FALKLAND ISLANDS

The Falkland Islands (Legislative Council) Order in Council, 1948

1948 No. 2573

Made - - - -	*26th November,* 1948
Laid before Parliament	*26th November,* 1948
Coming into operation:—	
Sections 29 and 31 -	*27th November,* 1948
Remainder - -	*On a day to be proclaimed in the Falkland Islands Government Gazette in accordance with Article 2.**

At the Court at Buckingham Palace, the 26th day of November, 1948

Present,

The King's Most Excellent Majesty in Council

Whereas by Letters Patent under the Great Seal dated the 25th day of February, 1892 (hereinafter called " the Letters Patent of 1892 "), provision is made for the constitution and powers of the Legislative Council of the Colony of the Falkland Islands:

And Whereas it is expedient to make other provision for the constitution and powers of the said Legislative Council:

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

50 & 51 Vict. c. 54. 9 & 10 Geo. 6. c. 7.

PART I

Preliminary

Interpretation.

1.—(1) In this Order, unless the context otherwise requires:

" the appointed day " means the day appointed under section 2 of this Order;

" the Colony " means the Colony of the Falkland Islands;

" the Council " means the Legislative Council of the Colony of the Falkland Islands constituted by this Order;

" the Dependencies " means the Dependencies of the Falkland Islands as defined in Letters Patent passed under the Great Seal dated the 28th day of March, 1917;

" the Executive Council " means the Executive Council for the time being of the Colony;

" the Gazette " means the Falkland Islands Government Gazette;

" the Governor " means the Governor and Commander-in-Chief of the Colony and the Dependencies, and includes any Officer for the time being administering the Government and, to the extent to which a Deputy for the Governor is authorised to act, that Deputy;

* Date of commencement not yet (February, 1949) available.

" the Governor in Council " means the Governor acting with the advice of the Executive Council, but not necessarily in accordance with that advice nor necessarily in such Council assembled;

" meeting " means any sitting or sittings of the Council commencing when the Council first meets after being summoned at any time and terminating when the Council is adjourned sine die or at the conclusion of a session;

" the Public Seal " means the Public Seal of the Colony;

" Secretary of State " means one of His Majesty's Principal Secretaries of State;

" session " means the meetings of the Council commencing when the Council first meets after being constituted under this Order, or after its prorogation or dissolution at any time, and terminating when the Council is prorogued or is dissolved without having been prorogued;

" sitting " means a period during which the Council is sitting continuously without adjournment, and includes any period during which the Council is in Committee.

(2) The rules set out in the Schedule to this Order shall apply for the interpretation of the expression " ordinarily resided " in paragraph (*g*) of section 11 of this Order.

(3) For the purposes of this Order, any reference to any public officer by the term designating his office means the person for the time being lawfully discharging the functions of that office.

(4) For the purposes of this Order, 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 that an office shall not be an office of emolument under the Crown in the Colony for all or any of the purposes of this Order, this Order shall have effect accordingly as if such law were enacted therein.

(5) The Interpretation Act, 1889, shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament. 52 & 53 Vict. c. 63.

2. This Order may be cited as the Falkland Islands (Legislative Council) Order in Council, 1948. It shall be published in the Gazette and, save as otherwise expressly provided in this Order, shall come into operation on a day to be appointed by the Governor by Proclamation 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. Short title and commencement.

PART II

The Legislative Council

3. There shall be a Legislative Council in and for the Colony constituted in accordance with the provisions of this Order. Establishment of Legislative Council.

4. The Council shall consist of— Composition of Legislative Council.

(*a*) the Governor, as President;
(*b*) three *Ex-officio* Members;
(*c*) three Nominated Official Members;
(*d*) two Nominated Unofficial Members; and
(*e*) four Elected Members.

Ex-officio Members.

5. The Ex-officio Members shall be the Colonial Secretary, the Senior Medical Officer and the Agricultural Officer.

Nominated Official and Nominated Unofficial Members.

6.—(1) The Nominated Official Members shall be persons holding 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 His Majesty's instructions through a Secretary of State.

(2) The Nominated Unofficial Members shall be persons not holding 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 His Majesty's instructions through a Secretary of State.

