(b) Infected things have been disinfected or destroyed, and that in the case of plague measures have been taken with a view to the destruction of rats in the infected locality, and in the case of yellow fever of mosquitoes on and near the infected premises.

The words "infected premises" in this regulation mean:

(i) Any premises in which the patient was residing during any of the six days preceding the date on which he was taken ill;

(ii) The premises on which he was taken ill; and

(iii) Any premises occupied by him from the time he was taken ill until effective screening from mosquitoes took place.

5. These regulations shall be applied to arrivals not from all ports of clearance of a country, but only to arrivals from such ports of clearance, if any, as, having regard to the nature and progress of the disease and to the extent and means of communication with the infected place, are likely in the opinion of the Health Officer to transmit the infectious or contagious disease with which such place is infected:

Provided that the Health Officer is satisfied that the country in which the infected place is situate takes the measures necessary to prevent the export of rags, clothing and bedding referred to in regulation 27 from that place unless they shall have been previously disinfected, and also takes measures necessary to check the spread of the disease.

6. The Health Officer may board any ship arriving in the waters of the Colony and inspect every person in the ship.

7. Every infected, suspected or healthy ship shall be inspected as soon as possible after arrival by the Health Officer.

8. The Health Officer may inspect any ships or persons leaving a port in the Colony for any place beyond the Colony and may prohibit the embarkation of any person suffering from any contagious or infectious disease.

9. The Health Officer may, if he think proper, call for inspection of the ship's books and papers, and he shall use every lawful means which may seem to him expedient for ascertaining the health of the persons on board and the sanitary condition of the ship.

10. The master of any ship, or any other person, shall answer truly, and if required in writing all such questions put to him by and give all such information to the Health Officer or Harbour Master as may be necessary for any purpose of these regulations. Any master or other person who refuses or neglects to answer, or answers evasively or falsely, any such questions, or who conceals from the Harbour Master or Health Officer the true state of the health of the crew or passengers or other persons on board of any ship, or who refuses or fails to produce such books and papers as the Health Officer may demand, shall be liable to a fine not exceeding twenty pounds.

11. Every "Infected," "Suspected" and "Healthy" ship arriving in the waters of this Colony shall fly the usual quarantine or yellow flag.

12. The master or person in charge of any infected or suspected ship shall, if so ordered by the Harbour Master or Health Officer, cause such ship to be taken at once to such place as may be pointed out to him as the quarantine ground, there to remain until released under the provisions of these regulations.
13. All ships in quarantine shall fly by day the usual quarantine or yellow flag at the foremast head; by night at the foremast a red light over a green light.

14. All guard boats shall by day fly a similar yellow flag; by night they shall fly a red light at bow and stern.

15. No person except those authorised by the Health Officer shall communicate with any ship in quarantine, and the persons on board shall not communicate with the shore except with the permission of the Health Officer.

16. Any person found on board any ship which has not been granted pratique without the permission of the Health Officer shall be detained in such manner and for such time as the Health Officer may direct, and shall be liable to a penalty for a breach of these regulations.

17. Infected ships shall be dealt with as follows:—

(a) The sick shall, as soon as possible, be removed from the ship and isolated;

(b) The other persons on board shall be permitted to land and be kept under observation or subjected to surveillance for periods not to exceed the following:—

(i) Plague, six days; if the person is under surveillance the period may be extended to ten days;

(ii) Cholera, five days;

(iii) Yellow fever, six days;

(iv) Small-pox, fourteen days.

In applying these measures the date of the last case and the condition of the ship shall be taken into account.

(c) Clothing and articles belonging to the passengers or crew which, in the opinion of the Health Officer, are infected shall be disinfected or destroyed;

(d) Those parts of the ship that have been occupied by the sick and such other parts of the ship as the Health Officer may regard as infected shall be disinfected;

(e) In the case of plague measures shall be taken as soon as possible either before or after discharge of cargo to secure the destruction of rats on board, and shall not exceed twenty-four hours;

(f) In the case of yellow fever measures shall be taken to secure the destruction of mosquitoes and their larvae on board or the ship shall be moored at least 200 metres from the inhabited shore and at such a distance from the harbour boats as will render the access of *stegomyia* improbable;

(g) In the case of cholera (i) when the drinking water is suspected it shall be emptied out after disinfection and replaced, after disinfection of the tanks, by a fresh supply of wholesome water;

(ii) the bilge water after disinfection shall be pumped out;

(iii) the emptying or discharge into the waters of the port of human dejecta, as well as of the waste waters of the ship, may be forbidden unless they have been previously disinfected.

(h) In the case of plague or cholera unloading shall be carried out under the supervision of the Health Officer, and the persons engaged in the work shall immediately be placed under surveillance.

10 of 1950.
therein shall be subjected to observation or surveillance for a period of five days from the time when they cease unloading.

When such measures as the Health Officer may have deemed necessary in accordance with the provisions of this regulation have been carried out, such ships shall immediately thereupon be admitted to free pratique.

18. Passengers arriving by an infected ship shall be entitled to a certificate from the Health Officer indicating the date of their arrival and the measures to which they and their baggage have been subjected.

19. Suspected ships shall be dealt with as follows:—

(a) The passengers and crew may be subjected to surveillance for periods not to exceed the following:—

(i) Plague, five days;
(ii) Cholera, five days;
(iii) Yellow fever, six days;
(iv) Small-pox, fourteen days:

The period of surveillance shall date from the arrival of the ship.

(b) Paragraphs (c), (d) and (g) of regulation 17 shall apply to suspected ships, and paragraphs (e) and (f) thereof may be applied. When such measures as the Health Officer may have deemed necessary in accordance with the provisions of this regulation have been carried out, such ships shall immediately thereupon be admitted to free pratique.

20. Healthy ships shall be admitted to free pratique immediately on arrival irrespective of the nature of their bill of health. They may, however, at the discretion of the Health Officer be subject to the measures specified in paragraphs (a), (e), (f) and (g) of regulation 17, and the passengers and crew may be subjected to surveillance which shall not exceed the periods provided for in regulation 19 (a).

The periods of surveillance shall date from the departure of the ship from the infected place. The application of the measures specified in paragraph (c) or (e) of regulation 17 shall only be resorted to when, in the opinion of the Health Officer, special reasons exist which require them. Where the provisions of paragraph (e) are applied the operation shall not in any case exceed twenty-four hours and shall not interfere with the free circulation of passengers and crew between ship and shore.

21. If the rats in a healthy ship are found to be suffering from plague the Health Officer shall visit the ship and measures shall be taken as in paragraphs (c) and (e) of regulation 17. The parts of the ship that the Health Officer may consider infected shall be disinfected, and the passengers and crew may be subject to surveillance which shall not exceed a period of five days after arrival, unless in exceptional cases when such period may be extended to ten days. If unusual mortality has been observed among the rats on a healthy ship the Health Officer shall visit the ship and a bacteriological examination of the rats shall, when practicable, be made as quickly as possible. If it is thought necessary to resort to measures of rat destruction these shall be carried out as specified in paragraph (e) of regulation 17. Until all suspicion of plague is removed the passengers and crew may be subjected to surveillance during the time specified in this regulation in respect of ships on board of which rats are found to be suffering from plague.
22. Whenever means for the destruction of rats have been taken and the master, the shipowner or the shipowner's agent shall so demand, the Health Officer of the port shall furnish him with a certificate that such measures have been applied and specifying the reasons why.

23. If, in the opinion of the Health Officer of the port of arrival, ships from an infested place have been disinfected effectively they shall not again be subjected to sanitary measures unless a fresh case of infectious or contagious disease has occurred on board since disinfection or unless they have again called at an infected place.

24. A ship shall not be regarded as having called at a place if it has merely disembarked passengers and their baggage or mails without having been in communication with the shore.

25. Where a ship has passengers on board who are in a filthy or otherwise unwholesome condition, or is overcrowded with passengers, emigrants or otherwise, the Health Officer may if, in his opinion, it is desirable with a view of preventing the introduction of any infectious or contagious disease subject persons on board to observation or surveillance for the periods provided for in regulation 17 (b).

