

AND WHEREAS certain Instructions and Additional Instructions under the Royal Sign Manual and Signet (hereinafter called "the existing Instructions") were issued to the Governor on the following dates, that is to say: on the twenty-eighth day of February, 1920, and the first day of February, 1941:

AND WHEREAS We are minded to issue fresh Instructions under Our Sign Manual and Signet for the guidance of the Governor and any other Officer who may administer the Government of the Colony and the Dependencies:

NOW, THEREFORE, as from a date to be appointed by the Governor by Proclamation published in the Gazette, We do hereby revoke the existing Instructions, but without prejudice to any appointment lawfully made or any other thing lawfully done thereunder, and instead thereof We do hereby direct and enjoin and declare Our Will and pleasure as follows:—

Governor to
administer
Oaths.

1. The Governor may, whenever he thinks fit, require any person in the public service to take the Oath of Allegiance in the form prescribed by the Letters Patent together with such oath or oaths as may from time to time be prescribed by any law in force in the Colony, in the form prescribed by any such law. The Governor is to administer such oaths or cause them to be administered by some public officer of the Colony.

Instructions
to be observed
by Deputy.

2. (1) Whenever there is a subsisting appointment of a Deputy to the Governor under the Letters Patent, these Instructions, so far as they apply to any matter or thing to be done, or any powers or functions to be exercised or performed, by such Deputy, shall be deemed to be addressed to, and shall be observed by, such Deputy.

(2) Any such Deputy may, if he thinks fit, apply to Us through a Secretary of State for instructions in any matter; but he shall forthwith transmit to the Governor a copy of every despatch or other communication so addressed to Us.

Constitution
Executive
Council.

3. The Executive Council shall consist of—

(1) The persons for the time being lawfully discharging the functions of Colonial Secretary, of Senior

Medical Officer, and of Agricultural Officer, who shall be styled *ex-officio* Members; and

(2) such other persons, as may from time to time be appointed by Us by any Instructions or Warrants under Our Sign Manual and Signet, or as the Governor, in pursuance of Instructions from Us, through a Secretary of State, may from time to time appoint by Instrument under the Public Seal (hereinafter called "Appointed Members") or as may be appointed temporary Members by the Governor in manner hereinafter appearing.

4. (1) An Appointed Member of the Executive Council shall vacate his seat at the end of three years from the date of the Instrument by which he is appointed, or at such earlier date as may be provided in that Instrument, or before either such date if—

Tenure of
office.

- (a) being a person holding an office of emolument under the Crown in the Colony at the date of his appointment to the Executive Council (hereinafter called "an Official Appointed Member"), he shall cease so to hold office; or
- (b) being a person not holding an office of emolument under the Crown in the Colony at the date of his appointment to the Executive Council (hereinafter called "an Unofficial Appointed Member"), he shall be appointed permanently to any office of emolument under the Crown in the Colony; or
- (c) without the permission of the Governor, he shall be absent from the Colony; or
- (d) by writing under his hand addressed to the Governor he shall resign his seat in the Executive Council, and, in the case of an Official Appointed Member, his resignation shall be accepted by the Governor.

(2) If any person is appointed to be a temporary Member of the Executive Council and his temporary appointment is immediately followed by his definitive appointment as an Appointed Member, the said period of three years shall be reckoned from the date of the Instrument by which he is appointed a temporary Member.

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(3) Any person vacating a seat as an Appointed Member may be again appointed from time to time.

(4) If an Unofficial Appointed Member shall be appointed temporarily to any office of emolument under the Crown in the Colony or to act in any such office, he shall not sit as a Member or take part in the proceedings of the Executive Council by virtue of his appointment as an Unofficial Appointed Member so long as he continues to hold or act in that office.

(5) The Governor may, by Instrument under the Public Seal, declare any Appointed Member to be incapable of discharging his functions as a Member of the Executive Council, and thereupon such Member shall not sit or take part in the proceedings of the Executive Council until he is declared, in manner aforesaid, again to be capable of discharging his said functions.

