

CONDOMINIUM DES NOUVELLES-HEBRIDES

NEW HEBRIDES CONDOMINIUM

ARRETE CONJOINT 17 de 1941

JOINT REGULATION 17 of 1941

A JOINT REGULATION

No. 17 of
1941.

provide for the acquisition and transfer of securities and the purchase sale and loan of foreign currency and gold.

Joint Regulation No. 17 of 1941 was published in Condominium Gazette No. 128 and is reprinted as amended by Joint Regulation No. 7 of 1946 (Gazette No. 157).]

Issued by the Resident Commissioners under the provisions of Article 7 of the Anglo-French Protocol of 1914, as amended by an Exchange of Notes between the British and French Governments which came into force on the 8th May 1940.

1. (1) The Resident Commissioners may by Order direct—
 - (a) that, subject to any exemptions for which provision may be made by the Order, no person shall, except with permission granted by the Resident Commissioners, sell, transfer or do anything which involves the creation of a charge on, securities of any such class as may be specified in the order; being a class of securities, which in the opinion of the Resident Commissioners are likely to be marketable, outside the New Hebrides, and
 - (b) that the owner of any securities of the said class shall, in such manner and within such period as may be specified in the Order, make a return to the Resident Commissioners giving such particulars with respect to those securities as may be so specified.

Power to
restrict
dealing with
and to
acquire
securities.

For the purposes of this paragraph a person who mortgages or pledges a security shall be deemed thereby to create a charge on the security.

(2) At any time while an Order made under paragraph (1) of this Article with respect to securities of any class is in force, the Resident Commissioners, if they are of the opinion that is expedient to do for the purpose of strengthening the financial position of the New Hebrides, may by an Order made generally with respect to any specified securities of that class, (a) transfer to the Resident Commissioners or to any person, government or bank the securities to which the Order relates at a price which, in the Resident Commissioners' opinion, is not less than the market value of the securities on the date on which the Order was made, or (b) direct the manner in which such securities or the proceeds thereof shall be dealt with.

(3) When any Order is made under paragraph (2) (a) of this Article with respect to any securities—

- (a) those securities shall forthwith vest in the Resident Commissioners free from any mortgage, pledge or charge and may be dealt with by the Resident Commissioners as they shall think fit;

- (b) the owner of any of those securities and any person responsible for keeping any register or book in which any of those securities is registered or inscribed, or any person who is otherwise concerned with the registration or inscription of any of those securities, shall do all such things as are necessary, or as the Resident Commissioners may direct to be done, for the purpose of securing that the security and any document of title relating thereto will be delivered to the Resident Commissioners or to such person, government or bank as the Resident Commissioners may direct, and, in the case of any registered or inscribed security, that the security will be registered or inscribed in the name of the Resident Commissioners or of such person, government or bank as the Resident Commissioners may direct.
- (4) The duty to deliver any security under paragraph (3) of this Article shall include a duty to do such things as are necessary to secure that any dividends or interest on that security becoming payable on or after the date of the making of the Order will be paid to the Condominium Treasurer or such other person, government, or bank as the Resident Commissioners may direct in the Order, and where, in the case of any security payable to bearer which is delivered in pursuance of the said paragraph, any coupons representing any such dividends or interest are not delivered with the security, such reduction in the price payable therefor shall be made as the Resident Commissioners think fit:
- Provided that, where the price stated in the Order in relation to any securities is ex any dividend or ex any interest, this paragraph shall not apply to that dividend or interest or to any coupon representing it.
- (5) A certificate signed by any person authorized in that behalf by the Resident Commissioners, that any specified securities are securities transferred in the Resident Commissioners under this Article shall be treated by all persons responsible for keeping any registers or books in which the securities are registered or inscribed, or who are otherwise concerned with the registration or inscription of those securities, as conclusive evidence that the securities have been so transferred.
- (6) This Article shall not apply to any security if the Resident Commissioners are satisfied that at all times since the fifth day of September nineteen hundred and thirty-nine, all the persons interested in the security, other than persons interested therein merely as trustees or merely by virtue of any mortgage, pledge or charge created before the said day, but including any persons beneficially interested therein under a trust, were not resident in the New Hebrides.
- (7) Where, by virtue of sub-paragraph (a) of paragraph (3) of this Article, any security has become vested in the Resident Commissioners, then, at any time before the steps required by sub-paragraph (b) of that paragraph to be taken in relation to that

security have been taken, the Resident Commissioners may, by a resolution made in writing, divest themselves of the security; and upon the Order in consequence of which the security so became vested in the Resident Commissioners shall be deemed, for all purposes, not to have been made or given with respect to that security.

