

UNITED NATIONS GENERAL ASSEMBLY



Distr.
LIMITED

A/AC.109/L.98/Add.1
19 February 1964

ORIGINAL: ENGLISH

SPECIAL COMMITTEE ON THE SITUATION WITH
REGARD TO THE IMPLEMENTATION OF THE
DECLARATION ON THE GRANTING OF
INDEPENDENCE TO COLONIAL COUNTRIES
AND PEOPLES

DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES: INFORMATION ON TERRITORIES TO WHICH THE DECLARATION APPLIES

Working Paper prepared by the Secretariat

TABLE OF CONTENTS

	<u>Paragraphs</u>	<u>Page</u>
INTRODUCTION	1-4	2
ADMINISTERING POWER: AUSTRALIA		
I. Trust Territory of NAURU	1-20	3
II & III. PAPUA AND THE TRUST TERRITORY OF NEW GUINEA . .	1-20	8
IV. COCOS (KEELING) ISLANDS	1-20	18
ADMINISTERING POWER: UNITED STATES OF AMERICA		
V. TRUST TERRITORY OF THE PACIFIC ISLANDS	1-25	22
VI. GUAM	1-22	28
VII. AMERICAN SAMOA	1-27	32
ADMINISTERING POWER: NEW ZEALAND		
VIII. COOK ISLANDS	1-29	38
IX. NIUE	1-17	46
X. TOKELAU ISLANDS	1-14	50
ADMINISTERING POWER: FRANCE AND UNITED KINGDOM		
XI. NEW HEBRIDES	1-31	53
ADMINISTERING POWER: UNITED KINGDOM		
XII. GILBERT & ELLICE ISLANDS	1-24	60
XIII. PITCAIRN ISLAND	1-11	66
XIV. SOLOMON ISLANDS	1-21	68
XV. BRUNEI	1-33	74
XVI. HONG KONG	1-35	82

88p.

INTRODUCTION

1. The report of the Special Committee to the General Assembly at its eighteenth session, which was approved by the Assembly in its resolution 1956 (XVIII) of 11 December 1963, states:

"With regard to the Territories which still remain to be considered by the Special Committee, it is the intention of the Special Committee to consider them as a matter priority in 1964. In order to facilitate such consideration, the Secretariat has been asked to prepare the necessary documentation giving background information on the Territories included in the preliminary list which have not yet been considered by the Special Committee and make them available to the members of the Committee as soon as possible."^{1/}

2. This working paper is submitted to the Special Committee in accordance with the instructions of the Special Committee referred to above.

3. This working paper has been prepared on the basis of official information as well as information available from other published sources, in accordance with the decision of the Special Committee contained in Chapter I, paragraph 112 b, of its report to the General Assembly at its seventeenth session.^{2/}

4. By resolution 1970 (XVIII) of 16 December 1963, the General Assembly decided to dissolve the Committee on Information from Non-Self-Governing Territories and requested the Special Committee to study the information transmitted to the Secretary-General by the Administering Members under Article 73 e and on political and constitutional developments, and to take it fully into account in examining the situation regarding the implementation of the Declaration on the granting of independence to colonial countries and peoples in each of the Non-Self-Governing Territories. Accordingly, the information under Article 73 e as well as information on political and constitutional developments transmitted by the Administering Member concerned has also been taken into account in the preparation of this paper.

^{1/} A/5446, Chapter I, paragraph 51.

^{2/} Official Records of the General Assembly, Seventeenth Session, Annexes, addendum to agenda item 25, page 12.

I. NAURU

GENERAL

1. The Trust Territory of Nauru is a small island situated in the Central Pacific Ocean with an area of about eight square miles (20.7 square kilometres). This consists of a narrow, fertile coastal belt of flat land, on the inner side of which a coral cliff formation rises to a height of from forty to 100 feet above sea level. This merges into a central plateau with extensive phosphate deposits which almost completely inhibit any useful natural growth. The removal of the phosphate leaves a rugged terrain consisting of coral pinnacles varying from thirty to fifty feet in height above the floor of the old coral formation.
2. At 30 June 1962 the population of Nauru consisted of 2,516 Nauruans, 1,173 "other Pacific Islanders", 748 Chinese and 412 Europeans.
3. The question of the future of the Nauruan community has been of special concern to the Trusteeship Council by reason of the fact that Nauru is totally lacking in natural resources other than phosphate and these will be exhausted in approximately forty years. It has urged the Administering Authority, in consultation with the Nauruans, to formulate plans for their resettlement. In order to assist in this matter, the Administering Authority has appointed a Director of Nauruan Resettlement who has been making extensive investigations regarding a possible location for a future home for Nauruans. As a result, an inspection of Curtis Island (off the Queensland coast of Australia) was carried out by the Head Chief of Nauru and the Administrator in February 1963. No decision on the suitability of this island has been reached, and discussions with the Nauru Local Government Council are continuing.

GOVERNMENT

Status

4. Nauru, formerly a German colony, became a mandated Territory at the end of the First World War, and was administered by Australia on behalf of the Governments of Australia, New Zealand and the United Kingdom. Under the Trusteeship Agreement by which Nauru became a Trust Territory and which was approved by the General

Assembly on 1 November 1947, the Governments of Australia, New Zealand and the United Kingdom were designated as the joint Administering Authority. These Governments have agreed that the Australian Government shall exercise full powers of legislation, administration and jurisdiction in and over the Territory and that the administration of the island shall be vested in an Administrator appointed by the Government of Australia.

Constitution

5. The Government of the Territory derives its authority from the Agreement of Nauru dated 2 July 1919 between Australia, New Zealand and the United Kingdom, which provides for the administration of the island to be vested in an Administrator.

(a) Administrator

6. The Administrator has the power to make ordinances for the peace, order and good government of the Territory and is responsible to the Australian Government through the Minister of State for Territories.

(b) Nauru Local Government Council

7. Nauru has no executive or legislative council, but certain local government matters are handled by the Nauru Local Government Council. This consists of nine members elected by the Nauruan community. The Council may advise the Administrator about any matter affecting Nauruans, including the making of new ordinances and regulations and the repeal or amendment of any existing legislation. Powers and functions may be conferred on the Council by ordinance. The Administrator may act in opposition to the advice of the Council on any matter where, in his opinion, he is justified in so doing. The Council may make rules in respect of certain specified matters and generally for the peace, order and welfare of Nauruans. Such rules are subject to the approval of the Administrator.

(c) Electoral system

8. Every Nauruan in the Territory over twenty-one years of age is required to enrol as a voter in the district in which he resides. Voting is compulsory and by secret ballot. Council elections are held at intervals not exceeding four years.

Public Service

9. The Public Service is under the control of a Public Service Commissioner appointed by the Minister for Territories. No person other than a Nauruan is eligible for appointment to the Service unless the Public Service Commissioner is of the opinion that there is no Nauruan who is available and capable of performing the duties of the office.

10. During 1961-62, the number of posts in the Public Service was increased from 479 to 499. At 30 June 1962, a total of 425 posts were filled. Nauruans and other Pacific Islanders filled 372 positions and there were thirty-four Australian expatriate staff and nineteen Chinese.

Judiciary

11. The courts which exercise jurisdiction in Nauru are the District Court, the Central Court and the Court of Appeal. The practice and procedure of the Central Court are regulated by rules similar to those of the Supreme Court of Queensland. Conduct of proceedings in the Court of Appeal and in the District Court is in accordance with normal British and Australian procedure. Appeal lies from the District Court to the Central Court and from that court to the Court of Appeal.

12. The functions of the Court of Appeal are performed by the Chief Justice of the Supreme Court of Papua and New Guinea. The Central Court consists at present of a judge and five magistrates, two of whom are Nauruans. The District Court consists of three magistrates, two of whom are Nauruans.

Political parties

13. There are no political organizations in Nauru.

ECONOMIC CONDITIONS

14. The economy of Nauru is based on the raising of phosphate by the British Phosphate Commissioners. In 1961-62, production totalled 1,541,652 tons valued at £A3,391,634, on which the Commissioners paid the Nauruans £A277,545 in royalties. Nauru has very little land suitable for agriculture, no forests, and no secondary industries. Apart from the phosphate deposits, there are no known resources capable of development.

15. All expenses of the Administration so far as they are not met by other revenue are defrayed out of the proceeds of phosphate sales. An amount of £A494,415 was provided by the British Phosphate Commissioners during 1961-62 for this purpose. Other revenue, from import duties, postal revenue, etc., came to £A29,365, making a total of £A523,780.

SOCIAL AND EDUCATIONAL CONDITIONS

16. For information on social and educational conditions in Nauru, see the report of the Trusteeship Council to the General Assembly at its eighteenth session.^{1/}

ACTION TAKEN BY THE TRUSTEESHIP COUNCIL IN 1963

17. In a letter dated 26 June 1963,^{2/} the President of the Trusteeship Council informed the Chairman of the Special Committee that the Trusteeship Council, at its thirtieth session, had examined conditions in the Trust Territory of Nauru, and that its report for the eighteenth session of the General Assembly would be available in printed form.^{3/}

18. The Council's conclusions and recommendations concerning Nauru appear on pages 22-31 of its report.

ACTION TAKEN BY THE GENERAL ASSEMBLY AT ITS EIGHTEENTH SESSION

19. At its eighteenth session, the General Assembly, following its consideration of the report of the Trusteeship Council, adopted resolution 1969 (XVIII) of 16 December 1963. By this resolution it took note of the Report of the Trusteeship Council and called upon the Administering Authorities to take account of the recommendations and observations in the Report and to bear in mind those expressed by delegations during the debate on the Report at the eighteenth session of the General Assembly.

^{1/} Official Records of the General Assembly, Eighteenth Session, Supplement No. 4 (A/5504), pp. 28-31.

^{2/} A/AC.109/46.

^{3/} A/5504.

CONSIDERATION BY THE TRUSTEESHIP COUNCIL IN 1964

20. The Trusteeship Council, at its thirty-first session beginning on 20 May 1964, will examine conditions in Nauru on the basis of the annual report and supplementary information to be submitted by the Administering Authority.

II. and III. PAPUA AND THE TRUST TERRITORY OF NEW GUINEA^{1/}

GENERAL

1. The Trust Territory of New Guinea has a land area of approximately 93,000 square miles (240,087 square kilometres). This includes that part of the island of New Guinea north of the Papuan border, the islands of Bismarck Archipelago, and the northernmost islands of the Solomon Group, namely Buka and Bougainville.
2. The Territory of Papua has a land area of 87,540 square miles (226,728 square kilometres), and comprises the south-eastern portion of the island of New Guinea lying south of the Trust Territory of New Guinea, and the Trobriand, Woodlark, D'Entrecasteaux and Louisiade island groups. It is separated from Australia by the Torres Straits. The administrative headquarters of the Territory is at Port Moresby in Papua.
3. At 30 June 1962, the indigenous population of the Trust Territory of New Guinea was estimated to exceed 1,469,320. This consisted of an enumerated population of 1,421,090 and an additional estimated population of 48,230. At 30 June 1961 the non-indigenous population numbered 15,536.
4. The indigenous population of Papua at 30 June 1962 consisted of an enumerated population of 481,256. The remainder of the indigenous population was estimated at 47,600. The estimated non-indigenous population numbered 9,794.

GOVERNMENT

Status

5. New Guinea, a former German colony, became a mandated Territory at the end of the First World War. It is now administered by Australia under a Trusteeship Agreement approved by the General Assembly of the United Nations on 13 December 1946.

^{1/} Papua and the Trust Territory of New Guinea are considered together since they are governed in an administrative union under the title of the Territory of Papua and New Guinea.

The following information on Papua transmitted by the Administering Power has been taken into account in the preparation of this paper: information transmitted under Article 73 e for the year ending 30 June 1962, received on 6 February 1943, which also included information on political and constitutional developments.

6. The Territory of Papua, formerly a British Possession, became an Australian Possession by the Papua Act of 1905 which came into force on 1 September 1906.

7. The Papua and New Guinea Act, 1949, provided for the government of the Territory of Papua and the Territory of New Guinea in an administrative union under the title of the Territory of Papua and New Guinea. The Act provided that the identity and status of the Territory of Papua as an Australian Possession, and the Territory of New Guinea as a Trust Territory would continue to be maintained.

Constitution

8. The constitutional authority for the administration of Papua and New Guinea is set out in the Papua and New Guinea Act, 1949-1960. By amendments to the Papua and New Guinea Act which were passed by the Australian Parliament in May 1963, provision is made for changes in the executive and legislative institutions which will come into effect in 1964. In August 1963, legislation to give effect to these changes was introduced into the Legislative Council of Papua and New Guinea. The main provisions of the present Constitution, and of the changes that will be introduced are set out below.

(a) Administrator

9. The Administrator administers the Territory on behalf of the Government of Australia. He has the authority under certain ordinances to make regulations relating to matters specified in those ordinances. In practice this power is exercised with the advice of the Administrator's Council.

(b) Administrator's Council

10. The Administrator's Council has advisory functions. At present it consists of the Administrator, three official members of the Legislative Council and three non-official members, two of whom must be elected members. The Administrator is not bound to act in conformity with the advice of the Administrator's Council, but if he fails to do so in a case where a statutory power given under an ordinance may be exercised either by the Administrator-in-Council or by the Administrator, he must provide the Legislative Council, not later than the first sitting day of its next meeting, with a statement of his reasons.

11. By the amendments to the Papua and New Guinea Act, provision has been made to give the Administrator's Council wider functions and to enlarge it from seven to eleven members, by increasing the number of non-official members from three to seven and stipulating that all seven should be elected members of the new House of Assembly. Provision has also been made for the appointment of Parliamentary Under-Secretaries from the elected members, who will understudy the heads of departments at present taking the place of ministers.

(c) Legislative Council

12. The Legislative Council consists of the following members:

- (i) the Administrator;
- (ii) fourteen officers of the Territory;
- (iii) twelve elected members: six elected by the electors of the Territory; and six elected by the indigenous population;
- (iv) ten appointed members.

13. There are a total of six electorates, four in the Trust Territory of New Guinea and two in Papua. Eight members are elected from the former and four from the latter. The ten appointed members must include not fewer than five residents of the Trust Territory and not fewer than five indigenous inhabitants.

14. The Council is empowered to make ordinances for the peace, order and good government of the Territory. All ordinances must be assented to by either the Administrator or, in certain cases, the Governor-General of Australia.

15. By the amendments to the Papua and New Guinea Act, the present Legislative Council is to be replaced by a House of Assembly in April 1964. This will consist of 64 members, of whom 54 will be elected. The Administering Authority has stated that ten of these 54 seats will, as an interim measure, be reserved for non-indigenous members.

(d) Electoral system

16. Beginning in 1964, the elected members of the House of Assembly will be elected by universal suffrage of all persons over 18 years of age from a common roll representing single-member constituencies.

17. The last election to the Legislative Council was held on 18 March 1961. Elections for members of the new House of Assembly were due to begin on 15 February 1964.

Public Service

18. The Public Service of the Territory of Papua and New Guinea consists of four divisions of officers: the First, Second, Third and Auxiliary Divisions. Appointment to the Auxiliary Division, which was created as a training division in 1957, is restricted to indigenous persons who are either British subjects or Australian protected persons.

19. At 30 June 1962, the staff of the Public Service totalled 5,437, an increase of 212 over the previous year. This consisted of the following permanent officers in the First, Second and Third Divisions: one Asian, 39 indigenous and 2,757 expatriate persons. In the same divisions there were 1,376 expatriate, 18 indigenous and 226 Asian and mixed race temporary employees, and 328 exempt employees (persons to whom the provisions of the Public Service Ordinance do not apply). The Auxiliary Division had 598 permanent and 94 temporary indigenous officers.

Judiciary

20. The Supreme Court of Papua and New Guinea, the highest judicial authority in the Territory, has unlimited criminal and civil jurisdiction. District courts (in Papua, courts of petty session) have criminal jurisdiction over the less serious offences which are punishable on summary conviction, but have no jurisdiction to try crimes of treason, misdemeanours and other indictable offences. They also exercise a limited civil jurisdiction. Courts for Native affairs (in Papua, courts for Native matters) have jurisdiction over offences by indigenous inhabitants against Native Administration Regulations and civil actions of any kind, other than matters relating to the ownership of land or water if all parties are indigenous persons.

