



THE LAWS OF THE

GILBERT ISLANDS

Ordinances and Subsidiary Legislation thereunder

enacted before
THE 1st DAY OF JANUARY 1977

together with certain Orders in Council and other Provisions relating to the Gilbert Islands

REVISED EDITION 1977

Prepared under Statutory Authority by

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(of Gray's Inn, Barrister)

IN 3 VOLUMES

VOLUME I

1979

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FOREWORD

The Gilbert Group of Islands was proclaimed a British Protectorate on 27th May 1892. By the Gilbert and Ellice Islands Order in Council 1915, which came into operation on 12th January 1916, the Gilbert Group and the Ellice Group of Islands were, in accordance with the desire of the Native Governments of those Islands, annexed to and together formed part of the British Dominions under the name of the Gilbert and Ellice Islands Colony. From time to time other Islands were added to the Colony.

On 1st October 1975 the Ellice Islands separated from the Colony and were established as a separate colony known as Tuvalu. Since then the Gilbert and Ellice Islands Colony has been known as the Gilbert Islands.

The Laws of the Gilbert Islands date from 1893 and have been previously consolidated in the Revised Editions of the Laws of the Gilbert and Ellice Islands of 1952 and 1973. This present Revised Edition, which is in 3 volumes, has been prepared in accordance with the Revised Edition of the Laws Ordinance (Cap. 92). It contains the Ordinances enacted before 1st January 1977 and several enacted after, full use having been made of the Law Revision Commissioner's power to include subsequent enactments.

There have been omitted the Ordinances and subsidiary legislation set out in the Schedule to the said Ordinance. The omitted provisions remain in force until they are repealed, revoked or replaced or become spent.

After the Ordinances there is a Supplement containing extracts from, and notes on, various United Kingdom enactments and orders of special interest, together with subsidiary legislation enacted under them in the Gilbert Islands.

This Revised Edition is in loose-leaf form, permitting it to be updated periodically as provided by the Revised Edition of the Laws Ordinance.

On 12th July 1979 the Gilbert Islands became a sovereign democratic Republic under the name of Kiribati.

APPOINTMENT OF COMMISSIONER

Legal Notice No. 31 of 1977

REVISED EDITION OF THE LAWS ORDINANCE

(No. 21 of 1976)

IN exercise of the powers conferred on me by section 3 of the Revised Edition of the Laws Ordinance 1976, I hereby appoint BASIL GERRARD SMITH a Commissioner to prepare a Revised Edition of the Laws.

JOHN SMITH Governor

Dated this 7th day of March 1977

Published by exhibition at the Public Office of

Published by exhibition at the Public Office of the Governor this 7th day of March 1977.

ETERA M. TEANGANA for Secretary to the Chief Minister

NOTE. The Revised Edition of the Laws Ordinance is Chapter 92 of this Edition.

CHRONOLOGICAL TABLE OF KING'S REGULATIONS AND ORDINANCES

(a) Laws of the Gilbert and Ellice Islands

Year ar Numbe		How repealed or otherwise dealt with
1893 1 2	Prohibiting sale of arms, ammur explosives Relates to Samoa only	ition and Repealed by 3 of 1893
3 4 5	Arms Liquor Gilberts	Repealed by 2 of 1941 Repealed by 8 of 1916 Repealed by 3 of 1903
1894. 1 2 3	Gilberts (Amendment) Gilberts (Revenue) Relates to Tuvalu only	Repealed by 3 of 1903 Repealed by 3 of 1903
1895 1 2	Relates to Samoa only Relates to Samoa only	
1896 1 2 3 4	Births, Deaths and Marriages Native Contracts Small Islands Native Lands Relates to British Solomon Islan	Repealed by 8 of 1967 Repealed by 9 of 1949 Repealed by 5 of 1914
1897 1 2 3 4 5 6 7 8	Relates to British Solomon Islan Relates to Samoa only Relates to British Solomon Islan Relates to British Solomon Islan Relates to British Solomon Islan Bills of Sale Relates to British Solomon Islan Liquor Gilberts (Revenue) (Amendmen	nds only nds only nds only Now Cap. 4 nds only Repealed by 3 of 1908
1898 1 2	Relates to British Solomon Islan Liquor (Prohibition)	nds only Repealed by 3 of 1908
1900 1 2 3	Native Passengers Guano Relates to British Solomon Islan	Repealed by 3 of 1908 Repealed by 3 of 1908 ads only
1901 1 2	Relates to British Solomon Islan Dogs	nds only Repealed by 3 of 1908

