

Definition of Terms.

III. 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 the Western Pacific High Commission Gazette.

“High Commissioner” means the Officer for the time being acting as High Commissioner for the Western Pacific.

“The Pacific Order in Council” means the Pacific Order in Council, 1893, together with any Order in Council amending the same.

Annexation.

IV. From and after the coming into operation of this Order the aforesaid Islands, together with all small islands, islets, rocks, and reefs, depending on them, shall be annexed to, and form part of, His Majesty’s Dominions, and shall be known as the Gilbert and Ellice Islands Colony, hereinafter called the Colony.

Powers and Jurisdiction.

V. The High Commissioner may, on His Majesty’s behalf, exercise all powers and jurisdiction of His Majesty within the Colony, 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.

VI. Subject to the provisions of this Order the Pacific Order in Council shall, (with the exception of Article 108), notwithstanding the cession of the Gilbert and Ellice Islands and their annexation to His Majesty’s Dominions, be and remain in force, and continue to have full effect in the Colony until other provision shall be made by His Majesty in Council.

Commissioners and other Officers may be appointed.

VII. Subject to the directions 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 or other Officers as provided by the Pacific Order in Council, and may define from time to time the Districts within which such Officers shall respectively discharge their functions, provided that every Officer appointed under the provisions of the said Order and holding Office in the Gilbert and Ellice Islands at the commencement of this Order shall continue to hold his Office in the Colony subject to the provisions of this Order.

Powers and Authorities of such Officers.

Every such Officer may exercise such powers and authorities as the High Commissioner may, with the like approval, 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 Commis-

sioner to execute and discharge all the powers and authorities hereby conferred upon him.

Removal of Officers.

The High Commissioner may, subject to confirmation by a Secretary of State, remove any Officer appointed as aforesaid whether before or after the commencement of this Order.

High Commissioner may by Ordinance provide for the administration of justice, &c.

VIII. In the exercise of the powers and authorities hereby conferred upon him, the High Commissioner may, amongst other things, from time to time, by Ordinance, provide for the administration of justice, the raising of revenue, and generally for the peace, order, and good government of the Colony, and of all persons therein, including the prohibition and punishment of acts tending to disturb the public peace. Provided as follows:—

(1) That nothing in any such Ordinance or Ordinances contained shall take away or affect any rights secured to any native in the Colony by any treaties or agreements made on behalf or with the sanction of Her late Majesty Queen Victoria, His late Majesty King Edward the Seventh, or of His Majesty, and all such treaties and agreements shall be and remain operative and in force, and all pledges and undertakings therein contained shall remain mutually binding on all parties to the same.

(2) That all Laws, King’s Regulations, Bye-laws, and Regulations of whatsoever nature in force in the Gilbert and Ellice Islands at the date of the commencement of this Order shall continue in force in the Colony until repealed, revoked, or amended by or in pursuance of any Ordinance passed by the High Commissioner.

(3) That the High Commissioner, in making Ordinances, shall respect any native laws and customs by which the civil relations of any native chiefs, tribes, or populations under His Majesty’s protection are now regulated, except so far as the same may be incompatible with the due exercise of His Majesty’s power and jurisdiction, or clearly injurious to the welfare of the said natives.

Publication of Ordinances.

IX. Every Ordinance of the High Commissioner shall be published in the Gazette, and shall, unless otherwise provided, thereupon come into operation, and thereafter shall, until disallowed by His Majesty, or repealed or modified by any subsequent Ordinance, have effect as if contained in this Order, and the High Commissioner shall take such measures as he thinks proper for giving due publicity thereto within the Colony.

Ordinances may be disallowed—Public notification of disallowance of Ordinances to be made.

X. His Majesty may disallow any such Ordinance wholly or in part, and may signify such disallowance through a Secretary of State, and upon such disallowance being notified in the Gazette, the provisions so disallowed shall, from and after a date to be mentioned in such notification, cease to have effect, but without prejudice to anything theretofore lawfully done thereunder. Due notification shall be publicly made by the High Commissioner within the Colony of the disallowance of any such Ordinance.