

(Legislative Supplement No. 29)

LEGAL NOTICE No. 167

THE PUBLIC HOLIDAYS ACT

(Cap. 110)

DECLARATION OF PUBLIC HOLIDAY

IN EXERCISE of the powers conferred by section 3 of the Public Holidays Act, the Prime Minister hereby declares that in the year 1964, the 5th June shall be a public holiday throughout Kenya in addition to the days mentioned in the Schedule to the Act.

Made this 28th day of May 1964.

JOMO KENYATTA,
Prime Minister.

LEGAL NOTICE No. 168

THE KENYA INDEPENDENCE ORDER IN COUNCIL 1963

(L.N. 718 of 1963)

IN EXERCISE of the powers conferred by section 4 (4) of the Kenya Independence Order in Council 1963, the Governor-General hereby makes the following Order:—

THE KENYA (AMENDMENT OF LAWS) (MISCELLANEOUS AMENDMENTS) (No. 3) ORDER, 1964

1. This Order may be cited as the Kenya (Amendment of Laws) (Miscellaneous Amendments) (No. 3) Order, 1964, and shall be deemed to have come into operation on the 12th December 1963.

2. The several written laws specified in the first column of the Schedule to this Order are amended, in relation to the provisions thereof specified in the second column, in the manner respectively specified in the third column of the Schedule.

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
The Interpretation and General Provisions Act, Cap. 2.	s. 3 (1)	Delete the definition of "the consolidated fund" and substitute the new definition following— "the Consolidated Fund" means the Consolidated Fund of Kenya established by the Constitution;".
The Police Regulations, Cap. 84 (Sub. Leg.).	reg. 31 (b)	Insert immediately after the words "discharged from" the words "the Kenya Military Forces or".

Column 1	Column 2	Column 3
The Police Regulations, Cap. 84 (Sub. Leg.)— (Contd.)	First Schedule	Delete the words "triable under the Police Act"; substitute for the numerals "34" the numerals "33"; and delete the word "and" where it appears immediately after the words "to attend as a witness".
The Liquor Licensing Act, Cap. 121.	s. 7 (2)	Delete and substitute the new subsection following— “(2) All costs awarded to the members of a licensing court in proceedings such as are referred to in subsection (1) of this section shall be paid, in the case of the Nairobi Area, into the Consolidated Fund, and in the case of a Region into the Regional Fund, and all costs awarded against those members shall be paid out of, in the case of the Nairobi Area, the Consolidated Fund, and in the case of a Region out of the Regional Fund, from moneys appropriated for the purpose by the National Assembly or the Regional Assembly as the case may be.”.
The Births and Deaths Registration Act, Cap. 149.	ss. 3 and 4	Substitute for the word "Governor", in both places where it appears, the word "Minister".
The Marriage Act, Cap. 150.	s. 3	Substitute for the word "Governor", in both places where it appears, the word "Minister".
The Matrimonial Causes Act, Cap. 152.	s. 8 (2)	Substitute for the word "Governor" the word "Minister".
The Maintenance Order Enforcement Act, Cap. 154.	ss. 3, 4, 5 and 6	Substitute for the word "Governor", wherever it appears, the word "Minister".
The Administration of Estates by Corporations Act, Cap. 163.	s. 2	Substitute for the words "Act of Parliament, Act", where they appear in line 6, the words "written law".
The Commonwealth Probates Act, Cap. 166.	s. 2	Insert immediately before the word "Act", where it appears in the definition of "British court in a foreign country", the words "United Kingdom".

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
The Commonwealth Probates Rules, Cap. 166 (Sub. Leg.).	Rule 4 (2)	Substitute for the words "Her Majesty's" the word "The".
The Trustee Act, Cap. 167.	s. 4	Substitute for the word "Imperial" the words "United Kingdom"; and insert immediately after the words "Governor in Council" the words "or the Minister".
	s. 41 (4) (c)	Insert immediately before the word "Parliament" the words "the United Kingdom".
	s. 52 (6)	Insert immediately before the word "Parliament" the words "the United Kingdom".
The Public Trustee Act, Cap. 168.	s. 3	Substitute for the word "Governor" the word "Minister".
	s. 12	Delete the word "Act" where it appears immediately after the words "any other Act".
	s. 18 (1) (d)	Delete the words "local" and "or any Act of Parliament in force in Kenya".
The Pensions (Increase) Act, Cap. 190.	s. 5 (2)	Insert immediately after the words "colonial administrations" the words "or former colonial administrations".
	s. 7	Substitute for the words "the Legislature" the word "Parliament".
	ss. 9 and 11	Substitute for the words "Governor in Council", in both places where they appear, the word "Governor-General".
	First Schedule Paragraph 2	Substitute for the words "Legislative Council of Kenya" the words "House of Representatives".
The Provident Fund Act, Cap. 191.	ss. 2 and 3	Substitute for the word "Governor", wherever it appears, the word "Governor-General".
	ss. 7, 8, and 11	Substitute for the words "the Legislature", wherever they appear, the word "Parliament".

