

1970 No. 1682

## MINISTERS OF THE CROWN

**The Transfer of Functions (Overseas Aid) Order 1970***Laid before Parliament in draft**Made - - - - 11th November 1970**Coming into Operation 12th November 1970*

At the Court at Buckingham Palace, the 11th day of November 1970

Present,

The Queen's Most Excellent Majesty in Council

Whereas copies of the draft of this Order have been laid before Parliament in pursuance of section 3 of the Ministers of the Crown (Transfer of Functions) Act 1946(a), and each House has presented an Address to Her Majesty praying that the Order be made:

Now, therefore, Her Majesty, in pursuance of section 1 of the Ministers of the Crown (Transfer of Functions) Act 1946 and section 4 of the Ministers of the Crown Act 1964(b), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

*Citation, interpretation and commencement*

1.—(1) This Order may be cited as the Transfer of Functions (Overseas Aid) Order 1970.

(2) The Interpretation Act 1889(c) applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

(3) This Order shall come into operation on 12th November 1970.

*Dissolution of Ministry, and transfer of functions and property*

2.—(1) The Ministry of Overseas Development is hereby dissolved, and all functions of the Minister of Overseas Development are hereby transferred to the Secretary of State (or, if exercisable by the Minister and Secretary of State concurrently, shall cease to be exercisable by the Minister); and functions of the Minister under the instruments listed in Schedule 1 to this Order are transferred to the Secretary of State for Foreign and Commonwealth Affairs.

(a) 1946 c. 31.

(b) 1964 c. 98.

(c) 1889 c. 63.

(2) All property, rights and liabilities to which the Minister of Overseas Development is entitled or subject immediately before the coming into operation of this Order are hereby transferred to the Secretary of State for Foreign and Commonwealth Affairs or, in the case of land and interests in land and rights and liabilities in relation thereto, to the Secretary of State for the Environment.

*Supplemental*

3.—(1) In section 5 of the Gas and Electricity Act 1968(a), and in section 5(4) of the Development of Tourism Act 1969(b), the references to the Minister of Overseas Development shall have effect as references to the Secretary of State for the time being discharging the functions expressed to be conferred on that Minister by the Overseas Aid Act 1966(c).

(2) The enactments mentioned in Schedule 2 to this Order are hereby repealed to the extent specified in column 2 of the Schedule.

4.—(1) This Order shall not affect the validity of anything done by or in relation to the Minister of Overseas Development before the coming into operation of this Order; and anything which at the coming into operation of this Order is in process of being done by or in relation to that Minister may be continued by or in relation to the Secretary of State for Foreign and Commonwealth Affairs.

(2) Any authorisation given (by way of approval or otherwise), requirement imposed or appointment made by the Minister of Overseas Development, or having effect as if so given, imposed or made, shall, if in force at the coming into operation of this Order, have effect as if given, imposed or made by the Secretary of State for Foreign and Commonwealth Affairs, in so far as that is required for continuing its effect after the coming into operation of this Order.

(3) Subject to any express amendment or repeal made by this Order, any enactment, instrument or contract passed or made before the coming into operation of this Order shall have effect, so far as may be necessary for the purpose or in consequence of the transfers effected by this Order, as if any reference to the Minister of Overseas Development or to his department or an officer of his (including any reference which is to be construed as such a reference) were or included a reference to the Secretary of State or to his department or an officer of his, as the context may require.

(4) Documents or forms printed or duplicated for use in connection with any functions transferred by this Order may be so used notwithstanding that they contain references to the Minister of Overseas Development, and those references shall be construed as references to the Secretary of State for Foreign and Commonwealth Affairs; and similarly with references to the department or an officer of the Minister of Overseas Development.

(5) References in this Article to the Secretary of State for Foreign and Commonwealth Affairs shall be taken to include references to the Secretary of State for the Environment in relation to property, rights and liabilities transferred to him by Article 2(2) above.

*W. G. Agnew.*

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(a) 1968 c. 39.

(b) 1969 c. 51.

(c) 1966 c. 21.

## SCHEDULE 1

*List of instruments referred to in Article 2(1)*

1. The By-Laws set out in a Schedule to the Royal Charter dated the 1st November 1921, relating to the Cotton Research Corporation.
2. The Royal Charter dated the 1st April 1924, relating to the London School of Hygiene and Tropical Medicine.
3. The Royal Charter dated the 29th August 1939, relating to the Imperial Cancer Research Fund.
4. The Royal Charter dated the 31st March 1947, relating to the British Post-graduate Medical Federation.
5. The Royal Charter dated the 24th April 1956, relating to the Royal Veterinary College.
6. The Constitution of the Royal Commonwealth Society for the Blind.

## SCHEDULE 2

## REPEALS

<i>Act</i>	<i>Extent of Repeal</i>
The House of Commons Disqualification Act 1957 (c. 20)	In Schedule 2, as amended, the entries for the Minister of Overseas Development and for the Parliamentary Secretary to that Ministry.
The Ministers of the Crown Act 1964 (c. 98)	In section 1 the words "the Minister of Overseas Development and". In Schedule 2, in Part II, in the Schedule there set out, the entries for the Minister of Overseas Development and for the Parliamentary Secretary to that Ministry.
The Ministerial Salaries Consolidation Act 1965 (c. 58)	In Schedule 1 the entries for the Minister, and in relation to Parliamentary Secretaries Ministry, of Overseas Development.
The Parliamentary Commissioner Act 1967 (c. 13)	In Schedule 2 the entry for the Ministry of Overseas Development.
The Superannuation (Miscellaneous Provisions) Act 1967 (c. 28)	Section 12.

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order transfers to the Secretary of State for Foreign and Commonwealth Affairs all the functions of the Minister of Overseas Development. In connection with the above transfer of functions, the Order also provides for the dissolution of the Ministry of Overseas Development.

SI 1970/1682  
ISBN 0-11-001682-3



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