1964 No. 1397

SOUTH ATLANTIC TERRITORIES

The Falkland Islands (Legislative Council) (Amendment) Order 1964

Made - - - -	*2nd September* 1964
Laid before Parliament	*8th September* 1964
Coming into Operation	*21st September* 1964

At the Court at Buckingham Palace, the 2nd day of September 1964

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers vested in Her by the British Settlements Acts 1887 and 1945(**a**), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows :—

Citation, construction and commencement.

1.—(1) This Order may be cited as the Falkland Islands (Legislative Council) (Amendment) Order 1964 and shall be construed as one with the Falkland Islands (Legislative Council) Order in Council 1948(**b**), which Order, as amended by the Falkland Islands (Legislative Council) (Amendment) Order in Council 1950(**c**), the Falkland Islands (Legislative Council) (Amendment) Order in Council 1951(**d**) and the Falkland Islands (Legislative Council) (Amendment) Order in Council 1955(**e**), is hereinafter referred to as " the principal Order ".

(2) This Order and the principal Order may be cited together as the Falkland Islands (Legislative Council) Orders 1948 to 1964.

(3) This Order shall come into operation on 21st September 1964.

Amendment of principal Order.

2. The principal Order is amended as follows :—

(*a*) Sections 4 and 5 are replaced by the following new sections :—

" Composition of Legislative Council.

4. The Legislative Council shall consist of—

(*a*) the Governor, as President ;

(*b*) two Ex-officio Members ;

(*c*) two Nominated Independent Members ;

(*d*) four Elected Members.

Ex-officio Members.

5. The Ex-officio Members of the Legislative Council shall be the Colonial Secretary and the Colonial Treasurer.".

(**a**) 50 & 51 Vict. c. 54 and 9 & 10 Geo. 6. c. 7.
(**b**) S.I. 1948/2573 (Rev. VII, p. 591: 1948 I, p. 1018).
(**c**) S.I. 1950/1184 (1950 I, p. 683).
(**d**) S.I. 1951/1946 (1951 I, p. 682).
(**e**) S.I. 1955/1650 (1955 I, p. 833).

(*b*) Section 6 is replaced by the following new section :—

"Nominated Independent Members.

6. The Nominated Independent Members of the Legislative Council shall be persons who do not hold any office of emolument under the Crown in the Colony and shall be appointed by the Governor by Instrument under the Public Seal in pursuance of instructions given to him by Her Majesty through a Secretary of State.".

(*c*) In section 12(1)(*d*) the words "and, in the case of a Nominated Official Member, his resignation shall be accepted by the Governor" are omitted ;

(*d*) In section 13—

(*a*) the words "or Nominated Official" are omitted from subsection (1)(*a*) ;

(*b*) the words "Senior Medical Officer or of" are omitted from paragraphs (*b*), (*c*) and (*d*), respectively, of subsection (1) ;

(*c*) the words "or Nominated Official" are omitted from subsection (2) ;

(*d*) in subsection (3) the words "or Nominated Official" are omitted and for the words "a Nominated Official Member" there are substituted the words "an Ex-officio Member" ;

(*e*) in section 15(1) the words "Secondly the Nominated Official Members in such order as the Governor may direct ;" are omitted, and for the words "Thirdly, the Nominated Unofficial Members" there are substituted the words "Secondly, the Nominated Independent Members" ;

(*f*) immediately after subsection (3) of section 19 there is added the following new subsection—

"(4) The provisions of this section shall be subject to the provisions of any Instructions under Her Majesty's Sign Manual and Signet." ;

(*g*) any reference in section 9, 10, 11, 12, 13 or 16 to a Nominated Member or a Nominated Unofficial Member shall be construed as a reference to a Nominated Independent Member.

Transitional.

3.—(1) Any person who immediately before the commencement of this Order is a Nominated Unofficial Member of the existing Legislative Council shall, as from the commencement of this Order, be deemed to have been appointed as a Nominated Independent Member of the Legislative Council under section 6 of the principal Order as enacted by this Order.

(2) Any person who immediately before the commencement of this Order is an Elected Member of the existing Legislative Council shall, as from the commencement of this Order, be deemed to be an Elected Member of the Legislative Council constituted under the principal Order as amended by this Order and to have been returned thereto in accordance with the provisions of the principal Order as amended by this Order for the electoral area for which he was returned to the existing Legislative Council.

(3) In this section references to the existing Legislative Council are references to the Legislative Council constituted under the principal Order.

W. G. Agnew.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order amends the Falkland Islands (Legislative Council) Order 1948 and reconstructs the Legislative Council of the Colony.