



# Ghana Independence Act 1957

## 1957 CHAPTER 6 5 and 6 Eliz 2

An Act to make provision for, and in connection with, the attainment by the Gold Coast of fully responsible status within the British Commonwealth of Nations. [7th February 1957]

### **1 Provision for the fully responsible status of the Gold Coast under the name of Ghana.**

The territories included immediately before the appointed day in the Gold Coast as defined in and for the purposes of the <sup>M1</sup>Gold Coast (Constitution) Order in Council 1954, shall as from that day together form part of Her Majesty's dominions under the name of Ghana, and—

- (a) no Act of the Parliament of the United Kingdom passed on or after the appointed day shall extend, or be deemed to extend, to Ghana as part of the law of Ghana, unless it is expressly declared in that Act that the Parliament of Ghana has requested, and consented to, the enactment thereof;
- (b) as from the appointed day, Her Majesty's Government in the United Kingdom shall have no responsibility for the government of Ghana or any part thereof;
- (c) as from the appointed day, the provisions of the First Schedule to this Act shall have effect with respect to the legislative powers of Ghana:

Provided that nothing in this section other than paragraphs (a) to (c) thereof shall affect the operation in any of the territories aforesaid of any enactment, or any other instrument having the effect of law, passed or made with respect thereto before the appointed day.

#### **Marginal Citations**

**M1** S. I. 1954 No. 551.

*Status: Point in time view as at 31/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Ghana Independence Act 1957. (See end of Document for details)*

**Textual Amendments**

**F1** S. 2 repealed by [British Nationality Act 1981 \(c. 61, SIF 87\)](#), s. 52(8), **Sch. 9**

**3** ..... **F2**

**Textual Amendments**

**F2** S. 3 repealed by [Statute Law \(Repeals\) Act 1976 \(c. 16\)](#), **Sch. 1 Pt. XIII**

**4** **Consequential modification of other enactments.**

(1) ..... **F3**

<sup>F4</sup>(2) .....

<sup>F5</sup>(3) .....

(4) As from the appointed day, the provisions specified in the Second Schedule to this Act shall have effect subject to the amendments respectively specified in that Schedule . . .

<sup>F6</sup>  
Provided that this subsection shall not extend to Ghana as part of the law thereof.

**Textual Amendments**

**F3** S. 4(1) repealed by [Interpretation Act 1978 \(c. 30, SIF 115:1\)](#), **Sch. 3**

**F4** S. 4(2) repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), **Sch. 17**; S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4

**F5** S. 4(3) repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), **Sch. 17**; S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4

**F6** Words repealed by [Statute Law \(Repeals\) Act 1969 \(c. 52\)](#), **Sch. Pt. VI**

**5** **Short title and appointed day.**

(1) This Act may be cited as the Ghana Independence Act 1957.

(2) In this Act, the expression “the appointed day” means the sixth day of March, nineteen hundred and fifty-seven, unless before that date Her Majesty has by Order in Council appointed some other day to be the appointed day for the purposes of this Act.

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## SCHEDULES

### FIRST SCHEDULE

Section 1.

#### LEGISLATIVE POWERS OF GHANA

- 1 The <sup>M2</sup>Colonial Laws Validity Act 1865 shall not apply to any law made on or after the appointed day by the Parliament of Ghana.

#### Marginal Citations

**M2** 1865 c. 63 (26:1).

- 2 No law and no provision of any law made on or after the appointed day by the Parliament of Ghana shall be void or inoperative on the ground that it is repugnant to the law of England, or to the provisions of any existing or future Act of the Parliament of the United Kingdom, or to any order, rule or regulation made under any such Act, and the powers of the Parliament of Ghana 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 Ghana.

- 3 The Parliament of Ghana shall have full power to make laws having extra-territorial operation.

<sup>F74</sup> .....

#### Textual Amendments

**F7** Sch. 1 para. 4 repealed (1.1.1996) by 1995 c. 21, ss. 314(1), 316(2), Sch. 12 (with ss. 312(1), Sch. 14 para. 1)

- 5 Without prejudice to the generality of the foregoing provisions of this Schedule, section four of the <sup>M3</sup>Colonial Courts of Admiralty Act 1890 (which requires certain laws to be reserved for the signification of Her Majesty's pleasure or to contain a suspending clause) and so much of section seven of that Act as requires the approval of Her Majesty in Council to any rules of court for regulating the practice and procedure of a Colonial Court of Admiralty shall cease to have effect in Ghana.

