



ANALYSIS

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1963, No. 59

An Act to make provision as to the operation of the law in relation to Malaysia, and persons and things in any way belonging to or connected with Malaysia, in view of the federation of North Borneo, Sarawak, and Singapore with the States of the Federation of Malaya to form Malaysia
[23 October 1963]

WHEREAS on the thirty-first day of August, nineteen hundred and fifty-seven, the Federation of Malaya became an independent sovereign member of the Commonwealth: And whereas by the Federation of Malaya Act 1957 it was provided that all existing law shall have the same operation in relation to the Federation, and to persons and things in any way belonging to or connected with the Federation, as it would have had if Her Majesty the Queen had not ceased to have sovereignty or jurisdiction in and in respect of the Federation or any part thereof: And whereas on the sixteenth day of September, nineteen hundred and sixty-three, North Borneo, Sarawak, and Singapore (hereinafter referred to as the new States) federated with the existing States of the Federation, the Federation thereafter being called Malaysia: And whereas on that date Her Majesty ceased to have sovereignty or jurisdiction in respect of the new States:

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 Malaysia Act 1963.

(2) This Act shall be deemed to have come into force on the sixteenth day of September, nineteen hundred and sixty-three.

2. Existing law to apply as if Malaysia were within Her Majesty's dominions—(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 Malaysia, to any of the States of Malaysia, and to persons and things in any way belonging to or connected with Malaysia or any of the States thereof, as it would have had if the new States had not become included in Malaysia and if Her Majesty had not ceased to have sovereignty and jurisdiction in respect of Malaysia or of any of the States thereof.

(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 Cook Islands and Tokelau Islands—(1) This Act shall be in force in the following territories:

- (a) The Cook Islands:
- (b) The Tokelau Islands.

(2) The Cook Islands Amendment Act 1957 is hereby amended by adding to the First Schedule the following words: “1963, No. 59—

The Malaysia Act 1963	The whole Act.”
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4. Consequential amendment and repeals—(1) Section 3 of the British Nationality and New Zealand Citizenship Act 1948 is hereby amended by omitting from subsection (3) (as substituted by section 2 of the British Nationality and New Zealand Citizenship Amendment Act 1959) the words “the Federation of Malaya, the State of Singapore”, and substituting the word “Malaysia”.

- (2) The following enactments are hereby repealed, namely:
- (a) The Federation of Malaya Act 1957:
 - (b) So much of the First Schedule to the Cook Islands Amendment Act 1957 as relates to the Federation of Malaya Act 1957.
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This Act is administered in the Department of External Affairs.
