

## SCHEDULES

### FIRST SCHEDULE

Section 1.

#### LEGISLATIVE POWERS OF GHANA

- 1 The Colonial Laws Validity Act, 1865, shall not apply to any law made on or after the appointed day by the Parliament of Ghana.
- 2 No law and no provision of any law made on or after the appointed day by the Parliament of Ghana shall be void or inoperative on the ground that it is repugnant to the law of England, or to the provisions of any existing or future Act of the Parliament of the United Kingdom, or to any order, rule or regulation made under any such Act, and the powers of the Parliament of Ghana 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 Ghana.
- 3 The Parliament of Ghana shall have full power to make laws having extra-territorial operation.
- 4 Without prejudice to the generality of the foregoing provisions of this Schedule, sections seven hundred and thirty-five and seven hundred and thirty-six of the Merchant Shipping Act, 1894, shall be construed as though reference therein to the legislature of a British possession did not include reference to the Parliament of Ghana.
- 5 Without prejudice to the generality of the foregoing provisions of this Schedule, section four of the 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 seven 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 Ghana.
- 6 Notwithstanding anything in the foregoing provisions of this Schedule, the constitutional provisions shall not be repealed, amended or modified otherwise than in such manner as may be specified in those provisions.

In this paragraph, the expression " the constitutional provisions " means the provisions for the time being in force on or at any time after the appointed day of the Gold Coast (Constitution) Orders in Council, 1954 to 1956, and of any other Order in Council made before that day, or any law, or instrument made under a law, of the Parliament of Ghana made on or after that day, which amends, modifies, re-enacts with or without amendment or modification, or makes different provision in lieu of, any of the provisions of any such Order in Council or of any such law or instrument previously made.

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*Status: This is the original version (as it was originally enacted).*

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## SECOND SCHEDULE

Section 4.

### AMENDMENTS NOT AFFECTING LAW OF GHANA

#### *Diplomatic immunities*

- 1 In section four hundred and sixty-one of the Income Tax Act, 1952 (which relates to exemption from income tax in the case of certain Commonwealth representatives and their staffs) for the words " or Ceylon " in both places where they occur there shall be substituted the words " Ceylon or Ghana ".
- 2 In subsection (6) of section one of the Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Act, 1952, after the word " Ceylon " there shall be inserted the word " Ghana " ; and the proviso to subsection (1) of that section shall not apply in relation to Ghana until a law of the Parliament of Ghana making provision for citizenship of Ghana has come into force.

#### *Financial*

- 3 As respects goods imported after such date as Her Majesty may by Order in Council appoint, section four of the Import Duties Act, 1932, and section two of the Isle of Man (Customs) Act, 1932 (which relate to imperial preference other than colonial preference) shall apply to Ghana.
- 4 In the Colonial Stock Act, 1934 (which extends the stocks which may be treated as trustee securities), the expression " Dominion " shall include Ghana; and, during any period falling on or after the appointed day during which there is in force as part of the law of Ghana any instrument passed or made before that day which makes provision corresponding to the undertaking required to be given by the Government of a Dominion under paragraph (a) of subsection (1) of section one of that Act, paragraphs (a) and (b) of the said subsection (1) shall be deemed to have been complied with in the case of Ghana.

#### *Visiting forces*

- 5 In the Visiting Forces (British Commonwealth) Act, 1933, section four (which deals with attachment and mutual powers of command) and the definition of " visiting force " for the purposes of that Act which is contained in section eight thereof shall apply in relation to forces raised in Ghana as they apply in relation to forces raised in Dominions within the meaning of the Statute of Westminster, 1931.
- 6 In the Visiting Forces Act, 1952—
  - (a) in subsection (1) of section one (which specifies the countries to which that Act applies) for the words " or Ceylon " there shall be substituted the words " Ceylon or Ghana ";
  - (b) in paragraph (a) of subsection (1) of section ten the expression " colony " shall not include Ghana or any part thereof;

and, until express provision with respect to Ghana is made by an Order in Council under section eight of that Act (which relates to the 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 Ghana.

