

LEGAL NOTICE No. 649

THE KENYA ORDER IN COUNCIL, 1963

(L.N. 245 of 1963)

IN EXERCISE of the powers conferred by section 11 of the Kenya Order in Council, 1963, the Governor hereby makes the following Regulations—

THE KENYA (AMENDMENT OF LAWS) (MISCELLANEOUS AMENDMENTS) (No. 3) REGULATIONS, 1963

1. These Regulations may be cited as the Kenya (Amendment of Laws) (Miscellaneous Amendments) (No. 3) Regulations, 1963, and shall be deemed to have come into operation on the 1st June 1963 unless otherwise provided for.

Citation.

2. (i) The Road Authority Ordinance is amended by deleting paragraphs (a), (b) and (c) of section 10 (2).

Amendment of Cap. 401.

(ii) This regulation shall be deemed to have come into operation on the 1st July 1963.

3. The laws specified in the first column of the Schedule to these Regulations are amended, in relation to the provisions respectively specified in the second column of the said Schedule, in the manner specified thereto in the third column of the said Schedule.

Amendment of certain laws.

SCHEDULE

Law	Provision	Amendment
The Laws of Kenya (Revision) Ordinance Cap. 1	s. 9 (2)	Delete "Legislative Council" and substitute "House of Representatives".
	s. 10	Delete "Governor" and substitute "Minister".
	s. 15 (2)	Delete "Legislative Council" which appears in line (2) and substitute "National Assembly"; insert immediately after "passed" the words "in either House of the National Assembly" and delete "the Legislative Council" which appears in line 4 and substitute "that House".
The Vagrancy Ordinance Cap. 58	s. 4 (2)	Insert immediately after "District Officer" wherever it appears the words "or Assistant Regional Government Agent".
The Vagrancy (Forms) Rules Cap. 58 Sub. Leg.	Schedule Form D and Form G	Delete "Commissioner of Police" wherever it appears and substitute "Inspector-General of Police".
The Diplomatic Privileges Extension Ordinance Cap. 179	ss. 2, 4 and 5	Delete "Governor in Council" wherever it appears and substitute "Governor" in each case.

SCHEDULE—(Contd.)

Law	Provision	Amendment
The Immunities and Privileges (Commonwealth Countries and Republic of Ireland) Ordinance Cap. 180	ss. 3, 4 and 5	<i>Delete</i> "Governor in Council" wherever it appears and <i>substitute</i> "Governor".
The Consular Convention Ordinance Cap. 181	s. 4 (1)	<i>Delete</i> "enactment" and <i>substitute</i> "written law".
	s. 5	<i>Delete</i> "Governor in Council" and <i>substitute</i> "Governor".
The Official Secrets Ordinance Cap. 187	s. 5	<i>Delete</i> "Commissioner of Police" wherever it appears and <i>substitute</i> "Inspector-General of Police or a Regional Commissioner of Police".
The Protected Areas Ordinance Cap. 204	s. 3 (1)	<i>Delete</i> "public interest" and <i>substitute</i> "interests of public safety and public order".
	s. 3 (2)	<i>Delete</i> "Legislative Council" and <i>substitute</i> "National Assembly".
The Higher Education Loans Fund Ordinance Cap. 213	ss. 4 (1) and 14	<i>Delete</i> "Governor in Council" wherever it appears and <i>substitute</i> "Minister".
	ss. 6 (1) (a) and 10 (3)	<i>Delete</i> "Legislative Council" wherever it appears and <i>substitute</i> "National Assembly".
The Preservation of Objects of Archaeological and Palaeontological Interest Cap. 215	ss. 2, 3, 6, 7, 8, 10, 11, 12, 13, 15, 19, 20 and 21	<i>Delete</i> "Governor" wherever it appears and <i>substitute</i> "Minister".
	s. 2	<i>Delete</i> "Provincial Commissioner" and <i>substitute</i> "Regional Assembly".
	s. 24	<i>Delete</i> "Governor in Council" and <i>substitute</i> "Minister".
	s. 19 (1)	<i>Add</i> immediately after "Minister" the words "subject to item 17 of Schedule 5 of the Constitution".
	s. 18 (1)	<i>Insert</i> immediately after "he may" which appears in line 4 the words "subject to item 17 of Schedule 5 of the Constitution".
Objects and Areas of Land Declared to be Monuments, and Monuments and Antiquities Deemed to be Monuments under Section 6 Cap. 215 Sub Leg.		<ul style="list-style-type: none"> (i) <i>Delete</i> "COAST PROVINCE" and <i>substitute</i> "COAST REGION". (ii) <i>Delete</i> "RIFT VALLEY PROVINCE" and <i>substitute</i> "RIFT VALLEY REGION"; <i>delete</i> the words "Naivasha District"; transfer the item headed "Kajiado District" to the end of the items specified under the main heading "RIFT VALLEY REGION". (iii) <i>Delete</i> "NYANZA PROVINCE" and <i>substitute</i> "NYANZA REGION". (iv) Immediately above "Elgon Nyanza District" <i>insert</i> the heading "WESTERN REGION". (v) <i>Delete</i> the heading "SOUTHERN PROVINCE".

