

REPUBLIC OF KENYA BILL

EXPLANATORY NOTE

THIS Bill deals with the position that has arisen by reason of the fact that on 12 December 1964 Kenya became a Republic, while remaining a part of the Commonwealth.

Clause 1 relates to the Short Title and commencement. The Act is deemed to have come into force on 12 December 1964.

Clause 2 provides that existing laws shall continue to apply as if Kenya had not become a Republic, unless any such law is duly altered in the future so as not to apply.

Clause 3: Subclause (1) provides that the new Act is to be in force in Niue and in the Tokelau Islands.

Subclause (2) makes the new Act a reserved enactment in Niue. The result is that the Niue Islands Assembly may not make any Ordinance that is repugnant to the new Act.

Right Hon. Mr Holyoake

REPUBLIC OF KENYA

ANALYSIS

Title	2. Existing law to apply as if Kenya had not become a Republic
1. Short Title and commencement	

A BILL INTITULED

An Act to make provision as to the operation of the law in relation to Kenya, and persons and things in any way belonging to or connected with Kenya, in view of Kenya's
5 **having become a Republic while remaining a member of the Commonwealth**

WHEREAS on the twelfth day of December, nineteen hundred and sixty-four, Kenya became a Republic while remaining a member of the Commonwealth:

10 **BE IT THEREFORE ENACTED** by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

- 1. Short Title and commencement**—(1) This Act may be cited as the Republic of Kenya Act 1965.
- 15 (2) This Act shall be deemed to have come into force on the twelfth day of December, nineteen hundred and sixty-four.

2. Existing law to apply as if Kenya had not become a Republic—(1) All existing law—that is to say, all law which, whether it is a rule of law or a provision of an Act of any Parliament or a provision of any other enactment or instrument whatsoever, has come into force or been passed or made before the commencement of this Act—shall, until provision to the contrary is made by the authority having power to alter that law, have the same operation in relation to Kenya, and to persons and things in any way belonging to or connected with Kenya, as it would have had if Kenya had not become a Republic. 5 10

(2) This section extends to law of, or of any part of, New Zealand or any of the territories referred to in section 3 of this Act.

3. Application of Act to Niue and Tokelau Islands— 15
(1) This Act shall be in force in the following territories:

(a) Niue:

(b) The Tokelau Islands.

(2) The First Schedule to the Cook Islands Amendment Act 1964 is hereby amended by adding the following words: 20

“1965, No. 00—

The Republic of Kenya Act 1965	The whole Act.”
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