
LEGAL NOTICE No. 299

(M.L.A. 35/1)

**THE TRANSFER AND DELEGATION OF POWERS
ORDINANCE, 1955
(No. 31 of 1955)**

IN EXERCISE of the powers conferred by section 2 of the Transfer and Delegation of Powers Ordinance, 1955, the Governor, with the approval of the Legislative Council, has been pleased to make the following Order:—

1. This Order may be cited as the Transfer of Powers (Minister for Legal Affairs) (No. 1) Order, 1956.

2. The exercise of the powers or the performance of the duties described in the fourth column of the Schedule to this Order being powers and duties conferred upon or vested in the Governor by the provisions of the Ordinances specified in the first, second and third columns of the said Schedule is hereby transferred to the Minister for Legal Affairs, and, for the purpose of carrying such transfer into effect, the consequential amendments set forth in the fifth column of the said Schedule shall be made to the Ordinances mentioned therein.

SCHEDULE

Short Title	Cap. or Year and No.	Section	Nature of Power or Duty	Consequential Amendment
Justices of the Peace Ordinance.	4	12	To require form of accounts; to authorise officers; and to direct the returns and the manner, times and channels of rendering such returns and payment of fees and moneys.	
Civil Procedure Ordinance.	5	40 (1)	To appoint places of detention for judgment-debtors.	
Debts (Summary Recovery) Ordinance.	8	11 (2) Proviso	To direct out of what fund costs shall be paid.	
Judgments Extension Ordinance.	14	5 (1)	To be satisfied that reciprocal provisions have been made	
Foreign Judgments (Reciprocal Enforcement) Ordinance.	15	3 (1)	To extend Part I of the Ordinance to foreign countries giving reciprocal treatment.	There shall be substituted for the word "proclamation", wherever it appears, the word "notice".
		3 (2) (c)		There shall be substituted for the word "proclamation" the word "notice".
		3 (4)	To vary or revoke any previous direction.	There shall be substituted for the word "proclamation", wherever it appears, the word "notice".
		9 (1)	To extend Part I of the Ordinance to British dominions, protectorates and mandated and trust territories.	There shall be substituted for the words "the Governor" the words "the Minister".
		9 (2)		There shall be substituted for the word "proclamation", wherever it appears, the word "notice". There shall be substituted for the words "the Governor" the words "the Minister".
				There shall be substituted for the word "proclamation", wherever it appears, the word "notice".

SCHEDULE—(Contd.)

Short Title	Cap. or Year and No.	Section	Nature of Power or Duty	Consequential Amendment
Foreign Judgments (Reciprocal Enforcement) Ordinance.	15	11 (1)	To make foreign judgments unenforceable in the Colony if no reciprocity.	There shall be substituted for the words "the Governor" the words "the Minister".
		11 (2)		There shall be substituted for the word "proclamation" the word "notice".
		11 (3)	To vary or revoke any previous application.	There shall be substituted for the words "the Governor" the words "the Minister".
Notaries Public Ordinance.	19	5	To order the removal from the roll of notaries public of persons' names in certain circumstances.	There shall be substituted for the word "proclamation" the word "notice".
		7	To alter, revoke or specify fees.	There shall be substituted for the word "proclamation", wherever it appears, the word "notice".
Penal Code ..	24	28 (1)	To approve rod or cane or other instrument for whipping.	
		30	To direct the manner in which property or sum forfeited is to be dealt with.	
		56 (1)	To authorise officers to detain, open and examine packages or articles.	
		72 (1)	To give consent to prosecution.	
		74 (1)	To exercise the several powers therein specified.	There shall be substituted for the words "the Governor" wherever they appear, the words "the Minister".
		74 (2)	To suspend the operation of the section.	
	75	To direct the manner in which forfeited articles shall be dealt with.		

SCHEDULE—(Contd.)

Short Title	Cap. or Year and No.	Section	Nature of Power or Duty	Consequential Amendment
Penal Code . .	24	181 (1)	To declare certain uniforms, etc., to be for the exclusive use of certain persons.	
		181 (4)	To order that uniforms, etc., shall not be forfeited.	
Criminal Procedure Code.	27	85 (1)	To appoint public prosecutors.	
		88 (1)	To authorise persons to conduct prosecutions.	
		142 (2)	To prescribe form of certificate and to appoint officer to sign the same.	
		143 (1)	To give leave to prosecute.	
		143 (2) (b)		There shall be substituted for the words "the Governor", wherever they appear, the words "the Minister".
		197 (2) (g)	To direct offences which may be tried as minor offences.	
		262 (k)	To exempt persons from serving as jurors or assessors.	
		384	To empower a magistrate to hold an inquest.	
		385	To empower officers, to appoint persons, and to prescribe rules.	
Bankruptcy Ordinance.	30	91 (2)	To appoint members of the Bankruptcy Contingency Fund Board.	There shall be substituted for the words "the Governor's" the words "the Minister's".
		150	To declare a territory to be a reciprocating territory and a court thereof to be a reciprocating court.	
Administration of Estates of Consular Officers Ordinance.	33	3	To vary schedule.	
Public Trustee Ordinance.	37	11 (3)	To dispose of and distribute certain estates.	
		24 (1)	To nominate a Commissioner.	
African Christian Marriage and Divorce Ordinance.	99	7	To prescribe forms of marriage certificates.	

SCHEDULE—(Contd.)

Short Title	Cap. or Year and No.	Section	Nature of Power or Duty	Consequential Amendment
Births and Deaths Registration Ordinance.	143	5	To appoint "registration areas" and registrars therefor.	
		9 (2)	To extend compulsory registration of births.	
		15 (2)	To extend compulsory registration of deaths.	
Marriage Ordinance.	144	3	To establish and alter marriage districts.	
		4	To appoint registrars and deputy registrars.	
		5	To direct places at which registrars shall have offices.	
		6	To license places of public worship for celebration of marriages, to cancel such licences, and to give notice thereof.	
		14	To receive proof and dispense with the giving of notice and with the registrar's certificate, and to grant licence to marry.	
Shipping Ordinance.	221	21	To consent to the marriage of a minor.	
		41	To reduce or remit fees.	
		31 (1)	To appoint a magistrate to be a member of the Court of Survey.	
Companies Ordinance.	288	31 (3)	To appoint a person to be registrar of the Court of Survey.	
		293 (1)	To direct where registration offices shall be.	
Advocates Ordinance, 1949.	55 of 1949	293 (4)	To direct preparation of seals.	
		18A(3)	To declare a territory to be a reciprocating territory.	
Distribution of German Enemy Property Ordinance, 1951.	32 of 1951	3	To provide for collection, realisation and distribution of German enemy property.	
		6	To direct the transfer of certain property.	
Societies Ordinance, 1952.	52 of 1952	5 (8)	To extend time for appeal.	

Made this 29th day of June, 1956.

By Command of the Governor.

D. W. CONROY,
Minister for Legal Affairs.