(8) For the purposes of this Article the expression "security" includes a deposit receipt in respect of the deposit of securities.

2. Except with permission granted by or on behalf of the Resident Commissioners, no person shall, in the New Hebrides, buy or borrow any foreign currency or any gold from, or lend or sell any foreign currency or any gold to, any person.

Restriction on purchase, sale and loans of foreign currency and gold.

3. (1) Subject to any exemptions which may be granted by the order of the Resident Commissioners, no person shall, except with permission granted by or on behalf of the Resident Commissioners, take or send out of the New Hebrides any gold, securities or foreign currency:

Restriction on export of foreign currency, gold and securities.

Provided that nothing in this paragraph shall restrict the doing of anything within the scope of his authority by a person authorised by or on behalf of the Resident Commissioners so to do or by an official of the British, French, or Condominium Administrations acting in the course of his duty.

(2) Any person who on any occasion is about to leave the New Hebrides (which person is hereafter in this Article referred to as "the traveller") shall if requested so to do by a District Agent or Police Officer—

- (a) declare whether or not he has with him any gold, securities or foreign currency;
- (b) produce any gold, securities or foreign currency which he has with him,

and the said officer and any person acting under his directions may search the traveller, and examine or search any article which the traveller has with him, for the purpose of ascertaining whether he has with him any gold, securities or foreign currency, and may seize any gold, securities or foreign currency produced or found upon such examination or search, unless either—

- (I) the said officer is satisfied that the traveller is, in respect of all gold, securities or foreign currency which he has with him on the said occasion, exempted from the restriction imposed by paragraph (1) of this Article, or
- (II) the traveller produces to the said officer a single certificate granted by or on behalf of the Resident Commissioners, showing with respect to all gold, securities or foreign currency which he has with him on the said occasion, that the taking out by him of the gold, securities or foreign

currency does not involve a contravention of the said paragraph (1):

Provided that no female shall be searched in pursuance of this paragraph except by a female.

(3) Where any persons are about to leave the New Hebrides, on any ship or aircraft, a District Agent or Police Officer and any person acting under his directions may go on board the ship or aircraft for the purpose of exercising the powers conferred on them by the last preceding paragraph, and may also examine or search the ship or aircraft for the purpose of ascertaining whether there are on board the ship or aircraft any gold, securities, or foreign currency and may seize any gold, securities, or foreign currency found upon such examination, or search, being gold, securities, or foreign currency which the said officer has reasonable ground for suspecting to be in the ship or aircraft for the purpose of being taken or sent out of the New Hebrides in contravention of paragraph (1) of this Article.

(4) As respects any goods consigned from the New Hebrides to a destination which is outside the New Hebrides any District Agent or Police Officer or any officer of the Postal or Customs Service may examine or search the goods for the purpose of ascertaining whether there are being sent therewith any gold, securities or foreign currency and may seize any gold, securities or foreign currency found upon such examination or search unless there appears to the said officer to have been granted by or on behalf of the Resident Commissioners a certificate which shows that the sending aforesaid of gold, securities or foreign currency does not involve a contravention of paragraph (1) of this Article.

Any officer aforementioned may go on board any ship or aircraft for the purpose of exercising the powers conferred on him by this paragraph in relation to any goods on board the ship or aircraft.

(5) For the purposes of this Article, any bill of exchange or promissory note payable otherwise than in any currency issued by the Government of, or under the law of, any part of the sterling area not being bills or notes which are legal tender in any part of that area, shall be deemed to be foreign currency.

(6) In this Article the expression "security" includes a deposit receipt in respect of the deposit of securities, a unit or sub-unit of a unit trust, a coupon representing dividends or interest and a life or endowment assurance policy, and any document of title relating to any security.