Year an Numbe		How repealed or otherwise dealt with
1 902 1 2	Ocean Island, Application of Regulations Relates to British Solomon Islands only	Specifically omitted
1903 1 2 3 4	Ocean Island, Sale of Land Relates to New Hebrides only Protectorates Relates to British Solomon Islands only	Omitted. Validating Repealed by 3 of 1908
1904 1 2 3	Relates to British Solomon Islands only Relates to British Solomon Islands only Protectorates	Repealed by 3 of 1908
1905 1 2 3 4 5	Fisheries Fanning Island Volunteer Reserve Relates to British Solomon Islands only Fisheries (Amendment) Relates to British Solomon Islands only	Repealed by 3 of 1908 Repealed by 1 of 1906 Repealed by 3 of 1908
1906 1 2	Fanning Island Volunteer Reserve Relates to British Solomon Islands only	Repealed by 5 of 1918
1907 1 2 3 4 5	Relates to British Solomon Islands only Relates to British Solomon Islands only Definition (Native) Relates to British Solomon Islands only Wireless Telegraphy	Repealed by 4 of 1921 Repealed by 9 of 1912
1908 1 2 3	Relates to British Solomon Islands only Proprietorship of Fanning and Washington Islands Consolidation	Specifically omitted Repealed by 17 of 1917
1909 1 2 3 4 5 6 7	Ocean Island Volunteer Reserve Ocean Island Merchant Shipping Merchant Shipping Fees Relates to British Solomon Islands only Distillation Quarantine Relates to Union Islands only	Repealed by 10 of 1917 Repealed by 5 of 1913 Repealed by 4 of 1912 Repealed by 2 of 1961 Repealed by 8 of 1929
1910 1 2 3 4 5	Taxation (Amendment) Import Duties Relates to British Solomon Islands only Relates to British Solomon Islands only Relates to British Solomon Islands only	Repealed by 4 of 1913 Repealed by 6 of 1916

Year an Numbe		How repealed or otherwise dealt with
1911 1	Intestate Estates	Repealed by 3 of 1912
2 3 4 5	Relates to British Solomon Islands only Relates to British Solomon Islands only Relates to British Solomon Islands only Plants	Repealed by 5 of 1929
6 7 8 9	Relates to British Solomon Islands only Relates to British Solomon Islands only Leases Relates to British Solomon Islands only	Repealed by 17 of 1917
10 11 12 13	Merchant Shipping (Fees) (Amendment) Relates to British Solomon Islands only Relates to British Solomon Islands only Relates to British Solomon Islands only	Repealed by 4 of 1912
1912	Relates to New Hebrides only	
2 3	Customs Intestate Estates	Repealed by 11 of 1963 Omitted. Although not formally repealed the provisions of this Regulation have in effect been replaced by those of the B.S.I. and G. & E.I. (Probate and Administration) Order in Council 1914: See S. III
4 5	Merchant Shipping (Fees) Relates to New Hebrides only	Repealed by 5 of 1913
6 7	Native Laws Taxation (Amendment)	Repealed by 2 of 1917 Repealed by 13 of 1915
8 9 10	Relates to British Solomon Islands only Wireless Telegraphy Relates to British Solomon Islands only	Repealed by 5 of 1926
11	Ocean Island Labour	Repealed by 1 of 1915
1913 1 2 3 4 5 6 7 8 9	Relates to New Hebrides only Opium Quarantine (Amendment) Taxation (Amendment) Merchant Shipping (Fees) Sale of Food Relates to Tonga only Birds Relates to British Solomon Islands only	Repealed by 8 of 1927 Repealed by 8 of 1929 Repealed by 17 of 1917 Now Cap. 57 Now incorporated in Cap. 84 Repealed by 6 of 1914
1914 1 2 3	Copyright Relates to British Solomon Islands only Relates to British Solomon Islands only	Repealed by 4 of 1917
4 5 6 7	Commissions of Inquiry Small Islands Native Lands Repeal Wild Birds Relates to British Solomon Islands only	Now Cap. 10 Had effect Repealed by 2 of 1975