#### Marginal Citations

**M3** 1890 c. 27 (26:1).

- 6 Notwithstanding anything in the foregoing provisions of this Schedule, the constitutional provisions shall not be repealed, amended or modified otherwise than in such manner as may be specified in those provisions.

In this paragraph, the expression “the constitutional provisions” means the provisions for the time being in force on or at any time after the appointed day of the Gold Coast (Constitution)

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Orders in Council 1954 to 1956, and of any other Order in Council made before that day, or any law, or instrument made under a law, of the Parliament of Ghana made on or after that day, which amends, modifies, re-enacts with or without amendment or modification, or makes different provision in lieu of, any of the provisions of any such Order in Council or of any such law or instrument previously made.

## SECOND SCHEDULE

Section 4.

### AMENDMENTS NOT AFFECTING LAW OF GHANA

1 ..... F8

#### Textual Amendments

**F8** Sch. 2 para. 1 repealed by Finance Act 1969 (c. 32, SIF 63:1, 2), **Sch. 21 Pt. IX**

2 In subsection (6) of section one of the Diplomatic Immunities (Commonwealth Countries and Republic of Ireland ) Act 1952, after the word “Ceylon>” there shall be inserted the word “Ghana”; . . . F9

#### Textual Amendments

**F9** Words repealed by Diplomatic Privileges Act 1964 (c. 81, SIF 68:1), **Sch. 2**

#### Modifications etc. (not altering text)

**C1** The text of Sch. 2 para. 2, which is spent in part, is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

3 ..... F10

#### Textual Amendments

**F10** Sch. 2 para. 3 repealed by Statute Law (Repeals) Act 1977 (c. 18), **Sch. 1 Pt. XV**

4 ..... F11

#### Textual Amendments

**F11** Sch. 2 para. 4 repealed by Trustee Investments Act 1961 (c. 62, SIF 28:4, 128), **Sch. 5**

### *Visiting forces*

5 In the <sup>M4</sup>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 Ghana as they apply in relation

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to forces raised in <sup>M5</sup>Dominions within the meaning of the Statute of Westminster 1931.

**Marginal Citations**

**M4** 1933 c. 6 (7:3).

**M5** 1931 c. 4 (22 & 23 Geo. 5) (26:1).

- 6 In the <sup>M6</sup>Visiting Forces Act 1952—
- (a) in subsection (1) of section one (which specifies the countries to which that Act applies) for the words “or Ceylon” there shall be substituted the words “Ceylon or Ghana”;
  - (b) in paragraph (a) of subsection (1) of section ten the expression “colony” shall not include Ghana or any part thereof;
- and, until express provision with respect to Ghana 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 Ghana.

**Modifications etc. (not altering text)**

**C2** The text of Sch. 2 paras. 6(a), 7 and 8 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Marginal Citations**

**M6** 1952 c. 67 (7:3).

*Ships and aircraft*

F127 .....

**Textual Amendments**

**F12** Sch. 2 para. 7 repealed (1.1.1996) by 1995 c. 21, ss. 314(1), 316(2), Sch. 12 (with ss. 312(1), Sch. 14 para. 1)

F138 .....

**Textual Amendments**

**F13** Sch. 2 para. 8 repealed (1.1.1996) by 1995 c. 21, ss. 314(1), 316(2), Sch. 12 (with ss. 312(1), Sch. 14 para. 1)

9 ..... F14

**Textual Amendments**

**F14** Sch. 2 para. 9 repealed by Emergency Laws (Repeal) Act 1959 (c. 19, SIF 129:2), Sch. 4 Pt. 1

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 for the Ghana Independence Act 1957. (See end of Document for details)*

10 ..... F15

**Textual Amendments**

**F15** Sch. 2 para. 10 repealed by Statute Laws (Repeals) Act 1977 (c. 18), Sch. 1 Pt. XV

11 In the <sup>M7</sup>Whaling Industry (Regulation) Act 1934 the expression “British ship to which this Act applies” shall not include a British ship registered in Ghana.

**Marginal Citations**

**M7** 1934 c. 49 (52:3).

*Copyright*

12 ..... F16

**Textual Amendments**

**F16** Sch. 2 para. 12 repealed by Copyright, Designs and Patents Act 1988 (c. 48, SIF 67A), s. 303(2), Sch. 8

**Status:**

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**Changes to legislation:**

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