

C.S.

SECRET

WAR/W2H/7#9

1939

No.

S/7/39

30

H. E. the Governor.

SUBJECT.

1943.

6th January.

EMERGENCY POWERS (DEFENCE) REGULATIONS, 1939.

Previous Paper.

S/7/39 (11)

(PART III.)

MINUTES.

1.

Minute from His Excellency the Governor of 6/1/43.

(2).

O-P.

7.1.43

A.F. said this morning that the firing of the 3.7's could be purely a black-out signal during the hours of darkness quite distinct from the general alarm.

2. I have discussed this with W. Evans. Should we maintain the gun signal after the arrival of the sirens? It occurs to me that if ever we had a yellow period the black-out might have to be imposed although an alarm might not be sounded. In these circumstances we might maintain the gun signal as a permanency signal as a black-out signal. A fortiori if an alarm was given at night time the black out would of course come on. The inception of a yellow period during day light would be followed by the gun signal at night fall.

3. The present alarm signal is 4 narrow in two pairs. The fire signal is 2 narrow. Perhaps the best black-out signal would be a series of 3 quick guns?

4. The present Order will be cancelled & another substituted dealing with the above & also empowering A.R. wardens & Police to enforce the

Subsequent Paper.

black out.

5. I should be grateful for your views.

K. Bradley,
C.S.
7/1/43

(3)

C.S.

One "sound" signal only, will be required & that will be to indicate either air raid, or bombardment from the sea.

No general alarm signal is necessary. Information covering every action, outside air attack or bombardment from sea, should in my view be broadcast over the local broadcast and, or, issued in bulletin form on public notice boards.

When the siren arrives I agree that the method of warning will be quite satisfactory.

I have been into the question of firing P.D.s since my interview with H.E., & have come to the conclusion that it would be undesirable to discharge the position of the guns so early. I think therefore that we shall have to make four narrow bands instead -

L. H. Hughes
Colonel.

10
1
43

(4)

H. C. P. Lt. Turner has spoken to me about this & seems to be a matter for the Controller of Civil Defence. He should draft the Order according to his requirements & send it to me to be put into legal form if necessary.

L.H. 13-1-43.

(25)

G.F.

I do not think we should introduce Compulsory treatment for P.D. here in present circumstances.

RB
19/6

No. *[Signature]* 13/VI/43

RB?

L.A.

to write p.l.

RB
14/6

H. B. J.

(27)

An interesting sign of the times -

Thank you

RB
L.A.

16-6-43.

H.C.S.,

I have read every word of 24A and its attachments. It is an amazing piece of interference with the liberty of the subject to have been effected merely by a Defence Regulation but this possibly is because it might not have got passed the Commons!

It is obviously designed for one purpose only: to preserve the health of the entire nation (not only of H.M. Forces) for the national war effort.

I believe that until comparatively recently the S.M.O. held the opinion that there was no venereal disease in the Colony but doubt if he thinks so now. However there is still not a great deal and, in my opinion, if we enacted a similar Defence Regulation here it might stop it altogether. In any case before the bill is put away do you not think we should have the opinions of the S.M.O., Force Commander, N.O.I.C. and of the Director of Civil Defence?

FILE 1

RB

L.A.

18.6.43.

(28)

Record. Discussed with H. R. It is considered that the political repercussions here would far outweigh any medical benefit. This is only a Defence Reg. After the war it will, presumably, either be rescinded or be embodied in a Statute. If the latter, that will be the basis for us to consider following suite RB 19/6.

p. a

Minute from Customs Officer of 11/8/43.
Circular Note from S.O.S. of 21. 4. 43.

29.
p.o.
30.

(31).

1. Shippingmaster.
2. C.C.D.

For your views as to whether we should take
action in any of the matters contained in

(30) & (30a).

KB
2/9.

A.S.S.

(32)

Red 30(a)

The local Defence Regulations 1939, section 34, give the Governor power to control the movements of ships registered in the colony, to decide what cargo etc. is to be carried in them, and to decide more or less just how they are to be used. Section 46 of the same regulations gives the Governor power to requisition such ships as and when he considers it necessary. I can, however, find no regulations giving powers to control crews.

The position, therefore, is that, on requisitioning a ship in an emergency, the Government is liable to find itself without a crew to man it, and with no powers by which it can obtain one.

In these circumstances I am of the opinion that an addition to the Defence Regulations 1939, on the lines laid down in para 2 of red 30(a) is desirable.

If this is done, the procedure laid down in para. 47 AD of red 30 will be unnecessary. In any case, I do not think that it would work successfully here.

A.S.S. Master.
6.9.43.

C.C.D.

To you, as instructed.

A.S.S. Master,
6.9.43. (33)

A.S.S.

