ordinance 1978	8th September 1978
11 of 1978	Income Tax (Amendment) (No. 2) Ordinance 1978	1st January 1979
13 of 1978	Income Tax (Amendment) (No. 3) Ordinance 1978	1st January 1979
15 of 1978	Licensing (Amendment) Ordinance 1978	1st January 1979
16 of 1978	British Nationality (Amendment) Ordinance 1978	8th September 1978

Promulgated by the Acting Governor on the 7th day of September 1978.

D. R. MORRISON,
Acting Chief Secretary.

Ref. LEG/10/37.



THE FALKLAND ISLANDS GAZETTE

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6 OCTOBER 1978

No. 10

Appointments

Miss Davina McKay, Nurse, Medical Department, 1.6.77.

Mrs. Betty Biggs, Clerk, Public Service, 1.7.78.

Mrs. Phyllis Stewart, Clerk, Public Service, 1.7.78.

Robert King, Clerk, Public Service, 12.9.78.

William Owen Sloman, M.B.E., Development Officer, Falkland Islands Government, 13.9.78. On Secondment.

Miss Coleen Anne Carey, Assistant Teacher, Education Department, 1.10.78.

Anton Livermore, Cadet, Falkland Islands Police Force, 1.10.78.

Norman James Laughna, Building Superintendent, Public Works Department, 5.10.78.

Re-appointments

Mrs. Margaret Jennings, Telephone Operator, Posts & Telecommunications Department, 25.8.78.

Richard Cain, Teacher, Education Department, 7.9.78.

Acting Appointments

Douglas Roy Morrison, O.B.E., Acting Chief Secretary, Secretariat, 17.8.78.

Rex Browning, Acting Deputy Chief Secretary, Secretariat, 17.8.78.

Transfers

Len McGill, Clerk, Public Service to Stores Officer, Plant & Transport Authority, 5.9.78. On Secondment.

Basil Morrison, Assistant Superintendent of Works, Public Works Department to Roads Superintendent, Public Works Department, 16.9.78.

Peter Julian Basil Biggs, Clerk, Public Service to Constable, Falkland Islands Police Force, 25.9.78.

Darwin Lewis Clifton, Constable, Falkland Islands Police Force to Senior Clerk, Philatelic Bureau, 25.9.78.

NOTICES

No. 46.

14th September 1978.

With reference to Gazette Notice No. 28 of 22nd April 1977 it is hereby notified that the Apprenticeship Board has been reconstituted as follows —

<i>Chairman</i>	Mr. S. A. Booth
<i>Ex-officio</i>	Superintendent of Education
<i>Representatives of Employers</i>	Director of Public Works Manager, Cable & Wireless Ltd.
<i>Representatives of Operatives</i>	Mr. W. E. Bowles Mr. M. G. S. Binnie, General Employees' Union.

Ref. ESA/19/1.

No. 47.

21st September 1978.

The Income Tax Ordinance (Cap. 32)

In accordance with section 41 His Honour the Acting Governor has approved —

Spain Brothers and Company
1 Old Burlington Street
London W1 XLA

to be the Falkland Islands Income Tax Agent in the United Kingdom with effect from 12th July 1978.

Ref. INC/12/3.

No. 48.

29th September 1978.

With reference to the Instrument under the Public Seal of the Colony dated 27th September 1978, it is hereby notified that His Honour the Acting Governor returned to Stanley on Thursday 28th September 1978.

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 Gordon Anderson, deceased of San Carlos, Falkland Islands, who died at San Carlos, Falkland Islands, on the 22nd July 1978.

WHEREAS Gloria Anderson, widow of the above-named deceased has applied for Letters of Administration to administer the estate of the 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.
11th September 1978.
S C & L/28/78.

In the Supreme Court of the Falkland Islands
Land Ordinance
(Chapter 36)

FRESH TITLE

NOTICE IS HEREBY GIVEN that Helen Anderson of 88 Davis Street, Stanley, has, in accordance with the provisions of section 11 of the Land Ordinance petitioned the Supreme Court to be registered as the owner in fee simple of Lot No. 13 in Section 3, containing one quarter of an acre more or less.

The said Lot No. 13 is situate in Callaghan Road, Stanley, and is at present in the occupation of the said Helen Anderson.

Interested parties are therefore warned that the claim of the petitioner will be heard in the Supreme Court after the expiration of three months from the date of publication hereof.

Interested parties may inspect the petition, during office hours upon application to the Registrar.

Dated this 21st day of September 1978.

Stanley,
Falkland Islands.
Ref. S C/Civ.C/7/78.

H. BENNETT,
Registrar.

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 September 1978, for the purpose of visiting East Falkland:

NOW, THEREFORE, under and by virtue of the powers aforesaid I, JOHN DUDLEY MASSINGHAM, ESQUIRE, Acting Governor of the Colony of the Falkland Islands and its Dependencies, do hereby appoint HAROLD THEODORE ROWLANDS, 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 1977, 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 September 1978 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 27th day of September in the year of Our Lord One thousand Nine hundred and Seventy-eight.



JOHN MASSINGHAM,
Acting Governor

ERRATUM

THE FALKLAND ISLANDS GAZETTE

Supplement No. 1 dated 17th July, 1978

Page 35 line 11 delete the word "over" and substitute the words "by ceding".

CUSTOMS ORDINANCE
(Chapter 16)

Customs (Fees) (Amendment) Regulations 1978

No. 5 of 1978.

JOHN MASSINGHAM
Acting Governor.

IN EXERCISE of the powers conferred by section 230 of the Customs Ordinance the Governor in Council has made the following regulations —

Citation and commencement.

1. These regulations may be cited as the Customs (Fees) (Amendment) Regulations 1978 and shall come into operation on the 1st day of October 1978.

Amendment of regulation 3.
(2 of 1975)

2. Paragraph (d) of regulation 3 of the Customs (Fees) Regulations 1975 (hereinafter referred to as the principal regulations) is amended by inserting before "Sundays" the following —
"Saturdays,".

Amendment of regulation 4.

3. Regulation 4 of the principal regulations is amended by deleting "ten pounds" and substituting the following —
"twenty pounds".

Addition of regulation 4B.

4. The principal regulations are amended by adding, after regulation 4A, the following regulation —

"Entering and clearing vessels under 15 tons.

4B. The fee payable for entering or clearing a vessel under 15 tons shall be half of the fee payable under regulation 4 or 4A above."

Made by the Governor in Council this 2nd day of August 1978.

W. A. ETHERIDGE,
Clerk of Councils.

Ref. CUS/10/1 II.

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

1978 No. 1060

COPYRIGHT

The Copyright (International Conventions) (Amendment)
Order 1978

Made - - - - - *25th July 1978*

Laid before Parliament *2nd August 1978*

Coming into Operation *23rd August 1978*

At the Court at Buckingham Palace, the 25th day of July 1978

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 1978, and shall come into operation on 23rd August 1978.

(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 Costa Rica indicated with an asterisk denoting that it is also a party to the Universal Copyright Convention;
- (b) in Schedule 2 (which names the countries party to the Universal Copyright Convention but not members of the Berne Union) the name of Costa Rica, and the date indicated in relation to that country, shall be omitted;
- (c) in Schedule 4 (countries whose broadcasting organisations have copyright protection in relation to their sound broadcasts) there shall be included a reference to Norway and a related reference to 23rd August 1978 in the list of dates in that Schedule.

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.

(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 —

- (a) the accession of Costa Rica to the Berne Copyright Convention; and
- (b) the accession of Norway 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.

A Bill for
An Ordinance
Further to amend the Stanley Rates Ordinance 1973.

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 Stanley Rates (Amendment) Ordinance 1978.

Short title.

2. Section 7 of the principal Ordinance is amended —

Amendment of section 7.
(5 of 1973)

- (a) in the proviso to paragraph (c) by deleting the full stop at the end thereof and substituting a semicolon; and
- (b) by adding the following new paragraph —

“(d) The church buildings known as the Parish Hall, St. Mary’s Hall and St. Mary’s Annexe.”.

3. Section 11 of the principal Ordinance is repealed and replaced by the following —

Repeal and replacement of section 11.

“When rate payable.

11. Every rate shall be due on the 1st day of July and must be paid before the 1st day of October in the year in respect of which such general rate is made.”.

OBJECTS AND REASONS

The objects of this Bill are —

- (a) to exempt the Parish Hall, St. Mary’s Hall and St. Mary’s Annexe from rateability;
- (b) to extend the time for the payment of rates from the 1st July to 1st October.

Ref. TRE/2/20.

