



Commonwealth Act 2002

CHAPTER 39

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Commonwealth Act 2002

2002 CHAPTER 39

An Act to amend the law with respect to the Commonwealth Institute; to make provision in connection with the admission of Cameroon and Mozambique to the Commonwealth; and for connected purposes.

[7th November 2002]

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:—

1 Commonwealth Institute

- (1) The following enactments (which make provision in connection with the management of the Commonwealth Institute) cease to have effect—
 - (a) the Imperial Institute Act 1925, and
 - (b) the Commonwealth Institute Act 1958.
- (2) The money constituting the capital of the Endowment Fund shall by virtue of this subsection be transferred to and become vested in the company limited by guarantee known as the Commonwealth Institute free from any restrictions as to the purposes for which it must be held.
- (3) In subsection (2), “Endowment Fund” means the fund referred to by that name in the Imperial Institute Act 1925.
- (4) Schedule 1, which makes amendments consequential on subsection (1), has effect.

2 Commonwealth: provision in connection with Cameroon and Mozambique

Schedule 2, which makes provision in connection with the admission of Cameroon and Mozambique to membership of the Commonwealth, has effect.

3 Repeals

The enactments specified in Schedule 3 (which cease to have effect under subsection (1) of section 1 or are amended in consequence of that subsection) are repealed to the extent specified.

4 Short title and commencement

- (1) This Act may be cited as the Commonwealth Act 2002.
- (2) This Act comes into force at the end of the period of two months beginning with the day on which it is passed.

SCHEDULES

SCHEDULE 1

Section 1.

COMMONWEALTH INSTITUTE: CONSEQUENTIAL AMENDMENTS

Parliamentary Commissioner Act 1967 (c. 13)

- 1 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments etc. subject to investigation by Parliamentary Commissioner), the entry relating to the Commonwealth Institute is omitted.

Superannuation Act 1972 (c. 11)

- 2 In Schedule 1 to the Superannuation Act 1972 (which lists the kinds of offices and employments to which section 1 of that Act applies), in the list of “Other Bodies”, the entry relating to the Commonwealth Institute is omitted.

House of Commons Disqualification Act 1975 (c. 24)

- 3 In Part 3 of Schedule 1 to the House of Commons Disqualification Act 1975 (offices disqualifying the holder for membership of the House of Commons), the entry relating to the Director of the Commonwealth Institute is omitted.

British Council and Commonwealth Institute Superannuation Act 1986 (c. 51)

- 4 (1) The British Council and Commonwealth Institute Superannuation Act 1986 is amended as set out in sub-paragraphs (2) and (3).
- (2) In section 1 (application of section 1 of the Superannuation Act 1972 to staff) –
 - (a) in subsection (1) –
 - (i) paragraph (b), and the word “or” preceding it, are omitted, and
 - (ii) in the words following that paragraph, for “references to those bodies” there is substituted “a reference to that body”, and
 - (b) in subsection (2), for “either of those bodies” there is substituted “that body”.
- (3) In section 2(1) (financial provisions), the following words are omitted –
 - (a) “and the Commonwealth Institute”, and
 - (b) “each”.
- (4) The provision made by sub-paragraphs (2) and (3) does not affect –
 - (a) any pension, allowance or gratuity granted before the day on which this Act comes into force to or in respect of a person by virtue of his employment with the Commonwealth Institute, or

- (b) any right or entitlement to the grant of a pension, allowance or gratuity accruing before that day to or in respect of a person by virtue of that employment.

SCHEDULE 2

Section 2.

PROVISION IN CONNECTION WITH ADMISSION OF CAMEROON AND MOZAMBIQUE

The Services

- 1 In the following definitions –
- (a) the definition of “Commonwealth force” in section 225(1) of the Army Act 1955 (general interpretation),
 - (b) the definition of “Commonwealth force” in section 223(1) of the Air Force Act 1955 (corresponding provision in relation to the air force),
 - (c) the definition of “Commonwealth country” in section 135(1) of the Naval Discipline Act 1957 (general interpretation),
- at the end there is inserted “or Cameroon or Mozambique”.

