

Status: Point in time view as at 01/01/1996.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Tuvalu Act 1978. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 1(2).

LEGISLATIVE POWERS OF TUVALU

- 1 The ^{M1}Colonial Laws Validity Act 1865 shall not apply to any law made on or after Independence Day by the legislature of Tuvalu.

Marginal Citations

M1 1865 c. 63(26:1).

- 2 No law and no provision of any law made on or after Independence 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 Tuvalu.
- 3 The legislature of Tuvalu shall have full power to make laws having extraterritorial operation.
- 4 Without prejudice to the generality of the preceding provisions of this Schedule—
^{F1}(a)
(b) section 4 of the ^{M2}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 Tuvalu.

Textual Amendments

F1 Sch. 1 para. 4(a) repealed (1.1.1996) by 1995 c. 21, ss. 314(1), 316(2), Sch. 12 (with ss. 312(1), Sch. 14 para. 1)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

M2 1890 c. 27(26:1).

SCHEDULE 2

Section 4(3).

AMENDMENTS NOT AFFECTING THE LAW OF TUVALU

- 1 ^{F2}

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Textual Amendments

F2 Sch. 2 para. 1 repealed by International Organisations Act 1981 (c. 9, SIF 68:1), **Sch.**

Visiting forces

2 In the ^{M3}Visiting Forces (British Commonwealth) Act 1933, section 4 (attachment and mutual powers of command) shall apply in relation to forces raised in Tuvalu as it applies to forces raised in Dominions within the meaning of the ^{M4}Statute of Westminster 1931.

Marginal Citations

M3 1933 c. 6(7:3).
M4 1931 c. 4(22 & 23 Geo. 5(26:1).

3 In the ^{M5}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 “Tuvalu or”;
(b) in section 10(1)(a), the expression “colony” shall not include Tuvalu;
and, until express provision with respect to Tuvalu 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 Tuvalu.

Modifications etc. (not altering text)

C1 The text of s. 4(2)(b) and Sch. 2 paras. 3(a), 4, 8 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 1952 c. 67(7:3).

Ships and aircraft

^{F3}4

Textual Amendments

F3 Sch. 2 para. 4 repealed (1.1.1996) by 1995 c. 21, ss. 314(1), 316(2), **Sch. 12** (with ss. 312(1), Sch. 14 para. 1)

5 In the ^{M6}Whaling Industry (Regulation) Act 1934, the expression “British ship to which this Act applies” shall not include a British ship registered in Tuvalu.

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Marginal Citations

M6 1934 c 49(52:3).

6 F4

Textual Amendments

F4 Sch. 2 para. 6 repealed by [Civil Aviation \(Amendment\) Act 1982 \(c. 1, SIF 9\)](#), **Sch. 2**

Colonial stock

7 Section 20 of the ^{M7}Colonial Stock Act 1877 (which relates to the jurisdiction of courts in the United Kingdom as to colonial stock) shall, in its application to stock of Tuvalu, have effect as if for the second paragraph there were substituted—

“(2) any person claiming to be interested in colonial stock to which this Act applies, or in any dividend thereon, may institute civil proceedings in the United Kingdom against the registrar in relation to that stock or dividend.

(3) Notwithstanding anything in the foregoing provisions of this section, the registrar shall not by virtue of an order made by any court in the United Kingdom in any such proceedings as are referred to in this section be liable to make any payment otherwise than out of moneys in his possession in the United Kingdom as registrar.”

Marginal Citations

M7 1887 c. 59(26:1).

Commonwealth Institute

8 In section 8(2) of the ^{M8}Imperial Institute Act 1925, as amended by the ^{M9}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 which for the time being are contributing towards the expenses of the Commonwealth Institute) at the end there shall be added the words “and Tuvalu”.

Modifications etc. (not altering text)

C2 The text of s. 4(2)(b) and Sch. 2 paras. 3(a), 4, 8 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 1925 ch. xvii.

M9 1958 c. 16.

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