



Overseas Development and Co-operation Act 1980

CHAPTER 63

ARRANGEMENT OF SECTIONS

PART I

GENERAL

Section

1. Provision of assistance to, or for the benefit of, overseas countries.
2. Powers of statutory bodies in relation to furnishing of assistance.
3. Abortive exploratory expenditure connected with overseas enterprises.

PART II

INTERNATIONAL FINANCIAL INSTITUTIONS

General

4. International development banks.

Particular international development banks.

5. The International Bank for Reconstruction and Development and the International Finance Corporation.
6. The International Development Association.
7. The Asian Development Bank.

Miscellaneous

8. Guarantees of International Bank's loans to colonial territories.
9. Immunities and privileges of international financial institutions.

PART III

OVERSEAS SERVICE

Section

10. Appointment of officers available for public service overseas.
11. Overseas service by police officers.
12. Power to meet expenses incurred in connection with employment in overseas territories.
13. Interpretation of Part III.

PART IV

EDUCATION

14. Provision of teachers for, and for further educational co-operation between, Commonwealth countries.
15. The Commonwealth Scholarship Commission.
16. Expenses under Scholarship Plan.
17. Application of Part IV.

PART V

SUPPLEMENTARY

18. Repeals, revocations and saving.
19. Short title, commencement and extent.

SCHEDULES:

Schedule 1—Statutory bodies with powers under section 2(1).

Part I—Bodies with powers under paragraph (a).

Part II—Bodies constituted under the National Health Service Act 1977.

Part III—Other bodies with powers under paragraphs (a) and (b).

Part IV—Bodies constituted under the National Health Service (Scotland) Act 1978.

Schedule 2—Enactments repealed and orders revoked.

Part I—Enactments repealed.

Part II—Orders revoked.

ELIZABETH II



Overseas Development and Co-operation Act 1980

1980 CHAPTER 63

An Act to consolidate certain enactments relating to overseas development and co-operation and to repeal, as unnecessary, section 16(1) and (2) of the West Indies Act 1967. [13th November 1980]

BE IT ENACTED by the Queen'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:—

PART I

GENERAL

1.—(1) The Secretary of State shall have power, for the purpose of promoting the development or maintaining the economy of a country or territory outside the United Kingdom, or the welfare of its people, to furnish any person or body with assistance, whether financial, technical or of any other nature. Provision of assistance to, or for the benefit of, overseas countries.

(2) Any such assistance may be provided on such terms and subject to such conditions (if any) as the Secretary of State may determine.

(3) In particular any such assistance, other than financial assistance, may be provided free of charge or on such terms as to payment as the Secretary of State may determine, and financial assistance may be provided by way of grant or, subject to

PART I subsection (4) below, loan, or partly in the one way and partly in the other.

(4) No assistance shall be provided by way of loan except on such terms and subject to such conditions (if any) as may be approved by the Treasury.

(5) For the purpose of enabling him to furnish technical assistance under this section, the Secretary of State may undertake, or promote the undertaking of, such research in the fields of economic development, administration and social services as appears to him appropriate.

(6) Any expenses incurred by virtue of this section by the Secretary of State shall be defrayed out of money provided by Parliament.

(7) Any sums received by the Secretary of State by way of payment of interest on, or repayment of, a loan made under the powers conferred by this section or by way of payment for any assistance under this section, other than financial assistance, shall be paid into the Consolidated Fund.

(8) In this section—

(a) any reference to technical assistance is a reference to assistance in the fields of economic development, administration and social services, consisting in the making available of the services of any body or person, training facilities, the supply of material, or the results of research undertaken in any such fields; and

(b) any reference to a body or person, in relation to a country or territory, includes a reference to the Government of that country or territory.

(9) No assistance shall be furnished under this section to the Commonwealth Development Corporation.

Powers of statutory bodies in relation to furnishing of assistance.

2.—(1) Subject to the following provisions of this section—

(a) each of the bodies specified in Schedule 1 to this Act shall have power to enter into and carry out agreements with the Minister responsible for overseas development under which the body are to act, at the expense of that Minister, as the instrument by means of which technical assistance is furnished by the Minister under section 1(1) above;

(b) each of the bodies specified in Part II of that Schedule (all of which are constituted under the National Health Service Act 1977) and each of the bodies specified in Part III of that Schedule (which are constituted under other enactments) shall have power, in addition to the power conferred by paragraph (a) above, to enter

PART

into and carry out agreements under which the body, for any purpose specified in section 1(1) above, are to furnish technical assistance in a country or territory outside the United Kingdom against reimbursement to them of the cost of furnishing that assistance; and

- (c) each of the bodies specified in Part IV of that Schedule (all of which are constituted under the National Health Service (Scotland) Act 1978) shall have power, in addition to the power conferred by paragraph (a) above, to enter into and carry out agreements under which the body, for any purpose specified in section 1(1) above, are to furnish to any authority or person outside the United Kingdom, on such terms as to payment as may be agreed, technical or any other assistance, other than financial assistance. 1978 c. 29.