Where measures of observation or surveillance are prescribed the Health Officer may exempt from their application any person who, in his opinion is immune from the infectious or contagious disease on account of which these measures are applied.

26. Where these regulations provide that a person may be permitted to proceed to his place of destination subject to surveillance, the Health Officer, before granting such permission, must be satisfied that it is reasonably probable that the person to whom it is granted will duly comply with the conditions of surveillance, and permission if granted shall be upon the following conditions:—

(a) He shall satisfy the Health Officer as to his name, intended place of destination, and his place of residence thereat;

(b) He shall agree to present himself and shall present himself for medical supervision during the prescribed period, and he may be required by the Health Officer to deposit a sum not exceeding two pounds, which may be forfeited if he fail to so present himself.

The agreement shall be in accordance with Form 1 of these regulations.

(c) The place must, in the opinion of the Health Officer, be conveniently situated for the medical supervision.

If the Health Officer is not satisfied as herein required, or if the person fails to comply with paragraphs (a) and (b) hereof, the Health Officer may detain him under observation or direct him to proceed to a specified place and there remain under medical supervision during the prescribed period. In the latter case the provisions of paragraph (b) hereof may, at the discretion of the Health Officer, be applied to such person.

(d) In the case of small-pox a person may be required to produce to the Health Officer satisfactory evidence of having been successfully vaccinated or re-vaccinated within the three years immediately preceding, or of his being otherwise immune from the disease, and such person may in the absence of such evidence be detained under observation for the prescribed period. But when the ship is a healthy ship this measure shall not apply to passengers who
have not embarked or gone ashore at the infected place, and it
shall not be applied to those passengers who embarked or went
ashore at the infected place if the circumstances of their stay there
afford reasonable evidence of non-infection.

Any person acting in contravention of any of the provisions of this
regulation shall be liable to a penalty not exceeding the sum of ten pounds.

27. (1) Merchandise shall be disinfected only when, in the opinion of the
Health Officer, it is infected, except in the case of yellow fever when it
shall under no circumstances be liable to disinfection or prohibition. In
the case of plague, cholera and small-pox, clothing and bedding which have
been used, and rags, may, when imported from an infected place as merchan-
dise, be subjected to disinfection even in the absence of evidence that they
are infected, or their introduction into the Colony may be prohibited,
except that in the case of cholera, rags compressed in bales, if, in the
opinion of the Health Officer, they are free from infection, shall not be
subjected to the provisions of this regulation.

(2) The measures specified in this regulation are the only measures
that can be applied in respect of merchandise.

28. The entry of live stock into the Colony shall not be prohibited because
of the existence of an infectious or contagious disease in the place from
whence they have come or on board the ship in which they were conveyed.

29. When merchandise has been subjected to disinfection in pursuance
of provisions in these regulations, the owner or his agent shall be entitled
to a certificate from the Health Officer indicating the measures that have
been taken.

30. Nothing in these regulations shall render liable to detention,
disinfection or destruction, any article forming part of any mail (other than
a parcel mail) conveyed under the authority of the postal administration
of any Government, or shall prejudicially affect the delivery in due course
of any such mail (other than a parcel mail) to the Post Office.

31. The only measures which parcel mails may be subjected to shall be
disinfection or destruction of articles which are, in the opinion of the Health
Officer, infected.

32. When any port within the Colony is an infected place:

(1) Every person taking passage on a ship leaving such port shall be
examined by the Health Officer immediately before departure of
the ship; such examination implies the use of the clinical ther-
ometer, and shall, as far as practicable, be made by day and on
shore, and no person suffering from any infectious or contagious
disease shall be permitted to embark;

(2) Measures shall be taken:

(a) To prevent the exportation of merchandise or articles which the
Health Officer may consider infected, unless such merchandise
or articles shall in the first instance have been disinfected on
shore under his supervision;

(b) In the case of plague to prevent rats from gaining access to ships;

(c) In the case of yellow fever to prevent mosquitoes from gaining
access to the ships, but when this is impossible then measures
should be taken immediately before the departure of the ship
to destroy those on board;
(d) In the case of cholera, the Health Officer shall see that the
drinking water taken on board is wholesome.

(3) The Health Officer shall give to the master of the ship a certificate
stating in detail the measures taken.

The master, owner or agent of any ship conveying from an infected port
a passenger not previously examined, or merchandise or articles liable to
disinfection not previously disinfected, shall be liable to a fine not exceeding
twenty pounds; and any passenger, in the opinion of the Health Officer,
suffering from any infectious or contagious disease who embarks on board
of a vessel shall be liable to a fine not exceeding five pounds.

33. When, in the case of a healthy ship from a port which is an infected
place, the Health Officer of the port of arrival is satisfied that the measures
specified in regulation 32 have been efficiently carried out at such infected
place, such ship shall be exempted from the measures specified in
regulation 20:

Provided always that if the period specified in that regulation and
dating from the departure of the ship from the infected place shall not
have been completed, the passengers and crew may be subjected to sur-
veillance for such duration as may be necessary to complete the period.

34. (1) No measures shall be taken against any ship arriving in the
waters of the Colony because it has come from or called at any place where
any of the following diseases exists:—

<table>
<thead>
<tr>
<th>Disease</th>
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<tbody>
<tr>
<td>Typhus fever</td>
<td>Measles</td>
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<tr>
<td>Enteric fever</td>
<td>Whooping cough</td>
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<tr>
<td>Cerebro-spinal fever</td>
<td>Chicken-pox,</td>
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<tr>
<td>Scarlet fever</td>
<td>Dengue</td>
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<tr>
<td>Diphtheria</td>
<td>Influenza</td>
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(2) If a case or cases of any of the above diseases has or have
occurred on board either before leaving the port of departure, during the
voyage, or on arrival, the following measures may be applied at the dis-
cretion of the Health Officer:—

(a) Isolation of the sick;
(b) Disinfection of the infected clothing, bedding and effects, and of
the compartment of the ship occupied by the sick.
(c) Surveil lance of those who have been in contact with the sick.

35. If any ship in the waters of the Colony is known to have any case of
infectious or contagious disease on board, the Health Officer may order
such ship to be placed in quarantine until she has been dealt with as an
infected ship.

36. In the case of a death from any infectious or contagious disease on
board any ship, the body shall be disposed of in such manner as the Health
Officer may direct and at the expense of the ship.

37. If any person conveys or attempts to convey any article to or from
any ship in contravention of these regulations, such article shall be forfeited.

38. (1) The master or surgeon, when there is one of any ship, shall, if
the facts warrant his so doing, on arrival in the waters of this Colony, sign
and deliver to the Harbour Master the certificate in accordance with Form
2 appended to these regulations.

(2) In the event of any master or surgeon not signing and delivering
the certificates marked (a) and (b), the Harbour Master shall place such
ship in quarantine pending the visit of the Health Officer, who shall decide whether such ship shall be granted pratique or treated as an infected, suspected or healthy ship.

3. In the event of any master or surgeon not signing and delivering the certificates marked (c) and (d), the Harbour Master shall grant pratique, but the passengers and crew shall not be permitted to land until they have been seen and dealt with in accordance with these regulations by the Health Officer.

4. The surgeon or master of any ship who shall sign any such certificate as aforesaid containing any false statement shall commit an offence.

39. The owner, master or agent of the ship shall pay the Government on demand any costs and expenses incurred in the removal of any person from the ship to any observation station, or connected with the cleansing and disinfection of any ship or of the cargo or merchandise of any ship or any part of such ship, cargo or merchandise, or of the destruction of rats or mosquitoes on board, including the hire of any necessary labour, ships, premises on shore and disinfecting appliances, or of removing from any ship any article or thing and disinfecting the same.

40. (1) All costs and expenses charged or incurred by the Government for the maintenance of any person under observation or isolation, and for the disinfection and cleansing of passenger's baggage, shall be paid on demand to the Government by the person concerned, except in the case of the master, officers or crew of any ship, when such expenses shall be paid by the owner, master or agent of the ship.

(2) The Government shall have a lien on all baggage and other property belonging to a person placed in an observation or isolation station to secure payment of any sum due to the Government for the maintenance of such person or that of other persons for whom he may be or may have rendered himself liable.