21. Legislation to replace the courts for Native affairs by a system of local courts operating under simplified rules of procedure is being considered by the Legislative Council. The local courts, which will have a relatively low limit

of jurisdiction in both criminal and civil matters, will have power to apply customary law in appropriate cases. The legislation provides for account to be taken of customary law and for assessors to be appointed for this purpose. It also provides for selected indigenous persons to be appointed as justices to sit with magistrates in local courts, but without power of decision, and also for appeals from local courts to the Supreme Court.

Local government

(a) Native local government councils

22. Native local government councils, composed of elected indigenous members, are empowered to make rules for the peace, order and welfare of their respective areas. When approved by the District Officer, these have the full force of law. They are authorized to levy rates and taxes and to charge for services rendered. The Administering Authority proposes to introduce in the Legislative Council a new local government council ordinance which will provide for a considerable expansion of the powers and functions of, and give greater responsibilities to, the councils. An annual conference is held, attended by representatives from all local government councils in Papua and New Guinea. In June 1963, there were fifty councils in the Trust Territory covering a population of 473,772. There were twenty-two councils in Papua covering a population of approximately 155,675 in June 1962.

(b) District and town advisory councils

23. District and town advisory indigenous and non-indigenous members are non-statutory. Through them, residents may express their views and offer advice to district commissioners on matters directly affecting them within the district or town concerned.

Political parties

24. The only political organization in Papua and the Trust Territory is the United Progressive Party. The Administering Authority reports that it is not an active body at present.

ECONOMIC CONDITIONS

25. Primary production is the basis of the economy of both the Trust Territory and Papua. Agriculture is the chief activity, and agricultural exports comprised approximately 90 per cent of the total exports of the Trust Territory in 1961-62, and 96 per cent of the total exports of Papua in 1960-61. The principal agricultural exports of Papua are copra and rubber; those of New Guinea are copra, cacao and coffee. An important timber industry based on the Trust Territory's extensive forest resources is being developed. Gold mining, an important activity in the Trust Territory, is now declining. Manufacturing industries, associated mainly with the processing of primary produce, are of minor though growing significance in both the Trust Territory and Papua.
26. Revenue raised in the Trust Territory and Papua is derived chiefly from import tariffs and direct taxation. This is supplemented annually by a direct interest-free and non-repayable grant from the Government of Australia. In 1961-62, the total revenue was £A25.7 million. This consisted of an £A7.9 million raised by internal revenue collections, £A500,000 from Territory loan subscriptions, and a grant of £A17,293,398. The Trust Territory received £A10,114,366 of this grant.
27. The total expenditure for 1961-62 in the Trust Territory and Papua was £A25.7 million.
28. The Administering Power states that one of the greatest problems encountered in economic advancement is that of capital formation. In the traditional subsistence economy of the Trust Territory and Papua, production is largely geared to current needs and the economic situation is one of stagnation rather than growth. As the people move towards a more advanced economy there is an increasing need for capital. The Administering Power states that the investment of outside capital is encouraged subject to suitable safeguards to protect the interests of the indigenous people and to ensure that their full participation in the economic life and wealth of their country will not be prejudiced.
29. In order to strengthen the economy of the Territory, the 1962 Visiting Mission to New Guinea recommended that the World Bank should be invited to carry out a full economic survey. It considered that this was necessary in order to prepare

a balanced development plan with special reference to agriculture, marketing and trade problems and to future taxation policy and the need for new investment.

30. In June 1963, it was announced that arrangements with the International Bank for Reconstruction and Development had been made for a Mission organized by the Bank to undertake a comprehensive review of the economic potentialities of the Trust Territory and Papua. The Mission had already begun its work in New Guinea. When this was completed, it would make recommendations to assist the Government of Australia in planning a developmental programme. This would be designed to expand and stimulate the economy and to raise the standard of living of the people. In addition to assessing the local resources, the Mission would assess the amount of capital likely to be available for development over the next five years from all sources.

31. In 1962 a total of 136 foreign companies were operating in the Trust Territory, and 124 were operating in Papua. Many of these operate through agents, usually a local company or firm.

32. In 1962, 349 local companies were operating in the Trust Territory with an aggregate nominal capital of £A41,234,500 and 227 were operating in Papua with an aggregate nominal capital of £A58,900,299. The Administering Authority has subscribed £A750,001 in a company engaged in the plywood industry in the Trust Territory with a total paid up capital of £A1,500,000, and £A152,999 in the New Guinea Resources Prospecting Company, Ltd., in Papua, with a total paid up capital of £A300,000.

SOCIAL CONDITIONS IN PAPUA

Labour

33. At 31 March 1962, there were 25,278 workers in paid employment in the Territory (excluding members of the Public Service), compared with 23,508 in 1961. Private industry employed 18,182, of whom 10,135 were plantation workers. The Administration employed 7,096, including 1,106 members of the police force. Of the total number employed, approximately 11,103 workers were engaged in skilled or semi-skilled occupations.

34. Two organizations of workers, known as the Kerema Welfare Association and the Papua and New Guinea Workers' Association, have been formed in the Territory. Information concerning the number of members belonging to them is not available. The Administration reports that these associations have taken an active interest in the work of the Native Employment Board and have negotiated with employers' representatives for improved conditions of work.

Public health

35. No valid vital statistics are available for the Territory. The principal diseases and causes of death are pneumonia, malaria, gastro-enteritis and tuberculosis.

36. There are thirty-two Administration hospitals in the Territory. Admission is free to Papuans at all hospitals, with the exception of two paying hospitals at centres where free hospitals are also established. The staff of the health services includes 5 specialists, 28 physician surgeons and 8 assistant medical officers. In addition, 3 specialists and 9 physician surgeons are employed by the Public Health Department of the Territory of Papua and New Guinea at Port Moresby.

37. In 1961-62, expenditures on health services totalled £A1,166,258 and expenditures on works and services of a capital nature and on the improvement and maintenance of hospital buildings and equipment amounted to £A71,703.

38. Most religious missions also provide medical services, which include thirty hospitals. The missions are assisted by the Administration through a system of grants-in-aid and medical supplies. The value of this assistance totalled £A122,903 in 1962.

EDUCATIONAL CONDITIONS IN PAPUA

39. In 1962, the number of Administration schools in the Territory increased from 131 to 147, and enrolments increased from 12,370 to 15,348. The number of teachers increased from 442 to 536.

40. All non-Administration schools are conducted by missions. The number of these schools decreased from 845 to 795 and enrolment declined from 48,700 to 47,203, owing to the closing of a number of exempt schools which could not meet the standards laid down by the Department of Education.

41. Pupils in all schools totalled 62,551, of whom 59,643 were in primary schools. The remaining pupils consisted of 732 in post-primary schools, 335 in junior high schools, 376 in secondary schools, 311 in technical schools, 249 in teacher training schools and 905 students receiving tuition in the Pre-entry and Auxiliary Training Branch of the Department of Education. Of this last number, 721 students are enrolled for courses in post-primary subjects and 184 in secondary subjects.

42. The Administration assists parents to send children to secondary schools in Australia. Non-indigenous children receive £145 per annum plus annual return fare. Through a special scholarship scheme, selected mixed-race children receive, in addition, up to £200 per annum subject to a means test. A scholarship scheme for Papuan children provides selected pupils with the full cost of education in Australian schools including fares, clothing and incidental expenses. In 1962 there were 381 European children, 62 mixed-race children, and 51 Papuan children receiving educational assistance for secondary schooling in Australia.

43. There are no universities in the Territory. Qualified students have access to universities in Australia. One Papuan student is studying agriculture at the University of Sydney and another is studying law at the University of Queensland.

44. In 1961-62, expenditure on educational services by the Administration (excluding the maintenance of buildings) rose from £A1,037,515 during 1961 to £A1,363,000 in 1962, and amounted to 10.4 per cent of total government expenditures. This included £A102,932 in grants-in-aid to missions.

SOCIAL AND EDUCATIONAL CONDITIONS IN THE TRUST TERRITORY OF NEW GUINEA

45. For social and educational conditions in the Trust Territory of New Guinea see the report of the Trusteeship Council.^{2/}

^{2/} Official Records of the General Assembly, Eighteenth Session, Supplement No. 4 (A/5504), pp. 17-19.

ACTION TAKEN BY THE TRUSTEESHIP COUNCIL IN 1963

46. In a letter dated 26 June 1963,^{3/} the President of the Trusteeship Council informed the Chairman of the Special Committee that the Trusteeship Council, at its thirtieth session, had examined conditions in the Trust Territory of New Guinea, and that its report to the General Assembly at its eighteenth session would be available in printed form.^{4/}

47. The Council's conclusions and recommendations concerning the Territory appear on pages 9-20 of its report.

ACTION TAKEN BY THE GENERAL ASSEMBLY AT ITS
EIGHTEENTH SESSION

48. At its eighteenth session, the General Assembly, following its consideration of the report of the Trusteeship Council, adopted resolution 1969 (XVIII) of 16 December. By this resolution it took note of the report of the Council and called upon the Administering Authorities to take account of the recommendations and observations in the report and to bear in mind those expressed by delegations during the debate on the report at the eighteenth session of the General Assembly.

CONSIDERATION BY THE TRUSTEESHIP COUNCIL IN 1964

49. The Trusteeship Council, at its thirty-first session, beginning on 20 May 1964, will examine conditions in the Trust Territory of New Guinea on the basis of the annual report and supplementary information to be submitted by the Administering Authority.

^{3/} A/AC.109/46.

^{4/} A/5504.

IV. COCOS (KEELING) ISLANDS^{1/}

GENERAL

1. The Territory of Cocos (Keeling) Islands, consisting of twenty-seven small coral islands with a total land area of five square miles (thirteen square kilometres), is situated in the Indian Ocean 2,290 miles west of Darwin, Australia. Direction Island, West Island and Home Island are the only inhabited islands. The administrative headquarters of the Territory are located on West Island.
2. A telegraph station, linked by submarine cable with Australia and Indonesia, located on Direction Island, is operated by the Overseas Telecommunications Commission of Australia. An international airport, under the control of the Australian Department of Civil Aviation, is located on West Island.
3. The Cocos Islanders, the largest population group in the Territory, are the descendants of the original Malayan settlers who came to the islands with John Clunies-Ross, a British subject, in 1827. In 1962 they numbered approximately 436. Between 1948 and 1958, more than 1,700 Cocos Islanders migrated to North Borneo, Christmas Island and Singapore. A total of 176 Europeans form the other population group in the Territory, comprising the Clunies-Ross family, the employees of government departments and of private enterprises, and their families.

GOVERNMENT

Status

4. The Cocos Islands have been under British control since 1857. By the Cocos Islands Act, 1955, of the United Kingdom and the Cocos (Keeling) Islands Act, 1955, of the Commonwealth of Australia, on 23 November 1955, the Cocos Islands became a Territory under the authority of the Commonwealth of Australia, and were designated the Territory of Cocos (Keeling) Islands. Before their transfer to Australia they formed part of the Colony of Singapore.

^{1/} The following information transmitted by the Administering Power has been taken into account in the preparation of this paper: information transmitted under Article 73 e for the year ending 30 June 1962, received on 24 May 1963, which includes information on political and constitutional developments.

Constitution

5. The basis of the Territory's legislative, administrative and judicial systems is the Cocos (Keeling) Islands Act, 1955-1958. This Act empowers the Governor-General of Australia to make ordinances for the peace, order and good government of the Territory. These are required to be tabled in the Parliament of the Commonwealth of Australia and are subject to disallowance in part or whole by the Parliament. Commonwealth Acts do not apply to the Territory unless this is so expressed in the Act.

6. An Official Representative is appointed by the Minister of State of Territories. He exercises and performs such powers and functions in relation to the Territory as are delegated to him by the Minister under the Cocos (Keeling) Islands Act, 1955-1958, or otherwise conferred on him under the Act or the laws of the Territory. At present, he is responsible for general administration, including health and education.

7. In addition to the Department of Territories, a number of other Commonwealth departments are represented in the Territory, either directly or through the agency of other departments. These include inter alia the Prime Minister's Department, the Department of the Interior and the Department of Works.

Electoral system

8. There are no elected offices in the Territory.

Public Service

9. In addition to the Official Representative and employees of government departments, government employees are engaged in administrative and technical work associated with the airport and aviation facilities on West Island and a small aviation marine base on Direction Island.

Judiciary

10. The courts exercising jurisdiction in the Territory are the Supreme Court, the District Court, the Magistrates Court and the Coroner's Court. The Supreme Court consists of a judge who visits the Territory and presides over sittings as

and when required. It is a superior court of record and appeals against its judgement may be taken to the High Court of Australia. The jurisdiction of the District Court is exercised by a District Judge. In its civil jurisdiction it may hear claims to a value not exceeding £A150, and in its criminal jurisdiction it may pass sentences of imprisonment for a term not exceeding one year or a fine not exceeding £A200. The Magistrates Court has power to try in a summary way minor offences. A Cocos Islander holds the position of magistrate and coroner.

Political parties

11. No information is available concerning political parties.

ECONOMIC CONDITIONS

12. The islands consist mainly of coral, and a lack of real soil and fresh water impedes the development of agriculture. They are not self-sufficient, supplies being brought mainly from Australia and Singapore by sea and air. Small quantities of vegetables are grown on Home Island. All supplies of fresh fruit and vegetables for the other two inhabited islands must be imported, owing to the limitations of the soil and water supplies. Large numbers of fish are caught in the lagoon for local consumption. Apart from the operations of the Australian Government, the economy of the Territory is based on the production and export of copra, all of which is grown by the Clunies-Ross Estate. In 1961-62 this totalled 495 tons.

13. Administrative expenditure and expenditure on capital works and services are met from moneys appropriated by the Commonwealth Government and placed under the control of various Commonwealth departments represented in the Territory. Expenditures by the Department of Territories during 1961-62 amounted to £A34,919 and those by the Department of Works amounted to £A3,564.

14. Expenditures incurred by other departments having functional responsibilities in the Territory are not appropriated specifically for the services they provide, but are included in the over-all appropriation of those departments for services which they provide throughout Australia.

15. Revenue for 1961-62 totalled £A2,291. This was derived from messing charges and from other sources such as hospital fees.

SOCIAL CONDITIONS

Labour

16. The ccpra industry operated by the Clunies-Ross Estate provides the main source of employment for Cocos Islanders. The Estate provides housing, rations, medical services, clothing subsidies and pension benefits for its workers, in addition to a cash wage paid in local token currency. Pensions above 50 per cent of salary are paid to workers reaching the age of 65.

Public health

17. Medical services are provided by an Australian medical officer and a nursing sister who are responsible for public health matters generally. A four-bed hospital is equipped to handle most surgical and medical emergencies. Dental treatment is provided by a visiting dentist of the Australian Department of Health.

EDUCATIONAL CONDITIONS

18. Elementary education is provided by the Clunies-Ross Estate for the children of its employees. Basic education is restricted to two to three years of schooling in the vernacular (Malay).

19. On West Island an Administration school provides both primary and secondary schooling. It follows the West Australian syllabus. At 30 June 1962, sixteen primary pupils and eight secondary pupils, undertaking correspondence courses under the supervision of the headmaster, were in attendance.

20. Secondary pupils may also proceed to schools in Australia. Each pupil sent to Australia receives an annual education allowance of £A145 plus air fare. At 30 June 1962 two pupils from the Territory were undergoing secondary education in Australia.

V. THE TRUST TERRITORY OF THE PACIFIC ISLANDS

GENERAL

1. The Trust Territory of the Pacific Islands consists of about 2,100 islands situated in the western Pacific Ocean north of the Equator. These have a total land area of 687 square miles (1,779 square kilometres) and are scattered over some 3 million square miles of ocean (7,770,000 square kilometres, stretching for more than 2,700 miles (4,320 kilometres) from east to west, and 1,300 miles (2,080 kilometres) from north to south. They are classified broadly as "high" volcanic islands or "low" coral islands, and range in size from large high islands to very small coral islets.
2. Many of the small sand and coral islets are too small and lacking in resources to support human life. Ninety-six island groups are inhabited.
3. In 1962, the population totalled 80,980. About ninety-five non-indigenous persons are residents of the Trust Territory. With the exception of 1,107 Polynesians, the indigenous people are broadly classed as Micronesians.

