

ELIZABETH II



1966 CHAPTER 29

An Act to make provision in connection with the establishment of Singapore as an independent sovereign state within the Commonwealth. [9th August 1966]

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) Subject to the provisions of this Act, all law which, whether being a rule of law or a provision of an Act of Parliament or of any other enactment or instrument whatsoever, was in force immediately before 9th August, 1965 (being the day on which Singapore became an independent sovereign state separate from and independent of Malaysia) or, having been passed or made before that day comes or has come 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 Singapore, and persons and things belonging to or connected with Singapore, as it would have, apart from this subsection, if Singapore had not become an independent sovereign state as aforesaid.

Effect on existing law of Singapore's becoming an independent sovereign Commonwealth state.

(2) The enactments specified in the Schedule to this Act (being enactments applicable to Commonwealth countries having fully responsible status) shall have effect in accordance with the provisions of that Schedule.

(3) Subsection (1) of 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 an 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 Singapore, to law of any other country or territory to which that enactment or Order extends.

(4) This section shall be deemed to have had effect from 9th August, 1965.

Cesser of jurisdiction of Singapore courts under Colonial and Other Territories (Divorce Jurisdiction) Acts 1926 to 1950.

2.—(1) In their operation by virtue of the foregoing section, the Colonial and Other Territories (Divorce Jurisdiction) Acts 1926 to 1950 shall not have effect so as to enable a court having jurisdiction under the law of Singapore to make a decree for the dissolution of a marriage, or, as incidental thereto, to make an order as to any matter, unless proceedings for the decree were instituted before the passing of this Act.

(2) Except as provided by the foregoing subsection, and subject to any provision to the contrary having effect as part of the law of Singapore, all courts having jurisdiction under the law of Singapore shall, after the coming into force of this section, be treated, for the purpose of such law as is mentioned in subsection (3) of the foregoing section, as having the same jurisdiction under the said Acts as they would have had if this Act had not been passed.

1926 c. 40.

(3) The rules referred to in section 1(4) of the Indian and Colonial Divorce Jurisdiction Act 1926 (which requires proceedings under that Act to be conducted in accordance with rules made by the Secretary of State with the concurrence of the Lord Chancellor) may, in the application of that Act to Singapore by virtue of the foregoing provisions of this Act, instead of being so made, be made by such authority as may be determined by the law of Singapore, and so much of the said section 1(4) and of any rules in force thereunder so made by the Secretary of State as requires the approval of the Lord Chancellor to the nomination for any purpose of any judges of any such court shall cease to have effect.

1965 c. 72.

(4) The references in subsection (1) above to proceedings for the dissolution of a marriage include references to proceedings for such a decree of presumption of death and dissolution of marriage as is authorised by section 14 of the Matrimonial Causes Act 1965.

Judicial Committee of Privy Council.

3.—(1) Her Majesty may by Order in Council confer on the Judicial Committee of the Privy Council such jurisdiction and powers in respect of appeals from the Federal Court of Malaysia, acting on appeals from the High Court of Singapore, and in respect of appeals from any other court being a court having jurisdiction under the laws of Singapore, as appear to Her Majesty to be appropriate for giving effect to any arrangements made in

that behalf between Her Majesty's Government in the United Kingdom and the government of Singapore in accordance with any provision of those laws.

(2) An Order in Council made under this section may determine the classes of cases in which, and the conditions as to leave and otherwise subject to which, any such appeal may be entertained by the said Committee and the practice and procedure to be followed on any such appeal, and may contain such incidental or supplemental provisions as appear to Her Majesty to be expedient.

(3) Except as otherwise provided by 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 applies in relation to appeals to Her Majesty in Council. 1833 c. 41.

(4) An Order in Council under this section may be varied or revoked by a subsequent Order in Council.

4.—(1) Her Majesty may by Order in Council make such adaptations in any Act of Parliament passed before this Act as appear to Her Majesty necessary or expedient in consequence of Singapore's becoming an independent sovereign state within the Commonwealth. Power to make consequential adaptations.

(2) An Order in Council under this section and any Order in Council or other instrument made under any other enactment which varies or revokes a previous Order in Council or instrument in consequence of Singapore's becoming an independent sovereign state within the Commonwealth may be made so as to have effect from 9th August 1965.

