

CONDOMINIUM DES NOUVELLES-HEBRIDES

NEW HEBRIDES CONDOMINIUM

ARRETE CONJOINT 18 de 1941

JOINT REGULATION 18 of 1941

A JOINT REGULATION

No. 18 of
1941.

To implement during the period of emergency the control of the New Hebrides Franc as provided in French National Regulations Nos. 40 c.g., 41 c.g., 42 c.g., and 43 c.g., of the 31st August 1941 issued by the High Commissioner for France in the New Hebrides and French National Regulation No. 14 C.R. of the 31st August 1941, issued by the Resident Commissioner for France in the New Hebrides.

[Published: Condominium Gazette No. 128 (b).]

Issued by the Resident Commissioners under the provisions of Article 7 of the Anglo French Protocol 1914, as amended by an Exchange of Notes between the British and French Governments which came into force on the 8th May 1940.

1. The Collector of Customs and any member of his Staff deputed by him shall assist the Service du Controle du Franc Neo Hebridais, as organised by French National Regulation No. 14 C.R. of 31st August 1941, in the verification of imports and in such other manner as the said Service may require.

Collector of
Customs to
assist Service
du Controle
du France
Neo-
Hebridais.

2. Any person shall, on being requested by the Service du Controle du France Neo Hebridais so to do, furnish or produce to such Service any such information or documents in his possession as may be specified, being information or documents which the said Service considers it necessary or expedient to possess to assist it in the proper execution of its functions, and the said person shall furnish the said information to the best of his knowledge.

Power to
obtain
information.

3. If any person—

- (1) makes any statement or furnishes any information which he knows or has reasonable cause to believe to be false,
- (2) makes such a statement as aforesaid in any account, declaration, estimate, return or other document which he is required by the provisions of French National Regulation No. 14 C.R. of the 31st August 1941, to make,
- (3) fails to comply with the terms of any Import Permit, Exchange Order, or Travelling Expenses Order issued to him in exchange for francs under the provisions of French National Order No. 14 C.R. of the 31st August, 1941,
- (4) fails to carry out any obligation imposed on him under the provisions of the same Regulation, or
- (5) is responsible for committing or causing to be committed any fraudulent practice in connexion with the application thereof or of the French High Commissioner's Arrêté No. 12 c.g. of the 31st August, 1941,

False
statements
etc.

he shall be guilty of an offence against this Regulation.

4. (1) Between the 1st September, 1941, and the 30th November, 1941, inclusive, the importation of any French bank notes other than bank notes issued by the Bank of Indo-China, Nouméa, and overprinted with the approved design "Nouvelles-Hébrides—France Libre" with a Lorraine Cross is prohibited.

Prohibition of importation of French bank notes other than overprinted New Hebrides notes.

(2) During the said period any person arriving from overseas and being in possession or control of any such prohibited bank notes shall before disembarking in the New Hebrides deliver them to the Passport Control Officer at the port where he enters the New Hebrides or, in the absence of such Passport Control Officer, to a Customs Officer, who shall transmit the same to one of the Commandants of Police with a circumstantial report.

(3) Any District Agent, Police Officer or Customs Officer may search any vessel, civil aircraft, and in particular any cargo aboard such vessel or aircraft, and any passenger and his personal luggage on suspicion of being connected with an offence against this Article, and may detain in custody any person reasonably suspected of having committed such an offence and may seize any prohibited bank notes thus found.

(4) No woman shall, in pursuance of the provisions of sub-Article (3) above be searched except by a woman.

(5) The Chief Censor and any member of the censorship staff deputed by him and the Collector of Customs may open and examine any letter or parcel coming into their possession on suspicion of being connected with an offence against this Regulation and may seize any prohibited bank notes thus found. Such bank notes shall be handed over to one of the Commandants of Police together with a report of the circumstances in which they have been seized.

5. Any prohibited bank notes surrendered in virtue of the terms of Article 4 (2) hereof shall be held by the Condominium Administration until the first day of December 1941, and shall then be returned to the person who originally surrendered them.

Disposal of seized bank notes.

Provided that the Resident Commissioners may jointly authorize any such bank notes to be exported from the New Hebrides on the demand of the said person at any date prior to the first day of December, 1941.

(2) At the end of the period mentioned in Article 4 (1) hereof the Commandants of Police shall submit to the Resident Commissioners a consolidated return of prohibited bank notes seized under the provisions of Articles 4 (3) and 4 (5) hereof during the said period together with a report on the circumstances of each seizure and the Resident Commissioners shall order the disposal of such bank notes as they think fit.

6. (1) Prohibited bank notes in the possession or control of the Master, crew or through passengers of any overseas vessel or civil aircraft arriving in the New Hebrides in transit, shall not be considered to be imported into the New Hebrides while they remain on board such vessel.

Prohibited notes in possession or control of crews etc. of overseas vessels.

(2) On arrival at any port of entry in the New Hebrides a statement shall be drawn up by the Master of any such vessel or civil aircraft showing the number and franc value of prohibited bank notes in the possession of each officer, member of the crew, or through passenger. This statement shall be handed to any of the officers mentioned in Article 4 (2) and (3) hereof and shall be checked by any such officer on the departure of such vessel or civil aircraft from the Group.

(3) The Master of such vessel or the Captain of such civil aircraft shall be held responsible—

- (a) that no such bank notes are taken or allowed to be taken ashore in the New Hebrides, and
- (b) for any offence under the provisions of this Regulation that may be committed through a breach of this Article.

7. (1) If any person contravenes or fails to comply with any provision of this Regulation he shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding two years or to a fine not exceeding L.250, or to both such fine and imprisonment.

Penalties.

(2) The Competent Court shall have power to order the disposal of any prohibited bank notes which has been involved in any case of which it has been seized under the provisions of this Regulation.

8. This Regulation shall come into force on the day of the date hereof and may be cited as the "Control of French New Hebrides Currency (Defence) Joint Regulation No. 18 of 1941".

Date of coming into force and short title.

Dated at Vila this First day of September, 1941.

R. KUTER
The Resident Commissioner
for France.

R. D. BLANDY
His Britannic Majesty's
Resident Commissioner.