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Republic of Kiribati
(No. 8 of 2013)



I assent,

Andō Tung
Beretitenti
13 Sept, 2013

AN ACT TO AMEND THE CONSTITUTION OF KIRIBATI

Commencement:
2013

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

1. Short title

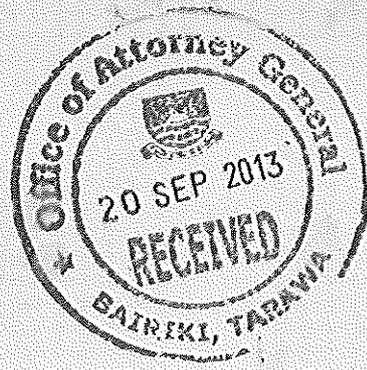
This Act may be cited as the Constitution (Amendment) Act 2013.

2. Amendment of Section 40

Section 40 of the Constitution as amended by the Constitution (Amendment) Act (No. 1) 1995 is further amended by repealing the word “ten” and substituting the word “eleven”.

3. Amendment of Section 76

Section 76 of the Constitution is amended by repealing subsection (2).



EXPLANATORY MEMORANDUM

In 1995, the Constitution was amended for the first time since it was adopted in 1979 upon achieving Independence. And the amendments made was, among other things, in respect of section 40 to increase the number of the members of Cabinet from eleven to thirteen. That was achieved by increasing the number of Ministers from eight to ten, the Beretitenti, Te Kauoman ni Beretitenti and the Attorney General makes up the total of thirteen.

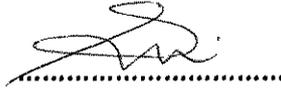
The new amendment at section 2 of the Act is to further amend section 40 to increase that number by one, totalling fourteen in all the number of members of the Cabinet.

Section 3 of the Act amends section 76 of the Constitution by repealing subsection (2) which confers onto the members of the Maneaba immunity from civil and criminal proceedings for words spoken before, or written in a report to, the Maneaba or a committee of the Maneaba, or by reason of any matter or thing brought by them in the Maneaba or in a committee of the Maneaba. This privilege has been consistently abused by the members themselves, mostly at the meetings of the Maneaba, by making derogatory, abusive, inaccurate, unsubstantiated, scandalous and defamatory remarks not only against their fellow members but to certain members of the public, who cannot by law, take part in the proceedings of the Maneaba. The amendment will act as a reminder to the members of their role as leaders to be responsible for their actions arising of the words spoken or used in the Maneaba or in a committee of the Maneaba and the effect that may have on those that elect them into office.

Titabu Tabane
Attorney General
February 2012

CERTIFICATE OF THE CLERK OF THE MANEABA NI MAUNGATABU

This printed impression has been carefully examined by me with the Bill which passed the Maneaba ni Maungatabu on the 20th August 2013 and is found by me to be a true and correctly printed copy of the said Bill.



Eni Tekanene
Clerk of the Maneaba ni Maungatabu

CERTIFICATE OF THE SPEAKER OF THE MANEABA NI MAUNGATABU

I certify that the above Bill, was on the 20th August 2013 passed by the Maneaba ni Maungatabu in accordance with section 69(2) of the Constitution.



Hon. Taomatluta
Speaker of the Maneaba ni Maungatabu

Published by exhibition at the Maneaba ni Maungatabu this ..13... day of September 2013.



Eni Tekanene
Clerk of the Maneaba ni Maungatabu