

LAWS OF THE GILBERT ISLANDS
REVISED EDITION 1977

CHAPTER 77

PROHIBITED AREAS

ARRANGEMENT OF SECTIONS

Section

1. Short title
2. Interpretation
3. Notices relating to prohibited areas
4. No unauthorised person to be in a prohibited area
5. Authority for removals from a prohibited area
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An Ordinance to provide for certain islands and their territorial waters to be declared prohibited areas

1 of 1957
8 of 1968
(Cap. 76 of
1973)

Commencement: 22nd March 1957 26 of 1977

1. This Ordinance may be cited as the Prohibited Areas Ordinance. Short title
2. In this Ordinance "territorial waters" means that part of the sea adjacent to the coast of any island in the Gilbert Islands which is within 3 geographical miles measured from low-water mark of the seaward side of the reef fronting such coast or bounding any lagoon waters adjacent to such coast or, when a reef is not present, from the low-water mark of the coast itself. Interpreta-
tion
3. (1) The Governor may by notice declare any island within the Gilbert Islands and its territorial waters to be a prohibited area. Notices
relating to
prohibited
areas
 - (2) The Governor may by subsequent notice declare that any such island and its territorial waters shall cease to be a prohibited area.
 - (3) A declaration under subsection (2) shall be without prejudice to any proceedings in respect of any offence against this Ordinance committed prior to the date of such declaration and

such proceedings may be instituted, continued and enforced and such penalty imposed as if the island and its territorial waters were still a prohibited area.

No un-
authorised
person to be
in a
prohibited
area

4. No person shall remain in or enter into or attempt to enter into any prohibited area without the authority in writing of the Governor or of any person to whom he may have delegated in writing his authority under this section.

Authority for
removals
from a
prohibited
area

5. Any administrative officer or any police officer above the rank of assistant inspector or any officer holding Her Majesty's commission in the Navy, Army or Air Force may remove with such force as may reasonably be necessary any person whom he has reasonable grounds for believing has remained in or entered into or is attempting to enter into a prohibited area without authority and, if necessary, detain such person in custody until such time as he can be brought before a magistrates' court to be dealt with according to law.

Offences

6. Any person who shall remain in or enter or attempt to enter a prohibited area without authority shall be liable to a fine of \$50 and to imprisonment for 3 months.

[Subsidiary]

SUBSIDIARY LEGISLATION

Declarations of prohibited areas under section 3 (1)

Each of the following islands and its territorial waters has been declared a prohibited area—

L.N. 46/72

Birnie Island
Canton Island
Enderbury Island
Hull Island.

Section 4 (1977, S.4)

Omit from paragraph (b) "the Governor", substitute "the Government".

Section 11 (1977, S.11)

Omit "the Governor in Council", substitute "the Beretitenti, acting in accordance with the advice of the Cabinet,".

CAP.76 – PROHIBITED AREAS
(CAP.77 OF 1977)

Prohibited Areas Ordinance

Note – These amendments are replaced in Schedule 3

Section 3 (1977, S.3)

Omit from subsection (1) "the Governor in Council", substitute "Subject to section 14 of the Constitution and for a reason set out in subsection (3)(b) of that section, the Beretitenti, acting in accordance with the advice of the Cabinet,".

Omit from subsection (2) "the Governor in Council", substitute "the Beretitenti, acting in accordance with the advice of the Cabinet,".

Section 5 (1977, S.5)

Omit "or any officer holding Her Majesty's commission in the Navy, Army or Air Force".

CAP.77 – IMMIGRATION
(CAP.41 OF 1977)

Immigration Ordinance

Section 2 (1977, S.2)

Omit the definition "British subject".

Omit from the definition "passport" the words "Her Majesty's Government in the United Kingdom" (first occurring), substitute "the Republic".