

SCHEDULES

FIRST SCHEDULE

Section 1.

LEGISLATIVE POWERS OF TANGANYIKA

- 1 The Colonial Laws Validity Act, 1865, shall not apply to any law made by the legislature of Tanganyika.
- 2 No law and no provision of any law made by that legislature shall be void or inoperative on the ground that it is repugnant to the law of England, or to the provisions of any Act of the Parliament of the United Kingdom, including this Act, or to any order, rule or regulation made under any such Act, and, subject to paragraph 5 of this Schedule, the powers of that legislature shall include the power to repeal or amend any such Act, order, rule or regulation in so far as it is part of the law of Tanganyika.
- 3 The legislature of Tanganyika shall have full power to make laws having extra-territorial operation.
- 4 Without prejudice to the generality of the foregoing provisions of this Schedule, sections seven hundred and thirty-five and seven hundred and thirty-six of the Merchant Shipping Act, 1894, shall be construed as though references therein to the legislature of a British possession did not include references to the legislature of Tanganyika.
- 5 Nothing in this Act shall confer on the legislature of Tanganyika any power to repeal, amend or modify the constitutional provisions otherwise than in such manner as may be provided for in those provisions.

In this paragraph " the constitutional provisions " means this Act, any Order in Council made before the appointed day which revokes the Tanganyika Orders in Council, 1920 to 1961 and the Tanganyika (National Assembly) Orders in Council, 1926 to 1961, and any law, or instrument made under a law, of the legislature of Tanganyika made on or after the appointed day which amends, modifies, re-enacts with or without amendment or modification, or makes different provision in lieu of, any provisions of this Act, that Order in Council or any such law or instrument previously made.

SECOND SCHEDULE

Section 3.

AMENDMENTS NOT AFFECTING THE LAW OF TANGANYIKA

Diplomatic immunities

- 1 In section four hundred and sixty-one of the Income Tax Act, 1952 (which relates to exemption from income tax in the case of certain Commonwealth representatives and their staffs), in subsection (2) and subsection (3), the word " or " preceding the

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words " Sierra Leone " shall be omitted and after those words there shall be inserted the words " or Tanganyika " .

2 In subsection (6) of section one of the Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Act, 1952, after the words " Sierra Leone" there shall be inserted the word " Tanganyika " .

3 In subsection (5) of section one of the Diplomatic Immunities (Conferences with Commonwealth Countries and Republic of Ireland) Act, 1961, after the words " Sierra Leone " there shall be inserted the word " Tanganyika " .

Financial

4 In subsection (4) of section two of the Import Duties Act, 1958, after the words " Sierra Leone " there shall be inserted the word " Tanganyika " .

Visiting forces

5 In the Visiting Forces (British Commonwealth) Act, 1933, section four (which deals with attachment and mutual powers of command) and the definition of " visiting force " for the purposes of that Act which is contained in section eight thereof shall apply in relation to forces raised in Tanganyika as they apply in relation to forces raised in Dominions within the meaning of the Statute of Westminster, 1931.

6 In the Visiting Forces Act, 1952—

(a) in paragraph (a) of subsection (1) of section one (which specifies the countries to which that Act applies) the word "or" in the first place where it occurs shall be omitted, and at the end there shall be added the words " Tanganyika or " ;

(b) in paragraph (a) of subsection (1) of section ten the expression " colony " shall not include Tanganyika ;

and, until express provision with respect to Tanganyika is made by an Order in Council under section eight of that Act (which relates to the application to visiting forces of law relating to home forces) any such Order for the time being in force shall be deemed to apply to visiting forces of Tanganyika.

Ships and aircraft

7 In subsection (2) of section four hundred and twenty-seven of the Merchant Shipping Act, 1894, as substituted by section two of the Merchant Shipping (Safety Convention) Act, 1949, the word " or " preceding the words " Sierra Leone" shall be omitted and after those words there shall be inserted the words " or Tanganyika " .

8 In the proviso to subsection (2) of section six of the Merchant Shipping Act, 1948, the word " or " in the last place where it occurs shall be omitted and at the end there shall be added the words " or Tanganyika " .

9 In the definition of " excepted ship or aircraft" in paragraph 3 of the Third Schedule to the Emergency Laws (Repeal) Act, 1959, the word " or " preceding the words " Sierra Leone " shall be omitted and after those words there shall be inserted the words " or Tanganyika " .

10 The Ships and Aircraft (Transfer Restriction) Act, 1939, shall not apply to any ship by reason only of its being registered in, or licensed under the law of, Tanganyika; and the penal provisions of that Act shall not apply to persons in Tanganyika (but

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without prejudice to the operation with respect to any ship to which that Act does apply of the provisions thereof relating to the forfeiture of ships).

