

COLONY AND PROTECTORATE OF KENYA.

ORDINANCES AND REGULATIONS.

VOL. XXII.

1st JANUARY to 31st DECEMBER, 1920.

NAIROBI.

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1921.

INDEX TO ORDINANCES, 1920.

ORDINANCES

	No.	PAGE.
Aerial Navigation, 1920	VIII	7
Appropriation (Supplementary), 1920	I	1
„ 1919	II	2
„ 1920	XXII	123
Bank of England and Treasury Currency Notes, 1920	XIV	14
„ „ „ „ „ „ „ „ Repeal, 1920	XXXII	154
Cattle Cleansing, 1920	XX	115
Corruption—Prevention of—1920	V	5
„ „ (Amendment), 1920	XXVII	150
Criminal Procedure (Amendment), 1920	XXVI	147
Currency—Gold and Silver—Protection, 1920	VII	6
Currency Notes, 1920	XXIV	141
Customs Tariff (Amendment), 1920	XVI	109
Discharged Soldiers Settlement (Amendment), 1920	XIII	14
Electric Power, 1919	XV	15
Entertainments Tax, 1920	XXXI	152
Former Enemy Aliens Restriction (Amendment), 1920	XXX	152
Fugitive Offenders (G. E. A.) Surrender, 1920	XII	13
Income Tax, 1920	XXIII	125
Master and Servants (Amendment), 1920	VI	6
Mohammedan Marriage, Divorce and Succession, 1920	XXXIV	155
Native Authority (Amendment) 1920	III	4
Native Exemption, 1920	XXV	143
Native Hut and Poll Tax (Amendment), 1920	XVII	109
Native Registration (Amendment), 1920	XIX	111
Non-Native Poll Tax (Amendment), 1920	XXVIII	151
Post Office Savings Bank (Amendment), 1920	XXIX	151
Public Travel and Access Roads, 1920	XXI	113
Registration of Titles (Amendment), 1920	XXXIII	154
Statistics (Amendment), 1920	IV	4
Trading with the Enemy (Banking Restriction), 1920	X	12
Treaty of Peace, 1920	XVIII	110
Vagrancy, 1920	IX	9
Weights and Measures (Amendment), 1920	XI	13

Notices of Confirmation of Ordinances.

	PAGE.
Aerial Navigation (No. VIII of 1920)	61
Bank of England and Treasury Currency Notes (No. XIV of 1920)	111
Corruption—Prevention of—(No. V of 1920)	106
Coconut Trade (Amendment) (No. XXVIII of 1919)	14
Customs Tariff (Amendment), 1920 (No. XVI of 1920)	104
Discharged Soldiers Settlement (Amendment) (No. XIII of 1920)	103
Electric Power, 1919 (No. XV of 1920)	68
Fugitive Offenders (No. XII of 1920)	69
Gold and Silver Currency Protection (No. VII of 1920)	68
Indian Post Office Act, 1898 (Amendment) (No. IX of 1919)	81
Master and Servants (Amendment) (No. XXVII of 1919)	15
" " " " (No. VI of 1920)	99
Native Authority (No. III of 1920)	59
Native Hut and Poll Tax, Exemption (No. XXIV of 1919)	2
Native Hut and Poll Tax (Amendment) (No. XVII of 1920)	103
Police (Amendment) (No. XVIII of 1919)	2
Public Roads and Access (No. XXI of 1920)	142
Registration of Natives (Amendment) 1920, (No. XIX of 1920)	142
Statistics (Amendment), (No. IV of 1920)	59
Town Planning (No. XXX of 1919)	22
Treaty of Peace (No. XVIII of 1920)	111
Trading (No. XXV of 1919)	18
Trading with the Enemy (Restriction of Banking), (No. X of 1920)	108
Vagrancy (Amendment), (No. IX of 1920)	111
Weights and Measures (Amendment), (No. XI of 1920)	104

Schedule of Proclamations, Rules and Regulations.

Act or Ordinance under which Rules, etc. have been issued.	Date of Rule, Proclamation, etc.	Page.	Effect of Rule, Proclamation, etc.
Abuse of Opiates Ordinance, 1913	23- 2-20	15	Abuse of Opiates (Amendment) Rules, 1920
Annexation <i>see</i> under Kenya			
Boundaries <i>see</i> under Crown Lands Ordinance, 1915.			
Branding of Stock Ordinance, 1907	15-4 -20	28	Branding of Stock Amendment Rules, 1920
British Protectorates (Defence) Order-in-Council, 1916	27- 7-20	78	Control of Petrol distribution
Commissions of Inquiry Ordinance, 1912	27- 5-20	57	Appointment of Profiteering Commission
	17- 7-20	75	Appointment of additional Commissioner
	4- 8-20	101	do.
	6- 8-20	91	Appointment of Land Tenure Commission
	10- 8-20	93	Amendment to Profiteering Commission
	24- 8-20	99	Appointment of additional Member of Profiteering Commission
	2- 9-20	101	Appointment of additional Member of Land Tenure Commission
	22-10-20	110	Appointment of additional Member of Land Tenure Commission
	25-10-20	110	do.
	14-12-20	141	Appointment of Commission <i>re</i> P. W. D.
Copyright Act, 1911	9- 2-20	28	Applied to certain works published in U. S. A.
Courts Ordinance, 1907	22- 4-20	30	Native Tribunal Rules, 1920
Crown Lands Ordinance, 1915	18- 5-20	34	Fixes boundaries of Reserves, Suk, Marakwet, Elgeyo, Kamasia and Njemps
	30- 6-20	40	Fixes boundaries of Masai Reserve
	1- 6-20	42	Fixes boundaries of Ulu and Kikumbulu Reserves
Criminal Procedure Amendment Ordinance, 1918	14- 1-20	7	Constitution of 2nd Class Court in Turkana
Currency Order-in-Council, 1920	23- 3-20	23	Suspends operation of Article 14 (3) of Currency Order-in-Council, 1905
	11- 5-20	33	One rupee notes declared legal tender
	2- 3-20	36	British Currency Notes declared legal tender
Currency (No. 2) Order-in-Council, 1920	26- 4-20	37	New British East Africa Coinage
	19- 7-20	70	In force from 21st July, 1920
	28- 7-20	77	Coins—Amending Notice
	27-10-20	109	Treasury Notes and Bank of England Notes no longer legal tender
Customs Ordinance, 1910	18- 3-20	22	Prohibition of imports of German dyestuffs
	1- 6-20	36	Prohibition of import of shaving brushes from Japan
	19- 7-20	69	Prohibition of importation of Indian silver rupees and one rupee Notes
	6- 8-20	81	Revokes Proclamation No. 130 of 1919
Customs Amendment Ordinance, 1915	16- 3-20	22	Amends Proclamation No. 118 of 1919
	27- 4-20	29	Prohibition of certain exports (gold and silver coins, one rupee notes, etc.)
	18- 5-20	33	Export of gold and silver coins and bullion prohibited
	4- 8-20	79	Revokes prohibition of export of gold coins
	27- 8-20	99	„ „ of export of one rupee notes
	1-10-20	104	„ „ of export of gold bullion
Diseases of Animals Ordinance, 1906	12- 1-20	5	East Coast Fever Area
	12- 1-20	5	Foot and Mouth Disease Area
	3- 1-20	5	East Coast Fever Area
	17- 1-20	8	Fly Disease Area
	19- 1-20	8	Foot and Mouth Disease Area
	27- 1-20	10	Rinderpest Area
	30- 1-20	10	East Coast Fever Area
	30- 1-20	10	Fly Disease Area
	10- 2-20	13	Importation of Dogs Amendment Rules (No. 1) 1920
	10- 2-20	14	Foot and Mouth Disease Area
	7- 2-20	14	Rinderpest Area
	11- 2-20	14	Foot and Mouth Disease
	7- 2-20	14	Swine Fever Area
	13- 2-20	15	do.
	23- 2-20	16	Fly Disease Area

SCHEDULE OF PROCLAMATIONS, RULES AND REGULATIONS.—(Contd.)

Act or Ordinance under which Rules, etc., have been issued.	Date of Rule, Proclamation, etc.	Page.	Effect of Rule, Proclamation, etc.
Diseases of Animals Ordinance, 1906	6- 3-20	18	Importation of Dogs Amendment Rules (No. 2) 1920
	8- 3-20	20	Foot and Mouth Disease Area
	8- 3-20	20	Revokes Proclamation No. 17
	12- 3-20	20	Revokes Rules of 21st October, 1910
	15- 3-20	23	Rinderpest Area
	11- 3-20	23	Foot and Mouth Disease Area
	12- 3-20	23	do.
	20- 3-20	24	East Coast Fever Area
	19- 3-20	24	Contagious Bovine Pleuro-pneumonia Area
	26- 3-20	24	do.
	26- 3-20	24	Revokes portion of Proclamation No. 28
	23- 3-20	24	Foot and Mouth Disease Area
	6- 4-20	26	East Coast Fever Area
	8- 4-20	26	Contagious Bovine Pleuro-pneumonia Area
	13- 4-20	27	do.
	14- 4-20	27	Diseases of Animals Amendment Rules, 1920
	16- 4-20	30	Foot and Mouth Disease Area
	24- 4-20	31	do.
	26- 3-20	31	Diseases of Animals Amendment Rules (No. 1) 1920
	27- 3-20	32	Contagious Bovine Pleuro-pneumonia Area
	30- 4-20	32	Foot and Mouth Disease Area
	30- 4-20	32	Revokes portion of Proclamation No. 42
	10- 5-20	34	do. 28
	11- 5-20	34	Contagious Bovine Pleuro-pneumonia Area
	22- 5-20	35	Foot and Mouth Disease Area
	19- 5-20	35	Contagious Bovine Pleuro-pneumonia Area
	27- 5-20	36	East Coast Fever Area
	27- 5-20	41	Contagious Bovine Pleuro-pneumonia Area
	1- 6-20	41	do.
	4- 6-20	41	Diseases of Animals (Importation of Dogs) Amendment Rules, 1920
	7- 6-20	57	Foot and Mouth Disease Area
	8- 6-20	57	Contagious Bovine Pleuro-pneumonia Area
	9- 6-20	57	do.
	10- 6-20	58	do.
	12- 6-20	58	Foot and Mouth Disease Area
	14- 6-20	58	Rinderpest Area
	23- 6-20	59	Contagious Bovine Pleuro-pneumonia Area
	26- 6-20	60	Supply of Veterinary Laboratory Products and Inoculation Rules, 1920
	25- 6-20	67	Fly Disease Area
	24- 6-20	67	Contagious Bovine Pleuro-pneumonia Area
	28- 6-20	67	do.
	2- 7-20	68	Foot and Mouth Disease Area
	2- 7-20	68	Contagious Bovine Pleuro-pneumonia Area
	2- 7-20	68	Foot and Mouth Disease Area
	2- 7-20	68	Contagious Bovine Pleuro-pneumonia Area
	7- 7-20	68	do.
	8- 7-20	68	do.
	12- 7-20	70	Rinderpest Area
	15- 7-20	70	East Coast Fever Area
	16- 7-20	70	do.
	17- 7-20	70	Fly Disease Area
	20- 7-20	70	Foot and Mouth Disease Area
	11- 7-20	75	Moving of Cattle for Trading Purposes Rules, 1920
	14- 7-20	78	Revokes portion of Proclamations Nos. 31 and 42
	21- 7-20	78	Rinderpest Area
	21- 7-20	78	East Coast Fever Area
	21- 7-20	79	Rinderpest Area
	24- 7-20	79	Foot and Mouth Disease Area
	24- 7-20	79	Contagious Bovine Pleuro-pneumonia Area
	24- 7-20	79	Revokes Proclamation No. 73
	27- 7-20	79	Contagious Bovine Pleuro-pneumonia Area
	30- 7-20	80	Amendment Rules (No. 2) of 1920.
	30- 7-20	81	Revokes Proclamation No. 64
	31- 7-20	81	Rinderpest Area

SCHEDULE OF PROCLAMATIONS, RULES AND REGULATIONS.—(Contd.)

Act or Ordinance under which Rules, etc., have been issued.	Date of Rule, Proclamation, etc.	Page.	Effect of Rule, Proclamation, etc.
Diseases of Animals Ordinance, 1906	5- 8-20	91	Foot and Mouth Disease Area
	6- 8-20	92	Heart Water Area
	7- 8-20	92	Contagious Bovine Pleuro-pneumonia Area
	8- 8-20	92	Rinderpest Area
	11- 8-20	92	Contagious Bovine Pleuro-pneumonia Area
	13- 8-20	98	do.
	13- 8-20	98	Revokes Proclamation No. 67
	14- 8-20	98	Rinderpest Area
	14- 8-20	98	Foot and Mouth Disease Area
	23- 8-20	99	Revokes Proclamation No. 90
	23- 8-20	99	Contagious Bovine Pleuro-pneumonia Area
	24- 8-20	100	do.
	24- 8-20	100	Revokes Proclamation No. 88
	25- 8-20	100	Rinderpest Area
	25- 8-20	100	Contagious Bovine Pleuro-pneumonia Area
	25- 8-20	100	Revokes Proclamations Nos. 98 and 101
	31- 8-20	101	Rinderpest Area
	31- 8-20	102	Contagious Bovine Pleuro-pneumonia Area
	4- 9-20	102	Foot and Mouth Disease Area
	10- 9-20	102	Rinderpest Areas
	10- 9-20	102	Swine Fever Area
	10- 9-20	103	Rinderpest Area
	1-10-20	106	Revokes Proclamations 62, 77, 78, 114, 31 and portion of 116
	4-10-20	106	Foot and Mouth Disease Areas
	4-10-20	107	East Coast Fever Area.
	4-10-20	107	Swine Fever Area
	4-10-20	107	Rinderpest Area
	4-10-20	107	Contagious Bovine Pleuro-pneumonia Area
	7-10-20	107	Rinderpest Area
	7-10-20	107	Contagious Bovine Pleuro-pneumonia Area
	7-10-20	107	Amends Proclamation No. 74
	7-10-20	108	Revokes Proclamations Nos. 106 and 119
	21-10-20	109	Rinderpest Area
	21-10-20	109	Foot and Mouth Disease Area
	21-10-20	109	Revokes portions of Proclamations Nos. 127, 105, and 4
	19-10-20	110	Amendment Rules, 1920
	5-11-20	111	Revokes Proclamations 69, portion of 116, portion of 127, 129, portion of 131, 141
	5-11-20	112	Contagious Bovine Pleuro-pneumonia Area
	12-11-20	112	Rinderpest Area
	12-11-20	112	Revokes portion of Proclamation 127
	18-11-20	139	Contagious Bovine Pleuro-pneumonia Area
	18-11-20	139	Revokes Proclamations 87, 120, portion of 141 and 103
	25-11-20	140	Contagious Bovine Pleuro-pneumonia Area
	25-11-20	140	Revokes Proclamations 92 and 140
	9-12-20	140	Revokes Proclamation 111
	14-12-20	141	Amendment Rules, No. 3 of 1920
	17-12-20	142	Foot and Mouth Disease Area
	17-12-20	142	Rinderpest Area
	17-12-20	142	Contagious Bovine Pleuro-pneumonia Area
Estate Duty Ordinance, 1918	30- 8-20	100	Estate Duty Valuation Rules, 1920
Fees and Royalties Ordinance, 1903	26- 2-20	18	Alteration of Pilotage Fees
	8- 5-20	33	Fees for mooring and unmooring of vessels
Finance Act, 1894	7- 5-20	67	Section 20 applied to East Africa Protectorate
Game Ordinance, 1909	19-10-20	108	Area added to First Schedule—Roan Antelope
	27-10-20	111	Additions to Schedule I.
German Government	26- 5-20	41	Swiss Consular Officers to represent German interest <i>pro tem</i>
Infectious Diseases Ordinance, 1903	22- 1-20	10	Cancellation of application of Rules to Kiambu Mission
	30- 1-20	11	Service of Notices—Rules

SCHEDULE OF PROCLAMATIONS, RULES AND REGULATIONS.—(Contd.)

Act or Ordinance under which Rules, etc. have been issued.	Date of Rule, Proclamation, etc.	Page.	Effect of Rule, Proclamation, etc.
Infectious Diseases Ordinance, 1903	27- 1-20	11	Rules applied to area at Ruaraka
	13- 3-20	22	Cancellation of application
Indian Post Office Act, 1898	9- 2-20	12	Foreign Money Order Rules (No. 1) 1920
	21- 2-20	14	do (No. 2) 1920
	12- 4-20	28	Foreign Postal and Money Order Amendment Rules, 1920
	20- 4-20	28	Foreign Money Order Rules (No. 3) 1920
	24- 6-20	61	Post Parcels Demurrage Rules, 1920
Indian Explosives Act, 1884	1- 4-20	25	Blasting Powder Rules, 1920
Indian Community in E. A. P.	17- 8-20	93	C. O. Despatch on Indian Policy
Interpretation and General Clauses Ordinance, 1912	4- 6-20	42	Land Officer to exercise powers under Section 4 of Land Titles Ordinance, 1910
Indian Petroleum Act, 1899	31- 7-20	82	Petroleum Import Rules, 1920
	31- 7-20	85	Petroleum Possession and Transport Rules, 1920
	4-10-20	106	Appointment of Testing Officer
Indian Telegraph Act, 1885	20-10-20	110	Telephones Installations and Extension Fees Rules, 1920
Kenya (Annexation) Order-in-Council, 1920	11- 6-20	76	Annexation of East Africa Protectorate
Land Titles Amendment Ordinance, 1910	4- 6-20	42	Land Officer to exercise powers under Section 4
Legislative Council Ordinance, 1919	7- 1-20	1	Appointment of Returning Officers
	31-12-19	1	Elections
	29- 1-20	10	Voting by Post Rules, 1920
	24- 2-20	15	Elected Members
	28- 2-20	16	Amending Rules (No. 1) 1920
	6- 3-20	19	Appointment of Presiding Officers
	11- 3-20	20	Voting by Post Rules (No. 2) 1920
Letters Patent	11- 9-20	114	Constitutes Colony of Kenya
	13- 9-20	121	Appointment of Sir E. Northey as Governor
Marriage Ordinance, 1902	12- 1-20	7	Roman Catholic Chapel, Lyoki, licenced
	10- 8-20	93	Trans-Nzoia District declared Marriage District
Military Labour Corps, Distribution of Pay and Personal Property Ordinance, 1918	3- 3-20	2	Appointment of District Boards
Mining Ordinance, 1912	3- 3-20	2	Appointment of Central Board
	22- 7-20	78	Mining Amendment Regulations, 1920
	10- 8-20	91	Exempted Area
Municipal Corporations Ordinance, 1909	3-12-19	2	Nairobi Township (Dogs) Bye-laws, 1920
	13-12-19	7	„ (Registration of Cycles) Amendment Bye-laws, 1920
	31-12-19	7	„ (Public Rickshaws) Amendment Bye-laws, 1920
	3- 2-20	12	Appointment of Councillors Nairobi—15 in Number
	3- 2-20	12	Nairobi Township Boundaries defined
	25- 2-20	15	Appointment of Councillors Nairobi—16 in Number
	3- 3-20	25	Nairobi Township Scaffoldings) Bye-laws, 1920
	9- 4-20	31	„ (Vehicles for hire) Amendment Bye-law, 1920
	9- 4-20	32	„ (Public Rickshaws) Amendment Bye-law, 1920
	3- 9-20	103	„ (Lamps) Amendment Rules, 1920
	26-11-20	141	„ (Casual Labour) Bye-laws, 1920
	6-12-20	142	„ (Dogs) Amendment Bye-laws, 1920
Native Registration Ordinance, 1915	7- 1-20	3	Native Registration (Amendment) Rules, 1919
	13- 1-20	5	Exclusion of certain areas from operation of Ordinance
	27- 1-20	8	do.
	12- 3-20	19	do.
	8- 4-20	25	Applies Ordinance to all Districts
	8- 4-20	27	Native Registration (Amendment) Rules, 1920
	21- 6-20	58	Rule re appointment of additional Registration Officers

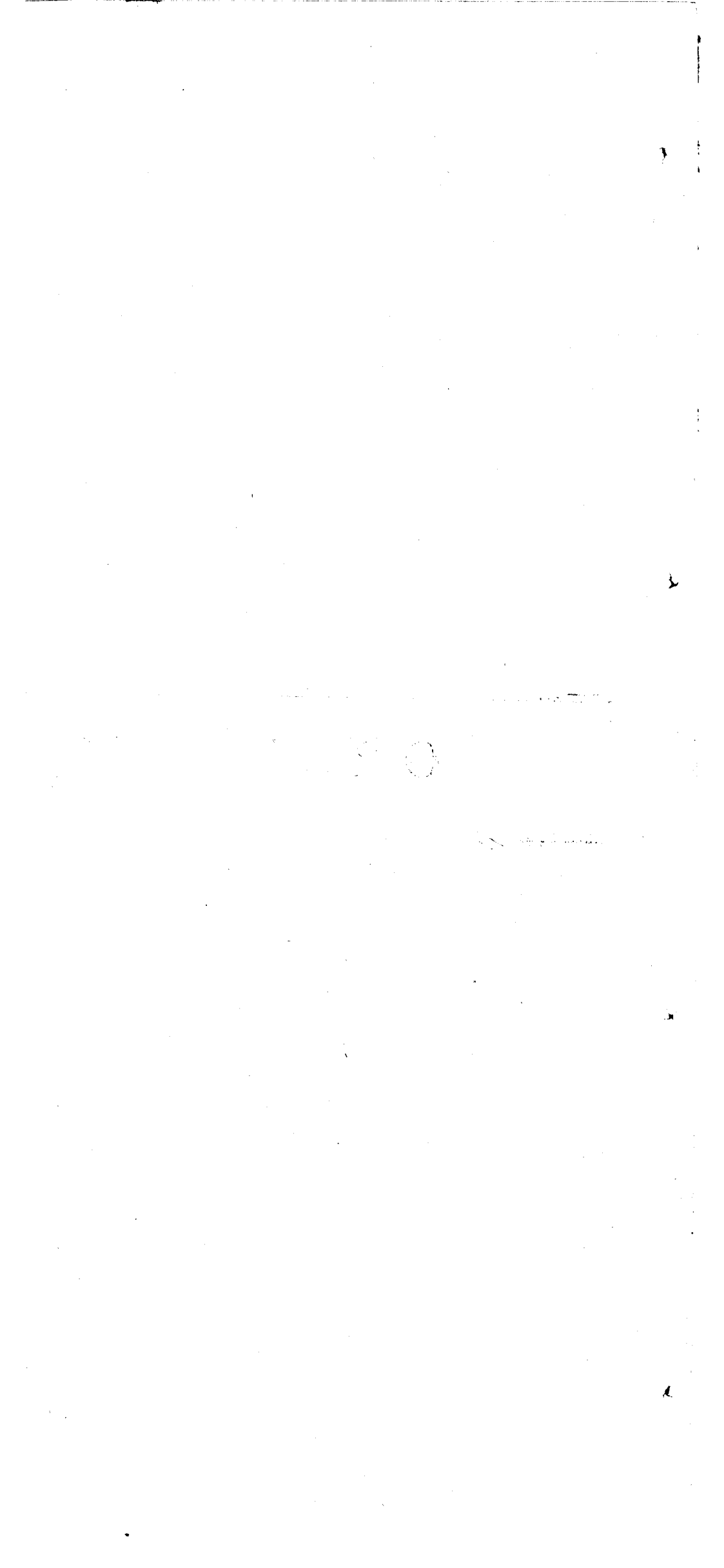
SCHEDULE OF PROCLAMATIONS, RULES AND REGULATIONS.—(Contd.)

Act or Ordinance under which Rules, etc. have been issued.	Date of Rule, Proclamation, etc.	Page.	Effect of Rule, Proclamation, etc.
Native Christian Marriage Ordinance, 1904	12- 1-20	7	Roman Catholic Priest at Lyoki to be a Registrar
Native Hut and Poll Tax Ordinance, 1910	20- 2-20	15	Appointments of Registrars
Native Hut and Poll Tax Amendment Ordinance, 1920	23- 1-20	8	Collection of Taxes and Hut Counters Amendment Rules, 1920
Native Hut and Poll Tax Amendment Ordinance, 1920	7- 6-20	41	Fixes amounts of Hut and Poll Tax for 1920-21
Native Chiefs and Dignitaries	25-10-20	109	Amends do.
Newspaper Registration Ordinance, 1906	26- 4-20	79	Institution of Medal for Zealous Service
Non-Native Poll Tax Ordinance, 1912	6- 9-20	101	Appointment of Officer to receive books
Order-in-Council, 1906	30- 9-20	106	Reduction to Rs. 10 when monthly wage less than Rs. 20 a month
do. 1919	9- 2-20	13	Rules of Court (Advocates remuneration and Taxation of Costs Amendment) No. 1 of 1920
do. 1920	24- 3-20	22	Comes into force 1st April, 1920
do. (Kenya Protectorate) 1920	26- 4-20	58	Validates Legislative Council Ordinance, 1919
Outlying Districts Ordinance, 1902	13- 8-20	122	Kenya Protectorate Order-in-Council, 1920
	21- 1-20	8	Northern Frontier District declared closed
	23- 1-20	10	Chief Native Commissioner to exercise powers
	4- 5-20	31	Certain areas in Ukamba Province declared closed Districts
	5- 5-20	31	Revokes Proclamation declaring closed areas in Kenya Province
	14- 9-20	102	Mariakani Trading Centre excluded
Petroleum Import Rules, 1920	14- 9-20	102	Ports of Import
Police Ordinance, 1911	18- 9-20	104	Landing Places
Post Office Amendment Ordinance, 1919 (see also under Indian Post Office)	22-11-20	139	Suspension of Sentence Rules, 1920
Quarantine Ordinance, 1912	12- 4-20	23	Foreign Postal and Money Order Rules, 1920
Railway Provident Fund Ordinance, 1908	7-12-20	140	Quarantine Area at Molo declared
Reformatory Schools Ordinance, 1910	14- 8-20	92	Amendment of Rules
	10-11-20	112	do.
	10- 5-20	32	Amends Rule 7 (a) of Rules
	27- 9-20	104	Reformatory Schools Amendment Rules, 1920
	10-10-20	108	Operation of Part III in Coast District
Registration of Titles Ordinance, 1919	21- 1-20	5	Applies Ordinance to Coast and Jubaland Districts
	7- 2-20	13	Appointments
Resident Natives Ordinance, 1918	6- 1-20	2	Appointment of Magistrate
	7- 1-20	5	Resident Native Registration Rules, 1920
	12- 3-20	20	Amendment Rules (No. 1) 1920
Royal Instructions 11th Sept., 1920	11- 9-20	127	Constitution of Colony of Kenya
Somali Exemption Ordinance, 1919	23- 1-20	9	Somali Exemption Rules, 1919
Statistics Ordinance, 1918	29- 6-20	61	Re Agricultural Census
	22-10-20	110	Regulations (No. 2) 1920
Tanganyika Territory	31- 1-20	11	New name of Occupied Territory
Termination of the Present War (Definition) Ordinance, 1919	25- 2-20	18	Date of Termination of War with Germany
	31- 7-20	81	Date of Termination of War with Austria
	23- 9-20	103	Date of Termination of War with Bulgaria
Town Planning Ordinance, 1919	17- 7-20	71	Town Planning Procedure Regulations, 1920
Tonwship Fees and Conservancy Ordinance, 1908	28- 2-20	17	Kisumu Township Conservancy Fees
Townships Ordinance, 1903	13- 1-20	3	Machakos Conservancy Fees
	30- 1-20	11	Service of Notices—Rules
	28- 2-20	16	Kisumu Water Rate Rules, 1920
do. 1903-1918	1- 3-20	16	Londiani Township Rules, 1919
	15- 3-20	20	Wangeh ceased to be a Township
	16- 3-20	23	Nairobi Township Amendment Rules, 1920
	27- 3-20	26	M'bagathi declared a Township
	27- 3-20	26	M'bagathi Township Rules, 1920
	14- 4-20	27	Mombasa Township—M. O. H. or D. C. substituted for Superintendent of Conservancy
	4- 8-20	81	Nairobi Township Rules, 1920 (Commercial Area)
	7- 9-20	101	Naivasha and Nakuru Townships Amendment Rules, 1920

SCHEDULE OF PROCLAMATIONS, RULES AND REGULATIONS.—(Contd.)

Act or Ordinance under which Rules, etc. have been issued.	Date of Rule, Proclamation, etc.	Page.	Effect of Rule, Proclamation, etc.
Townships Ordinance, 1903	27- 9-20	104	Kakamega Township
	27- 9-20	104	" " Rules
	2-10-20	105	Kismayu Township Amendment Rules, 1920
	12-10-20	108	European Residential Area, Mombasa
	11-10-20	109	Nyeri Township—Rules applied to
	17-11-20	113	Kismayu (Registration of Boat) Rules, 1920
	24-11-20	139	Township of Nanyuki declared
	26-11-20	140	Nanyuki Township Rules, 1920
Townships (Public Health, Segregation of Races) Rules, 1918	15-12-20	155	Machakos Township Amended definition of area
	12-10-20	108	European Residential Area, Mombasa
Treaty of Peace Act, 1919	18- 8-19	44	Clearing Offices to be established, etc.
Wireless Telegraph Ordinance, 1913	1- 6-20	42	Licence granted to conduct experiments in Wireless Telegraphy

ORDINANCES.



EAST AFRICA PROTECTORATE.

AN ORDINANCE.

No. 1 OF 1920.

An Ordinance to Supply a further Sum of Money for the Service of the Year ending the 31st March, 1919.

[3rd February, 1920.]

Date of Assent and
Commencement.

BE it enacted by the Acting Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

1. This Ordinance may be cited as “The Supplementary Appropriation Ordinance, 1920.” Short title.

2. The Public Revenue for the year 1918-19, and other funds of the East Africa Protectorate are hereby charged towards the service of the year ended 31st March, 1919, with a further sum of one hundred seventy-seven thousand and eight-seven pounds, two shillings and five pence, in addition to the sums provided by the Appropriation Ordinance, 1918. Public Revenue charged.

3. The money granted by this Ordinance shall be applied to the purposes and services expressed in the schedule annexed hereto. Application of money granted.

4. The Treasurer of the Protectorate is hereby authorised and required from time to time, upon warrant or order of the Governor, to pay out of the Revenue and other funds of the Protectorate, for the several services specified in the schedule, the said sum of one hundred seventy-seven thousand and eighty-seven pounds, two shillings and five pence, which have come in course of payment during the year ended on the 31st day of March, 1919. Treasurer's authority for Payment.

SCHEDULE.]

HEADS OF EXPENDITURE.				AMOUNT.		
				£	s.	d.
2.	Pensions and Gratuities	...	...	1,168	16	3
3.	His Excellency the Governor...	...	...	82	4	7
6a	Provincial Administration—Special Expenditure	...	...	2,544	7	2
7.	Treasury	...	...	149	10	5
9.	Port and Marine Departments—Special Expenditure	...	...	639	13	3
13	Prisons	...	...	8,145	1	6
17.	Transport	...	...	965	10	6
20a	Post Office and Telegraphs—Special Expenditure	...	...	1,912	12	3
33.	Interest...	...	...	38	3	2
34.	Special Expenditure for Magadi	...	...	5,468	0	9
35.	Protectorate share of War Expenses	...	...	155,973	2	7
Total £ ...				177,087	2	5

AN ORDINANCE.

No. 2 OF 1920.

An Ordinance to apply a Sum of Money for the Service of the Year ending the 31st day of March, 1920.

Date of Assent and Commencement.

[3rd February, 1920.]

BE it enacted by the Acting Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof :—

1. This Ordinance may be cited as the "Appropriation Ordinance," 1919.

2. The Public Revenue for the year 1919-20, and other funds of the East Africa Protectorate, are hereby charged towards the service of the year ending the thirty-first day of March, one thousand nine hundred and twenty, with a sum of one million seven hundred and fifty two thousand nine hundred and sixty five pounds.

3. The money granted by this Ordinance shall be applied to the purposes and services expressed in the Schedule annexed hereto.

4. The Treasurer of the Protectorate is hereby authorised and required, from time to time, upon the warrant or order of the Governor to pay out of the Revenue and other funds of the Protectorate, for the several services specified in the Schedule, the said sum of one million seven hundred and fifty two thousand nine hundred and sixty five pounds which will come in course of payment during the year ending on the thirty-first day of March, one thousand nine hundred and twenty.

SCHEDULE.

DIVISION.				AMOUNT.
1.	Rent and Interest to H. H. the Sultan of Zanzibar	...	...	£ 17,000
2.	Pensions and Gratuities	...	...	13,600
3.	His Excellency the Governor	...	...	8,813
4.	Secretariat	...	...	7,659
5.	"Official Gazette" and Printing	...	...	8,410
5a.	do. Special Expenditure	...	...	900
6.	Provincial Administration	...	...	187,694
6a.	do. Special Expenditure	...	...	8,097
7.	Treasury	...	...	11,220
8.	Customs	...	...	20,196
Carried forward £				283,589

SCHEDULE.—Contd.

DIVISION.				AMOUNT.
				£
Brought forward £ ...				283,589
9.	Port and Marine Departments	...	...	7,881
9a.	do. Special Expenditure	...	...	320
10.	Audit ...	...	...	5,640
11.	Legal Departments	...	...	22,261
12.	Police ...	...	...	73,287
13.	Prisons	...	...	23,318
14.	Medical Departments	...	...	93,162
15.	Laboratories	...	...	4,910
16.	Education	...	...	21,842
17.	Transport	...	...	5,579
17a.	do. Special Expenditure	...	...	2,700
18.	Military	...	...	118,719
18a.	do. Special Expenditure	...	...	77,361
19.	Miscellaneous Services	...	...	8,995
20.	Post Office and Telegraphs	...	...	72,022
20a.	do. Special Expenditure	...	...	7,428
21.	Railway Department	...	...	561,236
21a.	do. Special Expenditure	...	...	2,000
21b.	Busoga Railway	...	...	44,600
21c.	Port Bell-Kampala Railway	...	...	6,166
22.	Agricultural Department	...	...	61,552
22a.	do. Special Expenditure	...	...	4,557
23.	Forest Department	...	...	15,041
24.	Game Department	...	...	3,431
26.	Trigonometrical and Topographical Survey Department	...	...	3,660
27.	Land Department	...	...	43,721
28.	Public Works Department	...	...	43,081
29.	Public Works Recurrent	...	...	77,807
30.	Public Works Extraordinary	...	...	43,988
31.	Coast Land Settlement	...	...	4,611
32.	Interest on Advances	...	...	7,500
33.	Mineral Survey Department	...	...	1,000
Total £				1,752,965

AN ORDINANCE.

No. 3 OF 1920.

An Ordinance to Amend the Law Relating to the Powers and Duties of Native Chiefs Councils and Headmen Recognised by the Government and to Provide for the Enforcement of Native Authority.

Date of Assent and Commencement.

[February 11th, 1920.]

BE it enacted by the Acting Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

Short title.

1. This Ordinance may be cited as "The Native Authority Amendment Ordinance, 1920," and shall be read and construed as one with the Native Authority Ordinance, 1912, hereinafter referred to as "The Principal Ordinance."

Amendment to Section 7 of Principal Ordinance.

2. Section 7 of the Principal Ordinance shall be and is hereby amended as follows:—

I. By the addition of the following clause:—

(m) the provision of paid porters for Government servants on tour and for the Government Transport Department and of paid labour for work on the construction or maintenance of railways and roads wherever situated in the Protectorate and for other work of a public nature whether of a like kind to the foregoing or not. Provided always that no person shall be required to work under the provisions of this clause:—

(a) for a longer period than 60 days in any one year;

(b) if he be fully employed in any other occupation or has been so employed during the preceding 12 months for a period of 3 months;

(c) if he be otherwise exempted under the provisions of any direction issued by the Governor, and

II. The word "and" at the end of clause (l) is hereby deleted.

III. Clause (m) shall become clause (n).

AN ORDINANCE.

No. 4 OF 1920.

An Ordinance to amend the Statistics Ordinance, 1918.

Date of Assent and Commencement.

[February 11th, 1920.]

BE it enacted by the Acting Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

Short title.

1. This Ordinance may be cited as "The Statistics Amendment Ordinance, 1920," and shall be read as one with the Statistics Ordinance, 1918, hereafter referred to as "the Principal Ordinance" and all Ordinances amending the same.

Duty of person to answer.

2. In Section 5 line 5 of the Principal Ordinance the words "the furnishing of which is prescribed" shall be substituted for the word "required".

3. In Section 13 of the Principal Ordinance:—

(a) the word "information" shall be substituted for the word "Statistics" wherever it occurs.

(b) the words "it relates" shall be substituted for the words "they relate".

Penalty for communicating information collected to any other person than a prescribed person.

AN ORDINANCE.

No. 5 OF 1920.

An Ordinance for the Better Prevention of Corruption.

[February 11th, 1920.]

Date of Assent and
Commencement.

BE it enacted by the Acting Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof :—

1. This Ordinance may be cited as “The Prevention of Corruption Ordinance, 1920.” Short title.

2. (1) If any agent corruptly accepts or obtains, or agrees to accept or attempts to obtain, from any person, for himself or for any other person, any gift or consideration as an inducement or reward for doing or forbearing to do, or for having after the passing of this Ordinance done or forborne to do, any act in relation to his principal's affairs or business, or for showing or forbearing to show favour or disfavour to any person in relation to his principal's affairs or business; or

Punishment of corrupt
transactions with agents

If any person corruptly gives or agrees to give or offers any gift or consideration to any agent as an inducement or reward for doing or forbearing to do, or for having after the passing of this Ordinance done or forborne to do, any act in relation to his principal's affairs or business, or for showing or forbearing to show favour or disfavour to any person in relation to his principal's affairs or business; or

If any person knowingly gives to any agent, or if any agent knowingly uses with intent to deceive his principal, any receipt, account, or other document in respect of which the principal is interested, and which contains any statement which is false or erroneous or defective in any material particular; and which to his knowledge is intended to mislead the principal;

he shall be guilty of an offence, and shall be liable on conviction to imprisonment of either description for a term not exceeding two years or to a fine not exceeding Rs. 3,000/- or to both such imprisonment and such fine, or on conviction by a Magistrate holding a Subordinate Court of the first class to imprisonment of either description for a term not exceeding 6 months, or to a fine not exceeding Rs. 1,500/- or to both such imprisonment and such fine.

(2) For the purpose of this Ordinance the expression “consideration” includes valuable consideration of any kind; the expression “agent” includes any person employed by or acting for another; and the expression “principal” includes an employer.

(3) A person serving under the Crown or under any municipal corporation is an agent within the meaning of this Ordinance.

3. A prosecution for an offence under this Ordinance shall not be instituted without the consent of the Attorney General or Solicitor General. Prosecution of offences.

AN ORDINANCE

No. 6 OF 1920.

An Ordinance to Amend the Law Relating to Master and Servants.

Date of Assent and
Commencement.

[February 11th, 1920.]

BE it enacted by the Acting Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

Short title.

1. This Ordinance may be cited as “The Master and Servants Amendment Ordinance, 1920,” and shall be read and construed as one with the Master and Servants Ordinance, 1910, hereafter referred to as the Principal Ordinance and all amendments thereof.

Repeal.
Penalty for decoying
servants.

2. Section 15 of the Principal Ordinance is hereby repealed and the following section is hereby substituted therefor:—

15. Whoever decoys away or unlawfully induces any servant to quit the service of his employer or who attempts to decoy away or attempts unlawfully to induce any servant to quit the service of his employer or who knowingly harbours any servant who may improperly quit the service of his employer shall be liable on conviction to a fine not exceeding Rs. 1,500/- or to imprisonment of either description not exceeding 6 months or to both such fine and imprisonment.

AN ORDINANCE.

No. 7 OF 1920.

An Ordinance to Prohibit the Melting Down or use of Gold and Silver Coins otherwise than as Currency.

Date of Assent and
Commencement.

[February 11th, 1920.]

BE it enacted by the Acting Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

Short title.

1. This Ordinance may be cited as “The Gold and Silver Currency Protection Ordinance, 1920.”

Prohibition on melting
down or using except as
currency gold and silver
coins.

2. No person shall melt down, break up or use otherwise than as currency any gold or silver coin which is for the time being current in the Protectorate or in the United Kingdom or in any British Possession or Protectorate or in any foreign country.

3. Any person who contravenes any of the provisions of this Ordinance shall on conviction be liable to a fine not exceeding Rs. 3,000/- or to imprisonment of either description for a term not exceeding 6 months or to both such fine and imprisonment. Penalty.

AN ORDINANCE.

No. 8 OF 1920.

An Ordinance to make Provision for the Regulation of Aerial Navigation.

[February 11th, 1920.]

Date of Assent and
Commencement.

BE it enacted by the Acting Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof :—

1. This Ordinance may be cited as "The Aerial Navigation Ordinance, 1920." Short title.

2. (1) The Governor-in-Council may :—

Power to prohibit
navigation by aircraft
over prescribed areas.

(a) for the purpose of protecting the public from danger; and

(b) for the purpose of the defence or safety of the Protectorate

from time to time by order prohibit the navigation of aircraft over such areas as may be prescribed in the order.

(2) Any such order may apply either generally to all aircraft or to aircraft of such classes and descriptions only as may be specified in the order and may prohibit the navigation of aircraft over any such prescribed area either at all times or at such times or on such occasions only as may be specified in the order and either absolutely or subject to such exceptions or conditions as may be so specified.

(3) Any area prescribed in pursuance of sub-section (1) (b) of this section may include the whole or any part of the coast line of the Protectorate and the territorial waters adjacent thereto or the whole or any part of the waters of Lake Victoria being within the Protectorate.

(4) If any person navigates any aircraft over an area prescribed under the provisions of this section he shall be guilty of an offence under this Ordinance unless he proves that he was compelled to do so by reason of stress of weather or other circumstance over which he had no control.

3. (1) The Governor-in-Council may from time to time by order prescribe the areas within which aircraft coming from any place outside the Protectorate are to land and the other conditions to be complied with by such aircraft.

Power to prescribe
landing places or other
conditions in the case
of aircraft entering
the Protectorate.

(2) If any person contravenes any of the provisions of any such order he shall be guilty of an offence under this Ordinance unless he shall prove that he was compelled to do so by reason of stress of weather or other circumstance over which he had no control.

4. (1) The Governor-in-Council may from time to time by order regulate air navigation over the Protectorate and the territorial waters adjacent thereto and in particular but without departing from the generality of the above provision may by any such order provide for :—

(a) the grant, suspension and revocation of licences to pilots and other persons engaged in the navigation of aircraft especially those used for carrying passengers, goods or mails;

(b) the registration, identification, inspection and certification of aircraft especially those used for carrying passengers, goods or mails;

(c) the licensing, inspection and regulation of aerodromes;

(d) the conditions under which aircraft may be used for carrying passengers, goods or mails;

(e) the conditions under which goods and mails may be conveyed in aircraft into, from or within the Protectorate.

(2) If any person contravenes or fails to comply with the provisions contained in any such order he shall be guilty of an offence under this Ordinance. Provided that if proceedings are taken by the Chief of Customs for contravention of or failure to comply with any regulation made under paragraph (e) of sub-section (1) of this section the proceedings shall be deemed to be proceedings for the recovery of a penalty under the law relating to Customs.

5. If an aircraft flies or attempts to fly over any area prescribed under this Ordinance for the purposes of defence or safety of the Protectorate or in the case of an aircraft coming from any place outside the Protectorate fails to comply with any of the conditions as to landing prescribed by an order under Section 3 of this Ordinance it shall be lawful for an officer designated for the purpose by regulations made by the Governor-in-Council to cause such signal as may be prescribed by those regulations to be given and if after such signal has been given the aircraft fails to respond to the signal by complying with such regulations as may be made by the Governor-in-Council prescribing the action to be taken on such a signal being given it shall be lawful for the officer to fire at or into such aircraft and to use any or every means necessary to compel compliance and every and any such officer and every other person acting in his aid and by his direction shall be and is hereby indemnified and discharged from any prosecution, charge, penalty, action or other proceeding whatsoever whether criminal or civil for so doing.

6. If any person is guilty of an offence under this Ordinance he shall on conviction be liable to imprisonment of either description for a term not exceeding six months or to a fine not exceeding Rs. 3,000/- or to both such imprisonment and fine.

AN ORDINANCE.

No. 9 OF 1920.

An Ordinance to Amend the Law Relating to Vagrants.

[February 11th, 1920.]

Date of Assent and Commencement.

BE it enacted by the Acting Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof :—

1. This Ordinance may be cited as "The Vagrancy Ordinance, 1920." The Governor-in-Council may by order published in the Gazette apply this Ordinance to any area in the Protectorate. Short title and operation.

2. In this Ordinance unless the subject or context otherwise requires the expression :— Interpretation.

"Magistrate" means a Magistrate holding a Subordinate Court of the 1st or 2nd class.

"Native" means any person who is a native of Africa not of European or Asiatic origin or descent and includes any Somali or Swahili.

"Vagrant" means :—

(a) Any person asking for alms ;

(b) Any person wandering about or without leave of the owner thereof lodging in any verandah, outhouse, shed or unoccupied building or in any cart, vehicle or other receptacle and not having any visible means of subsistence ;

(c) Any person wandering about who cannot satisfy the Police that he possesses adequate means of subsistence from a legitimate source.

3. Any police officer may arrest without warrant any person who is apparently a vagrant and shall at the earliest opportunity take him before the nearest Magistrate. Powers of arrest.

4. (1) It shall be lawful for the Governor to provide houses of detention at such places within the Protectorate as he shall think fit for the reception of vagrants. Power to establish houses of detention for vagrants.

(2) The Governor may from time to time appoint such superintendents and medical and other officers for the management of such houses of detention as he may think fit.

(3) Every such superintendent, medical and other officer shall be deemed to be a public servant within the meaning of the Indian Penal Code as applied to the Protectorate.

5. It shall be lawful for the Governor-in-Council from time to time to make Regulations for the management of houses of detention. Such Regulations shall include among other things Regulations for :— Regulations for management of houses of detention.

(a) The search of the person and clothing of any person admitted to the house of detention.

(b) The custody or destruction of the clothing and effects of the inmates.

(c) The diet, dress and accommodation of the inmates.

(d) Personal cleanliness, hours, meals, labour, and general conduct.

(e) Medical examination of any person admitted to the house of detention.

(f) Recording particulars for the future identification of the inmates.

(g) Discharge.

and may prescribe punishments for disobedience to such Regulations to be inflicted by the superintendent not exceeding one week's confinement or one week's reduced diet or both such punishments. The nature of such confinement and diet shall be prescribed by Regulations.

Obtaining employment.

6. (1) The superintendent of any house of detention shall use his best endeavours to obtain suitable employment outside such house for the vagrants admitted thereto.

(2) When any such employment is obtained any vagrant who refuses or neglects to avail himself thereto shall be liable on conviction to imprisonment of either description for a term not exceeding six months.

Discharge by Governor.

7. The Governor may at any time order the discharge of any person detained in a house of detention.

Work.

8. Every person detained in a house of detention shall be put to any labour of which the Medical Officer shall certify him to be capable. Any such person who refuses to perform such labour or who performs such labour in a negligent or unsatisfactory manner shall be guilty of an offence and shall on conviction be liable to imprisonment of either description for a term not exceeding one month.

Provisional houses of detention in prisons.

9. The Governor may by order direct that suitable provision shall be made in any prison in the Protectorate for the use thereof as a house of detention under this Ordinance and the provisions of this Ordinance and any Regulations thereunder shall apply to any such house of detention situated in a prison.

Repatriation of vagrants.

10. (1) If within a reasonable time not exceeding three months from the date on which a vagrant was committed to a house of detention no suitable employment is obtainable for him if such vagrant is not a British subject born in the Protectorate or a native of the Protectorate the Governor-in-Council may order him to be repatriated and he shall be repatriated accordingly and any person who returns to the Protectorate after having been repatriated under this Ordinance without the licence of the Governor in writing first had and obtained shall be guilty of an offence and shall on conviction be liable to imprisonment of either description for a term not exceeding six months.

(2) For the purpose of repatriating a vagrant under subsection (1) of this section it shall be lawful for such officer as the Governor may direct to place the vagrant on board ship and such vagrant shall be detained on board and shall be deemed to be in lawful custody while the ship is within the jurisdiction of the Protectorate.

(3) If within a reasonable time not exceeding three months from the date on which a vagrant was committed to a house of detention no suitable employment is obtainable for him if such vagrant is a native of the Protectorate the Governor-in-Council may order him to be returned to the area if any reserved for the use of his tribe or sub-tribe and he shall be returned accordingly and any native who after having been returned to the area reserved for the use of his tribe or sub-tribe leaves such reserve without the licence in writing of the Provincial Commissioner of the Province in which such

reserve is situated first had and obtained shall be guilty of an offence and shall on conviction be liable to imprisonment of either description for a term not exceeding six months.

11. (1) When any person is brought before a Magistrate as being apparently a vagrant if after due inquiry the Magistrate find as a fact such person is a vagrant he may :— **Powers of Magistrates.**

(i) Order him to find work within such time as he may prescribe and direct on what date and time such vagrant shall report to the Magistrate;

(ii) Order him to be detained in a house of detention; or

(iii) Order him if he be a native of the Protectorate to be returned to the area, if any, reserved for the use of his tribe.

(2) If any native who under this section is ordered to find work fails to find such work or fails to report to the Magistrate as directed the Magistrate may order him to be returned to the area, if any, reserved for the use of his tribe.

(3) Any native who after being returned under this section to the area reserved for the use of his tribe or sub-tribe leaves such area without the licence in writing of the Provincial Commissioner of the Province in which such reserve is situated shall be guilty of an offence and shall on conviction be liable to imprisonment of either description not exceeding six months.

(4) A Magistrate may order the detention of a vagrant who is a native in a house of detention or in prison pending his return to the area reserved for the use of his tribe or sub-tribe.

12. A Magistrate may issue such warrants as may be necessary to carry into effect any order issued by him under the preceding section and a vagrant when held under such a warrant shall be deemed to be in lawful custody. **Warrants.**

13. Any person who has once been found by a Magistrate to be a vagrant or who has been committed to prison as a vagrant under the Vagrancy Regulations, 1900, shall on any subsequent conviction of vagrancy be liable to a term of imprisonment of either description not exceeding six months in addition to any other order which a Magistrate may make under this Ordinance. **Offences.**

14. Any person under the apparent age of 16 years not being regularly employed and who is not residing with his or her parents or other lawful guardian shall on being found wandering about be taken before a Magistrate who may issue an order for the return of such person to the custody of the parent or guardian as the case may be and thereupon shall by the most expeditious means possible be handed over to the custody of such parent or guardian. Should any juvenile subsequent to an order having been made as aforesaid again be found wandering about without employment and who has left the custody of the parents or guardian a Magistrate may after due enquiry order such juvenile to receive six strokes with a light cane and shall thereafter cause him to be again returned to the custody of the parents or guardian. **Juveniles under the apparent age of 16 years.**

15. The Vagrancy Regulations, 1900, are hereby repealed, provided that such repeal shall not affect any conviction and sentence under such Regulations or any order made thereunder. **Repeal.**

AN ORDINANCE.

No. 10 OF 1920.

An Ordinance to Extend Temporarily Certain Ordinances Relating to Trading with the Enemy to the Carrying on of Banking Business after the Termination of the War.Date of Assent and
Commencement.

[February 11th, 1920.]

BE it enacted by the Acting Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof :—

Short title.

1. This Ordinance may be cited as “The Trading with the Enemy (Restriction of Banking) Ordinance, 1920,” and shall be construed and read as one with the Trading with the Enemy Ordinances 1915 and 1916.

Interpretations.

2. In this Ordinance :—

The expression “enemy controlled corporation” means any corporation :—

(a) Where the majority of the directors or the persons occupying the position of directors by whatever name called are subjects of an enemy state; or

(b) Where it appears to the Court that the majority of the voting power or shares is in the hands of persons who are subjects of an enemy state or who exercise their voting powers or hold the shares directly or indirectly on behalf of persons who are subjects of an enemy state; or

(c) Where the control is by any means whatever in the hands of persons who are subjects of an enemy state; or

(d) Where the executive is an enemy controlled corporation or where the majority of the executive are appointed by an enemy controlled corporation.

The expression “enemy state” means a state with which His Majesty is now or was recently at war.

The expression “Court” means the High Court.

Restriction of banking
business for the
benefit of or under
the control of enemies

3. (1) During the period of five years immediately after the termination of the present war and thereafter until this Ordinance shall be repealed no banking business shall be carried on within the Protectorate—

(a) By a company which is an enemy-controlled corporation within the meaning of this Ordinance; or

(b) By a firm or individual, if the business carried on is one with respect to which, if a state of war still continued, an order for the liquidation thereof could have been made under Section 3 of the Trading with the Enemy Amendment Ordinance, 1916:

and if any person is concerned in carrying on any such business in contravention of this provision he shall be guilty of an offence punishable in like manner and subject to the like provisions as in the case of an offence under Section 1 (1) of the Trading with the Enemy Ordinance, 1915.

(2) Where it appears to the Court on the application of the Attorney General that any banking business is carried on in contravention of this section the Court shall order the business to be wound up, and for that purpose the provisions of Section 3 of the Trading with the Enemy Ordinance, 1916, shall with the necessary adaptations apply.

(3) The powers of a Magistrate and of the Governor to appoint inspectors under Section 2 of the Trading with the Enemy Ordinance, 1915, shall include the power to appoint inspectors for the purpose of ascertaining, during the period aforesaid, whether any banking business is carried on by a company which is an enemy-controlled corporation or is carried on for the benefit of, or under the control of, subjects of an enemy state, and the provisions of that section shall apply accordingly.

(4) The Governor-in-Council may make rules defining what business is, for the purpose of this Ordinance, to be deemed banking business.

AN ORDINANCE.

No. 11 OF 1920.

An Ordinance to Amend the Law Relating to Weights and Measures.

[February 11th, 1920.]

Date of Assent and Commencement.

BE it enacted by the Acting Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

1. This Ordinance may be cited as “The Weights and Measures Amendment Ordinance, 1920,” and shall be read and construed as one with the Weights and Measures Ordinance, 1912, hereafter referred to as “the Principal Ordinance” and the Weights and Measures Amendment Ordinance, 1918.

2. (1) The Schedule to this Ordinance shall be substituted for Schedule C., of the Principal Ordinance.

(2) Under the heading Measures of Capacity in Schedule F., to the Principal Ordinance the words, “a pishi, a kibaba, half a kibaba, one-fourth of a kibaba” shall be deleted.

SCHEDULE.

PROTECTORATE MEASURES OF CAPACITY.

Denominations.	Parts or Multiples of a gallon.		
Pint	...	...	1/8
Quart	...	...	1/4
Peck	...	...	2
Bushel	...	...	8
Quarter	...	...	64
Chaldron	...	...	288

AN ORDINANCE.

No. 12 OF 1920.

An Ordinance to Provide for the Arrest and Surrender of Fugitive Offenders from the Territory known as German East Africa.

[February 11th, 1920.]

Date of Assent and Commencement.

BE it enacted by the Acting Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

1. This Ordinance may be cited as “The Fugitive Offenders (German East Africa) Surrender Ordinance, 1920.”

2. Where in that part of the territory now known as German East Africa in British military occupation a warrant has been issued for the apprehension of any person accused of an offence punishable by law in the aforesaid territory and such person is or is suspected of being in or on his way to the Protectorate any Magistrate holding a Subordinate Court of the First or Second Class if satisfied that the warrant was issued by a person having lawful authority to issue the same may endorse such warrant and the warrant so endorsed shall be a sufficient authority to apprehend the person named in the warrant and return him in like manner as if the aforesaid territory were a British Possession of a group in which the Protectorate was included within the meaning of Part II of the Fugitive Offenders Act, 1881, and the provisions of that Act shall apply accordingly.

Power to arrest fugitive offenders from German East Africa.

3. This Ordinance shall remain in force during the British military occupation of the territory now known as German East Africa.

Duration of Ordinance.

AN ORDINANCE.

No. 13 OF 1920.

An Ordinance to Amend "The Discharged Soldiers Settlement Ordinance, 1919."Date of Assent and
Commencement.

[February 11th, 1920.]

BE it enacted by the Acting Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

Short title.

1. This Ordinance may be cited as "The Discharged Soldiers Settlement Amendment Ordinance, 1920," and shall be construed as one with "The Discharged Soldiers Settlement Ordinance, 1919," (hereinafter referred to as the Principal Ordinance).

Amendment of Section 8
sub-section 7 of the
Principal Ordinance.

2. Section 8 sub-section 7 of the Principal Ordinance shall be and is hereby amended as follows:—

The words "eighteen months" in the said sub-section shall be deleted and the words "two years" substituted therefor.

AN ORDINANCE.

No. 14 OF 1920.

An Ordinance to make Notes of the Governor and Company of the Bank of England and Treasury Currency Notes Legal Tender in the East Africa Protectorate.Date of Assent and
Commencement.

[February 11th, 1920.]

BE it enacted by the Acting Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

Short title.

1. This Ordinance may be cited as "The Bank of England and Treasury Currency Notes Ordinance, 1920."

Bank of England and
Treasury Currency Notes
legal tender.

2. From and after the commencement of this Ordinance Notes of the Governor and Company of the Bank of England and Treasury Currency Notes issued pursuant to any Act of Parliament of the United Kingdom shall be legal tender in payment or on account of any amount at the rate of eight rupees and fifty cents to one pound sterling.

AN ORDINANCE.

 No. 15 of 1920.

An Ordinance to make provision for the generation, transmission, delivery, sale, purchase, and use of electrical energy;

And for the making and enforcing of regulations appertaining to and governing such purposes;

And for the provision and enforcing of Penalties for any contravention of this Ordinance or of the Regulations made under it.

[30th March, 1920.]

Date of Assent and Commencement.

 CONTENTS OF SECTIONS.

 GENERAL

SECTION.

1. Short Title.
2. Definitions of Terms.
3. General application of Ordinance.
Special application of Ordinance to existing operators, or Prior Licensees.
4. Restrictions as to the generation, transmission and supply of electrical energy by others than Licensees, and as to the use of other forms of energy by public and local authorities.
5. Applications or objections with respect to any matter under the Ordinance to be made in the manner prescribed.
6. Application for Licence of public or local authority to have precedence.
7. Licence not to be granted for area within limits of economical transmission from authorized works, subject to the power of the Governor-in-Council to grant such if necessity arises.
8. Licensee may obtain more than one Licence.
9. Transfer of powers, rights, or obligations of Prior Licensee, precluded in any case;
of Licensee, permitted, but only on conditions stated in his Licence. On transfer of Licence only reasonable expenses of obtaining the same may be paid or accepted. On transfer of Licence the money which may be paid or accepted for the purchase and sale of any works shall be subject to the provisions of the Ordinance.

SECTION.

BULK SUPPLY.

10. Licence.—Power of Governor-in-Council to grant; public or local authority or a combination of such, or a company or person may obtain; period of; renewal of; public or local authority may operate outside their area; to supply only to Authorized Distributors; may state when supply shall be compulsory or permissive; considerations as to prescription of area.
11. Conditions.—Supply to be given within reasonable time of demand; Licensee may require guarantee as to quantity and period of supply to be taken; prescription as to guarantee Licensee may require; as to agreement and security; Governor-in-Council may vary conditions if demand is unreasonable; as to arbitration.
12. Works.—Installed under agreement for supply to any Authorized Distributor shall if suitable be used for supplying other demands; as to the adjustment of the liabilities of the Authorized Distributors concerned.
13. Works.—Licensee may require guarantee for the performance of agreement as to.
14. Works.—With consent of Legislative Council, Governor-in-Council may provide works or funds for affecting any supply desirable but otherwise impossible.
15. Supply Lines, Apparatus and Equipment. Bulk Supply Licensee to be wholly responsible for proper condition.
16. Minimum Supply which Licensee may require to be taken.
17. Failure of Supply: Penalties for, payable to Authorized Distributor may be modified by agreement; Bulk Supply Licensee not indemnified against penalties under Regulations.

DISTRIBUTING LICENCE.

18. Power of Governor-in-Council to grant; public or local authority or a combination of such, or a company person or body of persons may obtain; public or local authority may operate outside their area; may state when supply shall be compulsory or permissive; authorizes the Licensee to receive a Bulk Supply; period may be limited or unlimited.
19. Local authority may acquire works after 25 years and after every subsequent period of 5 years; local authority to make application for Licence; if area is wholly within their jurisdiction or no division of the area is entailed, application to be granted; if division of the area is entailed Authorized Distributor may agree with or without conditions or may require the whole of his area to be taken over; no division of an area to be made which will prejudice consumers; where the supply has been provided under a Local Generating Licence, a Bulk Supply Licensee may on the grant of the local authority's application acquire the Local Generating Licensee's works; if Bulk Supply is not available, supply to be given to the Authorized Distributor or Distributors from the works under the Local Generating Licence; as to purchase of and price to be paid for such works; as to price to be paid for supply.

SECTION.

20. Terms of Sale may be varied by Governor-in-Council as agreed upon between the Authorized Distributor and the local authority.
21. Works; as to mains to be installed within specified period; as to mains to be installed as required but not specified.
22. As to laying underground mains under special agreement. --
23. Compulsory Works; Penalties for default of Licensee.
24. Requisition for mains by ordinary consumers.
25. Conditions attached to Requisition.
26. Conditions attached to Requisition by local authority.
27. Supply of Electrical Energy; general conditions as to the supply to be given; as to electric supply lines to effect the supply; as to notice to be given of amount and when supply is required; as to agreement and security for payment for supply; as to supply to premises having separate supply; for improper use of or interference with supply to others supply may be cut off; supply not compulsory if consumer's apparatus is defective; differences to be referred to Electric Inspector.
28. Maximum demand, alteration of.
29. Consumers to give Authorized Distributor 24 hours' notice before quitting premises.
30. Supply to Public Lamps.
31. Supply to Public Lamps; Price.
32. Failure to supply; Penalties.

LOCAL GENERATING LICENCE.

33. Power of Governor-in-Council to grant to Authorized Distributors.
34. Conditions Governing the Consideration, Grant, and Revocation of Local Generating Licence, or its substitution by a Bulk Supply Licence, and the valuation of the works for the purposes of the Local Generating Licence and for the purposes of a Bulk Supply Licence and the allocation of the responsibility for any difference between these valuations and the determination of any claim in respect of the failure to obtain a reasonable profit from the works under the Local Generating Licence.

GENERAL.

35. Areas, alteration of; may be effected by Governor-in-Council if equitable.
36. Areas; Alteration of; Purchase of Works consequent on alteration of area.
37. Licensees may agree to co-operate.
38. Licensees not to purchase or associate with other electrical undertakings.

SECTION.

39. Area; Licensee not to operate outside of.
40. Security from Licensee for execution of works under Licence.
41. Accounts of each undertaking to be separate.
42. „ to be in prescribed form.
43. „ audit of.
44. „ Application of revenue, &c., by public or local authority.
45. „ of Licensee, as to interest, depreciation, dividends, and as to increase of dividends over 10 per cent. consequent on reduction of price of supply.
46. Land; purchase of by local authority.
47. Land, compulsory acquisition, Power of Governor-in-Council to authorize.
48. Generating Station not to be constructed without authority of Governor-in-Council.
49. System and Pressures; standardization of; as to variation from standards to be permitted by Regulations; as to adoption of or conversion to standard system and pressures by existing or Prior Licensees; restriction as to electric supply lines above ground; restriction as to earth connections.
50. Works of a Licensee; standardization of; to employ mode material and apparatus complying with the specification or standard of the Engineering Standards Committee of Great Britain, and to be approved.
51. „ that may be authorized by Governor-in-Council.
52. „ Telegraph or telephone, &c., lines for purposes of Licence; Power of Governor-in-Council to authorize.
53. „ ' Overhead lines, Licensee's powers.
54. „ Breaking up streets.
55. „ Street boxes.
56. „ overhead. Procedure as to execution. Notices.
57. „ other than overhead. Procedure as to execution. Notices.
58. „ in situation not repairable by local authority.
59. „ excepting for overhead, repairing authority may undertake breaking up streets, &c.
60. „ As to alteration of pipes, wires, &c., under or over streets, &c.
61. „ As to construction of Electric Supply Lines, &c. in proximity to other works.
62. „ General protection for public and municipal works and traffic.
63. „ As to protection of telegraph and telephones.
64. „ Restriction as to operation of lines possibly dangerous.

SECTION.

65. Works in execution, protection of public by fencing and lighting; delay, &c.
66. „ Liability for accidents, damage, injuries caused by.
67. „ Liability for nuisance caused by.
68. Charging for supply; methods of.
69. Price, maximum.
70. Charges for supply, by agreement.
71. „ or Price; conditions which affect.
72. „ or Price; undue preference.
73. „ for failure to pay, supply may be cut off.
74. „ for failure to pay, supply may be cut off from other premises.
75. Electric Inspector; Power or Governor to appoint.
76. „ „ Duties.
77. „ „ Notice of and enquiries into accidents.
78. „ „ Testing of Mains.
79. „ „ Testing of Pressure, Works, &c., on consumer's premises.
80. „ „ Licensee to provide Testing Stations
81. „ „ Licensee to provide instruments and keep Records.
82. „ „ Licensee's instruments and Records to be available to Inspector.
83. „ „ may require instruments, &c. to be put in order.
84. „ „ At inspection or test Licensee may be present.
85. „ „ At inspection or test Licensee to afford facilities.
86. „ „ Report. Party affected may appeal to Governor-in-Council.
87. „ „ Expenses.
88. Meters to be used except by agreement.
89. „ certification of.
90. „ certification of by Inspector.
91. „ Licensee to supply if required.
92. „ three to be used if consumer desires.
93. „ not to be disconnected without notice.
94. „ not to be altered without notice.
95. „ the property of consumers to be kept in order by them.
96. „ Licensee may let for hire.

SECTION.

97. Meters let for hire to be kept in order by Licensee.
98. „ Disputes as to, to be referred to Electric Inspector.
99. „ the property of consumers to be paid for by Licensee if his action render meter useless.
100. „ Additional, which Licensee may use on service lines.
101. „ Testing apparatus for, to be provided by Licensee.
102. Consumer's premises may by permission be entered by Licensee for inspection, &c.
103. Consumer's premises; Licensee's Works, Lines, Fittings on, not subject to distress.
104. Consumer's premises; Licensee's Works, Lines, Fittings on, on Hire to remain property of Licensee.
105. Fraudulent practices; Breach of Contract; theft of current; wrongful use or connection of apparatus; tampering with meters.
106. Damage, Wilful or careless, to Licensee Works.
107. Wilful, Fraudulent or Culpably negligent injury to Works or tampering with Meter.
108. Improper or Detrimental Use of current by Consumer to be referred to Inspector.
109. Standardization prescribed for all public purposes; except where necessarily exempted all electrical energy generated by state water power to be in accordance with standards; prescriptions as to the marking, relative to Engineering Standards Committee's Standards, of apparatus connected with a standard system at a standard pressure.
110. Area, Map of; Licensee to make.
111. Notices, etc; Form of.
112. Notices, etc.; Service of.
113. Revocation of Licence; Insolvency.
114. „ „ Unprofitable.
115. „ „ Default in obligations.
116. „ „ with consent of Licensee.
117. „ „ or where default in supply endangers the public interest, Governor - in - Council may operate works under the Licence.
118. „ „ Licensee not indemnified against liabilities.
119. „ „ Provisions as to, when Licensee is not a Public or Local Authority.
120. „ „ of Public or Local Authority Provisions as to.
121. Defective Work or Contravention of Regulations.
122. Security to or by a Licensee.
123. Powers of Governor-in-Council or Governor; delegation of.
124. Authority, Consent or Approval of Governor-in-Council or Governor; Powers as to.

SECTION.

125. Application; Prescription as to, relating to the varying of any provision; any authority, consent, or approval; the revocation of a Licence; the alteration of an area; as to advertisements and notices.
126. Application for a Licence; Steps to be taken before making; Advertisements and notices.
127. Draft of the Licence being applied for; preparation of.
128. Deposits to be made when making the application.
129. Deposits to be made before making the application at the offices named in the advertisement for the information of the public.
130. Compulsory Acquisition of Land for the purposes of a Generating Station; additional notices to be given when the intended application relates to.
131. Generating Station; construction of; additional notices to be given when the intended application relates to.
132. Application, Form and manner of making; as to Fees.
133. Public Notice to be given of the grant of any application, and of any revocation.
134. Valuation for Purchase or Sale of Works; Mode of.
135. Arbitration.
136. Mortgages on Works.
137. Agreements of Licensee or Prior Licensee.
138. Licensee not to engage in other electrical business in his area; Governor-in-Council may suspend this provision.

Restrictions as to the Licensee's officers, servants or works being employed or used in other works.
139. Recovery and application of penalties.
140. New General Electrical Ordinances; Licensees to be subject, beneficially and otherwise.
141. Foreshores; Saving Rights of the Crown in.
142. Regulations; Power of Governor-in-Council to make.
143. Regulations to be laid before Legislative Council.
144. Regulations; Procedure for making.
145. Regulations; Enquiry as to.
146. Regulations; to be printed by Licensee.
147. Power Board; Provision for Appointment of.
148. General Penalty.
149. Boilers, Prime Movers, and Machinery Ordinance, 1917; Prescription as to application to electric motors.

SECTION.

150. Special War Provision to permit the suspension or modification temporarily of certain of the provisions enacted in order to enable a supply to be maintained, where a supply from a Licensee is not available; to give relief from his compulsory obligations to a Licensee unable to comply, either as to delivery or price of supply; and to permit of the readjustment of the position, as nothing under this section is to be construed to prejudice the intentions of the Ordinance, the necessary powers are vested in the Governor-in-Council.
151. Report to the Legislative Council each year on applications and proceedings under the Ordinance.
152. Repeal of The Electricity Act Application Ordinance, 1903 (No. 18 of 1903) and of any orders thereunder of the Governor-in-Council.

SCHEDULE.

(Forms of Accounts to be kept by a Licensee.)

BE it enacted by the Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof :—

Short title.

1. This Ordinance may be cited as the "Electric Power Ordinance, 1919 "

Definitions.

2. In this Ordinance the following words and expressions shall have the following meanings unless a different intention appears from the subject or context.

"Apparatus" means any or all of the appliances used or which may be used in connection with or relating to the generation, supply or use of electrical energy.

"Area of Supply" means the area within which the Licensee is for the time being authorized to supply electrical energy under the Licence.

"Authorized Distributor" means a public or local authority, company person or body of persons licensed by a Distributing Licence to distribute or supply electrical energy for public or private purposes, such Licence shall also entitle him to receive a supply of electrical energy from a Bulk Supply Licensee.

"Bulk Supply" means the supply of electrical energy in bulk by a Bulk Supply Licensee to any Authorized Distributor.

"Bulk Supply Area" means the area within which the Bulk Supply Licensee is for the time being authorized to give a Bulk Supply of electrical energy to Authorized Distributors under a Bulk Supply Licence.

"Bulk Supply Licence" means a Licence authorizing the public or local authority, company or person named therein, and under this Ordinance referred to as a Bulk Supply Licensee, to generate and supply electrical energy to Authorized Distributors within the area defined therein.

"Circuit" means an electrical circuit forming a system or branch of a system.

"Company" means a public company registered in the Protectorate under the Indian Company's Act 1882 as applied to the Protectorate or under any law substituted for such Act.

"Conductor" means an electrical conductor connected or arranged to be electrically connected to a system.

"Consumer" means any public or local authority, company, person or body of persons supplied or entitled to be supplied with electrical energy by a Licensee.

"Consumer's Terminals" means the ends of the electric supply lines situated upon any consumer's premises and belonging to him, at which the supply of electrical energy is delivered from the service lines.

"Daily Penalty" means a penalty for each day on which any offence is continued after conviction therefor.

"Danger" means danger to the health, life or person of any one from shock, from fire, or otherwise arising from the generation, transformation, conversion, transmission, distribution, supply or use of electrical energy.

"Deposited Map" means the map of the area of supply deposited with the Governor by the Licensee together with the Licence and signed by the Governor.

"Distributing Area" means the area within which the Authorized Distributor is for the time being authorized to distribute or supply electrical energy for public or private purposes under the Distributing Licence.

"Distributing Licence" means a Licence authorizing the public or local authority, company, person or body of persons, named therein, and under this Ordinance referred to as an Authorized Distributor, to distribute or supply electrical energy for public or private purposes, within the area defined therein. Every Distributing Licence shall authorize the Authorized Distributor named therein to receive a supply of electrical energy from a Bulk Supply Licensee.

"Distributing Main" means that portion of any electric supply line which is used for the purpose of giving origin to service lines for the purpose of supplying consumers with electrical energy.

"Earthed" means connected to the general mass of earth in such a manner as will ensure at all times an immediate discharge of electrical energy without danger.

"Electrical Energy" means energy involving the use of electricity, electric current or any like agency, which may be produced either by mechanical or chemical means.

"Electric Line" means and includes electric supply lines, telegraph, telephone or signalling lines or wires.

"Electric Supply Lines" means any wire, conductor, or other means used for the purpose of conveying, transmitting, distributing, or serving electrical energy together with any casing, coating, covering, tube, pipe, or insulator, enclosing, surrounding, or supporting the same or any part thereof, or any apparatus connected therewith, for the purpose of conveying, transmitting, distributing, or serving, electrical energy.

"Extra High Pressure" means a pressure in a system normally exceeding 3,000 volts where the electrical energy is used or supplied.

"Factory, Workshop or Place," means any premises or site in which, or within the close or curtilage of which, any person works for hire or is employed whether for wages or not and in which electrical energy is used or applied to or for or incidental to any of the purposes of any trade or process.

"General Supply" means the general supply of electrical energy to ordinary consumers, and includes, unless otherwise specially agreed with the local authority, the general supply of electrical energy for public purposes, where the local authority are not themselves the Licensees, but shall not include the supply of electrical energy to any one or more particular consumers under special agreement.

"Generating Station" means any station or works for generating, transforming, converting or distributing electrical energy.

"High Pressure" means a pressure in a system normally above 650 volts, but not exceeding 3,000 volts where the electrical energy is used or supplied.

A "Licence" means any document or instrument in writing granted under this Ordinance authorizing the public or local authority, company, person or body of persons named therein to undertake the generation, supply or distribution of electrical energy in the manner described in such document or instrument as aforesaid.

"Licensee" means the public or local authority, company, person or body of persons named in a Licence.

"Local Area" means the area of any town, village, settlement, factory, works, mine or quarry or any area adjacent thereto, as defined by a Licence.

"Local Authority" means any municipal local authority constituted under the provisions of the Municipal Ordinance, 1909, or any Ordinance amending the same.

"Local Generating Licence" means a Licence authorizing the Authorized Distributor named therein, and under this Ordinance for the purposes of that Licence referred to as a Local Generating Licensee, to generate electrical energy for the purposes of the Distributing Licence of such Authorized Distributor.

"Low Pressure" means a pressure in a system normally not exceeding 250 volts where the electrical energy is used.

"Main" means any electric supply line which may be laid down or erected by the Licensee in any street or public place or in any other place, under the provisions of this Ordinance or of the Electric Supply Line Ordinance, 1914, and through which electrical energy is supplied or is intended to be supplied by the Licensee.

"Medium Pressure" means a pressure in a system normally above 250 volts, but not exceeding 650 volts, where the electrical energy is used.

"Mine or Quarry" means any works or excavations made or being made below the adjacent surface ground level whether subterranean or open, or partly subterranean and partly open, for the purpose of searching for, proving, or working minerals, and includes all the shafts, pits, levels, planes, works, machinery, railways, tramways, and sidings both below ground and above ground, in and adjacent to and belonging to a mine or quarry.

"Ordinary Consumer" means any consumer other than an Authorized Distributor or a consumer under special agreement.

"Overhead System" means an electrical system in which the electric supply lines, conductors, or other apparatus used or which may be used for conveying, transmitting, transforming, distributing, or supplying electrical energy are placed above ground and in the open air, and shall include any portions of a system so placed above ground and in the open air, excepting within premises in the sole occupation or control of the Licensee, and excepting so much of any service line as is necessarily so placed for the purpose of supply. "Overhead System" includes an "Aerial line" as defined in the Electric Supply Line Ordinance, 1914.

"Plan" means a plan drawn to a horizontal scale of at least one one-thousandth of full size and where possible a section drawn to the same horizontal scale as the plan and to a vertical scale of at least one-hundredth of full size, or to such other scales as the Governor may prescribe for both plan and section, together with such detail plans and sections as may be required.

"Point of Delivery of the Supply" means the consumer's terminals at which the supply of electrical energy by the Bulk Supply Licensee shall be made, effected, delivered, or made available to any Authorized Distributor and approved by the Governor.

"Power" means electrical power or the rate per unit of time at which electrical energy is supplied.

"Pressure" means the difference of electrical potential between any two conductors, or between a conductor and earth as read by a hot wire or electrostatic volt-meter.

"Private Purposes" means any purpose whatsoever to which electrical energy may for the time being be applied, not being a public purpose.

"Public Authority" means the Government or any Department or Branch of the Government of the Protectorate.

"Public Purposes" means the lighting of any street or any place belonging to or subject to the control of a public or local authority, or of any Church or Licensed place of public worship, or of any hall or building belonging to or subject to the control of a public or local authority, or any service of a public or municipal nature.

"Railway" includes any tram road, that is to say, any tramway other than a tramway laid along any street.

"Regulations" means any regulations, rules, orders, memoranda, or conditions, made by the Governor-in-Council under this Ordinance for securing the safety of the public or for ensuring a proper and sufficient supply of electrical energy, or for ensuring the proper carrying out of the terms or provisions of this Ordinance.

"Service Line" means any electric supply line through which electrical energy is supplied or is intended to be supplied by the Licensee to any consumer either from any distributing main or directly from the premises of the Licensee, and includes any such electric supply line to its termination at the consumer's terminals.

"Special Agreement" means any agreement made or ratified under the provisions of this Ordinance where, by reason of any peculiarity in supply or demand, special conditions as to time of supply, price, or other matters have been agreed upon, which shall have been approved by the Governor.

"Street" means any street, square, court, alley, highway, lane, road, thoroughfare or public passage or place within the area in which a Licensee is authorized to supply electrical energy under this Ordinance.

"Sub-station" means any premises or site, in or from which electrical energy is transformed, converted or distributed, and includes any chamber, box, or apparatus employed or to be employed for any of such purposes.

"System" means an electrical system in which all the conductors and apparatus are electrically connected to a common source of electrical energy.

"Tramway" means any tramway laid along any street.

"Use" of electrical energy means the conversion of electrical energy into chemical energy, mechanical energy, heat, or light or the use or application of electrical energy to or for any of the purposes for which it may be or become or be found to be adapted.

"Works" means and includes any lands, buildings, structures, works and apparatus of whatsoever nature required or used in connection with or relating to the generation or supply of electrical energy or to carry into effect the objects of a Licence or Prior Licence.

3. (1) The provisions of this Ordinance shall apply, as hereinafter specified, to every public or local authority, company, person or body or persons generating, transmitting, distributing, supplying, or using electrical energy, and to all works or apparatus for any or all of these purposes, in the Protectorate.

(2) The provisions of this Ordinance shall apply in the following manner to any public or local authority, company, person or body of persons, hereinafter referred to as a Prior Licensee, who is or has been authorized by any Licence, concession or agreement granted or entered into before the enactment of this Ordinance to generate or supply electrical energy in any area:—

(a) After the enactment of this Ordinance the area or the powers or privileges defined and conferred in or by such licence, concession or agreement (hereafter referred to as a Prior Licence) shall not be extended or amplified in any way while such Prior Licence has force or effect.

(b) The Prior Licensee and all his works for the purposes of his Prior Licence existing at the date of the enactment of this Ordinance shall be subject to the provisions of this Ordinance, and any Regulations made by the Governor-in-Council, under this Ordinance.

(c) All the works of the Prior Licensee for any of the purposes of his Prior Licence being or which may be constructed, erected, installed or executed, at the time of or after the enactment of this Ordinance shall be subject in all respects

Application of Ordinance.

Prior Licensee.
Application of Ordinance to persons authorized to supply electrical energy by concessions or agreements before the enactment of this Ordinance.

Area or privileges of Prior Licensee cannot be extended.

Existing works of Prior Licensee subject to Ordinance and Regulations.

New works of Prior Licensee entirely subject to this Ordinance.

Prior Licensee to apply for Licence under Ordinance within 6 months of enactment.

Failing such application another Licensee may be authorized to acquire compulsorily Works of Prior Licensee.

Terms of Purchase of Prior Licensee's Works on compulsory sale.

Grant of a Licence to a Prior Licensee cancels all rights under Prior Licence.

Restrictions as to generation supply and use of energy.

Licensees only may supply electrical energy, or construct or maintain electric supply lines.

Public or local authorities to use only electrical energy, save with permission of Governor.

Public or local authorities may not generate their own supply, save under Licence.

Authorized Distributor only may receive Bulk Supply.

to the provisions of this Ordinance and to any Regulations made by the Governor-in-Council.

(d) Every Prior Licensee shall before the expiration of a period of six months after the enactment of this Ordinance make application to the Governor-in-Council in the manner herein provided for a Distributing Licence or Distributing Licences, as may be required, for the area of supply named in or defined by his Prior Licence, and for a Local Generating Licence for any generating station of such Prior Licensee, from which the electrical energy for the purposes of his Prior Licence is obtained, and the Governor-in-Council may grant or refuse any such application.

(e) Where any Prior Licensee fails to make application for the Licence or Licences as in (d) of this sub-section provided, or where the Governor-in-Council refuses such application the Governor-in-Council may by any Licence or Licences granted authorize any Licensee named therein forthwith to acquire compulsorily the works of the Prior Licensee under his Prior Licence.

(f) In any case where the Governor-in-Council so authorises a Licensee forthwith to acquire compulsorily the works of a Prior Licensee the price or money to be paid to the Prior Licensee in respect of such works or of compensation (if any) shall be determined in the manner described in (c) of sub-section (4) of section 34, as if the Prior Licensee was the Local Generating Licensee, and the Licensee so authorised forthwith to acquire compulsorily the works of the Prior Licensee was the Bulk Supply Licensee, named therein, provided that in construing the provisions of (c) of the said sub-section (4) of section 34, to apply to the works of a Prior Licensee the works of the Prior Licensee other than generating works used by him for the purposes of transmitting, distributing, and supplying electrical energy shall be valued as to their suitability for the purposes of the Prior Licence without any compensation in respect of depreciation as mentioned in the aforesaid (c) of sub-section (4) of section 34.

(g) Upon the granting of a Licence under this Ordinance to a Prior Licensee in respect of any area or any part of any area named in a Prior Licence, all the duties, obligations, liabilities, powers and privileges of whatsoever nature imposed or conferred by such Prior Licence shall absolutely cease and determine, and such Licensee shall be held to be operating solely under the provisions of this Ordinance.

(3) In any provisions of this Ordinance, or in any Regulations under this Ordinance relating to any of the matters comprised in (b) and (c) of sub-section (2) of this section, the term Licensee shall be held to include Prior Licensee and the term Licence shall be held to include Prior Licence.

4. After the enactment of this Ordinance the following restrictions as to the generation, transmission and supply of electrical energy, and as to the use of other energy shall have effect:

(a) Except as provided in section 3 sub-section 2 hereof, no public or local authority, company, person or body of persons, not being a Licensee under this Ordinance,

(i) may supply electrical energy to any other such authority, company, person or body of persons on sale or for any other consideration, or

(ii) may erect, lay, construct or maintain any electric supply line for the supply of electrical energy to any other such authority, company, person or body of persons, or place, or apparatus situated beyond the close or curtilage of the premises in which the electrical energy is generated.

(b) No public or local authority may use any form of energy for power or lighting purposes (excepting portable lighting purposes) other than electrical energy, without the authority of the Governor-in-Council.

(c) No public or local authority, not being a Licensee under this Ordinance, may generate electrical energy for its own supply or for any purpose.

(d) No public or local authority, company, person or body of persons not being licensed as an Authorized Distributor shall receive a supply of electrical energy from a Bulk Supply Licensee, nor shall a Bulk Supply Licensee supply electrical energy except to such a Licensee.

Provided that nothing in this section shall prevent the use of steam or internal combustion engines for locomotive purposes, or the generation of electrical energy for the lighting of vehicles on such vehicles, by such authorities.

Exemption for locomotives and vehicles and portable lighting.

5. Every application for a Licence, or for any authority consent or approval under this Ordinance and every objection to the grant of any such Licence, authority, consent, or approval or any representation to be made to the Governor-in-Council with respect to any matter under this Ordinance, shall be made in the manner hereafter prescribed in that behalf.

Applications to be made in the manner hereafter prescribed.

6. Where two or more applicants make applications to the Governor-in-Council for Licences under this Ordinance for the supply of electrical energy for the same area and one of such applicants is a public or local authority having jurisdiction for other purposes in such area or part thereof the application of such authority shall take precedence of any other application.

Applications of public or local authority to have precedence over others.

7. No Licence shall be granted for any area which may be within the limit of economical transmission from any existing or authorized works for the generation of electrical energy until the Licensee for such works shall have been given an opportunity for objection to the grant of such Licence, and for application for extended powers for the supply of the area in question from the existing or authorized works aforesaid; whereupon the Governor-in-Council, after enquiry as hereinafter provided, may deal with such application or applications as he sees fit, provided that notwithstanding the purpose and intention of this Ordinance as expressed in this section nothing contained in this Ordinance or in any Licence or Prior Licence shall be deemed or construed to hinder or restrict the powers of the Governor-in-Council to grant, if the necessity arises, and having due regard to the said purpose and intention as expressed in this section, any other Licences under this Ordinance, in respect of the area (if any) or any part of the area (if any) named or defined in any such Licence or Prior Licence.

Provision re application for Licence for area within limits of economical transmission from existing works.

8. Nothing in this Ordinance shall prevent a Licensee applying for and subject to this Ordinance obtaining other Licences for the generation, supply, or distribution of electrical energy in any area.

Bulk Supply Licensees may obtain other Licences.

9. (1) After the enactment of this Ordinance a Prior Licensee shall not in any case by transfer or subject to the provisions of section 3 or the termination of his Prior Licence otherwise divest himself of any of the powers, rights, or obligations conferred or imposed upon him by his Prior Licence and a Licensee shall not by transfer or otherwise divest himself of any of the powers, rights, or obligations conferred or imposed upon him by this Ordinance or by his Licence otherwise than under and in accordance with a provision contained in the Licence authorizing such a divestiture.

Prior Licence may not be transferred.

(2) Where any Licence is authorized to be transferred any money to which the Licensee shall be entitled or shall receive or which may be paid to him on or for the transfer of such Licence shall not exceed the amount of his reasonable expenses in obtaining the Licence as may be decided by the Governor-in-Council.

License may be transferred only if authorized in the Licence.

(3) Where any Licence is authorized to be transferred any money to which the Licensee shall be entitled or shall receive or which may be paid to him in respect of the purchase of his works under the Licence and any matter relating to the sale or purchase of any such works shall be subject to the provisions of this Ordinance.

10. (1) The Governor-in-Council may grant a Bulk Supply Licence to any public or local authority or combination of any such authorities or to any company or person, to generate, convey, transmit and supply electrical energy in bulk, to Authorized Distributors, within any area prescribed in such Bulk Supply Licence.

Grant of Bulk Supply Licence.

(2) A Bulk Supply Licence may be for any period not exceeding fifty years and the Bulk Supply Licensee may within ten years of the date named in a Bulk Supply Licence for its termination, make application to the Governor-in-Council for a renewal of such Bulk Supply Licence, provided that such application shall be made not less than three years before the date named for the termination of the Licence.

Period of Bulk Supply Licence.

Renewal of Bulk Supply Licence.

(3) Within six months after the receipt of such application and after such enquiry as he thinks necessary, the Governor-in-Council may grant the application on such terms and conditions and for such period as he thinks fit, or may refuse the application.

Local Authorities may operate Bulk Supply Licences outside their districts.

(4) A Bulk Supply Licence may, subject to the provisions of this Ordinance, be granted to a public or local authority or to a combination of any such authorities authorizing them to generate or to supply electrical energy within any area although the same or some part thereof may not be included within the jurisdiction for other purposes of any such public or any such local authority.

Bulk Supply only to Authorized Distributors.

(5) A Bulk Supply Licence under this Ordinance for the supply of electrical energy shall convey and secure to the Licensee the right, subject to the provisions of this Ordinance, to generate, transmit and supply electrical energy over, through, or within the area defined by the Bulk Supply Licence, only to Authorized Distributors, and may state the limits within which and the conditions under which the supply of electrical energy by the Licensee shall be compulsory or permissive.

Matters to be considered in defining Bulk Supply area.

(6) In prescribing a Bulk Supply area, the Governor-in-Council shall have regard to the methods or proposed methods of generation or distribution and to all matters and circumstances which have arisen, or which may arise, and which have or may have relation to the economical production, supply, or continuance of an efficient service of electrical energy over and within the area so prescribed.

Provision as to agreement to take supply for certain period and as to minimum payment.

11. (1) Where any demand is made by an Authorized Distributor, or otherwise where the Bulk Supply Licensee is authorized by the Governor-in-Council to give a supply of electrical energy, the Bulk Supply Licensee within a reasonable time or within such time as may be stated in the Licence or as may be authorized by the Governor-in-Council as provided for by section 125, shall lay, erect and instal, all the electric supply lines and works necessary for the supply of the electrical energy in terms of the demand or of the Governor's authority as the case may be.

(2) Where any such demand is made by an Authorized Distributor, the Bulk Supply Licensee (if he thinks fit) may, within thirty days, or such other period as the Governor-in-Council may approve, after the service of the demand upon him, serve a notice on the Authorized Distributor by whom the demand is signed, stating that he declines to be bound by the demand unless the Authorized Distributor will bind himself to take, or will guarantee that there shall be taken, a supply of electrical energy for a period of seven years at the least, of such amount in the aggregate (to be specified by the Bulk Supply Licensee in the notice) as will, at the rates of charge for the time being charged by the Bulk Supply Licensee for a supply of electrical energy to other Authorized Distributors under comparable conditions, produce annually such reasonable sum as is specified by the Bulk Supply Licensee in the notice:

Provided that in the notice the Bulk Supply Licensee shall not without the authority of the Governor-in-Council specify any sum exceeding twenty per centum upon the expense of providing and erecting or laying down the electric supply lines and works necessary for the supply of electrical energy in terms of the demand and

Provided further that such expense shall not include any expenditure made for any transforming machinery or plant, electric supply lines, mains, apparatus or equipment which have been erected or installed for a period of seven years at the time of the demand being complied with, or for any transforming machinery or plant, electric supply lines, mains, apparatus or equipment which have been or may be erected or installed as renewals of any such transforming machinery or plant, electric supply lines, mains, apparatus or equipment, which have been erected or installed for a period of seven years, or for any expenditure made, or which may become necessary for any generating machinery, plant, apparatus or buildings.

(3) Where such a notice is served the demand shall not be binding on the Bulk Supply Licensee unless within thirty days or such other period as the Governor-in-Council may approve after the service of the notice on the Authorized Distributor signing the demand has been effected, or in case of difference within thirty days or such other period as the Governor-in-Council may approve after the delivery of the arbitrators' award or other settlement, there be tendered to the Bulk Supply Licensee an agreement executed by the Authorized Distributor, binding him to take or guaranteeing that there shall be taken a supply of electrical energy for a period of seven years at the least of such an amount as will in the aggregate at the rates of charge above specified produce an annual sum amounting to the sum specified in the notice or determined by arbitration or other settlement under this section, as the case may be, or, where the Authorized Distributor making the demand is not a public or local authority, unless sufficient security for the payment to the Bulk Supply Licensee of all moneys which may become due to him from the Authorized Distributor under the agreement is offered to the Bulk Supply Licensee (if required by him by such notice as aforesaid) within the period prescribed for the tender of the agreement as aforesaid.

(4) If the Bulk Supply Licensee considers that the demand is unreasonable, or that, under the circumstances of the case, the provisions of this section ought to be varied, he may within thirty days or such other period as the Governor-in-Council may approve after the service of the demand upon him, appeal to the Governor-in-Council, and the Governor-in-Council, after such enquiry (if any) as he thinks fit, may, by Order, either determine that the demand is unreasonable, and shall not be binding upon the Bulk Supply Licensee, or may authorize the Bulk Supply Licensee by his notice to require a supply of electrical energy to be taken for such longer period than seven years, or to specify such sum or percentage, whether calculated as hereinbefore provided or otherwise, as is directed by the Order, and the terms of the above-mentioned agreement shall be varied accordingly.

(5) In case of any appeal to the Governor-in-Council under this section, any notice by the Bulk Supply Licensee under this section may be served by him within thirty days or such other period as the Governor-in-Council may approve after the decision of the Governor-in-Council.

(6) If any difference arises between the Bulk Supply Licensee and any Authorized Distributor signing any such demand as to any such notice or agreement, that difference shall, subject to the provisions of this section and to the decision of the Governor-in-Council upon any such appeal as aforesaid, be determined by arbitration.

12. In the event of any demand being made on a Bulk Supply Licensee for electrical energy for the supply of which any works, already installed for the supply of electrical energy to any other Authorized Distributor and in respect of which such Authorized Distributor is bound by agreement as in the preceding section provided, or any part thereof shall be suitable and adequate, such works or part thereof shall be so used, and the agreement or agreements to which the Bulk Supply Licensee is entitled by the preceding section, shall be made or if made shall be modified in such manner that the obligations imposed on the Authorized Distributors by such agreements shall be *pro rata* with the value of the electric supply lines and works or such portion or portions thereof as shall be necessary for the supply of electrical energy to such Authorized Distributors respectively.

Conditions as to further use of works installed subject to agreement for supply to a particular Authorized Distributor.

13. Except in the cases of public or local authorities, a Bulk Supply Licensee may require, and shall be entitled to receive, from an Authorized Distributor, before taking steps to comply with a demand for the supply of electrical energy, a guarantee for the due performance of any agreement entered into for the erection and installation of any electric supply lines, mains, apparatus, and equipment.

Guarantee.

14. In any case where in the opinion of the Governor-in-Council a supply of electrical energy should be obtained from a Bulk Supply Licensee, and after investigation it is considered impossible or inexpedient to provide for the necessary works as herein specified in that behalf, the Governor-in-Council, with the advice and consent of the Legislative Council, may undertake in

Provision enabling Governor to provide electric supply lines or meet or guarantee charges for same by loan or grant.

whole or in part the provision of any such works or of the funds necessary to defray the charges thereon or may guarantee such payments, upon such terms and conditions as the Governor-in-Council may consider necessary or expedient.

Bulk Supply Licensee responsible for supply lines.

15. The Bulk Supply Licensee shall be wholly responsible for the proper maintenance, repair, and safe condition of all electric supply lines, apparatus and equipment up to the point of delivery of any Bulk Supply as defined under this Ordinance irrespective of the manner in which any capital sums for, or charges in respect of same, may be provided.

Bulk Supply Licensees may require agreement to take supply of certain minimum for 2 years.

16. The Bulk Supply Licensee may require an Authorized Distributor who demands a supply of electrical energy, and before commencing to give such supply, to enter into an agreement to take delivery of and to pay for such supply or part thereof for a period of not less than two years, or for such longer period as the Governor-in-Council may approve, or failing the Authorized Distributor's acceptance or use of such supply of electrical energy, to pay for the provision made by the Bulk Supply Licensee for such supply of electrical energy, to the following extent:—

(a) The Authorized Distributor shall agree to pay to the Bulk Supply Licensee such minimum annual sum as shall be equivalent to the sum which would be payable for 400 hours consumption of the maximum demand of electrical energy at a price per Kelvin not exceeding the maximum price fixed in the schedule of prices provided in the Licence of the Bulk Supply Licensee, or

(b) In such other manner as the Governor-in-Council may approve

Penalties payable by Bulk Supply Licensee to Authorized Distributors, for failure of supply.

17. (1) Subject to any agreement which may be entered into between a Bulk Supply Licensee and an Authorized Distributor, as provided for by section 70, and approved of in writing by the Governor, for any and every failure of a Bulk Supply Licensee to supply or to continue to supply, or for any interruption to any supply of electrical energy which is being or should be made by such Bulk Supply Licensee under any of the provisions of this Ordinance or of Regulations made under this Ordinance, through or because of any defect in, or absence of, any provision or provisions made, or which should have been made, by such Bulk Supply Licensee, or over which such Bulk Supply Licensee has control, or for which the responsibility, or of which the repair, or maintenance is vested in such Bulk Supply Licensee, the Bulk Supply Licensee shall pay to the Authorized Distributor as liquidated damages a sum equal to one one-thousandth part of the annual minimum sum or fixed charge payable by the Authorized Distributor to the Bulk Supply Licensee, for every hour or part thereof of such failure, non-continuance, or interruption, of the supply as aforesaid.

The payment of such damages by the Bulk Supply Licensee shall not indemnify him against the infliction of any penalties to which he may be liable under this Ordinance or under any Regulations under this Ordinance.

(2) Whenever the Bulk Supply Licensee makes default in supplying electrical energy in accordance with the terms of the Regulations he shall be liable to such penalties as are prescribed by the Regulations in that behalf.

Distributing Licence for local area.

18. (1) The Governor-in-Council may grant a Distributing Licence to any public or local authority, company, person, or body of persons, to distribute or supply electrical energy for public or private purposes within any local area, whether within or without the jurisdiction, for other purposes, of any such public or local authority and may state the limits within which and the conditions under which the supply of electrical energy by the Licensee shall be compulsory or permissive.

Authorized Distributor entitled to receive Bulk Supply.

(2) The granting of a Distributing Licence shall authorize the Authorized Distributor to receive a bulk supply of electrical energy.

Distributing Licence; period.

(3) A Distributing Licence may be for any period whether limited or unlimited.

Purchase of works of Authorized Distributor by local authority.

19. Where any Authorized Distributor is authorized by a Distributing Licence to supply electrical energy within any area, and any local authority within whose jurisdiction for other purposes such area or any part thereof is situated desires to undertake the supply of electrical energy in such area or any part thereof, the following provisions shall apply:—

- (a) At least six months preceding the expiration of a period of twenty-five years from the date of the Distributing Licence, or such shorter period as is specified in that behalf in the Distributing Licence, or at least six months preceding the expiration of every subsequent period of five years, or such shorter period as is specified in that behalf in the Distributing Licence, such local authority shall make application to the Governor-in-Council for the revocation of the existing Distributing Licence as to the whole or part of the area of supply, and for the issue to them of a Distributing Licence for such area or part thereof. In addition to any notices required to be given by this Ordinance, the applicant shall serve copies of such applications upon the Authorized Distributor, together with such further particulars as the Governor-in-Council may direct. **Local authority may apply for Licence.**
- (b) Where the applications relate to an area which is wholly within the jurisdiction, for other purposes, of any such local authority, the applications shall be granted on such terms and conditions as the Governor-in-Council thinks fit. **Application shall be granted in certain cases.**
- (c) Where the applications relate to an area which is partly within and partly without the jurisdiction, for other purposes, of any local authority, the Governor-in-Council may grant such applications on such terms and conditions as he thinks fit. **Application may be granted in certain cases.**
- (d) Where the applications relate to an area which is partly within and partly without the jurisdiction, for other purposes, of any such local authority, and the granting of the applications of the local authority will entail the division of the area of supply of the Authorized Distributor, the Governor-in-Council may with the consent of the Authorized Distributor permit such division and grant the applications of the local authority. (For the purposes of this section the area of supply shall in the case of the area of a local authority included in the area defined in any Prior Licence be deemed to be the local area of the local authority and any area adjacent thereto which could reasonably be included in the distributing area of the local authority on the granting of a Distributing Licence.) **Application entailing the division of an area of supply.**
- (e) If the Authorized Distributor objects to the division of the area as specified by the local authority he may make a representation to the Governor-in-Council and serve a notice upon the local authority stating such objection and specifying the division (if any) which he desires, and the Governor-in-Council may uphold or disallow such objection of the Authorized Distributor with such modifications or conditions as he thinks fit. **Objection by Authorized Distributor to division of area of supply.**
- (f) If the Authorized Distributor is dissatisfied with the decision of the Governor-in-Council he may make a representation to the Governor-in-Council and serve a notice upon the local authority, that he desires the revocation of his Distributing Licence as to the whole area of supply. **Authorized Distributor objecting to division of area may apply for revocation of his Licence as to whole of area.**
- (g) If the local authority upon the receipt of either of the two last mentioned notices fails to amend their applications in terms of the Governor's decision, or so as to include the whole of the area of supply as the case may be, the Governor-in-Council shall refuse the applications of the local authority and of the Authorized Distributor. **Local authority to amend applications to meet conditions or Governor shall refuse applications.**
- (h) Notwithstanding any provision of this section, no application entailing the division, transfer, or alteration of any area of supply or part thereof shall be granted unless it is shown to the satisfaction of the Governor-in-Council that the granting of the application will not unduly prejudice the consumers in any portion of the area proposed to be divided, transferred or altered. **Consumers to be in no case prejudiced.**
- (i) Where the application by a local authority for a Distributing Licence is granted by the Governor-in-Council under the provisions of this section, such local authority shall by notice in writing require the Authorized Distributor to sell, and thereupon the Authorized Distributor shall sell to them his works suitable to and used by him for the purposes of his Distributing Licence and situated within the area defined by the Distributing Licence granted to such local authority subject to the provisions herein contained. **Where local authority's application is granted, Authorized Distributor shall sell to them.**

If Authorized Distributor holds a Local Generating Licence, local authority may purchase works.

(j) Subject to the provisions of (h) of this section, in any case where the supply of electrical energy for the purposes of the Distributing Licence of the Authorized Distributor is obtained under a Local Generating Licence held by such Authorized Distributor on the granting of the application of the local authority the following provisions shall apply as to the works under the Local Generating Licence:—

- (i) If the supply of electrical energy for the purposes of the Distributing Licence of the Authorized Distributor and of the local authority can be provided by a Bulk Supply Licensee under any of the provisions of this Ordinance notwithstanding the provisions of (b) (i) of sub-section (4) of section 34 as to the periods at which the Bulk Supply Licensee may apply for the revocation of the Local Generating Licence and purchase the works of the Local Generating Licensee the Bulk Supply Licensee shall purchase the works under the Local Generating Licence and give a supply of electrical energy to the Authorized Distributor and to the local authority subject to the provisions of sub-section (4) of section 34 and to any other Authorized Distributors subject to the provisions in that behalf contained in this Ordinance or the Bulk Supply Licence.
- (ii) Where a supply of electrical energy under a Bulk Supply Licence cannot be made available as in (j) (i) of this section contemplated, and where the granting of the application of the local authority does not entail the division of the area of supply of the Authorized Distributor as defined in the Distributing Licence, or where the Local Generating Licensee agrees to sell such works the local authority shall on the grant of the application purchase the works under the Local Generating Licence as if such local authority was the Bulk Supply Licensee referred to in (j) (i) of this section and the revocation of the Local Generating Licence and the price to be paid by such local authority in respect of the purchase of the said works and in respect of compensation (if any) for depreciation shall be effected and determined in the manner prescribed in this behalf in (b) and (c) of sub-section (4) of section 34 as if the local authority was making the purchase for the purposes of a Bulk Supply Licence.
- (iii) Where a supply of electrical energy under a Bulk Supply Licence cannot be made available as in (j) (i) of this section contemplated and where the granting of the application of the local authority entails the division of the area of supply as defined in the Distributing Licence of the Authorized Distributor, the Local Generating Licensee being also an Authorized Distributor shall on the grant of the application of the local authority give a supply of electrical energy to the other Authorized Distributor operating in the area of supply so divided as aforesaid for the purposes of the Distributing Licence of such other Authorized Distributor, from the works under his Local Generating Licence or under his Distributing Licence as may be necessary or desirable for the purpose on such terms and conditions and for such price or prices as may be agreed upon between the Local Generating Licensee and such other Authorized Distributor or failing such agreement as may be determined by an arbitrator in the manner prescribed in (c) (vi) and (c) (vii) of sub-section (4) of section 34.

Power to vary terms of sale contained in last section.

20. Notwithstanding anything in the last preceding section or in section 134 hereof contained, the Governor-in-Council may by any Distributing Licence to be granted by him under this Ordinance if he thinks fit, vary the terms upon which any local authority may require the Authorized Distributor to sell, and upon which the Authorized Distributor shall be required to sell to such local authority his undertaking or so much of the same as is within the jurisdiction, for other purposes, of such local authority, in such manner as may have been agreed upon between such local authority and the Authorized Distributor.

21. (1) Where the Licensee is the Authorized Distributor for any distributing or local area not comprised in or not comprising the area of any township and any requisition or demand for a supply of electrical energy is served upon the Authorized Distributor, the provisions of section 11 to 17, inclusive shall apply and the necessary modifications shall be made to make such applications effective with respect to the matters provided for in the said sections, in substitution for the provisions contained in sub-section (2) of this section and in sections 22, 23, 24, 25, 26, and in sub-sections (1), (2), (a), (b), (c), of section 27.

(2) Where the Licensee is the Authorized Distributor for any distributing or local area comprised in or comprising the area of any township the following provisions shall have effect:—

(a) The Authorized Distributor shall, within a period of two years or such other period as may be stated in the Distributing Licence after the commencement of the Distributing Licence, or as may be authorized by the Governor-in-Council as provided for by section 125, lay down or erect suitable and sufficient distributing mains for the purpose of general supply throughout every street or part of a street specified in that behalf in the Distributing Licence, and shall thereafter maintain those mains.

(b) In addition to the mains hereinbefore specified, the Authorized Distributor shall, at any time after the expiration of eighteen months after the commencement of the Distributing Licence, lay down or erect suitable and sufficient distributing mains for the purposes of general supply throughout every other street or part of a street within the area of supply upon being required to do so in manner provided by the Distributing Licence, or by this Ordinance.

(c) All such mains as last above mentioned (unless already laid down or erected) shall be laid down or erected by the Authorized Distributor within six months after any requisition in that behalf served upon him in accordance with the provisions of the Distributing Licence or this Ordinance has become binding upon him, or within such further time as may in any case be approved by the Governor-in-Council.

(d) Where any requisition is made in respect of any street which the Authorized Distributor is not specially authorized to break up, or in or along which he is not authorized to erect and construct works of an overhead system, he shall (unless the repairing authority consents to the breaking up thereof if necessary) forthwith apply to the Governor-in-Council for his written consent authorizing and empowering the Authorized Distributor to break up that street, or to erect and construct therein works of an overhead system, as the case may be, and the requisition shall not be binding upon the Authorized Distributor if the Governor-in-Council refuses his consent in that behalf.

22. Where a public or local authority is not the Authorized Distributor, the Authorized Distributor shall, within twenty-eight days or such other period as the Governor-in-Council may approve before commencing to lay underground in any street any electric supply line which is intended for supplying electrical energy to any particular consumer, and not for the purposes of general supply, serve upon the local authority, and upon the owner or occupier of all premises abutting on so much of the street as lies between the points of origin and termination of the electric supply line so to be laid, a notice stating that the Authorized Distributor intends to lay the electric supply line, and setting forth the effect of this section, and if within that period any two or more of those owners or occupiers require in accordance with the provisions of the Distributing Licence that a supply shall be given to their premises, the necessary distributing main shall be laid by the Authorized Distributor at the same time as the electric supply line intended for the particular consumer.

23. (1) If the Authorized Distributor, not being a public or local authority, makes default in laying down or erecting any distributing mains in accordance with the provisions of the Distributing Licence within the periods prescribed in that behalf respectively, he shall be liable for each default to a penalty not exceeding seventy-five rupees for each day during which the default continues, and if the Governor-in-Council is of opinion in any case that the default is wilful and unreasonably prolonged he may, after considering any representation of the public or local authority, deal with the Distributing Licence in manner provided by this section.

Compulsory works.
Electric supply lines in
distributing or local
areas.

Mains, &c. to be laid
down in streets specified
in Licence and in
remainder of area of
supply.

As to provision of mains
required but not specified
in Licence.

As to laying of electric
lines under special agree-
ment.

If Licensee fails to lay
down mains, &c., Licence
may be revoked.

(2) If a public or local authority is the Authorized Distributor, and makes default in laying down or erecting any distributing main in accordance with the provisions of the Distributing Licence, within the periods prescribed in that behalf respectively, the Governor-in-Council may deal with the Distributing Licence in manner provided by this section.

(3) Where the Governor-in-Council is authorized under this section to deal with a Distributing Licence, he may either revoke the Distributing Licence as to the whole or any part of the area of supply, or if the Authorized Distributor so desires, suffer it to remain in force as to that area or part thereof, subject to such conditions as he thinks fit to impose, and any conditions so imposed shall be binding on and observed by the Authorized Distributor, and shall be of the like force and effect in every respect as though they were contained in the Distributing Licence:

Provided that the Governor-in-Council shall not revoke the Distributing Licence as to part only of the area of supply where the Authorized Distributor makes a representation that he desires to be relieved of his liabilities as respects the rest of the area of supply, and in that case the Governor-in-Council shall not under this section revoke the Distributing Licence otherwise than as to the whole of the area of supply.

Manner in which requisition is to be made.

24. (1) Any requisition requiring the Authorized Distributor to erect or lay down distributing mains for the purposes of general supply throughout any street or part of a street may be made by six or more owners or occupiers of premises along that street or part of a street, or, where a public or local authority is not the Authorized Distributor and has the control and management of the public lamps in that street or part of a street, by the public or local authority.

(2) Every such requisition shall be signed by the persons making it, or by the public or local authority (as the case may be) and shall be served upon the Authorized Distributor.

(3) Forms of requisition shall be kept by the Authorized Distributor at his office and a copy shall, on application, be supplied free of charge to any owner or occupier of premises within the area of supply and, where necessary, to the public or local authority, and any requisition so supplied shall be deemed valid in point of form.

Provisions on requisition by owners or occupiers

25. (1) Where any such requisition is made by any such owners or occupiers as aforesaid, the Authorized Distributor (if he thinks fit) may, within fourteen days or such other period as the Governor-in-Council may approve after the service of the requisition upon him, serve a notice on all the persons by whom the requisition is signed, stating that he declines to be bound by the requisition unless those persons or some of them will bind themselves to take, or will guarantee that there shall be taken, a supply of electrical energy, for a period of three years at the least, of such amount in the aggregate (to be specified by the Authorized Distributor in the notice) as will, at the rates of charge for the time being charged by the Authorized Distributor for a supply of electrical energy from distributing mains to ordinary consumers within the area of supply, produce annually such reasonable sum as is specified by the Authorized Distributor in the notice:

Provided that in the notice the Authorized Distributor shall not, without the authority of the Governor-in-Council, specify any sum exceeding twenty per centum upon the expense of providing and erecting or laying down the required distributing mains and any other mains or additions to existing mains which may be necessary for the purpose of connecting those distributing mains with the nearest available source of supply.

(2) Where such a notice is served, the requisition shall not be binding on the Authorized Distributor unless within fourteen days or such other period as the Governor-in-Council may approve after the service of the notice on all the persons signing the requisition has been effected, or in case of difference within fourteen days or such other period as the Governor-in-Council may approve after the delivery of the arbitrator's award or other settlement, there be tendered to the Authorized Distributor an agreement severally executed by those persons or some of them, binding them to take or guaranteeing that there shall be taken

a supply of electrical energy, for a period of three years at the least, of such amount as will in the aggregate at the rates of charge above specified produce an annual sum amounting to the sum specified in the notice or determined by arbitration under this section, or unless sufficient security for the payment to the Authorized Distributor of all moneys which may become due to him from those persons under the agreement is offered to the Authorized Distributor (if required by him by such notice as aforesaid) within the period prescribed for the tender of the agreement as aforesaid.

(3) If the Authorized Distributor considers that the requisition is unreasonable, or that, under the circumstances of the case, the provisions of this section ought to be varied, he may within fourteen days or such other period as the Governor-in-Council may approve after the service of the requisition upon him, appeal to the Governor-in-Council and the Governor-in-Council, after such enquiry (if any) as he thinks fit, may, by order, either determine that the requisition is unreasonable, and shall not be binding upon the Authorized Distributor, or may authorize the Authorized Distributor by his notice to require a supply of electrical energy to be taken for such longer period than three years, and to specify such sum or percentage, whether calculated as hereinbefore provided or otherwise, as is directed by the order, and the terms of the above-mentioned agreement shall be varied accordingly.

(4) In case of any appeal to the Governor-in-Council under this section, any notice by the Authorized Distributor under this section may be served by him within fourteen days or such other period as the Governor-in-Council may approve after the decision of the Governor-in-Council.

(5) If any difference arises between the Authorized Distributor and any persons signing any such requisition as to any such notice or agreement, that difference shall, subject to the provisions of this section and to the decision of the Governor-in-Council upon any such appeal as aforesaid, be determined by arbitration.

26. Where any such requisition is made by a public or local authority, it shall not be binding on the Authorized Distributor unless at the time when the service is effected, or within fourteen days or such other period as the Governor-in-Council may approve thereafter, there be tendered to the Authorized Distributor (if required by him) an agreement executed by the public or local authority, and binding such authority to take, for a period of three years at the least, a supply of electrical energy for lighting such public lamps in the street or part of a street in respect of which the requisition is made as may be under their management or control.

Provision on requisition by a public or local authority.

27. (1) The Authorized Distributor shall, upon being required to do so by the owner or occupier of any premises situate within fifty yards from any distributing main of the Authorized Distributor in which he is, for the time being, required to maintain or is maintaining a supply of electrical energy for the purpose of supply under the Distributing Licence or the Regulations, give and continue to give a supply of electrical energy for those premises in accordance with the provisions of the Distributing Licence and of the said Regulations, and he shall furnish and lay or erect any electric supply lines that may be necessary for the purpose of supplying the maximum power with which any such owner or occupier is entitled to be supplied under the Distributing Licence:

Authorized Distributors to furnish sufficient supply of electrical energy to owners and occupiers within the area of supply.

Provided that the cost of so much of any electric supply lines for the supply of electrical energy to any owner or occupier as may be laid or erected upon the property of that owner or in the possession of that occupier, and of so much of any such electric supply lines as it may be necessary to lay or erect for a greater distance than sixty feet from any distributing main of the Authorized Distributor, although not on that property, shall if the Authorized Distributor so requires, be defrayed by that owner or occupier.

(2) Every owner or occupier of premises requiring a supply of electrical energy shall:—

(a) Serve a notice upon the Authorized Distributor specifying the premises in respect of which the supply is required, and the maximum power required to be supplied, and the day (not being an earlier day than a reasonable time after the date of the service of the notice) upon which the supply is required to commence; and

(b) If required by the Authorized Distributor, enter into a written contract with him to continue to receive and pay for a supply of electrical energy for a period of at least two years of such an amount that the payment to be made for the supply, at the rate of charge for the time being charged by the Authorized Distributor for a supply of electrical energy to ordinary consumers within the area of supply, shall not be less than twenty per centum per annum on the outlay incurred by the Authorized Distributor in providing any electric supply lines required under this section to be provided by him for the purpose of the supply, and, if required by the Authorized Distributor, shall give to him security for the payment to him of all moneys which may become due to him by the owner or occupier in respect of any electric supply lines to be furnished by the Authorized Distributor.

(c) In any case where any electric supply lines required under this section to be provided by the Authorized Distributor have been laid or erected for a period of two years the Authorized Distributor shall not be entitled to demand that any owner or occupier shall enter into a written contract except that, every owner or occupier of premises requiring a supply of electrical energy shall, subject to the terms as to notice to the provisions of section 29 and to the provisions of this Ordinance enter into a written contract with the Authorized Distributor, if required by him to do so, as to the conditions of and the price to be paid for any supply being made or to be made.

