



# Zambia Independence Act 1964

## 1964 CHAPTER 65

An Act to make provision for, and in connection with, the establishment of Northern Rhodesia, under the name of Zambia, as an independent republic within the Commonwealth. [31st July 1964]

### **1 Establishment of Republic of Zambia.**

On 24th October 1964 (in this Act referred to as “the appointed day”) the territories which immediately before the appointed day are comprised in Northern Rhodesia shall cease to be a protectorate and shall together become an independent republic under the name of Zambia; and on and after that day Her Majesty shall have no jurisdiction over those territories.

### **2 Operation of existing law.**

- (1) Subject to the following provisions of this Act, on and after the appointed day all law which, whether being a rule of law or a provision of an Act of Parliament or of any other enactment or instrument whatsoever, is in force on that day or has been passed or made before that day and comes 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 Zambia, and persons and things belonging to or connected with Zambia, as it would have apart from this subsection if on the appointed day Northern Rhodesia had been renamed Zambia but there had been no change in its status.
- (2) Part I of Schedule 1 to this Act (which relates to enactments applicable to Commonwealth countries having fully responsible status) and Part II of that Schedule (which relates to enactments excepted from the operation of the preceding subsection) shall have effect on and after the appointed day in relation to the enactments therein mentioned; but that Schedule shall not extend to Zambia as part of its law.
- (3) Subsection (1) of this section applies to the 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

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Zambia Independence Act 1964. (See end of Document for details)*

Northern Rhodesia, to law of any other country or territory to which that enactment or Order extends.

3, 4. .... F1

**Textual Amendments**  
F1 Ss. 3, 4 repealed by [British Nationality Act 1981 \(c. 61, SIF 87\)](#), [Sch. 9](#)

5, 6. .... F2

**Textual Amendments**  
F2 Ss. 5, 6 repealed by [Statute Law \(Repeals\) Act 1977 \(c. 18\)](#), [Sch. 1 Pt. XV](#)

7 ..... F3

**Textual Amendments**  
F3 S. 7 repealed by [Family Law Act 1986 \(c. 55, SIF 49:3\)](#), s. 68(2), [Sch. 2](#)

**8 Agreements relating to Barotseland.**

- (1) Subject to the next following subsection, all agreements which immediately before the appointed day have effect as agreements between Her Majesty, or the Government of Northern Rhodesia, and the Litunga of Barotseland shall on that day cease to have effect in so far as immediately before that day they confer any rights, or impose any obligations, on Her Majesty or the Government of Northern Rhodesia.
- (2) The preceding subsection shall not apply to the Barotseland Agreement 1964 (that is to say, the agreement, dated 18th May 1964, between the Government of Northern Rhodesia and the Litunga of Barotseland which provides that it may be cited by that title) or to any agreement, whether made before or after the passing of this Act, whereby that agreement has been varied or superseded.
- (3) In this section “agreement” includes any concession, undertaking or understanding, whether given or made orally or in writing; and for the purposes of subsection (1) of this section it is immaterial, in relation to any agreement, whether Her Majesty or the Government of Northern Rhodesia or the Litunga of Barotseland was an original party to the agreement or not or whether there are any parties to the agreement other than Her Majesty and the said Government and Litunga.

9 ..... F4

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Zambia Independence Act 1964. (See end of Document for details)*

**Textual Amendments**

**F4** S. 9 repealed by Statute Law (Repeals) Act 1969 (c. 52), **Sch. Pt. VI**

**10** ..... **F5**

**Textual Amendments**

**F5** S. 10 repealed by Statute Law (Repeals) Act 1977 (c. 18), **Sch. 1 Pt. XV**

**11** †**Short title, interpretation and repeal.**

- (1) This Act may be cited as the Zambia Independence Act 1964.
- (2) References in this Act to any enactment are references to that enactment as amended or extended by or under any other enactment.
- (3) ..... **F6**

**Textual Amendments**

**F6** S. 11(3) repealed by Statute Law (Repeals) Act 1974 (c. 22), **Sch. Pt. XI**

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

**C1** Unreliable marginal note.

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Zambia Independence Act 1964. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 1

#### AMENDMENTS NOT AFFECTING THE LAW OF ZAMBIA

#### PART I

#### EXTENSION OF CERTAIN ENACTMENTS APPLICABLE TO COMMONWEALTH COUNTRIES HAVING FULLY RESPONSIBLE STATUS

#### *Diplomatic immunities*

1 ..... F7

#### **Textual Amendments**

**F7** Sch. 1 para. 1 repealed by Finance Act 1969 (c. 32), Sch. 21 Pt. IX

2 In section 1(6) of the <sup>M1</sup>Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Act 1952, before the words “and the Republic of Ireland” there shall be inserted the word “Zambia”.

