

BRITISH ORDER IN COUNCIL, *providing for the Appointment of an Assistant High Commissioner for the Western Pacific.* Balmoral, September 6, 1880.

At the Court at Balmoral, the 6th day of September, 1880.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL

WHEREAS by the Western Pacific Order in Council of 1877 Her Majesty the Queen was pleased to create and constitute the office of High Commissioner in, over, and for certain islands and places in the Western Pacific Ocean, with such powers and jurisdiction as are in the said Order set forth:

And whereas by the Western Pacific Order in Council of 1879[†] Her Majesty was pleased, in Article 4 thereof, to order that whenever the High Commissioner has occasion to leave his ordinary place of official residence in order to visit any distant places within which he has jurisdiction as High Commissioner he may appoint an Assistant High Commissioner to represent him during his absence:

And whereas it is expedient to amend and extend the provisions of Article 4 of the said Order of 1879:

Now, therefore, Her Majesty, by virtue and in exercise of the powers in this behalf by "The Pacific Islanders Protection Acts, 1872 and 1875," and by "The Foreign Jurisdiction Act, 1843 to 1878," or otherwise, in Her Majesty vested, is pleased by and with the advice of her Privy Council, to order, and it is hereby ordered as follows:—

Preliminary.

1. This Order may be cited as the Western Pacific Order in Council of 1880; and the Western Pacific Orders in Council of 1877, 1879, and this Order may be cited together as the Western Pacific Orders in Council of 1877 to 1880.
2. This Order shall be read as if it were part of the Western Pacific Orders in Council of 1877 to 1879.

* See Vol. 14. Page 871.

† See Vol. 14. Page 1245.

Assistant High Commissioner.

Article 4 of the Western Pacific Order in Council of 1877 is hereby revoked, but without prejudice to anything lawfully done thereunder.

(1.) Whenever the High Commissioner has occasion to leave his ordinary place of official residence in order to visit distant places within which he has jurisdiction as High Commissioner, or at any other time, with the previous sanction of Her Majesty conveyed through the Secretary of State, he may, by an instrument under his hand and official seal, appoint any person to be his Judicial Commissioner, or some one of Her Majesty's Deputy Commissioners for the Western Pacific, to represent him in his absence as High Commissioner; and the person so appointed shall be styled the Assistant High Commissioner, and may, so long as his appointment remains in force, exercise all the powers and authorities of the High Commissioner, or so much thereof as is specified in the instrument appointing him.

(2.) Such appointment shall not affect the right of the High Commissioner to exercise his full power and authority in any case within his jurisdiction.

(3.) The High Commissioner may revoke any such appointment by a similar instrument; and every such appointment, if made on account of the absence of the High Commissioner, shall cease on his return to his ordinary place of official residence.

(4.) In this Order, and in the Western Pacific Orders in Council of 1877 and 1879, unless inconsistent with the context, the High Commissioner includes the person for the time being exercising any of the powers and authorities of the High Commissioner under the provisions of this Order, or of the Western Pacific Order in Council of 1877 or of 1879.

(5.) This Order shall commence and have effect on the 15th day of November, 1880, and shall be published in the "Royal Gazette of Fiji," and in such other manner as the High Commissioner thinks fit.

And the Right Honourable Earl Granville, Knight of Our Most Noble Order of the Garter, and the Right Honourable the Earl of Kimberley, two of Her Majesty's Principal Secretaries of State, and the Lords Commissioners of the Treasury, and the Lords Commissioners of the Admiralty, are to give the necessary directions herein as to them may respectively appertain.

C. L. PEEL.