GOVERNMENT

Status

4. The Trust Territory of the Pacific Islands consists of the islands formerly held by Japan under mandate in accordance with Article 22 of the Covenant of the League of Nations. It is administered by the United States of America under the terms of a Trusteeship Agreement which was approved by the Security Council on 2 April 1947 and which came into force on 18 July 1947. The Trust Territory is designated as a strategic area in article 1 of the Trusteeship Agreement, and in accordance with Article 83 (3) of the Charter, the Security Council avails itself of the assistance of the Trusteeship Council to perform those functions of the United Nations under the Trusteeship System relating to political, economic, social and educational matters.

Constitution

5. The Code of the Trust Territory of the Pacific Islands constitutes the basic laws and regulations by which all residents of the Trust Territory are

governed. The Code is supplemented in the districts and municipalities by local laws. Laws made by chartered district congresses, when approved by the Office of the High Commissioner, are effective in the respective districts. In accordance with a provision of the Code, customary laws not in conflict with the Code, the Trusteeship Agreement, or with the applicable laws of the United States, including executive orders of the President, are recognized in the Trust Territory.

(a) High Commissioner

6. The High Commissioner of the Trust Territory, appointed by the President of the United States and subject to the direction of the Secretary of the Interior, is vested with all executive and legislative powers of government, and has final administrative responsibility.

(b) Council of Micronesia

7. The Council of Micronesia, a territorial advisory council whose members are elected by popular vote, meets annually to discuss common problems and make recommendations. At its 1962 session it resolved that a legislative body for the Trust Territory should be established as soon as possible, and at a special session in 1963 it made preliminary recommendations regarding the make-up of such a body. These recommendations are being studied by the Administering Authority which has stated that it aims to establish a Territorial Legislature before 1965.

(c) District legislative organs

8. Five of the six districts of the Trust Territory have district congresses and one has a district legislature. The Marshall Islands and Palau have district congresses consisting of both hereditary chieftains and elected congressmen. The representatives of the Ponape and Truk district congresses are elected. Yap district has a congress of elected members, but it does not yet include representation from the outlying islands. The Mariana Island District Legislature consists of elected representatives. Resolutions of these chartered district bodies become law for the area concerned when approved by the High Commissioner and properly promulgated.

Electoral system

9. There are no territorial statutes controlling suffrage; each district or municipality prescribes its own electoral regulations. Electors must be 18 years of age or over in addition to being residents of the municipality in which they vote, except in the Palau district where the qualifying age is 21 years. Other eligibility requirements vary from district to district.

10. The tenure of office for the elected members of the various district congresses of the Territory ranges from two to four years. The elected congressmen of the Saipan Legislature are elected every two years.

Public Service

11. The Administering Authority states that Micronesians are given first opportunity for positions for which they qualify, and that programmes of training Micronesians for positions of greater responsibility in government service are actively pursued. In 1962, thirty Micronesians were employed in senior, professional and executive positions and an additional 1,051 held professional, administrative and protective positions. There were also 1,110 Micronesians employed by the Government in crafts, domestic work and as labourers. During the same period the Government employed 217 non-indigenous persons.

Judiciary

12. The judicial power of the Trust Territory of the Pacific Islands is vested in a High Court for the Territory, district courts, and community courts. The Chief Justice and Associate Justice of the High Court are appointed by and are responsible to the Secretary of the Interior. The High Court consists of a Trial Division and an Appellate Division. The presiding judges and associate judges of the district courts are appointed by the High Commissioner. The judges of the community courts are appointed by the district administrator of the district in which the municipality is located. The judges of all courts except the High Court and the Kwajalein Community Court are Micronesians, as are all clerks, assessors and other employees of the courts, except for a court reporter and a secretary.

Local government

13. The municipality, consisting of a locally recognized area of a larger island, an island or a group of islands or atolls, is the basic unit of local government in the Trust Territory. The chief executive of a municipality, with two exceptions, is elected, and in a large number of municipalities the secretary is also elected by popular vote. In some larger and more politically advanced areas additional municipal officers are elected. Municipal laws must be in conformity with territorial law.

Political parties

14. Political organizations or parties exist only in the Saipan District where two have been formed. These are the Popular Party of Saipan District and the Progressive Party of Saipan. Membership of both parties is restricted to Trust Territory citizens resident in Saipan.

ECONOMIC CONDITIONS

15. The economy of the Territory is based on subsistence of agriculture and fishing. Cash income is provided mainly through the making of copra, harvesting of trochus shell, government employment, employment by private businesses, the sale of handicrafts, fish, and vegetable produce, and other miscellaneous activities.

16. The mineral resources of the Territory are reported to be extremely meagre. A small quantity of timber is processed on the high islands for local needs, but it is doubtful whether the forests of the Territory will ever be capable of providing timber for export. No large-scale industries exist. Small processing and service industries are now being developed and are reported to be increasing in number.

17. A survey mission with broad terms of reference, including the comprehensive planning of economic development, was appointed by the Administering Authority to visit the Territory in 1963 to study critically the actions being taken to deal with the political, economic and social problems of the Territory.

18. The principal private companies active in the Trust Territory consist of twenty-four import and export companies. All are owned by Micronesians except two, which are owned by foreign residents.

19. There has been no permanent foreign investment in the Trust Territory since it has been the policy of the Administering Authority to encourage Micronesian investment and enterprise. This policy has now been revised with the signing of an Executive Order in 1962 directing that regulations be revised to facilitate outside private investment in order to stimulate new economic activity. At the thirtieth session of the Trusteeship Council the special representative of the Administering Authority stated that this had drawn much attention from industrial concerns. Surveys had been conducted by representatives of the pineapple and sugar industries, as well as other industries.

20. The Territory possesses substantial fishery resources, although these have not been exploited commercially to any appreciable extent. Recently an agreement has been signed with a major seafood company in the United States for the establishment of a commercial fishery industry in the Territory. Several other companies have also recently conducted surveys in the Territory, exploring the possibilities for establishing commercial fishery projects.

21. The Congress of the United States appropriates funds for the administration of the Trust Territory each year. In 1962, appropriated funds amounted to \$6,304,000 and revenue from the Trust Territory totalled \$1,673,633. For 1963, an appropriation of \$15 million has been approved. The Administering Authority estimates that expenditures will total \$16 million and revenue will total \$1.6 million.

SOCIAL AND EDUCATIONAL CONDITIONS

22. For social and educational conditions in the Trust Territory of the Pacific Islands, see the report of the Trusteeship Council to the Security Council.^{1/}

ACTION TAKEN BY THE TRUSTEESHIP COUNCIL IN 1963

23. In a letter dated 26 June 1963,^{2/} the President of the Trusteeship Council informed the Chairman of the Special Committee that the Trusteeship Council,

^{1/} S/5340, pp. 46-52.

^{2/} A/AC.109/46.

at its thirtieth session, had examined conditions in the Trust Territory of the Pacific Islands and that its report had been made available to the Security Council.^{3/}

24. The conclusions and recommendations of the Trusteeship Council at its thirtieth session on political, economic, social and educational advancement in the Territory appear in the Council's report.^{4/}

CONSIDERATION BY THE TRUSTEESHIP COUNCIL IN 1964

25. The Trusteeship Council, at its thirty-first session beginning on 20 May 1964 will examine conditions in the Trust Territory of the Pacific Islands on the basis of the annual report on the Territory and supplementary information to be submitted by the Administering Authority. In addition, the Council will have before it the report of the Visiting Mission appointed by the Council, which has been directed to:

"investigate and report as fully as possible on the steps taken in the Trust Territory of the Pacific Islands towards the realization of the objectives set forth in Article 76 b of the Charter of the United Nations, and to pay special attention to the question of the future of the Territory in the light of the relevant sections of the Charter and the Trusteeship Agreement, bearing in mind the provisions of relevant Trusteeship Council and General Assembly resolutions, including resolution 1514 (XV) of 14 December 1960"

^{3/} S/5340.

^{4/} Ibid.

VI. GUAM^{1/}

GENERAL

1. Guam, the southernmost of the Mariana Islands, lies in the western Pacific about 1,500 miles (2,400 kilometres) south east of Manila. It is a volcanic island 30 miles (48 kilometres) long, with a land area of 209 square miles (541 square kilometres).
2. In 1961, the population, excluding United States military personnel, was estimated at 41,247. The present Guamanians are the descendants of the indigenous Chamorro inhabitants now mixed with other strains.

GOVERNMENT

Status

3. Guam was ceded to the United States in 1898, following the Spanish-American War. It is an unincorporated Territory^{2/} of the United States. Guamanians are citizens of the United States, but those who reside in Guam do not have the right to vote in United States elections and have no representation in the Congress.

Constitution

4. The Territory is administered under the Organic Act of Guam, 1950, as amended. Guam's relationship with the United States Government comes under the general supervision of the Department of the Interior.

(a) Governor

5. The Governor is the chief executive and administrator of the affairs of the Government of Guam. He is appointed by the President of the United States, by and

^{1/} The following information transmitted by the Administering Power has been taken into account in the preparation of this paper: information transmitted under Article 73 e for the year ending 30 June 1962, received on 30 April 1963, which includes information on political and constitutional developments.

^{2/} Unincorporated Territories do not have non-voting representatives in the United States Congress. Incorporated Territories (formerly Alaska and Hawaii) had such representatives.

with the advice and consent of the United States Senate, to hold office for four years. He is assisted by the Secretary of Guam who is also appointed by the President for a four-year term.

(b) Legislature

6. The Legislature of Guam, which is composed of twenty-one elected members, is empowered to pass laws on local matters, including taxation and appropriations for the fiscal operation of the Government.

7. All laws enacted by the Legislature are reported to the Congress of the United States. If any such law is not annulled by the Congress within one year of the date of its receipt by that body, it shall be deemed to have been approved.

8. Every bill passed by the Legislature becomes law unless the Governor returns it with his objections to the Legislature. If, after reconsideration, two-thirds of the Legislature agree to pass it and the Governor still disapproves it, he must transmit it to the President of the United States. If the latter disapproves it, it shall not become a law.

Electoral system

9. There is universal suffrage for all citizens of Guam eighteen years of age or older. General elections are held every two years.

Judiciary

10. The District Court of Guam has jurisdiction in all cases arising under the laws of Guam. Its decisions may be appealed to higher United States courts. It is presided over by a judge appointed by the President, by and with the advice and consent of the United States Senate. The Island Court has jurisdiction in all criminal cases not involving felonies, and various other matters. The Police Court has jurisdiction in simple misdemeanours.

Public Service

11. A total of 2,148 persons were regularly employed by the Government of Guam in 1962. These consisted of 1,741 Guamanians, 379 other United States citizens

and 28 aliens. In 1961, thirteen local residents were appointed to key positions in the Government which were formerly held by overseas employees. Two local residents have been appointed as heads of departments.

Political parties

12. Guam has two political parties: the Democratic Party, affiliated with the Democratic Party of the United States, and the Territorial Party, which is independent.

ECONOMIC CONDITIONS

13. Guam is relatively poor in natural resources. It serves as a military base for the United States, and practically the entire economy of the Territory is based, directly or indirectly, upon the wages paid by the base to civilian residents.

14. Agriculture is the other principal element in the economy, but ready employment by the military forces and the civil government continues to handicap agricultural development and production.

15. Guam serves as a transshipment centre for the Trust Territory of the Pacific Islands. Imports for the fiscal year 1962 were valued at \$20,717,273, more than 80 per cent of which came from the United States. Exports were valued at \$6,352,605, of which more than 70 per cent went to the United States and the Trust Territory of the Pacific Islands.

16. The total revenue of the Government for 1962 was \$19,413,000. General fund revenues totalled \$13,489,090, and the remaining amount came from the Public Utility Agency of Guam Fund, the Commercial Part of Guam Fund and "special funds". Expenditures for the same period totalled \$19,168,000, of which \$14,552,616 were general fund expenditures.

SOCIAL CONDITIONS

Labour

17. The Guam Department of Labor and Personnel is charged with the administration of personnel and labour laws. In the annual report of the Governor of Guam it is

stated that the Department's policy is to assure that equal employment opportunities are provided to all and that recruitment of personnel is based solely on ability and fitness. There is a shortage of skilled labour in the Territory.

Public health

18. The Department of Medical Services consists of three divisions with a total staff of 409. In 1962, the Division of Hospitals had a staff which included eleven physicians. The Division of Public Health is responsible for the study and analysis of health problems on Guam, for programme planning, and for the training of personnel. It maintains contact with other outside health agencies such as the South Pacific Commission, the World Health Organization, and United States Public Health Service. The Division of Public Welfare's operating sections consist of an Administration Section, Child Welfare Services Section, Detention Home Section, Family Services Section and Medical Social Service Section.

19. The Department's expenditures in 1962 totalled \$2,261,047, approximately 15 per cent of the total general fund expenditures, or 12 per cent of the total government expenditure.

EDUCATIONAL CONDITIONS

20. The public schools of Guam consist of nineteen elementary schools, one elementary-junior high school, one junior high school, two junior-senior high schools, and one trade and technical school. They had a total enrolment of 14,000 in March 1962.

21. The College of Guam, which was established in 1952, was accredited as a two-year institution of higher learning in 1959. It has applied for accreditation as a four-year institution. In 1962, the staff of the college consisted of twenty-two teachers and seven persons in administrative posts. The enrolment totalled 329 full-time students and 1,049 part-time students.

22. Expenditures by the Department of Education amounted to \$4,213,686, approximately 29 per cent of the general fund expenditures, or 22 per cent of total government expenditures.

VII. AMERICAN SAMOA^{1/}

GENERAL

1. American Samoa comprises the eastern islands of the Samoan Group in the South Pacific. The Territory has a total land area of 76 square miles (197 square kilometres). The main islands are of volcanic origin, consisting chiefly of a series of ridges rising abruptly from the sea. Two islands are coral atolls. The headquarters of the Administration are located at Pago Pago on Tutuila, the main island of the Territory.
2. The Samoans are Polynesians. The population increased from 5,697 in 1900 to 20,051 in 1960. Approximately 4,000 inhabitants migrated to the United States between 1956 and 1960.

GOVERNMENT

Status

3. American Samoa is an unincorporated Territory^{2/} of the United States administered by the Department of the Interior. Persons residing in American Samoa on 17 April 1900 or born there after that date are nationals of the United States.

Constitution

4. The present Constitution of American Samoa was approved and promulgated on 27 April 1960, and came into effect on 17 October 1960. It provides for the following:

(a) Executive

5. The executive branch consists of the Governor, Secretary and departmental and office heads. The Governor, who is the chief executive, is appointed by, and

^{1/} The following information transmitted by the Administering Power has been taken into account in the preparation of this paper: information transmitted under Article 73 e for the year ending 30 June 1962, received on 18 February 1964, which includes information on political and constitutional developments.

^{2/} Unincorporated Territories do not have non-voting representatives in the United States Congress. Incorporated Territories (formerly Alaska and Hawaii) had such representatives.

/...

exercises his authority under the direction of the Secretary of the Interior. The Secretary of American Samoa, also appointed by the Secretary of the Interior, assists the Governor, serves as Lieutenant Governor, and represents the Governor during the latter's absence from the Territory. Heads of departments and offices of the executive branch department are appointed by the Governor and are responsible to him.

(b) Legislature

6. The Legislature of American Samoa consists of the Senate and House of Representatives. Each of the fourteen political counties of the Territory elects a matai (chief) by Samoan custom to the Senate to serve for four years. One additional senator, who serves for two years, is elected on rotation from four counties in the Western District.
7. The Constitution provides that the membership of the House of Representatives shall be elected by secret ballot on the basis of population, that the total number of representatives shall not exceed twenty-four, and that each county shall have at least one representative regardless of population. At present the House of Representatives has seventeen members. There is also one non-voting delegate from an outer island (Swains Island).
8. In the annual report of the Administering Power, it is stated that under the 1960 Constitution, the Legislature "assumed increased authority in enacting laws for American Samoa".

