

LEGAL NOTICE No. 153

THE EAST AFRICAN COMMON SERVICES ORGANIZATION
ORDINANCE, 1961

(No. 26 of 1961)

IN EXERCISE of the powers conferred by section 8 of the East African Common Services Organization Ordinance, 1961, upon the Minister for Legal Affairs and in pursuance of a direction* given under section 2A of the Transfer and Delegation of Powers Ordinance, 1955, the Minister for Defence hereby makes the following Order:—

THE EAST AFRICAN COMMON SERVICES ORGANIZATION
(ADAPTATION OF LAWS) (No. 2) ORDER, 1962

Citation.

1. This Order may be cited as the East African Common Services Organization (Adaptation of Laws) (No. 2) Order, 1962.

Interpretation.

2. In this Order, "date of commencement" means the 8th December, 1961.

Amendment of
Ordinance 57
of 1949.

3. The Legislation (Application to High Commission) Ordinance, 1949, is hereby amended by deleting the words and commas "East Africa High Commission or to the purposes of the East Africa High Commission, as the case may be," where they occur in section 2 of the said Ordinance, and by substituting therefor the words and commas "Organization or the Authority or to both of them or to the purposes of the Organization or the Authority or of both of them, as the case may be".

Amendment of
Ordinance 38
of 1950.

4. The Factories Ordinance, 1950, is amended—

(a) in section 3 and subsection (7) of section 5 by deleting the words "High Commission" which appear therein and by substituting therefor the word "Organization";

(b) in subsection (1) of section 6—

(i) by deleting the definition of "High Commission" which appears therein;

(ii) by inserting immediately after the definition of "owner" which appears therein the following—

" 'Organization' includes any department or service thereof; "

Amendment of
Ordinance 31
of 1958.

5. The Stamp Duty Ordinance, 1958, is hereby amended—

(a) in subsection (2) of section 117 by deleting the words "High Commission which is not self-contained within the meaning of the East Africa (High Commission) Orders in Council, 1947 to 1957" and by substituting therefor the words "Organization which is not a self-contained service within the meaning of Article 48 of the Constitution annexed to the agreement set out in the Schedule to the East African Common Services Organization Ordinance, 1961.";

26 of 1961.

* G.N. 643/62.

(b) in paragraph 5 and subparagraph (10) of paragraph 29 of the Schedule by deleting the words "High Commission which is self-contained within the meaning of the East Africa (High Commission) Orders in Council 1947 to 1957" and by substituting therefor the words "Organization which is a self-contained service within the meaning of Article 48 of the Constitution annexed to the agreement set out in the Schedule to the East African Common Services Organization Ordinance, 1961."

6. Subject as in hereinafter provided—

- (a) where by any Ordinance or by any subsidiary legislation any power is conferred on the High Commission to make or revoke any subsidiary legislation or appointment, the references to the High Commission in relation to such power shall, in respect of any time or period commencing on or after the date of commencement, be read as if they were references to the Authority;
- (b) the references to the High Commission in the provisions of the Ordinances set out in the Schedule hereto shall, in respect of any time or period commencing on or after the date of commencement, be read and construed as if they were references to the Authority;
- (c) any other references in any Ordinance to the High Commission shall, in respect of any time or period commencing on or after the date of commencement, be read and construed as if they were references to the Organization: Provided that the provisions of this subparagraph shall not apply to any Ordinance guaranteeing any loans raised under an Act of the High Commission.

General
Adaptation of
References to
High
Commission.

7. In respect of any time or period commencing on or after the date of commencement—

- (a) references to the Administrator of the High Commission shall be read and construed as if they were references to the Secretary-General of the Organization;
- (b) references to the Commissioner for Transport of the High Commission shall be read and construed as if they were references to the General Manager of the East African Railways and Harbours Administration;
- (c) references to the Scheduled Services of the High Commission shall be read and construed as if they were references to the services set out in the First Schedule to the Constitution of the Organization annexed to the agreement set out in the Schedule to the East African Common Services Organization Ordinance, 1961;
- (d) references to stock or funds of the High Commission (meaning thereby the loan stock and loan funds of the High Commission) shall be read and construed as if they also included references to the loan stock and loan funds of the authority.

Specific
references.

SCHEDULE

(Paragraph 6 (b))

Title		Provision
Cap. 233 ..	Motor Vehicles Insurance Ordinance	Section 4 (3)
Cap. 237 ..	Transport Licensing Ordinance ..	Section 4
No. 18 of 1956 ..	Local Government (Valuation and Rating) Ordinance, 1956.	Section 27 (2)
No. 35 of 1959 ..	Rent Restriction Ordinance, 1959 ..	Section 3 (b)
No. 1 of 1950 ..	Guarantee (High Commission Railways and Harbours Loan) Ordinance, 1950.	the whole
No. 10 of 1950 ..	Guarantee (High Commission Posts and Telegraphs Loan) Ordinance, 1950.	the whole
No. 31 of 1953 ..	Guarantee (High Commission Railways and Harbours Loan) Ordinance, 1953.	the whole
No. 5 of 1955 ..	Guarantee (High Commission Railways and Harbours Loan) (Supplementary Provisions) Ordinance, 1955.	the whole
No. 57 of 1956 ..	Guarantee (High Commission Railways and Harbours Loan) Ordinance, 1956.	the whole
No. 40 of 1958 ..	Guarantee (High Commission Railways and Harbours Loan) Ordinance, 1958.	the whole
No. 22 of 1960 ..	Guarantee (High Commission Posts and Telecommunications Loan) Ordinance, 1960.	the whole
No. 52 of 1960 ..	Guarantee (High Commission Railways and Harbours Loan) Ordinance, 1960.	the whole

Made this 9th day of March, 1962.

A. C. C. SWANN,
Minister for Defence.