(3) Such property may be kept and detained at the Custom House, and in default of payment within eight days from the termination of the quarantine of any sums due to the Government by the owner of such property in respect of maintenance, the Collector of Customs may cause such property to be sold by auction:

Provided that after deduction from the sale price of such property of the claim of the Government and costs, the balance, if any, shall be paid to the owner of the property.

41. No ship shall be permitted to clear outwards from any port of the Colony until all fees and expenses payable by the owner, master or agents thereof in respect of such ship under the Public Health Ordinance, or of these regulations may have been first duly paid.

42. No person under surveillance shall be required to pay a fee to any Health Officer for the services of medical supervision:

Provided always that this provision shall not apply to any such person who received medical attendance at his or her request.

43. Where any breach of these regulations is committed, all persons assisting in any way in the commission of such breach, and the master or other person having the control of any ship on board of which such breach has been committed or who has been in any way concerned in the commission of such breach, shall be severally guilty.
Form 1.  

ORIGINAL.

(To be retained by the Health Officer issuing the pass.)

(1) No. of pass
(2) Residence
(3) Station of issue
(4) Date of arrival
(5) Name of person (in full)
(6) Father's name (a)
(7) Occupation
(8) Age
(9) Sex
(10) Whence coming (give town and locality)
(11) Destination and residence during next. (b) days (give town and locality)

(12) To whom the triplicate copy of the pass sent and when.

I declare the information set forth above under headings (5) to (11) to be correct and I do hereby bind myself to appear for presentation the above-named person at the hour of my residence before departure any change in residence of the above-mentioned person within the said period of this pass on the expiration of the said period.

Signature or mark of traveller or person in charge of him.

Declared and signed before me.

Signature and designation of officer issuing the pass.

(a) May be omitted when clearly not required for identification.

(b) The number of days to be inserted in accordance with the infectious or contagious disease for which the person is placed under surveillance.

Instructions to the Health Officer issuing the pass.

1. The pass should be prepared in triplicate. The original should be retained for record, the duplicate delivered to the traveller and the triplicate sent without delay to the officer who has to examine him for the prescribed number of days. The full designation and address of this officer should be entered under heading (12). One pass form should not be used for more than one individual.

2. The issuing Officer should explain to the traveller or his guardian the terms of the pass, and warn him that any breach of its terms will entail forfeiture of any deposit made by him, and also prosecution and punishment, with fine not exceeding ten pounds.
Instructions to the officer appointed to conduct the days' inspection.
(To be endorsed on triplicate copy of pass.)

The Examining Officer should satisfy himself that the person presenting the pass is the person described therein. He should ascertain from the traveller whether there is any sickness or death in his house. If the traveller exhibits any symptoms of plague, cholera, yellow fever, small-pox, or if any sickness or death is reported in his house, or if he fails to appear for inspection, the said officer should take immediate steps for detaining him or for making the necessary inquiries as to the cause of sickness, death or absence, and report with the quickest dispatch to the Senior Medical Officer.

Endorsement of the Examining Officer:

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<th>First day</th>
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<th>Third day</th>
<th>Fourth day</th>
<th>Fifth day</th>
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<th>Seventh day</th>
<th>Eighth day</th>
<th>Ninth day</th>
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Forwarded to the Senior Medical Officer, the passenger having been daily observed for the prescribed period.

Signature and designation of Examining Officer.

Date.

1. The pass-holder must, unless exempted by a written order endorsed on the pass, appear daily for the prescribed number of days on his pass, with his pass, before the Examining Officer, and obtain that officer's signature on the reverse of his pass in token of inspection.

2. The pass-holder is not obliged to remain at a place for the prescribed number of days by reason of his pass, but should he desire to change his residence within that period he must give due intimation to the Examining Officer and get the entries under headings (11) and (12) altered before departure. On the expiration of his term of surveillance he shall deliver his pass to the Examining Officer.

3. The pass-holder is warned that any breach of the terms of the pass will entail forfeiture of any deposit made by him, and also prosecution and punishment, with fine not exceeding ten pounds.
REGULATION 38.

Form 2.

(a) I hereby certify that there is not and has not been on board the during the voyage from or during the stay of the ship in that port, or in any other port in the course of the voyage, any case or suspected case of plague, cholera, yellow fever or small-pox.

Signature of Master or Surgeon.

Ship.

Date.

(b) I certify that to the best of my knowledge and belief the ship has not come from or touched at any place where there were any cases of plague, cholera, yellow fever or small-pox, and that there is no person on board who has within twelve days of embarkation been in any place where there were any cases of these diseases.

Signature of Master or Surgeon.

Ship.

Date.

(c) I certify that there is not and has not been on board the during the voyage from or during the stay of the ship in that port, or in any other port in the course of the voyage, any case or suspected case of the following diseases:

- Typhus fever
- Enteric fever
- Cerebro-spinal fever
- Scarlet fever
- Diphtheria
- Measles
- Whooping cough
- Chicken-pox
- Dengue
- Influenza

Signature of Master or Surgeon.

Ship.

Date.

(d) I certify that there has been no death from any cause on board during the voyage.

Signature of Master or Surgeon.

Ship.

Date.
CHAPTER 55.

RADIO-ACTIVE MINERALS.

14 of 1948. AN ORDINANCE TO REGULATE AND CONTROL PROSPECTING AND MINING FOR RADIO-ACTIVE MINERALS AND THE EXPORT THEREOF AND FOR PURPOSES CONNECTED THEREWITH.

[21st October, 1948.]

Short title. 1. This Ordinance may be cited as the Radio-active Minerals Ordinance.

Definitions. 2. In this Ordinance, unless the context otherwise requires—

"Colony" means the Colony of the Falkland Islands and its territorial waters and includes the Dependencies of the Falkland Islands and their territorial waters;

"Licence" means a licence issued under the provisions of section 3 of this Ordinance;

"Mine," with its grammatical variations and cognate expressions, includes all operations for the intentional winning or obtaining of any radio-active mineral;

"Permit," means a permit issued under the provisions of section 6 of this Ordinance;

"Prospect," with its grammatical variations and cognate expressions, means to search for any radio-active mineral and includes such working as is reasonably necessary to enable the prospector to test the radio-active mineral-bearing qualities of the area concerned.

"Radio-active mineral" means any substance specified in the Schedule to this Ordinance.

3. Notwithstanding anything in the Mining Ordinance, or any other enactment, no person shall within the Colony prospect for or mine, or attempt to prospect or mine, any radio-active mineral except under and in accordance with a licence granted by the Governor.

[Note. This Ordinance is declared to be in force in the Dependencies by the Application of Colony Laws Ordinance, Cap. 1 (D.S.)]
4. Every holder of a licence shall within the first week of every month furnish the Colonial Secretary with a true report in writing of the prospecting and mining operations conducted by him in the immediately preceding month with respect to radio-active minerals.

5. The holder of any prospecting licence or mining lease under the Mining Ordinance or the lessee of such mining lease shall immediately notify the Colonial Secretary of the discovery of any radio-active minerals and shall not remove them from the mining land without the consent of the Governor.

6. Notwithstanding anything in the Customs Ordinance or any other enactment, no person shall export, or attempt to export, from the Colony any radio-active mineral except under and in accordance with a permit granted by the Governor in that behalf.

7. The grant of a licence or a permit shall be in the absolute discretion of the Governor who shall be under no obligation to assign any reason for refusing the grant thereof.

8. Every licence and permit shall be in such form and for such period and be subject to the payment of such a fee as the Governor may determine, and shall contain such terms and conditions as he may think fit to impose.

9. (1) Where it appears to the Governor that any radio-active minerals are present in or on any land, he may by order provide for compulsorily vesting in him the exclusive right, so long as the order remains in force, to work those minerals and any other minerals which it appears to him to be necessary to work with these minerals, and may also provide, by that order or a subsequent order, for compulsorily vesting in him any other ancillary rights which appear to him to be necessary for the purpose of working the minerals aforesaid including (without prejudice to the generality of the foregoing provisions)—

(a) rights to withdraw support;

(b) rights necessary for the purpose of access to or conveyance of the minerals aforesaid or the ventilation or drainage of the workings;
(c) rights to use and occupy the surface of any land for the purpose of erecting any necessary buildings and installing any necessary plant in connection with the working of the minerals aforesaid;

(d) rights to use and occupy for the purposes of working the minerals aforesaid any land forming part of or used in connection with an existing mine or quarry, and to use or acquire any plant used in connection with any such mine or quarry; and

(e) rights to obtain a supply of water for purposes connected with the working of the minerals aforesaid, or to dispose of water or other liquid matter obtained in consequence of working such minerals.

