

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Fiji Independence Act 1970. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 1.

LEGISLATIVE POWERS OF FIJI

- 1 The ^{M1}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

M1 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—
- (a) sections 735 and 736 of the ^{M2}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 Fiji; and
 - (b) Section 4 of the ^{M3}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.

Marginal Citations

M2 1894 c. 60(111).

M3 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 ^{M4}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)

- C1** The text of s. 4(2)(b) and Sch. 2 paras. 1, 3, 5(a), 6 and 10 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M4** 1952 c. 18.

- 2 **F1**

Textual Amendments

- F1** 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 ^{M5}Import Duties Act 1958, before the words “together with” 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

- M5** 1958 c. 6.

Visiting forces

- 4 In the ^{M6}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 ^{M7}Statute of Westminster 1931.

Marginal Citations

- M6** 1933 c. 6(7:3).

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M7 1931 c. 4 (22 & 23 Geo. 5)(26:1).

- 5 In the ^{M8}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)

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 1952 c. 67(7:3).

Ships and Aircraft

- 6 In section 427(2) of the ^{M9} Merchant Shipping Act 1894, as set out in section 2 of the ^{M10} Merchant Shipping (Safety Conventions) Act 1949, before the words “or in any” there shall be inserted the words “or 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

M9 1894 c. 60.

M10 1949 c. 43.

- 7 **F2**

Textual Amendments

F2 Sch. 2 paras. 7, 9 repealed by Statute Law (Repeals) Act 1977 (c. 18), Sch. 1 Pt. XV

- 8 In the ^{M11}Whaling Industry (Regulation) Act 1934, the expression “British ship to which this applies” shall not include a British ship registered in Fiji.

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Marginal Citations

M11 1934 c. 49(52:3)

9

F3

Textual Amendments

F3 Sch. 2 paras. 7, 9 repealed by Statute Law (Repeals) Act 1977 (c. 18), Sch. 1 Pt. XV

Commonwealth Institute

10

In section 8(2) of the ^{M12} Imperial Institute Act 1925, as amended by the ^{M13} 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 Fiji”.

Modifications etc. (not altering text)

C5 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

M12 1925 ch. xvii.

M13 1958 c. 16.

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