(2) The powers conferred by subsection (1) above may only be exercised by a body other than the Post Office if the appropriate consent is given.

(3) In this section “appropriate consent” means—

- (a) in relation to the exercise of the power conferred by subsection (1)(a) above—

- (i) by the British Tourist Authority;
- (ii) by the English Tourist Board;
- (iii) by the Scottish Tourist Board; or
- (iv) by the Wales Tourist Board,

the consent of the relevant Minister as defined in section 1(6) of the Development of Tourism Act 1969; 1969 c. 51.

- (b) in relation to any other exercise of that power, the consent of the Secretary of State; and

- (c) in relation to any exercise of the powers conferred by subsection (1)(b) and (c) above, the consent of the Secretary of State and the Minister responsible for overseas development.

(4) Before giving consent in relation to any technical assistance proposed to be furnished by the National Coal Board, the Secretary of State or, as the case may be, the Secretary of State and the Minister responsible for overseas development shall take into account any alternative resources in the United Kingdom which may be available in that behalf.

(5) The following subsection shall be substituted for subsection (6) of section 11 of the Coal Industry Act 1977 (which relates to the overseas activities of the National Coal Board):—

“(6) Subsection (4) above shall not apply to anything done with consent given under section 2(2) of the Overseas Development and Co-operation Act 1980 (powers of

PART I

statutory bodies in relation to furnishing of assistance to, or for the benefit of, overseas countries).”.

(6) In this section “the Minister responsible for overseas development” means the Secretary of State for the time being discharging the functions conferred by section 1 above.

Abortive
exploratory
expenditure
connected with
overseas
enterprises.

3.—(1) The Secretary of State may with the consent of the Treasury enter into an agreement with any person carrying on business in the United Kingdom, the Channel Islands or the Isle of Man, or with a company controlled by such a person, under which the Secretary of State undertakes that if the other party to the agreement, or a company controlled by that party—

(a) incurs expenditure approved by the Secretary of State in considering whether to make an investment of resources of a description so approved in an enterprise carried on or proposed to be carried on in a country other than the United Kingdom, the Channel Islands and the Isle of Man ; or

(b) incurs expenditure approved by the Secretary of State in considering whether to participate in the management of such an enterprise,

and decides not to participate (whether by making an investment or otherwise), the Secretary of State will pay to the other party such sum, not exceeding the amount of the expenditure, as may be provided by the agreement.

(2) Any such agreement may include such terms as the Secretary of State considers appropriate in the circumstances of the case.

(3) Any expenses incurred by the Secretary of State by virtue of this section shall be defrayed out of money provided by Parliament.

(4) Any sum received by the Secretary of State by virtue of an agreement under this section shall be paid into the Consolidated Fund.

(5) In this section—

(a) “business” includes a profession ;

(b) references to a company controlled by a person are references to a company so controlled directly or indirectly, and include cases where the person having control is also a company.

PART II

INTERNATIONAL FINANCIAL INSTITUTIONS

General

4.—(1) If the Government of the United Kingdom has become bound before the coming into force of this Act, or thereafter becomes bound, by an international agreement for the establishment and operation of an international development bank which provides for the making by members of the bank of an initial subscription or other initial contribution to the capital stock of the bank or becomes bound by any arrangements for the making by the members of any further payment to any such bank, the Secretary of State may with the approval of the Treasury by order made by statutory instrument make provision—

- (a) for the payment out of money provided by Parliament of sums required by the Secretary of State for the making on behalf of the Government of the United Kingdom in accordance with the agreement or arrangements a payment of any such initial contribution or further payment, including a payment to maintain the value of any such contribution or further payment which has already been paid; and
- (b) for the payment out of such money of sums required to enable the Secretary of State to redeem any non-interest-bearing and non-negotiable notes or other obligations which may be issued or created by him and accepted by the bank in accordance with the agreement or arrangements; and
- (c) for the payment into the Consolidated Fund of sums received by the Government of the United Kingdom in pursuance of the agreement or arrangements.

(2) In this section “international development bank” means an international financial institution (whether or not mentioned in section 5, 6 or 7 below) having as one of its objects economic development either generally or in any region of the world.