(d) Notwithstanding anything contained in this section, or in any provisions substituted for those contained in this section, the owner or occupier of any premises having a supply of electrical energy from any other source shall not be entitled to demand or to continue to receive a supply of electrical energy from an Authorized Distributor, unless he has agreed with the Authorized Distributor, if required by him to do so, to pay such minimum annual sum as will give the Authorized Distributor a reasonable return on the capital expenditure and will cover other standing charges incurred by him, in order to meet the possible maximum demand for the premises of such owner or occupier. In default of agreement the sum to be so paid shall be determined by arbitration.

(3) Provided also, that if the owner or occupier of any such premises as aforesaid uses any form of apparatus, lamp, or burner, or uses the electrical energy supplied to him by the Authorized Distributor for any purposes, or deals with it in any manner, so as to interfere unduly or improperly with the efficient supply of electrical energy to any other body or person by the Authorized Distributor, the Authorized Distributor may, if he thinks fit, discontinue to supply electrical energy to those premises so long as the apparatus, lamp, or burner is so used, or the electrical energy is so used or dealt with.

(4) Provided also, that the Authorized Distributor shall not be compelled to give a supply of electrical energy to any premises unless he is reasonably satisfied that the electric supply lines, fittings, and apparatus therein are in good order and condition, and not calculated to affect injuriously the use of electrical energy, by the Authorized Distributor or by other persons.

(5) If any difference arises under this section as to any improper use of electrical energy or as to any alleged defect in any electric supply lines, fittings, or apparatus, that difference shall be determined by an Electric Inspector.

28. (1) The maximum power with which any consumer shall be entitled to be supplied shall be of such amount as he may require to be supplied with, not exceeding what may be reasonably anticipated as the maximum consumption on his premises:

Maximum power.

Provided that where any consumer has required the Authorized Distributor to supply him with a maximum power of any specified amount, he shall not be entitled to alter that maximum except upon one month's notice to the Authorized Distributor, and any expenses reasonably incurred by the Authorized Distributor in respect of the service lines by which electrical energy is supplied to the premises of that consumer, or of any fittings or apparatus of the Authorized Distributor upon those premises, consequent upon the alteration, shall be paid by him to the Authorized Distributor, and may be recovered as a civil debt summarily.

(2) If any difference arises between any such owner or occupier and the Authorized Distributor as to what may be reasonably anticipated as the consumption on his premises or as to the reasonableness of any expenses under this section, that difference shall be determined by the Governor.

29. (1) Twenty-four hours' notice in writing shall be given to the Authorized Distributor by every consumer before he quits any premises supplied with electrical energy by the Authorized Distributor, and, in default of such notice, the consumer so quitting shall be liable to pay to the Authorized Distributor the money due in respect of such supply up to such time as notice of removal is given or up to the next usual period for ascertaining the register of the meter or otherwise for determining the charges due on such premises, or to the date from which any subsequent occupier of such premises may require the Authorized Distributor to supply electrical energy to such premises, whichever shall first occur.

Notice to be given to Licensee before removing.

(2) Notice to the effect of this section shall be endorsed upon any demand note for charges for electrical energy.

Provided that nothing in this section shall invalidate any agreement entered into between the Authorized Distributor and any consumer as to the period for which a supply of electrical energy shall be taken by such consumer.

30. Where a public or local authority is not the Authorized Distributor, the Authorized Distributor shall, upon receiving reasonable notice from a public or local authority requiring him to supply electrical energy to any public lamps within the distance of seventy-five yards from any distributing main of the Authorized Distributor in which he is for the time being required to maintain a supply of electrical energy for the purposes of supply under the Distributing Licence, or the Regulations, give and continue to give a supply of electrical energy to those lamps in such quantities as the public or local authority may require to be supplied.

Supply of energy to public lamps.

31. Where a public or local authority is not the Authorized Distributor, the price to be charged by the Authorized Distributor and to be paid to him for all electrical energy supplied to the public lamps, and the mode in which those charges are to be ascertained, shall be settled by agreement between the public or local authority and the Authorized Distributor, and, in case of difference, shall be determined by arbitration, regard being had to the circumstances of the case and the distributing or other mains, if any, which may have to be laid for the purpose, and the prices charged to ordinary consumers in the district.

Price for supply to public lamps.

32. (1) Subject to any agreement which may be entered into between an Authorized Distributor and a consumer as provided for by section 70 and approved of in writing by the Governor, whenever the Authorized Distributor makes default in supplying electrical energy to any owner or occupier of premises to whom he may be and is required to supply electrical energy under the Distributing Licence, he shall be liable in respect of each default to a penalty not exceeding thirty rupees for each day or part of a day on which the default occurs.

Penalty for failure to supply.

(2) Where a public or local authority is not the Authorized Distributor, and the Authorized Distributor makes default in supplying electrical energy to the public lamps to which he may be and is required to supply electrical energy under the Distributing Licence, the Authorized Distributor shall be liable in respect of each default to a penalty not exceeding five rupees for each lamp, and for each day on which the default occurs.

Provided that where the failure of the light from any lamp is due to any defects in the lamp or fittings belonging thereto (but excluding any electric supply lines) this penalty shall not apply, and that in any such case the liability of the Authorized Distributor shall be such as may be specified in any agreement between the Authorized Distributor and the public or local authority parties to the agreement.

(3) Whenever the Authorized Distributor makes default in supplying electrical energy in accordance with the terms of the Regulations, he shall be liable to such penalties as are prescribed by the Regulations in that behalf.

(4) Provided that the penalties to be inflicted on the Authorized Distributor under this section shall in no case exceed in the aggregate in respect of any defaults not being wilful defaults on the part of the Authorized Distributor the sum of seven hundred and fifty rupees for any one day, and provided also that in no case shall any penalty be inflicted in respect of any default if the court is of opinion that the default was caused by inevitable accident or force majeure or was of so slight or unimportant a character as not materially to affect the value of the supply.

Local Generating Licence.

33. The Governor-in-Council may grant a Local Generating Licence subject to the provisions of this Ordinance to any Authorized Distributor, to generate electrical energy for the purposes of the Distributing Licence of such Authorized Distributor.

Local Generating Licence.

As to applications for Licence for local area within or adjacent to a Bulk Area.

34. (1) Where any application is made for a Local Generating Licence for any local area which is outside the area of any Bulk Supply Licence but which is in such proximity or so situated that in the opinion of the Governor-in-Council the supply of electrical energy to the local area in question may appropriately be provided by the Bulk Supply Licensee, the Governor-in-Council may order that for the purpose of consideration and enquiry the application shall be regarded and dealt with as if it were an application for a Local Generating Licence for a local area situated within the area of the Bulk Supply Licence.

May refuse Licence to generate if Bulk Supply is cheaper.

(2) Where any application is made for a Local Generating Licence in any area or place within a Bulk Supply Area, and after consideration and enquiry it appears that the estimated cost of production of electrical energy by the applicant for a Local Generating Licence will equal or exceed the price at which electrical energy is capable of being delivered and supplied by a Bulk Supply Licensee, the Governor-in-Council may order that the application for a Local Generating Licence authorizing the local generation of electrical energy be refused, and that a Distributing Licence be granted to the applicant to receive a bulk supply of electrical energy from the Bulk Supply Licensee and to use or supply the same within such area on the terms of the Distributing Licence, and the Governor-in-Council may also order that the Bulk Supply Licensee shall, on being required so to do, make delivery of such electrical energy in the manner and on the conditions specified by this Ordinance and the Regulations made in that behalf.

Grounds on which Local Generating Licence may be refused.

(3) If and where the Governor-in-Council finds that the estimated price of any proposed supply of electrical energy from a Bulk Supply Licensee to any applicant for a Local Generating Licence, is higher than the probable price of a locally generated supply, but where the Governor-in-Council nevertheless is of opinion that it would be to the public advantage that such applicant should take a supply from a Bulk Supply Licensee instead of generating locally, the Governor-in-Council may order that the supply shall be taken from the Bulk Supply Licensee provided that the price of the supply by the Bulk Licensee per Kelvin shall be not materially greater than the price of local generation: And provided that, in arriving at a decision on this point, regard shall be had to all the circumstances of the case, and provided also that the Bulk Supply Licensee shall agree to accept as the price to be paid to him for the supply, for a period to be agreed and approved by the Governor-in-Council, the price he has named in his estimate or tender.

Provision which may be made where local generation will alone be possible or will be cheaper in the first instance.

(4) In any case where the Governor-in-Council after enquiry considers that an applicant for a Local Generating Licence for any local area cannot obtain a supply of electrical energy from a Bulk Supply Licensee, or that the applicant will be able to generate electrical energy, in what shall be in the opinion of the Governor-in-Council comparable circumstances or conditions, at a lower price than the lowest price at which such electrical energy could be supplied by a Bulk Supply Licensee, the Governor-in-Council may grant such Local Generating Licence for any period whether limited or unlimited, subject to the following conditions:

- (a) (i) Where the distributing area being or to be supplied from the generating station of a Local Generating Licensee is situated outside the area defined in any Bulk Supply Licence and any application is made to the Governor-in-Council for a Bulk Supply Licence or for a Local Generating Licence for any area within the limits of economical transmission from the Generating Station of the Local Generating Licensee, as referred to in section 7, and in the opinion of the Governor-in-Council the situation of the Generating Station of the Local Generating Licensee is suitable for the generation of the supply of electrical energy for the purpose of the applicant, it shall be incumbent on the Local Generating Licensee within the time specified in that behalf in the public notice of the application, or within thirty days after having received notice in that respect from the Governor-in-Council to make a representation to the Governor-in-Council stating his intention of making application for a Bulk Supply Licence for an area to include the area referred to in the application for a Bulk Supply Licence or for a Local Generating Licence as the case may be, or alternatively, stating his objection and the reason for his objection to the notice of the Governor-in-Council.
- (ii) The Governor-in-Council after such enquiry as he thinks fit, shall decide either to uphold the Local Generating Licensee's objection to the notice, or shall refuse to uphold such objection and shall notify the Local Generating Licensee accordingly, when the Local Generating Licensee may within thirty days from the date of such notice make a further representation to the Governor-in-Council, stating his intention of making an application for a Bulk Supply Licence for an area to include the area referred to in the application for a Bulk Supply Licence or for a Local Generating Licence as the case may be.
- (iii) Where the Local Generating Licensee so notifies his intention to make such application for a Bulk Supply Licence he shall at the same time deposit with the Governor the sum of three hundred and seventy-five rupees in earnest of his intention of making such application, which shall be made in the manner herein prescribed within ninety days of the receipt by the Governor-in-Council of such notification. If the Local Generating Licensee fails to make such application within the time specified, the deposit so made shall be forfeited to the Government of the Protectorate.
- (iv) Where the Local Generating Licensee so fails as aforesaid, to make such application, the Governor-in-Council shall proceed to consider the application for a Bulk Supply Licence or for a Local Generating Licence as the case may be and in any Bulk Supply Licence which may be granted may give the Bulk Supply Licensee named therein power compulsorily to acquire forthwith the works of such Local Generating Licensee under the Local Generating Licence.
- (v) Before so granting any such powers to a Bulk Supply Licensee to acquire compulsorily any works of a Local Generating Licensee, the application of the applicant for a Bulk Supply Licence and for the revocation of the Local Generating Licence shall be made in the manner herein provided.
- (b) (i) Where the distributing area being supplied from the generating station of a Local Generating Licensee is situated within the area defined in a Bulk Supply Licence, the Bulk Supply Licensee may within six months after the expiration of a period of five years from the date of the Local Generating Licence, or such other period as is specified in that behalf in the Local Generating Licence, or within six months after the expiration of every subsequent period of

three years or such other period as is specified in that behalf in the Local Generating Licence, make application to the Governor-in-Council for the revocation of the Local Generating Licence in the manner herein provided. In addition to the notices required to be given under this Ordinance the Bulk Supply Licensee shall serve copies of the notice and of the application upon the Local Generating Licensee.

- (ii) If the Governor-in-Council is satisfied that the consumers in the distributing area and in any other area concerned, will not be unduly prejudiced by the grant of the application the Governor-in-Council shall revoke the Local Generating Licence.
- (c) Where under the provisions of this sub-section, the Governor-in-Council revokes a Local Generating Licence the Bulk Supply Licensee shall purchase the works under the Local Generating Licence. The price to be paid in respect of such purchase and the compensation (if any) to be paid to the Local Generating Licensee and the price to be paid by the Authorized Distributor, being the Local Generating Licensee to the Bulk Supply Licensee making the purchase for the supply of electrical energy by such Bulk Supply Licensee shall be determined by an arbitrator who for the purposes of this section shall be approved by the Governor-in-Council subject to the following conditions:—
 - (i) The price to be paid for such works shall be their fair market value at the time of the purchase, due regard being given to the nature and then condition of such works or any of them and to the state of repair thereof and to the circumstance as to whether they are in a condition as to be ready for immediate working and to the suitability of such works or any of them for any of the purposes of the Bulk Supply Licence subject to the provisions as to land contained in sub-section (1) and to the provisions of sub-section (2) of section 134.
 - (ii) Where any claim is made by the Local Generating Licensee for compensation in respect of the compulsory purchase such claim may be in respect of the loss of capital expended on the works under the Local Generating Licence incurred or which may be incurred by any depreciation of the value of the said works or any of them due to the unsuitability of any of them for the purposes of the Bulk Supply Licence because of conditions or circumstances not reasonably in the control of the Licensee as the Local Generating Licensee or as the Authorized Distributor (but not because of depreciation due to any other cause) or in respect of a reasonable profit on the capital expended on the works under the Local Generating Licence to the date of purchase, but not in respect of goodwill or of any other profits which may or might have been made from the works under the Local Generating Licence, except in so far as any such profits would if made have represented or been a reasonable profit as aforesaid on the capital expended on such works to the date of purchase as aforesaid.
 - (iii) In considering any such claim or any part of any such claim the arbitrator shall have regard to the circumstance as to whether and to what extent the depreciation from any cause as aforesaid of the value of any works under the Local Generating Licence has been caused by or is due to any condition or circumstance which was or could reasonably be considered to have been within the control of the Licensee under the Local Generating Licence or under the Distributing Licence and to the circumstance as to whether and to what extent (if at all) the failure to obtain a reasonable profit on the capital expended or the failure to show in the statements of accounts under the Local Generating

Licence a reasonable profit on the capital expended on the works under the Local Generating Licence has been caused by or is due to any condition or circumstance which was or could reasonably be considered to have been within the control of the Licensee under the Local Generating Licence or under the Distributing Licence.

- (iv) If the arbitrator considers that the depreciation in respect of which the claim is made has been caused by or is due to any condition or circumstance as contemplated in (c) (iii) of this sub-section he shall not award any compensation in respect of such claim but if he considers that such depreciation has not been caused by or is not due to or has been caused only in part by or is due only in part to any such condition or circumstance as aforesaid he may, with due regard to the extent to which (if at all) the depreciation in respect of which the claim is made has been so caused or is so due as aforesaid, award such sum as compensation in respect of such claim as he thinks fit provided that any sum so awarded shall not exceed the amount of the difference between the fair market value of such works or any of them at the time of the purchase, having due regard to the nature and then condition of such works or any of them and to the state of repair thereof and to the circumstance as to whether they are in a condition as to be ready for immediate working and to the suitability of the same for the purposes under the Local Generating Licence, and the sum or valuation paid or to be paid in respect of such works or any of them by the Bulk Supply Licensee under (c) (i) of this sub-section.
- (v) If the arbitrator considers that the Local Generating Licensee has obtained a reasonable profit or that the failure to obtain a reasonable profit or that the failure to show in the statements of account under the Local Generating Licence a reasonable profit on the capital expended on the works under the Local Generating Licence has been caused by or is due to any condition or circumstance as contemplated in (c) (iii) of this sub-section, he shall not award any compensation in respect of any claim relating to any such profits or in respect of any other profits which might have been made from the works under the Local Generating Licence but if the arbitrator considers that the Local Generating Licensee has not obtained a reasonable profit on the capital expended on the works under the Local Generating Licence and that the failure to obtain such reasonable profit was not caused by, or is not due to, or has been caused only in part by or is due only in part to any such condition or circumstance as aforesaid he may, with due regard to the extent to which (if at all) the failure to obtain such reasonable profit in respect of which the claim is made has been so caused or is so due as aforesaid, award such sum in respect of such claim as he thinks fit provided that any sum so awarded shall not exceed an amount which when added to the total of the net revenue received and to any money other than capital moneys which will be available for distribution would equal ten per centum per annum on the capital expended on the works under the Local Generating Licence from the date of the subscription of such capital to the date of purchase.
- (vi) The price or prices to be paid by the Authorized Distributor being the Local Generating Licensee to the Bulk Supply Licensee for the supply of electrical energy to be given to him by the Bulk Supply Licensee for the purposes of his Distributing Licence in lieu of the supply generated by him under his Local Generating Licence unless agreed upon between the Authorized Distributor and the Bulk Supply Licensee shall be decided by arbitration and shall not exceed the price or prices charged or shown or which should have been charged or

- shown in the accounts under the Local Generating Licence as the price or prices of the supply of electrical energy delivered or made available to the Authorized Distributor for the purposes of the Distributing Licence, as may be approved or decided by the arbitrator.
- (vii) In considering the price or prices so charged or shown or which should have been so charged or shown in the accounts under the Local Generating Licence as aforesaid and notwithstanding any statement made in any statements of accounts under the Local Generating Licence or the Distributing Licence or in any report of any auditor and after such enquiry as he thinks fit having due regard to any matters in connection with such prices relating to the works for the generating or supply of the electrical energy under the Local Generating Licence or to the works for the supply of electrical energy under the Distributing Licence, and to any matters relating to the accounts or to the disposal of moneys received by the Licensee under the Local Generating Licence or the Distributing Licence and to any matter relating to the supply of electrical energy under the Local Generating Licence or the Distributing Licence and to the price or prices charged for any such supply and to any method of rebate on or reduction of any such price or prices and to any matter relating to any money paid or which may be paid to the Local Generating Licensee in respect of the purchase of the works under the Local Generating Licence or in respect of any compensation as aforesaid the arbitrator may approve of any such price or prices so charged or shown in the accounts under the Local Generating Licence as the price or prices of the supply of electrical energy delivered or made available to the Authorized Distributor for the purposes of the Distributing Licence or may disapprove of such price or prices and may state in lieu thereof such other amount or amounts as the price or prices which should have been so charged or shown in the accounts as aforesaid as he thinks fit and he shall also determine the price or prices which may be charged by the Bulk Supply Licensee for the supply of electrical energy to the Authorized Distributor as aforesaid for a period not exceeding three years unless approved by the Governor-in-Council or not exceeding the next succeeding period when the price or prices charged by the Bulk Supply Licensee may be altered under the provision of section 69 whichever shall first occur.
- (viii) Nothing contained in this sub-section shall preclude the Authorized Distributor from the benefits to which he may be entitled under the provisions of sub-section (2) of section 71 or if any price payable by the Authorized Distributor to the Bulk Supply Licensee for such supply of electrical energy by virtue of the provision of this sub-section is lower than the price payable by other Authorized Distributors for what may be considered as a similar supply, the circumstances and conditions of the demand and supply referred to in the sub-section (2) of section 71 shall be deemed to be different, owing to the compulsory acquisition by the Bulk Supply Licensee of the works of the Local Generating Licensee, being such Authorized Distributor.
- (ix) Where a Bulk Supply Licensee is authorized under this sub-section to acquire compulsorily any of the works of a Local Generating Licensee the Bulk Supply Licensee shall serve a notice in writing requiring the Local Generating Licensee to sell and thereupon the Local Generating Licensee shall sell to him his works suitable to and used by him for the purposes of his Local Generating Licence upon the terms and conditions as provided in this sub-section.

35. Subject to the provisions of Clauses (d), (e), (f) and (g) of Section 19 and to the provision in Section 23, the Governor-in-Council may reduce or extend or in any way alter any area or areas when, on the application in due form as prescribed by this Ordinance of any interested party, who may be any of the public or local authorities, companies, persons, or bodies of persons, supplying electrical energy over and within such area or areas, or any such authority, company, person, or body of persons, applying for a Licence to generate or supply electrical energy over and within any area adjacent to the area or areas aforesaid, it is shown to the satisfaction of the Governor-in-Council that the granting of the application will be equitable to the Licensee and consumers in each of the areas under consideration, provided only that the Licensee and consumers in any area shall not be unduly prejudiced thereby.

Governor may alter areas where equitable to all parties.

36. Where the granting of such application entails the acquisition, by one Licensee for the purposes of his Licence, of any portion of the area of any other Licensee, on, in, over, or within which the latter has any works erected and installed for the purposes of his Licence, the latter shall sell and the former shall purchase such works, and the value shall be determined in the manner hereafter provided.

Obligation to purchase works on the portion of an area transferred.

Provided that any works of the latter Licensee which may not be situated within the area to be acquired, but which would be rendered superfluous to him by reason of such alteration of his area, shall also upon the request of the latter Licensee, be purchased by the former, who shall pay the value to be determined in the manner hereafter provided.

37. Licensees under this Ordinance may, subject to the approval of the Governor-in-Council, enter into agreements to co-operate for any of the purposes of their Licences, subject to the provisions of this Ordinance, provided that the approval of the Governor-in-Council shall not be granted until the expiration of two months after public notice shall have been given, as provided for by Section 125, of the intention to enter into such agreement together with the object thereof.

Licensees may co-operate for the purposes of their Licences.

38. (1) The Licensee shall not purchase or acquire the undertaking of, or associate himself with, any authority, company, person, or body of persons, supplying electrical energy under any Licence, unless the Licensee is authorized by the Governor-in-Council to do so.

Licensees not to purchase other undertakings.

(2) If in contravention of this section the Licensee purchases or acquires any such undertaking, or associates himself with any such other authority, company, person, or body of persons, the Governor-in-Council may, if he thinks fit, revoke the Licence upon such terms as he thinks just.

39. (1) The area of supply shall be the area named for that purpose in the Licence.

Area of supply and prohibition of supply beyond area.

(2) The Licensee shall not at any time after the commencement of the Licence supply electrical energy or (except for the purposes of that Licence) erect or lay down any works beyond the area of supply otherwise than under the authority of a Licence granted by the Governor-in-Council under this Ordinance.

(3) If the Licensee supplies electrical energy or erects or lays down any works in contravention of this section, the Governor-in-Council may revoke the Licence on such terms as he thinks just.

40. The following provisions shall apply as to giving security in cases where the Licensee is not a public or local authority:—

Security for execution of works.

(1) The Licensee within a period of six months after the grant of the Licence, and before exercising any of the powers conferred by that Licence on him in relation to the execution of works, shall shew to the satisfaction of the Governor-in-Council that he is in a position fully and efficiently to discharge the duties and obligations imposed upon him by that Licence throughout the area of supply.

(2) The Licensee shall also, within six months after the grant of the Licence, or within such extended period as may be approved by the Governor-in-Council, and before exercising any of the powers conferred on him in relation to the execution of works, deposit or secure to the satisfaction of the Governor-in-Council such sum as may be fixed by the Licence, or, if not so fixed, as may be required by the Governor-in-Council.

(3) If the Licensee fails to shew to the satisfaction of the Governor-in-Council within any such period as aforesaid that he is in such a position as above mentioned, or fails to deposit or secure such sum as aforesaid, the Governor-in-Council may, after considering any representations which a public or local authority may make, revoke the Licence as to the whole or, with the consent of the Licensee, any part of the area of supply upon such terms as he thinks just.

(4) The said sum deposited or secured by the Licensee under the provisions of this section shall be repaid or released to him in equal portions, when and so soon as it may be certified by an inspector (to be appointed by the Governor) that amounts equal to the sums so to be repaid or released have been expended by the Licensee upon works executed for the purposes of the undertaking or that electric supply lines have been duly laid down or erected in accordance with the provisions of the Licence in every street or part of a street in which he is required by that Licence to lay down or erect electric supply lines within a limited time, or at such earlier dates and by such instalments as may be approved by the Governor.

(5) Where the area of supply includes the districts or parts of the districts of two or more local authorities, the Governor-in-Council may require the deposit to be made or the security to be given in respect of those districts severally, and in that case the deposit or security shall be repaid or released separately as to each district.

Provision as to separate accounts, for each undertaking.

41. Where any public or local authority, company, person, or body of persons, holds a Licence or Licences under this Ordinance, the accounts of each and all such undertakings shall be subject to the provisions of this Ordinance and shall be kept separate and distinct and in the manner and form prescribed by this Ordinance.

Accounts to be in prescribed form.

42. (1) Every Licensee shall on or before the 30th day of June in every year fill up annual statements of accounts of the undertaking made up to the 31st day of March then next preceding, in the forms and containing the particulars prescribed in the schedule to this Ordinance and such statements shall be published, in such manner, as may from time to time be prescribed in that behalf by the Governor-in-Council. The Licensee shall deliver to the Governor copies of such annual statements of accounts and shall, if the Governor-in-Council so directs, keep copies of such annual statements of accounts at his office in the area of supply and sell the same to any applicant at a price not exceeding one rupee for the copies of such statements for any one year. In case the Licensee makes default in complying with the provisions of this section he shall be liable to a penalty not exceeding thirty rupees for each day during which such default continues.

Accounts of Licensees operating at passing of this Ordinance.

(2) The provisions of the preceding sub-section as to accounts shall not apply to any Licensee who is operating under any Licence granted prior to the enactment of this Ordinance until the commencement of the first day of April then next succeeding.

Audit of Licensees' accounts.

43. The following provisions shall apply as to the audit of accounts where the Licensee is not a public or local authority:—

(1) The annual statement of accounts of the undertaking shall be examined and audited by such competent and impartial person as the Governor-in-Council may appoint or approve, and the remuneration of the auditor shall be such as may be agreed or as the Governor-in-Council may direct, and such remuneration, and all expenses incurred by the auditor in or about the execution of his duties, to such an amount as may be agreed, or as the Governor-in-Council may approve, shall be paid by the Licensee on demand, and shall be recoverable as a civil debt summarily.

(2) The Licensee shall give to the auditor, his clerks and assistants, access to such of the books and documents relating to the undertaking as are necessary for the purposes of the audit, and shall when required furnish to him and them all vouchers and information requisite for that purpose, and shall afford to him and them all facilities for the proper execution of his and their duty.

(3) The Governor-in-Council may make and vary regulations prescribing the times at and the mode in which the audit shall be made and conducted, or otherwise for the purpose of giving effect to the provisions of this section.

(4) Any report made by the auditor, or such portion thereof as the Governor-in-Council may direct, shall be appended to the annual statement of accounts, and shall form part thereof for the purposes of section 42.

44. Where a local authority is the Licensee the following provisions shall have effect:—

Application of money received by public or local authorities as Licensees.

(1) All moneys received by the Licensee in respect of the undertaking, except (a) borrowed money, (b) money arising from the disposal of lands acquired for the purposes of the Licence, and (c) other capital money received by them in respect of the undertaking, shall be applied by them as follows:—

(a) In payment of the working and establishment expenses and cost of maintenance of the undertaking, including all costs, expenses, penalties and damages incurred or payable by the Licensee consequent upon any proceedings by or against the Licensee, their officers or servants, in relation to the undertaking; provided as follows:—

(i) That for the purpose of making the performance of the Licence, as reflected in the statements of accounts of the undertaking of a Licensee being a public or local authority and of a Licensee not being a public or local authority, respectively, readily and truly comparable, when and after the supply of electrical energy from or through any part of a Licensee's works or undertaking is begun there shall appear in the accounts of the undertaking from year to year an allowance for depreciation of such works or such part thereof which shall be of such amount as is usual for works of the same nature and class.

(ii) The amounts of the depreciation so determined from year to year shall be a charge against the gross revenue of the undertaking and shall be shown to the credit of a depreciation fund account.

(iii) The amounts so credited to the depreciation fund account shall be paid to and set aside for the purposes of that account or may thereafter be transferred to and used for the purposes of providing any instalments or sinking fund as referred to in (c) of this sub-section.

(b) In payment of the interest or dividend on any mortgages, stock, or other securities granted and issued by the Licensee in respect of money borrowed for the purposes of the Licence.

(c) In providing any instalments or sinking fund required by the Licence to be provided in respect of capital moneys borrowed for the purposes of the Licence.

(d) In payment of all their other expenses of executing the the Licence, not being expenses properly chargeable to capital;

(e) In providing a reserve fund, by setting aside such money as they think reasonable or as may be stated in the Licence, and investing the money and the resulting income thereof in British or Colonial Government securities, or in any other securities in which trustees are by law for the time being authorized to invest other than stock or securities of the Licensee and accumulating it at compound interest until the fund so formed amounts in the case of a Bulk Supply Licence to one-third, and in the case of a Distributing Licence to one-tenth, of the aggregate capital expenditure on the undertaking.

- (f) The reserve fund shall be applicable to answer any deficiency at any time happening in the income of the Licensee from the undertaking, but so that if that fund is at any time reduced it shall thereafter be again restored to the prescribed limit, and so on as often as the reduction happens.
- (g) The reserve fund, in the case of a Bulk Supply Licence, may be used and employed subject to the provisions of sub-section (9) of section 45.
- (h) The Licensee shall apply the net surplus remaining in any year and the annual proceeds of the reserve fund when amounting to the prescribed limit to the reduction of the capital moneys borrowed for the purposes of the Licence.

Provided always that if the surplus in any year amounts to or exceeds five per centum per annum upon the aggregate capital expenditure on the undertaking, the Licensee shall make such rateable reduction in the charge for the supply of electrical energy as will reduce the surplus to a rate of profit equal to two and a half per centum.

- (2) All moneys arising from the disposal of lands acquired by the Licensee for the purposes of the Licence, and all other capital moneys received by them in respect of the undertaking, shall be applied by them in the reduction of the capital moneys borrowed by them for the purposes of the Licence.

Interest and Dividends.
which may be paid during
construction out of
Capital.

45. Where the Licensee is not a public or local authority the following provisions as to interest and dividends on moneys received on capital account, and as to the formation of depreciation fund account, and as to dividends, and the reduction of the price of the supply, shall have effect:—

- (1) During the initial period of construction and during other periods of construction of extensions of generating or transmitting works, interest on the amount of the paid up capital, as may be separately and from time to time as it becomes due approved by the Governor-in-Council or as provided for in the Licence, may be paid out of such capital.

- (2) Any interest so allowed to be paid out of capital may in the case of debenture shares, mortgages, or bonds be at the rate stated therein to be paid in that respect, and in the case of preference or ordinary shares shall not exceed three per centum per annum and shall not be paid for more than four years:

Provided that in the case of preference and ordinary shares where interest has been so paid out of capital for such period of four years (or for such lesser period, subsequent to which such interest could have been or had been paid out of net revenue) no interest shall be again paid out of capital, except under special circumstances and after enquiry by, and by the authority of, the Governor-in-Council.

- (3) When and after the supply of electrical energy from or through any part of a Licensee's works or undertaking is begun, there shall appear in the accounts of the undertaking from year to year an allowance for depreciation of such works or such part thereof, which shall be of such amount as is usual for works of the same nature and class, or as may be stated in the Licence.

- (4) The amounts of the depreciation so determined from year to year shall be a charge against the gross revenue of the undertaking and shall be shewn to the credit of a depreciation fund account.

- (5) The amounts so credited to the depreciation fund account shall be paid to and set aside for the purposes of that account, and only such net balance as may be afterwards remaining, may be paid to the credit of the net revenue account as profit, to be available for further distribution.

- (6) When payment shall have been made, or provided for, of all expenses in respect of the undertaking; (not being disbursements properly chargeable to capital) the balance of net revenue or profit shall be available for distribution as the Licensee thinks fit. Provided that when the net profits from the undertaking paid as dividend on the paid up share capital shall at any time have amounted to a sum equal to ten per centum per annum on such paid up share capital from the date of its being so paid up, the dividend payable on such paid up share capital from any net revenue or profits from the undertaking in excess of ten per centum per annum may be

increased by one-quarter of one per centum per annum, for every one and one-quarter per centum by which the average price charged to consumers for the supply of electrical energy, is reduced below the maximum price stated in the Licence subject to the provisions of sections 69, (1) and (2).

(7) If the Licensee makes default in complying with the provisions of sub-section (6) of this section the Governor-in-Council may after such enquiry as he thinks fit, alter the price to be paid by consumers to the Licensee for the supply of electrical energy, and the price so altered or substituted shall have effect on or after such day as may be mentioned in the order of the Governor-in-Council as if it had been stated in the Licence; notwithstanding anything to the contrary herein contained as to the time or period for the revision or alteration of price.

Action upon default by Licensee.

(8) If the Licensee makes default in complying with any of the provisions of this section he shall be liable to a penalty not exceeding one hundred and fifty rupees for each default, and to a daily penalty not exceeding seventy-five rupees for each default, or, having regard to the circumstances, the Governor-in-Council may deal with the Licence as he thinks fit.

Penalties.

46. Where a local authority is the Licensee the following provisions shall have effect:—

Purchase and use of lands by local authority.

Subject to the provisions of the Licence and this Ordinance the Licensee may acquire by purchase or on lease, and may use, any lands for the purposes of the Licence, or may also for those purposes use any other lands for the time being vested in or leased by him, but subject as to the last-mentioned lands to the approval of the Governor-in-Council, and may dispose of any lands acquired by him under the provisions of this section which may not for the time being be required for the purposes of the Licence: Provided that the amount of land so used by him shall not at any one time exceed in the whole five acres except with the consent of the Governor-in-Council.

47. (1) The Governor-in-Council may by order authorize any Licensee who is authorized to supply electrical energy in any area to acquire compulsorily, or to use, for any of the purposes of a generating station any land, however acquired, specified in the Order, whether situated within or without such area, and in the case of a local authority whether situated within or without their district.

Authority for compulsory acquisition of land for generating station.

(2) Applications under this section shall be made in the manner herein prescribed in that behalf.

48. (1) It shall not be lawful after the enactment of this Ordinance, for any Licensee to construct any generating station on any land, whether acquired by him compulsorily or by agreement without the authority of the Governor-in-Council. This section shall not apply to any station for transforming, converting, or distributing electrical energy.

Public notice re construction of generating station.

(2) Applications under this section shall be made in the manner herein prescribed in that behalf.

49. Subject to the provisions of the Licence and this Ordinance and the Regulations under this Ordinance the Licensee may supply electrical energy within the area of supply for the purposes as defined by this Ordinance and the Licence, provided as follows:—

System and mode of supply.

(a) The supply of electrical energy to be given under any Licence shall—

- (i) be by a three phase system at a frequency of fifty complete periods per second and, except in the case of high or extra high pressure supplies as authorized in each case by the Governor or to any Authorized Distributor at a normal pressure of four hundred and fifteen volts between any two of the three conductors of a three phase system or a normal pressure of two hundred and forty volts between any one of the three conductors of a three phase system, and a conductor connected to the neutral point of a three phase system, which shall be the standard system and the standard pressures of supply.
- (ii) Where any supply is being given by a system other than a three phase system at a frequency of fifty complete periods per second the Licensee shall before the expiration of twelve months after the enactment of this Ordinance discontinue and cease to supply by such system and shall then and thereafter give the supply by the standard system and

except in the case of high or extra high pressure supplies as authorized in each case by the Governor or to an Authorized Distributor at the standard pressure or pressures as hereinbefore specified without causing or entailing expense to any consumer in respect of any energy consuming device or apparatus by reason of the change of the system or of the pressure of the supply, unless otherwise agreed upon between the consumer and the Licensee.

- (iii) Where any supply is being given by the standard system but not at the standard pressures the Licensee shall before the expiration of two years after the enactment of this Ordinance discontinue and cease to supply at such pressure or pressures and shall then and thereafter except in the case of high or extra high pressure supplies as authorized in each case by the Governor, give the supply at the standard pressure or pressures as hereinbefore specified without causing or entailing expense to any consumer in respect of any current consuming device or apparatus by reason of the change of the pressure or pressures of the supply, unless otherwise agreed upon between the consumer and the Licensee.
- (iv) Where any Licensee is giving a supply by a system other than the standard system or at any pressure other than a standard pressure and is unable to comply with the obligations incumbent on him under this section within the time prescribed with respect thereto he may make application to the Governor-in-Council in the manner herein provided, to extend the time for the performance of his obligations and the Governor-in-Council may refuse the application or may grant the application for an extension of time not exceeding twelve months which may on a like application be extended for a further period of twelve months provided that the total extension of time granted shall not exceed two years.
- (v) Regulations made by the Governor-in-Council for ensuring a proper and sufficient supply of electrical energy shall permit a variation or difference, plus and minus, from the standard normal frequency and pressures, of an amount not less than that for the time being prescribed or allowed by the British Board of Trade or by the Engineering Standards Committee of Great Britain, whichever shall be the greater, and with due regard to the object of this Ordinance for the establishing of standards of modes, materials, and apparatus in the generation, supply or use of electrical energy, shall make such provision, with such conditions as may be approved by the Governor-in-Council in making the Regulations, as may be necessary for
 - (A) a supply being given to any consumer from any phase or phases of a standard system, and
 - (B) a supply being given to any consumer, by means of converters or transformers taking a supply from a standard system, of such nature and description as may be necessitated by the requirements or peculiarities of the business or operation or process of the consumer.
- (b) The Licensee shall not, without the express consent of the Governor, place any electric supply line above ground except within premises in the sole occupation or control of the Licensee, and except so much of any service line as is necessarily so placed for the purpose of supply; and

- (c) The Licensee shall not permit any part of any circuit to be connected with earth except so far as may be necessary for carrying out the provisions of the Regulations, unless the connection is for the time being approved by the Governor.

50. (1) After the enactment of this Ordinance any new works or any extension or amplification of any existing works for any of the purposes of generating, transforming, converting, transmitting, distributing or supplying electrical energy under any Licence or Prior Licence shall be carried out and performed in the mode and with the material or apparatus which complies with the specification or standard relating to any such purpose or to any such mode, material or apparatus of the Engineering Standards Committee of Great Britain or in any case where the said specification or standard permits more than one mode, material or apparatus for any of the said purposes with such mode, material or apparatus as complies with the said specification or standard as the Governor-in-Council may by Regulation prescribe provided that in any case any mode, material or apparatus which may be followed or used for any of the aforesaid purposes shall be of a nature, description or type which is established by practice or use under similar conditions to be suitable for the purposes to which it is or may be applied under the Licence or Prior Licence, and it shall not be lawful for any public or local authority in any case, or for any company, person, or body of persons, authorized by any Licence, concession or agreement, to generate or supply electrical energy within any area, to commence or execute or cause or permit to be commenced or executed any works for the generation, transmission, distribution or supply of electrical energy whether new works or the extension or amplification of existing works otherwise than in accordance with the provisions of this Ordinance.

All works to comply with British Engineering Standards Committee's standards.

(2) If any such public or local authority, company, person, or body of persons, makes default in complying with the requirements or restrictions of this section, they or he shall be liable for every default to a penalty of fifteen hundred rupees and to a daily penalty of fifteen hundred rupees while such default continues and whether any such penalty has been inflicted or not the Governor-in-Council may revoke the Licence, concession or agreement or deal with it as he thinks fit.

Penalty on default by company or person.

51. (1) For the purpose of the conveyance, transmission, or supply of electrical energy, the Governor-in-Council may authorize any Licensee to erect, fix, instal or lay any poles, wires, mains, pipes, or other apparatus, in, upon, under, over, or across any public streets, roads, railways, tramways, rivers, canals, or harbours, or Government property in such manner and on such conditions as herein provided or as he may approve; Provided that where it is intended or necessary for such purpose to break, or open up, or to interfere with the traffic, business, or purpose of, any street, road, railway, tramway, river, canal, harbour or Government property, such authority shall be subject to the consent of the owner, lessee, operator, repairing or maintaining authority thereof, with such reasonable conditions as he or they shall impose, and such consent shall not be unreasonably withheld.

Governor may authorize poles, mains, etc., on roads, railways, etc.

(2) Where such consent is refused or withheld the Licensee may apply to the Governor-in-Council as hereafter provided, to dispense with such consent and the Governor-in-Council may refuse or may grant the application with such conditions as he thinks fit.

52. (1) The Governor-in-Council may authorize a Licensee to establish, use, and maintain, in, over, or through any area a system or means of transmission by an electrical method of messages or signals. Provided that such messages or signals shall have reference only to the operations of the Licensee for the purpose of his Licence, and that all works or things necessary to be used for the establishment and maintenance of such system or means for communication shall be performed specifically as provided for by the Governor-in-Council in granting such authority.

Governor may authorize Licensees to erect and maintain telephone or Signalling lines for operation of supply system.

Notice to Postmaster General.

(2) No such authority for the establishment or use of any system or means for the transmission by an electrical method of messages or signals shall be granted by the Governor-in-Council until proof has been furnished by the applicant for such authority that the Postmaster General has had at least 30 days' notice with such particulars as the Governor may approve of his intention to make such application.

As to applications.

(3) Application for such authority and objection thereto shall be made in the manner hereafter provided.

Penalty for abuse of powers.

(4) Where any authority has been so granted any persons or person who shall make or permit to be made any contravention of the first provision of this section shall be liable on conviction to a penalty not exceeding seven hundred and fifty rupees.

(5) On the occurrence of any public emergency, or in the interest of the public safety, the Governor-in-Council or any officer specially authorized in this behalf by the Governor-in-Council may take temporary possession of any system or means for the transmission by an electrical method of messages or signals so established, used or maintained by any Licensee.

(6) If any doubt arises as to the existence of a public emergency or whether any act done under sub-section (5) was in the interest of the public safety, a certificate signed by the Governor-in-Council shall be conclusive proof on the point.

Powers for the execution of works.

53. Subject to the provisions of this Ordinance and the Licence the Licensee may exercise all or any of the powers conferred on him by this Ordinance and the Licence, and may erect and construct overhead electric supply lines, and do all necessary works for such purpose in and over such streets and places in respect of which he is duly authorized, and which may, for the time being, be included in the area of supply and be upon land dedicated to public use.

**Overhead lines.
Streets, railways, tramways, rivers, canals, and harbours on which Licensee is authorized by Licence to construct works.**

54. (1) Subject to the provisions of this Ordinance and the Licence the Licensee may exercise all or any of the powers conferred on him by this Ordinance and the Licence and may break up and construct works, in, over, under, or upon such streets and such railways, tramways, rivers, canals and harbours (if any) as he is specially authorized to break up or construct works in, over, under, or upon, by the Licence, so far as those streets, railways, tramways, rivers, canals and harbours may for the time being be included in the area of supply, and be, or be upon, land dedicated to public use: Provided, however, as respects any such railway, that the powers hereby granted shall extend only to such parts thereof as pass across or along any highway on the level.

Authority for above works to be obtained if not authorized in Licence.

(2) Nothing in the Licence shall authorize or empower the Licensee to break up or interfere with any street or part of a street or construct works in, over, under or upon any railway, tramways, rivers, canals or harbours (if any) or such parts thereof, as he is specially authorized to break up or to construct works in, over, under or upon by the Licence, without the consent of the authority, body, or person by whom that street is repairable, or of the authority, body, or person vested with the control of such railway, tramway, river, canal or harbour, or of the Governor-in-Council and where the Governor-in-Council gives that consent, the provision of the Licence shall apply to the street, railway, river, tramway, canal or harbour to which the consent relates as if the Licensee had been specially authorized in that behalf by that Licence.

Street boxes.

55. (1) Subject to the provisions of this Ordinance and the Licence, the Licensee may construct or erect in any street such chambers, boxes, and apparatus as may be necessary for purposes in connection with the supply of electrical energy, including means for the proper ventilation of such chambers, boxes and apparatus: Provided that, where a public or local authority is not the Licensee, such chambers, boxes and apparatus shall be of a design, and placed or situated, as approved by the public or local authority concerned, or, at his discretion, by the Governor-in-Council.

(2) Every such chamber, box and apparatus shall be for the exclusive use of the Licensee and under his sole control, except so far as the Governor may otherwise order, and shall be used by the Licensee for the purposes of the Licence, in accordance with the provisions of this Ordinance and of any Regulations made under this Ordinance.

(3) Every such chamber, box and apparatus, including the upper surface or covering thereof, if constructed below ground level, shall be constructed of such materials, and shall be constructed and maintained by the Licensee in such manner, as not to be a source of danger, whether by reason of inequality of surface or otherwise.

(4) Where a public or local authority is not the Licensee, it may, with the approval of the Governor, prescribe the hours during which the Licensee is to have access to any underground chambers, boxes, and apparatus and if the Licensee during any hours not so prescribed removes or displaces or keeps removed or displaced the upper surface or covering of any box without the consent of the public or local authority, he shall be liable for each offence to a penalty not exceeding seventy-five rupees and to a daily penalty not exceeding seventy-five rupees. Provided that the Licensee shall not be subject to any such penalty as aforesaid if the Court is of opinion that the case was one of emergency, and that the Licensee complied with the requirements of this section so far as was reasonable under the circumstances.

56. (1) Where the exercise of any of the powers of the Licensee in relation to the execution of any works, will involve the placing of any works, for the purpose of the conveyance, transmission, distribution or supply of electrical energy by an overhead system, (having received the express consent of the Governor-in-Council as herein provided) in, along or across any street, the following provisions shall have effect:—

Overhead works.
Notices to be given by
Licensee.

(a) One month or such other period as the Governor-in-Council may approve before commencing the execution of the works (not being repairs, renewals or amendments of existing works of which the character and position are not altered), the Licensee shall serve a notice upon the public or local authority liable for the repair of such street (in this section referred to as the repairing authority) together with

(i) a description of the proposed works.

(ii) a map of the locality or district shewing the proposed routes and locations of all electric supply lines and sub-stations.

(iii) a drawing shewing the plan and elevation of all sub-stations,

and shall upon being required to do so by such repairing authority give such further information in relation to the matters specified as may be desired.

(b) The repairing authority may approve any such works, description, routes, locations, map and drawing, subject to such amendments and conditions as may seem fit, or may disapprove them, and may give notice of that approval or disapproval to the Licensee.

(c) Where the repairing authority approves any such works, description, routes, locations, map and drawing, subject to any amendments or conditions with which the Licensee is dissatisfied, or where it disapproves any such works, description, routes, locations, map or drawing, the Licensee may appeal to the Governor-in-Council, and the Governor-in-Council may enquire into the matter, and allow or disallow the appeal, and may approve any such works, description, routes, locations, map or drawing subject to such amendments or conditions as seem fit, or may disapprove them.

(d) If the repairing authority fails to give any such notice of approval or disapproval to the Licensee within one month, or such other period as the Governor-in-Council may approve, after the service of the notice by the Licensee, such repairing authority shall be deemed to have approved the works, description, routes, locations, map and drawing.

(e) Notwithstanding anything in the Licence or this Ordinance the Licensee shall not be entitled to execute any such works as above specified except so far as they may be of a description and in accordance with the provisions of this Ordinance and with the description, routes, locations, map and drawing which have been approved, or are deemed to have been approved by the repairing authority or the Governor-in-Council as above-mentioned; but where any such works, description, routes, locations, map and drawing are so approved, the Licensee may cause these works to be executed in accordance with the description, routes, locations, map and drawing, subject in all respects to the provisions of the Licence and this Ordinance.

(f) Provided that where the Licensee is authorized to erect and instal any overhead system he shall perform the work of excavation and construction and the necessary reinstatement in any street or place and all other work in connection therewith in a neat and workmanlike manner, in accordance with specification, and to the reasonable satisfaction of the repairing authority.

(g) If the Licensee makes default in complying with any of the requirements or restrictions of this section, he shall (in addition to any other compensation which he may be liable to make under the provisions of the Licence or this Ordinance) make full compensation to the repairing authority for any loss or damage which such authority may incur by reason thereof, and in addition thereto he shall be liable for each default to a penalty not exceeding one hundred and fifty rupees and to a daily penalty not exceeding seventy-five rupees: Provided that the Licensee shall not be subject to any such penalty as aforesaid if the Court is of opinion that the case was one of emergency, and that the Licensee complied with the requirements of this section so far as was reasonable under the circumstances.

(2) In the application of this section within any area where the Licensee is a public or local authority, responsible for the public or municipal works of the province, district, or township, the reference to the repairing authority shall not apply.

(3) For the execution of any of the works contemplated in this section the Licensee may with the consent of the owner of any building attach to that building such apparatus as may be required for any such work. Provided that:—

(a) Where in the opinion of the Licensee any consent under this sub-section is unreasonably refused or where any such consent is withheld for a longer period than thirty days after written application has been made for the same by the Licensee the Licensee may make application to a Magistrate holding a subordinate court of the first class who shall have power having regard to the character or nature of the building and to the other circumstances of the case to allow the attachment subject to such terms as to compensation or rent and otherwise as he may think reasonable or to disallow the same and may determine by which of the parties the costs of the application are to be paid;

(b) Any consent of an owner and any order of a Magistrate under this sub-section shall not have effect after that owner ceases to be in possession of the building but any attachments fixed under the provisions of this sub-section shall not be removed until the expiration of three months after any subsequent owner shall have given to the Licensee notice in writing requiring the attachment to be removed. Where such notice is given the preceding provisions of this sub-section shall apply and the Magistrate shall have the same powers as under (a) of this sub-section.

(c) The owner may require the Licensee to remove temporarily any attachment during any reconstruction or repair of the building.

For the purpose of this sub-section any occupier of a building whose tenancy exceeds one year unexpired and in the case of any other tenancy the person receiving the rack rent shall be deemed to be the owner.

(4) Nothing in the section shall exempt the Licensee from any penalty or obligation to which he may be liable under this Ordinance in the event of any telegraph, telephone or signalling line of the Postmaster General or of the authority responsible for the management of any railway being at any time injuriously affected by the Licensee's works or his supply of electrical energy.

57. (1) Where the exercise of any of the powers of the Licensee in relation to the execution of any work involves the placing of any works other than the works of an overhead system in, under, along or across any street, or public bridge, the following provisions shall have effect:—

Notice of works, with plan, to be served on public or local authority.

(a) One month, or such other period as the Governor-in-Council may approve, before commencing the execution of the works (not being repairs, renewals or amendments of existing works of which the character and position are not altered), the Licensee shall serve a notice upon the public or local authority concerned (in this section referred to as the repairing authority) describing the proposed works, together with a plan and specification of the works shewing the mode and position in which the works are intended to be executed, and the manner in which it is intended that the street or bridge, or any sewer, drain or tunnel, therein or thereunder, is to be interfered with, and shall, upon being required to do so by the repairing authority, give such further information in relation thereto as desired.

(b) The repairing authority may in its discretion, approve any such works, plan, or specification, subject to such amendments or conditions as may seem fit, or may disapprove them, and may give notice of that approval or disapproval to the Licensee.

(c) Where the repairing authority approves any such works, plan, or specification, subject to any amendments or conditions with which the Licensee is dissatisfied, or disapproves any such works, plan, or specification, the Licensee may appeal to the Governor-in-Council, and the Governor-in-Council may enquire into the matter, and allow or disallow the appeal, and may approve any such works, plan or specification, subject to such amendments or conditions as seem fit, or may disapprove them.

(d) If the repairing authority fails to give any such notice of approval or disapproval to the Licensee within one month or such other period as the Governor-in-Council may approve after the service of the notice by the Licensee, the repairing authority shall be deemed to have approved the works, plan, and specification.

(e) Notwithstanding anything in the Licence or this Ordinance, the Licensee shall not be entitled to execute any such works as above specified, except so far as they may be of a description and in accordance with a plan and specification which has been approved, or is to be deemed to have been approved, by the repairing authority or by the Governor-in-Council, as above-mentioned; but where any such works, description, plan and specification are so approved, or to be deemed to be approved, the Licensee may cause those works to be executed in accordance with the description, plan, and specification, subject in all respects to the provisions of the Licence and this Ordinance.

(f) If the Licensee makes default in complying with any of the requirements or restrictions of this section, he shall (in addition to any other compensation which he may be liable to make under the provisions of the Licence or this Ordinance) make full compensation to the repairing authority for any loss or damage which such authority may incur by reason thereof, and in addition thereto he shall be liable for each default to a penalty not exceeding one hundred and fifty rupees and to a daily penalty not exceeding seventy-five rupees. Provided that the Licensee shall not be subject to any such penalty as aforesaid if the Court is of opinion that the case was one of emergency, and that the Licensee complied with the requirements of this section so far as was reasonable under the circumstances.

(2) In the application of this section within any area where the Licensee is a public or local authority, responsible for the public or municipal works of the province, district or township the reference to the repairing authority and to sewers, drains or tunnels in or under streets or bridges shall not apply.

(3) Nothing in the section shall exempt the Licensee from any penalty or obligation to which he may be liable under this Ordinance in the event of any telegraph, telephone or signalling line of the Postmaster General or of the authority responsible for the management of any railway being at any time injuriously affected by the Licensee's works or his supply of electrical energy.

As to street not repairable by a public or local authority, railways, tramways, and canals

58. Where the exercise of the powers of the Licensee in relation to the execution of any works will involve the placing of any works in, over, under, or upon any railway, tramway, river, canal, or harbour, the following provisions shall have effect unless otherwise agreed between the parties interested:—

(a) One month or such other period as the Governor-in-Council may approve before commencing the execution of the works (not being repairs, renewals, or amendments of existing work of which the character and position are not altered) the Licensee shall in addition to any other notices which he may be required to give under the Licence or this Ordinance serve a notice upon the authority, body or person for the time being vested with the control of the railway, tramway, river, canal, or harbour (as the case may be) in this section referred to as the "owner," describing the proposed works, together with a plan and specification of the works shewing the mode and position in which the works are intended to be executed and placed, and shall upon being required to do so by any such owner, give him such further information in relation thereto as he desires.

(b) Every such notice shall contain a reference to this section, and direct the attention of the owner to whom it is given to the provisions thereof.

(c) Within three weeks or such other period as the Governor-in-Council may approve after the service of any such notice, plan and specification upon any owner, that owner may, if he thinks fit, serve a requisition upon the Licensee requiring that any question in relation to the works, or to compensation in respect thereof, and any other question arising upon the notice, plan, or specification shall be settled by arbitration; and thereupon that question, unless settled by agreement, shall be determined by arbitration accordingly.

(d) In settling any question under this section, an arbitrator shall have regard to any duties or obligations which the owner may be under in respect of the railway, tramway, river, canal or harbour, and may, if he thinks fit, require the Licensee to execute any temporary or other works so as to avoid any interference with any traffic, so far as may be possible.

(e) Where no such requisition as in this section mentioned is served upon the Licensee, or where after any such requisition has been served upon him any question required to be settled by arbitration has been so settled, the Licensee may, upon paying or securing any compensation which he may be required to pay or secure, cause to be executed the works described in such notice, plan, and specification as aforesaid, and may repair, renew, and amend them (provided that their character and position are not altered), but subject in all respects to the provisions of the Licence and this Ordinance, and only in accordance with the notice, plan, and specification so served by him as aforesaid, or such modifications thereof respectively as may have been determined by arbitration as hereinbefore mentioned, or as may be agreed upon between the parties.

(f) All works to be executed by the Licensee under this section shall be carried out to the reasonable satisfaction of the owner, and that owner shall have the right for himself and his agents to be present during the execution of the works.

(g) Where the repair, renewal, or amendment of any existing works, of which the character and position are not altered, will involve any interference with any railway, tramway, river, canal, or harbour, in, over, under or upon which those works have been placed, the Licensee shall, unless it is otherwise agreed between the parties, or except in case of emergency, give to the owner not less than twenty-four hours' notice before commencing to affect the repair, renewal, or amendment, and the owner shall be entitled by himself and his agents to superintend the works, and the Licensee shall conform to such reasonable requirements as may be made by the owner or that officer. The notice shall be in addition to any other notices which the Licensee may be required to give under the Licence or this Ordinance.

(h) If the Licensee makes default in complying with any of the requirements or restrictions of this section he shall (in addition to any other compensation which he may be liable to make under the provisions of the Licence or this Ordinance) make full compensation to the owner affected thereby for any loss or damage which he may incur by reason thereof, and in addition thereto he shall be liable for each default to a penalty not exceeding one hundred and fifty rupees and to a daily penalty not exceeding seventy-five rupees; Provided that the Licensee shall not be subject to any such penalty as aforesaid if the Court is of opinion that the case was one of emergency, and that the Licensee complied with the requirements of this section so far as was reasonable under the circumstances.

59. (1) Excepting the works and excavations necessary for the installation and erection of an overhead system in any street or part of a street, any authority, body or person for the time being liable to repair any street or part of a street which the Licensee is empowered to break up, or the authority, body or person vested with the control of any railway, tramway, river, canal, or harbour, or works connected therewith, which the Licensee is empowered to break up or to construct works in, over, under, or upon for the purposes of the Licence, may, if he thinks fit, serve a notice upon the Licensee stating that he desires to exercise or discharge all or any part of any of the powers or duties of the Licensee as therein specified in relation to the breaking up, filling in, reinstating or making good any streets, bridges, sewers, drains, tunnels or other works vested in or under the control or management of that authority, body or person, and may amend or revoke any such notice by another notice similarly served.

Street authority &c. may give notice of desire to break up streets, &c., on behalf of Licensee.

(2) Where any such authority, body or person (in this section referred to as the "giver of the notice") has given notice that he desires to exercise or discharge any of such specified powers and duties of the Licensee, then so long as that notice remains in force the following provisions shall have effect, unless it is otherwise agreed between the parties interested:—

(a) The Licensee shall not be entitled to proceed himself to exercise or discharge any such specified powers or duties as aforesaid, except where he has required the giver of the notice to exercise or discharge those powers or duties, and the giver of the notice has refused or neglected to comply with that requisition, as hereinafter provided, or except in case of emergency.

(b) In addition to any other notices which he is required to give under the provisions of the Licence or this Ordinance, the Licensee shall, not more than four days and not less than two days before the exercise or discharge of any such powers or duties specified as aforesaid is required to be commenced, serve a requisition upon the giver of the notice stating the time when that exercise or discharge is required to be commenced, and the manner in which any such powers or duties are required to be exercised or discharged.

(c) Upon receipt of any such requisition as last aforesaid, the giver of the notice may proceed to exercise or discharge any such powers or duties as required by the Licensee, subject to the like restrictions and conditions, so far as they are applicable, as the Licensee would himself be subject to in that exercise or discharge.

(d) If the giver of the notices declines, or for twenty-four hours after the time when any such exercise or discharge of any powers or duties is by any requisition required to be commenced, neglects to comply with the requisition, the Licensee may himself proceed to exercise or discharge the powers or duties therein specified in like manner as he might have done if such notice as aforesaid had not been given to him by the giver of the notice.

(e) In any case of emergency the Licensee may himself proceed at once to exercise or discharge so much of any such specified powers or duties as aforesaid as may be necessary for the actual remedying of any defect from which the emergency arises without serving any requisition on the giver of the notice; but in that case the Licensee shall, within twelve hours after he begins to exercise or discharge such powers or duties as aforesaid, give information thereof in writing to the giver of the notice.

(f) If the Licensee exercises or discharges any such specified powers or duties as aforesaid otherwise than in accordance with the provisions of this section, he shall be liable for each offence to a penalty not exceeding one hundred and fifty rupees and to a daily penalty not exceeding seventy-five rupees: Provided that the Licensee shall not be subject to any such penalties as aforesaid if the Court is of opinion that the case was one of emergency, and that the Licensee complied with the requirements of this section as far as was reasonable under the circumstances.

(g) All expenses properly incurred by the giver of the notice in complying with any requisition of the Licensee under this section shall be repaid to him by the Licensee, and may be recovered summarily.

(h) The giver of the notice may, if he thinks fit, require the Licensee, where a public or local authority is not the Licensee, to give him reasonable security for the payment to him of any expenses incurred or to be incurred by him under this section. If the Licensee fails to give any such security after being required to do so, he shall not be entitled to have the work required by him undertaken nor to serve any further requisition upon the giver of the notice requiring him to exercise or discharge any powers or duties under this section until the security has been duly given, or in the event of dispute as to the amount of security to be given, until the dispute has been referred and decided as hereafter provided.

Provided that nothing in this section shall in any way affect the rights of the Licensee to exercise or discharge any powers or duties conferred or imposed upon him by the Licence or this Ordinance in relation to the execution of any works beyond the actual breaking up, filling in, reinstating and making good any such street or part of a street, or any such bridge, sewer, drain, tunnel, railway, tramway, river, canal, harbour, or other work as in this section mentioned.

As to alteration of pipes, wires, &c., under or over streets.

60. The Licensee may alter the position of any pipes (except, in a case where a public or local authority is not the Licensee, any pipe forming part of any drain or sewer of any such authority), or any wires being in, over, under, or upon any street or place authorized to be broken up by him, or in which he is authorized to construct works which may interfere with the exercise of his powers under this Ordinance or the Licence; and any body or person may in like manner alter the position of any electric supply lines or works of the Licensee, being in, over, under, or upon any such street or place as aforesaid, which may interfere with the lawful exercise of any powers vested in that body or person in relation to that street or place, subject to the following provisions, unless it is otherwise agreed between the parties interested:—

(a) One month or such other period as the Governor-in-Council may approve before commencing any such alterations, the Licensee or the body or person (as the case may be), herein referred to as the "operator," shall serve a notice upon the body or person for the time being entitled to or in charge of the pipes, wires, electric supply lines, or works (as the case may be), herein referred to as the "owner," describing the proposed

alterations, together with a plan and specification shewing the manner in which it is intended that the alterations shall be made, and shall, upon being required to do so by any such owner, give him any such further information in relation thereto as he may desire.

(b) Within three weeks or such other period as the Governor-in-Council may approve after the service of any such notice, plan and specification upon any owner, that owner may, if he thinks fit, serve a requisition upon the operator requiring that any question in relation to the works or to compensation in respect thereof, or any other question arising upon such notice, plan or specification as aforesaid shall be settled by arbitration; and thereupon that question, unless settled by agreement shall be determined by arbitration accordingly.

(c) In settling any question under this section an arbitrator shall have regard to any duties or obligations which the owner may be under in respect of the pipes, wires, electric supply lines or works, and may, if he thinks fit, require the operator to execute any temporary or other works, so as to avoid interference with any purpose for which the pipes, wires, electric supply lines, or works are used, so far as possible.

(d) Where no such requisition as in this section mentioned is served upon the operator, the owner shall be held to have agreed to the notice, plan, and specification served on him as aforesaid, and in that case, or where, after any such requisition has been served upon him, any question required to be settled by arbitration has been so settled, the operator, upon paying or securing any compensation which he may be required to pay or secure, may cause the alterations specified in such notice, plan, and specification as aforesaid to be made, but subject in all respects to the provisions of this Ordinance and the Licence, and only in accordance with the notice, plan, and specification so served by him as aforesaid or such modifications thereof respectively as may have been determined by arbitration as hereinbefore mentioned or as may be agreed upon between the parties.

(e) At any time before any operator is entitled to commence any such alterations as aforesaid, the owner may serve a statement upon the operator stating that he desires to execute the alterations himself, and where any such statement has been served upon the operator, he shall not be entitled to proceed himself to execute the alterations, except where he has notified to the owner that he requires him to execute the alterations, and the owner has refused or neglected to comply with the notification as hereafter provided.

(f) Where any such statement as last aforesaid has been served upon the operator, he shall, not more than forty-eight hours and not less than twenty-four hours before the execution of the alterations is required to be commenced, serve a notification upon the owner stating the time when the alterations are required to be commenced, and the manner in which the alterations are required to be made.

(g) Upon receipt of any such notification as last aforesaid, the owner may proceed to execute the alterations as required by the operator, subject to the like restrictions and conditions, so far as they are applicable as the operator would himself be subject to in executing the alterations.

(h) If the owner declines, or for twenty-four hours after the time when any such alterations are required to be commenced, neglects to comply with the notification, the operator may himself proceed to execute the alterations in like manner as he might have done if no such statement as aforesaid had been served upon him.

(i) All expenses properly incurred by any owner in complying with any notification of any operator under this section shall be repaid to him by the operator and may be recovered summarily.

(j) Any owner may, if he thinks fit, by any statement served by him under this section upon any operator, not being a public or local authority, require the operator to give him reasonable security for the repayment to him of any expenses to be incurred by him in executing any alterations as above-mentioned, and where any operator has been so required to give security, he shall not be entitled to have the work required by him undertaken, nor to serve any further notification upon the owner requiring him to execute the alterations until the security has been duly given, or in the event of dispute as to the amount of security to be given, until the dispute has been referred and settled as hereafter provided.

(k) If the operator makes default in complying with any of the requirements or restrictions of this section he shall (in addition to any other compensation which he may be liable to make under the provisions of the Licence or this Ordinance) make full compensation to the owner affected thereby for any loss, damage or penalty which he may incur by reason thereof, and in addition thereto he shall be liable for each default to a penalty not exceeding one hundred and fifty rupees and to a daily penalty not exceeding seventy-five rupees: Provided that the operator shall not be subject to any such penalty as aforesaid if the Court is of opinion that the case was one of emergency, and that the operator complied with the requirements of this section so far as was reasonable under the circumstances.

Laying of electric supply lines, &c., near sewers, &c., or gas or water pipes or other electric lines.

61. (1) Where the Licensee requires to dig or sink any trench for laying down, erecting or constructing any new electric supply lines (other than service lines) or other works near to which any sewer, drain, watercourse, defence or work under the jurisdiction or control of a public or local authority, or any main, pipe, syphon, electric supply line or other work belonging to any gas, electric supply, or water company has been lawfully placed, or where any gas or water company requires to dig or sink any trench for laying down or constructing any new mains or pipes (other than service pipes) or other works near to which any electric supply lines or works of the Licensee have been lawfully placed, the Licensee or the gas or water company (as the case may be), in this section referred to as the "operator," shall, unless it is otherwise agreed between the parties interested or in case of sudden emergency, give to the public or local authority concerned, or to the gas, electric supply, or water company, or to the Licensee (as the case may be), in this section referred to as the "owner," not less than three days' notice before commencing to dig or sink such trench as aforesaid, and that owner shall be entitled by his officer to superintend the work, and the operator shall conform to such reasonable requirements as may be made by the owner or the officer for protecting from injury every such sewer, drain, watercourse, defence, main, pipe, syphon, electric supply line, or works, and for securing access thereto, and he shall also, if required by the owner thereof, repair any damage that may be done thereto.

(2) Where the operator finds it necessary to undermine but not alter the position of any pipe, electric supply line, or work, he shall temporarily support it in position during the execution of his work, and before completion provide a suitable and proper foundation for it where so undermined.

(3) Where the operator (being the Licensee) lays any electric supply line, crossing, or liable to touch, any mains, pipes, electric lines, or services belonging to any gas, electric supply or water company, the conducting portion of any electric supply line shall be effectively insulated in a manner approved by the Governor, and the Licensee shall not, except with the consent of the gas, electric supply or water company, as the case may be, and of the Governor, lay his electric supply lines so as to come into contact with any such mains, pipes, electric lines, or services or except with the like consent and in a manner approved by the Governor employ such mains, pipes, electric lines, or services, as conductors for the purposes of his supply of electrical energy.

(4) Any question or difference which may arise under this section shall be determined by arbitration.

(5) If the operator makes default in complying with any requirements of this section he shall make full compensation to all owners affected thereby for any loss, penalty, damage, or costs which they may incur by reason thereof; and in addition thereto he shall be liable for each default to a penalty not exceeding one hundred and fifty rupees and to a daily penalty not exceeding seventy-five rupees: Provided that the operator shall not be subject to any such penalty if the Court is of opinion that the case was one of emergency, and that the operator complied with the requirements of this section so far as was reasonable under the circumstances, or that the default in question was due to the fact that the operator was ignorant of the position of the sewer, drain, watercourse, defence, main, pipe, syphon, electric line or work affected thereby and that that ignorance was not owing to any negligence on the part of the operator.

(6) For the purposes of this section the expression "gas company" shall mean any authority, company, person, or body of persons, lawfully supplying gas; the expression "water company" shall mean any authority, company, person, or body of persons, lawfully supplying water or water power; and the expression "electric supply company" shall mean any authority, company, person, or body of persons, supplying electrical energy in pursuance of this Ordinance but not in pursuance of the Licence.

(7) Where a public or local authority is the Licensee, the references in this section to the public or local authority, and to sewers, drains, watercourses, defences, or works under the jurisdiction or control of the said authority shall not apply.

62. In the exercise of any of the powers of the Licence relating to the execution of works, the Licensee shall not in any way injure the works or conveniences belonging to any public or local authority, company, person, or body of persons, or service nor obstruct or interfere with public traffic, except with the previous written consent of the Governor.

For protection of railway and canal authorities or companies.

63. (1) The Licensee shall take all reasonable precautions in constructing, laying down, erecting, or placing his electric supply lines and other works of all descriptions, and in working his undertaking so as not injuriously to affect, whether by induction or otherwise, the working of any wire or line used for the purpose of telegraphic, telephonic, or electric signalling communication, or the currents in that wire or line, whether that wire or line be or be not in existence at the time of the laying down or placing of the electric supply lines or other works.

For protection of telegraph and telephone wires.

If any question arises between the Licensee and the owner of any such wire or line as to whether the Licensee has constructed, laid down, or placed his electric supply lines or other works, or has worked his undertaking in contravention of this sub-section, or as to whether the working of that wire or line or the current therein is or is not injuriously affected thereby, that question shall be determined by arbitration; and the arbitrator (unless he is of opinion that the wire or line not having been so in existence at such time as aforesaid, has been placed in unreasonable proximity to the electric supply lines or works of the Licensee) may direct the Licensee to make any alterations in, or additions to, his system, so as to comply with the provisions of this section, and the Licensee shall make those alterations or additions accordingly.

(2) Seven days or such other period as the Governor-in-Council may approve before commencing to lay down or erect or place any electric supply line, or to use any electric supply line in any manner whereby the work of telegraphic or telephonic or electric signalling communication through any wire or line lawfully laid down or placed in any position may be injuriously affected, the Licensee shall, unless otherwise agreed between the parties interested, give to the owner of such wire or line notice in writing specifying the course, nature and gauge of the electric

supply line, and the manner in which the electric supply line is intended to be used, and the amount and nature of the currents intended to be transmitted thereby, and the extent to, and manner in, which (if at all), earth returns are proposed to be used; and any owner entitled to receive that notice may serve a requisition on the Licensee requiring him to adopt such precautions as may be therein specified in regard to the laying, erecting, placing, or use of the electric supply line for the purpose of preventing injurious affection; and the Licensee shall conform with such reasonable requirements as may be made by the owner for the purpose of preventing the communication through the wire or line from being injuriously affected as aforesaid.

Provided that nothing in this sub-section shall apply to repairs or renewals of any electric supply line so long as the course, nature and gauge of the electric supply line, and the amount and nature of the current transmitted thereby, are not altered.

(3) If in any case the Licensee makes default in complying with the requirements of this section, he shall make full compensation to every such owner as aforesaid for any loss or damage which he may incur by reason thereof, and in addition thereto he shall be liable for each default to a penalty not exceeding seventy-five rupees, and to a daily penalty not exceeding thirty rupees: Provided that the Licensee shall not be subject to any such penalty as aforesaid if a Court of competent jurisdiction is of opinion that the case was one of emergency and that the Licensee complied with the requirements of this section so far as was reasonable under the circumstances, or that the default was due to the fact that the Licensee was ignorant of the position of the wire or line affected thereby, and that that ignorance was not owing to any negligence on the part of the Licensee.

(4) Nothing in this section contained shall be held to deprive any owner of any existing rights to proceed against the Licensee by complaint, action, or otherwise, in relation to any of the matters aforesaid.

**Restrictions as to placing
of electric lines, &c.**

64. (1) Where in any case any electric supply line or other work may have been laid down or erected in, over, along, across, or under any street, for the purpose of supplying electrical energy, or may have been laid down or erected in any other position for such purpose in such a manner as not to be entirely enclosed within any building or buildings, or where any electric supply line or work so laid down or erected may be used for such purpose otherwise than under and subject to the provisions of a Licence, the Governor-in-Council if he thinks fit, may, by notice in writing to be served upon the body or person owning or using or entitled to use such electric supply line or work, require that such electric supply line or work shall be continued and used only in accordance with such conditions and subject to such Regulations for the protection of the public safety and of the electric lines and works of the Postmaster General, and of other electric lines and works lawfully placed in any position and used for telegraphic, telephonic or signalling communication, as the Governor-in-Council may by or in pursuance of such notice prescribe, and in case of non-compliance with the said Regulations the Governor-in-Council may require such body or person to remove such electric supply line or work.

(2) If any body or person fails to comply with the requirements of any notice which may be served upon them or him under this section, such body or person shall be liable to a penalty not exceeding three hundred rupees for every such offence, to be recovered summarily, and any Court of competent jurisdiction, on complaint made, may make an order directing and authorizing the removal of any electric line or work specified in such notice by such person and upon such terms as the Court may think fit.

**Fencing and lighting
excavations, works, &c.**

65. (1) At all times during the progress of any works, constructions, or excavations in or under any street or part of any street, the Licensee, operator, or owner, as the case may be, carrying out or executing such works shall provide such fences,

guards and lights as may be reasonably necessary in the opinion of the authority having control or management of the street or part of the street for protecting the public from any danger arising or likely to arise from such works, and shall on completion of such works, constructions, or excavations remove all debris or rubbish then remaining and shall for three months after the date of the reinstatement by him of any part of any street maintain the surface of such part in an efficient state of repair and for twelve months after such date maintain any such part of any street as regards subsidence, all to the reasonable satisfaction of the said authority.

(2) If the Licensee, operator, or owner, as the case may be, opens or breaks up any street or bridge, or any sewer, drain, tunnel, place or work and makes any delay in completing any such work, or in filling in the ground, or reinstating and making good the road or pavement, or the sewer, drain, tunnel, place or work so opened or broken up, or in carrying away the rubbish occasioned thereby, or if he neglects to cause the place where such road or pavement, sewer, drain, tunnel, place or work has been opened or broken up to be fenced, guarded, and lighted, or neglect to keep the road or pavement in repair for the space of three months next after the same is made good, or such further time as aforesaid, he shall forfeit to the authority or person having the control or management of the street, bridge, sewer, drain, tunnel, place or work in respect of which such default is made, a sum not exceeding seventy-five rupees for every such offence, and he shall forfeit an additional sum of seventy-five rupees for each day during which any such delay as aforesaid shall continue after he shall have received notice thereof.

Penalty for delay in reinstating streets, &c.

(3) If any such delay or omission as aforesaid takes place, the authority or person having the control or management of the street, bridge, sewer, drain, tunnel, place or work in respect to which such delay or omission shall take place, may cause the work, so delayed or omitted, to be executed, and the expense of executing the same shall be repaid to such authority or person by the Licensee, operator, or owner, as the case may be, and such forfeit or expenses may be recovered summarily as a civil debt.

In case of delay, other parties may reinstate and recover the expenses.

66. The Licensee, operator, or owner, as the case may be, shall be answerable for all accidents, damages, and injuries happening through his act or default, or that of any person in his employment, by reason of or in consequence of any of his works, and shall adequately protect all authorities, bodies, and persons by whom any street is repairable, and all other authorities, companies, and bodies collectively and individually, and their officers and servants, from all damages and costs in respect of those accidents, damages, and injuries.

Licensee to be responsible for all damages.

67. Nothing in this Ordinance or a Licence shall exonerate the Licensee, operator, or owner, as the case may be from any complaint action or other proceeding for nuisance in the event of any nuisance being caused or permitted by him.

Licensees not exempted from proceedings for nuisance.

68. (1) The Licensee may charge for electrical energy supplied by him to any consumer (otherwise than by agreement):—

Methods of charging.

(a) By the actual amount of electrical energy so supplied; or

(b) By the electrical quantity contained in the supply; or

(c) By such other method as may for the time being be approved by the Governor-in-Council.

(2) Provided that where the Licensee charges by any method so approved by the Governor-in-Council any consumer who objects to that method may by one month's notice in writing require the Licensee to charge him at his option by the actual amount of electrical energy supplied to him, or by the electrical quantity contained in the supply, and thereafter the Licensee shall not, except with the consumer's consent, charge him by any other method.

Maximum price.

69. (1) The prices to be charged by the Licensee for electrical energy supplied by him shall not exceed those stated in that behalf in the Licence, or in the case of a method of charge approved by the Governor-in-Council, such price as the Governor-in-Council may determine on approving the method.

(2) Provided that if, in a case where a public or local authority is not the Licensee, either of such authorities, or the Licensee, or such Authorized Distributors (in the case of a Bulk Supply area) or ordinary consumers (in the case of a Distributing area) as the Governor-in-Council may consider sufficient having regard to the circumstances, at any time after the expiration of five years after the commencement of the Licence, make a representation to the Governor-in-Council that the prices or methods of charge stated in the Licence or approved by the Governor-in-Council ought to be altered, the Governor-in-Council after such enquiry as he may think fit, may make an order varying the prices or methods of charge stated in the Licence or so approved as aforesaid, or substituting other prices or methods or charge in lieu thereof, and the prices or methods of charge so varied or substituted shall have effect on and after such day as may be mentioned in the order, as if they had been stated in the Licence: Provided also, that the prices and methods of charge for the time being in force may be altered in like manner at any time after the expiration of any or every period of five years after they were last altered.

Other charges by agreement.

70. Subject to the provisions of the Licence and of this Ordinance and to the right of the consumer to require that he shall be charged according to some one or other of the methods above-mentioned, the Licensee may make any agreement with a consumer as to the price to be charged for electrical energy, and the mode in which those charges are to be ascertained, and may charge accordingly.

Conditions which may affect price to be charged.

71. (1) In making any agreement as to the price to be charged for a supply of electrical energy, consideration may be given to the amount of power consumed or contracted for, uniformity or regularity or power factor of the demand, the time during which supply is required, and to any other conditions of the demand affecting the cost of generation or supply.

(2) Each and every consumer shall be entitled to receive a supply of electrical energy from a Licensee at the same price and on the same terms as any other consumer in the same area is being supplied at by such Licensee when the circumstances and conditions of the demand and supply are similar.

No undue preference as to charge.

72. (1) The Licensee shall not in making any agreement for the supply of electrical energy, or for the carrying out of any work in connection therewith, or in any way whatsoever show any undue preference, advantage, rebate, or privilege to any consumer, but save as aforesaid he shall make such charges for such supply as may be agreed upon, not exceeding the limit of price imposed by the Licence.

Questions as to undue preference to be decided by Governor-in-Council.

(2) If any difference arises as to what is undue preference, advantage, rebate or privilege, or as to price, that difference shall be determined by the Governor-in-Council.

Supply may be cut off on failure to pay charges.

73. If any public or local authority, company, person, or body of persons, neglects to pay any charge (not reasonably being the subject of a dispute), after the same shall have been legally demanded, for electrical energy, or any other sum due from them to the Licensee in respect of the supply of electrical energy, the Licensee may cut off such supply, and for that purpose may cut or disconnect any electric supply line or other work through which electrical energy may be supplied, and may, until such charge or other sum, together with any expenses incurred by the Licensee in cutting off such supply of electrical energy as aforesaid, are fully paid, but no longer, discontinue the supply of electrical energy to such authority, company, person, or body of persons.

Provided that where any company, person, or body of persons has given to the Licensee a deposit as security for payment for a supply of electrical energy, the Licensee shall not be entitled to discontinue such supply until the sum due to him for that supply shall equal the sum so deposited as security and after payment shall have been demanded as aforesaid.

74. The Licensee may refuse to supply electrical energy to any public or local authority, company, person, or body of persons whose payments for the supply of electrical energy are for the time being in arrear (not reasonably being the subject of a dispute), whether any such payments be due to the Licensee in respect of supply to the premises in respect of which such supply is demanded or in respect of other premises.

Power to refuse to supply electrical energy in certain cases.

75. The Governor may appoint and keep appointed such competent and impartial person or persons as he thinks fit, to be Electric Inspectors, for the purposes of this Ordinance, and may determine the remuneration to be paid to such Inspectors.

Appointment of Electric Inspector.

76. (1) The duties of Electric Inspectors under this Ordinance shall be as follows:—

Duties of Electric Inspectors.

(a) The inspection and testing, periodically and in special cases, of the Licensee's works and the supply of electrical energy given by him;

(b) The certifying and examination of meters; and

(c) Such other duties as may be required of them under the provisions of this Ordinance or any Licence or of the Regulations.

(2) The Governor may prescribe the manner in which, and the times at which, any such duties are to be performed by an Electric Inspector, and also the fees to be taken by him, and those fees shall be accounted for and applied as may be directed by the Governor.

(3) Any Electric Inspector appointed under this Ordinance and duly authorised in that behalf by the Governor may at all reasonable times enter any premises for the purpose of ascertaining if the provisions of this Ordinance are being complied with. Provided that no Electric Inspector shall enter any such premises, other than the premises of a Licensee or of a public or local authority, without the permission of the occupier first had and obtained. Such permission shall not be refused.

77 (1) The Licensee shall send to the Governor notice of any accident by explosion, or fire, and also of any other accident of such kind as to have caused, or to have been likely to have caused, loss of life, or personal injury, which has occurred in any part of the Licensee's works or circuits, or in connection with those works or circuits, and also notice of any loss of life or personal injury occasioned by any such accident. The notice shall be sent by the earliest practicable post after the accident occurs, or, as the case may be, after the loss of life or personal injury becomes known to the Licensee.

Notice of accidents and enquiries by Governor.

If the Licensee fails to comply with the provisions of this sub-section he shall be liable for each default, to a penalty not exceeding three hundred rupees.

(2) The Governor may also, if he deems it necessary, appoint any Electric Inspector or other fit person to enquire and report as to the cause of any accident affecting the safety of the public which may have been occasioned by or in connection with the Licensee's works, whether notice of the accident has or has not been received from the Licensee, or as to the manner in and extent to which the provisions of the Licence and this Ordinance, and of the Regulations, so far as those provisions affect the safety of the public, have been complied with by the Licensee; and any person appointed under this section, not being an Electric Inspector, shall for the purposes of his appointment have all the powers of an Electric Inspector under this Ordinance.

Testing of mains.

78. On the occasion of the testing of any electric supply line or main of the Licensee, reasonable notice thereof shall be given to the Licensee by the Electric Inspector, and the testing shall be carried out at such suitable hours as, in the opinion of the Electric Inspector, will least interfere with the supply of electrical energy by the Licensee and in such manner as the Electric Inspector thinks expedient, but, except under the provisions of an order made in each case in that behalf by the Governor, he shall not be entitled to have access to or interfere with the electric supply lines or mains of the Licensee at any points other than those at which the Licensee has reserved for himself access to the said electric supply lines or mains: Provided that the Licensee shall not be held responsible for any interruption in the supply of electrical energy which may be occasioned by or required by the Electric Inspector for the purpose of any such testing as aforesaid. Provided also that the testing shall not be made in regard to any particular portion of an electric supply line or main oftener than once in any three months, unless in pursuance of an order made in each case in that behalf by the Governor.

Testing of works and supply on consumer's premises.

79. An Electric Inspector, if and when required to do so by any consumer, shall, on payment by the consumer of the prescribed fee, test the variation of electric pressure at the consumer's terminals, or make such other inspection and test of the works of the Licensee upon the consumer's premises as may be necessary for the purpose of determining whether the Licensee has complied with the provisions of the Licence and the Regulations.

Authorized Distributor to establish testing stations.

80. The Licensee shall, if required to do so by the Governor, establish at his own cost and keep in proper condition at such places, within a reasonable distance from a distributing main, such reasonable number of testing stations, as the Governor thinks proper and sufficient for testing the supply of electrical energy by the Licensee through the distributing main, and shall place thereat proper and suitable instruments of a pattern to be approved by the Governor, and shall connect those stations by means of proper and sufficient electric supply lines with the distributing mains, and supply electrical energy thereto for the purpose of the testing.

Licensees to keep instruments on their premises.

81. The Licensee shall set up and keep upon all premises from which he supplies electrical energy by an electric supply line such suitable and proper instruments of such pattern and construction as may be approved or prescribed by the Governor, and shall take and record, and keep on record, such observations as the Governor may prescribe, and any observations so recorded shall be produced to the Governor on demand by him and shall be receivable in evidence.

Reading of instruments to be taken.

82. (1) The Licensee shall keep in efficient working order all instruments which he is required by or under this Ordinance or the Licence to place, set up, or keep at any testing station or on his own premises, and any Electric Inspector appointed under this Ordinance may examine and record the readings of those instruments, and any readings so recorded shall be receivable in evidence.

(2) The examinations and readings under this section must be made at such time and in such manner as may be directed by the Governor.

Electric Inspector may test Licensee's instruments.

83. Any Electric Inspector appointed under this Ordinance shall have the right to have access at all reasonable hours to the testing stations and premises of the Licensee for the purpose of testing the electric supply lines and instruments of the Licensee, and ascertaining if they are in order, and in case they are not in order he may require the Licensee forthwith to have them put in order.

Representation of Licensee at testing.

84. The Licensee may, if he thinks fit, on each occasion of the testing or inspection of any works of the Licensee by any Electric Inspector, be present or be represented by some officer or other agent, but the Licensee or that officer or agent shall not interfere with the testing or inspection.

85. The Licensee shall afford all facilities for the proper execution of the provisions of this Ordinance with respect to inspection and testing and the readings and inspection of instruments, and shall comply with all the requirements of or under this Ordinance in that behalf; and in case the Licensee makes default in complying with any of the provisions of this section he shall be liable in respect of each default to a penalty not exceeding seventy-five rupees, and to a daily penalty not exceeding fifteen rupees.

Licensees to give facilities for testing.

86. (1) Every Electric Inspector shall, on the day immediately following that on which any testing has been completed by him under this Ordinance, make and deliver a report of the results of his testing to the authority or person by whom he was required to make the test, and to the Licensee, and that report shall be receivable in evidence.

Report of result of testing.

(2) If the Licensee or any such authority or person is dissatisfied with any report of any Electric Inspector, appeal may be made to the Governor-in-Council against the report, and thereupon the Governor-in-Council shall enquire into and decide upon the matter of the appeal, and his decision shall be final and binding on all parties.

87. (1) Save as otherwise provided by this Ordinance or by the Licence or by the Regulations, all fees and reasonable expenses of an Electric Inspector shall, unless agreed, be ascertained by a Magistrate holding a subordinate Court of the first class, or by the Governor-in-Council and shall be paid as directed by the Court, or the Governor-in-Council as the case may be, and may be recovered summarily as a civil debt.

Expenses of Electric Inspector.

(2) Provided that where the report of an Electric Inspector, or the decision of the Governor-in-Council, shows that the Licensee or any consumer was guilty of any default or negligence, the fees and expenses shall, on being ascertained as above-mentioned, be paid by the party guilty of default or negligence as the Court or the Governor-in-Council, by whom the fees are ascertained, having regard to the report or decision, directs, and may be recovered as a civil debt, summarily.

(3) Provided also, that in any proceedings for penalties under this Ordinance, the fees and expenses of an Electric Inspector incurred in connection with the proceedings shall be payable by the complainant or defendant as the Court may direct.

88. The amount of electrical energy supplied by the Licensee to any consumer, or the electrical quantity contained in the supply (according to the method by which the Licensee elects to charge) hereafter referred to as "the value of the supply" shall, except as otherwise agreed between such consumer and the Licensee, be ascertained by means of an appropriate meter or meters which may be duly certified as hereinafter provided, and fixed and connected with the supply system in a manner approved by the Governor.

Meter to be used except by agreement.

89. A meter shall be considered to be duly certified under the provisions of this Ordinance and of the Licence if it be certified, by an Electric Inspector appointed by the Governor, to be a meter capable of ascertaining the value of the supply within such limits of error as may, as respects meters of the class to which the meter belongs, be allowed by the Regulations and every such meter is hereafter referred to as "a certified meter." Provided that where any alteration is made in any certified meter, that meter shall cease to be a certified meter unless and until it is again certified under the provisions of this Ordinance.

Certification of meters

Inspector to certify
meters.

90. An Electric Inspector, on being required to do so by the Licensee or any consumer, and on payment of the prescribed fee by the party so requiring him, shall examine any meter used or intended to be used for ascertaining the value of the supply, and shall certify it as a certified meter if he considers it entitled to be so certified, and the Electric Inspector shall on the like requisition and payment examine the manner in which any such meter has been fixed and connected with the supply system, and shall certify that it has been fixed and connected with the supply system in some manner approved by the Governor if he considers that it is entitled to be so certified.

Licensee to supply
meters if required to
do so.

91. Where the value of the supply is under this Ordinance required to be ascertained by means of an appropriate meter or meters, the Licensee shall supply such meter or meters and fix it or them upon suitable premises and connect the supply system therewith, and if so required, cause the meter or meters to be duly certified under the provisions of this Ordinance and for those purposes he may authorize and empower any officer or person to enter upon the premises (if not in his sole occupation) at all reasonable times and execute all necessary work and do all necessary acts; Provided that previously to supplying any such meter or meters, the Licensee may require the consumer to pay to him a reasonable sum in respect of the price of the meter or meters, or to give security therefor, or (if the latter desires to hire the meter or meters) may require him to enter into an agreement for the hire of the meter or meters as hereafter provided.

Provision re separately
and jointly owned meters.

92. (1) In any case where the maximum demand of any consumer equals or exceeds two hundred kilo-volts-amperes, if it is so desired by the consumer, three appropriate meters shall be employed or used for ascertaining the value of the supply, which shall be the number of units represented by the mean of the readings of such meters, provided that where the last described method of measurement of the value of the supply is desired as aforesaid, one of such meters shall be the property of the Licensee, one of such meters shall be the property of the consumer, and one of such meters shall be owned conjointly, and the cost of their fixing and connection and the responsibility for, and the cost of, their maintenance or certification shall be according to ownership.

Meter failing to register.

(2) If the reading of each of the three meters employed or used to ascertain the value of the supply is within three per centum of the mean of the readings of the three meters, each meter shall be considered correct for the purposes of the accounts. If, however, the reading of any meter at any time shows a difference from the mean of the readings of the three meters of more than three per centum, then the mean of the readings of the three meters shall be taken for the time being, pending the correctness of each of the meters being determined, which shall be done forthwith and any meter which is found to have an error of more than three per centum shall be readjusted. If at any time and for any reason two only of the meters are in service the mean of the readings of these two meters shall be accepted by both parties, provided that such mean is within three per centum of the readings of both meters. If the mean of the readings of the two meters is found not to be within three per centum of the readings of both meters the same procedure shall be adopted with regard to the determination of the accuracy and for the readjustment of the meters, as set forth above. In case of dispute, the matter may be referred by either party to an Electric Inspector, as provided by section 98.

Meters not to be con-
nected without notice.

93. The Licensee shall not, nor shall any consumer, connect or disconnect any meter to be used, or used for ascertaining the value of the supply with or from any electric supply line through which electrical energy is supplied by the Licensee, unless the one has given to the other not less than forty-eight hours' notice

in writing of the intention to do so, and the Licensee or any consumer acting in contravention of this section shall be liable for each offence to a penalty not exceeding thirty rupees.

94. The Licensee shall not, nor shall any consumer, make any alteration, adjustment or re-adjustment in any meter being used for ascertaining the value of the supply, whereby the action of such meter as a measuring instrument shall or may be affected, unless the one has given to the other not less than forty-eight hours' notice in writing of the intention to do so, and the Licensee or any consumer acting in contravention of this section shall be liable for each offence to a penalty not exceeding thirty rupees.

Meters not to be altered as to adjustment, without notice.

95. (1) Every consumer shall at all times at his own expense keep all meters belonging to him, whereby the value of the supply is to be ascertained, in proper order for correctly registering that value, and in default of his so doing, the Licensee may cease to supply electrical energy through the meter.

Consumer to keep his meter in proper order.

(2) The Licensee shall have access to, and be at liberty to take off, remove, test, inspect, and replace, any such meter at all reasonable times, subject to such notice being given to the consumer as aforesaid: Provided that all reasonable expenses of, and incident to, any such taking off, removing, testing, inspecting, and replacing of the meter and of having the meter again duly certified, where the recertifying is thereby rendered necessary, shall, if the meter is found by an Electric Inspector to be not in proper order, be paid by the consumer, but if it is found to be in proper order all expenses connected therewith shall be paid by the Licensee.

96. The Licensee may let for hire any meter for ascertaining the value of the supply, and any fittings thereto, for such remuneration in money and on such terms with respect to the repair of the meter and fittings, and for securing the safety and return to the Licensee of the meter and fittings, as may be agreed upon between the hirer and the Licensee and approved of by the Governor-in-Council, or, in case of dispute, determined by the Governor-in-Council, and that remuneration shall be recoverable by the Licensee as a civil debt, summarily.

Power of the Licensees to let meters.

97. The Licensee shall, unless the agreement for hire otherwise provides, at all times, at his own expense, keep all meters let for hire by him to any consumer, whereby the value of the supply is or should be ascertained, in proper order for correctly registering that value, and in default of his doing so the consumer shall not be liable to pay rent for the meter during such time as the default continues. The Licensee shall, for the purposes aforesaid, have access to, and be at liberty to remove, test, inspect, and replace any such meter at all reasonable times: Provided that the expenses of having any such meter again duly certified, where that re-certifying is thereby rendered necessary, shall be paid by the Licensee.

Licensees to keep meters let for hire in repair.

98. If any dispute arises between any consumer and the Licensee as to whether any meter, whereby the value of the supply is ascertained (whether belonging to the consumer or to the Licensee), is or is not in proper order for correctly registering that value, or as to whether that value has been correctly registered in any case by any meter, that difference shall be determined upon the application of either party by an Electric Inspector, and that Electric Inspector shall also order by which of the parties the costs of and incidental to the proceedings before him shall be paid, and the decision of the Electric Inspector shall be final and binding on all parties.

Disputes as to accuracy of meter to be settled by Inspector.

Subject as aforesaid, the reading of the meter shall be conclusive evidence, in the absence of fraud, as to the value of the supply.

Licensee to pay expenses of providing new meters where method of charge is altered.

99. Where any consumer who is supplied with electrical energy by the Licensee from any electric supply line is provided with a meter for the purpose of ascertaining the value of the supply, and the Licensee changes the method of charging for electrical energy supplied by him from the electric supply lines, the Licensee shall pay to that consumer the reasonable expenses to which he may be put in providing a new meter for the purpose of ascertaining the value of the supply according to the new method of charging, and those expenses may be recovered by the consumer from the Licensee as a civil debt, summarily.

Licensee may instal meters to measure supply or to check measurement.

100. In addition to any meter which may be placed upon the premises of any consumer to ascertain the value of the supply, the Licensee may place upon such consumer's premises such meter or other apparatus as he may desire for the purpose of ascertaining or regulating either the amount of electrical energy supplied to the consumer or the number of hours during which the supply is given, or the maximum power taken by the consumer, or any other quantity or time connected with the supply: Provided that the meter or apparatus shall be of some construction and pattern, and shall be fixed and connected with the supply system in some manner, approved by the Governor, and shall be supplied and maintained entirely at the cost of the Licensee and shall not, except by agreement, be placed otherwise than between the mains of the Licensee and the consumer's terminals.

Licensee to keep meter testing apparatus and records of tests.

101. (1) The Licensee shall set up and keep upon suitable premises, suitable and proper instruments and apparatus of such pattern and construction as may be approved or prescribed by the Governor, for the purpose of testing the accuracy of meters used or to be used for ascertaining the value of the supply given or to be given by the Licensee.

(2) No meter for ascertaining the value of the supply shall be used unless it is in a condition for ascertaining the value of the supply within the limits of error, which may, as respects meters of the class to which the meter belongs, be, for the time being, allowed by the Regulations.

(3) The records of the tests made under this section at the various loads specified in the Regulations, shewing the percentage of error above and below normal, shall be made and kept by the Licensee.

Penalty for default made under this section.

(4) If the Licensee makes default in complying with any of the provisions of this section or shall fail to produce any records required to be kept by him on the demand within reasonable hours of an Electric Inspector, he shall be liable to a penalty not exceeding seventy-five rupees and to a daily penalty not exceeding thirty rupees.

Power to enter lands or premises for ascertaining quantities of electricity consumed, or to remove fittings, &c.

102. Any officer appointed by the Licensee may at all reasonable times enter any premises to which electrical energy is or has been supplied by the Licensee, in order to inspect the works for the supply of electrical energy belonging to the Licensee, and for the purpose of ascertaining the quantity of electrical energy consumed or supplied, or where a supply of electrical energy is no longer required, or where the Licensee is authorized to take away and cut off the supply of electrical energy from any premises, for the purpose of removing any works belonging to the Licensee, repairing all damage caused by such entry, inspection or removal: Provided that no officer appointed by the Licensee shall enter such premises without the permission of the occupier first had and obtained. Such permission shall not be refused.

In any case where such permission is refused the Licensee may additional to any penalty to which the occupier, lessee or owner of any premises to which electrical energy is or has been supplied by the Licensee may be liable under this Ordinance in respect of such refusal, cut or disconnect any electric supply line or other work through which electrical energy may be supplied and may until such permission is given and any expenses

incurred by the Licensee in cutting or disconnecting any electric supply line or other work as aforesaid, are fully paid, but no longer, discontinue or refuse to supply electrical energy to such occupier, lessee or owner.

103. Where any works, belonging to the Licensee, are placed in or upon any premises not being in the possession of the Licensee for the purpose of supplying electrical energy under this Ordinance, or any Licence, such works shall not be subject to distress or to the landlord's remedy for rent of the premises where the same may be, nor be taken in execution under the process of any Court, or any proceedings in bankruptcy against the person in whose possession the same may be.

Electric lines, &c., not to be subject to distress.

104. (1) All electric supply lines, fittings, apparatus, and appliances let by any Licensee on hire or belonging to any Licensee, but being in or upon premises of which the Licensee is not in possession, shall, whether they be or be not fixed or fastened to any part of any premises in or upon which they may be situate, or to the soil under any such premises, at all times continue to be the property of, and be removable by, the Licensee: Provided that such electric supply lines, fittings, apparatus, or appliances mentioned in this and the preceding section have upon them respectively a distinguishing metal plate affixed to a conspicuous part thereof, or a distinguishing brand or other mark conspicuously impressed or made thereon, sufficiently indicating the Licensee as the actual owner thereof.

Electric supply lines, and works, let on hire, though fixed to premises, to remain property of Licensee.

(2) For the purposes of this section, electric supply lines, fittings, apparatus, and appliances disposed of by the Licensee on terms of payment by instalments shall, until the whole of the instalments have been paid, be deemed to be the electric supply lines, fittings, apparatus, and appliances let on hire by the Licensee.

(3) Nothing in this section shall affect the amount of the assessment for rating of premises upon which any electric supply lines, fittings, apparatus, or appliances are or shall be fixed.

105. Any person who shall lay, erect or instal or permit to be laid, erected or installed any conductor, and connect it with any conductor to which electrical energy is supplied by a Licensee without the consent of such Licensee, or who, in case the value of the supply of electrical energy by the Licensee is not ascertained by meter, shall use any apparatus or lamp other than he has contracted to pay for or shall use such apparatus or lamp at any other time than the time specified and for which he has contracted to pay, or who shall otherwise improperly use the supply of electrical energy or shall supply any other person with any part of the electrical energy supplied to him by the Licensee, shall forfeit to the Licensee a sum not exceeding seventy-five rupees for every such offence, and also a sum not exceeding thirty rupees for every day such conductor shall so remain, or such apparatus or lamp shall be so used, or such excess be so committed or continued, or such supply furnished; and the Licensee may also until the matter complained of has been remedied, but no longer, discontinue the supply of electrical energy to the premises of the person so offending, notwithstanding any contract which may have been previously entered into.

Wrongful and fraudulent practices.

106. (1) Any person who shall wilfully extinguish or cause to be extinguished any public lights or lamps, or waste or improperly use any of the electrical energy supplied by the Licensee, shall for each such offence forfeit to the Licensee any sum not exceeding seventy-five rupees, in addition to the amount of the damage done.

Wilful damage to works or extinguishing of public lights.

Penalty.

(2) Any person who shall carelessly or accidentally break, throw down or damage any works of or under the control of the Licensee, shall pay such sum of money to the Licensee, by way of satisfaction for the damage done, as any Court of competent jurisdiction may award.

Careless or accidental damage to works.

Damages.

Licensee entitled to
forfeit and damages for
injury to works, tamper-
ing with meter or fraudu-
lent use of energy.

107. Any person who wilfully, fraudulently or by culpable negligence injures or permits to be injured any works of the Licensee, or alters the index of any meter for ascertaining the value of the supply, or prevents any such meter from duly registering the value of the supply, or fraudulently abstracts, consumes, or uses the electrical energy of the Licensee, shall (without prejudice to any other right or remedy for the protection of the Licensee or the punishment of the offender) for every such offence forfeit and pay to the Licensee a sum not exceeding seventy-five rupees, and the Licensee may in addition thereto recover the amount of any damage sustained by him; and in any case in which any person has wilfully and fraudulently injured or permitted to be injured any works of the Licensee, or altered the index of any meter for ascertaining the value of the supply, or prevented any such meter from duly registering the value of the supply, the Licensee may also, until the matter complained of has been remedied, but no longer, discontinue the supply of electrical energy to the person so offending (notwithstanding any contract previously existing); and the existence of artificial or unlawful means for causing such alteration or prevention (when such meter is under the custody or control of the consumer), or for abstracting, consuming or using the electrical energy of the Licensee, shall be *prima facie* evidence that such alteration, prevention, abstraction or consumption, as the case may be, has been fraudulently, knowingly and wilfully caused or permitted. The amount of any forfeit or damage to which the Licensee is entitled under this section may be recovered by him as a civil debt, summarily.

Licensee may cease to
supply if the same is
used detrimentally to the
system.

108. (1) In any case where any consumer receiving a supply of electrical energy from a Licensee uses or permits to be used such supply for any purpose or deals or permits it to be dealt with in any manner so as to interfere unduly or improperly with the efficient supply of electrical energy by the Licensee to any other consumer, the Licensee may, if he thinks fit, discontinue to supply electrical energy to such consumer so long as the electrical energy is so used or dealt with.

Difference as to above and
as to apparatus to be
settled by Electric
Inspector.

(2) If any difference arises as to any improper use of electrical energy, or as to any alleged defects in, or as to unsuitable or as to necessary apparatus or protective devices, that difference shall be referred to an Electric Inspector.

Standardization.

109. (1) A public or local authority or any combination of any such authorities shall not use or employ for or in connection with any of the purposes of generating, transforming, converting, transmitting, distributing, supplying or using electrical energy, any mode, material or apparatus other than that which complies with the specification or standard relating to any such purpose or to any such mode, material or apparatus of the Engineering Standards Committee of Great Britain or in any case where the said specification or standard permits more than one mode, material or apparatus for any of the said purposes or in any case where no such specification or standard has been made by the said Engineering Standards Committee, as the Governor-in-Council may by Regulation prescribe.

(2) Except for the lighting of the building in which the electrical energy is generated or any building or premises adjacent thereto and being part of the factory, plant, business or process in and for which the electrical energy is generated or where no electrical energy is generated or used for motive power purposes, where the requirements or peculiarities of any business operation or process necessitate the employment or use of electrical energy of another nature or description, any electrical energy generated by means of water power shall be on the standard system and where the electrical energy is used or supplied, subject to the provisions of this Ordinance and the Regulations as to supplies at high or extra high pressures, at the standard pressure or pressures as specified in section 49 subject in all cases to any Regulations made under this Ordinance relating to the safety of the person and property and in the case of a Licensee to the provisions of this Ordinance and to any Regulations under this Ordinance. The provisions of this subsection shall be endorsed on every permit granted authorizing the use of water for any motive power purposes.

(3) (a) No Licensee, consumer, company, person or body of persons shall connect or cause or permit to be connected or to remain connected to or in relation with any circuit of a standard system at a standard pressure any device or apparatus relating to which any specification or standard is made by the Engineering Standards Committee of Great Britain unless such device or apparatus is plainly and truly marked in a usual and suitable manner showing its value for its intended purpose in terms suitable to its nature relative to or as may be required by the specification or standard relating to any such device or apparatus of the said Engineering Standards Committee, provided that this provision shall not apply to any device or apparatus in use on any standard system at a standard pressure at the time of the making of any such specification or standard by the said Engineering Standards Committee, except as to any renewals of any such device or apparatus.

(b) In any case where the specification or standard of the said Engineering Standards Committee does not prescribe the manner in which any device or apparatus which may be connected to or in relation with any circuit of a standard system at a standard pressure shall be marked as to its value for its intended purpose or if any question arises with respect thereto the Governor-in-Council may by Regulation prescribe the manner in which any such device or apparatus shall be marked or the value or the terms relating thereto which shall be shown or used in such marking.

(4) Any Licensee or consumer or company, person or body of persons making default under this section shall be liable to a penalty not exceeding three hundred rupees, and to a daily penalty not exceeding one hundred and fifty rupees.

110. (1) The Licensee shall forthwith after commencing to supply electrical energy under the Licence cause a map to be made of the area of supply, and shall cause to be marked thereon the positions of all his then existing overhead electric supply lines and other works, and the position, and the depth below the surface, of all his then existing underground electric supply lines and other underground works and street boxes, and shall once in every year cause that map to be duly corrected so as to show the then existing electric supply lines and other works. The Licensee shall also, if so required by the Governor or the Postmaster General, cause to be made sections showing the level of all his existing underground electric supply lines and works other than service lines. Map of area of supply to be made.

(2) Every map and section so made or corrected, or a copy thereof, marked with the date when it was so made or last corrected, shall be kept by the Licensee at his principal office within the area of supply, and shall at all reasonable times be open to the inspection of all applicants, and those applicants may take copies of it or any part of it. The Licensee may demand and take from every such applicant such fee not exceeding one rupee for each inspection of the map, section, or copy and such further fee not exceeding five rupees for each copy of it, taken by the applicant, as he may prescribe.

(3) The Licensee shall, if required by the Governor or the Postmaster General, or, where a public or local authority is not the Licensee, by such authority, supply a copy of any such map or section, and cause that copy to be duly corrected so as to agree with the original or originals thereof as kept for the time being at the office of the Licensee.

(4) If the Licensee fails to comply with any of the requirements of this section he shall for each default be liable to a penalty not exceeding one hundred and fifty rupees, and to a daily penalty not exceeding thirty rupees.

111. Notices, orders, and other documents under the Electric Supply Line Ordinance, 1914, or this Ordinance, or the Licence, may be in writing or in print, or partly in writing and partly in print, and where any notice, order or document requires authentication by the public or local authority, the signature thereof by the director, engineer, or clerk to such public or local authority shall be sufficient authentication. Notices, &c., may be printed or written.

112. (1) Any notice, order, or document required or authorized to be served upon or furnished to any authority, company, person, or body of persons under the Electric Supply Line Ordinance, 1914, or this Ordinance or the Licence may be served or furnished by being addressed to that authority, company, person, or body of persons, and being left at or transmitted through the post to the following addresses respectively:—

(a) In the case of the Governor-in-Council the office of the officer deputed by the Governor to exercise the powers vested in the Governor under this Ordinance.

(b) In the case of the Power Board, the office of the officer deputed by the Governor to exercise the powers vested in the Governor under this Ordinance.

(c) in the case of any officer, deputed by the Governor to exercise the powers vested in the Governor under this Ordinance, the office of such officer.

(d) in the case of the Post Master General, the General Post Office, Nairobi.

(e) in the case of any Electric Inspector appointed by the Governor for the purposes of this Ordinance the office of such Electric Inspector.

(f) in the case of any public or local authority the office of such public or local authority.

(g) in the case of a Licensee, when the Licensee is not a public or local authority or a company, the office of the Licensee in the area of supply.

(h) in the case of a Licensee when the Licensee is a company, the registered office, if in the area of supply, or otherwise the principal office of the company in the area of supply.

(i) in the case of a Prior Licensee or other body, the principal office of the Prior Licensee or other body in the area named in the Prior Licence or otherwise in the district where such Prior Licensee or other body is operating or conducting business.

(j) in the case of any person, the usual or last known place of abode of that person

and every notice, order or document relating to any matter arising under this Ordinance, the Licence or the Prior Licence, as the case may be, so served or furnished shall be deemed to be full and lawful service on the Licensee or Prior Licensee as the case may be.

(2) A notice, order, or document required or authorized by this Ordinance or the Electric Supply Line Ordinance, 1914, or the Licence, to be served on the owner or occupier of any premises shall be deemed to be properly addressed if addressed by the description of the "owner" or "occupier" of the premises (naming the premises) without further name or description.

(3) A notice, order or document required or authorized by this Ordinance, or by the Electric Supply Line Ordinance, 1914, or the Licence, to be served on the owner or occupier of premises may be served by delivering it, or a true copy thereof, to some person on the premises, or if there is no person on the premises to whom the same can with reasonable diligence be delivered, by fixing it on some conspicuous part of the premises.

(4) Subject to the provisions of this Ordinance and of the Licence as to cases of emergency, where the interval of time between the service of any notice or document under the provisions of this Ordinance or of the Licence and the execution of any works, or the performance of any duty or act, is less than seven days, the following days shall not be reckoned in the computation of that time; that is to say, Sundays, and public holidays.

113. If the Governor, in any case where a public or local authority is not the Licensee, at any time after the commencement of the Licence, has reason to believe that the Licensee has made any default in executing works or supplying electrical energy in accordance with the provisions of that Licence, and that that default is in consequence of the insolvency of the Licensee, and that by reason of that insolvency the Licensee is unable fully and efficiently to discharge the duties and obligations imposed upon him by that Licence, the Governor-in-Council may after such enquiry as he may think necessary, revoke that Licence.

114. If in any case where a public or local authority is not the Licensee, the Licensee at any time after the commencement of the Licence represents to the Governor-in-Council that the undertaking cannot be carried on with profit, and ought to be abandoned, the Governor-in-Council shall enquire into the truth of the representation, and if upon that enquiry the Governor-in-Council is satisfied as to the truth of the representation, he may, if in his discretion he thinks fit, revoke the Licence.

Revocation of Licence where undertaking cannot be carried on with profit.

115. If in any case where a public or local authority is the Licensee, the Governor-in-Council at any time after the commencement of the Licence has reason to believe that the Licensee has made default in executing works or supplying electrical energy in accordance with the provisions of the Licence, the Governor-in-Council may, after such enquiry as he may think necessary, revoke the Licence.

Revocation where public or local authority are Licensees and works are not executed.

116. In addition to any other powers which the Governor-in-Council may have in that behalf, he may revoke the Licence at any time with the consent and concurrence of the Licensee, upon such terms as the Governor-in-Council thinks just.

Revocation of Licence with consent.

117. (1) If at any time any Licensee shall, without the authority of the Governor being first had and obtained in writing, discontinue, or make default in, the supply of electrical energy as incumbent on him by his Licence, or, after having received notice to remedy or make good any defects, shall fail or neglect to make such provisions as will ensure a regular and sufficient supply of electrical energy, or for any other cause or reason whatsoever shall make, or continue to make, such default in the supply of electrical energy as to cause or be liable to cause danger or loss to the public, the Governor-in-Council may authorize an officer of the Government to enter upon the works of the Licensee, to suspend his Licence, and forthwith to do all such things, deeds, and works as he may consider necessary for the maintenance and continuation of the supply of electrical energy from the works, plant, and apparatus of the Licensee.

If Licensee discontinues the supply Governor may operate same.

(2) Any person obstructing, or causing obstruction to, an officer so authorized by the Governor-in-Council in the carrying out of such duties and works shall be liable on conviction to a penalty not exceeding fifteen thousand rupees.

(3) In any case where the Governor-in-Council takes action under this section, the Licence together with all rights, powers, and authorities, of the Licensee in the area concerned shall forthwith cease and determine, or otherwise as the Governor-in-Council thinks fit.

(4) The Governor-in-Council may continue the operation of such works, plant, and apparatus for such period as he deems expedient and take the measures or proceed as described in section 119 and any compensation to which the Licensee shall be entitled shall be that which may be determined in the manner therein provided.

(5) Where the generation or supply of electrical energy under any Licence may be interrupted or affected to the detriment of the public or the consumers, by the demise of an individual or other disability not provided for by this Ordinance on any such occurrence and only if necessity arises for any immediate action pending any action by the Governor-in-Council, it shall be lawful for and incumbent on the Provincial Commissioner or Commissioners of the Province or Provinces in which the generation and supply is or should be effected or given either by himself or themselves or through any District Commissioner or Magistrate to exercise such authority and give such instructions as may be necessary in the public interest for the proper continuance or resumption of the generation or supply of such electrical energy.

Where any Provincial Commissioner takes any action under this section, he shall immediately report to the Governor-in-Council by telegram the circumstances of the case and of the action he has taken.

118. (1) The revocation by the Governor-in-Council of any Licence, shall not indemnify the Licensee against the infliction of any penalties to which he may have become liable, under the Licence or this Ordinance, by reason of any default, or against the recovery from him by any consumer of any damages sustained by such consumer by reason of the default of the Licensee in the performance of his obligations under the Licence.

Revocation not to absolve Licensees from liability for damages and penalties.

(2) The amount of any penalties or damages for which the Licensee may be liable under this section, shall rank as a charge against any purchase money to which such Licensee may be entitled in respect of any of his works, and any court of competent jurisdiction may interdict the payment to such Licensee of such purchase money or part thereof, pending the result of any legal action in respect of such penalties or damages, or otherwise until such claims have been agreed or settled.

Provisions where Licence revoked.

119. If the Governor-in-Council in any case where a public or local authority is not the Licensee, at any time revokes a Licence, under any of the provisions of this Ordinance or of the Licence, the following provisions shall unless otherwise provided for have effect:—

Notice of revocation.

(a) The Governor shall serve a notice of the revocation upon the Licensee and upon the public or local authority or authorities in the area of supply, and shall in that notice fix a date at which the revocation shall take effect, and from and after that date all the rights, powers, and authorities of the Licensee under this Ordinance or the Licence, shall absolutely cease and determine.

Public or local authority may apply for a Licence.

(b) Within two months after the service of the notice by the Governor upon the public and local authorities, such authorities or any of them, if they think fit, may apply to the Governor-in-Council for a Licence authorizing them to operate the undertaking, with or without modification, and the Governor-in-Council may grant such application upon such terms and conditions as he sees fit, or he may refuse the application.

Public or local authority in possessing a Licence may require Licences to sell.

(c) Where the Governor-in-Council has granted such application, the applicant may by notice in writing require the Licensee to sell, and thereupon the Licensee shall sell to him the works of the undertaking under the Licence upon terms of paying the then value of all land, buildings, works, materials, and plant of the Licensee suitable to the purposes of the undertaking as aforesaid, that value being agreed or estimated in the manner herein provided.

(d) Where any purchase is so effected, the undertaking when purchased shall vest in the authority or authorities making the purchase, freed from any debts, mortgages, or similar obligations of the Licensee, or attaching to the undertaking; and the revocation of the Licence of the Licensee shall be absolute.

Procedure if application by local authority is not received or is refused.

(e) If no application is made as above or if the Governor-in-Council refuses to grant a Licence to any public or local authority, under the preceding provisions of this section, the Governor-in-Council may, by giving public notice, take such other measures as he thinks fit for the disposal, under a Licence, of the rights, powers, authorities, duties and obligations essential to the renewed or continued operation of the undertaking, and of the land, buildings, works, materials and plant of the Licensee suitable to the purposes of the undertaking as aforesaid.

Conditions as to purchase.

(f) Should any purchase be effected in consequence of any such action of the Governor-in-Council the value to be agreed or estimated and the revocation of the Licence and the investment of the purchaser with such Licence and the rights, powers, authorities, duties and obligations thereof together with such land, buildings, works, material and plant, shall be as if such purchaser was the purchaser under clauses (c) and (d).

