

24. Save as provided in clause twenty-nine hereof, it shall not be lawful for a Samoan to be or become a member of a company.

25. Every contract, whether verbal or in writing, and every deed or other document whereunder a Samoan is made or becomes or purports or agrees to be made or to become either presently or in the future a member of a company shall be void and of none effect :

Provided, however, that any money or other consideration or the value thereof paid or given by a Samoan under any such contract, deed, or other document may be recovered by action by any member of the Samoan Public Service authorized thereunto by the Administrator.

26. Any money or other consideration recovered under the provisions of the proviso to the last preceding clause hereof shall be held in trust for the Samoan in respect of whom the action was commenced.

27. Every person who gives, sells, barter, or disposes of, or offers to give, sell, barter, or dispose of, any share or interest in a company to a Samoan, or who procures or takes part in procuring the signature of a Samoan to any memorandum of association, application for allotment, or transfer of shares in a company, or who enters into any contract, either verbally or in writing or by deed or other document, whereunder a Samoan is made or becomes or purports or agrees to be made or to become either presently or in the future a member of a company commits an offence punishable by a fine of one hundred pounds.

28. The provisions of this part of this Order shall not apply to—

- (a) Labour shares issued under the provisions of section fifty-nine of the Act :
- (b) Shares or interests in companies acquired or held by a Samoan as trustee for a European :
- (c) Any contract by a Samoan to perform or supply manual labour in consideration of a share of the profits arising out of the undertaking or enterprise in respect of which the service of labour shall be performed.

29. The Administrator may by Warrant under his hand and subject to such terms and conditions as he may think fit to impose permit a Samoan to become a member of a company.

30. The provisions of the Act and of this Order and of the memorandum or articles of association of a company relating to membership and shares, and of the Partnership Act, 1908, and of every contract or deed of partnership shall in respect of a Samoan member of a company be read subject always to the terms and conditions of the permit granted under the last preceding clause hereof.

31. If any shares or interest in a company shall devolve upon a Samoan by bequest, upon an intestacy, or otherwise by operation of law, and the Administrator shall refuse to grant a permit under the provisions of clause twenty-nine hereof, such shares or interest shall immediately vest in the Samoan Public Trustee upon trust to sell the same and pay the proceeds of such sale to the Samoan beneficiary.

#### PART III.—GENERAL.

32. The Samoa Companies Order, 1922, shall be deemed to be revoked on the coming into operation of this Order, and section three hundred and eighty-four of the Act shall apply to that Order as if that Order were mentioned in the Twelfth Schedule of the Act.

A. W. MULLIGAN,  
Acting Clerk of the Executive Council.