

No. 3 OF 1935.

AN ORDINANCE RELATING TO NAURU ANTIQUITIES, RELICS, CURIOS AND ARTICLES OF ETHNOLOGICAL AND ANTHROPOLOGICAL INTEREST OR SCIENTIFIC VALUE.

I, the Administrator of the Island of Nauru do hereby enact order and proclaim as under—

1. This Ordinance may be cited as the *Nauru Antiquities Ordinance 1935*.
2. In this Ordinance unless the contrary intention otherwise appears—

“Nauru Antiquities” includes Nauru relics and curios and articles of ethnological and anthropological interest or value and articles manufactured by the natives according to Nauru methods, and historical remains of any description, and such other articles or things of historical or scientific value or interest and relating to Nauru as may be prescribed.

3. The Administrator may out of funds appropriated for the purpose acquire on behalf of the Crown such Nauru antiquities as he deems expedient and provide for their safe custody.

4. No person shall remove from the Territory any Nauru antiquities without first offering them for sale at a reasonable price to the Administrator.

5. (1) Any person, who, without the express permission of the Administrator exports or ships for export from the Territory any Nauru antiquities is liable to a fine not exceeding fifty pounds and in default of payment, to imprisonment for any period not exceeding three months.

(2) Notice of the intention to export or ship for export any Nauru antiquities shall be given by the exporter or shipper to the Collector or other proper officer of the Customs at least twenty-four hours before shipment.

(3) Any Nauru antiquities entered or shipped for export contrary to this Ordinance shall be forfeited to the Crown.

(4) The Administrator may after inquiry cancel the forfeiture if he thinks fit.

6. It shall be the duty of the Collector of Customs and the Officer in Charge of Police to seize and detain any Nauru antiquities attempted to be removed from the Territory contrary to this Ordinance.

7. The Administrator may, by order published in the *Nauru Gazette*, forbid the acquisition by any person by purchases or otherwise of any Nauru antiquity specified in the order.

8. (1) Any person who discovers or has good reason to believe that there exists in any locality :

(i) Caves or other places in which ancient remains, human or other are to be found, or

(ii) Representations on rocks or in caves of living beings or inanimate objects or

(iii) Deposits of historical remains of any description or,

(iv) Places used in former times as ceremonial or initiation grounds,

shall immediately inform the Officer in Charge of Police of the discovery or reputed existence of such places or objects.

(2) Such places or objects shall not be defaced, damaged, uncovered or excavated or otherwise interfered with, without the written permission of the Administrator who will, if he thinks fit, appoint a suitable person to supervise any excavation.

Penalty : Five pounds (£5).

9. The Administrator may, if he thinks fit, make it a condition to the granting of any application to export Nauru antiquities, that the owner thereof allows them to be copied by photography or otherwise, or casts to be made of them in such manner and by such person as the Administrator directs.

10. In case any dispute arises as to whether any article or thing comes within the scope of this Ordinance or as to what is a reasonable price therefor, such dispute shall be determined by a Board to be appointed by the Administrator.

11.—(1) The Administrator may make regulations not inconsistent with this Ordinance prescribing all matters which are necessary or convenient to be prescribed for carrying out or giving effect to this Ordinance and in particular for prescribing—

(a) The duties and powers of the Collector of Customs and the Officer-in-Charge of Police in enforcing the provisions of this Ordinance.

(b) The constitution of the Board and the procedure thereof for settling disputes under this Ordinance relating to the acquisition and payment for Nauru antiquities.

(c) Penalties not exceeding Ten pounds (£10) for the breach of any regulation.

(2) All regulations shall be published in the *Nauru Gazette* and shall take effect from the date of such publication or from a later date specified therein.

Given under my hand at Administration Head-quarters, Nauru, this twenty-third day of February, in the year One thousand nine hundred and thirty-five.

RUPERT C. GARSIA,  
Administrator of the Island of Nauru.