Removal of Licensee's works where no sale is effected.

(g) Where no purchase has been effected under the preceding provisions of this section, the public or local authority, and any body or person who may be liable for the reinstatement, maintenance or repair of any site on which, or for the repair of any street or part of a street in which, any works of the Licensee have been placed, may (subject however to any agreement between the public or local authority or that body or person and the Licensee providing for the removal of those works by the Licensee) forthwith remove those works with all reasonable care, and the Licensee shall pay to the public or local authority, or other such body or person as aforesaid, such reasonable costs of the removal and of the reinstatement or

repair of any site or for the repair of any street or part of a street as may be specified in a notice to be served on the Licensee by the public or local authority or other body or person, or (if so required by the Licensee, within one week after the service of the notice upon him) as may be determined by arbitration.

(h) If the Licensee fails to pay such reasonable costs as aforesaid within one month after the service upon him of the notice, or the delivery of the award of the arbitrator (as the case may be), the public or local authority, or other such body or person as aforesaid may, without previous notice to the Licensee (but without prejudice to any other remedy which they may have for the recovery of the amount), sell and dispose of any such works as aforesaid, either by public auction or private sale, and for such sum or sums and to such person or persons as they may think fit; and may, out of the proceeds of the sale, pay and reimburse themselves the amount of the costs so specified or settled as aforesaid and of the costs of sale, and the balance (if any) of the proceeds of the sale shall be paid over by them to the Licensee.

Costs of removal of works.

(i) In case the public or local authority or any body or person may be entitled to compensation for any damage sustained by them by reason or in consequence of the execution of any works as aforesaid, or the exercise of any powers of the Licensee, or for any expenses to which that public or local authority, body or person may have been put in removing any works of the Licensee under the provisions of this Ordinance, that compensation shall be a first charge on any money that may have been deposited or secured by the Licensee under the provisions of this Ordinance, and which may not have been repaid or released to the Licensee, and that money shall be applied rateably in satisfying claims, and in every such case the amount of compensation to be paid in respect of the various claims, and the persons to whom it is to be paid, shall be determined by arbitration.

Compensation for damage entailed by removal.

120. (1) If the Governor-in-Council, in a case where a public or local authority is the Licensee, at any time revokes the Licence as to the whole or any part of the area of supply, any authority or person who may be liable for the reinstatement, maintenance or repair of any site, upon which, or for the repair of any street or part of a street within that area or part thereof in which, any works of the Licensee have been placed, may forthwith remove those works with all reasonable care, and the Licensee shall pay to such authority or person such reasonable costs of the removal as are specified in a notice to be served on the Licensee by such authority or person, or if so required by the Licensee within one week after the service of the notice upon him, as may be determined by arbitration.

Provisions where public or local authority is Licensee and Licence is revoked.

(2) If the Licensee fails to pay such reasonable costs as aforesaid within one month after the service upon him of such notice or the delivery of the award of the arbitrator (as the case may be), such authority or person as aforesaid may without any previous notice to the Licensee (but without prejudice to any other remedy which they may have for the recovery of the amount), sell or dispose of any such works as aforesaid either by public auction or private sale, and for such sum or sums and to such person or persons as they may think fit, and may, out of the proceeds of sale, pay and reimburse themselves the amount of the costs so specified or determined as aforesaid, and of the costs of sale, and the balance (if any) of the proceeds of the sale shall be paid over by them to the Licensee.

121. (1) If at any time it is established to the satisfaction of the Governor

Defective works or contravention of Regulations.

(a) that the Licensee is making any default under the provisions of this Ordinance or the Regulations as to standards or modes, materials, apparatus, system, pressure, or frequency or (except in accordance with the provisions of this Ordinance or the Regulations) has permitted any part of his circuits to be connected with earth or placed any electric supply line above ground, or

(b) that any electric supply lines or works of the Licensee are defective, so as not to be in accordance with the provisions of the Licence or this Ordinance or the Regulations, or

(c) that any work of the Licensee or his supply of electrical energy is attended with danger to the public safety, or injuriously affects any telegraph, telephone, or signalling line of the Postmaster General, or of the authority responsible for the management of any railway,

the Governor may by order specify the matter complained of, and require the Licensee to abate or discontinue it within such period as is therein specified in that behalf, and if the Licensee makes default in complying with the order he shall be liable to a penalty not exceeding three hundred rupees for every day during which the default continues.

(2) The Governor may also if he thinks fit by the same or any other order forbid the use of any electric supply line or work as from such date as may be specified in that behalf until the order is complied with, or for such time as may be specified, and if the Licensee makes use of any such electric supply line or work while the use thereof is so forbidden he shall be liable to a penalty not exceeding one thousand five hundred rupees for every day during which the use continues.

(3) In any case of non-compliance with an order under this section, whether a pecuniary penalty has been recovered or not, the Governor-in-Council, if in his opinion the public interest so requires, may revoke the Licence on such terms as he thinks just.

Nature and amount of security.

122. Where any security, other than the security required to be given by the Licensee under the provisions of section 40, is required under this Ordinance to be given to or by the Licensee, that security may be by way of deposit or otherwise, and of such amount as may be agreed upon between the parties, or as in default of agreement may be determined, on the application of either party, by the Governor or by a Court of competent jurisdiction, and the Governor or that Court may also order by which of the parties the costs of the proceedings before them shall be paid, and the decision of the Governor or of the Court shall be final and binding on all parties.

Proceedings upon reference to the Governor or his Deputy.

123. (1) Any of the powers under this Ordinance or under the Electric Supply Line Ordinance, 1914, vested in the Governor-in-Council or in the Governor may be deputed by the Governor-in-Council to the Power Board provided for by section 147 and all things required or authorised by these enactments or a Licence to be done by, to or before the Governor-in-Council or the Governor, may in respect of the powers so deputed, be done by, to or before the Power Board.

(2) Any of the powers under this Ordinance or under the Electric Supply Line Ordinance, 1914, vested in the Governor may be deputed by the Governor to any officer appointed or nominated by him for that purpose and all things required or authorized by these enactments or a Licence to be done by, to, or before the Governor, may, in respect of the powers so deputed, be done by, to or before the officer so appointed or authorized.

(3) All documents purporting to be orders made by the Governor-in-Council or the Governor, or by the Power Board or the officer authorized by the Governor-in-Council or the Governor, as the case may be, shall be received in evidence and shall be deemed to be those orders without further proof unless the contrary is shown.

(4) A certificate signed by the Governor that any order made or act done is his order or act, as the case may be, shall be conclusive evidence of the order or act so certified.

Approval or consent of Governor.

124. (1) Where this Ordinance or the Electric Supply Line Ordinance, 1914, or a Licence provides for any authority, consent or approval of the Governor-in-Council or the Governor, the Governor-in-Council or the Governor may give that authority, consent or approval subject to terms or conditions, or may withhold his authority, consent or approval, as in his discretion he may think fit.

(2) All costs and expenses of or incident to any order, certificate, authority, consent, or approval, of the Governor-in-Council or the Governor or the Power Board or the officer appointed or nominated by the Governor or of any Electric Inspector or person appointed by the Governor, including the cost of any enquiry or test for the purpose of determining whether the same should be given or made, to such an amount as the Governor-in-Council, or the Governor, or the Power Board, or the officer appointed or nominated by the Governor as the case may be certifies to be due, shall be borne and paid by the applicant therefor, subject to the provisions of this Ordinance.

Provided that where any approval is given by the Governor-in-Council to any plan, pattern, or specification, the Governor-in-Council may require such copies of the plan, pattern, or specification as he thinks fit to be prepared and deposited at a specified office at the expense of the applicant.

125. (1) Subject to any provision in this Ordinance to the contrary before making any application to the Governor-in-Council.

Notice by advertisement of applications for extension of time revocation of Licence or alteration of areas.

(a) to authorise, consent to, or approve of the altering or varying of any provision contained in this Ordinance or a Licence which it is provided by this Ordinance may be so altered or varied or,

(b) for any authority, consent or approval required under this Ordinance or,

(c) to dispense with any authority, consent or approval of any public or local authority which is required with regard to any matter arising under this Ordinance when such consent or approval is refused or withheld or,

(d) for the revocation of any Licence, if as to an area of supply, for the whole or any part of such area or,

(e) for the alteration of any area defined in any Licence.

The intending applicant shall give notice by public advertisement of the intended application not more than sixty days and not less than thirty days before the application is to be made.

(2) Every such advertisement shall be published in each of two successive weeks in the Official Gazette and once at least in each of two successive weeks in some one and the same newspaper circulating in the area or proposed area of supply and in any other area concerned in the application and shall contain the following particulars:—

(a) a short title descriptive of the application,

(b) the date of the intended application,

(c) the name, address, and description of the applicant,

(d) a statement of the object of and reasons for the application,

(e) a description of the area or areas (if any) and of any public or local authority, company, person or body of persons (if any) which shall or may be affected by the grant of the application,

(f) a statement of how or of the manner in which such area or areas, public or local authority, company, person or body of persons shall or may be affected by the grant of the application.

(3) Additional to such notice by public advertisement and within the time specified for its publication, the intending applicant shall serve a notice in writing with the aforesaid particulars on every public or local authority or Licensee who shall or may be affected by the grant of the application.

(4) Every such notice must state that any public or local authority, company, person or body of persons desirous of making any representation on or objection to the application must do so by letter addressed to the Governor-in-Council and marked on the outside of the cover enclosing it "Electric Power Ordinance" on or before the expiration of thirty days from the date of the application as stated in the notice and that a copy of such representation or objection must be forwarded to the applicant.

(5) The application addressed to the Governor-in-Council may be printed or typed and must be signed or sealed as may be legally necessary by or on behalf of the applicant and delivered to the Governor-in-Council and marked on the outside of the cover enclosing it "Electric Power Ordinance" together with proofs of the applicant's compliance with the provisions as to notices on or before the date stated in the notice as being and which shall be the date of the application.

(6) The Governor-in-Council shall consider any such application and any representation or objection which has been made respecting the same and may make or order such enquiry as he thinks fit and may refuse or may grant the application with such conditions or modifications as he deems expedient.

**Notice of application
for a Licence.**

126. (1) Before making any application for a Licence, the intending applicant shall give notice by public advertisement of the intended application not more than 90 days, and not less than 60 days before the application is to be made.

(2) Every such advertisement shall be published in each of two successive weeks in the Official Gazette, and once at least in each of two successive weeks in some one and the same newspaper circulating in the area or proposed area of supply and any other area concerned in the application and shall contain the following particulars:—

- (a) a short title descriptive of the application.
- (b) the date of the intended application.
- (c) the name, address, and description of the applicant.
- (d) a short statement of the purposes for which the Licence is required.
- (e) a description of the proposed area of supply (if any).
- (f) the names of the streets (if any) or a description of the routes where it is proposed that electric supply lines shall be installed within a specified time.
- (g) the address of an office in Nairobi and another office within the area of supply at which printed or typed copies of the draft Licence to be applied for and of the Licence when granted, and of any other particulars required by this Ordinance, can be inspected by the public.
- (h) in any case relating to an application for a Licence by which it is proposed to obtain powers to authorize the compulsory acquisition or the use of land for the purposes of a generating station, a description of that land.
- (i) in any case relating to an application for a Licence relating to the purchase of any works used for any of the purposes of the generation or supply of electrical energy, a description of the position or positions of the works to be purchased.
- (j) in any case relating to any combination of any public or local authorities, the basis upon which such combination proposes to operate and upon which the representation on, and the financial requirements of the combination or of any joint committee or joint board representing such combination, and the contribution to the common fund by the constituent authorities are to be provided for.

(3) Additional to such notice by public advertisement and within the time specified for its publication, the intending applicant shall serve a notice in writing with the aforesaid particulars on every local authority in the area or proposed area of supply and in any other area concerned in the application. (Where the intending applicant is a local authority and the application to be made relates to an area in the jurisdiction of the intending applicant, the provision as to notice to the local authority shall not apply).

(4) Every such notice, whether by public advertisement or by service in writing must state that any authority, company, person or body of persons desirous of making any representation on or objection to the application or to the grant of the Licence must do so by letter addressed to the Governor-in-Council and marked on the outside of the cover enclosing it "Electric Power Ordinance" on or before the expiration of sixty days from the date of the application as stated in the notice and that a copy of such representation or objection must be forwarded to the applicant.

127. (1) (a) The applicant must in each case prepare a draft of the Licence being applied for. **Draft Licence and particulars to be contained therein.**

(b) The draft Licence must be printed or typed on one side only of the paper and each schedule annexed must begin a new page.

(c) The name and address of the applicant for the Licence must appear on the outside of the draft.

(d) The notice contained in the advertisement as to representations or objections must appear at the end of the draft.

(2) The draft must contain (amongst other things),

(a) The name, address, and description of the applicant

(b) A description of the proposed area of supply (if any) and in the case of a Bulk Supply Licence, a description of the routes, streets, roads, railway or tramways, and in the case of a Distributing Licence the names of the streets, along which it is proposed that electric supply lines shall be installed for the purpose of giving the supply.

(c) A statement of the purposes for which a supply is to be given.

(d) A statement of the maximum prices which may be charged, in the case of a Bulk Supply Licence, for a Bulk Supply and in the case of a Distributing Licence for a supply for,

(i) industrial power.

(ii) industrial lighting.

(iii) domestic power.

(iv) domestic lighting.

(v) power for public purposes.

(vi) lighting for public purposes.

(vii) power other than for industrial, domestic or public purposes.

(viii) lighting other than for industrial, domestic or public purposes.

(e) A statement of the proposed method or methods of rebate on or reduction of the maximum price or prices in consideration of any stated improvement in the conditions of the demand by reason of,

(i) load factor.

(ii) power factor.

(iii) time of the demand, or,

(iv) other circumstances of the demand,

which method or methods when stated in a Licence, may be varied with the consent of the Governor-in-Council, without regard to the time specified for the revision of the maximum price or prices upon application being made in the manner herein provided.

(f) In the case of a Licence to authorize the compulsory acquisition or the use of land for the purposes of a generating station, a description of such land.

(g) In the case of a Licence relating to the purchase of any works used for the purpose of supplying electrical energy, a description of the works to be purchased and of the area in which electrical energy is supplied therefrom.

(h) In the case of a Licence relating to any combination of any public or local authorities,

(i) a description of the purposes of the combination.

(ii) provisions for constituting the committee or board of management or other directorate of the combination, for the appointment and removal of members and for the meetings of the committee or board of management or other directorate of the combination.

(iii) Provisions,

(a) relating to the financial arrangements between the proposed constituent authorities,

(b) for the appointment and remuneration of officers, and

(c) for settling differences between committee, board or other directorate, and any of the constituent authorities.

(iv) provisions as to audit accounts.

(v) provisions for adopting any Licence in force in the area of supply or any part thereof to the case of the committee, board or other directorate proposed to be constituted.

(i) The period (if any) for which the Licence is applied for.

(j) A statement of the conditions (if any) which have been agreed upon between the applicant and any local authority in the area of supply as to the purchase of any works under the Licence.

(k) A statement of the conditions (if any) which have been agreed upon between the applicant and any local authority in the area of supply relating to the works under the Licence in the area of the local authority.

Articles and particulars
to be deposited with the
application.

128. The applicant must in each case, when making the application deposit with it,

(a) Three printed or typed copies of the draft Licence.

(b) A list of the local authorities in whose districts the area or proposed area of supply is situated.

(c) In the case of an application relating to the purchase of any works used for supplying electrical energy, a list of the local authorities within whose districts the works are situated.

(d) A list of the public or local authorities, companies, persons or bodies of persons, (if any) authorize to supply electrical energy within the area or proposed area of supply.

(e) In the case of an application by a public or local authority the following particulars,

(i) the sum proposed to be expended on the undertaking.

(ii) whether it is proposed to raise a loan for the purposes of the undertaking or otherwise how the money required is to be provided.

(iii) in the case of a local authority the rateable value of the district.

(iv) the amount of indebtedness and the borrowing powers of the applicant for all purposes.

(v) in the case of a local authority the amount of the rates in the pound.

(vi) a statement, including a detailed estimate of the cost, showing that a definite scheme for the purposes of the Licence being applied for has been prepared and considered by the public or local authority and the report of a competent engineer on the proposed scheme.

(f) In the case of an application by or relating to any combination of any public or local authorities there must be deposited with the application, in addition to such of the deposits hereinbefore specified as are applicable, the following particulars:—

(i) the rateable value of each of the districts of the proposed constituent authorities.

(ii) the amount of the indebtedness and the borrowing powers of each of the proposed constituent authorities.

(iii) the amount of rates in the pound in the districts of each of the proposed constituent authorities.

(iv) where the proposal is not for the combination of existing undertakings actually worked, a statement, including a detailed estimate of the cost, showing that a definite scheme for the purposes of the Licence being applied for has been prepared and considered by the proposed constituent authorities and the report of a competent engineer on the proposed scheme.

(v) A statement of the proportions in which the cost is to be defrayed by the proposed constituent authorities.

(vi) a copy of any agreement between the proposed constituent authorities relating to the application.

(g) In the case of an application other than by any public or local authority or authorities the following particulars:—

(i) a statement, including a detailed estimate of the cost, showing that a definite scheme for the purposes of the Licence being applied for has been prepared and considered and the report of a competent engineer on the proposed scheme.

(ii) a statement of the capital proposed to be expended in connection with the undertaking, and the mode in which such capital is to be provided.

(h) If the applicant is a company, a copy of the memorandum and articles of association.

129. (1) The applicant must on or before the date of the application deposit at the offices named in the advertisement printed or typed copies of the draft of the Licence being applied for.

Procedure on consideration of and granting a Licence.

(2) If any public or local authority, company, person or body of persons desires to bring before the Governor-in-Council any representation or objection respecting an application for a Licence such representation or objection must be made by letter addressed to the Governor-in-Council marked on the outside of the cover enclosing it "Electric Power Ordinance" before the expiration of sixty days from the date of the application as stated in the advertisement.

(3) If any public or local authority, company, person or body of persons desires to have any clause or other amendment inserted in the Licence, they must in like manner deliver the same to the Governor-in-Council and also deliver to the applicant a copy of any such representation, objection, clause or amendment before the expiration of sixty days from the date of the application.

(4) The Governor-in-Council, after the expiration of sixty days from the date of the application, shall consider the application together with every such representation or objection, and after such further enquiry (if any) as he thinks necessary may refuse or may grant the application on such terms or conditions and for such area as he thinks fit.

(5) When a Licence has been granted by the Governor-in-Council and delivered to the applicant he shall, within thirty days from the date of such delivery, deposit printed or typed copies of the Licence for the inspection of the public at the offices named in the advertisement at which copies of the draft of the Licence were deposited.

(6) Where in a Licence granted by the Governor-in-Council a deposited map is referred to the Licensee must within thirty days from the grant of the Licence deposit with the Governor-in-Council a published map mounted on linen, on a scale of not less than six inches to one mile, or if there is no published map then the best map, procurable, mounted on linen, showing the area of supply.

(7) If the Governor-in-Council deems it expedient, he may appoint a competent person to hold an enquiry into any matter relating to any application under this Ordinance and to report to the Governor-in-Council the result of such enquiry.

(8) Any such enquiry shall be held in public and any person interested in the matter under consideration may appear at such enquiry either in person or by agent.

(9) The witnesses on the enquiry may if the person holding the enquiry thinks fit, be required to make their statements on oath, which oath the person holding the enquiry is hereby authorized to administer.

130. (1) Additional to any other notices to be given concerning the purposes of an intended application, any intending applicant for a Licence (or for an order or for any authority of the Governor-in-Council) by which it is proposed to obtain powers for the compulsory acquisition of land for any of the purposes of a generating station, must give notice by public advertisement not more than ninety days and not less than sixty days before the date of the intended application.

Procedure when land is to be acquired compulsorily.

(2) Every such advertisement shall be published in each of two successive weeks in the Official Gazette and once at least in each of two successive weeks in some one and the same newspaper circulating in the area or proposed area of supply, and in any other area concerned in the application, and shall contain the following particulars:—

- (a) a short title descriptive of the application.
- (b) the date of the intended application.
- (c) the name, address and description of the applicant.
- (d) a description of the land proposed to be acquired.
- (e) a statement of the reasons why the land so described should be acquired by the intending applicant.

(3) Additional to such notice by public advertisement and within the time specified for its publication, the intending applicant shall serve a notice in writing upon the owners or reputed owners, lessees or reputed lessees and occupiers of all lands to be so acquired as shown on the plan to be deposited with the notice describing in each case the particular lands proposed to be so acquired.

(4) Every such notice must state that any of such owners or reputed owners, lessees or reputed lessees or occupiers of any of the lands so described, or any authority, company, person or body of persons desirous of making any representation on or objection to the application or to the grant of the powers applied for must do so by letter addressed to the Governor-in-Council and marked on the outside of the cover enclosing it "Electric Power Ordinance" on or before the expiration of sixty days from the date of the application as stated in the notice, and that a copy of the representation or objection must be forwarded to the applicant.

(5) The application may be printed or typed and must be signed or sealed as may be legally necessary, by or on behalf of the applicant and delivered to the Governor-in-Council together with a copy of the plans attached to the notice and with proofs of the publications of the notices by advertisement and of the services of the notices in writing on or before the date stated in the notices as being, and which shall be, the date of the application.

(6) The Governor-in-Council, after the expiration of the time named for the making of representations on or objections to the application, shall consider the application and any representation or objection which has been made respecting the same and may refuse or may grant the application with such conditions as he thinks fit.

(7) Where the Governor-in-Council authorizes the compulsory acquisition by a Licensee of any land for any of the purposes of a generating station, the further proceedings with reference to such compulsory acquisition shall be in accordance with the laws of the Protectorate for the time being in force in that respect.

(8) The compulsory acquisition of land for any of the purposes of any generating station shall not be lawful unless application is made in accordance with the provisions of this section.

Procedure on application for a Licence to construct a Generating Station.

131. (1) Additional to any other notices to be given concerning the purposes of an intended application, any intending applicant for a Licence (or for an order or for any authority, consent or approval of the Governor-in-Council) to authorize the construction of a generating station, shall give notice by public advertisement not more than ninety days and not less than sixty days before the application is to be made.

(2) Every such advertisement shall be published in each of two successive weeks in the Official Gazette and once at least in each of two successive weeks in some one and the same newspaper circulating in the area or proposed area of supply and in any other area concerned in the application and shall contain the following particulars:—

(a) a short title descriptive of the application.

(b) the date of the intended application.

(c) the name, address and description of the applicant.

(d) a description of the land on which the generating station is proposed to be constructed.

(e) a description of the machinery proposed to be installed in the generating station, particularly as to the manner in which the provisions of sub-section (1) of section 50 will be complied with.

(f) a statement of the hours during which such machinery may be working.

(g) a list of places where there exist generating stations for the supply of electrical energy for public and private purposes equipped with similar machinery.

(3) Every such notice must state that any authority, company, person or body of persons desirous of making any representation on or objection to the application or with respect to the proposed works must do so by letter addressed to the Governor-in-Council and marked on the outside of the cover enclosing it "Electric Power Ordinance" on or before the expiration of sixty days from the date of the application as stated in the notice, and that a copy of the representation or objection must be forwarded to the applicant.

(4) The application addressed to the Governor-in-Council may be printed or typed, and must be signed or sealed, as may be legally necessary by or on behalf of the applicant, and delivered to the Governor-in-Council marked on the outside of the cover enclosing it "Electric Power Ordinance" together with proof of compliance with the provisions relating to the application on or before the date stated in the notice as being and which shall be the date of the application.

(5) The applicant must in each case when making the application deposit with it.

(a) a plan showing the site and having a three hundred yards radius marked thereon, together with all buildings and structures within such radius.

(b) a plan of the elevation of the proposed generating station.

(c) a general plan of the proposed works.

(6) The Governor-in-Council, after the expiration of the time limited for the making of representations on or objections to the application or with respect to the proposed works, shall consider the application together with every such representation or objection, and after such further enquiry (if any) as he thinks necessary, may refuse or may grant the application on such terms and conditions as he thinks fit.

132. (1) Any application may be printed or typed and must be signed or sealed, as may be legally necessary by or on behalf of the applicant and delivered to the Governor-in-Council marked on the outside of the cover enclosing it "Electric Power Ordinance," together with proofs of compliance with the provisions herein contained, relating to the matter of the application, on or before the date stated in the notices (if any) to be given, as being, and which shall be the date of the application.

Form of application and fees.

(2) The Governor-in-Council may by Regulations prescribe the fees or payments to be paid or made by an applicant for or in respect of any application for any Licence or for any authority, consent or approval required under this Ordinance.

133. Where the Governor-in-Council,

(a) grants any Licence or authorizes the compulsory acquisition of any land or the construction of any generating station or grants any application as in section 125 contemplated, the applicant,

Grant or revocation of a Licence to be advertised.

or where no application is made the Governor-in-Council,

(b) revokes any Licence, authority, consent, or approval either in whole or in part, the Governor,

shall give notice by public advertisement of the grant of the application, or of the revocation, within one month of the grant of the application or of the revocation, as the case may be.

134. (1) Subject to any provisions in this Ordinance to the contrary, where under any of the provisions of this Ordinance or a Licence it is provided that any of the works of any Licensee shall or may be purchased for the purposes of any Licence under this Ordinance, the price to be paid for any such works, if not agreed upon between the parties, shall be determined by arbitration and in any case shall be their fair market value at the time of such purchase, due regard being given to the nature and then condition of such works or any of them and to the state of repair thereof, and to the circumstance as to whether they are in such a condition as to be ready for immediate working, and to the

Price of works may be determined by arbitration.

suitability of the same for the purposes of the Licence, and where a part only of the undertaking is purchased to any loss occasioned by severance, but without any addition in respect of compulsory purchase, or of goodwill, or of profits which may or might have been made from the works or the undertaking, or for any similar consideration.

Provided that any Crown land comprised in the works to be purchased and which has been or is leased or granted for the purposes of the Licence shall be transferred to the new Licensee without payment, therefor, save in respect of any premium or purchase money paid by the former Licensee, and that any land comprised in the works to be purchased which was compulsorily acquired under any Ordinance or the authority of the Governor-in-Council for the purposes of the Licence shall be valued at the price paid for it on its compulsory acquisition as aforesaid.

(2) The Governor-in-Council may determine any other question which may arise in relation to such purchase, and may fix the date from which such purchase is to take effect, and from and after the date so fixed, or such other date as may be agreed upon between the parties, and approved of by the Governor, all the works so purchased as aforesaid shall vest in the Licensee or Licensees, who has or have made the purchase, freed from any debts, mortgages or similar obligations of such first mentioned Licensee or ex-Licensee or attaching to his works or undertaking.

Arbitration.

135. (1) Where any matter is by this Ordinance, or any Licence, directed to be determined by arbitration, such matter shall, except as otherwise expressly provided, be determined by an engineer or other fit person as arbitrator, to be agreed to by the parties to the arbitration, or, failing such agreement by the parties, to be nominated by the Governor-in-Council on the application of either party.

Matters for arbitration may be referred to the Governor.

(2) Where any matter, question or dispute arises under this Ordinance or any Licence, the interpretation or settlement of which is not effected by agreement or is not specifically provided for, such matter, question or dispute may be interpreted or settled by arbitration.

Costs of reference or arbitration.

(3) The expenses of the arbitration shall be borne and paid as the arbitrator directs.

As to mortgages.

136. Nothing in the Licence shall prevent the Licensee, in a case where a public or local authority is not the Licensee, from borrowing money on the security of mortgages of the undertaking, or shall make the consent or approval of the Governor necessary to the validity or effect of any such mortgage:

Provided that every mortgage of the undertaking shall be deemed to comprise all purchase money which may be paid to the Licensee in the event of any sale or transfer of the undertaking or any part thereof and that any mortgage granted by the Licensee shall not be a charge upon the undertaking, or any part thereof, in the event of the undertaking or that part being sold or transferred as aforesaid, and that every mortgage deed granted by the Licensee shall be endorsed with notice to that effect.

Agreements made by Licensee invalid unless approved by Governor-in-Council.

137. No agreement entered into by a Licensee relating to the supply of electrical energy shall be valid unless drawn up in terms approved of in writing by the Governor-in-Council.

Exception of special motive power agreement of Prior Licensee.

Provided that any special agreement entered into before the enactment of this Ordinance, between a Prior Licensee under the provisions of his Prior Licence and any consumer in respect of any special supply of electrical energy for motive power purposes, should be deemed to have been approved by the Governor-in-Council but not as to any renewals of such agreement whether contemplated in such agreement or not.

Licensee not to engage in other business.

138. (1) (a) A Licensee shall not directly or indirectly have any interest in any other business of an electrical nature within his area of supply, excepting that he may undertake the supply by sale or hire of electrical motors, cooking, heating, or domestic and industrial appliances of such a nature as to require for their operation or use a supply of electrical energy originating from the works or system of a Licensee.

(b) In any case where any of a Licensee or Prior Licensee's officers, servants, employees or works engaged, employed or used for or in connection with any of the purposes of his Licence or Prior Licence are engaged employed or used in any way for or in connection with any other business of whatever nature for the purpose of gain to any person, no expenses of any description of any such officers, servants, employees or works shall be charged to the works or accounts or shall be paid out of any money received by or payable to the Licensee or Prior Licensee under his Licence or Prior Licence except in so far as is stated in the Licence or Prior Licence as the case may be or as may be authorized by the Governor-in-Council on application being made in the manner provided by section 125.

(2) Provided that the provisions of clause (a) of the preceding sub-section (1) shall not come into operation and have effect until after the expiration of twelve months from the enactment of this Ordinance, and that the Governor-in-Council may suspend the provisions of clause (a) of the preceding sub-section (1) from operation in any area or areas, and for such time as he thinks expedient, and provided that in any case where the provisions of clause (a) of the preceding sub-section (1) have been so suspended, they shall not be operative in any such area or areas until after the expiration of twelve months from the date of a notice in the "Official Gazette" of the intention of the Governor-in-Council to make operative and to enforce such provisions.

Governor may suspend, in any area, the operation of clause prohibiting Licensees carrying out wiring work, etc.

139. Any penalty, fee, expenses, or other moneys recoverable under this Ordinance or a Licence, or under the Regulations, the recovery of which is not otherwise specially provided for, shall be a civil debt recoverable summarily.

Recovery and application of penalties.

140. Nothing in this Ordinance or a Licence shall exempt the Licensee or his undertaking from the provisions of, or deprive the Licensee of the benefits of, any general Ordinance relating to electrical energy, or to the supply of, or price to be charged for, electrical energy, which may be enacted after the granting of a Licence.

Provision as to General Ordinances.

141. Although any shore, bed of the sea, river, channel, creek, bay, or estuary is included in the area of supply, nothing in the Licence shall authorize the Licensee to take, use, or in any manner interfere with any portion of that shore or bed of the sea, or of the river, channel, creek, bay, or estuary, or any right in respect thereof, or of the water thereof, without the previous consent in writing of the Governor-in-Council, neither shall anything in the Licence or this Ordinance contained extend to take away, prejudice, diminish, or alter any of the estates, rights, privileges, powers or authorities vested in or enjoyed or exerciseable by His Majesty.

Saving rights of the Crown in the foreshore.

142. (1) The Governor-in-Council may from time to time make such Regulations as he may think expedient in relation to the use of electrical energy in or on any harbour, river, canal, railway, tramway, mine or quarry, or in any factory, workshop, or place, for securing the safety of persons and property from injury from shock or from fire or otherwise and may prescribe penalties for the breach or non-observance of such Regulations, and may from time to time amend or repeal any such Regulations and every Regulation so amended or repealed shall, from and after the date thereof, be amended or repealed accordingly, but such amendment or repeal shall not affect any liability or penalty incurred in respect thereof prior to the date of such amendment or repeal or any proceeding or remedy which might have been had in relation thereto.

Governor may make rules.

(2) Additional to any Regulations mentioned in this Ordinance, the Governor-in-Council may from time to time make, and when made may amplify, alter, or repeal, Regulations in relation to any matters arising under this Ordinance, and may provide and make penalties for the breach or non-observance of any of the provisions of this Ordinance or of any of the Regulations made under this Ordinance. Any Regulations referred to in this section shall be deemed to be within the powers conferred by this Ordinance, and shall be of the same force as if enacted in this Ordinance, and shall be judicially noticed.

Regulations to be laid before Legislative Council.

143. Any Regulations under this Ordinance made by the Governor-in-Council shall be laid before the Legislative Council at the next ensuing meeting thereof after they are made.

Procedure for making Regulations.

144. (1) Before making any Regulations under this Ordinance, the Governor-in-Council shall publish, in such manner as he may think best adapted for informing the body or person affected, notice of the proposal to make, amend, or repeal any Regulations and of the place where copies of the draft Regulations may be obtained, and of the time (which shall not be less than twenty-eight days) within which any objection made with respect to the draft Regulations by or on behalf of persons affected must be sent to the Governor-in-Council.

(2) Every objection must be printed typed or written and state:—

- (a) the draft Regulations or portions of such objected to,
- (b) the specific grounds of objection, and
- (c) the omissions, additions, or modifications asked for.

(3) The Governor-in-Council shall consider any objection made by or on behalf of any person appearing to him to be affected which is sent to him within the required time, and he may, if he thinks fit, amend the draft Regulations, and shall then cause the amended draft to be dealt with in like manner as an original draft.

(4) Where the Governor-in-Council has received an objection to any draft Regulation, he may, provided the objection does not appear to him to be frivolous, immaterial, or opposed to the public interest, before making the Regulation, direct an enquiry to be held in the manner hereinafter provided.

Enquiries on proposed Regulations.

145. (1) The Governor-in-Council may appoint a competent person to hold an enquiry with regard to any draft Regulations, and to report to him thereon.

(2) The enquiry shall be held in public, and any person deputed by the Governor-in-Council and any objector, and any other person who, in the opinion of the person holding the enquiry, is affected by the draft Regulations, may appear at the enquiry either in person or by agent.

(3) The witnesses on the enquiry may, if the person holding it thinks fit, be required to make their statements on oath, which oath the person holding the enquiry is hereby authorized to administer.

(4) Subject as aforesaid, the enquiry and all proceedings preliminary and incidental thereto shall be conducted in accordance with procedure prescribed by the Governor-in-Council.

(5) The fee to be paid to the person holding the enquiry shall be as the Governor-in-Council may direct, and shall be deemed to be part of the expenses of the Governor-in-Council in the execution of this Ordinance.

Publication of Regulations.

146. (1) The Regulations for the time being in force shall within one month after they have come into force, as made or last altered, be printed at the expense of the Licensee, and a true copy thereof, certified by or on behalf of the Licensee, shall be kept by the Licensee at his principal office within the area of supply, and supplied to any person demanding them at a price not exceeding one rupee for each copy, and where a public or local authority is not the Licensee, a like copy shall also be forthwith served upon the public or local authority or authorities within the area of supply.

(2) If the Licensee makes default in complying with the provisions of this section he shall be liable to a penalty not exceeding seventy-five rupees, and to a daily penalty not exceeding seventy-five rupees.

Appointment of a Power Board.

147. (1) For any of the purposes of this Ordinance the Governor-in-Council may appoint an advisory board (hereafter referred to as the Power Board) to consist of not less than three nor more than seven members.

The appointment of any member to the Power Board shall be for a period of two years.

(2) The Governor-in-Council may appoint any member of the Power Board to be the chairman thereof.

(3) The Power Board shall meet at such times and for such purposes as the chairman may consider necessary.

(4) At any meeting of the Power Board three of the members shall be present to form a quorum.

(5) The Governor-in-Council may prescribe by Regulations the procedure to be followed by the Power Board.

(6) Any member of the Power Board who has any financial interest in any matter which has been referred to the Power Board for consideration or report shall disclose any such interest to the Power Board and shall not be entitled to vote or take part in the decision of such matter.

148. Where any default in, or contravention of any of the provisions of this Ordinance is made for which no penalty is expressly stated, the authority, company, person or body of persons so defaulting or contravening shall be liable to a penalty not exceeding Rs. 75/. Penalty when not otherwise expressed.

149. The provisions of the "Boilers Prime Movers and Machinery Ordinance, 1917" shall not apply to any electric motor of a rated capacity or power of one horse power or less, or, where the rated capacity or power exceeds one horse power, to any electric motor except so as to provide for the protection of any person from any danger arising from the moving part of any such electric motor. Boilers Prime Movers and Machinery Ordinance, 1917, not to apply in certain cases.

150. (1) Whereas owing to the abnormal conditions resulting from the state of war at present existing it may be expedient or necessary to suspend or modify temporarily certain of the provisions as enacted in this Ordinance, it is hereby provided that the Governor-in-Council having due regard to the purposes and intentions of this Ordinance may suspend or modify the following provisions in the manner set out, that is to say:— Power to suspend or modify provisions on account of war.

(a) (i) The restriction enacted in the clause (c) of section 4 may be suspended with respect to any generating works in operation at the time of the enactment of this Ordinance or in any case where a suitable supply from a Licensee is not available.

(ii) Where any authority is granted under this section for the execution of works, the authority so granted shall be for such period as having regard to the cost of generation under such authority (which shall be subject to the provisions hereof as to accounts applicable to a Distributing Licence and to a Local Generating Licence) and to the price of a supply when available, from a Licensee, the reduction in the cost of the supply by such Licensee to the public or local authority shall be of such an amount as will equal or exceed the capital charges on any unredeemable capital expended on the works under such authority provided that the works under such authority shall be subject to the conditions as to purchase as if they were works under a Local Generating Licence.

(b) Where it is shown to the satisfaction of the Governor-in-Council that by reason of the aforesaid abnormal conditions a Licensee or Prior Licensee is unable to perform the obligations relating to supply incumbent on him under the provisions of this Ordinance or of his Licence or Prior Licence as the case may be, the Governor-in-Council may from time to time by Regulations suspend or modify temporarily any such provision and may specify the supply (if any) to which any consumer shall be entitled or the manner in or time when such supply (if any) shall be given provided that no provision as to the obligations of a Licensee or Prior Licensee to give a supply of electrical energy shall be suspended or modified unless it is shown to the satisfaction of the Governor-in-Council that no other supply, whether within or without the area is available or could be made use of or employed by the Licensee or Prior Licensee for the purposes of his Licence or Prior Licence as the case may be.

(c) Notwithstanding the provision of section 69 as to the time when the prices or methods of charge stated in a Licence or approved by the Governor-in-Council may be altered, the Governor-in-Council may at any time, on application being made as provided for in section 125 and after such enquiry (if any) as he thinks fit, if he considers that the aforesaid abnormal conditions necessitate such action, make an order varying the prices or methods of charge stated in the Licence or approved as aforesaid or substituting other prices or methods of charge in lieu thereof and the prices or methods of charge so varied or substituted shall have effect on and after such day as may be mentioned in the order as if they had been stated in the Licence. Provided that any price or method of charge stated in a Licence granted during the continuance of the aforesaid abnormal conditions or approved by the Governor-in-Council, or varied or substituted during such period under the provisions of this section may be so altered at any time during the continuance of the said abnormal conditions.

(d) Where any statement is made in this Ordinance as to any time and notices to be given relating to any application to the Governor-in-Council, other than an application for a Bulk Supply Licence or a Distributing Licence or a Local Generating Licence, or for any authority, consent or approval relating to the compulsory acquisition of any land, or the use of any land for the purposes of a generating station or the alteration of the price of the supply given by a Licensee or Prior Licensee, the Governor-in-Council may, if he considers that the exigency of the situation due to the aforesaid abnormal conditions necessitates such action, suspend the provision as to time and notices (other than in the cases above mentioned) and substitute such provision as in his discretion he deems fit.

(e) (i) For the purpose of mitigating or ameliorating the effects of the aforesaid abnormal conditions the Governor-in-Council may modify the provision contained in clause (a) (i) of section 4, and authorize any public or local authority, company, person or body of persons, not being a Licensee or Prior Licensee to give a supply of electrical energy to a Licensee or Prior Licensee for the purposes of his Licence or Prior Licence.

(ii) Where any such public or local authority, company, person or body of persons so gives a supply they or he shall not be liable to the conditions and penalties for default imposed by this Ordinance or the Regulations on a Licensee or Prior Licensee and the responsibilities and obligations relating to such supply shall be such as may be defined in the agreement to be entered into between any such public or local authority, company, person or body of persons, and the Licensee or Prior Licensee as the case may be.

(iii) A Licensee or Prior Licensee shall not be liable to any penalty for any default in so far as such is by reason of any failure of the supply so given by any public or local authority, company, person or body of persons, not being a Licensee or Prior Licensee.

(iv) Any supply so given may be for such period and on such terms and conditions as may be agreed upon and, with due regard to the objects of this Ordinance and this section, approved by the Governor-in-Council.

(v) Where any application is to be made to the Governor-in-Council relating to any such supply such application may be made by any public or local authority, company, person or body of persons, Licensee or Prior Licensee concerned in the manner specified in section 125 or as may be modified under the provisions of this section.

(f) (i) The Governor-in-Council may also for the purpose of mitigating or ameliorating the effects of the aforesaid abnormal conditions suspend or modify the provisions of section 39 in that respect and authorize a Licensee or Prior Licensee with due regard to his obligations within the area defined in his Licence or Prior Licence as the case may be to give a supply of electrical energy outside of such area provided that the provisions of section 125 as to the application to be made for the authority of the Governor-in-Council as may be modified under the provisions of this section shall be substituted for the provisions of section 126, 127, 128 and 129, relating to an application of the Governor-in-Council for a Licence which would be necessary under normal conditions by the provisions of the said section 39.

(ii) Where under the provisions of this section a supply of electrical energy is so given by a Licensee or Prior Licensee outside of the area defined in his Licence or Prior Licence as the case may be, it shall be on such terms and conditions as to price, amount, and manner of taking of the supply, and period for which the supply may be continued as may be agreed upon and approved of by the Governor-in-Council.

(2) (a) Where under the provisions of this section any of the provisions or the objects or intentions of this Ordinance are suspended or modified any public or local authority, company, person or body of persons or Licensee who desires the removal or revocation of any such suspension or modification may make an application to the Governor-in-Council with respect thereto.

(b) Any such application shall be made in the manner prescribed in section 125 and shall be considered together with any representation thereon or objection thereto as if it was an application under (a) or (b) of sub-section (1) of the said section 125.

(c) Where no application as last above mentioned is made the Governor-in-Council may remove or revoke such suspension or modification provided that before doing so the Governor-in-Council shall give the notices required to be given by an applicant under section 125 or in the two preceding sub-sections contemplated, stating the provision the suspension or modification of which it is intended to revoke or remove and any other particulars specified in the said section 125 as may be relevant or applicable to the intention of the Governor-in-Council, and shall consider any representation or objection made in accordance with the provision of section 125, concerning the intention of the Governor-in-Council referred to in the notice

(3) Nothing done or omitted to be done under or by virtue of the provisions of this section shall be deemed or construed to invalidate, curtail or prejudice the intentions or purposes of this Ordinance or of any of the provisions thereof as hereinbefore stated.

151. Not later than the first day of July in each year the Governor-in-Council shall lay before the Legislative Council a report respecting the applications to and proceedings of the Governor-in-Council under the Ordinance during the year then last past.

152. The Electricity Act Application Ordinance, 1903, (No. Repealed 18 of 1903) and any orders of the Governor under the said Ordinance or relating to the generation or supply of electricity or electrical energy are hereby repealed.

SCHEDULE.

Forms of Accounts to be kept by a Licensee not being a public or local authority as provided by section 42.

ELECTRIC POWER ORDINANCE, 1919.

.....Licence.

The.....Company.

Year ending.....19.....

Statement of Share Capital Appropriated for the Purposes of the Undertaking Authorised by the above-mentioned Licence.

No. I. On the.....19.....

	Description of Capital.	Authorised by	Number of Shares issued.	Nominal amount of Share.	Called-up per Share.	Total Paid-up.	Issued not Paid up.	Remaining Un-issued.	Total Amount Authorised.

Statement of Loan Capital Appropriated for the Purposes of the Undertaking Authorised by the above-mentioned Licence.

No. II. On the.....19.....

Description of Loan.	Amounts Borrowed				Remaining Borrowing Powers.	Total Amount of Borrowing Powers.	
	At...per cent	At...per cent	At...per cent.	Total.			

Total Share Capital Paid-up, see No. I. ... Rs.
,, Loan Capital Borrowed, see No. II. ... Rs.
Total Capital received ... Rs.

CAPITAL ACCOUNT.

No. III.

For the year ending.....

Dr.

Cr.

	Expenditure up to	Expended during the Year	Total Expenditure to		Received up to	Received during the Year	Total Receipts to
	Rs.	Rs.	Rs.		Rs.	Rs.	Rs.
To expenditure to 31st December, 19....., Expenditure since that date.				By ordinary shares of Rs.			
				„ „ „ „ Rs.			
				„ preference shares of Rs.			
				„ debenture stock			
				„ mortgage and bonds			
				„ amounts received in anticipation of calls			
				„ sale of patents or patent rights, &c.			
				„ other receipts (to be specified)			
1. To lands, including law charges incidental to acquisition... ..							
2. To buildings							
3. To machinery... ..							
4. To hydraulic works							
5. To mains, including cost of erecting or laying the mains							
6. To transformers, motors, &c.							
7. To meters, and fees for certifying under the Ordinance							
8. To electric instruments, &c.							
9. To general stores (cables, mains, lamps)							
10. To purchase of patents or patent rights							
11. To cost of licence, &c.							
12. To other items, (to be specified)							
Total Expenditure							
To balance Capital Account							
		Rs. ...				Rs. ...	

Provision for depreciation of works is made by a debit of Rs.....to Revenue Account transferred to Depreciation Fund Account, No. V.

REVENUE ACCOUNT.

No 1V.
Dr.

For the Year ending.....

Cr.

	Rs.	Rs.		Rs.	Rs.
A.—TO GENERATION OF ELECTRICAL ENERGY.			1. By sale of electrical energy per meter at..... per Kelvin		
1. To water or coals or other fuel, including dues, carriage, unloading, storing, and all expenses of placing the same on the works			2. By sale under contracts		
2. To oil, waste, water and engine-room stores			3. By public lighting		
3. To proportion of salaries of engineers, superintendents, and officers, as certified by the Managing Director, Chairman, or Engineer			4. By rental of meters and other apparatus on consumers' premises		
4. To wages and gratuities at generating stations			5. By sale and repairs of lamps, arc or incandescent By sale and repairs of other apparatus.		
5. To repairs and maintenance as follows :— Rs. Buildings Hydraulic works (Dams, Flumes, Gates, etc.) Engines, boilers Dynamoes, exciters, transformers, motors, etc. Other machinery, instruments, and tools Accumulators and accessories Less received for old material			6. By royalties, Licenses, &c.		
6. To special items			7. By rents receivable		
			8. By transfer fees		
			9. By other items (to be specified)		
B.—TO ELECTRICAL ENERGY PURCHASED.					
1. From Bulk Supply Licensee					
2. From Local Generating Licensee					
C.—TO DISTRIBUTION OF ELECTRICAL ENERGY.					
1. To proportion of salaries of superintendents and officers, as certified by Managing Director, Chairman or Engineer					
2. To wages and gratuities to linesmen, fitters, labourers					
Carried forward Rs.			Carried forward Rs.		

REVENUE ACCOUNT—Continued.

No. IV.—(Contd.)

for the Year ending

Dr

Cr.

	Rs.	Rs.		Rs.	Rs.
Brought forward Rs. ...			Brought forward Rs. ...		
Rs. |					
3. To repairs, maintenance, and renewals of mains of all classes, including materials and erecting or laying the same ...					
Less amounts refunded ...					
4. To repairs maintenance and renewals of transformers, meters, switches, fuses, and other apparatus on consumers' premises ...					
5. To repairs, maintenance, and renewals of apparatus at distributing stations ...					
D.—To PUBLIC LAMPS.					
1. To attending and repairs ...					
2. To renewals of lamps ...					
E.—To ROYALTIES, &c.					
To Royalties, &c., payable for use of patents or patent processes, (to be specified)					
F.—To RENTS, RATES AND TAXES.					
1. To rents payable (to be specified) ...					
2. To rates and taxes (to be specified) ...					
G.—To MANAGEMENT EXPENSES.					
1. To Directors' remuneration ...					
2. To salaries of Managing Engineers, Secretary, Accountants, Clerks, Messengers, as certified by Managing Director, Chairman, or Engineer ...					
3. To salaries or commissions of Collectors ...					
4. To stationery and printing ...					
5. To general establishment charges ...					
6. To Auditors of Company ...					
7. To Auditor appointed under the provisions of the Licence.					
Carried forward Rs. ...			Carried forward Rs. ...		

REVENUE ACCOUNT.—Continued.

94

No. IV.—(Contd.)

For the Year ending.....

Dr.

Cr.

	Rs.	Rs.		Rs.	Rs.
Brought forward Rs. ...			Brought forward ...		
H.—TO LAW &c., CHARGES.					
1. To law expenses					
I.—TO DEPRECIATION.					
1. To depreciation at Generating Station in respect of leasehold works					
2. To depreciation at generating station in respect of buildings					
3. To depreciation at generating station in respect of hydraulic works					
4. To depreciation at generating station in respect of generating machinery apparatus, etc.					
5. To depreciation on Transmitting Distributing, etc., works in respect of leasehold works					
6. To depreciation on Transmitting Distributing, etc., works in respect of buildings					
7. To depreciation on Transmitting Distributing, etc., works in respect of machinery apparatus, etc.					
J.—TO SPECIAL CHARGES.					
1. To insurances, superannuation, &c.					
2. To expenses for certification of meters					
Total Expenditure					
Balance carried to net revenue					
	Rs. ...			Rs. ...	

DEPRECIATION FUND ACCOUNT.

No. V.

Dr.

Cr.

	Rs.		Rs.
1. To balance 		1. By balance from last account	
		2. By interest on investments 	
		(Description of Investments to be specified.)	
		3. By amount brought from revenue account (No. IV. I.)	...
R.s. ...			R.s. ...

Dr.

95

[illegible]

RESERVE FUND ACCOUNT. (If provided)

No. VII]

Dr.

Cr.

	Rs.		Rs.
1. Amount paid out for		1. By balance brought from last account	
2. Amount of balance to next account		2. By amount brought from net revenue account	
		3. By interest on amount invested	
		(Description of Investments to be specified.)	
	R ^s		R ^s

GENERAL BALANCE SHEET.

No. VIII.

Dr.

Cr.

LIABILITIES.	Rs.	ASSETS.	
1. To capital account: Amount received as per Account No. III.		1. By capital: Amount expended for works as per Account No. III. ...	Rs.
2. To sundry tradesmen and others, due on construction of plant and machinery, fuel, stores, &c., to.....19.....		2. By stores on hand at.....19 ..	
3. To sundry creditors on open accounts ...		Coal or other fuel ...	
4. To net revenue account: balance at credit thereof ...		Oils, waste, &c. ...	
5. To reserve fund account (if provided) ...		General ...	
6. To depreciation fund account ...		3. By sundry debtors for amounts paid on account of contracts in course of completion ...	
7. To other items (to be specified) ...		4. By preliminary expenses ...	
		5. By sundry debtors for electrical energy supplied to.....19...	
		6. By other debtors ...	
		7. By other items (to be specified) ...	Rs.
		8. By cash at bankers:—	
		Messrs. ...	
		Messrs. ...	
		Messrs. (amount on deposit) ...	
		9. By cash in hand ...	
			Rs. ...
Rs. ...			

STATEMENT OF ELECTRICAL ENERGY GENERATED, PURCHASED, SOLD, Etc.

No. IX.

[illegible]

ELECTRIC POWER ORDINANCE 1919.

.....*Licence*

The.....(Name of public or local authority.)

No. I.

Year ending.....19.....

Statemer' as to Loans Authorized for the purposes of the above mentioned Licence prior to.....19.....

[illegible]

CAPITAL ACCOUNT.

No. II.

For the Year ending

Dr.

Cr.

	Total Expendi- ture to	Expended during the Year	Total Expendi- ture up to		Receipts up to	Received during the Year	Total Receipts to
	Rs.	Rs.	Rs.		Rs.	Rs.	Rs.
TO EXPENDITURE TO				1. By amount raised by Loans ...			
EXPENDITURE SINCE THAT DATE.				2. By sale of patents or patent rights, etc ...			
1. To lands, including law charges				3. By value of lands belonging to authority			
incidental to acquisition ...				appropriated for electrical purposes ...			
2. To value of lands appropriated for				4. By value of surplus lands sold ...			
electrical purposes, as per <i>contra</i> ...				5. By other receipts (to be specified) ...			
3. To buildings ...							
4. To machinery ...							
5. To hydraulic works ...							
6. To mains, including cost of erecting or							
laying the mains and services ...							
7. To transformers, motors, etc. ...							
8. To meters, and fees for certifying under							
the Ordinance ...							
9. To electrical instruments, etc ...							
10. To general stores (cable, mains, lamps) ...							
11. To purchase of patents or patent rights ...							
12. To transfer to sinking fund of value of							
lands sold, as per <i>contra</i> ...							
13. To amount applied to the reduction of							
principal of borrowed money from value							
of lands sold, as per <i>contra</i> ...							
14. To other items (to be specified) ...							
Total expenditure ...							
To balance of Capital Account ...							
		Rs ...				Rs ...	

Provision for depreciation of works is made by a debit of Rs. to Revenue Account transferred to Depreciation Fund Account No IV.

REVENUE ACCOUNT.

No. III.

For the Year ending.....

Dr.**Cr.**

	Rs.	Rs.		Rs.	Rs.	Rs.
A.—TO GENERATION OF ELECTRICAL ENERGY.						
1. To water or coals or other fuel, including dues, carriage unloading, storing, and all expenses of placing the same on the works			1 By balance from last account			
2. To oil, waste, water and engine-room stores			<i>Less</i> bad debts written off			
3. To proportion of salaries of engineers, superintendents and officers as certified by the Manager or Engineer			2. By Sale of electrical energy per meter at			
4. To wages at generating stations			3. By Sale under contracts			
5. To repairs and maintenance as follows:—			4. By public lighting			
Buildings						
Hydraulic works (Dams, Flumes, Gates, etc.)			5. By rental of meters and other apparatus on consumers' premises			
Engines, boilers			6. By sale and repairs of lamps, arc or incandescent			
Dynamoes, exciters, transformers, motors etc.			By sale and repairs of other apparatus			
Other machinery, instruments, tools, and accessories						
<i>Less</i> received for old material			7. By royalties, licences etc.			
6. To other items (to specified)			8. By rents receivable			
			9. By fees for inspection of maps			
B.—TO ELECTRICAL ENERGY PURCHASED.			10. By other items (to be specified)			
1. From Bulk supply Licensee						
2. From Local Generating Licensee						
C.—TO DISTRIBUTION OF ELECTRICAL ENERGY.						
1. To proportion of salaries of engineers, superintendents, and officers, as certified by the Manager or Engineer						
2. To wages and other remuneration to linesmen, fitters, labourers... ..						
3. To repairs, maintenance, and renewals of mains of all classes, including materials, and erecting or laying the same						
<i>Less</i> amounts refunded						
4. To repairs, maintenance, and renewals of transformers, meters, switches, fuses and other apparatus on consumers' premises, together with cost of materials and lamps sold, as per <i>contra</i> ...						
5. To repairs, maintenance and renewals of apparatus at distributing stations						
Carried forward			Carried forward			

REVENUE ACCOUNT.—*Continued.*

No. III. (Contd.)

Dr.

Cr.

				Rs.	Rs.					Rs.	Rs.
Brought forward ...						Brought forward...					
D.—To PUBLIC LAMPS.											
1	To attending and repairs...	...	...	...							
2	To renewals of lamps	...	...	...							
E.—To ROYALTIES, ETC.											
1	To royalties, etc., payable for use of patents or patent processes (to be specified)	...	...	...							
F.—To RENTS, RATES AND TAXES.											
1.	To rents payable (to be specified)	...	...	...							
2.	To rates and taxes (to be specified)	...	...	...							
G.—To MANAGEMENT EXPENSES.											
1.	To salaries, viz :—										
	Engineers' Department	...	...	...							
	Accountant and Clerical Staff	...	...	...							
2.	To Salaries or commissions of Collectors	...	...	...							
3.	To stationery and printing	...	...	...							
4.	To general establishment charges	...	...	...							
H.—To LAW, ETC., CHARGES.											
1.	To law expenses	...	...	...							
Carried forward ...						Carried forward ...					

REVENUE ACCOUNT.—Continued.

Dr.				Cr.			
		Rs.	Rs.			Rs.	Rs.
Brought forward	...			Brought forward	...		
I.—To DEPRECIATION.							
1. To depreciation at Generating Station in respect of leasehold works							
2. To depreciation at Generating Station in respect of buildings							
3. To depreciation at Generating Station in respect of hydraulic works							
4. To depreciation at Generating Station in respect of generating machinery, apparatus, etc.							
5. To depreciation on Transmitting Distributing, etc., works in respect of leasehold works							
6. To depreciation on Transmitting Distributing, etc., works in respect of buildings							
7. To depreciation on Transmitting Distributing, etc., works in respect of machinery, apparatus, etc.							
J.—To SPECIAL CHARGES.							
1. To insurances, etc.							
2. To expenses for certification of meters							
Total expenditure	...						
Amount carried to net revenue account to provide for bad debts							
Balance carried to net revenue account							

Dr.		Cr.	
	Rs.		Rs.
1. To interest on mortgage debt accrued due to date ...		1. By balance from last account	
2. To instalments of principal of money borrowed ...		2. By balance brought from Revenue Account (No. III) ...	
3. To amount transferred to sinking fund where such fund is authorised by the Licence ...		3. By interest on money at deposit	
4. To expenses of executing the Licence not included in III, and not chargeable to capital			
5. To payments to reserve fund			
To balance carried forward ...			
Rs. ...		Rs. ...	

Dr.			Cr.		
	Stock.	Rs.		Stock.	Rs.
	Rs.	Rs.		Rs.	Rs.
1. To amount paid for purchase of (nature of investment to be specified)... ..			1. By balance brought from last account		
2. To stock sold during period of account			2. By amount brought from depreciation fund account ...		
3. To amount of principal of borrowed money repaid ...			3. By amount brought from Net Revenue account ...		
To amount of balance to next account ...			4. By interest on investments (Description of investments to be specified)		
			5. By value of lands transferred from Account II ...		
			6. By amount realised by sale of stock (nature of stock to be specified)		
			7. By stock purchased		
Rs. ...			Rs. ...		

Dr.

-Cr.

[illegible]

RESERVE FUND ACCOUNT.

Dr.

Cr.

	Stock.	Rs.		Stock.	Rs.
	Rs.			Rs.	
1. To amount paid for purchase of (nature of investment to be specified)			1. By balance brought from last account		
2. To stock sold			2. By amount transferred from Net Revenue Account...		
3. To sum transferred to Revenue Account			3. By stock purchased		
			4. By amount realised, by sale of stock (nature of stock to be specified)		
To amount of balance to next account			6. By interest on amount invested (Description of investments to be specified)		
Rs. ...			Rs. ...		

GENERAL BALANCE SHEET.

Dr.

Cr.

LIABILITIES.	Rs.	ASSETS.	Rs.
1. To capital account : Amount received as per Account No. II.		1. By capital account: Amount expended for works as per Account No. II.	
2. To sundry tradesmen and others, due on construction of plant and machinery, fuel stores, etc., to		2. By Stores on hand at	Rs.
3. To sundry creditors on open accounts		Coal or other fuels... ..	
4. To net revenue account: Balance at credit thereof		Oils, waste, etc.	
5. To depreciation fund account		General... ..	
6. To sinking fund account		3. By sundry debtors for amounts paid on account of contracts in course of completion	
7. To reserve fund account		4. By sundry debtors for electrical energy supplied to	
8. To other items (to be specified)		5. By other debtors	
		6. By securities held (cost price) (Description of securities to be specified)	
		7. By other items (to be specified)	
		8. By cash with Treasurer	Rs.
		9. By cash in hand	
Rs. ...		Rs. ...	

STATEMENT OF ELECTRICAL ENERGY GENERATED, PURCHASED, SOLD, Etc.

No. IX.

Quantity Purchased (in Kelvins.)	Quantity generated (in Kelvins.) -	Total of Quantities Purchased and generated (in Kelvins.)	Quantity sold.				Quantity used on Works.	Total Quantity accounted for.	Quantity not accounted for.	Number of public Lamps.	Total Maximum Supply demanded.
			Public Lamps.	By Contract.	Private Consumers (by Meter.)	Total sold.					

AN ORDINANCE.

No. 16 of 1920.

An Ordinance to Amend the Customs Tariff Ordinance, 1909.

[May 5th, 1920.]

Date of Assent and Commencement.

BE it enacted by the Acting Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

1. This Ordinance may be cited as "The Customs Tariff Amendment Ordinance, 1920," and shall be read as one with the Customs Tariff Ordinance, 1909, hereinafter referred to as "the Principal Ordinance." Short title.

2. Table I of the Principal Ordinance shall be and is hereby deleted and the following substituted therefor:—

TABLE I.

TABLE OF IMPORT DUTIES.

On distilled liquors purified so as to be potable, and perfumed spirits (other than drugs and medicines imported for *bona fide* medical purposes) per gallon at 50 degrees of the Gay Lussac alcoholometer at a temperature of 15 degrees centigrade Rs. 15/-.
the duty to be augmented proportionately for each degree above 50 degrees and diminished proportionately for each degree below 50 degrees.

On all other goods of every description not being specially exempted in the 3rd table to the Principal Ordinance an *ad valorem* duty at the rate of ten per cent.

AN ORDINANCE.

No. 17 of 1920.

An Ordinance to make Provision for Increasing the Native Hut and Poll Tax.

[22nd May, 1920.]

Date of Assent and Commencement.

BE it enacted by the Acting Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

1. This Ordinance may be cited as the "The Native Hut and Poll Tax Amendment Ordinance, 1920," and shall be read as one with "The Native Hut and Poll Tax Ordinance, 1910," (hereinafter referred to as "the Principal Ordinance") "The Native Hut and Poll Tax Ordinance, 1912," and the Native Hut and Poll Tax Ordinance, 1915," and shall have effect as from the 1st day of April, 1920. Short title

Amendment of Section 2
of the Native Hut and
Poll Tax Amendment
Ordinance, 1915.

2. Section 2 of "The Native Hut and Poll Tax Amendment Ordinance, 1915," shall be and is hereby amended as follows:—

For the words "five rupees" where they occur in the said section there shall be substituted therefor the words "ten rupees."

Amendment of Section 5
of the Principal Ordinance.

3. Section 5 of the Principal Ordinance shall be and is hereby amended as follows:—

Proviso.

The words "adult male native" in the said section shall be deleted and the words "able-bodied male native of the apparent age of 16 years or over" shall be substituted therefor.

4. The proviso to Section 6 (1) of the Principal Ordinance shall be and is hereby repealed.

Amendment of section 8
(1) of the Principal
Ordinance.

5. Section 8 (1) of the Principal Ordinance shall be and is hereby amended as follows:—

The words "one month" in sub-section (1) of the said section shall be deleted and the words "two months" substituted therefor.

AN ORDINANCE.

No. 18 OF 1920.

An Ordinance Relating to the Treaty of Peace.

Date of Assent and
Commencement.

[10th June, 1920.]

BE it enacted by the Acting Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

Short title.

1. This Ordinance may be cited as "The Treaty of Peace Ordinance, 1920."

Treaty of Peace Order
1919, to apply with varia-
tion.

2. The Order-in-Council entitled "The Treaty of Peace Order, 1919," shall apply to the Protectorate subject to the following modifications:—

(1) The Custodian named in the Order shall mean the Custodian of Enemy Property appointed under the Trading with the Enemy Ordinances 1915 to 1916.

(2) The duly qualified tribunal for the purpose of Article 310 of the Treaty shall be the High Court of the Protectorate.

AN ORDINANCE.

No. 19 of 1920.

An Ordinance to Amend the Law relating to the Registration of Natives.

[10th August, 1920.]

Date of Assent and Commencement.

BE it enacted by the Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

1. This Ordinance may be cited as "The Native Registration Amendment Ordinance, 1920," and shall be construed and read together with the Native Registration Ordinance, 1915, hereafter referred to as "the Principal Ordinance" and the Native Registration Amendment Ordinance, 1915. Short title.

2. Section 2 of the Principal Ordinance shall be and is hereby amended as follows:— Amendment of Section 2 of the Principal Ordinance.

After the definition "Native" there shall be inserted the following proviso:— Additional definitions.

Provided that the Governor may by Proclamation in the "Official Gazette" specify any age at which all male natives resident in any specified area shall be registered.

After the hereinbefore mentioned proviso there shall be inserted the following definition:—

"Registered Native" means a native who has been registered in accordance with the provisions of this Ordinance.

After the definition "District" there shall be inserted the following definition:—

"Chief Registrar of Natives" means the officer appointed from time to time by the Governor to perform the duties of Chief Registrar of Natives who shall have his office at Nairobi.

After the definition "Registration Officer" there shall be inserted the following definition:—

"Central Registration Office" means the office of the Chief Native Commissioner at Nairobi.

3. Section 8 of the Principal Ordinance is hereby repealed and the following section substituted in lieu thereof:— Repeal of Section 8 of the Principal Ordinance, and re-enactment thereof embodying provisions of Section 10 of the Principal Ordinance. Duties of employer as to endorsements.

8. (1) Every person who employs a native for a longer period than 24 hours shall within 48 hours of his engaging such native demand from him his certificate and shall make and keep a record of the number thereof and the district in which it was issued and shall endorse in ink on such certificate his own name the date on which he employed the native and the rate of wages paid to the native whereupon the certificate shall be returned to the native. The employer shall also at the time of the discharge of such native correctly endorse in ink on the certificate the fact of the discharge of such native from his service and the date of such discharge. All such endorsements shall be in English.

(2) Every registered native shall before leaving the service of an employer first obtain his employer's endorsement of discharge on his certificate as hereinbefore provided and in the event of any such native failing to obtain such endorsement of discharge on his certificate or of such endorsement of discharge being incomplete he shall forthwith report to the nearest Registration Officer and on its coming to the knowledge of the Registration Officer by the hereinbefore mentioned or any other means that such native is in possession of a registration certificate incomplete in Duties of natives as to endorsements.

Duties of Registration Officer as to endorsements.

any such particular as hereinbefore mentioned the Registration Officer shall take steps to obtain a proper endorsement of discharge from such employer or if he is satisfied from the information at his disposal that the endorsement of discharge has been omitted through ignorance or mistake and through no fault of such native may himself endorse the discharge or complete the endorsement thereof on the certificate affixing such date as may appear to him consistent with the circumstances. Provided that no such endorsement of a Registration Officer shall be an absolute defence to a prosecution for desertion if it be proved that such offence has been committed by the native. If at the date of discharge the native is in receipt of a rate of wage different to that agreed upon when he was engaged the employer shall make and initial the alteration on the certificate.

(3) No person shall engage or employ any native whose certificate bears an endorsement of employment but does not bear an endorsement of discharge from that employment unless the permission of a Registration Officer shall be first had and obtained in writing.

Consequential repeal of Section 10 of the repealed Principal Ordinance.

4. Section 10 of the Principal Ordinance is hereby repealed.

Amendment of Section 11 of the Principal Ordinance.

5. Section 11 of the Principal Ordinance is hereby amended as follows:—

By the addition and insertion of the following sub-sections before the words "shall upon conviction."

Additional offences by native.

(7) Shall obtain or attempt to obtain a new certificate from a Registration Officer without first reporting to such Registration Officer the loss, mutilation or destruction of any such certificate which may previously have been issued to him or the fact that he has been previously registered;

(8) Shall become registered more than once and omits to give up to the Registration Officer any certificate issued to him on previous registration which remains in his possession.

Repeal of Section 12 of the Principal Ordinance and re-enactment thereof.

6. Section 12 of the Principal Ordinance is hereby repealed and the following section substituted in lieu thereof:—

Employer's duty to report employment, discharge, desertion or death.

12. (1) Every person employing a native shall notify the nearest District Commissioner or Resident Magistrate of the District:—

(a) of such employment, the name or names of the native, the Registration Certificate Number, the date of employment and the contract period;

(b) of the discharge, desertion or death of any native in his employ and the date thereof, and shall also in case of death forward to the nearest District Commissioner the certificate and metal case of the deceased.

(c) by means of a monthly nil return in the event of there having been no native engaged by him whose name has not previously been returned, or of no native having been discharged, deserted, or died whilst in his employ during the month next succeeding the date on which the last notification to be rendered under this section should have been sent in;

(2) Such notification shall be forwarded to the District Commissioner or Resident Magistrate of the District before the 15th day of the month next following such engagement, discharge, desertion or death.

(3) Failure to comply with the requirements of this section shall render the person liable to a fine not exceeding Rupees 100 or to imprisonment of either description for a period not exceeding one month, or to both.

7. Section 14 of the Principal Ordinance is hereby repealed and the following section substituted in lieu thereof:—

14. Any person who:—

(1) Shall withhold a certificate or metal case from any native entitled thereto except for such reasonable time as to enable him to examine such certificate or metal case or to enable him to make any entries which are required to be made on such certificate; or

To whom and time in which report is to be made.

Repeal of Section 14 of the Principal Ordinance, and enactment of amending Section.

(2) Shall refuse to enter a discharge on the certificate when legally demanded by the native; or

(3) Shall contravene the provisions of Section 8 (3) hereof; or

(4) Shall unlawfully or improperly deprive any native of any certificate or metal case in his possession; or

(5) Shall destroy, alter, imitate, mutilate, make a false entry or in any way improperly tamper with any certificate or metal case belonging to a native whether in his employ or not; or

(6) Shall forge any certificate; or

(7) Shall, subject to the provisions of Section 8 of this Ordinance knowingly engage or have in his employ any native who has not in his possession a certificate issued to him under the provisions of this Ordinance; or

(8) Shall make any entry whatsoever on the certificate of a native with whom he has not entered into a contract of service; or

(9) Shall wilfully fail to notify any particulars required to be notified under Section 12 hereof or shall knowingly notify any false particulars:—

Shall upon conviction be liable to a fine not exceeding Rupees 1,000 or to imprisonment of either description for a period not exceeding six months, or to both.

8. (1) Section 21 of the Principal Ordinance shall be and is hereby amended as follows:— Amendment of Section 21 of the Principal Ordinance.

By the addition and insertion after sub-section (3) thereof of the following sub-sections:—

(4) Prescribing the duties of the Chief Registrar of Natives; Additional power to make Rules.

(5) Prescribing the method of completing the registration forms of any native who has been imprisoned for an offence.

(2) The figure (4) in brackets in Section 21 of the Principal Ordinance shall be deleted and the figure (6) in brackets substituted therefor.

9. (1) Every native on being registered under the Principal Ordinance shall be given a metal case wherein he shall keep and carry on his person at all times his certificate. Numbered case.

(2) There shall be stamped on such metal case the Registration Certificate number given or assigned to the native and set out in his certificate.

(3) Any person who shall contravene the provisions of this section shall on conviction be liable to a fine not exceeding Rs. 30/- or to imprisonment for a term not exceeding 3 months or to both.

10. (1) Any native who shall dispose of, destroy, damage or put to any use not prescribed by Section 9 of this Ordinance the metal case issued to him thereunder shall on conviction be liable to a fine not exceeding Rs. 30/- or to imprisonment of either description for a period not exceeding 3 months or to both. Offences in relation thereto.

(2) Any unauthorised person who shall make or cause to be made any metal case which is a colourable imitation of a metal case issued under this Ordinance and any person being with unlawful intent in possession of any metal case not issued under this Ordinance which purports to have been issued under this Ordinance shall on conviction be liable to a fine not exceeding Rs. 150/- or to imprisonment of either description for a period not exceeding 3 months or to both.

(3) Any unauthorised person who shall intentionally alter or deface or in any way interfere with the number stamped on a metal case issued under the provisions of this Ordinance shall on conviction be liable to a fine not exceeding Rs. 150/- or to imprisonment of either description for a period not exceeding 3 months or to both.

11. (1) Any native who has lost the metal case issued to him under Section 9 of this Ordinance or whose metal case has been damaged or destroyed may obtain a new metal case from the nearest Registration Officer who shall demand the payment of Re. 1/- therefor. Replacement of metal case.
Charge may be made.

Provided that should such native prove to the satisfaction of the Registration Officer that his metal case was lost, damaged or destroyed through no fault or neglect of his own the new metal case shall be issued free of charge.

(2) If a native has undergone punishment after conviction for failing to carry or for having disposed of, destroyed or damaged such metal case the Registration Officer shall if found necessary by him issue a new metal case free of charge.

(3) If the loss, damage or destruction of a metal case was caused by an employer of the native or other person such employer or other person shall pay a fee of Re 1/- for a new metal case; such fee shall be recoverable in any Court of competent jurisdiction.

Wrongful use of metal cases.

12. Any native who shall keep and carry a metal case issued under this Ordinance other than the metal case given to him under Section 9 or Section 11 of this Ordinance shall be guilty of an offence and shall on conviction be liable to a fine not exceeding Rs. 30/- or to imprisonment of either description for a period not exceeding 3 months or to both.

Disposal of certificates and metal cases.

13. Any person who shall come into possession of a certificate issued under the Principal Ordinance other than the certificate issued to him or of a metal case issued under this Ordinance other than the metal case issued to him or shall be in possession of more than one certificate or metal case issued to him under this Ordinance shall at the earliest opportunity forward the certificate or metal case as the case may be which was not issued to him or which he has retained in addition to the one last issued to him or of which he has come into possession by any other means to the nearest Magistrate or to the nearest Registration Officer. Any person who contravenes the provisions of this section shall on conviction be liable to a fine not exceeding Rs. 150/- or to imprisonment of either description for a period not exceeding 3 months or to both.

Powers given to Magistrates, Police and Registration Officers to demand production of metal case and certificate.

14. (1) Any Magistrate, Justice of the Peace, Police Officer, employer or labour on his own farm or premises or his agent, Registration Officer, or any other person authorised thereto by the Governor may at any time demand from any native the production of the metal case issued to him under this Ordinance. Refusal to produce a metal case and certificate when demanded in accordance with the provisions of this section shall be an offence punishable with a fine not exceeding Rs. 30/- or imprisonment of either description for a period of one month or to both.

(2) Section 19 of the Principal Ordinance is hereby repealed.

Person employing native to keep labour register or record.

15. Every person employing a native shall keep a written record of all natives employed by him showing in each case, the registration number of the native, the name and date of engagement, discharge, desertion or death. Such record shall be open to inspection and examination by any Magistrate, Registration Officer or Police Officer of or above the rank of Inspector, or any other officer duly appointed by the Governor in that behalf, and any such officer may require the production of the record of any employer for the preceding 12 months. Failure or refusal to produce records without reasonable excuse when required shall be an offence.

Admissibility of finger print records as evidence.

16. Notwithstanding anything in the Law of Evidence or any other law or Ordinance to the contrary any Finger Print or Thumb Print or other document to be used for the purpose of identification, obtained under the provision of the Principal Ordinance or amendments thereof or any Rules made thereunder shall at the trial of any person accused of any crime or offence be admissible as *prima facie* proof of identity against such accused person, if the said finger print or thumb print or other document is certified under the hand of an officer appointed by the Governor who shall have compared the finger print or thumb print or other document in question with that filed in the Central Finger Bureau, and the certificate of such officer shall be conclusive proof that the finger print or thumb print or other document is identical with the finger print or thumb print record or other document with which it is certified to have been compared.

AN ORDINANCE.

No. 20 OF 1920.

An Ordinance to Provide for the Cleansing of Cattle.

[10th August, 1920.]

Date of Assent and
Commencement.

BE it enacted by the Governor of the Colony of Kenya and the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

1. This Ordinance may be cited as "The Cattle Cleansing Ordinance, 1920." Short title.

2. In this Ordinance, if not inconsistent with the context, the following terms shall have the meanings set opposite to them respectively:— Definitions.

(1) "Cattle" shall mean bulls, cows, heifers, calves and oxen;

(2) "Engorged tick" shall mean any tick obviously distended with blood;

(3) "Tick-infestation" shall mean having ten or more engorged ticks not being bont (*amblyomma hebraeum* or *variegatum*) or bont-legged (*hyalomma aegyptium*) ticks;

(4) "To keep clean" shall mean the maintaining of cattle free from tick-infestation by submerging such cattle at the prescribed intervals in a dipping tank containing an effective tick-destroying agent;

(5) "Dipping tank" shall mean any effective contrivance approved of by the Chief Veterinary Officer for the cleaning of cattle by submerging, and structures incidental thereto;

(6) "Effective tick-destroying agent" shall mean an aqueous solution containing such percentage of arsenious oxide or the equivalent thereof, or such other ingredients in such proportion as the Governor may from time to time prescribe by notice in the Gazette;

(7) "Owner" as applied to land, shall include any person in actual occupation of or entitled as owner, lessee or licensee to occupy any land, or the representative of any such person;

(8) "Owner" as applied to cattle, shall include every person claiming jointly or severally any right, title or interest in any cattle in his possession, or having charge, control or management of cattle, as well as the owner of land in respect of cattle belonging to his servants and running on such land.

(9) Government Analyst shall include any Government Analytical officer.

3. The Governor may from time to time apply this Ordinance to any area in the Protectorate. From and after a date to be fixed by the Governor by a notice in the Gazette, all owners of cattle in any area to which the Ordinance has been applied other than those exempted in terms of Section 9 hereof, shall be required to keep clean their cattle. Date of operation.

Provided that this Ordinance shall not be put into operation in any area until the Governor shall, under such conditions as he may prescribe by Regulation, have made provision for a sum of money out of which advances may be made to owners for the purpose of the construction of dipping tanks.

Provided also that the interest chargeable on such advances shall not be less than the current bank rate.

Provided also that this Ordinance shall not be applied to any township area until such time as suitable provision has been made within such area for dipping cattle, and the Governor may require a local authority to make such provision upon terms and conditions to be approved of by the Governor.

Appointment of
Inspectors.

4. The Governor may appoint a sufficient number of officers to be styled inspectors for the purpose of this Ordinance.

Powers of Inspectors.
Taking of dip samples.
Penalty for hindering
in execution of duties.

5. Every inspector shall have full power and authority to inspect any cattle at any reasonable time and to take a sample or samples from the contents of any dipping tank. If the Inspector for any reason suspects that the dipping fluid is below the strength prescribed by regulations he shall take a uniform sample of the dipping fluid and divide it into three parts as nearly equal as possible, seal and label the bottles containing the parts, deliver one part to the owner, forward one part to the Government Analyst for the purpose of analysis, and retain one part in his own custody. Any person who shall refuse to allow any inspector to enter upon any land or premises or to examine cattle, or who shall impede or hinder or attempt to impede or hinder any such inspector in the execution of his duties, shall be liable to a fine not exceeding **Rs. 1,000/-** or in default of payment to imprisonment of either description for a period not exceeding three months.

Forwarding of dip
samples for analysis.
Penalty for failing to
forward dip samples.

6. Every owner shall forward to the Government Analyst at regular intervals of three months a uniform sample of the contents of his dipping tank for the purpose of analysis for which no charge shall be made. Any owner failing to do so shall be liable to a fine not exceeding Rs. 100/- or in default of payment to imprisonment of either description for a period not exceeding one month. Every owner shall be entitled to obtain from the Government Analyst an analysis of such other samples as he may from time to time submit upon payment of the fees prescribed.

Certificate of Government
Analyst.

7. The certificate of a Government Analyst shall be received as evidence for all purposes as to whether or not the contents of a dipping tank form an effective tick-destroying agent within the meaning of Section 2 (6) of this Ordinance.

Penalty for failing to
keep cattle clean in
areas not exempted.

8. An owner who shall fail to keep clean his cattle, in areas not exempted in terms of Section 11 hereof, shall be liable to a fine not exceeding Rs. 1,000/-.

Penalty for failing to
submerge cattle.
Provision respecting
T. branded cattle.

9. The owner of cattle, notwithstanding that such cattle are free from tick-infestation, shall be liable to the penalties prescribed in the last preceding section if it is shewn that he has failed to clean them at prescribed intervals; provided always that should it appear that it was impossible or inexpedient to clean such cattle within the prescribed period, the onus of proof of which shall be on the owner, the said interval may be exceeded, but in no case beyond that prescribed by regulation.

Provided also that cattle branded with the Brand T. or such other brand as may from time to time be used by the Government to denote immunity from East Coast Fever shall be deemed to be clean if they are free from tick-infestation.

Chief Veterinary Officer
may temporarily exempt
owners.

10. The Chief Veterinary Officer or any person duly authorised by him thereto in writing may, for considerations of weather, drought or condition of the cattle, or for other good and sufficient cause, temporarily exempt owners in areas from the provisions of Section 9 hereof, and may during such period prescribe the interval of cleaning, if any. A

list of all exemptions granted under this section shall be posted, whilst in operation, at the District Commissioner's or other Magistrate's office and all Police stations in the district and at the Cattle Inspector's office, if any, situated in the area in which the cattle affected are located. No movement of cattle shall be permitted from any area in which exemption from dipping under this section is in force unless the cattle have been cleaned for such periods and at such intervals as may from time to time be prescribed.

Provided that such movement of cattle shall not be permitted save under the Rules for the time being in force under this Ordinance or the Diseases of Animals Ordinance, 1906.

11. The Governor may, by notice in the Gazette temporarily exempt owners living in native reserves or other areas chiefly inhabited by natives from the obligations of Sections 8 and 9 hereof until such time as the Governor may be satisfied that arrangements have been made to clean the cattle in such areas.

Governor-in-Council may temporarily exempt persons living in native areas.

12. No movements of cattle from areas exempted in terms of Section 11 hereof shall be permitted except at places of exit fixed by the Governor by notice in the Gazette, after such period of detention and cleaning at such places as may be from time to time prescribed.

No movements of cattle from areas exempted except at places of exit.

13. The owners of land on which native owners of cattle reside shall provide facilities, including the erection and maintenance of dipping tanks and the provision of effective tick-destroying agents, for the cleaning of such cattle on terms and conditions to be approved of by the Governor. The Governor may, except in such areas as are exempted under Section 11 require any owner to construct a dipping tank at his own expense upon his land, and may require owners living in native reserves to construct dipping tanks thereon at their own expense. Any owner of land failing to make provision as aforesaid shall be liable to a fine not exceeding Rs. 500/- or in default of payment to imprisonment of either description, for a period not exceeding three months, but the payment of such fine or the undergoing of such imprisonment shall not relieve the said owner of his obligation to provide the said facilities.

Owners of land on which native owners of cattle reside may be required to provide cleaning facilities.

Penalties.

14. Should any person own land with cattle thereon, the property of such person and be absent from or not have a representative or agent in the Protectorate having authority to carry out the terms of this Ordinance, the Governor may authorise the due performance of the terms of this Ordinance in such manner as he may deem expedient, and any disbursements thereby incurred shall be a civil debt recoverable summarily.

Government may act on behalf of absentee owners.

15. The Governor may in his discretion provide dipping tanks for the common use of owners, and fix or approve a scale of fees for the dipping of animals in such tanks. Nothing in this Ordinance shall prevent the erection of a dipping tank for the common use of two or more owners.

Provision of dipping tanks in certain areas.

16. The Governor may frame regulations providing generally for the better carrying out of the objects and purposes of this Ordinance. Any person contravening the provisions of any regulation as aforesaid shall be liable to a fine not exceeding Rs. 500/- or in default of payment to imprisonment of either description for a period not exceeding three months.

Governor may make regulations. Penalties for contravention.

AN ORDINANCE.

No. 21 OF 1920.

An Ordinance to Provide Roads of Public Travel and Access to Public Roads.

Date of Assent and Commencement.

[10th August, 1920.]

BE it enacted by the Governor of the Colony of Kenya and the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

Short title.

1. This Ordinance may be cited as "The Public Travel and Access Roads Ordinance, 1920."

Definition.

2. (1) In this Ordinance unless the context otherwise requires, the expression "Public Road" means and includes:—

(a) Any road which the public had a right to use immediately preceding the commencement of this Ordinance;

(b) All proclaimed or reserved roads and thoroughfares being or existing on any land sold or leased or otherwise held under the Crown Lands Ordinances of 1902 and 1915, or the East Africa Land Regulations, 1897, at any time prior to the commencement of this Ordinance;

(c) All roads and thoroughfares hereafter reserved for public use in any Crown title of whatever description;

(d) All roads declared to be public roads under the provisions of this Ordinance;

(e) All bridges, ferries, fords, drifts, culverts, drains and other accessories on any public road as herein defined, or used or enjoyed therewith.

(2) The expression "owner or occupier" shall, in respect of Crown lands as defined in Section 5 of the Crown Lands Ordinance, 1915, include the Commissioner of Lands of the East Africa Protectorate.

Power of the Governor to appoint District Road Boards.

3. (1) The Governor may by Proclamation in the "Official Gazette" divide the Protectorate into districts for the purposes of this Ordinance.

(2) The Governor may appoint District Road Boards consisting of not less than five members in any district for the purpose of carrying out the provisions of this Ordinance, and where in the opinion of the Governor such a course is practicable such members shall be elected according to such rules as the Governor under Section 18 of this Ordinance shall from time to time prescribe.

Chairman.

(3) The Board shall elect one of such members to be chairman, and the names of all members appointed to District Boards shall be forthwith notified in the "Official Gazette," and any number of the Gazette containing a notification shall be sufficient evidence thereof for all purposes.

Appointment of acting members.

(4) The Board may at any time appoint for a period not exceeding six months any person to act in place of any member of a District Board who is absent from the Protectorate or incapacitated by illness or other temporary cause from discharging his duties as such member. Such acting member shall discharge the duties of the member who is so absent or incapacitated until the return to the Protectorate or removal of the incapacity of such member or the expiry of the period of appointment of such acting member whichever first happens.

(5) Except as provided in the last preceding sub-section if any member shall without the consent of the Chairman fail to attend three consecutive meetings of any District Board he shall thereupon cease to be a member of such Board.

(6) Each member of a District Board shall unless removed as provided in this Ordinance be entitled to hold office for the term for which he has been or is appointed but such term shall not exceed two years. Any member of a District Board may from time to time be re-appointed for a further term not exceeding two years.

Terms of office and eligibility for re-appointment.

4. (1) District Boards shall meet at such times and places from time to time as necessity may require, or at such times and places as the Governor may direct.

Meeting.

(2) Save as otherwise expressly provided in this Ordinance the powers, duties and authorities of District Boards may at any time be exercised by a quorum thereof consisting of not less than three members thereof, and during a vacancy in a District Board not exceeding three months the continuing members may (subject to there being a quorum) act as if there were no vacancy.

Exercise of powers and duties of District Boards.

Provided that if any member of the Board is personally interested in any matter before the Board he shall not take any part in any proceedings relating to such matter, and the other members may co-opt such temporary member or members as may be necessary to form a quorum.

5. (1) At any meeting of a District Board the chairman if present shall preside, and in his absence the Board shall elect a chairman.

Chairman of meetings of Board.

(2) The chairman presiding at any meeting shall in the event of an equal division of votes at the meeting have a second or casting vote.

6. District Boards shall cause correct minutes of all meetings to be kept and a copy thereof and of all decisions of the District Boards shall be submitted forthwith to the Director of Public Works for transmission to the Chief Secretary.

Minutes.

7. For the purposes of carrying out the powers, duties, authorities and obligations conferred or imposed upon District Boards by this or any other Ordinance, District Boards with the approval of the Governor may make use of the services of any officers and employees of the public service.

Employment and appointment of officers and employees.

8. (1) Whenever it is made to appear to the Governor that requirements exist for the establishment, alteration or cancellation of a line of public travel or the conversion of a road of access into a line of public travel the Governor may by order published in the "Official Gazette" dedicate a line of public travel, to be clearly described in such order and from the date of such publication such line of public travel shall be absolutely dedicated to the public as a public road within the meaning of any law now or hereafter in force, and such public road shall be demarcated in such manner and to such width as the Governor shall direct, or may order a District Board to investigate and report upon the necessity for such line of public travel and the best alignment in the general direction required.

Line of public travel.

(2) The District Board shall, after making such investigation and report, publish a notice in two successive issues of the "Official Gazette" and once a week during the same two weeks in some newspaper circulating within the district or districts in which such line of public travel is situated, which notice shall describe the proposed line of public travel and the situation thereof and shall require any person objecting to lodge with the District Board within one month after the date of the first publication of such notice his objections thereto in writing, and such notice shall also fix a time and place, to be mentioned in such notice, for hearing and deciding objections, verbal or in writing, to the proposed line of public travel.

Publication of notice and contents, &c.

Copy of notice to be sent to owner or occupier.

(3) A copy of the said notice shall also be forwarded by such District Board by personal service or by registered post by such District Board to the last known address of the owner or occupier of any lands over which the said line of public travel is proposed to pass. Provided always that the fact that no such copy is received by any such owner or occupier shall not invalidate the subsequent proceedings of the District Board.

Final recommendations to be sent to Director of Public Works.

9. The District Board shall, as soon as possible after the expiration of the one month mentioned in the last preceding section after full inquiry into the merits of all objections thereto, with as little delay as possible, forward their final recommendations thereon to the Director of Public Works for transmission to the Governor.

Order of dedication.

10. The Governor may confirm modify or alter such recommendations and shall cause a description of a line of public travel to be published in the "Official Gazette" and from the date of such publication such line of public travel shall be absolutely dedicated to the public as a public road within the meaning of any law now or hereafter in force, and such public road shall be demarcated in such manner as the Governor shall direct.

Power to make application to construct road of access.

11. Where any owner or occupier of lands is in respect of his land so situated in relation to any public road or railway station or halt that he has not convenient access to the same he may make application to the District Board of the district in which such lands are situate for leave to construct a road (hereinafter called a "road of access") over any lands lying between his land and such public road or railway station or halt and every such application shall be in the form and contain the particulars required by the schedule to this Ordinance. Provided always that if the applicant is unable to make the sketch or plan mentioned in the schedule without entering upon the lands over which he proposes that the road of access is to pass he may apply to the District Board for leave to enter upon the said lands for the purpose of making the said sketch or plan and the District Board may then make an order entitling the applicant to enter on the said lands.

Notice to be served on holders of lands to be affected.

12. On the receipt of such application for leave to construct a road of access the District Board shall serve a notice in the manner prescribed in Sub-section 3 of Section 9 hereof upon the holder or holders of land or lands over which the proposed road of access is to pass calling upon him or them to show cause within one month why the proposed road of access should not be constructed.

Power of District Board to grant leave to construct road of access.

13. (1) The District Board shall then fix a day for the hearing of the application to construct a road of access and after hearing the applicant or his representative and any other party interested may make an order granting the applicant his servants and agents leave to enter upon the said land and construct such road of access and of such width as the District Board may decide upon subject to such conditions and to payment of such compensation in respect of any growing crops or permanent improvements damaged or destroyed by the construction of such road of access as to the Board shall seem fit.

(2) The District Board shall have power to determine by whom the costs of any application under this Ordinance shall be borne, and to fix the amount thereof.

Right of way over road of access.

14. (1) When the said road of access has been constructed the applicant, which term shall for the purposes of this section include his successors in title, and all others shall have leave at all times to use the said road of access.

(2) The District Board may at its discretion require such road to be fenced should it pass through an already existing fenced enclosure and the Board shall apportion the cost of such fencing between the parties interested as it shall deem fit.

(3) The applicant shall at all times maintain the said road of access in a good and efficient state of repair to the satisfaction of the District Board and for the purpose of such maintenance the applicant his servants or his agents shall have leave to enter at all times upon the land or lands over which the said road of access passes. Provided always that as little damage or inconvenience as may be possible shall be caused by such entry to the holder or holders of the land over which the road of access passes and that such right of entry shall be subject to such conditions as the District Board may impose in granting the order for constructing the road of access. And further provided always that if any holder of land over which the road of access passes shall use such road then, and in such case, he shall pay a proportionate share towards the maintenance of that portion of the road so used by him. The proportion to be paid shall be fixed by the District Board who shall have regard both to the extent of road used and the nature and amount of the traffic likely to be placed thereon.

(4) If the said road of access shall pass through any wall, fence or barrier existing at the date of application the applicant shall provide and maintain suitable gates for the closing of the aperture occasioned by the said road of access.

15. Where the owner, lessee or holder of any land sold, leased or otherwise held under the East Africa Land Regulations, 1897, the Crown Lands Ordinances of 1902 or 1915, sells or otherwise disposes of any part thereof he shall (unless such part has a road of access to an existing public road) provide a road of access to such part from some existing public road or road of access but he shall not be required to construct or maintain the road of access so provided, and the owner or other holder of such part shall be entitled to exercise all the rights, powers and privileges given to an applicant for a road of access under the provisions of this Ordinance as though such rights, powers and privileges had been ordered by a District Board, and such owner or other holder shall be subjected to the obligations imposed by the provisions of this Ordinance.

Road of access to be provided where part of land is sold or otherwise disposed of.

16. When it shall appear to the District Board that the prohibition of any particular class of traffic on a road of access is desirable in the public interest, the Board may, by a notice published according to Rules made under this Ordinance, restrict the use of the road to a particular class or classes of traffic only: Provided that nothing in this section shall prejudice the rights of an applicant for the road of access for all purposes.

17. The decision of a District Board upon the alignment of a road of access passing over alienated Crown lands shall be final, but an appeal shall be to a Court of competent jurisdiction from any decision made by it under this Ordinance in respect of compensation or costs of upkeep of roads.

18. The Governor shall have power from time to time to make, alter or revoke Rules under this Ordinance governing the powers, duties, obligations and conduct of business of District Boards, and generally for properly carrying out the provisions of this Ordinance.

Power to make Rules.

19. Any person contravening any of the provisions of this Ordinance shall be guilty of an offence and shall on conviction be liable to a fine not exceeding Rs. 300/- or to imprisonment of either kind for a period not exceeding three months.

Penalty.

20. Sections 80 to 86 both inclusive of the Crown Lands Ordinance, 1915, are hereby repealed.

Repeal.

21. Such repeal shall not affect anything lawfully done or commenced or agreed or authorised to be done under or in pursuance of the said sections repealed hereby.

Saving.

SCHEDULE.

APPLICATION FOR LEAVE TO CONSTRUCT A ROAD OF ACCESS.

1. Name of applicant. Place of abode. Nationality. 2. Name, situation of land in respect of which such road of access is required; stating Province, District, and all particulars which may assist in locating same. 3. Name of public road, railway station or halt to which such road of access is required. 4. Name or names, of land or lands over which it is proposed to construct such road of access together with the name or names of the respective owner or owners thereof. 5. The means of access (if any) to any public road, railway station or halt at present available for the use of the applicant, and whether use of same is subject to any payment or other terms or conditions. 6. Whether any crops or buildings will be damaged or destroyed by the construction of such road of access. If so, to what extent? 7. Maximum width between drains of proposed road of access. 8. Any other facts of which you are aware which may affect the grant.	

.....
Applicant.

*NOTE :—*This application must be accompanied by a sketch or plan shewing approximately the course and direction of the proposed road of access and the present means of access (if any) to any public road, railway station or halt.

AN ORDINANCE.

No. 22 OF 1920.

An Ordinance to apply a Sum of
Money for the Service of the Year
ending the 31st day of March, 1921.

[14th August, 1920.]

Date of Assent and
Commencement.

BE it enacted by the Governor of the Colony of Kenya and the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

1. This Ordinance may be cited as the “Appropriation Short title. Ordinance,” 1920.

2. The Public Revenue for the year 1920-21, and other funds of the East Africa Protectorate, are hereby charged towards the service of the year ending the thirty-first day of March, one thousand nine hundred and twenty one, with a sum of three millions one hundred and ninety two thousand three hundred and twenty seven pounds.

3. The money granted by this Ordinance shall be applied to the purposes and services expressed in the Schedule annexed hereto.

4. The Treasurer of the Protectorate is hereby authorised and required, from time to time, upon the warrant or order of the Governor to pay out of the Revenue and other funds of the Protectorate, for the several services specified in the Schedule, the said sum of three millions one hundred and ninety two thousand three hundred and twenty seven pounds which will come in course of payment during the year ending on the thirty-first day of March, one thousand nine hundred and twenty-one.

SCHEDULE.

DIVISION.	AMOUNT.
1. Rent and Interest to H. H. the Sultan of Zanzibar	£ 17,000
2. Pensions and Gratuities	21,240
3. His Excellency the Governor	13,949
4. Secretariat	12,339
5. “Official Gazette” and Printing	14,550
5a. do. Special Expenditure	1,350
6. Provincial Administration	300,858
6a. do. Special Expenditure	2,251
7. Treasury	20,652
8. Customs	33,642
8a. do. Special Expenditure	1,050
Carried forward £ ...	438,881

SCHEDULE.—Contd.

DIVISION.				AMOUNT.
				£
Brought forward £ ...				438,881
9.	Port and Marine Departments	...	...	16,374
9a.	do. Special Expenditure	...	...	630
10.	Audit Department...	...	...	8,436
11.	Legal Departments	...	...	34,037
12.	Police ...	...	...	132,558
13.	Prisons	...	...	39,626
14.	Medical Departments	...	...	158,374
14a.	do. Special Expenditure	...	...	17,354
15.	Chemical Laboratories	...	...	8,964
16.	Education	...	...	50,828
16a.	do. Special Expenditure	...	...	13,500
18.	Military Expenditure	...	...	210,011
19.	Miscellaneous Services	...	...	16,905
20.	Post Office and Telegraphs	...	...	142,412
20a.	do. Special Expenditure	...	...	8,592
21.	Railway Department	...	...	1,091,412
21a.	do. Special Expenditure	...	...	13,800
21b.	Busoga Railway	...	...	73,446
21c.	Port Bell-Kampala Railway	...	...	11,876
22.	Agricultural Department	...	...	123,038
22a.	do. Special Expenditure	...	...	8,100
23.	Forest Department	...	...	28,780
24.	Game Department	...	...	6,038
26.	Trigonometrical and Topographical Survey Department	...	...	5,903
27.	Land Department	...	...	80,836
28.	Public Works Department	...	...	80,285
29.	Public Works Recurrent	...	...	137,831
30.	Public Works Extraordinary	...	...	36,000
30a.	Stand Premia	...	...	7,500
32.	Interest	...	...	10,000
33.	Mineral Survey Department	...	...	...
36.	Additional Emoluments	...	...	180,000
Total £				3,192,327

AN ORDINANCE.

No. 23 OF 1920.

Assented to in His Majesty's name this 7th day of December, 1920.

EDWARD NORTHEY,
Governor.

An Ordinance to Impose a Tax on Income.

BE it enacted by the Governor of the Colony and Protectorate of Kenya, with the advice and consent of the Legislative Council thereof:—

PART I.**PRELIMINARY.**

1. This Ordinance may be cited as "The Income Tax Ordinance, 1920," and shall be deemed to have come into operation on the 1st day of January, 1920. Short title.
2. This Ordinance is divided into parts, as follows:— Division of Ordinance.
 - Part I. Preliminary.
 - Part II. Administration of Ordinance.
 - Part III. Income Tax.
 - Part IV. Assessment of Income Tax.
 - Part V. Provisions as to Companies.
 - Part VI. Objections, Review and Appeals.
 - Part VII. Collection and Recovery of Tax.
 - Part VIII. Miscellaneous.
3. In this Ordinance, unless the context otherwise requires: Interpretation.

"Balancing day" means the day on which the financial year or half year of any person liable to taxation under this Ordinance ends;

"Business" includes all professions, vocations, trades, manufactures, callings, businesses, employments and occupations;

"Colony" includes the Kenya Protectorate;

"Company" includes:—

Every company registered in the Colony under the Indian Companies Act, 1882, as applied to the Colony, or any Ordinance substituted therefor or amending the same, or formed in pursuance of an Act of Parliament or under any Charter or Letters Patent, or of an Act of the legislature of a British possession, and includes any foreign association carrying on business in the Colony whether incorporated or not, and whether its principal place of business is situate in the Colony or not, which the Governor-in-Council may, by general or special order, declare to be a company for the purposes of this Ordinance, and every mutual or co-operative company or association which carries on business in the Colony;

"Goods" includes all wares, merchandise or movable property of any kind;

“Income” includes all profits, gain, rents, interest, commissions, dividends, salaries, wages, allowances, emoluments, fees, pensions, stipends, charges, and annuities, received, by or accrued to any person anywhere from any source within the Colony or brought into the Colony by a person resident therein;

“Income from business” means all income arising or accruing from any trade, manufacture, profession, employment, occupation, or business of any kind, and all income consisting of salaries, wages, allowances, fees commissions, emoluments, pensions, or stipends;

“Income from property” means any income not being income from business;

“Income tax” means the tax or duty imposed or charged in respect of income pursuant to the provisions of this Ordinance;

“Local Authority” means a Municipal Council constituted under the Municipal Corporation Ordinance, 1909, or any Committee or other authority appointed under the East Africa Townships Ordinance, 1903, for the purposes of the said Ordinance;

“Magistrate” means a Magistrate of the first or second class;

“Magistrate’s Court” means a Subordinate Court of the first or second class;

“Mercantile business” means any business in which sales are effected of goods, wares, merchandise, or personal property of any kind;

“Native” means a native of Africa not being of European or Asiatic race or origin;

“Notice” means any notice written or printed, or partly written and partly printed;

“Person” includes a company;

“Pension” includes every sum payable to or receivable by any person as a retiring or superannuation allowance, and every sum received by any person in the Colony as a retiring or superannuation allowance from any source whatever;

“Resident in the Colony” does not include a person who is in the Colony for a temporary purpose and whose periods of residence do not amount to more than six months in the aggregate in any one year of assessment;

“Return” includes all returns, declarations, statements, and particular information which shall be prescribed to be furnished;

“Salary” or “wages” means any pecuniary remuneration received by any person for services performed by him, and includes all allowances, fees and emoluments received in respect of the same services;

“Taxpayer” means every person liable to pay income tax, and, for the purposes of any provision relating to any return, includes every person required by any regulation to furnish such return;

“This Ordinance” includes all regulations to be made under it;

“Taxpayer in a representative capacity” means every taxpayer in respect of income to which such taxpayer is not beneficially entitled;

“Trustee” in addition to every person appointed or constituted such by act of parties, order, or declaration of a court, or by operation of law, includes an executor or administrator, and every person having the direction, control, or management of property of any person under legal disability;

PART II.

ADMINISTRATION OF ORDINANCE.

4. For the due administration of this Ordinance there shall be appointed a fit person to be Commissioner of Income Tax (hereinafter referred to as the Commissioner) and such Surveyors of Taxes and clerical staff as may be necessary.

5. (1) The appointment of every person appointed or employed under this Ordinance shall be forthwith published in the "Official Gazette" and the production of a copy of the "Official Gazette" shall be *prima facie* evidence of the appointment. Appointments to be gazetted.

(2) Every person appointed or employed under this Ordinance shall preserve and aid in preserving secrecy with regard to all matters that may come to his knowledge in his official capacity, and shall not communicate any such matter to any other persons except in the performance of his duties under this Ordinance. Secrecy to be maintained.

(3) Every person appointed or employed under this Ordinance, shall before acting in the execution of his office, make and subscribe before a Resident Magistrate such declaration of fidelity and secrecy as may be prescribed.

(4) Every person who wilfully acts in contravention of the true intent of such declaration shall be liable on conviction to a penalty not exceeding £50 or to imprisonment of either description for any term not exceeding 6 months.

PART III.

INCOME TAX.

6. (1) Subject to the provisions of this Ordinance and the regulations thereunder, there shall be charged, levied, collected and paid to the Commissioner for the year ending the thirty-first day of December, One thousand nine hundred and twenty and for every subsequent year for the use of His Majesty in aid of the General Revenues of the Colony, an income tax at the rate set forth in the schedule to this Ordinance in respect of all incomes with the following exceptions:— Incomes liable to taxation.

I. The official income of the Officer administering the Government for the time being.

II. The revenues of municipal corporations and local bodies receiving revenue of any kind for the purposes of or in relation to local self Government.

III. Any income derived as War Pensions from the funds of His Majesty's Government or of any of His Majesty's Possessions or Protectorates.

IV. The income of any Society, Public Body or Charitable, Educational, or Religious Institution in so far as such income is not derived from business carried on for pecuniary profit.

Provided that these exemptions shall not extend to the salaries, wages, allowances, or pensions of persons employed by any such Society, Public Body, or Charitable, Educational or Religious Institution, although the same are paid wholly or in part out of the income, revenues, or funds thereof.

(2) Income shall be deemed to have accrued to a person within the meaning of this section although the same is not actually paid over to such person, but is credited in account or reinvested, or accumulated or capitalised or carried to any reserve, sinking, or insurance fund however designated, or otherwise dealt with in his name or interest or on his behalf, except as otherwise provided by this Ordinance.

7. The income received by any taxpayer in a representative capacity shall for the purposes of taxation be deemed separate and distinct from income arising or accruing to him beneficially, and where a taxpayer is trustee of two or more estates under different instruments or appointments, the income of each estate shall for purposes of taxation, be deemed separate and distinct from that of the others. Income of taxpayer in a representative capacity.

8. The income of a married woman shall be liable to taxation in like manner as if she were unmarried. Married women.

9. Subject to the provisions of this Ordinance, every person other than a native shall be chargeable with and liable to pay income tax. Persons liable to pay income tax.

Provided that no person, other than a company, shall be subject to taxation under this Ordinance unless having an income amounting in the aggregate to over £150.

Provided further that a taxpayer not ordinarily resident in the Colony shall not be entitled to any abatement in respect of income derived from the Colony, except where such income is a pension in respect of services rendered in the Colony.

TAXPAYER.

Persons by whom income tax is payable.

10. Subject to the provisions of this Ordinance, income tax shall be payable:—

I. In respect of the income of a company by the public officer thereof;

II. In respect of the income of every person not ordinarily resident in the Colony by the attorney or agent of such person; and for the purposes of this Ordinance every person in the Colony receiving or having the receipt, management, disposal or control of income on behalf of any such person, or remitting or paying income to any such person, shall be deemed to be the agent of such person.

The Commissioner may, if he thinks necessary, declare any person to be the agent of any other person, and the person so declared an agent shall be the agent for the purposes of this Ordinance.

III. In respect of the income of beneficiaries, infants, lunatics, and persons under any legal disability, by the trustee, guardian, or other person entitled for the time being to the receipt, management, disposal, or control of such income, or remitting or paying the same;

IV. In respect of income paid under the decree or order of any court or judge to any receiver or other person, by such receiver or person, and independently of the title to such income, or any contingency or uncertainty in respect of such title;

V. In respect of every other income, and in all other cases, by the person to whom the income arises or accrues, or who is legally or equitably entitled to the receipt thereof, or who is declared by this Ordinance to be liable for the payment thereof.

And the persons by whom income tax is payable under subsections I, II, III and IV of this section shall be deemed to be "taxpayers in a representative capacity" within the meaning of this Ordinance.

Nothing in this section shall be taken to relieve the person receiving the income from a taxpayer in a representative capacity from any tax due or payable in respect thereof.

Employer may be declared agent for employee.

11. (1) In any case where any taxpayer employed by any person, local authority, corporation, board, commission, or body has in any year failed to pay the income tax payable by such taxpayer within sixty days after the same has been demanded pursuant to the provisions of this Ordinance, the Commissioner may declare such person, local authority, corporation, board, commission, or body to be the agent of such taxpayer so far as respects the income by way of earnings, salary, wages, allowances, pension, or stipend paid or allowed by him or it to such taxpayer, and may give notice to such agent setting forth the fact that such taxpayer has failed to pay the tax payable by him, and requiring such agent to pay the same on behalf of such taxpayer.

(2) Thereupon every such agent shall deduct and retain from time to time out of such earnings, salary, wages, allowances, pension, or stipend respectively so much as is sufficient to pay such income tax, and shall pay the same in pursuance of this Ordinance; and for any default in so doing such agent shall be liable, in addition to the tax, to a penalty not exceeding £5.

Income tax in respect of income of deceased person.

12. The legal personal representative or other person in the Colony administering or getting in the estate of any person who has died since the thirty-first day of December, One thousand nine hundred and nineteen, or shall thereafter die, shall be a taxpayer in a representative capacity in respect of the income of the deceased person from the thirty-first day of December last preceding his decease up to his decease and in the year immediately prior to such thirty-first day of December and in respect of such income shall furnish returns which the deceased person should (if living) have furnished and be bound by any assessments made against or in the name of the deceased person as taxpayer, either in the lifetime of the deceased person or after his death, and before the Commissioner shall have had notice in writing of such death, and may appeal against the same in the manner and time and upon the ground in and upon which the deceased (if living) might have appealed against the same.

Liability of representative taxpayer.

13. Every taxpayer in a representative capacity, as regards the income to which he is entitled in such capacity, or of which, in such capacity, he has the management, receipt, disposal.

remittance, payment, or control, shall be chargeable with income tax, and be subject in all respects to the same liabilities, as would the person beneficially entitled to such income, except that no such taxpayer (not being the public officer of a company) shall be personally liable for the payment of income tax beyond the amount or value of the income of which he has, in such capacity as aforesaid, the management, receipt, disposal, remittance, payment, or control.

14. Every taxpayer in a representative capacity who, as such, pays any income tax or costs shall be entitled to recover from the persons entitled to the income taxed, in the proportions in which they are so entitled, or to retain out of any moneys that come to him in such capacity, so much as shall be required to indemnify him in respect of such payments.

Indemnity to
representative taxpayer.

Provided that where any sum by way of fine or costs under this Ordinance has been imposed or incurred through the neglect or default of such taxpayer in a representative capacity, the amount retained or paid in respect thereof may be recovered from such taxpayer by the persons so entitled as aforesaid as money received to the use of such persons.

15. No trustee who has authorised the receipt of the profits arising from trust property by the person entitled thereto or his agent, where such person or agent has actually received the same under such authority, and is resident in the Colony and no receiver of any person being of full age, and resident in the Colony (other than a lunatic, idiot, or person of unsound mind) who makes the returns prescribed by this Ordinance and the regulations specifying the name and residence of such person, shall be required to do any other act for the purpose of assessing the income of such person, unless the Commissioner requires the testimony of such trustee or receiver in pursuance of this Ordinance or the regulations.

Trustees and receiver
in certain cases need only
give the name and
residence of persons
entitled to trust
property.

16. The public officer of every company having its head office or chief place of business in the Colony, when and so often as any dividend has been declared or become due to any shareholders in such company, shall, within seven days from the time when such dividend has been declared or become due, forward to the Commissioner a statutory declaration in such form as may be prescribed, under his hand, stating the amount of such dividend and the names and addresses of the persons to whom it is payable, and showing the date when the same was so declared or became due and shall at the same time pay to the Commissioner income tax upon such amount thereof as is payable to persons not ordinarily resident in the Colony.

Companies to make
returns of dividends.

The public officer of every other company shall, in such form and at such times as may be prescribed, furnish the Commissioner with such statements of the income of the company as he may require, and shall pay to the Commissioner the tax due and payable by the company.

17. Where a shareholder of a company is not ordinarily resident in the Colony the public officer of such company shall, for the purpose of this Ordinance be deemed to be the agent for such shareholder and shall be liable to pay income tax in respect of any income received by or accruing to such shareholder as if he were a taxpayer in a representative capacity in respect of any such sum.

Dividends payable to
shareholders not
ordinarily resident in
the Colony.

18. It shall not be lawful for the person charged with the payment of any dividend or other income arising from any source whatsoever within the Colony, to pay the same to any person not ordinarily resident in the Colony entitled thereto or to disburse the same on his account until the income tax payable in respect thereof shall have been paid.

Income tax of persons
not ordinarily resident
in the Colony.

19. The person who shall pay such income tax shall be entitled to deduct from the dividend or other income payable to the person not ordinarily resident in the Colony entitled thereto, the amount of the tax payable thereon.

Company may deduct
tax from amount of
dividend.

20. Every person borrowing money by the issue and sale of debentures or any similar security which has borrowed money upon debentures, mortgages, or other similar security out of the Colony shall, by its public officer, pay to the Commissioner income tax upon the whole amount of interest payable in respect of any money so borrowed as aforesaid, within thirty days of the date or dates on which the interest becomes due and may deduct the amount of such tax from the interest so payable as aforesaid.

Public officer of company
to pay tax on interest on
debentures, mortgages,
etc.

Tax to be paid
in respect of interest on
money borrowed on
debentures, etc.

21. Every person borrowing money by the issue and sale of debentures or any similar security which pays any interest upon any money lent to such company, society or person upon debentures or any similar security shall, on behalf of the person entitled to receive such interest, if a person not ordinarily resident in the Colony pay to the Commissioner the amount of income tax thereon, and may deduct from the interest payable to such person the amount of income tax payable or paid thereon.

Refunds of excess
payments.

22. When any taxpayer shall satisfy the Commissioner that the amount which has been paid by him or on his behalf as income tax under the provisions of this Ordinance, is in excess of the amount of income tax to which such taxpayer is liable then the Commissioner shall furnish such taxpayer with a certificate to that effect in the prescribed form. Such certificate shall entitle the taxpayer to claim from the Treasurer the excess of the amount or amounts so deducted as aforesaid above the amount of income tax to which the taxpayer is liable as aforesaid, and on the production of the certificate the Treasurer shall pay such excess to the person entitled thereto.

THE TAXABLE AMOUNT.

Taxable amount.

23. The income tax shall be paid in respect of an amount termed the "taxable amount."

IN THE CASE OF COMPANIES.

Companies whose head
office is in the
Colony.

24. Subject to the provisions of clause 36 the taxable amount of the income of every company which has its head office or chief place of business in the Colony shall be the full amount of the income of such company during each year ending the thirty-first day of December immediately preceding the year of assessment, less so much of the dividends declared or ascertained or become due to the shareholders of the company from such income; and the Commissioner may, if he thinks fit, accept as correct the statement respecting such income contained in any balance-sheet or balance-sheets of such company.

Provided that if the whole or any part of the said taxable amount is not distributed in any year, and income tax has been paid thereon, no tax shall be payable in the event of any future distribution thereof.

Companies whose head
office is not in the
Colony.

25. The taxable amount of the income of every company which has not its head office or chief place of business in the Colony shall be the profits made by such company on its business in the Colony. Provided that if such company shall not make such returns of its profits as will enable the Commissioner satisfactorily to assess the income of such company the Commissioner may assess the income of the several classes of companies specified below in the manner following:—

Banking Companies.

I. If the company carries on in the Colony the business of banking, and no other business whatsoever, its income may be assessed by the Commissioner at a sum which bears no greater proportion to the total profits of the company than the amount of its assets in the Colony, bears to the total assets.

Insurance Companies.

II. If the company carries on in the Colony fire, accident, fidelity, guarantee, or marine insurance business its income may be assessed by the Commissioner at a sum which shall not exceed ten per cent. of the premiums on account of the Colony business received by the company after deducting any portion of such premiums actually paid away by way of reinsurance.

Life assurance
companies.

III. If the company carries on in the Colony life assurance business its income may be assessed by the Commissioner at a sum which shall not exceed ten per cent. of the premiums on account of the Colony business received by the company after deducting any portion of such premiums actually paid away by way of re-insurance.

Shipping Companies.

IV. If the company carries on in the Colony shipping business its income may be assessed by the Commissioner at a sum which shall not exceed ten per cent. of the amount of the receipts for livestock, goods, mails, and passengers shipped in the Colony and carried to any port in or beyond the Colony.

