

WESTERN PACIFIC HIGH COMMISSION.

No. 1 of 1919



[L.S.]

C. H. RODWELL,

High Commissioner.

17th January, 1919.

## KING'S REGULATION

TO AMEND THE TONGA (ALIEN ENEMY TRADE DISPOSAL) REGULATION 1916.

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.

[17th January, 1919.]

1. This Regulation may be cited for all purposes as the Tonga (Alien Enemy Trade Disposal) Regulation 1919 and shall be read and construed as one with the Tonga (Alien Enemy Trade Disposal) Regulation of 1916 hereinafter called the principal Regulation.

SHORT TITLE AND CONSTRUCTION.

2. In this Regulation the expressions "alien enemy" "person" "Consul" and "Tonga" have the same meaning as in the principal Regulation.

INTERPRETATION

3.—(1) No person shall without permission in writing of the Consul carry on or engage in the trade or business or in any part of the trade or business formerly carried on by an alien enemy or shall carry on or engage in any trade or business for or on behalf of or for the benefit of an alien enemy.

PROHIBITION AGAINST TRADING FOR BENEFIT OF ALIEN ENEMY.

(2) Any such permission which may be given by the Consul shall be subject to such conditions, limitations and restrictions as the Consul may impose.

POWER OF  
CONSUL ON  
SUSPICION OF  
BREACH OF  
REGULATION.

4. In any case in which it is suspected that any breach of this Regulation has been or is being committed by any person and in any case in which it is anticipated that any such breach is about to be committed by any person the Consul may upon oath being made before him to that effect hold an inquiry into the trade or business carried on by such person or persons and may—

- (a) inspect all books and documents belonging to or under the control of any person by whom it is suspected or anticipated that such breach has been or is about to be committed;
- (b) require any person whom he may consider able to give any information respecting the business or trade of any person by whom it is suspected or anticipated that such breach has been or is about to be committed to give such information;
- (c) search any premises suspected of having been or of being used in connection with such business or trade;
- (d) seize and take possession of all books documents and things discovered in the course of any such investigation or search which may appear to furnish any evidence that any breach of this Regulation has been or is about to be committed.

The powers contained in (a) (c) and (d) hereof may be exercised by the Consul in person or by his agent thereto appointed in writing.

APPOINTMENT  
OF LIQUIDATOR.

5. If upon such inquiry it shall be found by the Consul that any person is carrying on or is engaged in the trade or business or in any part of the trade or business formerly carried on by an alien enemy or is carrying on any trade or business for or on behalf of or for the benefit of an alien enemy, the Consul may by writing under his hand appoint a liquidator of such business and may exercise in relation thereto all the powers conferred upon him by the principal Regulation.

PENALTY FOR  
OFFENCE.

6. Any person who commits a breach of this Regulation and any person who refuses or neglects to produce any books or documents belonging to or under his control or in his possession or to give any information within his knowledge to the Consul upon demand shall be liable on summary conviction to imprisonment for any term not exceeding twelve months or to a fine not exceeding £100 or to both such fine and imprisonment.

LIQUIDATION OF  
PRIVATE  
ESTATES.

7. When the Consul is satisfied as regards the private estate of any alien enemy that the liquidation of such estate is necessary either to meet the indebtedness of such alien enemy or for the preservation of the property he may appoint a liquidator of such person and the provisions of the principal Regulation shall apply to such appointment and to the liquidation of such estate and all matters connected therewith.

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

By Command,

A. L. AYTON,

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

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