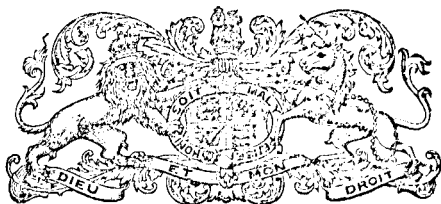


WESTERN PACIFIC HIGH COMMISSION.

No. 8 of 1923



[L.S.]

C. H. RODWELL,

High Commissioner.

December 12th, 1923.

KING'S REGULATION

TO GIVE EFFECT TO THE RECOMMENDATIONS OF A COMMISSION OF INQUIRY INTO CERTAIN LAND CLAIMS IN THE BRITISH SOLOMON ISLANDS PROTECTORATE.

Made by His Britannic Majesty's High Commissioner for the Western Pacific under the provisions of the Pacific Order in Council 1893.

In the name of His Majesty GEORGE THE FIFTH, by the Grace of God of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India.

WHEREAS the Resident Commissioner of the British Solomon Islands Protectorate by virtue of the powers conferred upon him by the Solomon and Gilbert and Ellice Islands (Commissions of Inquiry) Regulation 1914 appointed a Sole Commissioner to inquire into and report on certain claims to land in the British Solomon Islands Protectorate including native rights of way and other interests in land. And whereas it is expedient to give legal effect to the recommendations of the said Commissioner when and so soon as they shall have been confirmed by the Secretary of State for the Colonies.

Now therefore it is hereby enacted as follows:-

1. This Regulation may be cited as the Solomons Land Claims Regulation 1923.

RECOMMENDATIONS TO BECOME BINDING ON NOTICE OF THEIR CONFIRMATIONS BEING PUBLISHED IN THE GAZETTE.

2. Any recommendation of the Commissioner confirmed by the Secretary of State on notification of such confirmation in the Gazette in such manner as the High Commissioner may from time to time prescribe shall thereupon become binding upon the parties affected by such recommendation and subject to compliance with the provisions of this Regulation shall have the force of law.

NOTICE.

3.—(1) A notice of confirmation shall be signed by the Resident Commissioner and contain particulars of the claim and by whom made together with the recommendations as confirmed by the Secretary of State.

(2) The Resident Commissioner may by such notice fix a time within which the obligations terms or conditions of the recommendations shall be complied with.

(3) A copy of such notice shall be served by the Resident Commissioner on all parties affected by the terms thereof and such service may be either personal or by registered post.

PENALTY FOR FAILING TO COMPLY WITH OBLIGATIONS TERMS AND CONDITIONS OF RECOMMENDATIONS.

4. Any person failing within the time fixed by the said notice to comply with any obligations terms or conditions imposed by any recommendation as aforesaid or committing any breach thereof shall be liable on conviction to a fine not exceeding one hundred pounds recoverable in default of payment by distress or in default of distress by imprisonment with or without hard labour for any term not exceeding six months and if an occupier of land to the cancellation of his right of occupation.

RESIDENT COMMISSIONER TO TRANSMIT PARTICULARS OF CONFIRMED RECOMMENDATIONS TO THE REGISTRAR OF THE LAND REGISTRY OFFICE.

5. On confirmation of any recommendation as aforesaid by the Secretary of State the Resident Commissioner shall transmit to the Registrar of the Land Registry Office particulars of the recommendations so confirmed.

REGISTRAR TO CALL IN FOR RECTIFICATION ENDORSEMENT OR CANCELLATION ALL NECESSARY DOCUMENTS.

6. The Registrar on receipt of the information mentioned in the preceding section shall take all necessary steps to give effect to the said recommendations and may for such purpose call in for rectification endorsement correction cancellation or otherwise all documents of title or other documents the subject of or referred to in the said recommendations and may require any person to do any act or thing as may be necessary for giving effect to the said recommendations.

PENALTY FOR NOT SURRENDERING DOCUMENTS WHEN CALLED UPON.

7. Any person having in his custody power possession or procurement any document called in by the Registrar who refuses or neglects to deliver up the same or to do anything required of him pursuant to the preceding section shall be liable on conviction to the penalties provided in section four of this Regulation.

ISSUE OF NEW DOCUMENTS IN LIEU OF THOSE CANCELLED.

8.—(1) In the event of the cancellation of any document the subject of a recommendation which requires the issue of a document in its stead or in the event of a new document being required for the purpose of any recommendation the same shall be executed by the Resident Commissioner and shall be forwarded to the Registrar for registration under the Solomons Land Registration Regulation 1918.

(2) All such new documents issued in accordance with the provisions of subsection one of this section shall be issued subject to all registered charges and encumbrances affecting the land dealt with unless otherwise directed by the recommendation.

DELIVERY AND RETURN OF DOCUMENTS BY REGISTRAR.

9. No document in connection with any recommendation which has been called in by the Registrar or which has been presented for registration shall be registered or if registered shall be delivered up by the Registrar to the person or persons entitled thereto unless all fees whether for registration or survey have been duly paid and all obligations terms and conditions affecting the land the subject of any recommendations have been complied with.

10. The Resident Commissioner may make rules for the better carrying into effect the provisions of this Regulation such rules may prescribe fees and fix a penalty for any breach thereof not exceeding a fine of twenty pounds or in default of payment imprisonment for any term not exceeding three months. Such rules shall be subject to the approval of the High Commissioner and shall be published in the Gazette.

POWER TO MAKE
RULES AND
PRESCRIBE FEES.

Published and exhibited in the Public Office of the High Commissioner for the Western Pacific this twelfth day of December one thousand nine hundred and twenty-three.

By Command,

ROGER GREENE,

Secretary to His Britannic Majesty's High
Commissioner for the Western Pacific.

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