V. If the company carries on in the Colony mercantile business its profits may be assessed by the Commissioner at a sum which shall not exceed twenty per cent. of the total amount of the sales made by the company in the Colony. **Mercantile Companies.**

VI. If the company carries on in the Colony the business of transmitting telegrams by submarine cables or wireless its profits may be assessed by the Commissioner at a sum not exceeding ten per centum of the amount received in respect of the despatch of telegrams from any office of such company in the Colony. **Cable and Wireless Companies.**

VII. The income of every other such company liable to assessment under this Ordinance may be assessed by the Commissioner at a sum which shall not exceed thirty per cent. of the capital employed by the company in carrying on its business in the Colony. **Other companies.**

IN THE CASE OF NON-RESIDENTS OF THE COLONY.

26. I. When a person outside the Colony (herein termed "the principal") by means of a company registered in the Colony or carrying on business therein, or by means of any person in the Colony (herein termed "the agent") sells or disposes of any goods for the principal, whether such goods are in the Colony, or are by the contract to be brought into the Colony, and whether the contract is made by the agent in the Colony or by or on behalf of the principal out of the Colony and whether the moneys arising therefrom are paid to or received by the principal directly or otherwise, the moneys arising therefrom shall be deemed to be income accruing to the principal from a business carried on by him in the Colony, and the taxable amount of the income derived therefrom by the principal shall, if such income cannot in the opinion of the Commissioner be otherwise satisfactorily determined, be assessed at an amount equal to ten per cent. upon the net amount for which such goods have been sold or disposed of after taking into consideration any bill of sale or encumbrance thereon. In every case the amount assessed shall for the purposes of obtaining income tax be deemed to be income derived by the agent. **Assessment where business of principal outside of the Colony carried on by agent in the Colony.**

(a) The agent shall, as regards such income, make the returns, be assessed, be liable to income tax, and otherwise be subject to the provisions of this Ordinance, and to do all acts and things thereunder as if such income were actually the income of the agent: Provided that nothing herein contained shall exempt or discharge the principal from liability to pay income tax upon such income; and that the agent shall have the same right to indemnity against the principal in respect of the tax paid by him as is conferred upon the representative taxpayer by Section 14 of this Ordinance. **Agent liable to tax payable by principal.**

(b) The Governor may by regulations prescribe for the making, obtaining, adjusting, and settling of returns by or with any agent, in such manner and form, with such particulars and proof, as may be thought fit, and for the purpose of making, completing, and enforcing assessments under this section, and otherwise generally for the purpose of giving effect to the provisions hereof: **Regulations regarding duties of agents.**

II. When any individual residing outside the Colony, or whose chief office is outside the Colony (hereinafter called "the principal"), carries on business in the Colony as owner or charterer of any ship, such principal's agent in the Colony shall be assessed and be liable to income tax on five per cent. of the sum payable to such principal or to his agent (whether such amount be payable in the Colony or beyond the Colony), in respect of passengers, livestock, mails, and goods shipped in the Colony. **Income of ship-owners not residing in the Colony.**

In all cases where the principal has no recognised agent in the Colony other than the master of the ship or when the agent fails to make returns, the Commissioner may make such assessment from such information as may be available to him, and the income tax thereon shall be payable by the master to the Commissioner prior to the clearance of such ship. **Master of ship to pay in certain cases.**

The master or agent upon paying the same shall be entitled to a certificate from the Commissioner that the amount so paid has been paid under the provisions of this Ordinance, and such certificate shall be sufficient warrant to the master or agent for the amount so paid:

The Chief of Customs or other proper officer is empowered to withhold clearance until such certificate of payment is produced.

Commissioner may retain goods in certain cases till tax is paid.

III. When any agent or principal fails to pay any income tax assessed to the agent, as provided in Sections 10 and 13 of this Ordinance, the amount due in respect of tax shall, to the extent of the defaulting principal's interest in any goods at any time arriving in the Colony consequent on any sale or disposal made, or any order procured by any agent on account of the defaulting principal, be a charge on such goods, and the Commissioner shall have power to detain such goods until the tax has been paid:

Commissioner may estimate value of goods, assess profits, and require payment of tax.

IV. When any agent fails to make returns, or where the principal sells or disposes of in the Colony any goods, and the whereabouts of the agent is not known, the Commissioner may cause the value of such goods to be estimated, and shall assess the profit thereon to the principal at such sums, being not less than five per cent. of such value, as the Commissioner may think just.

Income tax shall thereupon be payable on the amount of such assessed profit, and the Commissioner may require payment thereof, and shall have power to detain such goods until payment is made:

Importer or consignee may pay tax due by principal or agent.

V. It shall be lawful for any importer or consignee to pay to the Commissioner the amount owing by any principal or agent in respect of income tax; and every such importer or consignee shall be entitled to a certificate from the Commissioner as to the amount so paid.

Every such certificate shall be in satisfaction *pro tanto* of any claim on the part of the principal against the importer or consignee:

Commissioner may obtain information from importer.

VI. For the purposes of this section, the Commissioner shall have power to require the importer or consignee of any goods to produce him all books, papers, or correspondence, and to answer any question which he may think fit to ask relating to any such goods, or as to the agent through whom such goods were ordered.

Temporary business—Security for payment of tax.

27. Whenever the Commissioner has reason to believe that any taxpayer establishing or carrying on business in the Colony intends to carry on such business for a short time only, he may at any time, and from time to time, require such taxpayer to give security by way of bond or deposit or otherwise to the satisfaction of the Commissioner for the due assessment and payment of income tax on the profits derived from any such business.

TAXABLE AMOUNT IN OTHER CASES.

Taxable amount how ascertained in other cases.

28. The taxable amount of the income of every taxpayer, except where otherwise provided by this Ordinance, shall be ascertained as follows:—

Basis of calculation.

I. The accounts of income from business and of income from property shall be calculated separately:

II. In assessing the income tax for any year the gross amount of the whole income of the taxpayer, from all sources during each year ended the thirty-first day of December immediately preceding the year of assessment and whether previously taxed at the source or not, shall be taken as the basis of calculation:

Inclusions.

III. In calculating the gross amount of the income of the taxpayer there shall be included—

(a) The profits or moneys derived from any business which have been converted into stock-in-trade, or added to the capital of, or in any way invested in, such business;

(b) The estimated annual value to the occupier of any dwelling-house, residence, or quarters which is or are occupied by him as a residence in connection with any office or employment or services filled or performed by him without payment of any rent for the same;

Provided that where such person is entitled to a reasonable allowance in lieu of quarters the amount of such allowance shall be deemed to be the annual value of such dwelling-house, residence or quarters;

(c) The estimated annual value to the owner of any dwelling-house, residence or quarters, which is or are occupied by him as a residence;

(d) the estimated annual value of any board or allowance for board, and every amount received or receivable by way of extra salary, bonus, or emolument, and every allowance, benefit or advantage of any kind, whether in money or otherwise, or of a like nature, or any modification or combination of any such benefit or advantage, granted, secured, or allowed to any person in respect of any office or employment or service filled or performed by him;

(e) The value of anything withdrawn by any person from the saleable stock or produce of any business carried on by him, and applied by him to his personal, family, or domestic use, or other personal benefit or advantage.

IV. In calculating the gross amount of the income of the taxpayer there shall not be included any profit made by the sale or transfer of any property unless sold or transferred in the course of carrying on the business: Provisions applicable to calculating gross amount of income.

V. Deductions from the gross amount of the income of the taxpayer shall be allowed in respect of the following— Appreciation not included.

(a) Losses incurred by the taxpayer, which are established to the satisfaction of the Commissioner in the production of his income for the year immediately prior to the year on the income of which the assessment is based.

(b) Losses, outgoings, and expenses actually incurred by the taxpayer in the production of his income:

(c) Sums paid by the taxpayer by way of interest upon any money borrowed by him; provided that where any such sum is payable to a person residing beyond the Colony, the person paying it shall for the purposes of this Ordinance be deemed to be the agent of the person entitled to receive it, and shall be liable to pay income tax thereon as if he were a taxpayer in a representative capacity in respect of any such sum; Deductions allowable.

(d) Rent paid by any tenant of land and buildings which are occupied and used by him for the purposes of carrying on his business;

(e) Sums expended by the taxpayer for repairs of premises let or intended to be let to tenants.

(f) Sums expended for repairs of premises occupied for business purposes, and for the repair, alteration or replacement of machinery, implements, utensils, and articles employed by the taxpayer for the purposes of his business: such sums shall be estimated on the annual average of the sums expended for such purposes during the three years preceding the year of assessment, or, if such average cannot be struck the amount to be deducted shall be the sum expended for such purposes during the year immediately preceding the year of assessment.

Provided that where in any business income is set apart by the taxpayer by way of a fund to cover the depreciation of such machinery, implements, utensils, and articles, or to be devoted to any underwriting account, the amount so set apart for the year immediately preceding the year of assessment may, subject to the approval of the Commissioner, be deducted instead of the sums so expended as aforesaid;

(g) When a taxpayer, either alone or with other persons, carries on, or is interested as a partner in, more than one business, and makes a profit in one or more of such businesses, and a loss in another or others, such taxpayer shall be entitled to deduct the sum of the losses from that of the profits;

(h) If a taxpayer having an income the produce of property carries on one or more businesses, either alone or otherwise, and makes a loss thereon, such loss shall be deducted from his income the produce of property in calculating the taxable amount of the income of such taxpayer: Adjustment of losses.

VI. Any taxpayer who has effected an insurance on his own life for his own benefit, or for the benefit of his wife and children, or one or some of them, shall be entitled to deduct from his income for any year as an outgoing, the amount of premiums to the extent of not more than £100 paid in that year in respect of such insurance.

VII. (a) Where a taxpayer proves that for the year of assessment he has a wife whom he supports and maintains he shall be entitled in respect of his wife to relief from tax upon £100.

(b) Where the taxpayer proves that he has a child or children living and under the age of fourteen at the commencement of the year of assessment, he shall be entitled in respect of every such child, to relief from tax upon £75.

The expressions "child" and "children" in this provision include a stepchild or stepchildren, but do not include an illegitimate child or illegitimate children. Provided that when the parents of any illegitimate child or children shall, after the birth of such child or children, have married each other, such illegitimate child or children shall be included in the expression "child" or "children."

(c) Where the taxpayer proves that for the year of assessment he has the custody of and maintains at his own expense a child or children under the age of fourteen years at the commencement of that year, and that neither he nor any other individual is entitled to relief from tax in respect of the same child or children under (a) of this sub-section or, if any other individual is entitled to such relief, that that other individual has relinquished his claim thereto, he shall be entitled in respect of every such child, to relief from tax upon £75.

Provided that in any case where such child over the age of fourteen years but under twenty-one years and is spending his whole time at school or college the taxpayer shall be entitled to relief as aforesaid in respect of every such child.

VIII. The gross amount of the income of the taxpayer having been ascertained, the net amount shall be fixed by making the deductions allowed under this Ordinance. The net amount so ascertained shall be the taxable amount:

IX. Where the income tax payable in respect of any dividend or interest money included as income in the taxable amount of a taxpayer has been paid at the source on behalf of the taxpayer, the amount of such included income so previously taxed shall be deducted from the taxable amount.

29. No deduction from the gross amount of income shall in any case be made in respect of any of the following matters:—

I. The cost incurred in the maintenance of any taxpayer, his family, or household establishment:

II. Domestic or private expenses:

III. Any loss or expense which is recoverable under any insurance or contract of indemnity:

IV. Any rates, taxes, fees, or other dues payable under any Ordinance for the time being in force in the Colony, or any rules, regulations or otherwise made thereunder, other than those wholly and exclusively incurred in the production of the assessable income.

Nor, as regards income derived from any business, in respect of any of the following matters:—

V. Disbursements or expenses of any kind not wholly and exclusively incurred in the production of the assessable income:

VI. The rent or value of or cost of repairs or alterations of any premises not occupied for the purposes of the business, or of any dwelling-house or domestic premises, except such part thereof as may be occupied for the purposes of the business:

VII. Loss or diminution of capital invested, or employed upon any security or in any business; money used in the improvement of any premises occupied for the purposes of any business, manufacture or concern;

Nor on account or pretence of any interest which might have been paid on such capital or money if laid out at interest;

VIII. Any debts owed to the taxpayer, except such as shall be proved to the satisfaction of the Commissioner to be bad or doubtful; and deductions for doubtful debts shall be made according to the value at which the Commissioner shall estimate them.

PART IV.

ASSESSMENT OF INCOME TAX.

30. The Commissioner shall in the prescribed manner give, or cause to be given, not less than thirty clear days' notice in every district of the time and place at which all taxpayers residing, or having their usual places of business in such district, shall furnish the required returns; such notice shall state what taxpayers are required to furnish returns, and the place or places at which the forms of return may be applied for and obtained.

What deductions not allowed.

Commissioner to give notice of returns.

It shall be the duty of all such taxpayers, and all persons required by any regulation to furnish any such return, to apply for the forms of returns; and any person failing to furnish any such return shall not be relieved from any penalty by reason only of his having received no notice to furnish the same, or of the form of return not having been delivered to him.

Persons to provide themselves with form of returns.

31. Every taxpayer shall, upon the publication of such notice, procure a form of return, and shall therein enter the particulars of information required, shall declare the truth of the same, and shall forward the return, duly completed and signed by him, within the period to be mentioned in the said notice, to the Commissioner or other person appointed to receive the same.

Persons to furnish returns and declare to truth, thereof within specified time.

I. The return to be furnished by all persons liable to assessment of income under the provisions of this Ordinance shall be in the prescribed form:

Return of certain persons.

II. The returns furnished by or on behalf of a company shall contain such particulars, be in such form, and be furnished to the Commissioner at such time, as may respectively be prescribed; at the foot of every such return there shall be added a declaration by the public officer of the company furnishing it that the same is true and accurate in all particulars:

Return of companies.

III. The Commissioner may, when and so often as he thinks necessary, require any person to make further or fuller returns respecting any matter of which a return is authorised or prescribed by this Ordinance or by regulation, or to prepare and deliver to him within a time to be named by him the particulars in respect of which such person's income is liable to assessment under this Ordinance, and of all other details in relation thereto which he may require;

Commissioner may require further returns.

IV. If any taxpayer makes default in furnishing any returns, or if the Commissioner is not satisfied with the returns furnished by any taxpayer, he may make an assessment of the amount on which in his judgment income tax ought to be charged under this Ordinance, and thereupon shall give notice thereof to the taxpayer to be charged:

Parties making default to be assessed by Commissioner.

V. The Commissioner may direct any person, whether entitled to exemption or not, to make such return or returns of his income, with such particulars in respect thereto, and of the deductions to be made therefrom, and of all other details in relation thereto, which he may require:

Returns from all persons.

VI. Any person, if required by the Commissioner, shall, in such manner and form, and at such time as may be required by the Commissioner, furnish to the Commissioner a return containing, to the best of his belief, the proper names of every person resident in his dwelling-house:

Return re residents.

VII. If the income of the Commissioner or a Surveyor of Taxes is liable to assessment and taxation under this Ordinance, the same shall be assessed by such person and in such manner as the Governor may from time to time appoint in that behalf; and such person shall have the like powers in respect thereof as are hereinbefore conferred on the Commissioner in respect of other incomes; and every Commissioner or Surveyor of Taxes shall have the like right to object to an assessment as any other person.

Income of Commissioner and Surveyors.

32. (1) The particulars of every assessment and the amount of tax payable thereon shall be entered in an assessment book, which shall be kept in the office of the Commissioner.

Assessment book.

(2) Upon entering any assessment the Commissioner shall give notice of the assessment to the taxpayer assessed.

Notice of assessment for income tax.

(3) Such notice shall be in the form prescribed and shall be sent to such person by registered post or delivered to such person in such other manner as the Commissioner may consider necessary or convenient.

(4) The Commissioner shall in the notice of assessment give notice to the taxpayer that any objection to the assessment must be sent to him within the prescribed time, not being less than twenty-one days after the date of such notice. The Commissioner may in or with every such notice make and forward the demand mentioned in Clause 51 of this Ordinance.

33. The assessment book shall not be open to public inspection but every taxpayer shall, on payment of a fee of fifty cents, be entitled to a copy, certified by or on behalf of the Commissioner, of such entries therein as relate to him.

Copies of assessment book.

Assessment book may be added to and amended whilst in force.

34. During the time that any assessment book is in force the Commissioner may from time to time :—

I. Place thereon the name of any person of whose liability to taxation he is satisfied, and erase therefrom the name of any person not so liable :

II. In his discretion, whether notice of objection has been given or not, alter or reduce any assessment.

The prescribed notice shall be given to the persons affected (if any) of the addition to, or alteration or amendment of, the assessment book :

III. Every person affected by any such addition, alteration, or amendment shall be entitled to object thereto in the same manner as from an original assessment. All notices and other proceedings prescribed with respect to original assessments, and objections thereto, and the hearing thereof shall, so far as possible, apply with respect to such additions, alterations or amendments, and objections thereto ;

IV. Subject to such right to object as aforesaid, every assessment so added to, reduced, altered, or amended, shall have the same effect, and be accompanied by the same consequences, as an original assessment, and the assessment book so added to, altered, or amended shall be the assessment book for the district for which it relates.

35. Any person feeling aggrieved by reason of any assessment made by the Commissioner and in which such person is interested, may object to the assessment as provided by Part VI, of this Ordinance, upon the ground that he is not liable for the tax or any part thereof, or that the amount of the assessment is excessive.

36. In assessing the income of any person or company, the Commissioner shall have power to allow the statement of such income to be made up at the nearest balancing-day of such person or company to the thirty-first day of December in any year, and, in case any person or company has two balancing days in the year, then the Commissioner may accept a statement of income for twelve months, divided into two parts, one of which shall show the income for the six months ending on the balancing-day nearest the thirty-first day of December in the year, and the other the income for the six months immediately preceding that period.

PART V.

PROVISIONS AS TO COMPANIES.

37. (1) Every company liable to income tax shall at all times be represented by an individual residing in the Colony nominated for that purpose; and a place within the Colony shall be appointed from time to time by such company at which any notices or other instruments under this Ordinance affecting the company may be served or delivered, and the Commissioner shall be notified within one month thereafter of the making of such nomination and appointment.

(2) Such individual shall, for the purposes of this Ordinance, be called the public officer of the company, and shall be nominated :—

I. In the case of a company having a board of directors or managers in the Colony, within one month after the commencement of this Ordinance :

II. In the case of a company not having such board as aforesaid, within three months after the commencement of this Ordinance.

Provided that, in default of such nomination for the purposes of the first assessment under this Ordinance, the public officer of any company shall be such managing director, director, secretary, attorney, or other officer as the Commissioner shall nominate for that purpose.

(3) The office of public officer shall be kept constantly filled by every company.

(4) Every company failing or neglecting, within the time required by this Ordinance, to nominate its public officer, or failing or neglecting to fill any vacancy in that office as prescribed, or to appoint a place at which notices or other instruments may be served or delivered, shall be liable to a penalty not exceeding £5 for every day during which such neglect shall continue.

Objections to assessments.

Definition of "year."

Public officer of a company—duties and liabilities.

(5) Every notice, process, or proceeding which, under this Ordinance or the regulations, may be given to, or served upon, or taken against any company may be given to, served upon, or taken against its public officer; and if at any time there is no public officer, then any such notice, process, or proceeding may be given to, served upon, or taken against any officer or person acting or appearing to act in the management of the business or affairs of such company, or as attorney or agent for such company.

(6) Every public officer shall be answerable for the doing of all such acts, matters, or things as are required to be done under this Ordinance or the regulations by a taxpayer, and in case of default shall be liable to the same penalties.

(7) Any act, return, or representation done or made by a public officer in respect of any matter or thing required to be done or performed under this Ordinance or the regulations relating to the business of the company of which he is such public officer shall be deemed the act, return, or representation of such company, and shall be of the same force and effect, and be accompanied by the same consequences, as if done or made by such company.

(8) Every company established or beginning to carry on business in the Colony after the passing of this Ordinance shall:—

I. In the case of a company registered in the Colony within one month: and

II. In the case of a company registered outside the Colony within three months

after its establishment or beginning to carry on business, nominate a person to be its public officer, and appoint a place for delivery of notices and other instruments as aforesaid.

(9) The absence or non-appointment of a public officer shall not exonerate any company from the necessity of complying with the provisions of this Ordinance or the regulations or from the penalties consequent on the failure to comply therewith.

PART VI.

OBJECTIONS, REVIEW AND APPEALS.

38. Objections to any assessment under this Ordinance may within the prescribed time specified in the assessment notice be made by any taxpayer who is aggrieved by any assessment in which he is interested. Objections to any assessment.

39. No objection shall be entertained by the Commissioner which is not delivered at his office or posted to him in sufficient time to reach him on or before the last day appointed for lodging objections, unless the taxpayer satisfies the Commissioner that reasonable grounds exist for delay in lodging his objection.

40. Every objection shall be in writing and shall specify in detail the grounds upon which such objection is made.

41. The Commissioner shall consider the objections, and may make such inquiries thereon or relating thereto as he thinks fit, and if he thinks that any objection ought to be allowed, or that any person has a well-founded ground of complaint, he may alter or amend the assessments accordingly; but if not, then such objection shall be heard and determined as hereinafter provided. Commissioner may allow objections.

42. When any objections made to any assessment are disallowed by the Commissioner he shall inform the taxpayer of such disallowance, and give notice of a period within which the taxpayer may lodge an objection. If the taxpayer does not within the prescribed period give notice of his intention in writing to have his objection heard by a Magistrate, such objection shall be deemed determined, unless the taxpayer satisfies the Commissioner that reasonable grounds exist for the delay. Commissioner to inform taxpayer of disallowance.

43. Where—

I. No objections are made to any assessment; or

II. Objections have been allowed or withdrawn, the assessment book, signed by the Commissioner, shall be the assessment book for the district to which it relates. Assessment book final unless objection made.

44. All objections under this Ordinance which—

I. Have not been allowed by the Commissioner; or

II. Have not been withdrawn;

(a) Shall be heard and determined by a Magistrate alone whatever the amount involved. Objection to assessment to be heard by Magistrate.

(b) No objection shall be heard in open Court unless the objectors shall otherwise request.

(c) The objection shall be heard and determined by the Magistrate exercising jurisdiction in or near the locality in which the subject-matter of the objection arises, or in such other Magistrate's Court as the parties to the objection agree on.

Procedure for hearing objections.

(d) Subject to the provisions of this Ordinance and of any Regulations thereunder all proceedings in connection with the hearing and determining of objections shall, so far as practicable, be in conformity with the practice and procedure of a Magistrate's Court in civil cases; and the burden of proof shall be on the objector.

Court fees and costs.

Provided that no Court fees or costs shall be awarded against the objector unless in the opinion of the Magistrate his objection to the assessment is held to be unreasonable or frivolous.

(e) The assessment book shall, where necessary, be altered so as to accord with the Magistrate's decision.

Right to recover tax not suspended by appeal.

45. The obligation to pay and the right to receive and recover any tax chargeable under this Ordinance shall not, unless the Commissioner shall so direct, be suspended by any appeal, but if any assessment is altered on appeal a due adjustment shall be made, for which purpose amounts paid in excess shall be refunded and amounts short paid shall be recoverable.

Procedure in appeals.

46. All proceedings in connection with the hearing and determining of appeals shall, so far as practicable, be in conformity with the provisions of the Civil Procedure Code or any Ordinance substituted therefor or amending the same, and the rules and practice for the time being in force governing the same.

Liability to assessment or tax not to disqualify Magistrate.

47. No Judge or Magistrate shall, solely on account of his liability to be assessed under this Ordinance, or of his liability to tax under any Ordinance for the time being in force, be deemed to be interested in any matter upon which he may be called upon to adjudicate or determine.

PART VII.

COLLECTION AND RECOVERY OF TAX.

Administrative powers.

48. For the more effective administration of this Ordinance the following provisions shall apply:—

I. Every person, local authority, and public or private body or society whatsoever, whether a taxpayer or not, and every department of the public service, shall from time to time furnish the Commissioner if called upon to do so with a return of all persons employed by him or it, and the salary, wages, stipend, or other allowances or emoluments paid or allowed to each person so employed;

Access to buildings, books, etc.

II. The Commissioner, or any person authorised by him in that behalf, shall at all times have full and free access to all lands, buildings, places, books, documents, and other papers, for the purpose of inspecting the same; and for such purposes may make extracts from or copies of any such books, documents, or papers;

Evidence of any person may be required.

III. The Commissioner may, by notice in writing, require any person, whether a taxpayer or not, to attend, be examined, and give evidence before him, or any officer authorised by him in that behalf, concerning any income or assessment or return, and to produce all books, documents, and other papers whatsoever in such person's custody or under his control relating thereto. Every person so required to attend on being tendered the prescribed sum for his expenses shall be bound to obey the notice to attend, and to answer truthfully all questions on such examination; and in default thereof the person so failing, without lawful excuse, shall upon conviction be liable to a penalty not exceeding £100.

Party required to attend.

Oath may be administered.

IV. The Commissioner may require such evidence to be given under oath, and either verbally or in writing; and for such purpose he or the officer authorised as aforesaid may administer an oath;

Proper books of account to be kept.

V. Every person liable to pay income tax under this Ordinance shall, unless the income of such taxpayer can otherwise be readily ascertained, keep such books of account as are proper and necessary to show all income accruing or accrued to such taxpayer at any time that an examination of his books may be required, ordered, or directed and such books shall be kept in English, Taal, Arabic, Hindustani, Gujerati, Urdu, or Kiswahili, provided that after a period of 5 years from the coming into operation of this Ordinance such books shall be kept in

Language in which books shall be kept.

English only. Any person contravening the provisions of this clause shall be liable on conviction to a fine not exceeding £100 or to imprisonment of either description for a term not exceeding one year or to both. Provided that when such books of account are kept in any language other than English and a translation thereof is necessary for such examination the cost of the translation shall be borne by the person presenting the same for examination.

Cost of translation into English.

VI. Every banking company, and every person or firm who in the course of business holds money by way of deposit and allows interest thereon, shall furnish annual returns to the Commissioner of all the amounts in excess of £50 paid or payable as interest on such money for the year or any part thereof, with the names, addresses, and occupations of the depositors; and for the purposes of this Ordinance every such banking or other company, firm or person shall be deemed to be the agent of all depositors mentioned in the returns who are outside the Colony.

Returns of deposits in banks, etc.

49. Income tax shall be deemed when the same becomes due or is payable, to be a debt due to His Majesty, and shall be payable and paid to the Commissioner or the prescribed persons in the manner and at the places prescribed, and shall form part of the General Revenues of the Colony.

Tax, etc., to be a debt to His Majesty.

50. Every person who under the provisions of this Ordinance pays any tax for or on behalf of any other person shall be entitled to recover the same from that other person as a debt, together with the cost of recovery, or to retain or deduct same out of any money in his hands belonging or payable to that other person.

Recovery of tax paid on behalf of another person.

51. Before legal proceedings are taken for the recovery of any income tax the Commissioner or any Surveyor of Taxes shall forward a demand in writing by registered post, or may cause the same to be delivered by hand addressed to the usual or last known place of abode of the person liable to pay the same, setting forth in such demand the amount of tax due, the place where the same is to be paid, the hours of the day between which such payment is to be made, and the place where, and date when, such demand is posted.

Demand of tax may be sent by post.

52. Income tax for each year shall be due and payable on such date as is appointed in that behalf by the Commissioner and may be paid in one sum or in instalments of equal or varying amounts as may be determined by the Commissioner having regard to the circumstances of the case. The Commissioner shall give not less than thirty days' notice of the date so appointed.

Dates for payment of tax to be appointed by Commissioner.

53. All unpaid tax shall be recoverable in any Court of competent jurisdiction by the Commissioner by suit in his official name.

Tax recoverable by the Commissioner.

PART VIII.

MISCELLANEOUS.

54. In all proceedings under this Ordinance the Commissioner may appear either personally, or by attorney, or by some officer in the public service of the Colony; and the appearance of any such attorney or officer, and his statement that he so appears by authority of the Commissioner shall be sufficient evidence of such authority for all purposes.

Commissioner or other officers may appear in proceedings.

55. Every contract, agreement, or arrangement made or entered into, in writing or verbally, either before or after the coming into operation of this Ordinance, shall be absolutely void in so far as directly or indirectly, it has or purports to have the purpose or effect of in any way directly or indirectly altering the incidence of income tax, or relieving any person from liability to pay such tax or make any return, or defeating, evading, or avoiding any duty or liability imposed on any person by this Ordinance, or preventing the operation of this Ordinance in any respect.

Contracts to evade tax void.

56. No claim for repayment of tax under this Ordinance shall be allowed unless it is made within three years after the date when payment was made.

PENALTIES.

57. (1) Every person, whether liable to taxation or not, who—

(a) Refuses or neglects without reasonable cause to attend and give evidence when required by the Commissioner or any officer duly authorised by him, or to answer truly and fully any question put to him, or to produce any book or paper required of him; or

Fine for neglect generally, refusing to give evidence, making false return, or evading tax.

(b) Fails or neglects to furnish duly any return as and when required by this Ordinance or by the Commissioner; or

(c) Knowingly and wilfully makes or delivers any false return or makes any false answer, whether verbally or in writing, in relation to any matter or thing affecting his own or any other person's liability to or exemption from income tax; or

(d) By any act, default, neglect, fraud, or contrivance whatsoever evades or attempts to evade assessment of any income tax or the payment of any income tax; or

(e) Obstructs or hinders any officer acting in the discharge of his duty under this Ordinance;

commits an offence, and is liable to a fine not exceeding £100, and if he is convicted of any offence under paragraph (d), the convicting Court may also inflict on him an additional fine of treble the amount of the tax whereof he has evaded or attempted to evade.

(2) The payment of such fines shall not relieve any person from liability to the payment of income tax for which he would otherwise be liable.

(3) If any person aids or assists in the commission of any offence under this section he is liable to a fine not exceeding £50.

(4) The term "person" throughout this section includes the public officer of a company, and also an agent and a trustee.

58. Every person shall be liable to a fine not exceeding £5 who—

Commits any breach of this Ordinance or of any regulation thereunder for which no specific penalty is imposed elsewhere than by this section.

59. In any case where it is shown to the satisfaction of the Commissioner that a taxpayer liable to pay tax has become bankrupt or insolvent, or has suffered such loss that the exaction of the full amount of such tax will entail serious hardship the Commissioner, may release such taxpayer wholly or in part from his liability and make such entries and alterations in the assessment books as are necessary for that purpose.

60. The Governor may make Regulations not inconsistent with this Ordinance, prescribing all matters which by this Ordinance are required or permitted to be prescribed, or which are necessary or convenient to be prescribed for giving effect to this Ordinance.

SCHEDULE.

RATES OF INCOME TAX.

On the first	£150 of income	...	@ Nil.
On the next	£225	..	@ 1%
..	£300	..	@ 2%
..	£375	..	@ 3%
..	£450	..	@ 4%
..	£525	..	@ 5%
..	£600	..	@ 6%
..	£675	..	@ 7%
..	£750	..	@ 8%
..	£825	..	@ 9%
..	£900	..	@ 10%
..	£7,500	..	@ 15%
..	£15,000	..	@ 20%
On any additional part of income		...	25%

Fine for obstructing officer or breach of Ordinance.

Release of taxpayer in case of bankruptcy.

Regulations.

AN ORDINANCE.

No. 24 OF 1920.

Assented to in His Majesty's name this 29th day of December, 1920.

W. K. NOTLEY,
Governor's Deputy.

An Ordinance to provide for the issue of Currency Notes.

WHEREAS the East African Currency Board, hereinafter referred to as "the Board," has been constituted by the Secretary of State to provide for and to control the supply of currency to the Colony and Protectorate of Kenya and other British dependencies in East Africa.

And whereas it is desirous to make provision for an issue of currency notes in this Colony and Protectorate by the Board on behalf of the Government.

Be it enacted therefore by the Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof, as follows:—

1. This Ordinance may be cited for all purposes as the **Short title and**
Currency Notes Ordinance, 1920. **application.**

2. (1) Subject to the provisions of this Ordinance it shall be **Issue of notes.**
lawful for the Board from time to time to issue and re-issue
notes herein referred to as "currency notes."

(2) It shall be lawful for the Board to pay to the bearer of a currency note the amount named therein, and the amount required for such payment shall be a charge on the monies and securities in the hands of the Board, and failing them, on the general revenues of the Colony and Protectorate.

3. (1) Currency notes may be for such denominations as may **Value and form of**
be approved from time to time by the Board: **notes.**

(2) The denomination of currency notes may, at the discretion of the Board, be expressed in terms of florins or of pounds at the rate of 10 florins to the pound, or of both.

(3) Currency notes shall be in such form, and of such design, and printed from such plates, and shall be authenticated in such manner as may be approved by the Secretary of State.

(4) The plates shall be prepared and kept and the notes printed, issued, and cancelled under such regulations as the Secretary of State may make for the purpose of preventing fraud and improper use.

Legal tender.

4. A currency note shall be a legal tender of the amount expressed therein.

Wrongful issue of notes.

5. If any person issues or is a party to issuing any currency note otherwise than in accordance with this Ordinance he shall be guilty of an offence.

Forgery.

6. (1) If any person, with intent to defraud, forges or alters any currency note, or knowing any note purporting to be a currency note to be forged or altered utters the same he shall on conviction be liable to imprisonment of either description for any period not exceeding ten years.

(2) If any person, without lawful authority or excuse, the proof whereof shall lie on him, receives from any other person or has in his possession any forged or altered note purporting to be a currency note knowing the same to be forged or altered, or any unfinished or incomplete note purporting to be a currency note issued by the Board, he shall be liable on conviction to imprisonment of either description for any period not exceeding five years.

Possession of materials for forging notes.

7. (1) If any person, without lawful authority or excuse, the proof whereof shall lie upon him,

(a) Makes, or uses, or sells, or exposes for sale, or knowingly has in his possession

(i) any instrument for the making of paper with any words, device, or distinction peculiar to and appearing in the substance of the paper used for currency notes; or

(ii) any paper with any such words, device, or distinction as aforesaid, or

(b) By any act or contrivance causes any such words, device, or distinction, or any words, device or distinction intended to resemble and pass for the same, to appear visible in the substance of any paper:

he shall on conviction be liable to imprisonment of either description for any period not exceeding five years.

(2) If any person without lawful authority or excuse, the proof whereof shall lie upon him,

(a) Engraves or in any wise makes upon any plate whatsoever, or upon any material, any note purporting to be a currency note or a part of a currency note, or any name, word, number, figure, device, character, or ornament resembling or apparently intended to resemble any signature to a currency note; or

(b) Uses any such plate or material or any other instrument or device for the making or printing of any currency note; or

(c) Knowingly has in his possession any such plate, material, instrument, or device, or

(d) Knowingly utters or has in his possession any paper upon which an impression of any such matter as aforesaid is made or printed;

he shall be liable on conviction to imprisonment of either description for a period not exceeding five years.

Mutilating Currency Notes.

8. Any person who wilfully defaces, or tears, cuts or otherwise mutilates any currency note shall be liable on conviction to imprisonment for a period not exceeding three months or to a fine not exceeding one hundred pounds or to both such fine and imprisonment.

Regulations.

9. Any regulations (whether made before or after the passing of this Ordinance) made by the Secretary of State from time to time for giving effect to the provisions of this Ordinance shall, after they have been published in the Gazette, have the force of law within the Colony and Protectorate.

AN ORDINANCE.

No. 25 OF 1920.

Assented to in His Majesty's name this 29th day of
December, 1920.

W. K. NOTLEY,
Governor's Deputy.

**An Ordinance to Provide for certain Persons
being Members of Tribes living in the Colony
and Protectorate of Kenya obtaining Relief
from the operation of certain Enactments
wherein the term Native is defined.**

Whereas it is desirable to relieve certain African Natives residing in the Colony and Protectorate of Kenya from the operation of certain laws affecting natives.

BE it enacted by the Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof:—

1. This Ordinance may be cited as "The Native Exemption Ordinance, 1920," and shall come into operation on such date as the Governor-in-Council may appoint. **Short title.**

2. Any native belonging to a class specified in Schedule I. hereto annexed may apply to the Chief Native Commissioner for a Letter of Exemption relieving him from the operation of the laws, rules or regulations set out in Schedule II. hereto annexed to the extent specified in that schedule. **Exemption.**

3. (1) Every Letter of Exemption shall be in the form set out in Schedule III. hereto annexed and shall be signed by the Chief Native Commissioner and shall be registered and a copy thereof filed in his office and shall contain such information for purposes of identification as the Chief Native Commissioner may deem necessary. A serial number and the date of registration shall be recorded on every Letter of Exemption. **Letters of Exemption to be signed by Chief Native Commissioner and record to be kept. Oath of Allegiance to be taken by applicant.**

(2) No such Letter of Exemption shall be issued to any Native applying therefor until he shall have taken an oath or made an affirmation of allegiance to His Majesty, His Heirs or Successors before some person authorised to administer the same.

(3) The names of all natives granted exemption under this Ordinance shall be published in the "Official Gazette."

Application to be made by petition to Chief Native Commissioner.

4. Every application for a Letter of Exemption shall be made by petition to the Chief Native Commissioner and the following requirements shall be complied with by the applicant:—

(a) The petitioner must state his full name (if the petitioner is already registered under the Native Registration Ordinance, the registration certificate must be produced) age, residence, place of birth, trade, profession or calling.

(b) In the case of a Minister of Religion, the date of ordination, by whom ordained and the religious denomination of which he is a Minister.

(c) In the case of the petitioner holding a certificate of qualification as an elementary teacher or of any higher educational certificate, such certificate must be produced.

5. To every such petition there shall be attached an affidavit verifying the statements in the petition. The said affidavit shall have been sworn or solemnly declared or affirmed by the petitioner before a Magistrate or Justice of the Peace in the Colony and Protectorate of Kenya.

Penalty for false declaration.

6. Any person who shall wilfully and falsely swear, solemnly declare or affirm that his allegations in the said petition are true when in fact they are not shall be deemed to be guilty of perjury and on conviction shall be liable to the penalties by law provided for that offence.

Authority of Chief Native Commissioner to investigate facts stated in petition and refuse issue of Letter of Exemption.

7. The Chief Native Commissioner shall have full power and authority to investigate the truth of the statements contained in a petition or to require the petitioner to furnish any additional information or any explanation he may consider necessary; and the said Commissioner may for any reason which appears to him sufficient refuse to issue to such petitioner a Letter of Exemption.

Production by holder of Letter of Exemption may be demanded.

8. Every Native who has obtained a Letter of Exemption shall at all times retain it in his own custody and shall be prepared to produce it at the request of any European Police Officer, a Magistrate, any employer of labour on his own farm or premises or his agent or any other person duly authorised by the Chief Native Commissioner in this behalf, and on failure to do so and in the absence of any valid excuse for such failure shall be liable on conviction to a fine not exceeding Florins 15/- or in default thereof to simple imprisonment not exceeding 7 days.

Letter of Exemption to be valid for 1 year. May be renewed. Fee to be charged for issue and renewal. Renewals effected at District Commissioner's office.

9. (1) A Letter of Exemption shall be valid from the date of issue to the next succeeding first day of January only; but may be renewed from the said first day of January and from each succeeding first day of January for one year as hereinafter provided.

(2) On application for a Letter of Exemption a fee of Fls. 40/- shall be deposited by the applicant provided that this amount shall be refunded to all successful applicants.

(3) On the issue of a Letter of Exemption there shall be paid by the holder the sum of one Florin to the Chief Native Commissioner or other officer effecting the issue.

(4) There shall be endorsed on every Letter of Exemption the fact of its renewal and the receipt of the fee hereinbefore prescribed by the officer effecting the renewal.

(5) If the holder of a Letter of Exemption fails or neglects to apply for the renewal of it within a period of one month from the date of its expiration he shall in the absence of an explanation satisfactory to the officer to whom any application for renewal is subsequently made forfeit any claim to the renewal of his Letter of Exemption. Provided that in the event of the holder of a Letter of Exemption desiring to appeal against the decision of the said officer not to renew it he may appeal to the Chief Native Commissioner whose decision on the matter shall be final.

(6) The renewal of a Letter of Exemption shall be effected at the office of any District Commissioner and a return of all such renewals shall be made up to the first day of April in each year by all District Commissioners as aforesaid to the Chief Native Commissioner.

10. (1) Any person using a Letter of Exemption to which he is not entitled shall be liable on conviction to a fine not exceeding Florins two hundred and fifty and in default of payment to imprisonment with hard labour for a period of six months or to both such fine and such imprisonment.

Offences of using Letter of Exemption when not entitled or transferring to person not entitled.

(2) Any person who shall transfer a Letter of Exemption to any other person with intent that the said Letter of Exemption shall be used by any person not entitled to use it shall be liable on conviction to a fine not exceeding Florins two hundred and fifty and in default of payment to imprisonment with hard labour for a period of six months or to both such fine and such imprisonment.

11. In the event of the loss of a Letter of Exemption application may be made to the Chief Native Commissioner for a duplicate which may be granted on payment of a fee of one Florin.

In event of loss of Letter of Exemption a duplicate may be applied for.

12. In the event of the death of the holder of a Letter of Exemption or in the event of any person coming into possession of a Letter of Exemption to which he is not entitled such person as shall come into possession of such Letter of Exemption shall return the same to the nearest District Commissioner or other Magistrate who shall forward the said Letter of Exemption to the Chief Native Commissioner for cancellation or return to the proper holder as the case may be. Failure to comply with the provisions of this section within one month from the date of such person coming into possession of the said Letter of Exemption shall be an offence punishable with a fine not exceeding Florins 50/- and in default of payment to imprisonment with hard labour for a period of 3 months or to both such fine and such imprisonment.

Persons to return Letters of Exemption if they come into their possession to the nearest District Commissioner or other Magistrate.

13. The Chief Native Commissioner shall have power to cancel any Letter of Exemption for any reason which appears to him sufficient.

Cancellation of Letters of Exemption.

14. A wife and children of the holder of a Letter of Exemption shall while living with such holder be entitled to the same privileges as the holder of such Letter of Exemption, provided in the case of a male child such privileges shall cease when he arrives at the apparent age of 16 years, and in the case of a female child until such time as she is married.

Wives and children.

15. The Governor-in-Council shall have power to alter the form of the Letter of Exemption as set out in Schedule III.

Alteration of Letter of Exemption.

16. The Governor-in-Council shall have power to make Rules for the better carrying out of the purposes of this Ordinance.

Rules.

SCHEDULE I.

Any ordained Clergyman of the Church of England.

Any ordained Minister of the Church of Scotland.

Any ordained Priest of the Church of Rome.

Any recognised Minister of any other denomination.

Any admitted Barrister or Advocate.

Any registered Medical Practitioner or Dentist.

Any registered Chemist or Druggist.

Any qualified Engineer.

Any native holding a certificate of education signed by the Director of Education up to the standard approved for this purpose by the Board of Education.

Any native specially exempted by the Governor-in-Council.

SCHEDULE II.

Any Ordinances or Municipal Bye-laws dealing with Order by Night or Residence in Native Locations.

The Native Authority Ordinance, 1912, and amendments thereof in so far as the said Ordinance and amendments thereof empower Headmen or Administrative Officers of the Government to order out natives under their jurisdiction to perform work on native or on Government undertakings.

Native Registration Ordinance, 1915, and amendments thereof.

SCHEDULE III.

No.....

LETTER OF EXEMPTION ISSUED UNDER THE NATIVE
EXEMPTION ORDINANCE, 1920.

.....more particularly described on the back hereof having proved to my satisfaction that he is.....; and having taken an oath (made an affirmation) of allegiance to His Majesty, His Heirs and Successors, is hereby granted exemption until the 1st of January, 19....., from the operation of the laws, rules, or regulations set out in Schedule II. of the Native Exemption Ordinance, 1920.

.....
Chief Native Commissioner.

DESCRIPTION OF NATIVE NAMED ON THIS
LETTER OF EXEMPTION.

Registration letters and number (if any).....
Name.....other name known by
e.g., Baptismal name, if any.....
Father's name.....
Tribe.....
District.....
Present place of residence.....
Age.....
If married, name of wife or wives.....
No. of children..... boys.....girls
If wife, or wives and children living with husband.....
.....
Where residing at this date.....
Trade, profession or calling.....
If an ordained Minister by whom ordained.....
Any distinctive features (prominent marks, etc.,) build.....
.....
.....
.....

Photograph.

Signature of holder.

AN ORDINANCE.

No. 26 of 1920.

Assented to in His Majesty's name this 29th day of December, 1920.

W. K. NOTLEY,
Governor's Deputy.

An Ordinance to Amend the Criminal Procedure Ordinance, 1913.

BE it enacted by the Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof:—

1. This Ordinance may be cited as "The Criminal Procedure Amendment Ordinance, 1920," and shall be read and construed as one with the Criminal Procedure Ordinance, 1913 (hereinafter referred to as "the Principal Ordinance"), and the Criminal Procedure Amendment Ordinance, 1918. Short title.

2. Section 18 of the Principal Ordinance shall be and is hereby amended as follows:— Amendment of Section 18 of the Principal Ordinance.

After the word "Liwali's" in the said section, the words "and Cadi's" are inserted.

3. Section 19 sub-sections (1) and (2) and Section 21 sub-section (3) of the Principal Ordinance shall be and are hereby amended as follows:— Amendment of Section 19 sub-sections (1) and (2) and Section 21 sub-section (3) of the Principal Ordinance.

(a) (1) After the words "exceeding 6 months imprisonment" in Section 19 sub-section (1) aforesaid there are inserted the following words "whether such sentence shall be a substantive sentence of imprisonment or a sentence of imprisonment in default of payment of a fine or a combination of such sentences."

(2) At the end of sub-section (2) of Section 19 aforesaid there is added the following proviso "Provided always that if the person sentenced is so released on bail as aforesaid, then and in any such case, the term of imprisonment shall run from the date on which the person sentenced begins to serve his term of imprisonment after confirmation by or other order of the High Court, but so nevertheless that the person sentenced may pending confirmation or other order by the High Court elect to serve his sentence from the date on which he is sentenced by the Subordinate Court, in which case the term of imprisonment shall run from such date."

(b) After the words "aggregate sentences" in Section 21 sub-section (3) aforesaid there are inserted the following words "and, in cases of sentences of imprisonment, whether the same are sentences of substantive imprisonment or of imprisonment in default of payment of fines."

Amendment of
Section 143 sub-section (1)
and repeal and re-
enactment with
amendments of Section
143 sub-section (3) of
the Principal Ordinance

4. (1) Section 143 sub-section (1) shall be and is hereby amended as follows :—

After the words "custody of the police" there are inserted the words "or in custody of a prison officer or in gaol."

(2) Sub-section (3) of Section 143 aforesaid is repealed and the following sub-section substituted therefor, viz :—

"(3) (a) If before or at the termination of the enquiry the Magistrate is of opinion that the commission by some known person or persons of an offence has been disclosed, he shall thereupon issue a summons or warrant for his or their arrest, as the case may be, or take such other steps as may be necessary to secure his or their attendance to answer the charge;

"(3) (b) On the attendance of the said person or persons the Magistrate shall commence the inquiry *denovo* and shall proceed as if he had taken cognisance of an offence under Section 152 of this Ordinance."

Amendment of
Section 166 sub-section
(3) of the Principal
Ordinance.

5. Section 166 sub-section (3) of the Principal Ordinance shall be and is hereby amended as follows :—

At the end of the said sub-section (3) there is added the following proviso : "Provided always that the Magistrate may in any case for reasons to be stated by him in writing remit all or any of the fees so payable as aforesaid."

Amendment of
Section 263 (e) of the
Principal Ordinance.

6. Section 263 (e) of the Principal Ordinance shall be and is hereby amended as follows :—

(a) After the words "surgeons and others" there are inserted the words "duly registered";

(b) After the words "medical profession" there are added the following words : "including practising dentists and druggists duly registered."

Amendment of
Section 284 of the
Principal Ordinance.

7. Section 284 of the Principal Ordinance shall be and is hereby amended as follows :—

After the words "and is succeeded" in the said Section 284 appearing, there are inserted the following words : "whether by virtue of an order of transfer under the provisions of this Ordinance or otherwise."

Amendment of
Section 306 of the
Principal Ordinance.

8. Section 306 of the Principal Ordinance shall be and is hereby amended as follows :—

There is added to the said Section 306 the following sub-section (3) :—

"(3) Provided always that the Court may in its discretion direct that any fine to which this section applies may be paid by instalments at such times and in such amounts as the Court may deem fit; but so nevertheless that in default of payment of any such instalment as aforesaid the whole of the amount of the fine outstanding shall become and be immediately due and payable and all the provisions of this Ordinance applicable to a sentence of fine and to imprisonment in default of payment thereof shall apply to the same accordingly."

Amendment of
Section 308 of the
Principal Ordinance.

9. Section 308 of the Principal Ordinance shall be and is hereby amended as follows :—

The word "as" occurring after the word "executed" therein appearing is deleted and the word "at" substituted therefor.

Amendment of
Section 355 Proviso (c)
and repeal and re-enact-
ment with amendments
of Section 358 of the
Principal Ordinance.

10. (1) Section 355 of the Principal Ordinance is amended by the insertion of the following words at the beginning of the section :

(1) Notwithstanding anything contained in Section 120 of the Indian Evidence Act, 1872, in criminal proceedings against a European the husband or wife of such European, as the case may be, shall not be a competent witness save as hereinafter provided.

(2) And by the substitution in proviso (c) of the word "hereinafter" for the word "hereinbefore."

(2) Section 358 of the Principal Ordinance is hereby repealed and the following section substituted therefor :—

"358. In any inquiry or trial in which the accused person is a European the wife or husband of such person shall be a competent witness for the prosecution or defence without the consent of such person.

(1) In any case where the wife or husband of an accused person might under the English Common Law be called as a witness without the consent of the accused :

(2) In any case where such person is charged with an offence under the Criminal Procedure Amendment Ordinance, 1913 or the Criminal Procedure Amendment Ordinance, 1914 :

(3) In any case where such person is charged under Chapter XVI or XVII of the Indian Penal Code in respect of an act or omission affecting the person or property of the wife or husband of such person or the children of either of them."

11. Section 370 of the Principal Ordinance shall be and is hereby amended by the addition of the following sub-section :

Amendment of
Section 370 of the
Principal Ordinance.

(3) Any order of discharge under this Section may be given upon such conditions as the Governor may think fit. If the conditions or any of them are contravened the Governor may revoke the order of discharge and may by warrant order the person to be taken into custody and dealt with as if such order of discharge had not been given.

12. Section 372 sub-section (1) of the Principal Ordinance shall be and is hereby amended as follows :—

Amendment of
Section 372 sub-section
(1) of the Principal
Ordinance.

After the words "nearest Magistrate empowered to hold a Subordinate Court of the First Class" in the said sub-section appearing, the following words shall be inserted, viz. : "or in the case of natives, to the nearest Magistrate empowered to hold a Subordinate Court of the Second Class."

13. Section 422 of the Principal Ordinance shall be and is hereby amended as follows :—

Amendment of
Section 422 of the
Principal Ordinance.

At the end of the said section there are added the words :
"or any Commissioner for Oaths."

14. Schedule II to the Principal Ordinance shall be and is hereby amended as follows :—

Amendment of
Schedule II to the
Principal Ordinance in
certain respects.

With regard to so much of the said Schedule as relates to Sections 406 to 409 inclusive, headed "Of Criminal breach of Trust," before the word "Compoundable" in Column 6 thereof, there is inserted the word "not."

15. When an accused person is sentenced to death by a Subordinate Court exercising powers conferred on it by and under the Criminal Procedure Amendment Ordinance, 1918, Section 3, such Court shall on the receipt of the confirmation of such sentence by the High Court inform him that he may appeal to His Majesty's Court of Appeal for Eastern Africa, as if he had been convicted on a trial held by the High Court and, if he wishes to appeal, inform him that his appeal must be preferred within thirty days from the date on which he is given such information.

Notice of time within
which to appeal.

16. When a sentence of death is passed by a Subordinate Court exercising powers conferred on it by and under the Criminal Procedure Amendment Ordinance, 1918, Section 3, such Court shall on receiving the order in appeal, if any, thereon and the order of confirmation of sentence or other order by the High Court and the Governor, issue a warrant or take such other steps as may be necessary to carry such order or orders into effect.

Execution of sentence
of death of Special
Court.

AN ORDINANCE.

No. 27 OF 1920.

Assented to in His Majesty's name this 29th day of December, 1920.

W. K. NOTLEY,
Governor's Deputy.

An Ordinance to Amend the Law Relating to the Prevention of Corruption.

BE it enacted by the Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof:—

Short title.

1. This Ordinance may be cited as "The Prevention of Corruption (Amendment) Ordinance, 1920," and shall be read as one with the Prevention of Corruption Ordinance, 1920, hereinafter called "the Principal Ordinance."

Increase of maximum penalty in cases where contract is with Government or public body.

2. Any person convicted of an offence under the Principal Ordinance shall, where the matter or transaction in relation to which the offence was committed was a contract or a proposal for a contract with the Government or any Government Department or Municipal Corporation or other public body having power to impose rates or entrusted with the expenditure of any Government funds or grants or a sub-contract to execute any work comprised in such contract, be liable to undergo rigorous imprisonment for a term not exceeding 7 years.

Provided that nothing in this section shall prevent the infliction in addition to the punishment hereinbefore provided of such punishment as under the Principal Ordinance may be inflicted in addition to imprisonment.

Presumption of corruption in certain cases.

3. Where in any proceedings against a person for an offence under the Principal Ordinance it is proved that any money gift or other consideration has been paid or given to or received by a person in the employment of the Crown or any Government Department or a Municipal Corporation or other public body having power to impose rates or entrusted with the expenditure of any Government funds or grants by or from a person or agent of a person holding or seeking to obtain a contract from the Crown or any Government Department or Municipal Corporation or public body having power to impose rates or entrusted with the expenditure of any Government funds or grants, the money gift or consideration shall be deemed to have been paid or given and received corruptly as such inducement or reward as is mentioned in the Principal Ordinance unless the contrary is proved.

Public servants and Municipal Councillors included.

4. A person serving under any Municipal Corporation within the meaning of Section 2 (3) of the Principal Ordinance and a person in the employment of a Municipal Corporation or other public body having power to impose rates or entrusted with the expenditure of any Government funds or grants within the meaning of this Ordinance, shall be deemed to include any Municipal Councillor or other member of a public body.

AN ORDINANCE.

No. 28 OF 1920.

Assented to in His Majesty's name this 29th day of December, 1920.

W. K. NOTLEY,
Governor's Deputy.

An Ordinance to make further Provision for the Payment of Poll Tax by Non-Natives.

BE it enacted by the Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof:—

1. This Ordinance may be cited as "The Non-Native Poll Tax (Amendment) Ordinance, 1920," and shall be read as one with the Non-Native Poll Tax Ordinance, 1912, (hereinafter referred to as "the Principal Ordinance"). Short title.

2. Section 2 of the Principal Ordinance is hereby amended by the addition of the following definition, "Temporary visit" shall mean a visit to the Colony and Protectorate not exceeding six months in duration. Temporary visit.

3. Section 15 of the Principal Ordinance is hereby amended as follows:— Persons exempt

- (1) By the repeal of sub-section (b).
- (2) By sub-section (c) becoming sub-section (b).
- (3) By the addition of the following exemption:—

(c) Every person who shall produce to a District Commissioner a receipt showing that he has paid Non-Native Poll Tax in the Uganda Protectorate for the current year.

4. Section 16 of the Principal Ordinance is hereby amended by the deletion of the words "and no person" and the succeeding words to the end of the section. Amendment of Section 16.

AN ORDINANCE.

No. 29 OF 1920.

Assented to in His Majesty's name this 29th day of December, 1920.

W. K. NOTLEY,
Governor's Deputy.

An Ordinance to Amend the East Africa Post Office Savings Bank Ordinance, 1909.

BE it enacted by the Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof:—

1. This Ordinance may be cited as "The Post Office Savings Bank (Amendment) Ordinance, 1920," and shall be read as one with the East Africa Post Office Savings Bank Ordinance, 1909, hereinafter referred to as "the Principal Ordinance." Short title.

2. Sections 24 and 25 of the Principal Ordinance are hereby repealed. Repeal of Sections 24 and 25 of the Principal Ordinance.

AN ORDINANCE.

No. 30 OF 1920.

Assented to in His Majesty's name this 29th day of December, 1920.

W. K. NOTLEY,
Governor's Deputy.

An Ordinance to Amend the Former Enemy Aliens Restriction Ordinance, 1919.

BE it enacted by the Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof:—

Short title.

1. This Ordinance may be cited as "The Former Enemy Aliens Restriction (Amendment) Ordinance, 1920," and shall be read as one with the Former Enemy Aliens Restriction Ordinance, 1919, hereinafter referred to as "the Principal Ordinance."

Definition.

2. Section 2 of the Principal Ordinance is hereby repealed and the following section is substituted therefor:—

"Section 2. The expression "Former Enemy Alien" means an alien who is a subject or citizen of the German Empire or any component State thereof, or of Austria, Hungary, Bulgaria, or Turkey, or who, having at any time been such subject or citizen, has not changed his allegiance as a result of the recognition of new States or territorial re-arrangements, or been naturalised in any other Foreign State or in any British Possession in accordance with the laws thereof and when actually resident therein, and does not retain according to the law of his State of origin the nationality of that State."

Amendment of
Section 5 of the
Principal Ordinance.

3. Section 5 of the Principal Ordinance is hereby amended by the deletion of the word "person" wherever it occurs, and by the substitution therefor of the words "Former Enemy Alien."

AN ORDINANCE.

No. 31 OF 1920.

Assented to in His Majesty's name this 29th day of December, 1920.

W. K. NOTLEY,
Governor's Deputy.

An Ordinance to Impose a Tax on Admission to Entertainments.

BE it enacted by the Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof:—

Short title.

1. This Ordinance may be cited as "The Entertainments Tax Ordinance, 1920."

Interpretation.

2. For the purpose of the provisions of this Ordinance:—

The expression "entertainment" shall mean and include any exhibition, performance, amusement, game or sport to which persons are admitted for payment; and the expression "admission to an entertainment" includes admission to any place in which the entertainment is held:

The expression "admission" means admission as a spectator and the expression "payment on admission" includes any payment made by a person who having been admitted to one part of a place of entertainment is subsequently admitted to another part thereof for admission to which a payment involving tax or more tax is required:

The expression "proprietor" in relation to entertainments includes any person or body of persons responsible for the management thereof.

Tax on payments for
admission to
entertainments.

3. There shall as from the 1st day of January, 1921, be charged, levied and paid on all payments for admission to any entertainment as defined by this Ordinance a tax at the following rate:—

Where the payment, excluding the amount of the tax does not exceed 25 cents ... 6 cents.

exceeds 25 cents and does not exceed	50 cents	10	„
„ 50	„	Fl. 1	15 „
„ Fl. 1	„	Fls. 2	25 „
„ Fls. 2	„	Fls. 4	50 „
„ Fls. 4	„	Fls. 8	Fl. 1
„ Fls. 8, Fl. 1 for the first	Fls. 8 and 50 cents for every		
	Fls. 4 or part of Fls. 4 over Fls. 8.		

4. No person shall be admitted for payment to any entertainment where the payment is subject to entertainments tax except with a ticket stamped with a stamp (not before used) denoting that the proper entertainments tax has been paid; unless the proprietor of the entertainment has made arrangements approved by the Treasurer for furnishing returns of the payments for admission to the entertainment and has given security up to an amount and in a manner approved by the Treasurer for the payment of tax.

Mode of imposing tax.

5. Any proprietor who is found to have admitted any person for payment to his entertainment without complying with the provisions of the previous sub-section commits an offence and shall be liable on conviction to a penalty not exceeding £50 and in addition shall be liable to pay any tax which should have been paid.

Penalty.

6. Entertainments tax, in the case of admission by stamped ticket, shall be paid by means of the stamp on the ticket and in the case of admissions otherwise than by stamped ticket, shall be calculated and paid on the number of admissions.

Mode of collection.

Entertainments tax, in the case of admission otherwise than by stamped ticket shall be recoverable from the proprietor by the Treasurer as a civil debt.

7. Where payment for admission to an entertainment is made by means of a lump sum paid as a subscription or contribution to any club, association or society or for a season ticket or for the right of admission to a series of entertainments or to any entertainment during a certain period of time the entertainments tax shall be paid on the amount of the lump sum.

Subscriptions and season tickets.

8. Entertainments tax shall not be charged on payments for admission to any entertainment where the Treasurer is satisfied:—

Exemptions of certain forms of entertainment.

(a) that the whole of the takings are devoted to philanthropic or charitable purposes without any charge on the takings for any expenses of the entertainment; or

(b) that the entertainment is of a wholly educational character (any question as to whether an entertainment is of a wholly educational character or not shall be referred to the Director of Education whose decision on the point shall be final); or

(c) that the entertainment is provided for scientific purposes by a society, institution or committee not conducted or established for profit.

(d) that the entertainment is an Agricultural, Horticultural or Poultry Exhibition held under the auspices of a society or association approved by the Director of Agriculture.

9. (1) The Governor may make regulations for securing the payment of entertainments tax and generally for carrying the provisions of this Ordinance as to entertainments tax into effect, and in particular—

Supplemental provisions as to entertainments tax.

(a) for the supply and use of stamps or stamped tickets, or for the stamping of tickets sent to be stamped; and for securing the defacement of stamps when used; and

(b) for the use of tickets covering the admission of more than one person and the calculation of the duty thereon; and for the payment of duty on the transfer from one part of a place of entertainment to another; and

(c) for controlling the use of barriers or mechanical contrivances (including the prevention of the use of the same barrier or mechanical contrivance for payments of a different amount), and for securing proper records of admission by means of barriers or mechanical contrivances.

If any person acts in contravention of or fails to comply with any such regulations he shall be liable in respect of each offence to a penalty not exceeding £50.

(2) Any European Police Officer of and above the rank of Assistant Inspector and any officer of the Government duly authorised by the Governor for the purpose may enter any place of entertainment while the entertainment is proceeding, and any place ordinarily used as a place of entertainment at any reasonable times, with a view to seeing whether the provisions of this Ordinance or any regulations made thereunder as to entertainments tax are being complied with.

If any person prevents or obstructs the entry of any officer so authorised he shall be liable on summary conviction to a fine not exceeding £20.

AN ORDINANCE.

No. 32 OF 1920.

Assented to in His Majesty's name this 29th day of December, 1920.

W. K. NOTLEY,
Governor's Deputy.

An Ordinance to Repeal the Bank of England and Treasury Currency Notes Ordinance, 1920.

BE it enacted by the Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof:—

Short title.

1. This Ordinance may be cited as "The Bank of England and Treasury Currency Notes Repeal Ordinance, 1920."

Repeal.

2. The Bank of England and Treasury Currency Notes Ordinance, 1920, shall be and is hereby repealed.

AN ORDINANCE.

No. 33 OF 1920.

Assented to in His Majesty's name this 29th day of December, 1920.

W. K. NOTLEY,
Governor's Deputy.

An Ordinance to Amend the Registration of Titles Ordinance, 1919.

BE it enacted by the Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof:—

Short title.

1. This Ordinance may be cited as "The Registration of Titles (Amendment) Ordinance, 1920," and shall be read as one with the Registration of Titles Ordinance, 1919, hereinafter referred to as "the Principal Ordinance."

Alteration of forms,
Governor to sign all
grants.

2. Form B, in the first schedule of the Principal Ordinance shall be and is hereby amended as follows:—

(a) By the deletion of the words "Commissioner of Lands of the East Africa Protectorate" in the 6th line thereof and the substitution of the words "Governor of the Colony of Kenya" therefor.

(b) By the deletion of the words "power conferred on me by" in the 7th and 8th lines thereof and the substitution of the words "powers vested in me" therefor.

(c) By the deletion of the words "Commissioner of Lands" in the testimonium thereof and the substitution of the word "Governor" therefor.

3. Form B. 2 in the first schedule of the Principal Ordinance shall be and it hereby amended as follows:—

(a) By the deletion of the words "Commissioner of Lands of the East Africa Protectorate" in the 5th line thereof and the substitution of the words "Governor of the Colony of Kenya" therefor.

(b) By the deletion of the words "power conferred on me by" in the 6th and 7th lines thereof and the substitution of the words "powers vested in me" therefor.

(c) By the deletion of the words "Commissioner of Lands" in the testimonium thereof and the substitution of the word "Governor" therefor.

AN ORDINANCE.

No. 34 OF 1920.

Assented to in His Majesty's name this 29th day of December, 1920.

W. K. NOTLEY,
Governor's Deputy.

An Ordinance to Amend the Law relating to Divorce and Matrimonial Causes in the cases of Mohammedan Marriages and relating to Intestate Succession in certain cases.

BE it enacted by the Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof:—

1. This Ordinance may be cited as "The Mohammedan Marriage Divorce and Succession Ordinance, 1920." Short title.

2. In this Ordinance the following expressions shall, unless the context otherwise requires, have the following meanings:— Interpretation.

The expression "Mohammedan marriage" means any marriage contracted in accordance with, and recognised as valid by Mohammedan law.

The expression "Matrimonial cause or suit" means all causes or suits relative to the validity of a marriage according to Mohammedan law and all causes and suits relative to or claiming any species of relief, whether by way of divorce or otherwise, in respect of Mohammedan marriages, recognised or given by Mohammedan law.

3. (1) From and after the coming into operation of this Ordinance Mohammedan marriages whether contracted prior or subsequently to the commencement of this Ordinance shall be deemed to be valid marriages throughout the Colony and Protectorate of Kenya and the parties thereto shall subject to the provisions of this Ordinance be entitled to any relief by way of divorce or otherwise which can be had, granted, or obtained according to Mohammedan law and such law shall apply accordingly. Mohammedan law in relation to marriage and divorce to apply.

Jurisdiction of the High Court in all matrimonial causes or suits in respect of Mohammedan marriages.

(2) From and after the commencement of this Ordinance the High Court and every Judge thereof shall, subject to the provisos hereinafter contained and to the other provisions of this Ordinance and any Rules issued thereunder, have jurisdiction to hear and determine all matrimonial causes and suits arising out of Mohammedan marriages wherever contracted at the suit of either party to such marriages, whether such marriages shall have been contracted either prior or subsequently to the commencement of this Ordinance. Provided always the High Court shall not exercise any jurisdiction as is hereby conferred unless both parties to the marriage are domiciled in the Colony or Protectorate of Kenya at the time of the institution of such matrimonial cause or suit as aforesaid.

(3) In all such matrimonial causes or suits as are mentioned in sub-section (1) hereof, the High Court shall exercise its jurisdiction and act and give relief upon the principles of Mohammedan law applicable to the same respectively and not otherwise.

(4) In any such matrimonial causes or suits as aforesaid the onus of proof of the principles of Mohammedan law shall be on the parties alleging the same respectively.

(5) Provided that nothing herein contained shall abridge prejudice or in anywise affect the jurisdiction of any Court of Cadi as by law established.

(6) And further provided that nothing herein contained shall be deemed to affect the rights or obligations of any person who at the time of entering into a Mohammedan marriage was already married under any law or custom relating to marriages other than Mohammedan marriages in force in, or recognised by the Courts of, the Colony or Protectorate.

Distribution of the property of a party to a Mohammedan marriage, or of the issue thereof, dying after the commencement of this Ordinance.

4. Where any person contracts a marriage or, being a male, contracts marriages, in accordance with Mohammedan law, whether such marriage or marriages shall have been contracted either prior or subsequently to the commencement of this Ordinance, and such person dies after the commencement of this Ordinance and where the issue of any such marriage or marriages dies after the commencement of this Ordinance the law of succession applicable to the property both movable and immovable of any such person shall be in accordance with the principles of Mohammedan law, any provision of any Ordinance or rule of law to the contrary notwithstanding. Provided that where in any sect of Mohammedans to which the deceased belonged the law of succession differs from the ordinary law of succession in accordance with the ordinary principles of Mohammedan law then the law of succession applicable to such sect shall apply.

Marriage Ordinance, 1902.

5. Whoever contracts a Mohammedan marriage being at the time married under the Marriage Ordinance, 1902, or any modification or re-enactment thereof, or in accordance with the law of any Christian country and without having first obtained a lawful divorce shall be liable to imprisonment with or without hard labour for a period not exceeding 5 years; and in such a case Mohammedan law shall have no application.

Native marriages.

6. Whoever contracts a Mohammedan marriage being at the time married in accordance with native law and custom to any person other than the person with whom such marriage is contracted and without having first obtained a divorce in accordance with native law and custom shall be liable to imprisonment with or without hard labour for a period not exceeding 5 years and in such a case Mohammedan law shall have no application.

Power of Chief Justice to make Rules of Court.

7. The Chief Justice shall have power to make Rules of Court for the better carrying of the provisions of this Ordinance into effect; and, in particular, for regulating the exercise of the jurisdiction by this Ordinance conferred; assimilating, if he shall deem fit, as far as may be, the existing practice under the Divorce Ordinance, 1904, to all or any of the matrimonial causes or suits under this Ordinance.

Proclamations Rules and Regulations.

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EAST AFRICA PROTECTORATE.

GOVERNMENT NOTICE No. 1.

THE LEGISLATIVE COUNCIL ORDINANCE, 1919.

APPOINTMENTS.

Under the powers vested in me the Governor by Section 7 of the Legislative Council Ordinance, 1919, I Charles Calvert Bowring, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the East Africa Protectorate, do hereby appoint the following officers to perform the duties of Returning Officers under the Rules contained in Schedule III of the said Ordinance for the several Electoral Areas of the Protectorate specified below:—

Electoral Area.	Returning Officer.	
1. Nairobi North	Provincial Commissioner,	Ukamba
2. Nairobi South	District Commissioner	Nairobi
3. Mombasa	" "	Mombasa
4. Coast	Provincial Commissioner,	Seyidie
5. Lake	District Commissioner,	Kisumu
6. Rift Valley	Resident Magistrate,	Nakuru
7. Plateau North	Senior Assistant District Commissioner for time being appointed to Uasin Gishu District	
8. Plateau South	District Commissioner,	<i>Districts</i> Uasin Gishu
9. Kenya	" "	Nyeri
10. Ukamba	" "	Ulu
11. Kikuyu	" "	Kikuyu

Nairobi,
The 7th day of January, 1920.

C. C. BOWRING,
Acting Governor.

GOVERNMENT NOTICE No. 2.

THE LEGISLATIVE COUNCIL ORDINANCE, 1919.

NOTICE.

IN EXERCISE of the powers conferred on the Governor by the Legislative Council Ordinance, 1919, Section 15, I William John Monson, Governor's Deputy, do hereby appoint that the election for Members of the Legislative Council for the undermentioned Electoral Areas be held on the twenty-first day of February, 1920, at the places following, that is to say:—

Electoral Area.	Place of Election.	
1. Nairobi North	Municipal Offices	Nairobi
2. Nairobi South	Office of the District Commissioner	Nairobi
3. Mombasa	" " " "	Mombasa
4. Coast	Office of the Provincial Commissioner	Mombasa
5. Lake	Office of the District Commissioner	Kisumu
6. Rift Valley	Office of the Resident Magistrate	Nakuru
7. Plateau North	Office of the District Commissioner	Eldoret
8. Plateau South	" " " "	Eldoret
9. Kenya	" " " "	Nyeri
10. Ukamba	" " " "	Machakos
11. Kikuyu	" " " "	Kyambu

Given under my hand at Nairobi this 31st day of December, 1919

W. J. MONSON,
Governor's Deputy.

GOVERNMENT NOTICE No. 3. S. 2055
THE MILITARY LABOUR CORPS DISTRIBUTION OF PAY AND PERSONAL PROPERTY ORDINANCE, 1918.

NOTICE.

Appointment of District Boards.

IN EXERCISE of the powers conferred upon the Governor by Section 3 of the Military Labour Corps Distribution of Pay and Personal Property Ordinance, 1918, His Excellency the Acting Governor has been pleased to appoint the Senior Officer for the time being administering a district to be a District Board for the purposes of the said Ordinance, provided that where there are additional Administrative Officers serving in the district one such officer shall be a member of such Board.

By command of His Excellency the Acting Governor.

Nairobi,
The 3rd day of January, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

GOVERNMENT NOTICE No. 4.
THE MILITARY CORPS DISTRIBUTION OF PAY AND PERSONAL PROPERTY ORDINANCE, 1918.

NOTICE.

Appointment of Central Board.

IN EXERCISE of the powers conferred upon the Governor by Section 3 of the Military Labour Corps Distribution of Pay and Personal Property Ordinance, 1918, His Excellency the Acting Governor has been pleased to appoint the persons for the time being holding the office of Chief Native Commissioner, Deputy Treasurer, Senior Assistant Auditor and Assistant Director of Military Labour to be a Central Board having its seat at Nairobi for the purposes of the said Ordinance.

By command of His Excellency the Acting Governor.

Nairobi,
The 3rd day of January, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

GOVERNMENT NOTICE No. 5.
THE RESIDENT NATIVES ORDINANCE, 1918.

APPOINTMENT OF MAGISTRATE.

WHEREAS there is at present no permanently residing Resident Magistrate or Assistant Resident Magistrate appointed to the Kisumu District and in exercise of the powers conferred upon the Governor by the Resident Natives Ordinance, 1918, and all other powers him thereunto enabling, His Excellency the Acting Governor has been pleased to appoint the District Commissioner for the time being in charge of the said district to exercise the powers conferred by the said Ordinance, but subject to the powers of any Resident Magistrate having jurisdiction in the said district. Provided that if at any time there shall be a permanently residing Resident Magistrate or Assistant Resident Magistrate appointed to and having jurisdiction in the said district the powers hereby conferred on the officer hereby appointed to exercise the powers conferred by the said Ordinance in such district shall cease.

By command of His Excellency the Acting Governor.

Nairobi,
The 6th day of January, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

GOVERNMENT NOTICE No. 6.
CONFIRMATION OF ORDINANCES.

NOTICE.

THE Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the undermentioned Ordinance:—

"AN ORDINANCE TO MAKE FURTHER AMENDMENTS TO THE EAST AFRICA POLICE ORDINANCE, 1911."

(No. XVIII of 1919).

"AN ORDINANCE TO PROVIDE FOR EXEMPTION FROM THE PAYMENT OF NATIVE HUT TAX AND NATIVE POLL TAX IN CERTAIN CASES."

(No. XXIV of 1919).

By command of His Excellency the Acting Governor.

Nairobi,

Dated this 6th January, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

GENERAL NOTICE No. 2.
THE MUNICIPAL CORPORATIONS ORDINANCE, 1909.

IN EXERCISE of the powers conferred upon them by the Municipal Corporations Ordinance, 1909, the Municipal Council of Nairobi, with the approval of His Excellency the Acting Governor, have made the following Bye-laws:—

1. These Bye-laws may be cited as "Nairobi Township (Dogs) Bye-laws, 1919," and shall be read together with Nairobi Township Rules, 1917 (hereinafter called "The Principal Bye-laws")."

2. Bye-laws 346-9 of the Principal Bye-laws are hereby repealed and the following Bye-laws are substituted therefor.

346. No person shall keep a dog (unless under 5 months of age) within the township unless the same shall have been registered at the Municipal Offices for the then current calendar year. Provided that a valid certificate of registration duly granted in any other township of the Protectorate shall authorise the holder thereof to keep the dog for which such certificate was granted in the township of Nairobi during the year of its currency.

347. On registering any dog the Town Clerk shall supply the person applying for registration with a metal ticket bearing the registration number of such dog. Any person owning or keeping within the township a dog which is found within the township not registered for the then current year or not carrying its registration ticket attached to its collar shall be guilty of an offence.

348. The Town Clerk may cause any dog found within the township without a collar and a registration ticket of the then current year attached thereto, or any dog which he has reason to believe to be ownerless, savage or dangerous to be seized and may destroy or otherwise deal with the same as he may think fit: provided that a dog which is neither diseased, savage nor dangerous shall be kept at least 7 days and its owner notified if possible.

349. A fee of Rs. 5/- shall be payable to the Town Clerk for every registration under these Bye-laws.

Nairobi,
3rd December, 1919.

J. A. WATSON,
Town Clerk.

GOVERNMENT NOTICE No. 9.

S. 17618.

THE EAST AFRICA TOWNSHIPS
ORDINANCE, 1903.

RULES.

IN EXERCISE of the powers conferred upon him by the East Africa Townships Ordinance, 1903, His Excellency the Acting Governor has been pleased to make the following Rules:—

1. The following fees shall be levied in the Township of Machakos and shall come in force from 1st January, 1920.

CONSERVANCY FEES.

NATIVE QUARTERS.

	Cents.
In respect of each native hut or shop if occupied by one family only ...	50 p.m.
If occupied by more than one family then in respect of each family ...	50 p.m.

INDIAN QUARTERS.

	Re.
In respect of each Indian house or shop if occupied by one family only ...	1/- p.m.
If occupied by more than one family then in respect of each family ...	1/- p.m.
2. The Rule dated the 28th day of May, 1909, and published in the "Official Gazette" of June 1st, 1909, is hereby cancelled in so far as it relates to Native Quarters Conservancy Fee levied in Machakos Township, and also the Government Notice No. 25 dated 23rd January, 1918, published in the "Official Gazette" of 30th January, 1918, relating to the Indian Quarters Conservancy Fee in Machakos Township.	

By command of His Excellency the Acting Governor.

Nairobi,
13th January, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

GOVERNMENT NOTICE No. 10.

THE NATIVE REGISTRATION ORDINANCE,
1915.

RULES.

IN EXERCISE of the powers conferred on the Governor-in-Council by the Native Registration Ordinance, 1915, His Excellency the Acting Governor-in-Council has been pleased to make the following Rules:—

1. These Rules may be cited as "The Native Registration (Amendment) Rules, 1919," and shall be read as one with "The Native Registration Rules, 1919," hereinafter referred to as "the Principal Rules" published on page 806 and following of the "Official Gazette" for the year 1919.

2. Rule 3 of the Principal Rules and Schedule I B annexed thereto shall be and are hereby rescinded and the following Rule and Schedules I B and I C annexed to these Rules shall be substituted therefor:—

"3. The Registering Officer shall fill in the details of the Certificate prescribed by Rule 2 of the Principal Rules, as also the details of the Certificate in the form set forth in Schedule I B annexed to these Rules, and shall further take the natives' finger impressions on the form set forth in Schedule I C annexed to these Rules, or on some form approximating thereto, and when duly completed and filled in manner hereinbefore directed forms I B and I C shall be attached and forwarded by the Registering Officer to the Chief Registrar of Natives."

By command of His Excellency the Acting Governor-in-Council.

J. G. HAMILTON-ROSS,
Ag. Clerk to the Executive Council.

Nairobi,
Dated this 7th day of January, 1920.

SCHEDULE I. B.

B.

(To be sent to the
Chief Registrar of
Natives, Nairobi.)

CERTIFICATE ISSUED UNDER THE NATIVE REGISTRATION ORDINANCE, 1915.

Name.....Father's name.....

District.....Tribe.....

Location.....Sub-Location.....

(Koret)

Group.....Clan.....

(Boyot).

Registration from) Circumcision Age.....
Temp. Cert. No.) (or Year.)

No.

LEFT THUMB
IMPRESSION

Signature of Registering Officer.....

Date.....District

SCHEDULE I. C.

N. A. D. Form No. 8.

No of certificate

F. P. Class

ROLLED IMPRESSIONS—RIGHT HAND.

1. Right Thumb.	2. Right Fore-finger.	3. Right Middle finger.	4. Right Ring-finger.	5. Right Little-finger.

ROLLED IMPRESSIONS—LEFT HAND. (FOLD.)

6. Left Thumb.	7. Left Fore-finger	8. Left Middle-finger.	9. Left Ring-finger.	10. Left Little-finger.

Plain Impressions taken Simultaneously. (Fold.)

LEFT HAND.**RIGHT HAND.****TO BE SENT TO THE****CENTRAL FINGER PRINT BUREAU****NAIROBI.**

Signature of Registering Officer.....Date.....

Classified by.....Date.....

Tested by.....Date.....

LEFT THUMB.

RIGHT THUMB.

LEFT THUMB IMPRESSION OF
PERSON TAKING PRINTS.

PROCLAMATION No. 1.

THE NATIVE REGISTRATION ORDINANCE,
1915.

PROCLAMATION.

IN EXERCISE of the powers conferred upon the Governor by the Native Registration Ordinance, 1915, section 22 (2), I, Charles Calvert Bowring, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the East Africa Protectorate, do hereby declare that all these Districts more particularly described in Schedule II, annexed to the Native Registration Rules, 1919 (published on page 806 of the "Official Gazette" for the year 1919) other than the District of Fort Hall and the District specified in the annexed schedule of application to which the aforesaid Ordinance has already been applied shall be excluded from the operation of the aforesaid Ordinance.

SCHEDULE OF APPLICATION.

Nairobi Town and District
Kisumu District
North Kavirondo District
Kiambu District

Given under my hand at Nairobi this 13th day of January, 1920.

C. C. BOWRING,
Acting Governor.

GOD SAVE THE KING.

PROCLAMATION No. 2.

S. 1967.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farm in the Kenya Province to be an infected East Coast Fever Area for the purposes of the aforesaid Ordinance.

Farm No. 1232, Mr. A. Paice, Nyeri, Nyeri District.

Given under my hand at Nairobi, this 12th day of January, 1920.

H. BRASSEY-EDWARDS,
Acting Chief Veterinary Officer.

PROCLAMATION No. 3.

S. 1967.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following area in the Kisumu Province to be an infected Foot and Mouth Disease Area for the purposes of the aforesaid Ordinance.

Veterinary Quarantine Reserve, Kibigori,
Lumbwa District. (L.O. Nos. 15, 16, 17,
18, 19 and 20).

Given under my hand at Nairobi, this 12th day of January, 1920.

H. BRASSEY-EDWARDS,
Acting Chief Veterinary Officer.

PROCLAMATION No. 4.

S. 1967.

THE DISEASES OF ANIMALS ORDINANCE,
1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farms in the Nakuru District, Naivasha Province, to be infected East Coast Fever Areas for the purposes of the aforesaid Ordinance:—

Farm No. 656/1 Mrs. N. O. Rutherford, Solai.

Farm No. 656 5 Mr. Aubrey, Solai.

Farm No. 474/1 Col. A. I. Lean, Solai.

Given under my hand at Nairobi this 3rd day of January, 1920.

H. BRASSEY-EDWARDS,
Ag. Chief Veterinary Officer.

GOVERNMENT NOTICE No. 18.

THE REGISTRATION OF TITLES
ORDINANCE, 1919.

IN EXERCISE of the powers conferred upon the Governor by the Registration of Titles Ordinance, 1919, I Charles Calvert Bowring, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the East Africa Protectorate, hereby direct that the aforesaid Ordinance other than Part III shall come into operation in the Coast and Inland Districts on the 21st day of January, 1920.

Given under my hand at Nairobi this 21st day of January, 1920.

C. C. BOWRING,
Acting Governor.

GOVERNMENT NOTICE No. 19.

S. 13595.

THE RESIDENT NATIVES ORDINANCE, 1918.
RULES.

IN EXERCISE of the powers conferred upon the Governor-in-Council by the Resident Natives Ordinance, 1918, His Excellency the Acting Governor-in-Council has been pleased to make the following Rules:—

1. These Rules may be cited as "The Resident Natives Registration Rules, 1920."

2. Magistrates shall keep a register of all permits issued pursuant to the provisions of Section 4 (1) of the said Ordinance in the form and containing the particulars set forth in Schedule A., annexed hereto and shall also keep a register of all permits issued pursuant to the provisions of Section 17 of the said Ordinance in the form and containing the particulars set forth in Schedule B., annexed hereto. Such registers shall be deemed to be sufficiently kept by making a carbon copy of the original permit on a duplicate copy thereof.

3. Each occupier shall pursuant to the provisions of Section 8 of the said Ordinance keep a register of all families resident on his farm and of all cattle belonging to any native lawfully residing on such farm in the form and containing the particulars set forth in Schedule C., annexed hereto.

By command of His Excellency the Acting Governor-in-Council.

Nairobi,

The 17th day of January, 1920.

J. G. HAMILTON-ROSS,
Ag. Clerk to the Executive Council.

[illegible]

GOVERNMENT NOTICE. No. 20.

**THE CRIMINAL PROCEDURE AMENDMENT
ORDINANCE, 1918.**

APPOINTMENT.

IN EXERCISE of the powers conferred upon him by the Criminal Procedure Amendment Ordinance, 1918, Section 3, His Excellency the Acting Governor has been pleased to confer upon the person for the time being holding the post of District Commissioner, Turkana District, all the powers conferred or conferrable by or under the aforesaid Ordinance on a Subordinate Court of the Second Class in respect of the offences therein specified and to cases generally.

And to direct that the powers of the aforesaid Subordinate Court of the Second Class shall be exercised within those parts of the Naivasha Province, known as the Turkana District.

Nairobi,

The 14th day of January, 1920.

W. J. MONSON,
Acting Chief Secretary.

GOVERNMENT NOTICE No. 21.

S. 15178.

**UNDER THE EAST AFRICA MARRIAGE
ORDINANCE, 1902.**

NOTICE.

IN pursuance of the provisions of Section 6 of the East Africa Marriage Ordinance, 1902, I hereby give notice that I have licensed the Chapel of the Roman Catholic Mission of Our Lady of Victories at Lyoki, Kyambu district, to be a place for the celebration of Marriages under the aforesaid Ordinance.

Nairobi,

Dated this 12th day of January, 1920.

C. C. BOWRING,
Acting Governor.

GOVERNMENT NOTICE No. 22.

S. 15178.

**UNDER THE NATIVE CHRISTIAN MARRIAGE
ORDINANCE, 1904.**

NOTICE.

IN EXERCISE of the powers conferred by Section 7 of the Christian Native Marriage Ordinance, 1904, I hereby appoint the Priest for the time being in charge of the Chapel of the Roman Catholic Mission of Our Lady of Victories at Lyoki, Kyambu district, licensed as a place for the celebration of Marriages to be a Registrar of Marriages.

Nairobi,

Dated this 12th day of January, 1920.

C. C. BOWRING,
Acting Governor.

GENERAL NOTICE No. 75.

**THE MUNICIPAL CORPORATIONS
ORDINANCE, 1909.**

IN EXERCISE of the powers conferred upon them by the Municipal Corporations Ordinance, 1909, the Municipal Council of Nairobi, with the approval of His Excellency the Acting Governor, have made the following Bye-laws:—

1. These Bye-laws shall come into force on 1st January, 1920, and may be cited as "Nairobi Township (Registration of Cycles) Amendment Bye-laws, 1920," and shall be read together with Nairobi Township Rules of 1917 (hereinafter called "The Principal Bye-laws)."

2. Rule 444 of the Principal Bye-laws shall be repealed and the following Bye-law shall be substituted therefor:—

The Town Clerk shall keep metal registration tickets, and on every occasion on which a cycle is registered shall issue a ticket, and the owner or person in possession of such cycle shall attach such ticket to such part of the cycle as shall be prescribed by the Town Clerk and shall keep the same so attached in such a manner as to be wholly visible.

Provided that after the 31st December, 1920, the Town Clerk may refuse to issue a ticket in respect of any cycle which has been previously registered until the ticket for the previous year shall have been delivered up to him.

After the 20th day of January, in any year any European Police Officer may seize and detain pending enquiry any cycle not carrying a ticket of the appropriate year.

Offences against this Rule shall be cognisable by the Police.

Nairobi,

13th December, 1919.

J. A. WATSON,
Town Clerk.

GENERAL NOTICE No. 76.

**THE MUNICIPAL CORPORATIONS
ORDINANCE, 1909.**

IN EXERCISE of the powers conferred upon them by the Municipal Corporations Ordinance, 1909, the Municipal Council of Nairobi, with the approval of His Excellency the Acting Governor, have made the following Bye-laws:—

1. These Bye-laws shall be read together with Nairobi Township Rules of 1917 (hereinafter called "The Principal Bye-laws") and may be cited as "Nairobi Township (Public Rickshaws) Amendment Bye-laws, 1920."

2. Rule 411 of the Principal Bye-laws is hereby amended by substituting for the words "the person" in Clause (b) thereof the words "a person."

3. Rule 412 of the Principal Bye-laws is hereby amended as follows:—

(Clause (c)). By substituting for the words "three of the members thereof" the words "such number of Councillors as the Council may prescribe."

(Clause (h)). By deleting the words "and native staff."

(Clause (i)). By substituting for the words "to maintain proper housing for his rickshaws and native staff" the words "to observe any of the conditions of this Bye-law."

and by adding after Clause (i) the following additional clause:—

(j) The Town Clerk may by written notice call upon any owner of public rickshaws to produce all the registered public rickshaws belonging to him, at a place within the Township and at a time, not being less than 3 days after the date of service of such notice, both to be specified in the notice, and such owner shall comply with such notice: provided that in the case of a rickshaw which may be incapacitated it shall be deemed compliance with the rule if the owner shall before the time specified in the notice deliver to the Town Clerk a letter specifying truly the cause or nature of the incapacity of such rickshaw and giving its registered number.

4. Offences against Ruls 414 of the Principal Bye-laws shall be cognisable by the Police.

5. Rule 433 of the Principal Rules is hereby amended by inserting after the words "the owner thereof" the words "and the rickshaw boys."

6. Rule 434 of the Principal Rules is hereby amended by inserting at the end of Clause (b) the words "to the satisfaction of the Town Clerk."

7. The word "Council" is hereby substituted for the word "Committee" wherever the latter occurs in Section IV., of Part V., of the Principal Byelaws. Nairobi,

31st December, 1919.

J. A. WATSON,
Town Clerk.

PROCLAMATION No. 5.

THE NATIVE REGISTRATION
ORDINANCE, 1915.

PROCLAMATION.

IN EXERCISE of the powers conferred upon the Governor by the Native Registration Ordinance, 1915, Section 22 (2), I, Charles Calvert Bowring, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the East Africa Protectorate, do hereby declare that all these Districts more particularly described in Schedule II, annexed to the Native Registration Rules, 1919, (published on page 806 of the "Official Gazette" for the year 1919) other than the District of Mombasa and the Districts specified in the annexed schedule of application to which the aforesaid Ordinance has already been applied shall be excluded from the operation of the aforesaid Ordinance.

SCHEDULE OF APPLICATION

Nairobi Town and District.
Kisumu District.
North Kavirondo District.
Kyambu District.
Fort Hall District.

Given under my hand at Nairobi this 27th day of January, 1920.

C. C. BOWRING,
Acting Governor.

GOD SAVE THE KING.

PROCLAMATION No. 6.

S. 13955.

THE EAST AFRICA OUTLYING DISTRICTS
ORDINANCE, 1902.

PROCLAMATION.

IN EXERCISE of the powers conferred upon the Governor by the East Africa Outlying Districts Ordinance, 1902, I, Charles Calvert Bowring, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the East Africa Protectorate, hereby declare that the area known as the Northern Frontier District shall be a closed district for the purposes of the aforesaid Ordinance.

Given under my hand at Nairobi this 22nd day of January, 1920.

C. C. BOWRING,
Acting Governor.

PROCLAMATION No. 7.

S. 1967

THE DISEASES OF ANIMALS ORDINANCE,
1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farms in the Naivasha Province to be an infected Trypanosomiasis (Fly Disease) Area for the purposes of the aforesaid Ordinance.

Messrs. The Equator Saw Mills' Farms, Turi, Nos. 487/3/9, 487/3/19, 487/3/10, 487/3/11, 487/3/22, 487/3/25 and 487/3/26, with the exception of a parcel of land 400 feet wide on the North side of the Old Caravan Route passing through Farms Nos. 487/3/25, 487/3/26 and 487/3/10.

Given under my hand at Nairobi this 17th day of January, 1920.

W. KENNEDY,
Ag. Chief Veterinary Officer.

PROCLAMATION No. 8.

S. 1967.

THE DISEASE OF ANIMALS ORDINANCE,
1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare that the following Proclamations be revoked:—

Proclamation No. 110 dated the 30th, day of September, 1919, (declaring Farms Nos. 1574, 1575 and 1576, "Songhor Estates," Muhoroni, to be an infected Foot and Mouth Disease Area).

Proclamation No. 114 dated the 13th, day of October, 1919, (declaring Farm No. 590/1, (Mr. Watts') Lumbwa, to be an infected Foot and Mouth Disease Area).

Given under my hand at Nairobi this 19th day of January, 1920.

W. KENNEDY,
Ag. Chief Veterinary Officer.

GOVERNMENT NOTICE No. 26.

S. 339.

THE NATIVE HUT AND POLL TAX
ORDINANCE, 1910.

RULES.

IN EXERCISE of the powers conferred upon him by the Native Hut and Poll Tax Ordinance, 1910, His Excellency the Acting Governor has been pleased to make the following Rules:—

1. These Rules may be cited as "The Collection of Taxes and Hut Counters Amendment Rules, 1920," and shall be read together with the Rules issued under the above Ordinance and dated the 25th January, 1913 (Government Notice No. 19 of 1913).

2. Rule No. 4 of the said Rules of the 25th January, 1913, shall be amended by the addition of the following words:—

"It shall further be the duty of such Headman upon receiving the said notification from the District Officer, to order every native subject to his jurisdiction to appear before the Hut Counter and give him such information as he may require for the preparation of the Tax-Roll, and any native failing to obey such order shall be liable on conviction to a fine not exceeding 30 rupees or to imprisonment of either description not exceeding one month."

By command of His Excellency the Acting Governor.

Nairobi,

This 23rd day of January, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

GOVERNMENT NOTICE No. 27. S. 18410

THE SOMALI EXEMPTION ORDINANCE,

1919.

RULES.

IN EXERCISE of the powers conferred upon him by the Somali Exemption Ordinance, 1919, His Excellency the Governor-in-Council has been pleased to make the following Rules:—

1. These Rules may be cited as "The Somali Exemption Rules, 1919.

2. Any Somali applying for a certificate of exemption under the Somali Exemption Ordinance, 1919, shall before such certificate is granted satisfy the Chief Native Commissioner that he can speak either Arabic or English, and is able to read and write in either Arabic or English.

3. No certificate of exemption shall be granted unless and until the applicant is able to satisfy the Chief Native Commissioner.

(i) That he is of direct descent from a section of the Somali race the recognized original habitat of which is Asia and that his parents are of Asiatic descent.

(ii) That not less than the last three generations of his family have lived in Asia.

(iii) That the applicant has his permanent home in Asia.

(iv) That he is a British subject or is under the protection of His Majesty. Provided that in the case of an applicant who has been born and has resided in Berbera and whose father or grand-father was born in Asia and whose father and mother are Somalis of Asiatic descent such applicant shall for the purpose of these rules be deemed to be of Asiatic descent.

4. The Chief Native Commissioner shall keep a register of all persons to whom a certificate of exemption has been issued in the form set out in the Schedule hereto annexed.

5. A certificate of exemption shall be in the form set out in the Schedule hereto annexed.

By command of His Excellency the Acting Governor-in-Council.

J. G. HAMILTON-ROSS,

Acting Clerk of Councils.

Nairobi,

This 23rd day of January, 1920.

SCHEDULE.

THE SOMALI EXEMPTION ORDINANCE, 1919.

REGISTER OF PERSONS TO WHOM A CERTIFICATE OF EXEMPTION HAS BEEN ISSUED UNDER THE ABOVE NAMED ORDINANCE.

No. of certificate.	Name.	Father's Name.	Place of birth.	Residence in E. A. P.	Apparent age.	Tribe.	Clan.	Section.	General description.

FORM OF CERTIFICATE TO BE ISSUED.

No.....Date of issue.....Fee Rs. 20
 Name.....Father's name.....
 Place of birth.....Residence in East Africa.....
 Tribe.....Clan.....Section.....
 Age or apparent age years.
 Description.
 Trade or calling
 Signature

Thumb mark.

Witness

Chief Native Commissioner.

Date.....19 .

GOVERNMENT NOTICE No. 28. S. 13955.
THE EAST AFRICA OUTLYING DISTRICTS
ORDINANCE, 1902.

NOTICE.

IN EXERCISE of the powers conferred upon the Governor by the Interpretation and General Clauses Ordinance, 1912, Section 13, His Excellency the Acting Governor has been pleased to depute the person for the time being holding the office of Chief Native Commissioner to exercise on His Excellency the Governor's behalf the powers vested in him by the East Africa Outlying Districts Ordinance, 1902, Sections 4 and 5.

By command of His Excellency the Acting Governor.

Nairobi,

This 23rd day of January, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

GOVERNMENT NOTICE No. 29. S. 4165.
THE INFECTIOUS DISEASES ORDINANCE,
1903.

NOTICE.

WHEREAS by notice dated 9th December, 1919 (Government Notice No. 421), His Excellency the Acting Governor, in exercise of the powers conferred upon the Governor by the Infectious Diseases Ordinance, 1903, dated 29th July, 1913, and all amendments thereof shall apply to the area of the Kambui Mission, Kiambu, until further order.

NOW THEREFORE in exercise of the powers conferred upon him by the said Ordinance and all other powers thereunto him enabling His Excellency the Acting Governor has been pleased to order that the said notice be cancelled and declare that the said Rules under the Infectious Diseases Ordinance, 1903, and all amendments thereof shall no longer apply to the said area until further order.

By command of His Excellency the Acting Governor.

Nairobi,

This 22nd day of January, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

PROCLAMATION No. 9. S. 1967.
THE DISEASES OF ANIMALS ORDINANCE,
1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farms in the Naivasha Province to be an infected Rinderpest Area for the purposes of the aforesaid Ordinance.

Farms Nos. 1382/1 and 1382/2, Mr. Colville, Naivasha.

Given under my hand at Nairobi this 27th day of January, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 10.
THE DISEASES OF ANIMALS ORDINANCE,
1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare that the following Proclamation be revoked.

Proclamation No. 68 dated the 3rd day of July, 1919, (declaring Farm No. 395, Mr. Chillingworth's Farm, Naivasha, to be an infected East Coast Fever Area).

Given under my hand at Nairobi this 30th day of January, 1920.

W. KENNEDY,
Ag. Chief Veterinary Officer.

PROCLAMATION No. 11.
THE DISEASES OF ANIMALS ORDINANCE,
1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare that the following Proclamation be revoked.

Proclamation No. 47 dated the 12th day of June, 1919, (declaring a parcel of land in the Fort Hall District, to be an infected Trypanosomiasis (Fly Disease) Area).

Given under my hand at Nairobi this 30th day of January, 1920.

W. KENNEDY,
Ag. Chief Veterinary Officer.

GOVERNMENT NOTICE No. 34. S. 20027.
THE LEGISLATIVE COUNCIL ORDINANCE,
1919.

RULES.

VOTING BY POST.

IN EXERCISE of the powers conferred upon the Governor by the Legislative Council Ordinance, 1919, His Excellency the Ag. Governor-in-Council has been pleased to make the following Rules:—

1. These Rules may be cited as "The Voting by Post Rules, 1920," and shall be read as one with "The Voting by Post Rules, 1919," herein referred to as "The Principal Rules."

2. Rule 5 (1) of the Principal Rules shall be and is hereby amended as follows:—

By the deletion of the words "within the voter's electoral area" in line 5 of the said Rule and by the substitution therefor of the words "within the Protectorate."

3. Rule 5 (2) of the Principal Rules shall be and is hereby amended as follows:—

After the words "Returning Officer" in the said Rule there shall be added the words "for the area in which the voter is registered."

By command of His Excellency the Ag. Governor-in-Council

Nairobi,

The 29th day of January, 1920.

J. G. HAMILTON-ROSS,
Ag. Clerk to the Executive Council.

GOVERNMENT NOTICE No. 35. S. 3430.
THE EAST AFRICA TOWNSHIPS
ORDINANCE, 1903.
THE INFECTIOUS DISEASES ORDINANCE,
1913.

RULES.

IN EXERCISE of the powers conferred upon the Governor by the East Africa Townships Ordinance, 1903, and the Infectious Diseases Ordinance, 1903, His Excellency the Acting Governor has been pleased to make the following Rules:—

1. Every notice or order required or authorised by any Rules made under either of the above Ordinances to be served on any person, may be served:—

- (a) By delivering the same to such person.
- (b) By delivering the same at the usual or last known place of abode of such person or to some adult member or servant of his family.
- (c) A notice or order required or authorised to be served on the owner or occupier of any premises shall be deemed to be properly addressed by the description of the "owner" or "occupier" of such premises without further description.
- (d) Such notice may be served by delivering the same or a true copy thereof to some adult person on the premises, or if there is no such person on the premises to whom the same can with reasonable diligence be delivered, by the fixing the notice on some conspicuous part of the premises.

2. In all Rules made under either of the above Ordinances the terms "owner" and "occupier", shall have the same meanings as are assigned to these terms by the Township Fees and Conservancy Ordinance, 1908.

By command of His Excellency the Ag. Governor

Nairobi,

The 30th day of January, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

GOVERNMENT NOTICE No. 38.
PASSPORT REGULATION.
FOR
UNION OF SOUTH AFRICA:

Intending travellers to or through the Union of South Africa must be in the possession of a Passport issued by the proper authorities.

2. The following persons cannot be admitted into the Union.

- (a) Native of East Africa.
- (b) Asiatics who are not in possession of a Certificate of Identity, Registration Certificate, or other documents proving their right of entry into South Africa.

Passengers are warned not to take such persons with them as Domestic Servants.

Nairobi,
January 29th, 1920.

G. A. S. NORTHCOTT,
for Acting Chief Secretary.

GOVERNMENT NOTICE No. 39.
NOMENCLATURE OF OCCUPIED
TERRITORY.

IT is hereby notified for general information that with effect from the 1st February, 1920, the Occupied Territory of German East Africa will provisionally and until further notice be officially known as the Tanganyika Territory.

Nairobi,

January 31st, 1920.

W. J. MONSON,
Acting Chief Secretary.

GOVERNMENT NOTICE No. 44. S. 4165.
THE INFECTIOUS DISEASES ORDINANCE,
1903.
NOTICE.

WHEREAS a case of plague has occurred at Tompsons Farm, L. O. No. 109 Ruaraka, NOW THEREFORE in exercise of the powers conferred upon the Governor by the Infectious Diseases Ordinance, 1903, His Excellency the Acting Governor has been pleased to order from the date hereof until further order that the Rules under the Infectious Diseases Ordinance, 1903, dated the 29th day of July, 1913, (Government Notice No. 171) and all amendments thereof shall apply to the said area.

By command of His Excellency the Ag. Governor.

Nairobi,

The 27th day of January, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

GOVERNMENT NOTICE No. 45. S. 9955/III
MILITARY PENSIONS FOR E. A. UNITS.

NOTICE.

IT is hereby notified for general information that the duties of the Military Pensions Officer, Secretariat, are being transferred to the Chief Paymaster, East Africa Pay Corps, as from the 4th instant. All relative communications in future should be addressed to the last-named officer at P. O. Box No. 261, Nairobi, envelopes being marked "Pensions" in the top left-hand corner.

Nairobi,

February 3rd, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

GOVERNMENT NOTICE No. 46.

THE MUNICIPAL CORPORATION
ORDINANCE, 1909.

NAIROBI MUNICIPAL COUNCIL.

NOTICE.

IN EXERCISE of the powers conferred on me by the Municipal Corporation Ordinance, 1909, and all other powers vested in me, I Charles Calvert Bowring, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the East Africa Protectorate, hereby cancel Government Notice No. 240 of 1919, contained in the "Official Gazette" of 16th July, 1919, and dissolve the Municipal Council thereby appointed: and I further determine that the Nairobi Municipal Council shall for the time being and until further notice consist of 15 Councillors: and I hereby appoint the following to be Councillors, to hold office during my pleasure for a period not exceeding 2 years:

J. E. Alexander Esq.
B. G. Allen Esq.
H. Hurle Bath Esq.
D. Beaton Esq.
A. Davis Esq.
R. O. Hamilton Esq.
H. E. Henderson Esq.
W. Isherwood Esq.
S. Jacobs Esq.
J. R. Orr Esq.
J. Riddell Esq.
A. C. Ross Esq.
G. P. Stevens Esq.
A. C. Tannahill Esq.
C. Udall Esq.

Given under my hand at Nairobi this 3rd day of February, 1920.

C. C. BOWRING,
*Acting Governor and
Commander-in-Chief.*

GOVERNMENT NOTICE No. 47.

THE INDIAN POST OFFICE ACT OF 1898.

RULES.

IN EXERCISE of the powers conferred on the Governor-in-Council by the Indian Post Office Act 1898, Section 43 (2) (c), His Excellency the Acting Governor has been pleased to make the following Rules:—

(1) These Rules may be cited as the Foreign Money Order Rules (No. 1) 1920.

(2) The existing rates of commission upon Money Orders issued upon India, Zanzibar, British Somaliland, Tanganyika Territory, and Belgian Congo, or negotiated with other countries through those Administrations, are hereby amended by substituting the following rates:—

	Commission.	
	Rs.	Cts.
For sums not exceeding ten rupees	...	1 80
For sums exceeding ten rupees and not exceeding twenty rupees	...	3 60
and at the same rate, i.e., Re. 1/80 for each ten rupees, or part thereof, to the maximum amount allowed.		

(3) These Rules shall come into operation on the 9th day of February, 1920.

By command of His Excellency the Acting Governor.

Nairobi,
9th February, 1920.

W. J. MONSON,
Acting Chief Secretary.

PROCLAMATION No. 12.

THE MUNICIPAL CORPORATIONS

ORDINANCE, 1909.

PROCLAMATION.

IN EXERCISE of the powers conferred on me by the Municipal Corporations Ordinance, 1909, I hereby declare that the boundaries of the Township of Nairobi, being a Municipality constituted under the above-mentioned Ordinance by Proclamation dated the 5th day of July, 1919, shall be altered as from the 1st day of April, 1920, to the effect that the said Township from the said last mentioned date shall consist of the area enclosed within a line running as follows, viz:—

Commencing at the North-easterly corner of L.O. No. 1870 (Upper Parklands Estate); thence bounded by the Mathari River down-stream to the North-westerly corner of L.O. No. 36 (Egerton Estate) where it joins the Westerly boundary of that estate; thence by the Westerly boundary of that estate to Nairobi River; thence onward to a point where a line produced along the South-easterly boundary of the proposed Native Location (now cancelled as shewn on Nairobi Township Map) would intersect; thence by that line South-westerly to where it intersects the Ngong River; thence by that River up-stream to the North-easterly corner of L.O. No. 37; thence by the Northerly boundary of that L.O. number to its North-westerly corner; thence by a line to the most Southerly corner of the King's African Rifles Lines; thence by the generally Westerly boundary of King's African Rifles Lines to Ngong Road; thence by the Southerly boundary of that Road to a point where a line produced Southerly of the Easterly boundary of L.O. No. 1 (Upper Hill Estate) would intersect; thence by the Easterly boundary of that Estate to its North-easterly corner on Kirichaw Kubwa or Gara River; thence by that River down-stream to its junction with Kirichaw Dogo or Gara River; thence in a Northerly direction by the Easterly boundaries of L.O. No. 207/1 and L.O. No. 208/1 to Nairobi River; thence by that River up-stream to the South-westerly corner of L.O. No. 209/345; thence by the Westerly boundary of that L.O. number to its most Northerly corner and continued where it meets Salisbury Road; thence South-easterly by that Road to the most Westerly corner of L.O. No. 209/76; thence in a generally Northerly direction by the generally Easterly boundary of L.O. No. 1870 (Upper Parklands Estate) to the point of commencement including that area L.O. No. 1870 originally L.O. No. 209/79.

Given under my hand at Nairobi this 3rd day of February, 1920.

C. C. BOWRING,
Acting Governor.

GOD SAVE THE KING.

GOVERNMENT NOTICE No. 48.

S. 19710

THE DISEASES OF ANIMALS

ORDINANCE, 1906.

RULES.

IN EXERCISE of the powers conferred upon the Governor by the Diseases of Animals Ordinance, 1906, His Excellency the Acting Governor has been pleased to make the following Rules:—

1. These Rules may be cited as "The Diseases of Animals (Importation of Dogs) Amendment Rules (No. 1) 1920," and shall be read as one with the Diseases of Animals Rules, 1918, and all amendments thereof.

2. Rule 12 of the Diseases of Animals Rules, 1918, the Diseases of Animals (Importation of Dogs) Amendment Rules, 1919, and the Diseases of Animals (Importation of Dogs) Amendment Rules (No. 2) 1919, shall be deleted and the Rules following substituted therefor:—

3. All dogs imported from the Union of South Africa, Swaziland, Bechuanaland or Basutoland shall be accompanied by a certificate of health from a Veterinary Surgeon.

4. All dogs imported without the certificate required by the last preceding Rule from any country (except Australasia) other than the above-mentioned shall be subjected on arrival to four months' quarantine at the risk and expense of the importer provided that the Chief Veterinary Officer may reduce the period of quarantine if he is satisfied, by a certificate from a Veterinary Surgeon, that the animals have been quarantined immediately prior to embarkation and, by a certificate from the Captain of the Ship on which the dogs arrived, that they have been strictly isolated from all other dogs during the voyage.

By command of His Excellency the Acting Governor.

Nairobi,

The 10th day of February, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

GOVERNMENT NOTICE No. 49. S. 14 67
THE EAST AFRICA ORDER-IN-COUNCIL, 1902,
ARTICLE 22, AND THE EAST AFRICA
ORDER-IN-COUNCIL, 1906,

ARTICLE 2.

RULES.

RULES issued by the High Court with the approval of the Governor under the East Africa Order-in-Council, 1902, Article 22 and the East Africa Order-in-Council, 1906, Article 2.

1. These Rules may be cited as "Rules of Court (Advocates Remuneration and Taxation of Costs Amendment) No. 1 of 1920," and shall be read together with the Rules of Court (Advocates Remuneration and Taxation of Costs) No. 2 of 1916 (hereinafter referred to as "The Principal Rules.")

2. The opening paragraph of the Second Schedule to the Principal Rules shall be deleted and the following is substituted therefor:—

Subject to any special order of the Judge, when an order has been made in general terms for the payment of the costs of an action by either party and an Advocate has been employed, costs in addition to Court costs may be allowed to the successful party according to the following scale:—

	Rs.	Rs.
Plaintiff's costs where the sum found due or Defendant's costs where the action has been dismissed and the sum sued for does not exceed	50 ...	7/50
exceeds Rs. 50 but does not exceed	75 ...	10
" 75 "	150 ...	15
" 150 "	300 ...	30
" 300 "	400 ...	40
" 400 "	500 ...	50
" 500 "	600 ...	60
" 600 "		10%

In summary proceedings where the Defendant has not obtained leave to appear and defend 5% of the sum found due but not less than Rs. 15/-.

3. Rule 62 of the Principal Rules shall be deleted.

4. Rule 63 of the Principal Rules shall be deleted and the following substituted therefor:—

No Advocate's costs where suit

brought without notice except on special order.

62. If the Plaintiff in any action has not given the Defendant notice of his intention to sue, and the Defendant pays the amount claimed or found due at or before the first hearing no Advocate's costs will be allowed except on a special order of the Judge.

5. Rule 64 of the Principal Rules shall be deleted.

6. Rule 65 of the Principal Rules shall be deleted and the following is substituted therefor:—
Discretion of Judge as to costs.

63. The Judge may for special reasons to be certified by him allow costs in addition to the costs provided by the scale, or may refuse to allow an Advocate's costs, or may allow costs at a lower rate than that provided by the scale.

7. Rule 66 (a) and (b) of the Principal Rules shall be deleted and the following is substituted therefor:—

Summary Proceedings.

64. (a) Summary Proceedings relate to suits under Chapter XXXIX of the Code of Civil Procedure or any law substituted therefor, and all actions in which the Plaintiff has proceeded under a specially endorsed summons.

(b) The sum allowed in the scale shall be in addition to the sum disbursed for Court costs in accordance with the scale of Court Fees for the time being in force prescribing the fees leviable in Civil suits.

The scale of allowance to witnesses in the first schedule shall apply to witnesses in Subordinate Courts and shall also apply to a party who is a material and necessary witness.

6th November, 1919.

T. D. MAXWELL,

Acting Chief Justice.

JOSEPH SHERIDAN,

Acting Judge.

Approved:

C. C. BOWRING,

Acting Governor.

Dated this 9th day of February, 1920.

GOVERNMENT NOTICE No. 51. S. 19446.
THE REGISTRATION OF TITLES
ORDINANCE, 1919.

NOTICE.

IN EXERCISE of the powers conferred on him by the Registration of Titles Ordinance, 1919, His Excellency the Acting Governor has been pleased to make the following appointments:—

To be Commissioner of Lands:—

HUMFREY TRICE MARTIN, with effect from 20th October, 1919.

To be Director of Land Surveys:—

ALFRED ERNEST TOWNSEND, with effect from 7th October, 1919.

Government Notice No. 369 on page 777 of "Official Gazette" of the year 1919 is amended accordingly.

Nairobi,

7th February, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

PROCLAMATION No. 13.

THE DISEASES OF ANIMALS ORDINANCE,
1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farm in the Naivasha Province to be an infected Foot and Mouth Disease Area for the purpose of the aforesaid Ordinance.

Farm No. 425, (Messrs East Africa Lands and Development Co.) Gilgil, Naivasha District, with the exception of the old Gilgil Nyeri Road and a parcel of land half a mile wide on each side of the old Gilgil Nyeri Road.

Given under my hand at Nairobi this 10th day of February, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 14.

S. 1967

THE DISEASES OF ANIMALS ORDINANCE,
1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farm in the Naivasha Province to be an infected Rinderpest Area for the purposes of the aforesaid Ordinance.

Farm No. 395, Mr. Chillingworth's Farm, Naivasha.

Given under my hand at Nairobi this 7th day of February, 1920.

W. KENNEDY,
Ag. Chief Veterinary Officer.

PROCLAMATION No. 15.

THE DISEASES OF ANIMALS ORDINANCE,
1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farms in the Naivasha Province to be infected Foot and Mouth Disease Areas for the purposes of the aforesaid Ordinance.

Farms Nos. 473/1 and 473/4/1, Mr. F. Watkins' Farms, Solai, Nakuru District, with the exception of a parcel of land 500 yards in width on either side of the Nakuru Solai Main Road,

Given under my hand at Nairobi this 11th day of February, 1920.

W. KENNEDY,
Ag. Chief Veterinary Officer.

PROCLAMATION No. 16.

S 1967.

THE DISEASES OF ANIMALS ORDINANCE,
1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare that the following Proclamation be revoked.

Proclamation No. 92 dated the 23rd day of August, 1919, (declaring Farm No. 426, (Mr. Chillingworth's Farm) Naivasha, to be an infected Swine Fever Area).

Given under my hand at Nairobi this 7th day of February, 1920.

W. KENNEDY,
Ag. Chief Veterinary Officer.

GOVERNMENT NOTICE No. 54.

CONFIRMATION OF ORDINANCE.

NOTICE.

THE Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the undermentioned Ordinance:—

AN ORDINANCE TO AMEND THE LAW RELATING TO THE TRADE IN COCONUTS AND THE PRODUCTS OF THE COCONUT PALM.

(No. XXVIII of 1919).

By command of His Excellency the Acting Governor.

Nairobi,
February 12th, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

GOVERNMENT NOTICE No. 59.

THE INDIAN POST OFFICE ACT. 1898

AND

THE POST OFFICE AMENDMENT
ORDINANCE, 1919.

RULES.