(3) An order under this section shall not be made unless a draft of the order has been laid before and approved by the House of Commons.

Particular international development banks

5.—(1) There shall be paid out of money provided by Parliament—

(a) the subscriptions payable to the International Bank for Reconstruction and Development (in this Act referred to as “the International Bank”) under paragraph (a) of section 3 of Article II of the International Bank’s

International Bank for Reconstruction and Development and the International Finance Corporation.

PART II

Articles of Agreement, including any increase in those sums not exceeding the equivalent of 1,300,000,000 United States dollars ; and

(b) any sums payable under section 9 of that Article (falls in the par or foreign exchange value of currencies of members).

(2) The Treasury may, if they think fit so to do, create and issue to the International Bank, as they think fit, any such non-interest-bearing and non-negotiable notes or other obligations as are provided for by section 12 of Article V of the International Bank's Articles of Agreement.

(3) Sums payable under any such notes or other obligations shall be charged on the National Loans Fund with recourse to the Consolidated Fund.

(4) There shall be paid into the Consolidated Fund—

(a) sums received by the Government of the United Kingdom from the International Bank (other than sums received by reason of the operation of the Exchange Equalisation Account) ; and

(b) sums received by the Government of the United Kingdom from the International Finance Corporation in pursuance of the agreement for the establishment and operation of that body.

The
International
Development
Association.

6.—(1) The Secretary of State shall pay out of money provided by Parliament any sums required—

(a) for making on behalf of the Government of the United Kingdom—

(i) contributions in accordance with any resolution of the Board of Governors of the International Development Association adopted before the coming into force of this Act ; or

(ii) payments in respect of any such contributions under paragraph (a) of section 2 of Article IV of the Articles of Agreement of that Association (falls in the par or foreign exchange value of currencies of members) as applied by any such resolution ; and

(b) for redeeming any such non-interest-bearing and non-negotiable notes or other obligations as may be issued or created by the Secretary of State and accepted by the Association in accordance with paragraph (e) of section 2 of Article II of the Articles of Agreement as applied by any such resolution.

(2) If the Government of the United Kingdom becomes bound by arrangements for the making of additional payments to the Association, the Secretary of State may with the approval of the

Treasury by order made by statutory instrument provide for the payment out of money provided by Parliament of any sums required—

- (a) for making on behalf of the Government of the United Kingdom additional payments to the Association in accordance with the arrangements or under paragraph (a) of section 2 of Article IV of the Articles of Agreement, as applied by the arrangements ; and
- (b) for redeeming any non-interest-bearing and non-negotiable notes or other obligations which may be issued or created by the Secretary of State and accepted by the Association in accordance with the arrangements or any provision of the Articles of Agreement as applied by the arrangements,

and may provide for payment into the Consolidated Fund of sums received by the Government of the United Kingdom in pursuance of the Articles of Agreement as so applied.

(3) An order under subsection (2) above shall not be made unless a draft of the order has been laid before and approved by the House of Commons.

7.—(1) Subject to subsection (2) below, the Secretary of State shall pay out of money provided by Parliament any sum which may be required to make payments— The Asian Development Bank.

- (a) in fulfilment of any undertaking given by the Government of the United Kingdom in pursuance of paragraph 3 of Article 3 of the Agreement for the establishment and operation of the Asian Development Bank (undertaking to be responsible for obligations of another member for whose external relations the United Kingdom is responsible) ; or
- (b) under paragraph 1 of Article 25 of the Agreement (falls in the par or foreign exchange value of currencies of members).

(2) The aggregate amount of the sums which may be paid under subsection (1)(a) above shall not exceed £90,000,000 or such greater sum as may from time to time be specified in an order made by statutory instrument by the Secretary of State with the approval of the Treasury.

(3) An order under this section shall not be made unless a draft of the order has been laid before and approved by the House of Commons.

(4) Section 14 of the Interpretation Act 1978 (implied power 1978 c. 30. to revoke, amend and re-enact subordinate legislation) does not apply to an order under this section.

PART II

(5) Any sums—

- (a) received by the Secretary of State on behalf of the Government of the United Kingdom from the Asian Development Bank in pursuance of the Agreement, or
- (b) paid to the Government of the United Kingdom in repayment of any payment mentioned in subsection (1)(a) above,

shall be paid into the Consolidated Fund.

Miscellaneous

Guarantees of International Bank's loans to colonial territories.