SCHEDULE—(Contd.)

Law	Provision	Amendment
The McMillan Memorial Library Ordinance Cap. 217	s. 4 (1) ss. 20 (1) (a), 22 and 23	<i>Delete</i> "Governor in Council" where second appearing in line 8 and <i>substitute</i> "Minister". <i>Delete</i> "Governor in Council" and "Governor" wherever they appear and <i>substitute</i> "Minister".
The Kenya Cultural Centre Ordinance Cap. 218	ss. 3 and 4 s. 18	<i>Delete</i> "Governor" wherever it appears and <i>substitute</i> "Minister". <i>Delete</i> .
The Shop Hours Ordinance Cap. 231	s. 2	<i>Delete</i> "Governor in Council" and <i>substitute</i> "Minister".
The Trade Disputes (Arbitration and Inquiry) Ordinance Cap. 234	s. 9	<i>Delete</i> "Governor in Council" and <i>substitute</i> "Minister".
The Trading in Unwrought Precious Metals Ordinance Cap. 309	s. 22 (1)	<i>Delete</i> "Commissioner of Police" and <i>substitute</i> "Inspector-General of Police"; and <i>add</i> immediately after "Government" the words "or of a Region".
The Diamond Industry Protection Ordinance Cap. 310	s. 23 (1)	<i>Delete</i> "Commissioner of Police" and <i>substitute</i> "Inspector-General of Police"; and <i>add</i> immediately after "Government" the words "or of a Region".
The Diamond Industry Protection Regulations Cap. 310 Sub. Leg.	Regs. 10 (1) and 10 (2) Reg. 10 (5)	<i>Delete</i> "Commissioner of Police" wherever it appears and <i>substitute</i> "Inspector-General of Police or a Regional Commissioner of Police". <i>Delete</i> "Government Officer" and <i>substitute</i> "public officer".
The Gold Mines Development Loans Ordinance Cap. 311	s. 14 (1)	<i>Delete</i> "Legislative Council" and <i>substitute</i> "National Assembly".
The Electricity Power Ordinance Cap. 314	s. 2 s. 14 ss. 19, 23, 79, 116 (1) (c), 117, 118, 119, 120, 121, 122, 123, 124 and 135 s. 58 (2) s. 116	<i>Insert</i> immediately after "Government" wherever it appears in the definition of "public authority" the words "or a Regional Assembly". <i>Delete</i> "Legislative Council" and <i>substitute</i> "House of Representatives". <i>Delete</i> "Governor in Council" and "Governor" wherever they appear and <i>substitute</i> "Minister" in each case. <i>Delete</i> "province" and <i>substitute</i> "Region". <i>Delete</i> "of the Governor in Council or"

SCHEDULE—(Contd.)