4. (1) Subject to any exemptions which may be granted by Order of the Resident Commissioners, no person shall, either on his own behalf or on behalf of any other person, agree to transfer or acquire, or transfer or acquire otherwise than by operation of law or by inheritance, any securities or any interest in securities, unless the Resident Commissioners are satisfied that no person resident

Restrictions
upon transfer
of securities.

side the sterling area has, immediately before the transfer, acquisition or agreement, any interest in the securities:

Provided that nothing in this paragraph shall prohibit any agreement, transfer or acquisition which is effected with permission granted by the Resident Commissioners or by any person authorised by them in that behalf.

(2) Subject to any exemptions which may be granted by Order of the Resident Commissioners, no person shall, except with permission granted by the Resident Commissioners or by any person authorised by them in that behalf—

- (a) transfer any security or create or transfer any interest in a security to or in favour of a person resident outside the sterling area,
- (b) transfer any security from a register in the New Hebrides to a register outside the sterling area or do any act which is calculated to secure, or forms part of a series of acts which together are calculated to secure, the substitution for any security which is either in or registered in the New Hebrides of any security which is either outside or registered outside the sterling area; or
- (c) procure that, in any register or book in which securities are registered or inscribed, an address outside the sterling area shall, except by way of substitution for another such address, be registered in respect of any security.

In this paragraph the expression "security" includes a coupon representing dividends or interest.

(3) Subject to any exemptions which may be granted by Order of the Resident Commissioners no person shall, except with permission granted by the Resident Commissioners or by any person authorised by them in that behalf, enter any transfer of securities in any register or book in which those securities are registered or inscribed unless there has been produced to them such evidence that the transfer does not involve a contravention of this Regulation as may be prescribed by instructions issued by or on behalf of the Resident Commissioners.

(4) Nothing in paragraph (1) of this Article shall prohibit the making of any agreement to which one at least of the parties is a member of the Stock Exchanges of Australia or New Zealand, and nothing in paragraph (2) of this Article shall prohibit the execution, by or on behalf of the transferor, of any instrument of transfer of securities in pursuance of any such agreement; but this paragraph shall not authorize the doing of any other act which would, apart from this paragraph, constitute a breach of this Article.

(5) In this Article—

the expression "acquire by inheritance" means acquire in the capacity of a beneficiary under a will or intestacy, or in the capacity of a person representative of a deceased person; and

the expression "security" includes a deposit receipt in respect of the deposit of securities and a life or endowment assurance policy;

and for the purposes of this Article an interest in securities does not include an interest in expectancy on the determination of a life, or any interest merely as a trustee.

5. (1) Subject to any exemptions which may be granted by Order of the Resident Commissioners, no person shall, except with permission granted by the Resident Commissioners or by any person authorized by them in that behalf, issue any bearer bond, share warrant to bearer, or other document of title by the delivery of which the title to securities or to any interest in securities is transferable:

Restrictions upon issue of documents of title relating to securities.

Provided that nothing in this Article shall restrict the issue of any such document of title for the purpose of replacing any such document which has been lost or destroyed.

(2) Coupons representing dividends or interest shall be deemed for the purposes of this Article to be documents of title by the delivery of which a title to an interest in securities is transferable.

6. (1) Subject to any exemptions and exceptions which may be granted by Order of the Resident Commissioners, no person shall except with permission granted by the Resident Commissioners—

Restriction on payments.

- (a) draw, issue or negotiate any bill of exchange or promissory note, or acknowledge any debt, so that a right whether actual or contingent to receive a payment in the New Hebrides is created or transferred in favour of a person who is resident outside the sterling area; or
- (b) make any payment to any such person.

(2) Subject to any exemptions and exceptions which may be granted by Order of the Resident Commissioners, no person shall, except with permission granted by the Resident Commissioners—

- (a) draw, issue or negotiate any bill of exchange or promissory note, transfer any security or acknowledge any debt, so that a right (whether actual or contingent) to receive a payment in the New Hebrides is created or transferred in favour of a person not resident outside the sterling area as consideration for, or in association with—
 - (I) the receipt by any person of a payment, or the acquisition by any person of property, outside the sterling area, or
 - (II) the creation or transfer, in favour of any person of a right (whether actual or contingent) to receive a payment, or acquire property, outside the sterling area; or
- (b) make any payment to a person not resident outside the sterling area as such consideration or in such association as aforesaid.

