

CHAPTER 40.

An Act to make provision for promoting the development of the resources of colonies, protectorates, protected states and mandated territories and the welfare of their peoples, and for relieving colonial and other Governments from liability in respect of certain loans.

[17th July 1940.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

1.—(1) The Secretary of State, with the concurrence of the Treasury, may make schemes for any purpose likely to promote the development of the resources of any colony or the welfare of its people, and any sums required by the Secretary of State for the purpose of any such scheme shall be paid out of moneys provided by Parliament :

Schemes
for colonial
develop-
ment and
welfare.

Provided that, unless Parliament otherwise determines—

(a) the sums to be so paid for the purposes of any such schemes for promoting research or inquiry shall not in the aggregate exceed five hundred thousand pounds in any financial year; and

(b) the sums to be so paid for the purposes of any other such schemes shall not in the aggregate exceed five million pounds in any financial year, and no such other scheme shall continue in force after the thirty-first day of March nineteen hundred and fifty-one.

(2) Before making any scheme under this section as respects any colony, the Secretary of State—

(a) shall satisfy himself, in a case where the scheme provides for the payment of the whole or part of the cost of the execution of any works, that the law of the colony provides reasonable facilities for the establishment and activities of

trade unions, and that fair conditions of labour will be observed in the execution of the works and in particular—

(i) that the wages paid will be at not less than the rates recognised by employers and trade unions in the area where the works are to be executed or, if there are no rates so recognised, at rates approved by the person for the time being administering the government of the colony; and

(ii) that no children under such age as may be appropriate in the circumstances, but not in any case being less than fourteen years, will be employed on the works; and

(b) shall take into account the desirability of securing so far as possible that the colony shall participate in any increase in values directly attributable to the scheme.

(3) Any sums received by the Secretary of State by way of interest on or repayment of the principal of any loan made in pursuance of any scheme under this section shall be paid into the Exchequer.

(4) As soon as may be after the end of each financial year, the Secretary of State shall lay before Parliament a return containing particulars of the schemes made by him under this section.

(5) In this section the expression “ colony ” means a colony not possessing responsible government, and for the purposes of this section any British protectorate or protected state, and any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty and is being exercised by His Majesty’s Government in the United Kingdom, shall be treated as if it were a colony.

Winding up
of Colonial
Develop-
ment Fund.
20 & 21
Geo. 5. c. 5.

2.—(1) As from the commencement of this Act, section two of the Colonial Development Act, 1929, shall be repealed, and thereafter no payments shall be made under section one of that Act, except in respect of advances agreed to be made thereunder before the commencement of this Act.

(2) On the appointed day section one of the said Act shall be repealed and any payments required to be made thereafter in respect of any such advances as aforesaid

shall be treated as if they were required to be made in pursuance of a scheme under section one of this Act:

Provided that nothing in this subsection shall affect—

(a) the provisions of subsection (5) of the said section one (which relate to accounts of the Colonial Development Fund) in so far as they relate to the current or any previous financial year; or

(b) the provisions of subsection (8) of that section (which relate to the repayment of loans) in so far as they relate to loans made before the appointed day.

(3) Any moneys in the Colonial Development Fund on the appointed day shall be paid into the Exchequer.

(4) For the purposes of this section, the expression "the appointed day" means such day as the Treasury may by order appoint.

3.—(1) The outstanding amount of the principal of the loans made from time to time out of moneys provided by Parliament to the Governments of the countries specified in the first column of Part I of the Schedule to this Act for the purposes specified in the second column of that Part, amounting to the sums specified in the third column of that Part, shall be extinguished, and all arrears of interest thereon shall be remitted.

Relief in
respect of
certain
loans.

(2) The Treasury may agree, on such conditions as they think fit, to extinguish the outstanding amount of the principal (amounting to one million two hundred and fifty-five thousand and twenty-one pounds, fourteen shillings and two pence) of the sums which have been lent from time to time out of moneys provided by Parliament to the Government of Nyasaland for the purpose of enabling it to meet its liabilities arising out of the Trans-Zambesia Railway guarantee, and to remit all arrears of interest thereon.