(2) Any order made under this section shall provide for the payment of compensation, in such cases and subject to such conditions as may be specified in the order or determined thereunder, in respect of loss suffered as the result of the acquisition or exercise of rights under the order, but no account shall be taken, in calculating the compensation payable as aforesaid, of the value of any minerals present in or on land affected by the order, being minerals specified in the order as those from which, in the opinion of the Governor, any radio-active minerals can be obtained.

(3) Any order made under this section shall be published in the Gazette and shall be served—

(i) where the land affected is the subject of a mining lease, or an exclusive prospecting licence, granted under the Mining Ordinance, on the lessee, or the holder of such licence; or

(ii) in all other cases, upon the owner, lessee or occupier of any land affected by the order.

(4) No order made under this section shall have effect until it has been laid before the Executive Council and has been brought into operation in accordance with the provisions of this section.

(5) No order made under this section shall be laid before the Executive Council until the requirements of subsection (3) have been complied with and until the period of at least one month has elapsed from the date upon which it is published in the Gazette.
(6) An order made under this section and confirmed by the Executive Council shall have full force and effect, with or without amendment, as the case may be, as from the date of publication in the Gazette of the resolution of the Executive Council confirming the same.

(7) If any petition against the order is received by the Governor, he shall refer such petition to a Select Committee of the Executive Council for a report thereon and no resolution shall be taken on the order by the Executive Council until the report of the Select Committee has been laid on the table.

(8) If any petition raises separate and conflicting claims in respect of any interest or title in the lands affected, the Executive Council may, by the resolution in respect of the order, direct that such claims be determined by arbitration as provided in the Land Ordinance or any amendment thereof.

10. (1) The Governor may compulsorily acquire—

(a) any minerals, being minerals from which in the opinion of the Governor any radio-active minerals can be obtained, other than minerals in a natural state or contained in a deposit of waste material obtained from any underground or surface working;

(b) any plant designed or adapted for the production or use of atomic energy or research into matters connected therewith,

and in the case of any plant which is affixed to land, the Governor may sever it from the land, and shall in that case make good any damage caused by the severance.

(2) If the Governor and the person affected by the acquisition of any article under this section are unable to agree as to the compensation to be paid in respect of such acquisition or if any doubt arises as to the ownership of any such article, the matter shall be settled by arbitration as provided in the Land Ordinance or any amendment thereof.

11. (1) Every person who—

(a) prospects for or mines, or attempts to prospect for or mine, any radio-active mineral within the Colony without a licence; or

(b) being the holder of a licence, prospects for or mines, or attempts to prospect for or mine, any radio-active mineral within the Colony otherwise than in
accordance with any term or condition of his licence; or

(c) being the holder of a licence, fails to comply with the requirements of section 4 of this Ordinance; or

(d) exports, or attempts to export, from the Colony any radio-active mineral without a permit; or

(e) being the holder of a permit, exports, or attempts to export, from the Colony any radio-active mineral otherwise than in accordance with any term or condition of his permit; or

(f) obtains, or attempts to obtain, a licence or permit by means of any false statement or representation; or

(g) being the holder of a prospecting licence or mining lease granted under the Mining Ordinance or the lessee of a mining lease granted under the said Ordinance, fails to comply with the provisions of section 5 of this Ordinance;

shall, upon summary conviction, be liable to imprisonment for twelve months or to a fine of five hundred pounds or to both such imprisonment and fine.

(2) The Court before which any person is convicted of an offence under subsection (1) of this section shall order the forfeiture to His Majesty of any radio-active mineral or prospecting or mining apparatus derived from, or employed in the commission of, any act in respect of which such person was convicted.

12. (1) Any police officer not below the rank of sergeant, and any other officer or class of officers authorised in writing by the Governor in that behalf, may, for the purpose of enforcing the provisions of this Ordinance, without warrant or other legal process—

(a) enter and search any place where he has reasonable grounds for suspecting that an offence under this Ordinance has been, or is about to be, committed;

(b) search any person whom he has reasonable grounds for suspecting to have committed, or to be about to commit, an offence under this Ordinance;

(c) arrest any person whom he has reasonable grounds for suspecting to have committed, or to be about to commit, an offence under this Ordinance;
(d) seize any radio-active mineral or prospecting or mining apparatus connected therewith which he has reasonable grounds to suspect to be, or to be about to be, derived from, or employed in, the commission of any offence under this Ordinance.

(2) Where any person is arrested, or any radio-active mineral or prospecting or mining apparatus is seized, under the provisions of subsection (1) of this section, such person, mineral and apparatus shall, as soon as practicable, be brought before the nearest magistrate.

(3) Every person who obstructs, or attempts to obstruct, whether actively or passively, any officer in the execution, or purported execution, of his duties under this section, shall be liable upon summary conviction, to imprisonment for six months or to a fine of one hundred pounds or to both such imprisonment and fine.

13. The Governor may from time to time by Order alter, vary or in any manner amend the Schedule to this Ordinance.

14. Nothing in this Ordinance shall be deemed to absolve any person from compliance with the provisions and requirements of the Mining Ordinance and the Customs Ordinance or any regulations made thereunder.

15. The Governor in Council may make such regulations under this Ordinance as he may deem to be necessary or expedient.

SCHEDULE.

(1) Any mineral containing uranium or thorium and, in particular and without prejudice to the generality of this paragraph, the substances hereinafter set out in this schedule.

(2) Minerals of the pitchblende group, including pitchblende, uraninite, ulrichite, broggerite, cleveite and related mineral species.

(3) Secondary uranium minerals including tobernite, autunite, uranite, rutherfordine, uranophane, gummite, thorogummite, uranocircite, kasolite, becquerelite, and other silicates, hydrates, carbonates, phosphates or arsenates of uranium.

(4) Carnotite, tyuyamunite, and related uranium-bearing vanadate ores.

(5) Uranium-bearing niobate-titanate-tantulate ores, including euxenite, polycrase, blomstrandine, priorite, samarskite, fergusonite, betafite and related minerals.

(6) Monazite, thorite, and thorianite.
CHAPTER 56.

RECIPROCAL ENFORCEMENT OF JUDGMENTS.

AN ORDINANCE TO SECURE THE RECIPROCAL ENFORCEMENT OF JUDGMENTS OBTAINED IN SUPERIOR COURTS IN THIS COLONY, THE UNITED KINGDOM AND OTHER PARTS OF HIS MAJESTY'S DOMINIONS OR TERRITORIES UNDER HIS MAJESTY'S PROTECTION.

[25th August, 1922.]

1. This Ordinance may be cited as the Reciprocal Enforcement of Judgments Ordinance.

2. (1) Where a judgment has been obtained in a superior court in the United Kingdom, the judgment creditor may apply to the Supreme Court of the Colony at any time within twelve months after the date of the judgment, or such longer period as may be allowed by the Court, to have the judgment registered in the Court, and on any such application the Court may, if in all the circumstances of the case they think it is just and convenient that the judgment should be enforced in the Colony, and subject to the provisions of this section, order the judgment to be registered accordingly.

(2) No judgment shall be ordered to be registered under this section if—

(a) the original court acted without jurisdiction; or

(b) the judgment debtor, being a person who was neither carrying on business nor ordinarily resident within the jurisdiction of the original court, did not voluntarily appear or otherwise submit or agree to submit to the jurisdiction of that court; or

(c) the judgment debtor, being the defendant in the proceedings, was not duly served with the process of the original court and did not appear, notwithstanding that he was ordinarily resident or was carrying on business within the jurisdiction of that court or agreed to submit to the jurisdiction of that court; or

[Note. This Ordinance is declared to be in force in the Dependencies by the Application of Colony Laws Ordinance, Cap. 1 (D.S.).]
(d) the judgment was obtained by fraud; or

(e) the judgment debtor satisfies the registering court either that an appeal is pending, or that he is entitled and intends to appeal, against the judgment; or

(f) the judgment was in respect of a cause of action which for reasons of public policy or for some other similar reason could not have been entertained by the registering court.

