

WESTERN PACIFIC HIGH COMMISSION.

No. 5 of 1919



[L.S.]

C. H. RODWELL,

High Commissioner.

30th August, 1919.

## KING'S REGULATION

TO CONTROL THE LANDING IN THE BRITISH SOLOMON ISLANDS PROTECTORATE OF FORMER ENEMY ALIENS.

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.

[30th August, 1919.]

1. This Regulation may be cited for all purposes as the SHORT TITLE. Former Enemy Aliens Regulation 1919.

2. In this Regulation the expression "former enemy alien" means any person who is a citizen or subject of a State with which His Majesty was at any time during the year of our Lord one thousand nine hundred and eighteen at war and includes any naturalised British subject who previous to naturalisation was a citizen or subject of any such State. INTERPRETATION

FORMER ENEMY  
ALIEN NOT TO  
LAND IN THE  
PROTECTORATE  
WITHOUT  
PERMIT.

3.—(1) From and after the date of the coming into operation of this Regulation it shall not be lawful for any former enemy alien to land in the Protectorate unless he shall have in his possession a permit allowing him to land in the Protectorate. Such permit shall be in the Form set out in Schedule A to this Regulation and may be issued in his discretion by the Resident Commissioner for the time being of the Protectorate and may contain such conditions as the Resident Commissioner shall with the approval of the High Commissioner deem necessary.

(2) Any former enemy alien who lands in the Protectorate in contravention of subsection one of this section or who having lawfully landed in the Protectorate shall infringe any of the conditions contained in his permit shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding fifty pounds or to imprisonment with or without hard labour for any period not exceeding six months or to both such fine and imprisonment and any such former enemy alien shall in addition to or in lieu of any such fine or imprisonment or both as aforesaid be liable to be deported as hereinafter mentioned.

POWER OF  
RESIDENT COM-  
MISSIONER TO  
DEPORT FORMER  
ENEMY ALIEN.

4.—(1) The Resident Commissioner may if he is satisfied that any former enemy alien has landed in the Protectorate in contravention of the provisions of subsection one of the last preceding section or that any former enemy alien having lawfully landed in the Protectorate has infringed any of the conditions contained in his permit order the deportation from the Protectorate of any such former enemy alien and any former enemy alien with respect to whom such an order is made shall be conveyed as soon as may be out of the Protectorate at the cost of the General Revenue of the Protectorate if need be and shall thereafter remain out of the Protectorate unless he shall subsequently obtain a permit to land in the Protectorate from the Resident Commissioner for the time being.

ORDER FOR  
DEPORTATION.

(2) An Order for Deportation may be in the Form set out in Schedule B to this Regulation.

DETENTION OF  
FORMER ENEMY  
ALIEN.

5. When a former enemy alien is ordered to be deported from the Protectorate under the last preceding section he may until he can in the opinion of the Resident Commissioner be conveniently conveyed to and placed on board a ship about to leave the Protectorate and whilst on board the ship until the ship finally sails from the Protectorate be detained in such manner as the Resident Commissioner may direct and whilst so detained shall be deemed to be in legal custody.

WARRANT OF  
DEPORTATION.

6. The Form of Warrant of Deportation set out in Schedule C to this Regulation may be used in proceedings under this Regulation.

MASTER OF  
VESSEL TO  
FURNISH PARTI-  
CULARS IF  
REQUIRED.

7.—(1) The master of every vessel arriving in the Protectorate shall furnish if required so to do by the Resident Commissioner or other proper officer duly appointed in writing by the Resident Commissioner to execute the provisions of this Regulation full particulars concerning any former enemy alien on board the vessel and for such purpose every former enemy alien is hereby required to furnish the master of the vessel with any information demanded of him.

(2) If the master of the vessel fails to furnish the particulars required by this section or knowingly furnishes false particulars he shall be guilty of an offence against this Regulation or if any former enemy alien refuses to give information required by the master of the vessel for the purpose of this section or gives false information he shall be guilty of an offence against this Regulation.

8.—(1) The master of any vessel arriving in the Protectorate shall not allow any former enemy alien to land from his vessel unless such former enemy alien shall have in his possession a permit issued under section three of this Regulation and for the purposes of this subsection such master is hereby authorised to detain on board his vessel any such former enemy alien.

WHEN MASTER SHOULD PREVENT FORMER ENEMY ALIEN FROM LANDING.

(2) If the master of any such vessel allows a former enemy alien to land in the Protectorate contrary to the provisions of this section he shall be guilty of an offence against this Regulation.

PENALTY.

9.—(1) In any case when the master of a vessel has allowed a former enemy alien to land in the Protectorate contrary to the provisions of the last preceding section and an order for the deportation of any such former enemy alien is made either at the time of the offence or within six months thereafter the master of the vessel in which such former enemy alien has been brought to the Protectorate and also the master of any vessel belonging to the same owner shall be liable to pay to the Resident Commissioner any expenses incurred under this Regulation in connection with the former enemy alien and shall if required by the Resident Commissioner receive the former enemy alien and his dependents (if any) on board the vessel and afford them free of charge a passage to the port of embarkation and proper accommodation and maintenance during the passage.

FURTHER LIABILITY OF MASTER.

(2) If the master of a vessel fails to comply with the provisions of this section as to receiving on board his vessel a former enemy alien and his dependents and providing him or them with a passage to the port of embarkation he shall be guilty of an offence against this Regulation.

10. If any question arises on any proceedings under this Regulation or with reference to anything done or proposed to be done under this Regulation whether any person is a former enemy alien or not the onus of proving that that person is not a former enemy alien shall lie on that person.

ONUS OF PROOF.

11. Any person guilty of an offence against this Regulation unless otherwise provided shall be liable on summary conviction to a fine not exceeding fifty pounds or to imprisonment with or without hard labour for any period not exceeding six months or to both such fine and imprisonment.

PENALTY.

12. This Regulation shall continue to be in force for the period of three years from the date of the coming into operation thereof.

OPERATION.

Former Enemy Aliens Regulation 1919.

SCHEDULES.

SCHEDULE A.—(Section 3.)

*Permit to Land in the Protectorate.*

I,.....Resident Commissioner  
for the time being of the British Solomon Islands Protectorate do  
hereby give permission to.....of.....  
a former enemy alien within the meaning of the Former Enemy Aliens  
Regulation 1919 to land in the Protectorate. [*Conditions if any to be  
endorsed on permit.*]

Dated this.....day of.....19.....

.....  
Resident Commissioner.

SCHEDULE B.—(Section 4 (2).)

*Order for Deportation.*

WHEREAS.....has been guilty of  
an offence against the Former Enemy Aliens Regulation 1919. It is  
hereby ordered by the Resident Commissioner of the British Solomon  
Islands Protectorate that the said.....  
be deported from the Protectorate.

Dated this.....day of.....19.....

.....  
Resident Commissioner.

SCHEDULE C.—(Section 6.)

*Warrant of Deportation.*

To.....  
(Officers and persons who are to execute Warrant.)

WHEREAS.....has been ordered to be  
deported from the Protectorate.

You are therefore commanded with proper assistance to take and  
arrest the said.....and to detain him in  
your custody until he can be deported from the Protectorate and for so  
doing this shall be your sufficient authority.

Dated this.....day of.....19.....

.....  
Resident Commissioner.

Published and exhibited in the Public Office of the  
High Commissioner for the Western Pacific this thirtieth  
day of August, one thousand nine hundred and nineteen.

By Command,

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

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