The protection to fire-fighters afforded by The Defence (Fire Brigades) Regulations 1941 clause 3 might be usefully embodied in our Regs. if it. There is no need to legislate here on the grounds of clause 4 of these regulations.

KB
8/9/43

(5)

C.C.D.,

Very well. Please treat as urgent and give your draft to the L.A. direct.

K.B. 13. 1.

(6)

H.C.S.,

Draft submitted to L.A.

T. D. E.

C.C.D. 14. 1. 43.

7. Order Regulating the display of lights of 15. 1. 43.

(8)

H.E.,

Order at submitted for signature. L.A. advises that wardens and police have full powers to enforce the blackout under the Defence Regulations. If Y.E., signs this today I will broadcast this evening.

K. B. 15/1.

9. Order, No. 1 of 1943 of 15. 1. 43.

10. Despatch, No. 15 to S. of S. of 23. 2. 43.

11. Minute to Registrar-General of 23. 2. 43.

12. S. of S. circular Note of 10. 11. 42.

(13)

L.A.
Go withdraw enclosures, pl.

L.A. files.
30/3/43.

H. S. S.

(14)

Thank you.

30/3/43.

Z.A.

15. S. of S. Saving telegram No. 2 of 13. 1. 43.

16. Circ. Telegram Saving of 18/1/43.

17. _____ 21/1/43.

(18)

L.A.

(16)-(16B) for your advice please as to whether we should make any similar amendments.

(17) no action necessary?

MB

17/4

H. S. S.

16-168.

This is a matter for executive decision but personally I consider it quite unnecessary to amend our Regs.

Para. 5 of Reg 16 points out that power to members of the Allied Forces should only be given "in so far as such needs arose". Any need is most unlikely to arise here but if at any time it seemed likely to arise, the matter could be given further consideration.

Reg 16^o withdrawn - Thank you.

17 Yes.

17-4-43.

P.B.
L.A.

(20)

A.C.S.

I agree with L.A. i.e. this M/P. in the event of any likelihood arising of allied military or naval forces coming here.

RB
19/4

S.O.S. Circular of 13th March, 1943.

(21)

(22)

L.A.

Go see (21), pt. You may wish to withdraw

(21A)?

A.C.S.
29/5/43.

H. S. S.

Seen - thank you. I have a copy

of 21^o.

P.B.
L.A.

29-V-43.

S.O.S. Circular Note of 17th February, 1943.

(24)

L.A.

10 note and withdraw copies, pt.

S.S.
for C.S.
12/6/43.

(34)

L.A.

1. We are instructed to make a regulation in para 2 of (30f), referred to by C.A. in (32). I should be grateful if this could be drafted.
2. The protection desired by the C.C.D. in (33) is already given, I think, in S 54 of the Defence Regulations (P160) 1939.
3. Please withdraw any papers you require for your records.

NB
9/9

35.

H.C.S.

Re. 34. (1) ~~There is~~

(2) Yes.

(3) I have extracted Part 30E.-

Thank you

P.B.
L.A.

21-9-43.

36. Order by the Governor requiring performance of services in Ships No. 7 of 21/9/43.
(37)

G.R.

I submit for signature Order made as ~~requested~~ requested by the S.O. in para 2. of (30f).

NB
20/9

38. Circular telegram saving from S.O.S. of 5/8/43.

39. " Note from S.O.S. of 24/8/43.

L.A.

(40)

NB
27/10/43

H.C.S.

(41)

Seen that you - no action necessary.

11-10/43.

P.B.
L.A.

12

Circular Note from S. of S. of 23. 8. 43. 42.

Circular Despatch from S. of S. of 24. 8. 43. 43.

(44).

L.O.C. 7.1.D.7.

In view of the closing of certain roads & roads by barbed-wire at certain times, you may think it advisable to consult L.A. & submit a draft Defence Order, on the lines of that wanted in (42 A).

Please pass this M.P., after action, to Shipping Master of G.A. on (43).

KB.

23.10.43

(45)

Innovate Colonial Secretary.

I have discussed this point with L.A. & I am both agreed that no action is necessary here.

W. O.C. F. I. D. F.

30. 8. 43

Shipping Master.

(46)

To you accordingly please

W. O.C. F. I. D. F.

30. 8. 43.

H. B. S.

(47)

I suggest that 47A be incorporated in the Defence Regulations with the following variation :-

Substitution of the words "Colony" for the words "United Kingdom" in line 4.

The term "superintendent" as used in the M.S.A. 1894 includes the Shipping Master of a British Possession; no amendment of this term, therefore, is needed.

The competent Authority for the purposes of the regulation will be, I presume, the Governor.

W. O.C. F. I. D. F.

1.11.43.

(48).

L.A. Could the draft be prepared pl. "Competent Auth" would be the C.S.

KB.

2.11.43

H.O.S.

