

[L.S.]

BICKHAM ESCOTT,

High Commissioner.



No. III. of 1915.

KING'S REGULATION

TO REGULATE DIVING OPERATIONS WITHIN THE BRITISH
SOLOMON ISLANDS PROTECTORATE.

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.

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1. This Regulation may be cited as the Solomons Diving Regula- Short title
tion, 1915.
 - 2.—(1) In this Regulation, unless the context otherwise requires— Interpretation.
“Protectorate” means and includes the islands of the British
Solomon Islands Protectorate and the waters of the said
islands for three miles seaward from low-water mark of
any part thereof ;
“Resident Commissioner” means the Resident Commissioner
in the Protectorate and any person duly authorised to act
in his place ;
“Authorised officer” means any officer of the Protectorate
Government authorised by the Resident Commissioner to
exercise and perform certain powers and duties specified
in this Regulation, and includes the Resident Commissioner ;
“Native” means any aboriginal native of any island in the
Pacific Ocean, and includes any person of mixed European
and aboriginal native descent who is not registered under
the provisions of the Definition (Native) Regulation, 1907.
(2) References in this Regulation to forms are made to the forms
given in the Schedule hereto.

- Person in charge of operations where native divers use apparatus to be licensed.
Form 1.
Penalty.
- 3.—(1) Every person having the charge or control of any diving operations in connection with which any native diver using diving apparatus is employed shall hold a license according to Form 1.
(2) Every person who acts in contravention of the provisions of this section shall on conviction be liable to a penalty not exceeding fifty pounds, and, in default of payment, to a term of imprisonment not exceeding six months.
- Diving apparatus attendant to be licensed where native divers use apparatus
Form 2.
Penalty.
- 4.—(1) Every person employed or engaged in attending to any diving apparatus gear or machinery which is being used or worked in connection with the diving operations of any native diver using diving apparatus shall hold a license according to Form 2.
(2) Every person who acts in contravention of the provisions of this section shall on conviction be liable to a penalty not exceeding twenty-five pounds, and, in default of payment, to a term of imprisonment not exceeding three months.
- Native diver using apparatus to be licensed.
Form 3.
Penalty.
- 5.—(1) Every native who acts as a diver using diving apparatus shall hold a license according to Form 3.
(2) Every native who acts in contravention of the provisions of this section shall on conviction be liable to a penalty not exceeding two pounds, and, in default of payment, to a term of imprisonment not exceeding one month.
- Issue of licenses.
- 6.—(1) The Resident Commissioner or any authorised officer may grant the licenses hereinbefore provided for to such persons as the Resident Commissioner or such authorised officer, as the case may be, may in his discretion deem fit and proper.
(2) A license may be granted for any period not exceeding six months from the date of the grant thereof.
- Suspension and cancellation of licenses.
7. The Resident Commissioner may for any reasonable cause suspend or cancel any license which has been granted and any authorised officer may likewise suspend any such license.
- Penalty for employing unlicensed person where license required.
8. Every person who, either as a principal or as an agent for some principal, employs or authorises or permits the employment of any unlicensed person in any employment in connection with which such unlicensed person is required by this Regulation to be the holder of a valid license shall on conviction be liable to a penalty not exceeding fifty pounds, and, in default of payment, to a term of imprisonment not exceeding six months.
- Penalty for failure to produce license.
9. Every holder of a license granted under this Regulation who fails to produce his license when required to do so by any authorised officer shall on conviction be liable to a penalty not exceeding ten pounds, and, in default of payment, to a term of imprisonment not exceeding two months.
- Certain powers of authorised officers.
10. Any authorised officer may exercise all or any of the following powers :—
(i) He may enter upon any ship, boat, or place which is being used in connection with any diving operations ;
(ii) He may examine any diving apparatus, gear, or machinery ;
(iii) He may by order in writing under his hand forbid the further use of any diving apparatus, gear, or machinery which is in his opinion unsafe or insufficient ;
(iv) He may make any inquiries or searches that he thinks necessary to ascertain whether any contravention of the provisions of this Regulation has been committed.
- Periodical examination of diving apparatus.
11. All diving apparatus, gear, and machinery used in connection with any diving operations shall be submitted by the owner or by the person having the charge thereof to the Resident Commissioner or to any authorised officer for examination once at least in every period of six months.

