



Commonwealth Development Corporation Act 1978

1978 CHAPTER 2

Supplemental

17 Interpretation.

(1) In this Act—

“the Corporation” means the Commonwealth Development Corporation;

“dependent territory” means, subject to subsection (2) below, any territory outside the British Islands for whose external relations Her Majesty’s Government in the United Kingdom are responsible at the commencement of this Act, . . . ^{F1};

“the Minister” (except in a reference to a specified Minister) means the [^{F2}Secretary of State];

“new Commonwealth country” means any overseas country within the Commonwealth which is not a dependent territory, and which had not become an independent sovereign country before 11th February 1948 and is not a territory administered by the government of such an independent sovereign country; . . . ^{F3}

“overseas country” means any country or territory outside the United Kingdom [^{F4}and

“subsidiary” and “wholly-owned subsidiary” shall be construed in accordance with section 736 of the Companies Act 1985.]

(2) A territory which is a dependent territory, as defined in subsection (1) above, shall no longer be treated as being a dependent territory for the purposes of this Act—

- (a) if, and at the time when, it becomes an independent sovereign country, or
- (b) at any time when it forms part of an independent sovereign country or is administered by the government of any such country outside the United Kingdom.

(3) ^{F5}

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Commonwealth Development Corporation Act 1978, Cross Heading: Supplemental. (See end of Document for details)

Textual Amendments

- F1** Words repealed by [Zimbabwe Act 1979 \(c. 60, SIF 26:39\)](#), **Sch. 3**
- F2** Words substituted by virtue of [S.I. 1979/1451](#), **arts. 2(1), 4(3)**
- F3** Word repealed by [Commonwealth Development Corporation Act 1986 \(c. 25, SIF 88\)](#), **s. 1(7)**
- F4** Words inserted by [Commonwealth Development Corporation Act 1986 \(c. 25, SIF 88\)](#), **s. 1(7)**
- F5** [S. 17\(3\)](#) repealed by [New Hebrides Act 1980 \(c. 16, SIF 26:26A\)](#), **Sch. 2**

18 Repeals, savings and transitional provisions.

- (1) Subject to subsections (2) to (5) below, the enactments mentioned in the first and second columns of Schedule 2 to this Act are hereby repealed to the extent specified in the third column of that Schedule.
- (2) In so far as any instrument made, or any other thing done, under or by virtue of any enactment repealed by subsection (1) above could have been made or done under or by virtue of a corresponding enactment in this Act, it shall not be invalidated by the repeal effected by that subsection but shall have effect as if it had been made or done under or by virtue of that corresponding enactment.
- (3) In relation to an advance made before the commencement of this Act, and treated by virtue of subsection (2) above as if made under this Act, nothing in that subsection shall affect the calculation of the date on which expires the period of 7 years specified in section 13(1) above.
- (4) Any document referring to any enactment repealed by subsection (1) above shall, so far as may be necessary to preserve the effect of the document, be construed as referring or as including a reference to this Act or the corresponding enactment in this Act.
- (5) Nothing in this Act shall affect the powers of the Corporation—
 - (a) to continue to carry out or carry on any project, undertaking or activity which was being carried out or carried on immediately before the commencement of this Act by virtue of section 4(2) of the ^{M1}Overseas Resources Development Act 1959 (which validated certain projects, undertakings and activities begun before 31st December 1955); or
 - (b) to continue to carry out any agreement which was being carried out immediately before the commencement of this Act by virtue of section 5(2) of that Act (which validated certain agreements made before 2nd August 1956).
- (6) Nothing in this section shall prejudice the general application of [^{F6}sections 16(1) and 17(2)(a) of the ^{M2}Interpretation Act 1978] (which relates to repeals).

Textual Amendments

- F6** Words substituted by virtue of [Interpretation Act 1978 \(c. 30, SIF 115\)](#), **s. 25(2)**

Modifications etc. (not altering text)

- C1** The text of s. 18(1) and Sch. 2 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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Marginal Citations

M1 1959 c. 23.

M2 1978 c.30(115).

19 Short title, commencement and extent.

- (1) This Act may be cited as the Commonwealth Development Corporation Act 1978.
- (2) This Act shall come into force at the expiry of the period of one month beginning with the date on which it is passed.
- (3) This Act extends to Northern Ireland.

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Commonwealth Development Corporation Act 1978, Cross Heading: Supplemental.