

ELIZABETH II



New Hebrides Act 1980

1980 CHAPTER 16

An Act to make provision in connection with the attainment by the New Hebrides of independence within the Commonwealth. [20th March 1980]

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) On and after such day as Her Majesty may by Order in Council appoint (in this Act referred to as the “appointed day”) the British Nationality Act 1948 shall have effect as if in section 1(3) (Commonwealth countries having separate citizenship) there were added at the end the words “and the New Hebrides”. Commonwealth citizenship. 1948 c. 56.

(2) Section 30(2) of that Act (power to apply Act to the New Hebrides) shall cease to have effect.

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

(4) An Order in Council under this section shall be laid before Parliament after being made.

2.—(1) The provisions specified in Schedule 1 to this Act shall have effect subject to the amendments there specified, being amendments consequential on the attainment of independence within the Commonwealth by the New Hebrides. Consequential amendments and repeals.

(2) The enactments and instruments mentioned in Schedule 2 to this Act are hereby repealed to the extent specified in column 3 of that Schedule.

Pending
appeals to
Privy Council.

3.—(1) Her Majesty may by Order in Council make such provision as appears to Her to be expedient in relation to—

- (a) appeals from any court having jurisdiction for the New Hebrides in respect of proceedings originating in any court in the New Hebrides in which records have been registered in the Office of the Judicial Committee of the Privy Council before the appointed day; and
- (b) petitions for leave to appeal from such a court in respect of such proceedings filed in that Office before that day.

(2) An Order in Council under this section shall be laid before Parliament after being made.

Short title and
commence-
ment.

4.—(1) This Act may be cited as the New Hebrides Act 1980.

(2) Sections 1(2) and 2 and Schedules 1 and 2 shall come into force on the appointed day.

SCHEDULES

SCHEDULE 1

Section 2(1).

CONSEQUENTIAL AMENDMENTS

Diplomatic immunities

1. In section 1(5) of the Diplomatic Immunities (Conferences with Commonwealth Countries and Republic of Ireland) Act 1961 (countries to which the Act applies), before the word “and” in the last place where it occurs there shall be inserted the words “the New Hebrides”.

The Services

2. In the definitions of “Commonwealth force” in section 225(1) and 223(1) respectively of the Army Act 1955 and the Air Force Act 1955, and in the definition of “Commonwealth country” in section 135(1) of the Naval Discipline Act 1957, at the end there shall be added the words “or the New Hebrides”.

Visiting forces

3. In the Visiting Forces (British Commonwealth) Act 1933, section 4 (attachment and mutual powers of command) shall apply in relation to forces raised in the New Hebrides as it applies to forces raised in Dominions within the meaning of the Statute of Westminster 1931.

4. In the Visiting Forces Act 1952 in section 1(1)(a) (countries to which the Act applies), at the end there shall be added the words “the New Hebrides or”; and, until express provision with respect to the New Hebrides 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 the New Hebrides.

Shipping

5. In section 427(2) of the Merchant Shipping Act 1894, as set out in section 2 of the Merchant Shipping (Safety Convention) Act 1949 (ships to which section 427 does not apply), before the words “or in any” there shall be inserted the words “or the New Hebrides”.

6. In the Whaling Industry (Regulation) Act 1934, the expression “British ship to which this Act applies” shall not include a British ship registered in the New Hebrides.

Commonwealth Institute

7. 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 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 the New Hebrides”.

SCH. 1

Offices, shops and railway premises

- 1963 c. 41. 8. In section 84(2) of the Offices, Shops and Railway Premises Act 1963 (exclusion of visiting forces from Act) before the words "and any country" there are inserted the words "the New Hebrides".
- 1966 c. 26 (N.I.). 9. In section 78(2) of the Office and Shop Premises Act (Northern Ireland) 1966 (exclusion of visiting forces from Act) before the words "and any country" there are inserted the words "the New Hebrides".

SCHEDULE 2

Section 2(2).

REPEALS

Chapter or Number	Short title	Extent of repeal
1948 c. 56. 1962 c. 41. 1978 c. 2.	British Nationality Act 1948. Colonial Loans Act 1962. Commonwealth Development Corporation Act 1978.	Section 30(2). Section 1(3). Section 17(3).
S.R. & O. 1922/717.	New Hebrides Order 1922.	The whole Order.
S.R. & O. 1923/356.	New Hebrides Order 1923.	The whole Order.
S.I. 1961/1831.	New Hebrides Order 1961.	The whole Order.
S.I. 1963/1324.	New Hebrides Order 1963.	The whole Order.
S.I. 1968/2033.	Fugitive Offenders (United Kingdom Dependencies) Order 1968.	The whole Order.
S.I. 1970/950.	New Hebrides Order 1970.	The whole Order.
S.I. 1973/1758.	New Hebrides Order 1973.	The whole Order.
S.I. 1975/1505.	New Hebrides (Appeals to Privy Council) Order 1975.	The whole Order.
S.I. 1975/1514.	New Hebrides Order 1975.	The whole Order.
S.I. 1976/2142.	Fugitive Offenders (United Kingdom Dependencies) (Amendment) Order 1976.	The whole Order.
S.I. 1977/49.	New Hebrides Order 1977.	The whole Order.

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