Electoral system

9. All residents of five years' standing over the age of twenty years who have resided for one year within the county in which they intend to vote, are eligible to vote in elections in American Samoa. All persons who are qualified to vote and who are at least twenty-five years of age and are either United States nationals or United States citizens, are eligible to run for and to hold office in the House of Representatives. General elections are held every two years.

Public service

10. At 30 June 1962, the Public Service consisted of fifty-four overseas officers and 2,046 local officers. In the annual report of the Administering Power, it is

/...

stated that, in accordance with the policy of the Department of the Interior and the Government of American Samoa of replacing overseas employees with Samoans as soon as they are qualified, an extensive training programme is being maintained.

Judiciary

11. Judicial power is vested in the High Court and five district courts. All courts are courts of record. The High Court has a Trial, a Probate, and an Appellate Division. The court system is under the general administration of the Chief Justice of American Samoa who is appointed by the Secretary of the Interior.

Local government

12. The Samoan Affairs Office has as its primary function the administration of the local government organization and acts as a link between the local Samoan officials and the various departments of the territorial administration. The Constitution provides for the appointment of a Samoan by the Governor as Secretary for Samoan Affairs who shall be the head of the Department of Local Government and be responsible for the proper administration of the district, county, and village affairs as provided by law. He shall supervise all ceremonial functions as may be provided by law.

13. A local government council composed of the three district governors and the fourteen county chiefs is gradually assuming the role of a policy-making body with the local government organization. It appoints its own officers who form an executive committee. This group maintains constant liaison with the Governor and the Secretary of the Territory and acts as the co-ordinating body for all matters pertaining to local government.

14. The administrative head of each of the three political districts within the Territory is at present a Samoan district governor. He is selected by the district council of chiefs and appointed by the Governor for a four-year term.

15. Each of the fourteen counties has a county chief selected by the county council and appointed by the Governor for a four-year term. In each of the fifty-two villages of the Territory, a village government representative is selected by the village council and appointed by the district governor. All local officials are responsible to their respective district, county, and village councils.

ECONOMIC CONDITIONS

16. The Administering Power states that of the approximately 40,000 acres of agricultural land only about 10,000 acres are developed or partially developed. Most of the remaining area is forest. Fish are abundant in the surrounding waters and are suitable for commercial exploitation. At present, the Administration is directing its efforts towards developing agriculture, forest and fisheries and to educate the Samoans in the proper use of these resources.

17. The cash economy is based largely on employment by the Government, a fish cannery, and shipping and transportation companies. In order to strengthen and diversify the economy, a contract was signed in 1962 to establish a coconut processing plant, and negotiations were virtually completed for establishing a second fish cannery. Plans were completed for the formation of an all-Samoan development corporation to build a hotel and other facilities as a basis for a tourist industry. No information is available on the value of foreign industrial investments in the Territory.

18. Fish and fish products made up nearly 98 per cent of the value of all exports from the Territory, which totalled \$7,909,351 in 1962.

19. Revenue and expenditure for the fiscal year of 1962 were \$1,321,336 and \$3,312,040 respectively. In addition to revenue, the Territory received congressional grants-in-aid and direct appropriations amounting to \$9,605,400 of which \$6,917,780 consisted of funds for various construction projects.

SOCIAL CONDITIONS

Labour

20. In 1962 the Government was the major employer with 2,099 persons, of whom sixty-three were non-indigenous and 2,036 were Samoans. The remaining major employers had a total of 815 employees, of whom forty-four were non-indigenous and the 771 were Samoans.

Public health

21. The Territory has one hospital, one leprosarium and five dispensaries. During 1962, the medical staff consisted of five physicians, eleven Samoan

practitioners of medicine, one dentist, four Samoan dental practitioners, five registered nurses, and approximately seventy-seven Samoan practical nurses.

22. Operational and maintenance expenditures of the Department of Medical Services increased from \$504,658 in 1961 to \$702,201 for the fiscal year of 1962, and amounted to approximately 23 per cent of all expenditures.

23. The Territory has four main health problems. The first is the need to replace physical facilities completely, and the first step in planning for new facilities has been the completion of a survey by the United States Public Health Service which will be used as a basis for future planning. The second problem is the need to increase the proficiency of the medical personnel. This is being implemented by more on-the-job training, by securing higher levels of education through scholarship for institutions in the United States and by increasing supervisory contract personnel. The third problem is the lack of water supplies and an adequate system of sewage disposal. This has been given a high priority in the over-all planning for the Territory. The fourth problem is the high incidence of filariasis and intestinal parasitism. In order to bring these diseases under control, a programme has been instituted with the California Medical School at Los Angeles, and pilot programmes were completed. On the basis of these programmes, mass treatments were due to begin in 1962-63.

EDUCATIONAL CONDITIONS

24. Education is compulsory between the ages of seven and fifteen. In 1961-62, there were forty-six government and five private primary schools; eight government and two private intermediate schools; one government and one private secondary school; one government vocational high school and one teacher training school. A total of 5,474 and 1,287 pupils were enrolled in government and private schools respectively. Private schools are conducted by religious organizations and function with the approval of the Department of Education. They must meet the requirements for secular education set by the Department.

25. In 1961-62, a total of thirty-five students held scholarships in colleges and universities in the United States. In addition to the renewal of these scholarships, it was anticipated that thirty new scholarships would be made to

American Samoans for the 1962-63 academic year. In addition to the government scholarship students attending overseas institutions, there were approximately forty other American Samoan students attending colleges without government assistance.

26. Three new high school buildings were completed in 1962, providing an additional eighteen classrooms and a large library room. An auditorium was also constructed which will be available for high school use in 1963. These new buildings, plus present high school facilities, made it possible to provide secondary education to all ninth grade graduates beginning in September 1963. Heretofore only one-third of the graduates of intermediate schools could be enrolled because of space limitations.

27. Operational and maintenance expenditures on education increased from \$404,612 in 1961 to \$836,493 during the fiscal year of 1962, amounting to approximately 25 per cent of all expenditure. In addition, expenditure on the construction of educational facilities totalled \$1,286,800 in 1962.

VIII. COOK ISLANDS^{1/}

GENERAL

1. The Cook Islands comprise two groups of islands in the South Pacific with a total land area of approximately ninety-three square miles (241 square kilometres). They are scattered throughout an area of some 850,000 square miles (2,210,500 square kilometres) of ocean. Rarotonga, the seat of the Government is 1,633 nautical miles northeast of Auckland, New Zealand. The northern group of the Cook Islands comprises seven coral atolls, with soil for the most part consisting of coral rubble and sand. With the exception of one coral atoll, the southern group of islands are mainly volcanic in origin, having a mountainous interior surrounded by fertile lowlands.
2. The census in 1961 showed a total population of 18,378, of whom 17,993 were Polynesians and 385 were Europeans.

GOVERNMENT

Status

3. In 1888 a British Protectorate was declared over the Southern Group of the Cook Islands, and a British Consul was stationed at Rarotonga, the present administrative centre. In 1890, he was replaced by a British Resident. In 1901 both the Northern and Southern Cook Islands were formally made a part of New Zealand. The indigenous inhabitants are British subjects and New Zealand citizens.

Constitution

4. The Territory is administered under the Cook Islands Act, 1915, as amended.

(a) Resident Commissioner

5. The Cook Islands Act, 1915, provides for the appointment by the Governor-General of New Zealand of a Resident Commissioner of the Cook Islands, who is charged with the administration of the executive government, subject to

^{1/} The following information transmitted by the Administering Power has been taken into account in the preparation of this paper: information transmitted under Article 73 e for the year ending 31 March 1963, received on 29 January 1964, which includes information on political and constitutional developments.

the control of the Minister of Island Territories. The principal administrative officer is the Secretary to the Government.

(b) Executive Committee

6. Formerly an Executive Committee, consisting of members of the Legislative Assembly and officers of the Administration, was appointed by the Resident Commissioner. The Cook Islands Amendment Act, 1962, provided for a new Executive Committee consisting of the Resident Commissioner, the Secretary to the Government, the Treasurer, and not more than seven other members chosen by the Legislative Assembly from among its members. The Committee may execute any of the Resident Commissioners' powers and functions delegated to it and may report and make recommendations on any matter referred to it by the Legislative Assembly.

7. At the eighteenth session of the General Assembly, the representative of New Zealand stated in the Fourth Committee that in November 1963 the Cook Islands Legislative Assembly had taken a further step towards the creation of a cabinet when it chose "a leader of Government and four members or embryo ministers".

(c) Legislative Assembly

8. The Legislative Assembly consists of twenty-one elected indigenous members, one European member elected by European electors, the Resident Commissioner and four official members appointed by him. It may make laws for the peace, order and good government of the Cook Islands. It may not legislate, however, on certain reserved subjects, nor may it make ordinances contradictory to New Zealand acts or regulations that are declared to be reserved. It has full control over the expenditure of all revenue collected in or derived from the Cook Islands, and since April 1962, of expenditure of the subsidy money provided by the New Zealand Government.

(d) Electoral system

9. The elected members of the Legislative Assembly are elected by universal adult suffrage. The last general elections to the Legislative Assembly was

held in May 1961. The next general election has been postponed from 1964 to 1965, so that the recent constitutional changes can be effected beforehand.

Public Service

10. The Public Service is under the control of the New Zealand Public Service Commission. At 31 March 1963, the total number of officers in all departments was 1,021, comprising 109 overseas officers and 912 local appointees. Most overseas officers are seconded from the New Zealand Public Service for terms ranging from one to three years. Local appointees include both Cook Islanders and Europeans. Although most senior posts are filled by overseas officers, the stated policy of the New Zealand Government is to give Cook Islanders an increasing share in the responsibility of administering the Territory and to replace overseas officers whenever possible. Staff-training facilities have been placed at the disposal of all officers who desire to qualify for senior positions in the Service.

Judiciary

11. The High Court of the Cook Islands is a tribunal of wide civil and criminal jurisdiction. It performs the local equivalent of the functions of the New Zealand Supreme Court and the Magistrates Court. The Native Land Court deals with all matters concerning native land. Appeals against decisions of the Native Land Court are made to the Native Appellate Court of the Cook Islands. Appeals against decisions of the High Court are made to the Supreme Court of New Zealand.

12. The present judiciary consists of a Chief Judge of the High Court who is also a Judge of the Native Land Court and a Chief Judge of the Native Land Court who is also a Commissioner of the High Court. The Registrar of Courts and the resident agents on the outer islands are commissioners of the High Court and there are at present three indigenous justices of the peace. Any two of them acting together, may exercise the jurisdiction of a commissioner of the High Court.

Local government

13. Island councils, consisting of ex officio and elected members in each of the main islands, meet regularly. They are empowered to make by-laws for the imposition of tolls, rates, dues, fees, fines, taxes (except customs duties on imported goods) and other charges; to establish village councils; and to borrow money for works or services that the council has the power to carry out, establish, maintain, or acquire. No by-law may become law until it has been approved by the Resident Commissioner.

Recent developments

14. During the fifth annual session of the Legislative Assembly in 1962, discussions were held on possible lines of future political development. In a resolution adopted unanimously, the elected members of the Assembly rejected "the alternatives of complete independence, integration with New Zealand and a Polynesian Federation". Instead they requested that the people of the Cook Islands retain their New Zealand citizenship and that the fullest possible degree of internal self-government be proceeded with.

15. At the same session, a time-table for constitutional development was drawn up for the consideration of the Assembly. This included proposals to abolish the separate Europeans' seat on the Assembly, and to reduce the number of official members to two by 1964 and one by 1965. Subsequently, the Assembly agreed with these proposals.

16. In August 1963, at the invitation of the Legislative Assembly of the Cook Islands, a special constitutional mission arrived in Rarotonga to assist the Assembly in defining its views on the political and constitutional development of the Cook Islands. After attending a general debate on constitutional development and holding discussions with members, the mission drew up a report to the Assembly in September 1963 containing recommendations.

17. After considering the mission's report, the Cook Island Legislative Assembly, on 12 November 1963, adopted a set of detailed recommendations as a blueprint for constitutional development, and on 13 November the New Zealand Government formally approved the conclusions of the Legislative Assembly.

18. In summary the Assembly's recommendations are as follows:

(a) The Cook Islands should have a constitution which provides for full self-government but allows for continued association with New Zealand under a common Head of State, the Queen, and with a common citizenship, that of New Zealand.

(b) A cabinet should be chosen from members of the Legislative Assembly, and responsibility for particular departments or subjects allocated to individual ministers in the cabinet. It should consist of a Premier or Chief Minister and four other Ministers. The Premier should be elected by the Assembly and he should select the other members of the cabinet and allocate portfolios among them.

(c) The Queen should remain Head of State of the Cook Islands. For the time being the Queen's representative in the Cook Islands should be a New Zealand official who should also act as the representative of the New Zealand Government.

(d) An Executive Council comprising the Commissioner and the members of the cabinet should be established with power to discuss and to refer back to cabinet, but not to vary or negate any cabinet decision.

(e) All members of the Legislative Assembly should be elected by direct election of the adult population of the Cook Islands. Each island in the group should continue to comprise one constituency, except that Rarotonga might be divided into three multi-member constituencies. There should be twenty-two members of the Legislative Assembly representing the various islands as follows: Rarotonga, 9 members; Aitutaki, 3; Mangaia and Atiu, 2 each; and Mauke, Mitiaro, Pukapuka, Manihiki, Rakahanga and Penrhyn, 1 each.

(f) The Judge of the High Court of the Cook Islands should be appointed by the Executive Council, acting on the advice of the Premier. The Supreme Court of New Zealand should for the time being continue to exercise the original jurisdiction which it exercises at present in respect of civil and criminal matters arising in the Cook Islands.

(g) The conduct of the external relations of the Cook Islands should remain a responsibility of the New Zealand Government. In some cases New Zealand should delegate to the Cook Islands Government the power to act on its own behalf and in others should consult or inform the latter about its actions.

- (h) The grants made by the New Zealand Government to the Cook Islands Government should continue to be determined on a triennial basis.
- (i) Recommendations of the Constitutional Committee which were acceptable and which required legislative action should be incorporated in an Act of the New Zealand Parliament rather than by amendment to the Cook Islands Act 1915. The Constitution Act should provide that its amendment by the Cook Islands Legislative Assembly should require a two-thirds majority at the second and third readings in the Assembly of the ordinance involved and the lapse of ninety days between the second and third readings.
- (j) The term of office of the present Legislative Assembly should be extended by up to one year to enable legislation to be passed in New Zealand giving effect to constitutional changes before the next general election to the Assembly.

ECONOMIC CONDITIONS

19. The Territory has been traditionally dependent on subsidies and grants from New Zealand. In the past the irregularity of shipping and the seasonal nature of the main fruit exports to New Zealand have hindered economic development. Recent improvements in shipping services and facilities for marketing, storage and primary processing have been made in order to assist the islands' economy.
20. The economy is based principally on agriculture and most of the population is engaged in growing subsistence crops, and food crops and copra for export. Several small factories manufacture clothing and process fruit juice and shell jewellery for export. Mother of pearl shell and handicraft are also exported. The great majority of all exports and imports are to and from New Zealand.
21. Receipts during 1962-1963 consisted of £530,493, in revenues obtained in the Territory and £736,900, in subsidies and grants from New Zealand, making a total of £1,267,393. Expenditures amounted to £1,091,588.

SOCIAL CONDITIONS

Labour

22. Most Cook Islanders are engaged in subsistence agriculture and the production of crops for export. This provides seasonal employment in the ancillary fields of handling and shipping. The small secondary industries noted above also provide some additional employment.

23. A workers' union, covering all classes of workers, is affiliated with the New Zealand Federation of Labour. Union membership is not compulsory, but some of the industrial agreements with employers include union preference clauses. Industrial disputes are settled by an Industrial Relations Officer either acting on his own or as chairman of a conciliation committee.

