STATUTORY INSTRUMENTS

1967 No. 973

MINISTERS OF THE CROWN

The Transfer of Functions (Secretary of State and Minister of Overseas Development) Order 1967

Made - - - -	*28th June* 1967
Laid before Parliament	*4th July* 1967
Coming into Operation	*5th July* 1967

At the Court at Buckingham Palace, the 28th day of June 1967

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of section 1 of the Ministers of the Crown (Transfer of Functions) Act 1946(a) and section 4 of the Ministers of the Crown Act 1964(b), 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 Transfer of Functions (Secretary of State and Minister of Overseas Development) Order 1967.

(2) The Interpretation Act 1889(c) applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

(3) Any reference in this Order to an enactment or instrument is a reference to it as amended, and includes a reference to it as applied, by or under any other enactment or instrument.

(4) This Order shall come into operation on 5th July 1967.

Transfer and concurrent exercise of functions

2.—(1) The functions conferred on the Secretary of State by paragraph 1 of Part I and paragraph 1 of Part II of Schedule 2 to the Pensions (India, Pakistan and Burma) Act 1955(d) (which among other things relate to persons who, in the opinion of the Secretary of State, were domiciled outside Asia on specified dates) are hereby transferred to the Minister of Overseas Development.

(2) The functions conferred on the Secretary of State by the proviso to section 5(2) of the Overseas Service Act 1958(e) (which provides for the designation of disciplinary authorities by the Secretary of State in connection with police officers seconded for service overseas under that Act) shall be exercisable by the Minister of Overseas Development concurrently with the Secretary of State.

(a) 1946 c. 31. (b) 1964 c. 98. (c) 1889 c. 63.
(d) 1955 c. 22. (e) 1958 c. 14.

(3) The functions of nominating and withdrawing the nominations of three foundation members of the Executive Council of the Royal Commonwealth Society for the Blind conferred on the Secretary of State for the Colonies by the constitution of the said Society are hereby transferred, as to one of those members, to the Secretary of State for Commonwealth Affairs and, as to the other two of them, to the Minister of Overseas Development.

(4) The functions conferred on the Secretary of State for the Colonies by the Royal Charter dated 24th April 1956 relating to the Royal Veterinary College are hereby transferred to the Minister of Overseas Development.

(5) The functions conferred on the Secretary of State for the Colonies by the by-laws set out in Schedule 1 to the Royal Charter dated 1st November 1921 incorporating the Cotton Research Corporation are hereby transferred to the Secretary of State for Commonwealth Affairs.

Supplemental

3.—(1) In any enactment or instrument passed or made before the coming into operation of this Order—

(*a*) any reference to a Minister from whom functions are transferred by this Order or his officers or department shall be construed, so far as may be necessary for or in consequence of the foregoing provisions of this Order, as a reference to the Minister to whom the functions are transferred or his officers or department; and

(*b*) any reference to the Secretary of State or his officers or department shall be construed, so far as may be necessary for or in consequence of Article 2(2) of this Order, as including a reference to the Minister of Overseas Development or his officers or department.

(2) This Order shall not affect the validity of anything done by or in relation to any Minister before the coming into operation of this Order; and anything which, at the time of the coming into operation of this Order, is in process of being done by or in relation to any Minister may, if it relates to any functions transferred by this Order, be continued by or in relation to the Minister to whom the functions are transferred.

(3) Any appointment, designation or determination made or other thing whatsoever done by any Minister for the purposes of any functions transferred by this Order shall, if in force at the coming into operation of this Order, continue in force and have effect as if similarly made or done by the Minister to whom the functions are transferred.

W. G. Agnew.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

Article 2(1) transfers to the Minister of Overseas Development the functions of the Secretary of State under Schedule 2 to the Pensions (India, Pakistan and Burma) Act 1955 of deciding whether certain former Crown servants were domiciled outside Asia at the commencement of their service.

Article 2(2) provides for the concurrent exercise by the Secretary of State and the Minister of Overseas Development of the Secretary of State's functions under section 5(2) of the Overseas Service Act 1958 of designating disciplinary authorities in relation to police officers seconded for service overseas under that Act.

Article 2(3) transfers the functions of the Secretary of State for the Colonies under the Articles of Association of the Royal Commonwealth Society for the Blind partly to the Secretary of State for Commonwealth Affairs and partly to the Minister of Overseas Development.

Article 2(4) transfers the functions of the Secretary of State for the Colonies under the Charter of the Royal Veterinary College to the Minister of Overseas Development.

Article 2(5) transfers the functions of the Secretary of State for the Colonies under the by-laws of the Cotton Research Corporation to the Secretary of State for Commonwealth Affairs.