Law	Provision	Amendment
The Electricity Power Ordinance Cap. 314—(Contd.)	s. 121 (5) and (6)	<i>Delete</i> "Provincial Commissioner" wherever it appears and <i>substitute</i> "Civil Secretary"; and <i>delete</i> "province" and "provinces" which appear in subsection (5) and <i>substitute</i> "Region" and "Regions" respectively.
	s. 127 (1)	<i>Delete</i> "Governor in Council or in the" which appears in line 3 and "the Governor in Council or" which appears in line 4 and in lines 7 and 8.
	s. 127 (3)	<i>Delete</i> the words "Governor in Council or the" wherever they appear in line 2 and in line 3.
	s. 128 (1)	<i>Delete</i> the words "the Governor in Council or" wherever they appear in line 3 and in line 4.
	s. 128 (2)	<i>Delete</i> the words "the Governor in Council" wherever they appear in lines 2 and 3 and in line 8; <i>delete</i> the words "the Governor or" which appear in line 5; and <i>delete</i> the words "Governor in Council or the" wherever they appear in lines 1 and 2 of the proviso.
	s. 129	<i>Delete</i> the words "the Governor in Council or" wherever they appear.
	s. 130 (4)	<i>Delete</i> the words "the Governor in Council" in connexion with applications under section 19 or section 123 of this Ordinance or otherwise to".
	ss. 133 and 134	<i>Delete</i> the words "Governor in Council or" wherever they appear; and <i>delete</i> the words "as the case may be" wherever they appear.
	s. 136 (1)	<i>Delete</i> "the Governor in Council in connexion with applications under section 19 or section 123 of this Ordinance or otherwise to".
	s. 137	<i>Delete</i> "the Governor in Council or" wherever it appears.
	s. 153	<i>Delete</i> "Legislative Council" and <i>substitute</i> "National Assembly".
	Fifth Schedule Part II.	<i>Delete</i> "Governor" and "Governor in Council" wherever they appear in paragraphs 4, 8, 9, 10 and 12 and <i>substitute</i> "Minister".
	The Electric Supply Lines Ordinance Cap. 315	s. 2
s. 2		<i>Delete</i> "Governor" and <i>substitute</i> "Minister".
The Crop Production and Livestock Ordinance Cap. 321	s. 2	<i>Delete</i> "Governor" and <i>substitute</i> "Minister".
The Stock and Produce Theft Ordinance Cap. 355	ss. 4 and 6	<i>Delete</i> "Provincial Commissioner" wherever it appears and <i>substitute</i> "Civil Secretary".

SCHEDULE—(Contd.)

Law	Provision	Amendment
The Branding of Stock Ordinance Cap. 357	s. 3	<i>Delete</i> "Provincial Commissioner" and <i>substitute</i> "Civil Secretary".
	s. 11	<i>Delete</i> "Commissioner of Police" and <i>substitute</i> "Inspector General of Police".
	s. 20	<i>Delete</i> "African District Council" and "Council" wherever they appear and <i>substitute</i> "local authority" in each case.
The Rabies Ordinance Cap. 365	ss. 3, 7	<i>Delete</i> "a District Officer" wherever it appears and <i>substitute</i> "an administrative officer".
Areas declared to be rabies control areas for the purposes of the Rabies Ordinance under section 2 Cap. 365 Sub. Leg.		<i>Delete</i> "Nyanza Province" and "The Northern Frontier District" and <i>substitute</i> the following— "Nyanza Region. North-Eastern Region. Marsabit District. Samburu District. Isiolo District."
Orders under section 8 Cap. 365 Sub. Leg.		<i>Delete</i> "Northern Frontier District" and <i>substitute</i> the following— "North-Eastern Region. Marsabit District. Samburu District. Isiolo District."
The Veterinary Surgeons Ordinance Cap. 366	ss. 12 (1) 17, 18	<i>Insert</i> immediately after "Government" wherever it appears the words "of Kenya or of a Region".
The Mombasa Pipeline Board Ordinance Cap. 373	s. 13 (6)	<i>Delete</i> "Legislative Council" wherever it appears and <i>substitute</i> "National Assembly".
The Wild Animals Protection Ordinance Cap. 376	s. 2	<i>Delete</i> "Northern Province" which appears in the definition of "private land" and <i>substitute</i> "North-Eastern Region and the Marsabit, Samburu, Isiolo and Turkana Districts".
	s. 3 (2)	<i>Delete</i> "The Governor in Council may, with the approval of the Secretary of State" and <i>substitute</i> "The Minister may".
	s. 7 (4)	<i>Delete</i> "African District Council" and <i>substitute</i> "local authority"; and <i>delete</i> "Governor" and <i>substitute</i> "Minister".
	s. 18 (1)	<i>Delete</i> "land unit, special reserve, or special leasehold area or in the Northern Province" and <i>substitute</i> "Trust land or in the North-Eastern Region, or in the Marsabit, Samburu, Isiolo and Turkana District;" and <i>delete</i> "province" and <i>substitute</i> "Region".
	s. 18 (2)	<i>Delete</i> "African District Council" and <i>substitute</i> "local authority"; and <i>delete</i> "Governor" and <i>substitute</i> "Minister".
	s. 18 (4)	<i>Delete</i> "province" and <i>substitute</i> "Region".
	s. 53	<i>Delete</i> "Governor" and <i>substitute</i> "Minister".