8.—(1) The Treasury may, subject to the provisions of this section, guarantee in such manner and on such conditions as they think fit the repayment of the principal of and the payment of the interest on and other charges in respect of any loan made by the International Bank—

- (a) to the Government of a colonial territory, or
- (b) to any Government constituted for two or more colonial territories, or
- (c) to any authority established for the purpose of providing or administering services which are common to, or relate to matters of common interest to, two or more territories of which at least one is a colonial territory.

(2) The amount of the principal of the loans to be guaranteed under this section shall not in the aggregate exceed the equivalent of £150 million.

(3) For the purposes of subsection (2) above, the sterling equivalent of the principal of any loan made in a currency other than sterling shall be calculated as at the time when the guarantee is given at such rate of exchange as the Treasury may determine to be the proper rate at that time.

(4) No loan shall be guaranteed under this section unless the purpose of the loan is approved by the Secretary of State with the concurrence of the Treasury, as likely to promote the development of the resources of the territory or of all or any of the territories concerned.

(5) A guarantee shall not be given under this section until the Government or authority to which the loan is to be made has provided to the satisfaction of the Treasury and the Secretary of State—

- (a) for appropriating and duly applying the loan for the purpose approved under subsection (4) above ;

(b) for ensuring that any part of the loan which cannot be applied for that purpose will be applied only for such purposes as may be approved by the Secretary of State with the concurrence of the Treasury ;

(c) for the establishment, subject to subsection (6) below, of one or more sinking funds for the purpose of repayment of the principal of the loan or any instalment of it, and for the regulation of any sinking fund so established ;

(d) for charging on the general revenues and assets of the territory concerned, or of all or any of the territories concerned, or on any other revenues or assets which may be made available for the purpose—

(i) the principal of and interest on, and other charges in respect of, the loan and the payments to be made to any sinking funds to be established under paragraph (c) above ; and

(ii) the repayment to the Treasury of any sum issued in pursuance of this section on account of the guarantee under this section, with interest on that sum at such rate as the Treasury may fix ; and

(e) for raising, or securing the raising of, sufficient money to meet the above charges.

(6) Subsection (5)(c) above does not apply in a case where the Treasury and the Secretary of State are satisfied that the arrangements for the repayment of the principal of the loan, and for the payment of interest on and other charges in respect of the loan, are such as not to require the establishment of a sinking fund.

(7) Sums required by the Treasury for fulfilling any guarantees given under this section shall be charged on and issued out of the Consolidated Fund and any sums received by way of repayment of any sums so issued shall be paid into that Fund.

(8) Immediately after any guarantee is given under this section, the Treasury shall lay a statement of the guarantee before each House of Parliament.

(9) Where any sum is issued for fulfilling such a guarantee the Treasury shall, as soon as possible after the end of each financial year beginning with that in which the sum is issued and ending with that in which all liability in respect of the principal of the sum and in respect of interest on it is finally discharged, lay before each House of Parliament a statement relating to that sum.

PART II

(10) In this section “colonial territory” means any territory which at the date of the making of the loan in question is, or is part of—

- (a) a colony ; or
- (b) an associated state ; or
- (c) a British protectorate or protected state ; or
- (d) a territory for the time being administered by the Government of the United Kingdom under the Trusteeship System of the United Nations.

Immunities and
privileges of
international
financial
institutions.
1968 c. 48.

9.—(1) Without prejudice to the powers conferred by the International Organisations Act 1968 or any other Act, Her Majesty may by Order in Council make such provision as She may consider reasonably necessary for carrying into effect any of those of the provisions of the Agreement establishing an institution to which this section applies which relate to the status, immunities and privileges of the institution and of its governors, directors or executive directors, alternates, officers and employees.

(2) The institutions to which this section applies are—

- (a) the International Bank ;
- (b) the International Finance Corporation ; and
- (c) the International Development Association.

(3) Subject to subsection (4) below, Orders in Council made under this section may be so made as to extend to any of the Channel Islands, the Isle of Man, any colony and, to the extent that Her Majesty has jurisdiction there, to any country outside Her Majesty’s dominions in which Her Majesty has jurisdiction in right of the Government of the United Kingdom.

(4) If, whether before or after the coming into force of this Act, effect is given by or under the law of any part of Her Majesty’s dominions or other territory to any provisions specified in subsection (1) above, no Order in Council made under this section and giving effect to those provisions shall extend to that part of Her Majesty’s dominions or other territory as respects any period as respects which effect is given to them by or under that law.

(5) No recommendation shall be made to Her Majesty in Council to make an Order under this section relating to the International Finance Corporation or the International Development Association unless a draft of the Order has been laid before Parliament and approved by resolution of each House of Parliament.

1978 c. 30.