(3) Where a judgment is registered under this section—

(a) the judgment shall, as from the date of registration be of the same force and effect, and proceedings may be taken thereon, as if it had been a judgment originally obtained or entered up on the date of registration in the registering court;

(b) the registering court shall have the same control and jurisdiction over the judgment as it has over similar judgments given by itself, but in so far only as relates to execution under this section;

(c) the reasonable costs of and incidental to the registration of the judgment (including the costs of obtaining a certified copy thereof from the original court and of the application for registration) shall be recoverable in like manner as if they were sums payable under the judgment.

(4) Rules of court shall provide—

(a) for service on the judgment debtor of notice of the registration of a judgment under this section; and

(b) for enabling the registering court on an application by the judgment debtor to set aside the registration of a judgment under this section on such terms as the court thinks fit; and

(c) for suspending the execution of a judgment registered under this section until the expiration of the period during which the judgment debtor may apply to have the registration set aside.

(5) In any action brought in any court in the Colony on any judgment which might be ordered to be registered under this section, the plaintiff shall not be entitled to recover any costs of the action unless an application to
register the judgment under this section has previously been refused, or unless the Court otherwise orders.

3. Where a judgment has been obtained in the Supreme Court of the Colony against any person, the Court shall, on an application made by the judgment creditor and on proof that the judgment debtor is resident in the United Kingdom, issue to the judgment creditor a certified copy of the judgment.

4. Provision may be made by rules of court for regulating the practice and procedure (including scales of fees and evidence), in respect of proceedings of any kind under this Ordinance.

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

"Judgment" means any judgment or order given or made by a court in any civil proceedings, whether before or after the passing of this Ordinance, whereby any sum of money is made payable, and includes an award in proceedings on an arbitration if the award has, in pursuance of the law in force in the place where it was made, become enforceable in the same manner as a judgment given by a court in that place.

"Original court" in relation to any judgment means the court by which the judgment was given.

"Registering court" in relation to any judgment means the court by which the judgment was registered.

"Judgment creditor" means the person by whom the judgment was obtained, and includes the successors and assigns of that person.

"Judgment debtor" means the person against whom the judgment was given, and includes any person against whom the judgment is enforceable in the place where it was given.

(2) Subject to rules of court, any of the powers conferred by this Ordinance on any Court may be exercised by a judge of the Court.
6. (1) Where the Governor is satisfied that reciprocal provisions have been made by the legislature of any part of His Majesty’s dominions outside the United Kingdom for the enforcement within that part of his dominions of judgments obtained in the Supreme Court of this Colony, the Governor may by Proclamation under his hand declare that this Ordinance shall extend to judgments obtained in a superior court in that part of His Majesty’s dominions in like manner as it extends to judgments obtained in a superior court in the United Kingdom and on any such Proclamation being made this Ordinance shall extend accordingly.

(2) For the purposes of this section the expression “part of His Majesty’s Dominions outside the United Kingdom” shall be deemed to include any territory which is under His Majesty’s protection or in respect of which a mandate is being exercised by the Government of any part of His Majesty’s dominions.

(3) A Proclamation made by the Governor under this section may be varied or revoked by a subsequent Proclamation.
CHAPTER 57.
REGISTRATION.

9 of 1949. 10 of 1950.

AN ORDINANCE TO PROVIDE FOR THE MAINTENANCE OF A CENTRAL REGISTRY AND THE REGULATION OF ALL MATTERS TO BE REGISTERED THEREIN.

[1st June, 1949.]

Short title. 1. This Ordinance may be cited as the Registration Ordinance.

Definitions. 2. In this Ordinance and any regulations made thereunder, unless the context otherwise requires:—

"Will" includes a codicil.

"Instrument" means any deed, contract, will or other matter required to be registered.

"Stillborn" applies to any child which has issued forth from its mother after the 28th week of pregnancy and which did not at any time after being completely expelled from its mother, breathe or show any other sign of life.

3. A Central Registry shall be maintained in Stanley for the registration of all matters required by law, and of all matters which the Governor in Council may require, to be registered in the Central Registry.

Registrar General. 4. (1) The Registrar General shall be responsible for the proper registration of all matters required to be registered under section 3 hereof.

(2) The Registrar General shall exercise all the powers, perform all the duties and be subject to the liabilities of a registrar of births, deaths and marriages in the United Kingdom so far as the same are applicable.

Records, &c., to form Central Registry. 5. All registers, records, books, papers, maps and other documents now in the custody of the Registrar General under the Registration Ordinance, 1853, shall be retained by him as part of the records of the Central Registry.

[Note. This Ordinance is declared to be in force in the Dependencies by the Application of Colony Laws Ordinance, Cap. 1 (D.S.).]
6. (1) The father or mother of every child born alive in the Colony, or in the case of the death, illness, absence or inability of the father or mother, the occupier of the house in which to his knowledge the child is born, or one of the persons present at the birth or the person having charge of the child shall, if the child shall have been born in Stanley, give to the Registrar General within ten days of the birth such particulars as he may require to be registered, and if the child shall have been born elsewhere shall give to the Registrar General or a Registrar appointed under this Ordinance such particulars within 42 days of the date of birth, and in every such case shall sign the register.

(2) Any person responsible for giving such particulars to the best of his knowledge and belief who shall fail to do so or refuse to sign the register shall commit an offence and shall be liable on summary conviction to a fine not exceeding £10.

7. The provisions of section 6 shall apply to the birth of a stillborn child and every person required to give information shall either—

(1) deliver to the Registrar General or nearest Registrar a written certificate that the child was not born alive signed by a registered medical practitioner or midwife who was in attendance at the birth or who has examined the body of such child; or

(2) make a declaration to the effect that no registered medical practitioner or midwife was present at the birth, or has examined the body, or that his or her certificate cannot be obtained and that the child was not born alive.

8. (1) The nearest relatives of any person dying in the Colony present at the death or in attendance during the last illness, or in default thereof any relative who has knowledge of any of the particulars required to be registered, or in default of such relatives, any person present at the death, or the occupier of the house in which to his knowledge the death took place, or any person finding or taking charge of the body, or each inmate of the house, or the person causing the body to be buried, shall inform the Registrar or nearest Registrar within five days next after the death or finding the
body if such death or finding occurred in Stanley or within 14 days if it occurred elsewhere and shall sign the register.

(2) Any person whose duty it is to register a death who shall fail within twelve months of the date of death or finding the body and within seven days of the receipt of a notice from the Registrar General or nearest Registrar calling on him so to do shall commit an offence and shall be liable on summary conviction to a fine not exceeding £10.

9. A Minister of Religion shall keep registers of baptisms and burials and shall record in them the particulars required under the Parochial Registers Acts and sign the same within seven days of the baptism or burial unless prevented by sickness or other unavoidable cause, and shall on or before the 15th day of January in each year forward to the Governor or to the person appointed by him in the form required by him an abstract of the number of baptisms and burials registered during the preceding year. Any minister who shall refuse, or without reasonable cause omit to send such abstract shall commit an offence and shall be liable on summary conviction to a fine not exceeding £10.

10. Any person who shall—

(a) wilfully make or cause to be made a false statement for the purpose of it being inserted in any register;

(b) knowingly or wilfully insert or cause or permit to be inserted any false statement in a register or abstract required under this Ordinance or any regulations made thereunder, or shall knowingly or wilfully sign or verify any copy or abstract knowing the same to be false;

(c) wilfully destroy or injure or cause to be destroyed or injured any register or map being a record in the Central Registry

shall commit an offence and shall be liable on conviction to a fine not exceeding £100 or to imprisonment for a term not exceeding two years.

11. (1) Any Registrar General or Registrar who refuses on ceasing to hold such office to deliver up to the Governor or the person appointed by him to receive the same all registers, records, books, papers, maps, safes, keys, and other docu-
ments and things in his possession relating to his office shall commit an offence and be liable on summary conviction to a fine not exceeding £50 and a further fine not exceeding £10 for each day he shall so refuse to deliver up such registers, records, books, papers, maps, safes, keys, and other documents and things after conviction in respect thereof.

