

TONGA BILL

EXPLANATORY NOTE

THIS Bill deals with the position that has arisen by virtue of the fact that Tonga became an independent sovereign member of the Commonwealth on 4 June 1970.

Clause 1 relates to the Short Title and commencement. The Act is deemed to have come into force on 4 June 1970.

Clause 2, subclause (1) provides that existing law shall apply in respect of Tonga as if Tonga were part of Her Majesty's dominions, unless any such law is duly altered in the future so as not to apply.

Subclause (2) provides that the clause extends to the law of, or any part of, New Zealand or any of the territories referred to in *clause 3*.

Clause 3, subclause (1) provides that the Act is to be in force in Niue and in the Tokelau Islands.

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

Right Hon. Sir Keith Holyoake

TONGA

ANALYSIS

Title	
1. Short Title and commencement	2. Existing law to apply as if Tonga were part of Her Majesty's dominions
	3. Application of Act to Niue and Tokelau Islands

A BILL INTITULED

5 **An Act to make provision as to the operation of the law in relation to Tonga, and persons and things in any way belonging to or connected with Tonga, in view of Tonga's having become an independent sovereign member of the Commonwealth.**

WHEREAS on the 4th day of June 1970, Tonga became an independent sovereign member of the Commonwealth with effect on and after that date:

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 Tonga Act 1970.
- 15 (2) This Act shall be deemed to have come into force on the 4th day of June 1970.

2. Existing law to apply as if Tonga were part of 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 Tonga, and to persons and things in any way belonging to or connected with Tonga, as it would have had if Tonga were part of Her Majesty's dominions.

(2) This section extends to law of, or 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—(1) This Act shall be in force in the following territories:

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

(2) The First Schedule to the Niue Act 1966 is hereby amended by adding the following words:

“1970, No. 00—The Tonga | The whole Act.”
Act 1970