24. A special committee, after studying labour conditions, recommended that local legislation should be passed to cover workers' compensation, minimum wages, hours of work, holidays, safety and health, and the employment of women and children. In 1962, legislation concerning these recommendations was being drafted to be placed before the Legislative Assembly.

Public health

25. All Cook Islanders receive free medical and surgical treatment, and pre-school and school children, expectant mothers and hospital patients receive free dental treatment. The medical staff includes a Chief Medical Officer, two seconded medical officers, and sixteen assistant medical officers. The Health Department, main hospital and the sanitarium are situated at administrative headquarters. Some of the outer islands have small hospitals and the remaining inhabited ones have dispensaries. Health services on them are in the hands of resident assistant medical officers or dressers. All are visited periodically by the senior medical staff. The Territory has a total of 157 hospital beds.

26. In 1962, there were 45.6 live births per 1,000 population and 8.17 deaths per 1,000 population. The mortality rate for children less than one year old was 26.92 per cent of the total number of deaths.

EDUCATIONAL CONDITIONS

27. Free and secular education is provided for all children between the ages of 6 and 16 years by the Government and two church missions in every permanently inhabited island in the Territory. The syllabus in primary schools is similar to that of New Zealand with some adjustments appropriate to local conditions. Secondary education is based on the syllabus and prescription for the New Zealand School Certificate.

28. At 31 March 1963, a total of 94 students were studying in New Zealand under the New Zealand Government Scholarship Scheme. Of this number, 44 were secondary school pupils, 10 were university students and the 30 others were taking professional, nursing, trade and teacher training courses.

29. Expenditure on education totalled £232,269 in 1962-63, or approximately 21 per cent of total expenditure. There were 3,995 primary and 659 post-primary pupils in government schools and 485 primary and 16 post-primary pupils in mission schools.

IX. NIUE^{1/}

GENERAL

1. Niue Island, situated in the South Pacific Ocean about 350 miles south-east of the Samoan Islands, has a land area of about 100 square miles (259 square kilometres). It is an elevated coral island with a coral reef fringing a precipitous and broken coastline. It has no running streams or surface water, and no good harbours.
2. The Niue Islanders are Polynesians and numbered 4,885 at 31 March 1963.

GOVERNMENT

Status

3. A British Protectorate was declared over Niue in 1900, and in 1901 it was formally made a part of New Zealand.
4. The inhabitants of Niue are British subjects and New Zealand citizens.

Constitution

5. Niue is governed under the authority of the Cook Islands Act, 1915, and subsequent amendments. In its annual report the Administering Power states that Niue forms part of the Cook Islands, but because of its remoteness and its linguistic and cultural differences it is administered separately.

(a) Resident Commissioner

6. A Resident Commissioner, responsible to the Minister of Island Territories in Wellington, carries out the executive functions of government on Niue. The laws he administers are made by Acts of New Zealand Parliament or regulations made thereunder, or by ordinance of the Niue Island Assembly.

1/ The following information transmitted by the Administering Power has been taken into account in the preparation of this paper: information transmitted under Article 73 e for the year ending 31 March 1963, received on 29 January 1964, which included information on political and constitutional developments.

(b) Executive Committee

7. In 1962 an Executive Committee comprising three members elected by the Assembly plus the Resident Commissioner was established. Its functions and responsibilities were to be defined by statute during 1963.

(c) Niue Island Assembly

8. The Niue Island Assembly consists of fourteen elected Niuean members and the Resident Commissioner who is President. Ordinances require the assent of the Resident Commissioner and must not be contradictory to any statute or regulation in force in Niue. In 1962, the New Zealand Government passed over to the Niue Assembly control of the expenditure of all government funds which include New Zealand government grants and loans and money raised locally.

Electoral system

9. The members of the Niue Island Assembly are elected by universal adult suffrage. The last election to the Niue Island Assembly was held in 1960.

Public Service

10. Government servants in Niue are members of the Cook Islands Public Service. At 31 March 1962, regular Administration employees consisted of 191 Niueans, thirty-four Europeans, three Maoris and two Fijians. Two departments, the Post Office and the Native Land Court, are headed by Niueans. Other Administration departments are headed by overseas officers. The Administration states that its policy is to fill vacancies in the Public Service by appointing Niueans wherever this is possible.

Judiciary

11. There is a High Court with civil and criminal jurisdiction and a Native Land Court concerned with litigation on land and titles. The Resident Commissioner acts as judge for both courts.

Local government

12. Village government is largely in the hands of the Assembly Member, the pastor and the constable in each village, but village affairs are usually discussed in regular meetings of the heads of families.

/...

ECONOMIC CONDITIONS

13. Niue's economy is based on agriculture. The rocky nature of the island makes cultivation generally difficult and most of the arable land consists of pockets of soil among coral rocks. The chief crops produced for export are copra, bananas and kumaras. It has no industry except the manufacture of handicraft articles for export. Most of Niue's trade is with New Zealand.

14. Niue derives insufficient revenue from exports and other sources to balance its budget, and the deficit between revenue and expenditure is met by special and general subsidies from the New Zealand Government. In 1962-63, receipts and expenditure were £181,206 and £422,462 respectively, and the subsidy contributed by New Zealand amounted to £272,000.

SOCIAL CONDITIONS

Labour

15. There are no labour unions in the Territory.

Public health

16. Free medical and dental care is provided by the Government Health Department. The Health Services staff includes a Chief Medical Officer, five Niuean assistant medical officers and two assistant dental officers. A hospital with forty-five beds and two clinics are maintained by the Health Services. Expenditure during 1962-63 was £54,478. In 1962 the birth-rate and death-rate were 44.37 and 5.65 per 1,000 of population. The infant mortality rate was 22.83 per 1,000 live births.

EDUCATIONAL CONDITIONS

17. Education is free and compulsory between the ages of 6 and 14. Post-primary education is provided for selected pupils at Niue High School. At 31 March 1963, 1,295 primary and 164 post-primary pupils were enrolled in the schools. An additional twenty-seven students were enrolled at the Teachers' Training Centre, and another twenty-seven were studying in New Zealand under the New Zealand Government Scholarship Scheme. Of this number eighteen were secondary school

pupils and the remainder were taking courses in teaching, nursing, trade and clerical training. Educational expenditure for the year ending 31 March 1963 totalled £52,635.

X. TOKELAU ISLANDS^{1/}

GENERAL

1. The Tokelau Islands consist of three atolls in the central Pacific with a total land area of about four square miles (ten square kilometres). Each atoll consists of a number of reef-bound islets encircling a lagoon. The islets vary in size from 100 yards to four miles in length and are from 10 to 12 feet above sea level. They are situated about 300 miles north of the Samoan Islands. In 1961, the population totalled 1,860.

GOVERNMENT

Status

2. The Islands became a British Protectorate in 1877. They were annexed in 1916 and included within the boundaries of the Gilbert and Ellice Island Colony. In 1925, at the request of the United Kingdom Government, the New Zealand Government assumed responsibility for their administration and they were separated from the Gilbert and Ellice Islands Colony. In 1948 they became a part of New Zealand. The indigenous inhabitants are British subjects and New Zealand citizens.

Constitution

3. The Tokelau Islands are administered under the provisions of the Tokelau Islands Act, 1948, which transferred formal sovereignty for the Group to New Zealand. The Act provided for the continuation of existing law, and confirmed the right of New Zealand to legislate for the Tokelau Islands by way of regulations.

Administrator

4. Under the Tokelau Islands Administration Regulations, 1949, the High Commissioner of Western Samoa was appointed as Administrator of the Tokelau Islands. All administrative and executive functions relating to the Territory were vested in the Administration. When Western Samoa became independent in 1962, the High

^{1/} The following information transmitted by the Administering Power has been taken into account in the preparation of this paper: information transmitted under Article 73 e for the year ending 31 March 1963, received on 29 January 1964, and includes information on political and constitutional developments.

Commissioner for New Zealand in Western Samoa became Administrator of the Tokelau Islands. He visits the Tokelau Islands regularly.

5. An Administrative Officer, also based in Western Samoa, is the Administrator's executive officer. He is required to make regular visits to, and spend much of his time in, the Tokelau Islands.

6. A close administrative connexion is maintained with the Government of Western Samoa which in 1961 signified its complete agreement with the continued presence of the Tokelau Islands Administration in Western Samoa after the latter became independent. Officers of the Samoan Government visit the Tokelau Islands regularly, and their advice is freely available to the Administrator.

Local government

7. Local public services are carried out on each of the three atolls by appointed Tokelau officials. The Faipule, the most important of these, is the chief representative of Government. He acts in a supervisory capacity over government officials on his island and administers the laws and presides over the local Court.

Suffrage

8. Although the Administrator retains the power to formally appoint the Faipule in each island, since 1953 the islanders have been electing their Faipule for a term of three years by "democratic election".

ECONOMIC CONDITIONS

9. The economy of the Tokelau Islands is based on agriculture, consisting of subsistence crops and the production of copra for export. This was valued at £4,959 during 1962-63.

10. An annual deficit in the budget of the Territory is met by subsidies from the New Zealand Government. For the financial year 1961-62, subsidies totalled £25,000. For the same year, revenue and expenditure totalled £1,150 and £19,725, respectively.

SOCIAL CONDITIONS

Labour

11. Copra production and the manufacture of handicraft articles are the only industries in the islands. In the annual report of the Administering Power, it is stated that supervision of employment conditions in these industries is unnecessary. Unemployment and exploitation are reported to be unknown, because of the security and safeguards provided by the social structure in the islands.

Public health

12. The Government of Western Samoa assists with the medical services, and regular visits are made to the islands by its medical staff. Two Samoan medical officers who are at present stationed in the Territory will be replaced by Tokelauans now in training at the Central Medical School in Fiji.

EDUCATIONAL CONDITIONS

13. The Government schools have sixteen trained Tokelau teachers. Each year one teacher is sent to New Zealand to attend a four-months' observation course of schools and teaching methods, and others are sent regularly to Western Samoa for refresher courses.

14. During 1962 three students attended primary schools on scholarships in New Zealand, and twenty students were on scholarships in various schools in Western Samoa and Fiji.

XI. NEW HEBRIDES^{1/}

GENERAL

1. The New Hebrides form an irregular chain of islands some 440 miles (704 kilometres) long in the south-western Pacific Ocean about 500 miles (800 kilometres) west of Fiji and 250 miles (400 kilometres) north-west of New Caledonia. They have a total land area of 5,700 square miles (14,763 square kilometres). The larger islands are mountainous and the group has three principal volcanoes, which are usually active. The Administrative headquarters are located at Vila on the island of Efate.
2. The indigenous inhabitants of the New Hebrides are Melanesians. In 1960, the population was estimated to total 60,374, of which 55,428 were indigenous persons. The remaining 4,946 persons were British and French subjects and ressortissants (nationals of other powers who elect to come under the jurisdiction of either the United Kingdom or France).

GOVERNMENT

Status

3. The New Hebrides form a Condominium jointly administered by France and the United Kingdom which was established on 20 October 1906. By the Anglo-French Convention of 16 November 1887, these Powers appointed a Joint Naval Commission charged with the protection of the lives and properties of their subjects. In 1902 Deputy Resident Commissioners were appointed. By the Convention of 20 October 1906, the two Governments established the Anglo-French Condominium of the New Hebrides. This Convention was superseded by the Anglo-French Protocol of 1914.
4. Subjects and citizens of the Signatory Powers enjoy equal rights. Each Power "retains sovereignty over its nationals and over corporations legally constituted according to its laws", and neither Power may exercise a separate authority over the Condominium. Nationals of third Powers residing in the group

^{1/} The following information transmitted by the United Kingdom has been taken into account in the preparation of this paper: information transmitted under Article 73 e for the year ending 31 December 1962, received on 2 August 1963.

opt for either the British or French legal system and to come, for all practical purposes, under the administrative protection and authority of the Power for whose legal system they opt. The 1914 Protocol does not define the national status of the indigenous inhabitants of the Condominium. It states that they cannot be dependants of either Power nor can they "acquire in the group the status of subject or citizen" of either Power.

Constitution

5. The Constitution of the Condominium is laid down in the Anglo-French Protocol of 6 August 1914, which was ratified in 1922 and proclaimed in the New Hebrides on 5 July 1923. This Protocol has, with some modification, regulated the administration of the Condominium since that time.

(a) Joint Administration

6. The Government of the Condominium is known as the Joint Administration, of which the joint and equal heads are, formally, the British and French High Commissioners, acting through their local representatives, the British and French Resident Commissioners, to whom they delegate their powers and to whom they give directions. (The British High Commissioner resides at Honiara in the British Solomon Islands Protectorate and as High Commissioner for the Western Pacific his jurisdiction extends to other United Kingdom Territories in the area; the French High Commissioner resides at Nouméa in New Caledonia and is also the Governor of New Caledonia.) The Joint Administration consists of the British National Service, the French National Service and certain Joint or "Condominium" Services. In addition to participating in the Joint Administration, each National Service under its Resident Commissioner deals independently with national affairs in so far as these are not of joint concern.

7. The National Services consist of administrative, clerical, accounting and technical officers, including medical and education officers, since health and education, although subsidized from the Joint (Condominium) budget, are primarily national subjects. Each Service has its own set of estimates, the revenue of which is to a greater or lesser extent derived from the Metropolitan Government.

8. The Joint Services, created under article 4 of the Protocol, include normal government departments such as the Treasury, (including customs and inland revenue), public works and transport, posts and telephones, radio, lands, survey, agriculture, meteorology and mines.

9. The Joint Services are financed from local taxation, the joint budget being prepared by the Resident Commissioners and assented to by the High Commissioners and the Metropolitan Governments.

(b) Advisory Council

10. The Advisory Council for the New Hebrides is presided over by the Resident Commissioners. It has four official and twenty unofficial members, of whom eight are elected and twelve are nominated. The unofficial members consist of five British, five French and ten New Hebrideans. The Council meets once or twice a year and debates such matters as the annual budget.

Judiciary

11. The New Hebrides has three types of courts: Condominium courts, British national courts, and French national courts. The Condominium courts comprise the Joint Court, the courts of first instance and the Native courts. The Joint Court is the chief court. It hears appeals from the courts of first instance and from the Native courts which are established in each district of the New Hebrides. It is responsible for land registration, for law cases involving both French and British, Europeans and indigenous persons, and for cases between indigenous persons.

12. One of the two agents (Administrative Officers) of the district concerned sits in the Native courts with two local assessors. The agents are obliged to consult the local assessors. The Native courts have jurisdiction throughout their districts over offences against New Hebridean regulations and customs.

13. British or French national courts administer their own national laws where British or French subjects are concerned, except in cases reserved for the Joint Court.

Public Service

14. At the end of 1962, the Joint Services employed seventy-four permanent and thirty contract overseas officers, and seventy-five local and other officers. The British National Service employed eighteen pensionable and nineteen non-pensionable overseas officers and 106 local and other officers. The French National Service employed 175 officers at the end of 1961.

Local government

15. There are eighteen local councils throughout the islands which deal with most matters of local importance such as village amenities. Vila, the administrative capital, has a Town Planning Commission.

ECONOMIC CONDITIONS

16. The economy of the New Hebrides is based mainly on agriculture, chiefly the production of copra. Apart from subsistence crops, the main cash crops are copra, cocoa and coffee: the only other industries of any importance are a commercial fishing industry and the mining of manganese. No information is available on national income and capital formation, or the amount of foreign capital invested in industries in the Territory.

17. Import duties are levied without discrimination of origin. The standard rate is 16 1/2 per cent of f.o.b. value. Higher rates are paid on tobacco and spirits. The French Administration has a system of certificates of origin which enables copra and other crops to enter France under the preferential tariff.

18. Fifty per cent of all imports came from Australia and 20 per cent came from France in 1962. Forty-one per cent of all exports went to France and 42 per cent to South America. The value of exports and imports in 1962 totalled £1,982,330 and £2,239,368 respectively. Copra, frozen fish and manganese ore made up about 95 per cent of value of all exports, and copra alone made up about 60 per cent.