(2) If a justice is satisfied by information on oath that an offence under this section has been committed he may grant a search warrant authorising any constable named therein to enter at any time any premises or place named in the warrant, if necessarily by force, and to search the premises or place and any person found therein and to seize any register, record, book, paper, map, document, safe, key, or anything which is evidence of an offence under this section.

12. The Governor in Council may make regulations for the administration of this Ordinance and impose penalties for any breach thereof.
CHAPTER 58.

REGISTRATION OF UNITED KINGDOM PATENTS.

AN ORDINANCE TO PROVIDE FOR THE REGISTRATION IN THE COLONY OF LETTERS PATENT GRANTED IN THE UNITED KINGDOM.

[29th April, 1930.]

1. This Ordinance may be cited as the Registration of United Kingdom Patents Ordinance.

2. Any person being the grantee of a patent in the United Kingdom or any person deriving his right from such grantee by assignment, transmission or other operation of law may apply within three years from the date of issue of the patent to have such patent registered in the Colony. Where any partial assignment or transmission has been made, all proper parties shall be joined in the application for registration.

3. Every application under this Ordinance shall be addressed to the Registrar-General, and there shall be transmitted with such application:

(1) A certificate of the Comptroller General of the United Kingdom Patent Office giving full particulars of the issue of the patent.

(2) Two certified copies of the complete specification (including the drawings if any) in relation to any patent.

(3) In the case of an assignment, an affidavit that the applicant is the assignee in respect of the Colony of the registered proprietor of the patent.

(4) A fee of one pound.

4. Upon such application being received, together with the documents mentioned in section 3 of this Ordinance, the Registrar-General shall issue a certificate of registration.

[Note. This Ordinance is declared to be in force in the Dependencies by the Application of Colony Laws Ordinance, Cap. 1 (D.S.).]
5. Such certificate of registration shall confer on the applicant privileges and rights, subject to all conditions established by the law of the Colony, as though the patent had been issued in the United Kingdom with an extension to the Colony.

6. Privileges and rights so granted shall date from the date of the patent in the United Kingdom and shall continue in force only so long as the patent remains in force in the United Kingdom:

Provided that no action for infringement shall be entertained in respect of any manufacture, use or sale of the invention prior to the date of issue of the certificate of registration in the Colony.

7. All renewals of letters patent in the United Kingdom of a patent registered under this Ordinance shall be notified to the Registrar-General, who shall, on sufficient evidence thereof and on payment of a fee of one pound, enter the same in the Register in the prescribed manner.

8. The Supreme Court shall have power upon the application of any person who alleges that his interests have been prejudicially affected by the issue of a certificate of registration, to declare that the exclusive privileges and rights conferred by such certificate of registration have not been acquired on any of the grounds upon which the United Kingdom patent might be revoked under the law for the time being in force in the United Kingdom. Such grounds shall be deemed to include the manufacture use or sale of the invention in the Colony prior to the date of the patent in the United Kingdom, but not to include the manufacture use or sale of the invention in the Colony by some person or persons after the date of the patent in the United Kingdom and prior to the date of the issue of the certificate of registration under section 4 of this Ordinance.

9. Whenever the specification or drawings of a United Kingdom patent registered in the Colony have been amended by way of disclaimer, correction or explanation, according to the law of the United Kingdom, a request, accompanied by a copy of the specification and drawings (if any) as amended, duly certified by the Comptroller General of the
Cap. 58.] Registration of United Kingdom Patents.

United Kingdom Patent Office, may be made to the Registrar-General to substitute a copy of the specification and drawings as amended, for the specification and drawings originally filed.

10. Where a person becomes entitled by assignment, transmission, or other operation of law to privileges and rights conferred by a certificate of registration or to any interest therein, he may make application in the prescribed manner to the Registrar-General for the entry on the Register of such assignment, transmission, or other instrument affecting the title, or giving an interest therein.

11. The Registrar-General may make such general rules and do such things as he may think expedient, subject to the provisions of this Ordinance, for regulating procedure under this Ordinance.
CHAPTER 59.

REGISTRATION OF UNITED KINGDOM TRADE MARKS.

AN ORDINANCE TO PROVIDE FOR THE REGISTRATION IN THE COLONY OF TRADE MARKS REGISTERED IN THE UNITED KINGDOM.

[18th August, 1949.]

1. This Ordinance may be cited as the Registration of United Kingdom Trade Marks Ordinance.

2. In this Ordinance:

   "Court" means the Supreme Court of the Colony.

   "Registrar" means the person from time to time performing the duties of Registrar-General.

   "Register" means the register kept by the Registrar-General in pursuance of section 14 of this Ordinance.

3. Any person being the registered proprietor of a trade mark in the United Kingdom by virtue of an entry in the register of trade marks kept under the Trade Marks Act, 1938, or any Act amending or substituted for that Act, or any person deriving title from such registered proprietor by assignment or other mode of transfer, may apply at any time during the existence of the registration in the United Kingdom to have such trade mark registered in the Colony in respect of some or all of the goods comprised in the United Kingdom registration.

4. An application for registration of a trade mark under this Ordinance shall be made to the Registrar and accompanied by a certified representation of the trade mark and a certificate of the Comptroller-General of the United Kingdom Patent Office (under his title of Registrar of Trade Marks in Colony of Trade Marks registered in the United Kingdom.

[Note. This Ordinance is declared to be in force in the Dependencies by the Application of Colony Laws Ordinance, Cap. 1 (D.S.).]
Marks) giving full particulars of the registration of the trade mark in the United Kingdom.

5. Upon such application being lodged together with the documents mentioned in section 4 of this Ordinance, the Registrar shall enter the prescribed particulars in the Register, and shall issue a certificate of registration to the applicant, who shall then be the registered proprietor in the Colony of the trade mark in respect of the goods entered in the register.

6. Subject to the provisions of this Ordinance, a registered proprietor shall have in the Colony such privileges and rights in the use of the trade mark in respect of the goods entered in the Register as mutatis mutandis would be conferred on him by the law for the time being in force in the United Kingdom.

7. The privileges and rights conferred by section 6 of this Ordinance shall date from the date of registration in the United Kingdom and shall continue in force, subject to the provisions of section 15 of this Ordinance, for so long as the registration in the United Kingdom remains in force in respect of the goods for which the trade mark is registered in the Colony:

Provided that no action for infringement of the trade mark shall be entertained in respect of any use of the trade mark prior to the date of issue of the certificate of registration in the Colony.

8. Nothing in this Ordinance shall be deemed to affect any right of action against any person for passing off goods as those of another person or any remedy in respect thereof.

9. The Court shall have power, upon the application of any person who alleges that his interests have been prejudicially affected by the issue of a certificate of registration, to declare on any of the grounds mutatis mutandis on which the United Kingdom registration might be cancelled under the law for the time being in force in the United Kingdom that the exclusive privileges and rights have not been acquired.
10. Subject to the provisions of this Ordinance, where a person becomes entitled by assignment or other mode of transfer to the privileges and rights conferred on a registered proprietor by this Ordinance, the Registrar shall, on application being made in the prescribed manner, and on proof of title to his satisfaction, cause such person to be entered in the register as subsequent registered proprietor of the trade mark.

11. Any person entered in the United Kingdom Register of Trade Marks under section 28 of the Trade Marks Act, 1938, as a registered user in respect of any goods of a trade mark in respect of which a certificate of registration under this Ordinance is in force may apply to be registered in the Colony as a registered user of the mark in respect of some or all of such goods, subject to any conditions or restrictions entered in the United Kingdom Register.

12. Upon such application being lodged, together with a certificate of the United Kingdom Registrar of Trade Marks giving full particulars of the entry in the United Kingdom Register under the said section 28, the Registrar shall cause the applicant to be entered in the register of the Colony as a registered user of the trade mark, and on such entry the registered user shall be entitled in the Colony, subject to the aforesaid conditions and restrictions, to such privileges and rights in respect of the goods for which he is entered as mutatis mutandis would be conferred on him by the law for the time being in force in the United Kingdom.

