



Mauritius Independence Act 1968

1968 CHAPTER 8

1 Fully responsible status of Mauritius

- (1) On and after 12th March 1968 (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 Mauritius.
- (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 Mauritius 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 Mauritius.

2 Consequential modifications of British Nationality Acts

- (1) On and after the appointed day the British Nationality Acts 1948 to 1965 shall have effect as if in section 1(3) of the British Nationality Act 1948 (Commonwealth countries having separate citizenship) there were added at the end the words " and Mauritius ".
- (2) Except as provided by section 3 of this Act, any person who immediately before the appointed day is a citizen of the United Kingdom and Colonies shall on that day cease to be such a citizen if he becomes on that day a citizen of Mauritius.
- (3) Section 6(2) of the British Nationality Act 1948 (registration as citizens of the United Kingdom and Colonies of women who have been married to such citizens) shall not apply to a woman by virtue of her marriage to a person who on the appointed day ceases to be such a citizen under subsection (2) of this section, or who would have done so if living on the appointed day.
- (4) In accordance with section 3(3) of the West Indies Act 1967, it is hereby declared that this and the next following section extend to all associated states.

3 Retention of citizenship of United Kingdom and Colonies by certain citizens of Mauritius

- (1) Subject to subsection (5) of this section, a person shall not cease to be a citizen of the United Kingdom and Colonies under section 2(2) of this Act if he, his father or his father's father—
- (a) was born in the United Kingdom or in a colony or an associated state; or
 - (b) is or was a person naturalised in the United Kingdom and Colonies; or
 - (c) was registered as a citizen of the United Kingdom and Colonies; or
 - (d) became a British subject by reason of the annexation of any territory included in a colony.
- (2) A person shall not cease to be a citizen of the United Kingdom and Colonies under the said section 2(2) if either—
- (a) he was born in a protectorate or protected state, or
 - (b) his father or his father's father was so born and is or at any time was a British subject.
- (3) A woman who is the wife of a citizen of the United Kingdom and Colonies shall not cease to be such a citizen under the said section 2(2) unless her husband does so.
- (4) Subject to subsection (5) of this section, the reference in subsection (1)(b) of this section to a person naturalised in the United Kingdom and Colonies shall include a person who would, if living immediately before the commencement of the British Nationality Act 1948, have become a person naturalised in the United Kingdom and Colonies by virtue of section 32(b) of that Act (persons given local naturalisation in a colony or protectorate before the commencement of that Act).
- (5) In this section—
- (a) references to a colony shall be construed as not including any territory which, on the appointed day, is not a colony for the purposes of the British Nationality Act 1948 as that Act has effect on that day, and accordingly do not include Mauritius, and
 - (b) references to a protectorate or protected state shall be construed as not including any territory which, on the appointed day, is not a protectorate or a protected state (as the case may be) for the purposes of that Act as it has effect on that day ;

and subsection (1) of this section shall not apply to a person by virtue of any certificate of naturalisation granted or registration effected by the Governor or Government of a territory which by virtue of this subsection is excluded from references in this section to a colony, protectorate or protected state.

- (6) Part III of the British Nationality Act 1948 (supplemental provisions) as in force at the passing of this Act shall have effect for the purposes of this section as if this section were included in that Act.

4 Consequential modification of other enactments

- (1) Notwithstanding anything in the Interpretation Act 1889, the expression " colony " in any Act of the Parliament of the United Kingdom passed on or after the appointed day shall not include Mauritius.
- (2) On and after the appointed day—

- (a) the expression "colony" in the Army Act 1955, the Air Force Act 1955 and the Naval Discipline Act 1957 shall not include Mauritius, and
- (b) in the definitions of " Commonwealth force " in section 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 Mauritius ";

and no Order in Council made on or after the appointed day under section 1 of the Armed Forces Act 1966 which continues either of the said Acts of 1955 in force for a further period shall extend to Mauritius as part of its law.

- (3) On and after the appointed day the provisions specified in Schedule 2 to this Act shall have effect subject to the amendments specified respectively in that Schedule.
- (4) Subsection (3) of this section, and Schedule 2 to this Act, shall not extend to Mauritius as part of its law.

5 Interpretation

- (1) in this Act, and in any amendment made by this Act in any other enactment, " Mauritius " means the territories which immediately before the appointed day constitute the Colony of Mauritius.
- (2) References in this Act to any enactment are references to that enactment as amended or extended by or under any other enactment.

6 Short title

This Act may be cited as the Mauritius Independence Act 1968.