

WESTERN PACIFIC HIGH COMMISSION.

No. 6 of 1916



[L.S.]

EYRE HUTSON,  
Acting High Commissioner.

25th May, 1916.

## KING'S REGULATION

TO AMEND THE LAW RELATING TO CERTAIN  
LICENCES IN THE BRITISH SOLOMON ISLANDS  
PROTECTORATE.

Made by His Britannic Majesty's Acting 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.

[1st August, 1916.]

1. This Regulation may be cited as the Solomons Licence SHORT TITLE.  
Regulation 1916.

2. In this Regulation unless the context otherwise INTERPRETATION  
requires—

- “ Protectorate ” means the British Solomon Islands Protectorate ;
- “ High Commissioner ” means His Britannic Majesty's High Commissioner for the Western Pacific ;
- “ Resident Commissioner ” means the Resident Commissioner in the Protectorate and includes any person duly acting as such ;
- “ Treasurer ” means the Treasurer of the Protectorate and includes any person duly acting as such ;
- “ Court ” means the High Commissioner's Court ;
- “ Trading ” includes the doing of any act with a view to or for the purposes of gain or profit other than recruiting ;
- “ Recruiting ” means the procuring of native labourers for service or employment within or without the Protectorate and includes the returning to their homes of native labourers upon the determination of their service or employment ;
- “ Vessel ” means ship or boat ;
- “ Ton ” and “ tonnage ” means gross ton and gross tonnage respectively.

LICENCE FEES  
TO BE PAID AS  
PER SCHEDULES.

3. Every person following or exercising any of the professions trades or callings or doing any of the acts specified in Schedules A and B hereto whether in conjunction with any other profession trade or calling or act so specified or otherwise shall take out a licence and pay a licence fee at the rate set forth in the said Schedules in respect of each profession trade calling or act so specified such fees being cumulative.

ISSUE OF  
LICENCES.

4. The Treasurer may issue any of the licences specified in the said Schedules and may appoint licensing officers and assign districts to such officers. Every such officer so appointed may, subject to the directions of the Treasurer, issue any of the aforesaid licences.

DURATION OF  
LICENCES.

5.—(1) A licence issued under this Regulation shall not be issued for any period less than that specified in respect thereof in the aforesaid Schedules.

(2) For the purposes of this Regulation the year shall be deemed to be divided into two half-years, the first half-year being from the first day of January to the thirtieth day of June inclusive and the second half-year being from from the first day of July to the thirty-first day of December inclusive. A licence issued during any half-year shall date from the first day of such half-year.

SCHEDULE A—  
LICENCES  
PERSONAL.

6.—(1) Every licence issued under this Regulation in respect of any profession trade calling or act specified in Schedule A hereto shall enable the person named in such licence to follow or exercise the said profession trade or calling or do the said act in any part of the Protectorate.

SCHEDULE B—  
LICENCES TO BE  
IN RESPECT OF  
STATED PRE-  
MISES, &c.

(2) Every licence issued under this Regulation in respect of any profession trade calling or act specified in Schedule B hereto shall state the premises building or vessel in respect of which the said licence has been issued and shall be valid only for the premises building or vessel indicated therein and no such licence shall allow the person or firm named therein to follow exercise or do in or upon any premises building or vessel save those or that described as aforesaid the profession trade calling or act specified in the licence. Provided always that on proof satisfactory to him that any vessel in respect of which a licence has been duly taken out has been withdrawn from service and another vessel substituted therefor the Treasurer may on surrender of such licence and on payment at the proper rate per ton for difference in tonnage measurement should the measurement of the vessel substituted exceed that of the vessel withdrawn issue a substitute licence in respect of the vessel so substituted.

WRITTEN PER-  
MISSION OF  
RESIDENT COM-  
MISSIONER TO BE  
FIRST OBTAINED  
BEFORE FIRE-  
ARMS, &c. OR  
WINES, &c.  
LICENCE ISSUED.

7.—(1) No licence to deal in fire-arms ammunition and explosives or to deal in wines spirits and beers shall be issued except where the applicant therefor has first obtained the written permission of the Resident Commissioner to take out such licence.

(2) Any such licence shall be liable to cancellation at any time by the Resident Commissioner in any case where he is of the opinion that the privileges conferred by such licence are being abused or that the continuance thereof is undesirable.

(3) In every case where the permission above provided for is refused or any licence as aforesaid is cancelled the Resident Commissioner shall report the matter to the High Commissioner for his directions therein.

**8.—(1)** An auctioneer's licence shall entitle the licensee to sell real and personal property by public auction and shall include a commission agent's licence. AUCTIONEER'S  
LICENCE.