Maintenance Orders (Reciprocal Enforcement) Ordinance 1978

SECTIONS

1. Short title.
2. Interpretation.
3. Orders designating reciprocating countries.
4. Transmission of maintenance orders made in the Colony for enforcement in reciprocating country.
5. Power of Magistrate's Court or Summary Court to make provisional maintenance order against person residing in reciprocating country.
6. Variation and revocation of maintenance order made in the Colony.
7. Registration in Colony court of maintenance order made in reciprocating country.
8. Confirmation by Colony court of provisional maintenance order made in reciprocating country.
9. Enforcement of maintenance order registered in the Colony court.
10. Variation and revocation of maintenance order registered in the Colony.
11. Cancellation of registration and transfer of order.
12. Steps to be taken by the Governor where payer under certain orders is not residing in the Colony.
13. Appeals.
14. Admissibility of evidence given in reciprocating country.
15. Obtaining of evidence needed for purpose of certain proceedings.
16. Order, etc., made abroad need not be proved.
17. Payment of sums under orders made abroad: conversion of currency.
18. Application to certain orders and proceedings under the Maintenance Orders (Facilities for Enforcement) Ordinance.
19. Maintenance Orders registered in Supreme Court under the Maintenance Orders (Facilities for Enforcement) Ordinance.
20. Proceedings in Magistrate's Court or Summary Court.
21. Rules.
22. Repeal.

A Bill for
An Ordinance
To make provision for the reciprocal enforcement of maintenance orders.

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 Maintenance Orders (Reciprocal Enforcement) Ordinance 1978.

Short title.

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

Interpretation.

“affiliation order” means an order (however described) adjudging, finding or declaring a person to be the father of a child, whether or not it also provides for the maintenance of the child;

“certificate of arrears”, in relation to a maintenance order, means a certificate certifying that the sum specified in the certificate is to the best of the information or belief of the officer giving the certificate the amount of the arrears due under the order at the date of the certificate, or, as the case may be, that to the best of his information or belief there are no arrears due thereunder at the date;

“certified copy”, in relation to an order of a court, means a copy of the order certified by the proper officer of the court to be a true copy;

“court” includes any tribunal or person having power to make, confirm, enforce, vary or revoke a maintenance order;

"maintenance order" means an order (however described) of any of the following descriptions, that is to say —

- (a) an order (including an affiliation order) which provides for the periodical payment of sums of money towards the maintenance of any person, being a person whom the person liable to make payments under the order is, according to the law applied in the place where the order was made, liable to maintain; and
- (b) an affiliation order which provides for the payment by a person adjudged, found or declared to be a child's father of expenses incidental to the child's birth or, where the child has died, of his funeral expenses,

and, in the case of a maintenance order which has been varied, means that order as varied;

"payee", in relation to a maintenance order, means the person entitled to the payments for which the order provides;

"payer", in relation to a maintenance order, means the person liable to make payments under the order;

"provisional order" means (according to the context) —

- (a) an order made by a court in the Colony which is provisional only and which has no effect unless and until confirmed, with or without alteration, by a competent court in a reciprocating country; or
- (b) an order made by a competent court in a reciprocating country which is provisional only and which has no effect unless and until confirmed, with or without alteration, by a court in the Colony having power under this Ordinance to confirm it;

"reciprocating country" means a country or territory designated in an order made by the Governor under section 3 of the Ordinance to the extent which it is so designated;

"registered order" means a maintenance order which is for the time being registered in a court in the Colony under this Ordinance;

"registering court", in relation to a registered order, means the court in which that order is for the time being registered under this Ordinance;

"the responsible authority", in relation to a reciprocating country, means any person who in that country has functions similar to those of the Governor under this Ordinance.

(2) For the purposes of this Ordinance an order shall be taken to be a maintenance order so far (but only so far) as it relates to the periodical payment of sums of money as mentioned in paragraph (a) of the definition of "maintenance order" in subsection (1) above or to the payment by a person adjudged, found or declared to be a child's father of any such expenses as are mentioned in paragraph (b) of that definition.

(3) Any reference in this Ordinance to the payment of money for the maintenance of a child shall be construed as including a reference to the payment of money for the child's education.

Orders designating
reciprocating countries.
1972 c. 18 s. 1.

3. (1) If the Governor is satisfied that, in the event of the benefits conferred by this Ordinance being applied to, or to particular classes of, maintenance orders made by the courts of any country or territory other than the Colony, similar benefits will in that country or territory be applied to, or to those classes of, maintenance orders made by the courts of the Colony, he may by Order-in-Council, designate that country or territory as a reciprocating country for the purposes of this Ordinance.

(2) A country or territory may be designated under subsection (1) above as a reciprocating country either as regards maintenance orders generally, or as regards maintenance orders other than those of any specified class, or as regards maintenance orders of one or more specified classes only; and a country or territory which is for the time being so designated otherwise than as regards maintenance orders generally shall for the purposes of this Ordinance be taken to be a reciprocating country only as regards maintenance orders of the class to which the designation extends.

4. (1) Subject to subsection (2) below, where the payer under a maintenance order made, whether before or after the commencement of this Ordinance, by a court in the Colony is residing in a reciprocating country, the payee under the order may apply for the order to be sent to that country for enforcement.

Transmission of maintenance order made in the Colony for enforcement in reciprocating country.

1972 c. 18 s. 2.

(2) Subsection (1) above shall not have effect in relation to a provisional order.

(3) Every application under this section shall be made in the prescribed manner to the prescribed officer of the court which made the maintenance order to which the application relates.

(4) If, on an application duly made under this section to the prescribed officer of a court in the Colony, that officer is satisfied that the payer under the maintenance order to which the application relates is residing in a reciprocating country, the following documents, that is to say —

- (a) a certified copy of the maintenance order;
- (b) a certificate signed by that officer certifying that the order is enforceable in the Colony;
- (c) a certificate of arrears;
- (d) a statement giving such information as the officer possesses as to the whereabouts of the payer;
- (e) a statement giving such information as the officer possesses for facilitating the identification of the payer; and
- (f) where available, a photograph of the payer,

shall be sent by that officer to the Governor with a view to their being transmitted by the Governor to the responsible authority in the reciprocating country if he is satisfied that the statement relating to the whereabouts of the payer gives sufficient information to justify that being done.

(5) Nothing in this section shall be taken as affecting any jurisdiction of a court in the Colony with respect to a maintenance order to which this section applies, and any such order may be enforced, varied or revoked accordingly.

5. (1) Where a complaint is made to the Magistrate's Court or a Summary Court against a person residing in a reciprocating country and the complaint is one of which such court would have jurisdiction by virtue of any enactment to make a maintenance order if —

Power of Magistrate's Court or Summary Court to make provisional maintenance order against person residing in reciprocating country.

1972 c. 18 s. 3.

- (a) that person were residing in the Colony;
- (b) a summons to appear before the court to answer to the complaint had been served on him,

such court shall have jurisdiction to hear the complaint and may, subject to subsection (2) below, make a maintenance order on the complaint.

(2) A maintenance order made by virtue of this section shall be a provisional order.

(3) If the court hearing a complaint to which subsection (1) above applies is satisfied —

- (a) that there are grounds on which a maintenance order containing a provision requiring the making of payments for the maintenance of a child may be made on that complaint; but
- (b) that it has no jurisdiction to make that order unless it also makes an order providing for the legal custody of that child, then, for the purpose of enabling such court to make the maintenance order, the complainant shall be deemed to be the person to whom the legal custody of that child has been committed by an order of such court which is for the time being in force.

(4) No enactment empowering the Magistrate's Court or a Summary Court to refuse to make an order on a complaint on the ground that the matter in question is one which would be more conveniently dealt with by the Supreme Court shall apply in relation to a complaint to which subsection (1) above applies.

(5) Where a court makes a maintenance order which is by virtue of this section a provisional order, the following documents, that is to say —

- (a) a certified copy of the maintenance order;
- (b) a document, authenticated in the prescribed manner, setting out or summarising the evidence given in the proceedings;
- (c) a certificate signed by the prescribed officer of the court certifying that the grounds stated in the certificate are the grounds on which the making of the order might have been opposed by the payer under the order;
- (d) a statement giving such information as was available to the court as to the whereabouts of the payer;
- (e) a statement giving such information as the officer possesses for facilitating the identification of the payer; and
- (f) where available, a photograph of the payer,

shall be sent by that officer to the Governor with a view to their being transmitted by the Governor to the responsible authority in the reciprocating country in which the payer is residing if he is satisfied that the statement relating to the whereabouts of the payer gives sufficient information to justify that being done.

(6) A maintenance order made by virtue of this section which has been confirmed by a competent court in a reciprocating country shall be treated for all purposes as if the Magistrate's Court or Summary Court which made the order had made it in the form in which it was confirmed and as if the order had never been a provisional order, and, subject to section 6 of this Ordinance, any such order may be enforced, varied or revoked accordingly.

Variation and revocation
of maintenance order
made in the Colony.
1972 c. 18 s. 5.

