

SOUTH ATLANTIC TERRITORIES

The Falkland Islands Additional Instructions 1964

Dated 10th September 1964.

ELIZABETH R.

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

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

Citation,
construction,
publication
and com-
mencement.

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

(2) These Instructions shall be published in the Gazette and shall take effect on 21st September 1964.

Amendment
of Clause 3 of
Instructions
of 1948.

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

"Constitu-
tion 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."

Amendment
of Clause 4 of
Instructions
of 1948.

3. Clause 4 of the Instructions of 1948 is amended as follows :—

(a) in paragraph (1) the following subparagraphs are substituted for subparagraphs (a), (b), (c) and (d)—

- "(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."
- (b) in paragraph (4) the word "Unofficial" is omitted wherever that word appears ;

(a) S.I. 1955 II, p. 3187.

(c) the following new paragraph is added immediately after paragraph (6)—

“(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.”.

4. For Clause 5 of the Instructions of 1948 there is substituted the following clause:—

“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.”.

Replacement of Clause 5 of Instructions of 1948.

Amendment
of clause 7 of
Instructions
of 1948.

5. Clause 7 of the Instructions of 1948 is amended as follows:—

for the word "Thirdly" there is substituted the word "Fourthly",
and immediately before that word there is inserted the following—

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

Given at Our Court at St. James's this tenth day of September
in the thirteenth year of Our Reign.

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10 September 1964

Falkland Islands Additional Instructions 1964.

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SOURCE: UK, SI 1964 ^{pt.} ~~III~~ ^{S.2,} / pp. 5254-56.