I have discussed this with the Shipping Master. It seems that he wrote Black 47 under the impression that para 4 of Red 43 was instructions from the S.O.S. which must be obeyed. As it is not, the S.M. now agrees with me that no action is necessary in that it is almost inconceivable that necessity for a similar local regulation could arise here.

RB.

RB.

50. Minute to Registrar - General of 22/11/43.

L.A. 9.11.43

51. Despatch, No. 58 to S.O.S. of 22.11.43.

(52)

H.C.P. W.r.t. (49) above :-

I do not think the envisaged offence would take place but I do know that there is quite a likelihood of an opportunity to arise in the near future. Let us be prepared rather than be forced to resort to re-educative legislation.

RB. 24/11/43

L.A. RB. (53)
28.11.43

H.C.P. (54)

Withdrawn.

(55)

3-41-43.

RB.
L.A.

(56)
4.E. RB.
3.12.43.

57. Circular Note from S.O.S. of 1.10.43.

L.A. (58)
To withdraw (57a) pl.

RB.
4/12/43.

H.C.P.

(59)

Withdrawn - Thank you.

9-411-43.

RB.
L.A.

Memorandum to Registrar General of 8. 2. 44. 60.
 Despatch, No. 11 to S. of S. of 9. 2. 44. 61.
 Unnumbered Circular Telegram from S. of S. of 11. 2. 44. 62.
 (63).

Shipping master
 for advice in consultation with L.A. please.
 KB 15-2-44.

(64)

L.A.

Further to our discussion of Red 62, I attach a draft order embodying the provisions of the U.K. Regulation 47(a) para. 6. The question of revision does not arise, as the original regulation was not included in our Defence Regulations. (65)

The instructions only mention para. 6., but I have included paras. 7 & 8. as they are essential to the sense of the order.

After perusal with you please pass the paper to the C.S.

W.L.S. /master,
 18. 2. 44.

(66)

H. S. J.

I agree with the 5/17 the draft order is in order.

P.B.
 L.A.

24-2-44.

(67)

Y.E. This Order is amended by S. of S. in (62).

KB
 13/3/44.

Telegram No 75 to Secretary of State of 9. 3. 44. 68.

Circular Note from S. of S. of 30. 11. 43. 69.

(40)

R.A. To withdraw enclosures to (69) pl.

W.L.S.
 24/3/44.

H. S. J.

(71)

With drawn - Thank you

P.B.
 L.A.

27-3-44.

- 72. Despatch, No. 29 to S. of S. of 3. 5. 44.
- 73. Minute to Registrar General of 6/5/44.
- 74. Circular telegram saving from S of S. 18. 5. 44.

L.A.

No action seems necessary in (74). If 9 similar amendments might stay on the file now?

(75)

K.B. 19/7/44

H. C. P.

G.P.

C.B. L.A.

25/7/44.

- 77. Circular telegram saving from S. of S. of 25/8/44.

~~Circular telegram saving from S. of S. of 14. 5. 44.~~

- 78. Circ. Tel. sav. from S. of S. of 4. 7. 45

- 79. " note " " " 6. 7. 45

(80)

Y.F.

You wished to see (78). u.a.u.

K.B.

25.9.45

- 81. Circ. Savingsgram (3) from S. of S. of 6. 12. 45.

(82)

S/Master

to see (81) pl.

K.B. 1/3/46

H.C.P.

(83)

Part II of the Merchant Shipping (Safety & Load Lines Conventions) Act 1932 does not apply in the colony, so that no action can be taken. I know of no local legislation covering the point. I suggest, however, that the question of the desirability of applying this and other shipping legislation (for instance, the rules governing "passenger ships") mutatis mutandis in the colony should be brought

up for consideration.

I attach an interesting letter on the subject, received from the Board of Trade.

Mb. Master.
4.7.46.

(84)

S/Master
H.C. has seen your (83). Your file returned, pl.

H.C.S. (85)
I'm, thank you.

Mb. Master.
5/3/46.

Mb. Master.
5.3.46.

circ. Note from S. of S. of 20. 1. 46 86.

" " " " " 21. 2. 46 87.

" " " " " 25. 4. 46 88.

circ. tel. saving from S of S of 4. 1. 47 89.

S/Master. 90.
D. y.o. on (89), R.

for CS.
28/3/47.

(91)

H.C.S.

Red. 39. As far as I am able to ascertain, the position is as follows:-

- Regulation 47A. Repealed 4/11/46 - See C/1/44 Red (116).
- do- 47AA. Repealed " " " " " also reids. 25-27
- do- 47AAA. Apparently no action taken - See page 5 of Red 24a/this file.
- do- 47AB. Repealed 4/11/46 - See C/1/44 red (116).
- do- 47AC. ~~Reds 36 & 55 this file refers. These two orders have yet to be rescinded?~~ Repealed C/1/44 Red 116.
- do- 47AF. No reference traceable.

