purposes of the regulations, and make different provisions for different cases or classes of case.

(3) No regulations shall be made under this section unless a draft of the regulations has been laid before the Commons House of Parliament and approved by a resolution of that House.

(4) The power to make regulations conferred by this section shall be exercisable by statutory instrument.

Short title and interpretation.

6.—(1) This Act may be cited as the Income Tax (Repayment of Post-War Credits) Act, 1959.

(2) In this Act " post-war credit " means a sum ascertained and recorded in relation to any person under section seven of the Finance Act, 1941 for any year of assessment:

Provided that where an apportionment of any such sum between a man and his wife was made under the provisions of the said section seven, or two or more persons are severally entitled to different shares of any such sum, such parts thereof shall be treated as separate post-war credits as the case may require.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Building Societies Act, 1874	37 & 38 Vict. c. 42.
National Loans Act, 1939	2 & 3 Geo. 6. c. 117.
Finance Act, 1941	4 & 5 Geo. 6. c. 30.
Finance Act, 1946	9 & 10 Geo. 6. c. 64.
Finance Act, 1947	10 & 11 Geo. 6. c. 35.
Companies Act, 1948	11 & 12 Geo. 6. c. 38.
Finance Act, 1954	2 & 3 Eliz. 2. c. 44.

CHAPTER 29

Colonial Development and Welfare (Amendment) Act, 1959

ARRANGEMENT OF SECTIONS

Section
1. Extension of provisions as to schemes for colonial development and welfare.
2. Loans for approved colonial development programmes.
3. Supplementary provisions as to loans.
4. Minor and consequential amendments.
5. Short title, repeals and commencement.

An Act to make further provision with respect to the development and welfare of colonies and other territories. [30th April, 1959]

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:—

Extension of provisions as to schemes for colonial development and welfare. 3 & 4 Eliz. 2. c. 6. 3 & 4 Geo. 6. c. 40.

1.—(1) Section one of the Colonial Development and Welfare Act, 1955, shall be amended as follows.

(2) In subsection (2) thereof (which provides that no scheme under section one of the Colonial Development and Welfare Act, 1940, other than a scheme for promoting research or enquiry, shall continue in force after the thirty-first day of March, nineteen hundred and sixty) for the word "sixty" there shall be substituted the words "sixty-four"; and that subsection shall not prevent the continuance in force of any scheme under the said section one in so far as the scheme makes provision for the payment out of moneys provided by Parliament of pensions, allowances or other benefits in respect of injuries or diseases, or aggravation of diseases, incurred by persons engaged in activities carried on for the purposes of schemes under the said section one.

(3) In subsection (3) thereof (which provides that the aggregate of the sums to be paid for the purposes of such schemes after the first day of April, nineteen hundred and forty-six shall not exceed two hundred and twenty million pounds) for the words "two hundred and twenty" there shall be substituted the words "three hundred and fifteen".

(4) Subsection (4) thereof (which imposes an annual limit on the sums to be paid out of moneys provided by Parliament for the purposes of such schemes) shall cease to have effect.

Loans for approved colonial development programmes.

2.—(1) Subject to the provisions of this section, the Secretary of State may with the approval of the Treasury make loans to the government of any territory to which this section applies for enabling that government to provide finance for any of the purposes of a development programme approved by the Secretary of State and by the legislature of the territory.

(2) The terms of any such loan shall be such as may be fixed by the Secretary of State with the approval of the Treasury, and different terms may be fixed for portions of the loan issued at different times.

(3) Loans under this section shall be made in accordance with proposals approved by the Secretary of State and the Treasury, and proposals for a loan shall not be approved until

provision has been made to the satisfaction of the Secretary of State and the Treasury—

(*a*) for securing that moneys representing the amount of the loan will be duly applied for the purpose or purposes in aid of which the loan was made;

(*b*) for the repayment of the loan, and the payment of interest thereon, in accordance with the terms of the loan, and for charging the amount of the loan and the interest thereon on the general revenues and assets of the territory and on any other revenues or assets which may be made available for the purpose.

(4) Where a purpose in aid of which a loan is proposed under this section involves the execution of any works, the Secretary of State shall not approve the proposal if (except in the case of the Aden Protectorate) he is not satisfied that the law of the territory provides reasonable facilities for the establishment and activities of trade unions, or if (in any case) he is not satisfied that fair conditions of labour will be observed in the execution of the works and in particular—

(*a*) that the wages paid will be at not less than the rates recognised by employers and trade unions in the area where the works are to be executed or, if there are no rates so recognised, at rates approved by the appropriate authority of the territory; and

(*b*) that no children under such age as may be appropriate in the circumstances, but not in any case being less than fourteen years, will be employed on the works.

(5) Proposals shall not be approved so that the aggregate amount of the loans under this section provided for by the proposals exceeds twenty-five million pounds as respects the proposals approved in any financial year or one hundred million pounds in all, no proposals for loans under this section shall be approved after the thirty-first day of March, nineteen hundred and sixty-four, and no moneys shall be lent under this section after the thirty-first day of March, nineteen hundred and sixty-seven.

(6) In this section "development programme" means a programme of public expenditure for promoting the general development or welfare of the territory in question, whether by the provision of new services or the promotion of new enterprises or by the improvement of existing services or enterprises.