Elected Members.

7. The Elected Members shall be persons qualified in accordance with the provisions of this Order and elected in the manner provided by any law for the time being in force in the Colony.

Extra-ordinary Members.

8. The Governor may summon any person to any meeting of the Council, notwithstanding that such person may not be a member of the Council when, in the opinion of the Governor, the business before the Council renders the presence of such person desirable. Any person so summoned shall be entitled to take part in the proceedings of the Council relating to the business in respect of which he is summoned as if he were a Member of the Council, except that he shall not have the right to vote in the Council.

Tenure of Nominated and Elected Members.

9.—(1) Subject to the provisions of this Order, every Nominated Member of the Council shall hold his seat in the Council during His Majesty's pleasure.

(2) Every Nominated or Elected Member shall in any case cease to be a Member at the next dissolution of the Council after his appointment or election, or previously thereto if his seat shall become vacant under the provisions of this Order, but, if qualified, shall be eligible for reappointment or reelection from time to time.

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

(4) The Governor may, by Instrument under the Public Seal, suspend any Nominated Member from the exercise of his functions as a Member. Every such suspension shall forthwith be reported by the Governor to His Majesty 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 His Majesty through a Secretary of State, or the person suspended ceases to be a Member.

Qualifications for Nominated and Elected Membership.

10. Subject to the provisions of section 11 of this Order, any person who is a British subject of the age of twenty-one years or upwards shall be qualified to be a Nominated Member or an Elected Member of the Council, and no other persons shall be qualified to be appointed or elected thereto or, having been so appointed or elected, shall sit or vote in the Council or in any Committee thereof.

Disqualifications for Nominated and Elected Membership.

11. No person shall be qualified to be appointed as a Nominated Member or elected as an Elected Member or, having been so appointed or elected, shall sit or vote in the Council, who at the time of appointment or election—

(*a*) is, by virtue of his own act, under any acknowledgment of allegiance, obedience or adherence to a foreign Power or State; or

(*b*) is an undischarged bankrupt, having been declared a bankrupt under any law in force in any part of His Majesty's dominions or in any territory under His Majesty's protection or in any territory in which His Majesty has from time to time jurisdiction; or

(*c*) has, in any part of His Majesty's dominions or in any territory under His Majesty's protection or in any territory in which His Majesty has from time to time jurisdiction, been sentenced to death or to imprisonment (by whatever name called) for a term exceeding six months, and has not either suffered the punishment to which he was sentenced or such other punishment as may by competent authority have been substituted therefor or received a free pardon; or

(*d*) has been declared to be of unsound mind under any law in force in the Colony; or

(*e*) (i) in the case of a Nominated Unofficial Member, is a party to, or a partner in a firm, or a director or manager of a company, which is a party to, any subsisting contract with the Government of the Colony for or on account of the public service and has not disclosed to the Governor the nature of such contract and his interest, or the interest of such firm or company, therein; or

(ii) in the case of an Elected Member, is a party to, or a partner in a firm, or a director or manager of a company, which is a party to, any subsisting contract with the Government of the Colony for or on account of the public service and has not published within one month before the day of election in the Gazette and in a newspaper circulating in the electoral district for which he is a candidate a notice setting out the nature of such contract and of his interest, or of the interest of such firm or company, therein; or

(*f*) holds any office of emolument under the Crown in the Colony, or

(*g*) in the case of an Elected Member—

(i) is not qualified to be registered as an elector under the provisions of any law for the time being in force in the Colony or, being so qualified, is not so registered; or

(ii) is disqualified for election by any law for the time being in force in the Colony by reason of his holding, or acting in, any office the functions of which involve—

(*a*) any responsibility for, or in connection with, the conduct of any election, or

(*b*) any responsibility for the compilation or revision of any electoral register, or

(iii) has not ordinarily resided in the Colony for a period of not less than twelve months; or

(*h*) is disqualified for membership of the Council by any law for the time being in force in the Colony relating to offences connected with the election of Elected Members.

Vacation of seats.