(6) The Governor may, by Instrument under the Public Seal, suspend any Appointed Member of the Executive Council from the exercise of his functions as such, and thereupon such Member shall not sit in or take part in the proceedings of the Executive Council so long as his suspension remains in force. Every such suspension shall forthwith be reported by the Governor to Us through a Secretary of State, and shall remain in force until it shall be removed by the Governor by Instrument under the Public Seal or by Us through a Secretary of State, or the person suspended ceases to be a Member of the Executive Council.

Temporary appointments.

5. (1) Whenever there shall be a vacancy in the number of persons sitting in the Executive Council by reason of the fact that—

- (a) an *ex-officio* Member is administering the Government; or
- (b) one person is lawfully discharging the functions of more than one of the offices set out in paragraph (1) of Clause 3 of these Instructions; or
- (c) an Appointed Member is lawfully discharging the functions of any such office; or
- (d) ~~no person is lawfully discharging the functions of one of these offices; or~~ *holding the said office* ~~S.O. or of C.A.; or~~

(e) the seat of an Appointed Member is vacant from any cause; or

(f) an Appointed Member is unable to sit in the Executive Council in consequence of a declaration by the Governor, as provided in these Instructions, that he is incapable of discharging his functions as a Member; or

(g) an Appointed Member is unable to sit in the Executive Council in consequence of his suspension as provided in these Instructions; or

(h) a Member is absent from the Colony; or

(j) an Unofficial Appointed Member has been appointed temporarily to an office of emolument under the Crown in the Colony, or to act in any such office;

the Governor may, by Instrument under the Public Seal, appoint a person to be a temporary Member for the period of such vacancy.

(2) If the vacancy is in the number of *ex-officio* Members, the person so appointed shall be a person holding an office of emolument under the Crown in the Colony.

(3) Every person so appointed shall, so long as his appointment shall subsist, be to all intents and purposes an Appointed Member; and, subject to the provisions of this clause, the provisions of Clause 4 of these Instructions shall apply accordingly.

(4) The Governor shall forthwith report any such temporary appointment to Us through a Secretary of State. Any such temporary appointment may (without prejudice to anything done by virtue thereof) be disallowed by Us through a Secretary of State or revoked by the Governor by Instrument under the Public Seal.

(5) A temporary appointment shall cease to have effect on notification by the Governor to the person appointed of disallowance by Us or of revocation by the Governor, or on supersession of the appointment by the definitive appointment of a person to fill the vacancy, or when the vacancy shall otherwise cease to exist.

6. Whenever the Governor desires to obtain the advice of any person in the Colony or the Dependencies touching Our Extraordinary Members.

affairs therein, he may summon, in writing, for such special occasion, any such person as an Extraordinary Member of the Executive Council.

Precedence.

7. The Members of the Executive Council shall have seniority and precedence as We may specially assign, and in default thereof:

First, the *ex-officio* Members, in the order in which their offices are referred to in paragraph (1) of Clause 3 of these Instructions;

Secondly, the Appointed Members, according to the date of the Instruments by which they were respectively appointed, or, if appointed on the same day, in such order as the Governor may assign; and

Thirdly, the Extraordinary Members, according to the date of the Instruments by which they were respectively appointed, or, if appointed on the same day, in such order as the Governor may assign.

Summoning
and
Quorum.

8. (1) The Executive Council shall not be summoned except by the authority of the Governor.

(2) No business except that of adjournment shall be transacted if objection is taken by any Member present that there are less than two Members present besides the Governor or Member presiding.

Governor
to attend
and preside.

9. The Governor shall, so far as it is practicable, attend and preside at all meetings of the Executive Council and in his absence such Member as the Governor may appoint or, in the absence of such Member or if no Member be so appointed, the Senior Member of the Executive Council actually present shall preside.

Governor
to consult
Executive
Council.

10. In the exercise of his powers and the performance of his duties the Governor shall consult with the Executive Council, except in cases—

- (a) which are of such nature that, in his judgment, Our service would sustain material prejudice by consulting the Executive Council thereon; or
- (b) in which the matters to be decided are, in his judgment, too unimportant to require their advice; or

- (c) in which the matters to be decided are, in his judgment, too urgent to admit of their advice being given by the time within which it may be necessary for him to act.

