

THE TRINIDAD AND TOBAGO REPUBLIC

ACT 1976

(1976 c. 54)

Taken from the HALSBURY'S STATUTES
OF ENGLAND 3rd edition Volume 46,
Continuation Volume 1976, page 178.

*An Act to make provision in connection with Trinidad and Tobago becoming a
republic within the Commonwealth* [26th October 1976]

1. Operation of existing law

(1) Subject to subsection (3) below, 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 such date as Her Majesty may specify by Order in Council (in this Act referred to as "the appointed day"), or, having been passed or made before that date, 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 Trinidad and Tobago, and persons and things belonging to or connected with Trinidad and Tobago, as it would have had apart from this subsection if Trinidad and Tobago had not become a republic.

(2) This section applies to law of, or of 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 United Kingdom or any Order in Council made by virtue of any such enactment whereby any such enactment applies in relation to Trinidad and Tobago, to law of any other country or territory to which that enactment or Order extends.

(3) Notwithstanding anything in subsections (1) and (2) above, the provisions set out in Appendix C to Schedule 1 to the Immigration Act 1971 (whereby a person becoming a citizen of the United Kingdom and Colonies by registration is in certain circumstances required to take an oath of allegiance) shall have effect in relation to citizens of Trinidad and Tobago as if subsection (1) above had not been enacted.

(4) This section shall have effect from the appointed day.

NOTES

United Kingdom. *I.e.*, Great Britain and Northern Ireland; see the Royal and Parliamentary Titles Act 1927, s. 2 (2), Vol. 6, p. 520. "Great Britain" means England, Scotland and Wales by virtue of the Union with Scotland Act 1706, preamble, art. I, Vol. 6, p. 502, and the Wales and Berwick Act 1746, s. 3 (without the amendment made by the Welsh Language Act 1967, s. 4), Vol. 32, p. 412.

Immigration Act 1971, Sch. 1, App. C. See Vol. 41, p. 60.

Order in Council under this section. The Tribunal and Tobago Republic Appointed Day Order 1976, S.I. 1976 No. 1914 (appointing 1st August 1976 for the purposes of sub-s. (1) above).

The power to make an Order in Council is exercisable by statutory instrument; see the Statutory Instruments Act 1946, s. 1 (1), Vol. 32, p. 668.

2. Judicial Committee of Privy Council

(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 Trinidad and Tobago for appeals to the Committee from courts of Trinidad and Tobago.

(2) Any Order in Council under this section may contain such incidental and supplemental provisions as appear to Her Majesty to be expedient.

(3) Any such Order in Council may contain such transitional provisions as appear to Her Majesty to be expedient—

- (a) in relation to appeals in which the records have been registered in the Office of the Judicial Committee on or before the appointed day; and
- (b) in relation to petitions for leave to appeal filed in that Office on or before that date.

(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 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 may be varied or revoked by a subsequent Order in Council.

NOTES

Judicial Committee of the Privy Council. For the constitution of the Committee, see the Judicial Committee Act 1833, s. 1, and the other enactments noted thereto, Vol. 7, pp. 453, 454.

Appointed day. *I.e.*, 1st August 1976; see s. 1 (1), *ante*, and the Order in Council noted to that section.

Judicial Committee Act 1833. See Vol. 7, p. 452.

Order in Council under this section. The Trinidad and Tobago Appeals to Judicial Committee Order 1976, S.I. 1976 No. 1915.

The power to make Orders in Council is exercisable by statutory instrument; see the Statutory Instruments Act 1946, s. 1 (1), Vol. 32, p. 668.

3. Short title

This Act may be cited as the Trinidad and Tobago Republic Act 1976.