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

**C2** The text of Sch. 1 para. 2, which is spent, 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**

**M1** 1952 c. 18

3 ..... F8

#### **Textual Amendments**

**F8** Sch. 1 para. 3 repealed by International Organisations Act 1981 (c. 9, SIF68:1), Sch.

#### *Financial*

4 In section 2 of the <sup>M2</sup>Import Duties Act 1958—

(a) in subsection (4), before the words “together with” there shall be inserted the word “Zambia”; and

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Zambia Independence Act 1964. (See end of Document for details)*

- (b) in subsection (9), for the words “Northern Rhodesia”, in each place where they occur, there shall be inserted the word “Zambia”;
- and in sub-paragraph(a) of paragraph 7 of Schedule III to the Federation of Northern Rhodesia and Nyasaland (Dissolution) Order in Council 1963 the words from “and Northern Rhodesia” to the end of the sub-paragraph shall be omitted.

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

- C3** The text of Sch. 1 para. 4 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**

- M2** 1958 c. 6

*Armed forces*

- 5 In the definitions of “Commonwealth force” in section 225(1) of the <sup>M3</sup>Army Act 1955 and section 223(1) of the <sup>M4</sup>Air Force Act 1955, and in the definition of “Commonwealth country” in section 135(1) of the <sup>M5</sup>Naval Discipline Act 1957, at the end there shall be added the words “or Zambia”.

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

- C4** The text of Sch. 1 para. 5 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**

- M3** 1955 c. 18  
**M4** 1955 c. 19  
**M5** 1957 c. 53

- 6 In the <sup>M6</sup>Visiting Forces (British Commonwealth) Act 1933, section 4 (attachment and mutual powers of command) shall apply in relation to forces raised in Zambia as it applies in relation to forces raised in Dominions within the meaning of the <sup>M7</sup>Statute of Westminster 1931.

**Marginal Citations**

- M6** 1933 c. 6.  
**M7** 1931 c. 4 (22 & 23 Geo. 5).

- 7 In the <sup>M8</sup>Visiting Forces Act 1952, in section 1(1)(a) (countries to which that Act applies) at the end there shall be added the words “Zambia or”, and, until express provision with respect to Zambia is made by Order in Council under section 8 of that Act (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 Zambia.

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Zambia Independence Act 1964. (See end of Document for details)*

**Marginal Citations**

**M8** 1952 c. 67.

- 8 In section 84(2) of the <sup>M9</sup>Offices, Shops and Railway Premises Act 1963 (exclusion of application to visiting forces) before the words “and any country” there shall be inserted the word “Zambia”.

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

**C5** The text of Sch. 1 para. 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**

**M9** 1963 c. 41

*Copyright*

- 9 . . . <sup>F9</sup>

**Textual Amendments**

**F9** Sch. 1 para. 9 repealed by Copyright, Designs and Patents Act 1988 (c. 48, SIF 67A), s. 303(2), **Sch. 8**

*Commonwealth Institute*

- 10 In section 98(2) of the <sup>M10</sup>Imperial Institute Act 1925, as amended by the <sup>M11</sup>Commonwealth Institute Act 1958 (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) at the end there shall be added the words “and Zambia”.

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

**C6** The text of Sch. 1 para. 10 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**

**M10** 1925 c. cvii

**M11** 1958 c. 16

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Zambia Independence Act 1964. (See end of Document for details)*

**PART II**

EXCEPTIONS FROM S.2(1) OF ACT

11 Section 2(1) of this Act shall not apply to the <sup>M12</sup>Army Act 1955, the <sup>M13</sup>Air Force Act 1955 or the <sup>M14</sup>Naval Discipline Act 1957.

**Marginal Citations**

**M12** 1955 c. 18.

**M13** 1955 c. 19.

**M14** 1957 c. 53.

12 ..... **F10**

**Textual Amendments**

**F10** Sch. 1 para. 12 repealed by Statute Law (Repeals) Act 1976 (c. 16), **Sch. 1 Pt. XIII**

SCHEDULE 2

FEDERATION OF RHODESIA AND NYASALAND (DISSOLUTION) ORDER IN COUNCIL 1963

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

**C7** The text of Sch. 2 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.

*Paragraph substituted for section 74(1)(b)*

“(b) any reference on those Acts to a period of residence in a protectorate included any period of residence in Northern Rhodesia or Nyasaland before the dissolution of the Federation, any period of residence in Northern Rhodesia after the dissolution of the Federation but before 24th October 1964 and any period of residence in Nyasaland after the dissolution of the Federation but before 6th July 1964.”

<sup>F11</sup>**F11** SCHEDULE 3

**Textual Amendments**

**F11** Sch. 3 repealed by Statute Law (Repeals) Act 1974 (c. 22), **Sch. Pt. XI**

..... **F11**

**Status:**

Point in time view as at 01/02/1991.

**Changes to legislation:**

There are currently no known outstanding effects for the Zambia Independence Act 1964.