6. (1) This section applies to a maintenance order a certified copy of which has been sent to a reciprocating country in pursuance of section 4 of this Ordinance and to a maintenance order made by virtue of section 5 thereof which has been confirmed by a competent court in such country.

(2) A court in the Colony having power to vary a maintenance order to which this section applies shall have power to vary that order by a provisional order.

(3) Where the court hearing an application for the variation of a maintenance order to which this section applies proposes to vary it by increasing the rate of the payments under the order then, unless either —

- (a) both the payer and the payee under the order appear in the proceedings; or

(b) the applicant appears and the appropriate process has been duly served on the other party,
the order varying the order shall be a provisional order.

(4) Where a court in the Colony makes a provisional order varying a maintenance order to which this section applies, the prescribed officer of the court shall send in the prescribed manner to the court in a reciprocating country having power to confirm the provisional order a certified copy of the provisional order together with a document, authenticated in the prescribed manner, setting out or summarising the evidence given in the proceedings.

(5) Where a certified copy of a provisional order made by a court in a reciprocating country, being an order varying or revoking a maintenance order to which this section applies, together with a document, duly authenticated, setting out or summarising the evidence given in the proceedings in which the provisional order was made, is received by the court in the Colony which made the maintenance order, that court may confirm or refuse to confirm the provisional order and, if that order is an order varying the maintenance order, confirm it either without alteration or with such alterations as it thinks reasonable.

(6) For the purpose of determining whether a provisional order should be confirmed under subsection (5) above, the court shall proceed as if an application for the variation or revocation, as the case may be, of the maintenance orders in question, had been made to it.

(7) Where a maintenance order to which this section applies has been varied by an order (including a provisional order which has been confirmed) made by a court in the Colony or by a competent court in a reciprocating country, the maintenance order shall, as from the date on which the order was made, have effect as varied by that order and, where that order is a provisional order, as if that order had been made in the form it was confirmed, and as if it had never been a provisional order.

(8) Where a maintenance order to which this section applies has been revoked by an order made by a court in the Colony or by a competent court in a reciprocating country, including a provisional order made by the last-mentioned court which has been confirmed by a court in the Colony, the maintenance order shall, as from the date on which the order was made, be deemed to have ceased to have effect except as respects any arrears due under the maintenance order at that date.

(9) Where before a maintenance order made by virtue of section 5 of this Ordinance is confirmed a document, duly authenticated, setting out or summarising evidence taken in a reciprocating country for the purpose of proceedings relating to the confirmation of the order is received by the court in the Colony which made the order, or that court, in compliance with a request made to it by a court in such a country, takes the evidence of a person residing in the Colony for the purpose of such proceedings, the court in the Colony which made the order shall consider that evidence and if, having done so, it appears to it that the order ought not to have been made—

- (a) it shall, in such manner as may be prescribed, give the person on whose application the maintenance order was made an opportunity to consider that evidence, to make representations with respect to it and to adduce further evidence; and
- (b) after considering all evidence and any representations made by that person, it may revoke the maintenance order.

7. (1) This section applies to a maintenance order made, whether before or after the commencement of this Ordinance, by a court in a reciprocating country, including such an order made by

Registration in Colony
court of maintenance
order made in recipro-
cating country.
1972 c. 18 s. 6.

such a court which has been confirmed by a court in another reciprocating country but excluding a provisional order which has not been confirmed.

(2) Where a certified copy of an order to which this section applies is received by the Governor from the responsible authority in a reciprocating country, and it appears to the Governor that the payer under the order is residing in the Colony, he shall send the copy of the order to the prescribed officer of the appropriate court.

(3) Where the prescribed officer of the appropriate court receives from the Governor a certified copy of an order to which this section applies, he shall, subject to subsection (4) below, register the order in the prescribed manner in that court.

(4) Before registering an order under this section an officer of a court shall take such steps as he thinks fit for the purpose of ascertaining whether the payer under the order is residing within the Colony, and if after taking those steps he is satisfied that the payer is not so residing he shall return the certified copy of the order to the Governor with a statement giving such information as he possesses as to the whereabouts of the payer.

Confirmation by Colony
court of provisional main-
tenance order made in
reciprocating country.

1972 c. 18 s. 7.

8. (1) This section applies to a maintenance order made, whether before or after the commencement of this Ordinance, by a court in a reciprocating country being a provisional order.

(2) Where a certified copy of an order to which this section applies together with —

- (a) a document, duly authenticated, setting out or summarising the evidence given in the proceedings in which the order was made; and
- (b) a statement of the grounds on which the making of the order might have been opposed by the payer under the order,

is received by the Governor from the responsible authority in a reciprocating country, and it appears to the Governor that the payer under the order is residing in the Colony, he shall send the copy of the order and documents which accompanied it to the prescribed officer of the appropriate court, and that court shall —

- (i) if the payer under the order establishes any such defence as he might have raised in the proceedings in which the order was made, refuse to confirm the order; and
- (ii) in any other case, confirm the order either without alteration or with such alterations as it thinks reasonable.

(3) In any proceedings for the confirmation under this section of a provisional order, the statement received from the court which made the order of the grounds on which the making of the order might have been opposed by the payer under the order shall be conclusive evidence that the payer might have raised a defence on any of those grounds in the proceedings in which the order was made.

(4) For the purpose of determining whether a provisional order should be confirmed under this section the court shall proceed as if an application for a maintenance order against the payer under the provisional order had been made to it.

(5) The prescribed officer of a court having power under this section to confirm a provisional order shall, if the court confirms the order, register the order in the prescribed manner in that court, and shall, if the court refuses to confirm the order, return the certified copy of the order and the documents which accompanied it to the Governor.

(6) If a summons to appear in the proceedings for the confirmation of the provisional order cannot be duly served on the payer under that order the officer by whom the certified copy of the order

was received shall return that copy and the documents which accompanied it to the Governor with a statement giving such information as he possesses as to the whereabouts of the payer.

9. (1) Subject to subsection (2) below, a registered order may be enforced in the Colony as if it had been made by the registering court and as if that court had had jurisdiction to make it; and proceedings for or with respect to the enforcement of any such order may be taken accordingly.

Enforcement of maintenance order registered in the Colony court.

1972 c. 18 s. 8.

(2) Any person for the time being under an obligation to make payments in pursuance of a registered order shall give notice of any change of address to the prescribed officer of the court, and any person failing without reasonable excuse to give such notice shall be liable on summary conviction to a fine not exceeding £10.

(3) An order which by virtue of this section is enforceable by the Magistrate's Court or a Summary Court shall be enforceable as if it were an affiliation order made by such court; and the provisions of any enactment with respect to the enforcement of affiliation orders (including enactments relating to the accrual of arrears and the remission of sums due) shall apply accordingly.

(4) The Magistrate's Court or a Summary Court shall take all such steps for enforcing the order as may be prescribed.

(5) In any proceedings for or with respect to the enforcement of an order which is for the time being registered in any court a certificate of arrears sent to the prescribed officer of the court shall be evidence of the facts stated therein.

(6) Subject to subsection (7) below, sums of money payable under a registered order shall be payable in accordance with the order as from the date on which the order was made.

(7) The court having power under section 8 of this Ordinance to confirm a provisional order may, if it decides to confirm the order, direct that the sums of money payable under it shall be deemed to have been payable in accordance with the order as from such date, being a date later than the date on which the order was made, as it may specify; and subject to any such direction, a maintenance order registered under the said section 8 shall be treated as if it had been made in the form in which it was confirmed and as if it had never been a provisional order.

10. (1) Subject to the provisions of this section, the registering court —

Variation and revocation of maintenance order registered in the Colony.

1972 c. 18 s. 9.

- (a) shall have the like power, on an application made by the payer or payee under a registered order, to vary or revoke the order as if it had been made by the registering court and as if that court had had jurisdiction to make it; and
- (b) shall have power to vary or revoke a registered order by a provisional order.

(2) The registering court shall not vary a registered order otherwise than by a provisional order unless —

- (a) both the payer and the payee under the registered order are for the time being residing in the Colony; or
- (b) the application is made by the payee under the registered order; or
- (c) the variation consists of a reduction in the rate of the payments under the registered order and is made solely on the ground that there has been a change in the financial circumstances of the payer since the registered order was made or, in the case of an order registered under section 8 of this Ordinance, since the registered order was confirmed,

and the courts in the reciprocating country in which the maintenance order in question was made do not have power, according to the law in force in that country, to confirm provisional orders varying maintenance orders.

(3) The registering court shall not revoke a registered order otherwise than by a provisional order unless both the payer and the payee under the registered order are for the time being residing in the Colony.

