Kiribati Act 1979

1979 CHAPTER 27

An Act to make provision for and in connection with the attainment by the Gilbert Islands of fully responsible status as a Republic within the Commonwealth under the name of Kiribati [19th June 1979]

1 Independence for Kiribati.

(1) On and after 12th July 1979 (in this Act referred to as "Independence Day") Her Majesty's Government in the United Kingdom shall have no responsibility for the government of Kiribati.

(2) No Act of the Parliament of the United Kingdom passed on or after Independence Day shall extend, or be deemed to extend, to Kiribati as part of its law.

2 Power to provide for constitution of Kiribati as Republic.

Her Majesty may by Order in Council (which shall be laid before Parliament after being made) make provision for the constitution of Kiribati as a Republic on Independence Day.

3 Operation of existing law.

(1) Subject to the following provisions of this Act, all law to which this section applies, whether being a rule of law or a provision of an Act of Parliament or of any other enactment or instrument whatsoever, which is in force on Independence Day, or, having been passed or made before that day, 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 Kiribati and persons and things belonging to or connected with Kiribati, as it would have had apart from this subsection if there had been no change in the status of Kiribati.

(2) This section applies to law of, or 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 Kiribati, to law of any other country or territory to which that enactment or Order extends.

(3) . . . . . [F1]

(4) On and after Independence Day the provisons specified in the Schedule to this Act shall have effect subject to the amendments there specified.

(5) Subsection (4) above, and the Schedule to this Act, shall not extend to Kiribati as part of its law.

Textual Amendments

F1 Ss. 3(3), 4, 5 repealed by British Nationality Act 1981 (c. 61, SIF 87), **Sch. 9**

4, 5. Consequential modifications of British Nationality Acts.

. . . . . [F2]

Textual Amendments

F2 Ss. 3(3), 4, 5 repealed by British Nationality Act 1981 (c. 61, SIF 87), **Sch. 9**

6 Appeals to the Privy Council.

(1) Her Majesty may by Order in Council confer on the Judicial Committee of the Privy Council such jurisdiction and powers as may be appropriate in cases in which provision is made by the law of Kiribati for appeals to the Committee from courts of Kiribati.

(2) An Order in Council under this section may contain such incidental and supplemental provisions as appear to Her Majesty to be expedient.

(3) . . . . . [F3]

(4) Except so far as otherwise provided by or in accordance with an Order in Council under this section, and subject to such modifications as may be so provided, the [M1]Judicial Committee Act 1833 shall have effect in relation to appeals in respect of which jurisdiction is conferred under this section as it has effect in relation to appeals to Her Majesty in Council.

(5) An Order in Council under this section shall be laid before Parliament after being made.

Textual Amendments

F3 S. 6(3) repealed by Statute Law (Repeals) Act 1986 (c. 12), s. 1(1), **Sch. 1 Pt. I**

Marginal Citations

M1 1833 c. 41.

7 Interpretation.

(1) In this Act, and in any amendment made by this Act in any other enactment, "Kiribati" means the territories which immediately before Independence Day constitute the colony of the Gilbert Islands.

(2) . . . . . [F4]

Textual Amendments

F4 S. 7(2) repealed by British Nationality Act 1981 (c. 61, SIF 87), **Sch. 9**

8 Short title.

This Act may be cited as the Kiribati Act 1979.

SCHEDULE

Section 3.

CONSEQUENTIAL AMENDMENTS

1 . . . . . [F5]

Textual Amendments

F5 Sch. para. 1 repealed by International Organisations Act 1981 (c. 9, SIF 68:1), **Sch.**

The Services

[F6]2 . . . . . .

Textual Amendments

F6 Sch. para. 2 repealed (28.3.2009 for specified purposes, 31.10.2009 otherwise) by Armed Forces Act 2006 (c. 52), s. 383(2), **Sch. 17**; S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4

Visiting forces

3 In the [M2]Visiting Forces (British Commonwealth) Act 1933, section 4 (attachment and mutual powers of command) shall apply in relation to forces raised in Kiribati as it applies to forces raised in Dominions within the meaning of the [M3]Statute of Westminister 1931.

Marginal Citations

M2 1933 c. 6.

M3 1931 c. 4 (22 & 23 Geo. 5).

4 In the [M4]Visiting Forces Act 1952—

(a) in section 1(1)(*a*) (countries to which the act applies) at the end there shall be added the words " Kiribati or ";

(b) in section 10(1)(*a*), the expression "colony" shall not include Kiribati;

and, until express provision with respect to Kiribati 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 Kiribati.

Modifications etc. (not altering text)

C1 The text of Sch. paras. 4(*a*), 5, 9 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. 67.

Ships and aircraft

[F7]5 . . . . . .

Textual Amendments

F7 Sch. para. 5 repealed (1.1.1996) by 1995 c. 21, ss. 314(1), 316(2), **Sch. 12** (with ss. 312(1), Sch. 14 para. 1)

6 In the [M5]Whaling Industry (Regulation) Act 1934, the expression "British ship to which this Act applies" shall not include a British ship registered in Kiribati.

Marginal Citations

M5 1934 c. 49.

7 . . . . . [F8]

Textual Amendments

F8 Sch. para. 7 repealed by Civil Aviation (Amendment) Act 1982 (c. 1, SIF 9), **Sch. 2**

Colonial stock

[F9]8 . . . . . .

Textual Amendments

F9 Sch. para. 8 repealed (19.11.1998) by 1998 c. 43, s. 1(1), **Sch. 1 Pt. IV** Gp. 1

Commonwealth Institute

[F10]9 . . . . . .

Textual Amendments

F10 Sch. para. 9 repealed (7.1.2003) by 2002 c. 39, ss. 3, 4(2), **Sch. 3**

Changes to legislation:
There are currently no known outstanding effects for the Kiribati Act 1979.