In every case falling within paragraph (c) of this clause, the Governor shall as soon as practicable communicate to the Executive Council the measures which he shall have adopted, with the reasons therefor.

11. The Governor shall alone be entitled to submit questions to the Executive Council; but if the Governor shall decline to submit any question to the Executive Council when requested in writing by any Member so to do, it shall be competent to such Member to require that there be recorded upon the Minutes his written application, together with the answer returned by the Governor thereto.

Governor
to propose
questions.

12. (1) The Governor may act in opposition to the advice given to him by the Members of the Executive Council, if he shall in any case consider it right so to do; but in any such case he shall report the matter to Us, through a Secretary of State, at the first convenient opportunity, with the reasons for his action.

Governor
may act in
opposition to
Executive
Council.

(2) Whenever the Governor shall so act against the advice of the Executive Council it shall be competent to any Member to require that there be recorded upon the Minutes any advice or opinion he may give upon the question with the reasons therefor.

13. (1) Minutes shall be kept of all the proceedings of the Executive Council and at every meeting of the Council the Minutes of the last preceding Meeting shall be confirmed, with or without amendment as the case may require, before proceeding to the despatch of any other business.

Minutes.

(2) Twice in each year a full transcript of all Minutes of the Executive Council for the preceding half year shall be transmitted to Us through a Secretary of State.

14. The Governor shall forthwith communicate to the Executive Council these Our Instructions and all such others as he shall, from time to time, find convenient for Our service to impart to the Executive Council.

Governor to
communicate
Instructions
to the
Executive
Council.

Rules for
the enactment
of laws

15. In the making of laws the Governor and the Legislative Council shall observe, as far as practicable, the following rules:—

- (1) All laws shall be styled "Ordinances" and, save as otherwise provided by any Order in Our Privy Council, the words of enactment shall be "Enacted by the Governor of the Colony of the Falkland Islands with the advice and consent of the Legislative Council thereof":

Provided that in the case of any Ordinance made by the Governor for the Dependencies the words of enactment shall be "Enacted by the Governor of the Falkland Islands and the Dependencies thereof".

- (2) All Ordinances shall be distinguished by titles, and shall be divided into successive sections consecutively numbered, and to every section there shall be annexed in the margin a short indication of its contents.
- (3) The Ordinances of each year shall be distinguished by consecutive numbers, commencing in each year with the number one.

Ordinances passed by the Legislative Council and assented to by the Governor shall be dated as of the day on which assent of the Governor is given, but, whatever that day may be, shall be numbered as of the year in which they are passed.

Ordinances made by the Governor for the Dependencies shall be collected and published in a separate series.

Ordinances reserved by the Governor for the signification of Our pleasure and assented to by Us shall be dated as of the day and numbered as of the year on and in which they became law.

- (4) Matters having no proper relation to each other shall not be provided for by the same Ordinance; no Ordinance shall contain anything foreign to what the title of the Ordinance imports; and no provision having indefinite duration shall be included in any Ordinance expressed to have limited duration.

16. The Governor shall not, without having previously obtained instructions through a Secretary of State, enact any Ordinance or assent to any Bill within any of the following classes, unless such Ordinance or Bill contain a clause suspending the operation thereof until the signification of Our pleasure thereon, that is to say—

Certain Bills
not to be
assented to
without
Instructions.

- (1) any Ordinance or Bill for the divorce of married persons;
- (2) any Ordinance or Bill whereby any grant of land or money, or other donation or gratuity, may be made to himself;
- (3) any Ordinance or Bill affecting the currency of the Colony or the Dependencies or relating to the issue of Bank Notes;
- (4) any Ordinance or Bill establishing any banking association or altering the constitution, rights or duties of any banking association;
- (5) any Ordinance or Bill imposing differential duties;
- (6) any Ordinance or Bill the provisions of which shall appear to him to be inconsistent with obligations imposed upon Us by Treaty;
- (7) any Ordinance or Bill interfering with the discipline or control of Our forces by land, sea or air;
- (8) any Ordinance or Bill of an extraordinary nature and importance whereby Our prerogative, or the rights or property of Our subjects not residing in the Colony or the Dependencies, or the trade, transport or communications of any part of Our dominions or any territory under Our protection or any territory in which We may for the time being have jurisdiction may be prejudiced;
- (9) any Ordinance or Bill whereby persons of any community or religion may either—