~~With the exception of the two orders made with reference to 47AC, No action would appear necessary?~~

Mb. Master.
5/11.29.3.47.

5/11/47

92. Lavington No. 3. to S. of S. of 2. 4. 47.

79
Lavington
15-4

From His Excellency the Governor

to the Honourable the Colonial Secretary.

I have discussed this morning with the
Commander F. Is. Face the question of the
"black-out." We agree that this can to
a certain extent be dispensed with but on
the very clear understanding that all lights
must be extinguished on the sounding of
the alarm. (This will be very good when our
ships arrive).

There are two possible approaches from
the air - from the sea & from the mainland.
The former by its nature would be either at
dusk or dawn or daylight. In such cases
lighting would make little difference.

From the mainland we should have
a warning given about 25 miles ^{say 8 miles at most} away -
this should suffice if the warning is heard &
the people immediately put out their lights. They
could always keep one room blacked-out in
case of this emergency.

The main question is the nature of
alarm with the ^{arrive} ships & Col. Hyman suggests
the firing of two 3.7's.

Once you have settled this point, then
please broadcast the cancellation of the G.O. notice
& explain, etc. etc.

6/11

57/89 (11)

7

(c) for country to which payment agreement apply by sterling transfer to special account.

(d) for other countries, by ordinary sterling transfer.

5. No payment of capital nature to any non-resident should be approved without referring to me and no non-resident should be permitted to sell securities locally. Enforcement of these restrictions is regarded as very important. Special arrangements will be applied to French francs area but application should in all cases be referred to me. The list of purposes for which E. 1 transfer may be approved by an appointed bank as detailed in U.K. notice to bankers of January 8th applies to all sterling transfer including those to special account, but subsection 8 paragraph 3 is now cancelled. Other current transfers which you now approve by reference to table sent you with my despatch of ~~January~~ ^{November 14} 1939 last also stands as regards income and recurring payments.

Red 134
part I.

Secret Circular November 14 1939

not yet received

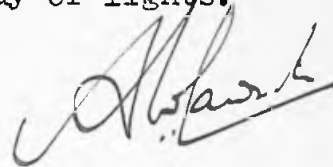
6. Copy of documents and forms issued in U.K. for above purposes/by Bank of England to local control. You should adopt suitable local form in due course for transfers to special account.

SECRETARY OF STATE.

FALKLAND ISLANDS DEFENCE REGULATIONS.

Order regulating the display of lights.

Order, No. 1 of 1943.



Governor.

In exercise of the powers in him vested by the Falkland Islands Defence Regulations, 1939, His Excellency the Governor is pleased to order and it is hereby ordered as follows :-

1. Notification of a period of black-out shall be the sounding of the general alarm or such other means as the Governor may from time to time determine.

2. After notification; between sunset and sunrise no artificial light shall be allowed to show from the exterior or interior of any premises in Stanley or from any vessel in Port Stanley or Port William and all lights on vehicles and hand torches must be adequately dimmed.

3. the Order regarding the display of lights made on the 9th day of December, 1941, is cancelled.

Dated this 15th day of January, 1943.

By Command,

Kenneth Bradley
Colonial Secretary.

M.P. No. S/7/39.



Falkland Islands Defence Regulations.

Order regulating the display of lights.

(Sgd.) A. W. CARDINALL

Governor.

No. 1 of 1943.

In exercise of the powers in him vested by the Falkland Islands Defence Regulations, 1939, His Excellency the Governor is pleased to order and it is hereby ordered as follows:—

1. Notification of a period of black-out shall be the sounding of the general alarm or such other means as the Governor may from time to time determine.
2. After notification : between sunset and sunrise no artificial light shall be allowed to show from the exterior or interior of any premises in Stanley or from any vessel in Port Stanley or Port William and all lights on vehicles and hand torches must be adequately dimmed.
3. The Order regarding the display of lights made on the 9th day of December, 1941, is cancelled.

Dated this 15th day of January, 1943.

By Command,

K. G BRADLEY

Colonial Secretary.

FALKLAND ISLANDS.

No. 15.

GOVERNMENT HOUSE,

STANLEY,

23rd February, 1945.

Sir,

I have the honour to forward herewith six copies of Order, No. 1 of 1943, made under the Falkland Islands Defence Regulations, 1939, regulating the display of lights.

I have the honour to be,

Sir,

Your most obedient,
humble servant,

(Sgd.) A. W. CARDINALL

THE RIGHT HONOURABLE

O. F. G. STANLEY, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES.

No. 8/7/39.

(It is requested that, in any reference to this minute, the above Number and the date may be quoted.)

MINUTE.

(11)

23rd February, 1943.

From

The Colonial Secretary,

Stanley, Falkland Islands.

To The Registrar-General,

STANLEY.

