

# Telecom Kiribati Ltd (Special Provisions) Act 1988

THE REPUBLIC OF KIRIBATI

(No. 5 of 1988)

I assent,

I. Tabai

Beretitenti.  
2/6/88

## 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: 02/06/1988

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.

### Interpretation

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**

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.

### **Transfer of liabilities of Telecommunications Division**

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.

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## **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.

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

Michael N. Takabwebwe  
Attorney General  
29 February 1988