

ELIZABETH II



1968 CHAPTER 57

An Act to enable effect to be given to international arrangements for the making of contributions and other payments to the International Development Association and for the making of contributions to any international financial institution established for promoting the economic development of any region of the world; to enable Her Majesty's Government to implement undertakings, given under an international agreement with respect to the Asian Development Bank, to be responsible for the obligations of certain members of the Bank; and to make further provision with respect to the Overseas Service Pensions Scheme.

[26th July 1968]

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.—(1) In this section—

- “ the Association ” means the International Development Association established by the Agreement ;
- “ the Agreement ” means the Articles of Agreement of the International Development Association dated 29th January 1960 and accepted on behalf of Her Majesty's Government in the United Kingdom on 14th September 1960 ; and
- “ the resolution ” means any resolution (whether adopted before or after the passing of this Act) of the Board of Governors of the Association in the terms set out in Annex A to the report, dated 8th March 1968, of the Executive Directors to the Board of Governors

Additional contributions to the International Development Association.

on Additions to IDA Resources ; Second Replenishment (particulars of which report, including the annexes thereto were laid before Parliament by command of Her Majesty on 2nd May 1968).

(2) There shall be paid out of moneys provided by Parliament all sums required by the Minister of Overseas Development for the following purposes, that is to say—

- (a) making on behalf of Her Majesty's Government in the United Kingdom the payment of additional contributions in accordance with paragraphs (b), (d) and (e) of the resolution ;
- (b) making as aforesaid any payment under paragraph (a) of section 2 of Article IV of the Agreement (falls in the par or foreign exchange value of currencies of members), as applied by the resolution, which may become payable in respect of any such additional contributions ;
- (c) redeeming any such non-interest-bearing and non-negotiable notes or other obligations as may be issued or created by him and accepted by the Association in accordance with paragraph (e) of section 2 of Article II of the Agreement as applied by the resolution.

1960 c. 35.

(3) Section 2(4) of the International Development Association Act 1960 (power of Treasury to create and issue such notes or other obligations and charging of sums payable thereunder) shall cease to have effect except as respects any notes or other obligations created before the passing of this Act.

(4) In section 2(3) of the said Act of 1960 (payment into Exchequer of sums received by Her Majesty's Government in pursuance of the Agreement) the reference to the Agreement shall include a reference to any provisions of the Agreement as applied by the resolution.

(5) If Her Majesty's Government in the United Kingdom becomes bound by arrangements for the making of additional payments to the Association, the Minister of Overseas Development may with the approval of the Treasury by order made by statutory instrument provide for the payment out of moneys provided by Parliament of any sums required by him for any of the following purposes, that is to say—

- (a) making on behalf of Her Majesty's said Government additional payments to the Association in accordance with the arrangements ;
- (b) making as aforesaid any payment which may become payable under paragraph (a) of section 2 of Article IV of the Agreement, as applied by the arrangements ;

- (c) redeeming any non-interest-bearing and non-negotiable notes or other obligations which may be issued or created by him and accepted by the Association in accordance with the arrangements or any provision of the Agreement applied by the arrangements ;

and provide for the payment into the Consolidated Fund of sums received by Her Majesty's said Government in pursuance of the Agreement as so applied.

(6) An order under subsection (5) above may be varied or revoked by a subsequent order thereunder.

(7) An order under subsection (5) above shall not be made unless a draft of the order has been laid before and approved by the House of Commons.

2.—(1) If Her Majesty's Government in the United Kingdom becomes bound, whether before or after the passing of this Act, by an international agreement for the establishment and operation of a regional 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 additional contributions to the capital stock of any such bank, the Minister of Overseas Development may with the approval of the Treasury by order made by statutory instrument make provision—

- (a) for the payment out of moneys provided by Parliament of sums required by him for the purpose of making, on behalf of Her Majesty's said Government in accordance with the agreement or arrangements, a payment of any such initial or additional contribution or a payment to maintain the value of any such contribution which has already been paid ;
- (b) for the payment out of such moneys of sums required to enable him 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 ;
- (c) for the payment into the Consolidated Fund of sums received by Her Majesty's said Government in pursuance of any such agreement or arrangements.

(2) In this section " regional development bank " means an international financial institution having as one of its objects the promotion of the economic development of any region of the world.