- (a) be subjected or made liable to disabilities or restrictions to which persons of other communities or religions are not made liable: or

(b) become entitled to any privilege or advantage which is not conferred on persons of other communities or religions;

(10) any Ordinance or Bill containing provisions to which Our assent has once been refused or which have been disallowed by Us;

Provided that, if the Governor shall have satisfied himself that urgent necessity requires that any such Ordinance or Bill (other than one appearing to him to be inconsistent with obligations imposed upon Us by Treaty) be brought into immediate operation, he may enact such Ordinance or assent to such Bill, as the case may be, but he shall, at the earliest opportunity, transmit the Ordinance to Us together with his reasons for so assenting.

Private Bills.

17. (1) Every Bill (not being a Government measure) intended to affect or benefit some particular person, association, or corporate body, shall contain a clause saving the rights of Us, Our Heirs and Successors, all bodies politic and corporate, and all others except such as are mentioned in the Bill and those claiming by, from or under them.

(2) No such Bill shall be introduced into the Legislative Council until due notice has been given by not less than three successive publications of the Bill in the Gazette; and the Governor shall not assent thereto in Our name unless it has been so published. A certificate under the hand of the Governor signifying that such publication has been made shall be transmitted to Us with the Bill or Ordinance.

Ordinances to be sent through Secretary of State.

18. When any Ordinance shall have been enacted, the Governor shall forthwith transmit to Us, through a Secretary of State, for the signification of Our pleasure, a transcript in duplicate of the Ordinance, duly authenticated under the Public Seal and by his own signature, together with an explanation of the reasons and occasion for the enactment of the Ordinance.

Ordinances to be published.

19. As soon as practicable after the commencement of each year, the Governor shall cause a complete collection of all Ordinances enacted during the preceding year to be published for general information.

20. (1) Before disposing of any lands to Us belonging in the Colony or the Dependencies, the Governor shall cause such reservations to be made thereout as he may think necessary for any public purpose.

Disposition of Crown Lands.

(2) The Governor shall not, directly or indirectly, purchase for himself any land or building in the Colony or the Dependencies to Us belonging without Our special permission given through a Secretary of State.

21. Every appointment by the Governor of any person to any office or employment shall, unless otherwise provided by law, be expressed to be during pleasure only.

Appointments to be during pleasure.

22. (1) Whenever any offender shall have been condemned by the sentence of any court in the Colony or the Dependencies to suffer death, the Governor shall cause a written report of the case of such offender to be taken into consideration at a meeting of the Executive Council.

Regulation of power of pardon in capital cases.

(2) The Governor shall not pardon or reprieve any such offender unless it shall appear expedient to him so to do upon receiving the advice of the Executive Council thereon; but he is to decide either to extend or withhold a pardon or reprieve, according to his own deliberate judgment, whether the Members of the Executive Council concur therein or otherwise. Whenever he shall decide any such question in opposition to the judgment of the majority of the Members thereof, he shall enter his reasons at length in the Minutes of the Executive Council.

23. The Governor shall forward to Us each year, through a Secretary of State, the annual book of returns commonly called the Blue Book, relating to Revenue and Expenditure, Public Works, Legislation, Civil Establishment, Pensions, Population, Schools, Course of Exchange, Imports and Exports, Agricultural Produce, Manufactures, and other matters in the said Blue Book more particularly specified with reference to the state and condition of the Colony and the Dependencies.

Blue Book.

24. Except in circumstances in which he is not regarded as absent from the Colony for the purposes of the Letters Patent, the Governor shall not quit the Colony without having first

Governor's absence.

obtained leave from Us for so doing through a Secretary of State.

Interpre-
tation.

25. (1) In these Instructions, unless the context otherwise requires—

“the Executive Council” means the Executive Council established by the Falkland Islands Letters Patent, 1948;

“the Gazette” means the Falkland Islands Government Gazette;

“the Legislative Council” means the Legislative Council of the Colony established by the Falkland Islands (Legislative Council) Order in Council, 1948;

“the Public Seal” means the Public Seal of the Colony;

“Secretary of State” means one of Our Principal Secretaries of State.