Number	Year and Number Subject Matter		How repealed or otherwise dealt with
1914-contd.			
8	Liquor (Amendment)	Repealed by 8 of 1916
9	Relates to New Hebi		repeated by a or 1910
10	Companies Registrat		Repealed by 17 of 1915
1915			
1	Labour		Repealed by 6 of 1951
2	Taxation (Amendme		Repealed by 13 of 1915
3	Relates to British So Relates to British So		
5	Relates to British So		
6	Relates to British So		
7	Aliens Restriction	,	Repealed by 2 of 1924
8	Relates to British So		
9	Relates to British So		
10	Relates to British So	olomon Islands only	Papalad by 16 of 1017
11 12	Registration Fees Bills of Sale Registra	etion (Amendment)	Repealed by 16 of 1917 Incorporated in Cap. 4
13	Taxation (Amendme		Repealed by 15 of 1917
14	Letters Prohibition		Repealed by 2 of 1924
15	Customs (Amendme	nt)	Repealed by 11 of 1963
16	Relates to British So		
17	Companies Registrat	tion	Now Cap. 11
1916			
1	Export and Import O	Control	Repealed by 2 of 1924
2	Foreign Marriages		Repealed by 8 of 1967
3	Patent		Repealed by 3 of 1924
4	Gaol and Prisons		Repealed by 12 of 1952
5	Trading with the End Import Duties (Ame		Repealed by 2 of 1924 Repealed by 3 of 1923
7	Quarantine (Amend		Repealed by 8 of 1929
8	Liquor	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Repealed by 2 of 1961
9	Constabulary		Repealed by 11 of 1955
10	Weights and Measur		Repealed by 2 of 1971
11	Import Duties (No. 1		Repealed by 3 of 1923
12	Marriages	sters for Celebrating	Repealed by 8 of 1967
1917			
1	Marriage of British S	Subjects (Facilities)	Repealed by 8 of 1967
2	Native Laws		Repealed by 4 of 1941
3		Islands Volunteer Reserve	Repealed by 5 of 1918
4	Copyright	americand Evenant of	Now Cap. 16
5	Trading with the En- Prohibited Goods		Repealed by 2 of 1924
6	Quarantine (Amend	ment)	Repealed by 8 of 1929
7 8	Public Holidays Alien Enemy Trade	Disposal	Repealed by 5 of 1937 Repealed by 4 of 1926
9	Cinematograph	Dispusai	Repealed by 4 of 1926 Repealed by 2 of 1956
10	Ocean Island Defen	ce Force	Repealed by 6 of 1947
11	Labour (Amendmen		Repealed by 6 of 1951
12	Public Holidays (La		Repealed by 5 of 1937