12.—(1) The seat of a Nominated Member or of an Elected Member of the Council shall become vacant—

(*a*) upon his death; or

(*b*) if he shall be absent from two consecutive meetings of the Council without having obtained from the Governor, before the termination of either of such meetings, permission to be or to remain absent therefrom ; or

(*c*) if he shall do, concur in or adopt any act done with the intention that he shall become a subject or citizen of any foreign Power or State; or

(*d*) if he shall, by writing under his hand directed to the Governor, resign his seat in the Council and, in the case of a Nominated Official Member, his resignation shall be accepted by the Governor; or

(*e*) if, being an Elected Member, he shall be appointed to any office of emolument under the Crown; or

(*f*) if, being a Nominated Unofficial Member, he shall be appointed permanently to any office of emolument under the Crown in the Colony; or

(*g*) if, being a Nominated Unofficial Member, he shall become an Elected Member; or

(*h*) if he shall become disqualified from being registered as an elector under the provisions of any law of the Colony in that behalf, or, not being so disqualified, shall cease to be registered as such; or

(*i*) if he shall otherwise cease to be qualified for election or appointment under the provisions of this Order.

(2) If any Nominated Unofficial Member shall be appointed temporarily to, or to act in, any office of emolument under the Crown in the Colony, he shall not sit or vote in the Council by virtue of his appointment as a Nominated Unofficial Member so long as he continues to hold, or to act in, that office.

(3) Subject to the provisions of this Order, all questions which may arise as to the right of any person to be or remain an Elected Member shall be determined by the Supreme Court of the Colony in accordance with the provisions of any law for the time being in force in the Colony.

(4) All questions which may arise as to the right of any person to be or remain a Nominated Member shall be referred to and decided by the Governor in Council.

Temporary Members.

13.—(1) Whenever there shall be a vacancy in the number of persons sitting as Ex-officio or Nominated Members of the Council by reason of the fact that—

(*a*) an Ex-officio or Nominated Official Member is administering the Government of the Colony; or

(*b*) one person is lawfully discharging the functions of more than one of the offices referred to in Section 5 of this Order; or

(*c*) no person is lawfully discharging the functions of one of those offices; or

(*d*) any such office has ceased to exist; or

(*e*) a Nominated Member is unable to sit or vote in the Council in consequence of a declaration by the Governor, as provided in this Order, that he is incapable of discharging his functions as a Member; or

(*f*) a Nominated Member is suspended, as provided in this Order, from the exercise of his functions as a Member; or

(*g*) a Member is absent from the Colony; or

(*h*) a Nominated Unofficial Member is temporarily appointed to, or to act in, an office of emolument under the Crown in the Colony; or

(i) the seat of a Nominated Unofficial Member is vacant for any cause other than the dissolution of the Council,

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 persons sitting in the Council as Ex-officio or Nominated Official Members, the person appointed shall be a person holding office of emolument under the Crown in the Colony; and if the vacancy is in the number of persons sitting in the Council as Nominated Unofficial Members, the person appointed shall be a person qualified for appointment as a Nominated Unofficial Member.

(3) If a person is appointed under the provisions of this section to be a temporary Member to fill a vacancy in the number of persons sitting in the Council as Ex-officio or Nominated Official Members, then, so long as his appointment shall subsist, the provisions of this Order shall, subject to the provisions of this section, apply to him as if he were a Nominated Official Member.

(4) If a person is appointed under the provisions of this section to be a temporary Member to fill a vacancy in the number of persons sitting in the Council as Nominated Unofficial Members, then, so long as his appointment shall subsist, he shall be to all intents and purposes a Nominated Unofficial Member and, subject to the provisions of this section, the provisions of sections 9 and 12 of this Order shall have effect accordingly.

(5) The Governor shall forthwith report every temporary appointment made under this section to His Majesty through a Secretary of State and such appointment may (without prejudice to anything done by virtue thereof) be revoked by the Governor by Instrument under the Public Seal.

(6) A temporary appointment made under this section shall cease to have effect on notification by the Governor to the person appointed 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.

Presiding in Legislative Council.

14. The Governor, if present, shall preside at meetings of the Council, and in his absence such Member as the Governor may from time to time appoint in writing, or in the absence of the Member so appointed or if no Member be so appointed, the Member present who stands first in order of precedence shall preside.

Precedence of Members.