(2) For the purposes of these Instructions, any reference to any public officer by the term designating his office means the officer for the time being lawfully discharging the functions of that office.

(3) For the purposes of these Instructions a person shall not be deemed to hold an office of emolument under the Crown in the Colony by reason only that he is in receipt of a pension or other like allowance in respect of service under the Crown; and if it shall be declared by any law for the time being in force in the Colony or the Dependencies that an office shall not be an office of emolument under the Crown in the Colony for all or any of the purposes of these Instructions, these Instructions shall have effect as if such law were enacted in these Instructions.

Given at Our Court at St. James's this thirteenth day of December, 1948, in the thirteenth year of Our Reign.

NOTES.

The Instructions were amended by ~~the following~~ Additional Instructions of the following dates:

- (a) 27 November 1951 (FI, Gazette, vol. 61, pp. 37-38 (1 March 1952))
which took effect on 1 January 1952 (Proclamation no. 1 of 1952, ~~Statutory Orders~~^{FI}, Ordinances, Orders, Proclamations etc 1952)
- (b) 15 November 1955 (UK, SI 1955, Pt. II, p. 3187) which took effect on 15 December 1955 (Proclamation no. 4 of 1955, FI, Ordinances, Orders, Proclamations etc 1955)
- (c) 10 September 1964 (UK, SI 1964, Pt. III, s. 2, pp. 5254-56) which took effect on 21 September 1964.
- (d) 10 April 1973 (UK, SI 1973 Pt. I, p. 2636; FI, Gazette, vol. 82, p. 58 (10 April 1973)) (which took effect on 25 April 1973).
- (e) 31 March 1977 (UK, SI 1977, Pt. I, s. 2, pp. 2185-86; FI, Gazette, vol. 86, pp. 96-97 (10 June 1977)).

These instructions were amended by Additional ~~Legal~~
Instructions of 27 November 1951, 15 November 1955 (UK, SI 1955,
~~pt~~ ^{pt} II, p. 3187), 10 September 1964 (UK, SI 1964, ~~pt. II~~ ^{pt. II} s.2 -56 / p.5254), 10
April 1973 (UK, SI ~~1973~~ ¹⁹⁷³ ~~pt. I~~ ^{pt. I} s.2 ~~vol. 82~~ ^{vol. 82} p.236), FI, Engels, vol. 82, p. 58

4 April 1973
The additional instructions required that:

"Any references in the Instructions of 1948 to the Colonial Secretary or to the Colonial Treasurer shall be construed, in relation to any period after the taking effect of these Additional Instructions, as references to the Chief Secretary or to the Financial

13 Oct 1948 @

Secretary, as the case may be. "

The instructions took effect on 25 April 1913.

~~this amendment and those made by~~
~~Report from the joint additional instructions of 27 November 1951~~

the amendments ~~made by the~~ are noted in footnotes to the text.

special instructions were issued in respect of the British Antarctic Territory in 1962 when that was established as a separate colony (d. UK ³⁰⁰³~~2002~~ 1962).

~~Footnotes~~

1. D. UK13121948A

2. Not reproduced.

3. ~~ref to cif. of instruction - proclamation.~~

Clause 3

4 New paragraph (1) substituted by Additional Instructions of 15 November 1955:

~~(1) three Ex-officio Members, namely, the Colonial~~

"(1) three Ex-officio Members, namely, the Colonial Secretary, or other the person for the time being lawfully discharging the functions of Colonial Secretary, and the persons holding the substantive appointments of Senior Medical Officer and Colonial Treasurer; and".

~~Subsequently by additional instructions of 31 March 1957~~

~~substituted a new clause 3:~~

Additional instructions of 10 September 1964 replaced the whole of clause 3 by ~~the whole of clause 3 and the~~

the following:

"Constitution of Executive Council.