(4) On an application for the revocation of a registered order the registering court shall, unless the payer and the payee under the registered order are for the time being residing in the Colony, apply the law applied by the reciprocating country in which the registered order was made; but where by virtue of this subsection the registering court is required to apply that law, that court may make a provisional order if it has reason to believe that the ground on which the application is made is a ground on which the order could be revoked according to the law applied by the reciprocating country, notwithstanding that it has not been established that it is such a ground.

(5) Where the registering court makes a provisional order varying or revoking a registered order the prescribed officer of the court shall send in the prescribed manner to the court in the reciprocating country which made the registered order a certified copy of the provisional order together with a document, authenticated in the prescribed manner, setting out or summarising the evidence given in the proceedings.

(6) Where a certified copy of a provisional order made by a court in a reciprocating country, being an order varying a registered order, together with a document, duly authenticated, setting out or summarising the evidence given in the proceedings in which the provisional order was made, is received by the registering court, that court may confirm the order either without alteration or with such alteration as it thinks reasonable or refuse to confirm the order.

(7) For the purpose of determining whether a provisional order should be confirmed under subsection (6) above the court shall proceed as if an application for the variation of the registered order had been made to it.

(8) Where a registered order has been varied by an order (including a provisional order which has been confirmed) made by a court in the Colony or by a competent court in a reciprocating country, the registered order shall, as from the date on which the order was made, have effect as varied by that order and, where that order was a provisional order, as if that order had been made in the form in which it was confirmed and as if it had never been a provisional order.

(9) Where a registered order has been revoked by an order made by a court in the Colony or by a competent court in a reciprocating country, including a provisional order made by the court in the Colony which has been confirmed by a competent court in a reciprocating country, the registered order shall, as from the date on which the order was made, be deemed to have ceased to have effect except as respects any arrears due under the registered order at that date.

(10) The prescribed officer of the registering court shall register in the prescribed manner any order varying a registered order other than a provisional order which is not confirmed.

11. (1) Where —

- (a) a registered order is revoked by an order made by the registering court; or

- (b) a registered order is revoked by a provisional order made by that court which has been confirmed by a court in a reciprocating country and notice of the confirmation is received by the registering court; or
- (c) a registered order is revoked by an order made by a court in such a country and notice of the revocation is received by the registering court,

the prescribed officer of the registering court shall cancel the registration; but any arrears due under the registered order at the date when its registration is cancelled by virtue of this subsection shall continue to be recoverable as if the registration had not been cancelled.

(2) Where the prescribed officer of the registering court is of opinion that the payer under a registered order has ceased to reside within the jurisdiction of that court, he shall cancel the registration of the order and shall send the certified copy of the order to the Governor.

12. (1) If it appears to the Governor that the payer under a maintenance order, a certified copy of which has been received by him from a reciprocating country, is not residing in the Colony, or, in the case of an order which subsequently became a registered order, has ceased to reside therein, he shall send to the responsible authority in that country or, if having regard to all the circumstances he thinks it proper to do so, to the responsible authority in another reciprocating country —

Steps to be taken by the Governor where payer under certain orders is not residing in the Colony.

1972 c. 18 s. 11.

- (a) the certified copy of the order in question and a certified copy of any order varying that order;
- (b) if the order has at any time been a registered order, a certificate of arrears signed by the prescribed officer;
- (c) a statement giving such information as the Governor possesses as to the whereabouts of the payer; and
- (d) any other relevant documents in his possession relating to the case.

(2) Where the documents mentioned in subsection (1) above are sent to the responsible authority in a reciprocating country other than that in which the order in question was made, the Governor shall inform the responsible authority in the reciprocating country in which that order was made of what he has done.

13. (1) No appeal shall lie from a provisional order made in pursuance of any provision of this Ordinance by a court in the Colony.

Appeals.

1972 c. 18 s. 12.

(2) Where in pursuance of any such provision any such court confirms or refuses to confirm a provisional order made by a court in a reciprocating country, whether a maintenance order or an order varying or revoking a maintenance order, the payer or payee under the maintenance order shall have the like right of appeal (if any) from the confirmation of, or refusal to confirm, the provisional order as he would have if that order were not a provisional order and the court which confirmed or refused to confirm it had made or, as the case may be, refused to make it.

(3) Where in pursuance of any such provision any such court makes, or refuses to make, an order varying or revoking a maintenance order made by a court in a reciprocating country then subject to subsection (1) above, the payer or payee under the maintenance order shall have the like right of appeal (if any) from that order or from the refusal to make it as he would have if the maintenance order had been made by the first-mentioned court.

(4) Nothing in this section (except subsection (1) above) shall be construed as affecting any right of appeal conferred by any other enactment.

Admissibility of evidence
given in reciprocating
country.

1972 c. 18 s. 13.

14. (1) A statement contained in —

- (a) a document, duly authenticated, which purports to set out or summarise evidence given in proceedings in a court in a reciprocating country; or
- (b) a document, duly authenticated, which purports to set out or summarise evidence taken in such a country for the purpose of proceedings in a court in the Colony under this Ordinance, whether in response to a request made by such a court or otherwise; or
- (c) a document, duly authenticated, which purports to have been received in evidence in proceedings in a court in such a country or to be a copy of a document so received,

shall in any proceedings in a court in the Colony relating to a maintenance order to which this Ordinance applies be admissible as evidence of any fact stated therein to the same extent as oral evidence of that fact is admissible in those proceedings.

(2) A document purporting to set out or summarise evidence given as mentioned in subsection (1) (a) above, or taken as mentioned in subsection (1) (b) above, shall be deemed to be duly authenticated for the purposes of that subsection if the document purports to be certified by the judge, magistrate or other person before whom the evidence was given, or, as the case may be, by whom it was taken, to be the original document containing or recording, or, as the case may be, summarising, that evidence or a true copy of that document.

(3) A document purporting to have been received in evidence as mentioned in subsection (1) (c) above, or to be a copy of a document so received, shall be deemed to be duly authenticated for the purposes of that subsection if the document purports to be certified by a judge, magistrate or officer of the court in question to have been, or to be a true copy of a document which has been, so received.

(4) It shall not be necessary in any such proceedings to prove the signature or official position of the person appearing to have given such a certificate.

(5) Nothing in this section shall prejudice the admission in evidence of any document which is admissible in evidence apart from this section.

Obtaining of evidence
needed for purpose of
certain proceedings.

1972 c. 18 s. 14.

15. (1) Where for the purpose of any proceedings in a court in a reciprocating country relating to a maintenance order to which this Ordinance applies a request is made by or on behalf of that court for the taking in the Colony of the evidence of a person residing therein relating to matters specified in the request, such court in the Colony as may be prescribed shall have power to take that evidence and, after giving notice of the time and place at which the evidence is to be taken to such persons and in such manner as it thinks fit, shall take the evidence in such manner as may be prescribed.

Evidence taken in compliance with such a request shall be sent in the prescribed manner by the prescribed officer of the court to the court in the reciprocating country by or on behalf of which the request was made.

(2) Where any person, not being the payer or the payee under the maintenance order to which the proceedings in question relate, is required by virtue of this section to give evidence before a court in the Colony, the court may order that there shall be paid such sums as appear to the court reasonably sufficient to compensate that person for the expense, trouble or loss of time properly incurred in or incidental to his attendance.

(3) Section 77 (1), (3) and (4) of the Magistrate's Court Act 1952 (which provides for compelling the attendance of witnesses, etc)

shall apply in relation to the Magistrate's Court or a Summary Court having power under subsection (1) above to take the evidence of any person as if the proceedings in the court in a reciprocating country for the purpose of which a request for the taking of the evidence has been made were proceedings in the Magistrate's Court or a Summary Court and had been begun by complaint.

(4) A court in the Colony may for the purpose of any proceedings in that court under this Ordinance relating to a maintenance order to which this Ordinance applies request a court in a reciprocating country to take or provide evidence relating to such matters as may be specified in the request and may remit the case to that court for that purpose.

16. For the purposes of this Ordinance, unless the contrary is shown —

- (a) any order made by a court in a reciprocating country purporting to bear the seal of that court or to be signed by any person in his capacity as a judge, magistrate or officer of the court, shall be deemed without further proof to have been duly sealed or, as the case may be, to have been signed by that person;
- (b) the person by whom the order was signed shall be deemed without further proof to have been a judge, magistrate or officer, as the case may be, of that court when he signed it and, in the case of an officer, to have been authorized to sign it; and
- (c) a document purporting to be a certified copy of an order made by a court in a reciprocating country shall be deemed without further proof to be such a copy.

Order, etc., made abroad
need not be proved.

1972 c. 18 s. 15.

17. (1) Payment of sums due under a registered order shall, while the order is registered in a court in the Colony, be made in such manner and to such person as may be prescribed.

Payment of sums under
orders made abroad;
conversion of currency.

1972 c. 18 s. 16.