I have the honour to forward herewith, for insertion in the files of the Registrar-General, an authenticated copy of Order, No. 1 of 1943, dated the 15th of January, 1943, regulating the display of lights.

K. G BRADLEY
Colonial Secretary.

No.

(It is requested that, in any reference to this minute, the above Number and the date may be quoted.)

MINUTE.

(29)

11th. August, 1943.

From

To Hon. Colonial Secretary,

Customs Officer.

Stanley.

Stanley, Falkland Islands.

See Red 26 in
5/7/39 Pt. II

During examination this morning of baggage of passengers leaving the Colony, the following articles were found in the baggage of a naval rating named Black:-

Three letters from other naval ratings - two addressed to people in Uruguay. One letter from an O.R. of the R.A.M.C. One package from a Mrs. Duncombe, containing apparel and seent, and addressed to a woman in Glasgow.

The letters have been handed to the N.O.i/c, and the relevant military authorities have been notified. The parcel is being held by me, pending questioning of the sender.



Customs Officer.

ORDER BY THE GOVERNOR REQUIRING PERFORMANCE OF SERVICES IN SHIPS.

Order No. 7 of 1943.

[Signature]
Governor.

Under the authority of the Emergency Powers (Defence) Act of the United Kingdom, 1939, His Excellency the Governor is pleased to order and it is hereby ordered as follows.

1. After Regulation 33A of the Defence Regulations, 1939, there shall be inserted the following Regulation :-

33AB.-(1) The Governor or any person authorised by him to act under this Regulation may direct any British subject or British protected person in the Colony to perform such services in any British ship, not being a Dominion ship, as may be specified by or described in the direction, being services which that person is, in the opinion of the Governor or person authorised as aforesaid, capable of performing. Power to require performance of services in ships.

(2) Any such direction shall, except so far as the contrary intention appears therefrom, continue in force until the direction is varied by a subsequent direction or withdrawn by the Governor or a person authorised as aforesaid.

(3) Any services required by a direction given under this Regulation to be performed shall be performed on such terms as to remuneration and conditions of service as the Governor or a person authorised as aforesaid may, in accordance with the provisions of this Regulation, direct:

Provided that in determining the terms upon which any such services are to be performed regard shall be had to any rates of salary, fees or wages for the performance of those services which appear to be usual, and in particular to any determination of the National Maritime Board of the United Kingdom relating to the remuneration and conditions of service of persons employed in the capacity in which the person to whom the direction relates is to serve.

(4) Section two hundred and forty of the Merchant Shipping Act, 1894, shall have effect as if there were included among the matters to be entered in the official log-book the following matters, so far as they are known to the master of the ship:-

(a) the name of every person to whom a direction has been given under this Regulation to perform services as a member of the crew of that ship;

(b)/

(b) the date on which and the place at which he joined the ship, or, if he failed to join the ship, the circumstances of his failure;

(c) if he fails in any other respect to ~~which~~ comply with the direction, particulars of his failure.

(5) No British subject or British protected person who has been the master or a member of the crew of any ship at any time since the twenty-eighth day of April, nineteen hundred and forty-one, shall, except with the consent of the Governor or person authorised to act under this Regulation, accept any employment (other than an employment under a contract in operation at the date of this Regulation) except as the master or a member of the crew of a British ship.

Dated this 21st day of September, 1943.

By Command,

Herbert Bradley
Colonial Secretary.

M.P. No. S/7/39.

Enforcing agreements to join

Order by the Governor requiring performance of services in ships. *abroad*

(Sgd.) A. W. CARDINALL

No. 7 of 1943.

Governor.

Under the authority of the Emergency Powers (Defence) Act of the United Kingdom, 1939, His Excellency the Governor is pleased to order and it is hereby ordered as follows :-

1. After Regulation 33A of the Defence Regulations, 1939, there shall be inserted the following Regulation :-

33AB. (1) The Governor or any person authorised by him to act under this Regulation may direct any British subject or British protected person in the Colony to perform such services in any British ship, not being a Dominion ship, as may be specified by or described in the direction, being services which that person is, in the opinion of the Governor or person authorised as aforesaid, capable of performing.

Power to require performance of services in ships.

(2) Any such direction shall, except so far as the contrary intention appears therefrom, continue in force until the direction is varied by a subsequent direction or withdrawn by the Governor or a person authorised as aforesaid.

(3) Any services required by a direction given under this Regulation to be performed shall be performed on such terms as to remuneration and conditions of service as the Governor or a person authorised as aforesaid may, in accordance with the provisions of this Regulation, direct :

Provided that in determining the terms upon which any such services are to be performed regard shall be had to any rates of salary, fees or wages for the performance of those services which appear to be usual, and in particular to any determination of the National Maritime Board of the United Kingdom relating to the remuneration and conditions of service of persons employed in the capacity in which the person to whom the direction relates is to serve.