3. The Executive Council shall consist of:—

- (a) two Ex-officio Members, namely the Colonial Secretary and the Colonial Treasurer;
- (b) two Unofficial Members, who shall be appointed by the Governor by Instrument under the Public Seal (hereinafter called "Appointed Members") from among persons who do not hold offices of emolument under the Crown in the Colony; and
- (c) two Elected Members, who shall be elected by the Nominated Independent and Elected Members of the Legislative Council from the Elected Members of that Council, so that one of the Elected Members shall be an Elected Member representing Stanley and the other, either the Elected Member representing East Falklands, or the Elected Member representing West Falklands."

Am 4
43 contd

Additional instructions of 31 March 1977 ^{in turn} again substituted the
following new clause 3:

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

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

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

ch 47 (7)
of 10 September 1964
Additional instructions replaced

↳ Sub-paragraphs (a), (b), (c) and (d) were replaced with the

following:

- "(a) he holds any office of emolument under the Crown in the Colony;
- (b) without the permission of the Governor, he shall be absent from the Colony; or
- (c) by writing under his hand addressed to the Governor he shall resign his seat in the Executive Council."

at. 4(4)

6. Additional instructions of 10 September 1964 ~~omitted~~ amended paragraph 4 by ~~omitting~~ the word "Unofficial" wherever that word ~~omitted~~ appeared.

64 (7)

7 Additional instructions of 10 September 1964 added the following paragraph 7 to clause 4:

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

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

Additional instructions of 31 March 1977 amended sub-paragraph 7(e) by deleting the words "Nominated Independent and" and substituting a semi-colon followed by the word "or" for the full-stop at the end of that sub-paragraph. The following sub-paragraph 7(f) ^{was amended} was added after sub-paragraph 7(e):

- "(f) if at the expiry of the period for which he is elected to the Executive Council he is not re-elected to the Executive Council under clause 3 (2) of these Instructions."

cl. 5 (whole)

8 ~~The~~ Additional instructions of 10 September 1964 ~~substitute~~

substituted
~~supplanted~~ the whole of clause 5 for the following :

" Temporary
Members of
Executive
Council.

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

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

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

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

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

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

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

d. 5 (whole)

~~The~~ Additional instructions of 31 March 1977 amended the new ~~clauses~~ sub paragraph 1(b) by deleting the words "Nominated Independent and".

11/5

Clause 501

of New sub-paragraphs (b), (c) and (d) substituted by additional instructions of 15 November 1955:

- "(b) the person holding the substantive appointment of Senior Medical Officer or of Colonial Treasurer or an Appointed Member is lawfully discharging the functions of Colonial Secretary; or
- (c) the person holding the substantive appointment of Senior Medical Officer or of Colonial Treasurer is incapable by reason of illness of discharging the functions of his office; or
- (d) no person is holding the substantive appointment of Senior Medical Officer or of Colonial Treasurer; or".

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A new sub-paragraph (f) was ~~added~~ inserted by additional instructions of 31 March 1970.

The new sub-paragraph (b) was itself amended by additional instructions by deleting the words "Nominated independent of" and "in sub-paragraph

~~17~~

~~Thirdly~~

10. Additional instructions of 10 September 1964 substituted for the word "Thirdly" the word "Fourthly" and immediately before that word inserted the following:

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

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11 *Additional instructions of 27 December 1951 revoked
clause 15 and substituted for it:*

"15. In the making of laws the Governor and the Legislative Council shall observe, so far as is practicable, the following rules:—

"Rules for
the enact-
ment of
laws."

1. All laws shall be styled 'Ordinances' and the words of the enactment shall be—

(a) in the case of laws made for the Colony, 'Enacted by the Legislature of the Colony of the Falkland Islands';

(b) in the case of laws made for the Dependencies, 'Enacted for the Dependencies of the Colony of the Falkland Islands by the Governor of the Colony of the Falkland Islands and the Dependencies thereof'.

2. Matters having no proper relation to each other shall not be provided for by the same law; no law shall contain anything foreign to what the title of the law imports; and no provision having indefinite duration shall be included in any law expressed to have limited duration.

3. All laws shall be distinguished by titles, and shall be divided into successive sections consecutively numbered, and to every section there shall be annexed in the margin a short indication of its contents.