(2) Notwithstanding anything in sections seven and fifteen hereof contained an auctioneer may sell by public auction wines spirits and beers or firearms ammunition and explosives—

(a) when the auction is held by direction of the Treasurer or of the Court ;

(b) on the occasion of the sale of the personal effects of any person such wines spirits beers firearms ammunition or explosives being the private property of the owner of such personal effects ;

provided that in such last mentioned case the auctioneer shall first obtain from the Treasurer a written permit which shall specify particularly—

(1) the name of the owner of such wines spirits beers firearms ammunition or explosives ;

(2) the quantity and kind to be sold ;

(3) the premises on which the sale is to take place.

And provided further that before such permit is granted the auctioneer shall make a statutory declaration that to the best of his knowledge and belief such wines spirits beers firearms ammunition or explosives are the private property of the person whose personal effects are about to be sold.

**9.** A commission agent's licence shall entitle the licensee to dispose of real or personal estate or of goods in bulk on commission only and otherwise than by public auction and to act as forwarding or receiving agent on commission only, but shall not entitle the licensee to act as agent for any insurance company. COMMISSION  
AGENT'S  
LICENCE.

**10.** A store licence shall entitle the licensee to sell on premises specified in the licence goods in any quantity but shall not permit the hawking of such goods. STORE  
LICENCE.

**11.** A hawker's licence shall not entitle the licensee to sell goods in or upon any premises or building occupied either permanently or temporarily by him but only in or from a cart or boat not exceeding two tons in tonnage measurement managed by him personally or from a pack or basket carried by him. A hawker's licence shall not be necessary for the hawking of articles of food grown in the Protectorate. HAWKER'S  
LICENCE.

**12.** Insurance companies shall not mean or include life assurance companies. INSURANCE  
COMPANIES.

**13.** In the case of a vessel in respect of which a licence is required to be taken out under this Regulation the owner and the master or person in charge of such vessel shall be deemed to be persons both jointly and severally employing or using such vessel and both or either of them may be proceeded against for any breach of the provisions of this Regulation. LIABILITY OF  
OWNER AND  
MASTER OF  
VESSEL.

**14.** The measurement of any registered British vessel or the vessel of any foreign country which has adopted the rules concerning the measurement of tonnage made under the Merchant Shipping Act 1894 of the Imperial Parliament and the Acts amending the same shall be deemed to be that specified in the register. In the case HOW TONNAGE  
OF VESSEL TO BE  
MEASURED.

of any other vessel the measurement shall be determined by the Harbour Master of the port of Tulagi or by some competent person to be appointed by the Treasurer. The expenses of or connected with the measurement of a vessel in respect of which a licence is applied for shall be borne by the applicant for such licence.

LIMITATION OF  
PRIVILEGES  
UNDER LICENCE.

15. No licence issued under this Regulation in respect of any profession trade calling or act shall entitle the holder to follow exercise or do any other profession trade calling or act in respect of which the issue of specific licences is provided for under this Regulation.

LICENCES  
SUBJECT TO  
ANY LAW FOR  
SPECIFIC REGU-  
LATION OF PRO-  
FESSION, &c.

16. The provisions of this Regulation shall be additional to the provisions of any other law which may be in force upon the coming into operation of this Regulation or may thereafter come into force for the specific regulation or control of any profession trade calling or act in respect of which any licence is hereunder required to be taken out.

PENALTY FOR  
BREACH OF  
REGULATION.

17. Any person following or exercising any of the professions trades or callings or doing any of the acts specified in Schedules A and B hereto without a licence or otherwise committing a breach of the provisions of this Regulation shall on conviction forfeit a sum not exceeding twice the amount of the proper licence fee for one year and in default of payment may be imprisoned with or without hard labour for a term not exceeding three months. Provided that no conviction for trading without a licence shall be recorded against any person who, having held a licence which expired on the thirtieth day of June or the thirty-first day of December, shall have renewed such licence on or before the last day of the next immediately succeeding month. Upon any conviction the Court may in addition to any penalty or other punishment which it may inflict order the convicted party to pay into Court such a sum (not exceeding the proper licence fee for one year payable in respect of the profession trade or calling on account of which the conviction was obtained) as it may think the public revenue should have received from the convicted party in respect of unpaid licence fees and in default of payment of such sum within such time (if any) as may be specified in the order such convicted party shall be liable to be imprisoned with or without hard labour for any term not exceeding three months.

HOW PRO-  
SECUTIONS TO BE  
INSTITUTED.

18. All prosecutions under this Regulation shall be instituted in the name of the Treasurer and may be instituted and conducted by any European officer of Constabulary and by any revenue officer authorised generally or specially in that behalf by the Treasurer.

ACCUSED MUST  
PROVE LICENCE.

