

REPUBLIC OF BANGLADESH BILL

EXPLANATORY NOTE

THIS Bill deals with the position that has arisen by virtue of the fact that East Pakistan seceded from Pakistan, became the Republic of Bangladesh, and then became a member of the Commonwealth.

Clause 1 relates to the Short Title and commencement. Subject to *clause 3*, the commencement date is 18 April 1972.

Clause 2 provides that existing law shall continue to apply as if Bangladesh were not a Republic, unless any such law is altered in the future so as not to apply.

Clause 3 provides that law in force between 31 January 1972 (being the date on which New Zealand recognised Bangladesh) and 18 April 1972 (being the date of commencement of the Act and the date on which Bangladesh became a member of the Commonwealth) shall be deemed to have applied as if Bangladesh had not been a Republic and had been a member of the Commonwealth.

Clause 4 provides that *clauses 2 and 3* extend to the law of, or of any part of, New Zealand or of any of the territories referred to in *clause 5*.

Clause 5, subclause (1) provides that the Act is to be in force in Niue and 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

REPUBLIC OF BANGLADESH

ANALYSIS

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A BILL INTITULED

An Act to make provision as to the operation of the law in relation to Bangladesh, and persons and things in any way belonging to or connected with Bangladesh, in view of East Pakistan's having seceded from Pakistan, of having become the independent sovereign Republic of Bangladesh, and of having become a member of the Commonwealth

WHEREAS East Pakistan seceded from Pakistan: And whereas on the 31st day of January 1972 New Zealand recognised the independent sovereign Republic of Bangladesh: And whereas on the 18th day of April 1972 the Republic of Bangladesh became a member of the Commonwealth:

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 Bangladesh Act 1972.

(2) Subject to section 3 of this Act, this Act shall be deemed to have come into force on the 18th day of April 1972.

2. Existing law to apply as if Bangladesh were not a Republic—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 has been passed or made before the 18th day of April 1972—shall, until provision to the contrary is made by the authority having power to alter that law, have the same operation in relation to Bangladesh, and to persons and things in any way belonging to or connected with Bangladesh, as it would have if Bangladesh were not a Republic.

3. Application of law to Bangladesh between date of recognition of Republic and commencement of this Act—During the period that commenced on the 31st day of January 1972 and ended with the commencement of this Act, all law—that is to say, all law which, whether it was a rule of law or a provision of an Act of any Parliament or a provision of any other enactment or instrument whatsoever, was during that period in force—shall be deemed to have had the same operation in relation to Bangladesh, and to persons and things in any way belonging to or connected with Bangladesh, as it would have had if Bangladesh had not been a Republic and had been a member of the Commonwealth.

4. Application of Act—Sections 2 and 3 of this Act extend to the law of, or of any part of, New Zealand or of any of the territories referred to in section 5 of this Act.

5. Act in force in 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:

“1972 No. 00—The Republic of Bangladesh | The whole
Act 1972 | Act.”