



# Tanganyika Independence Act 1961

## 1961 CHAPTER 1 10 and 11 Eliz 2

An Act to make provision for, and in connection with, the attainment by Tanganyika of fully responsible status within the Commonwealth. [22nd November 1961]

### Modifications etc. (not altering text)

C1 Power to repeal Act (except s. 1) given by [Tanzania Act 1969 \(c. 29\), s. 5](#)

## 1 Fully responsible status of Tanganyika.

- (1) On the ninth day of December, nineteen hundred and sixty-one (in this Act referred to as the appointed day) Tanganyika (the limits of which are defined in Article 1 of the Tanganyika Order in Council, 1920) shall become part of Her Majesty's dominions under the name of Tanganyika and as from that day Her Majesty's Government in the United Kingdom shall have no responsibility for the government of Tanganyika.
- (2) No Act of the Parliament of the United Kingdom passed on or after the appointed day shall extend, or be deemed to extend, to Tanganyika as part of the law thereof, and the provisions of the First Schedule to this Act shall have effect as from that day with respect to the legislative powers of Tanganyika.
- (3) Subsection (1) of this section shall not affect the operation in Tanganyika of any enactment, or any other instrument having the effect of law, passed or made before the appointed day, or be taken to extend any such enactment or instrument to Tanganyika as part of the law thereof.

## 2 ..... F1

### Textual Amendments

F1 S. 2 repealed by [British Nationality Act 1981 \(c. 61, SIF 87\), Sch. 9](#)

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**3 Consequential modification of other enactments.**

- (1) ..... <sup>F2</sup>
- <sup>F3</sup>(2) .....
- <sup>F4</sup>(3) .....
- (4) As from the appointed day, the provisions specified in the Second Schedule to this Act shall have effect subject to the amendments respectively specified in that Schedule, . . .  
<sup>F5</sup>

This subsection shall not extend to Tanganyika as part of the law thereof.

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**Textual Amendments**

**F2** S. 3 (1) repealed by [Interpretation Act 1978 \(c. 30, SIF 115: 1\)](#), **Sch. 3**

**F3** [S. 3\(2\)](#) repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\), s. 383\(2\)](#), **Sch. 17**; [S.I. 2009/812, art. 3\(a\)\(b\)](#) (with transitional provisions in [S.I. 2009/1059](#)); [S.I. 2009/1167, art. 4](#)

**F4** [S. 3\(3\)](#) repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\), s. 383\(2\)](#), **Sch. 17**; [S.I. 2009/812, art. 3\(a\)\(b\)](#) (with transitional provisions in [S.I. 2009/1059](#)); [S.I. 2009/1167, art. 4](#)

**F5** Words repealed by [Statute Law \(Repeals\) Act 1969 \(c. 52\)](#), **Sch. Pt. VI**

**4** ..... <sup>F6</sup>

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**Textual Amendments**

**F6** [S. 4](#) repealed by [Statute Law \(Repeals\) Act 1976 \(c. 16\)](#), **Sch. 1 Pt. XIII**

**5 Short title and interpretation.**

- (1) This Act may be cited as the Tanganyika Independence Act, 1961.
- (2) References in this Act to any enactment are references to that enactment as amended or extended by or under any other enactment.

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## SCHEDULES

### FIRST SCHEDULE

Section 1.

#### LEGISLATIVE POWERS OF TANGANYIKA

- 1 The <sup>M1</sup>Colonial Laws Validity Act 1865, shall not apply to any law made by the legislature of Tanganyika.

#### Marginal Citations

**M1** 1865 c. 63.

- 2 No law and no provision of any law made 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, subject to paragraph 5 of this Schedule, 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 Tanganyika.

- 3 The legislature of Tanganyika shall have full power to make laws having extra-territorial operation.

<sup>F74</sup> .....

#### Textual Amendments

**F7** Sch. 1 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 Nothing in this Act shall confer on the legislature of Tanganyika any power to repeal, amend or modify the constitutional provisions otherwise than in such manner as may be provided for in those provisions.

In this paragraph “the constitutional provisions” means this Act, any Order in Council made before the day which revokes the Tanganyika Orders in Council, 1920 to 1961 and the Tanganyika (National Assembly) Orders in Council, 1926 to 1961, and any law, or instrument made under a law, of the legislature of Tanganyika made on or after appointed day which amends, modifies, re-enacts with or without amendment or modification, or makes different provision in lieu of, any provisions of this Act, that Order in Council or any such law or instrument previously made.