IN EXERCISE of the powers conferred upon the Governor-in-Council by the Indian Post Office Act. 1898, as applied to the Protectorate, and the Post Office Amendment Ordinance, 1919, and all other powers him thereunto enabling His Excellency the Acting Governor-in-Council has been pleased to make the following Rules:—

1. These Rules may be cited as "The Foreign Postal and Money Order Rules No. 2) 1920."

2. All Rules heretofore made pursuant to the provisions of the said Act and Ordinance, or howsoever otherwise, relating to the issue by the Post Office of Foreign money orders expressed in rupee currency are hereby suspended,

3. All sterling money or postal orders issued in the United Kingdom or elsewhere for payment in the Protectorate, or purchased in the Protectorate for payment in the United Kingdom or elsewhere shall be cashed or purchased, as the case may be, in the Protectorate at the rate of two shillings per rupee.

4. The rules dated the 18th day of December, 1919, under the Indian Post Office Act, 1898, are hereby revoked.

5. These Rules shall come into operation on the 21st day of February, 1920.

By Command of His Excellency the Acting Governor-in-Council.

Nairobi,
The 21st day of February, 1920.

J. G. HAMILTON-ROSS,
Ag. Clerk of the Executive Council.

PROCLAMATION No. 17.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farms in the Naivasha Province to be infected Swine Fever Areas for the purposes of the aforesaid Ordinance.

Farms Nos. 92 and 93 (Mr. Hellard) Karamit Estate, Eldoret.

Given under my hand at Nairobi this 13th day of February, 1920.

W. KENNEDY,
Ag. Chief Veterinary Officer.

GOVERNMENT NOTICE No. 60.

S. 1825.

THE ABUSE OF OPIATES ORDINANCE, 1913.

RULES.

IN EXERCISE of the powers conferred upon the Governor by the Abuse of Opiates Ordinance, 1913, Section 18, and all other powers thereunto enabling, His Excellency the Acting Governor has been pleased to make the following Rules:—

1. These Rules may be cited as "The Abuse of Opiates (Amendment) Rules, 1920," and shall be read as one with the Abuse of Opiates Rules, 1914, hereinafter referred to as "the Principal Rules."

2. The words "Cannabis Sativa" shall be substituted for the words "Cannabis Indica" wherever the words "Cannabis Indica" occur in the Principal Rules.

By command of His Excellency the Acting Governor.

Nairobi,

The 23rd day of February, 1920.

G. A. S. NORTHCOTE,
for Ag. Chief Secretary.

GOVERNMENT NOTICE No. 61.

UNDER THE NATIVE CHRISTIAN
MARRIAGE ORDINANCE, 1904.

NOTICE.

IN EXERCISE of the provisions of the Native Christian Marriage Ordinance, 1904, Section 7, I hereby appoint the following Clergy of the Church Missionary Society to be Registrars of Marriages for the purposes of the aforesaid Ordinance at the following places, that is to say:—

Rev. Simeon Kalume at Nairobi,
" Timothy Mafenzi at Rabai,
" Samuel Bartholomew at Rabai,
" Paul Jibran at Mombasa,
" Samuel Nasibu at Frere Town.

Nairobi,

The 20th day of February, 1920.

C. C. BOWRING,
Acting Governor.

GOVERNMENT NOTICE No. 62.

S. 20840.

THE LEGISLATIVE COUNCIL ORDINANCE,
1919.

NOTICE.

PURSUANT to the powers vested in them by virtue of Rule 10 Schedule III of the Legislative Council Ordinance, 1919, Returning Officers for for the Electoral Areas specified below duly declared the following persons to be elected Members of the Legislative Council of the East Africa Protectorate:—

Electoral Area.	Person Elected.
Mombasa	Kenneth Hunter Rodwell, Esq.
Coast	Brigadier-General Sydney Herbert Charrington, C.M.G., D.S.O.
Lake	Eustace Albert Phelps, Esq.
Rift	Hugh Cholmondeley, Lord Delamere
Ukamba	Sir William Northrup MacMillan, Kt., F.R.G.S.

Nairobi,

This 24th day of February, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

GOVERNMENT NOTICE No. 63.

S. 19458.

CONFIRMATION OF ORDINANCE.

NOTICE.

THE Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the undermentioned Ordinance:—

"AN ORDINANCE TO AMEND THE MASTER AND SERVANTS ORDINANCE, 1910, AND THE ORDINANCES AMENDING THE SAME."

(No. XXVII of 1919.)

By command of His Excellency the Acting Governor.

Nairobi,

Dated this 24th February, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

GOVERNMENT NOTICE No. 67.

S. 4773.

THE MUNICIPAL CORPORATIONS
ORDINANCE, 1909.

NAIROBI MUNICIPAL COUNCIL.

NOTICE.

IN EXERCISE of the powers conferred upon me by the Municipal Corporations Ordinance, 1909, I, Charles Calvert Bowring, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the East Africa Protectorate, hereby amend Government Notice No. 46 of the 3rd day of February, 1920, by the substitution of the figure 16 for the figure 15 and by the addition of the following name J. M. CAMPOS, Esq., after the name C. UDALL, Esq., in the said Notice.

Given under my hand at Nairobi this 25th day of February, 1920.

C. C. BOWRING,
Acting Governor.

PROCLAMATION No. 18.

THE DISEASES OF ANIMALS ORDINANCE,
1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Area in the Nyanza Province to be an infected Trypanosomiasis (Fly Disease) Area for the purposes of the aforesaid Ordinance.

Colonel Ottley's Syndicate, Kericho, Lumbwa District.

Given under my hand at Nairobi this 23rd day of February, 1920.

W. KENNEDY,
Ag. Chief Veterinary Officer.

GOVERNMENT NOTICE No. 72.

S. 19427.

THE LEGISLATIVE COUNCIL ORDINANCE,
1919.

RULES.

IN EXERCISE of the powers conferred upon the Governor by the Legislative Council Ordinance, 1919, His Excellency the Acting Governor-in-Council has been pleased to make the following Rules:—

1. These Rules may be cited as "The Legislative Council Ordinance Amending Rules No. 1 of 1920," and shall be read as one with the Rules contained in Schedule III of the above Ordinance hereinafter referred to as the "the Principal Rules."

2. Rule 15 of the Principal Rules shall be rescinded and the following Rule shall be and is hereby substituted therefor:—

"15. The Governor shall appoint a person in these Rules, called a "presiding officer" and, where necessary, a "deputy presiding officer" (who shall have all the powers of a presiding officer) to preside at each polling station. Such presiding officer and deputy presiding officer shall be supplied with a copy of the register of voters containing the names of voters residing in the area assigned to his polling station."

By command of His Excellency the Acting Governor-in-Council.

Nairobi,

The 28th day of February, 1920.

J. G. HAMILTON-ROSS,
Acting Clerk to the Executive Council.

GOVERNMENT NOTICE No. 73.

THE EAST AFRICA TOWNSHIPS
ORDINANCE, 1903.

RULES.

IN EXERCISE of the powers conferred upon the Governor by the East Africa Townships Ordinance, 1903, and all other powers him thereunto enabling His Excellency the Acting Governor has been pleased to make the following Rules:—

1. These Rules may be cited as "The Kisumu Water Rate Rules, 1920," and shall come into force on the 1st day of April, 1920.

2. For the purposes of these Rules:—

"Tenant" shall include any person in occupation of any shop, business premises or dwelling or subdivision thereof without regard to the title under which he occupies and in case of premises or any part thereof let to lodgers the person receiving the rent payable by the lodgers whether on his own account, or as an agent for any person entitled thereto or interested therein.

3. There shall be paid to the Superintendent of Conservancy by the tenant of every shop, business premises or residential and business plot dwelling or subdivision thereof situate in Kisumu Township a water rate of Re. 1/- per month, and there shall also be paid in manner aforesaid by the tenant of every residential or business plot or subdivision thereof on which there exists a stand pipe a further water rate of Re. 1/- per month.

4. The said rate shall be paid quarterly in advance on the 1st days of April, July, October and January in each year.

By command of His Excellency the Acting Governor.

Nairobi,

The 28th day of February, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

GOVERNMENT NOTICE No 74.

THE EAST AFRICA TOWNSHIPS
ORDINANCES, 1903-1918.

RULES.

IN EXERCISE of the powers conferred upon him by the East Africa Townships Ordinances 1903, His Excellency the Acting Governor has been pleased to make the following Rules:—

I. These Rules may be cited as "the Londiani Township Rules 1919."

II. The following Rules shall apply to the Township of Londiani:—

(1) Of the Township Rules 1904 dated 19th May 1904 the following:—

BUILDINGS.—Nos. 24, 26, 27, 28, 29, 30, 31, 32, 33, 38, 39, 49, 50 and 52,

STREETS AND ROADS.—Nos. 53, 54, 55, 56, 57, and 58.

IRRIGATION TRENCHES.—Nos. 59, 60, 61, and 62.

SANITARY.—Nos. 63, 64, 65, 66, 67, 68, 69, 70, 71 and 72.

DANGEROUS AND OFFENSIVE TRADES.—No. 73.

STABLES CATTLE SHEDS ETC.—Nos. 74, 75, 76, 77 and 78.

REMOVAL OF CARCASSES.—Nos. 79, 80 and 81,

FILTHY PREMISES.—Nos. 82 and 83.

KEROSENE OIL.—No. 87.

HOLES AND EXCAVATIONS.—Nos. 88, and 89.

SLAUGHTER HOUSES.—Nos. 90, 91, 92, 93, 94, 95 and 96.

BUTCHERS.—Nos. 107, 108, 109, 110, 111 and 112.

BILLIARD SALOONS.—No. 152.

HAWKERS.—No. 153.

BATHING.—No. 155.

WASHING OF CLOTHES.—Nos. 157 and 158.

CEMETERIES.—Nos. 159, 160, 163 and 164.

CAMPS.—Nos. 165, 166, 167, 168, 169, 170 and 171.

NUISANCES.—No. 173.

MISCELLANEOUS.—Nos. 174 and 176.

STREET NOISES.—177.

PRESERVATION OF ORDER BY NIGHT.—
Nos. 178, 179, 180 and 181.

DOGS AND OBJECTIONABLE ANIMALS.—
Nos. 183 and 185.

STRAY ANIMALS.—Nos. 186.

FIRE ARMS AND OTHER ARMS.—Nos. 188 and 189.

- (2). NUISANCES.—Rule 48 of Nairobi Township Rules, No. 3 of 1905 as amended by Government Notice No. 54 of 3rd March, 1914.
- (3). Rules dated 7th June, 1906.
- (4). Rules dated 27th November, 1906.
- (5). Rules dated 28th November, 1906, cited as Township Rules, 1906.
- (6). The Nyanza Township Rules, 1916.
- (7). The Townships (Protection of Health) Rules, 1916.
- (8). The Township (Sanitary) Rules, 1917.
- (9). The Nairobi Township (Suppression of Mosquitoes) Rules, 1917.
- (10). The Nairobi Township (Uncontrolled Oxen) Rules, 1917.
- (11). The Nairobi Township (Grazing of Cattle) Rules, 1918.
- (12). The Nairobi Township (Grazing of Cattle) Rules, 1918, substituting for the words "Town Clerk" in Rule, 2, thereof the words "District Commissioner and in the absence of the District Commissioner the Officer-in-Charge of the Londiani Police Station".
- (13). The Nairobi Township (Guttering) Rules.
- (14). The Mombasa Township (Dustbin Rules), 1919.

III. The Fees mentioned in the schedule to these Rules shall be levied in the Township of Londiani.

SCHEDULE.

(a) SLAUGHTER HOUSE FEES.

	Rs.	Cts.
For each head of cattle slaughtered ...	1	00
For each goat or sheep slaughtered ...	0	25

(b) REGISTRATION.

Registration of meat seller...	2	00
	per mensem	

(c) POUND FEES.

For each Horse, Mule, Ox, Cow, Camel, Donkey etc for the first day ...	1	00
for each succeeding day ...	0	50
For sheep, Goats, Pigs and other animals not hereinbefore mentioned for each per day ...	0	12

(d) EUROPEAN CEMETERY FEES.

For a Grave ...	10	00

(e) NATIVE CEMETERY FEES.

For a Grave ...	1	00

(f) NGOMA PERMIT.

Ngoma ya Pepo ...	per night	2	00
Other Ngoma or dance ...	per night	1	00

(g) NATIVE HUTS.

Per mensem ...	0	50

Provided no fee shall be collected in respect of a hut belonging to a Government Department.

By Command of His Excellency the Acting Governor.

Nairobi,

The 1st day of March, 1920.

G. A. S. NORTHCOTE,

for Acting Chief Secretary.

GOVERNMENT NOTICE No. 75.

THE TOWNSHIP FEES AND CONSERVANCY ORDINANCE, 1908.

THE TOWNSHIP FEES AND CONSERVANCY AMENDMENT ORDINANCE, 1919.

IN EXERCISE of the powers conferred upon the Governor by the above Ordinances His Excellency the Acting Governor has been pleased to order that from and after the 1st day of April, 1920, the conservancy fees payable in respect of Kisumu Township shall be Rs. 4 per latrine receptacle ordered by the Medical Officer of Health.

Nairobi,

The 28th day of February, 1920.

G. A. S. NORTHCOTE,

for Acting Chief Secretary.

GOVERNMENT NOTICE No. 76. S. 19048.

THE TERMINATION OF THE PRESENT
WAR (DEFINITION) ORDINANCE,
1919.

HIS Excellency the Acting Governor-in-Council in pursuance of the powers contained in Section 2 subsection (3) of the Termination of the Present War (Definition) Ordinance, 1919, thereunto enabling has declared that the 10th day of January, 1920, is to be treated as the date of the Termination of War with Germany and the provisions of the aforesaid Ordinance apply accordingly as from the aforesaid date.

By command of His Excellency the Acting
Governor-in-Council.

Nairobi,
The 25th day of February, 1920.

J. G. HAMILTON-ROSS,
Ag. Clerk to the Executive Council.

GOVERNMENT NOTICE No. 77.

THE FEES AND ROYALTIES ORDINANCE,
1903.

PILOTAGE FEES.

IN EXERCISE of the powers conferred upon him by the Fees and Royalties Ordinance, 1903, and all other powers thereunto him enabling His Excellency the Acting Governor has been pleased to vary Government Notice No. 340 of the 15th November, 1916, as follows:—

1. By substituting for the words and figures in lines one and two of paragraph (1) of the said notice the words and figures following, that is to say for line one—Under 300 tons registered tonnage Rs. 70. For line two—From 300 tons registered tonnage to 500 tons registered tonnage Rs. 73.

2. By substituting for the words and figures in lines one and two of paragraph (3) of the said notice, the words and figures following, that is to say for line one—Under 500 tons registered tonnage Rs. 40.

For line two—From 500 tons registered tonnage to 1000 tons registered tonnage Rs. 45.

By command of His Excellency the Acting
Governor.

Nairobi,
The 26th day of February, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

GOVERNMENT NOTICE No. 78.

CONFIRMATION OF ORDINANCE.
NOTICE.

THE Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the undermentioned Ordinance:—

“AN ORDINANCE TO LICENSE TRADING WITHIN
THE PROTECTORATE.”
(No. XXV OF 1919.)

By command of His Excellency the Acting
Governor.

Nairobi,
March 1st 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

GOVERNMENT NOTICE No. 87. S. 19710.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

RULES.

IN EXERCISE of the powers conferred upon the Governor by the Diseases of Animals Ordinance, 1906, His Excellency the Acting Governor has been pleased to make the following Rules:—

1. These Rules may be cited as “The Diseases of Animals (Importation of Dogs) Amendment Rules (No. 2), 1920.”

2. Rule 4 of “The Diseases of Animals (Importation of Dogs) Amendment Rules (No. 1), 1920,” is hereby amended in the following particular:—

By the insertion of the word “or” before the word “from” in line two of the said Rule.

By command of His Excellency the Acting
Governor.

Nairobi,
The 6th day of March, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

THE LEGISLATIVE COUNCIL ORDINANCE, 1919.

APPOINTMENTS.

IN EXERCISE of the powers conferred on the Governor by the Legislative Council Ordinance, 1919, Section 7, I Charles Calvert Bowring, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the East Africa Protectorate, do hereby appoint the following Officers to perform the duties of Presiding Officers under the Rules contained in Schedule III of the said Ordinance at the several polling stations of the respective Electoral Areas of the Protectorate specified below :—

Electoral Area.	Polling Station.	Presiding Officer.
Nairobi North	Municipal Offices	The Town Clerk, Nairobi
Nairobi South	District Commissioner's Office, Nairobi	Senior Resident Magistrate, Nairobi
Plateau North	Temporary Govt. Station, Trans Nzoia	A. M. Champion, D. C., Trans Nzoia
Plateau North	Soy Village	Major Parker Toulson
Plateau North	Police Post, Sergoit	S. W. Cloete, A. D. C.
Plateau South	Eldoret	J. C. Shaw, Esq., J. P.
Plateau South	Farm 31, Uasin Gishu	G. H. de Waal, Esq., J. P.
Plateau South	Post Office, Farm 40	C. Ridgill, Esq., J. P.
Kenya	District Commissioner's Office, Nyeri	H. R. Tate, Esq.
Kenya	Residence of Assistant Game Warden, West Kenya	G. H. Goldfinch, Esq.
Kikuyu	Kyambu Court House	W. F. G. Campbell, Esq., D. C.
Kikuyu	Ruiru Hotel	A. E. Aubrey, Esq.
Kikuyu	Tigoni Court House	Hudson Cane, Esq.
Kikuyu	Dagoretti Court House	R. W. Lambert, Esq., A. D. C.

Nairobi,

The 6th day of March, 1920.

C. C. BOWRING,

Acting Governor.

PROCLAMATION No. 19.

THE NATIVE REGISTRATION
ORDINANCE, 1915.

PROCLAMATION.

IN EXERCISE of the powers conferred upon the Governor by the Native Registration Ordinance, 1915, Section 22 (2), I, Charles Calvert Bowring, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the East Africa Protectorate, do hereby declare that all these Districts more particularly described in Schedule II, annexed to the Native Registration Rules, 1919, (published on page 806 of the "Official Gazette" for the year 1919) other than the District of Nyeri and the Districts specified in the annexed schedule of application to which the aforesaid Ordinance has already been applied shall be excluded from the operations of the aforesaid Ordinance.

SCHEDULE OF APPLICATION.

Nairobi Town and District,
Kisumu District,
North Kavirondo District,
Kyambu District,
Fort Hall District,
Mombasa District.

Given under my hand at Nairobi this 12th
day of March, 1920.

C. C. BOWRING,
Acting Governor.

GOD SAVE THE KING.

PROCLAMATION No. 20.

EAST AFRICA TOWNSHIPS ORDINANCE,
1903.

PROCLAMATION.

IN EXERCISE of the powers conferred upon me by the East Africa Townships Ordinance, 1903, and all other powers thereunto me enabling I hereby declare that the words "Wangeh The area comprised within a circle of one mile with the Court House as centre" occurring in a Proclamation under the East Africa Townships Ordinance, 1903, dated the 16th day of August, 1910, are hereby cancelled and Wangeh shall cease to be a township accordingly.

Nairobi,

The 15th day of March, 1920.

C. C. BOWRING,
Acting Governor.

PROCLAMATION No. 21.

THE DISEASES OF ANIMALS ORDINANCE,
1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare that the following Proclamation be revoked.

Proclamation No. 3 dated the 12th day of January, 1920, (declaring the Veterinary Quarantine Reserve, Kibigori, to be an infected Foot and Mouth Disease Area.)

Given under my hand at Nairobi this 8th day of March, 1920.

W. KENNEDY,
Ag. Chief Veterinary Officer.

PROCLAMATION No. 22.

THE DISEASES OF ANIMALS ORDINANCE,
1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare that the following Proclamation be revoked.

Proclamation No. 17 dated the 13th day of February, 1920, (declaring Capt. Hellard's Farms Nos. 92 and 93, Eldoret, to be infected Swine Fever Areas.)

Given under my hand at Nairobi this 8th day of March, 1920.

W. KENNEDY,
Ag. Chief Veterinary Officer.

GOVERNMENT NOTICE No. 94.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

RULES.

Rules issued by His Excellency the Acting Governor of the East Africa Protectorate under powers conferred by the Diseases of Animals Ordinance, 1906, and Interpretation and General Clauses Ordinance, 1912.

Nairobi,

Dated 12th day of March, 1920.

C. C. BOWRING,
Acting Governor.

1. The Rules dated the 21st October, 1910 issued by His Excellency the Governor of the East Africa Protectorate under the powers conferred upon him by the Diseases of Animals Ordinance, 1906, are hereby revoked.

GOVERNMENT NOTICE No 95.

THE LEGISLATIVE COUNCIL ORDINANCE,
1919.

RULES.

VOTING BY POST.

IN EXERCISE of the powers conferred upon him by the Legislative Council Ordinance, 1919, His Excellency the Acting Governor-in-Executive Council has been pleased to make the following Rules:—

1. These Rules may be cited as "The Voting by Post Rules (No. 2) 1920," and shall be read as one with "The Voting by Post Rules, 1919," herein referred to as "the Principal Rules" and all amendments thereof.

2. Rule 6 of the Principal Rules is hereby rescinded and the following Rule substituted therefor:—

"6. At the count of the poll the Returning Officer shall produce unopened all envelopes containing postal ballot papers received by him before the close of the poll and such envelopes shall be opened in the presence of any Presiding Officer of the electoral area."

3. Rule 7 (1) of the Principal Rules is hereby varied as follows:—

For the words "Presiding Officers" in the said Rule there shall be substituted the words "any such Presiding Officer."

By command of His Excellency the Acting Governor-in-Executive Council.

Nairobi,

The 11th day of March, 1920.

J. G. HAMILTON-ROSS,
Acting Clerk to the Executive Council.

GOVERNMENT NOTICE No. 96.

THE RESIDENT NATIVES ORDINANCE, 1913

RULES.

IN EXERCISE of the powers conferred upon the Governor-in-Council by the Resident Natives Ordinance, 1913, His Excellency the Acting Governor-in-Council has been pleased to make the following Rules:—

1. These Rules may be cited as "The Resident Natives Amendment Rules, (No. 1), 1920" and shall be read as one with "The Resident Natives Rules, 1920", hereinafter referred to as "the Principal Rules" published on page 36 and following of the "Official Gazette" the year 1920.

2. Schedule C annexed to the Principal Rules is hereby revoked and the Schedule annexed hereto is substituted therefor.

By Command of His Excellency the Acting Governor-in-Council.

Nairobi,

The 12th day of March, 1920.

J. G. HAMILTON-ROSS,
Ag. Clerk to the Executive Council.

SCHEDULE C.

THE RESIDENT NATIVES ORDINANCE, 1918.

Form of Register to be kept by the occupier pursuant to the provisions of Section 8 of the said Ordinance.

Name of Head of Family.	No under Native Regis- tration Ordi- nance, 1915.	Date and number of Magistrates Permit.	Location and District.	At Date of Permit Number of :—	Year 19			Year 19			Year 19			Year 19			Remarks.
					Inc.	Dec.	Balce.	Inc.	Dec.	Balce.	Inc.	Dec.	Balce.	Inc.	Dec.	Balce.	
				Wives Male Children Female Children Cattle.													
				Wives Male Children Female Children Cattle.													
				Wives Male Children Female Children Cattle.													
				Wives Male Children Female Children Cattle.													
				Wives Male Children Female Children Cattle.													

GOVERNMENT NOTICE No. 98.

THE INFECTIOUS DISEASES ORDINANCE,
1903.

NOTICE.

WHEREAS by Notice dated the 27th day of January, 1920, His Excellency the Acting Governor, in exercise of the powers conferred upon the Governor by the Infectious Diseases Ordinance, 1903, did order that the Rules under the Infectious Diseases Ordinance, 1903, dated the 29th day of July, 1913, and all amendments thereof should apply to the area of Thompson's Farm L. O. No. 109, Ruaraka, until further order. NOW THEREFORE in exercise of the powers conferred upon him by the said Ordinance and all other powers thereunto him enabling His Excellency the Acting Governor has been pleased to order that the said notice be cancelled and that the said Rules shall no longer apply to the said area.

Nairobi,

The 13th day of March, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

GOVERNMENT NOTICE No. 100.

CONFIRMATION OF ORDINANCE.

NOTICE.

THE Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the undermentioned Ordinance:—

“AN ORDINANCE TO PROVIDE FOR THE PLANNING
OF URBAN AND OTHER AREAS.”

(No. XXX OF 1919.)

By command of His Excellency the Acting
Governor.

Nairobi,

Dated this 4th March, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

PROCLAMATION No. 23.

THE EAST AFRICA ORDER-IN-COUNCIL,
1919.

PROCLAMATION.

WHEREAS by Article IV of the East Africa Order-in-Council, published on page 588 of the “Official Gazette” for the year 1919, it is provided (inter alia) that the aforesaid Order-in-Council shall commence and come into operation on a date fixed by the Governor by Proclamation.

NOW THEREFORE I, Charles Calvert Bowring, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the East Africa Protectorate, do hereby proclaim that the aforesaid Order-in-Council shall commence and come into operation on the First day of April, 1920.

Given under my hand at Nairobi this 24th day
of March, 1920.

C. C. BOWRING,
Acting Governor.

GOD SAVE THE KING.

PROCLAMATION No. 24.

THE CUSTOMS ORDINANCE, 1910.

PROCLAMATION.

IN EXERCISE of the powers conferred on the Governor by the Customs Ordinance, 1910, I, Charles Calvert Bowring, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the East Africa Protectorate, hereby declare that the importation into the Protectorate, of any of the following articles, being produced or manufactured within any part of Germany be prohibited except under licence:—

All derivatives of coal tar generally known as intermediate products capable of being used or adapted for use as dyestuffs, or of being modified or further manufactured into dyestuffs.

All direct cotton colours, all union colours, all acid colours, all chrome and mordant colours, all alizarine colours, all basic colours, all sulphide colours, all vat colours (including synthetic indigo), all oil, spirit, and wax colours, all lake colours, and any other synthetic colours, dyes, stains, colour acids, colour lakes, leuco acids, leuco bases, whether in paste, powder, solution or any other form.

Given under my hand at Nairobi this 18th day
of March, 1920.

C. C. BOWRING,
Acting Governor.

GOD SAVE THE KING.

PROCLAMATION No. 25.

THE CUSTOMS AMENDMENT ORDINANCE,
1915.

PROCLAMATION.

IN EXERCISE of the powers conferred upon the Governor by the Customs Amendment Ordinance, 1915, I Charles Calvert Bowring, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the East Africa Protectorate, do hereby declare that Proclamation No. 118 dated the 29th day of October, 1919, published on page 805 “Official Gazette”, 1919, shall be amended by the deletion of Schedules (D) and (E) annexed thereto.

Given under my hand at Nairobi this 16th day
of March, 1920.

C. C. BOWRING,
Acting Governor.

GOD SAVE THE KING.

PROCLAMATION No. 26.
THE DISEASES OF ANIMALS ORDINANCE,
1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare that the following Proclamation be revoked.

Proclamation No. 14 dated the 7th day of February, 1920, (declaring Farm No. 395, Mr. Chillingworth's Farm, Naivasha, to be an infected Rinderpest Area).

Given under my hand at Nairobi this 15th day of March, 1920.

W. KENNEDY,
Ag. Chief Veterinary Officer.

PROCLAMATION No. 27.
THE DISEASES OF ANIMALS ORDINANCE,
1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare that the following Proclamations be revoked.

Proclamation No. 13 dated the 10th day of February, 1920, declaring Farm No. 425, Messrs. East Africa Lands and Development Co. Gilgil, to be an infected Foot and Mouth Disease Area).

Proclamation No. 15 dated the 11th day of February, 1920, (Declaring Farms Nos. 473/1, and 473/4/1, Mr. F. Watkins, Solai, Nakuru District to be an infected Foot and Mouth Disease Area).

Given under my hand at Nairobi this 11th day of March, 1920.

W KENNEDY,
Ag. Chief Veterinary Officer.

PROCLAMATION No. 28.
THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farm in the Naivasha Province to be an infected Foot and Mouth Disease Area for the purposes of the aforesaid Ordinance.

Farms Nos. 473/2 and 473/3, Messrs Baillie Bros. Solai Nakuru, with the exception of a parcel of land 500 yards in width on either side of the Nakuru-Solai Road.

Farm No. 468, Mr. R. Holmes, Nakuru.

Given under my hand at Nairobi this 12th day of March, 1920.

W. KENNEDY,
Ag. Chief Veterinary Officer.

PROCLAMATION No. 29.
THE EAST AFRICA AND UGANDA
(CURRENCY) ORDER-IN-COUNCIL,
1920.

PROCLAMATION.

WHEREAS by the East Africa and Uganda (Currency) Order-in-Council dated the 2nd day of March, 1920, which by its terms is in force in the East Africa Protectorate, the Governor of the Protectorate may, with the approval of one of His Majesty's Secretaries of State, suspend by Proclamation the operation of Article 14 (3) of the East Africa and Uganda (Currency) Order-in-Council dated the 10th day of February, 1905. Now therefore in exercise of the power conferred upon the Governor of the Protectorate I, Charles Calvert Bowring, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the East Africa Protectorate, with the approval of one of His Majesty's Secretaries of State, do hereby suspend the operation of Article 14 (3) of the said Order-in-Council dated the 10th day of February, 1905, until further order.

Given under my hand at Nairobi this 23rd day of March, 1920.

C. C. BOWRING,
Acting Governor.

GOD SAVE THE KING.

GOVERNMENT NOTICE No. 103.
THE EAST AFRICA TOWNSHIPS
ORDINANCE, 1903.

RULES.

IN EXERCISE of the powers conferred upon him by the East Africa Townships Ordinance, 1903, His Excellency the Acting Governor has been pleased to make the following Rules:—

I. These Rules may be cited as "The Nairobi Township Amendment Rules, 1920", and shall be read as one with the Nairobi Township Rules of 1917, hereinafter referred to as "the Principal Rules".

II. Rule 1 of Schedule I to Part II of the Principal Rules shall be and is hereby amended by the addition of the following paragraph:—

(f) If the joist exceeds 13 feet 4 inches and does not exceed 14 feet 4 inches in clear bearing it shall be 9 inches in depth and 4 inches in thickness.

III. Rule 3 of Schedule I to Part II of the Principal Rules shall be and is hereby amended by the addition of the following paragraph:—

(g) If the joist exceeds 8 feet and does not exceed 10 feet in clear bearing, it shall be 10 inches in depth and 3 inches in thickness.

By command of His Excellency the Acting Governor.

Nairobi,
The 16th day of March, 1920.

G. A. S. NORTHCOTE,
for Ag. Chief Secretary

PROCLAMATION No. 30.

THE DISEASES OF ANIMALS ORDINANCE,
1906.

PROCLAMATION.

INFECTED AREAS (EAST COAST FEVER.)

IN EXERCISE of the powers thereunto enabling me I hereby declare that paragraph 4 of the Schedule attached to Proclamation No. 105 of 1917 be cancelled and the following substituted therefor :—

(4) That portion of the Kenia Province bounded on the North and West by a line commencing at the Lorian Swamp, thence following the Uaso Nyiro River upstream to its junction with the Isiolo River, thence following the Isiolo River upstream to the North Eastern corner of Farm No. 2794, thence following the Northern boundaries of Farms Nos. 2794 and 2792 to the North Western corner of Farm No. 2792, thence in a straight line in a Westerly direction to the Ngare Ndare, thence following the Ngare Ndare upstream to its source on the slopes of Mt. Kenia, thence across Mt. Kenia in a straight line to the source of the Nairobi River, thence following the Nairobi River down-stream to the North-East corner of Farm No. 1236, thence following the Northern boundaries of Farms Nos. 1236 and 1235 to the Northern corner of Farm No. 1235, thence by the Western boundary of that Farm to the Rongai River, thence following that River down-stream to its junction with the Amboni River, thence following the Amboni River up stream to its source in the Aberdare Mountains

Nairobi,

March 20th, 1920.

W. KENNEDY,
Ag. Chief Veterinary Officer.

PROCLAMATION No. 31.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farms in the Naivasha Province to be infected Contagious Bovine Pleuro Pneumonia Disease Areas for the purposes of the aforesaid Ordinance.

Farms Nos. 566, 567, 568, 569, 710, 713, 716 585, 587 and 588, Rumuruti District.

Given under my hand at Nairobi this 19th day of March, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 32.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare that the following Proclamation be revoked.

Proclamation No. 112 dated the 6th day of October, 1919, (declaring Farm No. 1844, Mr. J. G. Dupreez, Trans Nzoia District, to be an infected Contagious Bovine Pleuro-pneumonia Disease area).

Given under my hand at Nairobi this 26th day of March, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 33.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare that the portion of Proclamation No. 28 dated the 12th day of March, 1920, relating to Farm No. 468, Mr. R. Holmes, Nakuru, is hereby revoked.

Given under my hand at Nairobi this 26th day of March, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 34.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farm in the Naivasha Province to be an infected Foot and Mouth Disease area for the purposes of the aforesaid Ordinance.

Farm No. 480/2, Capt. S. McCall, Nakuru, with the exception of a parcel of land 500 yards in width on either side of the Nakuru-Lower Molo Road.

Given under my hand at Nairobi this 23rd day of March, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

GOVERNMENT NOTICE No. 118.

THE INDIAN EXPLOSIVES ACT, 1884.

RULES.

IN EXERCISE of the powers conferred upon him by the Indian Explosives Act, 1884, as applied to the East Africa Protectorate and of all other powers him thereunto enabling His Excellency the Acting Governor has been pleased to make the following Rules:—

1. The Rules may be cited as "The Explosive (Blasting Powder) Amendment Rules, 1920," and shall be read as one with "The Explosive (Blasting Powder) Rules, 1919," hereinafter referred to as "the Principal Rules."

2. Anything in the Principal Rules to the contrary notwithstanding licences to possess Blasting Powder at such places as shall be approved, and if the quantity to be possessed at the same time does not exceed 50 lbs. may be granted to a person for his private use and not for sale by the District Commissioner of the district in which such person resides subject to such conditions as the District Commissioner may prescribe and in particular subject to the following conditions:—

(a) Every application for a licence under this Rule shall be submitted to the District Commissioner and shall clearly set forth the description of Blasting Powder required, the purpose for which it is to be used, the situation, character and construction of the building in which the Blasting Powder is to be kept.

(b) Every licence granted under this Rule shall be in the form contained in the Schedule hereto annexed, and shall be subject to the conditions prescribed therein.

By command of His Excellency the Acting Governor.

Nairobi,

The 1st day of April, 1920.

W. J. MONSON,
Acting Chief Secretary.

SCHEDULE.

Licence to possess Blasting Power for private use and not for sale.

Name of Licence holder and residence.	Description of Blasting Powder.	Maximum quantity (not exceeding 50 lbs.) to be kept at any one time.	Date on which licence expires.

Nairobi,

Dated this day of 19 .

Signed
District Commissioner.
(Station) .

CONDITIONS.

1. This licence is given subject to the provisions of the Indian Explosives Act, 1884, as applied to the Protectorate and the Rules issued thereunder.

2. The Blasting Powder shall be kept in a building exclusively appropriated for the purpose and detached from a dwelling-house, and at a safe distance from any road, public thoroughfare or public place, made and closed so as to prevent any unauthorised persons having access thereto, and to secure it from danger from without.

3. No person shall smoke in any part of the building.

4. No person under the age of 16 years shall be employed in or enter the building except in the presence and under the supervision of some grown-up person.

5. Nothing in this licence contained shall authorize the licence holder to store Blasting Powder contrary to the provisions of any Township Rules.

6. (Here set out any conditions imposed by the District Commissioner).

GENERAL NOTICE No. 364.

THE MUNICIPAL CORPORATIONS ORDINANCE, 1909.

IN EXERCISE of the powers conferred upon them by the Municipal Corporations Ordinance, 1909, the Municipal Council of Nairobi, with the approval of His Excellency the Acting Governor, have made the following Bye-laws:—

1. These Bye-laws may be cited as "Nairobi Township (Scaffoldings) Bye-laws, 1920."

2. The Town Clerk shall have power by written notice addressed to the party responsible to prohibit and stop the erection, use, or employment, and to order the alteration or removal of any crane, scaffolding, staging, or shoring in or connected with the construction and erection, or the demolition, alteration, repair, or securing of any new or existing building, or in or connected with any excavation for the purpose of any building operations, where such crane, scaffolding, staging, or shoring is, or is likely to be, in the judgment of the Town Clerk, a source of danger.

Any person not complying with the terms of such a notice shall be guilty of an offence.

Nairobi,

3rd March, 1920.

J. A. WATSON,
Town Clerk.

PROCLAMATION No. 35.

THE NATIVE REGISTRATION ORDINANCE, 1915.

PROCLAMATION.

WHEREAS by virtue of Government Notice No. 375 of the 24th day of October, 1919, the Native Registration Ordinance, 1915, came into operation on the 1st day of November, 1919. AND WHEREAS by divers Proclamations made in exercise of the powers conferred upon the Governor by Section 22 (2) of the said Ordinance certain districts have been from time to time declared to be excluded from the operation of the said Ordinance. NOW THEREFORE I, Charles Calvert Bowring, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the East Africa Protectorate, do hereby declare that all Proclamations excluding any districts from the operation of the aforesaid Ordinance are revoked and that the aforesaid Ordinance is in general operation throughout the Protectorate.

Given under my hand at Nairobi this 8th day of April, 1920.

C. C. BOWRING,
Acting Governor.

GOD SAVE THE KING.

PROCLAMATION No. 36.

THE EAST AFRICA TOWNSHIPS
ORDINANCE, 1903.

PROCLAMATION.

IN EXERCISE of the powers conferred upon me by the East Africa Townships Ordinance, 1903, I, Charles Calvert Bowring, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the East Africa Protectorate, hereby declare the following place to be a Township for the purposes of the said Ordinance:—

Mbagathi.—The area comprised within a circle having a radius of half a mile with the building known as the Mbagathi Slaughter House situated in the Masai Reserve to the North of the Athi (Mbagathi) River as centre.

Given under my hand at Nairobi this 27th day of March, 1920.

C. C. BOWRING,
Acting Governor.

GOD SAVE THE KING.

PROCLAMATION No. 37.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farms in the Naivasha Province to be infected East Coast Fever Areas for the purposes of the aforesaid Ordinance.

Farms Nos. 553, 555 and 556, Messrs. Abraham Bros., Molo.

Given under my hand at Nairobi this 6th day of April, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 38.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following area in the Naivasha Province to be an infected (Contagious Bovine Pleuro-pneumonia) Area for the purposes of the aforesaid Ordinance.

The Gilgil Township, Naivasha District.

Given under my hand at Nairobi this 8th day of April, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

GOVERNMENT NOTICE No. 122.

THE EAST AFRICA TOWNSHIPS
ORDINANCE, 1903.

RULES.

IN EXERCISE of the powers conferred upon Him by the East Africa Townships Ordinance, 1903, His Excellency the Acting Governor has been pleased to make the following Rules:—

1. These Rules may be cited as "The Mbagathi Township Rules, 1920," and shall apply to the Township of Mbagathi.

2. In these Rules the words "Slaughter House" shall mean the premises set apart for the purposes of a slaughter house by the Nairobi Municipal Council; and the words "Meat Inspector" shall mean the person employed by the said Council to act as Meat Inspector or other qualified person authorised by them to act in that behalf.

3. The Town Clerk of Nairobi shall have power to prescribe by public notification the hours within which animals may be slaughtered at the Slaughter House and the hours for inspection of carcasses: and no animals shall be there slaughtered except within the hours so notified.

4. No carcase and no portion of any carcase shall be removed from the Slaughter House, (except with the written permission of the Meat Inspector and on such conditions as he may prescribe) until a certificate has been issued by the Meat Inspector of its fitness for human consumption. Any meat inspected and found to be in the opinion of the Meat Inspector unfit for human consumption may be destroyed by him summarily and without compensation.

Provided that the hides and bones of any animal except an animal which has been condemned for Anthrax may be removed from the Slaughter House without the issuing of a certificate.

5. No person suffering from an infectious or contagious disease shall enter the Slaughter House.

6. No person shall kill any animal at the Slaughter House unless such person shall have been licensed to kill by the Town Clerk of Nairobi, who before so licensing any person shall satisfy himself of his fitness and competency as a slaughterer. Any licence so issued may be withdrawn at any time if it shall appear to the Town Clerk that the licensee shall have performed his duties otherwise than in a humane and competent manner.

7. The Town Clerk of Nairobi shall have power to sue in his own name for payment of all fees and imposition of all penalties prescribed under these Rules.

8. The fees for inspection of meat detailed in the Schedule to these Rules shall be payable in advance to the Town Clerk of Nairobi, and the Meat Inspector shall have power to refuse to certify any carcase in respect of which the prescribed fees shall not have been paid, or which has not in his opinion been slaughtered in a proper and humane manner.

By command of His Excellency the Acting Governor,
Nairobi,

The 27th day of March, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

SCHEDULE.

FEES FOR INSPECTION OF MEAT.

For sheep and goats, per carcase	...	Re. 0/50
For swine and gazelles and game of every sort, per carcase	...	Re. 1/00
For oxen, per carcase	...	Rs. 1/50
The word "ox" signifies and includes any head of horned cattle.		

GOVERNMENT NOTICE No 123.

THE NATIVE REGISTRATION ORDINANCE,
1915.

RULES.

IN EXERCISE of the powers conferred on the Governor-in-Council by the Native Registration Ordinance, 1915, His Excellency the Acting Governor-in-Council has been pleased to make the following Rules:—

1. These Rules may be cited as "The Native Registration (Amendment) Rules, 1920," and shall be read as one with "The Native Registration Rules, 1919," hereinafter referred to as "The Principal Rules," published on page 806 and following of the "Official Gazette" for the year 1919.

2. Schedules II, and III, annexed to the Principal Rules are hereby amended as follows:—

(a) Schedule II. After the word "Vanga," where it first appears in the first column of the said schedule, insert the word "Malindi."

(b) Schedule III. After the word and letters "Vanga"—"V.G.A.," where they appear in the first and second column of the said schedule, insert the word and letters "Malindi"—"M.L.I."

3. Schedule III, of the Principal Rules shall be and is hereby amended as follows:—

(a) By the addition of the group of numbers "971001 to 983000" to the group of numbers at present standing against Ukamba Province.

(b) By the deletion of the group of numbers "971001 to 983,000" at present standing against Jubaland Province.

4. In addition to the Registration Officers who may be appointed under Section 20 of the Principal Ordinance the Governor may appoint additional Registration Officers whose duties under the Ordinance shall be confined to signing Registration papers under the Ordinance aforesaid.

By command of His Excellency the Acting Governor-in-Council.

Nairobi,

The 8th day of April, 1920.

H. MALPASS,

Clerk to the Executive Council.

PROCLAMATION No. 39.

MEETING OF 'LEGISLATIVE COUNCIL.

PROCLAMATION.

I, Charles Calvert Bowring, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the East Africa Protectorate, in exercise of the powers vested in me by instructions under the Royal Sign Manual and Signet, dated the 4th day of September, 1919, do hereby direct that a Session of the Legislative Council be held in the Railway Institute, Nairobi, commencing on Monday the 3rd day of May, 1920, at 10 a.m.

Given under my hand at Nairobi, this 19th day of April, 1920.

C. C. BOWRING,

Acting Governor.

GOD SAVE THE KING.

PROCLAMATION No. 40.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farms in the Naivasha Province to be infected Contagious Bovine Pleuro-pneumonia areas for the purposes of the aforesaid Ordinance.

Farm No. 425/2/26, Dr. Forbes, Laikipia District.

Farm No. 425/2/22, Messrs. Lomax & White, Laikipia District.

Given under my hand at Nairobi this 13th day of April, 1920.

W. KENNEDY,

Acting Chief Veterinary Officer.

GOVERNMENT NOTICE. No. 131.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

RULES.

IN EXERCISE of the powers conferred upon the Governor by the Diseases of Animals Ordinance, 1906, His Excellency the Acting Governor has been pleased to make the following Rules:—

1. These Rules may be cited as "The Diseases of Animals Amendment Rules, 1920," and shall be read as one with the Diseases of Animals Rules, 1918, hereinafter referred to as "the Principal Rules" and all amendments thereof.

2. Rule 25 of the Principal Rules is hereby amended as follows:—

(a) In line three of the said Rule for the words "Nyanza Province" shall be substituted the words "Native Reserves."

(b) In clause (1) of the said Rule the words "or Koru" shall be deleted where they occur, and the words "Kibigori or" shall be inserted before the words "Fort Ternan" where they occur.

By command of His Excellency the Acting Governor.

Nairobi,

The 14th day of April, 1920.

G. A. S. NORTHCOTE,

for Acting Chief Secretary.

GOVERNMENT NOTICE No. 132.

THE EAST AFRICA TOWNSHIPS
ORDINANCE, 1903.

RULES.

IN EXERCISE of the powers conferred upon him by the East Africa Townships Ordinance, 1903, His Excellency the Acting Governor has been pleased to make the following Rules:—

1. Where in any Rules issued under the East Africa Townships Ordinance, 1903, and applied to the Mombasa Township, the words "Conservancy Superintendent" are used, the words "Medical Officer of Health and/or District Commissioner" shall be substituted therefor. For the purposes of this Rule the words "District Commissioner" shall be taken to include "Assistant District Commissioner."

By command of His Excellency the Acting Governor.

Nairobi,

The 14th day of April, 1920.

G. A. S. NORTHCOTE,

for Acting Chief Secretary.

GOVERNMENT NOTICE No. 133.

THE BRANDING OF STOCK ORDINANCE, 1907.

RULES.

IN EXERCISE of the powers conferred upon him by the Branding of Stock Ordinance, 1907, His Excellency the Acting Governor has been pleased to make the following Rules:—

1. These Rules may be cited as "The Branding of Stock Amendment Rules, 1920," and shall be read as one with the Branding of Stock Rules, 1918, published on page 274 of the "Official Gazette" for the year, 1918, hereinafter referred to as "the Principal Rules."

2. The schedule annexed to the Principal Rules is hereby revoked, and the schedule annexed hereto is substituted therefor.

By command of His Excellency the Acting Governor.

Nairobi,

This 15th day of April, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

SCHEDULE.

MESSRS. HAWLEY & Co., NAIROBI.

Size.	1 Letter.	2 Letters.	3 Letters.
1" to 1½"	Rs. 7/-	Rs. 10/-	Rs. 15/-
2" to 3"	Rs. 8/-	Rs. 9/-	Rs. 15/-

GOVERNMENT NOTICE No. 134.

THE INDIAN POST OFFICE ACT, 1898,

AND

THE POST OFFICE AMENDMENT
ORDINANCE, 1919.

RULES.

IN EXERCISE of the powers conferred upon the Governor-in-Council by the Indian Post Office Act, 1898, as applied to the Protectorate, and the Post Office Amendment Ordinance, 1919, and all other powers him thereunto enabling, His Excellency the Acting Governor-in-Council has been pleased to make the following Rules:—

1. These Rules may be cited the "The Foreign Postal and Money Order Amendment Rules, 1920," and shall be read as one with "The Foreign Postal and Money Order Rules (No. 2), 1920," hereinafter referred to as "the Principal Rules."

2. The suspension prescribed by Rule 2 of the Principal Rules, published in the Special "Official Gazette" of February 21st, 1920, is hereby raised in respect of the Tanganyika Territory, and all Rules heretofore made pursuant to the provisions of the said Act and Ordinance, or howsoever otherwise, so far as applicable, relating to the issue by the Post Office of Foreign Money Orders expressed in rupee currency shall be in full force and operation in respect of such Territory as from the date hereof.

By command of His Excellency the Acting Governor-in-Council.

Nairobi,

The 12th day of April, 1920.

H. MALPASS,
Clerk to the Executive Council.

GOVERNMENT NOTICE No. 135.

INDIAN POST OFFICE ACT OF 1898.

RULES.

IN EXERCISE of the powers conferred on the Governor-in-Council by the Indian Post Office Act, 1898, Section 43 (2) (c), His Excellency the Acting Governor has been pleased to make the following Rules:—

1. These Rules may be cited as "The Foreign Money Order Rules (No. 3), 1920."

2. The existing rates of commission upon Money Orders issued upon the Union of South Africa, or negotiated with other countries through that Administration are hereby amended by substituting the following rates:—

	Commission.
For every complete £1 ...	75 cents.
For fractions of £1, whatever the amount of the order ...	15 cents for every 4s. or fraction of 4s.

3. These Rules shall come into operation on the 21st day of April, 1920.

By command of Excellency the Acting Governor.

20th April, 1920.

W. J. MONSON,
Acting Chief Secretary.

GOVERNMENT NOTICE No. 136.

AT THE COURT AT BUCKINGHAM PALACE,

The 9th day of February, 1920.

PRESENT.

THE KING'S MOST EXCELLENT MAJESTY.

Lord President.

Earl Curzon of Kedleston.

Lord Colebrooke.

Sir Frederick Ponsonby.

WHEREAS by reason of conditions arising out of the war difficulties have been experienced by citizens of the United States of America in complying with the requirements of the Copyright Act, 1911, as to first publication within the parts of His Majesty's Dominions to which the Act extends of their works first published in the United States of America during the war:

And whereas His Majesty is advised that the Government of the United States of America has undertaken, upon issue of this Order, to extend the protection afforded by the United States Law of December 18, 1919, entitled "An Act to amend Sections 8 and 21 of the Copyright Act, approved March, 4, 1909," to British subjects:

And whereas by reason of the said undertaking of the Government of the United States of America His Majesty is satisfied that the said Government has made, or has undertaken to make such provision as it is expedient to require for the protection of works first made or published between the 1st August, 1914, and the termination of the war in the parts of His Majesty's Dominions to which this Order applies, and entitled to copyright under Part I. of the Copyright Act, 1911:

And whereas by the Copyright Act, 1911, authority is conferred upon His Majesty to extend, by Order in Council, the protection of the said Act to certain classes of foreign works within any part of His Majesty's Dominions, other than self-governing Dominions, to which the said Act extends:

And whereas by reason of these premises it is desirable to provide protection within the said Dominions for literary or artistic works first published in the United States of America between August 1, 1914, and the termination of the war which have failed to accomplish the formalities prescribed by the Copyright Act, 1911, by reason of conditions arising out of the war:

Now, THEREFORE, His Majesty, by and with the advice of His Privy Council, and by virtue of the authority conferred upon him by the Copyright Act, 1911, is pleased to order, and it is hereby ordered, as follows:—

1. The Copyright Act, 1911, shall, subject to the provisions of the said Act and of this Order, apply to works first published in the United States of America between the 1st August, 1914, and the termination of the war, which have not been republished prior to the commencement of this Order in the parts of His Majesty's Dominions to which this Order applies, in like manner as if they had been first published within the parts of His Majesty's Dominions to which the said Act extends:

Provided that the enjoyment by any work of the rights conferred by the Copyright Act, 1911, shall be conditional upon publication of the work in the Dominions to which this Order relates not later than six months after the termination of the war, and shall commence from and after such publication, which shall not be colourable only, but shall be intended to satisfy the reasonable requirements of the public.

2. The provisions of Section 15 of the Copyright Act, 1911, as to the delivery of books to libraries, shall apply to works to which this Order relates upon their publication in the United Kingdom.

3. In the case of musical works to which this Order relates and provided that no contrivances by means of which the work may be mechanically performed have before the commencement of this Order been lawfully made, or placed on sale, within the parts of His Majesty's Dominions to which this Order applies, copyright in the work shall include all rights conferred by the said Act with respect to the making of records, perforated rolls and other contrivances by means of which the work may be mechanically performed.

4. This Order shall apply to all His Majesty's Dominions, Colonies and Possessions with the exception of those hereinafter named, that is to say:—

The Dominion of Canada;
The Commonwealth of Australia;
The Dominion of New Zealand;
The Union of South Africa;
Newfoundland.

5. Nothing in this Order shall be construed as depriving any work of any rights which have been lawfully acquired under the provisions of the Copyright Act, 1911, or any Order in Council thereunder.

6. This Order shall take effect as from the 2nd day of February, 1920, which day is in this Order referred to as the commencement of this Order.

And the Lords Commissioners of His Majesty's Treasury are to give the necessary orders accordingly.

ALMERIC FITZROY.

PROCLAMATION No. 41.

THE CUSTOMS AMENDMENT ORDINANCE, 1915.

PROCLAMATION.

WHEREAS it is expedient that the Proclamations under the Customs Amendment Ordinance, 1915, prohibiting the exportation of certain articles therein referred to from the Protectorate to certain or all destinations should be consolidated with amendments and additions and that such Proclamations should be revoked.

Now therefore in exercise of the powers conferred upon me by the Customs Amendment Ordinance, 1915, I, Charles Calvert Bowring, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the East Africa Protectorate, hereby declare:—

1. That the exportation of the articles mentioned in the schedule annexed hereto to the destinations mentioned be prohibited.

2. That power be and is hereby reserved to the Governor to permit by licence the exportation of any article or class of articles the exportation of which is hereby prohibited or restricted.

3. That the following Proclamations be revoked: "Official Gazette," 1919, page 805—The Proclamation dated the 29th day of October, 1919, (Proclamation No. 118).

"Official Gazette," 1919, page 850—The Proclamation dated the 7th day of November, 1919, (Proclamation No. 120).

"Official Gazette," 1920, page 265—The Proclamation dated the 16th day of March, 1920, (Proclamation No. 25).

SCHEDULE.

(A) That the exportation of the following articles be prohibited to all destinations:—

Gold and silver coins of all denominations and gold and silver bullion;

Notes of the denomination of one rupee issued by the Government of India under the authority of the India Paper Currency (Amendment) Act, 1917.

Rice and rice flour and articles, mixtures and preparations containing rice or rice flour.

Sugar, cane and beet, and articles, mixtures and preparations containing sugar, cane and beet.

Wheat, wheat flour and wheat meal.

(B) That the exportation of the following articles be prohibited to all ports and destinations other than ports and destinations in the United Kingdom and in British Possessions and Protectorates:—

Ammunition;

Butter;

Cocaine;

Explosives other than industrial explosives;

Firearms;

Opium;

(C) That the exportation of the following articles be prohibited to Russia, Germany, Austria, Hungary, Bulgaria and Turkey:—

Aircraft of all kinds and their component parts and accessories.

Given under my hand at Nairobi this 27th day of April, 1920.

C. C. BOWRING,
Acting Governor.

GOD SAVE THE KING.

PROCLAMATION No. 42.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farms in the Naivasha Province to be infected Contagious Bovine Pleuro-pneumonia areas for the purposes of the aforesaid Ordinance.

Farm No. 740, Mr. Joubert, Rumuruti District.

Farm No. 987, Messrs. Mitten & Roberts, Ngobit River, Laikipia.

Farm No. 565, Mr. H. H. Dugmore, Rumuruti District.

Farm No. 763, Major E. J. Gilchrist, Rumuruti District.

Lord Delamere's Farm, Ndaragua, Rumuruti District.

Given under my hand at Nairobi this 16th day of April, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 43.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare that that portion of Proclamation No. 31, dated the 19th day of March, 1920, relating to Farms Nos. 566, 567, 568 and 588, Rumuruti District, be revoked.

Given under my hand at Nairobi this 16th day of April, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 44.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farm in the Naivasha Province to be an infected Contagious Bovine Pleuro-pneumonia area for the purposes of the aforesaid Ordinance.

Farm No. 518, Mr. W. J. Dawson, Nakuru.

Given under my hand at Nairobi this 16th day of April, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 45.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farm in the Naivasha Province to be an infected Foot and Mouth Disease area for the purposes of the aforesaid Ordinance.

Farm No. 470, Mr. Eames, Solai, Nakuru District.

Given under my hand at Nairobi this 19th day of April, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

GOVERNMENT NOTICE No. 144.

COURTS ORDINANCE, 1907.

RULES.

IN EXERCISE of the powers conferred upon him by Section 10 of the Courts Ordinance, 1907, His Excellency the Acting Governor has been pleased to make the following Rules:—

1. These Rules may be cited as "The Native Tribunal Rules, 1920," and shall be read together with the Native Tribunal Rules, 1913, and all amendments thereof.

2. Whenever a Native Tribunal shall satisfy a Provincial Commissioner, or District Commissioner that the attendance of any native before a Native Tribunal having jurisdiction over such native is required and that the native is residing outside the local limits of the jurisdiction of such Tribunal, he may, in his discretion, issue a summons for the purpose of requiring the appearance of such native before the Native Tribunal.

3. Whenever any summons is issued under the last preceding Rule it shall be sent to the District Commissioner within whose jurisdiction the summons is to be served.

4. The summons shall be served by delivering a copy thereof on the native whose attendance is required by such person as the Provincial Commissioner or District Commissioner may appoint in that behalf.

5. There shall be payable to the Provincial Commissioner or District Commissioner as the case may be in respect of every summons issued under these Rules such fees as will cover the cost of service but not less than Rs. 2/-.

By command of His Excellency the Acting Governor.

Nairobi,

The 22nd day of April, 1920.

W. J. MONSON,
Acting Chief Secretary.

PROCLAMATION No. 46.

THE EAST AFRICA OUTLYING DISTRICTS
ORDINANCE, 1902.

PROCLAMATION.

IN EXERCISE of the powers conferred upon me under the East Africa Outlying Districts Ordinance, 1902, I, Charles Calvert Bowring, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the East Africa Protectorate, do hereby declare that all former Proclamations under the aforesaid Ordinance in so far as such Proclamations declare the areas, districts or places in the Ukamba Province as defined in the accompanying Schedule to be Closed Districts within the meaning of the aforesaid Ordinance be and the same area hereby revoked.

Nairobi,

Dated the 4th day of May, 1920.

C. C. BOWRING,
Acting Governor.

SCHEDULE.

Kikuyu Native Reserve.
Ulu (Machakos) Native Reserve.
Kikumbuli Native Reserve.
Kitui Native Reserve with the exception of those areas known as Mumoni and Theraka.

PROCLAMATION No. 47.

THE EAST AFRICA OUTLYING DISTRICTS
ORDINANCE, 1902.

PROCLAMATION.

IN EXERCISE of the powers conferred upon me under the East Africa Outlying Districts Ordinance, 1902, I, Charles Calvert Bowring, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the East Africa Protectorate, do hereby declare that all former Proclamations under the aforesaid Ordinance in so far as such Proclamations declare any area, district or place in the Kenya Province to be a Closed District within the meaning of the aforesaid Ordinance be and the same are hereby revoked.

Nairobi,

This 5th day of May, 1920.

C. C. BOWRING,
Acting Governor.

PROCLAMATION No. 48.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare that the following Proclamation be revoked.

Proclamation No. 34 dated the 23rd day of March, 1920, (declaring Farm No. 480/2, Capt. S. McCall, Nakuru, to be an infected Foot and Mouth Disease area).

Given under my hand at Nairobi this 24th day of April, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

GOVERNMENT NOTICE No. 153.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

RULES.

IN EXERCISE of the powers conferred upon the Governor by the Diseases of Animals Ordinance, 1906, His Excellency the Acting Governor has been pleased to make the following Rules:—

1. These Rules may be cited as "The Diseases of Animals Amendment Rules (No. 1), 1920," and shall be read as one with the Diseases of Animals Rules, 1918, hereinafter referred to as "the Principal Rules" and all amendments thereof.

2. Rule 6 (3) of the Principal Rules is hereby revoked and the following Rule substituted therefor:—

"(3) Cattle may be imported from the Uganda Protectorate on the following conditions and not otherwise, that is to say, if they are accompanied by a certificate from a Veterinary Officer of the Uganda Protectorate to the effect that the animals are drawn from an area free from Contagious Bovine Pleuro-pneumonia; and from an area in which East Coast Fever is enzootic; and if they are branded by the Veterinary Department of the Uganda Protectorate with a distinctive brand prior to leaving that Protectorate. Cattle from the Uganda Protectorate may be imported by Lake only through Kisumu and not otherwise and the owner shall report to the District Commissioner there and apply for a permit to move the cattle to the Kipkarien Quarantine Station, Kibigori, or Fort Ternan, where they will be treated similarly to cattle from the Native Reserves of the Nyanza Province in accordance with Rule 25. All sheep and goats imported from the Uganda Protectorate shall be accompanied by a certificate from a Veterinary Officer certifying that the animals are healthy, and are drawn from a district free from disease and have not passed through an infected area on the way to this Protectorate.

By command of His Excellency the Acting Governor.

Nairobi,

The 26th day of March, 1920.

W. J. MONSON,
Acting Chief Secretary.

GENERAL NOTICE No. 455.

THE MUNICIPAL CORPORATIONS
ORDINANCE, 1909.

IN EXERCISE of the powers conferred upon them by the Municipal Corporations Ordinance, 1909, the Municipal Council of Nairobi with the approval of His Excellency the Acting Governor, have made the following Bye-laws:—

1. This Bye-law shall be read together with Nairobi Township Rules of 1917 (hereinafter called "the Principal Bye-laws") and may be cited as "Nairobi Township (Vehicles for Hire) Amendment Bye-law, 1920."

2. Rule 369 of Nairobi Township Rules of 1917 is hereby amended by addition thereto of the words:—

"And every freight car licensed under this section whether a handcart or a cart designed to be drawn by oxen, or other animals, shall bear upon it the name of the owner in English painted in conspicuous letters to the satisfaction of the Town Clerk."

Nairobi,

9th April, 1920.

WALTER W. RIDOUT,
Acting Town Clerk.

GENERAL NOTICE No. 456.

THE MUNICIPAL CORPORATIONS
ORDINANCE, 1909.

IN EXERCISE of the powers conferred upon them by the Municipal Corporations Ordinance, 1909, the Municipal Council of Nairobi with the approval of His Excellency the Acting Governor, have made the following Bye-laws:—

1. These Bye-laws shall be read together with Nairobi Township Rules of 1917 (hereinafter called "the Principal Bye-laws") and may be cited as "Nairobi Township (Public Rickshaws) Amendment Bye-laws, 1920."

2. Rule 412 of Nairobi Township Rules of 1917 as amended by General Notice No. 76 of 1919 is hereby further amended as follows:—

(1) In clause (c) the words "a Licensing Board appointed by" shall be deleted: thereafter the word "Council" shall be substituted for the word "Board" wherever it occurs.

(2) Clause (k) shall be cancelled and the clause headed (j) and contained in General Notice No. 76 of 1919 shall be renumbered (k) in place thereof.

3. Rule 414 of Nairobi Township Rules of 1917 is hereby repealed.

4. In Rule 416 of the said Rules the words "cancel or" are hereby deleted, and the following words are added to the said Rule and the Licensee in such a case shall forthwith return the number plate of the rickshaw to the Town Clerk on demand "and such suspension shall not be removed till such rickshaw has been restored to a proper condition to the satisfaction of the Town Clerk and a fee of Rs. 5/- has been paid to him for the removal of the suspension."

5. In Rule 433 of the said Rules the words "Rs. 2/-" shall be substituted for the words "Rs. 5/-."

Nairobi,
9th April, 1920.

WALTER W. RIDOUT,
Acting Town Clerk.

PROCLAMATION No. 49.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farm in the Naivasha Province to be an infected Contagious Bovine Pleuro-pneumonia area for the purposes of the aforesaid Ordinance.

Farm No. 487/52, Messrs. Rylands & Dearle,
Njoro.

Given under my hand at Nairobi this 27th day
of April, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 50.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farm in the Naivasha Province to be an infected area (Foot and Mouth Disease) for the purposes of the aforesaid Ordinance.

Farm No. 57, Mr. Paul Stephenson, Eldoret,
Uasin Gishu.

Given under my hand at Nairobi this 30th day
of April, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 51.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare that that portion of Proclamation No. 42, dated the 16th day of April, 1920, relating to the following Farms in the Rumuruti District be revoked.

Farm No. 740, Mr. Joubert, Rumuruti District.
Lord Delamere's Farm "Ndaragua," Rumuruti
District.

Given under my hand at Nairobi this 30th day
of April, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

GOVERNMENT NOTICE No. 162.

REFORMATORY SCHOOLS ORDINANCE, 1910.

RULE.

IN pursuance of the powers conferred upon me by Section 16 of the Reformatory Schools Ordinance, 1910, I, Charles Calvert Bowring, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the East Africa Protectorate, hereby declare Rule 7 (a) of the Rules issued by His Excellency the Governor of the East Africa Protectorate under the aforesaid Ordinance and dated 30th day of October, 1911, shall be and is amended as follows:—

By the addition of the following heading:—

(4) A caning, not to exceed six strokes with a light cane.

Nairobi,
This 10th day of May, 1920.

C. C. BOWRING,
Acting Governor.

GOVERNMENT NOTICE No. 166.

THE FEES AND ROYALTIES
ORDINANCE, 1903.

PILOTAGE FEES.

IN EXERCISE of the powers conferred upon him by the Fees and Royalties Ordinance, 1903, and all other powers thereunto him enabling His Excellency the Acting Governor has been pleased to amend Government Notice No. 340 of 15th November, 1916, as varied by Government Notice No. 77 of 26th February, 1920, by the addition of the following clause:—

“(e) For mooring and unmooring any vessel alongside any pier, quay or jetty a charge of Rs. 30/- to include both operations in addition to the charges prescribed by (a), (b), (c) and (d).”

By command of His Excellency the Acting Governor.

This 8th day of May, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

GENERAL NOTICE No. 544.

UGANDA RAILWAY.

NAIROBI WATER SUPPLY.

IN supercession of Circular dated 1st April, 1914, notice is hereby given that with effect from 1st May, 1920, the consumer will be responsible for the upkeep and repairs of stand pipes whether paid for on a flat rate or by meter and for the upkeep and repairs of any water pipe or fittings which lie within the consumers premises and should any damage be caused to third parties by reason of the consumers neglect to keep such stand pipes in repair the Railway will accept no responsibility for same. The Water Supply Department will, however, at the request of a consumer whose stand pipe is paid for at a flat rate of Rs. 5/- per month, contract to execute normal repairs to the stand pipes free of charge, Repairs to stand pipes which are paid for by meter may at the request of the consumer be executed by the Railway Department, but all repairs so executed must be paid for in advance by the consumer. The Railway Department cannot accept responsibility for water wasted as the result of defects beyond the meter.

W. M. GRIESS,
*Acting Chief Engineer,
Uganda Railway.*

PROCLAMATION No. 52.

THE EAST AFRICA AND UGANDA
(CURRENCY) ORDER, 1920.

PROCLAMATION.

WHEREAS by the East Africa and Uganda (Currency) Order, 1920, which is declared to be construed as one with the East Africa and Uganda (Currency) Orders, 1905 to 1918, (herein referred to as “the Order of 1920”) and which by its terms is in force in the East Africa and Uganda Protectorates, it is provided by Article 4 (1) of the Order of 1920, that if at any time while the Order of 1920 is in force any currency notes of the denomination of the standard coin, or any multiple thereof, and not

being local currency notes issued under Article 14 of the East Africa and Uganda (Currency) Order-in-Council, 1905, (in the Order of 1920 referred to as “new currency notes”) are issued by the Currency Board, the Governor of the East Africa Protectorate and the Governor of the Uganda Protectorate may, by Proclamation made with the approval of a Secretary of State, declare that notwithstanding anything in the East Africa and Uganda (Currency) Order-in-Council, 1905, the new currency notes shall, while the Order of 1920 continues in operation, be current and legal tender within the East Africa Protectorate and the Uganda Protectorate respectively for the amount expressed therein. The holder of a new currency note shall not be entitled to obtain from the Government of the East Africa Protectorate or the Uganda Protectorate, or the Currency Board, payment in current coin of the amount expressed in the note. Now therefore in exercise of the power conferred upon the Governor of the East Africa Protectorate by the Order of 1920, I, Charles Calvert Bowring, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the East Africa Protectorate, with the approval of His Majesty's Secretary of State for the Colonies, do hereby declare that the new currency notes issued by the East African Currency Board of the denomination of one rupee shall be current and legal tender for the payment of any amount within the East Africa Protectorate while the Order of 1920 continues in operation.

Given under my hand at Nairobi this 11th day of May, 1920.

C. C. BOWRING,
Acting Governor.

GOD SAVE THE KING

PROCLAMATION No. 53.

THE CUSTOMS AMENDMENT
ORDINANCE, 1915.

PROCLAMATION.

IN EXERCISE of the powers conferred upon the Governor by the Customs Amendment Ordinance, 1915, I, Charles Calvert Bowring, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the East Africa Protectorate, do hereby declare that Proclamation No. 41, dated the 27th day of April, 1920, published on page 433 “Official Gazette” 1920, shall be amended by the deletion of the words “Gold and Silver coins of all denominations and gold and silver bullion” in Schedule (A) annexed thereto, and that the following heading be added to the said schedule:—

(d) That the exportation of the following articles to all destinations other than Uganda and the Tanganyika Territory be prohibited:—

Gold and silver coins of all denominations
and

Gold and silver bullion.

Given under my hand at Nairobi this 18th day of May, 1920.

C. C. BOWRING,
Acting Governor.

GOD SAVE THE KING.

PROCLAMATION No. 54.

THE DISEASES OF ANIMALS ORDINANCE,
1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare that that portion of Proclamation No. 28, dated the 12th day of March, 1920, relating to Farms Nos. 473/2 and 473/3, Messrs. Baillie Bros., Solai, Nakuru, be revoked.

Given under my hand at Nairobi this 10th day of May, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 55.

THE DISEASES OF ANIMALS ORDINANCE,
1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farm in the Naivasha Province to be an infected area (Contagious Bovine Pleuro-pneumonia) for the purposes of the aforesaid Ordinance.

Farm No. 2508 (43), Mr. W. A. Smith, Laikipia.

Given under my hand at Nairobi this 11th day of May, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

GOVERNMENT NOTICE No. 171.

THE CROWN LANDS ORDINANCE, 1915.

RESERVATION FOR THE USE OF THE SUK, MARAKWET,
ELGEYO, KAMASIA AND NJEMPS TRIBES,
NAIVASHA PROVINCE.

NOTICE is hereby given that it is proposed to fix the boundaries of the Suk, Marakwet, Elgeyo, Kamasia and Njemps Reserves in accordance with the descriptions contained in the schedule. Any objections to the proposed boundaries should be forwarded to the Honourable the Chief Native Commissioner, Nairobi, not later than the 19th of June, 1920.

Nairobi,
18th May, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

SCHEDULE I.

DESCRIPTIONS OF BOUNDARIES OF SUK,
MARAKWET, ELGEYO, KAMASIA AND
NJEMPS RESERVES.

(1) SUK.

Commencing at the North-westerly corner of the Trans-Nzoia allotment on Swam River, L.O. No. 2027; thence bounded by the Northly boundary of L.O. Nos. 2027, 2018, 2019, 2020, 2022 to the most Northerly corner of 2022; thence by the generally Easterly boundaries of L.O. Nos. 2022, 2112, 2120, 2114, to the South-easterly corner of 2114; thence by the Northerly boundaries of L.O. Nos. 2129, 2131, to the North-easterly corner of 2131; thence by the Westerly and Northerly boundaries of L.O. Nos.

2130 and 2156, to the most Northerly corner of 2156; thence by a line North-easterly to a point on Katupe (Chesegon) River where it intersects the Kacheliba-Marich-Marakwet track; thence by the Katupe River down-stream to its junction with the Kerio River; thence by that River up-stream to its junction with the Kinyach River; thence by that River up-stream to a point due North of Hill 4106; thence by a line South-easterly to Hill 6170 (Kipkiruck); thence by a line to the source of Kiptoisarorr River; thence by that River down-stream for a distance of about 2 miles; thence by a line through Hill 4041 to the Kabarion River; thence by that River down-stream to its junction with the Burususwa River; thence by that River up-stream to its source; thence by a line South-easterly through Hill 3404 to a point on Lake Baringo; thence by the generally Northern Shores of that Lake to where a Meridional line 0.40' (North) intersects its Easterly shores; thence by a line in an Easterly direction through Hill 3820 to 4141; thence by a line in a generally Northerly direction through Hills 4070, 4320, 4291, 4263, 4241 to Ol Doinyo Lengere; thence by a line North-westerly to Mount Sillali; thence by a line North-westerly to Kapeddo Post (provided that the whole of Kapeddo Post shall be included in this Reserve); thence by a line North-westerly to Mugar Hill; thence by a line still North-westerly to Kolosia; thence by the Kolosia-Ngabotok track to a water hole in Lotonok; thence by a dry River bed to its junction with the We-We River; thence by that River down-stream to Nainuk; thence by a line North-westerly to where it intersects the Swam River between Nainuke and Karokor Hill; thence by that River (Uganda Protectorate Boundary) up-stream to the point of commencement:

(2) MARAKWET.

Commencing at the most Northerly corner of L.O. No. 2156 (Trans-Nzoia allotment); thence bounded by a line North-easterly to a point on Katupe (Chesegon) River where it intersects the Kacheliba-Marich-Marakwet track; thence by the Katupe River down-stream to its junction with the Kerio River; thence by that River up-stream to its junction with the Ndo River; thence by that River up-stream to its junction with the Peinon River; thence by that River up-stream to its source; thence by a line Westerly to the junction of Chebyemit and Moyben Rivers; thence by the Moyben River up-stream to the Easterly corner of L.O. No. 2207; thence by the generally North-easterly boundaries of L.O. Nos. 2207, 2208, 2206, 2205, 2202, 2173 and 2170 to the most Northerly corner of L.O. No. 2170; thence by a line North-westerly to the Easterly corner of 2164; thence by the generally Easterly boundaries of L.O. Nos. 2164, 2163, 2160, 2158 and 2156 to the point of commencement.

(3) ELGEYO.

Commencing at the North-easterly corner of L.O. No. 1867; thence bounded by the Northerly boundary of that L.O. No. to the South-easterly corner of L.O. No. 1869; thence by the Easterly and Northerly boundary of L.O. No. 1869 to the most Easterly corner of L.O. No. 671; thence by the generally Easterly boundaries of L.O. Nos. 671 and 710 to the South-westerly corner of L.O. No. 908 (Lingham and Grogan's Forest Concession); thence by the Southerly, Easterly and Northerly boundaries of L.O. Nos. 908 and 907 to the North-westerly corner of L.O. No. 907; thence by the Easterly boundaries of L.O. Nos. 902, 1561, 1559, 883 to the North-easterly corner of 883 (Government Reserve); thence by the Southerly boundaries of L.O. Nos. 876, 874, 875 to the South-easterly corner of 875; thence by the Easterly boundaries of L.O. Nos. 875, 873,

and 1489 to the North-easterly corner of L.O. No. 1489; thence by the Northerly boundary of that L.O. No. to Moyben River; thence by that River up-stream to its junction with the Chebyemit River; thence by a line Easterly to the source of the Peinon River; thence by that River down-stream to its junction with the Ndo River; thence by that River up-stream to where it intersects a latitudinal line 0.20' (North); thence by a line Southerly to a beacon (Kipkwahelat) and onward to the Northerly boundary of L.O. No. 503 (Lingham and Grogan's Forest Concession); thence by the Northerly boundary of that concession to its North-westerly corner; thence by the Easterly boundary of L.O. No. 1867 to the point of commencement.

(4) KAMASIA.

Commencing at the North-easterly corner of Government Forest Reserve (on Tiggeri River); thence bounded by the Northerly boundary of that Reserve to its North-westerly corner; thence by the Easterly and Northerly boundary of L.O. No. 503 (Lingham and Grogan's Forest Concession) to the South-easterly corner of Elgayo Reserve; thence by the Easterly boundary of Elgayo and Marakwet Reserves to Kinyach River (South-westerly corner of Suk Reserve); thence by the generally Southerly boundary of Suk Reserve; to the Western shore of Lake Baringo; thence by the Lake shores Southerly to Kampi ya Samaki; thence by a line Westerly to Hill 4913; thence by a line Southerly to Hill 3663 and onwards through Hills 3709, 4387 to a point where the Ravine-Baringo Road intersects the Molo River; thence by a line Easterly to Hill 4457; thence by a line South-easterly to the North-easterly corner of L.O. No. 2689; thence by the Northerly boundary of that L.O. No. to its North-westerly corner; thence by the Westerly boundaries of L.O. Nos. 2689, 2688, 2682, 2681, 2680 to the South-westerly corner of 2680; thence by a line Westerly to the North-easterly corner of L.O. No. 662; thence by the generally Northerly and Westerly boundaries of L.O. Nos. 662, 661, 483 to the North-easterly corner of L.O. No. 488; thence by the generally Northerly boundaries of L.O. Nos. 488, 494, 497 to Tiggeri River; thence by that River up-stream to the point of commencement.

(5) NJEMPS.

Commencing at Kampi ya Samaki on the Western shores of Lake Baringo; thence bounded Northerly, Westerly and Southerly by the Kamasia Reserve to Hill 4457; thence by a line North-easterly to Morillo Hill; thence still North-easterly to a point on the Mukatan River due South of Baringo; thence by a line Northerly to Hill 4141; thence by the Southerly boundary of Suk Reserve to the Eastern shores of Lake Baringo; thence by that Lake on its Easterly, Southerly and Westerly shores to the point of commencement.

PROCLAMATION No. 56.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farms in the Naivasha Province to be infected areas (Foot and Mouth Disease) for the purposes of the aforesaid Ordinance.

Farms Nos. 382/2, 383/2, 384 and that portion of Farms Nos. 385 and 386/2 on the Eastern side of the Kijabe-Narok Road, with the exception of a parcel of land 200 yards in width on the Eastern side of Kijabe-Narok Road.

Given under my hand at Nairobi this 22nd day of May, 1920.

W. KENNEDY,

Acting Chief Veterinary Officer.

PROCLAMATION No. 57.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farm in the Naivasha Province to be an infected area (Contagious Bovine Pleuro-pneumonia) for the purposes of the aforesaid Ordinance.

Farm No. 455, Mr. W. J. Dawson, Nakuru.

Given under my hand at Nairobi this 19th day of May, 1920.

W. KENNEDY,

Acting Chief Veterinary Officer.

GOVERNMENT NOTICE No. 178.

CONFIRMATION OF ORDINANCE.

NOTICE.

THE Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the undermentioned Ordinance:—

“AN ORDINANCE TO APPLY A SUM OF MONEY FOR THE SERVICE OF THE YEAR ENDING THE 31ST DAY OF MARCH, 1920.

(No. II of 1920.)

By command of His Excellency the Acting Governor.

Nairobi,
May 25th, 1920.

W. J. MONSON,
Acting Chief Secretary.

PROCLAMATION No. 58.

THE CUSTOMS ORDINANCE, 1910.

PROCLAMATION.

IN EXERCISE of the powers conferred upon the Governor by the Customs Ordinance, 1910, Section 53, I, Charles Calvert Bowring, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the East Africa Protectorate, hereby declare that the importation of shaving brushes manufactured in or exported from the Empire of Japan shall be prohibited.

Given under my hand at Nairobi this 1st day of June, 1920.

C. C. BOWRING,
Acting Governor.

GOD SAVE THE KING.

PROCLAMATION No. 59.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farm in the Kenya Province to be an infected area (East Coast Fever) for the purposes of the aforesaid Ordinance.

Farm No. 1234, Mr. C. V. Kenealy, West Kenya.

Given under my hand at Nairobi this 27th day of May, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

GOVERNMENT NOTICE No. 180.



AT THE COURT AT BUCKINGHAM PALACE,

The 2nd day of March, 1920.

Present:

THE KING'S MOST EXCELLENT MAJESTY
IN COUNCIL.

WHEREAS by treaty, grant, usage, sufferance, and other lawful means, His Majesty has power and jurisdiction within the East Africa and Uganda Protectorates (in this Order referred to as "the Protectorates"):

And whereas by paragraph (1) of Article 14 of the East Africa and Uganda (Currency) Order in Council, 1905 (in this Order referred to as "the Order of 1905"), the Currency Board established by that Order were authorised to issue certain currency notes (in this Order referred to as "local currency notes") and by paragraph (3) of the said Article 14 it was provided that the holder of a local currency

note should be entitled to obtain on demand during office hours at the office of the Currency Board payment in current coin of the amount expressed in the note:

And whereas by Ordinance No. 14 of 1920 of the East Africa Protectorate and by Ordinance No. 1 of 1920 of the Uganda Protectorate it was provided as respect the East Africa Protectorate and the Uganda Protectorate respectively that currency notes issued in the United Kingdom of Great Britain and Ireland under the Currency and Bank Notes Act, 1914 (in this Order referred to as "imperial currency notes"), and notes of the Bank of England should be legal tender in the Protectorate at the rate of eight rupees fifty cents to the pound sterling:

And whereas doubts have arisen as to the validity of the Ordinances aforesaid:

And whereas it is expedient to remove the said doubts and to make further provision with respect to the currency of the Protectorates:

Now, therefore, His Majesty, in pursuance of the powers vested in him by the Foreign Jurisdiction Act, 1890, or otherwise, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the East Africa and Uganda (Currency) Order, 1920, and shall be construed as one with the East Africa and Uganda (Currency) Orders, 1905 to 1918.

2. (1) The Governor of the East Africa Protectorate may by Proclamation made with the approval of a Secretary of State declare that the operation of the said paragraph (3) of Article 14 of the Order of 1905 shall as from such date as is specified in the Proclamation be suspended, and while any such Proclamation remains in force the holder of a local currency note shall not be entitled to obtain from the Government of East Africa or the Currency Board payment in current coin of the amount expressed in the note.

(2) The Governor may at any time, with the approval of a Secretary of State, revoke any Proclamation issued under the foregoing provision.

3. Subject as hereinafter provided, the said Ordinance No. 14 of 1920 of the East Africa Protectorate and the said Ordinance No. 1 of 1920 of the Uganda Protectorate are hereby confirmed, and the provisions thereof shall as from the date on which those Ordinances respectively came into operation have the same force and effect as if they had been contained in an Order made by His Majesty in Council:

Provided that for the purpose of the payment in the Protectorates of debts contracted in terms of rupees and before the twenty-first day of November nineteen hundred and nineteen, imperial currency notes or notes of the Bank of England shall be legal tender at the rate of nine rupees twenty-five cents to the pound sterling instead of at the rate of eight rupees fifty cents to the pound sterling.

4. (1) If at any time while this Order is in force any currency notes of the denomination of the standard coin or any multiple thereof, and not being local currency notes issued under the said Article 14 of the Order of 1905 (in this Order referred to as "new currency notes"), are issued by the Currency Board, the Governor of the East Africa Protectorate and the Governor of the Uganda Protectorate may, by proclamation made with the approval of a Secretary of State, declare that notwithstanding

anything in the Order of 1905 the new currency notes shall, while this Order continues in operation, be current and legal tender within the East Africa Protectorate and the Uganda Protectorate respectively for the amount expressed therein.

(2) The holder of a new currency note shall not, by reason of anything in the Proclamation or otherwise, be entitled to obtain from the Government of the East Africa Protectorate or the Government of the Uganda Protectorate or the Currency Board payment in current coin of the amount expressed in the note.

And the Lords Commissioners of His Majesty's Treasury, and the Right Hon. Viscount Milner, G.C.B., G.C.M.G., one of His Majesty's principal Secretaries of State, are to give the necessary directions herein accordingly.

ALMERIC FITZROY:

GOVERNMENT NOTICE No 181.



AT THE COURT AT BUCKINGHAM PALACE,

The 26th day of April, 1920.

Present,

THE KING'S MOST EXCELLENT MAJESTY.

Lord Chamberlain.

Lord Colebrooke.

Mr. Secretary Shortt.

Mr. J. I. Macpherson.

Sir Hamar Greenwood, Bt.

Mr. C. A. McCurdy.

Mr. T. B. Morison.

Whereas by treaty, grant, usage, sufferance, and other lawful means His Majesty has power and jurisdiction within East Africa and Uganda:

And whereas provision has been made by the East Africa and Uganda (Currency) Orders, 1905 to 1918, and the East Africa and Uganda (Currency) Order, 1920, with respect to the currency of East Africa and Uganda, and it is expedient to make further provision with respect thereto:—

Now, therefore, His Majesty, in pursuance of the powers vested in him by the Foreign Jurisdiction Act, 1890, or otherwise, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

Coining of British East Africa florin.

1. (1) A British East Africa florin shall be coined under the direction of the Master of the Mint for use in the Protectorates, of the metal, weight, and fineness specified in the First Schedule to this Order, subject to the remedy therein specified.

(2) The British East Africa florin shall be of such design and have such impressions as may be approved by the Master of the Mint and by a Secretary of State.

Standard coin.

2. (1) The British East Africa florin shall be the standard coin of the Protectorates.

(2) Every contract, sale, payment, bill, note, instrument, and security for money, and every transaction, dealing, matter and thing whatsoever relating to money or involving the payment of or the liability to pay, any money shall, in the absence of express

agreement to the contrary, be deemed to be made, executed, entered into, done, and had in the Protectorates according to the standard coin.

Subsidiary coins.

3. (1) Subsidiary coins may from time to time be coined for the Protectorates under the direction of the Master of the Mint of the denominations, weights, and fineness specified in the Second Schedule to this Order.

(2) The subsidiary coins so coined (in this Order referred to as "prescribed subsidiary coins") shall as respect each coin bear an indication of the value of the coin in cents or hundredths of a florin, and shall otherwise be of such design and have such impressions as may be approved by the Master of the Mint and by a Secretary of State.

Power to authorize coining of new subsidiary coins.

4. (1) If the Governors of the Protectorates at any time request that any subsidiary coins of less value than the florin, whether of silver, copper, bronze, nickel, or other metal or mixed metal, be coined, and the Treasury and a Secretary of State approve the request, those subsidiary coins may be coined under the direction of the Master of the Mint.

(2) The subsidiary coins so coined (in this Order referred to as "new subsidiary coins") shall either be of the same design and have the same impressions as the prescribed subsidiary coins or shall be of such other design and have such other impressions as may be approved by the Master of the Mint and by a Secretary of State.

(3) Any new subsidiary coin may be of the same denomination as any prescribed subsidiary coin or of a different denomination.

(4) Every new subsidiary coin shall—

(a) if of silver, be of the millesimal fineness of five hundred, and of a standard weight bearing the same proportion to the weight of the British East Africa florin as the denomination of the new coin bears to that florin; and

(b) if of copper, bronze, nickel, or other metal, or mixed metal, be of the standard weight specified in the Proclamation by virtue of which the coin becomes legal tender under this Order.

(5) If any new subsidiary coins are coined in pursuance of this Article, and Proclamations are made by the Governors of the Protectorates setting forth in a Schedule the like particulars with respect to each of those coins as are set forth in the Second Schedule to this Order, the provisions of this Order making the prescribed subsidiary coins (together with other coins) legal tender in the Protectorates, shall, as from the dates fixed by the Proclamations respectively, apply to the new subsidiary coins as if the Schedule to the Proclamations were added to the Second Schedule to this Order, or substituted for so much of that Schedule as is stated in the Proclamations to be rescinded.

Remedy allowances for subsidiary coins.

5. In the making of any prescribed subsidiary coin or new subsidiary coin, a remedy, or variation from the standard weight, and in the case of silver coins from the standard fineness, required by this Order shall be allowed of an amount not exceeding that specified as respects weight and fineness respectively in the Second Schedule to this Order.

Legal tender in Protectorates.

6. (1) A tender of payment of money in the Protectorates, if made in any of the coins specified in the First or Second Schedules to this Order, shall, if the coins have not been illegally dealt with, and, in the case of silver coins, have not become

diminished in weight by wear or otherwise so as to be of less weight than the respective weights in that behalf specified in the Schedules to this Order as the least current weight, be a legal tender:—

(a) In the case of florins for the payment of any amount;

(b) In the case of other silver coins, for the payment of an amount not exceeding five florins, but for no greater amount;

(c) In the case of coins of copper, bronze, nickel or other metal or mixed metal, for the payment of an amount not exceeding one half of a florin, but for no greater amount.

(2) Each coin shall be a legal tender only for the amount of its denomination.

Provision with respect to sums due to be paid in pounds or rupees.

7. (1) Where any sum due to be paid after the commencement of this Order is payable in pounds or pounds sterling, whether the obligation to make the payment was incurred before or after the commencement of this Order, the payment may be made in florins at the rate of ten florins to the pound or pound sterling.

(2) Where any contract entered into or instrument made before the commencement of this Order provides for the making of any payment in terms of rupees the contract or instrument shall have effect as if references to florins were substituted for references to rupees.

Coins when to be deemed to have been illegally dealt with.

8. (1) For the purposes of this Order a coin shall be deemed to have been illegally dealt with if the coin has been impaired, diminished, or lightened, otherwise than by fair wear and tear, or has been defaced by having any name, word, device, or number stamped or engraved thereon, whether the coin has or has not been thereby diminished or lightened.

(2) Any coin which, by virtue of any Proclamation under this Order, has ceased to be legal tender or which has been illegally dealt with, or is below the least current weight, may be called in, cut, broken, or defaced under the authority of the Governors, in accordance with such regulations as the Governors may make.

Transfer of powers and duties from existing Currency Board.

9. If a Board of Commissioners of Currency is established, whether by local enactment or otherwise, for purposes in connection with the currency of the Protectorates, there shall by virtue of this Order be transferred to and vested in that Board (hereafter referred to as the "New Board") all powers, rights, duties, and obligations which at the date of the commencement of this Order are vested in or belonging to the Currency Board established for the purposes of the East Africa and Uganda (Currency) Order in Council, 1905, and the said Currency Board shall, in accordance with such directions as may be given by the Governor of East Africa, transfer to the said Board all money and other assets in their hands.

Provisions as to Proclamations.

10. (1) Every Proclamation made by the Governors or either of them under or in pursuance of this Order shall be made with the approval of the Treasury and a Secretary of State.

(2) Proclamations shall be made by the Governors respectively so that they shall as far as may be practicable take effect on the same day in each Protectorate.

Interpretation.

11. (1) In this Order the following expressions shall have the meanings hereby assigned to them, unless the context otherwise requires, that is to say:—

"East Africa" means the East Africa Protectorate as defined in the East Africa Order in Council, 1902:

"Uganda" means the Uganda Protectorate as defined in the Uganda Order in Council, 1902:

"The Protectorate" means East Africa or Uganda, as the case may require, and "The Protectorates" means East Africa and Uganda:

"The Governor" means the Governor of the Protectorate, and includes the person for the time being administering the Government of the Protectorate:

"The Master of the Mint" means the Master of His Majesty's Royal Mint in England:

"Current Coin" means coin which is for the time being legal tender in the Protectorate.

(2) The Interpretation Act, 1889, shall apply for the purpose of the interpretation of this Order as it applies for the purpose of the interpretation of an Act of Parliament.

Short title, commencement, and repeal.

12. (1) This Order may be cited as The East Africa and Uganda (Currency) (No. 2) Order, 1920.

(2) This Order shall come into operation in each Protectorate on such day as may be fixed by Proclamation by the Governors respectively.

(3) The East Africa and Uganda (Currency) Orders, 1905 to 1918, and the East Africa and Uganda (Currency) Order, 1920, are, subject as hereinafter provided, hereby revoked as from the date of the commencement of this Order.

Provided that notwithstanding the revocation of the said Orders—

(a) All coins (other than sovereigns) and all currency and other notes which at the said date are legal tender under the provisions of the said Orders shall remain legal tender for the amount expressed therein at the rate of one rupee for one florin and one pound for ten florins unless and until declared not to be legal tender by Proclamations made by the Governors; and

(b) The Currency Board established by the Order of 1905 shall, subject to the provisions of this Order, continue to exercise its powers and perform its duties as if this Order had not been made.

ALMERIC FITZROY,

FIRST SCHEDULE.

Standard Coin.

Coin,	Metal.	Millesimal fineness.	Standard weight		Least current weight.	
			Grains.	Grammes.	Grains.	Grammes.
British East Africa	Silver	500	180	11·664	172·8	11·197

Remedy allowances.		
Weight per piece.		
Grains.	Grammes.	Millesimal fineness.
1·80	·1166	10

SECOND SCHEDULE.

Prescribed Subsidiary Coins.

Portion of florin for which tender.	Coin.	Millesimal fineness.	Standard Weight		Least current Weight.		Remedy allowances		
							Weight per piece.		
			Grains	Grammes.	Grains	Grammes.	Grains.	Grammes.	Millesimal fineness.
	<i>Silver</i>								
0·50	Fifty per cent piece or one shilling.	500	90	5·832	85·5	5·540	·9	·0583	10
0·25	Twenty-five cent piece	500	45	2·916	42·7	2·767	·45	·0292	10
	<i>Nickel, copper, bronze, or other metal or mixed metal.</i>								
0·10	Ten cent piece	...	—	175·0	11·340	—	—	A weight not exceeding the weight of one piece in every forty pieces.	None
0·05	Five cent piece	...	—	100·0	6·480	—	—		
0·01	One cent piece	...	—	45·0	2·916	—	—		

THE CROWN LANDS ORDINANCE, 1915.

RESERVATION FOR THE USE OF THE CLANS

COMPRISING THE MASAI TRIBE, NAIVASHA

PROVINCE.

NOTICE is hereby given that it is proposed to fix the boundaries of the Masai Reserve in accordance with the descriptions contained in the schedule but excluding all trading centres heretofore declared or which may be declared in future. Any objections to the proposed boundaries should be forwarded to the Hon. the Chief Native Commissioner, not later than the 30th June, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

DESCRIPTIONS OF MASAI NATIVE
RESERVE.

Commencing at the summit of Ol Doiyo O'Nyukie (Suswa); thence bounded by a line Northerly to a Beacon on the Kijabe Narok road; thence by a line North-westerly to the most Easterly corner of L.O. No. 2662; thence by the generally Southerly, Westerly and Northerly boundaries of L.O. Nos. 2662, 1380, 1381, 410, 1382, to the North-westerly corner of L.O. No. 1382; thence by a line North-westerly to the most Southerly corner of L.O. No. 1771; thence by the Westerly boundaries of L.O. Nos. 1771, 2956/2/2 to the most Westerly corner of L.O. No. 2956/2/2; thence by a line North-westerly to the North-easterly corner of L.O. No. 1316 (Powys Cobb); thence by the Easterly boundary of that L.O. No. to the North-westerly corner of L.O. No. 2942; thence by the generally Easterly and Southerly boundary of that L.O. No. to its most Westerly corner; thence by the South-easterly and Southerly boundary of L.O. No. 1316 to the Easterly corner of L.O. No. 2943; thence by the generally Easterly, Southerly and Westerly boundary of that L.O. No. to its most Northerly corner; thence by the generally Westerly boundary of L.O. No. 1316 to its most Westerly corner; thence by the Northerly boundary of that L.O. No. for a distance of 14632.8 to a Beacon (Drwg); thence by a line North-westerly to the most Easterly corner of L.O. No. 2941; thence by the generally Easterly, Southerly and Westerly boundary of that L.O. No. to the most Easterly corner of L.O. No. 3736; thence by the Southerly boundary of that L.O. No. to its most Westerly corner; thence by the South-easterly boundary of L.O. No. 548 to its most Southerly corner; thence by a line South-westerly to the Northerly corner of Sotik Native Reserve; thence by a line South-easterly to Kobroret Hill; thence by a line still South-easterly through Kibiose Hill to Amala River; thence by that River down-stream to its junction with Nyangoris River; thence by a line North-westerly to Abossi Hill; thence by a line still North-westerly to Gelegele Hill; thence by a line Westerly for a distance of about 31 miles to a point marked by a Beacon about 4½ miles South-west of the summit of Rabwar (Rabuar) Hill; thence by a line due South to Gori (Magori) River; thence by that River up-stream for a distance of about 13 miles to Beacon on its Southerly bank; thence Southerly by a line to Beacon No. 17 on the Tanganyika (Anglo-German) boundary; thence by the Tanganyika boundary to the Kikalewa River; thence by that River down-stream to its junction with the Tsava

River; thence by a line Northerly to the most Southerly peak of Chyulu Range; thence by the summits of that range to Chyulu Trigonometrical Beacon; thence by a line North-westerly to Trigonometrical Beacon on Emali Hill (Kemali); thence by a line North-easterly to the Southerly 1 mile zone of Uganda Railway; thence by that Railway zone Northerly to its intersection with the Southerly boundary of L.O. No. 1219; thence by the generally Southerly & Westerly boundary of that L.O. No. to Kitengela River; thence by that River down-stream to its junction with the Athi (Embakasi) River; thence by that River up-stream to the Easterly corner of L.O. No. 1124; thence by the generally Southerly and Westerly boundary of L.O. Nos. 1124, 193, 192, 196, 197, to the Athi River; thence by that River up-stream to its source; thence by a line North-westerly to the South-easterly corner of L.O. No. 369; thence by the Southerly boundary of that L.O. No. to its most Southerly corner; thence by a line North-westerly to the point of commencement.

There shall be excluded from the above area:—

1. All land extending for a distance of a quarter of a mile on either side of the Magadi Railway line, also Lake Magadi and all land within a quarter of a mile of that Lake.
 2. The Magadi Township at miles 26-28 on the Magadi Railway.
 3. The Townships of Narok, Mara and Ngong and Athi River.
 4. The Nairobi-Ngong road from the point where it enters the Masai Reserve to Ngong Station, at 200 feet width.
 5. The Kijabe-Mara road from the point where it enters the Masai Reserve to Mara Station, 200 feet width.
 6. The Guaso-Nyaro-Sotik road, 200 feet width.
 7. The Kisii-Mara road from the point where it enters the Masai Reserve to Mara Station, at 200 feet width.
 8. The Sotik-Mara road, at 200 feet width.
 9. The Ngong-Kajiado road, at 200 feet width.
 10. The Kajiado-Longido road, at 200 feet width.
 11. The Ngong-Kedong road, at 200 feet width.
- The following Proclamations are hereby cancelled.

1. The Proclamation under the East Africa Outlying Districts Ordinance, 1902, dated the 23rd July, 1912 and published in the "Official Gazette" of the 1st August, 1912.

2. Proclamation No. 74, dated the 25th July, 1919 and published in the "Official Gazette" of the 30th July, 1919.

GOVERNMENT NOTICE No. 186.

NOTICE.

THE Secretary of State for the Colonies has intimated that the Swiss Government has authorised its Consular Representatives in His Majesty's Dominions and possessions overseas to continue temporarily to represent German interests until the German Government has appointed its own Consular Officers to the posts in question.

Nairobi,

May 26th, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

PROCLAMATION No. 60

NATIVE HUT AND POLL TAX AMENDMENT
ORDINANCE, 1920.

PROCLAMATION.

IN EXERCISE of the powers conferred upon the Governor by the Native Hut and Poll Tax Amendment Ordinance, 1915, and the Native Hut and Poll Tax Amendment Ordinance, 1920, I, Charles Calvert Bowring, Knight Commander of the Most Excellent Order of the British Empire, a Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the East Africa Protectorate, hereby declare that on and from the date of this Proclamation in the districts and areas set out in the schedule annexed hereto the sum payable in respect of Hut and Poll Tax as the case may be, leviable under the Native Hut and Poll Tax Ordinance, 1910, shall be increased to the amount shewn in each case.

Given under my hand this 7th day of June, 1920.

C. C. BOWRING,
Acting Governor.

SCHEDULE.

	<i>Per Hut or Poll as the case may be.</i>	<i>Rs.</i>
<i>Nyanza Province.</i>		
All districts and areas	...	8
<i>Naivasha Province.</i>		
Masai Reserve	...	10
Kamasia, Elgeyo, Marakwet, Njemps	...	8
Uasin Gishu, Masai	...	10
Suk	...	6
<i>Kenya Province.</i>		
All districts and areas	...	8
<i>Ukamba Province.</i>		
Kikuyu District	...	8
Ulu District including Kikumbuli	...	8
Nairobi Town and District	...	8
Kitui and Mumoni	...	8
<i>Seyidie Province.</i>		
Teita District	...	8
Nyika Reserve, Malindi District, Vanga District	...	5
Mombasa Town	...	5
<i>Tanaland Province.</i>		
All districts and areas	...	7
On all alienated lands and Crown lands outside Native Reserves in the Teita District, in the Ukamba, Kenya, Naivasha and Nyanza Provinces	...	8
Jubaland and Northern Frontier District	...	6

PROCLAMATION No. 61.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farm in the Naivasha Province to be an infected area (Contagious Bovine Pleuro-pneumonia) for the purposes of the aforesaid Ordinance.

Farm No. 586B, Mr. Greswolde Williams,
Rumuruti.

Given under my hand at Nairobi this 27th day
of May, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 62.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farms in the Naivasha Province to be infected areas (Contagious Bovine Pleuro-pneumonia) for the purposes of the aforesaid Ordinance.

Farms Nos. 488, 489, 490, 491, 492 and 493,
Mr. Dawson, Eldama Ravine.

Given under my hand at Nairobi this 1st day
of June, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

GOVERNMENT NOTICE No. 190.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

RULES.

IN EXERCISE of the powers conferred upon the Governor by the Diseases of Animals Ordinance, 1906, His Excellency the Acting Governor has been pleased to make the following Rules:—

1. These Rules may be cited as "The Diseases of Animals (Importation of Dogs) Amendment Rules, 1920," and shall be read as one with the Diseases of Animals Rules, 1918, and all amendments thereof.

2. All dogs imported from Tanganyika Territory, the Union of South Africa, Swaziland, Bechuanaland or Basutoland shall be accompanied by a certificate of health from a Veterinary Surgeon.

3. All dogs imported without the certificate required by the last preceding Rule, or from any country (except Australasia and those areas of the United Kingdom not subject to restrictions on account of rabies) other than the above-mentioned shall be subjected on arrival to 4 months' quarantine at the risk and expense of the importer. Provided that the Chief Veterinary Officer may reduce the period of quarantine if he is satisfied by a certificate from a Veterinary Surgeon, that the animals have been quarantined immediately prior to embarkation and, by a certificate from the Captain of the Ship on which the dogs arrived, that they have been strictly isolated from all dogs during the voyage.

4. The Diseases of Animals (Importation of Dogs) Amendment Rules (No. 1) 1920, and the Diseases of Animals (Importation of Dogs) Amendment Rules (No. 2) 1920, published on pages 104 and 207 respectively of the "Official Gazette" for the year 1920, are hereby revoked.

By command of His Excellency the Acting
Governor.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

Nairobi,

The 4th day of June, 1920.

GOVERNMENT NOTICE No. 191.

THE WIRELESS TELEGRAPH
ORDINANCE, 1913.

LICENCE.

IN EXERCISE of the powers conferred upon me by Section 7 of the Wireless Telegraphy Ordinance, 1913, I, Charles Calvert Bowring, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor and Commander-in-Chief of the East Africa Protectorate, do hereby license and authorise GEORGE ERNEST HUGHES, Wireless Telegraph Engineer Operator in the service of the East Africa Post and Telegraph Department (hereinafter called "the Licensee") to conduct experiments in Wireless Telegraphy and for such purpose to import wireless telegraph apparatus and instal the same at such place as the Postmaster General shall approve subject to the conditions and restrictions following, that is to say:—

1. All apparatus utilized pursuant to the provisions of this licence shall be used solely for the purpose of scientific study in Wireless Telegraphy and in no case shall the Licensee instal apparatus capable of being used for the purpose of sending wireless signals, or use the receiving apparatus for the purpose of receiving either private messages or for any commercial telegraph traffic whatsoever.

2. This licence shall remain in full force and operation for two years from the date hereof unless previously determined in manner hereinafter appearing.

3. This licence may be determined at any time by the Governor giving to the Licensee three months' notice in writing.

Given under my hand at Nairobi this 1st day of June, 1920.

C. C. BOWRING,
*Acting Governor and
Commander-in-Chief.*

GOVERNMENT NOTICE No. 192.

S. 4499.

THE INTERPRETATION AND GENERAL
CLAUSES ORDINANCE, 1912,

AND

THE LAND TITLES AMENDMENT
ORDINANCE, 1910.

IN EXERCISE of the powers conferred on the Governor by the Interpretation and General Clauses Ordinance, 1912, Section 13, I, Charles Calvert Bowring, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the East Africa Protectorate, hereby depute the person for time being holding the office of Land Officer to exercise the powers conferred on the Governor by the Land Titles Amendment Ordinance, 1910, Section 4.

Given under my hand at Nairobi this 4th day of June, 1920.

C. C. BOWRING,
Acting Governor.

GOVERNMENT NOTICE No 193.

THE CROWN LANDS ORDINANCE, 1915.

RESERVATION FOR THE USE OF THE AKAMBA LIVING
IN THE ULU AND KIKUMBULIU DISTRICTS,
UKAMBA PROVINCE.

NOTICE is hereby given that it is proposed to fix the boundaries of the Ulu and Kikumbuli Native Reserves in accordance with the descriptions contained in the schedule but excluding all trading centres heretofore declared or which may be declared in future. Any objections to the proposed boundaries should be forwarded to the Hon. the Chief Native Commissioner, not later than the 30th June, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

SCHEDULE I.

PART I.

DESCRIPTION OF THE BOUNDARIES OF THE MACHAKOS
(ULU) NATIVE RESERVE.

Commencing at the North-easterly corner of L.O. No. 1758 on Mwani Hill; thence bounded by the generally Easterly boundaries of Farm L.O. Nos. 1758, 1757, 1756, 1755, 1754, 1751, 1743, 1696, 1742, 1741, and to the most Northerly corner of Farm L.O. No. 1740; thence by a line Northerly to the most Easterly corner of L.O. No. 362; thence by the Easterly and Northerly boundaries of L.O. No. 1491 to the Muvongoni River; thence by that River up-stream to the North-easterly corner of L.O. No. 1420; thence by the generally Easterly boundaries of L.O. Nos. 1420, 1423, 360, 361, 2366, 2365, 2360, 2709 to the most Southerly corner of L.O. No. 1530; thence by the Southerly boundaries of L.O. Nos. 1530, 1846, to where it intersects the Mutowyi (Katala River); thence by that River down-stream to its junction with the Athi River; thence by the Athi River down-stream to its junction with the Thwaki River; thence by the Thwaki River up-stream to its junction with the Keite River; thence by a line South-westerly to Mathemba Hill; thence by a line South-easterly to Mubau Hill; thence by a line to the source of the Chunyu River; thence by that River down-stream to its junction with the Kiangini River; thence by the Kiangini River up-stream to its junction with the Pungu River; thence by the Pungu River up-stream to its source near Ithumba Hill; thence by a line to the peak of that Hill; thence by a line Westerly to a point South-east of Matha Hill where a dry water course joins the Kioyi or Mkuyu River; thence by that River up-stream to its junction with the Mwatine River; thence by the Mwatine River up-stream to its intersection with the Easterly boundary of L.O. No. 1758; thence by the Easterly boundary of that L.O. No. to the point of commencement.

SCHEDULE II.

DESCRIPTION OF THE BOUNDARIES OF THE
KIKUMBULIU NATIVE RESERVE.

This Reserve consists of three block designated as follows:—

(1) MBWINZAU BLOCK.

Commencing at a Beacon on the right bank of Kibwezi River (near the point where that stream

appears from under the lava sheet); thence bounded by a line bearing $272^{\circ} 20' 20''$ $27639'.2$ to a Beacon on the Uganda Railway near mile 197/12; thence by the 100' limit of Uganda Railway to a Beacon near telegraph post 200/14; thence by a line bearing $17^{\circ} 50' 17''$ $11831'.7$ to a Beacon on Muthanzau Hill; thence by a line bearing $97^{\circ} 11' 20''$ $13964'.5$ to a Beacon on the Monyni Hill; thence by a line bearing $128^{\circ} 31' 44''$ $27714'.3$ to a Beacon on Nguruwani Hill; thence by a line bearing $190^{\circ} 44' 10''$ $7749'.7$ to Kibwezi (Kangesu) River; thence by that River up-stream to a point 15 feet to the West of its junction with a Southern stream bounding the area as Etiko; thence by that stream 15 feet from its centre on its left bank to a Beacon; thence by a line bearing $252^{\circ} 41' 20''$ $749'.4$ to a Beacon; thence by a line bearing $48^{\circ} 11' 00''$ $410'.0$ to a Beacon; thence by a line bearing $336^{\circ} 15' 00''$ $521'.0$ to the point of commencement.

(2) CHYALA BLOCK.

Commencing at the most Northerly peak of Kikweo Hill; thence bounded by a line South-westerly to Kai Hill; thence by a line North-westerly to Matendeuko Hill; thence by a line North-easterly to Twanda Hill; thence by a line Easterly to the Mbiuni River; thence by that River to its junction with the Makindu River; thence by a line Southerly to the point of commencement.

(3) CHYULU BLOCK.

Commencing at Mile Post 205 on Uganda Railway; thence bounded by the Westerly boundary of L.O. No. 914 to its Southerly corner; thence by the South-westerly and Southerly boundary of L.O. No. 915 to the most Westerly corner of L.O. No. 916; thence by the South-westerly boundary of that L.O. No. to its Southerly corner; thence by a line South-easterly to the most Westerly corner of L.O. No. 1325; thence by the Southerly boundary of that L.O. No. to the Northerly corner of L.O. No. 1326; thence by the Westerly boundary of that L.O. No. to the most Westerly corner of L.O. No. 920; thence by the South-westerly and South-easterly boundary of that L.O. No. to the 100' limit of Uganda Railway; thence by that Railway limit Southerly to the limit of Mtito Andei Station; thence by the Northerly and Westerly boundaries of that Station Reserve to its South-westerly corner; thence by a line South-westerly to Mount Ngolea; thence by a line to the most Southerly peak of the Chyulu (or Kyulu) Range which point forms the common boundary of the Masai Native Reserve and Ukamba and Naivasha Provincial boundary; thence by that common boundary to a point approximately 10 miles North-west of Chyulu Trig. Station; thence by a line North-easterly to point of commencement.

PART II.

LIST OF TRADING CENTRES AND ALIENATED AREAS WHICH LIE WITHIN THE MACHAKOS (ULU) NATIVE RESERVE, BUT WHICH ARE EXCLUDED THEREFROM.

Locality.	Situation.	Extent.
Mukaa	Approximate $\frac{3}{4}$ mile of S. W., of Keutaa Hill.	Approximate 6 acres.
Miu	On Machakos-Kitui Road where it crosses Miu River, East Bank; in the Kisau division.	Approximate 10 acres.
Atithini	Matungulu division, sub-division Matheni; about one mile from boundary of Native Reserve.	do
Moutani	Kalama division, Nzueni sub-division on main Road Machakos to Nzawi about 600 Yards N. E., of Chief's Village.	do
Nziu	Nzawi, Nziu sub-division, on the Machakos-Nzawi Road on the site of the Old Government Fort.	do
Ngoleni	9 miles from Machakos.	Approximate 5 acres.
Kabaa	10 miles from the Mutiooyi (Katala) River on the Matungulu-Mwala Road.	do
Muisuni	About three miles S. W., of Kangundu Mission on the Machakos-Kangundu Road.	do
Tawa River	About 14 miles from Machakos on the Machakos Kitui Road.	do
Mbanya	About 4 miles from Mbooni Mission on the Kilungu-Mbooni Road.	do
Machakos Township	$\frac{3}{4}$ mile radius from centre of District Commissioner's Office.	
Alienated Areas	L. O. Nos. 329, 1791, 2715, 2716, 3718, 2719, 1269, 2713, 2714, 2717, 1067, 2962/1-5, 2374, 1351, 3722, 3642.	

GOVERNMENT NOTICE NO. 196.

CONFIRMATION OF ORDINANCE.

NOTICE.

THE Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the undermentioned Ordinance:—

"AN ORDINANCE TO PROVIDE FOR THE TRANSFER OF LAND BY REGISTRATION OF TITLES."

(No. XXVI OF 1919).

By command of His Excellency the Acting Governor.

Nairobi,

June 1st, 1920.

G. A. S. NORTHCOTE,

for Acting Chief Secretary

GOVERNMENT NOTICE No. 200.

AT THE COURT AT BUCKINGHAM PALACE,

The 18th day of August, 1919.

Present:

THE KING'S MOST EXCELLENT MAJESTY
IN COUNCIL.

WHEREAS at Versailles on the twenty-eighth day of June, nineteen hundred and nineteen, a Treaty of Peace (hereinafter referred to as "the Treaty") was signed on behalf of His Majesty:

And whereas by the Treaty of Peace Act, 1919, it was provided that His Majesty might make such appointments, establish such offices, make such Orders in Council and do such things as appeared to him to be necessary for carrying out the Treaty, and for giving effect to any of the provisions of the Treaty, and that any Order in Council made under that Act might provide for the imposition by summary process or otherwise of penalties in respect of breaches of the provisions thereof:

And whereas the Treaty contained the Sections set out in the Schedule to this Order, and it is expedient that for giving effect to those Sections the provisions hereinafter contained should have effect:

And whereas by Treaty, grant, usage, sufferance or other lawful means His Majesty has power and jurisdiction in British Protectorates, and is pleased by virtue and in exercise of the powers vested in Him by the Foreign Jurisdiction Act, 1890, or otherwise to extend the provisions of this Order to such Protectorates:

Now, therefore, His Majesty, by and with the advice of His Privy Council, is pleased to order, and it is hereby ordered, as follows:—

1. The Sections of the Treaty set out in the Schedule to this Act shall have full force and effect as law, and for the purpose of carrying out the said Sections the following provisions shall have effect:—

(i) There shall be established in the United Kingdom a Clearing Office under the control and management of such person (hereinafter referred to as the Controller) as the Board of Trade may appoint for the purpose, and there shall be attached thereto such officers and servants as the Board of Trade, subject to the consent of the Treasury as to number, may determine, and there shall be paid to the Controller and to such officers and servants such salaries or other remuneration as the Treasury may determine.

In the event of a local office being established in any part of His Majesty's dominions outside the United Kingdom or in any Protectorate, the provisions relating to the Clearing Office hereinafter contained shall apply thereto for the purpose of the functions authorized to be performed by a local Clearing Office under paragraph 1 of the Annex to Section III of Part X of the Treaty.

(ii) It shall not be lawful for any person to pay or accept payment of any enemy debt except in cases where recovery thereof in a court of law is allowed as hereinafter provided, otherwise than through the Clearing Office, and no person interested in any such debt as debtor or creditor shall have any communications with any other person interested therein as creditor or debtor except through or by leave of the Clearing Office, and if any person contravenes this provision he shall be guilty of an offence and liable to be proceeded against and punished as if he had been guilty of the offence of trading with the enemy, and section one of the Trading with the Enemy Act, 1914, shall apply accordingly.

(iii) It shall not be lawful for any person to take proceedings in any court for the recovery of any enemy debt except in the circumstances provided under paragraphs 16, 23 and 25 of the Annex to the said Section III.

(iv) The Clearing Office shall have power to enforce the payment of any enemy debt against the person by whom the debt is due, together with such interest as is payable under paragraph 22 of the Annex to the said Section III, and for that purpose shall have all such rights and powers as if they were the creditor; and if the debt has been admitted by the debtor, or the debt or amount thereof has been found by arbitration or by the Mixed Arbitral Tribunal or by a court of law in manner provided by paragraph 16 of the Annex to the said Section III, the Clearing Office may certify the amount so admitted or found due, and on production to the proper officer of the Supreme Court of the part of His Majesty's Dominions or the Protectorate in which the debtor resides of such certificate, the certificate shall be registered by that officer and shall from the date of such registration be of the same force and effect, and all proceedings may be taken thereon, as if the certificate were a judgment obtained in that court for the recovery of a debt of the amount specified in the certificate and entered upon the date of such registration, and all reasonable costs and charges attendant upon the registration of such certificate shall be recoverable in like manner as if they were part of such judgment.

(v) It shall be lawful for the Clearing Office to recover from any person by whom a fine is payable under paragraph 10 of the Annex to the said Section III the amount of such fine.

(vi) It shall be lawful for the Clearing Office to deduct from any sum payable by the Clearing Office to a creditor such commission, not exceeding two-and-a-half per cent. of the amount payable, as may be fixed by the Clearing Office.

