



# Fiji Independence Act 1970

## 1970 CHAPTER 50

An Act to make provision for, and in connection with, the attainment by Fiji of fully responsible status within the Commonwealth. [23rd July 1970]

### 1 Fully responsible status of Fiji.

- (1) On and after 10th October 1970 (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 Fiji.
- (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 Fiji 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 Fiji.

2, 3. .... F1

#### Textual Amendments

F1 Ss. 2 and 3 repealed by [British Nationality Act 1981 \(c. 61, SIF 87\)](#), s. 52(8), [Sch. 9](#)

### 4 Consequential modifications of other enactments.

- (1) ..... F2
- (2) On and after the appointed day—
  - (a) the expression “colony” in the <sup>M1</sup>Army Act 1955, the <sup>M2</sup>Air Force Act 1955 and the <sup>M3</sup>Naval Discipline Act 1957 shall not include Fiji, 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 Fiji”;

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and no Order in Council made on or after the appointed day under section 1 of the <sup>M4</sup>Armed Forces Act 1966 which continues either of the said Acts of 1955 in force for a further period shall extend to Fiji 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 Fiji as part of its law.

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#### Textual Amendments

**F2** S. 4(1) repealed by [Interpretation Act 1978 \(c. 30, SIF 115:1\)](#), **Sch. 3**

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

**C1** The text of s. 4(2)(b) and Sch. 2 paras. 1, 3, 5(a), 6 and 10 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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#### Marginal Citations

**M1** 1955 c. 18(7:1).  
**M2** 1955 c. 19(7:1).  
**M3** 1957 c. 53(7:1).  
**M4** 1966 c. 45(7:1).

## 5 Interpretation.

- (1) In this Act, and in any amendment made by this Act in any other enactment, “Fiji” means the territories which immediately before the appointed day constitute the Colony of Fiji.
- (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 Fiji Independence Act 1970.

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## SCHEDULES

### SCHEDULE 1

Section 1.

#### LEGISLATIVE POWERS OF FIJI

- 1 The <sup>M5</sup>Colonial Laws Validity Act 1865 shall not apply to any law made on or after the appointed day by the legislature of Fiji.

#### Marginal Citations

**M5** 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 Fiji.
- 3 The legislature of Fiji shall have full power to make laws having extraterritorial operation.
- 4 Without prejudice to the generality of the preceding provisions of this Schedule—
- <sup>F3</sup>(a) .....
- (b) Section 4 of the <sup>M6</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 Fiji.

#### Textual Amendments

**F3** Sch. 1 para. 4(a) repealed (1.1.1996) by 1995 c. 21, ss. 314(1), 316(2), **Sch. 12** (with ss. 312(1), Sch. 14 para. 1)

#### Marginal Citations

**M6** 1890 c. 27(26:1).

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## SCHEDULE 2

Section 4.

### AMENDMENTS NOT AFFECTING THE LAW OF FIJI

#### *Diplomatic immunities*

- 1 In section 1(6) of the <sup>M7</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 “Fiji”.

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

- C2** The text of s. 4(2)(b) and Sch. 2 paras. 1, 3, 5(a), 6 and 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**

- M7** 1952 c. 18.

- 2 ..... **F4**

**Textual Amendments**

- F4** Sch. 2 para. 2 repealed by International Organisations Act 1981 (c. 9, SIF 68:1), s. 6(4), **Sch.**

#### *Financial*

- 3 In section 2(4) of the <sup>M8</sup>Import Duties Act 1958, before the words “together with” there shall be inserted the word “Fiji”.

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

- C3** The text of s. 4(2)(b) and Sch. 2 paras. 1, 3, 5(a), 6 and 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**

- M8** 1958 c. 6.

#### *Visiting forces*

- 4 In the <sup>M9</sup>Visiting Forces (British Commonwealth) Act 1933, section 4 (attachment and mutual powers of command) shall apply in relation to forces raised in Fiji as it applies to forces raised in Dominions within the meaning of the <sup>M10</sup>Statute of Westminster 1931.

**Marginal Citations**

- M9** 1933 c. 6(7:3).

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**M10** 1931 c. 4 (22 & 23 Geo. 5)(26:1).

- 5 In the <sup>M11</sup>Visiting Forces Act 1952—
- (a) in paragraph (a) of section 1(1) (countries to which that Act applies) at the end there shall be added the words “Fiji or”;
  - (b) in section 10(1)(a), the expression “colony” shall not include Fiji;
- and, until express provision with respect to Fiji is made by an Order in Council and under section 8 of that (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 Fiji.

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

**C4** The text of s. 4(2)(b) and Sch. 2 paras. 1, 3, 5(a), 6 and 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**

**M11** 1952 c. 67(7:3).

*Ships and Aircraft*

<sup>F5</sup>6 .....

**Textual Amendments**

**F5** Sch. 2 para. 6 repealed (1.1.1996) by 1995 c. 21, ss. 314(1), 316(2), **Sch. 12** (with ss. 312(1), Sch. 14 para. 1)

7 ..... <sup>F6</sup>

**Textual Amendments**

**F6** Sch. 2 paras. 7, 9 repealed by Statute Law (Repeals) Act 1977 (c. 18), **Sch. 1 Pt. XV**

- 8 In the <sup>M12</sup>Whaling Industry (Regulation) Act 1934, the expression “British ship to which this applies” shall not include a British ship registered in Fiji.

**Marginal Citations**

**M12** 1934 c. 49(52:3)

9 ..... <sup>F7</sup>

**Textual Amendments**

**F7** Sch. 2 paras. 7, 9 repealed by Statute Law (Repeals) Act 1977 (c. 18), **Sch. 1 Pt. XV**

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*Commonwealth Institute*

<sup>F8</sup>10 .....

**Textual Amendments**

**F8** Sch. 2 para. 10 repealed (7.1.2003) by 2002 c. 39, ss. 3, 4(2), **Sch. 3**

**Status:**

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**Changes to legislation:**

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