12. Every person who uses or authorises or permits the use of any diving apparatus, gear, or machinery of which the further use has been duly forbidden or which has not been duly submitted for examination as hereinbefore provided for shall on conviction be liable to a penalty not exceeding fifty pounds, and, in default of payment, to a term of imprisonment not exceeding six months.

Penalty for using apparatus condemned or not duly inspected.

13. Every person—

(1) who resists or obstructs any authorised officer in the performance of any of his duties under this Regulation ; or

Penalty for obstructing officer, &c.

(2) who refuses to give to any authorised officer any information which the officer is authorised to require from him ; or

(3) who gives false information in answer to any lawful inquiry made by any authorised officer, shall on conviction be liable to a penalty not exceeding twenty-five pounds, and, in default of payment, to a term of imprisonment not exceeding three months.

14. If any person appears to any authorised officer or to any European officer of police to have committed a contravention of any of the provisions of this Regulation whilst on board any ship or boat, such officer may without summons, warrant, or other process convey the offender or offenders, as the case may be, before the Court which shall thereupon in a summary manner make such order as may be deemed just and expedient. Any ship or boat used in the commission of any such contravention may be seized and detained, together with all things found on board thereof, by any such officer as aforesaid pending the hearing of the case.

Summary proceedings for trial of offences.

15. When any penalty is imposed under this Regulation by the Court and such penalty is not immediately paid the Court may order that any ship or boat seized and detained as in the last section provided, together with all things found on board thereof, be kept at the risk and cost of the owner of the ship or boat for a period of four months unless such ship or boat is before the expiration of such period released by payment of the penalty, costs, and expenses. If at the expiration of such four months the penalty, costs, and the expenses of keeping the ship or boat or any of them or any part thereof remain unpaid, then the ship or boat, together with all tackle thereof, apparel, furniture, cargo, and the effects on board of such ship or boat, shall be liable to be forfeited to the use of His Britannic Majesty. If any dispute shall arise as to the amount that may be justly claimed by the Protectorate Government for the keeping of a ship or boat so kept the matter shall be referred to the Resident Commissioner who shall determine such dispute.

Forfeiture of ship or boat for non-payment of penalty.

SCHEDULE.

FORM 1.

THE SOLOMONS DIVING REGULATION, 1915.

Diving Control License.

This is to certify that _____ of _____ is hereby licensed under the Solomons Diving Regulation, 1915, to have the control of diving operations in connection with which native divers using diving apparatus are employed.

This license is valid for _____ months.

Given under my hand at _____ this _____ day of _____, 191_____.

Resident Commissioner (or any authorised officer).

FORM 2.

THE SOLOMONS DIVING REGULATION, 1915.

Diving Attendant's License.

THIS is to certify that _____ of
 is hereby licensed under the Solomons Diving Regulation, 1915, to act as a diving appar-
 atus and machinery attendant in connection with the diving operations of native divers
 using diving apparatus.

This license is valid for _____ months.

Given under my hand at _____ this _____ day of
 _____, 191 _____ .

Resident Commissioner (or any authorised officer).

FORM 3.

THE SOLOMONS DIVING REGULATION, 1915.

Native Diver's License.

THIS is to certify that _____ of
 is hereby licensed under the Solomons Diving Regulation, 1915, to act as a native diver
 using diving apparatus.

This license is valid for _____ months.

Given under my hand at _____ this _____ day of
 _____, 191 _____ .

Resident Commissioner (or any authorised officer).

Published and exhibited in the Public Office of the High Com-
 missioner for the Western Pacific this twenty-second day of
 February, one thousand nine hundred and fifteen.

By Command,

C. H. HART-DAVIS,
 Secretary to His Britannic Majesty's High Commissioner
 for the Western Pacific.

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