1978 No. 154

OVERSEAS AID

The Asian Development Bank (Further Payments to Capital Stock) Order 1978

Laid before the House of Commons in draft

Made - - - - 1*st February* 1978

Coming into Operation 2*nd February* 1978

Whereas it is provided in section 2(1) of the Overseas Aid Act 1968(**a**) as amended by section 7(2) of the International Finance, Trade and Aid Act 1977(**b**) that if Her Majesty's Government in the United Kingdom becomes bound by any arrangements for the making of any further payment to an international development bank other than the initial subscription or contribution to its capital stock, the Minister of Overseas Development may with the approval of the Treasury by order made by Statutory Instrument make provision for the payment out of moneys provided by Parliament of any sums required by him for any of the purposes specified in that subsection.

Now, therefore, the Minister of Overseas Development, in exercise of the powers conferred upon him by section 2 of the Overseas Aid Act 1968 as amended by section 7(2) of the International Finance, Trade and Aid Act 1977 and with the approval of the Treasury, hereby makes the following Order:—

1.—(1) This Order may be cited as the Asian Development Bank (Further Payments to Capital Stock) Order 1978 and shall come into operation on 2nd February 1978.

(2) In this Order—

"the Bank" means the Asian Development Bank established by the Agreement;

"the Agreement" means the Agreement establishing the Asian Development Bank dated 4th December 1965(**c**) and ratified by Her Majesty's Government in the United Kingdom on the 26th September 1966.

(3) The Interpretation Act 1889(**d**) shall apply to the interpretation of, and otherwise in relation to, this Order as it applies to the interpretation of, and otherwise in relation to, an Act of Parliament.

(**a**) 1968 c. 57.
(**b**) 1977 c. 6.
(**c**) Cmnd. 3762.
(**d**) 1889 c. 63.

2. The Minister of Overseas Development may make further payments in sterling to the Bank on behalf of Her Majesty's Government in the United Kingdom out of moneys provided by Parliament of sums not exceeding in the aggregate the equivalent of one hundred and one million two hundred and fifty thousand United States dollars of the value in effect on 31st January 1966 and for any payment to the Bank which may become payable in accordance with paragraph 1 of Article 25 of the Agreement to maintain the value of the said further payments, in accordance with arrangements made between Her Majesty's said Government and the Bank.

3. The Minister of Overseas Development may redeem out of moneys provided by Parliament 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 as applied by the said arrangements.

4. Any sums received by Her Majesty's said Government from the Bank in pursuance of the Agreement as applied by the said arrangements shall be paid into the Consolidated Fund.

David Owen,
Minister of Overseas Development.

27th January 1978.

We approve,

T. E. Graham,
Donald R. Coleman,
Two of the Lords Commissioners of Her Majesty's Treasury.

1st February 1978.

EXPLANATORY NOTE

(This Note is not part of the Order.)

The Overseas Aid Act 1968 section 2(1) as amended by section 7(2) of the International Finance, Trade and Aid Act 1977 provides that if Her Majesty's Government becomes bound by arrangements for the making of any further payment to the capital stock of an international development bank other than the initial subscription to the capital stock, the Minister of Overseas Development may, with the approval of the Treasury, provide by order for the payment out of moneys provided by Parliament of any sums required by him for any of the purposes specified in that subsection.

This Order provides for the payment to the Asian Development Bank in accordance with arrangements made with the Bank of sums not exceeding the equivalent of US $101,250,000 of the value in effect on 31st January 1966 as further payments to the Bank by way of subscription to an issue of shares increasing the authorised stock of the Bank, for the payment of any sums which may be required to maintain the value of such further payments, and for the redemption of non-interest-bearing and non-negotiable notes issued by the Minister of Overseas Development in respect of those further payments. The Order further provides that certain sums which may be received by the Government of the United Kingdom from the Bank shall be paid into the Consolidated Fund.

SI 1978/154
ISBN 0-11-083154-3

