

REPUBLIC OF IRELAND BILL

EXPLANATORY NOTE

THIS Bill deals with the position that has arisen by reason of the fact that the Republic of Ireland has ceased to be part of His Majesty's dominions.

Clause 2 declares that the Republic of Ireland is not a foreign country, and the law of New Zealand, present and future, is to be construed accordingly.

Clause 3 provides that all existing laws (that is, laws in force at the passing of this Bill) will continue to apply as if the Republic of Ireland had not ceased to be part of His Majesty's dominions, unless any such law is duly altered after the passing of the Bill.

By *subclause (2)* of *clause 1* the foregoing provisions are made retrospective to 18th April, 1949, being the date on which the Republic of Ireland ceased to be part of His Majesty's dominions.

Clause 4 applies the Bill to the Cook Islands, the Tokelau Islands, and Western Samoa, and declares the Bill to be a reserved enactment—that is, one that cannot be repealed or altered by the Legislature of Western Samoa.

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives,

17th August, 1950.

Hon. Mr. Doidge

REPUBLIC OF IRELAND

ANALYSIS

Title.	3. Existing law to apply as if Republic of Ireland were part of His Majesty's dominions.
Preamble.	
1. Short Title and commencement.	4. Application of Act to Cook Islands, Tokelau Islands, and Western Samoa.
2. Republic of Ireland not a foreign country.	

A BILL INTITULED

AN ACT to Make Provision in Respect of the Republic of Ireland. Title.

WHEREAS on the eighteenth day of April, nineteen hundred and forty-nine, the Republic of Ireland ceased to be part of His Majesty's dominions: Preamble.

BE IT THEREFORE ENACTED by the General Assembly of New Zealand, and by the authority of the same, as follows:—

10 **1.** (1) This Act may be cited as the Republic of Ireland Act, 1950. Short Title and commencement.

(2) This Act shall be deemed to have come into force on the eighteenth day of April, nineteen hundred and forty-nine.

15 **2.** It is hereby declared that, notwithstanding that the Republic of Ireland is not part of His Majesty's dominions, the Republic of Ireland is not a foreign country for the purposes of any law in force in, or in any part of, New Zealand or any of the territories Republic of Ireland not a foreign country.
Cf. Ireland Act, 1949 (12 & 13 Geo. VI, ch. 41), s. 2 (1) (U.K.)

referred to in section *four* of this Act, whether by virtue of a rule of law or of an Act of any Parliament or of any other enactment or instrument whatsoever, whether passed or made before or after the passing of this Act, and references in any Act of any Parliament or in any other enactment or instrument whatsoever, whether passed or made before or after the passing of this Act, to foreigners, aliens, foreign countries, and persons or things in any way belonging to or connected with foreign countries shall be construed accordingly: 5 10

Provided that this section, in its application to existing law, shall be subject to section *three* of this Act.

Existing law to apply as if Republic of Ireland were part of His Majesty's dominions.

Cf. Ireland Act, 1949, s. 3 (U.K.)

3. (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 passing 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 the Republic of Ireland, and to persons and things in any way belonging to or connected with the Republic of Ireland, as it would have had if the Republic of Ireland had remained part of His Majesty's dominions. 15 20

(2) Subsection *one* of this section extends to law of, or of any part of, New Zealand or any of the territories referred to in section *four* of this Act. 25

1948, No. 15

(3) The references to Ireland in the British Nationality and New Zealand Citizenship Act, 1948, shall be deemed to be references to the Republic of Ireland; and the operation of that Act shall not be affected by the fact that the Republic of Ireland is not part of His Majesty's dominions. 30

Application of Act to Cook Islands, Tokelau Islands, and Western Samoa.

4. (1) This Act shall be in force in the following territories:— 35

(a) The Cook Islands:

(b) The Tokelau Islands:

(c) Western Samoa.

1947, No. 48.

(2) This Act is hereby declared to be a reserved enactment for the purposes of section nine of the Samoa Amendment Act, 1947. 40