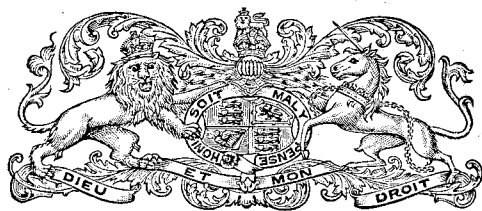


WESTERN PACIFIC HIGH COMMISSION.

No. 2 of 1919



[L.S.]

C. H. RODWELL,

High Commissioner.

6th February, 1919.

KING'S REGULATION

TO AMEND THE SOLOMONS LAND REGISTRATION
REGULATION 1918.

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.

[11th February, 1919.]

1. This Regulation may be cited as the Solomons Land SHORT TITLE.
Registration (Amendment) Regulation 1919, and shall be
read and construed as one with and forming part of the
Solomons Land Registration Regulation 1919 hereinafter
referred to as the principal Regulation.

SUBSTITUTES
NEW SECTION 4
IN PRINCIPAL
REGULATION.
REGISTRAR TO
KEEP RECORD
BOOKS.

2. Section four of the principal Regulation is hereby repealed and the following section substituted therefor:—

“ 4.—(1) The Registrar shall keep a set of books to be numbered consecutively and, subject as hereinafter provided, shall as soon as practicable, cause every instrument presented for registration at the office, together with the certificate placed thereon, as hereinafter provided, to be copied at full length in one of the said books in the order in which the same shall be presented, and shall cause every instrument as entered in each book to be numbered consecutively from one upwards, and each such book shall have an index in which shall be stated in alphabetical order the name of every party to every instrument other than a will, and the name of the testator of every will recorded in such book, with a reference to the page of the book where the instrument is recorded to which the name refers.

“ (2) Every instrument, other than a will, whereby land is granted by a native to any person other than a native or by the Crown to any person whatsoever shall be executed in duplicate, and instead of the instrument being copied as hereinbefore provided one of the duplicates shall be filed by the Registrar in such manner as to constitute part of an appropriate book, each duplicate so filed being deemed to constitute a page of the book wherein it is filed, and the other of the duplicates shall be delivered to the grantee who shall pay the expenses of registration.”

SUBSTITUTES
NEW SECTION 5
IN PRINCIPAL
REGULATION.
PRESENTATION
BOOK.

3. Section five of the principal Regulation is hereby repealed and the following section substituted therefor:—

“ 5.—(1) One of the books to be kept by the Registrar shall be a book to be called the Presentation Book in which shall be entered by a short description every instrument being in order to be registered which is presented for registration with the year, month, day, hour, and minute of such presentation, and such year, month, day, hour, and minute shall be taken to be the time of registration. The Presentation Book shall be in the Form A in the First Schedule hereto or to the like effect.

“ (2) The Registrar shall as soon as practicable after the entry in the Presentation Book of any instrument place upon such instrument a certificate of registration in the Form B in the First Schedule hereto.”

CERTIFICATE OF
REGISTRATION.

SUBSTITUTES
NEW SECTION 10
IN PRINCIPAL
REGULATION.
MODE OF
PROOF.

4. Section ten of the principal Regulation is hereby repealed and the following section substituted therefor:—

“ 10.—(1) Subject as hereinafter provided no instrument executed after the commencement of this Regulation, other than a will, shall be registered unless it has been proved on oath by the grantor or one of the grantors, or by the grantee or one of the grantees, or by one of the subscribing witnesses to have been duly executed by the grantor or grantors.

“ (2) No will of a testator dying after the commencement of the Regulation shall be registered—

“ (a) unless it has been proved on oath by one of the subscribing witnesses, or if both are dead, or if from any other cause whatever proof by the oath of either of them cannot be obtained, by

“ the oath of some other person present at the
“ execution of the will, or, if the Registrar be
“ satisfied that no such proof can be obtained, by
“ the oath of some person or persons who can
“ testify to the handwriting of the testator and
“ of the subscribing witnesses; or

“(b) unless the probate of such will or letters of admin-
“ istration with such will annexed under the seal
“ of the Court or of a court in some part of His
“ Majesty’s other Protectorates, or in some part
“ of His Majesty’s Dominions, having jurisdiction
“ to grant the same, shall be produced to the
“ Registrar.