In this paragraph the expression "transfer" includes, in relation to any security, transfer by way of loan or security, and the expression "security" includes a deposit receipt in respect of the deposit of securities, a unit or sub-unit of a unit trust and coupon representing dividends or interest and a life or endowment assurance policy.

(3) When an individual has at any time since the fifth day of November, 1939, resided in the New Hebrides—

(a) until the Resident Commissioners otherwise direct, he shall be treated, for the purposes of this Article and of any Order providing for exemptions from any of the provisions thereof, as having been, and as still being, resident in the New Hebrides and not resident outside the sterling area; and

(b) if any such direction is given, the Resident Commissioners may, by the same or a subsequent direction, declare the territory in which, for those purposes, he is to be treated as being resident, and any direction given under this paragraph may be either general or special and may be revoked or varied by a subsequent direction thereunder.

(4) Nothing in this Article shall restrict the doing by a person authorized by or on behalf of the Resident Commissioners of anything within the scope of his authority.

7. (1) Every person resident in the New Hebrides who at the date on which this Regulation comes into operation is, or after that date becomes, entitled to sell, or to procure the sale of, any foreign currency, to which this Article applies, acquired by sale of reported goods, or in any other manner whether before or after this Regulation comes into force, to which this Article applies, shall offer or cause it to be offered for sale to the Resident Commissioners or to a person, Government or bank designated by them by Order for the purposes of this Article.

Acquisition
of certain
foreign
currency

(2) Where a person has become bound under paragraph (1) of this Article to offer, or cause to be offered, any foreign currency for sale and has not done so, the Resident Commissioners may by Order direct that that currency shall vest in the Resident Commissioners or in any person, Government or bank designated by them and thereupon it shall vest accordingly free from any mortgage, charge or charge, and the Resident Commissioners or the person, Government or bank aforesaid may deal or cause to deal with the said currency as they think fit, but shall pay, or cause to pay, to the person who would but for the direction be entitled to possession of the said currency such price in respect thereof as may be approved by the Resident Commissioners or the person, Government or bank aforesaid.

(3) Every person resident in the New Hebrides who, at the date on which this Regulation comes into operation, is, or after that date becomes, entitled to assign or to procure the assignment of any right to receive outside the New Hebrides, in respect of any credit or

...ance at a bank, payment of any amount in a foreign currency to which this Article applies, shall, unless the Resident Commissioners of the person, Government or bank designated by them for the purposes of this Article shall give notice to the contrary, do all things necessary for the purpose of assigning that right to the Resident Commissioners or to the person, Government or bank so designated.

(4) Any sum payable as consideration for any sale or assignment made in accordance with this Article shall be such as may be approved by the Resident Commissioners, or the person, Government or bank as aforesaid.

(5) The preceding provisions of this Article shall not impose on any person an obligation in respect of any currency if—

(a) he satisfies the Resident Commissioners, that all persons interested in that currency, other than persons interested therein merely as trustees or merely by virtue of any mortgage, pledge or charge created before the fifth day of September, 1939, but including any persons beneficially interested in the said currency under a trust, are not resident in the New Hebrides, or

(b) he satisfies the Resident Commissioners that the currency or amount, as the case may be, is held or is required for the purpose—

(I) of performing a contract made before the fifth day of September, 1939; or

(II) of meeting the reasonable requirements of a trade or business carried on in the New Hebrides otherwise than by way of dealing in foreign exchange; or

(III) of defraying reasonable travelling or other personal expenses; or

(c) he is, in respect of that currency, exempted from the provisions of this Article.

(6) The foreign currency to which this Article applies is such foreign currency as may from time to time be designated by order of the Resident Commissioners for the purposes of this Article.