Year an Numbe		How repealed or otherwise dealt with		
1917 –contd.				
13	Fanning and Ocean Islands Volunteer (Relief)	Repealed by 5 of 1918		
14 15	Additional Revenue Licenses	Repealed by 3 of 1970 Specifically omitted		
16	Native Lands	Repealed by 4 of 1940		
17	Consolidation	Repealed by 7 of 1963		
17	Consolidation	repealed by 1 of 1900		
1918				
1	Native Practitioners	Repealed by 5 of 1930		
2	Alien Enemy Trade Disposal (Amendment)			
3	Seaman Discipline	Repealed by 9 of 1971		
4	Copyright (Amendment)	Incorporated in Cap. 16		
5	Fanning Island Defence Force	Repealed by 5 of 1947		
6	Capitation Tax (Amendment)	Repealed by 5 of 1920		
7	Seaman Discipline (Admiralty Transport)	Repealed by 9 of 1971		
8	(Amendment) Fanning Island Defence Force (Validation)	Had effect		
O	Taining Island Defence Porce (Vandation)	Trad Chect		
1919				
1	Native Lands (Amendment)	Repealed by 4 of 1940		
2	Interpretation	Repealed by 13 of 1955		
3	Importation of Dogs	Incorporated in Cap. 43		
4	Former Enemy Aliens	Repealed by 2 of 1924		
5	Native Lands	Repealed by 8 of 1922		
6	Licences (Amendment)	Repealed by 4 of 1920		
7	Former Enemy Aliens (Amendment)	Repealed by 3 of 1921		
8	Denaturalization Former Enemy Aliens Deportation	Repealed by 2 of 1921 Repealed by 2 of 1924		
7	Tornier Eliciny Aliens Deportation	Repealed by 2 of 1724		
1920				
1	Loan	Had effect		
2	Exports and Imports	Had effect		
3	Treaty of Peace Order	Had effect		
4	Licences (Amendment)	Specifically omitted		
5	Consolidation (Amendment)	Repealed by 7 of 1963		
6	Exports and Imports (Amendment)	Had effect		
1921				
1	Treaty of Peace Order (Amendment)	Had effect		
2	Denaturalization (Repeal)	Had effect		
3	Former Enemy Aliens (Definition)	Repealed by 2 of 1924		
4	Native Status	Repealed by 2 of 1941		
5	Census	Had effect		
6	Treaty of Peace (Bulgaria)	Had effect		
7	Treaty of Peace (Austria)	Had effect		
8	Maintenance Orders (Facilities)	Repealed by 12 of 1921		
9	Native Laws (Bastardy)	Repealed by 4 of 1941		
10	Treaty of Peace Order (Amendment) (No. 2			
11	Fanning Island Laws	Repealed by 3 of 1951		
12 13	Maintenance Orders (Facilities)	Now incorporated in Cap. 53		
13	Native Laws (Divorce)	Repealed by 4 of 1941		

Year and		How repealed or otherwise dealt with
1922 1 2 3 4 5 6 7 8 9	Treaty of Peace (Amendment) (No. 2) Treaty of Peace (Austria) (No. 2) Treaty of Peace (Bulgaria) (No. 2) Fanning Island District Laws Reciprocal Enforcement of Judgments Treaty of Peace Order (Hungary) Additional Revenue (Amendment) Native Lands Labour (Amendment)	Had effect Had effect Had effect Repealed by 3 of 1951 Repealed by 13 of 1972 Had effect Had effect Repealed by 5 of 1956 Repealed by 6 of 1951
1923 1 2 3 4 5 6 7	Landowners Taxation Native Laws (Amendment) Import Duties (Amendment) Repeal Customs (Amendment) Employees Control Constabulary (Amendment) Gaol and Prisons (Amendment)	Repealed by 19 of 1952 Repealed by 4 of 1941 Had effect Repealed by 11 of 1963 Repealed by 9 of 1929 Repealed by 11 of 1955 Repealed by 12 of 1952
1924 1 2 3 4 5 6 7	Customs (Amendment) Repeal of War Legislation Registration of U.K. Patents Fanning Island Ltd., Exemption Indemnity Alien Immigration Restriction Death and Fire Inquiries	Repealed by 11 of 1963 Had effect Now Cap. 87 Had effect Omitted Repealed by 5 of 1927 Now Cap. 24
1925 1 2	Consolidation (Amendment) Commissions of Inquiry (Amendment)	Repealed by 7 of 1963 Incorporated in Cap. 10
1926 1 2 3 4 5 6 7 8	Carriage of Goods by Sea Employees Control (Amendment) Deceased Public Officer's Salary Repeal of War Legislation Wireless Telegraphy Licences, Vessels (Amendment) Promissory Oaths Public Health	Now Cap. 7 Repealed by 9 of 1929 Repealed by 10 of 1929 Had effect Repealed by 7 of 1939 Specifically omitted Repealed by 5 of 1964 Now Cap. 80
1927 1 2 3 4 5 6 7 8	Explosives Native Lands (Amendment) Oaths Lepers Passports Lunatic Asylum (now Mental Treatment) Licences (Amendment) Drugs and Poisons	Now Cap. 32 Repealed by 1 of 1935 Repealed by 5 of 1964 Repealed by 20 of 1976 Repealed by 10 of 1968 Now Cap. 56 Specifically omitted Repealed by 6 of 1948