“ The oath shall be in the Form C or D in the First
“ Schedule hereto (as the case may require) or to the like
“ effect.

“(3) The proof required by this section shall be made
“ as follows:—

“(a) If such instrument or will be executed in the
“ Protectorate before the Registrar, or before a
“ member of the Court, or an officer thereof
“ having authority to administer an oath; IN THE
PROTECTORATE.

“(b) if such instrument or will be executed in any
“ part of His Majesty’s Dominions or in any other
“ Protectorate before any Judge of any Court of
“ Law, any Magistrate, Commissioner of Oaths,
“ or Notary Public therein, or the person admin-
“ istering the Government thereof; IN GREAT
BRITAIN AND
THE COLONIES.

“(c) if such instrument or will be executed in any
“ foreign country not being a Protectorate of His
“ Majesty before any British Consul or other
“ accredited British Representative resident in
“ such country; IN FOREIGN
COUNTRIES.

“(d) an instrument or will not proved before the
“ Registrar, shall not be registered unless it shall
“ have upon it a certificate as near as may be in
“ the Form E in the said First Schedule hereto
“ purporting to be under the hand and official seal
“ or private seal (if there should be no official seal),
“ or the hand alone if the person shall have no
“ official or private seal, of some one of the per-
“ sons hereinbefore authorised to receive such
“ proof to the effect that such instrument has been
“ proved. CERTIFICATE
OF PROOF.

“(4) The proof hereinbefore provided for shall not
“ be required:—

“(a) In the case of an instrument, other than a will,
“ executed in the Protectorate to which the Crown
“ is a party as grantor or to the execution of which
“ by the grantor or grantors the Resident Com-
“ missioner, the Registrar, a member or a barrister
“ or solicitor of the Court, the Crown Surveyor,
“ or a Registered Land Surveyor is a subscribing
“ witness stating his official description; or

“(b) in the case of an instrument, other than a will,
“ executed out of the Protectorate to the execu-
“ tion of which by the grantor or grantors some
“ one of the persons hereinbefore authorised to
“ receive the proof thereof is a subscribing witness
“ stating his official description.”

AMENDS FIRST SCHEDULE TO PRINCIPAL REGULATION.

5. The First Schedule to the principal Regulation is hereby amended by the deletion therefrom of the Forms A and B therein and by the substitution therein for the said forms of the following forms respectively, viz.:—

“ FORM A.

“ Land Registry Office, British Solomon Islands.

“ Presentation Book.

Date.					Description of Instrument.	Names of Parties.		Description of Land.		Acreage.			Register in which filed.	Book Number.	Folio Number.	Remark:.
Year.	Month.	Day.	Hour.	Minute.		From.	To.	Name of Land.	Situation.	a.	r.	p.				

“ FORM B.

“ Certificate of Registration.

“ British Solomon Islands.

“ Registered in the Land Registry Office the.....
 “ day of.....19.....at.....o'clock.....noon
 “ in Register of.....Book No.....Folio No.....
 “ G.H.
 “ Registrar.”

AMENDS SECOND SCHEDULE TO PRINCIPAL REGULATION.

6. The Second Schedule to the principal Regulation is hereby amended by the addition thereto at the end thereof of the following words, viz.:—

“ The fee of 2s. for every folio of 72 words or part thereof above provided to be paid for the registration and recording of an instrument and the additional fees of 5s. and 10s. respectively above provided to be paid in respect of the registration and recording of instruments containing plans shall not be chargeable in respect of an instrument required to be executed in duplicate the registration whereof is effected by filing one of the duplicates.”

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

By Command,

A. L. AYTON,

Acting Secretary to His Britannic Majesty's High Commissioner for the Western Pacific.

Suva, Fiji: Printed by S. BACH,

Printer to the Government of His Britannic Majesty's High Commission for the Western Pacific.

[Price 1s.]

1919.