

t pour compter du

la, le 7 Avril 1923.

P'ARBOUSSIER
nt-Commissaire de
ce aux Nouvelles-
es.
on:
aire-Résident de
aux Nouvelles-
s.

CONDOMINIUM DES NOUVELLES-HEBRIDES

NEW HEBRIDES CONDOMINIUM

ARRETE CONJOINT 4 de 1923

JOINT REGULATION 4 of 1923

A JOINT REGULATION

No. 4 of 1923.

the formation of a Force of Constabulary in the New Hebrides.

Published: *Western Pacific High Commission Gazette No. 16 of 1923.*

1. Joint Regulation No. 9 of 1909 (the New Hebrides Constabulary Regulation 1909) is hereby repealed and the following substituted therefor.

Repeal of Regulation No. 9 of 1909.

2. In pursuance of the provisions of sections 4, 5, and 6 of Article 2 of the Protocol signed at London on the 6th August, 1914, the representatives of His Britannic Majesty and of the Government of the French Republic there shall be established in the New Hebrides a force of Police to be designated the New Hebrides Constabulary and to be composed of two divisions of equal strength each under the orders of its respective Resident Commissioner. The number of officers non-commissioned officers and men in the two divisions shall be such as the two Resident Commissioners shall jointly determine.

Establishment of the New Hebrides Constabulary.

3. The chief officers of the two divisions who shall be designated Commandant of the British or of the French division shall be appointed by the High Commissioner for His Britannic Majesty or the French Republic as the case may be and those appointments and those of any British or French officer or non-commissioned officer as may be subsequently appointed to the force shall be notified by the High Commissioner making the appointment to the other.

Appointment of Commandants.

4. The non-commissioned officers and men of the force shall be appointed by the Resident Commissioners on the recommendation of the Commandants and shall be recruited from among the indigenous natives of the New Hebrides or otherwise from among the indigenous native races of the islands of the South Pacific Ocean or other places subject to the Governments of His Britannic Majesty or of the French Republic.

Rank and File.

5. The native non-commissioned officers and men of the force shall be engaged by enlistment such enlistment to be on such terms regard to length of service and re-engagement as may be determined by the Resident Commissioners as hereinafter provided.

Term of Service.

6. The force shall be clothed, armed, and equipped and shall receive such pay and rations or allowance in lieu of rations as the Resident Commissioners may from time to time respectively determine. Provided that as from the 18th March, 1922, and subject to the provisions of Article 4 (1) of the Protocol of the 6th August, 1914, the said all expenditure in connection with such pay rations clothing equipment and other services of such force shall cease to be a charge on the Joint or Condominium funds.

Armament and Equipment of Force.

7. Should any non-commissioned officer or man of the force provided in section 4 of this Regulation resign or withdraw from his duties with such force during the currency of his engagement without the consent of the British or French Resident Commissioner the case may be such non-commissioned officer or man shall be liable on conviction to imprisonment for a period not exceeding thirty days and to a fine not exceeding twenty pounds or to one or other of those penalties.

Desertion.

8. Any person who having served in the Police force aforesaid shall after having ceased to belong to or having deserted from such force have in his possession any arms, ammunition, clothing, equipment or other property belonging to the Condominium Government of the New Hebrides or to the Government of His Britannic Majesty or of the French Republic and shall not be able to account satisfactorily for the possession of such arms, ammunition, clothing, equipment or other property shall be liable on conviction to imprisonment for a period not exceeding thirty days and to a fine not exceeding twenty pounds or to one or other of those penalties.

Wrongful possession of arms, &c., by ex-members of Force.

9. Any person not being a member of the force who shall be found in possession of arms, ammunition, clothing, equipment or any other article the property of the Condominium Government of the New Hebrides or of the Government of His Britannic Majesty or of the French Republic and shall not satisfactorily account for the possession thereof or who shall put on or assume the dress designations or functions of a member of the British or French divisions of the force shall on conviction be punishable by imprisonment for a term not exceeding thirty days and by a fine not exceeding twenty pounds or by one or other of those penalties.

Simulation of Membership of Force.

10. Offences under sections 7, 8, and 9 of this Regulation shall be justiciable under Article 21 (B) 6 of the Protocol of the 6th August, 1914, by a Court of First Instance and pending the establishment of such Courts by the Joint Court established under Article 10 of the Protocol aforesaid.

Offences justiciable by Court of First Instance.

11. The Commandants of the two divisions shall be under the direct orders of the Resident Commissioners and shall be Police officers in and for the whole Group of the New Hebrides.

Commandants to be under Resident Commissioners.

12. It shall be the duty of the officers, non-commissioned officers and men of the force to co-operate according to their respective ranks in the execution of the provisions of the Protocol of the 6th August aforesaid and in the enforcement of the laws and regulations in force in the New Hebrides. They shall be responsible for the maintenance of peace and good order for the preservation of the rights of property and of the liberty of the subject and shall keep watch over the security of all. In the fulfilment of their duties the Commandants and other European officers, or non-commissioned officers shall be vested with all the rights powers authorities privileges

Duties and obligations of Force. Powers of Commandants and other European Officers. European Officers to be sworn.

immunities, and shall be liable to all such duties and obligations, any British or French Police Officer now has or is subject to by the legislation of either of the two contracting powers, and such Commandants and officers and non-commissioned officers shall take an oath of the due and proper performance of such duties in such form and before such authority as the laws and customs of their respective nations may determine.

13. The non-commissioned officers and men of the force shall continue to be subject to the ordinary criminal law in force in the Group in respect of any offence other than a breach of discipline which he may be guilty during his service in such force, and for such offence he shall be justiciable by the ordinary tribunals established in the Group and having jurisdiction in respect of such cases determined by the provisions of the Protocol of the 6th August, 1914, aforesaid.

14. Each Resident Commissioner shall have the power to make such rules for the discipline and government of the division under his orders as he may deem necessary.

15. This Regulation shall be known as the New Hebrides Constabulary Regulation No. 4 of 1923 and shall come into force from the date of the promulgation of the Protocol of 6th August, 1914.

Published and exhibited at the Public Offices of the Resident Commissioner for His Britannic Majesty and of the French Republic at Vila this twenty-sixth day of May, 1923.

(L.S.) H. D'ARBOUSSIER
Resident Commissioner for
the French Republic.

(L.S.) M. KING
His Britannic Majesty's
Resident Commissioner.

Members of the Force to be subject to the ordinary Criminal Law for non-disciplinary offences.

Resident Commissioners may make Rules.

Short title.

du 6 Août 1914, ainsi que les lois et règlements des Nouvelles-Hébrides en matière de police publique, de la liberté de circulation et de la sûreté de tous.

gradés européens ou non, et les agents de l'une ou l'autre des deux missions, munis de leur autorisation, sont destinés à assurer la sûreté de tous. Les agents de l'une ou l'autre des deux missions, munis de leur autorisation, sont destinés à assurer la sûreté de tous.

pourraient se rendre coupables de délits ou de crimes en vertu des lois et règlements des Nouvelles-Hébrides en matière de police publique, de la liberté de circulation et de la sûreté de tous.

pourra, en ce qui concerne la discipline, faire appliquer ses ordres.

dans les bureaux des résidents et partout où besoin sera, de la promulgation de la présente réglementation.

le 29 Mai 1923.

BOUSSIER
Commissaire de
Police des Nouvelles-Hébrides.

-Résident