Year and Number		How repealed or otherwise dealt with
2 3	Native Lands (Amendment) Vaccination Native Laws (Divorce) Mining	Repealed by 4 of 1940 Specifically omitted Repealed by 4 of 1941 Specifically omitted
2 3 4 5 6 7 8 9	Native Passengers Summary Conviction Offences Dogs Labour (Amendment) Plants Maintenance Orders (Facilities) (Amendment) Labour (Amendment) Quarantine Employees Control Pensions	Repealed by 6 of 1957 Repealed by 7 of 1965 Specifically omitted Repealed by 6 of 1951 Repealed by 8 of 1976 Incorporated in Cap. 53 Repealed by 6 of 1951 Now Cap. 85 Repealed by 6 of 1951 Repealed by 3 of 1941
2 3 4	Native Laws (Amendment) Powell Marriage Validation Christmas Island (Exemption) Coastal Traffic Native Medical Practitioners	Repealed by 4 of 1941 Omitted Had effect Repealed by 9 of 1940 Repealed by 3 of 1964
1931 1 2 3 4 5	Census Quarantine (Amendment) Drugs and Poisons (Amendment) Customs (Amendment) Employment of Women, Young Persons and Children	Had effect Incorporated in Cap. 85 Repealed by 6 of 1948 Repealed by 11 of 1963 Repealed by 6 of 1951
1932 1 2 3 4 5 6 7 8	Native Labour (Amendment) Pensions (Amendment) Native Medical Practitioners (Amendment) Customs (Simplification of Formalities) Red Cross, Restriction on Trade Use Registration of U.K. Patents (Amendment) Christmas Island, Customs Exemption Minimum Wage	Repealed by 6 of 1951 Repealed by 3 of 1941 Repealed by 3 of 1964 Repealed by 11 of 1963 Repealed by 9 of 1938 Repealed by 2 of 1933 Had effect Repealed by 6 of 1951
1933 1 2 3 4	Forced Labour Registration of U.K. Patents (Amendment) Customs (Amendment) Labour (Amendment)	Repealed by 6 of 1951 Incorporated in Cap. 87 Repealed by 11 of 1963 Repealed by 4 of 1934
1934 1 2	Labour (Amendment) Customs Duties	Repealed by 6 of 1951 Repealed by 11 of 1963

