FALKLAND ISLANDS

1955 No. 1650

The Falkland Islands (Legislative Council) (Amendment) Order in Council, 1955

Made - - - -	*28th October*, 1955
Laid before Parliament	*2nd November*, 1955
Coming into Operation	*On a day to be appointed under section* 1 (3).*

At the Court at Buckingham Palace, the 28th day of October, 1955

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 in Council, 1955, and shall be construed as one with the Falkland Islands (Legislative Council) Order in Council, 1948(**b**) (hereinafter referred to as "the principal Order").

(2) The principal Order, the Falkland Islands (Legislative Council) (Amendment) Order in Council, 1950(**c**), the Falkland Islands (Legislative Council) (Amendment) Order in Council, 1951(**d**), and this Order may be cited together as the Falkland Islands (Legislative Council) Orders in Council, 1948 to 1955.

(3) This Order shall come into operation on a day to be appointed by the Governor by Proclamation published in the Gazette, which day shall not be earlier than the day after the day on which this Order shall have been laid before both Houses of Parliament.

Amendment of section 1 *of the principal Order*

2. Subsection (3) of section 1 of the principal Order is hereby amended by the insertion after the word "Order" of the words "unless the context otherwise requires".

(**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).

* Day appointed, 1.12.55.

Amendment of section 5 of the principal Order

3. Section 5 of the principal Order is hereby revoked and the following section is substituted therefor—

"The Ex officio Members shall be 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."

Amendment of section 11 of the principal Order

4. Paragraph (*f*) of subsection (1) of section 11 of the principal Order is hereby amended by the insertion of the words "in the case of a Nominated Unofficial Member" before the words "holds any office of emolument."

Amendment of section 13 of the principal Order

5. Subsection (1) of section 13 of the principal Order is hereby amended by the revocation of subparagraphs (*b*), (*c*) and (*d*) and the substitution of the following subparagraphs therefor—

"(*b*) the person holding the substantive appointment of Senior Medical Officer or of Colonial Treasurer or a Nominated 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".

W. G. Agnew.

EXPLANATORY NOTE

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

The Falkland Islands (Legislative Council) Order in Council, 1948, provides that the Ex officio Members of the Legislative Council of the Colony shall be the persons for the time being lawfully discharging the functions of the offices of Colonial Secretary, Senior Medical Officer and Agricultural Officer. This Order amends that Order by providing that the Ex officio Members shall be 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; it also makes consequential amendments to the provision in that Order for the appointment of Temporary Members when there is a vacancy in the number of persons sitting as Ex officio Members.