(6) Without prejudice to sections 14 and 17(2) of the Interpretation Act 1978 (implied power to revoke, amend and

re-enact subordinate legislation and savings for such legislation where enactments are repealed and re-enacted)— PART II

- (a) an Order in Council under the Bretton Woods Agreement 1945 c. 19. so far as it applies to the International (9 & 10 Geo. 6) Bank ;
- (b) an Order in Council under the International Finance Corporation Act 1955 ; or 1955 c. 5
(4 & 5 Eliz. 2.)
- (c) an Order in Council under the International Development Association Act 1960 ; 1960 c. 35.

shall have effect as if made under this section and may accordingly be amended or revoked by an Order in Council under this section.

PART III

OVERSEAS SERVICE

10.—(1) For the purpose of giving effect to arrangements made by the Secretary of State (whether before or after the coming into force of this Act) with Governments of overseas territories, the Secretary of State may appoint officers to be available for employment in the public services of those territories, otherwise than in military, naval or air force duties, in accordance with any such arrangements. Appointment of officers available for public service overseas.

(2) For the purposes of this section, a person shall be taken to be employed in the public services of an overseas territory at any time when—

- (a) he is employed in any capacity under the Government of that territory, or under any municipal or other local authority in it ; or
- (b) he is employed, in circumstances not falling within paragraph (a) above, by a body corporate established for any public purpose in that territory by an enactment of a legislature empowered to make laws for that territory ; or
- (c) he is the holder of a public office in that territory in circumstances not falling within either paragraph (a) or (b) above.

(3) The power to appoint officers under this section shall not be exercisable except with the consent of the Treasury, which may be given either unconditionally or subject to such conditions as the Treasury may determine.

PART III

(4) Any such consent (whether conditional or unconditional) may be given—

- (a) in respect of the appointment of a particular officer ; or
- (b) generally in respect of the appointment (within such limits as may be specified in the consent) of officers of such description, or for such purposes, as may be so specified ; or
- (c) for giving effect to arrangements with a Government so specified ; or
- (d) otherwise as the Treasury may consider appropriate.

(5) A person shall not be appointed by the Secretary of State under this section at a time when he is employed in any capacity under the Government of an overseas territory unless—

- (a) the appointment is made for giving effect to arrangements made (whether before or after the coming into force of this Act) with that Government ; or
- (b) in any other case, the appointment is made with the consent of that Government.

(6) A person shall not be taken to be appointed under this section unless a statement to that effect, expressly referring to this section, is contained in his instrument of appointment.

(7) Subject to the preceding provisions of this section, an officer may be appointed by the Secretary of State under this section subject to such conditions as the Secretary of State may determine, and either for a limited period or indefinitely.

(8) An officer appointed under this section, howsoever he may be employed from time to time, shall continue to hold his appointment under this section until—

- (a) his appointment is terminated by the Secretary of State, whether on retirement or otherwise ; or
- (b) he resigns or dies ; or
- (c) (in the case of an officer appointed for a limited period) that period comes to an end,

whichever first occurs.

(9) An officer to whom this section applies, in the absence of suitable employment of the kind specified in subsection (1) above, may with the consent of the Treasury be made available by the Secretary of State for other employment while continuing to serve as an officer to whom this section applies.

(10) Subsections (8) and (9) above shall apply to a person appointed an officer under section 1 of the Overseas Service Act 1958 as they apply to a person so appointed under this section. PART III
1958 c. 14.

(11) A person shall not be taken to have been appointed under section 1 of the Overseas Service Act 1958 unless a statement to that effect, expressly referring to that Act, is contained in his instrument of appointment.

11.—(1) Where a member of a home police force is, with the consent of the appropriate authority, appointed under section 10 above for a limited period, the Secretary of State may direct that this section shall have effect in respect of his service in pursuance of that appointment as an officer to whom section 10 above applies. Overseas
service by
police officers.

(2) Where by virtue of such a direction this section has effect in respect of a person's service as an officer to whom section 10 above applies—

(a) section 2 of the Police (Overseas Service) Act 1945 (1945 c. 17. (members of home police forces who engage for a (9 & 10 Geo. 6) period of overseas service), and

(b) where applicable—

(i) paragraph 2 of Schedule 4 to the Police Act 1964 (1964 c. 48. 1964, or

(ii) section 24 of the Police (Scotland) Act 1967, (1967 c. 77.

(member of home police force who engages for a period of overseas service where, during that engagement, his force is transferred under an amalgamation scheme),

shall apply to him, subject to subsection (3) below, in respect of that service, as they would have applied if that service had been a period of overseas service within the meaning of the Police (Overseas Service) Act 1945 for which he had engaged as mentioned in section 2(1) of that Act.

