



Ghana Independence Act 1957

1957 CHAPTER 6

1 Provision for the fully responsible status of the Gold Coast under the name of Ghana

The territories included immediately before the appointed day in the Gold Coast as defined in and for the purposes of the Gold Coast (Constitution) Order in Council, 1954, shall as from that day together form part of Her Majesty's dominions under the name of Ghana, and—

- (a) no Act of the Parliament of the United Kingdom passed on or after the appointed day shall extend, or be deemed to extend, to Ghana as part of the law of Ghana, unless it is expressly declared in that Act that the Parliament of Ghana has requested, and consented to, the enactment thereof;
- (b) as from the appointed day, Her Majesty's Government in the United Kingdom shall have no responsibility for the government of Ghana or any part thereof;
- (c) as from the appointed day, the provisions of the First Schedule to this Act shall have effect with respect to the legislative powers of Ghana:

Provided that nothing in this section other than paragraphs (a) to (c) thereof shall affect the operation in any of the territories aforesaid of any enactment, or any other instrument having the effect of law, passed or made with respect thereto before the appointed day.

2 Consequential modification of British Nationality Act

As from the appointed day, the British Nationality Act, 1948, shall have effect—

- (a) with the substitution in subsection (3) of section one thereof (which provides for persons to be British subjects or Commonwealth citizens by virtue of citizenship of certain countries) for the words " and Ceylon " of the words " Ceylon and Ghana ";
- (b) as if in the British Protectorates, Protected States and Protected Persons Order in Council, 1949, the words " Northern Territories of the Gold Coast " in the First Schedule thereto and the words " Togoland under United Kingdom Trusteeship " in the Third Schedule thereto were omitted:

Provided that a person who, immediately before the appointed day, was for the purposes of the said Act and Order in Council a British protected person by virtue of his connection with either of the territories mentioned in paragraph (b) of this section shall not cease to be such a British protected person for any of those purposes by reason of anything contained in the foregoing provisions of this Act, but shall so cease upon his becoming a citizen of Ghana under any law of the Parliament of Ghana making provision for such citizenship.

3 Consequential modifications with respect to development schemes, etc.

- (1) No scheme shall be made on or after the appointed day under the Colonial Development and Welfare Acts, 1940 to 1955, wholly or partly for the benefit of Ghana.
- (2) Any scheme in force under the said Acts immediately before the appointed day which was made solely for the benefit of Ghana or any part thereof shall cease to have effect on that day without prejudice to the making of payments in pursuance of that scheme on or after that day in respect of any period falling before that day; and, so far as practicable, no part of any sums paid out of moneys provided by Parliament for the purposes of any other scheme made under those Acts before that day shall be employed in respect of any period falling on or after that day for the benefit of Ghana.
- (3) Nothing in the two foregoing subsections shall restrict the making of, or the employment of sums paid out of moneys provided by Parliament for the purposes of, any scheme under the said Acts with respect to a body established for the joint benefit of Ghana and one or more of the following territories, that is to say, the Federation or any Region of Nigeria, Sierra Leone and the Gambia, in a case where Ghana has undertaken to bear a reasonable share of the cost of the scheme.
- (4) Without prejudice to the continuance of any operations commenced by the Colonial Development Corporation in any part of Ghana before the appointed day, as from that day the expression " colonial territories " in the Overseas Resources Development Acts, 1948 to 1956, shall not include Ghana or any part thereof.

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 Ghana or any part thereof.
- (2) As from the appointed day, the expression " colony " in the Army Act, 1955, and the Air Force Act, 1955, shall not include Ghana or any part thereof, and in the definitions of " Commonwealth force " in subsection (1) of section two hundred and twenty-five and subsection (1) of section two hundred and twenty-three respectively of those Acts and in section eighty-six of the Naval Discipline Act as amended by the Revision of the Army and Air Force Acts (Transitional Provisions) Act, 1955, for the words " or Ceylon " there shall be substituted the words " Ceylon or Ghana ".
- (3) Any Order in Council made on or after the appointed day under the Army Act, 1955, or the Air Force Act, 1955, providing for that Act to continue in force beyond the date on which it would otherwise expire shall not operate to continue that Act in force beyond that date as part of the law of Ghana.

- (4) As from the appointed day, the provisions specified in the Second Schedule to this Act shall have effect subject to the amendments respectively specified in that Schedule, and Her Majesty may by Order in Council, which shall be subject to annulment in pursuance of a resolution of either House of Parliament, make such further adaptations in any Act of the Parliament of the United Kingdom passed before this Act, or in any instrument having effect under any such Act, as appear to her necessary in consequence of section one of this Act; and any Order in Council made under this subsection may be varied or revoked by a subsequent Order in Council so made and, though made after the appointed day, may be made so as to have effect from that day:

Provided that this subsection shall not extend to Ghana as part of the law thereof.

5 Short title and appointed day

- (1) This Act may be cited as the Ghana Independence Act, 1957.
- (2) In this Act, the expression " the appointed day " means the sixth day of March, nineteen hundred and fifty-seven, unless before that date Her Majesty has by Order in Council appointed some other day to be the appointed day for the purposes of this Act.