



WESTERN PACIFIC HIGH COMMISSION.

ANNEXATION OF OCEAN ISLAND, OTHERWISE PAANOPIA.

By His Excellency Sir GEORGE THOMAS MICHAEL O'BRIEN, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Her Britannic Majesty's High Commissioner for the Western Pacific.

[L.S.] G. T. M. O'BRIEN.

THE Secretary of State for the Colonies having issued to the Pacific Islands Company, Limited, a Licence for the collection of Guano and other fertilising substances from Ocean Island, otherwise Paanopia, it is hereby notified that the provisions of the Pacific Order in Council, 1893, and of such of the Queen's Regulations made in accordance therewith as apply to the islands of the Gilbert and Ellice Protectorate are extended to all persons living or being within the limits of the said Island, which from this date shall be included within the jurisdiction of the Resident Commissioner and Deputy Commissioner of the Gilbert and Ellice Islands Protectorate aforesaid.

Whereof let all men take notice, and order themselves accordingly.

By Command,

M. KING,
Secretary.

Office of the High Commissioner for the Western Pacific,
Suva, Fiji, 28th November, 1900.



Western Pacific High Commission Gazette

EXTRAORDINARY.

PUBLISHED BY AUTHORITY.

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MONDAY, 3 APRIL.

1916.

[47]

*Suva, Fiji,
3rd April, 1916.*

INCLUSION OF OCEAN ISLAND, FANNING ISLAND, AND WASHINGTON ISLAND WITHIN THE BOUNDARIES OF THE GILBERT AND ELLICE ISLANDS COLONY.

His Excellency the Acting High Commissioner directs the publication of the following Order of His Majesty in Council of the 27th January, 1916, extending the boundaries of the Gilbert and Ellice Islands Colony so as to include Ocean Island, Fanning Island, and Washington Island.

*By Command,
A. L. AYTON,
Acting Secretary.*

M.P. 791/16.

AT THE COURT AT BUCKINGHAM PALACE.

THE 27TH DAY OF JANUARY, 1916.

Present,

The King's Most Excellent Majesty

Lord President
Lord Chamberlain
Mr. Lewis Harcourt
Sir Francis Hopwood
Sir Matthew Joyce
Sir Frederick Banbury, Bart.
Sir Daniel Ford Goddard
Mr. George N. Barnes
Mr. William Crooks
Mr. Frederick L. Harris
Mr. Donald Maclean
Sir Lawrence H. Jenkins.

Whereas by the Colonial Boundaries Act, 1895, it is provided that, where the Boundaries of a Colony have, either before or after the passing of that Act, been altered by Order in Council or by Letters Patent, the Boundaries as so altered shall be, and be deemed to have been, from the date of the alteration, the Boundaries of the Colony :

And whereas it is expedient that the Boundaries of the Gilbert and Ellice Islands Colony should be altered so as to include Ocean Island, Fanning Island, and Washington Island :

Now, therefore, His Majesty, by virtue and in exercise of the powers by the Colonial Boundaries Act, 1895, or otherwise in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows :—

From and after the proclamation of this Order by publication in the Western Pacific High Commission Gazette the Boundaries of the Gilbert and Ellice Islands Colony shall be extended so as to include Ocean Island, Fanning Island, and Washington Island.

ALMERIC FITZROY.

Suva, Fiji : Printed by S. BACH,

Printer to the Government of His Britannic Majesty's High Commission for the Western Pacific.
1916.

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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.

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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.

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diction.

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.

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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.

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

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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.

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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.

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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.

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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.

XI. The High Commissioner shall use the Official Seal of the High Commission for sealing all things whatsoever relating to the Colony that are required to be under the Public Seal.

XII. The High Commissioner may, upon sufficient cause to him appearing, suspend from the exercise of his Office any person holding or exercising any Office within the Colony, 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 by any Instructions from His Majesty, or signified through a Secretary of State. Suspensio

XIII. When any crime or offence has been committed within the Colony, or for which the offender may be tried therein, the High Commissioner may, as he shall see occasion, in His Majesty's name, and on His behalf, grant a pardon to any accomplice in such crime or offence who shall give such information as shall lead to the conviction of the principal offender, or of any one of such offenders, if more than one; and further, may grant to any offender convicted of any crime or offence in any Court or before any Judge or other Magistrate within the Colony, a pardon, either free or subject to lawful conditions, or any remission of the sentence passed on such offender, or any respite of the execution of such sentence, for such period as the High Commissioner thinks fit, and may remit any fines, penalties, or forfeitures, due or accrued to His Majesty. Provided always that the High Commissioner shall in no case, except where the offence has been of a political nature unaccompanied by any other grave crime, make it a condition of any pardon or remission of sentence that the offender shall be banished from, or shall absent himself, or be removed, from the Colony. Grant of pardon, &

XIV. This Order shall be published in the Gazette, and shall thereupon commence and come into operation, 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 publicity thereto within the Colony. Publicatic
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XV. His Majesty may from time to time revoke, alter, add to, or amend this Order, and hereby reserves to Himself, His Heirs and Successors, full power and authority with the advice of His or Their Privy Council to make from time to time all such laws as may to Him or Them appear necessary for the peace, order, and good government of the Colony. Power to
revoke, &c

And the Right Honourable Andrew Bonar Law, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

ALMERIC FITZROY.

SCHEDULE.

DATE OF DECLARATION OF PROTECTORATE.

Gilbert Group, viz. :—

Arorai	} 27th May, 1892.
Tamana .. .. .	..	..	..	..	..
Onoatoa .. .. .	..	..	..	..	..
Peru .. .. .	..	..	..	..	..
Nukunau .. .. .	..	..	..	..	..
Taputeuea .. .. .	..	..	..	..	..
Nonuti .. .. .	..	..	..	..	..
Aranuka .. .. .	..	..	..	..	..
Kuria .. .. .	..	..	..	..	..
Apamama .. .. .	..	..	..	..	..
Maiana .. .. .	..	..	..	..	..
Tarawa .. .. .	..	..	..	..	..
Apaiang .. .. .	..	..	..	..	..
Maraki .. .. .	..	..	..	..	..
Taritari .. .. .	..	..	..	..	..
Makin .. .. .	..	..	..	..	..

Ellice Group, viz. :—

Vaitupu	} September, 1892.
Niutao .. .. .	..	..	..	..	..
Nanomea .. .. .	..	..	..	..	..
Nanomana .. .. .	..	..	..	..	..
Nui .. .. .	..	..	..	..	..
Nukufetau .. .. .	..	..	..	..	..
Funatuti .. .. .	..	..	..	..	..
Nukulailai .. .. .	..	..	..	..	..
Nurakita .. .. .	..	..	..	..	..