(4) Section two hundred and forty of the Merchant Shipping Act, 1894, shall have effect as if there were included among the matters to be entered in the official log book the following matters, so far as they are known to the master of the ship :-

(a) the name of every person to whom a direction has been given under this Regulation to perform services as a member of the crew of that ship;

(b) the date on which and the place at which he joined the ship, or, if he failed to join the ship, the circumstances of his failure;

(c) if he fails in any other respect to comply with the direction, particulars of his failure.

(5) No British subject or British protected person who has been the master or a member of the crew of any ship at any time since the twenty-eighth day of April, nineteen hundred and forty-one, shall, except with the consent of the Governor or person authorised to act under this Regulation, accept any employment (other than an employment under a contract in operation at the date of this Regulation) except as the master or a member of the crew of a British ship.

Dated this 21st day of September, 1943.

By Command,

K. G. BRADLEY
Colonial Secretary.

No. ~~8/7/39~~

(It is requested that, in any reference to this minute, the above Number and the date may be quoted.)

MINUTE.

30

22nd November, 19 43.

From

The Colonial Secretary,

Stanley, Falkland Islands.

To The Registrar-General,

STANLEY.

I have the honour to forward herewith, for insertion in the files of the Registrar-General, an authenticated copy of Order, No. 7 of 1943 of the 21st September, 1943, amending Regulation 33 A of the Defence Regulations, 1939.

K. G. BRADLEY
Colonial Secretary.

FALKLAND ISLANDS.

No. 58.

GOVERNMENT HOUSE,

STANLEY,

22nd November, 1943.

Red 30.
Sir,

With reference to your Circular Note of 21st April, 1943, I have the honour to forward herewith six copies of Order, No. 7 of 1943 of the 21st September, 1943, amending Regulation 33 A of the Defence Regulations, 1939.

I have the honour to be,

Sir,

Your most obedient,
humble servant,

(Sgd.) A.W. CARDINALL

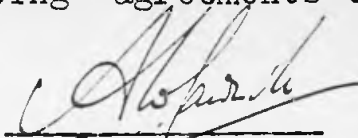
THE RIGHT HONOURABLE

G. F. G. STANLEY, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES.

Order by the Governor enforcing agreements to join ships abroad. (55)

No. 8 of 1943.


Governor.

Under the authority of the Emergency Powers (Defence) Act of the United Kingdom, 1939, His Excellency the Governor is pleased to order and it is hereby ordered as follows :-

1. After Regulation 33AB of the Defence Regulations, 1939, there shall be inserted the following Regulation:-

33AC.-(1) Where a person (hereinafter in this Regulation referred to as "a mariner") has agreed in accordance with the next following paragraph to go to a country outside the Colony and there join such ship as may be specified in, or in pursuance of, the agreement, being a ship to which this Regulation applies, and to serve on board that ship in a capacity specified in the agreement, he shall be guilty of an offence against this Regulation if, without reasonable cause, he refuses or fails -

Enforcement of agreements to join ships abroad.

- (a) to present himself at any place at the time at which, or to the person to whom, he is required by or in pursuance of the agreement to present himself; or
 - (b) to travel by any ship or other conveyance by which he is so required to travel; or
 - (c) to join and serve on board a ship as so required.
- (2) Every such agreement -
- (a) shall be in a form approved by the Shipping Master;
 - (b) shall be made between the mariner and the Shipping Master or a person approved (either generally or in any particular case) for the purpose of this Regulation by the Shipping Master; and
 - (c) shall be signed by the mariner in the presence of a Shipping Master;

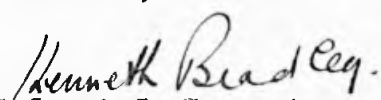
and the signature of the mariner shall be attested by the Shipping Master.

(3) The ships to which this Regulation applies are ships belonging to His Majesty and ships, whether British or foreign, chartered or requisitioned by or on behalf of His Majesty.

(4) In any proceedings for an offence against this Regulation, a certificate of the Shipping Master that at a particular time a ship was one to which this Regulation applies shall be evidence of that fact.

Dated this 3rd day of December, 1943.

By Command,


Colonial Secretary.

Order by the Governor enforcing agreements to join ships abroad.

(Sgd.) A. W. CARDINALL

No. 8 of 1943.

Governor.

Under the authority of the Emergency Powers (Defence) Act of the United Kingdom, 1939, His Excellency the Governor is pleased to order and it is hereby ordered as follows :-

1. After Regulation 33AB of the Defence Regulations, 1939, there shall be inserted the following Regulation :-

33AC (1) Where a person (hereinafter in this Regulation referred to as "a mariner") has agreed in accordance with the next following paragraph to go to a country outside the Colony and there join such ship as may be specified in, or in pursuance of, the agreement being a ship to which this Regulation applies, and to serve on board that ship in a capacity specified in the agreement, he shall be guilty of an offence against this Regulation if, without reasonable cause, he refuses or fails-

Enforcement of agreements to join ships abroad.

