



# Guyana Independence Act 1966

## 1966 CHAPTER 14

An Act to provide for the attainment by British Guiana of fully responsible status within the Commonwealth; to make provision as to the effect of certain certificates of naturalisation; and for purposes connected with the matters aforesaid. [12th May 1966]

### 1 Fully responsible status of Guyana.

- (1) On and after 26th May 1966 (in this Act referred to as “the appointed day”) Her Majesty’s Government in the United Kingdom shall have no responsibility for the government of the territory which immediately before that day constitutes the Colony of British Guiana and which on and after that day is to be called Guyana.
- (2) No Act of the Parliament of the United Kingdom passed on or after the appointed day shall extend, or be deemed to extend, to Guyana as part of its law; and on and after that day the provisions of Schedule 1 to this Act shall have effect with respect to the legislative powers of Guyana.

2, 3. ....<sup>F1</sup>

#### Textual Amendments

F1 Ss. 2, 3 repealed by [British Nationality Act 1981 \(c. 61, SIF 87\)](#), [Sch. 9](#)

### 4 Effect of certain certificates of naturalisation.

- (1) Any document which on or after 1st January 1949 and before the passing of this Act was issued to a person by the Governor of British Guiana with the approval of the Secretary of State and which—
  - (a) purported to be a certificate of naturalisation, but
  - (b) did not contain a declaration that, upon taking the oath of allegiance within the time and in the manner required by the regulations made in that behalf,

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that person was to be a citizen of the United Kingdom and Colonies as from the date of the certificate,

shall have effect, and shall be deemed always to have had effect, as if (instead of any other declaration contained in the document) it had contained such a declaration as is specified in paragraph (b) of this subsection.

- (2) Any document to which the preceding subsection applies shall have effect, and shall be deemed always to have had effect, as a certificate of naturalisation granted under section 10 of the <sup>M1</sup>British Nationality Act 1948, whether it purported to be granted under that Act or not.

#### Marginal Citations

M1 1948 c. 56.

5

(1) ..... F2

(2) On and after the appointed day—

- (a) the expression “colony” in the <sup>M2</sup>Army Act 1955, the <sup>M3</sup>Air Force Act 1955 and the <sup>M4</sup>Naval Discipline Act 1957 shall not include Guyana and
- (b) in the definitions of “Commonwealth force” in sections 225(1) and 223(1) respectively of the said Acts of 1955, and in the definition of “Commonwealth country” in section 135(1) of the said Act of 1957, at the end there shall be added the words “or Guyana”;

but section 129 and sections 186 to 190 of each of the said Acts of 1955, and section 105 and sections 107 to 110 of the said Act of 1957, as read with section 126 of that Act, shall have effect on and after the appointed day in relation to Guyana as if it were a colony within the meaning of those Acts.

- (3) For the purpose of the making, on or after the appointed day, of Orders in Council under section 4 of the <sup>M5</sup>West Indies Act 1962, Guyana shall be treated as not being a colony with the meaning of that Act.
- (4) On and after the appointed day the provisions specified in Schedule 2 to this Act shall have effect subject to the amendments respectively specified in that Schedule.
- (5) Subsection (4) of this section, and Schedule 2 to this Act, shall not extend to Guyana as part of its law.

#### Textual Amendments

F2 S. 5(1) repealed by Interpretation Act 1978 (c. 30, SIF 115:1), Sch. 3

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

C1 The text of s. 5(2)(b), Sch. 2 paras. 4, 6(a), 7, 8 and 12 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 1955 c. 18(7:1).

M3 1955 c. 19(7:1).

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- M4** 1957 c. 53(7:1).
- M5** 1962 c. 19(26:46)

**6** ..... **F3**

**Textual Amendments**

- F3** Ss. 6, 8(1)(3) repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), **Sch. 1 Pt. VI**

**7** ..... **F4**

**Textual Amendments**

- F4** S. 7 repealed by Statute Law (Repeals) Act 1977 (c. 18), **Sch. 1 Pt. XV**

**8 Interpretation and repeal.**

- (1) ..... **F5**
- (2) References in this Act to any enactment are references to that enactment as amended or extended by or under any other enactment.
- (3) ..... **F5**

**Textual Amendments**

- F5** Ss. 6, 8(1)(3) repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), **Sch. 1 Pt. VI**

**9 Short title.**

This Act may be cited as the Guyana Independence Act 1966.

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## SCHEDULES

### SCHEDULE 1

Section 1.

#### LEGISLATIVE POWERS OF GUYANA

- 1 The <sup>M6</sup>Colonial Laws Validity Act 1865 shall not apply to any law made on or after the appointed day by the legislature of Guyana.