13. The Registrar may make such rules and do such things as he may think expedient, subject to the provisions of this Ordinance, for regulating procedure under this Ordinance, and prescribing fees to be paid in respect of proceedings under this Ordinance, and generally for prescribing anything which by this Ordinance is to be prescribed.

14. The Registrar shall keep a register of all applications lodged and certificates of registration issued under this Ordinance and of all additions or alterations thereto and such register shall be open at any reasonable time for public inspection in the office of the Registrar.
15. If the registration in the United Kingdom of a trade mark registered under this Ordinance is renewed, the registered proprietor may, within such time after the date of renewal in the United Kingdom as may be prescribed, notify the Registrar, who shall then on sufficient evidence thereof and on payment of the prescribed fee, renew the registration in the Register in the prescribed manner. If the registration in the Register is not so renewed it shall be cancelled by the Registrar.

16. The Registrar may, on request in writing, made by the registered proprietor, and on payment of the prescribed fee—

(1) cancel the registration of a trade mark or of a registered user thereunder either wholly or as regards any particular goods in respect of which the trade mark or the registered user is registered;

(2) correct any clerical error in or in connection with any application under this Ordinance or in any matter which is entered in the Register;

(3) enter in the Register any change in the name, description or address of the person who is registered as proprietor or user of a trade mark.
CHAPTER 62.

SEAL FISHERY.

AN ORDINANCE TO CONSOLIDATE AND AMEND THE LAWS 8 of 1921.
RELATING TO SEAL FISHERY.

[23rd December, 1921.]

1. This Ordinance may be cited as the Seal Fishery Ordinance.

2. In this Ordinance unless the context otherwise requires:—

"Seal" means the fur seal, the hair seal, the sea otter, the sea elephant, the sea leopard, the sea bear, the sea lion, the sea dog and any animal of the seal kind.

"Skin" means the skin of any seal.

"Seal reserve" means any portion of land or water within the limits of the Colony set apart by the Governor in Council for the breeding of seals.

3. Every commissioned officer of any of His Majesty's ships on full pay, and every officer in the employ of the Government authorised in that behalf by the Governor shall be seal fishery officers to enforce the provisions of this Ordinance.

4. No person shall kill, take or hunt, or attempt to kill or take any seal in the Colony or the Colonial waters thereof, unless he shall first have been duly licensed.

5. (1) Such officer as the Governor may appoint for the purpose may grant licences to take seals in the Colony and the Colonial waters thereof to such persons as may apply for them, for such periods and on such terms and conditions as may be approved by the Governor.

[Note. This Ordinance is declared to be in force in the Dependencies by the Application of Colony Laws Ordinance, Cap. I (D.S.).]
(2) In the case of the breach by the holder of a licence of any of the provisions of this Ordinance or of the regulations made thereunder, or of any of the conditions under which such licence may have been granted, the Governor may, by notice in writing, summarily revoke such licence, and thereupon all rights conferred thereby or enjoyed thereunder shall cease as from the date mentioned in such notice.

6. (1) The Governor in Council may make regulations for carrying out the provisions of this Ordinance and the intent and object thereof.

(2) Any person guilty of an offence against any provision of the regulations made under this section shall be liable to a fine not exceeding Twenty-five Pounds.

7. The Governor in Council may declare, by notification in the Gazette, any Crown land or Colonial waters, or with the consent of the owner or lessee, any private land, to be a seal reserve, and, by notification in the Gazette, revoke and declare to be no longer in force any such notification as aforesaid.

8. Any owner or master or other person in charge of any vessel who shall permit such vessel, or any boat or canoe belonging to such vessel, to be employed in killing or taking seals in the Colony or the Colonial waters thereof without a licence under this Ordinance, or contrary to the terms of or beyond the limits specified in any licence granted to him under this Ordinance, shall forfeit any seals so killed or taken and any seals, seal-oil or skins found in his possession, and in addition thereto shall be liable to a penalty not exceeding Three Hundred Pounds and to imprisonment with hard labour for a period not exceeding twelve months for each offence.

9. Any person who:—

(a) Kills, takes or hunts, or attempts to kill or take, any seal in the Colony or the Colonial waters thereof without a licence under this Ordinance, or contrary to the terms of, or beyond the limits specified in, any licence granted to him under this Ordinance;

(b) Has in his possession, or in any vessel under his command, any seal, seal-oil, or skins, for the lawful possession of which he cannot account satisfactorily,
shall commit an offence, and shall be liable on conviction to a fine not exceeding One Hundred Pounds and to imprisonment with hard labour for a period not exceeding six months for each such offence, and to forfeit any seals, seal-oil, or skins found in his possession.

10. A seal fishery officer may, with respect to any vessel found within the limits of the territorial waters of the Colony engaged or believed to be engaged or concerned in seal fishing—

(1) go on board at any time;

(2) require the owner, master, or crew, or any of them to produce any certificates of registry, licences, official log books, official papers, articles of agreement, muster rolls, and other documents relating to the vessel, which are in their respective possession or control on board the vessel and may take copies thereof or of any part thereof;

(3) muster the crew of the vessel;

(4) require the master to appear and to give any explanation concerning his vessel and the said certificates of registry, official log books, official papers, articles of agreement, muster rolls and other documents or any of them:

(5) make any examination or inquiry which he deems necessary to ascertain whether any contravention of the provisions of this Ordinance or of any regulation as aforesaid has been committed;

(6) when any person appears to him to have committed any such contravention, without summons, warrant or other process, take both the offender and the vessel to which he belongs and the crew thereof to a port of entry in the Colony or its Dependencies, as defined by the Customs Ordinance, and bring him or them before a court and detain him, it and them in the port until the alleged contravention has been adjudicated upon, or until the master of the said vessel has given security to be approved by the Judge or a magistrate to abide the event of any action, suit, or other legal proceeding that may be
instituted in respect of such vessel or of any person belonging thereto, and to pay all penalties, costs and damages. In any legal proceeding under this subsection the person giving security may be deemed to be the owner of the detained vessel.

11. No seal fishery officer shall be liable for any costs or damages in respect of any vessel detained under this Ordinance unless the detention is proved to have been made without reasonable grounds.

12. If any vessel found in the waters of the Colony and suspected by a seal fishery officer to be engaged or concerned in seal fishing, shall not bring to upon signal made by any ship or boat in His Majesty's service or in the service of the Government by hoisting the proper pendant or ensign, whereupon chase shall be given, and any person on board such vessel shall, during chase or before such vessel shall bring to, throw overboard any part of her lading, such vessel shall be forfeited.

13. If any vessel liable to seizure or examination under this Ordinance shall not bring to when required to do so, the master of such vessel shall forfeit the sum of Fifty Pounds; and on such vessel being chased by any vessel in His Majesty's Navy, or duly employed for enforcing the provisions of this Ordinance, having a proper pendant or ensign hoisted, it shall be lawful for the captain, master or other person having the charge or command of such vessel in His Majesty's Navy, or employed as aforesaid (first causing a gun to be fired as a signal), to fire at or into such vessel, and such captain, master, or other person acting in his aid or by his direction shall be and is hereby indemnified and discharged from any indictment, penalty, action, or other proceeding for so doing.

14. The Governor may cause an armed guard to be stationed at or in the vicinity of any Seal Reserve for the purpose of the further enforcement of the provisions of this Ordinance and may prescribe by order under his hand the manner in which such guard shall perform their duties.
15. Any person who refuses or neglects to comply with any requisition or direction lawfully made or given by, or to answer any question lawfully asked by any seal fishery officer or armed guard shall be liable on summary conviction to a fine not exceeding One Hundred Pounds and to imprisonment with hard labour for a period not exceeding six months.

16. (1) A seal fishery officer or an armed guard may arrest, detain if necessary by force, and bring before a court, any person committing or appearing to be about to commit, an offence against the provisions of this Ordinance, or any regulation made thereunder.

(2) If any person is killed, maimed or hurt by reason of his resisting a seal fishery officer or an armed guard in the execution of his duties under this Ordinance, neither the seal fishery officer nor the armed guard shall be liable to any punishment or to pay any damages by reason of the person being so killed, maimed or hurt.