(7) The territories to which this section applies are any colony or other territory outside the United Kingdom for the international relations of which Her Majesty's Government in the United Kingdom are responsible, and the New Hebrides; and where there is one government constituted for two or more such

territories as aforesaid, or one authority established for two or more such territories for the purpose of providing or administering services which are common to, or relate to matters of common interest to, the territories, references in this section to the government of a territory to which this section applies shall include references to the government or authority constituted or established as aforesaid, and the territories may be treated for the purposes of this section either as separate territories or as a single territory to which this section applies.

Supplementary provisions as to loans.

3.—(1) The Treasury may issue to the Secretary of State, out of the Consolidated Fund, the sums required by him under the foregoing section.

(2) For providing sums to be so issued, or for the replacement of sums so issued, the Treasury may at any time, if they think fit, raise money in any manner in which they are authorised to raise money under the National Loans Act, 1939; and any securities created and issued to raise money under this subsection shall be deemed for all purposes to have been created and issued under that Act.

2 & 3 Geo. 6. c. 117.

(3) Any sums received by the Secretary of State by way of interest on, or in repayment of, loans made under the foregoing section shall be paid into the Exchequer and shall be issued out of the Consolidated Fund at such times as the Treasury may direct, and shall be applied by the Treasury as follows, that is to say,—

(*a*) so much thereof as represents principal shall be applied in redeeming or paying off debt of such description as the Treasury think fit, and

(*b*) so much thereof as represents interest shall be applied towards meeting such part of the annual charges for the national debt as represents interest.

(4) As respects each financial year the Secretary of State shall prepare in such form and manner as the Treasury may direct an account of sums issued to him under this section and of sums received by him by way of interest on, or in repayment of, loans under the foregoing section, and of the disposal by him of those sums respectively, and send it to the Comptroller and Auditor General not later than the end of the November following the year; and the Comptroller and Auditor General shall examine, certify and report on the account and lay copies of it together with his report before each House of Parliament.

(5) As respects each financial year the Secretary of State shall lay before each House of Parliament a statement of the loans under the foregoing section for which he has approved proposals, together with particulars of the development programmes to which they relate.

Minor and consequential amendments.

4.—(1) In section one of the Colonial Development and Welfare Act, 1940 (which provides for schemes for colonial development and welfare), in subsection (1) for the word "colony" there shall be substituted the words "territory to which section two of the Colonial Development and Welfare (Amendment) Act, 1959, applies" and in subsection (2) for the word "colony" wherever it occurs there shall be substituted the word "territory"; and subsection (5) of the said section one (which extends the meaning of the expression "colony") and section two of the Colonial Development and Welfare Act, 1955 (which extends the said section one to the New Hebrides) shall cease to have effect.

(2) In subsection (2) of section one of the Colonial Development and Welfare Act, 1940 (which makes the like provision as subsection (4) of section two of this Act) for the words "approved by the person for the time being administering the government" there shall be substituted the words "approved by the appropriate authority".

(3) The following subsections shall be inserted after subsection (4) of section one of the Colonial Development and Welfare Act, 1940—

"(4A) A scheme in force under this section which was made solely for the benefit of any territory shall, if the territory at any time ceases to be one to which section two of the Colonial Development and Welfare (Amendment) Act, 1959, applies, cease to have effect at that time without prejudice to the making of payments in pursuance of the scheme after that time in respect of any period falling before that time; and, so far as practicable, but subject to the provisions of the next following subsection, no part of any sums paid out of moneys provided by Parliament for the purposes of any other scheme made under this section before that time shall be employed in respect of any period falling after that time for the benefit of the territory

(4B) Notwithstanding that a territory to which the said section two applies ceases at any time to be one to which that section applies, a scheme may be made under this section after that time with respect to a body established for the joint benefit of the territory and a territory to which the said section two applies, and sums paid out of moneys provided by Parliament may be employed for the purposes of such a scheme made before that time, if (in either case) the government of the first-mentioned territory has undertaken to bear a reasonable share of the cost of the scheme."

5.—(1) This Act may be cited as the Colonial Development and Welfare (Amendment) Act, 1959, and the Colonial Development and Welfare Acts, 1940 to 1955, and this Act may be cited together as the Colonial Development and Welfare Acts, 1940 to 1959. Short title, repeals, and commencement.

(2) The enactments specified in the Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

SCHEDULE

Section 5.

REPEALS

Session and Chapter	Short Title	Extent of Repeal
3 & 4 Geo. 6. c. 40.	The Colonial Development and Welfare Act, 1940.	In section one, subsection (5).
3 & 4 Eliz. 2. c. 6.	The Colonial Development and Welfare Act, 1955.	In section one, subsection (4). Section two.

CHAPTER 30

An Act to amend sections twenty-four and twenty-nine of the National Assistance Act, 1948.

[30th April, 1959]

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) Section twenty-four of the National Assistance Act, 1948 (which makes provision for determining the local authority liable for the provision of accommodation for any person under Part III of that Act by reference to the ordinary residence of that person) shall have effect, and, subject to subsection (3) of this section, be deemed always to have had effect, as if at the end thereof there were added the following subsection, that is to say— Determination of ordinary residence in certain cases. 11 & 12 Geo. 6. c. 29.

"(6) For the purposes of the provision of residential accommodation under this Part of this Act, a patient in a hospital forming part of the hospital and specialist services