CHAPTER 8.

An Act to make provision as to the application and modification of enactments in relation to mandates of the League of Nations and the trusteeship system of the United Nations. [10th December 1947.]

BE it enacted by the King'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 :—

Application and modification of enactments.

1.—(1) Subject to subsection (2) of this section, the operation of an enactment in relation to any territory—

(*a*) shall, while the territory is a trust territory under the sole administration of any government, be the same as if a mandate of the League of Nations in respect of the territory were being exercised by that government;

(*b*) shall not, except by virtue of the foregoing paragraph, be affected by reason—

(i) of the territory becoming a trust territory; or

(ii) of any change in the authority responsible for administering the territory which takes place on its becoming a trust territory or while it is a trust territory.

This subsection shall be deemed to have had effect from the thirteenth day of December, nineteen hundred and forty-six (being the day on which the first trust territories were established).

(2) Where, whether before or after the passing of this Act, a change in the authority responsible for administering a territory takes place on its becoming a trust territory or while it is a trust territory, His Majesty may by Order in Council make in any

enactment such modifications as appear to him to be proper having regard to the change, and any such Order in Council—

(*a*) may contain such transitional and other consequential provisions as appear to His Majesty to be expedient for the purposes of the Order; and

(*b*) though made after the date of the change, may be made so as to have effect from that date; and

(*c*) may be varied or revoked by a subsequent Order in Council.

(3) Where any enactment (whether passed or made before or after the termination of the League of Nations) refers in whatever terms to mandated territories or any description of mandated territories, mandates of the League shall not for the purposes of that enactment be deemed to have come to an end with the termination of the League.

This subsection shall be deemed to have had effect from the date of the termination of the League.

(4) The foregoing provisions of this Act, except the last foregoing subsection, shall apply only to enactments contained in Acts of earlier sessions than this Act, and to enactments contained in instruments having effect under such Acts, and the application of the foregoing provisions of this Act to enactments contained in instruments having effect under any Act may be excluded in whole or in part by any instrument having effect under that Act.

(5) Subject to the last foregoing subsection, this Act shall apply to, and an Order in Council thereunder may modify, an enactment notwithstanding that the effect is to impose a charge on the people or on public funds.

(6) Every Order in Council made under this Act shall be laid before Parliament forthwith after it is made, and if either House of Parliament within the period of forty days beginning with the day on which any such Order is laid before it resolves that an Address be presented to His Majesty praying that the Order be annulled, no further proceedings shall be taken thereunder and His Majesty in Council may revoke the Order, so, however, that any such resolution or revocation shall be without prejudice to the validity of anything previously done under the Order or to the making of a new Order.

In reckoning any such period of forty days as aforesaid, no account shall be taken of any time during which Parliament is dissolved or prorogued, or during which both Houses are adjourned for more than four days.

(7) Notwithstanding anything in subsection (4) of section one of the Rules Publication Act, 1893, an Order in Council made under this Act shall not be deemed to be or to contain a statutory rule to which that section applies. 56 & 57 Vict. c. 66.

2.—(1) This Act may be cited as the Mandated and Trust Territories Act, 1947. **Short title and interpretation.**

(2) In this Act the expression "trust territory" means a territory for the time being administered under the trusteeship system of the United Nations.

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