(3) In the application of section 2(2) of the Police (Overseas Service) Act 1945 to a person's service as an officer to whom section 10 above applies, any reference to a disciplinary authority established by regulations under section 1 of that Act shall be construed as a reference to such authority as, whether before or during that service, may be designated in that behalf by the Secretary of State.

(4) In this section "home police force" and "appropriate authority" have the same meanings as in the Police (Overseas Service) Act 1945.

PART III
Power to meet
expenses
incurred in
connection
with
employment
in overseas
territories.

12.—(1) The Secretary of State may enter into agreements relating to the employment in public or social services in overseas territories of persons designated at any time by the Secretary of State in accordance with the agreements, under which the Secretary of State meets, directly or indirectly, expenses—

- (a) in connection with the employment of those persons in accordance with the agreements, or
- (b) in respect of compensation paid to those persons,

and may out of money provided by Parliament make any payments falling to be made under the agreements.

(2) The agreements may be agreements with the Government of the overseas territory, or with any inter-governmental organisation, or (if the employment is not by or under the Government of the overseas territory, or an inter-governmental organisation) with the authority or other body which is the employer.

(3) No such agreement shall be entered into, and no person shall be designated under such an agreement, except with the consent of the Minister for the Civil Service.

(4) The consent of the Minister for the Civil Service to the designation of any person under such an agreement may be given generally in respect of persons of such descriptions, and subject to such limitations (if any), as may be specified in the consent.

(5) For the purposes of this section a person shall be taken to be employed in public or social services in an overseas territory at any time when—

- (a) he is the holder of a public office in an overseas territory, or
- (b) he is employed under the Government of an overseas territory or under any municipal or other local authority in an overseas territory, or
- (c) he is employed in an overseas territory by any inter-governmental authority or organisation, or
- (d) he is employed by any authority, organisation or institution established for public purposes in an overseas territory, including any marketing board, co-operative society or other body providing benefits primarily for a particular section of the public, or
- (e) he is employed (otherwise than by any such authority, organisation or institution) in any service provided, or in any other activities carried on, for public purposes in an overseas territory.

(6) The Secretary of State may by order apply this section in relation to employment in an overseas territory in a capacity

specified in the order as it applies in relation to employment in public or social services in overseas territories. PART III

(7) An order under subsection (6) above shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

(8) This section applies only to persons serving outside the United Kingdom.

13.—(1) In this Part of this Act “overseas territory” means any territory or country outside the United Kingdom. Interpretation of Part III.

(2) References in this Part of this Act to the Government of an overseas territory include references to a Government constituted for two or more overseas territories, and to any authority established for the purpose of providing or administering services which are common to, or relate to matters of common interest to, two or more such territories.

(3) Any reference in this Part of this Act to an officer to whom section 10 above applies is a reference to a person who has been appointed an officer under that section or under section 1 of the Overseas Service Act 1958 and for the time being continues to hold that appointment. 1958 c. 14.

(4) For the purposes of this Part of this Act, a person shall be taken to be serving as an officer to whom section 10 above applies at any time when, having been appointed an officer under that section or under section 1 of the Overseas Service Act 1958, he continues to hold that appointment, and any reference to service as such an officer shall be construed accordingly.

PART IV

EDUCATION

14.—(1) The Secretary of State may from time to time make, out of money provided by Parliament, in accordance with such arrangements as the Secretary of State thinks fit, payments— Provision of teachers for, and for further educational co-operation between, Commonwealth countries,

(a) for enabling persons from countries and territories of the Commonwealth outside the United Kingdom to attend teacher training courses in the United Kingdom;

(b) for encouraging persons from the United Kingdom or the Republic of Ireland to become temporarily employed in those countries and territories as teachers or in connection with teaching, and for facilitating the return to and resettlement in the United Kingdom or the Republic of Ireland, as the case may be, of persons so employed;

PART IV

- (c) for any purpose which the Secretary of State considers will foster co-operation in educational matters between the United Kingdom and other Commonwealth countries and territories ;
- (d) for any purpose appearing to the Secretary of State to be incidental or supplemental to any of the purposes mentioned in paragraphs (a) to (c) above.

(2) Payments under this section shall not be made for a purpose mentioned in subsection (1)(c) above or a purpose incidental or supplemental to such a purpose, except with the approval of the Treasury.

The Common-
wealth
Scholarship
Commission.