**Marginal Citations**

**M6** 1865 c. 63(26:1).

- 2 No law and no provision of any law made on or after the appointed day 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 accordingly 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 Guyana.
- 3 The legislature of Guyana shall have full power to make laws having extra-territorial operation.
- 4 Without prejudice to the generality of the preceding provisions of this Schedule—
- (a) sections 735 and 736 of the <sup>M7</sup>Merchant Shipping Act 1894 shall be construed as if references therein to the legislature of a British possession did not include references to the legislature of Guyana; and
  - (b) section 4 of the <sup>M8</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 7 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 Guyana.

**Marginal Citations**

**M7** 1894 c. 60(111).

**M8** 1890 c. 27(26:1).

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*Changes to legislation:* There are currently no known outstanding effects for the Guyana Independence Act 1966. (See end of Document for details)

## SCHEDULE 2

Section 5.

### AMENDMENTS NOT AFFECTING THE LAW OF GUYANA

#### *Diplomatic immunities*

1 ..... F6

##### **Textual Amendments**

**F6** Sch. 2 para. 1 repealed by Finance Act 1969 (c. 32, SIF 63:1,2), Sch. 21 Pt. IX

2 In section 1(6) of the <sup>M9</sup> Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Act 1952, before the word “and” in the last place where it occurs there shall be inserted the word “Guyana”.

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

**C2** The text of Sch. 2 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**

**M9** 1952 c. 18.

3 ..... F7

##### **Textual Amendments**

**F7** Sch. 2 para. 3 repealed by International Organisations Act 1981 (c.9, SIF 68:1) Sch.

#### *Financial*

4 In section 2(4) of the <sup>M10</sup> Import Duties Act 1958, before the words “together with” there shall be inserted the word “Guyana”.

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

**C3** The text of s. 5(2)(b), Sch. 2 paras. 4, 6(a), 7, 8 and 12 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** 1958 c. 6

#### *Visiting forces*

5 In the <sup>M11</sup> Visiting Forces (British Commonwealth) Act 1933, section 4 (attachment and mutual powers of command) shall apply in relation to forces raised in Guyana

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as it applies in relation to forces raised in Dominions within the meaning of the <sup>M12</sup>Statute of Westminster 1931.

**Marginal Citations**

**M11** 1933 c. 6(7:3).

**M12** 1931 c. 4(22 & 23 Geo. 5)(26:1).

- 6 In the <sup>M13</sup>Visiting Forces Act 1952—
- (a) in paragraph (a) of section 1(1)(a) (countries to which that Act applies) at the end there shall be added the words “Guyana or”;
  - (b) in section 10(1)(a), the expression “colony” shall not include Guyana;
- and, until express provision with respect to Guyana is made by an 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 Guyana.

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

**C4** The text of s. 5(2)(b), Sch. 2 paras. 4, 6(a), 7, 8 and 12 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**

**M13** 1952 c. 67(7:3).

*Ships and aircraft*

- 7 In section 427(2) of the <sup>M14</sup>Merchant Shipping Act 1894, as set out in section 2 of the <sup>M15</sup>Merchant Shipping (Safety Convention) Act 1949, before the words “or in any” there shall be inserted the words “or Guyana”.

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

**C5** The text of s. 5(2)(b), Sch. 2 paras. 4, 6(a), 7, 8 and 12 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**

**M14** 1894 c. 60.

**M15** 1949 c. 43.

- 8 In section 6(2) of the <sup>M16</sup>Merchant Shipping Act 1948, at the end of the proviso there shall be added the words “or Guyana”.

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

**C6** The text of s. 5(2)(b), Sch. 2 paras. 4, 6(a), 7, 8 and 12 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**

**M16** 1948 c. 44.

9 ..... **F8**

**Textual Amendments**

**F8** Sch. 2 para. 9 repealed by Statute Law (Repeals) Act 1977 (c. 18), Sch. 1 Pt. XV

10 In the <sup>M17</sup>Whaling Industry (Regulation) Act 1934, the expression “British ship to which this Act applies” shall not include a British ship registered in Guyana.

**Marginal Citations**

**M17** 1934 c. 49(52:3).

11 ..... **F9**

**Textual Amendments**

**F9** Sch. 2 para. 11 repealed by Civil Aviation Act 1971 (c. 75), Sch. 11

*Commonwealth Institute*

12 In section 8(2) of the <sup>M18</sup>Imperial Institute Act 1925, as amended by the <sup>M19</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 Guyana”.

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

**C7** The text of s. 5(2)(b), Sch. 2 paras. 4, 6(a), 7, 8 and 12 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**

**M18** 1925 ch. xvii.

**M19** 1958 c. 16.

**Status:**

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**Changes to legislation:**

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