19. In any prosecution under this Regulation charging any person with following or exercising any profession trade or calling or doing any act without a licence the charge shall be held to be proved if it is shown to the satisfaction of the Court that the accused did actually follow or exercise the said profession trade or calling or do the said act unless he can produce his licence in Court or can show to the satisfaction of the Court that such licence was duly taken out.

POWERS OF  
CONSTABLE OR  
REVENUE  
OFFICER

20.—(1) It shall be lawful for any constable or revenue officer at all reasonable times—

(i) to demand the production of any licence for inspection ;

- (ii) to make any inquiries that he thinks fit to ascertain whether any breach of the provisions of this Regulation has been committed;
- iii) on the written authority of the Resident Commissioner, Officer in Command of Native Police, or of any District Officer to enter into or upon any premises building or vessel where or in connection with which he has reason to believe that any profession trade or calling is being followed or exercised or any act is being done in respect of which a licence is required to be taken out and to search any such premises building or vessel and to demand the production of and inspect and take copies of or extracts from any books or documents relating thereto.

(2) If any person obstructs or impedes any constable or revenue officer in the execution of his duty or refuses to answer any question reasonably put to him by or makes any false statement to any constable or revenue officer or refuses or fails without lawful excuse to produce any book document or licence which he is duly required to produce he shall on conviction be liable to a penalty not exceeding ten pounds.

21. If any person assists in or procures the commission of any offence against the provisions of this Regulation he shall be liable to be dealt with in the same manner as a principal offender.

ASSISTING, &c.  
COMMISSION  
OF OFFENCE.

22. All licence fees fines and penalties collected or paid under this Regulation shall form part of the revenue of the Protectorate.

FEES, &c., TO  
FORM PART OF  
REVENUE.

23. When any penalty is imposed under this Regulation by the Court upon the owner or master of any vessel and such penalty is not paid within such time (if any) as may be specified in the order of the Court, the Court may order that the vessel together with all things found on board thereof be seized and kept at the risk and cost of the owner of the vessel for a period of three months unless such vessel is before the expiration of such period released by payment of the penalty costs and expenses. If at the expiration of such period the penalty costs and the expenses of seizing and keeping the vessel or any of them or any part thereof remain unpaid then the vessel together with all things found on board thereof shall be liable to be forfeited to His Britannic Majesty.

FORFEITURE OF  
VESSEL FOR  
NON-PAYMENT  
OF PENALTY.

24. The Solomons (Revenue) Regulation 1897 and the Regulations amending the same are hereby repealed. Provided always that any licence issued under the said Regulations shall *mutatis mutandis* continue to have effect for the unexpired portion if any of the period for which such licence was granted and that the repeal of the said Regulations shall not relieve any person from liability to prosecution thereunder in respect of any breach of the said Regulations which he may have committed.

REPEAL AND  
SAVINGS

25. This Regulation shall come into operation on the first day of August, 1916.

## SCHEDULE A.

						£	s.	d.
(i)	Auctioneer	..	..	..	..	year	..	10 0 0
(ii)	Commission Agent	..	..	..	..	year	..	5 0 0
(iii)	Dentist	..	..	..	..	year	..	5 0 0
(iv)	Hawker	..	..	..	..	year	..	1 0 0
						half-year	..	0 12 0
(v)	Insurance Company or Agency	..	..	..	..	year	..	5 0 0
(vi)	Surveyor	..	..	..	..	year	..	5 0 0

## SCHEDULE B.

						£	s.	d.
(i)	Keeping store	..	..	..	..	year	..	10 0 0
						half-year	..	6 0 0
(ii)	Dealing in wines, spirits, and beers	..	..	..	..	year	..	10 0 0
						half-year	..	6 0 0
(iii)	Dealing in firearms, ammunition, and explosives	..	..	..	..	year	..	5 0 0
(iv)	Employing or using vessel for trading to, from, or within Protectorate :—							
	Not exceeding 25 tons tonnage measurement	..	..	..	..	year	..	5 0 0
						half-year	..	3 0 0
	Exceeding 25 tons measurement, for every additional ton	..	..	..	..	year	..	0 10 0
						half-year	..	0 6 0
(v)	Employing vessel for recruiting labour in, or returning labour to the Protectorate :—							
	For every ton of tonnage measurement	..	..	..	..	year	..	1 0 0
						half-year	..	0 12 0
	Provided that the licence fee payable in respect of any one vessel under either subhead (iv) or subhead (v) shall not exceed	..	..	..	..	year	..	150 0 0
						half-year	..	80 0 0

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By Command,

A. L. AYTON,  
Acting Secretary to His Britannic Majesty's  
High Commissioner for the Western Pacific.