

NEW HEBRIDES

AGREEMENTS AMENDING THE ANGLO-FRENCH PROTOCOL OF 1914
RESPECTING THE NEW HEBRIDES

IT IS HEREBY NOTIFIED pursuant to section 14 of Schedule 1 to the New Hebrides Order 1973 that upon publication hereof the Protocol made the 6th day of August 1914 between the Government of His Late Majesty King George the Fifth and the Government of the French Republic in the terms set forth in the Schedule to the New Hebrides Order in Council 1922 as interpreted, modified, added to, or amended by the agreements set out in the Schedules to the New Hebrides Orders in Council of 1923, 1961 and 1963, and by the provisions of section 4 of the New Hebrides Order in Council 1970, and as heretofore modified, added to or amended by the agreements constituted by Exchanges of Notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the French Republic shall have the force of law and shall be binding upon all such persons as are referred to in section 2 of Schedule 1 to the New Hebrides Order 1973, subject to the agreements constituted by the Exchanges of Notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the French Republic made at London the 10th day of November 1976, amending the said Protocol in the following manner:-

- A. (to provide for the appointment of Co-Presidents of the Courts of First Instance and the empowering of such Co-Presidents to preside over Native Courts, to take effect from 10th November 1976)

Article 8:

In paragraph 6, there shall be inserted immediately after the fifth sub-paragraph the following sub-paragraphs:

"The Resident Commissioners may by joint decision empower a Co-President of a Court of First Instance appointed in accordance with Article 21 (B) paragraph 5(a) to preside over a Native Court in place of a District Agent or Assistant District Agent."

In paragraph 8, the last sentence of the second sub-paragraph shall be deleted and replaced by the following :

"The Courts shall sit as often as shall be necessary, and may make circuits in their areas of jurisdiction."

Article 21 (B):

In paragraph 5(a) (i), the words "the two Agents of the district" shall be deleted and replaced by the words "two Co-Presidents of whom each Resident Commissioner shall appoint one".

In paragraph 5(f):

in sub-paragraphs (i) and (iv) the word "Agent" shall be deleted and replaced by the words "Co - President appointed by the Resident Commissioner";

in sub-paragraphs (ii), (iii) and (v) the words "the Agent to act as President" shall be deleted and replaced by the words "the President".

- B. (to transfer the remaining original jurisdiction of the Joint Court in criminal cases to the Native Courts, to take effect upon notification of completion of the requisite constitutional procedures by both parties)

Article 8:

In paragraph 7(B) (b), the words "against natives" shall be deleted.

Article 12:

Paragraph 2 shall be deleted, and the paragraphs presently numbered 3, 4, 5, 6 and 7 shall be renumbered 2, 3, 4, 5 and 6 respectively.

Article 13:

Paragraph 2 shall be deleted, and the paragraph presently numbered 3 shall be renumbered 2.

Article 20:

In paragraph 4:

- (a) the words "either by the Joint Court in accordance with Article 12 or" shall be deleted;

- (b) in the second sentence, the words "Joint Court" shall be deleted and replaced with the words "Native Court".

PUBLISHED and EXHIBITED at the Public Office of the Resident Commissioner this 26th day of November 1976.

J. Simon
Office Superintendent