(3) An order under this section may be varied or revoked by a subsequent order thereunder.

(4) 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.

Guarantees
given under
the Asian
Development
Bank
Agreement.

3.—(1) Subject to the provisions of subsection (2) below, there shall be paid out of moneys provided by Parliament any sums which may be required by the Minister of Overseas Development for making on behalf of Her Majesty's Government in the United Kingdom payments in fulfilment of any undertaking given by that Government in pursuance of paragraph 3 of Article 3 of the Asian Development Bank Agreement (undertaking by a member of the Asian Development Bank to be responsible for obligations under the Agreement of another member for whose external relations the first-mentioned member is responsible).

(2) The aggregate amount of the sums which may be paid out of moneys provided by Parliament under subsection (1) above shall not exceed £5,000,000 or such greater sum as may from time to time be specified in an order made by statutory instrument by the Minister of Overseas Development 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) Any sums paid to Her Majesty's Government in the United Kingdom in repayment of any payment mentioned in subsection (1) above shall be paid into the Consolidated Fund.

(5) In this section "the Asian Development Bank Agreement" means the Agreement providing for the establishment and operation of an international body called the Asian Development Bank which was signed on behalf of Her Majesty's Government in the United Kingdom on 4th December 1965 and copies of which were presented to Parliament on 5th May 1966.

The Overseas
Service
Pensions
Scheme.
1966 c. 21.

4.—(1) The following provisions of this section shall have effect with respect to the Overseas Service Pensions Scheme established by virtue of section 7 of the Overseas Aid Act 1966 instead of the corresponding provisions of that section.

(2) The purpose of the Scheme shall be the provision out of the Overseas Service Pensions Fund so established of pensions in respect of the service of persons from the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland, being—

- (a) service after the commencement of the scheme in an overseas territory in approved employment under or by an approved authority or body corporate established in that territory or an authority or body corporate so established of an approved class ; or
- (b) service after the commencement of the scheme, whether in the United Kingdom or an overseas territory, in employment by Her Majesty's Government in the United Kingdom on terms that the person employed will serve from time to time in an overseas territory under an authority or body corporate established in that territory ;

and the scheme shall provide for the making by participants in the scheme of such contributions as may be determined under the scheme.

(3) Regulations under section 7 of the Overseas Aid Act 1966 1966 c. 21. may provide for securing that—

- (a) where a participant in the scheme leaves any employment mentioned in subsection (2) above and, within such period as may be determined by the Minister, enters service in other employment which is approved employment, so much as may be prescribed of the period of that service and of the period beginning with his leaving the employment so mentioned and ending with his entering that service shall be treated for the purposes of the scheme as if it were a period of service in respect of which a pension is payable ;
- (b) where any such participant leaves any employment so mentioned before reaching the age at which a pension may become payable under the scheme and without entering other employment which is approved employment, a prescribed period beginning with his leaving the employment so mentioned, shall, in such circumstances as may be prescribed, be treated for the purposes of the scheme as if it were a period of service in respect of which a pension is payable.

(4) The Minister may, with the approval of the Treasury, out of moneys provided by Parliament, pay the whole, or a proportion determined under regulations made under section 7 of the Overseas Aid Act 1966, of any contribution payable under the scheme by a person as a participant therein, or by such a person as aforesaid of a class so determined.

(5) In this section—

“ approved ” means approved by the Minister for the purposes of the scheme ;

“overseas territory” means any territory or country outside the United Kingdom ;

“participant”, in relation to the scheme, means a person in respect of whose service a pension may become payable under the scheme ;

“pensions” includes allowances, gratuities and return of contributions, with or without interest thereon or any other addition thereto ;

1966 c. 21. “prescribed” means prescribed by regulations under section 7 of the Overseas Aid Act 1966.

(6) In section 7 of the Overseas Aid Act 1966, in subsection (1), the words from “for the purpose” onwards and subsections (2) to (4) (being the provisions corresponding to subsections (2) to (5) above) shall cease to have effect, but any regulations in force immediately before the passing of this Act and having effect by virtue of the provisions repealed by this subsection shall, so far as they could have been made by virtue of this section, have effect as if so made.

Short title.

5. This Act may be cited as the Overseas Aid Act 1968.

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