
STATUTORY INSTRUMENTS

1963 No. 2085

The Federation of Rhodesia and Nyasaland
(Dissolution) Order in Council 1963

PART V

AGRICULTURAL RESEARCH

Constitution of Agricultural Research Council of Central Africa

61.—(1) There is hereby constituted jointly for the Territories a council, to be known as the Agricultural Research Council of Central Africa (hereafter in this Part referred to as “the Council”) which shall be a body corporate with a common seal and capable of suing and being sued and, subject to the provisions of this Order and any law, of doing all such acts as a body corporate may perform.

(2) The Council shall consist of a Chairman, who shall be appointed by the Governments of the Territories jointly, three other members, of whom one shall be appointed by the Government of Southern Rhodesia, one by the Government of Northern Rhodesia and one by the Government of Nyasaland, and such additional members as the Governments of the Territories may agree should be appointed as members of the Council.

(3) The qualifications and disqualifications for membership of the Council, and the tenure of office and other conditions of service of members, shall be such as may be determined by the Governments of the Territories jointly.

(4) The Council shall determine its own procedure.

Functions of Council

62.—(1) The functions of the Council shall be to promote, direct, control and carry out agricultural research, including veterinary and tsetse research, in the Territories, particularly in regard to soils, vegetation, crops, livestock, forestry, hydrology, wild life and fisheries.

(2) Research shall be in accordance with programme, approved by the Governments of the Territories, and in co-operation, where appropriate, with other research organisations within or outside the Territories.

(3) The Council shall have such further functions connected with agricultural research as may be conferred on it by law or by the Governments of the Territories in agreement; and such incidental powers as are necessary to enable it to carry out its functions.

Dissolution of existing Council and vesting of assets and liabilities in new Council

63.—(1) In this section “the former council” means the Agricultural Research Council of Rhodesia and Nyasaland established under section 18 of the Research Act 1959 of the Federation.

(2) On the dissolution of the Federation the former council shall be dissolved and all assets, rights, liabilities and obligations of the former council shall vest in the Council by virtue of this section, and accordingly—

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- (a) all agreements and instruments giving rise or otherwise relating to such assets, rights, liabilities or obligations which were subsisting immediately before the dissolution shall on or after its coming into operation have effect and be enforceable as if references therein to the former council were references to the Council and, where the former council was a party thereto, as if the Council had been a party thereto instead of the former council; and
- (b) in any legal proceedings connected with such assets, rights, liabilities or obligations which were pending immediately before the dissolution by or against the former council the Council shall be substituted for the former council as a party.

(3) Where any person who was in the service of the former council immediately before the dissolution of the Federation becomes by virtue of this section a person in the service of the Council, his service under the former council shall be treated as service under the Council for the purposes of determining rights to or eligibility for pension, gratuity or leave in respect of his service.

(4) Where title to any immovable property or any right or obligation relating to such property is vested in the Council by virtue of this section and such title, right or obligation or any deed relating thereto has been registered before the dissolution of the Federation under any law, the officer having charge of the register concerned shall, on application by the Council or any person having an interest in such property, make the necessary alterations in the register and, if presented therefor, endorsements on the deeds relating to the title, right or obligation concerned; and no stamp or other duties shall be payable in respect thereof.

Discoveries and inventions to vest in Council

64.—(1) The rights in all discoveries, inventions and in all improvements in respect of processes, apparatus and machines made by officers of the Council, or persons holding research bursaries awarded by the Council, shall be vested in the Council.

(2) The discoveries, inventions and improvements shall be made available by the Council for use in the public interest subject to such conditions and the payment of such fees or royalties as the Council may determine.

(3) The Council may apply for letters patent in respect of any discovery, invention or improvement referred to in sub-section (1) and shall, for that purposes, be regarded as the assignee of the discoverer or inventor.

Power of Legislature of Territory to amend Part V

65. The provisions of this Part of this Order may, as respects each Territory, be amended or revoked by a law of the Legislature of the Territory.