(vii) If any creditor refuses or fails to give such notice or to furnish such documents or information as are mentioned in paragraph 5 of the Annex to the said Section III he shall, on summary conviction, be liable to a fine not exceeding ten pounds.

(viii) If any person collusively gives notice of or admits any debt which is not due, or furnishes any false information with respect to any debt, he shall, on summary conviction, be liable to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months or to both such imprisonment and fine.

(ix) If His Majesty so agrees with any of the other Allied or Associated Powers the provisions of this Order, so far as they relate to enemy debts, shall apply to debts due to or from the nationals of that Power resident in any part of His Majesty's Dominions or Protectorates in like manner as they apply to debts due to or from British nationals so resident.

(x) Proceedings by and on behalf of the Clearing Office may be taken by and in the name of the Controller of the Clearing Office, who may by that name sue and be sued, and costs may be awarded to or against the Controller.

(xi) Every document purporting to be an order or other instrument issued by the Clearing Office and to be signed by the Controller or by the secretary or other person authorized by the Controller shall be received in evidence and shall be deemed to be such order or instrument without further proofs unless the contrary is shown.

(xii) A certificate signed by the Controller that an order or other instrument purporting to be

made or issued by the Clearing Office is so made or issued shall be conclusive evidence of the facts so certified.

(xiii) The Documentary Evidence Act, 1868, as amended by any subsequent enactment, shall apply to the Clearing Office in like manner as if the Clearing Office were mentioned in the first column of the First Schedule to that Act, and as if the Controller or Secretary of the Clearing Office or any person authorized by the Controller to act on his behalf were mentioned in the second column of that Schedule, and as if the regulations referred to in that Act included any documents issued by or on behalf of the Clearing Office.

(xiv) All decisions of the Mixed Arbitral Tribunal constituted under Section VI of Part X of the Treaty, if within the jurisdiction of that tribunal, shall be final and conclusive and binding on all courts.

(xv) For the purpose of enforcing the attendance of witnesses before the Mixed Arbitral Tribunal wherever sitting, whether within or without His Majesty's Dominions, and compelling the production before the tribunal of documents, a Secretary of State shall have power to issue orders which shall have the like effect as if the proceedings before the tribunal were an action in a court and the order were a formal process issued by that court in the due exercise of its jurisdiction, and shall be enforceable by that court accordingly, and disobedience to any such order shall be punishable as contempt of court.

(xvi) All property, rights and interests within His Majesty's Dominions or Protectorates belonging to German nationals at the date when the Treaty comes into force (not being property rights or interests acquired under any general licence issued by or on behalf of His Majesty), and the net proceeds of their sale, liquidation or other dealings therewith, are hereby charged—

(a) in the first place, with payment of the amounts due in respect of claims by British nationals with regard to their property, rights and interests, including companies and associations in which they are interested in German territory, or debts owing to them by German nationals, and with payment of any compensation awarded by the Mixed Arbitral Tribunal, or by an Arbitrator appointed by that Tribunal in pursuance of paragraph (e) of Article 297, and with payment of claims growing out of acts committed by the German Government or by German authorities since the thirty-first day of July, and before the fourth day of August, nineteen hundred and fourteen; and

(b) secondly, with payment of the amounts due in respect of claims by British nationals with regard to their property, rights and interests in the territories of Austria-Hungary, Bulgaria and Turkey, in so far as those claims are not otherwise satisfied.

Provided that any particular property, rights or interests so charged may at any time, if His Majesty thinks fit, be released from the charge so created.

(xvii) With a view to making effective and enforcing such charge as aforesaid—

(a) no person shall, without the consent of the Custodian, transfer, part with or otherwise deal in any property, right or interest subject to the charge, and if he does so he shall be liable on summary conviction to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months or to both such imprisonment and fine;

(b) every person owning or having the control or management of any property, right or interest subject to the charge (including where the property right or interest consists of shares, stocks or other securities issued by a company, municipal authority, or other body or any right or interest therein such company, authority or body) shall, unless particulars thereof have already been furnished to the Custodian in accordance with the Trading with the Enemy Acts 1914 to 1918, within one month from the date when this Order comes into operation by notice in writing communicate the fact to the Custodian, and shall furnish the Custodian with such particulars in relation thereto as the Custodian may require, and if any person fails to do so he shall on summary conviction be liable to a fine not exceeding one hundred pounds;.

(c) where the property charged consists of inscribed or registered stock, shares or other securities, any company, municipal authority or other body by whom the securities were issued or are managed shall, on application being made by the Custodian, enter the Custodian in the books in which the securities are inscribed or registered as the proprietor of the securities subject to the charge, and the Custodian shall, subject to the consent of the Board of Trade, have power to sell or otherwise deal with the securities as proprietor of which he is so registered or inscribed;

(d) the Board of Trade may by order vest in the Custodian any property, rights and interests subject to the charge, or the right to transfer the same, and for that purpose section four of the Trading with the Enemy (Amendment) Act, 1916, shall apply as if such property, rights and interests were property belonging to an enemy or enemy subject;

(e) if any person called upon to pay any money or to transfer or otherwise to deal with any property, rights or interests has reason to suspect that the same are subject to such charge as aforesaid he shall before paying, transferring or dealing with the same report the matter to the Custodian and shall comply with any directions that the Custodian may give with respect thereto.

(xviii) The time at which the period of prescription or limitation of right of action referred to in Article 300 shall begin again to run shall be at the expiration of six months after the coming into force of the Treaty, and the period to be allowed within which presentation of negotiable instruments for acceptance or payment and notice of non-acceptance or non-payment or protest may be made under Article 300 shall be six months from the coming into force of the Treaty.

(xix) Rules made during the war by any recognised Exchange or Commercial Association providing for the closure of contracts entered into before the war by an enemy and any action taken thereunder are hereby confirmed subject to the provisos contained in paragraph 4 (a) of the Annex to Section V. of Part X. of the Treaty.

(xx) There shall be imposed on rights of industrial, literary or artistic property (with the exception of trade marks) acquired before or during the war, or which may be acquired hereafter, by German nationals, such limitations, conditions or restrictions as the Board of Trade may prescribe, for the purpose, in the manner, in the circumstances, and subject to the limitations, contained in Article 306 of the Treaty, and any transfer in whole or in part or other dealing with any rights so acquired as aforesaid effected since the first

day of August, nineteen hundred and fourteen, shall if and so far as it is inconsistent with any limitations, conditions or restrictions so imposed be void and of no effect.

(xxi) So far as may be necessary for the purpose of Article 307 the Patents, Designs, and Trade Marks (Temporary Rules) Act, 1914 (except paragraph (b) of Section one of the Patents, Designs, and Trade Marks (Temporary Rules) (Amendment) Act, 1914), shall in relation to German nationals continue in force after the Treaty comes into force as if references therein to subjects of a State of war with His Majesty included references to German nationals.

(xxii) The duly qualified tribunal for the purposes of Article 310 of the Treaty shall be the Comptroller-General of Patents, Designs and Trade Marks.

2. For the purposes of this Order—

The expression "enemy debt" has the meaning assigned to it by paragraph 2 of the Annex to Section III of Part X of the Treaty, and includes any sum which under the Treaty is to be treated or dealt with in like manner as an enemy debt;

The expression "nationals" in relation to any State includes the subjects or citizens of that State and any company or corporation incorporated therein according to the law of that State and in the case of a Protectorate the natives thereof;

The expression "Custodian" means the Custodian of enemy property appointed under the Trading with the Enemy (Amendment) Act, 1914.

The Interpretation Act, 1889, applies for the interpretation of this Order in like manner as it applies for the interpretation of an Act of Parliament, and as if this Order were an Act of Parliament.

3. This Order shall apply to the whole of His Majesty's Dominions and Protectorates, except the Dominion of Canada, the Commonwealth of Australia (which for this purpose shall be deemed to include Papua and Norfolk Island), the Union of South Africa, the Dominion of New Zealand, Newfoundland and India, but in its application to the parts of His Majesty's Dominions outside the United Kingdom and to British Protectorates shall be subject to such modifications as may be made by the legislatures of those parts or those Protectorates for adapting to the circumstances thereof the provisions of this Order.

Provided that such of the provisions of this Order as give effect to Section III of Part X of the Treaty shall not apply to Egypt.

4. This Order shall come into operation on the date when the Treaty of Peace comes into force, but so much of this Order as relates to Section III of Part X of the Treaty and the Annex to that section shall cease to be in operation after the expiration of one month from the deposit of the ratifications of the Treaty by His Majesty, unless in the meantime the notification referred to in paragraph (e) of Article 296 has been given to Germany by His Majesty.

5. This Order may be cited as the Treaty of Peace Order, 1919.

Almeric FitzRoy.

SCHEDULE.

SECTIONS III. TO VII. OF PART X. OF THE TREATY.

SECTION III.—DEBTS.

ARTICLE 296.

There shall be settled through the intervention of clearing offices to be established by each of the High Contracting Parties within three months of the notifi-

cation referred to in paragraph (e) hereafter the following classes of pecuniary obligations:

1. Debts payable before the war and due by a national of one of the Contracting Powers, residing within its territory, to a national of an Opposing Power, residing within its territory.

2. Debts which became payable during the war to nationals of one Contracting Power residing within its territory and arose out of transactions or contracts with the nationals of an Opposing Power, resident within its territory, of which the total or partial execution was suspended on account of the declaration of war.

3. Interest which has accrued due before and during the war to a national of one of the Contracting Powers in respect of securities issued by an Opposing Power, provided that the payment of interest on such securities to the nationals of that Power or to neutrals has not been suspended during the war.

4. Capital sums which have become payable before and during the war to nationals of one of the Contracting Powers in respect of securities issued by one of the Opposing Powers, provided that the payment of such capital sums to nationals of that Power or to neutrals has not been suspended during the war.

The proceeds of liquidation of enemy property, rights, and interests mentioned in Section IV. and in the Annex thereto will be accounted for through the clearing offices, in the currency and at the rate of exchange hereinafter provided in paragraph (d) and disposed of by them under the conditions provided by the said Section and Annex.

The settlements provided for in this Article shall be effected according to the following principles and in accordance with the Annex to this Section:—

(a) Each of the High Contracting Parties shall prohibit, as from the coming into force of the present Treaty, both the payment and the acceptance of payment of such debts, and also all communications between the interested parties with regard to the settlement of the said debts otherwise than through the clearing offices.

(b) Each of the High Contracting Parties shall be respectively responsible for the payment of such debts due by its nationals, except in the cases where before the war the debtor was in a state of bankruptcy or failure, or had given formal indication of insolvency or where the debt was due by a company whose business has been liquidated under emergency legislation during the war. Nevertheless, debts due by the inhabitants of territory invaded or occupied by the enemy before the Armistice will not be guaranteed by the States of which those territories form part.

(c) The sums due to the nationals of one of the High Contracting Parties by the nationals of an Opposing State will be debited to the clearing office of the country of the debtor, and paid to the creditor by the clearing office of the country of the creditor.

(d) Debts shall be paid or credited in the currency of such one of the Allied and Associated Powers, their colonies or protectorates, or the British Dominions or India, as may be concerned. If the debts are payable in some other currency they shall be paid or credited in the currency of the country concerned, whether an Allied or Associated Power, Colony, Protectorate, British Dominion or India, at the pre-war rate of exchange.

For the purpose of this provision the pre-war rate of exchange shall be defined as the average

cable transfer rate prevailing in the Allied or Associated country concerned during the month immediately preceding the outbreak of war between the said country concerned and Germany.

If a contract provides for a fixed rate of exchange governing the conversion of the currency in which the debt is stated into the currency of the Allied or Associated country concerned, then the above provisions concerning the rate of exchange shall not apply.

In the case of new States the currency in which and the rate of exchange at which debts shall be paid or credited shall be determined by the Reparation Commission provided for in Part VIII. (Reparation).

(e) The provisions of this Article and of the Annex hereto shall not apply as between Germany on the one hand and any one of the Allied and Associated Powers, their colonies or protectorates, or any one of the British Dominions or India on the other hand, unless within a period of one month from the deposit of the ratifications of the present Treaty by the Power in question, or of the ratification on behalf of such Dominion or of India, notice to that effect is given to Germany by the Government of such Allied or Associated Power or of such Dominion or of India as the case may be.

(f) The Allied and Associated Powers who have adopted this Article and the Annex hereto may agree between themselves to apply them to their respective nationals established in their territory so far as regards matters between their nationals and German nationals. In this case the payments made by application of this provision will be subject to arrangements between the allied and associated clearing offices concerned.

ANNEX

1. Each of the High Contracting Parties will, within three months from the notification provided for in Article 296, paragraph (e), establish a clearing office for the collection and payment of enemy debts.

Local clearing offices may be established for any particular portion of the territories of the High Contracting Parties. Such local clearing offices may perform all the functions of a central clearing office in their respective districts, except that all transactions with the clearing office in the Opposing State must be effected through the central clearing office.

2. In this Annex the pecuniary obligations referred to in the first paragraph of Article 296 are described as "enemy debts," the persons from whom the same are due as "enemy debtors," the persons to whom they are due as "enemy creditors," the clearing office in the country of the creditor is called the "Creditor Clearing Office," and the clearing office in the country of the debtor is called the "Debtor Clearing Office."

3. The High Contracting Parties will subject contraventions of paragraph (a) of Article 296 to the same penalties as are at present provided by their legislation for trading with the enemy. They will similarly prohibit within their territory all legal process relating to payment of enemy debts, except in accordance with the provisions of this Annex.

4. The Government guarantee specified in paragraph (b) of Article 296 shall take effect whenever, for any reason, a debt shall not be recoverable, except in a case where at the date of the outbreak of war the debt was barred by the laws of prescription in force in the country of the debtor, or where the debtor was at that time in a state of bankruptcy or failure or had given formal indication of insol-

veny, or where the debt was due by a company whose business had been liquidated under emergency legislation during the war. In such case the procedure specified by this Annex shall apply to payment of the dividends.

The terms "bankruptcy" and "failure" refer to the application of legislation providing for such juridical conditions. The expression "formal indication of insolvency" bears the same meaning as it has in English law.

5. Creditors shall give notice to the Creditor Clearing Office within six months of its establishment of debts due to them, and shall furnish the Clearing Office with any documents and information required of them.

The High Contracting Parties will take all suitable measures to trace and punish collusion between enemy creditors and debtors. The clearing offices will communicate to one another any evidence and information which might help the discovery and punishment of such collusion.

The High Contracting Parties will facilitate as much as possible postal and telegraphic communication at the expense of the parties concerned and through the intervention of the clearing offices between debtors and creditors desirous of coming to an agreement as to the amount of their debts.

The Creditor Clearing Office will notify the Debtor Clearing Office of all debts declared to it. The Debtor Clearing Office will, in due course, inform the Creditor Clearing Office which debts are admitted and which debts are contested. In the latter case, the Debtor Clearing Office will give the grounds for the non-admission of debts.

6. When a debt has been admitted, in whole or in part, the Debtor Clearing Office will at once credit the Creditor Clearing Office with the amount admitted, and at the same time notify it of such credit.

7. The debt shall be deemed to be admitted in full and shall be credited forthwith to the Creditor Clearing Office unless within three months from the receipt of the notification or such longer time as may be agreed to by the Creditor Clearing Office notice has been given by the Debtor Clearing Office that it is not admitted.

8. When the whole or part of a debt is not admitted the two clearing offices will examine into the matter jointly and will endeavour to bring the parties to an agreement.

9. The Creditor Clearing Office will pay to the individual creditor the sums credited to it out of the funds placed at its disposal by the Government of its country and in accordance with the conditions fixed by the said Government, retaining any sums considered necessary to cover risks, expenses or commissions.

10. Any person having claimed payment of an enemy debt which is not admitted in whole or in part shall pay to the clearing office, by way of fine, interest at 5 per cent. on the part not admitted. Any person having unduly refused to admit the whole or part of a debt claimed from him shall pay, by way of fine, interest at 5 per cent. on the amount with regard to which his refusal shall be disallowed.

Such interest shall run from the date of expiration of the period provided for in paragraph 7 until the date on which the claim shall have been disallowed or the debt paid.

Each clearing office shall, in so far as it is concerned, take steps to collect the fines above provided for, and will be responsible if such fines cannot be collected.

The fines will be credited to the other clearing office, which shall retain them as a contribution towards the cost of carrying out the present provisions.

11. The balance between the clearing offices shall be struck monthly and the credit balance paid in cash by the debtor State within a week.

Nevertheless, any credit balances which may be due by one or more of the Allied and Associated Powers shall be retained until complete payment shall have been effected of the sums due to the Allied or Associated Powers or their nationals on account of the war.

12. To facilitate discussion between the clearing offices each of them shall have a representative at the place where the other is established.

13. Except for special reasons all discussions in regard to claims will, so far as possible, take place at the Debtor Clearing Office.

14. In conformity with Article 296, paragraph (b), the High Contracting Parties are responsible for the payment of the enemy debts owing by their nationals.

The Debtor Clearing Office will therefore credit the Creditor Clearing Office with all debts admitted, even in case of inability to collect them from the individual debtor. The Governments concerned will, nevertheless, invest their respective clearing offices with all necessary powers for the recovery of debts which have been admitted.

As an exception, the admitted debts owing by persons having suffered injury from acts of war shall only be credited to the Creditor Clearing Office when the compensation due to the person concerned in respect of such injury shall have been paid.

15. Each Government will defray the expenses of the clearing office set up in its territory, including the salaries of the staff.

16. Where the two clearing offices are unable to agree whether a debt claimed is due, or in case of a difference between an enemy debtor and an enemy creditor or between the clearing offices, the dispute shall either be referred to arbitration, if the parties so agree under conditions fixed by agreement between them, or referred to the Mixed Arbitral Tribunal provided for in Section VI. hereafter.

At the request of the Creditor Clearing Office the dispute may, however, be submitted to the jurisdiction of the Courts of the place of domicile of the debtor.

17. Recovery of sums found by the Mixed Arbitral Tribunal, the Court, or the Arbitration Tribunal to be due shall be effected through the clearing offices as if these sums were debts admitted by the Debtor Clearing Office.

18. Each of the Governments concerned shall appoint an agent who will be responsible for the presentation to the Mixed Arbitral Tribunal of the cases conducted on behalf of its clearing office. This agent will exercise a general control over the representatives or counsel employed by its nationals.

Decisions will be arrived at on documentary evidence, but it will be open to the Tribunal to hear the parties in person, or according to their preference by their representatives approved by the two Governments, or by the agent referred to above, who shall be competent to intervene along with the party or to re-open and maintain a claim abandoned by the same.

19. The clearing offices concerned will lay before the Mixed Arbitral Tribunal all the information and

documents in their possession, so as to enable the Tribunal to decide rapidly on the cases which are brought before it.

20. Where one of the parties concerned appeals against the joint decision of the two clearing offices he shall make a deposit against the costs, which deposit shall only be refunded when the first judgment is modified in favour of the appellant and in proportion to the success he may attain, his opponent in case of such a refund being required to pay an equivalent proportion of the costs and expenses. Security accepted by the Tribunal may be substituted for a deposit.

A fee of 5 per cent. of the amount in dispute shall be charged in respect of all cases brought before the Tribunal. This fee shall, unless the Tribunal directs otherwise, be borne by the unsuccessful party. Such fee shall be added to the deposit referred to. It is also independent of the security.

The Tribunal may award to one of the parties a sum in respect of the expenses of the proceedings.

Any sum payable under this paragraph shall be credited to the clearing office of the successful party as a separate item.

21. With a view to the rapid settlement of claims, due regard shall be paid in the appointment of all persons connected with the clearing offices or with the Mixed Arbitral Tribunal to their knowledge of the language of the other country concerned. Each of the clearing offices will be at liberty to correspond with the other, and to forward documents in its own language.

22. Subject to any special agreement to the contrary between the Governments concerned, debts shall carry interest in accordance with the following provisions:—

Interest shall not be payable on sums of money due by way of dividend, interest, or other periodical payments which themselves represent interest on capital.

The rate of interest shall be 5 per cent. per annum except in cases where, by contract, law, or custom, the creditor is entitled to payment of interest at a different rate. In such cases the rate to which he is entitled shall prevail.

Interest shall run from the date of commencement of hostilities (or, if the sum of money to be recovered fell due during the war, from the date at which it fell due) until the sum is credited to the clearing office of the creditor.

Sums due by way of interest shall be treated as debts admitted by the clearing offices and shall be credited to the Creditor Clearing Office in the same way as such debts.

23. Where by decision of the clearing offices or the Mixed Arbitral Tribunal a claim is held not to fall within Article 296, the creditor shall be at liberty to prosecute the claim before the Courts or to take such other proceedings as may be open to him.

The presentation of a claim to the clearing office suspends the operation of any period of prescription.

24. The High Contracting Parties agree to regard the decisions of the Mixed Arbitral Tribunal as final and conclusive, and to render them binding upon their nationals.

25. In any case where a Creditor Clearing Office declines to notify a claim to the Debtor Clearing Office, or to take any step provided for in this Annex, intended to make effective in whole or in part a request of which it has received due notice, the enemy creditor shall be entitled to receive from

the clearing office a certificate setting out the amount of the claim, and shall then be entitled to prosecute the claim before the Courts or to take such other proceedings as may be open to him.

SECTION IV.—PROPERTY, RIGHTS AND INTERESTS.

ARTICLE 297.

The question of private property, rights and interests in an enemy country shall be settled according to the principles laid down in this Section and to the provisions of the Annex hereto:—

(a) The exceptional war measures and measures of transfer (defined in paragraph 3 of the Annex hereto) taken by Germany with respect of the property, rights and interests of nationals of Allied or Associated Powers, including companies and associations in which they are interested, when liquidation has not been completed, shall be immediately discontinued or stayed and the property, rights, and interests concerned restored to their owners, who shall enjoy full rights therein in accordance with the provisions of Article 298.

(b) Subject to any contrary stipulations which may be provided for in the present Treaty, the Allied and Associated Powers reserve the right to retain and liquidate all property, rights, and interests belonging at the date of the coming into force of the present Treaty to German nationals, or companies controlled by them, within their territories, colonies, possessions and protectorates, including territories ceded to them by the present Treaty.

The liquidation shall be carried out in accordance with the laws of the Allied or Associated State concerned, and the German owner shall not be able to dispose of such property, rights, or interests nor to subject them to any charge without the consent of that State.

German nationals who acquire *ipso facto* the nationality of an Allied or Associated Power in accordance with the provisions of the present Treaty will not be considered as German nationals within the meaning of this paragraph.

(c) The price or the amount of compensation in respect of the exercise of the right referred to in the preceding paragraph (b) will be fixed in accordance with the methods of sale or valuation adopted by the laws of the country in which the property has been retained or liquidated.

(d) As between the Allied and Associated Powers or their nationals on the one hand and Germany or her nationals on the other hand, all the exceptional war measures, or measures of transfer, or acts done or to be done in execution of such measures as defined in paragraphs 1 and 3 of the Annex hereto shall be considered as final and binding upon all persons except as regards the reservations laid down in the present Treaty.

(e) The nationals of Allied and Associated Powers shall be entitled to compensation in respect of damage or injury inflicted upon their property, rights, and interests, including any company or association in which they are interested, in German territory as it existed on August 1, 1914, by the application either of the exceptional war measures or measures of transfer mentioned in paragraphs 1 and 3 of the Annex hereto. The claims made in this respect by such nationals shall be investigated, and the total of the compensation shall be determined by the Mixed Arbitral Tribunal provided for in Section VI. or by an Arbitrator appointed by that Tribunal. This compensation

shall be borne by Germany, and may be charged upon the property of German nationals within the territory or under the control of the claimant's State. This property may be constituted as a pledge for enemy liabilities under the conditions fixed by paragraph 4 of the Annex hereto. The payment of this compensation may be made by the Allied or Associated State, and the amount will be debited to Germany.

(f) Whenever a national of an Allied or Associated Power is entitled to property which has been subjected to a measure of transfer in German territory and expresses a desire for its restitution, his claim for compensation in accordance with paragraph (e) shall be satisfied by the restitution of the said property if it still exists in specie.

In such case Germany shall take all necessary steps to restore the evicted owner to the possession of his property, free from all encumbrances or burdens with which it may have been charged after the liquidation, and to indemnify all third parties injured by the restitution.

If the restitution provided for in this paragraph cannot be effected, private agreements arranged by the intermediation of the Powers concerned or the clearing offices provided for in the Annex to Section III. may be made, in order to secure that the national of the Allied or Associated Power may secure compensation for the injury referred to in paragraph (e) by the grant of advantages or equivalents which he agrees to accept in place of the property, rights, or interests of which he was deprived.

Through restitution in accordance with this Article, the price or the amount of compensation fixed by the application of paragraph (e) will be reduced by the actual value of the property restored, account being taken of compensation in respect of loss of use or deterioration.

(g) The rights conferred by paragraph (f) are reserved to owners who are nationals of Allied or Associated Powers within whose territory legislative measures prescribing the general liquidation of enemy property, rights, or interests were not applied before the signature of the Armistice.

(h) Except in cases where, by application of paragraph (f), restitutions in specie have been made, the net proceeds of sales of enemy property, rights or interests, wherever situated, carried out either by virtue of war legislation, or by application of this Article, and in general all cash assets of enemies, shall be dealt with as follows:—

(1) As regards Powers adopting Section III. and the Annex thereto, the said proceeds and cash assets shall be credited to the Power of which the owner is a national, through the clearing office established thereunder; any credit balance in favour of Germany resulting therefrom shall be dealt with as provided in Article 243.

(2) As regards Powers not adopting Section III. and the Annex thereto, the proceeds of the property, rights and interests, and the cash assets, of the nationals of Allied or Associated Powers held by Germany shall be paid immediately to the person entitled thereto or to his Government; the proceeds of the property, rights and interests, and the cash assets, of German nationals received by an Allied or Associated Power shall be subject to disposal by such Power in accordance with its laws and regulations and may be applied in payment of the claims and debts defined by this Article or paragraph 4 of the Annex hereto. Any property, rights and interests or proceeds thereof or cash assets not used as above provided may be retained by the said Allied or Associated

Power and if retained the cash value thereof shall be dealt with as provided in Article 243.

In the case of liquidations effected in new States, which are signatories of the present Treaty as Allied and Associated Powers, or in States which are not entitled to share in the reparation payments to be made by Germany, the proceeds of liquidations effected by such States shall, subject to the rights of the Reparation Commission under the present Treaty, particularly under Articles 235 and 260, be paid direct to the owner. If on the application of that owner, the Mixed Arbitral Tribunal, provided for by Section VI. of this Part or an arbitrator appointed by that Tribunal, is satisfied that the conditions of the sale or measures taken by the Government of the State in question outside its general legislation were unfairly prejudicial to the price obtained, they shall have discretion to award to the owner equitable compensation to be paid by that State.

(i) Germany undertakes to compensate its nationals in respect of the sale or retention of their property, rights, or interests in Allied or Associated States.

(j) The amount of all taxes and imposts upon capital levied or to be levied by Germany on the property, rights, and interests of the nationals of the Allied or Associated Powers from November 11, 1918, until three months from the coming into force of the present Treaty, or, in the case of property, rights or interests which have been subjected to exceptional measures of war, until restitution in accordance with the present Treaty, shall be restored to the owners.

ARTICLE 298.

Germany undertakes, with regard to the property, rights and interests, including companies and associations in which they were interested, restored to nationals of Allied and Associated Powers in accordance with the provisions of Article 297, paragraph (a) or (f):—

(a) to restore and maintain, except as expressly provided in the present Treaty, the property, rights and interests of the nationals of Allied or Associated Powers in the legal position obtaining in respect of the property, rights and interests of German nationals under the laws in force before the war;

(b) not to subject the property, rights or interests of the nationals of the Allied or Associated Powers to any measures in derogation of property rights, which are not applied equally to the property, rights and interests of German nationals, and to pay adequate compensation in the event of the application of these measures.

ANNEX.

1. In accordance with the provisions of Article 297, paragraph (d), the validity of vesting orders and of orders for the winding up of businesses or companies, and of any other orders, directions, decisions, or instructions of any Court or any Department of the Government of any of the High Contracting Parties made or given, or purporting to be made or given, in pursuance of war legislation with regard to enemy property, rights, and interests is confirmed. The interests of all persons shall be regarded as having been effectively dealt with by any order, direction, decision, or instruction dealing with property in which they may be interested, whether or not such interests are specifically mentioned in the order, direction, decision, or instruction. No question shall be raised as to the regularity of a transfer of any property, rights or interests dealt with in pursuance of any such order, direction, decision or instruction.

Every action taken with regard to any property, business, or company, whether as regards its investigation, sequestration, compulsory administration, use, requisition, supervision, or winding up, the sale or management of property, rights or interests, the collection or discharge of debts, the payment of costs, charges, or expenses, or any other matter whatsoever, in pursuance of orders, directions, decisions, or instructions of any Court or of any department of the Government of any of the High Contracting Parties, made or given, or purporting to be made or given, in pursuance of war legislation with regard to enemy property, rights, or interests, is confirmed. Provided that the provisions of this paragraph shall not be held to prejudice the titles to property heretofore acquired in good faith and for value and in accordance with the laws of the country in which the property is situated by nationals of the Allied and Associated Powers.

The provisions of this paragraph do not apply to such of the above-mentioned measures as have been taken by the German authorities in invaded or occupied territory, nor to such of the above-mentioned measures as have been taken by Germany or the German authorities since November 11th, 1918, all of which shall be void.

2. No claim or action shall be made or brought against any Allied or Associated Power or against any person acting on behalf of or under the direction of any legal authority or Department of the Government of such a Power by Germany or by any German national wherever resident in respect of any act or omission with regard to his property, rights, or interests during the war or in preparation for the war. Similarly no claim or action shall be made or brought against any person in respect of any act or omission under or in accordance with the exceptional war measures, laws or regulations of any Allied or Associated Power.

3. In Article 297 and this Annex the expression "exceptional war measures" includes measures of all kinds, legislative, administrative, judicial, or others, that have been taken or will be taken hereafter with regard to enemy property, and which have had or will have the effect of removing from the proprietors the power of disposition over their property, though without affecting the ownership, such as measures of supervision, of compulsory administration, and of sequestration; or measures which have had or will have as an object the seizure of, the use of, or the interference with enemy assets for whatsoever motive, under whatsoever form, or in whatsoever place. Acts in the execution of these measures include all detentions, instructions, orders, or decrees of Government departments or Courts applying these measures to enemy property, as well as acts performed by any person connected with the administration or the supervision of enemy property, such as the payment of debts, the collecting of credits, the payment of any costs, charges, or expenses, or the collecting of fees.

Measures of transfer are those which have affected or will affect the ownership of enemy property by transferring it in whole or in part to a person other than the enemy owner, and without his consent, such as measures directing sale, liquidation, or devolution of ownership in enemy property, or the cancelling of titles or securities.

4. All property, rights, and interests of German nationals within the territory of any Allied or Associated Power and the net proceeds of their sale, liquidation or other dealing therewith may be charged by that Allied or Associated Power in the first place with payment of amounts due in respect of claims by the nationals of that Allied or Associated Power with regard to their property, rights, and interests, including companies and associations in which they

are interested, in German territory, or debts owing to them by German nationals, and with payment of claims growing out of acts committed by the German Government or by any German authorities since July 31st, 1914, and before that Allied or Associated Power entered into the war. The amount of such claims may be assessed by an arbitrator appointed by Mr. Gustave Ador, if he is willing, or, if no such appointment is made by him, by an arbitrator appointed by the Mixed Arbitral Tribunal provided for in Section VI. They may be charged in the second place with payment of the amounts due in respect of claims by the nationals of such Allied or Associated Power with regard to their property, rights and interests in the territory of other enemy Powers, in so far as those claims are otherwise unsatisfied.

5. Notwithstanding the provisions of Article 297, where immediately before the outbreak of war a company incorporated in an Allied or Associated State had rights in common with a company controlled by it and incorporated in Germany to the use of trade-marks in third countries, or enjoyed the use in common with such company of unique means of reproduction of goods or articles for sale in third countries, the former company shall alone have the right to use these trade-marks in third countries to the exclusion of the German company, and these unique means of reproduction shall be handed over to the former company, notwithstanding any action under German war legislation with regard to the latter company or its business, industrial property or shares. Nevertheless, the former company, if requested, shall deliver to the latter company derivative copies permitting the continuation of reproduction of articles for use within German territory.

6. Up to the time when restitution is carried out in accordance with Article 297, Germany is responsible for the conservation of property, rights, and interests of the nationals of Allied or Associated Powers, including companies and associations in which they are interested, that have been subjected by her to exceptional war measures.

7. Within one year from the coming into force of the present Treaty the Allied or Associated Powers will specify the property, rights, and interests over which they intend to exercise the right provided in Article 297, paragraph (f).

8. The restitution provided in Article 297 will be carried out by order of the German Government or of the authorities which have been substituted for it. Detailed accounts of the action of administrators shall be furnished to the interested persons by the German authorities upon request, which may be made at any time after the coming into force of the present Treaty.

9. Until completion of the liquidation provided for by Article 297, paragraph (b), the property, rights, and interests of German nationals will continue to be subjected to exceptional war measures that have been or will be taken with regard to them.

10. Germany will, within six months from the coming into force of the present Treaty, deliver to each Allied or Associated Power all securities, certificates, deeds, or other documents of title held by its nationals and relating to property, rights, or interests situated in the territory of that Allied or Associated Power, including any shares, stock, debentures, debenture stock, or other obligations of any company incorporated in accordance with the laws of that Power.

Germany will at any time on demand of any Allied or Associated Power furnish such information as may be required with regard to the property, rights, and interests of German nationals within the territory of such Allied or Associated Power, or with

regard to any transaction concerning such property, rights, or interests effected since July 1, 1914.

11. The expression "cash assets" includes all deposits or funds established before or after the declaration of war, as well as all assets coming from deposits, revenues, or profits collected by administrators, sequestrators, or others from funds placed on deposit or otherwise, but does not include sums belonging to the Allied or Associated Powers or to their component States, Provinces, or Municipalities.

12. All investments wheresoever effected with the cash assets of nationals of the High Contracting Parties, including companies and associations in which such nationals were interested, by persons responsible for the administration of enemy properties or having control over such administration, or by order of such persons or of any authority whatsoever, shall be annulled. These cash assets shall be accounted for irrespective of any such investment.

13. Within one month from the coming into force of the present Treaty, or on demand at any time, Germany will deliver to the Allied and Associated Powers all accounts, vouchers, records, documents, and information of any kind which may be within German territory, and which concern the property, rights, and interests of the nationals of those Powers, including companies and associations in which they are interested, that have been subjected to an exceptional war measure, or to a measure of transfer either in German territory or in territory occupied by Germany or her allies.

The controllers, supervisors, managers, administrators, sequestrators, liquidators, and receivers shall be personally responsible under guarantee of the German Government for the immediate delivery in full of these accounts and documents, and for their accuracy.

14. The provisions of Article 297 and this Annex relating to property, rights, and interests in an enemy country, and the proceeds of the liquidation thereof, apply to debts credits, and accounts, Section III. regulating only the method of payment.

In the settlement of matters provided for in Article 297 between Germany and the Allied or Associated States, their colonies or protectorates, or any one of the British Dominions or India, in respect of any of which a declaration shall not have been made that they adopt Section III., and between their respective nationals, the provisions of Section III. respecting the currency in which payment is to be made and the rate of exchange and of interest shall apply unless the Government of the Allied or Associated Power concerned shall within six months of the coming into force of the present Treaty notify Germany that the said provisions are not to be applied.

15. The provisions of Article 297 and this Annex apply to industrial, literary and artistic property which has been or will be dealt with in the liquidation of property, rights, interests, companies or businesses under war legislation by the Allied or Associated Powers, or in accordance with the stipulations of Article 297, paragraph (b).

SECTION V.—CONTRACTS, PRESCRIPTIONS, JUDGMENTS.

ARTICLE 299.

(a) Any contract concluded between enemies shall be regarded as having been dissolved as from the time when any two of the parties became enemies, except in respect of any debt or other pecuniary obligation arising out of any act done or money paid thereunder, and subject to the exceptions and special rules with regard to particular contracts or classes of contracts contained herein or in the Annex hereto.

(b) Any contract of which the execution shall be required in the general interest, within six months from the date of the coming into force of the present Treaty, by the Allied or Associated Governments of which one of the parties is a national, shall be excepted from dissolution under this Article.

When the execution of the contract thus kept alive would, owing to the alteration of trade conditions, cause one of the parties substantial prejudice the Mixed Arbitral Tribunal provided for by Section VI. shall be empowered to grant to the prejudiced party equitable compensation.

(c) Having regard to the provisions of the Constitution and law of the United States of America, of Brazil, and of Japan, neither the present Article, nor Article 300, nor the Annex hereto shall apply to contracts made between nationals of these States and German nationals; nor shall Article 305 apply to the United States of America or its nationals.

(d) The present Article and the Annex hereto shall not apply to contracts the parties to which became enemies by reason of one of them being an inhabitant of territory of which the sovereignty has been transferred, if such party shall acquire under the present Treaty the nationality of an allied or Associated Power, nor shall they apply to contracts between nationals of the Allied and Associated Powers between whom trading has been prohibited by reason of one of the parties being in Allied or Associated territory in the occupation of the enemy.

(e) Nothing in the present Article or the Annex hereto shall be deemed to invalidate a transaction lawfully carried out in accordance with a contract between enemies if it has been carried out with the authority of one of the belligerent Powers.

ARTICLE 300.

(a) All periods of prescription, or limitation of right of action, whether they began to run before or after the outbreak of war, shall be treated in the territory of the High Contracting Parties, so far as regards relations between enemies, as having been suspended for the duration of the war. They shall begin to run again at earliest three months after the coming into force of the present Treaty. This provision shall apply to the period prescribed for the presentation of interest or dividend coupons or for the presentation for repayment of securities drawn for repayment or repayable on any other ground.

(b) Where, on account of failure to perform any act or comply with any formality during the war, measures of execution have been taken in German territory to the prejudice of a national of an Allied or Associated Power, the claim of such national shall, if the matter does not fall within the competence of the Courts of an Allied or Associated Power, be heard by the Mixed Arbitral Tribunal provided for by Section VI.

(c) Upon the application of any interested person who is a national of an Allied or Associated Power the Mixed Arbitral Tribunal shall order the restoration of the rights which have been prejudiced by the measures of execution referred to in paragraph (b), wherever, having regard to the particular circumstances of the case, such restoration is equitable and possible.

If such restoration is inequitable or impossible the Mixed Arbitral Tribunal may grant compensation to the prejudiced party to be paid by the German Government.

(d) Where a contract between enemies has been dissolved by reason either of failure on the part of either party to carry out its provisions or of the

exercise of a right stipulated in the contract itself the party prejudiced may apply to the Mixed Arbitral Tribunal for relief. The Tribunal will have the power provided for in paragraph (c).

(e) The provisions of the preceding paragraphs of this Article shall apply to the nationals of Allied and Associated Powers who have been prejudiced by reason of measures referred to above taken by Germany in invaded or occupied territory, if they have not been otherwise compensated.

(f) Germany shall compensate any third party who may be prejudiced by any restitution or restoration ordered by the Mixed Arbitral Tribunal under the provisions of the preceding paragraphs of this Article.

(g) As regards negotiable instruments, the period of three months provided under paragraph (a) shall commence as from the date on which any exceptional regulations applied in the territories of the interested Power with regard to negotiable instruments shall have definitely ceased to have force.

ARTICLE 301.

As between enemies no negotiable instrument made before the war shall be deemed to have become invalid by reason only of failure within the required time to present the instrument for acceptance or payment or to give notice of non-acceptance or non-payment to drawers or indorsers or to protest the instrument nor by reason of failure to complete any formality during the war.

Where the period within which a negotiable instrument should have been presented for acceptance or for payment, or within which notice of non-acceptance or non-payment should have been given to the drawer or indorser, or within which the instrument should have been protested has elapsed during the war, and the party who should have presented or protested the instrument or have given notice of non-acceptance or non-payment has failed to do so during the war, a period of not less than three months from the coming into force of the present Treaty shall be allowed within which presentation, notice of non-acceptance or non-payment or protest may be made.

ARTICLE 302.

Judgments given by the Courts of an Allied or Associated Power in all cases which, under the present Treaty, they are competent to decide, shall be recognised in Germany as final, and shall be enforced without it being necessary to have them declared executory.

If a judgment in respect of any dispute which may have arisen has been given during the war by a German Court against a national of an Allied or Associated State in a case in which he was not able to make his defence, the Allied and Associated national who has suffered prejudice thereby shall be entitled to recover compensation, to be fixed by the Mixed Arbitral Tribunal provided for in Section VI.

At the instance of the national of the Allied or Associated Power the compensation above-mentioned may, upon order to that effect of the Mixed Arbitral Tribunal, be effected where it is possible by replacing the parties in the situation which they occupied before the judgment was given by the German Court.

The above compensation may likewise be obtained before the Mixed Arbitral Tribunal by the nationals of Allied or Associated Powers who have suffered prejudice by judicial measures taken in invaded or occupied territories, if they have not been otherwise compensated.

ARTICLE 303.

For the purpose of Sections III, IV, V, and VII, the expression "during the war" means for each Allied or Associated Power the period between the commencement of the state of war between that Power and Germany and the coming into force of the present Treaty.

ANNEX.

I. GENERAL PROVISIONS.

1. Within the meaning of Articles 299, 300, and 301, the parties to a contract shall be regarded as enemies when trading between them shall have been prohibited by or otherwise became unlawful under laws, orders, or regulations to which one of those parties was subject. They shall be deemed to have become enemies from the date when such trading was prohibited or otherwise became unlawful.

2. The following classes of contracts are excepted from dissolution by Article 299 and, without prejudice to the rights contained in Article 297 (b) of Section IV, remain in force subject to the application of domestic laws, orders, or regulations made during the war by the Allied and Associated Powers and subject to the terms of the contracts:—

(a) Contracts having for their object the transfer of estates or of real or personal property where the property therein had passed or the object had been delivered before the parties became enemies;

(b) Leases and agreements for leases of land and houses;

(c) Contracts of mortgage, pledge, or lien;

(d) Concessions concerning mines, quarries, or deposits;

(e) Contracts between individuals or companies and States, provinces, municipalities, or other similar juridical persons charged with administrative functions and concessions granted by States, provinces, municipalities, or other similar juridical persons charged with administrative functions.

3. If the provisions of a contract are in part dissolved under Article 299, the remaining provisions of that contract shall, subject to the same application of domestic laws as is provided for in paragraph 2, continue in force if they are severable, but where they are not severable the contract shall be deemed to have been dissolved in its entirety.

II. PROVISIONS RELATING TO CERTAIN CLASSES OF CONTRACTS.

Stock Exchange and Commercial Exchange Contracts.

4. (a) Rules made during the war by any recognised Exchange or Commercial Association providing for the closure of contracts entered into before the war by an enemy are confirmed by the High Contracting Parties, as also any action taken thereunder, provided—

(i) That the contract was expressed to be made subject to the rules of the Exchange or Association in question.

(ii) That the rules applied to all persons concerned.

(iii) That the conditions attaching to the closure were fair and reasonable.

(b) The preceding paragraph shall not apply to rules made during the occupation by Exchanges or Commercial Associations in the districts occupied by the enemy.

(c) The closure of contracts relating to cotton "futures," which were closed as on July 31, 1914, under the decision of the Liverpool Cotton Association, is also confirmed.

Security.

5. The sale of a security held for an unpaid debt owing by an enemy shall be deemed to have been valid irrespective of notice to the owner if the creditor acted in good faith and with reasonable care and prudence, and no claim by the debtor on the ground of such sale shall be admitted.

This stipulation shall not apply to any sale of securities effected by an enemy during the occupation in regions invaded or occupied by the enemy.

Negotiable Instruments.

6. As regards Powers which adopt Section III. and the Annex thereto the pecuniary obligations existing between enemies and resulting from the issue of negotiable instruments shall be adjusted in conformity with the said Annex by the instrumentality of the Clearing Offices, which shall assume the rights of the holder as regards the various remedies open to him.

7. If a person has either before or during the war become liable upon a negotiable instrument in accordance with an undertaking given to him by a person who has subsequently become an enemy, the latter shall remain liable to indemnify the former in respect of his liability notwithstanding the outbreak of war.

III.—CONTRACTS OF INSURANCE.

8. Contracts of insurance entered into by any person with another person who subsequently became an enemy will be dealt with in accordance with the following paragraphs:—

Fire Insurance.

9. Contracts for the insurance of property against fire entered into by a person interested in such property with another person who subsequently became an enemy shall not be deemed to have been dissolved by the outbreak of war, or by the fact of the person becoming an enemy, or on account of the failure during the war and for a period of three months thereafter to perform his obligations under the contract, but they shall be dissolved at the date when the annual premium becomes payable for the first time after the expiration of a period of three months after the coming into force of the present Treaty.

A settlement shall be effected of unpaid premiums which became due during the war, or of claims for losses which occurred during the war.

10. Where by administrative or legislative action an insurance against fire effected before the war has been transferred during the war from the original to another insurer, the transfer will be recognised and the liability of the original insurer will be deemed to have ceased as from the date of the transfer. The original insurer will, however, be entitled to receive on demand full information as to the terms of the transfer, and if it should appear that these terms were not equitable they shall be amended so far as may be necessary to render them equitable.

Furthermore, the insured shall, subject to the concurrence of the original insurer, be entitled to re-transfer the contract to the original insurer as from the date of the demand.

Life Insurance.

11. Contracts of life insurance entered into between an insurer and a person who subsequently became an enemy shall not be deemed to have been dissolved by the outbreak of war, or by the fact of the person becoming an enemy.

Any sum which during the war became due upon a contract deemed not to have been dissolved under the preceding provision shall be recoverable after the war with the addition of interest at five per cent.

per annum from the date of its becoming due up to the day of payment.

Where the contract has lapsed during the war owing to non-payment of premiums, or has become void from breach of the conditions of the contract the assured or his representatives or the persons entitled shall have the right at any time within twelve months of the coming into force of the present Treaty to claim from the insurer the surrender value of the policy at the date of its lapse or avoidance.

Where the contract has lapsed during the war owing to non-payment of premiums the payment of which has been prevented by the enforcement of measures of war, the assured or his representative or the persons entitled shall have the right to restore the contract on payment of the premiums with interest at five per cent. per annum within three months from the coming into force of the present Treaty.

12. Any Allied or Associated Power may within three months of the coming into force of the present Treaty cancel all the contracts of insurance running between a German insurance company and its nationals under conditions which shall protect its nationals from any prejudice.

To this end the German insurance company will hand over to the Allied or Associated Government concerned the proportion of its assets attributable to the policies so cancelled and will be relieved from all liability in respect of such policies. The assets to be handed over shall be determined by an actuary appointed by the Mixed Arbitral Tribunal.

13. Where contracts of life insurance have been entered into by a local branch of an insurance company established in a country which subsequently became an enemy country, the contract shall, in the absence of any stipulation to the contrary in the contract itself be governed by the local law, but the insurer shall be entitled to demand from the insured or his representatives the refund of sums paid on claims made or enforced under measures taken during the war, if the making or enforcement of such claims was not in accordance with the terms of the contract itself or was not consistent with the laws or treaties existing at the time when it was entered into.

14. In any case whereby the law applicable to the contract the insurer remains bound by the contract, notwithstanding the non-payment of premiums, until notice is given to the insured of the termination of the contract, he shall be entitled, where the giving of such notice was prevented by the war, to recover the unpaid premiums with interest at five per cent. per annum from the insured.

15. Insurance contracts shall be considered as contracts of life assurance for the purpose of paragraphs 11 to 14 when they depend on the probabilities of human life combined with the rate of interest for the calculation of the reciprocal engagements between the two parties.

Marine Insurance.

16. Contracts of marine insurance including time policies and voyage policies entered into between an insurer and a person who subsequently became an enemy, shall be deemed to have been dissolved on his becoming an enemy, except in cases where the risk undertaken in the contract had attached before he became an enemy.

Where the risk had not attached, money paid by way of premium or otherwise shall be recoverable from the insurer.

Where the risk had attached effect shall be given to the contract notwithstanding the party becoming an enemy, and sums due under the contract either by way of premiums or in respect of losses shall be recoverable after the coming into force of the present Treaty.

In the event of any agreement being come to for the payment of interest on sums due before the war to or by the nationals of States which have been at war and recovered after the war, such interest shall in the case of losses recoverable under contracts of marine insurance run from the expiration of a period of one year from the date of the loss.

17. No contract of marine insurance with an insured person who subsequently became an enemy shall be deemed to cover losses due to belligerent action by the Power of which the insurer was a national or by the allies or associates of such Power.

18. Where it is shown that a person who had before the war entered into a contract of marine insurance with an insurer who subsequently became an enemy entered after the outbreak of war into a new contract covering the same risk with an insurer who was not an enemy, the new contract shall be deemed to be substituted for the original contract as from the date when it was entered into, and the premiums payable shall be adjusted on the basis of the original insurer having remained liable on the contract only up till the time when the new contract was entered into.

Other Insurances.

19. Contracts of insurance entered into before the war between an insurer and a person who subsequently became an enemy, other than contracts dealt with in paragraphs 9 to 18 shall be treated in all respects on the same footing as contracts of fire insurance between the same persons would be dealt with under the said paragraphs.

Reinsurance.

20. All treaties of reinsurance with a person who became an enemy shall be regarded as having been abrogated by the person becoming an enemy, but without prejudice in the case of life or marine risks which had attached before the war to the right to recover payment after the war for sums due in respect of such risks.

Nevertheless if, owing to invasion, it has been impossible for the reinsured to find another reinsurer, the treaty shall remain in force until three months after the coming into force of the present treaty.

Where a reinsurance treaty becomes void under this paragraph, there shall be an adjustment of accounts between the parties in respect both of premiums paid and payable and of liabilities for losses in respect of life or marine risk which had attached before the war. In the case of risks other than those mentioned in paragraphs 11 to 18 the adjustment of accounts shall be made as at the date of the parties becoming enemies without regard to claims for losses which may have occurred since that date.

21. The provisions of the preceding paragraph will extend equally to reinsurances existing at the date of the parties becoming enemies of particular risks undertaken by the insurer in a contract of insurance against any risks other than life or marine risks.

22. Reinsurance of life risks effected by particular contracts and not under any general treaty remain in force.

The provisions of paragraph 12 apply to treaties of reinsurance of life insurance contracts in which enemy companies are the reinsurers.

23. In case of a reinsurance effected before the war of a contract of marine insurance, the cession of a risk which had been ceded to the reinsurer shall, if it had attached before the outbreak of war, remain valid and effect be given to the contract notwithstanding the outbreak of war; sums due under the contract or reinsurance in respect either of premiums or of losses shall be recoverable after the war.

24. The provisions of paragraphs 17 and 18 and the last part of paragraph 16 shall apply to contracts for the reinsurance of marine risks.

SECTION VI.—MIXED ARBITRAL TRIBUNAL.

ARTICLE 301.

(a) Within three months from the date of the coming into force of the present Treaty, a Mixed Arbitral Tribunal shall be established between each of the Allied and Associated Powers on the one hand and Germany on the other hand. Each such Tribunal shall consist of three members. Each of the Governments concerned shall appoint one of these members. The President shall be chosen by agreement between the two Governments concerned.

In case of failure to reach agreement, the President of the Tribunal and two other persons, either of whom may in case of need take his place, shall be chosen by the Council of the League of Nations, or, until this is set up, by M. Gustave Ador if he is willing. These persons shall be nationals of Powers that have remained neutral during the war.

If any Government does not proceed within a period of one month in case there is a vacancy to appoint a member of the Tribunal, such member shall be chosen by the other Government from the two persons mentioned above other than the President.

The decision of the majority of the members of the Tribunal shall be the decision of the Tribunal.

(b) The Mixed Arbitral Tribunals established pursuant to paragraph (a) shall decide all questions within their competence under Sections III., IV., V. and VII.

In addition, all questions, whatsoever their nature, relating to contracts concluded before the coming into force of the present Treaty between nationals of the Allied and Associated Powers and German nationals shall be decided by the Mixed Arbitral Tribunal, always excepting questions which, under the laws of the Allied, Associated or Neutral Powers, are within the jurisdiction of the National Courts of those Powers. Such questions shall be decided by the National Courts in question, to the exclusion of the Mixed Arbitral Tribunal. The party who is a national of an Allied or Associated Power may nevertheless bring the case before the Mixed Arbitral Tribunal if this is not prohibited by the laws of his country.

(c) If the number of cases justifies it, additional members shall be appointed and each Mixed Arbitral Tribunal shall sit in divisions. Each of these divisions will be constituted as above.

(d) Each Mixed Arbitral Tribunal will settle its own procedure except in so far as it is provided in the following Annex, and is empowered to award the sums to be paid by the loser in respect of the costs and expenses of the proceedings.

(e) Each Government will pay the remuneration of the member of the Mixed Arbitral Tribunal appointed by it and of any agent whom it may appoint to represent it before the Tribunal. The remuneration of the President will be determined by special agreement between the Governments concerned; and this remuneration and the joint expenses of each Tribunal will be paid by the two Governments in equal moieties.

(f) The High Contracting Parties agree that their courts and authorities shall render to the Mixed Arbitral Tribunal direct all the assistance in their power, particularly as regards transmitting notices and collecting evidence.

(g) The High Contracting Parties agree to regard the decisions of the Mixed Arbitral Tribunal as final and conclusive, and to render them binding upon their nationals.

ANNEX.

1. Should one of the members of the Tribunal either die, retire, or be unable for any reason whatever to discharge his functions, the same procedure will be followed for filling the vacancy as was followed for appointing him.

2. The Tribunal may adopt such rules of procedure as shall be in accordance with justice and equity and decide the order and time at which each party must conclude its arguments, and may arrange all formalities required for dealing with the evidence.

3. The agent and counsel of the parties on each side are authorised to present orally and in writing to the Tribunal arguments in support or in defence of each case.

4. The Tribunal shall keep record of the questions and cases submitted and the proceedings thereon, with the dates of such proceedings.

5. Each of the Powers concerned may appoint a secretary. These secretaries shall act together as joint secretaries of the Tribunal and shall be subject to its direction. The Tribunal may appoint and employ any other necessary officer or officers to assist in the performance of its duties.

6. The Tribunal shall decide all questions and matters submitted upon such evidence and information as may be furnished by the parties concerned.

7. Germany agrees to give the Tribunal all facilities and information required by it for carrying out its investigations.

8. The language in which the proceedings shall be conducted shall, unless otherwise agreed, be English, French, Italian, or Japanese, as may be determined by the Allied or Associated Power concerned.

9. The place and time for the meetings of each Tribunal shall be determined by the President of the Tribunal.

ARTICLE 305.

Whenever a competent Court has given or gives a decision in a case covered by Sections III., IV., V. or VII. and such decision is inconsistent with the provisions of such Sections, the party who is prejudiced by the decision shall be entitled to obtain redress which shall be fixed by the Mixed Arbitral Tribunal. At the request of the national of an Allied or Associated Power, the redress may, whenever possible, be effected by the Mixed Arbitral Tribunal directing the replacement of the parties in the position occupied by them before the judgment was given by the German Court.

SECTION VII.

INDUSTRIAL PROPERTY.

ARTICLE 306.

Subject to the stipulations of the present Treaty, rights of industrial, literary, and artistic property as such property is defined by the International Conventions of Paris and of Berne, mentioned in Article 286, shall be re-established or restored, as from the coming into force of the present Treaty, in the territories of the High Contracting Parties, in favour of the persons entitled to the benefit of them at the moment when the state of war commenced or their legal representatives. Equally, rights which, except for the war, would have been acquired during the war in consequence of an application made for the protection of industrial property, or the publication of a literary or artistic work, shall be recognised and established in favour of those persons who would have been entitled thereto, from the coming into force of the present Treaty.

Nevertheless, all acts done by virtue of the special measures taken during the war under legislative, executive or administrative authority of any Allied or Associated Power in regard to the rights of German nationals in industrial, literary or artistic property shall remain in force and shall continue to maintain their full effect.

No claim shall be made or action brought by Germany or German nationals in respect of the use during the war by the Government of any Allied or Associated Power, or by any persons acting on behalf or with the assent of such Government, of any

rights in industrial, literary or artistic property nor in respect of the sale, offering for sale, or use of any products, articles or apparatus whatsoever, to which such rights applied.

Unless the legislation of any one of the Allied or Associated Powers in force at the moment of the signature of the present Treaty otherwise directs, sums due or paid in virtue of any act or operation resulting from the execution of the special measures mentioned in paragraph 1 of this Article shall be dealt with in the same way as other sums due to German nationals are directed to be dealt with by the present Treaty; and sums produced by any special measures taken by the German Government in respect of rights in industrial, literary or artistic property belonging to the nationals of the Allied or Associated Powers shall be considered and treated in the same way as other debts due from German nationals.

Each of the Allied and Associated Powers reserves to itself the right to impose such limitations, conditions, or restrictions on rights of industrial, literary, or artistic property (with the exception of trade-marks) acquired before or during the war, or which may be subsequently acquired in accordance with its legislation, by German nationals, whether by granting licences, or by the working, or by preserving control over their exploitation, or in any other way, as may be considered necessary for national defence, or in the public interest, or for assuring the fair treatment by Germany of the rights of industrial, literary, and artistic property held in German territory by its nationals, or for securing the due fulfilment of all the obligations undertaken by Germany in the present Treaty. As regards rights of industrial, literary, and artistic property acquired after the coming into force of the present Treaty, the right so reserved by the Allied and Associated Powers shall only be exercised in cases where these limitations, conditions, or restrictions may be considered necessary for national defence or in the public interest.

In the event of the application of the provisions of the preceding paragraph by any Allied or Associated Power, there shall be paid reasonable indemnities or royalties which shall be dealt with in the same way as other sums due to German nationals are directed to be dealt with by the present Treaty.

Each of the Allied or Associated Powers reserves the right to treat as void and of no effect any transfer in whole or in part of or other dealing with rights of or in respect of industrial, literary, or artistic property effected after August 1, 1914, or in the future, which would have the result of defeating the objects of the provisions of this Article.

The provisions of this Article shall not apply to rights in industrial, literary, or artistic property which have been dealt with in the liquidation of businesses or companies under war legislation by the Allied or Associated Powers, or which may be so dealt with by virtue of Article 297, paragraph (b).

ARTICLE 307.

A minimum of one year after the coming into force of the present Treaty shall be accorded to the nationals of the High Contracting Parties, without extension fees or other penalty, in order to enable such persons to accomplish any act, fulfil any formality, pay any fees, and generally satisfy any obligation prescribed by the laws or regulations of the respective States relating to the obtaining, preserving, or opposing rights to, or in respect of, industrial property either acquired before August 1, 1914, or which, except for the war might have been acquired since that date as a result of an application made before the war or during its continuance, but nothing in this Article shall give any right to reopen interference proceedings in the United States of America where a final hearing has taken place.

All rights in, or in respect of, such property which may have lapsed by reason of any failure to accomplish any act, fulfil any formality, or make any payment, shall revive, but subject in the case of patents and designs to the imposition of such conditions as each Allied or Associated Power may deem reasonably necessary for the protection of persons who have manufactured or made use of the subject matter of such property while the rights had lapsed. Further, where rights to patents or designs belonging to German nationals are revived under this article, they shall be subject in respect of the grant of licences to the same provisions as would have been applicable to them during the war, as well as to all the provisions of the present Treaty.

The period from August 1, 1914, until the coming into force of the present Treaty shall be excluded in considering the time within which a patent should be worked or a trade mark or design used, and it is further agreed that no patent, registered trade mark, or design in force on August 1, 1914, shall be subject to revocation or cancellation by reason only of the failure to work such patent or use such trade mark or design for two years after the coming into force of the present Treaty.

ARTICLE 308.

The rights of priority, provided by Article IV. of the International Convention for the Protection of Industrial property of Paris of March 20, 1883, revised at Washington in 1911 or by any other Convention or Statute, for the filing or registration of applications for patents or models of utility, and for the registration of trade marks, designs, and models which had not expired on August 1, 1914, and those which have arisen during the war, or would have arisen but for the war, shall be extended by each of the High Contracting Parties in favour of all nationals of the other High Contracting Parties for a period of six months after the coming into force of the present Treaty.

Nevertheless, such extension shall in no way affect the right of any of the High Contracting Parties or of any person who before the coming into force of the present Treaty was *bona fide* in possession of any rights of industrial property conflicting with rights applied for by another who claims rights of priority in respect of them, to exercise such rights by itself or himself personally, or by such agents or licensees as derived their rights from it or him before the coming into force of the present Treaty; and such persons shall not be amenable to any action or other process of law in respect of infringement.

ARTICLE 309.

No action shall be brought and no claim made by persons residing or carrying on business within the territories of Germany on the one part and of the Allied or Associated Powers on the other, or persons who are nationals of such Powers respectively, or by any one deriving title during the war from such persons, by reason of any action which has taken place within the territory of the other party between the date of the declaration of war and that of the coming into force of the present Treaty, which might constitute an infringement of the rights of industrial property or rights of literary and artistic property, either existing at any time during the war or revived under the provisions of Articles 307 and 308.

Equally, no action for infringement of industrial, literary, or artistic property rights by such persons shall at any time be permissible in respect of the sale or offering for sale for a period of one year after the signature of the present Treaty in the territories of the Allied or Associated Powers on the one hand or Germany on the other, of products or articles manufactured, or of literary or artistic works pub-

lished during the period between the declaration of war and the signature of the present Treaty, or against those who have acquired and continue to use them. It is understood, nevertheless, that this provision shall not apply when the possessor of the rights was domiciled or had an industrial or commercial establishment in the districts occupied by Germany during the war.

This Article shall not apply as between the United States of America on the one hand and Germany on the other.

ARTICLE 310.

Licences in respect of industrial, literary, or artistic property concluded before the war between nationals of the Allied or Associated Powers or persons residing in their territory or carrying on business therein, on the one part, and German nationals, on the other part, shall be considered as cancelled as from the date of the declaration of war between Germany and the Allied or Associated Power. But, in any case, the former beneficiary of a contract of this kind shall have the right, within a period of six months after the coming into force of the present Treaty, to demand from the proprietor of the rights the grant of a new licence, the conditions of which, in default of agreement between the parties, shall be fixed by the duly qualified tribunal in the country under whose legislation the rights have been acquired, except in the case of licences held in respect of rights acquired under German law. In such cases the conditions shall be fixed by the Mixed Arbitral Tribunal referred to in Section VI. of this Part. The tribunal may, if necessary, fix also the amount which it may deem just should be paid by reason of the use of the rights during the war.

No licence in respect of industrial, literary or artistic property, granted under the special war legislation of any Allied or Associated Power, shall be affected by the continued existence of any licence entered into before the war, but shall remain valid and of full effect, and a licence so granted to the former beneficiary of a licence entered into before the war shall be considered as substituted for such licence.

Where sums have been paid during the war by virtue of a licence or agreement concluded before the war in respect of rights of industrial property or for the reproduction or the representation of literary, dramatic, or artistic works, these sums shall be dealt with in the same manner as other debts or credits of German nationals, as provided by the present Treaty.

This Article shall not apply as between the United States of America on the one hand and Germany on the other.

ARTICLE 311.

The inhabitants of territories separated from Germany by virtue of the present Treaty shall, notwithstanding this separation and the change of nationality consequent thereon, continue to enjoy in Germany all the rights in industrial, literary, and artistic property to which they were entitled under German legislation at the time of the separation.

Rights of industrial, literary, and artistic property which are in force in the territories separated from Germany under the present Treaty at the moment of the separation of these territories from Germany or which will be re-established or restored in accordance with the provisions of Article 306 of the present Treaty, shall be recognised by the State to which the said territory is transferred and shall remain in force in that territory for the same period of time given them under the German law.

PROCLAMATION No. 63.

THE DISEASES OF ANIMALS ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare that Proclamation No. 50 dated the 30th day of April, 1920 (declaring Farm No. 57, Mr. Stevenson, Eldoret, to be an infected Foot and Mouth Disease Area) be revoked.

Given under my hand at Nairobi this 7th day of June, 1920.

W. KENNEDY.

Acting Chief Veterinary Officer.

PROCLAMATION No. 64.

THE DISEASES OF ANIMALS ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farm in the Ukamba Province to be an infected area (Contagious Bovine Pleuro Pneumonia) for the purposes of the aforesaid Ordinance.

Farm No. 3679, Mr. G. J. Randall, Ruiru, Kyambu District.

Given under my hand at Nairobi this 8th day of June, 1920.

W. KENNEDY.

Acting Chief Veterinary Officer.

PROCLAMATION No. 65.

THE DISEASES OF ANIMALS ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare that the following Proclamation be revoked.

Proclamation No. 38 dated the 6th day of April, 1920 (declaring the Gilgil Township to be an infected area, Contagious Bovine Pleuro-pneumonia).

Given under my hand at Nairobi this 9th day of June, 1920.

W. KENNEDY.

Acting Chief Veterinary Officer.

GOVERNMENT NOTICE. No. 202. S. 20654.

THE COMMISSION OF INQUIRY ORDINANCE, 1912.

A COMMISSION.

WHEREAS it has been made to appear to me that there exist at the present time reasons for supposing that certain individuals firms and companies have taken advantage of abnormal economic conditions to charge consumers of goods prices yielding an unreasonable profit to the persons engaged in the production, handling or distribution of them.

AND WHEREAS it appears desirable that the reasons mentioned above should be fully investigated, to the end that if it be proved that unreasonable profits are being made to the common detriment, steps may be taken to prevent the continuance thereof.

NOW THEREFORE I, Charles Calvert Bowring, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor of the East Africa Protectorate, do by virtue of the powers conferred upon me by the Commission of Inquiry Ordinance, 1912, by this my commission under my hand appoint:—

H. C. E. BARNES, ESQUIRE, C.B.E.,

HON'BLE K. J. MUIR-MACKENZIE,

RIGHT HON'BLE LORD DELAMERE,

HON'BLE L. C. COLLINGS-WELLS,

CAPTAIN H. E. SCHWARTZE,

to be Commissioners.

1. To investigate and record an opinion as to whether or not at the present time unreasonably high prices are being charged by traders and trading companies and other persons within the Protectorate.

2. To advise what remedial legislation if any is called for.

AND I do hereby direct that H. C. E. Barnes, Esquire, C.B.E., be Chairman of the Commission.

AND I do hereby direct that three members of whom the Chairman shall be one shall form a quorum.

AND I do hereby direct that the aforesaid investigations shall be held at such place or places in the Protectorate as the Chairman may think fit.

AND I hereby command all persons whom it may concern to take due notice hereof and to give their obedience accordingly.

GIVEN under my hand at Nairobi this 27th day of May, 1920.

C. C. BOWRING,
Acting Governor

PROCLAMATION No. 66.

THE DISEASES OF ANIMALS ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following area in the Nairobi District, Ukamba Province, to be an infected area (Contagious Bovine Pleuro-pneumonia) for the purposes of the aforesaid Ordinance.

A parcel of land lying to the South side of the Nairobi Railway Station and Landies, bounded on the North Eastern and North Western sides by the main Uganda Railway Line and on the other sides by a line of Flags running parallel to and fifty yards distant from the road leading to the Nairobi Prison and the Municipal Quarantine Reserve.

Given under my hand at Nairobi this 10th day of June, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 67.

THE DISEASES OF ANIMALS ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following area in the

Machakos District, Ukamba Province, to be an infected area (Foot and Mouth Disease) for the purposes of the aforesaid Ordinance.

An area situated near the Machakos Township lying between the Muvungoni and Mwanza Rivers and bounded on the North side by the main road from Machakos to Athi River Station.

Given under my hand at Nairobi this 12th day of June, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer

PROCLAMATION No. 68.

THE DISEASES OF ANIMALS ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare that the following Proclamation be revoked.

Proclamation No. 9, dated the 27th day of January, 1920, (declaring Farms Nos. 1382/1 and 1382/2 (Mr. Colville), Naivasha, to be an infected Rinderpest area).

Given under my hand at Nairobi this 14th day of June, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

GOVERNMENT NOTICE No. 205.

UNDER THE NATIVE REGISTRATION ORDINANCE, 1915.

RULE.

HIS Excellency the Acting Governor has been pleased to make the following Rule under the Native Registration Ordinance, 1915:—

In addition to the Registering Officers who may be appointed under Section 20 of the Principal Ordinance the Governor may appoint additional Registration Officers whose duties under the Ordinance shall be confined to the Registration of Natives under the Ordinance aforesaid.

By command of His Excellency the Acting Governor.

Nairobi,
21st June, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

GOVERNMENT NOTICE No. 207.

AT THE COURT AT BUCKINGHAM PALACE,
The 26th day of April, 1920.

Present:

THE KING'S MOST EXCELLENT MAJESTY IN
COUNCIL.

WHEREAS by an Order of His Majesty in Council bearing date the Thirtieth day of May 1919 and known as the East Africa Order in Council,

1919, it was amongst other things provided that as from the coming into operation of the said Order the Seventh Article of the East Africa Order in Council, 1906, should be revoked, and the following Article should be substituted therefor, that is to say:—

*Recites 7th Article of Order
in Council of 22nd October
1906 as amended by 2nd
Article of Order in Council
of 30th May 1919.*

“VII. There shall be a Legislative Council in and for the Protectorate, constituted in such manner as may be directed by any Instructions under His Majesty's Sign Manual and Signet, and as may be provided by any law for the time being in force in the Protectorate.

“From and after the date of the coming into operation of this Order, the present Legislative Council shall cease to exist.”

And whereas by the said Order in Council it was further provided that that Order should be published in the “Official Gazette” of the East Africa Protectorate and should commence and come into operation on a date fixed by the Governor by Proclamation:

*Date of coming into
operation of the East
Africa Order in Council
1919.*

And whereas the Governor by Proclamation dated the twenty-fourth day of March 1920 has fixed the First day of April 1920 as the date on which the said Order shall commence and come into operation:

*Recites Ordinance of
22nd July 1919.*

And whereas on the Tenth day of July 1919 an Ordinance entitled “An Ordinance to provide for the election and nomination of members to the Legislative Council of the East Africa Protectorate” was passed by the Legislative Council of the East Africa Protectorate, and on the Twenty-second day of July 1919 was assented to by the Governor of the Protectorate and thereupon commenced and came into operation:

And whereas doubts have arisen as to whether the said Ordinance is a law for the time being in force in the Protectorate within the meaning of the hereinbefore recited East Africa Order in Council, 1919, and it is expedient that any such doubts should be set at rest:

Now, therefore, His Majesty, by virtue and in exercise of the powers on that behalf by the Foreign Jurisdiction Act, 1890, or otherwise, in His Majesty vested, is pleased by and with the advice of His Privy Council to order, and it is hereby ordered as follows:—

Short title.

I. This Order may be cited as “The East Africa Order in Council, 1920.”

*Ordinance of 22nd July 1919
to be deemed to be in force
in the Protectorate within
the meaning of the East
Africa Order in Council,
1919.*

II. The Ordinance entitled “An Ordinance to provide for the election and nomination of members to the Legislative Council of the East Africa Protectorate,” passed by the Legislative Council of the East Africa Protectorate on the Tenth day of July,

1919, which was assented to by the Governor thereof and commenced and came into operation on the Twenty-second day of July, 1919, shall be deemed to be and at all times since its commencement to have been a law for the time being in force in the Protectorate within the meaning of the East Africa Order in Council, 1919.

*Power reserved to His Majesty
to revoke, alter or amend
present Order in Council.*

III. His Majesty, His heirs and successors in Council may at any time revoke, alter, or amend this Order.

And the Right Honourable Viscount Milner, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein.

ALMERIC FITZROY.

GOVERNMENT NOTICE No. 211.

CONFIRMATION OF ORDINANCES.

NOTICE.

THE Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the undermentioned Ordinances:—

“AN ORDINANCE TO AMEND THE LAW RELATING
TO THE POWERS AND DUTIES OF NATIVE CHIEFS
COUNCILS AND HEADMEN RECOGNISED BY
THE GOVERNMENT AND TO PROVIDE FOR
THE ENFORCEMENT OF NATIVE
AUTHORITY.”

(No. III OF 1920.)

“AN ORDINANCE TO AMEND THE STATISTICS
ORDINANCE, 1918.”

(No. IV OF 1920.)

By command of His Excellency the Acting
Governor.

Nairobi,
June 15th, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

PROCLAMATION No. 69.

THE DISEASES OF ANIMALS ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farm in the Nyanza Province to be an infected area (Contagious Bovine Pleuro-pneumonia) for the purposes of the aforesaid Ordinance.

Farm No. 632, Messrs. Ross Bros., Fort Ternan, Lumbwa District.

Given under my hand at Nairobi this 23rd day of June, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

GOVERNMENT NOTICE No. 217.

THE DISEASES OF ANIMALS

ORDINANCE, 1906.

RULES.

IN EXERCISE of the powers conferred upon the Governor by the Diseases of Animals Ordinance, 1906, His Excellency the Acting Governor has been pleased to make the following Rules:—

1. These Rules may be cited as "The Supply of Veterinary Laboratory Products and Inoculation Rules, 1920," and shall be read as one with "The Diseases of Animals Rules, 1918."

2. Orders for the supply of Laboratory products and payment therefor shall be effected in manner following:—

(1) If the order be communicated by letter a money order or cheque covering the cost of the supplies shall accompany the letter.

(2) If the order be communicated by telegram the sender shall state therein how payment has been made and also the amount of such payment.

(3) Payment under the last preceding Rule may be effected in either of the following ways:—

(a) A deposit in either cash or cheque covering the cost may be made at the offices of

Provincial Commissioners, District Commissioners, Assistant District Commissioners or the nearest Railway Station Master.

(b) By money order or cheque forwarded by the first available post after despatch of the order by telegram.

Provided always that the Chief Veterinary Officer may exercise his discretion as to supplying Laboratory products before payment has been made as provided by these Rules if in his opinion the health of the stock of other owners is menaced and there are good reasons why payment has not been made as hereinbefore provided.

(4) When inoculation with Laboratory products is carried out by a member of the Veterinary staff the fees must be paid in either cash, notes or cheque to the officer concerned before commencing the operation.

(5) The fees payable for Laboratory products shall be as prescribed in the schedule annexed.

By Command of His Excellency the Acting Governor.

Nairobi,

The 26th day of June, 1920.

G. A. S. NORTHCOTE,
for Acting Chief Secretary.

SCHEDULE.

SCALE OF FEES.

Testing with Mallein ..	...	...	...	Rs. 5/00 per head
Testing with Tuberculin	...	...	...	" 5/00 " "
Double inoculation against Rinderpest when done in order to permit of stock being moved from one place to another	...	...	...	" 3/00 " "
Double inoculation against Rinderpest when done in dealing with an outbreak of Rinderpest	...	...	...	" 2/00 " "
Testing immunity to Rinderpest and Branding	...	...	...	" 0/25 " "
Inoculation against Pleuro-pneumonia	...	...	...	" 0/50 " "
Dipping (Cattle)	...	...	...	" 0/06 " "
" (Sheep and Goats)	...	...	...	" 0/04 " "
Testing immunity to East Coast Fever	...	...	...	" 5/00 " "

Laboratory Products.	Price.	Quantities usually made up in bottles or ampoules.
Anti-Rinderpest Serum	50 cts. per 20 c.c.s.	Bottles of 250 c.c.s. each.
Anthrax Vaccine (Double)	20 cts. per dose	Ampoules of 10 c.c., 20 c.c. and 40 c.c.s.
Colon Bacillosis Vaccine	15 cts. per dose	Bottles of 2 doses each.
Blue Tongue Vaccine	1 rupee per 20 doses	Ampoules of 10 c.c., 20 c.c. and 40 c.c.s.
Pleuro-pneumonia Virus	50 cts. per dose.	Bottles of 25 doses each and upwards.
Quarter-Evil (Blackquarter) Vaccine	10 cts. per dose.	Packets of 10 doses each.
Sterile Trypanblau, Canine	50 cts. per dose	Ampoules of 1 dose each.
Sterile Trypanblau, Bovine	2 rupees per dose	Bottles of 2 doses each.

N.B.—Directions for the use of these products are sent with every order.

KIKUYU FOWL DISEASE and ULCERATIVE LYMPHANGITIS Vaccines are, at present, issued free of charge.

GOVERNMENT NOTICE No. 218.

THE INDIAN POST OFFICE ACT, 1898.

RULES.

IN EXERCISE of the powers conferred upon the Governor-in-Council by the Indian Post Office Act, 1898, as applied to the East Africa Protectorate and amended by the Post Office Amendment Ordinance, 1919, the Governor-in-Council has been pleased to make the following Rules:—

1. These Rules may be cited as "The Post Parcels Demurrage Rules, 1920.

2. Post Parcels addressed to persons residing or having a place of business within three miles of any Post Office, or Post Office Agency, if not claimed and taken from such Post Office or Post Office Agency within seven days of arrival, shall be liable to a demurrage charge of ten cents for every day they remain unclaimed beyond that period. The same demurrage charge shall also apply in cases where the addressee's residence or place of business is beyond three miles of any Post Office or Post Office Agency, provided that such demurrage charge shall not accrue until a period of 21 days has elapsed from the date of arrival of the parcel.

3. The Postmaster General may by any special or general instruction waive such demurrage charge in cases where he is satisfied that the delay in claiming such parcels is unavoidable.

By command of His Excellency the Governor-in-Council.

Nairobi,

The 24th day of June, 1920.

H. MALPASS,

Clerk to the Executive Council.

GOVERNMENT NOTICE No. 219.

CONFIRMATION OF ORDINANCE.

NOTICE.

THE Secretary of State for the Colonies has been pleased to notify that His Majesty's power of

disallowance will not be exercised with respect to the undermentioned Ordinance:—

"AN ORDINANCE TO MAKE PROVISION FOR THE REGULATION OF AERIAL NAVIGATION."

(No. VIII of 1920).

By command of His Excellency the Acting Governor.

Nairobi,

June 21st, 1920.

G. A. S. NORTHCOTE,

for Acting Chief Secretary

GOVERNMENT NOTICE No. 222.

STATISTICS ORDINANCE, 1918.

REGULATION.

IN EXERCISE of the powers conferred upon the Governor by Section 10 of the Statistics Ordinance, 1918, His Excellency the Acting Governor has been pleased to make the following Regulations.

1. That an Agricultural Census of the East Africa Protectorate covering the period 1st July, 1919 to 31st June, 1920, and thereafter annually be made by the officers duly authorized in that behalf and that the required information shall be despatched to the Director of Agriculture on or before the 31st July, 1920, and on or before the 31st July in every subsequent year.

2. The particulars and information to be furnished and the manner and form in which they are to be taken are generally shewn in the schedules annexed hereto, which may be amplified or amended from time to time under the authority of the Director of Agriculture.

By command of His Excellency the Acting Governor.

Nairobi,

29th June, 1920.

W. J. MONSON,

Acting Chief Secretary.

SCHEDULE I.—DESCRIPTION OF FARM OR AGRICULTURAL HOLDING.

1. Province
2. Magisterial District
3. Name and Number of Farm or Holding.....No.....
4. Name and Address of Owner..... Address.....
5. Name and Address of Occupier or Manager..... Address.....
6. Total Area of Farm or Holding..... Acres.....
7. Total Area under Cultivation as at 30th June, 1920.....Acres.

SCHEDULE 2.—Livestock Animal Products, etc., as at 30th June, 1920.

1. Cows and Heifers over 3 years	Number	.....
2. Heifers over 1 and under 3 years	Number	.....
3. Heifer calves (under 1 year)	Number	.....
4. Bulls, in use	Number	.....
5. Other Bulls and Bull Calves	Number	.....
6. Oxen (Trained)	Number	.....
7. Oxen (other than trained)	Number	.....
Total Cattle	Number	.....

8. Horses	Number	.....
9. Mules	Number	.....
10. Donkeys	Number	.....

11. Sheep (Wool-bearing)		
(a) Breeding Ewes	Number	.....
(b) All others	Number	.....
Total		.....

12. Sheep, Native (property of European Owners)		
(a) Breeding Ewes	Number	.....
(b) All Others	Number	.....
Total		.....

13. Goats	Number	

14. Pigs (Breeding Sows)	Number	.....
All others	Number	.....
Total		.....

15. Poultry, all kinds	Number	.....
Produce sold between 1st July, 1919 and 30th June, 1920.		

16. Eggs	Dozen	.....
17. Poultry	Number	.....
18. Milk	Gallons	.....
19. Cream	Gallons	.....
20. Butter	Lbs.	.....
21. Cheese	Lbs.	.....
22. Wool	Lbs.	.....

Other Produce, specify.		
23.		
24.		
25.		

Classification of Cattle (included in Schedule 2).

Breed or Type.	A	B	C	D	E	SCHEDULE 2.—Remarks.
	Cows and Heifers over 3 years.	Heifers over 1 and under 3 years.	Heifer calves (under 1 year).	Bulls in use.	Other Bulls and Bull Calves.	
1. Native.	Number	Number	Number	Number	Number	
2. Grade and Crossbred.	Number	Number	Number	Number	Number	
Purebred						
Specify breed.						
3.	Number	Number	Number	Number	Number	
4.	Number	Number	Number	Number	Number	
5.	Number	Number	Number	Number	Number	
6.	Number	Number	Number	Number	Number	

SCHEDULE 2.—(a) Stock the property of natives resident on Holding (not included in Schedule 2).

1. Cattle	Number	.....
2. Sheep	Number	.....
3. Goats	Number	.....
Other Stock, specify.		
4.	Number	.....
5.	Number	.....
6.	Number	.....
7.	Number	.....

SCHEDULE 2.—(c) Animals slaughtered for consumption on Farm between 1st July, 1919 and 30th June, 1920.

1. Cattle	Number	.....
2. Sheep	Number	.....
3. Goats	Number	.....
4. Pigs	Number	.....

SCHEDULE 2.—(b) Deaths of Live Stock between 1st July, 1919 and 30th June, 1920.

Cattle.	1		2		3		4	
	Pure Bred.		Grade and Crossbred.		Native.		Total.	
	Adults Number	Calves Number	Adults Number	Calves Number	Adults Number	Calves Number	Adults Number	Calves Number
A. From East Coast Fever.								
B. Other Tick Borne diseases.								
C. Other Causes.								
Total No.								
Other Stock. From all causes.	5	6	7	8	9	10	11	
	Horses.	Mules.	Donkeys.	Sheep.	Goats.	Pigs.	Poultry.	
Total No.								

SCHEDULE 3.—Agricultural Products (general).

		A	B	C	D	E	Remarks.
Crop.		Total Area under crop from 1st July, 1919 to 30th June, 1920.	Actual quantity reaped under (a).	Area sown or planted as at 30th June, 1920, but not reaped.	Estimated yield per acre under (c)	Quantity retained for home consumption and seed purposes under (b).	
		Acres.	Quantity.	Acres.	Quantity.	Quantity.	
1	Maize	Acres	Bags of 200 lbs.	Acres	Bags of 200 lbs.	Bags of 200 lbs.	
2	Wheat	Acres	Bags of 200 lbs.	Acres	Bags of 200 lbs.	Bags of 200 lbs.	
3	Barley	Acres	Bags of 150 lbs.	Acres	Bags of 150 lbs.	Bags of 150 lbs.	
4	Oats	Acres	Bags of 150 lbs.	Acres	Bags of 150 lbs.	Bags of 150 lbs.	
5	Rye	Acres	Bags of 200 lbs.	Acres	Bags of 200 lbs.	Bags of 200 lbs.	
6	Rice	Acres	Bags of 200 lbs.	Acres	Bags of 200 lbs.	Bags of 200 lbs.	
7	Beans	Acres	Bags of 200 lbs.	Acres	Bags of 200 lbs.	Bags of 200 lbs.	
8	Peas	Acres	Bags of 180 lbs.	Acres	Bags of 180 lbs.	Bags of 180 lbs.	
9	Potatoes	Acres	Bags of 150 lbs.	Acres	Bags of 150 lbs.	Bags of 150 lbs.	
10	Lucerne	Acres	Tons	Acres	Tons.	Tons.	
11	Tobacco	Acres	Lbs.	Acres	Lbs.	Lbs.	
12	Cotton	Acres	{ Lbs. Lint Lbs. Seed	Acres	{ lbs. Lint. lbs. Seed.	Lbs.	
Other crops, specify.							
13	.....	.....Acres	.....	.....Acres	.....	.....	
14	.....	.....Acres	.....	.....Acres	.....	.....	
15	.....	.....Acres	.....	.....Acres	.....	.....	
16	.....	.....Acres	.....	.....Acres	.....	.....	
17	.....	.....Acres	.....	.....Acres	.....	.....	
18	.....	.....Acres	.....	.....	.....	.....	

SCHEDULE 4.—Coffee.

1	2			3	4
Total area planted as at 30th June, 1920.	Age of Trees (from planting)			Actual Yield of "clean" coffee 1919-20 crop. 1st July, 1919 to 30th June, 1920.	Estimated yield of "clean" coffee. 1st July, 1920 to 30th June, 1921.
	A	B	C		
	1-3 years.	3-6 years.	Over 6 years.		
..... Acres.	Acres	Acres	Acres.	Cwts.	Cwts.

NOTE:— To estimate "parchment" coffee in terms of "clean" coffee deduct $\frac{1}{5}$ of "parchment" weight.

Remarks.

SCHEDULE 5.—Sisal.

1	2		Production (fibre)	
Total area planted as on 30th June, 1920 (excluding areas where cutting has been completed.	Age of Plants.		3 Actual Production from 1st July, 1919 to 30th June, 1920	4 Estimated Production. From 1st July, 1920 to 30th June, 1921.
	A	B		
	Up to 3 years.	3 years upwards.		
.....acres.	acres	acres.	 tons.	 tons.

Remarks.

SCHEDULE 6.—Flax.

		Remarks.
1. Total area sown between 1st July, 1919, and 30th June, 1920.....Acres		
2. Area sown as at 30th June, 1920, but not harvested.....Acres.		
ACTUAL PRODUCTION.		ESTIMATED PRODUCTION.
Between 1st July, 1919 and 30th June, 1920.		Between 1st July, 1920 and 30th June, 1921 from 1920-21 crops.
(3) Straw (reaped but still to be converted.)		(7) Fibre.....Tons.
(a) With seed.....Tons.		(8) Tow.....Tons.
(b) Deseeded but not retted.....Tons.		(9) Linseed.....Bags.
(c) Retted.....Tons.		
(4) Fibre (not included in) (3) Tons.		
(5) Tow (do (3) Tons.		
(6) Linseed do (3) Bags		

SCHEDULE 7.—Sugar and Sugar Cane.

1	2		3	4	5	6		Remarks.
Total Area under Cane as at 30 h June, 1920.	Area under.		Acreage of Canes cut between 1st July, 1919 & 30th June, 1920.	Tons of canes cut between 1st July, 1919 & 30th June, 1920.	Tons of cane per ton of sugar.	Actual Production 1st July, 1919 to 30th June, 1920.		
	A	B				A	B	
	Plant canes	Ratoon canes				Jaggery.	Centrifugal Sugar.	
	30th June, 1920.	30th June, 1920.						
.....Acres.	Acres	 Acres.	Acres.	Tons.	Tons.	Tons.	Tons.	

SCHEDULE 8.—Coconuts.

1	2	3	4	5	
Total Number of Palms as at 30th June, 1920.	Number of Palms planted between 1st July, 1919 and 30th June, 1920.	Number of Palms under 6 years of age included in (1).	Number of Palms over 6 years of age included in (1).	Actual Production between 1st July, 1919 and 30th June, 1920.	Remarks.
Number.....	Number.....	Number.....	Number.....	A. Number of Nuts.....No. B. Weight of Copra.....Cwts. C. Weight of Coir..... Cwts.	

SCHEDULE 9.—Wattle.

1	2	3	Remarks.
Total area as at 30th June, 1920. (not stripped of bark)	Area under 6 years of age.	Area over 6 years of age.	
.....acres.	acres.	acres.	
4			
Actual Production of Dried Bark between 1st July, 1919 and 30th June, 1920.			
.....Tons.			

SCHEDULE 10.—Ensilage.

2	
Silos at 30th June, 1920.	Quantity of Ensilage made between 1st July, 1919 and 30th June, 1920.
.....Number.	Tons.
Remarks.	

SCHEDULE 11.—Fruit Trees, etc., Planted as at 30th June, 1920.

A	B. Total area of orchard.....Acres. under A.	Remarks.
Kind of Trees.	C. Total area of banana plantations Acres.	
1. Apple ... Number.....	D. Total area under pineapples Acres.	
2. Pear ... Number.....	E. Area under vegetables and similar crops for market purposes. Acres.	
3. Peach ... Number.....		
4. Plum ... Number.....		
5. Apricot ... Number.....		
6. Nectarine ... Number.....		
7. Orange ... Number.....		
8. Nartje ... Number.....		
9. Lemon ... Number.....		
10. Lime ... Number.....		
11. Grape ... Number..... Fruit		
12. Mango ... Number.....		
Other kinds, specify.		
13. ... Number.....		
14. ... Number.....		

SCHEDULE 12.—Machinery, Agricultural Implements, etc.

Description.	Remarks.	
1. Ploughs ... (a) Animal Draught... Number..... (b) Steam Power ... Number.....		
2. Harrows ... Number.....		
3. Cultivators ... Number.....		
4. Rollers ... Number.....		
5. Drills and Planters ... Number.....		
6. Reapers and Mowers ... Number.....		
7. Threshing Machines Hand power ... Number.....		
8. Maize Shellers (hand)... Number.....		
9. do. do. (power)... Number.....		
10. Engines (Specify) ... Number.....		
11. Motor Tractors ... Number.....		
12. Vehicles (a) Waggon and Trolleys (Four wheeled) ... Number..... (b) Carts, &c., (two wheeled) ... Number.....		
Dairy Appliances.	Capacity.	Remarks.
13. Churns ... Number.....		
4. Separators ... Number.....		
15. Cheese making plant ... Number.....		
Coffee Machinery, &c.		
16. Pulpers ... Number.....		
17. Dryers ... Number.....		
18. Hullers or Peelers and Polishers ... Number.....		
9. Graders ... Number.....		
Flax Machinery, &c.		
20. Flax Mills ... Number.....		
21. Scutching wheels ... Number.....		
Sisal Machinery.		
22. Factories ... Number.....		

SCHEDULE 13.—Native Labour employed on Holdings.

NOTE :—Do not include those employed entirely on household duties.

Month.	A No. of Men.	B No. of Women.	C No. of Children.	D Total.	REMARKS.
1919					
July ...					
August ...					
September ...					
October ...					
November...					
December ...					
1920					
January ...					
February ...					
March ...					
April ...					
May ...					
June ...					
Total 12 months ...					

I hereby declare that, to the best of my knowledge, I have given correct and complete information relating to the foregoing schedules in connection with the holding or holdings of which I am the Owner
Occupier
Manager

Date..... 1920.
Place.....
.....Signature.

PROCLAMATION No. 70.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare that the following Proclamation be revoked.

Proclamation No. 7, dated the 17th day of January, 1920, (declaring Messrs. Equator Saw Mills' Farms, Turi, to be infected Trypanosomiasis (Fly Disease) areas).

Given under my hand at Nairobi this 25th day of June, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 71.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the area set forth in the schedule hereto to be an infected area (Contagious Bovine Pleuro-pneumonia) for the purposes of the aforesaid Ordinance.

Given under my hand at Nairobi this 24th day of June, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

SCHEDULE.

THE UASIN GISHU MASAI RESERVE.

Western Area. An area bounded by a line commencing at the South-eastern corner of Messrs. Grogan & Lingham's timber concession (L.O. No. 502) and following the Eastern and Northern boundaries of the concession to the River Sagere; thence down that River to its junction with the River Narosurra; thence up the Narosurra River to the point at which that River cuts the Ravine-Nakuru Road (Selater Road); thence along that road Eastwards to the Northern corner of Farm No. 487 to the point of commencement.

Eastern Area. An area bounded by a line commencing at the point on the Molo River that is at the South-eastern corner of Farm No. 486; thence down that River to the North-eastern corner of Farm No. 661; thence in a North-westerly direction along the boundaries of Farms Nos. 661 and 662; thence along the Western boundaries of Farms Nos. 661 and 483 to the South-western corner of Farm No. 485; thence in a South-easterly direction following the boundaries of Farms Nos 483 and 486 to the point of commencement.

PROCLAMATION No. 72.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare that the following Proclamations be revoked.

Proclamation No. 44, dated the 16th day of April, 1920, (declaring Farm No. 518 (Mr.

Dawson), Nakuru, to be an infected area (Contagious Bovine Pleuro-pneumonia).
Proclamation No. 49, dated the 27th day of April, 1920, (declaring Farm No. 487/52, (Messrs. Rylands & Dearle), Njoro, to be an infected area (Contagious Bovine Pleuro-pneumonia).

Given under my hand at Nairobi this 28th day of June, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

GOVERNMENT NOTICE No. 224.

ORDER IN COUNCIL.

AT THE COURT AT BUCKINGHAM PALACE,

The 17th day of May, 1920.

Present.

THE KING'S MOST EXCELLENT MAJESTY IN
COUNCIL.

WHEREAS by the Foreign Jurisdiction Acts, 1890 and 1913, it is, amongst other things, provided that it shall be lawful for His Majesty in Council, by Order, to direct that Section 20 of the Finance Act, 1894, shall extend, with or without any exceptions, adaptations, or modifications, in the Order mentioned, to any foreign country in which, for the time being, His Majesty has jurisdiction, and that thereupon the said section shall, to the extent of that jurisdiction, operate as if that country were a British Possession, and as if His Majesty in Council were the Legislature of that Possession.

And whereas by treaty, grant, usage, sufferance, and other lawful means, His Majesty the King has power and jurisdiction in the East Africa Protectorate.

And whereas by Section 20 of the Finance Act, 1894, it is provided that His Majesty the King may, by Order in Council, apply that section to any British Possession where His Majesty is satisfied that by the law of such Possession either no duty is leviable in respect of property situate in the United Kingdom when passing on death, or that the law of such Possession as respects any duty so leviable is to the like effect as the foregoing provisions of that section.

And whereas His Majesty the King is satisfied that by the law of the said East Africa Protectorate no duty is leviable in respect of property situate in the United Kingdom when passing on death.

And whereas it is expedient that Section 20 of the Finance Act, 1894, should be extended and applied to the said Protectorate.

Now, therefore, His Majesty, by virtue and in exercise of the powers in this behalf by the Foreign Jurisdiction Acts, 1890 and 1913, or otherwise, in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered as follows.

Section 20 of the Finance Act, 1894, shall from the date of this Order, extend to the East Africa Protectorate to the intent that the said enactment shall operate as if the said Protectorate were a British Possession, and the said section shall, from the date of this Order, apply to the said East Africa Protectorate.

And the Right Honourable Viscount Milner, His Majesty's Principal Secretary of State for the Colonies, is to give the necessary directions herein accordingly.

ALMERIC FITZROY.

GOVERNMENT NOTICE No. 228.

CONFIRMATION OF ORDINANCES.

NOTICE.

THE Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the undermentioned Ordinances:—

"AN ORDINANCE TO PROHIBIT THE MELTING DOWN
OR USE OF GOLD AND SILVER COINS
OTHERWISE THAN AS CURRENCY.

(No. VII of 1920).

"AN ORDINANCE TO MAKE PROVISION FOR THE GENERATION, TRANSMISSION, DELIVERY, SALE, PURCHASE, AND USE OF ELECTRICAL ENERGY; AND FOR THE MAKING AND ENFORCING OF REGULATIONS APPERTAINING TO AND GOVERNING SUCH PURPOSES; AND FOR THE PROVISION AND ENFORCING OF PENALTIES FOR ANY CONTRAVENTION OF THIS ORDINANCE OR OF THE REGULATIONS MADE UNDER IT."

(No. XV of 1920).

By command of His Excellency the Acting
Governor.

Nairobi, G. A. S. NORTHCOTE,
June 30th, 1920. *for Acting Chief Secretary.*

PROCLAMATION No. 73.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farm in the Uasin Gishu District, Naivasha Province, to be an infected area (Foot and Mouth Disease) for the purposes of the aforesaid Ordinance.

Farm No. 186, Nzoia Estate, Mr. A. C. Hoey,
Trans Nzoia.

Given under my hand at Nairobi, this 2nd day
of July, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 74.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following area in the Kisumu Province to be an infected area (Contagious Bovine Pleuro-pneumonia) for the purposes of the aforesaid Ordinance.

The North Kavirondo District.

Given under my hand at Nairobi, this 2nd day
of July, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 75.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare that the following Proclamation be revoked.

Proclamation No. 45, dated the 19th day of April, 1920, (declaring Farm No. 470 (Mr. Eames), Solai, Nakuru, to be an infected Foot and Mouth Disease area).

Given under my hand at Nairobi, this 2nd day
of July, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 76.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare that the following Proclamation be revoked.

Proclamation No. 40, dated the 13th day of April, 1920, (declaring Farms Nos. 425/2/26, Dr. Forbes, and 425/2/22, Messrs. Lomax & White, Laikipia, to be infected areas), (Contagious Bovine Pleuro-pneumonia).

Given under my hand at Nairobi, this 2nd day
of July, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 77

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farm in the Naivasha Province to be an infected area (Contagious Bovine Pleuro-pneumonia) for the purposes of the aforesaid Ordinance.

Farm No. 332, Mr. D. Whitridge, Uasin Gishu.

Given under my hand at Nairobi this 7th day
of July, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 78.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farm in the Naivasha Province to be an infected area (Contagious Bovine Pleuro-pneumonia) for the purposes of the aforesaid Ordinance.

Farm No. 47, Mr. Bullers, Uasin Gishu.

Given under my hand at Nairobi this 8th day
of July, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

GOVERNMENT NOTICE No. 232.

ORDER IN COUNCIL.

AT THE COURT AT BUCKINGHAM PALACE,

The 17th day of May, 1920.

Present,

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by the Foreign Jurisdiction Acts, 1890 and 1913, it is, amongst other things, provided that it shall be lawful for His Majesty in Council, by Order, to direct that Section 20 of the Finance Act, 1894, shall extend, with or without any exceptions, adaptations, or modifications, in the Order mentioned, to any foreign country in which, for the time being, His Majesty has Jurisdiction, and that thereupon the said Section shall, to the extent of that jurisdiction, operate as if that country were a British Possession, and as if His Majesty in Council were the Legislature of that Possession:

And whereas by Treaty, grant, usage, sufferance, and other lawful means, His Majesty The King has power and jurisdiction in the East Africa Protectorate:

And whereas by Section 20 of the Finance Act, 1894, it is provided that His Majesty The King may, by Order in Council, apply that Section to any British Possession where His Majesty is satisfied that by the law of such Possession either no duty is leviable in respect of property situate in the United Kingdom when passing on death, or that the law of such Possession as respects any duty so leviable is to the like effect as the foregoing provisions of that Section:

And whereas His Majesty The King is satisfied that by the law of the said East Africa Protectorate no duty is leviable in respect of property situate in the United Kingdom when passing on death:

And whereas it is expedient that Section 20 of the Finance Act, 1894, should be extended and applied to the said Protectorate:

Now, THEREFORE, His Majesty, by virtue and in exercise of the powers in this behalf by the Foreign Jurisdiction Acts, 1890 and 1913 or otherwise, in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

Section 20 of the Finance Act, 1894, shall, from the date of this Order, extend to the East Africa Protectorate to the intent that the said

enactment shall operate as if the said Protectorate were a British Possession, and the said Section shall, from the date of this Order, apply to the said East Africa Protectorate.

And the Right Honourable Viscount Milner, His Majesty's Principal Secretary of State for the Colonies, is to give the necessary directions herein accordingly.

ALMERIC FITZROY.

GOVERNMENT NOTICE No. 233.

CONFIRMATION OF ORDINANCE.

NOTICE.

THE Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the undermentioned Ordinance:—

“AN ORDINANCE TO PROVIDE FOR THE ARREST
AND SURRENDER OF FUGITIVE OFFENDERS
FROM THE TERRITORY KNOWN AS
GERMAN EAST AFRICA.”

(No. XII of 1920).

By command of His Excellency the Governor.

Nairobi,

July 9th, 1920.

C. E. SPENCER,
for Chief Secretary.

PROCLAMATION No. 79.

THE CUSTOMS ORDINANCE, 1910.

PROCLAMATION.

IN EXERCISE of the powers conferred upon the Governor by the Customs Ordinance, 1910, Section 53, I, Edward Northey, Major-General of His Majesty's Forces, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Governor of the East Africa Protectorate, do hereby declare that the importation of the following articles be prohibited:—

The silver rupee of British India and Notes of the denomination of one rupee issued by the Government of India under the authority of the India Paper Currency (Amendment) Act, 1917. Provided that persons arriving at East Africa may be allowed to introduce small amounts to be determined by the Customs Authorities at the Port of landing at their discretion.

Given under my hand at Nairobi this 19th day
of July, 1920.

EDWARD NORTHEY,
Governor.

PROCLAMATION No. 80.

THE EAST AFRICA AND UGANDA
(CURRENCY) (No. 2), ORDER, 1920.

PROCLAMATION.

WHEREAS by Article 12 (2) of the East Africa and Uganda (Currency) (No. 2) Order, 1920, published on page 530 of the "Official Gazette" for the year 1920, it is provided that the aforesaid Order shall come into operation in each Protectorate on such day as may be fixed by Proclamation by the Governors respectively.

Now therefore, I, Edward Northey, Major-General of His Majesty's Forces, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Governor of the East Africa Protectorate, do hereby direct that the aforesaid Order shall commence and come into operation in the East Africa Protectorate on the 21st day of July, 1920.

Given under my hand at Nairobi this 19th day of July, 1920.

EDWARD NORTHEY,
Governor.

GOD SAVE THE KING.

PROCLAMATION No. 81

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farm in the Ukamba Province to be an infected Rinderpest area for the purposes of the aforesaid Ordinance.

Bondoni Farm, (Messrs. Wilson & Joyce),
Machakos.

Given under my hand at Nairobi this 12th day of July, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 82.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the area described in the schedule annexed hereto to be an infected area (East Coast Fever), for the purposes of the aforesaid Ordinance.

SCHEDULE.

Commencing at a point on the Uganda Railway line at Gilgil Station; thence following the Railway line in a Southerly direction to the South-easterly corner of Farm No. 1317 (Gilgil Township); thence following the Southern boundary of Farm No. 1317 in a Westerly direction to the Uganda Railway line;

thence following the Railway line in a Northerly and Easterly direction to the point of commencement at Gilgil Station.

Given under my hand at Nairobi this 15th day of July, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 83.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farm in the Naivasha Province to be an infected area (East Coast Fever), for the purposes of the aforesaid Ordinance.

Farm No. 380, (Mr. J. E. Mumm), Molo.

Given under my hand at Nairobi this 16th day of July, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 84.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare that the following Proclamation be revoked.

Proclamation No. 18, dated the 23rd day of February, 1920, (declaring Col. Ottley's Syndicate, Kericho, to be an infected area (Trypanosomiasis)).

Given under my hand at Nairobi this 17th day of July, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 85.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare that the following Proclamation be revoked.

Proclamation No. 56, dated the 22nd day of May, 1920, (declaring Farms Nos. 383/2, 383/2, 384 and portions of 385 and 386/2, Mount Margaret Estate, Kedong Valley, Kijabe, to be infected areas (Foot and Mouth Disease)).

Given under my hand at Nairobi this 20th day of July, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

GOVERNMENT NOTICE No. 235.

THE TOWN PLANNING ORDINANCE, 1919.

REGULATIONS.

IN EXERCISE of the powers conferred upon the Governor-in-Council by the Town Planning Ordinance, 1919, Section 10, His Excellency the Governor-in-Council has been pleased to make the following Regulations:—

1. These Regulations may be cited as "The Town Planning Procedure Regulations, 1920."

2. For the purposes of these Regulations, unless the context otherwise requires, "Local Authority," "Authority" and "Responsible Authority" shall have the same meaning as in the Town Planning Ordinance, 1919.

3. (1) At least four weeks before making an application to the Governor-in-Council for authority to prepare a town planning scheme the local authority shall give notice of their intention to make such application by advertisement in some newspaper circulating in the area of the local authority. Such advertisement shall be inserted three times at intervals of not less than a week.

(2) The local authority shall, not later than the date on which the first of the said advertisements is published, deposit at a place convenient for the purposes of inspection, a map showing by means of a clearly defined outside boundary line, the land proposed to be included in the scheme. The said map (to be marked and known as "Map No. 1") shall be in accordance with the provisions of Regulation 22 of these Regulations, and shall be open for inspection by any person interested, without payment of any fee, at all reasonable hours until seven days before the application is forwarded to the Governor-in-Council. The local authority shall also make suitable provision for affording to any person inspecting the map any necessary explanation in regard thereto.

(3) The said advertisement shall:—

(a) Describe in general terms the land proposed to be included in the scheme;

(b) State the place at which the said map is deposited and the period and times during which the same is open for inspection;

(c) Intimate that the local authority are prepared to consider any written objections or representations made to them whether by owners or others interested, before the date of the said application to the Governor-in-Council;

(d) Intimate that if any owners or others interested desire to confer with the local authority or their officers in regard to the said application, the local authority will on being so informed be prepared to arrange for a conference at some time within a period to be specified in the advertisement; and

(e) State that if and when application is made to the Governor-in-Council for authority to prepare a scheme, notice of the application will be given by advertisement in some newspaper circulating in the area of the local authority.

4. With the view of securing that notice of the proposal to apply for authority to prepare a scheme shall be given at the earliest stage possible to any other local authority interested in the land proposed to be included in the scheme, the local authority, independently of the notice required to be given as aforesaid, shall, at least four weeks before making such application, serve special notice of their decision upon every other local authority interested.

5. (1) The local authority before making an application to the Governor-in-Council for authority to prepare a scheme shall consider any objections or representations made to them in writing in reference to the same, whether by owners of, or other persons interested in (a) the land proposed to be included in the scheme, or (b) any lands in the neighbourhood of the said land which may be affected by the scheme.

(2) The local authority shall also consider any objections or representations made to them by any other local authority who may be interested in or affected by the scheme.

(3) The local authority shall further endeavour, by conferences between the local authority or their officers and such owners, persons, or local authorities, and by any other means available, to secure their co-operation in promoting the scheme.

6. (1) An application to the Governor-in-Council by a local authority for authority to prepare a scheme shall be made by transmitting to the Chief Secretary a copy of the resolution of the local authority to make such application, which copy shall be certified by the Clerk.

(2) The resolution shall define, by reference to a map prepared in accordance with the provisions of Regulation 22 of these Regulations (to be marked and known as "Map No. 2") the land in reference to which it is desired to prepare the scheme, and shall state whether the land is entirely within the area of the local authority, or wholly or partly within the area of any other local authority. Map No. 2 shall show clearly:—

(a) By means of boundary lines sharply defined in colour the area of the land included in the proposed scheme, distinguishing between the parts of the land included within the area of the local authority, and within the area of any other local authority, or not within the area of any local authority;

(b) By means of distinctive colours and reference notes any piece of land already built upon, and piece of land not likely to be used for building purposes, any buildings erected or in course of erection, and the lines of existing roads, railways, tramways, sewers and mains for water, gas and electricity.

(3) Map No. 1 prepared and deposited under Regulation 3 (2) may, if the local authority think fit, be used for the purposes of Map No. 2: Provided that if it is so used:—

(a) It shall be marked "Map No. 1 and Map No. 2;"

(b) It shall not be altered in such a manner that it would cease to show the precise area originally shown thereon under Regulation 3, and if the area to which the application for authority to prepare a scheme extends does not include the whole of the area so shown on Map No. 1 the part excluded from the application shall be indicated on the map.

(c) A statement shall be made and signed on the face of the map showing precisely what part or what features of it constitute the original Map No. 1;

(d) The sending to the Governor-in-Council of a copy of the combined Map No. 1 and Map No. 2 shall satisfy the requirements of these Regulations as to sending a copy of Map No. 1 and a copy of Map No. 2.

7. The application to the Governor-in-Council shall be accompanied by the following documents, statements and estimates, all duly certified by the

Clerk to the local authority, or other competent person, in proof of compliance with the requirements of these Regulations:—

(a) A copy of the form of notice served on local authorities;

(b) A copy of each newspaper containing the advertisement prescribed in Regulation 3;

(c) The maps referred to in Regulations 3 and 6, or copies thereof;

(d) A copy of all objections made in writing in reference to the proposed scheme, so far as the objections have not been withdrawn or removed, and a statement of what has been done by the local authority, by conference or otherwise, to meet or satisfy objection;

(e) A description of the area to be included in the scheme, including information as to the general character of the land proposed to be included in the scheme, the extent to which the scheme applies to land in course of development, the extent to which it applies to land likely to be used for building purposes, and, as regards the last mentioned land, the grounds for considering that the land is likely to be so used;

(f) The reason on which the local authority rely in support of their application;

(g) If the scheme includes land already built upon, or land not likely to be used for building purposes, the reasons which, in the opinion of the local authority, render it necessary or desirable to include such lands in the scheme;

(h) Information as to the need for improved means of communication by road, rail or water in or through the area of the land to which the application extends, whether by the improvement of existing means or the construction of new means of communication as aforesaid, or for the allocation of lands for open spaces or for other special purposes;

(i) Information as to the arrangements in operation in the area of the local authority in regard to sewerage, drainage, and sewage disposal, water supply and lighting and the like information in regard to any area included in the scheme but which is not in the area of the local authority;

(j) Information as to objects of historical or archaeological interest or of natural beauty situate within the area included in the scheme;

(k) Information as to any Government land or property liable to be affected by the scheme;

(l) A probable estimate of the cost of preparing the scheme.

8. When the local authority have transmitted to the Governor-in-Council an application for the approval of the Governor-in-Council to the preparation of a scheme, the local authority shall forthwith give notice of the date of such application, and of the date of the resolution making the application by advertisement in some newspaper circulating in the area of the local authority.

9. The authority authorised by the Governor-in-Council to prepare a town planning scheme shall insert an advertisement in some newspaper circulating in the area included in the scheme. The said advertisement shall:—

(a) Contain a copy of the order by the Governor-in-Council authorising the preparation of the scheme and appointing the authority for the preparation thereof;

(b) Intimate that the authority is proceeding to prepare the scheme;

(c) Define the date, after which, under Section 12 (2) of the Town Planning Ordinance, 1919, no compensation is obtainable.

10. (1) The authority shall, during the preparation of a scheme endeavour to secure the co-operation of the owners or other persons interested in the land included in the scheme by conference from time to time as the same shall appear necessary, and the authority or their officers may meet with the owners or others interested either singly or collectively as shall seem most expedient. Provided always that the scheme shall not be prejudiced by the failure of the authority or their officers to confer with any owner through the said owner not being known thereto, or available for conferences.

(2) Any conference as aforesaid may be convened by private notice or by public advertisement.

11. After the authority have fully considered and developed their proposals in regard to an area of land in respect of which they have been authorised by the Governor-in-Council to prepare a town planning scheme, they shall cause to be printed a draft scheme embodying their proposals and shall cause a map, or if the case so requires, maps, plans or drawings (to be marked and numbered consecutively from and including "Map" or "Drawing No. 3") to be prepared on the scale or scales most suitable and convenient for the purposes thereof, showing clearly by means of boundary lines sharply defined in colour the area of the land included in the scheme, distinguishing between the parts of the land included within the area of any local authority, and also showing thereon all such particulars and details in relation to the scheme as can conveniently be indicated thereon by the aid of reference letters or numbers, descriptive notes, distinguishing colours or otherwise: and especially there shall be indicated and distinguished on the said map, maps, plans or drawings:—

Existing roads, streets, lanes and other ways.

Public and private rights of way in so far as they may be known.

Existing railways, tramways, canals, or other means of communication.

Existing public parks, gardens or open spaces.

Land already built upon.

Land not likely to be used for building purposes.

The proposals of the authority in connection with the matters referred to in Section 8 (1) of the Town Planning Ordinance, 1919, or any Ordinance amending the said section, in so far as the same can be delineated and shown on maps, plans and drawings.

12. (1) At least four weeks before submitting the scheme to the Governor-in-Council for approval, the authority shall serve a notice:—

(a) Upon the owners or reputed owners of the land included in the scheme; and

(b) Upon any local authority or Government Department within whose districts any part of the said land is comprised, or who may be interested in, or affected by, the scheme,

intimating that the authority propose to submit the scheme with any modifications that may be found desirable, to the Governor-in-Council for approval.

(2) Similar notice of such proposal shall also be given by advertisement in some newspaper circulating in the area included in the scheme, and the advertisement shall be published at least four weeks before submitting the scheme to the Governor-in-Council.

(3) The authority shall, not later than the date on which the first of the said notices is given, deposit at such place as they may consider convenient for the purposes of inspection, and shall keep deposited thereat for at least twenty-one days from the date of the latest of the said notices, the draft

scheme and the relative maps, plans or drawings, and the same shall be open for inspection by any persons interested or affected, without payment of any fee at all reasonable hours. The authority shall also make suitable provision for affording to any person inspecting the draft scheme any necessary explanation or information in regard thereto.

(4) The said notices shall define the land included in the scheme, and shall state the place at which the draft scheme and relative maps, plans or drawings are deposited, and the period and times during which the same will be open for inspection.

(5) The notices shall further state that the authority will be prepared to consider any objections or representations which may be made to them in writing during the said period, and the notice to be given by advertisement shall also state that the authority will be prepared to consider any objections or representations made to them in writing during such period by any persons affected, including any persons representing any architectural or archaeological societies or otherwise interested in the amenity of the proposed scheme.

(6) The notices served under paragraph (1) of this Regulation shall also refer to the meeting to be advertised and held as required by Regulation 13 (3) of these Regulations.

13. (1) Before applying to the Governor-in-Council for approval of the scheme, the authority shall consider any objections or representations made to them in writing in terms of the immediately preceding Regulation.

(2) The Authority shall further endeavour, by conferences between the Authority or their officers and such owners, persons, local authorities or officials of Government Departments, and by any other means available, to secure their co-operation in promoting the scheme. They shall also arrange for a meeting being held, at which all such parties as aforesaid shall be entitled to attend or be represented, for the purpose of considering the scheme.

(3) Seven days notice of the time and place fixed for such meeting shall be given by advertisement in some newspaper circulating in the area included in the scheme. A report or minute of such meeting shall be duly kept to be afterwards submitted to the Governor-in-Council.

14. When the Authority have finally resolved to apply for the approval of a town planning scheme by the Governor-in-Council, they shall pass a resolution to that effect, requesting the Governor-in-Council to approve of the scheme made by them.

15. The application to the Governor-in-Council for approval of a scheme shall be accompanied by the following documents, maps, plans or drawings all duly certified by the Clerk to the Authority or other competent person in proof of compliance with the requirements of these Regulations:—

(a) Two certified copies of the scheme.

(b) Two certified copies of each of the maps, plans or drawings prepared in connection with and illustrating the scheme submitted for approval and containing the particulars required under Regulation 11 of these Regulations.

(c) A copy of the form of notice served under Regulation 12.

(d) A copy of each newspaper containing the advertisements prescribed in Regulation 9, 12, and 13, and any other advertisements inserted by the Authority.

(e) A copy of the resolution requesting the approval of the scheme by the Governor-in-Council.