19. Taxation levied by the Joint Administration is for the most part indirect, 75 to 80 per cent of the total revenue being derived from import and export duties. No income or company tax is levied, owing to the difficulty of assessment and collection under a system of joint administration. Revenue in 1962, including

grants and local development funds amounting to £73,329, totalled £752,977.

Expenditures, including £86,857 on development plans, totalled £760,304.

20. The Protocol provides that the currency and banknotes of either Power shall be legal tender, and in 1935, Australian currency was recognized as valid for payments in sterling. The currencies in use are the Australian pound and the New Hebrides franc. The latter is convertible into Australian currency. Its issue is regulated by the French authorities, who also fix the rate of exchange with the metropolitan franc.

21. A joint plan of economic development, to be financed from Colonial Development and Welfare funds and the French counterpart, FIDES, has been drawn up to cover the period ending 31 March 1964. The Plan is estimated to cost £373,829, and includes a topographical survey (already carried out), the expansion of the agricultural service (with emphasis on extension work), the encouragement of co-operative societies, a geological survey, the rehabilitation of airfields at Vila and Santo and the improvement of other communications.

SOCIAL CONDITIONS

Labour

22. Most of the population is employed on plantations and in trading or subsistence agriculture. There is no joint labour legislation having general application in the Territory. Each national administration deals with its own ressortissants where labour questions are concerned. A joint regulation governs trade unions and the settlement of labour disputes. Disputes are settled by conciliation when submitted to a labour inspector. There is one agricultural organization to which many of the European planters in the Territory belong, and there is one organization of Vietnamese workers. The Convention of 1914 provides for the protection of indigenous persons where recruitment and basic working conditions are concerned. Modern labour legislation is in course of preparation.

Public health

23. Medical services in the Territory are provided by the British and French Administration, the Joint Administration and religious missions. Each service

is independent but they co-operate, and a measure of co-ordination is ensured by the senior French and senior British medical officers. Although there are exceptions, the French Administration has devoted its main effort to the provision of hospitals in the main centres of population, and the British Administration and British missions have concentrated on the rural areas.

24. The Chief Condominium Medical Officer (normally the senior French Medical Officer, who receives a special allowance from joint funds) is in charge of Condominium-employed assistant medical officers and dressers engaged in public health work, and he administers joint public health funds. Other public health staff are employed by the British and French national medical services and by the missions.

25. In 1961-62 recurrent expenditures by the Condominium Government on public health amounted to £59,393 and were approximately 9 per cent of the total recurrent expenditures. During the same period expenditures by the British National Administration amounted to £A20,214. Expenditures by the French National Administration are not available for 1962. In 1961 they amounted to 20,574,000 New Hebrides francs or £A12,017.

26. In 1960, the Territory had three general hospitals equipped to deal with all general medical and surgical cases. It also had three infirmaries equipped to handle lighter cases, and sixty-eight dispensaries chiefly for the treatment of out-patients and lighter cases. These institutions had a total of 330 beds. The medical staff included eight registered government physicians and one registered mission physician, and seven government and two mission medical assistants.

27. No statistical data are available on birth and death-rates. Malaria and tuberculosis continue to be the main public health problems.

EDUCATIONAL CONDITIONS

28. The Condominium Government has no education service but makes an annual subsidy to the national Administrations for education. In 1962, this subvention (for both capital and recurrent expenditures but excluding development) totalled £30,000 and was approximately 5 per cent of the ordinary Condominium

budget. Recurrent and capital expenditures by the British National Administration during the same period, including the disbursements it received from the Condominium subvention, totalled £A148,778. In 1961 expenditures on education by the French National Administration amounted to 17,830,000 New Hebrides francs or £A10,399.

29. Primary education of varying quality is available but there are no secondary schools in the Territory. Children are sent to neighbouring territories for post-primary education. The British Administration has no schools of its own but makes grants-in-aid to the British voluntary agencies engaged in educational work. The French Administration operates a number of primary schools in various parts of the Territory. It also gives financial assistance to certain Roman Catholic schools.

30. No statistics are available on the number of children of school age or the number of children attending school in 1962. In 1960 a total of 7,772 pupils were attending schools conducted by British voluntary agencies, and in 1961 there were 3,112 in public and private French schools.

31. A teacher-training college, financed by a Colonial Development and Welfare grant, opened in 1962. The college has a staff of five and gives a two-year course.

XII. THE GILBERT AND ELLICE ISLANDS^{1/}

GENERAL

1. The Gilbert and Ellice Islands Colony are situated in the southwest Pacific around the point at which the equator crosses the International Date Line. It includes isolated Ocean Island and four groups of islands: the Gilbert, Ellice, Phoenix and Northern Line Islands. With the exception of Ocean Island which has been raised by volcanic action to about 280 feet (85 metres) above sea level, all are low-lying coral atolls. They have a total land area of about 369 square miles (956 square kilometres), and are spread over more than 2 million square miles (5,180,000 square kilometres) of ocean.
2. Canton and Enderbury Islands in the Phoenix Group are at present under joint British and American control. Both were uninhabited until the development of trans-Pacific aviation made them suddenly desirable as aviation stations. Canton became a fueling station for air services between Honolulu and Auckland and Sydney. It is used now as an emergency airfield and by military aircrafts. Some aeronautical, meteorological and communication services continue to be maintained there.
3. The estimated population at the end of 1961 was 47,000, consisting of 39,000 Micronesians (Gilbertese), 7,000 Polynesians (Ellice Islanders) and 1,000 Europeans and others. Over-population is a pressing problem in the Gilbert and Ellice groups and there has been planned migration of the Gilbertese on Sydney Island (in the Phoenix group) to Gizo in the Solomon Islands, and of Ocean Islanders to Rabi in the Fiji Islands. As a result of a severe drought in 1963 on the Phoenix Islands, the population of Hull and Gardner Islands have resettled on Wagina in the Solomon Islands. The great majority of the population live in the Gilbert and Ellice Islands which make up about one half of the total area of the Territory. Christmas Island, on the other hand, has an area of more than 140 square miles (426 square kilometres), but much of it is desert and it has only a few hundred inhabitants.

^{1/} The following information transmitted by the Administering Power has been taken into account in the preparation of this paper: (a) information transmitted under Article 73 e for the year ending 31 December 1962, received on 6 May 1963; and (b) information on political and constitutional developments transmitted separately on 21 March 1963 (A/5404/Add.3).

GOVERNMENT

Status

4. The Gilbert and Ellice Islands came under the jurisdiction of the High Commissioner for the Western Pacific in 1877 and were declared a British Protectorate in 1892. By an Order-in-Council of 10 November 1915, they were annexed and became the Gilbert and Ellice Islands Colony. Subsequently its boundaries were extended to include the Phoenix and Northern Line Islands.

Constitution

5. The Territory is administered under the provisions of the Pacific Order-in-Council, 1893, the Gilbert and Ellice Islands Order-in-Council, 1915, and the Gilbert and Ellice Islands Order-in-Council, 1963.

(a) High Commissioner and Resident Commissioner

6. Responsibility for the administration of the Territory rests with the High Commissioner for the Western Pacific who resides at Honiara in the Solomon Islands. This he deputizes to a Resident Commissioner, the chief administrative officer of the Territory, who resides in Tarawa (the capital) where the principal departments of the Administration are located. The High Commissioner and the Resident Commissioner are both empowered to make laws for the peace, order and good government of the Territory with due regard being paid to local custom. In cases where a proposed law might affect the lives of the local population, the island councils are consulted.

(b) Executive Council

7. The Gilbert and Ellice Islands Order-in-Council, 1963, provides for the establishment of an Executive Council, presided over by a Resident Commissioner, with an Assistant Resident Commissioner as an ex officio member, and not more than three official and four unofficial members.

(c) Advisory Council

8. An Advisory Council was established in 1963, consisting of the Resident Commissioner as President, up to twelve unofficial members and up to five unofficial

members appointed by the Resident Commissioner. It is intended that the Advisory Council should meet twice a year, and give advice on all matters relating to the administration of the Territory.

Public Service

9. During 1962, there were 46 overseas officers and 623 local and other officers in the Public Service. As a long-range measure to increase the pace of localization of the staff of the Public Service, the Administration states that it proposes to send overseas annually, for the next few years, up to about eleven of the most promising students for advanced secondary education. These students will eventually be sent on to a university, with a view to acquiring qualifications which will enable them to fill some of the posts that are customarily filled by expatriate officers.

Judiciary

10. Under the provisions of the Western Pacific (Courts) Order-in-Council, 1961, a High Court of the Western Pacific was established in 1962. The judges of this court consist of a Chief Justice and a number of puisne judges, and the Court possesses and exercises jurisdiction similar to that of the High Court of Justice in England. The High Court has jurisdiction to hear appeals from the judgements of any other court in the Territory, and there is a right of appeal in respect of a judgement by the High Court itself to the Fiji Court of Appeal, and thereafter to the Privy Council in London.

11. In addition to the High Court, there is a system of local or Native courts which have wide jurisdiction over all indigenous inhabitants. This court on each island is presided over by the island magistrate, who can be assisted by four or more assessors. In addition, island land courts deal with local property, estate and land disputes. These are composed of the island magistrate and a panel of selected islanders.

Local government

12. There are twenty-six Native (or island) governments in the Gilbert, Ellice and Phoenix groups. These governments consist of island councils, a Native court with

criminal and civil jurisdiction and a lands court. The head of each Native government is the island magistrate, an islander selected and appointed by the district commissioner who combines executive and judicial authority. He is the central Government's representative on the island, responsible for the local administration, the chairman of the island council and the magistrate of the Native court.

13. Island councils consist of elected members, nominated members and ex officio members. The elected members are elected by universal adult suffrage of all islanders over the age of 30. There is a majority of elected members in all the island councils. In addition to appointing certain members of the island governments, the island councils have power to make local regulations covering a wide range of subjects, and provide services for the general health, security and well-being of each island. The councils have full financial responsibility and make their own estimates of revenue and expenditure; in most cases they pay for the various island services out of local revenue but, in cases where they are not financially supporting, they receive a subvention from central government funds.

ECONOMIC CONDITIONS

14. Ocean Island has rich deposits of phosphatic rock, which are worked conjointly with the deposits on the Trust Territory of Nauru, about 160 miles westward, by the British Phosphate Commissioners. The economy of the islands is based on the extraction of phosphate on Ocean Island and the production of copra on the other islands. The phosphate deposits are expected to become exhausted within twenty to thirty years. The islands are subject to severe droughts and on most of them, the soil is but a few inches deep and consists largely of coral sand. These conditions make cultivation difficult. Copra is the only commercial crop, produced on the Gilbert, Ellice and Phoenix Islands by indigenous cultivators, and on the Line Islands by large commercial plantations.

15. Information on the total value of exports in 1960 and 1961 is not available. The value of imports in 1960 and 1961 totalled £A1,022,096 and £A1,384,480 respectively. Eighty per cent of all imports in 1961 came from Australia and the United Kingdom.

16. The mainstay of the Territory's budget consists of a revenue of 23 shillings on each ton of phosphate exported and an export duty on copra of 25 per cent ad valorem of the f.o.b. value. Revenue and expenditure during 1961 amounted to £A606,591 and £A653,503 respectively. Revenue and expenditure for 1962 amounted to £A854,981 and £A833,112 respectively.

SOCIAL CONDITIONS

Labour

17. All matters concerned with the recruitment, contracting and care of workers are undertaken by administrative or other officers appointed by the Resident Commissioner. In addition to the Government, the chief employers are the British Phosphate Commissioners and the copra plantations. In 1962, the British Phosphate Commissioners employed 1,593 indigenous persons at Ocean Island and Nauru. Copra plantations employed 283, and ninety-six others were employed on Canton Island and Fanning Island. Conditions of employment for Gilbertese and Ellice Islanders in the Trust Territory of Nauru are the same as those for Ocean Island.

Public health

18. The Territory has 2 general hospitals, 1 cottage hospital and 29 dispensaries. The Central Colony Hospital is located at administrative headquarters. The other general hospital is maintained on Ocean Island by the British Phosphate Commissioners. The two general hospitals have 349 beds. The government medical staff includes three registered physicians and eighteen assistant medical officers. There are also three physicians employed by private enterprises on Ocean, Fanning and Canton Islands. They are paid retainer fees to act as government medical officers. Medical attention for indigenous persons and government officers (with the exception of confinements) is free.

19. Actual expenditures on public health in 1961 totalled £A465,088 and estimated expenditures in 1962 totalled £A67,800. This amounted to approximately 10 per cent of the total expenditures of the Territory in 1961, and 9 per cent of estimated expenditures in 1962.

20. In 1962, the infant mortality rate was 50.8 per 1,000 live births, and the death-rate per 1,000 of local population was 8.6 per cent.

EDUCATIONAL CONDITIONS

21. At the end of 1962 there were 11,586 students in government, mission and other schools. Primary schools had 11,292 pupils, chiefly in mission primary schools. In addition to primary schools, there were two government and two mission secondary schools with a total of 294 pupils; and one government and three mission teacher-training colleges with a total of seventy-five trainees. The total number of teachers in all schools in 1962 was 464, an increase of fifty-two over the previous year.

22. Six students with scholarships were attending secondary schools in Australia in 1962 with a view to attaining university entrance qualifications, and thirteen additional students began further secondary education in Australia and New Zealand in 1963.

23. An unspecified number of other students were studying medicine, nursing, boat-building, police work, printing, co-operative work, accountancy, marine engineering and agriculture in overseas Territories.

24. Recurrent expenditures on education amounted to £A37,517 in 1961, and were estimated at £A40,975 in 1962. This amounted to 5.8 per cent of all expenditures in 1961 and 6 per cent in 1962. Capital expenditures, actual and estimated, for the same periods were £A6,857 and £A23,384 respectively.

XIII. PITCAIRN ISLAND^{1/}

GENERAL

1. The Territory consists of four islands. Only Pitcairn, a volcanic island situated in the South Pacific about midway between Australia and South America, is inhabited. It has a land area of about two square miles (5.18 square kilometres).
2. The inhabitants of Pitcairn, numbering 126 at the end of 1961, are descendants of British sailors and Tahitians who settled there in 1793 after the mutiny of H.M.S. Bounty.

GOVERNMENT

Status

3. The Territory of Pitcairn Island is a British colony which came under the jurisdiction of the High Commissioner for the Western Pacific in 1898. By the Pitcairn Order in Council, 1952, it was transferred to the administration of the Governor of Fiji when this office was separated from the High Commissionership of the Western Pacific.

Constitution

(a) Governor

4. The Governor of Fiji is ex officio Governor of Pitcairn and legislates for the Territory.

(b) Island Council

5. The Pitcairn Islanders very largely manage their own affairs but when necessary help and advice is available to them from Fiji. The Island is administered by an Island Council consisting of the Chief Magistrate, two Assessors and a Secretary. These officers are local inhabitants elected by the population of the Territory on the basis of universal adult suffrage. The Chief Magistrate is elected triennially and the other officers annually.

^{1/} The following information transmitted by the Administering Power has been taken into account in the preparation of this paper: (a) information transmitted under Article 73 e for the year ending 31 December 1962, received on 24 May 1963; and (b) information on political and constitutional developments transmitted separately on 13 March 1963 (A/5404/Add.1).

Judiciary

6. The Island Court sits twice a month to hear breaches of the Island Rules. Cases of a serious nature come within the jurisdiction of the High Commissioner's Court for the Western Pacific.

ECONOMIC CONDITIONS

7. Pitcairn Island is isolated and its population is practically all of common stock and related through inter-marriage. The small community is able to meet its basic needs from the soil, the sea and private trading and it is self-sufficient.

SOCIAL CONDITIONS

8. Pitcairn's revenue and expenditure for the year 1961-62 were £14,183 and £12,268 respectively. Its main source of revenue is from the sale of postage stamps to collectors. Some fruits and handicrafts are sold to passing ships.

9. The population is self-employed. There is no permanent labour force although the local administration sometimes hires workers for limited communal services.

10. There is a government clinic, run in co-operation with the Seventh Day Adventist Church. The Government meets the cost of medical supplies and drugs. Professional advice and assistance may be obtained from surgeons on passing ships and, if medical treatment is required in New Zealand, compassionate grants or loans may be obtained from public funds.