Visiting forces

- 2 Section 4 of the Visiting Forces (British Commonwealth) Act 1933 (attachment of personnel and mutual powers of command) applies in relation to forces raised in Cameroon or Mozambique as it applies in relation to forces raised in Dominions within the meaning of the Statute of Westminster 1931.
- 3 (1) In section 1(1)(a) of the Visiting Forces Act 1952 (countries to which Act applies), at the end there is inserted “or Cameroon or Mozambique”.
- (2) Any Order in Council for the time being in force under section 8 of that Act (application to visiting forces of law relating to home forces) is deemed to apply to the visiting forces of Cameroon and Mozambique until express provision with respect to those countries is made by Order in Council under that section.
- 4 In the following provisions –
- (a) section 84(2) of the Offices, Shops and Railway Premises Act 1963 (exclusion of application of Act to visiting forces), and
 - (b) section 78(2) of the Office and Shop Premises Act (Northern Ireland) 1966 (corresponding provision for Northern Ireland),
- after “South Africa” there is inserted “, Cameroon, Mozambique”.

SCHEDULE 3

Section 3.

REPEALS

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Imperial Institute Act 1925 (c. xvii)	The whole Act.

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Commonwealth Institute Act 1958 (c. 16)	The whole Act.
Nigeria Independence Act 1960 (c. 55)	In Schedule 2, paragraph 15.
Sierra Leone Independence Act 1961 (c. 16)	In Schedule 3, paragraph 16.
Tanganyika Independence Act 1961 (c. 1) (10 & 11 Eliz. 2)	In Schedule 2, paragraph 16.
Jamaica Independence Act 1962 (c. 40)	In Schedule 2, paragraph 15.
Trinidad and Tobago Independence Act 1962 (c. 54)	In Schedule 2, paragraph 15.
Uganda Independence Act 1962 (c. 57)	In Schedule 3, paragraph 14.
Malaysia Act 1963 (c. 35)	In Schedule 2, paragraph 1(c).
Kenya Independence Act 1963 (c. 54)	In Schedule 2, paragraph 13.
Zanzibar Act 1963 (c. 55)	In Schedule 1, paragraph 13.
Malawi Independence Act 1964 (c. 46)	In Schedule 2, paragraph 14.
Zambia Independence Act 1964 (c. 65)	In Schedule 1, paragraph 10.
Malta Independence Act 1964 (c. 86)	In Schedule 2, paragraph 14.
Gambia Independence Act 1964 (c. 93)	In Schedule 2, paragraph 13.
Guyana Independence Act 1966 (c. 14)	In Schedule 2, paragraph 12.
Botswana Independence Act 1966 (c. 23)	In the Schedule, paragraph 9.
Lesotho Independence Act 1966 (c. 24)	In the Schedule, paragraph 10.
Singapore Act 1966 (c. 29)	In the Schedule, paragraph 12.
Barbados Independence Act 1966 (c. 37)	In Schedule 2, paragraph 13.
Parliamentary Commissioner Act 1967 (c. 13)	In Schedule 2, the entry relating to the Commonwealth Institute.
Mauritius Independence Act 1968 (c. 8)	In Schedule 2, paragraph 12.
Swaziland Independence Act 1968 (c. 56)	In the Schedule, paragraph 10.
Tonga Act 1970 (c. 22)	In the Schedule, paragraph 8.

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Fiji Independence Act 1970 (c. 50)	In Schedule 2, paragraph 10.
Superannuation Act 1972 (c. 11)	In Schedule 1, in the list of “Other Bodies”, the entry relating to the Commonwealth Institute.
Bahamas Independence Act 1973 (c. 27)	In Schedule 2, paragraph 10.
Bangladesh Act 1973 (c. 49)	In the Schedule, paragraph 11.
House of Commons Disqualification Act 1975 (c. 24)	In Schedule 1, in Part 3, the entry relating to the Director of the Commonwealth Institute.
Seychelles Act 1976 (c. 19)	In the Schedule, paragraph 8.
Solomon Islands Act 1978 (c. 15)	In the Schedule, paragraph 8.
Tuvalu Act 1978 (c. 20)	In Schedule 2, paragraph 8.
Kiribati Act 1979 (c. 27)	In the Schedule, paragraph 9.
Papua New Guinea, Western Samoa and Nauru (Miscellaneous Provisions) Act 1980 (c. 2)	In the Schedule, paragraph 6.
New Hebrides Act 1980 (c. 16)	In Schedule 1, paragraph 7.
Belize Act 1981 (c. 52)	In Schedule 2, paragraph 8.
Brunei and Maldives Act 1985 (c. 3)	In the Schedule, paragraph 3.
British Council and Commonwealth Institute Superannuation Act 1986 (c. 51)	In section 1(1), paragraph (b) and the word “or” preceding it. In section 2(1), the words “and the Commonwealth Institute” and “each”.
Pakistan Act 1990 (c. 14)	In the Schedule, paragraph 1.
Namibia Act 1991 (c. 4)	In the Schedule, paragraph 1.
South Africa Act 1995 (c. 3)	In the Schedule, paragraph 1.