11 In the Whaling Industry (Regulation) Act, 1934, the expression " British ship to which this Act applies " shall not include a British ship registered in Tanganyika.

12 In paragraph (b) of subsection (7) of section two of the Civil Aviation (Licensing) Act, 1960, the expression " colony" shall not include Tanganyika.

Copyright

13 The references in section thirty-one of the Copyright Act, 1956, to a colony shall not include Tanganyika.

14 If the Copyright Act, 1911, so far as in force in the law of Tanganyika is repealed or amended by that law at a time when sub-paragraph (2) of paragraph 39 of the Seventh Schedule to the Copyright Act, 1956 (which applies certain provisions of that Act in relation to countries to which the said Act of 1911 extended) is in force in relation to Tanganyika, the said sub-paragraph (2) shall thereupon cease to have effect in relation thereto.

Divorce jurisdiction

15 In subsection (2) of section two of the Indian and Colonial Divorce Jurisdiction Act, 1926 (which enables section one of that Act to be extended to certain countries, but not to any of the countries named in the said subsection (2)) the word " and" shall be omitted in the last place where it occurs and at the end there shall be added the words " and Tanganyika ".

Commonwealth Institute

16 In subsection (2) of section eight of the Imperial Institute Act, 1925, as amended by the Commonwealth Institute Act, 1958 (which relates to the power to vary the provisions of the said Act of 1925 if an agreement for the purpose is made with the governments of certain territories which for the time being are contributing towards the expenses of the Commonwealth Institute) the word " and " shall be omitted and at the end there shall toe added the words " and Tanganyika ".

TABLE OF STATUTES REFERRED TO IN THIS ACT

<i>Short Title</i>	<i>Session and Chapter</i>
Colonial Laws Validity Act, 1865	28 & 29 Vict. c. 63.
Interpretation Act, 1889	52 & 53 Vict. c. 63.
Merchant Shipping Act, 1894	57 & 58 Vict. c. 60.
Copyright Act, 1911	1 & 2 Geo. 5. c. 46.
Imperial Institute Act, 1925	15 & 16 Geo. 5. c. xvii.
Indian and Colonial Divorce Jurisdiction Act, 1926	16 & 17 Geo. 5. c. 40.
Statute of Westminster, 1931	22 & 23 Geo. 5. c. 4.

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<i>Short Title</i>	<i>Session and Chapter</i>
Visiting Forces (British Commonwealth) Act, 1933	23 & 24 Geo. 5. c. 6.
Whaling Industry (Regulation) Act, 1934	24 & 25 Geo. 5. c. 49.
Ships and Aircraft (Transfer Restriction) Act, 1939	2 & 3 Geo. 6. c. 70.
Merchant Shipping Act, 1948	11 & 12 Geo. 6. c. 44.
British Nationality Act, 1948	11 & 12 Geo. 6. c. 56.
Merchant Shipping (Safety Convention) Act, 1949	12, 13 & 14 Geo. 6. c. 43.
Income Tax Act, 1952	15 & 16 Geo. 6 & 1 Eliz. 2. c. 10.
Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Act, 1952	15 & 16 Geo. 6 & 1 Eliz. 2. c. 18.
Visiting Forces Act, 1952	15 & 16 Geo. 6 & 1 Eliz. 2. c. 67.
Overseas Resources Development Act, 1954	2 & 3 Eliz. 2. c. 71.
Army Act, 1955	3 & 4 Eliz. 2. c. 18.
Air Force Act, 1955	3 & 4 Eliz. 2. c. 19.
Copyright Act, 1956	4 & 5 Eliz. 2. c. 74.
Naval Discipline Act, 1957	5 & 6 Eliz. 2. c. 53.
Tanganyika Agricultural Corporation Act, 1957	5 & 6 Eliz. 2. c. 54.
Import Duties Act, 1958	6 & 7 Eliz. 2. c. 6.
Commonwealth Institute Act, 1958	6 & 7 Eliz. 2. c. 16.
Emergency Laws (Repeal) Act, 1959	7 & 8 Eliz. 2. c. 19.
Colonial Development and Welfare Act, 1959	7 & 8 Eliz. 2. c. 71.
Civil Aviation (Licensing) Act, 1960	8 & 9 Eliz. 2. c. 38.
Diplomatic Immunities (Conferences with Commonwealth Countries and Republic of Ireland) Act, 1961	9 & 10 Eliz. 2. c. 11.
Army and Air Force Act, 1961	9 & 10 Eliz. 2. c. 52.