(7) Where any goods are exported for sale from the New Hebrides and consigned directly or indirectly to any place outside the sterling area, the person making entry of the goods shall deliver to the Collector of Customs, or other proper officer, together with the entry, a declaration in quadruplicate in the form of Schedule 1 hereto signed by such person and containing such information relating to the export of the goods and the sum to be received or which is expected to be received in respect of the goods as may be required by such Schedule, or as in addition the Collector of Customs may require with a view to facilitating the enforcement of this Article and obtaining information as to the amounts obtainable in foreign currency by reason of the export of such goods.

(8) The goods shall not be exported until the said declaration has been delivered.

(9) After the export has been made one copy of the declaration duly endorsed to that effect shall be forwarded by the Collector of Customs to any person, Government or bank designated by the Resident Commissioners according to the provisions of paragraph (1) of this Article and a similar copy shall be forwarded by him to each Resident Commissioner.

(10) This Article shall not apply to anything done by or on behalf of the British, French or Condominium Administrations.

8. (1) The Resident Commissioners may, by an Order made by them with respect to any description of securities, exempt the securities to which the Order relates from the provisions of Article 1 of this Regulation, and any such Order shall be deemed to relate not only to the securities specified therein, but also to any security to which the owner of the securities so specified may become or has become entitled as such, either by way of bonus or in consequence of any conversion operation, amalgamation or reconstruction.

Powers to exempt securities from provisions of Article 1.

(2) In this Article the expression "security" includes a deposit receipt in respect of the deposit of securities.

9. (1) Subject to any exemptions which may be granted by Order of the Resident Commissioners, no person shall, except with permission granted by or on behalf of the Resident Commissioners export goods of any class or description for sale to a destination in any territory outside the sterling area unless it is shown to the satisfaction of the Collector of Customs—

Requirement as to payment for goods exported to certain territories.

- (a) that payment for the goods has been made to a person resident in the New Hebrides in such manner and in such currency as the Resident Commissioners may direct; and
- (b) that the amount of the payment for the goods represents the full value of the goods, subject to such deductions, if any, as may have been allowed by or on behalf of the Resident Commissioners.

(2) For the purpose of enforcing this Article and of satisfying himself, in the case of any goods, as to the matters specified in paragraph (1) of this Article, the Collector of Customs may require the person making entry of the goods to deliver to the Collector or other proper officer, together with the entry, such declarations and undertakings signed by such persons as the Collector may require, and where any such declaration or undertaking has been so required, the goods shall not be exported until it has been delivered as aforesaid.

(3) If any goods are exported in contravention of the provisions of this Article or are shipped, put off or water-borne to be shipped for the purposes of being so exported, the goods shall be forfeited to the Condominium.

(4) References in this Article to the destination of any goods include references to the ultimate destination thereof.

10. (1) Subject to such exemptions as may be granted by Order of the Resident Commissioners it shall not be lawful, except with the consent of the Resident Commissioners and in accordance with such conditions as the Resident Commissioners may impose, to make an issue of capital in the New Hebrides, to make, in the New Hebrides, any public offer of securities for sale, or to renew or postpone the date of maturity of any security maturing for repayment in the New Hebrides.

Control of capital issues.

(2) Subject to such exemptions as may be granted by Order of the Resident Commissioners, it shall not be lawful to issue any prospectus or other document offering for subscription, or publicly offering for sale, any securities which does not include a statement that the consent of the Resident Commissioners has been obtained to the issue or offer of the securities.

(3) For the purposes of this Article a person shall be deemed to make an issue of capital who—

- (a) issues any securities (whether for cash or otherwise); or
- (b) receives any money on loan on the terms or in the expectation, that the loan will or may be repaid wholly or partly by the issue of any securities, or by the transfer of any securities issued after the making of the loan.

(4) In this Article, reference to securities and to the issue of securities respectively include references to any mortgage or charge, whether legal or equitable, and to the creation of, or the increasing of the amount secured by, any such mortgage or charge, and the expression "security" includes a promissory note of a local authority and deposit receipt for money lent issued by a local authority or by any person carrying on any business other than the business of banking.

11. (1) No person shall import goods from any place outside the sterling area without being provided with an Import Licence issued by the Collector of Customs with the approval of the Resident Commissioners in respect thereof.

