

between the Government of His Majesty the King and the Government of the French Republic as amended in accordance with the agreement to that effect hereinbefore recited between the said Governments shall have the force of law and shall be binding upon all persons within the said Islands over whom His Majesty shall at any time have jurisdiction, and the provisions of this Order and of all laws and regulations made thereunder shall be read and construed subject to the terms of the said Convention in all respects.

III. His Majesty may appoint a High Commissioner for the New Hebrides. Appointments to the office of High Commissioner shall be made under the Royal Sign Manual and Signet. The High Commissioner shall hold office during His Majesty's pleasure.

Provided that until a High Commissioner is appointed the High Commissioner for the Western Pacific shall be the High Commissioner for the New Hebrides.

IV. The High Commissioner may, on His Majesty's behalf, exercise all powers and jurisdiction which His Majesty at any time before or after the date of this Order, had, or may have within the New Hebrides, and to that end may take or cause to be taken all such measures and may do or cause to be done all such matters and things therein as are lawful and as in the interest of His Majesty's service he may think expedient, subject to such instructions as he may from time to time receive from His Majesty or through a Secretary of State.

V. Subject to the approval of a Secretary of State, the High Commissioner may appoint a Resident Commissioner and so many fit persons as, in the interest of His Majesty's Service, he may think necessary to be Deputy Commissioners, Residents, Assistant Residents, Judges, Magistrates or other officers, and may define from time to time the districts within which such Officers shall respectively discharge their functions.

The Resident Commissioner and every other such Officer shall hold office during His Majesty's pleasure and may exercise such powers and authorities as the High Commissioner may, with the approval of a Secretary of State, assign to him, subject nevertheless to such directions and instructions as the High Commissioner may from time to time think fit to give him. The appointment of such Officers shall not abridge, alter or affect the right of the High Commissioner to execute and discharge all the powers and authorities hereby conferred upon him.

The High Commissioner may, subject to confirmation by a Secretary of State remove any Officer so appointed.

VI. There shall be a Public Seal of the High Commissioner which he shall keep and use for sealing all things whatsoever that shall pass the said seal; provided that until a Public Seal shall be provided, the private seal of the High Commissioner may be used.

VII. The High Commissioner may, upon sufficient cause to him appearing, suspend from the exercise of his office any persons holding or exercising any office in His Majesty's Service within the New Hebrides, whether appointed by the High Commissioner or under or by virtue of any Commission or Warrant granted, or which may be granted by His Majesty in His Majesty's name or under His Majesty's authority, which suspension shall continue and have effect only

until His Majesty's pleasure therein shall be signified to the High Commissioner by a Secretary of State. The High Commissioner, in proceeding to any such suspension, shall observe the directions in that behalf given to him through a Secretary of State.

VIII. In the event of the death, incapacity or removal of the High Commissioner all and every the powers and authorities herein granted to him shall until His Majesty's further pleasure is signified therein, be vested in such person or persons as may be appointed by His Majesty: and in case there shall be no person or persons so appointed by His Majesty, then in the person for the time being exercising the functions of His Majesty's High Commissioner for the Western Pacific.

IX. Subject to the provisions of the aforesaid Convention amended as aforesaid and of this Order, the Order of Her late Majesty Queen Victoria known as the Pacific Order in Council, 1893, as amended by the Pacific Order in Council, 1907, shall (save and except Article 109 of the said Order of 1893) apply to the New Hebrides as if the same were herein incorporated and shall be binding upon all persons over whom His Majesty has jurisdiction within the said Islands. The Order of His Majesty in Council known as the Pacific Islands Civil Marriages Order in Council, 1907, shall in like manner apply to and have effect within the New Hebrides.

X. Judicial notice shall be taken of this Order and of the commencement thereof and of the appointment of the High Commissioner the Resident Commissioner and of any other Officers appointed thereunder and of the constitution and limits of any jurisdiction court or district and of judicial and official seals and signatures and of any laws regulations or rules made under this Order and no proof shall be required of any such matters.

XI. In this Order, unless the subject or context otherwise requires—

"His Majesty" includes His Majesty's heirs and successors.

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

"Gazette" means any official Gazette published by authority of the High Commissioner and, until such Gazette is instituted, means the Fiji Government Gazette.

XII. This Order shall be published in the Gazette, and shall come into operation on a date to be fixed by the High Commissioner by publication in the Fiji Government Gazette, and the High Commissioner shall give directions for the publication of this Order at such places, and in such manner and for such time or times as he thinks proper for giving due publicity thereto within the New Hebrides and the Islands of the Pacific Ocean.

A. W. FitzRoy.

SCHEDULE I.

PART I.

CONVENTION BETWEEN THE UNITED KINGDOM AND FRANCE CONCERNING THE NEW HEBRIDES.

The Government of His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and the Government of the French Republic, having agreed, in a spirit of mutual good-will, to confirm the Protocol,