- (a) to present himself at any place at the time at which, or to the person to whom, he is required by or in pursuance of the agreement to present himself; or
- (b) to travel by any ship or other conveyance by which he is so required to travel; or
- (c) to join and serve on board a ship as so required.

(2) Every such agreement-

- (a) shall be in a form approved by the Shipping Master;
- (b) shall be made between the mariner and the Shipping Master or a person approved (either generally or in any particular case) for the purpose of this Regulation by the Shipping Master; and
- (c) shall be signed by the mariner in the presence of a Shipping Master;

and the signature of the mariner shall be attested by the Shipping Master.

(3) The ships to which this Regulation applies are ships belonging to His Majesty and ships, whether British or Foreign, chartered or requisitioned by or on behalf of His Majesty.

(4) In any proceedings for an offence against this Regulation, a certificate of the Shipping Master that at a particular time a ship was one to which this Regulation applies shall be evidence of that fact.

Dated this 3rd day of December, 1943.

By Command,

K. G BRADLEY

Colonial Secretary.

No. 8/7/43

MINUTE.

(It is requested that, in any reference to this minute, the above Number and the date may be quoted).

3th February, 19 44. (60)

From The Colonial Secretary,

To The Registrar-General,

STANLEY.

Stanley, Falkland Islands.

I have the honour to forward herewith, for insertion in the files of the Registrar-General, an authenticated copy of Order, No. 8 of 1943 of the 3rd of December, 1943, enforcing agreements to join ships abroad.

K. G. BRADLEY
Colonial Secretary.

61.

GOVERNMENT HOUSE,

STANLEY,

9th February, 1944.

PAWLAND COLLEGE.

no. 11.

Sir,

Red H3.

With reference to your circular despatch of 24th August, 1943, I have the honour to forward herewith six copies of Order, No. 2 of 1943 of the 3rd of December, 1943, enforcing agreements to join ships abroad.

I have the honour to be,

Sir,

Your most obedient,
humble servant,

(Sgd.) A. W. CARDINALL

HONOURABLE
C. STANLEY, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES.

DECODE.

62

TELEGRAM.

From Secretary of State.

To His Excellency the Governor.

Despatched : 11th February, 19 44 Time : 1810

Received : 15th February, 19 44 Time : 1030.

Red 57.

Maritime Circular Unnumbered February, 11th. My
Circular Note of October 1st, 1943.

Defence Regulations, Volume I.

Red 12.

Minister of War Transport has drawn attention to the revised form of regulation 47a paragraph (6). See also my Circular Note, November 10th, 1942, and asked that if not already done, Local Defence Regulations be similarly revised in order to enable any contravention regulations taking place locally to be dealt with. If no local objections please proceed accordingly and inform me when action taken.

SECRETARY OF STATE.

G.T.C.

(65)

ORDER BY THE GOVERNOR CONCERNING OFFENCES BY SEAMEN.

Order no. 1 of 1944.

C. A. Harris
Governor.

Under the authority of the Emergency Powers (Defence) Act of the United Kingdom, 1939, His Excellency the Governor is pleased to order, and it is hereby ordered as follows:-

1. After Regulation 33AC of the Defence Regulations 1939, there shall be inserted the following Regulation:-

33AD. (1) No person lawfully engaged to serve on board any ship to which this Regulation applies shall—

- (a) join his ship, or be whilst on board his ship, in a state of drunkenness so that the performance of his duties or the navigation of the ship is thereby impeded;
- (b) continuedly and wilfully disobey lawful commands or continuedly and wilfully neglect his duty;
- (c) assault the master or any mate or certificated engineer of his ship; or
- (d) wilfully damage his ship or embezzle or wilfully damage any of her stores or cargo.

Nothing in this paragraph shall be taken to prejudice the provisions of section two hundred and twenty-five of the Merchant Shipping Act, 1894, relating to forfeiture of wages for wilful damage to a ship or embezzlement of, or wilful damage to any of her stores or cargo.

2. The ships to which this Regulation applies are—

- (a) every ship belonging to His Majesty and every ship, whether British or foreign, chartered or requisitioned by or on behalf of His Majesty; and
- (b) every ship in respect of which there is for the time being in force a licence granted in pursuance of an order made under Regulation thirty-four of these Regulations.

3. In any proceedings for an offence against this Regulation, a certificate of the competent authority that at a particular time a ship was one to which this Regulation applies shall be evidence of that fact.

Dated this 6th day of March, 1944.

By Command,

Kenneth Bradley
Colonial Secretary.

DECODE.

(68)

TELEGRAM.

From His Excellency the Governor.

To Secretary of State.

M.P. S/7/39.