(f) A copy of the maps, plans or drawings referred to in Regulation 12 (3) of these Regulations:—

Provided that if the maps, plans or drawings required by paragraph (b) of this Regulation would be identical in all respects with the maps, plans or drawings referred to in Regulation 12 (3) or the Governor-in-Council consents under Regulation 23 of these Regulations, the last mentioned maps, plans or drawings may, if the Authority think fit, be used for the purposes of paragraph (b) of this Regulation, but they shall be marked to indicate that they have been so used;

(g) A small scale map showing the area included in the scheme and the main lines of communication together with any proposed lines thereof into the adjacent and surrounding country;

(h) A map or maps, showing the land included in the scheme so divided is to indicate as nearly as may be the portions of such land belonging to different owners. The map or maps shall show as regards each portion of the land the name of the owner, or shall bear numbers having reference to a statement on or to be annexed to, or marked as relative to the map or maps, showing the names of the owners;

(i) A copy of all objections made in writing in reference to the scheme, under Regulation 12 of these Regulations, so far as the objections have not been withdrawn or removed in the scheme as finally made by the Authority;

(j) A statement of the Authority's reasons for their inability to meet the objections referred to in paragraph (i) hereof;

(k) A copy of the report or minute recording the proceedings at the meeting held in terms of Regulation 13;

(l) Particulars of the Authority's proposals regarding the matters referred to in Section 8 of the Town Planning Ordinance, 1919, or as the said section may be varied by any amending Ordinance;

(m) Information as to the extent to which the Authority have made arrangements and agreements for the acquisition of land, and information as to the extent to which it may be contemplated or necessary under the scheme that land shall be acquired by (1) the Responsible Authority, (2) any Local Authority or Local Authorities, and (3) Government, and as to the probability of the lands being acquired by agreement;

(n) If the scheme contains provisions suspending any enactment contained in a public, general or other Ordinance, or any statute, bye-laws or regulations in operation in the area included in the scheme, a full explanation of any such provisions and the reasons which are considered to justify their insertion in the scheme.

16. (1) In connection with an application to the Governor-in-Council for approval of the scheme prepared by the Authority, information shall be furnished as to how the scheme may be carried into effect, together with information in regard to the estimated cost of carrying out the scheme, so far as the cost is to be borne by (1) Government, (2) the Responsible Authority, and (3) any Local Authority. Separate particulars shall be given under the following heads:—

Expenditure.

Purchase of land for open spaces.

Purchase of land for other purposes, specifying them.

Purchase of buildings.

Demolishing or alteration of buildings.

Compensation in respect of property injuriously affected by the scheme.

Making or alteration of roads or ways.

Cost of preparing the scheme.

Other purposes, specifying them.

Receipts.

In respect of property increased in value.
From other sources, specifying them.

(2) There shall also be supplied a list and copy of all local Ordinances, Bye-laws, or Regulations so far as affecting the scheme, in force in the area included in the scheme.

17. When the Authority have submitted to the Governor-in-Council for approval, the scheme prepared by the Authority they shall forthwith give notice of such submission by advertisement in some newspaper circulating in the area included in the scheme. The notice shall also state any objections and representations by any local authority or persons affected in terms of Regulation 12 should be made in writing and addressed to the Chief Secretary at his office within one month from the date of the said notice. A copy of each newspaper containing such advertisement shall be forwarded to the Governor-in-Council by the Authority.

18. If the Governor-in-Council proposes to make any modifications in, or to attach any conditions to, the scheme submitted for his approval and transmits to the authority a draft order for approving the scheme with such modifications and conditions:—

(a) The Authority shall, within fourteen days after the receipt of the draft order give notice by advertisement in some newspaper circulating in the area included in the scheme, that the Governor-in-Council has caused a draft order to be prepared for approving the scheme, subject to modifications or conditions, that a copy of the draft order may be inspected and any information in regard thereto may be obtained, without payment of any fee at a place which shall be specified in the notice, at all reasonable hours (specifying the same) on any week-day during the period of four weeks from the date of the notice, and any objections or representations in regard to such modifications and conditions should be made in writing and addressed to the Chief Secretary at his office within a period of four weeks from the date of the advertisement.

(b) The Authority shall furnish the Governor-in-Council within a period of four weeks from the receipt of the draft order with any objections or representations which they may desire to make in regard to the proposed modifications and conditions.

(c) The Authority shall furnish the Governor-in-Council within a period to be defined by him when submitting to them any objections or representations made to him under paragraph (a) of this Regulation, with any objections or representations thereon.

(d) The Authority shall furnish the Governor-in-Council within a period of four weeks from the receipt of the draft order, with a copy of the advertisement prescribed under paragraph (a) of this Regulation.

19. (1) The Authority, on receipt of a copy of the order of the Governor-in-Council approving a scheme, shall without delay publish notice of the approval of the scheme by advertisement in some newspaper circulating in the area included in the scheme. The notice shall state that the scheme has been approved, with or without modifications or conditions as the case may be, and that the order of the Governor-in-Council giving the approval and a copy of any map, plan or drawing referred to in the order or scheme may be inspected and any necessary explanation or information in regard thereto may be obtained without payment of any fee at a place which shall be specified in the notice at all reasonable hours (specifying the same) on any week-day during the period of three months after

the date of the order. They shall also, not earlier than the second day after the publication in a newspaper as aforesaid, serve upon the parties prescribed in Regulation 12 (1) (a) and (b) a copy of the order approving the scheme and a notice that a copy of any map, plan or drawing referred to in the order or scheme may be inspected, and any necessary explanation or information in regard thereto may be obtained as above mentioned.

(2) The Authority shall make suitable provision for affording any person inspecting the order or scheme, or any map, plan or drawing referred to therein, within the said period, any necessary explanation or information in regard thereto.

(3) The Authority shall, within fourteen days after the receipt of the said order transmit to the Governor-in-Council.

(a) A copy of the order served.

(b) A copy of the form of notice served, and

(c) A copy of each newspaper containing the advertisement.

20. A notice required to be served in pursuance of these Regulations shall be served:—

(a) By delivery of the same personally to the person required to be served, or if such person is absent abroad or cannot be found, to his Agent or Attorney; or

(b) By leaving the same at the usual or last known place of abode of such person as aforesaid; or

(c) By post addressed to the usual or last known place of abode of such person; or

(d) In the case of a notice required to be served on a local authority or corporate body or company by delivering the same to their clerk or secretary, or leaving the same at his office with some person employed there, or by post addressed to such clerk or secretary at his office;

Provided that if the owner of any land is not known to, and after diligent enquiry cannot be found by the Authority, then the notice may be served by leaving it, addressed to the owner, with some occupier of the land, or, if there be not an occupier, then by causing it to be put up on some conspicuous part of the land.

Provided also that any accidental omission to serve a notice required under these Regulations shall not render any proceedings thereunder invalid.

21. Where by these Regulations, any scheme, communication, matter or thing has to be submitted to the Governor-in-Council it shall be submitted through the Chief Secretary, who will at the earliest opportunity submit it to the Governor-in-Council.

22. (1) Unless the Governor-in-Council shall have specifically approved of some other arrangement the maps required in pursuance of these Regulations shall be maps to the scale of not less than 25.344 inches to one mile, if procurable from the Survey Department: Provided always that any map showing boundaries only, or such other information as can clearly be shown on a map to a smaller scale, a smaller scale map to an appropriate scale may be used.

(2) Where maps to the scale of not less than 25.344 inches to one mile are not procurable from the Survey Department the Authority may submit their proposals on a map or maps drawn to a scale that will show clearly the said proposals and as near as possible to the said scale: Provided always that drawings to an enlarged scale may also be used.

(3) The maps, plans, or drawings submitted with the scheme to the Governor-in-Council for approval shall be mounted on linen and shall have a scale properly drawn thereon.

(4) Where it may be expedient to do so maps mounted on linen may be folded in Book-form or maps may be in sections consisting of sheets of maps unmounted but bound together and prefaced by an index map to a scale of six inches to the mile or other suitable scale, showing in corrected form the area included in the scheme.

(5) Any person interested in or affected by any proposed scheme shall be entitled to make a copy of or extract from any map, plan or drawing required in pursuance of these Regulations free of charge: Provided always that if they can conveniently do so, the Authority may furnish copies of or extracts from the said maps, plans or drawings upon payment of a fee to cover the costs thereof.

23. Where the Governor-in-Council is satisfied that there is reasonable cause for dispensing, either conditionally or unconditionally, with compliance with any requirement of these Regulations, or for varying any such requirements the Governor-in-Council may, by order or otherwise as he may think fit, give the necessary dispensation, or may make and give effect to the necessary variation.

By order of His Excellency the Governor-in-Council.

Nairobi,

This 17th day of July, 1920.

H. MALPASS,

Clerk to the Executive Council.

GOVERNMENT NOTICE No. 236.

THE DISEASES OF ANIMALS ORDINANCE, 1906.

RULES.

IN EXERCISE of the powers conferred upon the Governor by the Diseases of Animals Ordinance, 1906, His Excellency the Governor has been pleased to make the following Rules:—

1. These Rules may be cited as "The Diseases of Animals Movement of Cattle for Trading Purposes Rules, 1920," and shall be read as one with the Diseases of Animals Rules, 1918, hereinafter referred to as "the Principal Rules" and all amendments thereof.

2. Persons desirous of moving cattle for trading purposes into the district occupied by the Sambur natives or into the Northern Frontier District must apply for trading permit to one of the following officers:—

(1) The Provincial Commissioner, Nyeri, or the Northern Frontier District Officer stationed at Meru or Archer's Post in the case of approved residents of the Kenya Province.

(2) The Civil Officer in charge at Rumuruti, in the case of approved residents of Laikipia.

(3) The Provincial Commissioner, Kisumu, in the case of approved residents of Jubaland.

(4) The Chief Native Commissioner, Nairobi, in all other cases.

3. After a permit to trade has been issued a Veterinary permit must be obtained from the nearest Veterinary or Administrative Officer to move the cattle to be traded to the Isiolo Quarantine Station and the following conditions must be observed:—

(a) The cattle to be traded must be branded A.M., signifying that they have been immunised against Rinderpest by a member of the Veterinary Department.

(b) The cattle must be presented at the Veterinary Quarantine Station on the Isiolo River, North Kenya, where they will be inspected by the Officer-in-charge and branded with a distinctive brand, which shall be registered in a book kept

for the purpose, at a cost of cents fifty per head for branding and registration payable by the owner.

(c) No cattle moved for trading purposes into the area occupied by the Sambur natives will be permitted to leave that area.

4. Persons desirous of moving cattle for trading purposes into the Masai Reserve must apply for a trading permit to the Officer-in-charge, Narok, must obtain a Veterinary permit from the nearest Veterinary or Administrative Officer to move the cattle to be traded to one of the Veterinary Quarantine Stations mentioned below (paragraph (b) and must observe the following conditions:—

(a) The cattle to be traded must be branded A.M., and P. signifying that they have been immunised against Rinderpest and Pleuro-pneumonia by a member of the Veterinary Department.

(b) The cattle, before entering the Masai Reserve, must be presented at one of the following Veterinary Stations where they will be inspected by the Officer-in-charge and branded with a distinctive brand, which shall be registered in a book kept for the purpose at a cost of cents fifty per head for branding and registration payable by the owner—(1) Nairobi, (2) Kijabe Quarantine Station, (3) Kibigori Quarantine Station.

(c) Cattle will only be permitted to enter the Masai Reserve *via* Ngong Station, Kijabe Quarantine Station or Mara Station.

(d) No cattle moved into the Masai Reserve for trading purposes will be permitted to leave the Reserve.

5. Rule No. 27 (2) of the Principal Rules is hereby cancelled.

By command of His Excellency the Governor.

Nairobi,

The 11th day of July, 1920.

W. J. MONSON,

for Chief Secretary.

GOVERNMENT NOTICE No. 238.

THE COMMISSION OF INQUIRY ORDINANCE, 1912.

A COMMISSION.

I, Edward Northey, Major-General of His Majesty's Forces, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of the East Africa Protectorate, do, in exercise and by virtue of the powers conferred upon me by the Commission of Inquiry Ordinance, 1912, Section 3, by this, my Commission under my hand, alter the Commission issued under the aforesaid Ordinance by CHARLES CALVERT BOWRING, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, then Acting Governor of the East Africa Protectorate, and dated the 27th day of May, 1920, (Government Notice No. 202) by appointing RONALD DONALD, ESQUIRE, to be a Commissioner to inquire into and report on the matters the subject of inquiry of such aforesaid Commission of the 27th day of May, 1920, in addition to the Commissioners therein appointed.

Given under my hand at Nairobi this 17th day of July, 1920.

EDWARD NORTHEY,
*Governor and
Commander-in-Chief.*

ORDER IN COUNCIL.

AT THE COURT AT BUCKINGHAM PALACE,

The 11th day of June, 1920.

P R E S E N T

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL

WHEREAS the territories in East Africa situate within the limits of this Order and forming part of the Protectorate known as the East Africa Protectorate, are under the protection of His Majesty the King:

And whereas British subjects have settled in large numbers in the said territories and it is expedient, with a view to the further development and more convenient administration of the said territories, that they should be annexed to and should henceforth form part of His Majesty's Dominions:

Now, Therefore, His Majesty is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

I. This Order may be cited as the Kenya (Annexation) Order in Council, 1920.

II. Until further provision shall be made in respect thereof, the limits of this Order are the territories comprised in the East Africa Protectorate as specified in the East Africa Order in Council, 1902, save and excepting only such territories therein included as form part of the Dominions of His Highness the Sultan of Zanzibar.

III. From and after the coming into operation of this Order the said territories shall be annexed to and form part of His Majesty's Dominions and shall be known as the Colony of Kenya, hereinafter called the Colony.

IV. Nothing in this Order shall affect the validity of any Commission or Instructions issued by His Majesty under the Royal Sign Manual and Signet to the Governor and Commander-in-Chief of the territories now included within the limits of this Order, or of any Order in Council affecting the said territories, or of any Ordinance, Proclamation or Regulations passed or issued under any such Instructions or Order, or of any act or thing done under any such Instructions, Order, Ordinance, Proclamation or Regulations, save in so far as any

provision of any such Order in Council, Ordinance, Proclamation or Regulations may be repugnant to the provisions of any Act of Parliament which may, by reason of the annexation hereby declared, become extended to the Colony or to any Order or Regulation made under the authority of any such Act, or having in the Colony the force and effect of any such Act.

V. This Order shall be published in the "Official Gazette" of the East Africa Protectorate, and shall thereupon commence and come into operation, and the Governor shall give directions for the publication of this Order at such places and in such manner, and for such time or times, as he thinks proper for giving publicity thereto within the Colony.

VI. His Majesty may from time to time revoke, alter, add to, or amend this Order.

And the Right Honourable Viscount Milner, G.C.B., G.C.M.G., one of His Majesty's Principal Secretaries of State is to give the necessary directions herein accordingly.

ALMERIC FITZROY.

GOVERNMENT NOTICE No. 243.

CORRIGENDUM.

GOVERNMENT Notice No. 181 published in the "Official Gazette" of the 2nd June, 1920, is hereby amended by the substitution of the following in place and stead of the First Schedule to such Notice, viz :—

FIRST SCHEDULE.

STANDARD COIN.

Coin.	Metal.	Millesimal fineness.	Standard weight.		Least current weight.	
			Grains.	Grammes.	Grains.	Grammes.
British East Africa florin	Silver	500	180	11·664	172·8	11·197

	Remedy allowances.		
	Weight per piece.		Millesimal fineness.
	Grains.	Grammes.	
	1·80	·1166	10

SECRETARIAT,
Nairobi,
July 28th, 1920.

W. J. MONSON,
Assistant Chief Secretary.

PROCLAMATION No. 86.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare that the following portions of the Proclamations stated are revoked.

That portion of Proclamation No. 31, dated the 19th day of March, 1920, which refers to Farms Nos. 569, 710, 713, 716, 585 and 587, Rumuruti District (declaring these Farms to be infected Contagious Bovine Pleuro-pneumonia areas).

That portion of Proclamation No. 42, dated the 16th day of April, 1920, which refers to Farms Nos. 565 (Mr. H. Dugmore) and 763 (Major E. J. Gilchrist), Rumuruti District (declaring these Farms to be infected Contagious Bovine Pleuro-pneumonia areas).

Given under my hand at Nairobi this 14th day of July, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 87.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farms in the Kenya Province to be infected areas (Rinderpest) for the purposes of the aforesaid Ordinance.

Farms Nos. 1248 and 1492, Capt. Barry, Nyeri.

Given under my hand at Nairobi this 21st day of July, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 88.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following areas in the Naivasha Province to be infected areas (East Coast Fever) for the purposes of the aforesaid Ordinance.

The Naivasha Township and the Naivasha-Gilgil main road.

Given under my hand at Nairobi this 21st day of July, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

GOVERNMENT NOTICE No. 244. S. 21359.

THE MINING ORDINANCE, 1912.

REGULATIONS.

IN EXERCISE of the powers conferred upon the Governor by the Mining Ordinance, 1912, Section 73, His Excellency the Governor has been pleased to make the following Regulations:—

1. The Regulations may be cited as "The Mining Amendment Regulations, 1920," and shall be read as one with "The Mining Regulations, 1912," hereinafter referred to as "the Principal Regulations," and all amendments thereof.

2. Regulation 83 of the Principal Regulations is hereby revoked and the following Regulation substituted therefor:—

"83. The Commissioner of Mines may, with the approval of the Governor, grant to any person any number of sole prospecting licences to search over an area not exceeding five square miles on any specific Crown lands or on any private land to the owner thereof, or with the consent of the owner to any other person, for gold, precious stones, minerals, coal or oil."

3. For the words "six months" in Regulation 86 (1) of the Principal Regulations there shall be substituted the words "eight months." Provided that such amendment shall not affect any pending application for a sole prospecting licence, or any sole prospecting licence heretofore issued.

4. Regulation 87 of the Principal Regulations is hereby revoked and the following Regulation substituted therefor:—

"87. A sole prospecting licence shall not be issued to search on land held as a prospecting claim or under a mining lease or over which the mineral rights have been protected or alienated."

5. The words "to any private land or" in form No. 12 in Schedule A. annexed to the Principal Regulations shall be deleted.

6. Subject to proviso contained in Regulation 3 hereof all sole prospecting licences issued pursuant to any pending application, or heretofore issued shall be deemed to be valid and issued pursuant to the Principal Regulations as hereby amended.

By command of His Excellency the Governor.
Nairobi,

This 22nd day of July, 1920.

W. J. MONSON,
for Chief Secretary.

GOVERNMENT NOTICE No. 246.

THE BRITISH PROTECTORATES (DEFENCE)
ORDER-IN-COUNCIL, 1916.

REGULATIONS.

Control of Petrol Distribution.

IN EXERCISE of the powers conferred upon the Governor by the British Protectorates (Defence) Order in Council, 1916, His Excellency the Governor has been pleased to make the following Regulations.

1. These Regulations may be cited as "The Defence Regulations (No. 50) of 1920."

2. Regulation No. 3 of Defence Regulations (No. 4) of 1918, is hereby revoked and the following Regulation substituted in lieu thereof.

"3. No person shall sell motor spirit to any person unless the person to whom the motor spirit is to be supplied shall produce a licence signed by a member of the Central Petrol Committee or some other person duly authorised by the Central Petrol Committee to sign such licences on their behalf, permitting motor spirit to the amount specified in the licence to be sold or supplied to the holder of the licence."

The Central Petrol Committee shall be composed of the following members:—

THE DISTRICT COMMISSIONER, NAIROBI.

L. GALTON-FENZI, Esq.

S. CULLEN-WARD, Esq.

LT.-COL. R. R. COLLINGS-WELLS, D.S.O.

The District Commissioner, Nairobi, shall be Chairman of the Committee and the Committee shall have its seat in Nairobi and shall sit to consider applications for licences at such time and in such places in Nairobi as the Chairman shall direct.

3. Regulation 5 of Defence Regulations (No. 4) of 1918 is hereby amended by the substitution of the words "The Central Petrol Committee or other person duly authorised to issue licences by the Central Petrol Committee shall not" for the words "No District Commissioner shall" in the first line thereof, and the words "The Central Petrol Committee or other person duly authorised to issue licences by the Central Petrol Committee" for "District Commissioner" in the third line thereof.

4. Regulation 6 of the Defence Regulations (No. 4) of 1918 is hereby amended by the addition of the following words.

The District Commissioner shall forthwith forward such returns to the Central Petrol Commissioner and shall report to the Central Petrol Committee any petrol found by such search to be stored and not to have been made the subject of a return under these Regulations.

By command of His Excellency the Governor.
Nairobi,

This 27th day of July, 1920.

W. J. MONSON,
for Chief Secretary.

PROCLAMATION No. 89.

THE CUSTOMS AMENDMENT
ORDINANCE, 1915.

PROCLAMATION.

IN EXERCISE of the powers conferred upon the Governor by the Customs Amendment Ordinance, 1915, I, Edward Northey, Major-General of His Majesty's Forces, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Governor of the Colony of Kenya and the East Africa Protectorate, do hereby declare that Proclamation No. 53, dated the 18th day of May, 1920, published on page 495, "Official Gazette" shall be amended by the deletion of the words "Gold and" where they first occur in heading (D).

Given under my hand at Nairobi this 4th day of August, 1920.

EDWARD NORTHEY,
Governor.

GOD SAVE THE KING.

PROCLAMATION No. 90.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following area in the Nyanza Province to be an infected area (Rinderpest) for the purposes of the aforesaid Ordinance.

The Western half of Farm No. 596, Mr. Martin, Lumbwa.

Given under my hand at Nairobi this 21st day of July, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 91.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farms in the Naivasha Province, Trans Nzoia District, to be infected areas (Foot and Mouth Disease) for the purposes of the aforesaid Ordinance.

Farm No. 1795, Mr. H. W. Kruger, Trans Nzoia.
Farm No. 1796, Mr. G. K. Glanville, Trans Nzoia.
Farm No. 1797, Mr. J. L. Murphy, Trans Nzoia.
Farm No. 1800, Mr. J. Steyn, Trans Nzoia.

Given under my hand at Nairobi this 24th day of July, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 92.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare the following Farm in the Naivasha Province, to be an infected area (Contagious Bovine Pleuro-pneumonia) for the purposes of the aforesaid Ordinance.

Farm No. 497/3/3, Major A. Smith, Eldama Ravine.

Given under my hand at Nairobi this 24th day of July, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 93.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare that the following Proclamation be revoked.

Proclamation No. 73, dated the 2nd day of July, 1920 [declaring Farm No. 186, Mr. A. C. Hoey, Nzoia estate, Trans Nzoia, to be an infected area (Foot and Mouth Disease).]

Given under my hand at Nairobi this 24th day of July, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 94.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare that that portion of Proclamation No. 42, dated the 16th day of April, 1920, declaring Farm No. 987, Messrs. Mitten & Roberts, Rumuruti, to be an infected area (Contagious Bovine Pleuro-pneumonia), be revoked.

Given under my hand at Nairobi this 27th day of July, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

GOVERNMENT NOTICE No. 252.



(L.S.)

GEORGE, R.I.

WHEREAS We have taken into Our Royal consideration the loyal and zealous services rendered to Us and to Our Empire by Native Chiefs or other Native Dignitaries in Our Colonies and Protectorates and in other territories in East and West Africa, or elsewhere, which are under the administration or surveillance of Our Principal Secretaries of State for Foreign Affairs or for the Colonies;

And Whereas We are desirous of recognizing such services by some mark of Our Royal favour;

Now We do by these Presents for Us, Our heirs and successors, institute and create a new Medal to

be awarded to such Native Chiefs or other Native Dignitaries as aforesaid who by their zeal in Our service and loyalty to Us and to Our Empire may have merited or may hereafter merit such distinction.

2. The Medal shall be of silver, or in exceptional cases of silver-gilt, and shall be designated and styled "The King's Medal for Native Chiefs." It shall be worn around the neck pendent from a chain of silver or silver-gilt as the case may be.

3. The obverse of the Medal shall bear Our effigy and on the reverse shall be depicted a merchant vessel, plying, under the protection of a ship of war, outside a harbour illuminated by a tropical sun.

4. The Medal shall be awarded with the approval of one of Our Principal Secretaries of State by Our Governor or other Our Representative for the time being in the Colony, Protectorate or other territory in which the Chief or Dignitary may be resident.

5. The names of the recipients of the Medal shall be published in the Government Gazette of the territories concerned, or in such other manner as may be deemed practicable.

6. If any Chief or Dignitary to whom the Medal is awarded be guilty of any grave misdemeanour, he may be deprived of it by Our Governor or other Our Representative as aforesaid with the assent of one of Our Principal Secretaries of State, but the Medal may, with the like assent, be subsequently restored to him.

7. Upon the death of any recipient of the Medal it shall forthwith be returned to Our Governor or other Our Representative as aforesaid, unless he shall in any instance deem otherwise expedient, but in no case shall the Medal be worn by any other than the Chief or Dignitary to whom it was awarded.

Given at Our Court at Saint James's this Twenty-sixth day of April, One thousand nine hundred and twenty, in the Tenth year of Our Reign.

By His Majesty's Command,
MILNER.

Warrant

instituting "THE KING'S MEDAL
FOR NATIVE CHIEFS."

GOVERNMENT NOTICE No. 253. S. 1967.

THE DISEASES OF ANIMALS ORDINANCE, 1906.

RULES.

IN EXERCISE of the powers conferred upon the Governor by the Diseases of Animals Ordinance, 1906, His Excellency the Governor has been pleased to make the following Rules:—

1. These Rules may be cited as "The Diseases of Animals Amendment Rules (No. 2) of 1920," and shall be read as one with the Diseases of Animals Rules, 1918, hereinafter referred to as the "Principal Rules" and all amendments thereof.

2. Rules 26, 28 (2) and 31 of the Principal Rules are hereby cancelled and the following substituted therefor:—

26. Persons with cattle from the Northern Frontier District or Jubaland entering the Kenia or Naivasha Province shall follow the Uaso Nyiro River to its junction with the Isiolo River; thence along the West Bank of the Isiolo River, upstream, to the Isiolo Quarantine Station and by no other route.

At the Isiolo Quarantine Station they will be inspected and actively immunised against Rinderpest at a charge of Rs. 3/- per head and otherwise dealt with as may be considered necessary. Before leaving the quarantine station they will be dipped as required at a charge of cents six per head per dipping.

When released they will be under the same conditions as cattle in the clean areas.

Before arrival at the Uaso Nyiro River notice shall be given to the Administrative Officer, Archer's Post, giving the probable date of arrival of the cattle at Isiolo Quarantine Station and the numbers of such cattle.

3. 28. (2) Every person moving sheep or goats from the Northern Frontier District or Jubaland shall enter the Kenia or Naivasha Province *via* the Isiolo Quarantine Station, where the sheep or goats shall be dipped at a charge of cents four per head per dipping and thereafter a permit for further movement shall be obtained from the Officer-in-Charge, Isiolo Quarantine Station.

4. 31. Persons with horses or mules from the Northern Frontier District or Jubaland shall enter Kenia or Naivasha Province overland *via* the Isiolo Quarantine Station, or such other place as the Chief Veterinary Officer may by notice in the "Official Gazette" direct, where such horses or mules shall be inspected and tested with Mallein at a charge of Rs. 5/- per head and shall be dipped as may be required at a charge of cents six per head per dipping.

By command of His Excellency the Governor.

Nairobi,

This 30th day of July, 1920.

C. E. SPENCER,
for Chief Secretary.

GOVERNMENT NOTICE No. 254.

THE INDIAN POST OFFICE ACT, 1898.

AND

THE POST OFFICE AMENDMENT ORDINANCE, 1919.

RULES.

IN EXERCISE of the powers conferred upon the Governor-in-Council by the Indian Post Office Act, 1898, as applied to the Protectorate, and the Post Office Amendment Ordinance, 1919, and all other powers thereunto enabling, His Excellency the Governor-in-Council has been pleased to make the following Rules:—

1. These Rules may be cited as "The Foreign Postal and Money Order Amendment Rules (No. 2), 1920," and shall be read as one with "The Foreign Postal and Money Order Rules (No. 2), 1920" hereinafter referred to as "the Principal Rules."

2. The suspension prescribed by Rule 2 of the Principal Rules, published in the Special "Official Gazette" of the 21st of February, 1920, is hereby raised in respect of India, and all Rules heretofore made pursuant to the provisions of the said Act and Ordinance, or howsoever otherwise, so far as applicable, relating to the issue by the Post Office of Foreign Money Orders expressed in rupee currency shall be in full force in respect of such country as from the date hereof at the rates of commission prescribed in the schedule hereto.

By command of His Excellency the Governor-in-Council.

Nairobi,

This 27th day of July, 1920.

H. MALPASS,
Clerk to the Executive Council.

SCHEDULE OF RATES OF COMMISSION.

								Rs. Cts.
On any sum not exceeding Rs. 10	...	...	...	...	...	...	...	0 25
" " " exceeding Rs. 10 but not exceeding Rs. 25	...	...	...	...	...	...	...	0 50
" " " " " 25 " " " " 35	...	...	...	...	...	...	...	0 75
" " " " " 35 " " " " 50	...	...	...	...	...	...	...	1 00
" " " " " 50 " " " " 60	...	...	...	...	...	...	...	1 25
" " " " " 60 " " " " 75	...	...	...	...	...	...	...	1 50
" " " " " 75 " " " " 85	...	...	...	...	...	...	...	1 75
" " " " " 85 " " " " 100	...	...	...	...	...	...	...	2 00

and at the same rate to the maximum amount (Rs. 600) allowed.

GOVERNMENT NOTICE No. 260.

THE TERMINATION OF THE PRESENT WAR
(DEFINITION) ORDINANCE, 1919.

HIS Excellency the Governor-in-Council in pursuance of the powers conferred by Section 2, sub-section 3 of the Termination of the Present War (Definition) Ordinance, 1919, has declared that the 16th day of July, 1920, is to be treated as the date of the termination of War with Austria and the provisions of the aforesaid Ordinance apply accordingly as from the aforesaid date.

By command of His Excellency the Governor-in-Council.

Nairobi,

The 31st day of July, 1920.

H. MALPASS,

Clerk to the Executive Council.

GOVERNMENT NOTICE No. 262.

S. 19298.

CONFIRMATION OF ORDINANCE.

NOTICE.

THE Secretary of State for the Colonies has notified that His Majesty's power of disallowance will not be exercised with respect to the undermentioned Ordinance:—

"AN ORDINANCE TO AMEND THE INDIAN POST OFFICE ACT, 1898, AS APPLIED TO THE EAST AFRICA PROTECTORATE."

(No. IX of 1919).

By command of His Excellency the Governor.

Nairobi,

July 31st, 1920.

C. E. SPENCER,

for Chief Secretary.

PROCLAMATION No. 95.

S. 21231.

THE CUSTOMS ORDINANCE, 1910.

PROCLAMATION.

IN EXERCISE of the powers conferred on me by the Customs Ordinance, 1910, and all other powers thereunto enabling me, I, Edward Northey, Major-General of His Majesty's forces, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of the Colony of Kenya and the East Africa Protectorate, hereby declare that the Proclamation issued under the aforesaid Ordinance, dated the 30th day of December, 1919, (Proclamation No. 120), published on page 989 of the "Official Gazette" be and the same hereby is from the date of publication hereof revoked.

Given under my hand at Nairobi this 6th day of August, 1920.

EDWARD NORTHEY,

Governor and Commander-in-Chief.

GOD SAVE THE KING.

PROCLAMATION No. 96.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare that the following Proclamation be revoked.

Proclamation No. 64, dated the 8th day of June, 1920, [declaring Farm No. 3679, Mr. J. Randall, Ruiru, to be an infected area (Contagious Bovine Pleuro-pneumonia)].

Given under my hand at Nairobi this 30th day of July, 1920.

W. KENNEDY,

Acting Chief Veterinary Officer.

PROCLAMATION No. 97.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following Farm in the Nyanza Province, to be an infected area (Rinderpest) for the purposes of the aforesaid Ordinance.

Farm No. 612/1, Miss C. G. Buxton, Kedowa, Lumbwa District.

Given under my hand at Nairobi this 31st day of July, 1920.

W. KENNEDY,

Acting Chief Veterinary Officer.

GOVERNMENT NOTICE No. 267.

S. 35/33/2

THE EAST AFRICA TOWNSHIPS
ORDINANCE, 1903.

RULES.

IN EXERCISE of the powers conferred upon him by the East Africa Townships Ordinance, 1903, His Excellency the Governor has been pleased to make the following Rules.

1. These Rules shall be cited as "The Nairobi Township Rules, 1920," and shall be read together with the Nairobi Township Rules of 1917, (hereinafter called "the Principal Rules").

2. Clause (7) of the Rule 4 of the Nairobi Township Rules of 1917 is hereby repealed and the following clause is substituted therefor:—

(7) "Commercial area" shall mean that part of the township bounded by a line running as follows, viz:—From Ainsworth Bridge in an Easterly direction along the Nairobi River as far as Swamp Road; thence along the centre line of Swamp Road to its junction with Ngara Road; thence along the centre line of Ngara Road to the South-most point of the Protectorate subordinate quarters; thence at right angles to Ngara Road in a North-easterly direction to the road forming the North-eastern boundary of the Protectorate sub-

ordinate quarters; thence along the centre line of the Quarry Road and the extension of Quarry Road in a South-easterly direction to the Township boundary; thence along the Township boundary to its South-east extremity; thence along the said boundary in a South-westerly direction to the Western Irrigation Channel; thence along the said Channel North-westward to Whitehouse Road Bridge; thence in an East by North-easterly direction along the centre line of Whitehouse Road to the point where it crosses the Uganda Railway line; thence in a North-westerly direction along the North-eastern side of the Railway to the point where the Road leading in a Northerly direction between Plots 343 and 1015 bifurcates; thence across the Railway following the North-western and Northern boundaries of Plot 342 as far as Clement Road; thence along the centre line of Clement Road as far as the bridge across the Gara River, and thence along the said Gara River back to Ainsworth Bridge; all as the said area is delineated and shown within a red line upon the general plan of the town deposited in the office of the Town Clerk and signed by him as relative to these Rules.

By command of His Excellency the Governor.
Nairobi,

This 4th day of August, 1920.

C. E. SPENCER,
for Chief Secretary.

GOVERNMENT NOTICE No. 268.

THE INDIAN PETROLEUM ACT, 1899.

RULES.

IN EXERCISE of the powers conferred upon him by the Indian Petroleum Act, 1899, as applied to the Protectorate, His Excellency the Governor-in-Council has been pleased to make the following Rules:—

Short title.

1. These Rules may be cited as “The Petroleum Import Rules, 1920.”

Interpretation.

2. In these Rules—

The Act.

(1) “The Act” means the Indian Petroleum Act, 1899, as applied to the Protectorate.

Petroleum declared dangerous.

(2) “Petroleum declared dangerous” means petroleum which the master of a ship has declared under Rule 5 to be dangerous petroleum;

Certificated petroleum.

(3) “Certificated petroleum” means petroleum certified to be non-dangerous petroleum by a certificate of such description as the Governor-in-Council, from time to time, may prescribe, has been granted, at the port of shipment;

Uncertificated petroleum.

(4) “Uncertificated petroleum” means petroleum which is neither petroleum declared dangerous nor certificated petroleum;

Petroleum reported dangerous and petroleum reported not dangerous.

(5) “Petroleum reported dangerous” and “petroleum reported not dangerous” means petroleum which the Testing Officer has certified in a report under Rule 23 to be, respectively, dangerous or not dangerous;

Chief Customs Officer.

(6) “The Chief Customs Officer” means the Chief Executive Officer of Customs for any port to which these rules apply;

Testing Officer.

(7) “The Testing Officer” means the Testing Officer appointed by the Governor-in-Council under Section 10 of the Act: and

Words and expression defined in the Petroleum Act.

(8) Words and expressions defined in the Act have the same meanings as in the Act.

Importation from Foreign Ports.

3. Petroleum from any port beyond the limits of the Protectorate may be imported at any port of the Protectorate approved by the Governor for the purpose.

Petroleum from Ports in the Protectorate.

4. Petroleum from any port in the Protectorate approved in Rule 3 may be imported into any other port of the Protectorate subject as to dangerous petroleum to the provisions of Sections 5 and 6 of the Act.

Provided as follows, namely,—

(a) If such petroleum be dangerous petroleum it shall be subject to the provisions of Sections 5 and 6 of the Act.

(b) If such petroleum be not dangerous it must have been so certified at the port of shipment by an authorised authority or by a Testing Officer appointed by the Governor under Section 10 of the Act and the words “not dangerous” must be noted on the shipping bill and on the export manifest.

Declaration to be made by Master of ship carrying Petroleum or by ship's Agent.

5. Except as is hereinafter otherwise provided the master of every ship, carrying petroleum, shall deliver to the Port Captain or where there is no Port Captain, to the Chief Customs Officer, on entering the port, a written declaration under his signature stating:—

(a) What quantity of petroleum the ship is carrying;

(b) Whether any, and if so, what part of it is dangerous petroleum;

(c) Whether any, and if so, what part of it is certificated petroleum; and

(d) Whether any, and if so, what part of it is oil intended exclusively for lubricating purposes and having a flashing point above 150 degrees of Fahrenheit's thermometer;

Provided that, if, in anticipation of a ship's arrival, the agent of such ship delivers to the Port Captain a written declaration as aforesaid under his signature, no such declaration shall be necessary by the master of the ship.

If the master or agent declares that any petroleum is certificated petroleum, he shall deliver to the Port Captain, along with his declaration, the certificate relating to such petroleum.

Every such certificate and declaration delivered and all certificates to the Port Captain shall, with all convenient despatch be forwarded by him to the Chief or other proper officer of Customs.

When a ship carrying petroleum may anchor at ordinary anchorage.

6. A ship may proceed to the usual anchorage in the port and there discharge the petroleum.

(a) If it is petroleum which has been certified not to be dangerous under Section 10 of the Act, and is a part of general cargo, and the quantity does not exceed five thousand gallons;

(b) Or, if it is certified petroleum not exceeding five thousand gallons in quantity, and the master produces the certificate to the Port office;

(c) Or, if it is petroleum which is ordinarily used for lubricating purposes and which has a flashing point above 150 degrees of Fahrenheit's thermometer;

Provided that the officer whose duty it is under Rule 20 to select samples of petroleum on board may if instructed to do so at any time take a sample of any such petroleum or oil for the purpose of having it tested.

When a ship carrying petroleum must anchor at a special anchorage.

7. Every other ship having petroleum on board shall be anchored at such anchorage as the Port Captain shall appoint in this behalf, and shall not leave such anchorage until such petroleum has been discharged.

Petroleum only to be landed at appointed landing places.

8. Petroleum shall be landed only at such landing places as shall be prescribed by the Chief of Customs.

Petroleum referred to in Rule 7 not to be landed until it has been tested.

9. Except as is otherwise provided in Rules 10 and 11, no petroleum on board any ship referred to in Rule 7 shall be landed until the Testing Officer's report in respect thereof has been received in the office of the Chief of Customs, should it be deemed necessary to test the consignment.

Exception in respect of petroleum declared dangerous which is not in excess of forty gallons or is covered by an Import Licence.

10. (a) If the quantity of petroleum declared dangerous on board a ship does not exceed forty gallons and there is no other petroleum on board or the aggregate quantity of petroleum on board, including petroleum declared dangerous, does not exceed forty gallons the said petroleum may be forthwith landed.

(b) If the quantity of petroleum declared dangerous exceeds forty gallons or if it does not exceed forty gallons but the aggregate quantity of petroleum on board exceeds the amount, the whole or any portion thereof may be at once landed, if the whole amount of the petroleum on board is covered by an import licence under Section 5 of the Act, provided that dangerous petroleum so imported shall be stored only in such premises as fulfil the conditions specified in Rule 4 of the Petroleum Possession and Transport Rules, 1920.

Exception in respect of certificated petroleum exceeding five thousand gallons.

11. The Chief or other proper officer of Customs may, if it has been deemed necessary to call for Testing Officer's report, allow the consignee of any certificated petroleum exceeding five thousand gallons in quantity to discharge the same into boats or to land it before such report has been received.

Such permission shall be subject to the condition that the boats into which the petroleum is discharged shall remain at such place as may be directed by the Chief or other proper officer of Customs, or that the petroleum shall be landed at a landing place prescribed under Rule 8, and be stored in a public warehouse built according to any Rules in force for the storage of petroleum and set apart for the storage of certificated petroleum which has been reported not dangerous, or within such limits as may be approved for purpose by the Chief of Customs.

Before removal to such warehouse the petroleum must be entered inwards and duty paid under the Customs Ordinance.

Testing Officer's report to be final as to the nature of the petroleum tested.

12. If it has been deemed necessary to call for a Testing Officer's report the petroleum to which the same relates shall be deemed to be dangerous or not dangerous in accordance with the said report; and any petroleum reported dangerous which has not been so declared shall at once be subject to the provisions relating to dangerous petroleum.

Landing of petroleum reported not dangerous.

13. Petroleum reported not dangerous may be landed forthwith.

Dangerous petroleum in excess of forty gallons.

14. If the petroleum reported dangerous together with the petroleum declared dangerous if any, exceeds forty gallons in quantity and the same has not been already landed under the provisions of Rule 10 (b) no part of it shall be landed without production of an Import Licence under Section 5 of the Act covering the whole amount thereof.

Import Licences how obtainable.

15. Applications for import licences under the said section shall be submitted to the Chief of Customs.

If the application is granted a licence signed by the Chief of Customs will be forwarded to the applicant.

Petroleum to be landed, etc., only in the day time.

16. Petroleum shall not be discharged, landed or transhipped at any time between sunset and sunrise. Provided that in cases of urgency and where electric light is exclusively used night working may be permitted by the Chief of Customs under such conditions as he may specify in writing.

Smoking and fire, etc., on Cargo-boats prohibited.

17. Smoking or the use of any fire or light on any boat which is being used for landing or transhipping, petroleum, or inside any installation or storage shed is prohibited.

Petroleum not to be stacked on or near landing places.

18. (1) Petroleum shall not be stacked on or near any landing place, but shall be removed with the least possible delay to its proper destination.

All operations within installation or storage shed shall be conducted under the control of a responsible supervisor or agent.

The ground in the interior of an installation shall be kept clean and free from goods of a combustible nature, vegetation or rubbish.

A supply of sand or dry earth shall always be kept in an installation for the purpose of extinguishing fire.

2. When petroleum is imported in bulk its removal shall be effected between sunrise and sunset, either directly from the ship to the shore, by means of a hose or wrought-iron pipe, or in barges duly certified as under Rule 13 (b) of the Petroleum Possession and Transport Rules, 1920.

Petroleum so landed unless in portable tanks, or in portable receptacles, shall be pumped into storage tanks, and when the ship or barge has finished discharging, the pipes shall immediately be emptied by means of a supplementary pump on shore. Provided that if the ship or barge has not finished discharging at sunset, arrangements shall be made by means of a valve for preventing the escape of any of the oil left in the pipe. And provided that in cases where of urgency and electric light is exclusively used the Chief of Customs may permit the removal of petroleum in bulk during such other hours and under such conditions as he may specify in writing.

19. Any Police Officer may enter any boat or premises used for the storage of petroleum in order to see that the conditions of Rules 16, 17 and 18 are being duly complied with and in general it shall be the duty of all Police Officers to see that the foregoing regulations are duly enforced.

Transhipment of petroleum.

20. Subject to the conditions of Rules 16 and 17, the transhipment of certificated petroleum or of petroleum which has been certified not to be dangerous under Section 10 of the Act, for any other port shall not be subject to any restriction other than what is imposed by any rules under the Customs Ordinance.

Selection of samples.

21. When a ship is brought to anchor at the anchorage appointed under Rule, 7, any Customs Officer acting under the orders of the Chief of Customs may proceed on board and select, samples of every variety of petroleum other than petroleum declared dangerous.

Delivery of samples by Master.

The Master shall deliver to the said officer without charge such samples as he shall select.

The said officer shall forthwith seal each sample so obtained and affix to each the name of the ship, the name of the consignee of the petroleum and such other particulars or distinguishing marks as he thinks fit, and forward them to the Testing Officer for report.

Number of samples to be selected.

22. The number of samples to be selected of each brand or quality contained in the cargo shall be as follows:—

(1) CERTIFICATED PETROLEUM.

(a) *In cases.*

One sample of every 15,000 cases, or fraction of 15,000 cases.

(b) (1) *In bulk or in tanks, or*

(2) *In hogsheads, casks or drums and declared to be of uniform quality.*

One sample of every 120,000 gallons, or part of 120,000 gallons, whether contained in a single compartment or tank, or in a number of compartments, tanks, hogsheads, casks, or drums forming a single consignment of the same brand or quality.

(2) UNCERTIFICATED PETROLEUM.

(a) *In cases.*

One sample for every 10,000 cases or fraction of 10,000 cases.

(b) (1) *In bulk or in tanks, or*

(2) *In hogsheads, casks or drums and declared to be of uniform quality.*

One sample for every 80,000 gallons, or part of 80,000 gallons whether contained in a single compartment or tank, or in number of compartments, tanks, hogsheads, casks, or drums forming a single consignment of the same brand or quality. In taking a sample from tanks the sample should be taken from the centre of the tank as nearly as possible.

Report by Testing Officer.

23. The Testing Officer on completing his tests, shall, as soon as practicable and ordinarily within twenty-four hours after the receipt of the samples, sign a report certifying to the Chief of Customs that the samples are, or are not dangerous petroleum.

Averaging results of tests.

24. If more than one sample of any one brand or quality forming the cargo or a portion of the cargo of a ship is sent to the Testing Officer for report that officer shall test each sample separately and strike an average of the results of testing the several samples. If the average flashing point is not lower than 73 degrees of Fahrenheit's thermometer and no one test gives a flashing point below 70 degrees of that thermometer, the whole of the petroleum represented by the samples shall be reported as not dangerous.

Procedure when tests show dangerous want of uniformity.

25. When the results of the testing of samples raise a doubt as to the uniformity of the quality of the petroleum in any consignment stated to be of one uniform quality, the Testing Officer, if he considers that further tests are necessary shall so inform the Chief of Customs.

When the consignment is imported in cases, the Chief of Customs shall cause such petroleum to be landed and stacked in lots of one thousand cases each or to be discharged into boats and the officer appointed under Rule 20 shall select and deliver to the Testing Officer one sample from each lot. The result of the testing of each of these samples shall determine the quality of the lot which such sample represents.

When the consignment is imported in bulk, and the Testing Officer considers a further test necessary, the Chief of Customs shall forward a second sample after the petroleum has been pumped into the storage tank.

Should the report of the second sample prove unsatisfactory, the Chief of Customs shall treat as dangerous the whole contents of such tank.

*Control of lighters
containing petroleum.*

27. (a) No petroleum in excess of 20 gallons shall be loaded into wooden lighters or boats.

(b) No lighter containing petroleum shall be loaded above the hatches or coamings.

Every open lighter containing petroleum shall between the completion of the loading and the commencement of the discharge, be properly covered by tarpauling duly secured, and covered lights containing petroleum shall have the covers or hatches securely battened down between such times.

(c) If the loading or discharge of a lighter containing petroleum is not completed by 6.0. p.m., such lighters shall forthwith be moved in such position as the Port Captain may direct and any further directions given by the Port Captain shall be duly observed.

(d) Provided that the Port Captain may issue general directions specifying the place at which and the conditions under which lighters containing petroleum may be moved between the hours of 6.0 p.m., and 6.0. a.m.

(e) No lighter containing petroleum shall contain any other cargo.

(f) No petroleum shall be loaded in or discharged from any lighter between the hours of 6.0 p.m., and 6.0. a.m., and subject to the provisions of Section (c) no lighter containing petroleum shall be moved between the hours of 6.0. p.m., and 6.0. a.m., without a written permit from the Port Captain. Such permit shall specify the place to which the lighter may be moved.

Fees.

27. The following fees shall be charged for sampling and testing petroleum:—

(1) Under Rules 21 and 24—

For each sample selected—one rupee;

For each sample tested—one rupee;

*Petroleum comprised in
ship's stores in reasonable
quantity not subject to
these Rules.*

28. Nothing in these Rules applies to petroleum other than dangerous petroleum comprised in a ship's stores and manifested as such, if the quantity thereof is not, in the opinion of the Chief of Customs unreasonably large.

If, in the opinion of the said officer, the quantity of petroleum is unreasonably large, the provisions of these Rules shall be applicable to the excess over and above the quantity which he deems reasonable.

Note.—For rates of rent on petroleum stored in a public warehouse see the Customs General Management Order.

No.....of.....

29. Under Section 22 of the Act the above Rules shall apply to Classes I, Divisions A. and B., of inflammable liquids specified in the Uganda Railway Rules and Regulations for securing the safe transport of Explosives and other dangerous goods enforced in 1911.

By order of His Excellency the Governor-in-Council.

Nairobi,

Dated this 31st day of July, 1920.

H. MALPASS,

Clerk to the Executive Council.

GOVERNMENT NOTICE No. 269.

THE INDIAN PETROLEUM ACT, 1899.

RULES.

IN EXERCISE of the powers conferred on him by the Indian Petroleum Act, 1899, as applied to the Protectorate, His Excellency the Governor-in-Council has been pleased to make the following Rules:—

1. These Rules may be cited as "The Petroleum Possession and Transport Rules, 1920."

Interpretation.

The Act.

In these Rules:—

(1) "The Act" means the Indian Petroleum Act, 1899.

Words and expressions

*defined in the
Petroleum Act.*

(2) Words and expressions defined in the Act have the same meaning as in the Act.

Petroleum in bulk.

(3) "Petroleum in bulk" means petroleum in any vessel or receptacle having the capacity of five hundred gallons and upwards.

Local extent.

2. These Rules shall extend to such portions of the Protectorate, as shall be notified from time to time by the Governor-in-Council.

3. A maximum of 40 gallons of dangerous petroleum may be kept on unlicensed premises provided that a permit is obtained from the Provincial Commissioner and that the applicant is the licensed owner of a motor car, motor cycle or an engine for which dangerous petroleum is required for motor power. Such permit shall be deemed to be a licence under Section 6 of the Act.

*Licences for possession not
to be granted unless the
premises on which petroleum
is to be stored fulfil certain
conditions.*

4. Licences for keeping petroleum exceeding eighty gallons in quantity or dangerous petroleum exceeding 40 gallons shall ordinarily be granted only when the premises intended to be used for the storage of such petroleum are separated by a clear open space of not less than twenty feet on every side from any other building, and when they also fulfil the following conditions, namely:—

(a) In any Municipality or Township the building in which the petroleum is to be stored shall be constructed of masonry with terraced or iron roof, and with tiled paved or earthen floors, and the doorways and openings of the building shall be built up to a height of not less than two feet above the level of the road or street or where the floor is sunk shall be at least two feet below the level of the road or street, so that petroleum cannot flow out of the building in the event of fire;

(b) Outside any Municipality or Township the building in which the petroleum is to be stored shall conform to the conditions specified in Clause (a) or in default thereof shall be built of brick or earth and no inflammable material shall be used in the construction of any portion thereof except the doors or windows; and such building shall be surrounded by a wall or earthen embankment not less than four feet high with a trench between

such wall or embankment and the building, close to and completely surrounding the building and of sufficient capacity to hold all the petroleum stored and to prevent its escape beyond the limits of the trench in the event of fire;

Provided that the Provincial Commissioner, with the approval of the Governor, may, for special reasons to be recorded by him in writing before granting of such licence dispense with any or all of the said conditions.

Licences for possession in place specially prepared for the storage of petroleum in bulk.

5. Notwithstanding anything in Rule 3, the Provincial Commissioner may, in his discretion and subject to such conditions as he may prescribe, grant a licence for the possession of any stated quantity of petroleum in a place specially prepared and approved of by the Governor or a Municipal or local authority for the storage of petroleum in bulk in accordance with plans and specifications approved by the Director of Public Works. The capacity in gallons shall be conspicuously marked on every storage tank or other receptacle in such place.

Special provisions as regards places for storage of petroleum in bulk.

6. Any tank or receptacle for the storage of petroleum in bulk that may be erected, with the written consent of the Director of Public Works and in accordance with plans and specifications approved by him, shall be deemed to be a place in respect of which a licence for the possession of petroleum has been granted under these Rules.

Petroleum in bulk to be landed at wharves notified under Customs Ordinance.

7. Petroleum in bulk shall be landed at such wharves only as may be notified in the "Official Gazette" as landing places for non-dangerous petroleum under the provisions of the Customs Ordinance, 1910.

Premises in respect of which licence for keeping petroleum has been granted to be subject to inspection.

8. The licensing officer or any officer deputed by him for the purpose or any police officer of or above the rank of Inspector may enter any premises in respect of which a licence for the possession of petroleum has been granted for the purpose of inspecting the same at any time between sunrise and sunset.

Licensee must be afforded facilities for examination and, if required, give samples of his petroleum.

9. The licensing officer or any officer deputed by him for the purpose or any police officer as aforesaid may, on such entry, require any Licensee to show him any of the vessels in which any of the petroleum in his possession is stored or contained, to give him such assistance as he may require for examining the same and to deliver to him a sample from any vessel which he indicates for this purpose on payment of the value of such sample.

The procedure prescribed in Section 13 of the Act shall be followed in respect of the testing of any sample so obtained in like manner as if the Licensee were a dealer in petroleum.

Transport in bulk of dangerous petroleum prohibited.

10. (1) The transport of dangerous petroleum in bulk is absolutely prohibited.

Special licence necessary for transport of dangerous petroleum.

(2) Except as provided in Section 6 of the Act, no dangerous petroleum shall be transported without a special licence.

11. For the transport of petroleum other than dangerous in quantities exceeding 500 gallons licences, either general or special, may be granted.

Licences for transport of petroleum, whether dangerous or not, otherwise than in bulk.

12. Licences for the transport of petroleum whether dangerous or not, otherwise than in bulk shall be granted only if the petroleum to be transported is packed in air-tight tins or other vessels not easily broken, or is contained in bottles securely stopped and carefully packed so as avoid risk of breakage.

Licences for transport in bulk.

13. Licences may be granted for the transport in bulk of petroleum other than dangerous petroleum.

(a) By rail, if the petroleum is contained in tank-wagons or portable tanks approved by the Railway Administration over whose line it is intended to transport it,

(b) By steamer or barge, if the vessel is certified to be fit for the service by the Port Captain,

Arrangements for freeing from gas.

(c) By carts, if the carts are certified to be fit for such transport by the licensing officer or any person he may appoint in this behalf, and if such arrangements as may be approved by him have been made for freeing from gas any tanks, railway wagons, steamers, barges and carts in which petroleum has been stored or carried in bulk.

General licences.

14. (a) General licences for a period of twelve months may be issued for the transport of petroleum, other than dangerous, by rail by road, or by water. Such licences shall authorise the holders to transport any petroleum being their own property without restriction as to destination or quantity.

Passes.

(b) The holder of general licence with each consignment of petroleum conveyed under cover thereof shall issue a pass in Form G. appended to these Rules, which shall specify the places from and to which the petroleum is to be conveyed and the quantity of petroleum covered by the pass. Each pass shall be numbered and the number of the general licence shall be legibly marked on a conspicuous part of the rear case on the cart or in some other conspicuous manner.

Special licences how long to be in force.

15. (1) Special licences for the transport of petroleum shall, unless earlier revoked by competent authority, be in force for such period not exceeding six months from the date of the grant thereof as shall be fixed by the licensing officer.

And what to contain.

(2) Every special licence for the transport of petroleum shall specify the places from and to which the petroleum is to be conveyed, the quantity of petroleum covered by the licence and the period for which the licence is in force.

Duty of Police to inspect petroleum in transit.

16. It shall be the duty of all police officers to see that petroleum which is being transported under a licence is conveyed only in the manner prescribed in the last preceeding rule and by such route as is specified in the licence and in general to see that the foregoing rules are properly enforced and any such officer may stop and inspect any petroleum in transit and if necessary require the person in charge of the same to comply with these rules or with any of the conditions of the transport licence.

Licence for possession or transport how to be obtained.

17. All applications for licences to keep or transport dangerous or other petroleum shall be submitted to the Provincial Commissioner.

If the application is granted, the licence signed by the Provincial Commissioner will be forwarded to the applicant.

Applications for licences how to be made.

18. (1) Applications for licences for keeping or transporting petroleum shall be in writing.

(2) Application for licences for keeping petroleum shall specify:—

(a) The description and quantity of petroleum which the applicant desires to keep;

(b) The name and position of the premises in which it is proposed to keep the petroleum, and whether the said premises fulfil conditions required by Rule 3;

(c) The purpose for which the applicant desires to keep the petroleum;

(d) The total amount of petroleum (in case a previous licence has been granted) to be kept in the same premises.

(3) Applications for licences for transporting petroleum shall specify:—

(a) The description and quantity of petroleum to be transported;

(b) The places from and to which the petroleum is to be transported;

(c) The route and means by which the petroleum is to be conveyed and if by rail, whether it is proposed to convey it by tank-wagon or by portable tanks approved by the Railway Administration over whose line the transport is intended, in which case a certificate of such approval shall be attached to the application;

(d) The kind of vessels in which the petroleum is to be contained.

(4) In the case of applications for licences for the possession or transport of dangerous petroleum under Section 5 of the Act, the application shall also declare,

(a) The purpose for which the applicant believes that the petroleum will be used;

(b) That petroleum other than dangerous petroleum cannot be used for such purpose.

Quantity for which licence may be granted.

19. In dealing with any application under Section 6 or Section 11 of the Act, the licensing

officer may, in his discretion, grant a licence for the possession or transport of such quantity of petroleum as he thinks fit.

Period for which licences are to be in force.

20. Every licence for the possession of petroleum shall be in force for one year from the date of the grant thereof.

Applications for renewal of licences how to be made.

21. Every application for the renewal of a licence for the possession of petroleum shall be made in the same manner as an application for original licence. Every such application shall be made not less than fifteen days before the day on which the original licence expires.

Amounts of fees to be charged.

22. The following fees shall be charged for licences to keep or transport petroleum, whether original or renewed, namely:—

	Rs.
(1) Licence for keeping dangerous petroleum exceeding forty gallons in quantity; for every forty gallons or fraction of forty gallons	5
(2) Licence for transport of ditto; for every forty gallons or fraction of forty gallons ...	1
(3) Licence for keeping petroleum (other than dangerous petroleum)	
(a) When the quantity to be stored exceeds five hundred but does not exceed one thousand gallons ...	12
(b) When the quantity to be stored exceeds one thousand gallons but does not exceed five thousand, extra for each one thousand gallons or part of one thousand gallons; in excess of one thousand gallons	2
(c) When the quantity to be stored exceeds five thousand gallons, extra for every (additional) one thousand gallons or part of one thousand gallons in excess of five thousand gallons	4
(4) Licence for the transport of petroleum (other than dangerous petroleum)	
When the quantity exceeds five hundred but does not exceed five thousand gallons	1
For every additional five thousand gallons or part of five thousand gallons ...	1
(5) General licence for the transport of petroleum by rail, by road or by water for 12 months	100

Forms and conditions of licences to be as per schedule.

23. Licences granted under these rules shall be in the form and shall have inserted in them the conditions respectively prescribed in schedule hereto.

When licences may be revoked by Government or by officer who granted them.

24. Every licence granted under these rules may at any time be revoked by the Governor or by the officer who granted it, or his successor on its being

established to the satisfaction of the Governor-in-Council or of such officer that the Licensee or any person in his employ has infringed any of its conditions or any provision of these rules or the Act.

By order of His Excellency the Governor-in-Council.

Nairobi,

Dated this 31st day of July, 1920.

H. MALPASS,

Clerk to the Executive Council.

GOVERNMENT NOTICE No. 270.

PETROLEUM POSSESSION AND TRANSPORT RULES, 1920.

SCHEDULE OF FORMS.

FORM A.

Licence to possess dangerous petroleum to be granted under the Indian Petroleum Act (VIII) of 1899.

No. Fee, Rs.

Licence is hereby granted to for the storage in the place described below, of gallons of dangerous petroleum, subject to the Petroleum Possession and Transport Rules, 1920, and to the conditions prescribed on the reverse.

This licence shall continue in force for one year from the date thereof, and may be renewed on application being made for this purpose not less than fifteen days previous to the expiry of the said year.

Description of premises above referred to:—

(Signed.)

ENDORSEMENT ON FORM A.

CONDITIONS.

This licence is granted subject to the following conditions:—

1. No goods of a combustible nature shall be stored in the premises in respect of which this licence is granted.

2. Every case (or tin, etc.) in which the petroleum is contained must bear a label as required by Section 7 of the Act.

3. No vessel containing petroleum shall be opened and no oil shall be drawn from any vessel within the building in which the petroleum is stored.

4. No smoking, fire or light of any kind shall be permitted at any time within the said building.

5. If the licencing officer, requires the holder of this licence, by notice in writing, to execute any repairs which may, in the opinion of such officer, be necessary for the safety of the premises in respect of which this licence is granted, the holder of this licence shall execute the same within such period, not being less than one week from the date of the receipt of the notice, as may be fixed by the notice.

6. The licence-holder shall not deliver any quantity of the petroleum covered by this licence exceeding three gallons to any person who does not hold a licence to possess the same under Section 5 or 6 of the Act. If he delivers any quantity thereof not exceeding four gallons to any person, he shall observe the provisions of the proviso to Section 6 of the Act, as to the vessels in which such petroleum must be contained.

FORM B.

Special licence to transport dangerous petroleum to be granted under the Indian Petroleum Act, (VIII) of 1899.

No. Fee, Rs.

Licence is hereby given to of to transport cases (or tins, etc., as the case may be) containing in all gallons of dangerous petroleum from to subject to the Petroleum Possession and Transport Rules, 1920, and to the conditions prescribed on the reverse, by the following route, namely:—

The amount of petroleum in each case (or tin, etc.) is stated below:—

This licence shall continue in force only till the day of 19

(Signed.)

ENDORSEMENT ON FORM B.

CONDITIONS.

This licence is granted subject to the following conditions:—

1. The petroleum shall be contained in vessels labelled in accordance with Section 7 of the Act.

2. The petroleum shall be carried (here describe mode or modes of conveyance).

3. When the petroleum is carried by steamer, it shall be stowed in such part of the steamer and in such manner as may be approved by the licencing officer or any officer appointed by him in writing in this behalf.

4. When the petroleum is carried by rail it shall be subject to all the regulations which may from time to time be prescribed generally or specially in that behalf by the Railway authorities of the line or lines over which it may be conveyed.

5. When the petroleum is being carried by boat, no smoking, fire light of any description shall be allowed in the boat so long as it is within the limits of any port in the Protectorate. The boat containing the petroleum shall also, from sunrise to sunset show at its stern a red flag eighteen inches long and twelve inches broad, having the words "Petroleum Boat" marked on it in black letters.

6. When the petroleum is carried by cart, the cart conveying the petroleum shall not move after sunset or before sunrise, or carry any light.

7. The licence-holder is prohibited from delivering any quantity exceeding four gallons to any one who has not a licence under Section 5 or 6 of the Act, or any less quantity of petroleum, except in accordance with the conditions of the proviso to Section 6 of the Act as to the vessels in which the petroleum must be contained.

FORM C.

Licence to possess petroleum, other than dangerous petroleum, to be granted under the Indian Petroleum Act, (VIII) of 1899.

No. Fee, Rs.

Licence is hereby granted to for the storage in the premises described below of gallons of petroleum which is not dangerous petroleum, subject to the Petroleum Import Rules, 1920, and to the conditions prescribed on the reverse.

This licence shall continue in force only till the day of 19

Description of the premises above referred to:—

Provincial Commissioner.

The

19

ENDORSEMENT ON FORM C.

CONDITIONS.

This licence is granted subject to the following conditions:—

1. No goods of a combustible nature shall be stored in the premises in respect of which this licence is granted.

2. No vessel containing petroleum shall be opened and no oil shall be drawn from any vessel within the building in which the petroleum is stored.

3. No smoking, fire or light in any form shall be permitted at any time within such building.

4. If the licencing officer requires the holder of this licence, by notice in writing, to execute any repairs which may, in the opinion of such officer, be necessary for the safety of the premises in respect of which this licence is granted, the holder of this licence shall execute the same within such period, not being less than one week from the date of the receipt of the notice, as may be fixed by the notice.

FORM D.

Licence to possess petroleum in bulk, other than dangerous petroleum to be granted under the Indian Petroleum Act, (VIII) of 1899.

No. Fee, Rs.

Licence is hereby granted to
for the storage in the place described below, of
gallons of petroleum subject to the rules and conditions prescribed on the reverse.

Description of the place above referred to:—

Provincial Commissioner.

The 19 .

ENDORSEMENT ON FORM D.

RULES.

Conditions.

(Here enter such conditions as to plans and specifications as the Local Government has prescribed under Rule 4 of the Petroleum Possession and Transport Rules made under Section 9).

FORM E.

Special licence to transport petroleum whether dangerous or not under the Indian Petroleum Act, (VIII) of 1899.

No. Fee, Rs.

Licence is hereby granted to
to transport from to ,
cases containing† gallons of petroleum,
subject to the Petroleum Import Rules, 1920, and to
the conditions prescribed on the reverse.

This licence shall continue in force till the
day of 19 .

Dated 19 .

Provincial Commissioner.

†Omit these words when petroleum is to be transported
in bulk.

ENDORSEMENT ON FORM E.

RULES.

Conditions.

This licence is granted subject to the following conditions:—

WHEN CONVEYED BY STEAMER.

1. The petroleum shall be stowed in such part of the steamer and in such manner as may be approved by the licencing officer or any officer appointed by him in writing in this behalf.

WHEN CONVEYED BY BOAT.

2. No smoking, fire or light of any description shall be allowed in the boat in which the petroleum is being carried, while such boat is within the limits of any port in the Protectorate.

3. The boat conveying the petroleum shall also, from sunrise to sunset, show at its stern a red flag eighteen inches and twelve inches broad, having the words "Petroleum Boat" marked on it in black letters.

WHEN CONVEYED BY CART.

4. The carts conveying the petroleum shall not move after sunset or before sunrise, or carry any light.

WHEN CONVEYED BY RAIL.

5. The petroleum shall be subject to all the regulations which may from time to time be prescribed generally or specially in that behalf by the Railway authorities of the line or lines over which it may be conveyed.

6. When this licence is granted for oil in bulk, the steamer, barge, cart or railway wagon in which the oil is transported must be duly certified as required in Rule 13 of the Petroleum Possession and Transport Rules, 1920.

7. When the licence is granted for petroleum otherwise than in bulk the petroleum must, as required in the said Rule 11, be packed in air-tight tins or other vessels not easily broken or be contained in bottles securely stopped and carefully packed so as to avoid risk of breakage.

GENERAL CONDITIONS.

8. This licence shall be valid only for the route specified on it and shall be produced to any railway or other carrying agency employed for the transport of the petroleum, and shall be returned to the licencing authority on the expiry of the terms for which the licence is valid.

FORM F.

General licence to transport in bulk (or otherwise than in bulk as the case may be) petroleum, other than dangerous petroleum to be granted under the Petroleum Act, (VIII) of 1899.

No. Fee, Rs. 100/-.

A general licence is hereby granted to
to transport petroleum, other than dangerous
petroleum, in bulk (or otherwise than in bulk, as
the case may be) within the Protectorate, subject to
the Petroleum Possession and Transport Rules,
1920, and to the conditions prescribed on the reverse.

This licence shall continue in force till the

Dated the day of 19 .

Provincial Commissioner.

ENDORSEMENT ON FORM F.

CONDITIONS.

WHEN CONVEYED BY STEAMER.

1. The petroleum shall be stored in such part of the steamer and in such manner as may be approved by the licencing officer or any officer appointed by him in writing in this behalf.

WHEN CONVEYED BY BOAT.

2. No smoking, fire or light shall be allowed in the boat in which the petroleum is being carried, while such boat is within the limits of any port in the Protectorate.

3. The boat conveying the petroleum shall, from sunrise to sunset, show at its stern a red flag eighteen inches long and twelve inches broad, having the words "Petroleum Boat" marked on it in black letters.

WHEN CONVEYED BY CART.

4. The carts conveying the petroleum shall not move after sunset or before sunrise, or carry any light.

WHEN CONVEYED BY RAIL.

5. The petroleum shall be subject to all the regulations which may from time to time be prescribed generally or specially in that behalf by the Railway authorities of the line or lines over which it may be conveyed.

6. The number of the licence shall be legibly marked on a conspicuous part of the last case on the cart, or in some other conspicuous manner.

GENERAL CONDITIONS.

7. When this licence is granted for oil in bulk, the steamer, barge, cart or railway wagon in which the oil is transported must be duly certified as required in Rule 13 of the Petroleum Possession and Transport Rules, 1920.

When the licence is granted for petroleum otherwise than in bulk, the petroleum must, as required in the said Rule No. 11, be packed in air-tight tins or other vessels not easily broken, or be contained in bottles securely stopped and carefully packed so as to avoid risk of breakage.

FORM G.

Pass to be granted by the holder of General Licence No. _____ for the transport in bulk (or otherwise than in bulk as the case may be) of petroleum, other than dangerous petroleum.

No.

This pass covers _____ cases containing† gallons of petroleum being the property of _____ while in transport from _____ to _____

Dated _____ 19 _____

Holder and General Licence No. _____

ENDORSEMENT ON FORM G.

WHEN CONVEYED BY STEAMER.

1. The petroleum shall be stowed in such part of the steamer and in such manner as may be approved by the licencing officer or any officer appointed by him in writing in this behalf.

WHEN CONVEYED BY BOAT.

2. No smoking, fire or light shall be allowed in the boat in which the petroleum is being carried, while such boat is within the limits of any port in the Protectorate. The boat conveying the petroleum shall, from sunrise to sunset, show at its stern a

†The words "cases containing" to be omitted when the petroleum is transported in bulk.

red flag eighteen inches long and twelve inches broad, bearing the words "Petroleum Boat" marked on it in black letters.

WHEN CONVEYED BY CART.

3. The carts conveying the petroleum shall not move after sunset or before sunrise, or carry any light.

WHEN CONVEYED BY RAIL.

4. The petroleum shall be subject to all the regulations which may from time to time be prescribed generally or specially in that behalf by the Railway authorities of the line or lines over which it may be conveyed.

GENERAL CONDITIONS.

5. The number of the general licence under which this petroleum is transported shall be legibly marked on a conspicuous part of the last case on the cart or in some other conspicuous manner.

6. When this licence is granted for oil in bulk, the steamer, barge, cart or railway wagon in which the oil is transferred must be duly certified as required in Rule 12 of the rules made under Section 9. When the licence is granted for petroleum otherwise than in bulk, the petroleum must, as required in the said Rule 11, be packed in air-tight tins or other vessels not easily broken, or be contained in bottles securely stopped and carefully packed so as to avoid risk of breakage.

PERMIT.

To Possess DANGEROUS PETROLEUM
UP TO 40 GALLONS.

Name of person to whom permit is issued.....

Address.....

Permission is hereby granted to..... of..... to store up to 40 gallons of dangerous petroleum on the premises occupied by him and specified above, he having declared hereon that he is the owner of a motor car/motor cycle/motor boat.

This permit is only issued on the conditions inscribed hereon and it is available for one year from date of issue and is not transferable.

Fee Re. 1/-.

Signed
Provincial Commissioner.

I the undersigned certify that I am the owner of
Motor Car No.....
Motor Cycle No.....
Motor Boat No.....or named.....

Signature.....

Note.—Dangerous petroleum shall not be stored in any room where cooking is carried on, or in any room where persons eat or sleep. No naked light to be taken into the room where dangerous petroleum is stored and no smoking to be allowed therein.

Infringement of these conditions may entail cancellation of this permit.

In cases of change of address this permit should be presented for endorsement.

The licence-holder shall not deliver any quantity of the petroleum covered by this licence exceeding three gallons to any person who does not hold a licence to possess the same under Section 5 or 6 of the Act. If he delivers any quantity thereof not exceeding three gallons to any person, he shall observe the provisions of the proviso to Section 6 of the Act as to the vessels in which such petroleum must be contained.

GOVERNMENT NOTICE No. 271.

THE COMMISSIONS OF INQUIRY
ORDINANCE, 1912.

A COMMISSION.

WHEREAS it has been represented to me that the laws relating to Crown Land in the Colony of Kenya require revision with a view to the enactment of additional provisions and the amendment of existing provisions. And whereas it appears expedient and for the common good that the investigation of the aforesaid laws should be entrusted to Commissioners. Now therefore, I, Edward Northey, Major-General of His Majesty's forces, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Governor of the Colony of Kenya, do by virtue of the powers conferred upon me by the Commissions of Inquiry Ordinance, 1912, by this my commission under my hand appoint:—

HON. H. T. MARTIN.

HON. A. HOLM.

HON. A. C. HOEY.

HON. BRIG.-GENERAL S. H. CHARRINGTON,
C.M.G., D.S.O.

B. G. ALLEN, Esq.

HON. R. B. COLE.

W. MACLELLAN WILSON, Esq.

J. C. COVERDALE, Esq.

CAPT. F. O. B. WILSON, D.S.O.

HON. V. V. PHADKE.

HON. I. L. O. GOWER.

O. F. WATKINS, Esq., C.B.E., D.S.O.

to be Commissioners.

To investigate and make recommendations as to—

1. The principles to govern the delimitation of Native, Forest, and other Government reservations of Crown Lands;
2. The methods of alienation of Crown Lands;
3. The conversion of Titles;
4. The Governor's right of veto;
5. The powers of officers administering the laws in relation to Crown Lands and the delegation of such powers;
6. Development conditions in leases or on alienation of Crown Lands;
7. Classification of rents;
8. The declaration of Stock routes and outspans;
9. The acquisition of land for public purposes;
10. All such other matters relating to the tenure of Crown Lands as in the course of their investigation of the foregoing particulars appear to the Commissioners to require revision or amendment.

And I do hereby direct that HON. H. T. MARTIN be Chairman of the Commission.

And I do hereby direct that six Commissioners of whom the Chairman shall be one shall form a quorum.

And I do hereby direct that HERBERT JOHN SNELGAR shall be Secretary to the Commission.

And I do hereby direct that the Commission shall sit at such time and in such place as the Chairman shall from time to time direct.

And I do hereby command all persons whom it may concern to take due notice hereof and to give their obedience accordingly.

Given under my hand at Nairobi this 6th day of August, 1920.

EDWARD NORTHEY,

Governor.

GOVERNMENT NOTICE No. 272.

THE MINING ORDINANCE, 1912.

NOTICE.

IN EXERCISE of the powers conferred upon me by the Mining Ordinance, 1912, Section 5 (h), I hereby declare the area more particularly described in the schedule annexed hereto to be exempt from the operation of the aforesaid Ordinance.

Nairobi,

The 10th day of August, 1920.

EDWARD NORTHEY,

Governor and
Commander-in-Chief.

SCHEDULE.

An area comprising approximately 20,000 square miles; and bounded as follows:—

Commencing at stone boundary pillar No. 67 on the border between the Colony of Kenya and Tanganyika Territory South of Lake Jipe; thence by a straight line North-east to Trigonometrical Point Vuria (2209) in the Bura Hills; thence by a straight line North to Trigonometrical Point 676 approximately 5 miles North of the junction of the Tsavo and Athi Rivers; thence by a straight line North-east to the point of intersection of Latitude 2° South and Longitude 39° East; thence by a straight line due North-east to a point on the Tana River which is intersected by a straight line drawn from the point of intersection of Latitude 2° South and Longitude 39° East to the point of intersection of Latitude 1° South and Longitude 40° East; thence by the West bank of the Tana River down-stream to the Coast; thence by high water mark along the coast to the boundary between the Colony of Kenya and Tanganyika Territory; thence by that boundary to the point of commencement; excepting and excluding the following areas:—

(a) Areas already granted under sole prospecting licences.

(b) Claims before the 8th July, 1920.

(c) Areas over which beneficial mineral rights are held by lease or otherwise, provided that such rights are recognised by the Government.

PROCLAMATION No. 98.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following Farm in the Naivasha Province, to be an infected area (Foot and Mouth Disease) for the purposes of the aforesaid Ordinance.

Farm No. 1802, Mr. J. J. Potgeiter, Uasin Gishu.

Given under my hand at Nairobi this 5th day of August, 1920.

W. KENNEDY,

Acting Chief Veterinary Officer.

PROCLAMATION No. 99

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following Farm in the Naivasha Province, to be an infected area (Heart-water) for the purposes of the aforesaid Ordinance.

Farm No. 426, Mr. T. Chillingworth, Naivasha.

Given under my hand at Nairobi this 6th day of August, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 100.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare that the following Proclamation be revoked.

Proclamation No. 66, dated the 10th day of June, 1920 [declaring an area in Nairobi to be an infected area (Contagious Bovine Pleuro-pneumonia)].

Given under my hand at Nairobi this 7th day of August, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 101.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following Farm in the Naivasha Province, to be an infected area (Rinderpest) for the purposes of the aforesaid Ordinance.

That portion of Farm No. 3640, Kipkarren Estate, situated to the North-east of the Kipkarren River, Uasin Gishu.

Given under my hand at Nairobi this 8th day of August, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 102.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following Farm in the Nyanza Province, to be an infected area (Contagious Bovine Pleuro-pneumonia) for the purposes of the aforesaid Ordinance.

Farm No. 394A, Mr. J. Cooke, Kibigori.

Given under my hand at Nairobi this 11th day of August, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

GOVERNMENT NOTICE No. 278.

S. 2135/2.

THE EAST AFRICA STATE RAILWAY
PROVIDENT FUND ORDINANCE,
1908.

RULES.

ISSUED by His Excellency the Governor with the approval of the Secretary of State under the provisions of the East Africa State Railway Provident Fund Ordinance, 1908.

Nairobi,

Dated this 14th day of August, 1920.

C. E. SPENCER,
for Chief Secretary.

1. Rule 1 of the Provident Fund Rules, dated the 1st day of June, 1914, (Government Notice No. 117) is hereby repealed and the following altered Rule is substituted therefor:—

"1. These Rules are applicable to "servants" as defined in Rule 3 (e) employed on State Railways of the East Africa Protectorate, including servants of the Uganda Railway who are employed in working the Magadi Railway."

2. Rule 8, as aforesaid, is hereby repealed and the following altered Rule is substituted therefor:—

"8. With effect from the 31st March in each year the deposit account of each servant shall be provisionally credited with a second bonus equal to one-half of the compulsory deposits made on his behalf during the second half year, and as soon as the Revenue Accounts of all State Railways of the East Africa and Uganda Protectorates are made up, with a third bonus not being less than one-quarter of the total compulsory deposits made on his behalf during the whole year with the exception that the third bonus shall be increased to 30% of the compulsory deposits for those depositors who were contributors to the fund prior to April 1st, 1912, provided that if the aggregate amount payable by way of a third bonus to all depositors including depositors under any rules similar to these rules and affecting servants of State Railways in the East Africa and Uganda Protectorates, at the rate of 25% and 30% as above stated is less than 1% of the total net earnings of all the said State Railways calculated before any contribution to the fund has been added to the Working Expenses, the third bonus may be increased so as not to exceed in all one-half of the compulsory deposits made on behalf of the depositor during the whole year, subject to the condition that the aggregate amount of the third bonus shall not exceed 1% of the total net earnings so calculated."

3. For "Railway" in Rule 19, as aforesaid, read "State Railway in the East Africa Protectorate or Uganda Protectorate."

4. For "Uganda State Railway" in Rule 36, as aforesaid, read "State Railways."

5. Rule 40 is hereby repealed and the following altered Rule is substituted therefor:—

"40. The books of all Provident Funds shall be kept in the office of the Chief Accountant, Uganda Railway, who may in his discretion treat all such funds as a single combined fund subject to provision being made for charging each railway with the proportion of bonuses payable to servants in respect of their employment thereon. The Chief Accountant shall be held directly responsible for the whole of the interest, calculation and other work connected with all Provident Funds, and the work will be subject to test audit by the Auditor."

6. For the words "The Provident Fund" in Rule 41, read "all Provident Funds."

GOVERNMENT NOTICE No. 279. S. 19758.

THE EAST AFRICA MARRIAGE
ORDINANCE, 1902.

IN EXERCISE of the powers conferred upon the Governor by the East Africa Marriage Ordinance, 1902, and all other powers thereunto enabling, I hereby order that the area known as the Trans-Nzoia District in the Naivasha Province, shall be a Marriage District for the purposes of the above Ordinance.

Nairobi,

The 10th day of August, 1920.

EDWARD NORTHEY,

Governor.

GOVERNMENT NOTICE No. 280.

THE COMMISSIONS OF INQUIRY
ORDINANCE, 1912.

A COMMISSION.

WHEREAS by Government Notice No. 202 of the 27th day of May, 1920, a Commission under the hand of the Acting Governor was appointed to investigate and record an opinion as to whether or not at the present time unreasonably high prices are being charged by traders, trading companies and other persons.

And whereas under Clause 2 of the said notice H. C. E. BARNES, Esq., C.B.E., was appointed Chairman of the Commission.

And whereas the said clause further directed that three members of the said Commission of whom the Chairman shall be one shall form a quorum.

And whereas the said Chairman is now by reason of illness disabled from attending the sittings of the Commission.

Now therefore, I, in pursuance of the powers conferred upon me by the Commissions of Inquiry Ordinance, 1912, and all other powers me thereunto enabling do direct that Clause 2 of the said notice shall be and is hereby amended by the deletion of the words "of whom the Chairman shall be one" from the said clause.

And I do hereby further direct that in the absence of the said Chairman, K. J. MUIR MACKENZIE, Esq., shall act as Chairman of the Commission and in the absence of the said Chairman and the said K. J. MUIR MACKENZIE such other member of the Commission as the members present at any session shall elect.

Given under my hand at Nairobi this 10th day of August, 1920.

EDWARD NORTHEY,

Governor.

GOVERNMENT NOTICE No. 281. S. 20961.

HIS Excellency the Governor has directed that the following Despatch be published for general information.

17th August, 1920.

C. E. SPENCER,
*for Chief Secretary.*Downing Street,
21st May, 1920.

Sir,

I have the honour to inform you that I have now had an opportunity of discussing personally with Major-General Sir Edward Northey and with Sir Robert Coryndon the various questions affecting the Indian Community in British East Africa, which have formed the subject of correspondence with yourself and the India Office and the Indians Overseas Association; and before arriving at a decision

on these questions, I had the advantage of receiving a deputation which was introduced to me on the 19th of April by Lord Islington and which included Indian representatives sent from East Africa.

2. I have given very careful consideration to these important questions, as I was desirous of securing, if practicable, an adjustment of the existing situation, which clearly tends to create discontent in a section of the community in British East Africa. I do not propose, however, to review the situation at length, as you are fully aware of the position; and it will suffice if I comment briefly on the main points which have been raised and on which a decision is required.

3. The Indian community would wish to have equal rights with the European settlers in regard to representation in the Legislative Council of the Protectorate, that is to say, that their representatives on the Council should be elected instead of nominated and that the method of election should be the same as that recently introduced for European representatives. Lord Islington, in introducing the deputation to which I have referred, stated that he realised that a solution of the present difficulties could not be found in granting the franchise to Indians in the Protectorate generally on the same basis as to the Europeans. I fully share this opinion and I have hitherto held the view that having regard to the very small number of the Indian community who can be regarded as qualified to exercise a franchise the time has not yet come for basing the representation of Indians in the Protectorate on the elective principle. I am, however, impressed by the representations which have been made to me both by the Indian representatives from East Africa and by the Secretary of State for India as to the importance which is attached by the Indians to the election of their members. I have therefore decided that arrangements shall be made for the election of two Indian members of the Legislative Council on a special franchise as to which I shall await your recommendations.

4. It will follow as a result of elective representation of Indians on Legislative Council that the same arrangements should be made in connection with Municipal Councils and in this case also I shall await your recommendations as to detailed arrangements to be made.

5. As regards Indian immigration into East Africa, I could not countenance any restrictions which would place natives of India at a disadvantage as compared with other immigrants; and subject to the Protectorate Immigration Ordinances which are of general application, there must be no bar to the immigration of Indians.

6. The removal of the restriction on the acquisition by Indians of agricultural land in the highlands of the East Africa Protectorate has been strongly urged. The Earl of Elgin, when Secretary of State for the Colonies, informed the Governor that it was not consonant with the views of His Majesty's Government to impose legal restrictions on any particular section of the community in regard to the acquisition of land, but that as a matter of administrative convenience grants of land in the upland area of the Protectorate should not be made to Indians. The ground for this decision was that the area of agricultural land in the Protectorate suitable for European settlement is limited. This decision, which applies only to agricultural land, has been re-affirmed by Secretaries of State subsequently; and I do not feel that I should be justified in reversing it. It is clear that if the limited area, on which alone European settlers can live, were thrown open to the competition of Asiatics, who are physically fitted to settle in other areas from which Europeans are by nature excluded, there would be,

taking the Protectorate as a whole, a virtual discrimination in favour of Asiatic as against European settlement. I cannot regard the Indian claim on this point as just or reasonable: on the other hand, I am anxious that reasonable opportunity should be afforded for Indian agricultural settlement, and I am advised that there are areas of adequate extent and good quality, which could be set apart for that purpose without infringement of native rights. Sir Edward Northey has made certain suggestions on this subject, and he will enquire further into it on his return to East Africa. I think it very desirable that there should be no doubts of our sincerity in this matter; and I hope therefore that there will be no delay in provisionally selecting at least one area for Indian settlement, which the Commission, which, as I understand, has been appointed by the Indian Government for this purpose, may be invited shortly to inspect.

7. A further matter to which much attention has been directed is the policy which for convenience may be termed "race-segregation." I regret that this policy should have given offence to the Indian community, and I feel sure that they are under a misapprehension in the matter. There is no question here of discrimination against the Indians. In this case, as in that of land settlement, I have no wish to sacrifice Indian to European interests. But I am convinced that, as long as the Indians are fairly dealt with in the selection of the sites, the principle that in the laying out of townships in tropical Africa separate areas should be allotted to different races is not only from the sanitary point of view but also on grounds of social convenience the right principle, it is in my opinion best for all races, European, Indian or Native. I desire therefore that this principle should be adhered to in residential areas, and whenever practicable, in commercial areas also.

8. If this principle is to be effectively carried out, it seems to me necessarily to follow that as a general rule no transfer of land either by way of ownership or mortgage between Europeans and Asiatics in townships should be allowed. There may no doubt be exceptional cases, in which it would be unjust or inadvisable to forbid such transfer, but these can be met by leaving discretion to the Governor-in-Council, to give sanction, when some special reason can be shown. Similarly, when township plots are put up to auction, Europeans should not be allowed to bid for plots in the Asiatic quarter or Asiatics to bid for plots in the European quarter.

9. As regards education, to which reference is made in the memorial of the 22nd of March, 1919, from British Indian subjects in East Africa to the Viceroy of India, I should be glad to see improvements effected in educational facilities for all classes in the Protectorate. The local Government has increased materially during the last few years the provision made for education; but, owing to the lack of funds progress has not been as rapid as I could have wished. I trust however that you will give close attention to the question of increasing educational facilities in the Protectorate, and that in this respect full consideration will be given to the claims of the Indian community.

10. The question of medical and legal practice in the Protectorate is raised in the same memorial. The position in regard to medical practice is determined by the Medical Practitioners and Dentists Ordinance, 1910, which was sanctioned after consultation with the General Council of Medical Education and Registration and the British Medical Association. I understand that the greatest care is taken by the General Council in considering any medical diplomas brought before them; and I see no reason to doubt that the holder of any diploma which is a guarantee of fitness to

practice would be declared by the Council to be eligible for registration in the United Kingdom. I am not therefore disposed to suggest to your Government any amendments of the existing Ordinance, which already provides for the practice of systems of therapeutics according to Native, Indian or other Asiatic method by persons recognised by the community to which they belong, to be duly trained in such practice.

As regards legal practice, under the rules of Court locally in force persons are admitted to practice who have been admitted to practice in some other part of the Empire, a provision not less liberal than that which obtains in most Colonies and Protectorates. I should however see no objection to arrangements being made for the High Court in East Africa to admit to practise an applicant who has obtained the necessary qualifications for admission in India or any other part of the Empire but has not yet been actually admitted to practise in that country, if it is only a matter of formality or the payment of fee which is delaying such admission. Apart from this, I do not see any reason to suggest an alteration in the existing rules.

11. A further complaint made by the memorialists is that Indians have not the privilege of trial by jury. It had already been suggested by you that trial by jury for Indians might be introduced experimentally after the war, and I have to request that you will take the necessary action to give effect to this as soon as possible.

12. I do not wish to deal in this despatch with the recent currency changes in East Africa, but as the subject was raised by the deputation on the 19th of April, I may remind you that this is a matter of extreme difficulty, to which I have given most careful consideration; and that I do not anticipate now that any alteration in the new arrangements will be made. I explained to the deputation that the action taken by the Government is in the nature of a compromise, which I believe meets, as far as circumstances allow, the conflicting interests of all sections of the community in East Africa.

13. I have dealt briefly with the specific grievances which have been brought to my notice, and I do not wish to prolong this despatch. But in conclusion, I must refer to the report of the Economic Commission, as certain statements and allegations in the report with regard to Indians in East Africa, have provoked strong protests. I much regret that such expressions should have been used, and I was glad to have the opportunity of informing the deputation which I received that they do not represent in any way the views either of His Majesty's Government, or of myself, and that in examining these various questions of policy affecting the Indian community in East Africa, I dissociate myself altogether from those parts of the report.

14. I have addressed this despatch to you in the "secret" series, as I have requested Sir Edward Northey to make public these decisions on his arrival. In the meantime, I do not wish them to be announced, but it would be convenient, if you will inform me by telegraph some days in advance when the announcement is to be made. After Sir Edward Northey has made his announcement, the despatch may be transferred to the "public" series.

I have the honour to be
Sir,
Your most obedient
humble servant,
MILNER.

THE OFFICER ADMINISTERING
THE GOVERNMENT OF
THE EAST AFRICA PROTECTORATE.

TERMS OF SERVICE FOR EUROPEAN OFFICIALS.

THE following Circular is published for general information:—

Secretariat,

Nairobi,

9th August, 1920.

CIRCULAR No. 46.

THE following alterations in the terms of service for European Officers have received the sanction of the Secretary of State:—

1. **ACTING ALLOWANCES.** An officer acting in a higher appointment will draw as Acting Allowance half the difference between his own salary and that of the appointment in which he is acting, if the latter is non-incremental. If the salary of the higher appointment is incremental he will draw the whole difference between his own salary and the minimum of the scale attached to that appointment. This payment will be retrospective to April 1st, 1920. Any amounts of Duty Allowance, which are in excess of the amount of Duty Allowance attached to the officer's substantive post and taken into account in calculating his revised salary, and which have been already drawn in respect of periods subsequent to the 1st April by officers in acting capacities, should be deducted from claims for Acting Allowance for the same period and duties.

2. **AGE OF RETIREMENT.** The age both for compulsory and voluntary retirement will be 50 years or after the completion of 20 years service, whichever is earlier. This regulation will come into force from the 1st of April, 1921. Compulsory retirement of Officials now in the service will not be effected without prior reference to and approval by the Secretary of State. All officers must clearly understand that by accepting the new rates of pay they accept the liability, subject to the conditions of age or length of service, for compulsory retirement after March, 31st, 1921. If any officer refuses to accept this liability he should notify the Chief Secretary through the Head of his Department immediately. His case will then be referred to the Secretary of State for consideration, and the new salary will not be paid to him meanwhile.

Heads of Departments should communicate to the Chief Secretary the names of persons due to retire at least 6 months before the date of compulsory retirement, in order that an officer may be given adequate notice if the Government wishes to retain his services.

In no case can special terms be granted to an officer retiring on abolition of office.

3. **APPLICATION OF NEW RATES OF PAY.** Officers will enter at the minimum salary of the new scale approved for their appointments as from the 1st of April, 1920, with the following exceptions:—

(a) If the aggregate of an officer's emoluments, consisting of full salary and War Bonus plus the substantive duty allowance attached to his post, (other than any duty allowance which will be continued hereafter) was on the 31st of March, 1920, more than the minimum of the new scale he will enter the new scale at such a point as will make his new salary equal to such aggregate of emoluments on the 31st of March, if this corresponds with a definite incremental step in the new scale. If it does not so correspond he will enter the new scale at the salary of the next incremental step above, e.g., an Assistant District Commissioner drawing on the 31st of March £370 salary and £60 War Bonus will enter the scale £400-£600 at £440, not £430.

(b) If such aggregate of emoluments was on the 31st of March, 1920, in excess of the maximum of the new scale, he will at once draw the maximum of the new scale and an additional temporary non-pensionable allowance equivalent to the difference between the maximum of the new scale and his emoluments on the 31st of March.

(c) If the aggregate of an officer's emoluments have been the same for more than one year prior to the 1st of April, 1920, and he receives no increase on entering his new scale, he will draw an increment in accordance with the new scale on the 1st of April, 1920. April 1st will then be taken as his incremental date.

"Increments on the new scale will fall due on the same dates as those on which they were due on the old scales, excepting in such cases as come under paragraph (c) above, or when the actual increase in the new rate of salary as on April 1st over the aggregate emoluments on the 31st of March is not less than the normal increment of the new scale, when April 1st will be the future incremental date and in the latter case the first increment will be drawn on April 1st, 1921."

4. **DISTINCTION BETWEEN FIRST AND SECOND CLASS OFFICERS.** This distinction in the naming of appointments will be abolished. The class of passage to which an officer is entitled will depend upon the nature of his employment, but otherwise as a general rule all European officials will be on the same footing. A list showing all the appointments for which first class passages are to be allowed is being prepared for submission to the Secretary of State. Officers will be notified in due course on receipt of His Lordship's decision. In the meantime the existing practice will continue.

5. **DUTY ALLOWANCES.** Duty Allowances will be abolished on the introduction of Acting Allowances except in a few special cases, such as Chairman of the Arbitration Board, Assistant Estates Duties Commissioners, &c., a list of which will be published later.

6. **EXTENSIONS OF LEAVE ON GROUNDS OF ILLHEALTH.** At present, an official who is granted an extension of leave on grounds of illhealth is placed on half pay for a period not exceeding four months; thereafter, if a further extension is required, he receives no pay.

In future, extensions of leave on grounds of illhealth will be granted with full pay up to a maximum of six months, and then with half pay for a further period of six months if required.

No extension of leave on grounds of illhealth can be granted without the definite recommendation of one of the Colonial Office Medical Advisers.

7. **FILLING OF APPOINTMENTS BY LOCAL CANDIDATES.** The Secretary of State agrees in principle that certain appointments should where possible be filled by local candidates, but any wide application of this principle must depend upon the improvement of local educational facilities.

8. **FURNITURE.** It is realised that the present Government allowance of furniture is not adequate. New scales are to be introduced as soon as the necessary articles of furniture can be obtained, increasing the amount of furniture supplied for Government quarters.

9. **GRADING.** This system, which is described in paras 59 and 60 of the Report of the Civil Service Commissioners, is designed to provide officers with the prospects of reaching an adequate income without having to await the occurrence of vacancies. They must, however, understand that this advancement will not take place as a matter of course, but will depend upon their performing their duties satisfactorily. The dividing line between one grade and the next will be in the nature of an efficiency bar.

The points in the scale at which these bars occur in the case of graded officers of the different Departments are as follows:—

Administrative Officers	...	...	£600
Assistant Secretaries	...	...	£600
Assistant Treasurers	...	...	£500
Medical Officers	}	...	£600
Medical Officers of Health			
Assistants (Forestry Department)	...	...	£500
Engineers (Public Works Department)	...	...	£500

Uganda Railway.

Assistant Engineers	...	...	}	£500
Assistant Locomotive Superintendents	...	...		
Assistant Traffic Engineers	...	...		
Assistant Chief Accountants	...	...		
Assistant Storekeepers	...	...		

10. **HOUSE ALLOWANCE.** In place of the present scale for House Allowance in lieu of Quarters, where the latter are not available, 15% of the initial salary of an officer's appointment plus local allowance, with a minimum of Fls. 62/50 per mensem, will be granted from the 1st of August, 1920. For the purpose of assessing pensionable emoluments 15% of the salary only will be added, with a minimum of £50 in each case. This will apply to all pensions granted in respect of service any part of which is subsequent to the 31st of March, 1920.

11. **HOUSE AND OFFICE ACCOMMODATION.** The Secretary of State agrees that it is essential that House and Office accommodation should be improved as funds become available. This matter will receive further consideration in connection with the allocation of loan funds.

12. **LOCAL ALLOWANCE.** A special local allowance has been sanctioned on the understanding that it is recognised as liable to reconsideration in the event of a fall in Florin prices. It will disappear eventually if and when prices fall one-third below their present level, *i.e.*, when the purchasing power of the Florin is raised to the point at which ten Florins will purchase what fifteen Florins purchase now.

The amount of the allowance will therefore be reconsidered generally for all the East African Government appointments after two years, and thereafter at such intervals as may be decided.

A record will be kept of local prices in order to furnish data for this reconsideration.

For the present the allowance is fixed at 50 per cent. of salary and allowances quoted in sterling.

13. **LOCAL TRAVELLING.** As it is undesirable that an official should suffer pecuniary loss on local transfer from one station to another on duty, he will be permitted to submit to the Government a statement of his actual expenses, which will be refunded to him if they are passed by the Head of his Department, recommended by the Treasurer, and approved by the Governor.

14. **MEDICAL TREATMENT IN ENGLAND.** There appears to the Secretary of State to be no good reason to grant free medical treatment in England generally, but His Lordship is willing to consider in very special cases the possibility of refunding medical expenses in respect of illness contracted in the Colony.

Such special cases might occur when an official has to be sent to England for an operation arising out of an accident or illness contracted locally and the Governor certifies that it is not possible for the operation to be performed locally.

15. **OUTFIT ALLOWANCE.** All newly appointed officials, whose appointments in the opinion of the Heads of their Departments necessitate personal expenditure on special equipment in connection with "*Safari*", provided that the salary of the appointment does not exceed £500, will be granted an allowance of Fls. 300 on first appointment to assist them in purchasing the necessary outfit.

This allowance will be given subject to an undertaking that it will be refunded if the official does not take up the appointment, or if after taking up the appointment he resigns or leaves the service for any reason other than mental or physical infirmity before completing a tour of service.

The payment of this allowance cannot be granted with retrospective effect.

16. **PASSAGES.** From the 1st of April, 1921, a married official whose salary is £500 per annum or less, if accompanied by his wife, will be allowed the cost of his passage plus 50%, instead of having his passage booked by the Government. He will then be free to make his own arrangements for his own passage as well as for that of his wife.

If an official's wife does not accompany him but follows him to East Africa, the 50% addition will be paid to the wife who will then make her own arrangements for the journey.

Hitherto, an official entitled to a first class passage has been required to travel first class: when the above regulation comes into force, a married official, entitled to a first class passage and travelling with his wife will be permitted, if he wishes, to travel second class and still receive from the Government the cost of a first class passage for himself and the 50% addition for his wife. The present arrangement with regard to assistance towards the cost of family passages will be discontinued from the 1st of April, 1921.

17. **PENSIONS.** Pensions will be calculated on the new salaries, except in the case where an officer has received promotion to a higher appointment within two years of retirement, when the pension will be calculated on the average salary for the two years prior to retirement.

18. **PERIOD OF PROBATION.** The period of probation for officers appointed to the Administrative service, the Secretariat, the Treasury, and certain other Departments, is reduced from three to two years. The grant of this concession will be coupled with a very strict interpretation of the rules governing the confirmation of officers in their appointments. No officer will be confirmed whose work is not thoroughly satisfactory and who does not succeed in passing the language examinations and such other tests as may be prescribed.

19. **PERMANENT CIVIL SERVICE COMMISSION.** The question whether a permanent Civil Service Commission should be set up to deal with matters relating to the conditions of service is one which the Secretary of State can only consider in relation to the Colonial Service generally. His Lordship is not prepared to take up the question at present.

20. **STORAGE OF FURNITURE.** The Secretary of State sees no objection to the suggestion that storehouses should be erected by the Public Works Department in which officers effects can be stored whilst they are on leave on condition that payment is made by officials who use this method of storing their effects. It is hoped that it will be possible to make such provision in due course but there are at present no funds available for erecting the necessary accommodation.

21. **TRANSFERS.** The Secretary of State hopes that it may be found possible to bring East and West Africa into closer relation as regards the reckoning of service as continuous for pension purposes in the case of officers transferred from one to the other. He does not, however, see any prospect at present of being able to extend such an arrangement outside Tropical Africa.

22. **TRAVELLING ALLOWANCES.** The Travelling Allowances already laid down will remain in force with the following additional privileges:—

When an official who is travelling on duty has to stay in a town in which there is a hotel, he will be granted reasonable hotel expenses instead of the ordinary travelling allowance. Such claims must be supported by vouchers. This will come into force from the 1st of August, 1920.

23. WAR BONUS will be discontinued as from the 1st of April, 1920.

24. CLAIMS FOR ARREARS may now be submitted and should be accompanied by full details to enable them to be checked, *e.g.*, in the case of claims for revised salary the rate of salary, war bonus, and duty allowance attached to the post, on the 31st of March, 1920, should be quoted. Acting allowances, local allowances, and the compensating allowance for war bonus in the case of officers whose aggregate emoluments exceed the maximum of the new scale, should be charged to Personal Emoluments.

C. E. SPENCER,
for Chief Secretary to Government.

*Note:—*The following questions have been noted for reference to the Secretary of State:—

AGE OF RETIREMENT. Does service outside the Colony count as part of the 20 years for retirement?

APPLICATION OF NEW RATES OF PAY.

If an officer has received any increase in his salary or War Bonus since the 31st of March, 1920, (*e.g.*, a man who has been married since that date) which is not covered by his new rate of salary or compensating allowance (because the emoluments on that date are adopted for purposes of calculating the new salary), will his emoluments be reduced? Pending instructions on this point the terms of this circular must be followed but no refunds will be called for in the meantime.

PROCLAMATION No. 103.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following area in the Naivasha Province, to be an infected area (Contagious Bovine Pleuro-pneumonia) for the purposes of the aforesaid Ordinance.

Suam Estate, General Baker-Carr, Mount Elgon,
Trans-Nzoia.

Given under my hand at Nairobi this 13th day of
August, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 104.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare that the following Proclamation be revoked.

Proclamation No. 67, dated the 12th day of June, 1920, [declaring the Machakos Quarantine Reserve, to be an infected area (Foot and Mouth Disease)].

Given under my hand at Nairobi this 13th day of
August, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 105.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following Farms in the Naivasha Province, to be infected areas (Rinderpest) for the purposes of the aforesaid Ordinance.

Farm No. 1818, Mr. R. B. M. Barberton, Trans-Nzoia.

Farm No. 1819, Mr. Gordon Hewitt, Trans-Nzoia.

Given under my hand at Nairobi this 14th day of
August, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 106.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following Farm in the Naivasha Province, to be an infected area (Foot and Mouth Disease) for the purposes of the aforesaid Ordinance.

Osorongai Estate, Capt. Jameson, Kipkarren, Soy.

Given under my hand at Nairobi this 14th day of
August, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

GOVERNMENT NOTICE No. 286.

S. 20508.

CONFIRMATION OF ORDINANCE.

NOTICE.

THE Secretary of State for the Colonies has notified that His Majesty's power of disallowance will not be exercised with respect to the under-mentioned Ordinance:—

"AN ORDINANCE TO AMEND THE LAW RELATING TO MASTER AND SERVANTS."

(No. VI OF 1920).

By command of His Excellency the Governor,
Nairobi, C. E. SPENCER,
August 19th, 1920. *for Ag. Chief Secretary.*

GOVERNMENT NOTICE No. 287.

THE COMMISSION OF INQUIRY
ORDINANCE, 1912.

A COMMISSION.

I, Edward Northey, Major-General of His Majesty's Forces, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of the Colony of Kenya and the East Africa Protectorate, do, in exercise and by virtue of the powers conferred upon me by the Commission of Inquiry Ordinance, 1912, Section 3, by this my Commission under my hand, alter the Commission issued under the aforesaid Ordinance by CHARLES CALVERT BOWRING, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, then Acting Governor of the East Africa Protectorate, and dated the 27th day of May, 1920, (Government Notice No. 202) by appointing ABDUL WAHID, Esq., to be a Commissioner to inquire into and report on the matters the subject of inquiry of such aforesaid Commission of the 27th day of May, 1920, in addition to the Commissioners therein appointed.

Given under my hand at Nairobi this 24th day of August, 1920.

EDWARD NORTHEY,
*Governor and
Commander-in-Chief.*

PROCLAMATION No. 107.

S. 20690.

THE CUSTOMS AMENDMENT
ORDINANCE, 1915.

PROCLAMATION.

IN EXERCISE of the powers conferred upon me by the Customs Amendment Ordinance, 1915, and of all other powers me thereunto enabling I, Edward Northey, Major-General of His Majesty's Forces, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Governor of the Colony of Kenya and the East Africa Protectorate, do hereby declare that Proclamation No. 41, dated the 27th day of April, 1920, published on page 433 of the "Official Gazette" for the year 1920, shall be amended by the deletion of the words "Notes of the denomination of one rupee issued by the Government of India under the authority of the India Paper Currency (Amendment) Act, 1917," in Schedule (A) annexed thereto.

Given under my hand at Nairobi this 27th day of August, 1920.

EDWARD NORTHEY,
Governor.

GODSAVE THE KING.

PROCLAMATION No. 108.

MEETING OF THE LEGISLATIVE
COUNCIL.

PROCLAMATION.

I, Edward Northey, Major-General of His Majesty's Forces, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of the Colony of Kenya and the East Africa Protectorate, in exercise of the powers vested in me by instructions under the Royal Sign Manual and Signet, dated the 4th day of September, 1919, do hereby direct that a Session of the Legislative Council be held at Government House, Nairobi, commencing on Monday the 29th day of November, 1920, at 10 a.m.

Given under my hand at Nairobi this 27th day of August, 1920.

EDWARD NORTHEY,
Governor.

GOD SAVE THE KING.

PROCLAMATION No. 109.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare that the following Proclamation be revoked.

Proclamation No. 90, dated the 21st day of July, 1920, [declaring the Western half of Farm No. 596, Mr. Martin, Lumbwa, to be an infected area (Rinderpest)].

Given under my hand at Nairobi this 23rd day of August, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 110.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following Farms in the Naivasha and Nyanza Provinces, to be infected areas (Contagious Bovine Pleuro-pneumonia) for the purposes of the aforesaid Ordinance.

Farm No. 465B, Capt. A. H. Hutchinson, Fort Ternan.

Farms Nos. 757/2 and 757/3, Mr. D. A. Kidson, Eldoret.

Given under my hand at Nairobi this 23rd day of August, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 111.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare that the following Proclamations be revoked.

Proclamation No. 55, dated the 11th day of May, 1920, [declaring Farm No. 2508 (43), Mr. W. D.

Smith, Laikipia, to be an infected area (Contagious Bovine Pleuro-pneumonia)].

Proclamation No. 61, dated the 27th day of May, 1920, [declaring Farm No. 586B, Mr. Greswolde-Williams, Rumuruti, to be an infected area (Contagious Bovine Pleuro-pneumonia)].

Given under my hand at Nairobi this 24th day of August, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 112.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare that that portion of Proclamation No. 88, dated the 21st day of July, 1920, declaring the Naivasha-Gilgil Main Road, to be an infected area (East Coast Fever), be revoked.

Given under my hand at Nairobi this 24th day of August, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 113.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare that the following Proclamation be revoked.

Proclamation No. 81, dated the 12th day of July, 1920, [declaring Bondoni Farm, Messrs. Wilson & Joyce, Machakos, to be an infected area, (Rinderpest)].

Given under my hand at Nairobi this 25th day of August, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 114.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following Farms in the Naivasha Province to be infected areas, (Contagious Bovine Pleuro-pneumonia) for the purposes of the aforesaid Ordinance.

Farm No. 482, Mr. A. Armstrong, Kampi Moto, Rongai, Nakuru.

Farm No. 481, Mr. E. E. C. Hudson, Rongai, Bridge, Nakuru.

Given under my hand at Nairobi this 25th day of August, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 115.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare that the following Proclamations be revoked.

Proclamation No. 98, dated the 5th day of August, 1920, [declaring Farm No. 1802, Mr. J. J. Potgeiter, Uasin Gishu, to be an infected area, (Foot and Mouth Disease)].

Proclamation No. 101, dated the 8th day of August, 1920, [declaring a portion of Farm No. 3640, Kipkarren Estate, Uasin Gishu, to be an infected area, (Rinderpest)].

Given under my hand at Nairobi this 25th day of August, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

GOVERNMENT NOTICE No. 294.

THE ESTATE DUTY ORDINANCE, 1918.

RULES.

IN EXERCISE of the powers conferred upon the Governor-in-Council by the Estate Duty Ordinance, 1918, Section 30 His Excellency the Governor-in-Council has been pleased to make the following Rules:—

1. These Rules may be cited as "The Estate Duty Valuation Rules, 1920."

2. The fees and charges which an approved valuer shall be entitled to demand and recover as remuneration for his services shall be as follows:—

Valuation of Immovable Property.

Re. 1/- per cent. on the first Rs. 1,000/-, and 25 cents per cent. beyond on the value of the property, subject to a minimum of Rs. 15/.

Valuation of Movable Property.

Rs. 2/50 per cent. on the first Rs. 500/- and Rs. 1/50 per cent. on the residue, subject to a minimum of Rs. 15/.

Transport and travelling expenses beyond 30 miles.

By command of His Excellency the Governor-in-Council.

Nairobi,

The 30th day of August, 1920.

H. MALPASS,
Clerk to the Executive Council.

PROCLAMATION No. 116.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following Farms in the Naivasha Province, to be infected areas (Rinderpest) for the purposes of the aforesaid Ordinance.

Farms Nos. 1308 and 1309/2, Messrs. Kenton Estates, Naivasha.

Farm No. 1309/1, Mr. R. P. Heaton, Kinangop, Naivasha.

Given under my hand at Nairobi this 31st day of August, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

GOVERNMENT NOTICE No. 299. S. 2224.

THE EAST AFRICA TOWNSHIPS
ORDINANCE, 1903.

RULES.

IN EXERCISE of the powers conferred upon the Governor by the East Africa Townships Ordinance, 1903, the Governor's Deputy has been pleased to make the following Rules:—

1. These Rules may be cited as "The Naivasha and Nakuru Townships Amendment Rules, 1920."

2. The Rules dated the 23rd day of August, 1910, published on page 515 of the "Official Gazette" for the year 1910, shall be and the same are hereby amended as follows:—

By the addition to the first schedule thereto of the words "horses, mules and donkeys" after the words "permit to keep cattle" where they occur in the said schedule.

By Command of the Governor's Deputy.
Nairobi,

The 7th day of September, 1920.

C. E. SPENCER,
for Acting Chief Secretary.

GOVERNMENT NOTICE No. 301. S. 21677

THE COMMISSION OF INQUIRY
ORDINANCE, 1912.

A COMMISSION.

I, Edward Northey, Major-General of His Majesty's Forces, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of the Colony of Kenya and the East Africa Protectorate, do, in exercise and by virtue of the powers conferred upon me by the Commission of Inquiry Ordinance, 1912, Section 3, by this my Commission under my hand, alter the Commission issued under the aforesaid Ordinance by me, dated the 6th day of August, 1920 (Government Notice No. 271) by appointing CONWAY HARVEY, Esq., to be a Commissioner to inquire into and report on the matters the subject of inquiry of such aforesaid Commission of the 6th day of August, 1920, in addition to the Commissioners therein appointed.

Given under my hand at Nairobi this 2nd day of September, 1920.

EDWARD NORTHEY,
*Governor and
Commander-in-Chief.*

GOVERNMENT NOTICE No. 302. S. 20654.

THE COMMISSION OF INQUIRY
ORDINANCE, 1912.

A COMMISSION.

I, Edward Northey, Major-General of His Majesty's Forces, Knight Commander of the Most

Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of the Colony of Kenya and the East Africa Protectorate, do, in exercise and by virtue of the powers conferred upon me by the Commission of Inquiry Ordinance, 1912, Section 3, by this my Commission under my hand, alter the Commission issued under the aforesaid Ordinance by CHARLES CALVERT BOWRING, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, then Acting Governor of the East Africa Protectorate, and dated the 27th day of May, 1920, (Government Notice No. 202) by appointing L. GALTON FENZI, Esq., to be a Commissioner to inquire into and report on the matters the subject of inquire of such aforesaid Commission of the 27th May, 1920, *vice* R. DONALD, Esq., who resigned on account of ill-health in addition to the Commissioners therein appointed.

Given under my hand at Nairobi this 4th day of September, 1920.

EDWARD NORTHEY,
*Governor and
Commander-in-Chief.*

GOVERNMENT NOTICE No. 303. S. 9653.

THE NEWSPAPER REGISTRATION.
ORDINANCE, 1906.
NOTICE.

IN EXERCISE of the power conferred upon him by Section 10 of the Newspaper Registration Ordinance, 1906, His Excellency the Governor has been pleased to direct that the Deputy Registrar, High Court, Nairobi, be the officer to receive books under the above section, *vice* the Resident Magistrate, Nairobi, appointed under Government Notice No. 390 of 5th November, 1919, and that all books required to be delivered pursuant to the provisions of the said section shall be addressed to such officer at the High Court, Nairobi.

Nairobi,
The 6th day of September, 1920.

W. K. NOTLEY,
Acting Chief Secretary.

GOVERNMENT NOTICE No. 304. S. 9511.

CHUKA STATION.

IT is hereby notified for general information that the Administrative Station at Chuka has been closed and that the administration of the sub-district is now being carried on at the District Headquarters at Embu.

Nairobi,
6th September, 1920.

W. K. NOTLEY,
Acting Chief Secretary.

GOVERNMENT NOTICE No. 306. S. 14623.

OFFICE HOURS.

HIS Excellency has decided that office hours in the Highland Stations, with effect from the 13th of September, 1920, will be as under:—

From 9 a.m., to 1 p.m.

From 2 p.m., to 4 p.m., (except Saturdays).

At Coast and Lake Stations, office hours will be determined by the Local Authorities; such offices will be open not less than four hours on Saturdays and six hours on other week-days.

The Secretariat, Nairobi,
6th September, 1920.

W. K. NOTLEY,
Acting Chief Secretary.

PROCLAMATION No. 117.

THE DISEASE OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling and I hereby declare the following Farm in the Naivasha Province to be an infected area (Contagious Bovine Pleuro-pneumonia) for the purposes of the aforesaid Ordinance.

Farm No. 478, Mr. Garland, Lower Moic, Nakuru.

Given under my hand at Nairobi this 31st day of August, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 118.

THE EAST AFRICA OUTLYING DISTRICTS
ORDINANCE, 1902.

PROCLAMATION.

IN EXERCISE of the powers conferred upon me by the East Africa Outlying Districts Ordinance, 1902, I, William Kilmister Notley, Companion of the Distinguished Service Order, Governor's Deputy of the Colony of Kenya and the East Africa Protectorate, do hereby declare the trading centre described in the schedule hereto attached to be excluded from the provisions of the aforesaid Ordinance.

Given under my hand at Nairobi this 14th day of September, 1920.

W. K. NOTLEY,
Governor's Deputy.

GOD SAVE THE KING.

SCHEDULE.

PROVINCE OF SEYIDIE.

Mariakani Trading Centre.

Commencing at Telegraph post mile 23/11 on the South-westerly side of the Uganda Railway 100' limit; thence bounded South-westerly by that Railway limit and Station Reserve to Telegraph post mile 24/6; thence North-westerly by a line bearing 62° 30' 00" for a distance of about 3420 feet to a Beacon; thence North-easterly by a line bearing 152° 30' 00" for a distance of about 3830 feet to a Beacon; thence South-easterly by a line bearing 242° 30' 00" for a distance of 3200 feet to the point of commencement.

