

THE SAMOA NATIVE LAND AND TITLES COMMISSION  
ORDER, 1924.

JELlicoe, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 29th day of October,  
1924.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

HIS Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of that Dominion, and in pursuance of the authority to make regulations for the peace, order, and good government of Samoa conferred upon him by the Samoa Act, 1921, and of all other powers and authorities enabling him in that behalf, doth hereby revoke all Orders in Council heretofore made relating to the Samoa Native Land and Titles Commission, and in lieu thereof doth make the following regulations.

REGULATIONS.

1. THESE regulations may be cited as the Samoa Native Land and Titles Commission Order, 1924 (hereinafter referred to as "this Order"), and shall come into operation on the first day of December, one thousand nine hundred and twenty-four.

2. In the exercise of the jurisdiction referred to in this Order, the High Court of Western Samoa shall be specially constituted in accordance with this Order, and when so constituted shall be known as the Native Land and Titles Commission.

3. The High Court when exercising jurisdiction as the Native Land and Titles Commission shall consist of—

(a.) The Chief Judge of the High Court :

(b.) European Assessors, not more than three in number (one of whom shall be the officer who for the time being is holding the appointment of Secretary for Native Affairs) to be appointed by the Administrator, and to hold office during his pleasure :

Provided that the Administrator may by order from time to time whenever he shall think fit so to do, appoint not more than two Samoan Assessors in addition to the European Assessors for the hearing of any matter referred to in such order :

(c.) Samoan Commissioners, not less than eight nor more than fourteen in number, to be appointed by the Administrator, and to hold office during his pleasure.

4. No sitting of the Commission shall take place save in the presence either of the Chief Judge and at least two European Assessors, or else in the presence of three European Assessors.

5. At every sitting of the Commission the Chief Judge, if present, shall preside, and in his absence one of the European Assessors to be appointed by the Administrator shall preside.

6. Sittings of the Commission shall be held at such times and places as the Chief Judge may appoint, but the Commission may itself adjourn any sitting to any other time or place.

7. The functions of the Samoan Commissioners shall be advisory and consultative, and they shall not be entitled to vote on the decisions of the Commission, but shall be entitled to be heard on all questions within the jurisdiction of the Commission.

8. The decision of a majority of the members of the Commission present at any sitting thereof (other than the Samoan Commissioners), or, in the event of an equal division of opinion, the decision of the Chief Judge, shall be deemed to be the decision of the Commission.

9. A European Assessor, not being an officer of the Samoan Public Service, may receive in respect of each sitting of the Commission at which he is present such fees or allowances as the Administrator thinks fit.

10. Subject to this Order, all rules of law applicable to the High Court in the exercise of its ordinary civil jurisdiction shall apply to the High Court sitting as the Native Land and Titles Commission.