15.—(1) After the Governor, the Members of the Council shall take precedence among themselves as His Majesty may specially assign, and in default thereof as follows:—

First, the Ex-officio Members in the order in which their offices are referred to in section 5 of this Order;

Secondly, the Nominated Official Members in such order as the Governor may direct;

Thirdly, the Nominated Unofficial Members and the Elected Members, according to the length of time during which they have been continuously Members of the Council, Members appointed or elected at the same time taking precedence amongst themselves in such order as the Governor may direct.

(2) For the purposes of this section:—

(*a*) Members appointed and Members elected to the Council as first constituted under this Order shall be deemed to have been appointed or elected on the date on which the report of the return of the first successful candidate for election is made to the Governor; and

(*b*) in ascertaining the period during which a person has continuously been a Member of the Council—

(i) no account shall be taken of any interval between the vacation by that person of his seat in the Council in consequence of the expiration of his tenure of office or a dissolution of the Council and the date of his reappointment or reelection to fill a vacancy in the Council caused by that expiration of tenure or that dissolution; and

(ii) if any person having been, for any period immediately before the appointed day, a Member of the Legislative Council constituted by the Letters Patent of 1892, is appointed or elected as a Member by virtue of the first appointments or elections to the Council after the appointed day, he shall be deemed to have been a Member of the Council so constituted for that period; and no account shall be taken of any interval between the day preceding the appointed day and the date upon which he is first appointed or elected to the Council, or of any interval in his membership of the Legislative Council constituted by the Letters Patent of 1892 between the expiration of his tenure of office and his appointment or election to fill the vacancy thereby caused.

Filling of Vacancies.

16.—(1) Whenever the seat of an Elected Member becomes vacant, a fresh election shall be held to fill the vacancy in accordance with the provisions of this Order.

(2) Whenever the seat of a Nominated Member becomes vacant, the vacancy shall be filled by appointment by the Governor in accordance with the provisions of this Order.

PART III

Legislation and Procedure of Legislature

Power to make laws.

17. Subject to the provisions of this Order, it shall be lawful for the Governor, with the advice and consent of the Council, to make laws for the peace, order and good government of the Colony.

Introduction of Bills, etc.

18. Subject to the provisions of this Order and of the Standing Rules and Orders of the Council, any Member may introduce any Bill or propose any motion for debate in, or may present any petition to, the Council, and the same shall be debated and disposed of according to the Standing Rules and Orders:

Provided that, except with the recommendation or consent of the Governor signified thereto, the Council shall not proceed upon any Bill, amendment, motion or petition which, in the opinion of the Governor or other Presiding Member, would—

(*a*) dispose of or charge any public revenue or public funds of the Colony or revoke or alter any disposition thereof or charge thereon, or impose, alter or repeal any rate, tax or duty;

(*b*) suspend the Standing Rules and Orders of the Council or any of them.

Voting.

19.—(1) All questions proposed for decision in the Council shall be determined by a majority of the votes of the Members present and voting.

(2) The Governor shall not have an original vote, but if upon any question the votes shall be equally divided, he shall have a casting vote.

(3) In the absence of the Governor, the Presiding Member shall have an original vote and, if upon any question the votes shall be equally divided, shall also have a casting vote.

Vacancies and Quorum.

20.—(1) The Council shall not be disqualified for the transaction of business by reason of any vacancy among the Members; and any proceedings therein shall be valid notwithstanding that some person who was not entitled to do so sat or voted in the Council or otherwise took part in the proceedings.

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

Royal Instructions.

21. Subject to the provisions of this Order the Governor and the Council shall, in the transaction of business and the making of laws, conform as nearly as may be to the directions contained in any Instructions under His Majesty's Sign Manual and Signet which may from time to time be addressed to the Governor in that behalf.

Assent to Bills.

22.—(1) No Bill shall become a law until either the Governor shall have assented thereto in His Majesty's name and on His Majesty's behalf and shall have signed the same in token of such assent, or His Majesty shall have given His assent thereto through a Secretary of State.

(2) When a Bill is presented to the Governor for his assent, he shall, according to his discretion, but subject to the provisions of this Order and of any Instructions addressed to him under His Majesty's Sign Manual and Signet or through a Secretary of State, declare that he assents, or refuses his assent, thereto, or that he reserves the Bill for the signification of His Majesty's pleasure.