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## SECOND SCHEDULE

Section 3.

### AMENDMENTS NOT AFFECTING THE LAW OF TANGANYIKA

#### *Diplomatic immunities*

1 ..... F8

#### **Textual Amendments**

**F8** Sch. 2 para. 1 repealed by Finance Act 1969 (c. 32, SIF63: 1), Sch. 21 Pt. IX

2 In subsection (6) of section one of the <sup>M2</sup>Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Act, 1952, after the words “Sierra Leone” there shall be inserted the word “Tanganyika”.

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

**C2** The text of Sch. 2 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** 1952 c. 18

3 ..... F9

#### **Textual Amendments**

**F9** Sch. 2 para. 3 repealed by International Organisations Act 1981 (c. 9, SIF 68: 1), Sch.

#### *Financial*

4 In subsection (4) of the <sup>M3</sup>Import Duties Act, 1958, after the words “Sierra Leone” there shall be inserted the word “Tanganyika”.

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

**C3** The text of Sch. 2 para. 4 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**

**M3** 1958 c. 6

#### *Visiting forces*

5 In the <sup>M4</sup>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

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thereof shall apply in relation to forces raised in Tanganyika as they apply in relation to forces raised in Dominions within the meaning of the <sup>M5</sup>Statute of Westminster 1931.

**Marginal Citations**

- M4** 1933 c. 6.
- M5** 1931 c. 4 (22 & 23 Geo. 5).

6 In the <sup>M6</sup>Visiting Forces Act 1952—

- (a) (a) in paragraph (a) of subsection (1) of section one (which specifies the countries to which that Act applies) the word “or” in the first place where it occurs shall be omitted, and at the end there shall be added the words “Tanganyika or”;
- (b) in paragraph (a) of subsection (1) of section ten the expression “colony” shall not include Tanganyika;

and, until express provision with respect to Tanganyika 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 Tanganyika.

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

- C4** The text of Sch. 2 para. 6(a) 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**

- M6** 1952 c. 67.

*Ships and aircraft*

F107 .....

**Textual Amendments**

- F10** Sch. 2 para. 7 repealed (1.1.1996) by 1995 c. 21, ss. 314(1), 316(2), Sch. 12 (with ss. 312(1), Sch. 14 para. 1)

F118 .....

**Textual Amendments**

- F11** Sch. 2 para. 8 repealed (1.1.1996) by 1995 c. 21, ss. 314(1), 316(2), Sch. 12 (with ss. 312(1), Sch. 14 para. 1)

9 ..... F12

*Changes to legislation: There are currently no known outstanding effects for the Tanganyika Independence Act 1961. (See end of Document for details)*

**Textual Amendments**

**F12** Sch. 2 para. 9 repealed by [Emergency Laws \(Re-enactments and Repeals\) 1964 \(c. 60, SIF 99: 6\)](#), **Sch. 2**

10 ..... **F13**

**Textual Amendments**

**F13** Sch. 2 para. 10 repealed by [Statute Law \(Repeals\) Act 1977 \(c. 18\)](#), **Sch. 1 Pt. XV**

11 In the <sup>M7</sup>Whaling Industry (Regulation) Act 1934, the expression “British ship to which this Act applies” shall not include a British ship registered in Tanganyika.

**Marginal Citations**

**M7** 1934 c. 49.

12 ..... **F14**

**Textual Amendments**

**F14** Sch. 2 para. 12 repealed by [Civil Aviation Act 1971 \(c.75\)](#), **Sch. 11**

*Copyright*

13 ..... **F15**

**Textual Amendments**

**F15** Sch. 2 paras. 13, 14 repealed by [Copyright, Designs and Patents Act 1988 \(c. 48, SIF 67A\)](#), s. 303(2), **Sch. 8**

14 ..... **F16**

**Textual Amendments**

**F16** Sch. 2 paras. 13, 14 repealed by [Copyright, Designs and Patents Act 1988 \(c. 48, SIF 67A\)](#), s. 303(2), **Sch. 8**

15 ..... **F17**

**Textual Amendments**

**F17** Sch. 2 para. 15 repealed by [Family Law Act 1986 \(c. 55, SIF 49:3\)](#), s. 68(2), **Sch. 2**

*Commonwealth Institute*

**F18** 16 .....

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**Textual Amendments**

**F18** Sch. 2 para. 16 repealed (7.1.2003) by 2002 c. 39, ss. 3, 4(2), Sch. 3

**Changes to legislation:**

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