(3) An Order in Council made under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament, and may be varied or revoked by a subsequent Order so made.

5.—(1) This Act may be cited as the Singapore Act 1966.

(2) References in this Act to any enactment are references to that enactment as amended or extended by or under any other enactment.

Short title and interpretation.

Section 1(2).

SCHEDULE

MODIFICATION OF ENACTMENTS

Nationality and Citizenship

1948 c. 56. 1. The British Nationality Acts 1948 to 1965 shall have effect as if, in section 1(3) of the British Nationality Act 1948 (Commonwealth countries having separate citizenship) there were added at the end the words " and Singapore ".

Armed Forces

1955 c. 18.
1955 c. 19.
1957 c. 53. 2. The definitions of " Commonwealth forces " in section 225(1) of the Army Act 1955 and section 223(1) of the Air Force Act 1955, and the definition of " Commonwealth country " in section 135(1) of the Naval Discipline Act 1957 shall each have effect with the addition at the end, of the words " or Singapore ".

1933 c. 6. 3. In the Visiting Forces (British Commonwealth) Act 1933, section 4 (attachment and mutual powers of command) shall have effect in relation to forces raised in Singapore as it has effect in relation to forces raised in Dominions within the meaning of the Statute of 1931 c. 4 (22 & 23 Geo. 5). Westminster 1931.

1952 c. 67. 4. In the Visiting Forces Act 1952, at the end of section 1(1)(a) (countries to which that Act applies) there shall be added the words " Singapore or " and, until express provision with respect to Singapore is made by 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 Singapore.

1963 c. 41. 5. In section 84(2) of the Offices, Shops and Railway Premises Act 1963 (exclusion of application to visiting forces) before the words " and any country " there shall be inserted the word " Singapore ".

Diplomatic Immunities

1952 c. 10. 6. In section 461 of the Income Tax Act 1952 (exemption from income tax in the case of certain Commonwealth representatives and their staffs)—

(a) in subsection (2), before the words " or any state " there shall be inserted the words " or Singapore ";

(b) in subsection (3), before the words " and ' Agent-General ' " there shall be inserted the words " or Singapore ".

1952 c. 18. 7. In section 1(6) of the Diplomatic Immunities (Commonwealth Countries and the Republic of Ireland) Act 1952, before the words " and the Republic of Ireland " there shall be inserted the word " Singapore ".

1961 c. 11. 8. In section 1(5) of the Diplomatic Immunities (Conferences with Commonwealth Countries and Republic of Ireland) Act 1961, before the words " and the Republic of Ireland " there shall be inserted the word " Singapore ".

Financial

9. In section 2(4) of the Import Duties Act 1958, before the words 1958 c. 6. "together with" there shall be inserted the word "Singapore".

Ships and Aircraft

10. In section 427(2) of the Merchant Shipping Act 1894, as set out 1894 c. 60. in section 2(1) of the Merchant Shipping (Safety Convention) Act 1949 c. 43. 1949, before the words "or in any" there shall be inserted the word "Singapore".

11. At the end of the proviso to section 6(2) of the Merchant Shipping 1948 c. 44. Act 1948 there shall be added the words "or Singapore".

Commonwealth Institute

12. At the end of section 8 of the Imperial Institute Act 1925 (which 1925 c. xvii. confers power to vary the provisions of the said Act of 1925 if an agreement for the purpose is made with the Governments of territories which for the time being are contributing towards the expenses of the Commonwealth Institute and are specified in subsection (2) inserted in that section by the Commonwealth Institute Act 1958) there shall be 1958 c. 16. added the words "and Singapore".

Films

13. In section 50(1) of the Films Act 1960, in the definition of 1960 c. 57. "Commonwealth country", before the words "any colony" there shall be inserted the word "Singapore".

Companies

14. For purposes of section 119 of the Companies Act 1948 as it 1948 c. 38. has effect by virtue of the Companies Registers (Malaysia) Order S.I. 1964/911. 1964, Singapore shall, at the end of the period of six months beginning with the day on which this Act is passed, cease to be treated as if it formed part of Malaysia, and, accordingly, shall thereafter for those purposes continue to be treated as if it were a part of Her Majesty's dominions but separate from Malaysia.

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