
STATUTORY INSTRUMENTS

1979 No. 719

The Kiribati Independence Order 1979

Existing laws

5.—(1) Subject to the provisions of this section, the existing laws shall, notwithstanding the revocation of the existing Orders or the establishment of a Republic in Kiribati, continue in force on and after Independence Day as if they had been made in pursuance of this Order.

(2) The existing laws and any Act of the Parliament of the United Kingdom or Order of Her Majesty in Council (other than Kiribati Act 1979 or this Order) having effect as part of the law of Kiribati or any part thereof immediately before Independence Day shall be construed with such modifications, adaptations, qualifications and exceptions as may be necessary to bring them into conformity with this Order.

(3) The Beretitenti may by order made at any time before 12th July 1980 make such amendments to—

- (a) the existing laws; or
- (b) any Act of the Parliament of the United Kingdom or Order of Her Majesty in Council (other than the Kiribati Act 1979 or this Order) having effect as part of the law of Kiribati or any part thereof immediately before Independence Day,

as may appear to him to be necessary or expedient for bringing those laws or that Act of Parliament or Order into conformity with the provisions of this Order or otherwise for giving effect or enabling effect to be given to those provisions.

(4) Where any matter that falls to be prescribed or otherwise provided for under the Constitution by the Maneaba ni Maungatabu or by any other authority or person is prescribed or provided for by or under an existing law (including any amendment to any such law made under this section) or is otherwise prescribed or provided for immediately before Independence Day by or under the existing Orders, that prescription or provision shall, as from Independence Day, have effect (with such modifications, adaptations, qualifications and exceptions as may be necessary to bring it into conformity with the Kiribati Act 1979 and this Order) as if it had been made under the Constitution by the Maneaba or, as the case may be, by the other authority or person.

(5) The provisions of this section shall be without prejudice to any powers conferred by this Order or any other law upon any person or authority to make provision for any matter, including the amendment or repeal of any existing law.

(6) For the purposes of this section, the expression “the existing laws” means all Ordinances, rules, regulations, orders or other instruments having effect as part of the law of Kiribati or any part thereof immediately before Independence Day (including any such law made before that day and coming into operation on or after that day) which were made or had effect as if they were made in pursuance of the existing Orders.