

1979 No. 1451

MINISTERS OF THE CROWN

**The Ministry of Overseas Development
(Dissolution) Order 1979***Laid before Parliament in draft**Made - - - - 14th November 1979**Coming into Operation 21st November 1979*

At the Court at Buckingham Palace, the 14th day of November 1979

Present,

The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order has been laid before Parliament in pursuance of section 5(1) of the Ministers of the Crown Act 1975(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 Act 1975 and all other powers enabling Her Majesty, 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 Ministry of Overseas Development (Dissolution) Order 1979.

(2) In this Order “the Minister” means the Minister of Overseas Development.

(3) This Order comes into operation 7 days after the date on which it is made.

Dissolution of Ministry and transfer of functions

2.—(1) The Ministry of Overseas Development is hereby dissolved and the 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; and the other functions of the Minister are hereby transferred to the Secretary of State (or, if exercisable by the Minister and the Secretary of State concurrently, shall cease to be exercisable by the Minister).

(2) All rights and liabilities to which the Minister 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.

(a) 1975 c. 26.

Supplemental

3.—(1) In the enactments mentioned in Schedule 2 to this Order any reference to the Minister shall have effect as a reference to the Secretary of State for the time being discharging the functions expressed to be conferred on the Minister by the Overseas Aid Act 1966(a).

(2) In the byelaws set out in the Schedule to the Royal Charter dated 7th October 1940, relating to the British Council, byelaw 8 shall have effect as if it entitled the Secretary of State for Foreign and Commonwealth Affairs to nominate two persons to be nominated Board members, and the reference to the Minister shall cease to have effect.

(3) The enactments mentioned in Schedule 3 to this Order are hereby repealed to the extent specified in the second column.

4.—(1) This Order shall not affect the validity of anything done by or in relation to the Minister 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 the Minister may be continued by or in relation to the Secretary of State.

(2) Any authorisation given (by way of approval or otherwise), requirement imposed or appointment made by the Minister, 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, 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 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, and those references shall be construed as references to the Secretary of State; and similarly with references to the department or an officer of the Minister.

N. E. Leigh,
Clerk of the Privy Council.

SCHEDULE 1

INSTRUMENTS REFERRED TO IN ARTICLE 2(1)

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

SCHEDULE 2

ENACTMENTS REFERRED TO IN ARTICLE 3(1)

1. The Gas and Electricity Act 1968 (c. 39), section 5.
2. The Development of Tourism Act 1969 (c. 51), section 5(4).
3. The Industry Act 1975 (c. 68), section 4.
4. The Scottish Development Agency Act 1975 (c. 69), section 18.
5. The Welsh Development Agency Act 1975 (c. 70), section 3.
6. The Development of Rural Wales Act 1976 (c. 75), section 7.
7. The Aircraft and Shipbuilding Industries Act 1977 (c. 3), section 3(6).

SCHEDULE 3

REPEALS

Act	Extent of Repeal
The Parliamentary Commissioner Act 1967 (c. 13).	In Schedule 2, the entry for the Ministry of Overseas Development.
The Pensions (Increase) Act 1971 (c. 56)	In sections 5(3) and 13(4), the words "of the Minister of Overseas Development".
The Pensions (Increase) Act 1974 (c. 9)	In section 4(1) the words "or the Minister of Overseas Development".
The Ministers of the Crown Act 1975 (c. 26).	Section 7. Schedule 2.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order provides for the dissolution of the Ministry of Overseas Development and for the transfer to the Secretary of State or, in the case of functions relating to certain bodies, to the Secretary of State for Foreign and Commonwealth Affairs of all the functions of the Minister of Overseas Development.

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