Column 1	Column 2	Column 3
The Provident Fund Act, Cap. 191—(Comd.)	ss. 7, 8 and 12	Substitute for the word "Governor", wherever it appears, the word "Governor-General".
	ss. 11 and 20	Substitute for the words "Governor in Council", in both places where they appear, the word "Minister".
The Asiatic Widows' and Orphans' Pensions Act, Cap. 193.	s. 2	Delete the definition of "Bombay Agents" and substitute the new definition following— "Bombay Agents" means the agents in India for the Government of Kenya.
	ss. 4, 16 (2), 17, 18, 25, 28, 30, 35, 41 and 42	Substitute for the words "Governor", "Governor's" and "Governor in Council", wherever they appear, the words "Governor-General", "Governor-General's" and "Governor-General" respectively.
	s. 21 (4)	Substitute for the words "Secretary of State" the word "Governor-General".
	s. 41	Delete the words "Subject to the approval of the Secretary of State, first obtained,".
The Kenya Military Forces (Reserve of Officers) Act, Cap. 199.	s. 2	Add in its appropriate alphabetical order the definition following— "Military Council" means the Kenya Military Forces Council established by the Kenya Military Forces (Constitution and Miscellaneous Provisions) Act, 1963;.
The Kenya Regiment (Territorial Force) Act, Cap. 200.	s. 2	Substitute for the words "Army Act, 1955, of the United Kingdom", which appear in the definition of "the Act", the words "Kenya Military Forces Act".
		Delete the definition of "Commander" and substitute the new definition following— "Commander" means the Commander of the Kenya Military Forces;.

The Kenya Regiment
(Territorial Force) Act,
Cap. 200—(Contd.)

s. 2—(Contd.)

Delete the definition of "commanding officer" and substitute the new definition following—

"commanding officer" means the officer for the time being appointed to command a unit of the Regiment;

Insert in its proper alphabetical order the definition following—

"Military Council" means the Kenya Military Forces Council established by the Kenya Military Forces (Constitution and Miscellaneous Provisions) Act, 1963;

Substitute for the word "Governor", where first appearing in the definition of "officer", the word "Governor-General"; and delete the words "or by the Governor of Uganda".

Delete the words ", and includes the units established under the Uganda Ordinance" where they appear in the definition of "Regiment".

Delete the words ", and includes the Reserve established under the Uganda Ordinance" where they appear in the definition of "Reserve".

Delete the definition of "Uganda Ordinance".

Substitute for the word "Governor", where first appearing in the definition of "unit", the words "Military Council"; and delete the words "or established by the Governor of Uganda under the Uganda Ordinance".

s. 3 (1)

Substitute for the word "Governor" the word "Governor-General"; and delete the words "on behalf of Her Majesty".

Column 1	Column 2	Column 3
The Kenya Regiment (Territorial Force) Act, Cap. 200—(Contd.)	s. 3 (3)	Delete the words "the supreme command of the Governor, and under"; and substitute for the word "Governor", where second appearing, the words "Military Council".
	ss. 3 (4) and 3 (5)	Substitute for the word "Governor", in both places where it appears, the word "Governor-General".
	s. 4 (1)	Substitute for the words "Commonwealth citizen" the words "Kenya citizen".
	s. 4 (2)	Delete and substitute the new subsection following— "(2) Every person enrolled as a member shall be a volunteer."
	s. 4 (4)	Delete the words ". and a different form may be prescribed to be signed by a person who has joined the Regiment as a volunteer and by a person who is enrolled under the Military Training Act".
	ss. 6 (3), 6 (4) and 6 (5)	Delete.
	ss. 7, 8, 9, 14, 15, 35 (2) and 36	Substitute for the word "Governor", wherever it appears, the words "Military Council".
	ss. 12 and 17	Substitute for the word "Governor", wherever it appears, the word "Governor-General".
	ss. 18, 19 and 24	Substitute for the word "Governor", wherever it appears, the word "Commander".
	Proviso to section 18 (3)	Substitute for the words "Secretary of State" the words "Military Council".
	s. 23	Delete.
	s. 30	Substitute for the words "Her Majesty's Service" the words "the Kenya Military Forces".
	s. 35 (1)	Substitute for the words "The Governor after consultation with the General Officer Commanding, East Africa Command," the words "The Military Council".

The Kenya Regiment (Territorial Force) Act, Cap. 200—(Contd.)	s. 37 (1)	Substitute for the words "The Governor may, after consultation with the General Officer Commanding, East Africa Command," the words "The Military Council may".
	s. 37 (2)	Substitute for the words "General Officer Commanding, East Africa Command" the word "Commander".
	s. 38	Delete.
The Specific Loan (International Bank for Reconstruction and Development and Colonial Development Corporation) Act, Cap. 439.	ss. 2, 3, 6 and 8	Substitute for the word "Governor", wherever it appears, the word "Governor-General".
	Proviso to s. 6	Delete the words "and agreed by the Secretary of State".
The Indian Acts (Amendments) Acts, Cap. 2 (1948).	Long title, ss. 1, 2, 3, 4, 5, 7, 8 and 9	Substitute for the words "the Colony", wherever they appear, the word "Kenya".
	s. 3	Substitute for the words "Governor in Council" and "Governor", wherever they appear in the second column of the table, the word "Minister".
		Substitute for the words "Provincial Commissioner" the words "Civil Secretary".
		Substitute for the words "District Officer", where they appear in the second column of the table, the words "Assistant Regional Government Agent".

Made this 27th day of May 1964.

MALCOLM MACDONALD,
Governor-General.