(2) Where the sums required to be paid under a registered order are expressed in a currency other than the currency of the Colony, then, as from the relevant date, the order shall be treated as if it were an order requiring the payment of such sums in the currency of the Colony, as, on the basis of the rate of exchange prevailing at that date, are equivalent to the sums so required to be paid.

(3) Where the sum specified in the statement, being a statement of the amount of any arrears due under a maintenance order made by a court in a reciprocating country, is expressed in a currency other than the currency of the Colony, that sum shall be deemed to be such sum in the currency of the Colony, as, on the basis of the rate of exchange prevailing at the relevant date, is equivalent to the sum so specified.

(4) For the purpose of this section a written certificate purporting to be signed by the Financial Secretary certifying that a specified rate of exchange prevailed between currencies at a specified date and that at such rate a specified sum in the currency of the Colony is equivalent to a specified sum in another specified currency shall be evidence of the rate of exchange so prevailing on that date and of the equivalent sums in terms of the respective currencies.

(5) In this section "the relevant date" means —

- (a) in relation to a registered order or to a statement of arrears due under a maintenance order made by a court in a reciprocating country, the date on which the order first becomes a registered order or (if earlier) the date on which it is confirmed by a court in the Colony;
- (b) in relation to a registered order which has been varied, the date on which the last order varying that order is registered in a court in the Colony or (if earlier) the date on which the last order varying that order is confirmed by such a court.

Application to certain orders and proceedings under the Maintenance Orders (Facilities for Enforcement) Ordinance. (Cap. 42)

1972 c. 18 s. 24.

18. Where the Governor makes an order under section 3 of this Ordinance designating as a reciprocating country a country or territory to which, at the commencement of this Ordinance, the Maintenance Orders (Facilities for Enforcement) Ordinance as repealed by this Ordinance extended, that order may contain such provisions as the Governor considers expedient for the purposes of securing —

- (a) that the provisions of this Ordinance apply, subject to such modifications as may be specified in the order, to maintenance orders, or maintenance orders of a specified class —
 - (i) made by a court in the Colony against a person residing in that country or territory; or
 - (ii) made by a court in that country or territory against a person residing in the Colony,

being orders to which immediately before the date of the coming into operation of the order of the said Ordinance applied, except any order which immediately before that date is registered in the Supreme Court;

- (b) that any maintenance order, or maintenance order of a specified class, made by a court in that country or territory which has been confirmed by a court in the Colony under section 6 of the said Ordinance and is in force immediately before that date is registered under section 8 of this Ordinance;
- (c) that any proceedings brought under or by virtue of a provision of the said Ordinance in a court in the Colony which are pending at the date, being proceedings affecting a person resident in that country or territory, are continued as if they had been brought under or by virtue of the corresponding provision of this Ordinance.

Maintenance orders registered in Supreme Court under the Maintenance Orders (Facilities for Enforcement) Ordinance.

1972 c. 18 s. 23.

19. (1) Where a country or territory, being a country or territory to which at the commencement of this Ordinance the Maintenance Orders (Facilities for Enforcement) Ordinance extended, becomes a reciprocating country, then, if immediately before the said Ordinance was repealed any maintenance order made by a court in that country or territory was registered in the Supreme Court, the Supreme Court may, on application by the payer or the payee under the order or of its own motion, transfer the order to the Magistrate's Court or a Summary Court for all the circumstances it thinks appropriate, with a view to the order being registered in the Magistrate's Court or a Summary Court under this Ordinance.

(2) Where the Supreme Court transfers an order to the Magistrate's Court or a Summary Court under this section it shall —

- (a) cause a certified copy of the order to be sent to the prescribed officer of that court; and
- (b) cancel the registration of the order in the Supreme Court.

(3) The prescribed officer of the Magistrate's Court or a Summary Court on receiving a certified copy of an order sent to him under this section shall register the order in the prescribed manner in that court.

Proceedings in Magistrate's Court or a Summary Court.

1972 c. 18 s. 17.

20. (1) Subject to subsection (2) below, the proceedings which are domestic proceedings within the meaning of the Magistrate's Court Act 1952 shall include all proceedings in a Magistrate's Court or a Summary Court under this Ordinance other than proceedings for the variation or enforcement of a maintenance order.

(2) The Magistrate's Court or a Summary Court on hearing any proceedings for the variation of a maintenance order to which this Ordinance applies may, if it thinks fit, order that those proceedings and any other proceedings being heard therewith shall be treated for the purposes of the said Act of 1952 as domestic proceedings.

(3) The said Act of 1952 shall have effect in accordance with subsections (1) and (2) above notwithstanding anything in subsection (1) of section 56 thereof.

(4) Any application which by virtue of a provision of this Ordinance is made to the Magistrate's Court or a Summary Court shall be made by complaint.

(5) Where the defendant to a complaint for the variation or revocation —

- (a) of a maintenance order made by the Magistrate's Court or a Summary Court being an order to which section 6 of this Ordinance applies; or
- (b) of a registered order,

does not appear at the time and place appointed for the hearing of the complaint, but the court is satisfied that the defendant is residing in a reciprocating country, the court may proceed to hear and determine the complaint at the time and place appointed for the hearing or for any adjourned hearing in like manner as if the defendant had appeared at that time and place.

21. The Governor in Council may make rules generally for the carrying out of the purposes or provisions of this Ordinance or any matters incidental or consequential thereto as may appear to him to be necessary and without prejudice to the generality of the foregoing rules may be made for any of the following purposes —

Rules.
1972 c. 18 s. 18.

- (a) the orders made, or other things done, by the Magistrate's Court or a Summary Court, or an officer of such court, under this Ordinance, or by a court in a reciprocating country, notice of which is to be given to such persons as the rules may provide and the manner in which such notice shall be given;
- (b) the cases and manner in which courts in reciprocating countries are to be informed of orders made, or other things done; by the Magistrate's Court or a Summary Court under this Ordinance;
- (c) the cases and manner in which a prescribed officer may take evidence needed for the purpose of proceedings in a court in a reciprocating country relating to a maintenance order to which this Ordinance applies;
- (d) the circumstances and manner in which cases may be remitted by the Magistrate's Court or a Summary Court to courts in reciprocating countries;
- (e) the circumstances and manner in which the Magistrates Court or a Summary Court may for the purpose of this Ordinance communicate with courts in reciprocating countries.

22. The Maintenance Orders (Facilities for Enforcement) Ordinance is repealed.

Repeal.
(Cap. 42)

OBJECTS AND REASONS

This Bill makes fresh provisions for the reciprocal enforcement of maintenance orders between the Colony and any country or territory in lieu of the Maintenance Orders (Facilities for Enforcement) Ordinance (Chapter 42), which is restricted to Commonwealth countries and which will be repealed.

FARMING STATISTICS FOR 1977-78

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 *	30	626	95	162	1,210	489	2,612	2,604
San Carlos Sheep Farming Co., Ltd.	San Carlos	401	8,964	293	2,250	8,750	5,816	26,474	23,675
R. M. Pitaluga & Co., Ltd.	Gibraltar	180	5,281	93	1,273	6,575	3,708	17,110	15,915
Falkland Islands Co., Ltd.	Darwin & Walker Creek	1,376	34,254	536	8,463	37,337	19,759	101,725	92,706
" " " "	Fitzroy	320	9,022	* 881	2,433	5,741	6,293	24,690	21,648
" " " "	Green Patch	112	3,574	† 3,138	1,134	6,484	2,572	17,014	15,423
Smith Bros.	Berkeley Sound	171	5,809	135	1,343	5,309	3,199	15,966	13,733
R. W. Browning	Mullet Creek	46	660	60	120	324	228	1,438	1,190
Mrs. S. R. Stewart	Bluff Cove	65	2,110	—	307	621	743	3,846	2,699
Port Louis Ltd.	Port Louis	176	4,156	240	849	3,657	2,288	11,366	9,686
Douglas Station, Ltd.	Douglas	188	6,020	295	1,260	5,875	2,812	16,450	14,005
Port San Carlos, Ltd.	Port San Carlos	330	11,115	850	3,144	9,230	7,885	32,554	28,284
Tenl Inlet, Ltd.	Evelyn	363	8,369	* 366	2,021	5,520	4,929	21,578	19,659
Estate H. J. Pitaluga	Rincon Grande	106	2,634	496	475	3,305	1,450	8,466	8,059
C. Bundes & R. Hills	Sparrow Cove	14	500	—	—	296	72	882	844
Falkland Islands Co., Ltd.	North Arm	702	21,798	1,350	6,067	23,825	13,296	67,038	58,654
R. J. & P. Goss	Bluff Cove								
	Mountain	1	350	1,666	—	95	48	2,160	838
		4,581	125,242	10,494	31,301	124,164	75,587	371,369	329,622