Import licences and method of obtaining non-sterling exchange by importers.

(2) Any person desirous of importing goods from the non-sterling area shall make application to the Resident Commissioner from whom he depends in quadruplicate in the form of Schedule 2 hereto.

(3) Should the application be approved in whole or in part an import licence in the form of Schedule 3 hereto will be issued. One copy of the licence will be retained by the Collector of Customs for subsequent verification of imports authorised and values thereof, one given to applicant and two will be transmitted to the Resident Commissioners for record.

(4) Should the importations necessitate the use of any currency in the non-sterling area, the import licence will be endorsed accordingly and may be used by the importer to support an application for such currency to the authority governing the grant of such currency, which shall be designated by Order of the Resident Commissioners.

12. (1) The Resident Commissioners may by Order give to any person a direction requiring him, within such time and in such manner as may be specified in the direction, to furnish to them or to any person designated in the direction as a person authorized to require it, any information in his possession or control which the Resident Commissioners or the person so authorized, as the case may be, may require for the purpose of securing the compliance with or detecting evasion of this Regulation.

Power to obtain information.

(2) A person required by any such direction as aforesaid to furnish information shall produce such books, accounts or other documents (hereinafter referred to as "documents") in his possession or control, as may be required by the Resident Commissioners or by the person authorized to require the information, as the case may be, and for the purpose of inspecting any such documents any person so authorized as aforesaid, or any person authorized to act on behalf of the Resident Commissioners under this paragraph, may enter any premises and may take possession of any of the documents or take in relation thereto any other steps which appear to him necessary for preserving them and preventing interference therewith.

(3) No person shall, with intent to evade the provisions of this Regulation, destroy, mutilate, deface, secrete or remove any documents.

(4) Any information given by any person in compliance with this Article may be given in evidence against him notwithstanding that it may tend to incriminate him.

(5) The provisions of this Article shall be without prejudice to any other provisions of this Regulation relating to the giving of information, and the provisions of paragraph (4) of this Article shall be without prejudice to any question as to the admissibility as evidence of information obtained under statutory powers in the absence of any such expressed provision.

13. Where the Resident Commissioners are satisfied that, owing to the change in the external or internal position of any State, action is being, or is likely to be taken to the detriment of the economic position of the New Hebrides or otherwise to the prejudice of the efficient prosecution of the war, the Resident Commissioners may by Order give general or special directions prohibiting either absolutely or to such extent as may be specified in the directions, the carrying out, except with permission granted by or on behalf of the Resident Commissioners, of any Order given by or on behalf of—

Control of credits foreign states.

(a) the State or Sovereign thereof or any person resident therein, or

(b) any body corporate which is incorporated under the law of that State or is under the control of that State or of the Sovereign thereof or of any person resident therein, in so far as the Order—

- (1) requires the person to whom the Order is given to make any payment or to part with any gold or security, or
- (2) requires any change to be made in the person to whose credit any sum is to stand or to whose order any gold or security is to be held.

13. (A) Notwithstanding anything contained in this Regulation or contained in or omitted from any Order made by the Resident Commissioners under the provisions of this Regulation the New Hebrides shall for the purpose of the exercise of the provisions of this Regulation be taken to be within the sterling area.

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13. (B) Nothing in this Regulation which prohibits or restricts a transaction between a person in the New Hebrides and a person resident outside the sterling area shall be deemed to prohibit or restrict a transaction between persons in the New Hebrides.]

14. Breaches of this Regulation shall include breaches of any undertaking made or of any Licence or Permit issued thereunder, or any false declaration made under the provisions thereof.

Breaches.

15. The provisions of Articles 28 to 41 of the New Hebrides Joint Defence Regulation No. 16 of 1940, shall apply for the purpose of the enforcement of this Regulation, and otherwise in relation hereto, as if any reference to the said Articles to that Regulation included a reference to this Regulation:

Application of certain provisions of the New Hebrides Defence Regulation 1940 and penalties.