4. Laws made for the Colony shall be numbered consecutively in a separate series for each year commencing with the number one so that—

(a) a law assented to by the Governor is included in the series for the year in which it is passed or deemed to have been passed by the Legislative Council, and its position in such series is determined with reference to the day on which the Governor shall have given his assent thereto;

(b) a law assented to by Us through a Secretary of State is included in the series for the year in which the Governor shall have signified Our assent thereto

d. 15
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by Proclamation in the Gazette, and its position in such series is determined with reference to the day on which Our assent shall have been so signified.

5. Laws made for the Dependencies shall be numbered consecutively in a separate series for each year commencing with the number one and the position of each law in the series shall be determined with reference to the day on which the Governor shall have made the same.

6. All laws shall be published in the Gazette.

7. Copies of all laws shall be printed, and shall bear the following :—

- (a) in the case of a law made for the Colony and assented to by the Governor, particulars of the day on which the Governor shall have given his assent thereto;
- (b) in the case of a law made for the Colony and assented to by Us through a Secretary of State, particulars of the day on which the Governor shall have signified Our assent thereto by Proclamation in the Gazette;
- (c) in the case of a law made for the Dependencies, particulars of the day on which the Governor shall have made the same;
- (d) particulars of the day on which each law shall have been published in the Gazette;
- (e) particulars of the day on which each law shall have come into operation or, if that day shall not have been determined, a reference to any provision in the law whereby it may be determined."

~~16, 17, 18~~

12. Additional instructions of 27 November 1951 amended Canons 16, 17 and 18 by substituting for the word "Ordinance", wherever it occurs, the word "law" and by substituting for the word "Ordinances", wherever it occurs, the word "laws".

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13 Additional instructions of 27 November 1951 revoked clause
19 and substituted for it:

"Ordinances
to be pub-
lished."

"19. As soon as is practicable after the commencement
of each year, the Governor shall cause a complete collection
of all laws made for the Colony during the preceding year
and a complete collection of all laws made for the Depend-
encies during the preceding year to be published for general
information."

X

At 23

14 Additional instructions of 27 November 1951 resolved
clause 23.

x

of a party of men to cut a passage with saws. The whole night was passed in this fatiguing work, and it was not until ten o'clock the next morning that we regained the clear water, and were enabled to bear away to the northward.

1841.

Notwithstanding my anxious wish to keep close along the shore, that we might complete the examination of that portion of the land which we had but imperfectly seen on our way to the southward, yet we were obliged to stand off so far to the eastward to prevent getting entangled in the ice, and the weather not proving favourable for our purpose, we found it impossible to distinguish the coast line between Cape Gauss and a fine headland to the south of Mount Melbourne, which I called Cape Washington after my friend and brother officer of that name, for several years the able Secretary of the Royal Geographical Society, and a zealous promoter of geographical research. The continuity of the land and its leading features were however clearly ascertained: it is of less elevation than any other part of Victoria Land, and the mountainous ridges appeared to recede much farther from the coast. An island or a large berg with much earth and rocks upon it, which was passed in the afternoon, is marked on the chart "Doubtful Island," as it was quite impossible to know which it really was. Several stars were observed about midnight, the first we had seen since entering the pack, and warning us of the approach of the winter.

tt. 25 (2)

- 15 Additional instructions of 15 November 1955 amended paragraph 2 by the insertion after the word "instructions" of the words "unless the context otherwise requires."

INSTRUCTIONS

passed under the Royal Sign Manual and Signet to the Governor and Commander-in-Chief of the Colony of the Falkland Islands and Dependencies thereof.

Dated 13th December, 1948.

GEORGE R.

INSTRUCTIONS to Our Governor and Commander-in-Chief in and over Our Colony of the Falkland Islands and the Dependencies thereof or other Officer for the time being Administering the Government of Our said Colony and Dependencies.

WHEREAS by the Falkland Islands Letters Patent, 1948 (hereinafter called "the Letters Patent"), We have ordered and declared that there shall be a Governor and Commander-in-Chief (hereinafter called "the Governor") in and over Our Colony of the Falkland Islands and the Dependencies thereof (hereinafter respectively called "the Colony" and "the Dependencies") :