15.—(1) There shall continue to be a Commission known as the Commonwealth Scholarship Commission in the United Kingdom (in this section referred to as “the Commission”), charged with the duty of—

- (a) selecting the recipients of awards arising out of the Commonwealth Scholarship and Fellowship Plan to persons coming to the United Kingdom,
- (b) making arrangements for the placing of the recipients at universities, university colleges, colleges of technology or other appropriate establishments in the United Kingdom, and for the supervision of their work during the currency of their awards,
- (c) selecting persons to be put forward as candidates from the United Kingdom for awards arising out of the Plan and to be granted in countries outside the United Kingdom, and
- (d) discharging any other functions under the Plan which the Secretary of State may assign to the Commission.

(2) In subsection (1) above “the Commonwealth Scholarship and Fellowship Plan” means the Plan so named which was put forward by the Commonwealth Development Conference held at Oxford in July 1959.

(3) The persons to be selected under subsection (1)(a) above shall be Commonwealth citizens or British protected persons (within the meaning of the British Nationality Act 1948) except where the Commission for special reasons, approved by the Secretary of State, otherwise determine.

(4) The Commission shall consist of a chairman and not less than 9 nor more than 14 other members appointed by the Secretary of State, and not less than 4 of the members shall be persons appointed as the holders of high academic office.

(5) A member of the Commission shall hold and vacate office in accordance with the terms of his appointment, and shall be

eligible for re-appointment, but may at any time resign his office by notice in writing to the Secretary of State.

(6) The quorum at any meeting of the Commission shall be 6, but subject as aforesaid the Commission shall have power to act notwithstanding any vacancy in their number or any defect in the appointment of a member.

(7) The Commission may appoint committees to assist them in the discharge of their functions, and may delegate the discharge of any of their functions to a committee so appointed, with or without restrictions or conditions.

(8) Any such committee may include persons who are not members of the Commission.

(9) In the discharge of their functions the Commission shall comply with any directions given to them by the Secretary of State.

(10) No direction shall be given for the selection or rejection of any particular person for an award or as a candidate for an award.

(11) The Secretary of State shall defray the expenses of the Commission, including the payment of travelling and other allowances to members of the Commission or of any committee of the Commission and to persons chosen by the Commission to act as advisers, being allowances of such amounts and payable in such circumstances as he may with the approval of the Minister for the Civil Service determine.

(12) As soon as may be after 30th September in each year the Commission shall make to the Secretary of State a report on the discharge of their functions for the period of 12 months ending with that day, and the Secretary of State shall lay a copy of every such report before Parliament.

16. The Secretary of State's expenses—

- (a) in making such awards as are mentioned in paragraph (a) of section 15(1) above ;
- (b) in supplementing any such awards as are mentioned in paragraph (c) of that subsection ; and
- (c) in defraying the expenses of the Commission (including the allowances mentioned in section 15(11) above),

Expenses under Scholarship Plan.

shall be defrayed out of money provided by Parliament.

17. References to the United Kingdom in this Part of this Act include references to the Channel Islands and the Isle of Man. Application of Part IV.

PART V

SUPPLEMENTARY

Repeals,
revocations
and saving.

18.—(1) The enactments specified in Part I of Schedule 2 to this Act are hereby repealed to the extent specified in the third column of that Part of that Schedule and the orders specified in Part II of that Schedule are hereby revoked to the extent specified in the third column of that Part.

(2) The repeal by this Act—

1958 c. 14.

(a) of the Overseas Service Act 1958 ;

1966 c. 21.

(b) of the Overseas Aid Act 1966 ; and

1968 c. 57.

(c) of the Overseas Aid Act 1968,

shall not affect the continued operation—

1973 c. 21.

(i) of any provision of those Acts listed in Schedule 1 to the Overseas Pensions Act 1973 (overseas service superannuation provisions falling to be treated as if they constituted overseas service superannuation schemes made under section 2 of that Act) ; or

(ii) of any instrument such as is referred to in the last paragraph of that Schedule (instruments made, or having effect as if made, under the listed provisions).

1967 c. 4.

(3) Section 16(1) and (2) of the West Indies Act 1967 (which were unnecessary before the passing of this Act) are hereby repealed.

Short title,
commence-
ment and
extent.

19.—(1) This Act may be cited as the Overseas Development and Co-operation Act 1980.

(2) This Act shall come into force on the expiration of the period of one month from the date on which it is passed.

(3) It is hereby declared that this Act extends to Northern Ireland.

SCHEDULES

SCHEDULE 1

Section 2.