* Includes Port Harriet Farm

* 100 Dry + 2,727 Dry

WEST FALKLAND

J. L. Waldron, Ltd.	Port Howard	359	13,673	—	3,502	12,030	8,046	37,610	33,774
Holmsted Blake & Co., Ltd.	Hill Cove	424	11,693	430	2,934	13,140	7,265	35,886	32,197
Falkland Islands Co., Ltd.	Port Stephens	250	12,696	—	1,837	10,231	6,701	31,724	26,337
Falkland Islands Co., Ltd.	Fox Bay West	320	10,221	111	2,419	9,869	6,504	29,444	26,020
Packe Bros. & Co. Ltd.	Fox Bay East	334	9,849	50	2,451	9,794	5,998	28,476	24,619
Chartres Sheep Farming Company, Ltd.	Chartres	445	8,726	* 1,060	2,535	8,940	5,663	27,369	24,765
Bertrand & Felton, Ltd.	Roy Cove	277	5,965	20	1,553	6,075	4,236	18,126	17,957
		2,418	72,823	1,671	17,231	70,079	44,413	208,635	185,669

* Dry

ISLANDS

J. Hamilton, (Estates) Ltd.	Weddell Group	141	† 3,606	191	924	3,304	2,222	10,388	8,491
" " " "	Saunders	130	2,960	—	393	2,571	1,469	7,523	6,308
Dean Bros. Ltd.	Pebble	148	4,492	724	1,358	3,357	3,937	14,016	12,422
R. McGill	Carcass	12	460	* 115	202	792	407	1,988	1,835
New Is. Preservation Ltd.	New	9	512	40	247	918	440	2,166	2,429
T. C. Clifton	Sea Lion	9	390	89	131	691	300	1,610	1,535
R. B. Napier	West Point	27	540	—	350	819	437	2,173	2,211
Falkland Islands Co., Ltd.	Speedwell Group	86	2,840	1,041	1,121	4,796	2,187	12,071	10,634
W. MacBeth	Sedge	12	150	191	43	492	95	983	943
Falkland Islands Co., Ltd.	Lively/Bleaker Gp.	90	2,350	60	807	3,514	1,606	8,427	7,354
S. R. & C. Miller	Keppel	28	860	190	270	1,241	803	3,392	2,761
F. Hirtle	Golding Group	—	—	—	—	3,386	—	3,386	3,224
A. Felton	Split	5	124	—	—	—	110	239	129
		697	19,284	2,641	5,846	25,881	14,013	68,362	60,276

† 105 Dry * Dry

SUMMARY 1973-78

EAST FALKLAND	...	...	...	...	4,581	125,242	10,494	31,301	124,164	75,587	371,369	329,622
WEST FALKLAND	...	...	...	...	2,418	72,823	1,671	17,231	70,079	44,413	208,635	185,669
ISLANDS	...	...	...	...	697	19,284	2,641	5,846	25,881	14,013	68,362	60,276
	TOTALS	1977-1978	7,696	217,349	14,806	54,378	220,124	134,013	648,376	575,567		
		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		

TOTAL WOOL CLIP IN 1000 LBS	LAMBS		SHEEP DISPOSED OF	HORSES	CATTLE	DOGS	POULTRY	SWINE	ACRES CULTIV- ATED	LABOUR	EAR MARK
	MARKED	DIPPED									
EAST FALKLAND											
21.0	555	489	237	7	123	—	—	—	—	4	Fork & Slit
189.6	6,175	5,816	1,971	137	514	44	275	—	86	17	Fore Bayonet
126.0	3,974	3,687	1,958	43	108	16	84	—	6	9	Fore Bayonet
727.9	22,818	19,759	6,657	424	1,678	125	—	7	—	58	Double Swallow
170.0	6,907	6,293	3,078	138	244	41	190	—	—	16	" "
128.9	2,917	2,572	1,259	54	321	41	85	1	—	9	" "
106.0	3,568	3,568	408	51	217	22	75	—	—	5	Triangle "
5.2	268	—	141	—	19	3	21	—	—	2	Back Bayonet
18.7	755	743	119	6	40	6	41	—	—	2	Fore Bayonet &
75.0	2,392	2,288	367	28	101	12	—	—	—	4	Fork [Back Slit
97.5	3,043	2,812	587	144	—	22	29	—	—	8	Fork
232.0	8,618	7,885	2,580	124	680	45	203	2	—	18	Slit
147.0	5,604	4,929	1,543	94	284	22	129	—	1.5	13	Back Square
67.9	1,450	—	762	64	72	8	120	8	—	4	Slit
8.5	187	72	222	7	28	—	—	—	—	3	Fore Bayonet
437.8	14,804	13,296	2,679	303	812	76	498	—	—	30	Double Swallow
3.1	—	48	—	—	—	—	—	—	—	—	Half Half-penny
2,562.1	84,035	74,257	24,568	1,624	5,241	483	1,750	18	93.5	202	

WEST FALKLAND											
274.2	8,696	8,046	3,320	179	767	58	—	6	366	25	Fork
264.4	8,055	7,265	4,073	95	371	53	—	1	—	22	Fore Bayonet
195.8	6,724	6,701	963	106	251	37	111	3	—	15	Double Swallow
211.9	6,642	6,504	2,967	88	156	21	—	—	—	17	Fore Bayonet
221.5	6,461	5,998	3,220	118	529	30	—	—	—	21	Fore Bit
206.8	6,172	5,788	2,480	121	447	35	262	—	105	16	Double Swallow
156.8	4,432	4,236	4,188	72	197	33	—	—	—	12	Front Square
1,531.4	47,182	44,538	21,211	779	2,718	267	373	10	471	105	

ISLANDS											
71.1	2,295	2,222	869	57	156	15	45	3	—	10	Fork
46.3	1,485	1,469	455	31	118	14	—	—	5	5	"
106.0	4,036	3,937	2,050	58	252	22	196	1	12	12	Back Bayonet
17.7	436	—	233	2	19	6	44	—	—	1	Fore Bayonet
24.8	501	440	592	2	27	4	27	—	—	1	Fork
18.5	310	300	226	6	10	1	12	—	—	1	Plain Ear
21.0	437	435	217	3	34	7	38	—	—	1	Back Square
118.5	2,399	2,187	1,447	12	164	—	—	—	—	3	Double Swallow
8.3	95	—	50	—	13	2	17	—	—	1	Fore Bayonet
69.2	1,702	1,606	689	12	26	21	—	—	—	5	Double Swallow
28.7	803	—	172	7	59	6	34	—	—	1	Back Square
26.4	—	—	25	2	13	5	16	—	—	1	—
1.4	103	—	15	—	—	—	—	—	—	—	—
557.9	14,602	12,596	7,040	192	891	103	429	4	17	43	

* Included in Lively/Bleaker Group

2,562	84,035	74,257	24,568	1,624	5,241	483	1,750	18	93.5	202	
1,531	47,182	44,538	21,211	779	2,718	267	373	10	471	105	
558	14,602	12,596	7,040	192	891	103	429	4	17	43	
4,651	145,819	131,391	52,819	2,595	8,850	853	2,552	32	581.5	350	
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	

SHEEP DISPOSED OF

	SOLD LOCALLY FOR BREEDING OR FURTHER USE	SLAUGHTERED				EXPORTED
		MUTTON (Stanley)	MUTTON (Farm)	SKINS	OTHER PURPOSES	
EAST FALKLAND	2,414	4,337	7,345	8,669	1,803	—
WEST FALKLAND	—	1,209	4,855	13,657	1,490	—
ISLANDS	630	872	1,322	2,836	1,380	—
TOTAL 1977-1978	3,044	6,418	13,522	25,162	4,673	—
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



THE FALKLAND ISLANDS GAZETTE

PUBLISHED BY AUTHORITY

Vol. LXXXVII

8 NOVEMBER 1978

No. 11

Appointments

Mrs. Iris Finlayson, Houseparent, Darwin Boarding School, Education Department, 6.3.78.

Alan David Cusworth, Clerk, Public Service, 9.10.78.

Robert Stewart, Plumber, Public Works Department, 12.10.78.

Andrew Joseph Clarke, Assistant Teacher, Education Department, 18.10.78.

Miss Elizabeth Barton, Private Secretary to Development Officer, 19.10.78.

Mrs. Anne Elizabeth Peatfield, Teacher, Education Department, 21.10.78.

John David Peatfield, Teacher, Education Department, 21.10.78.

Brian Munday, Sergeant, Police and Prisons Department, 21.10.78.

George Albert Ronald Beckham, Mechanical Superintendent, Public Works Department, 25.10.78.

Raymond Harvey Checkley, Registrar and Registrar General, 1.11.78.

Stanley John Angel, Assistant Teacher, Education Department, 1.11.78.

Denis Place, Water Supervisor, Public Works Department, 8.11.78.