EDUCATIONAL CONDITIONS

11. Education is controlled and financed entirely by the Government. It is free and compulsory for all children between 6 and 16. Instruction is in English and the New Zealand standard curriculum is used as the basis of instruction.

Post-primary education on the island is conducted at the school by correspondence courses arranged through the New Zealand Department of Education.

/...

XIV. SOLOMON ISLANDS^{1/}

GENERAL

1. The British Solomon Islands consist of a double chain of islands in the South West Pacific. They extend over 900 miles (1,400 kilometres) of ocean, north-west to south-east, and have a total land area of 11,500 square miles (29,785 square kilometres). The main islands are mountainous, heavily wooded and well-watered. The Territory comprises one of the biggest groups in the Pacific and is the largest United Kingdom territory in the Pacific.
2. The Solomon Islands have a population of about 130,000, of whom about 123,000 are Melanesians, 5,000 Polynesians and the remainder of other or mixed races. The only township is Honiara, the administrative capital, with approximately 3,000 inhabitants. Most of the people live in small scattered villages throughout the islands. Those who live on the larger islands are often cut off from their neighbours on the same island by high mountain ranges and dense jungle.

GOVERNMENT

Status

3. The Territory of the Solomon Islands is a British Protectorate which was established in 1893 over the Southern Solomons and by 1900 over the remainder of the Group which now make up the Territory.

Constitution

4. The present Constitution is contained in the British Solomon Islands (Constitution) Order in Council, 1960, under which the Territory is administered by a High Commissioner, who is advised by an Executive Council and who legislates with the advice and consent of a Legislative Council. Before 1960 the High Commissioner was assisted by an advisory council only. The main features of the present Constitution are as follows:

^{1/} The following information transmitted by the Administering Power has been taken into account in the preparation of this paper: (a) information transmitted under Article 73 e for the year ending 31 December 1962, received on 21 June 1963; and (b) information on political and constitutional developments transmitted separately on 21 March 1963 (A/5404/Add.4).

(a) High Commissioner

5. The Solomon Islands Protectorate is one of the Territories administered by the High Commissioner for the Western Pacific, whose headquarters are at Honiara. The High Commissioner is appointed by the United Kingdom Government.

(b) Executive Council

6. In the exercise of his powers, the High Commissioner is advised by the Executive Council. The Council consists of the holders of the three principal offices, namely, the Chief Secretary, the Attorney-General and the Financial Secretary of the Western Pacific High Commission, and also such other official and unofficial members as the High Commissioner may appoint. There are at present four other official members and four unofficial members who do not hold government appointments, two of whom are Solomon Islanders.

(c) Legislative Council

7. Laws in the Solomon Islands are made by the High Commissioner acting with the advice and consent of the Legislative Council, except for matters which are reserved for the High Commissioner. The Legislative Council normally meets twice a year.

8. The Legislative Council consists of the High Commissioner as President, three ex officio members, not more than eight official members and not more than ten unofficial members. The ex officio members must be the Chief Secretary, the Attorney General and the Financial Secretary of the Western Pacific High Commission. The official and unofficial members are appointed by the High Commissioner. At present, the Council consists of the full total of twenty-one members allowed by the Constitution, six of the ten unofficial members being Solomon Islanders.

Electoral system

9. There are no elected bodies in the Solomon Islands.

Judiciary

10. Under the provisions of the Western Pacific (Courts) Order in Council, 1961, a High Court of the Western Pacific was established in 1962. The judges of this Court consist of a Chief Justice and a number of puisne judges, and the Court possesses and exercises similar jurisdiction to the High Court of Justice in England. The High Court has jurisdiction to hear appeals from judgements of any other courts in the Territory, and there is right of appeal in respect of a judgement by the High Court itself to the Fiji Court of Appeal, and thereafter to the Privy Council in London.

11. In addition, there are Native courts in all areas of the Protectorate except for certain very small outlying islands. These courts are usually constituted according to local custom. They have limited civil and criminal jurisdiction and their decisions are subject to review by magistrates.

Public Service

12. At the end of 1962, there were 253 posts in the Protectorate Public Service, consisting of 217 overseas officers and 36 local and other officers. Twenty-eight of the latter were indigenous persons. In the annual report, the Administering Power states that an increasingly close watch is being kept upon recruitment and promotion to ensure that every opportunity is taken to replace expatriates by suitably qualified local officers.

Local governments

13. There are local government councils in all areas except for some very small outlying islands. They comprise not more than five members who are appointed by the High Commissioner from amongst Solomon Islanders in the district. A Council can make and pass resolutions for the welfare and good government of the district over which it has authority. All decisions of the Council are made by a resolution passed by a vote of the majority of the members of the Council present at the meeting, and the person presiding has a casting vote if the voting is equal. The Councils prepare and debate their own annual estimates of revenue and expenditure. Their range of subjects includes administrative services, communications, dispensaries, schools, market centres, water supplies, economic development, etc.

14. In Honiara, the capital of the Protectorate, the Honiara Town Council was set up in 1958, with a membership representing all sections of the community. The Council has specific responsibilities and duties in respect of the town of Honiara and has power to pass by-laws. The Council also has powers to raise revenue, but its main source of income is an annual subvention from the Protectorate Government.

ECONOMIC CONDITIONS

15. The economy of the Territory is not self-supporting and is based almost entirely on the production of copra. Cocoa is being planted as an export crop but has only begun to come into production. Subsistence crops are grown throughout the Territory. There are limited manufacturing industries directed to meeting some local needs.

16. The value of all imports in 1962 totalled £A2,233,611, about 75 per cent of which came from Australia and the United Kingdom. Exports were valued at £A1,589,184 of which £A1,411,637 consisted of copra exports. Eighty-six per cent of all exports went to the United Kingdom and Australia.

17. An Economic Development Committee was established in 1961 to advise the High Commissioner and the Executive Council on economic development generally. It has two sub-committees: the Inter-departmental Natural Resources Committee and the Inter-departmental Trade and Industry Committee.

18. A survey of the Territory's timber resources has continued and confirmed that there is a promising potential for further economic development in this field.

19. Revenue and expenditure for 1961 totalled £A1,716,794 and £A1,702,665 respectively. Revised estimates of revenue and expenditure in 1962 total £A1,942,245 and £A2,077,330 respectively. Ordinary revenue amounted to £A791,180, of which £A551,110 was derived from direct and indirect taxes. A grant-in-aid from the United Kingdom Government and Colonial Development and Welfare grants amounted to £A512,435 and £A451,700 respectively.

SOCIAL CONDITIONS

Labour

20. A Labour Department was established in 1959 and a Commissioner of Labour was appointed. The latter advises on labour policy and administers labour legislation. He advises all parties concerned in matters relating to conditions of employment and advises employers and workers on the formation of associations and trade unions.

21. The total labour force of the Protectorate at the end of 1962 was estimated at 8,000 workers, of whom about 55 per cent were employed on coconut plantations. Most plantation workers are recruited under the provisions of Labour Ordinance.

22. There is one labour union, the British Solomon Islands Workers' Union, which had a membership of 2,250 in 1962. In 1962, the Union successfully negotiated an increase in wages for its waterfront members; at the end of the year it was negotiating a further increase for some of its plantation members. In the Annual Report of the Labour Department for 1962 it is stated that two other unions might be formed, consisting of a general union for labourers and another for government labour and classified workers.

Public health

23. Malaria and tuberculosis are the two major health problems in the Protectorate. In the Annual Report of the Medical Department for 1962, it is stated that the most significant event in the field of public health was the launching of a malaria eradication pilot project, organized in collaboration with the World Health Organization. Owing to the commitments of personnel and financial resources to this project, no major campaign against tuberculosis was contemplated for the next few years.

24. The Territory has six government hospitals and one leprosarium with a total of 463 beds. Hospitals and other medical facilities maintained by missions have 513 beds. The medical staff, public and private, includes eight registered medical officers and sixteen registered assistant medical officers.

25. Expenditures on public health in 1961 totalled £A145,669. Estimated expenditures on public health in 1962, and about 9 per cent of all expenditures, consisted of £A142,870 from protectorate funds and £A42,038 from Colonial Development Welfare funds.

EDUCATIONAL CONDITIONS

26. Primary education in the Protectorate is largely in the hands of missions. Mission schools are inspected by officers of the Department of Education and assisted by grants from the Government. In 1962, all but twelve of the 370 registered primary schools were run by missions. The missions also run an additional 103 unregistered primary schools. Enrolment in all primary schools totalled 18,401. A government secondary school for boys had sixty-two pupils. One teacher's training school maintained by the Government and one by a mission had enrolments of forty-three and eleven respectively. There are no institutions of higher education in the Protectorate.

27. The number of registered and approved teachers in 1962 was 847. There was one teacher for each twenty-one pupils in registered primary schools.

28. During 1962 eleven students held government scholarships enrolled in secondary schools overseas, and fifty-two were attending secondary schools under mission auspices.

29. Recurrent expenditure by the Department of Education in 1962 totalled £A74,994. Capital expenditure for the same year was £A3,807. Missions had recurrent and non-recurrent expenditures totalling £A123,038 and £A38,171 respectively. Government grants to missions for education totalled £A14,083 in 1962.

XV. BRUNEI^{1/}

GENERAL

1. The Territory of Brunei is situated on the northern coast of the island of Borneo. It comprises two enclaves in north-eastern Sarawak, separated from each other by the valley of the Limbang river. The capital of Brunei is Brunei town. The area of the Territory is 2,226 square miles (5,765 square kilometres).
2. The population of Brunei at the 1960 census was approximately 84,000, consisting of:

Indigenous:

Malaya	47,000
Other indigenous	12,000

Non-indigenous:

Chinese	22,000
Others (Indians, Europeans, etc.)	3,000
Total	84,000

GOVERNMENT

Status

3. Brunei became a British protected State following a treaty signed by the Sultan with the United Kingdom Government in 1888. Under this treaty, the Sultan agreed that the United Kingdom should be responsible for Brunei's defence and external affairs. A supplementary agreement in 1906 provided for a British Resident to represent the United Kingdom Government in Brunei. Between 1942 and 1945, Brunei was under Japanese military occupation. In 1946, civil government was re-established. Under a new agreement signed in 1959, the post of British Resident was replaced by that of High Commissioner and the United Kingdom Government continued to be responsible for Brunei's defence and external affairs.

^{1/} The following information transmitted by the Administering Power has been taken into account in the preparation of this paper: (a) information transmitted under Article 73 e for the year ending 31 December 1962, received on 3 July 1963; and (b) information on political and constitutional developments transmitted separately on 19 March 1963 (A/5402/Add.3).

High Commissioner

4. The High Commissioner represents the United Kingdom Government in the State of Brunei and exercises the United Kingdom's responsibilities for the defence and external relations of Brunei.

Constitution

5. Formerly, a State Council of twelve members, consisting of the Sultan as President, the British Resident and nominees of the Sultan, advised the Sultan in the exercise of his executive and legislative functions. In 1959, the Sultan promulgated a Constitution which replaced the State Council with three separate bodies: a Privy Council, an Executive Council and a Legislative Council. The main provisions of the Constitution are set out below:

(a) Sultan

6. Supreme executive authority is vested in the Sultan. His assent is required for all bills passed by the Legislative Council. A Chief Minister (Mentri Besar) is appointed by the Sultan and is responsible to the Sultan for the exercise of all executive authority in the State. The Chief Minister is assisted by a State Secretary, an Attorney-General and a State Financial Officer, all of whom are appointed by the Sultan.

(b) Privy Council

7. The Privy Council advises the Sultan in relation to the amendment of the Constitution and on any other matters at the Sultan's request. It consists of the Chief Minister and five other ex officio members, the High Commissioner, and such other persons as the Sultan may appoint.

(c) Executive Council

8. The Executive Council, presided over by the Sultan, consists of seven ex-officio members, the High Commissioner, and seven unofficial members appointed by the Sultan. Six of the latter are appointed from the elected members of the Legislative Council and one from its nominated members. The Constitution provides

that in the exercise of his powers and in the performance of his duties the Sultan shall, with certain exceptions, consult with the Executive Council. He may act in opposition to the advice given him by a majority of the members of the Council, but must record fully in the minutes of the Council the reasons for his decision.

(d) Legislative Council

9. The Legislative Council is composed of eight ex officio members, six official members, three nominated members, and sixteen elected members. The Speaker of the Legislative Council is appointed by the Sultan either from among the membership of the Council or from outside it. Subject to the assent of the Sultan, the Legislative Council may make laws for the peace, order and good government of the State. Except with the prior approval of the Sultan, it may not proceed upon any bill, motion or petition concerning certain matters, particularly financial matters. If the Legislative Council fails to pass a bill which has been introduced or carry a motion which has been proposed, the Sultan may declare such a bill or motion effective if he considers such action to be in the public interest. The Legislative Council has a life of three years.

Electoral system

10. The elected members of the Legislative Council are elected by, and from among the membership of the four District Councils in the Territory. The elected members of the four District Councils are directly elected by persons who are subjects of the Sultan, have attained the age of 21 and fulfil certain residential qualifications.

11. The results of the elections held in September 1962 for the District Councils and for the Legislative Council were as follows:

District Councils

<u>Party</u>	<u>Seats</u>
Party Ra'ayat	54
Independent	1
Brunei National Organization	-
Brunei United Party	-

Legislative Council

Party Ra'ayat	16
-------------------------	----

Public Service

12. The Public Service in 1962 consisted of 11 pensionable and 34 non-pensionable overseas officers and 80 local and other officers. There are no local training facilities available in Brunei for Public Service officers, and a total of 86 have been sent overseas for special training. Of this number, 79 were Malays, and six were Chinese. It is stated that it is the policy of the Brunei Government to replace gradually officers from overseas by Brunei nationals as and when they become available.

Judiciary

13. Brunei has a Court of Appeal, three classes of magistrates' courts for less serious offences, and Kathis Courts for questions concerning the Islamic religion, marriage and divorce, property disputes and ancillary matters.

Local government

14. Brunei town, Belait, Tutong and Temburing each has district council with a majority of elected members.

Political parties

15. In 1962, there were three registered political parties in Brunei, the Party Ra'ayat (the People's Party) under the leadership of Mr. A.M. Azaheri, the Brunei National Organization and the Brunei United Party. In the elections in September 1962, the latter two parties failed to win any seats in the District Councils. They were reported to have advocated Brunei's entry into Malaysia.

16. The Party Ra'ayat, founded in 1956, opposed the 1959 Constitution, being in favour of a directly elected majority in the legislature. It also opposed participation of Brunei in the Federation of Malaysia^{2/} and favoured a union of Brunei with Sarawak and North Borneo. The Party Ra'ayat was banned in December 1962.
17. In January 1963, the Brunei Alliance Party was formed. At the time of its establishment, the party was reported to favour Brunei's entry into the Federation of Malaysia. Subsequently, it has advocated full independence for Brunei within the Commonwealth.

Recent developments

18. In December 1962 the "North Kalimantan National Army", under the leadership of Mr. Azahari, attempted to overthrow the Government of Brunei with the intention of establishing a unitary state of Brunei, Sarawak and North Borneo.^{3/} As a result of this action, the Sultan banned the Party Ra'ayat and on 19 December 1962 suspended certain provisions of the 1959 Constitution and dissolved the Legislative Council and the four District Councils. He reconstituted the Executive Council into an Emergency Council consisting of himself as President, four ex officio members, including the High Commissioner, and ten other members appointed by him, with the powers of the previous Executive and Legislative Councils.
19. It has been reported that, on 22 July 1963, the Sultan abolished the Emergency Council and re-established the Executive and Legislative Councils. The new Executive Council (presided over by the Sultan) consists of six ex officio members, the High Commissioner and four unofficial members appointed by the Sultan from the Legislative Council. The new Legislative Council consists of six ex officio members, ten official members and nineteen unofficial members nominated by the Sultan. It has also been reported that it is the intention of the Brunei Government that direct elections should be held as soon as possible.
20. During 1963, negotiations were held between the Sultan of Brunei and Malaya concerning Brunei's entry into the Federation of Malaysia. In June 1963, it was announced that Brunei and Malaya were unable to agree on terms for Brunei's entry into the Federation and that negotiations had been discontinued.