STATUTORY BODIES WITH POWERS UNDER SECTION 2(1)

PART I

BODIES WITH POWERS UNDER PARAGRAPH (a)

An Area Electricity Board
The British Tourist Authority
The Central Electricity Generating Board
The Electricity Council
The English Tourist Board
The North of Scotland Hydro-Electric Board
The Post Office
The Scottish Tourist Board
The South of Scotland Electricity Board
The Wales Tourist Board

PART II

BODIES CONSTITUTED UNDER THE NATIONAL HEALTH SERVICE ACT 1977

A Health Authority for an area or district
The Public Health Laboratory Service Board

PART III

OTHER BODIES WITH POWERS UNDER PARAGRAPHS (a) AND (b)

The British Gas Corporation
British Shipbuilders
The Development Board for Rural Wales
The National Coal Board

PART IV

BODIES CONSTITUTED UNDER THE NATIONAL HEALTH SERVICE (SCOTLAND) ACT 1978

The Common Services Agency
A Health Board

Section 18.

SCHEDULE 2

ENACTMENTS REPEALED AND ORDERS REVOKED

PART I

ENACTMENTS REPEALED

Chapter	Short Title	Extent of Repeal
9 & 10 Geo. 6. c. 19.	Bretton Woods Agree- ments Act 1945.	The whole Act.
12 & 13 Geo. 6. c. 50.	Colonial Loans Act 1949.	The whole Act.
1 & 2 Eliz. 2. c. 1.	Colonial Loans Act 1952.	The whole Act.
4 & 5 Eliz. 2. c. 5.	International Finance Corporation Act 1955.	The whole Act.
6 & 7 Eliz. 2. c. 14.	Overseas Service Act 1958.	The whole Act.
7 & 8 Eliz. 2. c. 17.	International Bank and Monetary Fund Act 1959.	The whole Act.
8 & 9 Eliz. 2. c. 6.	Commonwealth Scholar- ships Act 1959.	The whole Act.
8 & 9 Eliz. 2. c. 35.	International Develop- ment Association Act 1960.	The whole Act.
8 & 9 Eliz. 2. c. 40.	Commonwealth Teachers Act 1960.	The whole Act.
10 & 11 Eliz. 2. c. 41.	Colonial Loans Act 1962.	The whole Act.
1963 c. 6.	Commonwealth Scholar- ships (Amendment) Act 1963.	The whole Act.
1964 c. 13.	International Develop- ment Association Act 1964.	The whole Act.
1965 c. 38.	Overseas Development and Service Act 1965.	The whole Act.
1966 c. 21.	Overseas Aid Act 1966.	The whole Act.
1967 c. 77.	Police (Scotland) Act 1967.	In Schedule 4, the entry relating to the Overseas Service Act 1958.
1968 c. 13.	National Loans Act 1968.	In section 2, the words from “and” to “agreements””. In section 10, subsections (1) and (2), and in subsection (6), the words “of any of the Acts mentioned in sub- sections (1) and (3) of this section and””. Schedule 2.
1968 c. 39.	Gas and Electricity Act 1968.	Section 5.
1968 c. 57.	Overseas Aid Act 1968.	The whole Act.
1969 c. 48.	Post Office Act 1969.	Section 8(b).
1969 c. 51.	Development of Tourism Act 1969.	Section 5(4).

SCH. 2

Chapter	Short Title	Extent of Repeal
1971 c. 16. 1972 c. 40.	Coal Industry Act 1971. Overseas Investment and Export Guarantees Act 1972.	Section 5. The whole Act.
1972 c. 60. 1976 c. 75.	Gas Act 1972. Development of Rural Wales Act 1976.	Section 6(7). Section 7.
1977 c. 3.	Aircraft and Shipbuilding Industries Act 1977	Section 3 (6), so far as it relates to British Shipbuilders.
1977 c. 6.	International Finance, Trade and Aid Act 1977.	The whole Act.
1977 c. 39. 1977 c. 49.	Coal Industry Act 1977. National Health Service Act 1977.	In Schedule 4, paragraph 4. Section 24.
1978 c. 29.	National Health Service (Scotland) Act 1978.	Section 17.
1979 c. 11.	Electricity (Scotland) Act 1979.	Section 16.

PART II
ORDERS REVOKED

Reference	Title	Extent of revocation
S.I. 1968 No. 1656.	Minister for the Civil Ser- vice Order 1968.	In the Schedule, the entry relating to section 2(3) and (4) of the Overseas Development and Service Act 1965.
S.I. 1977 No. 485.	Asian Development Bank (Extension of Limit on Guarantees) Order 1977.	The whole order.

c. 63 *Overseas Development and Co-operation Act 1980*

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