Provided that in respect of an offence against this Regulation the Court shall, in addition to any fine or sentence which may be imposed, order that any property, article or thing in respect of which the offence has been committed, shall be forfeited to the Condominium; and such property, article or thing may be disposed of in such manner as the Resident Commissioners may direct; and provided also that for the purpose of the trial of a person for an offence against this Regulation, the offence shall be deemed to have been committed.

16. In this Regulation, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

Definitions.

“foreign currency” means any currency other than sterling or Australian currency or francs being legal tender in the New Hebrides;]

“gold” means gold coin or gold bullion:

owner", in relation to any security, includes any person who had power to sell or transfer a security, or who has the custody thereof, or who receives, whether on his own behalf or on behalf of any other person, dividends or interest thereon, or who has any other interest therein;

security", except in so far as is otherwise expressly provided—

- (a) includes shares, stocks, bonds, notes, debentures and debenture stocks;
- (b) does not include a bill of exchange, a promissory note or a deposit receipt;

sterling area" means the United Kingdom and such other territories as may be declared by Order of the Resident Commissioners to be included in the sterling area.]

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17. This Regulation shall come into force on the day of the date hereof and may be cited for all purposes as the "New Hebrides Joint Defence (Finance) Regulation No. 17 of 1941".

Date of coming into force and short title.

Dated at Vila this First day of September, 1941.

A. KUTER
The Resident Commissioner
for France.

R. D. BLANDY
His Britannic Majesty's
Resident Commissioner.

SCHEDULE No. 1

Declaration under Article 7 (7) to be made to the Collector of Customs in respect of goods exported for sale to any place outside the sterling area.

- Name and address of exporter.
- Goods to be exported with quantity and weight.
- Place to which to be exported and by which vessel.
- Nett amount expected to be realized and currency of payment with details of sale contract and expenses in support thereof.
- Place where payment will be made.
- Arrangements made by exporter to cause any foreign currency received to be surrendered to the person, government or bank designated in paragraph (1) of the same Article.
- Any other information required by the Collector of Customs.

I, the undersigned, certify that to the best of my knowledge the above is a true and accurate declaration.

Date:

Signature of declarer

Observations:

Date:

Collector of Customs

SCHEDULE No. 2

Form of application to import goods from non-sterling area

Note: If payment for the articles is acceptable in sterling or Australian currency, paragraphs 4 to 7 should be struck out.

1. I, the undersigned, desire to import the goods on the attached list from and hereby apply for an import licence in respect thereof.
2. I certify that the sellers of the said articles are—are not—willing to accept payment in sterling or Australian currency.
3. The reasons I wish to import the above from instead of from the sterling area are as follows:
4. The estimated sum in the currency of the abovementioned country which is that is required for the above purpose is _____ which is made up as follows:
5. I certify that to the best of my knowledge the prices of the articles given in the attached list and the sum stated in paragraph 3 above are approximately correct.
6. Should I be permitted to import the said articles or any part of them I undertake to refund to _____ any excess of any foreign exchange I may have received from it in respect of the import of such articles.
7. Should I not have imported the said goods within the time specified in the Import Permit, I undertake to refund to _____ within one month of the expiration thereof any foreign exchange which I may have received in respect thereof.
8. I estimate the time necessary to complete the abovementioned importations to be _____ and request the licence be made valid in respect of that period.

Date:

Signature of applicant

Observations by Resident Commissioners:

The Resident Commissioner for France His Britannic Majesty's Resident Commissioner.

SCHEDULE No. 3

Import licence in respect of imports from the non-sterling area

1. _____ is hereby authorized to import from the articles in the attached list (for which the purchase by _____ from _____ if available is _____ approved).
- (2. This licence shall be valid only until _____ unless extended before this date for a further period.)
- (3. In the event of failure to import the said articles within the prescribed time (or extended time) the licensee shall within one month thereof return to _____ the whole of any _____ purchased by him for this purpose.)
- (4. In the event of any _____ sold to him for this purpose by _____ being in excess of requirements the licensee shall within one month of the articles being imported surrender any balance thereof in his favour to _____.)

Note: If the imports are payable in sterling or Australian currency, the parts in brackets should be struck out.)

Dated at Vila this _____ day of _____

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Collector of Customs