

X. Judicial notice shall be taken of this Order and of the commencement thereof and of the appointment of the High Commissioner the Resident Commissioner and of any other officers appointed thereunder and of the constitution and limits of any jurisdiction court or district and of judicial and official seals and signatures and of any laws regulations or rules made under this Order and no proof shall be required of any such matters.

XI. 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 any official Gazette published by authority of the High Commissioner and, until such Gazette is instituted, means the Fiji Government Gazette.

XII. This Order shall be published in the Gazette, and shall come into operation on a date to be fixed by the High Commissioner by publication in the Fiji Government Gazette, 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 due publicity thereto within the New Hebrides and the Islands of the Pacific Ocean.

A. W. FITZROY.

SCHEDULE I.

PART I.

CONVENTION BETWEEN THE UNITED KINGDOM AND FRANCE CONCERNING THE NEW HEBRIDES.

The Government of His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and the Government of the French Republic, having agreed, in a spirit of mutual good-will, to confirm the Protocol, prepared in conformity with the Declaration of the 8th April, 1904, by their respective Delegates concerning the New Hebrides ;

The Undersigned, the Right Honourable Sir Edward Grey, a Baronet of the United Kingdom, a Member of Parliament, His Majesty’s Principal Secretary of State for Foreign Affairs ;

And His Excellency Monsieur Paul Cambon, Ambassador of the French Republic at the Court of His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India ;

Duly authorized to this effect, confirm the Protocol, drawn up at London, the 27th day of February, 1906, the text of which is as follows :—

PROTOCOL.

The Undersigned, Eldon Gorst, Assistant Under-Secretary of State for Foreign Affairs, Knight Commander of the Most Honourable Order of the Bath ; Hugh Bertram Cox, Assistant Under-Secretary of State for the Colonies, Companion of the Most Honourable Order of the Bath ; Marcel Saint-Germain, Senator, President of the Council of Administration of the Colonial Office at the Ministry of the Colonies, Officer of the Order of Public Instruction, Holder of the Colonial Medal ; Edouard Picanon, Inspector-General of the Colonies of the First Class, Governor of French Guiana, Officer of the Legion of Honour, Officer of the Order of Public Instruction, delegated respectively by the Government of His Britannic Majesty and by the Government of the French Republic, in order to draw up, in conformity with the Declaration of the 8th April, 1904, concerning the New Hebrides, an arrangement which shall put an end to the difficulties arising from the absence of jurisdiction over the natives of the New Hebrides and settle the disputes of their respective nationals in the said Islands with regard to landed property, have agreed to the following provisions, which they have resolved to submit for the approval of their respective Governments :—

PREAMBLE.

The Government of His Britannic Majesty and the Government of the French Republic, being desirous of modifying, as far as the New Hebrides are concerned, the Convention of the 16th November, 1887, respecting the New Hebrides and the Islands leeward of Tahiti, in order to secure the exercise of their paramount rights in the New Hebrides and to assure for the future the better protection of life and property in the Group, have agreed on the following Articles :—

GENERAL PROVISIONS.

ARTICLE I.

Status.

(1) The Group of the New Hebrides, including the Banks and Torres Islands, shall form a region of joint influence, in which the subjects and citizens of the two Signatory Powers shall enjoy equal rights of residence, personal protection, and trade, each of the two Powers retaining jurisdiction over its subjects or citizens, and neither exercising a separate control over the Group.

(2) The subjects or citizens of other Powers shall enjoy the same rights and shall be subject to the same obligations as British subjects or French citizens. They must choose within six months between the legal systems of one of the two Powers. Failing such choice, the High Commissioners mentioned in Article II. or their Delegates shall decide under which system they shall be placed.