(3) The schemes specified in the first column of Parts II and III of the said Schedule (being schemes made under the Colonial Development Act, 1929, for advancing by way of loan to the Governments of the countries specified in the second column of those Parts for the purposes specified in the third column of those Parts the sums specified in the fourth column of those

Parts) shall have effect subject to the following provisions—

(a) any portion of any such sum which has not been advanced before the commencement of this Act may be advanced—

(i) in the case of a scheme specified in the said Part II, as to the whole of the said portion; and

(ii) in the case of a scheme specified in the said Part III, as to one-half of the said portion;

by way of grant instead of by way of loan; and

(b) the principal of any portion of any such sum which has been advanced before the commencement of this Act shall—

(i) in the case of a scheme specified in the said Part II, as to so much of that portion as has not been repaid; and

(ii) in the case of a scheme specified in the said Part III, as to one-half of that portion;

be extinguished, and all arrears of interest on the principal so extinguished shall be remitted.

(4) The Secretary of State may, out of moneys provided by Parliament, advance by way of grant to the Governments of the countries specified in the first column of Part IV of the said Schedule, for the purposes specified in the second column of that Part, amounts not exceeding the balance remaining, after deduction of any loans made on account thereof before the commencement of this Act, of the sums specified in the third column of that Part (being sums which, by the estimates laid before Parliament for the current financial year, were proposed to be advanced by way of loan to those Governments for those purposes); and the principal of any loans made on account of those sums before the commencement of this Act shall be extinguished, and all arrears of interest thereon shall be remitted.

(5) For the purposes of this section, references to outstanding amounts shall be construed as references to amounts outstanding on the thirty-first day of March nineteen hundred and forty.

Short title.

4. This Act may be cited as the Colonial Development and Welfare Act, 1940.

SCHEDULE.

Section 3.

LOANS IN RESPECT OF WHICH RELIEF IS TO BE GIVEN.

PART I.

MISCELLANEOUS LOANS.

Country.	Purpose of Loan.	Amount of Principal of Loan outstanding.		
		£	s.	d.
Antigua -	In aid of expenses of administration	30,000	0	0
Bechuanaland Protectorate.	In aid of expenses of administration	221,000	0	0
British Guiana	In aid of expenses of administration	514,500	0	0
British Guiana	In aid of railway and steamer renewals.	35,000	0	0
British Guiana	For relief of unemployment - -	39,882	18	7
British Honduras	For road construction - - -	80,000	0	0
British Honduras.	In aid of expenses of administration	149,500	0	0
British Somaliland.	In aid of expenses of administration	236,000	0	0
Dominica -	In aid of expenses of administration	93,500	0	0
Dominica -	For relief of distress caused by hurricanes.	22,140	8	9
Dominica -	For development of resources -	6,750	0	0
Kenya (formerly East Africa Protectorate).	For construction of the Uganda Railway.	5,502,592	0	0
Montserrat -	In aid of expenses of administration and of the cost of repairing earthquake damage.	37,750	0	0
Swaziland -	In aid of expenses of administration	392,900	0	0
Swaziland -	For development and improvement of communications.	39,500	0	0
Tanganyika -	To meet deficits of the Territory and of its Railways, and to provide after the last war for certain repairs and restoration of damage.	1,075,508	0	0
Trans-Jordan -	To enable the Territory to meet its share of the Ottoman Public Debt.	124,098	8	3

PART II.

ADVANCES UNDER THE COLONIAL DEVELOPMENT ACT, 1929,
WHOLLY REMITTED.