(3) A law assented to by the Governor shall come into operation on the date on which such assent shall be given or, if it shall be enacted, either in the law or in some other enactment (including any enactment in force on the appointed day), that it shall come into operation on some other date, on that date.

(4) A Bill reserved for the signification of His Majesty's pleasure shall become a law so soon as His Majesty shall have given His assent thereto, through a Secretary of State, and the Governor shall have signified such assent by Proclamation in the Gazette. Every such law shall come into operation on the date of such Proclamation or, if it shall be enacted, either in the law or in some other enactment (including any enactment in force on the appointed day), that it shall come into operation on some other date, on that date.

Disallowance of laws.

23.—(1) Any law to which the Governor shall have given his assent may be disallowed by His Majesty through a Secretary of State.

(2) Whenever any law has been disallowed by His Majesty, the Governor shall cause notice of such disallowance to be published in the Gazette.

(3) Every law so disallowed shall cease to have effect as soon as notice of such disallowance shall be published as aforesaid; and thereupon any enactment repealed or amended by, or in pursuance of, the law disallowed shall have effect as if such law had not been made. Subject as aforesaid, the provisions of subsection (2) of Section 38 of the Interpretation Act, 1889, shall apply to such disallowance as they apply to the repeal of an Act of Parliament.

52 & 53 Vict. c. 63.

Sittings and Sessions.

24.—(1) The sittings of the Council shall be held at such times and places as the Governor shall from time to time appoint by Proclamation published in the Gazette.

(2) There shall be a Session of the Council once at least in every year, so that a period of twelve months shall not intervene between the last sitting in one Session and the first sitting in the next Session.

Standing Rules and Orders.

25.—(1) Subject to the provisions of this Order and of any Instructions under His Majesty's Sign Manual and Signet, the Council may from time to time make, amend and revoke Standing Rules and Orders for the regulation and orderly conduct of their proceedings and the despatch of business, to provide for the giving of notice of the provisions of Bills and for the presentation thereof to the Governor for assent; but no such Rules or Orders shall have effect until they shall have been approved by the Governor.

(2) Until other provision is made under this Section, the Standing Rules and Orders of the Legislative Council constituted under the Letters Patent of 1892, as in force immediately before the appointed day, shall, with the necessary modifications and adaptations, be the Standing Rules and Orders of the Council; and the said Standing Rules and Orders may be amended or revoked by Standing Rules and Orders made under the preceding subsection.

Prorogation and dissolution.

26.—(1) The Governor may at any time by Proclamation published in the Gazette, prorogue or dissolve the Council.

(2) On dissolution, all Members shall vacate their seats, and the Council shall be reconstituted by election and appointment in accordance with the provisions of this Order at such time, within three months of every dissolution, as the Governor shall by Proclamation published in the Gazette appoint.

(3) The Governor shall dissolve the Council at the expiration of four years from the date of the report to him of the return of the first successful candidate at the last preceding General Election, if it shall not have been sooner dissolved.

Oath of Allegiance.

27. Except for the purpose of enabling this section to be complied with, no Member of the Council shall sit or vote therein or in any Committee thereof until he shall have taken and subscribed before the Governor, or some person authorised by the Governor in that behalf, the following oath:—

"I, A.B., do swear that I will be faithful and bear true allegiance to His Majesty King George the Sixth, His Heirs and Successors according to law. So help me God."

Provided that every person authorised by law to make an affirmation instead of taking an oath in legal proceedings may make such affirmation in like terms instead of the said oath.

PART IV

Miscellaneous

Laws as to Elections.

28. Provision may be made, by or in pursuance of any law enacted under this Order, for the election of Elected Members of the Council, including (without prejudice to the generality of the foregoing power but subject to the provisions of this Order) the following matters, that is to say:—

(*a*) the delimitation of electoral areas;

(*b*) the qualifications and disqualifications of voters;

(*c*) the ascertainment of the qualifications of voters;

(*d*) the registration of voters;

(*e*) the holding of elections;

(*f*) the determination of all questions which may arise as to the right of any person to be or remain an Elected Member;

(*g*) the definition and trial of offences in relation to elections and the imposition of penalties therefor, including disqualification for Membership of the Council, or for registration as a voter, or for voting of any persons concerned in any such offence;

(*h*) the filling by appointment by the Governor or otherwise of any vacancy in the number of persons sitting in the Council as Elected Members by reason of the fact that no person has been nominated for election to fill the vacancy.

