

(4) The Sinking Fund may be used for the redemption of stock by purchase. Any balance remaining after such redemption shall be credited to the Sinking Fund.

(5) If the Sinking Fund is insufficient, at the time of maturity of the loan, to redeem the loan in full, any balance shall be made good out of the general revenues of the Colony.

15. No stamp duty shall be payable on the issue or transfer of stock.

16. Falkland Islands stock shall be an authorized investment for trust funds.

17. The Governor in Council may make such regulations as may be necessary for the carrying out of the provisions of this Ordinance.

Exemption from stamp duty.

Stock authorized investment for trust funds.

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. TRE/10/8.

Assented to in Her Majesty's name this 19th day of March 1979.

J. R. W. PARKER,
Governor.

LS



No. 5

1979

Colony of the Falkland Islands

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF
Her Majesty Queen Elizabeth II.
JAMES ROLAND WALTER PARKER, C.M.G., O.B.E.
Governor.

An Ordinance

To amend the Pensions Ordinance to provide for pensions to widows and children.

Title.

(1st July 1977)

Date of commencement.

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

1. This Ordinance may be cited as the Pensions (Amendment) Ordinance 1979.

Short title.

2. The principal Ordinance is amended by inserting before section 1 the following new heading—

Insertion of new heading "Part I".

"PART I"

3. The principal Ordinance is amended by adding after section 18 the following new Part—

Addition of new "Part II".
6 of 1965.

"PART II

WIDOWS' AND CHILDREN'S PENSIONS

Pensions payable to widow and children of a male pensioner or pensionable officer.

18A. (1) On the death of a male pensioner, or of a male pensionable officer who has completed ten years' pensionable service, there shall be paid to his dependants (if any), a pension as set out in the following provisions of this section based on the amount of the pension he was drawing at the date of his death, or, as the case may be, that he would have been entitled to at the date of his death had he been retired in circumstances in which he would have been entitled to retire with a pension.

(2) If the male pensioner or pensionable officer leaves a widow but no children, the widow shall be entitled to one-half of his pension or, as the case may be, the pension to which he would have been entitled, until her re-marriage or death.

(3) If the male pensioner or pensionable officer leaves a widow and children by such widow or by a previous wife, the widow shall be entitled until her re-marriage or death to one-half of the amount of his pension or, as the case may be, the pension to which he would have been entitled, and the children shall be entitled to pensions in the following proportions, that is to say —

- (a) if three in number, or less, then each shall receive one-sixth of his pension or, as the case may be, the pension to which he would have been entitled; or
- (b) if more than three, then one-half of such pension shall be divided equally among the children:

Provided that where a male pensioner or pensionable officer dies leaving a widow and children by the widow or by a previous wife, it shall be lawful for the Governor either in the first instance or at any time while pensions are payable to the children, to direct the payment to the widow of part only of such pensions and to direct the payment of the balance of such pensions for or towards the maintenance of the children in such manner as the Governor thinks fit.

(4) If the male pensioner or pensionable officer leaves children and no widow such children shall be entitled to pensions in the following proportions, that is to say —

- (a) if three in number, or less, then each shall receive one-third of his pension or, as the case may be, the pension to which he would have been entitled; or
- (b) if more than three, then such pension shall be divided equally among the children.

Pensions payable to children of a female pensioner or pensionable officer.

18B. (1) On the death of a female pensioner, or of a female pensionable officer who has completed ten years' pensionable service, there shall be paid to her children (if any), who were wholly or mainly dependent on her for support, a pension as set out in the following provisions of this section based on the amount of the pension she was drawing at the date of her death, or, as the case may be, that she would have been entitled to at the date of her death had she been retired in circumstances in which she would have been entitled to retire with a pension.

(2) If the female pensioner or pensionable officer leaves children such children shall be entitled to pensions in the following proportions, that is to say —

- (a) if three in number, or less, then each shall receive one-third of her pension, or as the case may be, the pension to which she would have been entitled; or
- (b) if more than three, then such pension shall be divided equally among the children.

Payment and administration of children's pensions.

18C. In all cases of children's pension under this Ordinance, the whole or any part of such pension may be paid either to the parent, or to the legal guardian of such children, or to the children, or to such person or persons as the Governor may in his discretion consider to be fit and proper persons, to apply the same for the benefit of such children, and after such payment the Government of the Colony shall be free of all responsibility in respect of such payment.

Cessation of payment of children's pensions.

18D. Any pension to children shall cease on their attaining the age of seventeen years.

Non-entitlement of widow married to officer over sixty years of age, etc., to pension.

18E. No widow of an officer whose marriage is contracted with him after he has attained the age of sixty years or after he has left the public service, whichever of those events first happens, and no issue of such marriage, shall be entitled to a pension under this Part.

Commencement and application of Part II.

18F. This Part of this Ordinance shall be deemed to have effect from the 1st July 1977 and the provisions thereof shall apply to all officers in the public service under the Government of the Colony on or after the said date."

4. The principal Ordinance is amended by inserting after section 18F the following new heading —

"PART III
GENERAL".

Insertion of new heading "PART III".

5. The principal Ordinance is amended by adding, after section 19, the following new section —

"Prohibition against double pensions.

19A. Not more than one pension under this Ordinance shall be payable to or in respect of any one person."

Addition of new section 19A.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

W. A. ETHERIDGE,
Clerk of Councils.

Ref. TRE/10/3.