Despatched : 9th March, 19 44. Time :

Received : 19 Time :

Recd 62.

No. 75. Your telegram February 11th, Maritime Circular
unnumbered. Action taken.

GOVERNOR.

G.T.E.

720

Order by the Governor concerning offences by seamen.

(Sgd) A. W. CARDINALE

No. 1 of 1944.

Governor.

Under the authority of the Emergency Powers (Defence) Act of the United Kingdom, 1939, His Excellency the Governor is pleased to order and it is hereby ordered as follows :-

1. After Regulation 33AC of the Defence Regulations, 1939, there shall be inserted the following Regulation :-

33AD. (1) No person lawfully engaged to serve on board any ship to which this Regulation applies shall —

- (a) join his ship, or be whilst on board his ship, in a state of drunkenness so that the performance of his duties or the navigation of the ship is thereby impeded ;
- (b) continuedly and wilfully disobey lawful commands or continuedly and wilfully neglect his duty ;
- (c) assault the master or any mate or certificated engineer of his ship; or
- (d) wilfully damage his ship or embezzle or wilfully damage any of her stores or cargo.

Nothing in this paragraph shall be taken to prejudice the provisions of section two hundred and twenty-five of the Merchant Shipping Act, 1894, relating to forfeiture of wages for wilful damage to a ship or embezzlement of, or wilful damage to any of her stores or cargo.

(2) The ships to which this Regulation applies are —

- (a) every ship belonging to His Majesty and every ship, whether British or foreign, chartered or requisitioned by or on behalf of His Majesty ; and
- (b) every ship in respect of which there is for the time being in force a licence granted in pursuance of an order made under Regulation thirty-four of these Regulations.

(3) In any proceedings for an offence against this Regulation, a certificate of the competent authority that at a particular time a ship was one to which this Regulation applies shall be evidence of that fact.

Dated this 6th day of March, 1944.

By Command,

K. G BRADLEY

Colonial Secretary.

72

GOVERNMENT HOUSE,
STANLEY,

FALKLAND ISLANDS.

No. 29.

3rd May, 1944.

Sir,

Recd 62.

Recd 68.

With reference to your Maritime Circular unnumbered telegram of 11th February, 1944, and my telegram, No. 75 of 2th March, 1944, I have the honour to forward herewith six copies of an Order by me concerning offences by seamen dated 6th March, 1944.

I have the honour to be,

Sir,

Your most obedient,
humble servant,

(Sgd) A. W. CARDINAL

THE
RIGHT HONOURABLE
F. G. STANLEY, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES.

No. 6/7/39.

MINUTE.

(It is requested that, in any reference to this minute, the above Number and the date may be quoted).

From The Colonial Secretary,

Stanley, Falkland Islands.

6th May, 19 44.

To The Registrar-General,

STANLEY,

I have the honour to forward herewith, for insertion in the files of the Registrar-General, authenticated copies of Order, No. 1 of 1944 concerning offences by seamen, and the Falkland Islands Currency Notes (Amendment) Rules, 1944.

K. G. BRADLEY

Colonial Secretary.



35/2/39

From the Secretary of State for the Colonies.

To the Officer Administering the Government of

Circular Telegram Saving.

FALKLAND ISLANDS

4th January, 1947.

inc in file

The Essential Work (Merchant Navy) Order, 1942 is being terminated in the United Kingdom on the 31st December and at the same time the following Defence Regulations relating to the discipline of merchant seamen etc. are being withdrawn.

Defence (General) Regulations, 1939

*Reg 47A of 1939
4/1/47*

Regulation 47A - Desertion from ships etc.

Regulation 47AA - Enforcement of agreements to join ships abroad.

*Reg 47AAA of 1939
no action taken*

Regulation 47AAA - Discipline on board ship of seafaring persons who are not ordinary members of the crew.

Regulation 47AB - Power to require performance of services in ships.

*Reg 47AC of 1939
2/1/47*

Regulation 47AC - Application of agreements with crew to persons required to perform services in ships.

Regulation 47AF - Precautions against disease amongst merchant seamen abroad.

I shall be glad if you will consider withdrawal of any similar Defence Regulations which have been made in the territory or territories with which you are concerned.

Reply at 92.

SECEP.

*Has an in person
L.H.C.
1/47*

SAVING TELEGRAM.

From: The Officer Administering the Government of the Falkland Islands.

To: The Secretary of State for the Colonies.

Date: 2nd April, 1947.

No. 3. SAVING.

89.

Your circular Telegram Saving of 4th January 1947. Defence Regulations relating to discipline of merchant seamen.

Regulations 47A 47AA 47AB 47AC only were made locally and have since been withdrawn see my Saving Telegram No. 48 of 24th October, 1946.

110 in
C/1/44
"Review of
legislation"

GOVERNOR'S DEPUTY.