ECONOMIC CONDITIONS

21. The mainstay of Brunei's economy is the oil industry, based on the oilfield at Seria. Since 1929, when oil was first struck, exports have risen to more

^{2/} See A/AC.109/PET.46.

^{3/} See A/AC.109/PET.121.

than four million tons in recent years, valued at more than \$M200 million.^{4/} In 1962, production totalled 3,705,767 tons and exports of crude petroleum were valued at \$M190,060,709. Oil mining is in the hands of the Brunei Shell Petroleum Company (formerly the British Malayan Petroleum Company). Mining rents and royalties paid by the oil company form a large part of the total revenue and have enabled the State to undertake large development programmes. Surplus revenues from oil have been invested, and accumulated funds now total about \$M769 million. Although oil production is falling, the reduction in oil revenue will be partly offset by the increased yield of these invested surpluses. Meanwhile the oil company is prospecting for oil both on land and off-shore.

22. Apart from oil, the economy is based on rubber, subsistence agriculture, fishing and the collection of forest produce. Industries operating on a small scale are sawmilling, woodworking, furniture-making, silversmithing and handweaving.

23. The chief export is mineral fuels, which amounted to approximately 99 per cent of all exports in 1962. The chief imports are food, manufactured goods and machinery and transportation equipment. Approximately 97 per cent of all exports including re-exports went to Sarawak. Thirty-three per cent of all imports came from the United Kingdom; 13 per cent came from Singapore; 28 per cent from Hong Kong, Japan, Thailand, the United States and Australia; and the remaining imports came from numerous other countries. The value of all exports, including re-exports valued at \$M4,603,632, totalled \$M199,261,384. Imports, including re-imports valued at \$M197,286, were valued at \$M49,104,827.

24. Although Brunei's main source of revenue has decreased with the decline of oil production, its total revenue is still far above total expenditure, and there is no public debt. Revenue and expenditure in Malayan dollars in recent years were as follows:

^{4/} A Malayan dollar equals 2s.4d or \$US0.327.

	<u>Revenue</u>	<u>Expenditure</u>
1960	127,379,253	31,628,073
1961	117,974,642	36,566,158
1962	115,286,146	37,291,986

25. A new development plan has been prepared for the period 1962-67 which aims to raise the gross national product by 6 per cent and per capita income by 4 per cent per annum. The aim is to diversify the economy by developing agricultural and forest resources and introducing secondary industries.

SOCIAL CONDITIONS

Labour

26. The labour force totalled 6,690 in 1962. The chief employers were the Government and the Brunei Shell Petroleum Company which had 2,666 and 1,541 workers respectively.

27. The Commissioner of Labour is responsible for the implementation and supervision of labour legislation, International Labour Conventions and the handling of labour problems and disputes. No conciliation machinery exists. In practice, disputes are settled by the Commissioner or Deputy Commissioner of Labour, who are always available for consultation and advice to any organization of employers or workers. In 1962, the Commissioner of Labour became Registrar of Trade Unions, but information is not available on the number of such organizations and their membership. The Brunei Shell Petroleum Company has an Industrial Relations Department to handle disputes. Each month elected labour representatives meet management representatives to discuss working conditions, grievances and other matters of mutual interest.

Public health

28. Brunei has two government hospitals and one company hospital which have 273 and 93 beds respectively. The medical and health staff includes seven government and five other registered physicians, and 27 government and 13 other registered medical assistants.

29. There were 3,980 births and 628 deaths in 1962. The infant mortality rate was 50.75 per 1,000 live births. The total death rate was 6.89 per 1,000 population.

30. Recurrent expenditures on public health in 1962 totalled \$M3,401,949 and capital expenditures totalled \$M154,090. Total expenditures amounted to \$M3,556,039 and were approximately 9.95 per cent of all expenditures.

EDUCATIONAL CONDITIONS

31. In 1962 Brunei had 70 public primary and kindergarten schools with 11,956 pupils and 16 independent primary and kindergarten schools with 6,408 pupils. Seven public and seven independent secondary schools had enrolments of 1,117 and 1,203 respectively. One public teacher education school had 125 students and one independent vocational school had 31 students. Public schools had a staff of 581 teachers and independent schools had 249 teachers.

32. As at the 1960 census, 25,724 persons aged 10 and over were literate and 27,969 were illiterate. At that time the number of children of school age totalled 25,527.

33. Recurrent expenditure in 1962 for education amounted to \$M6,470,540, an increase of \$M413,210 over the previous year. Capital expenditure was \$M1,014,002, an increase of \$M418,838 over the previous year. Total educational expenditures were approximately 20 per cent of the territorial budget for 1962.

XVI. HONG KONG^{1/}

GENERAL

1. The Territory of Hong Kong consists of the island of Hong Kong, numerous other islands and an adjoining area of the mainland on the south-east coast of China. It has a total area of 398.25 square miles (1,031 square kilometres).
2. The total population as shown by the census of March 1961 was 3,129,648. At that time the number of persons claiming to originate from Commonwealth countries outside Hong Kong was 33,140, and those from non-Commonwealth countries other than China numbered 16,607. At the end of 1962, the total population was estimated to have increased to 3,526,500.

GOVERNMENT

Status

3. Under the Treaty of Nanking of 1842 the island of Hong Kong was ceded to the British Crown, and in June 1843 it was declared a British Colony. Subsequently, the Convention of Peking in 1860 extended the boundaries of the Colony to include Kowloon Peninsula, and the Convention of Peking in 1898 further extended its boundaries by a ninety-nine year lease to include areas which are known as New Territories.

Constitution

4. The formal documents which lay down the principal features of the Constitution of Hong Kong are the Letters Patent which provide for the office of the Governor, the Executive Council and the Legislative Council, and the Royal Instructions, which deal with other related matters.

(a) Governor

5. The Governor, who is appointed by the United Kingdom Government, is the Queen's representative and head of the executive in the Territory.

^{1/} The following information transmitted by the Administering Power has been taken into account in the preparation of this paper: (a) information transmitted under Article 73 e for the year ending 31 December 1962, received on 7 June 1963; and (b) information on political and constitutional developments transmitted separately on 26 February 1963 (A/5402/Add.1).

(b) Executive

6. The Executive Council, which is presided over by the Governor, consists of five ex officio and seven nominated members. Its main function is to advise the Governor, who is required to report his reasons fully to the Secretary of State if he acts in opposition to such advice. The Governor-in-Council also has powers to make subsidiary legislation by way of rules, regulations and orders, and also to consider appeals and petitions.

(c) Legislative Council

7. The five ex officio members of the Executive Council also serve on the Legislative Council of which the Governor is also the President. In addition, there are four other official members and eight unofficial members nominated by the Governor. Laws are enacted by the Governor with the advice and consent of the Legislative Council, which controls finance and expenditure through its Standing Finance Committee, which has an unofficial majority.

Electoral system

8. There are no elected members on the Legislative Council.

Public Service

9. The Administering Power states that the policy of the Hong Kong Government is to ensure that the Public Service is staffed to the greatest extent possible by local officers, and that no overseas officer is recruited if there is a suitable local candidate equipped with the necessary qualifications. It is reported that since the Service as a whole expanded so rapidly to meet the requirements of development - from 29,033 in 1954 to almost 53,000 at the end of 1962 - the total number of overseas officers continued to increase during this period, though much less rapidly than the number of local officers.

10. At the end of 1962, the Public Service consisted of 1,654 overseas officers and 51,301 non-overseas officers. There were twenty-nine overseas officers in the highest administrative grade and one local officer. In the senior administrative grade there were forty-one overseas officers and thirteen local officers. In the two executive grades there were seventy overseas officers and 100 local officers.

11. A Government Training Unit, established in 1961 to train local officers for more responsible jobs, has been expanded and is responsible for co-ordinating and organizing local in-service training schemes. Local officers sent overseas for training totalled eighty in 1960, ninety in 1961, and 119 in 1962. In order to expedite the training of local officers to take their places in the professional grades, scholarships are now granted to local government officers to enable them to obtain the basic qualifications for certain professional posts. Provision for five such scholarships was made in the budget for 1963-64.

Judiciary

12. The courts in Hong Kong consist of the Full Court, the Supreme Court, the District Court, the Magistrate's Court, the Tenancy Tribunal and the Marine Court. The Full Court, consisting of at least two judges, hears appeals from the Supreme Court (final appeals lie to the Judicial Committee of the Privy Council in London). The Supreme Court tries criminal cases with a jury and also exercises an original jurisdiction in a large number of civil matters. It also hears appeals from the Magistrate's Court and from the Marine Court. The District Court has both criminal and civil jurisdiction and also hears appeals in certain matters from the Tenancy Tribunal. The Magistrate's Court exercises a criminal jurisdiction similar to that of magistrates in England. It also has a limited jurisdiction in domestic matters.

13. The Chief Justice is head of the judiciary, and he and four puisne judges deal with all business in the Full Court, and in the Supreme Court in all its various jurisdictions. In the District Court there are six district judges. Normally a total of fourteen magistrates sit in different parts of the Territory.

Local government

14. For the urban areas of Victoria and Kowloon there is an Urban Council consisting of eight members appointed by the Governor, five government officials who are concerned with urban affairs, and eight elected members. For the election of members to the Urban Council the electoral franchise consists of all men and women over the age of twenty-one who are on the lists of special and common jurors.

15. The Council, which meets monthly to transact formal business, does most of its work through eighteen select committees which meet at frequent intervals. The Council's responsibilities are carried out through the Urban Services Department and the Resettlement Department.

16. In the remaining areas there are twenty-seven rural committees elected by and from village representatives. These committees have various functions of advising the district officers of the five administrative districts making up the New Territories. The rural committees, together with the unofficial justices of the peace in these areas and twenty-one elected special councillors, form the full Council of the Heung Yee Kuk or Rural Consultative Council. The Heung Yee Kuk, which was established in 1926 but was reformed in 1959, also includes an Executive Committee which meets monthly and consists of the chairman of the rural committees, the unofficial justices of the peace and fifteen ordinary members elected by the full Council.

ECONOMIC CONDITIONS

17. Before the Second World War, industry in Hong Kong was of secondary importance to the Territory's entrepôt trade. It has now assumed a dominant role, and over 75 per cent of all exports are manufactured or processed locally. The textile and garment industry, the Territory's dominant industry, accounted for 52 per cent by value of all exports in 1962. Heavy industries of importance include ship-building and repairing, ship-breaking, the manufacture of machinery and parts and aircraft engineering.

18. Industrial development and expansion are facilitated by favourable factors which include the advantages of a free port, freedom from trade restrictions, excellent shipping and commercial facilities, low taxation and a plentiful supply of labour. Unfavourable factors are the absence of raw materials, the scarcity of fresh water and the shortage of land suitable for industrial purposes. In 1962, there were 7,305 registered and recorded factories employing 297,897 persons. At the census in 1961, a total of 603,248 persons claimed to be employed in factory-type operations, building construction and mining.

19. Exports in 1962 showed an increase of 13 per cent over the previous year and were valued at \$HK 3,317 million.^{2/} Forty-six per cent went to the British Commonwealth and 26 per cent went to the United States. Food is the principal import and amounted to 24 per cent of the value of all imports in 1962. Imports showed an increase of 12 per cent over 1961 and were valued at \$HK 6,657 million. Approximately 58 per cent came from China, Japan, the United States and the United Kingdom.

20. Approximately 81 per cent of the Territory is marginal land and only about 13 per cent, or some fifty-one square miles, of the total area is arable land already exploited. Although local supplies of agricultural produce and fish are substantial, most of the Territory's foodstuffs have to be imported.

21. Hong Kong is financially self-supporting, and raises its revenue from local sources to meet the cost of all local works and services. In 1961-62 revenue totalled \$HK 1,030 million, showing an increase of approximately 9 per cent over the previous year. Expenditures totalled \$HK 953 million, also showing an increase of approximately 9 per cent over the previous year.

SOCIAL CONDITIONS

Labour

22. The Department of Labour is responsible for application of the Government's labour policy, and the Commissioner of Labour is the principal adviser to the Government on labour and industrial relations. All labour legislation is initiated in the department, which is also responsible for ensuring that Hong Kong's obligations under International Labour Conventions are observed.

23. During the 1961 census, 38 per cent of the population were workers. Nearly 51 per cent of all workers were engaged in manufacturing, construction, mining, quarrying, and utilities. Services and commerce employed 22 and 11 per cent respectively.

24. There are no legal restrictions on the hours of work for men, and most of those employed in industry work ten hours a day or less. Working hours, overtime,

^{2/} One Hong Kong dollar equals 1s. 3d. or \$US0.175.

weekly rest-days and rest period for women and young persons are regulated by legislation. Many employers provide workers with free accommodation, subsidized meals or food allowances, bonuses and paid rest-days.

25. At the end of 1962 there were 315 registered trade unions consisting of 240 workers' unions with 165,068 members; 60 employers' organizations with 7,613 members; and 15 mixed unions with 8,688 members.

Public health

26. It is reported that the policy of the Government is to provide, directly or indirectly, low cost or free medical and personal health services to a large section of the community which is unable to seek medical attention from private sources. In order to do so, the Government maintains hospitals and specialized out-patient clinics, and makes grants-in-aid from public funds to voluntary associations and missions where free or low cost treatment is given.

27. In 1962, government hospitals and dispensaries had 3,428 and 252 beds respectively. Government-assisted hospitals had 4,473 beds and private hospitals had 1,361 beds. Private maternity and nursing homes had an additional 503 beds. A total of 10,017 beds gave a ratio of 2.8 beds per thousand of the estimated population in 1962. A new hospital with 1,350 beds was scheduled to be opened in 1963.

28. The government public health staff included 278 medical officers and 42 dental surgeons. Non-government staff included 843 registered medical practitioners, 68 provisionally registered medical practitioners, and 368 registered dentists.

29. Tuberculosis remained the major health problem. It is estimated that 2 per cent of the adult population suffers from the disease in an active form. The total number of beds available for tuberculosis patients was 1,748 in 1962. In 1951, the death-rate from all forms of tuberculosis was 208 per 100,000 population. The rate declined to 69.9 in 1960, to 61.3 in 1961, and to 55.3 in 1962.

30. The actual expenditures of the Medical and Health Department increased from \$HK 56,573,091 in 1960-61 to \$HK 64,064,336 in 1961-62. Medical subventions for the same period increased from \$HK 21,910,889 to \$HK 25,009,269. Total

actual expenditures of \$HK 89,073,505 represented 9.3 per cent of Hong Kong's total expenditure. Expenditure for 1962-63 was estimated to total \$HK 99,969,800, representing 8.15 per cent of all estimated expenditure.

EDUCATIONAL CONDITIONS

31. Education is not compulsory. Some 10 per cent of the places in government and government-aided primary schools and between 30 and 45 per cent of the places in government and government-aided secondary schools are free. Grant schools are mainly secondary schools; the Government pays the difference between their approved recurrent expenditure and approved income, and may contribute part of the cost of capital expenditures. Subsidized schools are mainly primary schools which receive subsidies in order to enable them to keep their fees low. Private schools range from kindergarten schools to post-secondary schools. Some government assistance is now given to selected non-profit-making secondary schools and awards are given to some students.

32. In September 1962, there were 117 government schools, chiefly primary, 25 grant schools, 473 subsidized schools, 1,464 private schools, and 12 special schools. In a total enrolment of 750,702 students, 539,045 were in primary schools, 131,662 were in secondary schools, 35,663 were in kindergarten schools, and the remaining 44,330 were in teacher training, post-secondary and other schools.

33. On the basis of the medium of instruction, schools are classified as Chinese, English and Anglo-Chinese institutions. Primary education is of six years' duration; in Chinese schools it begins at the age of six and in English schools at the age of five. English is studied from the third year in the majority of Chinese primary schools.

34. According to the 1961 census, the rate of illiteracy was 25 per cent of the total population ten years of age and over.

35. Expenditures on education, including grants and subsidies, increased from \$HK 122,035,647 in 1961 to \$HK 150,537,541 in 1962.