

THE REPUBLIC OF KIRIBATI
(No. 5 of 1988)

I assent,

N. Taba
Beretitenti,
2/6/1988

AN ACT TO PROVIDE FOR THE TRANSFER OF THE ASSETS AND
LIABILITIES OF TELECOMMUNICATIONS DIVISION OF
MINISTRY OF TRANSPORT AND COMMUNICATIONS TO
TELECOM KIRIBATI LTD AND FOR CONNECTED PURPOSES

Commencement:
2/6/1988

MADE by the Maneaba ni Maungatabu and assented to by the
Beretitenti.

Short title	1. This Act may be cited as the Telecom Kiribati Ltd (Special Provisions) Act 1988.
Commencement	2. This Act shall be deemed to have come into force on 1st January 1988.
Interpre- tation	3. In this Act, unless the context otherwise requires - "liability" includes liabilities of every kind and obligations of every kind, whether arising under or by virtue of an instrument or otherwise and whether liquidated or unliquidated, certain or contingent, accrued or accruing; "Telecommunication Division" means the division, department or agency of the Government trading under the name and style "Telecom Kiribati" responsible for the provision of Telecommunication services in and for Kiribati; "property" includes properties of every kind whether tangible or intangible, real or personal, corporeal or incorporeal and without limiting the generality of the foregoing, includes - (a) choses in action; and (b) rights, interests and claims of every kind whether arising under or by virtue of an instrument or otherwise and whether liquidated or unliquidated, certain or contingent, accrued or accruing.

Transfer and vesting of assets in Telecom Kiribati Ltd

Transfer of liabilities of Telecommunications Division

4. All properties, assets and monies in the possession of the Telecommunications Division and used or applied in the operations of the Telecommunications Division immediately prior to the commencement of this Act are hereby transferred to, and vested in, Telecom Kiribati Ltd.

5. All liabilities of the Telecommunications Division immediately prior to the commencement of this Act are hereby transferred to, and vested in, Telecom Kiribati Ltd.

This printed impression has been carefully examined by me with the Bill which passed the Maneaba ni Maungatabu on 23rd May, 1988 and is found by me to be a true and correctly printed copy of the said Bill.

[Signature]
.....
Clerk to the Maneaba ni Maungatabu

I certify that the above Act was on the 23rd day of May, 1988 passed by the Maneaba ni Maungatabu on a certificate of urgency under section 68(3)(a) of the Constitution.

[Signature]
.....
Speaker

Published by exhibition -

(a) at the Public Office of the Beretitenti on the 2nd day of June, 1988.

[Signature]
.....
Secretary to the Cabinet

(b) at the Maneaba ni Maungatabu on the 7th day of June, 1988.

[Signature]
.....
Clerk to the Maneaba ni Maungatabu.

TELECOM KIRIBATI LTD (SPECIAL PROVISIONS) ACT 1988

EXPLANATORY MEMORANDUM

This Act seeks to transfer the assets and liabilities of the Telecommunications Division of the Ministry of Transport and Communications known as "Telecom Kiribati" to the newly established Telecom Kiribati Ltd.

The said Telecom Kiribati Ltd was incorporated on 16th December, 1987 as a wholly-owned Government private limited liability company. The objects of the company are stated as "unrestricted and initially the company will carry on the business of the supply of telecommunication services for the Republic of Kiribati." In other words, the new company will take over, among other things, the business presently being carried on by Telecom Kiribati.

In view of the fact that the assets and liabilities of the said Telecom Kiribati form part of and are a charge on the Consolidated Fund, it is necessary that the approval of the Maneaba ni Maungatabu should be obtained before the said transfer.

The transfer will also enable the newly formed Telecom Kiribati Ltd to start off on a sound footing.

Sections 4 and 5 of the Act seek to achieve the purposes outlined above.

Michael N. Takabwe
The Attorney General
29 February 1988

LEGAL REPORT

I hereby certify that in my opinion none of the provisions of the above Act conflict with the Constitution and that the Bereitenti may properly assent to the Act.

Michael N. Takabwe
The Attorney General
23 May 1988.

LEGAL REPORT

I hereby certify that in my opinion none of the provisions of the above Act conflict with the Constitution and that the Beretitenti may properly assent to the Act.

Michael N. Takabwebwe
The Attorney General
2 June 1988