Year ar	d	How repealed or
Numbe	r Subject Matter	otherwise dealt with
1934 - <i>c</i>		
3	British Phosphate Commission (Payment of Revenue)	Repealed by 7 of 1938
4	Labour (Amendment)	Repealed by 6 of 1951
5	Importation of Textiles (Quotas)	Repealed by 11 of 1963
6	British Phosphate Commission (Payment of Revenue) (Amendment)	Repealed by 7 of 1938
1935		
1	Native Lands (Amendment)	Repealed by 5 of 1956
1936		
1	Native Passengers (Amendment)	Repealed by 6 of 1957
2	Closed Districts	Now Cap. 9
3	Licences (Amendment)	Specifically omitted
1937		
1	Currency	Incorporated in Cap. 20
2	U.K. Designs Protection	Now Cap. 99
3	Customs Duties (Amendment)	Repealed by 11 of 1963
4	Fanning Island (Cable and Wireless) Exemption	Spent
5	Public Holidays	Now Cap. 81
6	Christmas Island, Exemption from Taxation (Amendment)	Had effect
7	Customs Officers (Validation)	Omitted
8	Currency (Amendment)	Incorporated in Cap. 20
9	Mining (Amendment)	Specifically omitted
1938		
1	Importation of Textiles (Quotas) (Amendment	Renealed by 11 of 1063
2	John Williams V (Commutation of Import Duties)	Spent Spent
3	Weights and Measures (Amendment)	Repealed by 2 of 1971
4	Customs Duties (Amendment)	Repealed by 11 of 1963
5	Phoenix Island, Exemption from Tax	Had effect
6	Wild Birds Protection (Amendment)	Repealed by 2 of 1975
7	British Phosphate Commission, Tax	Had effect
8	Christmas Island, Exemption from Tax	Had effect
9	Red Cross, Restriction on Trade Use	Had effect
10	Interpretation (Amendment)	Repealed by 13 of 1955
11	Post Office	Repealed by 1 of 1977
1939		
1	Licences (Amendment)	Specifically omitted
2	Lighting Control	Repealed by 7 of 1947
3	Registration of U.K. Trade Marks	Now Cap. 88
4	Fanning Island Defence Force (Amendment)	Repealed by 15 of 1940
5	Ocean Island Defence Force (Amendment)	Repealed by 14 of 1940
6	Trading with the Enemy	Specifically omitted
7	Wireless Telegraphy	Specifically omitted
8	Licences (Amendment)	Specifically omitted

Year and Number		How repealed or otherwise dealt with
	Subject Mutter	Onter was weath with
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Employees Control (Repatriation) Native Lands (Amendment) Native Lands Codes Native Lands (Leases) Native Passengers (Amendment) Quarantine (Amendment) Sedition Pure Food Coastal Traffic (Repeal) Trading with the Enemy (Amendment) Trading with the Enemy (Amendment) (No. 2) Administration of Estates by Consular Officers Wireless Telegraphy (Amendment) Ocean Island Defence Force (Amendment) Fanning Island Defence Force (Amendment) Native Co-operative Societies Sales Tax Trading with the Enemy (Amendment) (No. 3)	Repealed by 5 of 1951 Specifically omitted Repealed by 6 of 1947 Repealed by 5 of 1947 Repealed by 9 of 1951 Repealed by 4 of 1947
2 3 4 5 6 7 8	Consumption of Sour Toddy Native Status Pensions Native Governments Sales Tax (Suspension) British Phosphate Commission Tax Income Tax Trading with the Enemy (Amendment) Ocean Island Defence Force (Amendment)	Repealed by 13 of 1963 Specifically omitted Specifically omitted Repealed by 9 of 1971 Had effect Had effect Repealed by 14 of 1947 Specifically omitted Repealed by 6 of 1947
2 3 4 5 6	Fanning Island Defence Force (Amendment) Constabulary (Amendment) Edward Ward Harness, Pension Percy Lloyd George Sinclair, Pension Gordon Jack Webster, Pension Religious Bodies Registration British Phosphate Commission Tax (Suspension)	Repealed by 5 of 1947 Repealed by 11 of 1955 Omitted Omitted Omitted Repealed by 3 of 1947 Had effect
1943 1 2 3	Income Tax (Amendment) Gaol and Prisons (Amendment) Rent (Relief)	Repealed by 14 of 1947 Repealed by 12 of 1952 Repealed by 13 of 1972
	Military Units Pensions (Amendment)	Spent Specifically omitted
1945 1 2	Marriage Validation Trading with the Enemy (Amendment)	Omitted Specifically omitted