Transitional Provisions as to Elections.

29.—(1) Provision may be made at any time before the appointed day by laws made under the Letters Patent of 1892, and at any time after the appointed day and before the first sitting of the Council under this Order by Proclamation by the Governor published in the Gazette, in respect of all or any of the matters specified in section 28 of this Order.

(2) The expression "any law for the time being in force in the Colony", wherever it occurs in this Order, shall include any law or Proclamation made under this section.

(3) It shall not be necessary for any law enacted in accordance with the provisions of this section to be reserved for the signification of His Majesty's pleasure.

(4) Every Proclamation made under subsection (1) of this section shall have the force of law and may be amended, added to or revoked by further Proclamations within the period specified in that subsection.

(5) This section shall come into operation on the day after the day upon which this Order shall have been laid before both Houses of Parliament.

Penalty for unqualified person sitting or voting.

30.—(1) Any person who—

(*a*) having been elected or appointed a Member of the Council, but not having been at the time of such election or appointment qualified to be so elected or appointed, shall sit or vote in the Council; or

(*b*) shall sit or vote in the Council after his seat thereon has become vacant or he has become disqualified from sitting or voting therein,

knowing or having reasonable grounds for knowing, that he was so disqualified or that his seat has become vacant, as the case may be, shall be liable to a penalty not exceeding twenty pounds for every day upon which he so sits or votes.

(2) The said penalty shall be recoverable by action in the Supreme Court of the Colony at the suit of the Colonial Secretary.

Removal of difficulties.

31.—(1) If any difficulty shall arise in bringing into operation any of the provisions of this Order or in giving effect to the purposes thereof, a Secretary of State may, by Order, make such provision as seems to him necessary or expedient for the purpose of removing the difficulty and may by such Order amend or add to any provision of this Order:

Provided that no Order shall be made under this section later than the first day of January, 1950.

(2) Any Order made under this section may be amended, added to, or revoked by a further Order, and may be given retrospective effect to a day not earlier than the date of this Order.

(3) This section shall come into operation on the day after the day upon which this Order shall have been laid before both Houses of Parliament.

Powers reserved to His Majesty.

32.—(1) His Majesty hereby reserves to Himself, His Heirs and Successors, power, with the advice of His or Their Privy Council, to revoke, add to or amend this Order, as to Him or Them shall seem fit.

(2) Nothing in this Order shall affect the powers of His Majesty in Council to make laws from time to time for the peace, order and good government of the Colony.

E. C. E. Leadbitter.

THE SCHEDULE

1. Subject to the provisions of rules 2, 3, 4 and 5 of this Schedule, the question of whether a person is or was ordinarily resident at any material time or during any material period shall be determined by reference to all the facts of the case.

2. The place of ordinary residence of a person is, generally, that place which is the place of his habitation or home, whereto, when away therefrom, he intends to return. In particular when a person usually sleeps in one place and has his meals or is employed in another place, the place of his ordinary residence is where he sleeps.

3. Generally, a person's place of ordinary residence is where his family is; if he is living apart from his family, with the intent to remain so apart from it in another place, the place of ordinary residence of such person is such other place. Temporary absence from a place of ordinary residence does not cause a loss or change of place of ordinary residence.

4. Any person who has more than one place of ordinary residence may elect in respect of which place he desires to be registered.

5. Any person, who at any time is serving in the armed forces of the Crown, shall be deemed to be ordinarily resident during the period of such service in the place in which he so resided immediately before he entered on such service, unless he has thereafter established some other ordinary residence elsewhere.

EXPLANATORY NOTE

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

This Order in Council provides for the establishment of a reformed Legislative Council which will legislate for the Colony of the Falkland Islands. It will be presided over by the Governor, and will consist of six official Members and six unofficial Members of whom four will be elected by popular vote.