Completion of Tour

Martin John Baker, Relief Magistrate, South Georgia, 16.10.78

Resumption of Duty

Michael Raymond Pawley, Magistrate, South Georgia, 16.10.78.

NOTICES

No. 49. 16th October 1978.

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

S.I. 1976 No. 2143

The Merchant Shipping (Oil Pollution) (Falkland Islands) (Amendment) Order 1976

2. Copies of the Order may be seen at the Chief Secretary's Office during normal office hours.

Ref. CON/1/23.

No. 50. 26th October 1978.

The findings of the Cost of Living Committee for the quarter ended 30th September 1978 are published for general information —

Quarter ended	Percentage increase over 1971 prices
30th September 1978	172.11%

2. In accordance with the principle of the Wages Agreement for Stanley the average increase over the last four quarters is 165.40% and a further wage award of 1½ pence per hour is therefore payable with effect from 1st October 1978.

Ref. INT/2/3.

No. 51. 6th November 1978.

It is with deep regret that His Honour the Acting Governor learned today of the death on 5th November 1978 of Mr. Russell John Summers, Electrician, Public Works Department, following a road accident.

Ref. P/1233.

No. 52. 6th November 1978.

His Honour the Acting Governor has been pleased to appoint—

MR. PETER CHARLES ROBERTSON

of Port Stephens, West Falkland, to be a Registrar under section 4 of the Marriage Ordinance (Cap. 43) for the purpose of celebrating the marriage of Leon Berntsen, bachelor, and Valerie Ellen Dickson, spinster, both of Port Stephens, at Port Stephens.

Ref. LEG/19/2.

In the Supreme Court of the Falkland Islands

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

IN THE MATTER of Frederick Clarence Walwin Newman, who died intestate at Port Stephens, Falkland Islands on the 2nd August 1978.

WHEREAS Wilfred Lawrence Newman, uncle of the above named deceased has applied for Letters of Administration to administer the estate of the 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.

R. H. CHECKLEY,
Registrar.

Stanley,
Falkland Islands.
6th November 1978.
S C & L/29/78.

Warrant appointing Raymond Harvey Checkley to be a Justice of the Peace for the Colony

By His Honour JOHN DUDLEY MASSINGHAM, ESQUIRE, Acting Governor and Commander-in-Chief in and over the Falkland Islands and its Dependencies.



JOHN MASSINGHAM
Acting Governor.

To RAYMOND HARVEY CHECKLEY,

By virtue of the powers and authority in me vested by Section 3 of the Administration of Justice Ordinance, I do hereby appoint you, the said RAYMOND HARVEY CHECKLEY, to be a Justice of the Peace for the Colony of the Falkland Islands.

Given at Stanley, this 8th day of November 1978.

By Command,
D. R. MORRISON,
Acting Chief Secretary.

PUBLIC HEALTH ORDINANCE
(Chapter 54)

King Edward VII Memorial Hospital (Amendment)
Regulations 1978

No. 6 of 1978.

JOHN MASSINGHAM,
Acting 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 King Edward VII Memorial Hospital (Amendment) Regulations 1978. Citation.

2. Regulation 10 of the principal regulations is amended by deleting "£5" and substituting the following — Amendment of regulation 10.
(Cap. 54 sub. leg.).
"£100".

Made by the Governor in Council this 16th day of October 1978.

W. A. ETHERIDGE,
Clerk of Councils.

Ref. MED/10/2.

CIVIL AVIATION

Carriage by Air (Sterling Equivalent) Order 1978

No. 5 of 1978.

JOHN MASSINGHAM,
Acting Governor.

IN EXERCISE of the powers conferred by section 4 (4) of the Carriage by Air Act 1961 as extended to the Colony by the Carriage by Air Acts (Application of Provisions) (Overseas Territories) Order 1967, the Governor has made the following order —

- 1. This Order may be cited as the Carriage by Air (Sterling Equivalent) Order 1978 and shall come into operation on the 15th day of November 1978.
- 2. This Order supersedes the Carriage by Air (Sterling Equivalent) Order 1973.
- 3. The amounts shown in column 2 of the following Table are hereby specified as amounts to be taken for the purposes of Article 22 in the First Schedule to the Carriage by Air Act 1961 as applied to the Colony by the Carriage by Air Acts (Application of Provisions) (Overseas Territories) Order 1967 as equivalent to the sums respectively expressed in francs on the same line in column 1 of that Table:

TABLE

COLUMN 1	COLUMN 2
Amount of francs	Sterling equivalent
	£
250	10.78
5,000	216.00
125,000	5,390.00
250,000	10,780.00
875,000	37,726.00

3rd November 1978.

By Command,
D. R. MORRISON,
Acting Chief Secretary.

Ref. AIR/10/4.



FALKLAND ISLANDS

OIL EXPLORATION LICENCE

THIS DEED made the tenth day of March 1978 between D. H. A. HANNAY on behalf of the Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies (hereinafter referred to as the "Governor" which expression includes the officer for the time being administering the Government of the said Colony) of the one part and TEXAS INSTRUMENTS (UK) LTD (hereinafter referred to as "the Licensee") of the other part.

WHEREAS the Licensee in accordance with the conditions laid down in the Regulations for the time being in force for the granting of oil exploration licences has applied to the Governor for a non-exclusive Licence to conduct exploration by means of a scientific seismic study in respect of the lands specified in the Schedule marked "A" hereunder written (hereinafter referred to as "the licensed area").

WHEREAS the survey will be offshore with no probability of damages to other parties:

NOW THIS DEED WITNESSETH AS FOLLOWS —

1. In consideration of the sum of £100 which has before the execution hereof been paid by the Licensee to the Colonial Treasurer on behalf of the Governor the right and licence is hereby granted by the Governor to the Licensee for a term i.e., November 1977 to June 1978 subject to the rights of private owners of the surface and subject to the restrictions, conditions and provisions hereinafter contained to explore and search the surface of the lands described in the Schedule marked "A" hereunder written for petroleum and for that purpose the right and licence to make geological geophysical and topographic examinations. Reserving nevertheless to the Governor full power and liberty at all times to enter into and upon and to grant or demise to any persons whomsoever liberty to enter into and upon such Crown lands as may be included in the said lands for all and every purpose other than that for which this licence is granted but subject to the rights of the Licensee under this licence.

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

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

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

5. Within 60 days of Licensee completing the processing of the record cross section, the Licensee shall furnish in triplicate to the Secretary of State and Chief Secretary a copy of the resulting seismic cross section. The Secretary of State and Chief Secretary will hold the data for the exclusive use of the Government of the United Kingdom and the Government of the Falkland Islands for 5 years after receipt and, during the 5 year period, will not disclose the data to any oil company or to any commercial or other organisation which might in the normal course of business be a potential customer for the survey results.

6. (1) Save as provided for in paragraph (2) of this Clause, the Licensee shall not grant or assign any right or interest under this licence, or part with the possession of any rights hereby granted to any person or persons whomsoever without the previous consent in writing of the Governor, which shall not be unreasonably withheld.

(2) The Licensee may, to the extent strictly necessary, grant, assign or part with the possession of such rights or interests to its subsidiary companies for the sole purpose of enabling the licensee through such subsidiaries to arrange the sale to third parties of the results of the seismic study conducted pursuant to this licence.

7. If the licensee being a company shall be or become controlled directly or indirectly by an alien or a company incorporated outside Her Majesty's dominions or if the Licensee shall with the consent in writing of the Governor pursuant to Clause 6 (1) of this licence assign the rights granted by this licence in respect of the licensed area or any part thereof to a company controlled directly or indirectly by an alien or by a company incorporated outside Her Majesty's dominions then and in any such case —

(a) One of the Directors and the Chief Local Representative shall be British subjects;

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

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

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

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

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

11. The Governor may if he is satisfied that the Licensee has performed the conditions imposed on him by this licence at his discretion on an application made in that behalf by the Licensee on three months' notice in writing grant a renewal of this licence in respect of the whole of the licensed area or any part thereof for a further term of twelve months and thereafter for two further terms of twelve months respectively.

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

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

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

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

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

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

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

16. For the purposes of this licence —

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

In witness whereof D. H. A. HANNAY and J. W. W. PEYTON on behalf of the Governor and the Licensee have hereunto set their hands and seals the day and year first herein above written.

SCHEDULE A

All those lands represented by the attached programme of coordinates —

Line 21 —

64 deg 30 min W	50 deg 30 min S
64 deg 30 min W	51 deg 50 min S

Line 18 —

64 deg 30 min W	50 deg 30 min S
57 deg 30 min W	51 deg 08 min S

Line 23 —

61 deg 50 min W	48 deg 56 min S
62 deg 18 min W	50 deg 55 min S

Line 24 —

59 deg 30 min W	50 deg 55 min S
59 deg 30 min W	49 deg 15 min S



THE FALKLAND ISLANDS GAZETTE

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20 DECEMBER 1978

No. 12

Appointments

Miss Sharon Hewitt, Clerk, Public Service, 1.11.78.

