



# Kiribati Act 1979

## 1979 CHAPTER 27

### U.K.

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. U.K.

- (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. U.K.

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. U.K.

- (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

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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 provisions 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.

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**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F1 Ss. 3(3), 4, 5 repealed by [British Nationality Act 1981 \(c. 61, SIF 87\)](#), [Sch. 9](#)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. U.K.**

..... F2

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**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. U.K.**

- (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 <sup>M1</sup>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.

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**Textual Amendments**

F3 S. 6(3) repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\)](#), s. 1(1), [Sch. 1 Pt.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

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**Marginal Citations**

M1 1833 c. 41.

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**7 Interpretation. U.K.**

(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. U.K.**

This Act may be cited as the Kiribati Act 1979.

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SCHEDULE **U.K.**

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*

- 2 The expression “colony” in the <sup>M2</sup>Army Act 1955, the <sup>M3</sup>Air Force Act 1955 and the <sup>M4</sup>Naval Discipline Act 1957 shall not include Kiribati; and in the definitions of “Commonwealth force” in section 225(1) and 223(1) respectively of those Acts of 1955, and in the definition of “Commonwealth country” in section 135(1) of that Act of 1957, at the end there shall be added the words “ or Kiribati ”.

**Modifications etc. (not altering text)**

**C1** Part of the text of Sch. para. 2, 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**

**M2** 1955 c. 18.  
**M3** 1955 c. 19.  
**M4** 1957 c. 53.

*Visiting forces*

- 3 In the <sup>M5</sup>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 <sup>M6</sup>Statute of Westminster 1931.

**Marginal Citations**

**M5** 1933 c. 6.  
**M6** 1931 c. 4 (22 & 23 Geo. 5).

- 4 In the <sup>M7</sup>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.

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**Modifications etc. (not altering text)**

- C2** 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**

- M7** 1952 c. 67.

*Ships and aircraft*

- 5 In section 427(2) of the <sup>M8</sup>Merchant Shipping Act 1894, as set out in section 2 of the <sup>M9</sup>Merchant Shipping (Safety Convention) Act 1949, before the words “or in any” there shall be inserted the words “or Kiribati”.

**Modifications etc. (not altering text)**

- C3** 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**

- M8** 1894 c. 60.  
**M9** 1949 c. 43.

- 6 In the <sup>M10</sup>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**

- M10** 1934 c. 49.

- 7 ..... **F6**

**Textual Amendments**

- F6** Sch. para. 7 repealed by [Civil Aviation \(Amendment\) Act 1982 \(c. 1, SIF 9\)](#), [Sch. 2](#)

*Colonial stock*

- 8 Section 20 of the <sup>M11</sup>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 Kiribati, 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.

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- (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**

**M11** 1877 c. 59.

*Commonwealth Institute*

- 9 In section 9(2) of the <sup>M12</sup>Imperial Institute Act 1925, as amended by the <sup>M13</sup>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 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 Kiribati”.

**Modifications etc. (not altering text)**

**C4** 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**

**M12** 1925 ch. xvii.

**M13** 1958 c. 16.

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**Changes to legislation:**

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