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### *Ships and aircraft*

- 7 In subsection (2) of section four hundred and twenty-seven of the Merchant Shipping Act, 1894, as substituted by section two of the Merchant Shipping (Safety Convention) Act, 1949, for the words " or Ceylon " there shall be substituted the words " Ceylon or Ghana ".
- 8 In the proviso to subsection (2) of section six of the Merchant Shipping Act, 1948, for the words " or Ceylon " there shall be substituted the words " Ceylon or Ghana ".
- 9 In the definitions of " Dominion ship or aircraft" contained in subsection (2) of section three of the Emergency Powers (Defence) Act, 1939, and in Regulation one hundred of the Defence (General) Regulations, 1939, the expression " a Dominion " shall include Ghana.
- 10 The Ships and Aircraft (Transfer Restriction) Act, 1939, shall not apply to any ship by reason only of its being registered in, or licensed under the law of, Ghana; and the penal provisions of that Act shall not apply to persons in Ghana (but without prejudice to the operation with respect to any ship to which that Act does apply of the provisions thereof relating to the forfeiture of ships).
- 11 In the Whaling Industry (Regulation) Act, 1934, the expression " British ship to which this Act applies " shall not include a British ship registered in Ghana.

### *Copyright*

- 12 (1) If on or after the appointed day the Parliament of Ghana repeals or amends the Copyright Act, 1911, in so far as it forms part of the law of Ghana or of any part of Ghana, the following provisions of this paragraph shall have effect.
- (2) Any provision of the said Act in force at the date of the repeal or amendment as part of the law of the United Kingdom shall no longer apply in relation to, or to any part of, Ghana, whether as part of Her Majesty's dominions to which that Act extends or by virtue of section twenty-eight of that Act:
- Provided that—
- (a) this sub-paragraph shall not prejudicially affect any legal rights existing at the time of the repeal or amendment;
- (b) Ghana shall be included in the expression " self-governing dominion " for the purposes of subsection (2) of section twenty-five and subsection (3) of section twenty-six of that Act (which relate to reciprocity with self-governing dominions having their own copyright law), and the said subsection (2) shall have effect in relation to Ghana as if that Act, so far as it remains part of the law of Ghana or of any part of Ghana, had been passed by the Parliament of Ghana;
- (c) this sub-paragraph shall not apply to any provision of that Act which continues to have effect as part of the law of the United Kingdom by virtue only of paragraph 40 of the Seventh Schedule to the Copyright Act, 1956.
- (3) If at the date of the repeal or amendment any provision of the Copyright Act, 1956, has come into operation but does not extend to all parts of Ghana by virtue of an Order in Council made before the appointed day under section thirty-one of that Act and has not been applied in the case of Ghana by an Order in Council made on or after that day under section thirty-two of that Act, any reference in that provision to countries to which that provision extends shall, notwithstanding anything in sub-

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paragraph (2) of paragraph 39 of the Seventh Schedule to that Act, not be construed as if that provision extended to Ghana or any part thereof.

TABLE OF STATUTES REFERRED TO IN THIS ACT

Short Title	Session and Chapter
Colonial Laws Validity Act, 1865	28 & 29 Vict. c. 63.
Naval Discipline Act. 1866	29 & 30 Vict. 109.
Interpretation Act, 1889	52 & 53 Vict. c. 63.
Colonial Courts of Admiralty Act, 1890	53 & 54 Vict. c. 27.
Merchant Shipping Act, 1894	57 & 58 Vict. c. 60.
Copyright Act, 1911	1 & 2 Geo. 5. c. 46.
import Duties Act, 1932	22 & 23 Geo. 5. c. 8.
Isle of Man (Customs) Act, 1932	22 & 23 Geo. 5. c. 16.
Visiting Forces (British Commonwealth) Act, 1933	23 & 24 Geo. 5. c. 6.
Colonial Stock Act. 1934	24 & 25 Geo. 5. c. 47.
Whaling Industry (Regulation) Act, 1934	24 & 25 Geo. 5. c. 49.
Emergency Powers (Defence) Act, 1939	2 & 3 Geo. 6. c. 62.
Ships and Aircraft (Transfer Restriction) Act, 1939	2 & 3 Geo. 6. c. 70.
Merchant Shipping Act, 1948	11 & 12 Geo. 6. c. 44.
British Nationality Act, 1948	11 & 12 Geo. 6. c. 56.
Merchant Shipping (Safety Convention) Act, 1949	12, 13 & 14 Geo. 6. c. 43.
Income Tax Act, 1952	15 & 16 Geo. 6. & 1 Eliz. 2. c. 10.
Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Act, 1952.	15 & 16 Geo. 6. & 1 Eliz. 2. c. 18.
Visiting Forces Act, 1952	15 & 16 Geo. 6. & 1 Eliz. 2. c. 67.
Army Act, 1955	3 & 4 Eliz. 2. c. 18.
Air Force Act, 1955	3 & 4 Eliz. 2. c. 19.
Revision of the Army and Air Force Acts (Transitional Provisions) Act, 1955	3 & 4 Eliz. 2. c. 20.
Copyright Act, 1956	4 & 5 Eliz. 2. c. 74.