Scheme No.	Country.	Purpose of Advance.	Amount of Advance authorised by Scheme.		
			£	s.	d.
420, 420A	Antigua-	Road construction and development.	19,962	0	0
363	Basutoland	Ecological survey	3,070	0	0
364	Basutoland	Purchase of fencing material.	640	0	0
72	Bechuanaland Protectorate.	Tsetse fly investigation	3,000	0	0
189	Bechuanaland Protectorate.	Public health schemes	4,000	0	0
307	Bechuanaland Protectorate.	Development of pork and bacon industry.	694	0	0
308	Bechuanaland Protectorate.	Development of poultry industry.	1,083	0	0
309	Bechuanaland Protectorate.	Installation of water supply for creamery.	500	0	0
310	Bechuanaland Protectorate.	Improvement of water supplies.	25,300	0	0
367	Bechuanaland Protectorate.	Karakul sheep industry	3,680	0	0
421	Bechuanaland Protectorate.	Survey of timber resources.	2,331	0	0
455	Bechuanaland Protectorate.	Development of waterways.	8,000	0	0
466	Bechuanaland Protectorate.	Development of water supplies.	114,000	0	0
32, 173, 173A, 173B, 235, 235A, 236, 237, 238, 327	British Guiana.	Construction and improvement of roads and bridges, including provision of lorries.	141,149	0	0
239, 239A, 239B.	British Guiana.	Geological survey	16,998	0	0
271, 271A	British Guiana.	Purchase of dredger	32,000	0	0
176, 391	British Honduras.	Drainage and reclamation scheme for Belize.	41,400	0	0
91, 241-	Dominica	Construction of roads and bridges.	31,150	0	0
340	Newfoundland	Fishery development	100,000	0	0
341, 399, 399A	Newfoundland	Construction of roads and bridges.	387,730	0	0

Scheme No.	Country.	Purpose of Advance.	Amount of Advance authorised by Scheme.		
			£	s.	d.
344 - -	Newfoundland	Beaver farms and game reserves.	4,500	0	0
346 - -	Newfoundland	Land settlement -	100,000	0	0
395 - -	St. Lucia -	Road construction -	8,169	0	0
26 - -	Swaziland -	Hospital buildings and equipment.	6,173	14	1
27 - -	Swaziland -	Buildings for clinics -	1,213	5	2
172, 172A -	Swaziland -	Concrete dam - -	178	7	4
191 - -	Swaziland -	Water conservation -	3,000	0	0
311 - -	Swaziland -	Improvement of native cattle and pastures.	6,760	0	0
312 - -	Swaziland -	Extension of Government hospital at Hlatikulu.	5,750	0	0
405 - -	Swaziland -	Cattle dipping tanks -	7,500	0	0
472 - -	Swaziland -	Development of water supplies.	16,000	0	0
473 - -	Swaziland -	Experimental farm -	9,500	0	0

PART III.

ADVANCES UNDER THE COLONIAL DEVELOPMENT ACT, 1929,
PARTLY REMITTED.

Scheme No.	Country.	Purpose of Advance.	Amount of Advance authorised by Scheme.		
			£	s.	d.
365 - -	Basutoland -	Erection of wool-classing sheds.	2,800	0	0
409 - -	Basutoland -	Combating soil erosion	160,233	0	0
366, 464 -	Bechuanaland Protectorate.	Construction of roads and bridges, including provision of machinery.	71,440	0	0
24, 369, 369A, 456, 456A, 468, 494.	Swaziland -	Construction of roads, bridges and culverts, including provision of plant and equipment.	45,337	3	3

PART IV.

LOANS PROPOSED BY CURRENT ESTIMATES.

Country.	Purpose of Loan.	Amount of Loan.
		£
Bechuanaland Protectorate.	In aid of expenses of administration	43,000
British Honduras.	For road construction - - -	7,500
Dominica -	In aid of expenses of administration	7,000
Montserrat -	In aid of expenses of administration	1,000
Nyasaland -	To meet liabilities arising out of the Trans-Zambesia Railway guarantee.	22,000
Swaziland -	In aid of expenses of administration	52,000
Trans-Jordan -	To enable the Territory to meet its share of the Ottoman Public Debt.	31,009