17. Any person who shall maliciously shoot at any vessel or boat belonging to His Majesty's Navy, or in the service of the Government, or shall maliciously shoot at, maim, or wound any officer of the Navy or Government being duly employed in the prevention of offences against this Ordinance, or any person acting in his aid or assistance in the execution of his office or duty, and every person aiding, abetting or assisting him therein, shall, upon conviction, be guilty of felony and shall be liable to be imprisoned with hard labour for a period not exceeding three years.

18. Offences under this Ordinance, or under any regulation made thereunder, may be prosecuted, and penalties and forfeitures under this Ordinance, or any regulations thereunder, may be recovered before a court of summary jurisdiction, or by action in the Supreme Court of the Colony, together with full costs of suit:

Provided that any penalty imposed by a court of summary jurisdiction shall not exceed One Hundred Pounds, exclusive of costs, and imprisonment for a period not exceeding six months.
19. For all purposes of and incidental to the trial of any person, accused of any offence under this Ordinance, and the proceedings, and to the jurisdiction of any Court, the offence shall be deemed to have been committed either in the place in which it was actually committed, or in any place in which the offender may for the time being be found.

20. Any penalty adjudged under this Ordinance to be paid by the owner or master, or other person in charge of a vessel may be recovered in the ordinary way, or, if the Court thinks fit, by distress or arrest and sale of the vessel to which the offender belongs, and her tackle, apparel, and furniture, and any property on board thereof or belonging thereto, or any part thereof.

21. The Governor may authorise in writing any person to kill or take, for a scientific or any other special purpose, any seal in the Colony or Colonial waters thereof, and in so doing the person so authorised shall be exempt from any penalties and forfeitures under this Ordinance.
CHAPTER 63.

SEDITIOUS OFFENCES.

AN ORDINANCE TO MAKE PROVISION FOR PENALTIES FOR SEDITIOUS OFFENCES.

[4th June, 1938.]

1. This Ordinance may be cited as the Seditious Offences Ordinance. Short title.

2. "Publication" includes all written or printed matter and everything, whether of a nature similar to written or printed matter or not, containing any visible representation, or by its form, or shape, or in any manner capable of suggesting words or ideas, and every copy and reproduction of any publication. Definitions.

"Seditious publication" means a publication having a seditious intention.

"Seditious words" means words having a seditious intention.

"Import" includes—

(a) to bring into the Colony, and

(b) to bring within the inland waters of the Colony whether or not the publication is brought ashore, and whether or not there is an intention to bring the same ashore.

3. (1) A "seditious intention" is an intention— Seditious intention.

(i) to bring into hatred or contempt or to excite disaffection against the person of His Majesty, his heirs or successors, or the Government of the Colony as by law established; or

(ii) to excite His Majesty's subjects or inhabitants of the Colony to attempt to procure the alteration, otherwise than by lawful means, of any matter in the Colony as by law established; or

[Note. This Ordinance is declared to be in force in the Dependencies by the Application of Colony Laws Ordinance, Cap. 1 (D.S.).]
(iii) to bring into hatred or contempt or to excite disaffection against administration of justice in the Colony; or
(iv) to raise discontent or disaffection amongst His Majesty's subjects or inhabitants of the Colony; or
(v) to promote feelings of ill-will and hostility between different classes of the population of the Colony.

But an act, speech or publication is not seditious by reason only that it intends—

(a) to show that His Majesty has been misled or mistaken in any of his measures; or
(b) to point out errors or defects in the government or constitution of the Colony as by law established or in legislation or in the administration of justice with a view to the remedying of such errors or defects; or
(c) to persuade His Majesty's subjects or inhabitants of the Colony to attempt to procure by lawful means the alteration of any matter in the Colony as by law established; or
(d) to point out, with a view to their removal, any matters which are producing or have a tendency to produce feelings of ill-will and enmity between different classes of the population of the Colony.

(2) In determining whether the intention with which any act was done, any words were spoken, or any document was published, was or was not seditious, every person shall be deemed to intend the consequences which would naturally follow from his conduct at the time and under the circumstances in which he so conducted himself.

4. (1) Any person who—

(a) does or attempts to do, or makes any preparation to do, or conspires with any person to do, any act with a seditious intention;
(b) utters any seditious words;
(c) prints, publishes, sells, offers for sale, distributes or reproduces any seditious publication;
(d) imports any seditious publication, unless he has no reason to believe that it is seditious.
shall be guilty of an offence and liable for a first offence to imprisonment for two years or to a fine not exceeding £100 or to both such imprisonment and fine, and for a subsequent offence to imprisonment for three years; and any seditious publication shall be forfeited to His Majesty.

(2) Any person who without lawful excuse has in his possession any seditious publication shall be guilty of an offence and liable for a first offence to imprisonment for one year or to a fine not exceeding £50 or to both such imprisonment and fine and for a subsequent offence to imprisonment for two years; and such publication shall be forfeited to His Majesty.

5. (1) No prosecution for an offence under section 4 shall be begun except within six months after the offence is committed. Legal proceedings.

(2) A person shall not be prosecuted for an offence under section 4 without the written consent of the officer acting as legal adviser to the Governor. 14 of 1949.

6. No person shall be convicted of an offence under section 4 on the uncorroborated testimony of one witness. Evidence.
CHAPTER 64.
SHIPWORKERS' PROTECTION.

10 of 1937. AN ORDINANCE TO GIVE EFFECT TO THE INTERNATIONAL LABOUR CONVENTION CONCERNING THE PROTECTION AGAINST ACCIDENTS OF WORKERS EMPLOYED IN LOADING OR UNLOADING SHIPS.

[20th November, 1937.]

1. This Ordinance may be cited as the Shipworkers' Protection Ordinance.

2. The Governor in Council may make regulations for the protection against accidents of workers employed in loading, unloading, moving and handling goods in, on, or at any dock, wharf or jetty, or in loading, unloading, or coaling any ship in any dock or harbour.

3. If any person acts in contravention of, or fails to comply with, any regulation under this Ordinance, he shall be liable for each offence to a penalty not exceeding ten pounds and, in the case of a continuing offence, to a penalty not exceeding two pounds for every day during which the offence continues after conviction therefor.

[Note. This Ordinance is declared to be in force in the Dependencies by the Application of Colony Laws Ordinance, Cap. 1 (D.S.).]
CHAPTER 66.

STAMP DUTY.

AN ORDINANCE TO PROVIDE FOR THE PAYMENT OF DUTY ON RECEIPTS.

[14th May, 1948.]

1. This Ordinance may be cited as the Stamp Duty Ordinance.

2. In this Ordinance:—

   “Receipt” means any note, memorandum, or writing whereby any money amounting to two pounds or upwards, or any bill of exchange or promissory note for money amounting to two pounds or upwards, is acknowledged or expressed to have been received or deposited or paid, or whereby any debt or demand, or any part of a debt or demand, of the amount of two pounds or upwards, is acknowledged to have been settled, satisfied, or discharged, or which signifies or imports any such acknowledgment and whether the same is or is not signed with the name of any person.

3. A duty of twopence shall be paid on each receipt. Such duty shall be denoted by an adhesive stamp or stamps being affixed to the receipt and cancelled by the person by whom the receipt is given before he delivers it out of his hands.

4. If any person:—
   (1) Gives a receipt not duly stamped; or
   (2) Refuses to give a receipt duly stamped; or
   (3) Upon a payment to the amount of two pounds or upwards gives a receipt for a sum not amounting to two pounds, or separates or divides the amount paid with intent to evade the duty;

he shall be liable to a fine not exceeding ten pounds.

[Note. This Ordinance is declared to be in force in the Dependencies by the Application of Colony Laws Ordinance, Cap. 1 (D.S.).]
5. The following shall be exempt from the operation of this Ordinance:

(a) Receipts given by the Government or an officer thereof acting within the scope of and in the course of his duties.

(b) Receipts given for or on account of any salary, pay or wages or for or on account of any like payment made for the benefit of any person in respect of his employment or for or on account of any pension or superannuation allowance.

(c) Receipts given in respect of any sums payable under the Workmen's Compensation Ordinance.