SCHEDULE—(Contd.)

Law	Provision	Amendment
The Control of Nets (Nyanza Province) Ordinance Cap. 381	Long title	The long title is amended by deleting "Nyanza Province" and substituting "Nyanza Region".
	s. 1	Delete "Nyanza Province" wherever it appears and substitute "Nyanza Region".
	s. 2 (3)	Delete "Governor in Council" and substitute "Nyanza Regional Assembly".
	s. 3	Delete "Minister" wherever it appears and substitute "Nyanza Regional Assembly".
	s. 3 (1)	Insert immediately before "Gazette" the words "Nyanza Regional".
	s. 4 (4)	Delete "Government" and substitute "Nyanza Region".
	Schedule	Delete "Government" and substitute "Nyanza Region".
The Mtwapa Bridge Ordinance Cap. 402	s. 5	Delete "Commissioner of Police" and substitute "Inspector-General of Police or the Regional Commissioner of Police for the Coast Region".
The Loans (United Kingdom Government (No. 1) Ordinance Cap. 428	s. 5	Delete "Legislative Council" and substitute "National Assembly".
The Loans (United Kingdom Government) (No. 2) Ordinance Cap. 429	s. 5	Delete "Legislative Council" and substitute "National Assembly".
The Customs Tariff (Dumping and Subsidies) Ordinance Cap. 473	ss. 2, 3 and 5	Delete "Governor in Council" and substitute "Minister".
	s. 6	Delete "Legislative Council" and substitute "National Assembly".
The Excise Duties Agreements Ordinance Cap. 475	ss. 2, 3	Delete "Dependency" wherever it appears and substitute "Territory".
	s. 3	Delete "Governor in Council" and substitute "Minister".
Agreements entered into under section 3 Cap. 475 Sub. Leg.		Delete "Dependency" wherever it appears and substitute "Territory".
The Companies Ordinance Cap. 486	s. 26 (2)	Insert immediately after "Government" the words "or of a Region".
	s. 382	Delete "Governor" wherever it appears and substitute "Minister".
	s. 404 (3)	Delete "the Legislative Council" and substitute the words "both Houses of the National Assembly".

SCHEDULE—(Contd.)

Law	Provision	Amendment
The East African Industrial Licensing Ordinance Cap. 496	s. 5	Delete "Governor" wherever it appears and substitute "Minister"; and delete "Legislative Council" wherever it appears and substitute "National Assembly".
The Stock Traders Licensing Ordinance Cap. 498	s. 2	Add immediately after "Government" which appears in the definition of "veterinary inspector", the words "of Kenya or of a Region".
The Weights and Measures Ordinance Cap. 513	s. 5 (1)	Delete "Provincial Commissioner" and substitute "Civil Secretaries".
	s. 47	Delete subsection (2).
The Factories Ordinance Cap. 514	ss. 1, 4, 60	Delete "Governor in Council" and "Governor" wherever they appear and substitute "Minister".
	s. 6 (1)	(a) Delete the definition of "Government of Kenya" and substitute the new definition following— "Government of Kenya" includes a Regional Assembly and any department of the Government of Kenya or of such Regional Assembly".
	s. 37 (14) and (15)	Insert immediately after "Government" wherever it appears the words "of Kenya".
The Money Lenders Rules Cap. 528 Sub. Leg.	s. 39 (5) and (6)	Delete "officer of the Government" wherever it appears and substitute "public officer".
	rule 5	Delete "Commissioner of Police" and substitute "Inspector-General of Police or the appropriate Regional Commissioner of Police".

Made this 27th day of September 1963.

E. N. GRIFFITH-JONES,
Acting Governor.

LEGAL NOTICE No. 650

(EFN 352/147/01)

THE BANKING ORDINANCE
(Cap. 488)

EXEMPTION UNDER SECTION 20

IN EXERCISE of the powers conferred by section 20 of the Banking Ordinance, the Minister for Finance and Economic Planning hereby exempts First Permanent (East Africa) Limited from the provisions of subsection (1) of section 9 of the Banking Ordinance.

Dated this 17th day of September, 1963.

J. S. GICHURU,
*Minister for Finance and
Economic Planning.*