GOVERNMENT NOTICE No. 311. S. 12730

PETROLEUM IMPORT RULES, 1920.

NOTICE.

IN pursuance of the provisions of Rule 3 of the Petroleum Import Rules, 1920, notice is hereby given that His Excellency the Governor has been pleased to approve the import of Petroleum at the following ports within the Colony of Kenya and East Africa Protectorate namely:—

Mombasa,
Kilindini,
Lamu,
Kisumu.

By Command of His Excellency the Governor,
Nairobi, this 14th day of September, 1920.

W. K. NOTLEY,
Acting Chief Secretary.

PROCLAMATION No. 119.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following Farms in the Naivasha Province to be infected areas (Foot and Mouth Disease) for the purposes of the aforesaid Ordinance.

Farm No. 706, Mr. C. C. Johnston, Trans-Nzoia.

Farm No. 729/2, Messrs. Newland, Tarlton & Co., Eldoret.

Given under my hand at Nairobi this 4th day of September, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 120.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following Farm in the Naivasha Province, to be an infected area (Rinderpest) for the purposes of the aforesaid Ordinance.

Farm No. 1095, Mr. W. E. Knight, Kinangop, Naivasha.

Given under my hand at Nairobi this 10th day of September, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 121.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following Farm in the Nyanza Province, to be an infected area (Rinderpest) for the purposes of the aforesaid Ordinance.

Farm No. 1574, Kitchener's African Estates, Muhoroni.

Given under my hand at Nairobi this 10th day of September, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 122.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following Farm in the Naivasha Province, to be an infected area (Swine Fever) for the purposes of the aforesaid Ordinance.

Farm No. 1521/1, Mr. A. F. Mortimer, Londiani.

Given under my hand at Nairobi this 10th day of September, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 123.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare that the following Proclamation be revoked.

Proclamation No. 97, dated the 31st day of July, 1920, [declaring Farm No. 612/1, Miss. C. G. Buxton, Kedowa, to be an infected area (Rinderpest)].

Given under my hand at Nairobi this 10th day of September, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer

GOVERNMENT NOTICE No. 316.

CONFIRMATION OF ORDINANCES.

NOTICE.

THE Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the undermentioned Ordinances:— S. 19632.

“AN ORDINANCE TO AMEND THE DISCHARGED SOLDIERS SETTLEMENT ORDINANCE, 1919.”

(No. XIII of 1920).

S. 1621/IV.

“AN ORDINANCE TO MAKE PROVISION FOR INCREASING THE NATIVE HUT AND POLL TAX.”

(No. XVII of 1920).

By command of His Excellency the Governor,
Nairobi,
September 15th, 1920.

C. E. SPENCER,
for Acting Chief Secretary.

GENERAL NOTICE No. 1047.

S. 8910.

THE MUNICIPAL CORPORATIONS
ORDINANCE, 1909.

RULES.

IN EXERCISE of the powers conferred upon them by the Municipal Corporations Ordinance, 1909, the Municipal Council of Nairobi, with the approval of His Excellency the Governor have made the following Bye-laws:—

1. These Bye-laws may be cited as the Nairobi Township (Lamps) Amendment Rules, 1920, and shall be read as one with the Nairobi Township Bye-laws of 1917 (hereinafter called the “Principal Bye-laws”) and the “Nairobi Township Rickshaw Lamps) Bye-laws, 1920.”

2. For the figures 6-30 where they occur in Bye-law 394 of the Principal Bye-laws and the Nairobi Township (Rickshaw Lamps) Bye-laws, 1920, there shall be substituted the figures 6-15.

Nairobi,
3rd September, 1920.

WALTER W. RIDOUT,
Acting Town Clerk.

GOVERNMENT NOTICE No. 321.

S. 19048.

THE TERMINATION OF THE PRESENT WAR
(DEFINITION) ORDINANCE, 1919.

NOTICE.

HIS Excellency the Governor-in-Council in pursuance of the powers conferred by Section 2, Sub-section 3 of the Termination of the Present War (Definition) Ordinance, 1919, has declared that the 9th day of August, 1920, is to be treated as the date of the termination of War with Bulgaria and the provisions of the aforesaid Ordinance apply accordingly as from the aforesaid date.

By command of His Excellency the Governor-in-Council.

Nairobi,
The 23rd day of September, 1920.

H. MALPASS,
Clerk to the Executive Council.

GOVERNMENT NOTICE No. 324.

S. 21805.

RECOGNITION OF NEW STATES BY HIS
MAJESTY'S GOVERNMENT.

THE sub-joined despatch which has been addressed to His Excellency by the Secretary of State for the Colonies is published for general information.

Nairobi,
23rd September, 1920.

W. K. NOTLEY,
Acting Chief Secretary.

Downing Street,
Circular. 6th August, 1920.

Sir,

I have the honour to inform you that the Governments of the new States named below have been recognised by His Majesty's Government *de facto*, and that representatives of these countries are resident in London:—

Armenia.

Esthonia.

Georgia.

Latvia.

Lithuania.

2. The principality of Leichtenstein is recognised *de jure* by His Majesty's Government, and its diplomatic representation is entrusted to the Swiss Minister at this Court.

I have the honour to be,

sir,

Your most obedient,

humble servant,

MILNER.

GOVERNMENT NOTICE No. 325.

CONFIRMATION OF ORDINANCES.

NOTICE.

THE Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the undermentioned Ordinances:—

S. 1034.

“AN ORDINANCE TO AMEND THE LAW RELATING TO WEIGHTS AND MEASURES.”

(No. XI OF 1920).

S. 20567.

“AN ORDINANCE TO AMEND THE CUSTOMS TARIFF ORDINANCE, 1909.”

(No. XVI OF 1920).

By command of His Excellency the Governor,
Nairobi,
September 27th, 1920. C. E. SPENCER,
for Acting Chief Secretary.

GENERAL NOTICE No. 1085.

NOTICE.

THE PETROLEUM IMPORT RULES, 1920.

NOTICE is hereby given that the landing places approved under Rule 8 of the above Regulations are as hereunder described:—

Mombasa.—The foreshore to the extent of 100 yards immediately in front of the Mombasa Petrol Godown.

Kilindini.—(1) The foreshore between the Petrol Godown and Kerosine Oil Godown A., and to an extent of 50 yards to the West and 200 yards to the East thereof.

(2) The foreshore to the extent of 50 yards immediately in front of Kerosine Oil Godown B.

(3) The foreshore to the extent of 70 yards immediately in front of the Oil Installation.

Lamu.—(1) The foreshore to an extent of 35 yards immediately in front of the Government Oil Godown.

(2) The foreshore to an extent of 50 yards immediately in front of Messrs. Smith Mackenzie & Company's Oil Godown.

Mombasa, F. W. MAJOR,
18th September, 1920. *Chief of Customs,*
Colony of Kenya, E. A. and
Uganda Protectorates.

PROCLAMATION No. 124.

S. 834

THE EAST AFRICA TOWNSHIPS
ORDINANCE, 1903.

PROCLAMATION.

IN EXERCISE of the powers conferred upon me by the East Africa Townships Ordinance, 1903, I, Edward Northey, Major-General of His Majesty's Forces, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Governor of the Colony of Kenya and the East Africa Protectorate, hereby declare the following place within the limits hereinafter set forth to be a Township for the purpose of the above Ordinance.

Kakamega.—The area comprised within a circle having a radius of one mile with the Government Flag Staff as centre.

Given under my hand at Nairobi this 27th day of September, 1920.

EDWARD NORTHEY,
Governor.

GOD SAVE THE KING.

PROCLAMATION No. 125.

S. 21231.

THE CUSTOMS AMENDMENT
ORDINANCE, 1915.

PROCLAMATION.

IN EXERCISE of the powers conferred upon the Governor by the Customs Amendment Ordinance, 1915, I, Edward Northey, Major-General of His Majesty's Forces, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Governor of the Colony of Kenya and the East Africa Protectorate, do hereby declare that Proclamation No. 53, dated the 18th day of May, 1920, published on page 495, “Official Gazette” shall be amended by the deletion of the words “Gold and” where they secondly occur in heading (D).

Given under my hand at Nairobi this 1st day of October, 1920.

EDWARD NORTHEY,
Governor.

GOD SAVE THE KING.

GOVERNMENT NOTICE No. 328.

S. 252.

THE REFORMATORY SCHOOLS
ORDINANCE, 1910.

RULES.

IN EXERCISE of the powers conferred upon me by the Reformatory Schools Ordinance, 1910, Section 16, I, Edward Northey, Major-General of His Majesty's Forces, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Governor of the Colony of Kenya and the East Africa Protectorate, make the following Rules:—

1. These Rules may be cited as “The Reformatory Schools Amendment Rules, 1920,” and shall be read as one with the Rules, dated the 30th day of October, 1911, (“Official Gazette” 1911, page 555) hereinafter referred to as “the Principal Rules.”

2. Rule 2 (2) (b) of the Principal Rules shall be and is hereby amended by the deletion of the figures “13” and the substitution therefor of the figures “17.”

Nairobi,

The 27th day of September, 1920.

EDWARD NORTHEY,
Governor.

GOVERNMENT NOTICE No. 329.

S. 834.

UNDER THE EAST AFRICA TOWNSHIPS
ORDINANCE, 1903.

RULES.

RULES issued by the Governor under the East Africa Townships Ordinance, 1903.

Nairobi,

Dated this 27th day of September, 1920.

EDWARD NORTHEY,
Governor.

1. The following Rules shall apply to the Township of Kakamega.

(1) Of the Rules as published under date the 19th May, 1904, under the East Africa Townships

Ordinance, 1903, and referred to as the Township Rules, 1904, the following:—

Buildings.—Nos. 24, 26, 27, 28, 29, 30, 31, 32, 33, 38, 39, 49, 50 and 52.

Streets and Roads.—Nos. 53, 54, 55, 56, 57 and 58.

Irrigation Trenches.—Nos. 59, 60, 61 and 62.

Dangerous and Offensive Trades.—No. 73.

Stables, Cattle Sheds, etc.—Nos. 74, 75, 76, 77 and 78.

Removal of Carcasses.—Nos. 79, 80 and 81.

Filthy Premises.—Nos. 82 and 83.

Holes and Excavations.—Nos. 88 and 89.

Slaughter Houses.—Nos. 90, 91, 92, 93, 94, 95 and 96.

Dairies.—Nos. 103, 104, 105 and 106.

Butchers.—Nos. 107, 108, 109, 110, 111 and 112.

Washing of Clothes.—Nos. 157 and 158.

Cemeteries.—Nos. 159, 160 and 163.

Camps.—Nos. 165, 166 and 167.

Street Noises.—No. 177.

Preservation of Order by Night.—Nos. 178, 179, 180 and 181.

Stray Animals.—No. 186.

(2) The Township Rules, dated June 7th, 1906.

(3) The Township Rules, dated November, 28th, 1906 and referred to therein as the Township Rules, 1906.

(4) Of the Rules applied to the Township of Kisumu and dated April 15th, 1909, Rules Nos. 2, 5, 6, 7 and 8.

(5) Of the Nairobi Township Rules, 1917, dated the 7th day of September, 1917, Part VIII, Section I, headed (Suppression of Mosquitoes) as applied and modified by The Townships (Suppression of Mosquitoes) Rules, 1919, dated the 17th day of March, 1919.

2. The following fees shall be levied in the aforesaid Township:—

SLAUGHTER HOUSE FEES.

	Fls.	Cts.
For each head of cattle slaughtered ...	1	00
For each goat or sheep slaughtered ...	0	25

REGISTRATION.

	Fls.	Cts.
Registration of Meat seller ...	2	00 per mensem.

MARKET FEES AND RENTS.

	Fls.	Cts.
Per stand for Natives ...	0	3 per diem, or 3 cents per florin's worth of produce.
Per stall per mensem ...	10	00

POUNDS FEES.

	Fls.	Cts.
For each horse, mule, ox, cow, camel, donkey, etc., for the first day ...	1	00
For each succeeding day ...	0	50
For sheep, goats, pigs and other animals not hereinbefore mentioned, for each animal per day ...	0	12

EUROPEAN CEMETERY FEES.

	Fls.	Cts.
For a grave ...	10	00

NATIVE CEMETERY FEES.

	Fls.	Cts.
For a grave ...	1	00

NGOMA PERMIT.

	Fls.	Cts.
Ngoma ya Pepo ...	2	00 per night.
Other ngoma or dance ...	1	00 „

GOVERNMENT NOTICE No 330.

S. 6145.

THE EAST AFRICA TOWNSHIPS ORDINANCE, 1903.

RULES.

IN EXERCISE of the powers conferred upon him by the East Africa Townships Ordinance, 1903, His Excellency the Governor has been pleased to make the following Rules:—

1. These Rules may be cited as “The Kismayu Township Amendment Rules, 1920,” and shall be read as one with the Rules for the Township of Kismayu, published on page 457 of the “Official Gazette,” 15th November, 1907, and hereinafter referred to as “the Principal Rules.”

2. Rule 7 of the Principal Rules is hereby deleted and the following substituted therefor:—

“7. No boat owner or member of a boat's crew licensed to ply for hire shall:—

(a) If disengaged refuse to accept an engagement.

(b) Demand fares in excess of those laid down in the Tariff annexed hereto.”

3. The following Rules shall be inserted immediately after Rule 15 of the Principal Rules:—

“REGISTRATION OF PORTERS AND HAMALIS.

16. All Porters and Hamalis employed in the Customs premises at the Port of Kismayu shall be registered at the office of the District Commissioner and shall obtain a certificate of such registration; and no person not so registered shall carry or load, or off-load, cargo to or from, any vessel in port.

17. All Porters and Hamalis shall be under the control of and shall conform to the orders of the Port Officer or his representative in so far as the loading and off-loading of vessels is concerned.

18. The Registration Certificate of a Porter or Hamali may be cancelled on his being guilty of any misconduct.

19. Any Porter or Hamali who shall be guilty any breach of these Rules shall for any offence be liable to a fine not exceeding Fls. 75/- and in default to imprisonment not exceeding 1 month.”

Nairobi,

This 2nd day of October, 1920.

W. K. NOTLEY,
Acting Chief Secretary.

GOVERNMENT NOTICE No. 331. S. 817/II/230.

NON-NATIVE POLL TAX.

NOTICE.

HIS Excellency the Governor is prepared, under the powers conferred upon him by "The Non-Native Poll Tax Ordinance, 1912" to allow reduction of Poll Tax to Fls. 10/- per annum in the case of any Non-Native who can produce proof that his sole income is derived from salary or wages and that his average monthly salary or wage is less than Fls. 20/.

2. Persons seeking this concession should make application to the Administrative Officer in charge of the district in which they ordinarily reside and must adduce such evidence as he may require to satisfy him that their claim for remission is justifiable.

3. Any Administrative Officer, who is satisfied on such points, may, without special reference to His Excellency accept the sum named in the first paragraph of this notice in full settlement of the Poll Tax payable by the applicant.

4. No further relief will be granted beyond that which His Excellency is empowered to accord under the provisions of the law, and Government Notice No. 18, dated the 15th day of January, 1913, is cancelled accordingly.

By command of His Excellency the Governor.

Nairobi,
30th September, 1920.

W. K. NOTLEY,
Acting Chief Secretary.

GOVERNMENT NOTICE No. 332. S. 12730.

INDIAN PETROLEUM ACT, 1899.

NOTICE.

TESTING OFFICER.

IN pursuance of the provisions of Section 10 (1) of the Indian Petroleum Act, 1899, His Excellency the Governor-in-Council has been pleased to appoint the Collector of Customs, Mombasa, to be the officer to test Petroleum and grant certificates as in the before mentioned section directed.

By command of His Excellency the Governor.

Nairobi,
This 4th day of October, 1920.

W. K. NOTLEY,
Acting Chief Secretary.

GOVERNMENT NOTICE No. 334. S. 3378.

CONFIRMATION OF ORDINANCE.

NOTICE.

THE Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the undermentioned Ordinance:—

"AN ORDINANCE FOR THE BETTER PREVENTION
OF CORRUPTION."
(No. V OF 1920).

By command of His Excellency the Governor,

Nairobi, W. K. NOTLEY,
September 29th, 1920. *Acting Chief Secretary.*

PROCLAMATION No. 126.

THE DISEASES OF ANIMALS

ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare that the following Proclamations be revoked.

Proclamation No. 62, dated the 1st day of June, 1920, [declaring Farms Nos. 488, 489, 490, 491, 492 and 493, Mr. Dawson, Eldama Ravine, to be infected areas (Contagious Bovine Pleuro-pneumonia)].

Proclamation No. 77, dated the 7th day of July, 1920, [declaring Farm No. 332, Mr. D. Whitridge, Uasin Gishu, to be an infected area (Contagious Bovine Pleuro-pneumonia)].

Proclamation No. 78, dated the 8th day of July, 1920, [declaring Farm No. 47, Mr. Bullers, Uasin Gishu, to be an infected area (Contagious Bovine Pleuro-pneumonia)].

Proclamation No. 114, dated the 25th day of August, 1920, [declaring Farm No. 482, Mr. A. Armstrong and Farm No. 481, Mr. E. E. C. Hudson, Rongai, Nakuru, to be infected areas (Contagious Bovine Pleuro-pneumonia)].

Proclamation No. 31, dated the 11th day of April, 1919, declaring Farm No. 436/1, Mr. Moberley, Nakuru, to be an infected area (East Coast Fever)].

That portion of Proclamation No. 116, dated the 31st day of August, 1920, declaring Farm No. 1309/1, Mr. R. P. Heaton, Kinangop, Naivasha, to be an infected area (Rinderpest).

Given under my hand at Nairobi this 1st day of October, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 127.

THE DISEASES OF ANIMALS

ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following Farms, to be infected areas (Foot and Mouth Disease) for the purposes of the aforesaid Ordinance.

Farm No. 1840, Mr. P. J. Vandyk, Trans-Nzoia.

Farm No. 1815, Mr. De la Harpe, Trans-Nzoia.

Farm No. 1841, Mr. Douglas, Trans-Nzoia.

Farm No. 422, The Hon. G. Cole, Gilgil.

Farm No. 1258, Messrs. Bingley & Anderton, Gilgil.

Plots Nos. 23 and 24, Eldoret Township, Uasin Gishu.

Given under my hand at Nairobi this 4th day of October, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 128.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following Farm in the Kenya Province, to be an infected area (East Coast Fever) for the purposes of the aforesaid Ordinance.

Farm No. 1251, Mr. A. Davis-Evans, Amboni River, Nyeri.

Given under my hand at Nairobi this 4th day of October, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 129.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following Farm in the Naivasha Province, to be an infected area (Swine Fever) for the purposes of the aforesaid Ordinance.

Farm No. 3115, Mr. J. R. S. Stuart, Londiani, Uasin Gishu.

Given under my hand at Nairobi this 4th day of October, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 130.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following Farm in the Naivasha Province, to be an infected area (Rinderpest) for the purposes of the aforesaid Ordinance.

Farm No. 1818; Mr. Barberton, Trans-Nzoia.

Given under my hand at Nairobi this 4th day of October, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 131.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following Farms, to be infected areas (Contagious Bovine Pleuro-pneumonia) for the purposes of the aforesaid Ordinance.

Farm No. 565B, Mr. S. S. Dugmore, Laikipia.

Farm No. 3115, Mr. J. R. S. Stuart, Londiani.

Given under my hand at Nairobi this 4th day of October, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 132.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following Farm in the Naivasha Province, to be an infected area (Rinderpest) for the purposes of the aforesaid Ordinance.

Farm No. 796, Mr. W. T. Harris, Eldoret, Uasin Gishu.

Given under my hand at Nairobi this 7th day of October, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 133.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following Farm in the Naivasha Province, to be an infected area (Contagious Bovine Pleuro-pneumonia) for the purposes of the aforesaid Ordinance.

Farm No. 565B, Mr. H. H. Dugmore, Rumuruti.

Given under my hand at Nairobi this 7th day of October, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 134.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare that the following Proclamation be revoked.

Proclamation No. 57, dated the 19th day of May, 1920, [declaring Farm No. 455, Mr. W. G. Dawson, Nakuru, to be an infected area (Contagious Bovine Pleuro-pneumonia)].

Given under my hand at Nairobi this 7th day of October, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 135.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare that Proclamation No. 74, dated the 2nd day of July, 1920, [declaring the North Kavirondo District, to be an infected area (Contagious Bovine Pleuro-pneumonia)], be revoked and the following substituted therefor:—

That portion of the North Kavirondo District lying to the North of the Nzoia River is hereby declared to be an infected area (Contagious Bovine Pleuro-pneumonia)

Given under my hand at Nairobi this 7th day of October, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 136.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me. I hereby declare that the following Proclamations be revoked.

Proclamation No. 106, dated the 14th day of August, 1920, [declaring the Osorongai Estate, Capt. Jameson, Kipkarren, Soy, to be an infected area (Foot and Mouth Disease)].

That portion of Proclamation No. 119, dated the 4th day of September, 1920, [declaring Farm No. 729/2, Messrs. Newland Tarlton & Co., Eldoret, to be an infected area (Foot and Mouth Disease)].

Given under my hand at Nairobi this 7th day of October, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

GOVERNMENT NOTICE No. 339. S. 17684.

THE REGISTRATION OF TITLES,
ORDINANCE, 1919.

IN EXERCISE of the powers conferred upon the Governor by the Registration of Titles Ordinance, 1919, I, Edward Northey, Major-General of His Majesty's Forces, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Governor of the Colony of Kenya and the East Africa Protectorate, hereby direct that Part III of the aforesaid Ordinance shall come into operation on the 1st day of November, 1920, in the Coast District as defined in Government Notice No. 368, dated 21st day of October, 1919, published in the "Official Gazette" for the year 1919.

Given under my hand at Nairobi this 10th day of October, 1920.

EDWARD NORTHEY,
Governor.

GOVERNMENT NOTICE No. 340. S. 19523.

THE EAST AFRICA TOWNSHIPS
ORDINANCE, 1903.

AND

THE TOWNSHIPS (PUBLIC HEALTH,
SEGREGATION OF RACES)
RULES, 1918.

IT is hereby notified that in exercise of the powers conferred on him by the East Africa Townships Ordinance, 1903 and in accordance with the Townships (Public Health, Segregation of Races) Rules, 1918, the Governor has been pleased to reserve in Mombasa Township as a European residential reservation an area bounded as follows:—

Commencing on the Kilindini Harbour coast line at the North-west corner of Sub-division No. 1 of Section No. VIII. thence bounded by part of the generally Northern boundaries of that sub-division North-easterly to its most Northern corner; thence by a straight line North-easterly bearing approximately 76 degrees for 1070 feet to the intersection of the proposed roads as shown on the plan hereinafter referred to; thence by the proposed road running parallel to and at approximately 650 feet

South of Kilindini Road to the intersection of the proposed road with Likoni Road West of Sub-division No. 46 Section No. VII (Sports Club); thence North-easterly by Likoni Road to its intersection with Kilindini Road; thence Easterly by Kilindini Road and its continuation known as Macdonald Terrace and onward Easterly by the road passing to the North of the Fort to the coast line; thence generally Southerly, Westerly and North-westerly by the coast line to the point of commencement, excepting and excluding Sub-division No. 35 of Section No. VIII, Mbaraki Creek.

The boundaries of the above described area are more particularly delineated on "Mombasa Island Plan No. 100" copies of which plan are on record in the Land and Survey Departments, Nairobi and Mombasa.

By command of His Excellency the Governor.
Nairobi,

The 12th day of October, 1920.

W. K. NOTLEY,
Acting Chief Secretary.

GOVERNMENT NOTICE No. 341. S. 20117.

CONFIRMATION OF ORDINANCE.

NOTICE.

THE Secretary of State for the Colonies has been pleased to notify that His Majesty's Power of disallowance will not be exercised with respect to the undermentioned Ordinance:—

"AN ORDINANCE TO EXTEND TEMPORARILY CERTAIN
ORDINANCES RELATING TO TRADING WITH THE
ENEMY TO THE CARRYING ON OF BANKING
BUSINESS AFTER THE TERMINATION
OF THE WAR."
(No. X OF 1920).

By command of His Excellency the Governor,
Nairobi, C. E. SPENCER,
October 4th, 1920. *for Ag. Chief Secretary.*

PROCLAMATION No. 137. S. 21677.

THE GAME ORDINANCE, 1909.

PROCLAMATION.

IN EXERCISE of the powers conferred upon me by Section 6 (1) of the Game Ordinance, 1909, I, William Kilmister Notley, Companion of the Distinguished Service Order, Governor's Deputy of the Colony of Kenya and the East Africa Protectorate, hereby declare that the following area be added to the First Schedule of the said Ordinance as being an area in which Roan (Male) or Roan (Female) may not be hunted, killed or captured except under special licence, that is to say:—

An area commencing at the most Westerly Beacon of L.O. 1860; thence North-east through the Timboroa Forest Reserve and crossing the Eldoret Road at Mile 26 (from Londiani); thence North-east to the South-west Beacon of L.O. 1869; thence North-east to the North-west Beacon of L.O. 1869; thence due East to the Ginyini River in the Elgeyo Native Reserve; thence South to the South-east Beacon of L.O. 1859; thence South-west to the top of Timboroa Mountain and thence West to the point of commencement.

Given under my hand at Nairobi this 19th day of October, 1920.

W. K. NOTLEY,
Governor's Deputy.

GOD SAVE THE KING.

GOVERNMENT NOTICE No. 344.

S. 2672.

UNDER THE EAST AFRICA TOWNSHIPS
ORDINANCE, 1903.

RULES.

RULES issued by the Governor under the East
Africa Townships Ordinance, 1903.

Nairobi,

Dated this 11th day of October, 1920.

EDWARD NORTHEY,
Governor.

The following rules shall apply to the Township
of Nyeri:—

Of the rules as published under date the 22nd day
of April, 1917, under the East Africa Townships
Ordinance, 1903, and referred to as the Kisumu
Township (Animals and Carts) Rules, 1917, save and
except that for the words "Superintendent of Con-
servancy" in the said rules shall be substituted the
words "District Commissioner," the following:—

No. 4 and No. 5.

PROCLAMATION No. 138.

S. 17612.

THE EAST AFRICA AND UGANDA
(CURRENCY) (No. 2) ORDER, 1920.

PROCLAMATION.

IN EXERCISE of the powers conferred on me
by the East Africa and Uganda (Currency) (No. 2)
Order, 1920, I, Edward Northey, Major-General of
His Majesty's Forces, Knight Commander of the
Most Distinguished Order of Saint Michael and
Saint George, Companion of the Most Honourable
Order of the Bath, Governor of the Colony of Kenya
and the East Africa Protectorate, do hereby pro-
claim and declare that Treasury Notes of the
United Kingdom and Bank of England Notes are
no longer legal tender in the Colony of Kenya and
the East Africa Protectorate.

Given under my hand at Nairobi this 27th day
of October, 1920.

EDWARD NORTHEY,
Governor.

GOD SAVE THE KING.

PROCLAMATION No. 139.

S. 1621

THE NATIVE HUT AND POLL TAX
AMENDMENT ORDINANCE, 1920.

PROCLAMATION.

IN EXERCISE of the powers conferred upon the
Governor by the Native Hut and Poll Tax Amend-
ment Ordinance, 1915, and the Native Hut and Poll
Tax Ordinance, 1920, I, Edward Northey, Major-
General of His Majesty's Forces, Knight Com-
mander of the Most Distinguished Order of Saint
Michael and Saint George, Companion of the Most
Honourable Order of the Bath, Governor of the
Colony of Kenya and the East Africa Protectorate,
hereby declare that the schedule to Proclamation
No. 60, dated 7th day of June, 1920, shall be and
is hereby amended by the deletion of the words
"Elgeyo, Marakwet" from the 2nd line under the
heading "Naivasha Province" and the insertion of a
new line beneath the word "Kamasia" as follows:
"Elgeyo, Marakwet—5" and under the heading
"Kenya Province" the insertion of a new line "The

Meru, Embu and Chuka districts and areas—5"
and the insertion of the word "other" after the word
"all" in the following line.

Given under my hand at Nairobi this 25th day of
October, 1920.

EDWARD NORTHEY,
Governor.

GOD SAVE THE KING.

PROCLAMATION No. 140.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling
me, I hereby declare the following Farm in the
Naivasha Province, to be an infected area (Rinder-
pest) for the purposes of the aforesaid Ordinance.

Farm No. 889/1, Mr. J. C. Smith, Eldoret, Uasin
Gishu.

Given under my hand at Nairobi this 21st day of
October, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 141.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling
me, I hereby declare the following areas to be
infected areas (Foot and Mouth Disease) for the pur-
poses of the aforesaid Ordinance.

Farm No. 820, Mr. W. H. Heard, Eldoret, Uasin
Gishu.

The Veterinary Quarantine Reserve, Machakos.

Given under my hand at Nairobi this 21st day of
October, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 142.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling
me, I hereby declare that the following Proclama-
tions be revoked.

That portion of Proclamation No. 127, dated the
4th day of October, 1920, declaring Farm
No. 1840, Mr. P. J. Vandyk, Trans Nzoia, to be
an infected area (Foot and Mouth Disease).

That portion of Proclamation No. 127, dated the
4th day of October, 1920, declaring Farm
No. 1841, Mr. Douglas, Trans Nzoia, to be an
infected area (Foot and Mouth Disease).

That portion of Proclamation No. 105, dated the
14th day of August, 1920, declaring Farm
No. 1819, Mr. Gordon Hewitt, Trans Nzoia, to
be an infected area (Rinderpest).

Those portions of Proclamation No. 4, dated the
3rd day of January, 1920, declaring Farm
No. 656/5, Mr. Aubrey and Farm No. 474/1,
Col. A. I. Lean, Solai, Nakuru, to be infected
areas (East Coast Fever).

Given under my hand at Nairobi this 21st day of
October, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

GOVERNMENT NOTICE No. 350.

THE DISEASES OF ANIMALS ORDINANCE, 1906.

RULES.

IN EXERCISE of the powers conferred upon him by the Diseases of Animals Ordinance, 1906, His Excellency the Governor has been pleased to make the following Rules:—

1. These Rules may be cited as "The Diseases of Animals (Amendment) Rules, 1920," and shall be read as one with the "Diseases of Animals Rules, 1918" and with "The Supply of Veterinary Laboratory Products and Inoculation Rules, 1920."

2. The Scale of Fees in Schedule A to the Diseases of Animals Rules, 1918, shall be and is hereby amended as follows:—

After "Inoculation against Pleuro-pneumonia 50 cents per head," the following shall be read and included:—

"Inoculation against Pleuro-pneumonia when done in order to permit of stock being moved from one place to another Fls. 1/- per head."

By command of His Excellency the Governor.
Nairobi,
The 19th day of October, 1920.

W. K. NOTLEY,
Acting Chief Secretary.

GOVERNMENT NOTICE No. 351. S. 24.

THE INDIAN TELEGRAPH ACT, 1885.

RULES.

Installation of Telephones.

IN EXERCISE of the powers conferred upon him by the Indian Telegraph Act, 1885, as applied to the Colony of Kenya and the East Africa Protectorate His Excellency the Governor has been pleased to make the following Rules:—

1. These Rules may be cited as "The Telephones Installations and Extensions Fees Rules, 1920."

2. On and after the 1st day of November, 1920, there shall be chargeable by the Postmaster General fees for the installation of telephones and the extension thereof in accordance with the scale set forth in the Schedule hereto annexed.

3. These Rules shall be read together with the Rules and Regulations governing Telephone services dated the 26th June, 1906, 10th November, 1910 and 15th February, 1916.

By command of His Excellency the Governor.
Nairobi,
The 20th day of October, 1920.

W. K. NOTLEY,
Acting Chief Secretary.

SCHEDULE.

SCALE OF INSTALLATION FEES FOR TELEPHONES.

	Fls.	
Ordinary Installations ...	50/-	per telephone instrument,
Extensions ...	25/-	do.
Farmers' Lines, for the first instrument ...	50/-	do.
For each supplementary instrument ...	10/-	do.

GOVERNMENT NOTICE No. 352.

S. 18734.

THE STATISTICS ORDINANCE, 1918.

REGULATIONS.

IN EXERCISE of the powers conferred upon the Governor by Section 10 of the Statistics Ordinance, 1918, His Excellency the Governor has been pleased to make the following Regulations:—

1. These Regulations may be cited as "The Statistics Regulations (No. 2) 1920" and shall be read together with the Regulations dated the 29th day of June, 1920 and issued under the above Ordinance, (Government Notice No. 222) hereinafter called the Principal Regulations.

2. Any person who without reasonable cause, makes default in complying with the requirements of the Principal Regulations shall be guilty of an offence and be liable, on conviction, to a fine not exceeding Florins 250/- or, in the case of a continuing default, to a fine not exceeding Florins 10/- for every day during which the default continues.

By command of His Excellency the Governor.
Nairobi,
Dated the 22nd day of October, 1920.

W. K. NOTLEY,
Acting Chief Secretary.

GOVERNMENT NOTICE No. 353. S. 21077.

THE COMMISSIONS OF INQUIRY ORDINANCE, 1912.

IN EXERCISE of the powers conferred on me by the Commissions of Inquiry Ordinance, 1912, I, Edward Northey, Major-General of His Majesty's Forces, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of the Colony of Kenya and the East Africa Protectorate, hereby appoint Gordon Kennet Knight-Bruce, Acting District Commissioner, Naivasha, to be a person before whom the Commissioners appointed under the Commissions issued under my hand on the 6th day of August, 1920, and the 2nd day of September, 1920, to enquire into and report on the matters therein set out may make and subscribe the proper oath as by the aforesaid Ordinance provided.

Given under my hand at Nairobi the 22nd day of October, 1920.

EDWARD NORTHEY,
*Governor and
Commander-in-Chief.*

GOVERNMENT NOTICE No. 354. S. 21077.

THE COMMISSION OF INQUIRY ORDINANCE, 1912.

A COMMISSION.

I, Edward Northey, Major-General of His Majesty's Forces, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of the Colony of Kenya and the East Africa Protectorate, do, in exercise and by virtue of the powers conferred upon me by the Commission of Inquiry Ordinance, 1912, Section 3, by this my

Commission under my hand alter the Commission issued under the aforesaid Ordinance by me dated the 6th day of August, 1920, (Government Notice No. 271) by appointing Cowasjee Maneckji Dalal, Esquire, to be a Commissioner to enquire into and report on the matters the subject of inquiry of such aforesaid Commission of the 6th day of August, 1920, in addition to the Commissioners therein appointed.

Given under my hand at Nairobi this Twenty-fifth day of October, 1920.

EDWARD NORTHEY,
*Governor and
Commander-in-Chief.*

GOVERNMENT NOTICE No. 360.

CONFIRMATION OF ORDINANCES.

NOTICE.

THE Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the undermentioned Ordinances:—

S. 19224.

"AN ORDINANCE TO AMEND THE LAW
RELATING TO VAGRANTS."
(No. IX OF 1920).

S. 17612.

"AN ORDINANCE TO MAKE NOTES OF THE GOVERNOR
AND COMPANY OF THE BANK OF ENGLAND AND
TREASURY CURRENCY NOTES LEGAL TENDER
IN THE EAST AFRICA PROTECTORATE."
(No. XIV OF 1920).

By command of His Excellency the Governor,
Nairobi, C. E. SPENCER,
October 22nd, 1920. *for Ag. Chief Secretary.*

PROCLAMATION No. 143. S. 21677.

THE GAME ORDINANCE, 1909.

PROCLAMATION.

IN EXERCISE of the powers conferred upon me by Section 6 (1) of the Game Ordinance, 1909, I, Edward Northey, Major-General of His Majesty's Forces, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of the Colony of Kenya and the East Africa Protectorate, hereby declare that the following animal and area be added to the First Schedule of the said Ordinance, that is to say:—

16. Impalla in the following area:—

"An area in the Nyeri District in the Kenya Province, circumscribed on the South by the Chania River; on the West by the Aberdare Hills; on the North by the Amboni and Rongai Rivers; and on the East by Mount Kenia."

Given under my hand at Nairobi this 27th day of October, 1920.

EDWARD NORTHEY,
*Governor and
Commander-in-Chief.*

GOD SAVE THE KING.

GOVERNMENT NOTICE No. 375.

S. 21038.

CONFIRMATION OF ORDINANCE.

NOTICE.

THE Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the undermentioned Ordinance:—

"AN ORDINANCE RELATING TO THE TREATY
OF PEACE."

(No. XVIII OF 1920).

By command of His Excellency the Governor,
Nairobi,
November 8th, 1920.

C. E. SPENCER,
for Acting Chief Secretary.

PROCLAMATION No. 144.

S. 1967.

THE DISEASES OF ANIMALS ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare that the following Proclamations be revoked.

Proclamation No. 69, dated the 23rd day of June, 1920, declaring Farm No. 632, Messrs. Ross Bros., Fort Ternan, to be an infected area (Contagious Bovine Pleuro-Pneumonia).

That portion of Proclamation No. 116, dated the 21st day of August, 1920, declaring Farms Nos. 1308 and 1309/2, Messrs. Kenton Estates, Kinangop, Naivasha, to be infected areas (Rinderpest).

That portion of Proclamation No. 127, dated the 4th day of October, 1920, declaring Farm No. 1815, Mr. De la Harpe, Trans Nzoia, to be an infected area (Foot and Mouth Disease).

That portion of Proclamation No. 127, dated the 4th day of October, 1920, declaring Farm No. 1258, Messrs. Bingley and Anderton, Gilgil, to be an infected area (Foot and Mouth Disease).

Proclamation No. 129, dated the 4th day of October, 1920, declaring Farm No. 3115, Mr. J. R. S. Stuart, Londiani, to be an infected area (Swine Fever).

That portion of Proclamation No. 131, dated the 4th day of October, 1920, declaring Farm No. 3115, Mr. J. R. S. Stuart, Londiani, to be an infected area (Contagious Bovine Pleuro-pneumonia).

That portion of Proclamation No. 141, dated the 21st day of October, 1920, declaring Farm No. 820, Mr. W. H. Heard, Eldoret, to be an infected area (Foot and Mouth Disease).

Given under my hand at Nairobi this 5th day of November, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 145.

S. 1967.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following Farm in the Ukamba Province, to be an infected area (Contagious Bovine Pleuro-pneumonia) for the purposes of the aforesaid Ordinance.

Farm No. 244, Mr. T. P. de Bruin, Kitamaiyu, Ruiru.

Given under my hand at Nairobi this 5th day of November, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 146.

S. 1967.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following Farm in the Naivasha Province, to be an infected area (Rinderpest) for the purposes of the aforesaid Ordinance.

Farm No. 1825, Mr. J. J. de Jager, Trans Nzoia.

Given under my hand at Nairobi this 12th day of November, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 147.

S. 1967.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare that that portion of Proclamation No. 127, dated the 4th day of October, 1920, [declaring Farm No. 422, The Hon. G. Cole, Gilgil, to be an infected area (Foot and Mouth Disease)], be revoked.

Given under my hand at Nairobi this 12th day of November, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

GOVERNMENT NOTICE No. 378.

S. 2135.

THE EAST AFRICA STATE RAILWAY
PROVIDENT FUND ORDINANCE,
1908.

RULES.

ISSUED by His Excellency the Governor with the approval of the Secretary of State under the

provisions of the East Africa State Railway Provident Fund Ordinance, 1908.

By command of His Excellency the Governor.

Nairobi,

Dated this 10th day of November, 1920.

W. K. NOTLEY,
Acting Chief Secretary.

1. These Rules may be cited as "The Railway Provident Fund (Amendment) Rules, 1920," and shall be read as one with the Railway Provident Fund Rules, dated 1st June, 1914, and published on page 657 of the "Official Gazette" of 10th June, 1914, hereinafter referred to as the "Principal Rules."

2. Rule 1 of the Principal Rule is hereby deleted and the following rule substituted therefor:—

"1. These Rules apply to all servants, as hereinafter defined, employed on State Railways in the Kenya Colony and East Africa Protectorate and in the Uganda Protectorate and all branch lines forming part of or connected with the State Railways, whether such branch lines are State Railways or not."

PROCLAMATION No. 148.

S. 20922.

MEETING OF THE LEGISLATIVE
COUNCIL.

PROCLAMATION.

I, Edward Northey, Major-General of His Majesty's Forces, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of the Colony of Kenya and the East Africa Protectorate, in exercise of the powers vested in me by Instructions under the Royal Sign Manual and Signet, dated the 4th day of September, 1919, do hereby direct that the formal opening of the Legislative Council on Monday the 29th day of November, 1920, at 10 a.m., shall take place at the Railway Institute, Nairobi, instead of at Government House as directed by Proclamation No. 108, dated the 27th day of August, 1920, published in the "Official Gazette" of the 1st of September, 1920.

Given under my hand at Nairobi this 19th day of November, 1920.

EDWARD NORTHEY,
Governor.

GOD SAVE THE KING.

THE EAST AFRICA TOWNSHIPS ORDINANCE, 1903.

RULES.

IN EXERCISE of the powers conferred upon the Governor by the East Africa Townships Ordinance, 1903, His Excellency the Governor has been pleased to make the following Rules:—

1. These Rules may be cited as “The Kismayu (Registration of Boat) Rules, 1920,” and shall be read together with the Rules published in the “Official Gazette” of the 15th November, 1907, relating to the Registration of Boats at Kismayu hereinafter called “the Principal Rules.”

2. The “Kismayu Registration of Boat Rules, 1917” are hereby cancelled.

3. The Principal Rules are amended as follows:—

By deleting under rates the items as therein set forth and substituting as follows:—

	OLD RATES.				NEW RATES.			
	From Kismayu to steamer in harbour.		From Kismayu to steamer at the point.		From Kismayu to steamer in harbour.		From Kismayu to steamer at the point.	
	Fls.	Cts.	Fls.	Cts.	Fls.	Cts.	Fls.	Cts.
6 a.m. to 7 p.m. per passenger single trip ...	0	19	0	25	0	19	0	50
Personal luggage per package ...	0	09	0	15	0	09	0	20
Cargo such as bundles of hides, dry fish, fish fins per 100 packages ...	40	00	45	00	50	00	60	00
All other cargo per 100 packages ...	8	00	10	00	12	00	16	00
Camel ...	1	00	1	50	3	00	4	00
Bullock or donkey per head ...	1	00	1	50	2	00	3	00
Goat or sheep ...	0	06	0	08	0	06	0	08
Horse ...	1	50	2	00	3	00	4	00
Mule ...	1	00	1	37	2	00	3	00

NOTE:—For each passenger double journey double the above fares.

Between 7 p.m. and 6 a.m. double the above fares.

				Old Rates.		New Rates.	
				Fls.	Cts.	Fls.	Cts.
For every hour's detention by day ...	...	...	...	0	38	0	50
do. at night ...	...	...	...	0	50	0	75
Whole day Class I. ...	...	...	...	4	00	6	00
do. Class II. ...	...	...	...	6	00	10	00

By Command of His Excellency the Governor.

Nairobi,

This 17th day of November, 1920.

W. K. NOTLEY,
Acting Chief Secretary.

COLONY OF KENYA.

GOVERNMENT NOTICE No. 386.

S. 11675.

LETTERS PATENT passed under the Great Seal of the United Kingdom constituting the Office of Governor and Commander-in-Chief of the Colony of Kenya and providing for the Government thereof.

*Letters Patent dated
11th September,
1920.*

George the Fifth, by the Grace of God of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India: To all to whom these Presents shall come, Greeting.

*Recites Orders in Council
of 11th August, 1902,
22nd October, 1906,
2nd November, 1907,
7th March, 1911, 17th
January, 1912, 9th
March, 1914, 2nd
March, 1915, 30th May,
1919, and 26th April,
1920.*

WHEREAS by Orders in Council bearing date the Eleventh day of August, 1902, and the Twenty-second day of October, 1906, as added to, altered or amended by further Orders in Council bearing date the Second day of November, 1907, the Seventh day of March, 1911, the Seventeenth day of January, 1912, the Ninth day of March, 1914, the Second day of March, 1915, the Thirtieth day of May, 1919, and the Twenty-sixth day of April, 1920, provision was made for the Administration of the Government of certain territories of Africa under Our protection and known as the East Africa Protectorate:

*Recites Kenya (Annexa-
tion) Order in Council,
1920.*

And whereas by an Order in Our Privy Council bearing date the Eleventh day of June, 1920, and known as the Kenya (Annexation) Order in Council, 1920, it is provided that the territories comprised in the East Africa Protectorate, save and excepting only such territories therein included as form part of the Dominions of His Highness the Sultan of Zanzibar shall, from and after the coming into operation of the said Order, be annexed to and form part of Our Dominions, and shall be known as the Colony of Kenya:

And whereas the said Order in Council was published in the "Official Gazette" of the East Africa Protectorate on the Twenty-third day of July, 1920, and thereupon commenced and came into operation:

And whereas We are minded to make provision for the government of Our Colony of Kenya:

Now We do by these Our Letters Patent ordain and declare Our Will and Pleasure as follows:—

I. There shall be a Governor and Commander-in-Chief (herein-after called the Governor) in and over Our Colony of Kenya, and appointments to the said Office shall be made by Commission under the Royal Sign Manual and Signet.

*Office of Governor
constituted.*

II. Our Colony of Kenya (hereinafter called the Colony) shall, until We shall otherwise provide, comprise all such territories as are mentioned in Our hereinbefore recited Order in Our Privy Council bearing date the Eleventh day of June, 1920, and known as the Kenya (Annexation) Order in Council, 1920, or as may be more particularly defined in any Order in Council adding to, amending, or substituted for the same.

Boundaries.

III. We do hereby authorise, empower, and command the Governor to do and execute all things that belong to his said Office, according to the tenour of these Our Letters Patent and of any Orders in Council relating to the territories formerly known as the East Africa Protectorate, save in so far as any provision of any such Order in Council may be repugnant to any of the provisions of these Our Letters Patent and of such Commission as may be issued to him under the Royal Sign Manual and Signet, and according to such Instructions as may from time to time be given to him, under the Royal Sign Manual and Signet, or by Order in Our Privy Council, or by Us through one of Our Principal Secretaries of State, and to such laws as are now, or shall hereafter be in force in the Colony.

Governor's powers and authorities.

IV. Every person appointed to fill the Office of Governor shall, with all due solemnity, cause the Commission appointing him to be Governor to be read and published at the seat of Government in the presence of the Chief Justice, or of some other Judge of Our High Court of East Africa, or if there be no Judge of the said Court who is able to attend, in the presence of such other of Our officers in the Colony as can conveniently attend, which being done, he shall then and there take before him or them the Oath of Allegiance, in the form provided by an Act passed in the Session holden in the Thirty-first and Thirty-second years of the Reign of Her Majesty Queen Victoria, intituled "An Act to amend the Law relating to Promissory Oaths"; and likewise the usual Oath for the due execution of the Office of Governor and for the due and impartial administration of justice; which Oaths the said Chief Justice or Judge, or, if they be unavoidably absent, some other of Our Officers then present is hereby required to administer.

Publication of Governor's Commission.

Oaths to be taken by Governor.

Imperial Act 31 & 32
Vic. c. 72.

V. The Governor shall keep and use the Public Seal of the Colony for sealing all things whatsoever that shall pass the said Seal: Provided that until a Public Seal shall be provided for the Colony the Public Seal of the East Africa Protectorate may be used as the Public Seal of the Colony.

Public Seal.

VI. There shall be an Executive Council in and for the Colony, and the said Council shall consist of such persons as We shall direct by Instructions under Our Sign Manual and Signet, and all such persons shall hold their places in the said Council during Our pleasure:

Executive Council.

Provided that the persons who were members of the Executive Council of the East Africa Protectorate at the date of the coming into operation of the Kenya (Annexation) Order in Council, 1920, shall be and be deemed to be members of the Executive Council of Our Colony of Kenya, but subject always to any conditions, provisoes, and limitations prescribed by any Instructions under Our Sign Manual and Signet or by Us through one of Our Principal Secretaries of State.

Suspension of Members
of the Executive
Council.

VII. The Governor may by an Instrument under the Public Seal, suspend any person appointed by name from the exercise of his functions as a Member of the Executive Council. Every such suspension shall be forthwith reported by the Governor to us through one of Our Principal Secretaries of State, and shall remain in force unless and until either it shall be removed by the Governor by an Instrument under the said Public Seal, or it shall be disallowed by Us through one of Our Principal Secretaries of State, and such disallowance shall be published in the "Official Gazette" of the Colony. If the suspension is confirmed by Us through one of Our Principal Secretaries of State the Governor shall forthwith by an Instrument under the Public Seal revoke the appointment of such Member and thereupon his seat in the Council shall become vacant.

Legislative Council.

VIII. There shall be a Legislative Council in and for the Colony constituted in such manner as We shall direct by any Instructions under Our Sign Manual and Signet and as may be provided by the Ordinance entitled "An Ordinance to provide for the election and nomination of Members to the Legislative Council of the East Africa Protectorate," passed by the Legislative Council of the East Africa Protectorate on the Tenth day of July, 1919, or by any law adding to, amending or substituted for the same by the Legislative Council of the Colony and for the time being in force therein :

Provided that the Members of the Legislative Council of the East Africa Protectorate as constituted at the date of the coming into operation of the Kenya (Annexation) Order in Council, 1920, shall be and be deemed to be Members of the Legislative Council of the Colony, but subject always to any conditions, provisoes, and limitations prescribed by any Instructions under Our Sign Manual and Signet or by Us through one of Our Principal Secretaries of State.

Suspension of Members
of the Legislative
Council.

IX. The Governor may by an Instrument under the Public Seal suspend any Member other than an *ex officio* Member of the Legislative Council from the exercise of his functions as a Member of the Council. Every such suspension shall be forthwith reported by the Governor to Us through one of Our Principal Secretaries of State, and shall remain in force unless and until it shall be either removed by the Governor by an Instrument under the said Seal, or disallowed by Us through one of Our Principal Secretaries of State.

If the suspension is confirmed by Us through one of Our Principal Secretaries of State the Governor shall forthwith by an Instrument under the Public Seal revoke the appointment of such Member and thereupon his seat in the Council shall become vacant.

X. The persons who shall, from time to time, compose the said Legislative Council shall have full power and authority, subject always to any conditions, provisoes, and limitations prescribed by any Instruments under Our Sign Manual and Signet, to establish such Ordinances, not being repugnant to the law of England, and to constitute such Courts and Officers, and to make such provisions and regulations for the proceedings in such Courts and for the administration of justice, as may be necessary for the peace, order, and good government the of Colony.

Powers of Legislative Council.

The Governor shall have a negative voice in the making and passing of all such Ordinances.

Governor's veto.

XI. We do hereby reserve to Ourselves, Our heirs and successors, full power and authority, and Our and their undoubted right, to disallow any such Ordinances, and to signify such disallowance through one of Our Principal Secretaries of State. Every such disallowance shall take effect from the time when the same shall be promulgated by the Governor in the Colony.

Disallowance of Ordinances.

XII. We do also reserve to Ourselves, Our heirs and successors, Our and their undoubted right, with the advice of Our or their Privy Council, from time to time to make all such Laws or Ordinances as may appear to Us or them necessary for the peace, order, and good government of the Colony.

Powers of Legislation, &c., reserved to the Crown.

XIII. When a Bill passed by the Legislative Council is presented to the Governor for his assent he shall, according to his discretion, but subject to any Instructions addressed to him under the Royal Sign Manual and Signet or through one of Our Principal Secretaries of State declare that he assents thereto, or refuses his assent to the same or that he reserves the same for the signification of Our pleasure.

Assent to Bills.

No law shall take effect until either the Governor shall have assented thereto in Our name and on Our behalf, and shall have signed the same in token of such assent, or until We shall have given Our assent thereto by Our Order in Our Privy Council or through one of Our Principal Secretaries of State.

Laws not to take effect until assented to.

XIV. The Governor may reserve for the signification of Our pleasure thereon any Bill passed by the Legislative Council, and shall so reserve any such Bill which is in any way repugnant to or inconsistent with any of the provisions of any Instructions addressed to him under the Royal Sign Manual and Signet. A Bill so reserved shall take effect so soon as We shall have given Our assent thereto, either by Our Order in Our Privy Council, or through one of Our Principal Secretaries of

Reserved Bills.

State, and the Governor shall have signified such assent by Proclamation in the "Official Gazette" of the Colony of Kenya.

Governor and Legislative Council to observe Instructions.

XV. In the making of any Ordinances the Governor and the said Legislative Council shall conform to and observe all rules, regulations, and directions in that behalf contained in any Instructions under Our Sign Manual and Signet.

Governor empowered to make grants of lands,

XVI. The Governor, in Our name and on Our behalf, may make and execute, under the Public Seal, grants and dispositions of any lands within the Colony which may be lawfully granted or disposed of by Us: Provided that every such grant or disposition be made in conformity, either with some Order in Council or law now or hereafter in force in the Colony, or with some Instructions addressed to the Governor under Our Sign Manual and Signet, or through one of Our Principal Secretaries of State, or with some regulation in force in the Colony.

and to appoint Judges and other Officers.

XVII. The Governor may constitute and appoint all such Judges, Commissioners, Justices of the Peace and other necessary Officers and Ministers, as may be lawfully constituted or appointed by Us, all of whom, unless otherwise provided by law, shall hold their offices during Our pleasure.

Dismissal and suspension of Officers.

XVIII. The Governor may, upon sufficient cause to him appearing, dismiss any public officer not appointed by virtue of a Warrant from Us, whose pensionable emoluments do not exceed one hundred pounds sterling a year, provided that in every such case the grounds of intended dismissal are definitely stated in writing, and communicated to the officer in order that he may have full opportunity of exculpating himself, and that the matter is investigated by the Governor with the aid of the head for the time being of the Department in which the officer is serving.

The Governor may, upon sufficient cause to him appearing, also suspend from the exercise of his office any person holding any office in the Colony whether appointed by virtue of any Commission or Warrant from Us or in Our name, or by any other mode of appointment. Such suspension shall continue and have effect only until Our pleasure therein shall be signified to the Governor. If the suspension is confirmed by one of Our Principal Secretaries of State, the Governor shall forthwith cause the officer to be so informed, and thereupon his office shall become vacant. In proceeding to any such suspension, the Governor is strictly to observe the directions in that behalf given to him by Our Instructions.

Grant of pardon.

XIX. When any crime or offence has been committed within the Colony, or for which the offender may be tried therein, the Governor may, as he shall see occasion, in Our name and on Our behalf, grant a pardon to any accomplice in such crime or offence who shall

give such information as shall lead to the conviction of the principal offender, or of any one of such offenders, if more than one; and further, may grant to any offender convicted of any crime or offence in any Court or before any Judge or other Magistrate within the Colony, a pardon, either free or subject to lawful conditions, or any remission of the sentence passed on such offender, or any respite of the execution of such sentence for such period as the Governor thinks fit, and may remit any fines, penalties, or forfeitures due or accrued to Us. Provided always, that the Governor shall in no case, except where the offence has been of a political nature unaccompanied by any other grave crime, make it a condition of any pardon or remission of sentence that the offender shall be banished from, or shall absent himself or be removed from the Colony.

Remission of fines.

Proviso. Banishment prohibited.

Exception. Political offences.

XX. Whenever the Office of Governor is vacant, or if the Governor becomes incapable or be absent from the Colony, or is from any cause prevented from acting in the duties of his Office, then such person or persons as may be appointed under the Royal Sign Manual and Signet, and in case there shall be no person or persons within the Colony so appointed, then the senior Member of the Executive Council then resident in the Colony, and capable of discharging the duties of Administrator, shall during Our pleasure administer the Government of the Colony, first taking the Oaths herein-before directed to be taken by the Governor, and in the manner herein prescribed, which being done, We do hereby authorise, empower, and command any such Administrator as aforesaid, to do and execute, during Our pleasure, all things that belong to the Office of Governor and Commander-in-Chief, according to the tenour of these Our Letters Patent, and of any Order in Council relating to the territories formerly known as the East Africa Protectorate save in so far as any provision of any such Order in Council may be repugnant to any of the provisions of these Our Letters Patent, and according to Our Instructions as aforesaid, and the laws of the Colony. Provided that the Governor, during his passage to or from any place included in his Government, or when, in the exercise or discharge of any powers or duties by these Our Letters Patent or otherwise conferred or imposed upon him, he is in or on the way to or from any territories adjacent to or near to the Colony, shall not be considered to be absent from the Colony within the meaning of these Our Letters Patent.

Succession to the Government.

Oaths to be taken by Administrator.

Powers and authorities of Administrator.

XXI. In the event of the Governor having occasion at any time to be temporarily absent for a short period from the seat of Government, or, in the exercise or discharge of any powers or duties by these Our Letters Patent or otherwise conferred or imposed upon him by Us, or through one of Our Principal Secretaries of State, to visit any territories adjacent to or near to the Colony, he may by an instrument under the Public Seal appoint any person or persons to be his Deputy or Deputies within any part or parts of the Colony during such temporary absence, and in that capacity to exercise, perform, and execute, for and on behalf of the Governor during such

Appointment of Deputies to Governor.

absence, but no longer, all such powers and authorities by these Our Letters Patent or otherwise vested in the Governor as shall in and by such instrument be specified and limited, but no others. Every such Deputy shall conform to and observe all such instructions as the Governor shall from time to time address to him for his guidance. Provided nevertheless that by the appointment of a Deputy or Deputies as aforesaid the power and authority of the Governor shall not be abridged, altered, or in any way affected, otherwise than We may at any time hereafter think proper to direct.

Officers and others to obey
the Governor.

XXII. And We do hereby require and command all Our Officers and Ministers, Civil and Military, and all other the inhabitants of the Colony, to be obedient, aiding, and assisting unto the Governor, and to such person or persons as may from time to time, under the provisions of these Our Letters Patent, administer the Government of the Colony.

Term "the Governor"
explained.

XXIII. In the construction of these Our Letters Patent the term "the Governor" unless inconsistent with the context, shall include every person for the time being administering the Government of the Colony.

Power reserved to His
Majesty to revoke,
alter, or amend the
present Letters Patent.

XXIV. And We do hereby reserve to Ourselves, Our heirs and successors, full power and authority from time to time to revoke, alter, or amend these Our Letters Patent as to Us or them shall seem fit.

Proclamation of Letters
Patent.

XXV. And We do direct and enjoin that these Our Letters Patent shall be read and proclaimed at such place or places within the Colony as may be thought fit, and shall be published in the "Official Gazette" of the Colony and shall thereupon commence and come into operation.

In Witness whereof We have caused these Our Letters to be made Patent.

Witness Ourself at Westminster, the Eleventh day
of September, in the Eleventh Year of Our
Reign.

By Warrant under the King's Sign Manual,

SCHUSTER.

COLONY OF KENYA.

GOVERNMENT NOTICE No. 387.

S. 11675.

COMMISSION appointing **Major-General Sir Edward Northey, K.C.M.G., C.B.**, to be **Governor and Commander-in-Chief** of the **Colony of Kenya.**

GEORGE R.I.

George the Fifth, by the Grace of God of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India: To Our Trusty and Well-beloved Sir Edward Northey, Major-General of Our Forces, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Companion of Our Most Honourable Order of the Bath, Greeting. *Dated 13th September, 1920.*

WE do, by this Our Commission under Our Sign Manual and Signet, appoint you, the said Sir Edward Northey, to be, during Our pleasure, Our Governor and Commander-in-Chief in and over Our Colony of Kenya, with all the powers, rights, privileges, and advantages to the said Office belonging or appertaining.

Appointment of Major-General Sir E. Northey, K.C.M.G., C.B., to be Governor.

II. And We do hereby authorise, empower, and command you to exercise and perform all and singular the powers and directions contained in certain Letters Patent bearing date at Westminster the Eleventh day of September 1920, constituting the Office of Governor and Commander-in-Chief of Our said Colony or in any other Letters Patent adding to, amending, or substituted for the same, according to such Orders and Instructions relating to the territories comprised in Our said Colony, as may have already been received or as you may hereafter receive from Us.

Duties under Letters Patent.

III. And We do hereby appoint that so soon as you shall have taken the prescribed Oaths and have entered upon the duties of your Office, this Our present Commission shall supersede Our Commission under Our Sign Manual and Signet bearing date the Fifteenth day of July, 1918, appointing you to be Governor and Commander-in-Chief in and over the East Africa Protectorate.

Commission of 15th July, 1918, superseded.

IV. And We do hereby command all and singular Our Officers, and loving subjects in Our Colony of Kenya, and all others whom it may concern, to take due notice hereof, and to give their ready obedience accordingly.

Officers and others to obey.

Given at Our Court at Saint James's, this Thirteenth day of September, 1920, in the Eleventh year of Our Reign.

By His Majesty's Command,

MILNER.

PROTECTORATE OF KENYA.

GOVERNMENT NOTICE No. 388.

S. 11675.

ORDER of the King in Council providing for the exercise of His Majesty's Jurisdiction in the Protectorate of Kenya.

At the Court at *Buckingham Palace*,

The 13th day of August, 1920.

PRESENT :

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by the Foreign Jurisdiction Act, 1890, it is, amongst other things, enacted that it shall be lawful for His Majesty the King to hold, exercise, and enjoy any jurisdiction which His Majesty now has or may at any time hereafter have within a foreign country in the same and as ample a manner as if His Majesty had acquired that jurisdiction by the cession or conquest of territory :

And whereas by an Order in Council bearing date the Eleventh day of June, 1920, and entitled the Kenya (Annexation) Order in Council, 1920, it is provided that the territories comprised in the East Africa Protectorate save and excepting only such territories therein included as form part of the Dominions of His Highness the Sultan of Zanzibar shall, from and after the coming into operation of the said Order be annexed to and form part of His Majesty's Dominions and shall be known as the Colony of Kenya :

And whereas the said Order in Council was published in the "Official Gazette" of the East Africa Protectorate on the Twenty-third day of July, 1920, and thereupon commenced and came into operation :

And whereas His Majesty has this day been pleased, by and with the advice of His Privy Council, to direct that Letters Patent be passed under the Great Seal of the United Kingdom of Great Britain and Ireland constituting the office of Governor and Commander-in-Chief of the Colony of Kenya, and, amongst other things, establishing a Legislative Council for the said Colony, with certain powers and authority to legislate for the said Colony, as in the said Letters Patent is more fully set forth :

And whereas it is expedient to make further and other provision for the peace, order, and good government of the territories formerly comprised in the East Africa Protectorate other than those now included in the Colony of Kenya :

Now, therefore, His Majesty, by virtue and in exercise of the powers by the Foreign Jurisdiction Act, 1890, or otherwise in His Majesty vested, is pleased, by and with

Recites the Kenya
(Annexation) Order in
Council, 1920.

the advice of His Privy Council to order, and it is hereby ordered, as follows:—

I. This Order may be cited as the Kenya Protectorate Order in Council, 1920.

Title of Order.

II. This Order shall apply to the territories, comprised in the East Africa Protectorate as specified in the East Africa Order in Council, 1902, save and excepting only such territories therein included as from and after the coming into operation of the Kenya (Annexation) Order in Council, 1920, were annexed to and form part of His Majesty's Dominions and are now known as the Colony of Kenya.

Limits of the Order.

III. Nothing in this Order shall effect the validity of any Instructions issued by His Majesty under the Royal Sign Manual and Signet to the Governor and Commander-in-Chief of the territories now included within the limits of this Order, or of any Order in Council affecting the said territories, or of any Ordinance, Proclamation or Regulations passed or issued under any such Instructions or Order, or of any act or thing done under any such Instructions, Order, Ordinance, Proclamation or Regulations save in so far as any provision of any such Order in Council, Ordinance, Proclamation or Regulations may be repugnant to the provisions of this Order.

Validity of Orders in Council, &c., and of acts done thereunder.

The territories within the limits of this Order shall be known and described as the Protectorate of Kenya.

IV. In this Order, unless the subject or context otherwise requires,—

Definition of terms.

“His Majesty” includes His Majesty's heirs and successors.

“Secretary of State” means one of His Majesty's Principal Secretaries of State.

“Colony” means the Colony of Kenya.

“Protectorate” means the Protectorate of Kenya.

“Governor” means the Governor and Commander-in-Chief for the time being of the Colony of Kenya and includes every person for the time being administering the Government of the said Colony.

V. The Governor and Commander-in-Chief for the time being of the Colony (hereinafter called the Governor) shall be the Governor of the Protectorate, and he is hereby authorised, empowered and commanded to exercise on His Majesty's behalf all such powers and jurisdiction, as His Majesty at any time before or after the passing of this Order had or may have within the said territories, and to that end to take or cause to be taken all such measures and to do or cause to be done all such matters and things therein as are lawful and as in the interest of His Majesty's service he may think expedient, subject to such instructions as may have been received, or as he may hereafter receive by Order in Council, or under His Majesty's Sign Manual and Signet, or through a Secretary of State.

Appointment of the Governor of the Colony of Kenya to be Governor of the Protectorate.

His powers.

And in the absence of such Instructions, any Instructions addressed to the Governor of the Colony by His Majesty, or through a Secretary of State shall in so far as they are applicable be observed by the Governor in the exercise of his powers and jurisdiction as Governor of the Protectorate.

Executive Council.

VI. The Executive Council of the Colony shall be and be deemed to be the Executive Council of the Protectorate.

Legislative authority.

VII. It shall be lawful for the Legislative Council for the time being of the Colony, by any ordinance or ordinances, to exercise and provide for giving effect to all such power and jurisdiction as His Majesty at any time before or after the passing of this Order has acquired or may acquire in the Protectorate, and generally for the peace, order and good government of the Protectorate and of all persons therein.

Provided as follows :—

(1) That all laws, ordinances, proclamations, bye-laws and regulations of whatsoever nature in force at the date of the commencement of this Order within the said Protectorate shall continue in force until repealed or revoked by or in pursuance of any law or ordinance passed by the Legislative Council of the Colony.

(2) That every suit, action, complaint, matter, or thing which shall be depending in any Court having jurisdiction within the said Protectorate at the commencement of this Order shall and may be proceeded with in such Court in like manner as if this Order had not been passed.

Governor's veto.

VIII. The Governor shall have a negative voice in the making and passing of all such Ordinances as aforesaid. And the right is hereby reserved to His Majesty to disallow any such Ordinances as aforesaid. Such disallowance shall be signified to the Governor through a Secretary of State, and shall take effect from the time when the same shall be promulgated by the Governor.

Disallowance of Ordinances.

Powers of legislation reserved to the Crown.

The right is also hereby reserved to His Majesty, with the advice and consent of Parliament or with the advice of His Privy Council, from time to time to make all such Laws or Ordinances as may appear to Him necessary for the exercise of such powers and jurisdiction as aforesaid as fully as if this Order had not been made.

Instructions to be observed.

IX. In the making and establishing of all such Ordinances the Governor and the Legislative Council shall conform to and observe all rules, regulations and directions in that behalf contained in any Instructions under His Majesty's Sign Manual and Signet and until further directed, the Instructions in force for the time being as to the passing of Ordinances by the said Legislative Council for the peace, order and good government of the Colony shall, so far as they may be applicable, be taken and deemed to be in force in respect of Ordinances passed by the said Council by virtue of this Order.

X. When a Bill passed by the Legislative Council is presented to the Governor for his assent, he shall, according to his discretion, but subject to any Instructions addressed to him under His Majesty's Sign Manual and Signet or through a Secretary of State, declare that he assents thereto, or refuses his assent to the same, or that he reserves the same for the signification of His Majesty's pleasure.

Assent to Bills.

No law shall take effect until either the Governor shall have assented thereto in His Majesty's name or on His Majesty's behalf, and shall have signed the same in token of such assent, or until His Majesty shall have given His assent thereto by Order in Council or through one of His Principal Secretaries of State.

Laws not to take effect until assented to.

XI. The Governor may reserve for the signification of His Majesty's pleasure any Bill passed by the Legislative Council, and shall so reserve any such Bill which is in any way repugnant to or inconsistent with any of the provisions of any Instructions addressed to him under His Majesty's Sign Manual and Signet. A Bill so reserved shall take effect so soon as His Majesty shall have given His assent to the same by Order in Council, or through a Secretary of State, and the Governor shall have signified such assent by proclamation in the "Official Gazette" of the Colony.

Reserved Bills.

XII. The Courts now or hereafter established in the Colony shall have in respect of matters occurring within the Protectorate, so far as such matters are within the jurisdiction of His Majesty, the same jurisdiction, civil and criminal, original and appellate, as they respectively possess from time to time in respect of matters occurring within the Colony, and the judgments, decrees, orders, and sentences of any such Court made or given in the exercise of the jurisdiction hereby conferred may be enforced and executed, and appeals therefrom may be had and prosecuted in the same way as if the judgment, decree, order, or sentence had been made or given under the ordinary jurisdiction of the Court.

Courts.

XIII. In any of the events in which he is authorised, by the aforesaid Letters Patent, constituting the office of Governor and Commander-in-Chief of the Colony or any other Letters Patent adding to, amending or substituted for the same, to appoint a Deputy within any part or parts of the Colony, the Governor may appoint any person or persons to be his Deputy or Deputies within any part or parts of the Protectorate and in that capacity to exercise, during his pleasure, such of the powers and authorities vested in the Governor as shall in the instrument appointing him be specified and limited, but no others. Every such Deputy shall conform to and observe all such instructions as the Governor shall from time to time address to him for his guidance. Provided nevertheless that by the appointment of a Deputy or Deputies as aforesaid the power and authority of the Governor shall not be abridged, altered, or in any way affected otherwise than His Majesty may at any time hereafter think proper to direct.

Appointment of Deputies to the Governor.

Governor empowered to
appoint Judges and
other officers.

XIV. The Governor may constitute and appoint all such Judges, Commissioners, Justices of the Peace and other necessary officers as may be lawfully constituted and appointed by His Majesty, all of whom, unless otherwise provided by law, shall hold their offices during His Majesty's pleasure.

Governor empowered to
make grants of lands.

XV. The Governor, in His Majesty's name and on His Majesty's behalf, may make and execute, under the Public Seal grants and dispositions of any lands within the Protectorate which may be lawfully granted or disposed of by His Majesty: Provided that every such grant or disposition be made in conformity, either with some Order in Council or law now or hereafter in force in the Protectorate, or with some Instructions which may be addressed to the Governor under His Majesty's Sign Manual and Signet, or through one of His Majesty's Principal Secretaries of State.

Dismissal and suspension
of Officers.

XVI. The Governor may, upon sufficient cause to him appearing, dismiss any public officer not appointed by virtue of a Warrant from His Majesty, whose pensionable emoluments do not exceed one hundred pounds sterling a year, provided that in every such case the grounds of intended dismissal are definitely stated in writing, and communicated to the officer in order that he may have full opportunity of exculpating himself, and that the matter is investigated by the Governor with the aid of the head for the time being of the department in which the officer is serving.

The Governor may, upon sufficient cause to him appearing, also suspend from the exercise of his office any person holding any office within the Protectorate whether appointed by virtue of any Commission or Warrant from His Majesty, or in His Majesty's name, or by any other mode of appointment. Such suspension shall continue and have effect only until His Majesty's pleasure therein shall be signified to the Governor. If the suspension is confirmed by a Secretary of State, the Governor shall forthwith cause the officer to be so informed, and thereupon his office shall become vacant. In proceeding to any such suspension, the Governor is strictly to observe the directions in that behalf given to him as Governor of the Colony by any Instructions from His Majesty or signified through a Secretary of State.

Grant of pardons.

XVII. When any crime or offence has been committed within the Protectorate or for which the offender may be tried therein, the Governor may, as he shall see occasion, in His Majesty's name and on His Majesty's behalf, grant a pardon to any accomplice in such crime or offence who shall give such information and evidence as shall lead to the conviction of the principal offender, or of any one of such offenders if more than one; and further, may grant to any offender convicted of any crime or offence in any Court or before any person having jurisdiction to try any such crime or offence within the Protectorate, a pardon, either free or subject to lawful

conditions, or any remission of the sentence passed on such offender, or any respite of the execution of such sentence, for such period as the Governor thinks fit, and may remit any fines penalties, or forfeitures which may become due and payable to His Majesty. Remission of fines.

XVIII. The Seal now or hereafter in use as the Public Seal of the Colony shall be and be deemed to be also the Public Seal of the Protectorate, and shall be used for sealing all things whatsoever that shall pass the said Seal. Public Seal.

XIX. This Order shall be published in the "Official Gazette" of the Colony and shall thereupon commence and come into operation; and the Governor shall give directions for the publication of this Order at such places and in such manner, and for such time or times as he thinks proper for giving due publicity thereto within the Protectorate. Commencement of Order in Council.

XX. His Majesty may from time to time revoke, alter, add to, or amend this Order. Power to revoke, &c.

And the Right Honourable Viscount Milner, G.C.B., G.C.M.G., one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

ALMERIC FITZROY.

COLONY OF KENYA.

INSTRUCTIONS passed under the Royal Sign Manual and Signet to the Governor and Commander-in-Chief of the Colony of Kenya.

GEORGE R.I.

INSTRUCTIONS to Our Governor and Commander-in-Chief in and over Our Colony of Kenya, or other Officer for the time being administering the Government of Our said Colony. Dated 11th September, 1920.

WHEREAS by an Order in Council bearing date the Eleventh day of June, 1920, entitled The Kenya (Annexation) Order in Council, 1920, it is provided that the territories comprised in the East Africa Protectorate save and excepting only such territories therein included as form part of the Dominions of His Highness the Sultan of Zanzibar shall from and after the coming into operation of the said Order be annexed to and form part of Our Dominions and shall be known as the Colony of Kenya : Preamble.
Recites Order in Council of 11th June, 1920.

And whereas the said Order in Council was published in the "Official Gazette" of the East Africa Protectorate on the Twenty-third day of July, 1920, and thereupon commenced and came into operation :

And whereas by Letters Patent under the Great Seal of Our United Kingdom of Great Britain and Ireland bearing even date herewith, We have constituted, ordered and declared that there shall be a Governor and Commander-in-Chief (therein and hereinafter called the Governor) in and over Our Colony of Kenya (therein and hereinafter called the Colony) :

And whereas We have thereby authorised, empowered and commanded the Governor to do and execute all things that belong to his said office, according to the tenour of Our said Letters Patent and of any Orders in Council relating to the territories formerly known as the East Africa Protectorate, save in so far as any provision of any such Order in Council may be repugnant to any of the provisions of Our said Letters Patent, and of such Commission as may be issued to him under the Royal Sign Manual and Signet, and according to such Instructions as may from time to time be given to him under the Royal Sign Manual and Signet, or by Order in Council or by Us through one of Our Principal Secretaries of State, and to such laws as are now or shall hereafter be in force in the Colony :

Recites Instructions of
4th September, 1919.

And whereas certain Instructions bearing date the Fourth day of September, 1919, were issued under the Royal Sign Manual and Signet for the guidance of the Governor or other Officer administering the Government of the East Africa Protectorate :

And whereas We are minded to substitute fresh Instructions for the aforesaid Instructions :

Revokes above-recited
Instructions.

Now, therefore, We do, by these Our Instructions under Our Sign Manual and Signet, revoke, as from the date of the coming into operation of the above-recited Letters Patent bearing even date herewith, the aforesaid Instructions, but without prejudice to anything lawfully done thereunder, and instead thereof We do direct and enjoin and declare Our Will and pleasure as follows :—

Governor to administer
Oaths.

I. The Governor may, whenever he thinks fit, require any person in the public service of the Colony to take the Oath of Allegiance, in the form prescribed by the Act mentioned in the above recited Letters Patent bearing even date herewith, together with such other Oath or Oaths as may from time to time be prescribed by any laws in force in the Colony. The Governor is to administer such Oaths, or to cause them to be administered by some Public Officer of the Colony.

Instructions to be
observed by Deputies.

II. During the temporary absence of the Governor from the seat of Government or from the Colony these Instructions, so far as they apply to any matter or thing to be done, or any power or authority to be exercised, by a Deputy acting for the Governor, shall be deemed to be addressed to and shall be observed by such Deputy.

III. If in any emergency arising in the Colony during the temporary absence of the Governor for a short period from the seat of Government or from the Colony it is necessary that instructions should be obtained from Us without delay, the Deputy (if any) acting for the Governor may apply to Us, through one of Our Principal Secretaries of State, for instructions in the matter; but every such Deputy shall forthwith transmit to the Governor a copy of every despatch or communication which he has so addressed to Us.

Deputies may correspond direct with Secretary of State in urgent cases.

IV. The Executive Council of the Colony shall consist of the persons for the time being lawfully discharging the functions of Colonial Secretary, of Attorney-General, of Treasurer, of Chief Native Commissioner and of Principal Medical Officer, who shall be styled *ex officio* Members of the Executive Council, and such other persons holding office in the Public Service of the Colony as the Governor in pursuance of Instructions from Us through one of Our Principal Secretaries of State, may from time to time appoint by an Instrument under the Public Seal, who shall be styled Official Members of the Executive Council and further of such persons (if any) not holding office in the Public Service of the Colony as the Governor, in pursuance of Instructions from Us through one of Our Principal Secretaries of State, may, from time to time, appoint by an Instrument under the Public Seal, who shall be styled Unofficial Members of the Executive Council.

Constitution of Executive Council.

Whenever upon any special occasion the Governor desires to obtain the advice of any person within the Colony or the Protectorate of Kenya relating to affairs in the Colony, he may, by an Instrument under the Public Seal, summon for such special occasion any such person as an Extraordinary Member of the Executive Council.

Extraordinary Members.

V. Whenever any Member, other than an *ex officio* Member, of the said Executive Council shall, by writing under his hand, resign his seat in the said Executive Council, or shall die, or be suspended from the exercise of his functions as a Member of the Executive Council, or be declared by the Governor by an Instrument under the Public Seal to be incapable of exercising his functions as a Member of the Council, or be absent from the Colony, and from the Protectorate of Kenya, or shall be acting in an office the holder of which is an *ex officio* Member of the Council, the Governor may, by an Instrument under the Public Seal, provisionally appoint some person to be temporarily a Member of the Council in the place of the Member so resigning or dying, or being suspended or declared incapable, or being absent, or sitting as an *ex officio* Member.

Provisional appointments.

Such person shall forthwith cease to be a Member of the said Council if his appointment is disallowed by Us, or if the Member in whose place he was appointed shall be released from suspension, or, as the case may be, shall be declared by the Governor capable of again discharging his functions in the Council, or shall return to the Colony or the Protectorate of Kenya, or shall cease to sit in the Council as an *ex officio* Member.

Provided that when any person shall be lawfully discharging the functions of more than one of the offices the holders of which are *ex officio* Members of the said Council, the Governor may, by an Instrument under the Public Seal, appoint any fit person to be provisionally a Member of the Council so long as the functions of the said offices shall continue to be discharged by one person as aforesaid.

Provisional appointments
to be immediately
reported.

VI. The Governor shall, without delay, report to Us, for Our confirmation or disallowance, through one of Our Principal Secretaries of State, every provisional appointment of any person as a Member of the said Executive Council. Every such person shall hold his place in the Council during Our pleasure, and the Governor may, by an Instrument under the Public Seal, revoke any such appointment.

Precedence of Members.

VII. The Members of the Executive Council shall have seniority and precedence as We may specially assign, and, in default thereof, first the *ex officio* Members, in the order in which their offices are above-mentioned, then the Official Members, according to the priority of their respective appointments, or, if appointed by the same Instrument, according to the order in which they are named therein, then the Unofficial Members (if any) according to the like priority and finally Extraordinary Members with like priority.

Governor to communicate
Instructions to
Executive Council.

VIII. The Governor shall forthwith communicate these Our Instructions to the Executive Council, and likewise all such others, from time to time, as We may direct or as he shall find convenient for Our service to impart to them.

Executive Council not to
proceed to business
unless summoned by
Governor's authority.

IX. The Executive Council shall not proceed to the despatch of business unless duly summoned by authority of the Governor, nor unless two Members at least (exclusive of himself or of the Member presiding) be present and assisting throughout the whole of the meetings at which any such business shall be despatched.

Quorum.

Who to preside.

X. The Governor shall attend and preside at all meetings of the Executive Council, unless prevented by illness or other grave cause, and in his absence such Member as the Governor may appoint, or in the absence of such Member the senior Member of the Council actually present shall preside.

Minutes of Executive
Council to be kept.

XI. Minutes shall be regularly kept of all the proceedings of the Executive Council; and at each meeting of the Council the Minutes of the last preceding meeting shall be confirmed or amended, as the case may require, before proceeding to the despatch of any other business.

Minutes to be sent home
twice a year.

Twice in each year a full and exact copy of all Minutes for the preceding half-year shall be transmitted to Us through one of Our Principal Secretaries of State.

Governor to consult
Executive Council.

XII. In the execution of the powers and authorities granted to the Governor by Our above recited Letters Patent or otherwise he shall in all cases consult with the Executive Council, excepting only in cases which may be of such a nature that, in his judgment, Our service would

sustain material prejudice by consulting the Council thereupon, or when the matters to be decided shall be too unimportant to require their advice, or too urgent to admit of their advice being given by the time within which it may be necessary for him to act in respect of any such matters. In all such urgent cases he shall, at the earliest practicable period, communicate to the Executive Council the measures which he may so have adopted, with the reasons thereof.

Proviso: Urgent cases.

XIII. The Governor alone shall be entitled to submit questions to the Executive Council for their advice or decision; but if the Governor decline to submit any question to the Council when requested in writing by any Member so to do, it shall be competent to such Member to require that there be recorded upon the Minutes his written application, together with the answer returned by the Governor to the same.

Governor alone entitled to submit questions.

XIV. The Governor may act in opposition to the advice given to him by the Members of the Executive Council, if he shall in any case deem it right to do so; but in any such case he shall fully report the matter to Us by the first convenient opportunity, with the grounds and reasons of his action. In every such case, it shall be competent to any Member of the Council to require that there be recorded at length on the Minutes the grounds of any advice or opinion he may give upon the question.

Governor may act in opposition to Executive Council.

Reporting grounds for so doing.

Members may require their adverse opinions to be recorded on the Minutes.

XV. The Legislative Council of the Colony shall consist of the Governor as President, ten *ex officio* Members, Nominated Official Members not exceeding seven in number, eleven European Elected Members, and two Indian Elected Members. Provided that until such Indian Elected Members have been elected the Nominated Indian Unofficial Members who were Members of the Legislative Council of the East Africa Protectorate at the date of the coming into operation of the Kenya (Annexation) Order in Council, 1920, shall continue as Members of the Legislative Council of the Colony during Our pleasure. And provided further that if one of the Nominated Official Members is not specially appointed to represent the interests of the Arab community there shall be a Nominated Unofficial Member to represent such interests.

Constitution of the Legislative Council.

XVI. The *ex officio* Members of the Legislative Council shall be the persons for the time being lawfully discharging the functions of Colonial Secretary, of Attorney-General, of Treasurer, of Chief Native Commissioner, of General Manager of the Uganda Railway, of Land Officer, of Director of Agriculture, of Principal Medical Officer, of Director of Public Works, and of Chief of Customs.

Ex-officio Members.

XVII. The Nominated Official Members of the Legislative Council shall be such persons holding office in the Public Service of the Colony or of the Protectorate of Kenya as the Governor, in pursuance of instructions from Us through one of Our Principal Secretaries of State, may from time to time appoint by an Instrument under the

Nominated Official Members.

Public Seal. They shall hold their places in the Council during Our pleasure and shall in any case vacate their seats at the next dissolution of the Council after their appointment, but may be re-appointed.

European Elected
Members.

XVIII. The European Elected Members of the Legislative Council shall be such fit persons as may be elected in accordance with the provisions of the Ordinance entitled "An Ordinance to provide for the election and nomination of Members to the Legislative Council of the East Africa Protectorate" passed by the Legislative Council of the East Africa Protectorate on the Tenth day of July, 1919, or of any law adding to, amending or substituted for the same by the Legislative Council of the Colony and for the time being in force therein.

Indian Elected Members
and Nominated Arab
Unofficial Member.

XIX. The Indian Elected Members of the Legislative Council shall be such fit persons as may be elected in accordance with the provisions of any law enacted for the purpose by the Legislative Council of the Colony and the Nominated Unofficial Member (if any) of the Council to represent the interests of the Arab community shall be such Arab or other person representing such interests and not holding office in the Public Service of the Colony or of the Protectorate of Kenya as the Governor in pursuance of instructions from Us through one of Our Principal Secretaries of State may from time to time appoint under the Public Seal. He shall hold his place in the Council during Our pleasure and shall in any case vacate his seat at the next dissolution of the Council after his appointment, but may be re-appointed.

Precedence of Members.

XX. The Members of the Legislative Council shall take precedence as We may specially assign and, in default thereof, first the *ex officio* Members in the order in which their respective offices are above-mentioned; secondly, the Nominated Official Members according to the priority of their respective appointments, or if appointed by the same Instrument according to the order in which they are named therein; thirdly, the European Elected Members in order of date of election, or if elected at the same general election according to the alphabetical order of their names; fourthly, the Indian Elected Members, in order of date of election or if elected at the same election according to the alphabetical order of their names; fifthly, the Nominated Unofficial Member (if any) representing the interests of the Arab community; provided always that until Indian Elected Members shall have been elected, the Nominated Indian Unofficial Members of the Council at the date of the coming into operation of the Kenya (Annexation) Order in Council, 1920, shall retain the precedence to which they were entitled at that date.

Provisional appointment
of Nominated Members.

XXI. Whenever any Nominated Member of the Legislative Council, shall, by writing under his hand, resign his seat in the Council, or shall die, or be suspended from the exercise of his functions as a Member of the Council, or be declared by the Governor, by an Instrument under the Public Seal to be incapable of exercising his

functions as a Member of the Council, or be absent from the Colony and from the Protectorate of Kenya, or shall be acting in an office the holder of which is an *ex officio* Member of the Council, the Governor may, by an Instrument under the Public Seal provisionally appoint some person to be temporarily a Nominated Member of the Council in the place of the Member so resigning or dying, or being suspended or declared incapable, or being absent, or sitting as an *ex officio* Member.

Every such provisional appointment may be disallowed by Us through one of Our Principal Secretaries of State, or may be revoked by the Governor by any such Instrument as aforesaid.

Every person so provisionally appointed shall be to all intents and purposes a Nominated Member of the Council until his appointment shall be disallowed or revoked, or superseded by the permanent appointment in his place of a Nominated Member of the Legislative Council, or until the person in whose place he has been appointed shall be relieved from suspension, or declared by the Governor by an Instrument under the Public Seal to be capable of exercising the functions of a Member of the Legislative Council, or shall have returned to the Colony or the Protectorate of Kenya, as the case may be.

XXII. The Governor shall, without delay report to Us, for Our confirmation or disallowance, through one of Our Principal Secretaries of State, every provisional appointment of any person as a Nominated Member of the Legislative Council.

Provisional appointments to be immediately reported.

XXIII. No Member of the Legislative Council shall sit or vote therein until he shall have taken and subscribed the following oath before the Governor, or some person authorized by the Governor to administer such oath:—

Oath of allegiance to be taken by Members of the Council.

“I, A.B., do sincerely promise and swear that I will be faithful and bear true allegiance to His Majesty King George, His heirs and successors according to law.”

“So help me God.”

Provided that every person authorised by law to make an affirmation instead of taking an oath may make such affirmation instead of the said oath.

XXIV. The Governor shall frame and propose to the Legislative Council from time to time for their adoption such Standing Rules and Orders as may be necessary to ensure punctuality of attendance of the Members of the Council, and to prevent meetings of the Council being holden without convenient notice to the several Members thereof, and to maintain order and method in the despatch of business, and in the conduct of debates in the Council, and to secure due deliberation in the passing of Ordinances, and to provide that before the passing of any Ordinance intended to affect the interests of private persons due notice of the same is given to all persons concerned therein.

Standing Rules and Orders.

Until further Standing Rules and Orders shall have been made, the Standing Rules and Orders of the Legislative Council now in force shall remain in force and apply so far as the same are applicable to the Council established in accordance with these Our Instructions.

All such rules and Orders, not being repugnant to any Orders in Council or to these Our Instructions, or to any other Instructions which the Governor may receive from Us, shall at all times be followed and observed, and shall be binding upon the said Council, unless the same or any of them shall be disallowed by Us.

Who to preside at the Council.

XXV. The Governor, if present, or, in the absence of the Governor, such Member of the Legislative Council as the Governor shall from time to time appoint, or in default of such appointment the Member present who stands first in order of precedence, shall preside at the meetings of the Council.

Voting.

XXVI. All questions arising at meetings of the Legislative Council shall be determined by a majority of votes, and the Governor or other presiding Member shall have an original vote in common with the other Members of the Council and also a casting vote if upon any question the votes shall be equal.

Council may transact business notwithstanding vacancies.

XXVII. The said Legislative Council shall not be disqualified from the transaction of business on account of any vacancies among the Members thereof; but the said Council shall not be competent to act in any case unless (besides the Governor or the Member presiding) there be present at and throughout the meetings of the Council six Members at the least.

Quorum.

Questions, &c., for debate.

XXVIII. It shall be competent for any Member of the Legislative Council to propose any question for debate therein; and such question, if seconded by any other Member, shall be debated and disposed of according to the Standing Rules and Orders: Provided always, that no Ordinance, vote, resolution, or question, the object or effect of which may be to dispose of or charge any part of Our revenue arising within the Colony, or to revoke, alter, or vary any such disposition or charge, shall be proposed, except by the Governor or with his consent: And provided further, that no vote, resolution, or question, the object or effect of which may be to suspend the Standing Orders of the Council, shall be proposed except by the Governor or other presiding Member or with his consent.

Sessions of the Council.

XXIX. The sessions of the Legislative Council shall be held at such times and places as the Governor shall from time to time by proclamation appoint. There shall be at least one session of the Council in every year, and there shall not be an interval of twelve months between the last sitting in one session and the first sitting in the next session.

Governor may prorogue or dissolve Council.

XXX. The Governor may at any time by proclamation, prorogue or dissolve the Legislative Council.

XXXI. The Governor shall dissolve the Legislative Council at the expiration of three years from the date of the last preceding general election, if it shall not have been sooner dissolved.

Duration of Legislative Council.

XXXII. A general election shall be held at such time within three months after every dissolution of the Legislative Council, as the Governor shall by proclamation appoint.

General Elections.

XXXIII. In the making of Ordinances the Governor and the Council shall observe, as far as practicable, the following Rules :—

Rules under which laws are to be enacted.

1. All laws shall be styled "Ordinances," and the enacting words shall be "Enacted by the Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof."

Style of Ordinances.

2. All Ordinances shall be distinguished by titles, and shall be divided into successive clauses or paragraphs, consecutively numbered, and to every such clause there shall be annexed in the margin a short summary of its contents. The Ordinances of each year shall be distinguished by consecutive numbers, commencing in each year with the number one. Except in the case of Bills reserved for the signification of Our pleasure, all Ordinances passed in any one year shall, if assented to by the Governor, be assented to by him in that year, and shall be dated as of the date on which the assent of the Governor is given and shall be numbered as of the year in which they are passed. Bills not so assented to by the Governor, but reserved by him for the signification of Our pleasure, shall be dated as of the day and numbered as of the year on and in which they are brought into operation.

Numbering and arrangement of Ordinances.

3. Each different matter shall be provided for by a different Ordinance without intermixing in one and the same Ordinance such things as have no proper relation to each other; and no clause is to be inserted in or annexed to an Ordinance which shall be foreign to what the title of such Ordinance imports, and no perpetual clause shall be part of any temporary Ordinance.

Different subjects not to be mixed in the same Ordinance.

No clause to be introduced foreign to what title of Ordinance imports.

Temporary Ordinances.

XXXIV. The Governor shall not (except in the cases hereunder mentioned) assent in Our name to any Bill of any of the following classes, namely :—

Description of Bill not to be assented to.

1. Any Bill for the divorce of persons joined together in holy matrimony :

2. Any Bill whereby any grant of land or money or other donation or gratuity, may be made to himself :

3. Any Bill affecting the currency of the Colony or relating to the issue of Bank Notes :

4. Any Bill establishing any Banking Association, or amending or altering the constitution, powers, or privileges of any Banking Association :

5. Any Bill imposing differential duties :

6. Any Bill the provisions of which shall appear inconsistent with obligations imposed upon Us by Treaty :

7. Any Bill interfering with the discipline or control of Our forces by land, sea or air :

8. Any Bill of an extraordinary nature and importance whereby Our prerogative or the rights and property of Our subjects not residing in the Colony, or the trade and shipping of the United Kingdom and its Dependencies, may be prejudiced :

9. Any Bill whereby persons not of European birth or descent may be subjected or made liable to any disabilities or restrictions to which persons of European birth or descent are not also subjected or made liable :

10. Any Bill containing provisions to which Our assent has been once refused, or which have been disallowed by Us :

Proviso in case of
emergency for
immediate operation
of a Bill.

unless the Governor shall previously have obtained Our instructions upon such Bill through one of Our Principal Secretaries of State; or unless such Bill shall contain a clause suspending the operation of such Bill until the signification of Our pleasure thereupon, or unless the Governor shall have satisfied himself that an urgent necessity exists requiring that such Bill be brought into immediate operation, in which case he is authorized to assent in Our name to such Bill, unless the same shall be inconsistent with any obligations imposed on Us by Treaty. But he is to transmit to Us, by the earliest opportunity, the Bill so assented to, together with his reasons for assenting thereto.

Private Bills.

XXXV. Every Bill intended to affect or benefit some particular person, association, or corporate body, shall contain a section saving the rights of Us, Our heirs and successors, all bodies politic and corporate, and all others, except such as are mentioned in the Bill and those claiming by, from, or under them. No such Bill, not being a Government measure, shall be introduced into the Legislative Council until due notice has been given by not less than two successive publications of the Bill in the "Official Gazette" of the Colony; and the Governor shall not assent thereto in Our name unless it has been so published. A certificate under the hand of the Governor signifying that such publication has been made shall be transmitted to Us with the Bill.

Ordinances to be sent
home duly authenticated.

XXXVI. When any Ordinance shall have been passed, or when any Bill shall have been reserved for the signification of Our pleasure, the Governor shall forthwith lay it before Us for Our approval, disallowance, or other direction thereupon, and shall transmit to Us through one of Our Principal Secretaries of State a full and exact copy in duplicate of the same, together with a marginal summary thereof, duly authenticated under the Public Seal and by his own signature. Such copy shall be accompanied by such explanatory observations as may be required to exhibit the reasons and occasion for passing such Ordinance or Bill.

XXXVII. At the earliest practicable period at the commencement of each year, the Governor shall cause a complete collection to be published, for general information, of all Ordinances enacted during the preceding year.

Collection of Ordinances to be published every year.

XXXVIII. Minutes shall be regularly kept of all the proceedings of the Legislative Council, and at each meeting of the said Council, the Minutes of the last preceding meeting shall be confirmed or amended, as the case may require, before proceeding to the despatch of any other business.

Minutes of proceedings to be kept.

The Governor shall transmit to Us, through one of Our Principal Secretaries of State, as soon as possible after every meeting, a full and exact copy of the Minutes of the said Council.

Minutes to be sent home.

XXXIX. All Commissions to be granted by the Governor to any person or persons for exercising any office or employment shall, unless otherwise provided by law, be granted during pleasure only; and whenever the Governor shall appoint to any vacant office or employment of which the initial emoluments exceed one hundred pounds sterling a year, any person not by Us specially directed to be appointed thereto, he shall, at the same time, expressly apprise such person that such appointment is to be considered only as temporary and provisional until Our allowance or disallowance thereof be signified.

Appointments to be provisional and during pleasure.

XL. Before suspending from the exercise of his office any Public Officer who has been appointed by virtue of a Commission or Warrant from Us or in Our name, or whose annual pensionable emoluments exceed one hundred pounds sterling, the Governor shall signify to such Officer, by a statement in writing, the grounds of the intended suspension, and shall call upon him to state in writing the grounds upon which he desires to exculpate himself, and if the Officer does not furnish such statement within the time fixed by the Governor, or fails to exculpate himself to the satisfaction of the Governor, the Governor shall appoint a Committee of the Executive Council to investigate the charges made and to make a full report to the Executive Council. The Governor shall forthwith cause such report to be considered by the Council, and shall cause to be recorded in the Minutes whether the Council, or the majority thereof, does or does not assent to the suspension, and if the Governor thereupon proceed to such suspension he shall transmit the report of the Committee and the evidence taken by it, together with the Minutes of the proceedings of the Council, to Us, through one of Our Principal Secretaries of State at the earliest opportunity. But if in any case the interests of Our service shall appear to the Governor to demand that a person shall cease to exercise the powers and functions of his office instantly or before there shall be time to take the proceedings hereinbefore directed, he shall then interdict such person from the exercise of the powers and functions of his office.

Suspension of Officers.

XLI. The Governor is, to the utmost of his power, to promote religion and education among the native inhabitants of the Colony, and he is especially to take care to protect them in their persons and in the free enjoyment of their possessions, and by all lawful means to prevent and restrain all violence and injustice which may in any manner be practised or attempted against them.

Governor to promote religion and education amongst the Natives.

Protection of persons and property.

Regulation of power of pardon in capital cases.

Judge's report to be laid before Executive Council.

Governor to consult Executive Council in such cases.

To exercise his own judgment; entering his reasons on Council Minutes if unable to accept the advice of the majority.

XLII. Whenever any offender shall have been condemned to suffer death by the sentence of any Court in the Colony, the Governor shall call upon the Judge who presided at the trial to make to him a written report of the case of such offender, and shall cause such report to be taken into consideration at the first meeting of the Executive Council which may be conveniently held thereafter, and he may cause the said Judge to be specially summoned to attend at such meeting and to produce his notes thereat. The Governor shall not pardon or reprieve any such offender unless it shall appear to him expedient so to do, upon receiving the advice of the Executive Council thereon; but in all such cases he is to decide either to extend or to withhold a pardon or reprieve, according to his own deliberate judgment, whether the Members of the Executive Council concur therein or otherwise; entering, nevertheless, on the Minutes of the Executive Council a Minute of his reasons at length, in case he should decide any such question in opposition to the judgment of the majority of the Members thereof.

Blue Book.

XLIII. The Governor shall punctually forward to Us from year to year, through one of Our Principal Secretaries of State, the annual book of returns, commonly called the Blue Book, relating to the Revenue and Expenditure, Defence, Public Works, Legislation, Civil Establishments, Pensions, Population, Schools, Course of Exchange, Imports and Exports, Agricultural Produce, Manufactures, and other matters in the said Blue Book more particularly specified, with reference to the state and condition of the Colony.

Governor's absence.

XLIV. Except in the cases provided for in the above recited Letters Patent bearing even date herewith, the Governor shall not upon any pretence whatever quit the Colony without having first obtained leave from Us for so doing, under Our Sign Manual and Signet, or through one of Our Principal Secretaries of State.

Term "the Governor" explained.

XLV. In these Our Instructions the term "the Governor" shall, unless inconsistent with the context, include every person for the time being administering the Government of the Colony.

Given at Our Court at Saint James's, this Eleventh day of September, 1920, in the Eleventh Year of Our Reign.

PROCLAMATION No. 142.

S. 21813.

THE EAST AFRICA TOWNSHIPS
ORDINANCE, 1903.

NANYUKI TOWNSHIP.

IN EXERCISE of the powers conferred upon me by the East Africa Townships Ordinance, 1903, I, Edward Northey, Major-General of His Majesty's Forces, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Governor of the Colony of Kenya and the East Africa Protectorate, hereby declare the area described in the schedule hereto to be a Township for the purposes of the above Ordinance and to be named Nanyuki.

Given under my hand at Nairobi this 24th day of November, 1920.

EDWARD NORTHEY,
*Governor and
Commander-in-Chief.*

GOD SAVE THE KING.

SCHEDULE.

All that piece of land situate in the Province of Kenya, District of Nyeri, locality Nanyuki Township Reserve, Land Office No. 2787, Portion No. 16 of Meridional District North A.37 T 3 C. and containing by measurement 1994.0 acres approximately and bounded as follows—Commencing at the South-east corner of Portion No. 17, thence bounded on the North-west by that Portion and Portion No. 15 bearing $26^{\circ} 23' 50''$ for 11624.8 feet and $51^{\circ} 46' 56''$ for 2281.0 feet; thence on the North-east by Liki River up-stream to its intersection with the Western boundary of the Kenya Forest Reserve; thence on the South-east by the Forest Reserve and Portion No. 1 of Meridional District S.A.37 Bla bearing $234^{\circ} 16' 33''$ for 4246.0 feet, $215^{\circ} 08' 51''$ for 4536.9 feet and $199^{\circ} 43' 05''$ for 1790.5 feet; thence on the South by a Road Reserve bearing $287^{\circ} 52' 32''$ for 6409.4 feet to the point of commencement.

PROCLAMATION No. 150.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following areas in the Naivasha Province, to be infected areas (Contagious Bovine Pleuro-pneumonia) for the purposes of the aforesaid Ordinance.

Farm No. 534/1, Major B. F. Webb, Molo.
The Nairasha Flax Syndicate's Estate, Londiani,
Uasin Gishu.

Given under my hand at Nairobi this 18th day of November, 1920,

W. KENNEDY,
Acting Chief Veterinary Officer.

PROCLAMATION No. 151.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare that the following Proclamations be revoked.

Proclamation No. 87, dated the 21st day of July, 1920, [declaring Farms Nos. 1248 and 1492, Capt. Barry, Nyeri, to be infected areas (Rinderpest)].

Proclamation No. 120, dated the 10th day of September, 1920, [declaring Farm No. 1095, Mr. W. E. Knight, Kinangop, Naivasha, to be an infected area (Rinderpest)].

That portion of Proclamation No. 141, dated the 21st day of October, 1920, declaring the Veterinary Quarantine Reserve, Machakos, to be an infected area (Foot and Mouth Disease).

Proclamation No. 103, dated the 13th day of August, 1920, [declaring the Suam Estate, General Baker-Carr, Mount Elgon, to be an infected area (Contagious Bovine Pleuro-pneumonia)].

Given under my hand at Nairobi this 18th day of November, 1920,

W. KENNEDY,
Acting Chief Veterinary Officer.

GOVERNMENT NOTICE No. 391.

S. 8636.

RULES.

RULES made by His Excellency the Governor under the provisions of the East Africa Police Ordinance, 1911.

Nairobi,

Dated this 22nd day of November, 1920.

EDWARD NORTHEY,
Governor.

1. These Rules may be cited as "The East Africa Police Suspension of Sentences Rules, 1920."

2. In the case of any sentence passed under the provisions of Section 50 of the East Africa Police Ordinance, 1911, by any Superior Police Officer or Inspector in charge or any Magistrate in any district, township or place where there is a detachment of Police but no Superior Police Officer or Inspector or in any case where confirmation by the Commissioner is required in accordance with the aforesaid section, such sentence may be suspended by order of the officer imposing or confirming the sentence as the case may be and shall not be put into execution for such time not exceeding six months, as the officer imposing or confirming the sentence as the case may be shall determine.

3. In the event of any sentence being suspended as hereinbefore provided the officer suspending the sentence or in the event of the accused having been transferred to the command of another officer, the officer under whose command he is serving for the time being having power to impose such sentence, shall at the expiration of the period of suspension consider the case having regard to the reports of the conduct of the accused which shall be submitted to him and shall thereupon order the sentence either to be entirely remitted and any entry relative to the offence expunged from the accused's records or order the sentence to be put into execution.

4. In the event of any accused being convicted of an offence under any of the provisions of the East Africa Police Ordinance, 1911, during the period of suspension of a sentence upon him, then the suspended sentence shall be enforced as from the date of the second conviction, and where a second sentence is imposed on account of the second conviction, such sentences shall, if imprisonment or confinement to quarters has been imposed, be held to run consecutively.

5. In the event of a second conviction and sentence being imposed during the period of suspension of a sentence the officer imposing or confirming such second sentence shall not suspend it.

GOVERNMENT NOTICE No. 392.

S. 21813.

THE EAST AFRICA TOWNSHIPS
ORDINANCES, 1903-1918.

RULES.

IN EXERCISE of the powers conferred upon him by the East Africa Townships Ordinances, 1903-1918, His Excellency the Governor has been pleased to make the following Rules:—

1. These Rules may be cited as "The Nanyuki Township Rules, 1920."

2. The following Rules shall apply to the Township of Nanyuki that is to say all Rules applicable to the Township of Nyeri as set out in the following list:—

Rules dated the 12th day of May, 1912.

"	"	"	30th	"	"	"
"	"	"	27th	"	"	Aug. 1913.
"	"	"	14th	"	"	Feb. 1914.
"	"	"	20th	"	"	Feb. 1914.
"	"	"	24th	"	"	June 1914.

By command of His Excellency the Governor.
Nairobi,

This 26th day of November, 1920.

W. K. NOTLEY,
Acting Chief Secretary.

PROCLAMATION No. 152.

S. 1967.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following Farm in the Nyanza Province, to be an infected area (Contagious Bovine Pleuro-pneumonia) for the purposes of the aforesaid Ordinance.

Farm No. 596/3, Messrs. Mackinlay and Karrison,
Lumbwa.

Given under my hand at Nairobi this 25th day of
November, 1920.

Acting Chief Veterinary Officer.
W. KENNEDY,

PROCLAMATION No. 153.

S. 1967.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare that the following Proclamations be revoked:—

Proclamation No. 92, dated the 24th day of July, 1920, [declaring Farm No. 497/3/3, Major A. Smith, Eldama Ravine, to be an infected area (Contagious Bovine Pleuro-pneumonia)].

Proclamation No. 140, dated the 21st day of October, 1920, [declaring Farm No. 889/1, Mr. J. E. Smith, Eldoret, to be an infected area (Rinderpest)].

Given under my hand at Nairobi this 25th day of
November, 1920.

Acting Chief Veterinary Officer.
W. KENNEDY,

PROCLAMATION No. 154.

S. 1967.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me I hereby declare that the following Proclamation be revoked:—

Proclamation No. 111 dated the 30th day of September, 1919, [declaring the Rumuruti Township and the Rumuruti Veterinary Quarantine Station to be infected areas (East Coast Fever).]

Given under my hand at Nairobi this 9th day
of December, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

GOVERNMENT NOTICE No. 402.

S. 21686.

THE QUARANTINE ORDINANCE, 1912.

IN EXERCISE of the powers conferred upon me by the Quarantine Ordinance, 1912, I hereby declare to be a Quarantine area that area bounded by a line starting at a point where the Isiolo enters the Uaso Nyiro River, thence following the latter river in a Westerly direction to its junction with the Ngare Ndare River, thence following the latter river to its junction with the Labarua River, thence following the latter river to the North-west point of Ol Motonyi Escarpment, thence to the most Northerly farm boundary, thence following the farm boundary to a point where it joins the Isiolo River, thence following the latter river in a Northerly direction to the point of commencement.

Nairobi,

This 7th day of December, 1920.

W. K. NOTLEY,
Governor's Deputy.

PROCLAMATION No. 155.

S. 21864.

THE EAST AFRICA TOWNSHIPS
ORDINANCE, 1903.

PROCLAMATION.

IN EXERCISE of the powers conferred upon me by the East Africa Townships Ordinance, 1903, and all other powers thereunto me enabling I, Edward Northey, Major-General of His Majesty's Forces, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Governor of the Colony of Kenya, hereby declare that the Proclamation, dated the 2nd day of May, 1906, whereby the Township of Machakos was constituted and wherein the area of the said township is defined shall be hereby amended by the addition of the following place with the the limits hereinafter set forth to be part of the said township for the purposes of the aforesaid Ordinance, that is to say:—

L.O. No. 1491, situate in the Province of Ukamba District of Machakos and bounded on the West and South-west by the Muvungumi River, on the North by Native Reserve, on the North-east by Machakos Township Reserve and on the South-east by Native Reserve, excluding the area allotted as a Sports Ground to the Ulu Settlers Association.

The boundaries of the area described are more particularly delineated on Land Survey's Plan No. 2505.

And I hereby declare that the said place within the said limits shall be for the common use and benefit of the inhabitants of the said township.

Given under my hand at Nairobi this 15th day of December, 1920.

EDWARD NORTHEY,
Governor.

GOD SAVE THE KING.

GOVERNMENT NOTICE No. 410.

S. 1967

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

RULES.

IN EXERCISE of the powers conferred upon the Governor by the Diseases of Animals Ordinance, 1906, His Excellency the Governor has been pleased to make the following Rules:—

1. These Rules may be cited as the Diseases of Animals Amendment Rules (No. 3), 1920, and shall be read together with the Diseases of Animals Rules, 1918, hereafter referred to as the Principal Rules.

2. The Diseases of Animals Amendment Rules (No. 5), 1919, are hereby revoked and the following Rule is substituted therefor:—

27. (1) No person shall move any cattle from the Turkana, Suk, Marakwet or Uasin Gishu Masai Native Reserves.

(2) Cattle for trade purposes may be permitted by a Veterinary Officer or District Commissioner to enter the Suk, Kamasia, Marakwet or Elgeyo Native Reserves provided they are branded A.M.T. and P.O. and provided the owner is in possession of a permit issued by the District Commissioner, Ravine, to trade in these districts.

(3) Persons with cattle from the Elgeyo Native Reserve proceeding to any other part of the Colony must leave the Elgeyo Native Reserve at a point to be decided on by the Veterinary Officer, Eldoret, where the cattle will be inspected, quarantined, inoculated or otherwise dealt with as may be considered necessary from time to time.

(4) Persons with cattle from the Kamasia Native Reserve proceeding to any other part of the Colony must leave the Kamasia Native Reserve via Ravine where the cattle will be inspected, quarantined, inoculated or otherwise dealt with as may be considered necessary from time to time.

By command of His Excellency the Governor.

Nairobi,

The 14th day of December, 1920.

W. K. NOTLEY,
Acting Colonial Secretary.

GOVERNMENT NOTICE No. 411.

S. 1338.

THE COMMISSIONS OF INQUIRY
ORDINANCE, 1912.

A COMMISSION.

I, Edward Northey, Major-General of His Majesty's Forces, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Governor of the Colony of Kenya, do by virtue and in exercise of the powers conferred upon me by the Commissions of Inquiry Ordinance, 1912, by this my Commission under my hand appoint:—

LT.-COL. JOHN KERR ROBERTSON, R.E.
MAJOR JAMES HAMILTON GAILEY, D.S.O.
HAROLD EDWIN GOODSHIP, ESQUIRE.
HON'BLE E. NAPIER.
HON'BLE THOMAS ALFRED WOOD, M.B.E.

to be Commissioners to inquire into and report upon

the execution of Public Works in the Colony, and to make recommendations as to the scope of the activities of the Public Works Department and as to improvement in its methods and efficiency.

And I do hereby appoint the said COL. JOHN KERR ROBERTSON, R.E., to be Chairman of such Commission and in case the said COL. ROBERTSON, should be unable to act as Chairman I do hereby direct that the Commissioners shall elect one of their number to act as Chairman during such time as the said COL. ROBERTSON is unable so to act.

And I do hereby appoint ALFRED ERNEST HOEY to be Secretary of the said Commission.

And I do hereby direct that three of the aforesaid Commissioners shall form a quorum.

And I do hereby direct that the aforesaid inquiry be held at such places in the Colony and Protectorate as the Chairman may think fit.

And I do hereby command all persons whom it may concern to take due notice hereof and to give their obedience accordingly.

Given under my hand at Nairobi this 14th day of December, 1920.

EDWARD NORTHEY,
Governor.

GENERAL NOTICE No. 1426.

THE MUNICIPAL CORPORATIONS
ORDINANCE, 1909.

BYE-LAWS.

IN EXERCISE of the powers conferred upon them by the Municipal Corporations Ordinance, 1909, the Municipal Council of Nairobi, with the approval of His Excellency the Governor, have made the following Bye-laws:—

1. These Bye-laws may be cited as the Nairobi Township (Casual Labour) Bye-laws, 1920.

2. The words "casual labourer" shall be taken to mean a person engaged to work for any period of time less than 24 hours.

3. No person shall ply for hire or engage himself as a casual labourer until he shall have been registered as such by the Town Clerk and the maximum number of licences to be granted for persons to ply for hire as casual labourers shall be fixed from time to time by the Municipal Council.

4. The Town Clerk may register as a casual labourer for a period not exceeding one month any person upon the payment of a fee of 50 cents and a deposit of one Florin for a badge, the number of which shall be entered upon the labourer's registration form.

5. Any person to whom a badge has been issued by the Town Clerk shall on his returning his badge be entitled to a refund of his deposit.

6. Every registered casual labourer while engaged or plying for engagement shall wear the numbered badge obtained from the Town Clerk in a conspicuous place on his left arm and in such a position that the number can be readily seen.

7. Any registered casual labourer may be struck off the register by the Town Clerk for misconduct and in such case shall return his badge and receive back his deposit.

Municipal Offices,

Nairobi,

26th November, 1920.

WALTER W. RIDOUT,
Acting Town Clerk.

GENERAL NOTICE No. 1427.

THE MUNICIPAL CORPORATIONS
ORDINANCE, 1909.

BYE-LAWS.

IN EXERCISE of the powers conferred upon them by the Municipal Corporations Ordinance, 1909, the Municipal Council of Nairobi with the approval of His Excellency the Governor have made the following Bye-laws:—

1. These Bye-laws may be cited as the Nairobi Township (Dogs) Amendment Bye-laws, 1920, and shall be read as one with the Nairobi Township Rules of 1917 (hereinafter called the "Principal Bye-laws") and the Nairobi Township (Dogs) Bye-laws of 1919.

2. Bye-law No. 348 of the Nairobi Township (Dogs) Bye-laws, 1919, is hereby amended by the addition of the following words "and for every dog claimed after being seized by the Town Clerk there shall be paid a fee of 50 cents per day or part of a day during which such dog shall have been kept by the Town Clerk."

Municipal Offices,
Nairobi,
6th December, 1920.

WALTER W. RIDOUT,
Acting Town Clerk.

PROCLAMATION No. 156.

S. 1967.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following Farm in the Naivasha Province, to be an infected area (Foot and Mouth Disease) for the purposes of the aforesaid Ordinance.

Farm No. 422, Hon. G. Cole, Gilgil.

Given under my hand at Nairobi this 17th day of
December, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer

PROCLAMATION No. 157.

S. 1967.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following Farms in the Naivasha Province, to be infected areas (Rinderpest) for the purposes of the aforesaid Ordinance.

Farms Nos. 1819 and 1828, Mr. G. Hewitt,
Mount Elgon.

Given under my hand at Nairobi this 17th day of
December, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer

PROCLAMATION No. 158.

S. 1967.

THE DISEASES OF ANIMALS
ORDINANCE, 1906.

PROCLAMATION.

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following Farm in the Naivasha Province, to be an infected area (Contagious Bovine Pleuro-pneumonia) for the purposes of the aforesaid Ordinance.

The Northern portion of Farm No. 761,
Mr. P. J. Potgeiter, Uasin Gishu.

Given under my hand at Nairobi this 17th day of
December, 1920.

W. KENNEDY,
Acting Chief Veterinary Officer.

GOVERNMENT NOTICE No. 418.

S. 20249.

CONFIRMATION OF ORDINANCES.

NOTICE.

THE Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the undermentioned Ordinances:—

"AN ORDINANCE TO AMEND THE LAW RELATING
TO THE REGISTRATION OF NATIVES."

(No. XIX of 1920).

S. 20511.

"AN ORDINANCE TO PROVIDE ROADS OF PUBLIC
TRAVEL AND ACCESS TO PUBLIC ROADS."

(No. XXI of 1920).

By command of His Excellency the Governor,
Nairobi,
December 20th, 1920.

C. E. SPENCER,
for Ag. Colonial Secretary.