Mrs. Hulda Stewart, Teacher, Education Department, 8.11.78.

Promotions

Rudy Thomas Clarke, Workshop Supervisor, Public Works Department to Assistant Mechanical Superintendent, Public Works Department, 19.10.78.

Manfred Michael Ian Keenleyside, Carpenter, Public Works Department to Senior Carpenter, Public Works Department, 1.12.78.

Completion of Contract

John Robinson Coates, Teacher, Education Department, 9.9.78.

Mrs. Hazel Coates, Teacher, Education Department, 9.9.78.

Miss Elizabeth Anne Stead, Nursing Sister, Medical Department, 17.11.78.

Resignation

Lee Oliver Small, Police Constable, Police and Prisons Department, 12.12.78.

NOTICES

No. 53. 20th November 1978.

With reference to Gazette Notice No. 43 dated 17th August 1978 it is hereby notified that His Excellency James Roland Walter Parker, Esquire, C.M.G., O.B.E., Governor and Commander-in-Chief, returned to the Colony on Saturday 18th November 1978.

Ref. GOV/19/1.

No. 54. 20th November 1978.

LIVESTOCK ORDINANCE (Cap. 40)**NOTICE**

(under section 3)

Notice is hereby given that His Excellency the Governor has appointed —

THE OFFICER-IN-CHARGE, AGRICULTURAL DEPT.
and

RICHARD STEPHEN WHITLEY, M.R.C.V.S.
to be Inspectors with effect from 23rd September 1978.

Ref. AGR/7/10.

No. 55. 24th November 1978.

With reference to the Instrument under the Public Seal of the Colony dated 21st November 1978, it is hereby notified that His Excellency the Governor returned to Stanley on Thursday 23rd November 1978.

Ref. GOV/19/1.

No. 56. 30th November 1978.

It is hereby notified that the following dates have been set aside as Public Holidays in Stanley in 1979 —

New Year's Day ... Monday, 1st January

Good Friday ... Friday, 13th April

Her Majesty the Queen's Birthday ... Monday, 23rd April
(in lieu of)

October Bank Holiday ... Monday, 1st October

Anniversary of the Battle of the Falkland Islands ... Monday, 10th December
(in lieu of)

Christmas Holidays ... Tuesday, 25th December
Wednesday, 26th December
Thursday, 27th December

Ref. INT/21/5.

No. 57. 6th December 1978.

Marriage Ordinance (Cap. 43) Section 5

With reference to Gazette Notice No. 10 of 16th February 1978, the following names are added

to the list of Ministers of Religion registered for celebrating marriages in the Colony —

THE REVEREND LIONEL A. N. GUBBINS, *Priest, Christ Church Cathedral.*

THE REVEREND ALEXANDER C. QUEEN, *Minister, The Tabernacle.*

Ref. INT/39/1.

No. 58. 13th December 1978.

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. L. BERNTSEN — Port Stephens.

Ref. AGR/7/16.

No. 59. 15th December 1978.

His Excellency the Governor has been pleased to appoint —

MR. LIONEL GEOFFREY BLAKE, O.B.E., J.P.

of Hill Cove, West Falkland, to be a Registrar under section 4 of the Marriage Ordinance (Cap.43) for the purpose of celebrating the marriage of Roy Ross, bachelor, and Marie Nightingale, spinster, both of Roy Cove, at Hill Cove.

Ref. LEG/19/2.

Application for a Restaurant Licence under the provisions of the Licensing Ordinance

(Vol. 1, Cap. 38)

In accordance with Section 7 (1) of the Licensing Ordinance, an application has been made by —

REYNOLD ERNEST REID

No. 1 Philomel Street

(Adjacent to Victory Bar)

for a Restaurant Licence, and provided that no objection be taken to the granting of a licence before 9th January 1979 the same will be granted.

The Treasury,

Stanley.

19th December 1978.

H. T. ROWLANDS,

Financial Secretary.

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 21st day of November 1978, 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, Companion of the Most Distinguished Order of Saint Michael and Saint George, 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 JOHN DUDLEY MASSINGHAM, 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 1977, 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 21st day of November 1978 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 21st day of November in the year of Our Lord One thousand Nine hundred and Seventy-eight.

J. R. W. PARKER,
Governor.

POST OFFICE ORDINANCE
(Chapter 52)

Telephone and Telegraph (Amendment) Rules 1978

No. 2 of 1978.

J. R. W. PARKER,
Governor.

IN EXERCISE of the powers conferred by section 4 of the Post Office Ordinance the Governor in Council has made the following rules —

Citation and commencement.

1. These rules may be cited as the Telephone and Telegraph (Amendment) Rules 1978 and shall come into operation on the 1st day of January 1979.

Amendment of rule 5.
(1 of 1973)

2. Paragraph (1) of rule 5 of the Telephone and Telegraph Rules 1973 (hereinafter referred to as the principal rules) is amended as follows —

- (a) in sub-paragraph (a) by deleting “£15.00” and “£4.50” and substituting the following respectively —
“£21.00” and “£6.00”;
- (b) in sub-paragraph (b) by deleting “£10.00” and substituting the following —
“£15.00”;
- (c) in sub-paragraph (c) by deleting “£8.75” and substituting the following —
“£12.00”;
- (d) in sub-paragraph (d) by deleting “£7.00” and substituting the following —
“£9.00”.

Amendment of rule 8.

3. Paragraph (1) of rule 8 of the principal rules is amended as follows —

- (a) in sub-paragraph (a) by deleting “£4.50” and substituting the following —
“£6.00”;
- (b) in sub-paragraph (b) by deleting “£7.00” and substituting the following —
“£9.00”.

4. Paragraph (3) of rule 8 of the principal rules is amended by deleting “£1.25” and substituting the following —
“£2.00”.

Amendment of rule 10.

5. Rule 10 of the principal rules is amended by deleting “2p” where it occurs and substituting the following —
“5p”.

Amendment of rule 12.

6. Paragraph (2) of rule 12 of the principal rules is amended by deleting “£20” and substituting the following —
“£42”.

Amendment of rule 18.

7. Paragraph (1) of rule 18 of the principal rules is amended by deleting “£2.50” and substituting the following —
“£5.00”.

Made by the Governor in Council this 12th day of December 1978.

W. A. ETHERIDGE,
Clerk of Councils.

Ref. P & T/10/1.

INCOME TAX ORDINANCE
(Chapter 32)

Income Tax (Amendment) Rules 1978

No. 3 of 1978.

J. R. W. PARKER,
Governor.

IN EXERCISE of the powers conferred by section 89 of the Income Tax Ordinance, the Governor in Council has made the following rules —

1. These rules may be cited as the Income Tax (Amendment) Rules 1978. Citation.
2. The principal rules are amended in page 3 of Form No. 2 by — Amendment of Form No. 2.
Cap. 32 sub. leg.
 - (a) renumbering items 9 and 10 as items 10 and 11 respectively; and
 - (b) by inserting the following new item —
“9. One fifth of my wife’s earned income (section 15 (5))”.

Made by the Governor in Council this 12th day of December 1978.

W. A. ETHERIDGE,
Clerk of Councils.

Re. INC/10/5.

POST OFFICE ORDINANCE
(Chapter 52)

Post Office (Amendment) Order 1978

No. 6 of 1978.

J. R. W. PARKER,
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 1978 and shall come into operation on the 1st day of January 1979. Amendment of paragraph 2.
(4 of 1976)
2. Paragraph 2 of the principal Order is amended in subparagraph (j) (ii) by deleting “£2.45”, “£3.20”, “£4.00” and “£5.25” and substituting the following respectively —
“£2.60”, “£3.50”, “£4.55” and “£6.20”.

Made by the Governor in Council this 12th day of December 1978.

W. A. ETHERIDGE,
Clerk of Councils.

Ref. P & T/2/9c.

A Bill for An Ordinance

Title.

Further to amend the Christ Church Trust Ordinance.

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 Christ Church Trust
(Amendment) Ordinance 1979.

Amendment of preamble.
(Cap. 9)

2. The preamble to the principal Ordinance is amended by
inserting after "1974", the following —

"and further amended and re-published on the 1st day of
October 1978,".

Amendment of section 2.

3. Section 2 of the principal Ordinance is amended by deleting
"clause 5 of the said New Constitution" and substituting the fol-
lowing —

"clause 6 of the said amended New Constitution".

OBJECTS AND REASONS

The amendments made by this Bill are consequential upon amendments
made to the New Constitution 1974 of Christ Church Cathedral.

Ref. INT/39/2.