

Assented to in Her Majesty's name this 11th day of
May, 1959.

Arrowsmith

Governor.



No. 9



1959.

Colony of the Falkland Islands.

IN THE EIGHTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II.

EDWIN PORTER ARROWSMITH, C.M.G.,
Governor.

**An Ordinance
To amend the Defence Force Ordinance.**

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :— Enacting clause.

1. This Ordinance may be cited as the Defence Force (Amendment) Ordinance, 1959, and shall be read and construed as one with the Defence Force Ordinance, 1954, hereinafter referred to as the principal Ordinance. Short title.
5 of 1954.

2. Section 17 of the principal Ordinance is repealed. Repeal of section 17 of
the principal Ordinance.

3. (1) Section 25 of the principal Ordinance is repealed and the following section is substituted therefor — Amendment of section
25 of the principal
Ordinance.

“25 (1) Part II (except sections 49 to 52, section 61 and sections 135 to 137) and section 220, and sections 222 to 225 of the Army Act, 1955 (3 & 4 Eliz. II c. 18), shall apply to all members of the Force when —

- (a) attached to or otherwise acting as part of any of Her Majesty's regular forces ; or
- (b) called out for full time or part time active service with and subject to the adaptations and modifications set out in the Schedule hereto :

Provided that notwithstanding anything contained in the said Act, no sentence of a Court Martial on a member of the Force shall be executed until the findings and sentence have been confirmed by the Governor.

(2) Notwithstanding the provisions contained in the preceding subsection no member of the Force shall be liable to be punished for any offence both under the provisions of the said Act and under the provisions of this Ordinance.

Application of Part
IV of the Army Act,
1955.

(3) Nothing in this section contained shall be deemed to limit or derogate from the power given by section 207 of the said Act to the officer commanding Her Majesty's forces with which the Force is serving of making such adaptations, modifications, or exceptions as in the same section are referred to.

Commencement.

4. Part IV of the Army Act, 1955 (3 & 4 Eliz. II. c. 18) (except section 170) and the Fourth Schedule to the said Act shall be applied in the Colony, with and subject to the adaptations and modifications set out in the Schedule hereto.

5. This Ordinance shall come into force upon such date as shall be notified by the Governor by Proclamation in the Gazette.

SCHEDULE.

Reference to a person subject to military law shall be construed as including references to a member of the Force ; references to the regular forces shall be construed as including references to the Force ; references in sections 63, 70, 119, in subsections (2), (3) and (4) of section 127, in sections 132 and 143 and in Part IV to the United Kingdom or England shall be construed as including references to the Colony ; references in section 116 to Her Majesty, in section 132 to the Attorney-General, in section 159 to the Minister of Housing and Local Government, and in section 174 to the Secretary of State shall be construed as references to the Governor ; references to the chief officer of Police for any area shall be construed as references to the Chief Constable, references to a local Authority shall be construed as references to the Stanley Town Council ; references to vehicles shall be construed as including boats ; references in section 160 and in subparagraph (3) of paragraph 3 and in paragraph 7 of the Fourth Schedule to the Army Council shall be construed as references to the Colonial Treasurer ; references to a County Court shall be construed as references to a Magistrate ; and references to Parliament and each House of Parliament as references to the Legislative Council.

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


Clerk of the Legislative Council.

Ref. 0838/D/II.