

ELIZABETH II



Bangladesh Act 1973

1973 CHAPTER 49

An Act to make provision in connection with the establishment of Bangladesh as an independent Republic within the Commonwealth [25th July 1973]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) All law to which this subsection applies, whether being a rule of law or a provision of an Act of Parliament or of any other enactment or instrument whatsoever, which was in force on 23rd March 1956 (when Pakistan became a Republic) or was passed or made before that date and came 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 Bangladesh, and persons and things belonging to or connected with Bangladesh, as it would have if Bangladesh were part of those of Her Majesty's dominions which are not colonies. Operation of existing law.

(2) Subsection (1) of this section applies to law of, or of 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 Bangladesh, to law of any other country or territory to which that enactment or Order extends.

(3) The Schedule to this Act shall have effect in relation to the enactments mentioned therein.

(4) This section shall be deemed to have had effect from 4th February 1972.

Nationality.

1948 c. 56.

2.—(1) The British Nationality Acts 1948 to 1965 shall have effect, and shall be deemed to have had effect from 4th February 1972, as if in section 1(3) of the British Nationality Act 1948 (Commonwealth countries having separate citizenship) there were added at the end the words “ and Bangladesh ”.

(2) If it appears to the Secretary of State that any provision of the law of Pakistan made after 3rd February 1972 deprives persons of their citizenship of Pakistan in consequence of Bangladesh having become an independent Republic he may by order made by statutory instrument secure that, until such date as may be specified in the order, that provision is disregarded in determining for the purposes of the British Nationality Act 1948 whether a person is a citizen of Pakistan.

(3) An order under subsection (2) of this section may be varied or revoked by a subsequent order thereunder.

1967 c. 4.

(4) In accordance with section 3(3) of the West Indies Act 1967 it is hereby declared that this section extends to all associated states.

Power to make consequential adaptations.

3.—(1) Her Majesty may by Order in Council make such adaptations in any Act of Parliament passed before this Act, or in any instrument having effect under any such Act, as appear to Her Majesty to be necessary or expedient in consequence of Bangladesh having become an independent Republic within the Commonwealth.

(2) An Order in Council under this section—

(a) may be made so as to have effect from 4th February 1972 or any later date,

(b) may contain such transitional or other incidental or supplemental provisions as appear to Her Majesty to be necessary or expedient,

(c) may be varied or revoked by a subsequent Order in Council, and

(d) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(3) No Order in Council shall be made under this section after the end of the period of three years beginning with the day on which this Act is passed.

Short title.

4. This Act may be cited as the Bangladesh Act 1973.

SCHEDULE

Section 1.

MODIFICATION OF ENACTMENTS

Armed Forces

1. In the definitions of "Commonwealth force" in section 225(1) of the Army Act 1955 and section 223(1) of the Air Force Act 1955, 1955 c. 18. and in the definition of "Commonwealth country" in section 135(1) 1955 c. 19. of the Naval Discipline Act 1957, there shall be added at the end the 1957 c. 53. words "or Bangladesh".

2. In the Visiting Forces Act 1952, at the end of section 1(1)(a) 1952 c. 67. (countries to which that Act applies) there shall be added the words "Bangladesh or"; and, until express provision with respect to Bangladesh is made by 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 Bangladesh.

3.—(1) In section 84(2) of the Offices, Shops and Railway Premises 1963 c. 41. Act 1963 (exclusion of application to visiting forces), before the words "and any country" there shall be inserted the word "Bangladesh".

(2) In section 78(2) of the Offices and Shop Premises Act (Northern 1966 c. 26 (N.I.). Ireland) 1966 (exclusion of application to visiting forces), before the words "and any country" there shall be inserted the word "Bangladesh".

(3) For the purposes of section 6 of the Government of Ireland Act 1920 c. 67. 1920 (conflict of laws) sub-paragraph (2) of this paragraph shall be deemed to be contained in an Act passed before the day appointed for the purposes of that section.

Diplomatic immunities

4. In section 1(5) of the Diplomatic Immunities (Conferences with 1961 c. 11. Commonwealth Countries and Republic of Ireland) Act 1961, before the words "and the Republic of Ireland" there shall be inserted the word "Bangladesh".

Financial

5. In section 2(4) of the Import Duties Act 1958, before the words 1958 c. 6. "together with" there shall be inserted the word "Bangladesh".

Ships

6. In section 427(2) of the Merchant Shipping Act 1894, as set out 1894 c. 60. in section 2(1) of the Merchant Shipping (Safety Convention) Act 1949 c. 43. 1949, before the words "or in any" there shall be inserted the words "or Bangladesh".

7. The Ships and Aircraft (Transfer Restriction) Act 1939 shall 1939 c. 70. have effect as if Bangladesh were among the countries listed in sections 4(1)(a) and 10.

8. In the Whaling Industry (Regulation) Act 1934, the expression 1934 c. 49. "British ship to which this Act applies" shall not include a British ship registered in Bangladesh.

Films

- 1960 c. 57. 9. In section 50(1) of the Films Act 1960, in the definition of "Commonwealth country" the word "Bangladesh" shall be inserted before the words "any colony".

Companies

- 1948 c. 38.
1960 c. 22 (N.I.). 10.—(1) Where a register of members of a company is kept in Bangladesh under section 119 of the Companies Act 1948 or section 116 of the Companies Act (Northern Ireland) 1960, it shall not be treated as improperly kept by reason only that, at any time after 3rd February 1972 and before 1st September 1974, it includes members resident in Pakistan.
- 1920 c. 67. (2) For the purposes of section 6 of the Government of Ireland Act 1920 (conflict of laws) sub-paragraph (1) of this paragraph, so far as it relates to the Companies Act (Northern Ireland) 1960, shall be deemed to be contained in an Act passed before the day appointed for the purposes of that section.

Commonwealth Institute

- 1925 c. xvii.
1958 c. 16. 11. In section 8(2) of the Imperial Institute Act 1925, as amended by the Commonwealth Institute Act 1958 (power to vary the provisions of the 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 Bangladesh".

Medical, dental and veterinary qualifications

- 1956 c. 76. 12. In the case of a person registered before the passing of this Act as a Commonwealth practitioner under section 18 or 23 of the Medical Act 1956 or any enactment repealed by that Act by virtue of a qualification obtained (whether before or after 4th February 1972) in Bangladesh, his continued registration as a Commonwealth practitioner shall not be affected by Pakistan's withdrawal from the Commonwealth or by Bangladesh's not being a Commonwealth country to which Part III of that Act applies.
- 1957 c. 28. 13. For the purposes of the continued registration in the Commonwealth list contained in the dentists register kept under the Dentists Act 1957 of a person holding a qualification granted in Bangladesh (whether before or after 4th February 1972), Bangladesh shall be treated as always having been within the Commonwealth.
- 1966 c. 36. 14. For the purposes of the continued registration in the Commonwealth list contained in the register of veterinary surgeons kept under the Veterinary Surgeons Act 1966 of a person holding a qualification granted in Bangladesh (whether before or after 4th February 1972), Bangladesh shall be treated as always having been within the Commonwealth.

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