

**THE INTERPRETATION AND GENERAL PROVISIONS
(AMENDMENT) ACT 1968**

No. 18 of 1968

Date of Assent: 10th April 1968

Date of Commencement: 19th April 1968

**An Act of Parliament to amend the Interpretation and
General Provisions Act**

ENACTED by the Parliament of Kenya, as follows:—

1. This Act may be cited as the Interpretation and General Provisions (Amendment) Act 1968.

Short title.

2. Section 3 (1) of the Interpretation and General Provisions Act (hereinafter referred to as the principal Act) is amended—

Amendment of
section 3 of
Cap. 2.

(a) by deleting the definitions of—

- “Act”
- “administrative officer”
- “applied Act”
- “Assistant Regional Government Agent”
- “Civil Secretary”
- “Crown land”
- “Deputy Civil Secretary”
- “District Assistant”
- “District Officer”
- “Enactment”
- “Government land”
- “the Governor-General”
- “the House of Representatives”
- “imperial enactment”
- “Liwali”
- “the Minister”
- “Mudir”
- “Prime Minister”
- “public land”
- “Region”

“Regional Assembly”
 “the Regional Fund”
 “Regional Government Agent”
 “Regional land”
 “Secretary of State”
 “the Senate”
 “tribal police officer” and
 “written law”;

(b) by inserting in their alphabetical positions the following new definitions—

“administration police officer” means a person appointed to the office of that name under the Administration Police Act;

“administrative officer” means a Provincial Commissioner, a District Commissioner or a District Officer;

“applied law” means—

(a) an Act of the Community;

(b) subsidiary legislation made under an Act of Parliament and for the time being in force;

(c) an applied law; or

(d) subsidiary legislation made under any of the foregoing,

which is for the time being in force in Kenya;

“District Assistant” means a person appointed to hold the public office of that name;

“District Commissioner” means a person appointed to hold the public office of that name;

“District Officer” means a person appointed to hold the public office of that name;

“Government land” means land vested in the Government;

“the Minister” means the Minister for the time being responsible for the matter in question, or the President where executive authority for the matter in question is retained by him, or the Attorney-General where executive authority for the matter in question has been conferred on him;

“the President” means the person elected as President of the Republic under the Constitution;

“province” means one of the provinces into which Kenya is divided by the Constitution;

“Provincial Commissioner” means a person appointed to hold the public office of that name;

“written law” means—

(a) an Act of Parliament for the time being in force;

(b) an applied law; or

(c) any subsidiary legislation for the time being in force;

(c) by amending the following definitions as follows—

(i) in the definition of “Parliament”, delete “, or “the Central Legislature”, ”;

(ii) in the definition of “public body”, delete paragraph (b);

3. There shall be substituted for section 13 of the principal Act a new section as follows—

Replacement of section 13 of principal Act.

Reference to written law to include amendments.

13. A reference in a written law to another written law or to any provision thereof shall be construed as a reference to that other written law or provision as for the time being amended, if the amendment extends or applies to Kenya.

4. There shall be substituted for section 44 of the principal Act a new section as follows—

Replacement of section 44 of principal Act.

Power to appoint by name or office.

44. Where the President, a Minister, a public officer or a public body is empowered by a written law to appoint a person to perform any functions or hold any office, he or it may either appoint a person by name or appoint the holder of a named office to perform the functions or hold the office in question.

5. Sections 4, 5, 6, 7, 12, 14, 15, 16, 17, 18, 41 and 74 of the principal Act are repealed.

Repeal of sections of principal Act.

6. The provisions of the principal Act specified in the first column of the Schedule of this Act are amended in the manner specified in relation thereto in the second column of that Schedule.

Amendment of various provisions of principal Act.

SCHEDULE

(s. 6)

*Provision**Amendment*

- s. 2. Delete "any imperial enactment", and substitute "the Constitution, which is not a written law for the purposes of this Act".
- s. 3 (1). Delete "other than an imperial enactment" in lines 1 and 2.
- s. 9 (1). Delete "assented to by the President".
- s. 9 (2). Delete.
- s. 9 (3). Delete "or is provided in the proclamation".
- s. 11. Delete "Any imperial enactment or applied Act"; and substitute "An applied law".
- s. 27. Delete "disallowance by Her Majesty, and substitute "annulment where applicable".
- s. 60. Delete "fiat," and "or authority" wherever they appear.
- ss. 75 and 76. Delete "the Crown", and substitute "the Government".