



# Mauritius Republic Act 1992

## 1992 CHAPTER 45

An Act to make provision in connection with Mauritius becoming a republic within the Commonwealth. [18th June 1992]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

### **1 Operation of existing law**

- (1) Subject to subsection (3) below, all law to which this section applies, whether being a rule of law or a provision of an Act of Parliament or of any other enactment or instrument whatsoever, which was in force on 12th March 1992 (the date on which the constitution of Mauritius was amended so that it became a republic) or, having been passed or made before that date, comes or has come into force thereafter, shall, unless and until provision to the contrary is made by Parliament or some other authority having power in that behalf, have the same operation in relation to Mauritius, and persons and things belonging to or connected with Mauritius, as it would have had apart from this subsection if Mauritius had not become a republic.
- (2) This section applies to law of, or of any part of, the United Kingdom, the Channel Islands and the Isle of Man and, in relation only to any enactment of the Parliament of the United Kingdom or any Order in Council made by virtue of any such enactment whereby any such enactment applies in relation to Mauritius, to law of any other country or territory to which that enactment or Order extends.
- (3) Notwithstanding anything in subsections (1) and (2) above, section 42 of the British Nationality Act 1981 (whereby, subject to certain exceptions, a person becoming by registration a citizen of any description or a British subject is required to take an oath of allegiance) shall have effect in relation to citizens of Mauritius as if subsection (1) above had not been enacted.
- (4) This section shall be deemed to have had effect from 12th March 1992.

## **2 Judicial Committee of Privy Council**

- (1) Her Majesty may by Order in Council confer on the Judicial Committee of the Privy Council such jurisdiction and powers as may be appropriate in cases in which provision is made by the law of Mauritius for appeals to the Committee from courts of Mauritius.
- (2) An Order in Council under this section may contain such incidental and supplemental provisions as appear to Her Majesty to be expedient.
- (3) An Order in Council under this section may contain such transitional provisions as appear to Her Majesty to be expedient—
  - (a) in relation to appeals in which the records have been registered in the Office of the Judicial Committee on or before 12th March 1992; and
  - (b) in relation to petitions for leave to appeal filed in that Office on or before that date.
- (4) An Order in Council under this section may be made so as to have effect from 12th March 1992.
- (5) Except so far as otherwise provided by or in accordance with an Order in Council under this section, and subject to such modifications as may be so provided, the Judicial Committee Act 1833 shall have effect in relation to appeals in respect of which jurisdiction is conferred under this section as it has effect in relation to appeals to Her Majesty in Council.

## **3 Short title**

This Act may be cited as the Mauritius Republic Act 1992.