

**THE STATUTE LAW (MISCELLANEOUS
AMENDMENTS) ACT, 1964**

No. 19 of 1964

Date of Assent: 29th October 1964

Date of Commencement: 3rd November 1964

An Act of Parliament for promoting the revision of the Statute Law by making minor amendments to certain written laws

ENACTED by the Parliament of Kenya, as follows:—

1. This Act may be cited as the Statute Law (Miscellaneous Amendments) Act, 1964. Short title.

2. The several Acts specified in the first column of the Schedule to this Act are amended, in relation to the provisions thereof specified in the second column, in the manner respectively specified in the third column, of such Schedule. Amendment of Acts.

SCHEDULE

(s. 2)

African Courts Act (Cap. 11).	ss. 19 (1) (c), 19 (2), 19 (3) (a), 19 (3) (b) and 19 (4).	Delete "sixteen years" wherever those words appear and substitute "eighteen years" in each case.
Advocates Act (Cap. 16).	s. 2.	In the definition of "articles" add the words 'and for this purpose "advocate" shall include the Attorney-General and the Legal Secretary of the Organization,' immediately after the words "articled clerk" which appear therein.
	s. 12 (1).	(i) Insert "if" immediately after "qualified". (ii) Delete "if" wherever it appears in paragraphs (a), (b), (c), (d), (i) and (ii). (iii) Insert "thereafter both" immediately after "and" where that word appears between paragraph (d) and paragraph (i).

SCHEDULE—(Contd.)

Advocates Act (Cap. 16)—(Contd.)	s. 14 (1).	Delete "Attorney-General's Chambers" and substitute "Secretary's office".
	s. 15.	Insert immediately after subsection (5) thereof a new subsection as follows— (6) Subsections (1), (2) and (3) of this section shall not apply to articles entered into with the Attorney-General or the Legal Secretary of the Organization.
Sale of Goods Act (Cap. 31).	s. 2.	In the definition of "goods" delete "implements" and substitute "emblems".
Foreign Judgments Enforcement Act (Cap. 43).	ss. 6, 7 and 8.	Delete "or Her Majesty's High Court of Tanganyika" wherever it appears and substitute "or the High Court of Tanganyika".
Bankruptcy Act (Cap. 53).	s. 3 (1) (d).	Delete "reparts" and substitute "departs".
	s. 143.	Delete "with property" from the marginal note.
Public Order Act (Cap. 56).	s. 13 (4).	(i) Delete "9, 10, 11, 12, 14 and 17" and substitute "9, 10 and 16". (ii) Delete the marginal reference "Cap. 40 (1948)", and substitute the marginal reference "Cap. 102".
Penal Code (Cap. 63).	s. 16.	Delete "party" and substitute "part".
	s. 184 (3).	Insert "not" immediately after "or" which appears in the second line.
Criminal Procedure Code (Cap. 75).	s. 183.	Delete "subsection (1)" and "subsection" and substitute "paragraph (a)" and "paragraph" respectively.
	Fourth column of First Schedule s. 133.	Delete "Imprisonment for three years" and substitute "Fine of five thousand shillings or imprisonment for six months".
Fugitive Offenders Pursuit Act (Cap. 87).	Long title.	In the long title delete "adjoining British Territories" and substitute "Uganda and Tanganyika".

SCHEDULE—(Contd.)

Wakf Commissioners Act (Cap. 109).	s. 4 (1).	Delete paragraphs (a) and (b), and substitute new paragraphs as follows— (a) for the benefit, either wholly or partly, of the family, children, descendants or kindred of the maker or of any other person; or (b) if the maker of the Wakf is an Ibathi or Hanafi Mohammedan, for his own benefit during his lifetime.
Books and Newspapers Act (Cap. 111).	s. 11 (1).	Delete "Subject to subsection (5) of this section".
	s. 14.	Delete "Subject to subsection (5) of section 11 of this Act".
Firearms Act (Cap. 114).	s. 37A (1).	Add immediately after "ammunition" which appears in the sixth line, the words "together with any case, holster, strap, lanyard, cleaning equipment, spare part or other accessory packed, carried or stored with such firearm or ammunition".
Kenya Military Forces (Reserve of Officers) Act (Cap. 199).	s. 7 (1).	Delete and substitute a new subsection as follows— 7. (1) Any officer who has held a commission in the Regiment may, in the prescribed manner, be called up for training for a period not exceeding one month in each year.
	s. 7 (2).	Delete.
	s. 7 (3).	Delete and substitute a new subsection as follows— (3) Any officer to whom subsection (1) of this section does not apply shall, on first being commissioned in the Reserve, be liable to be called up, in the prescribed manner, for full-time training for a period not exceeding six months, and thereafter may, in the prescribed manner, be called up for training for a period not exceeding one month in each year.

Education Act
(Cap. 211).

s. 18.

Renumber section 18 as subsection (1) thereof and insert a new subsection as follows—

(2) The Minister may by order declare any Board of Governors appointed under subsection (1) of this section to be a body corporate in the name of the Board of Governors for the particular school and such Board of Governors shall have perpetual succession and a common seal, and may in its corporate name sue and be sued:

Provided that nothing in this section shall prohibit or be deemed to prohibit the Minister from establishing Boards of Governors for any number of schools or groups of schools by means of one Order, and the provisions of section 19 of this Act shall apply to or be deemed to apply to an Order establishing any number of Boards of Governors.

s. 21.

Insert immediately after subsection (3) thereof a new subsection as follows—

(4) The Minister may by order declare any Board of Governors established under subsection (3) of this section to be a body corporate in the name of the Board of Governors for the particular school or group of schools and such Board of Governors shall have perpetual succession and a common seal, and may in its corporate name sue or be sued:

Provided that nothing in this section shall prohibit or be deemed to prohibit the Minister from establishing Boards of Governors for any number of schools or groups of schools by means of one Order, and the provisions of section 19 of this Act shall apply to or be deemed to apply to an order establishing any number of Boards of Governors.

Kenya Cultural Centre Act s. 15 (1).
(Cap. 218).

Delete "which shall end on the 31st December".

SCHEDULE—(Contd.)

Domestic Employment Registration Act (Cap. 228).	s. 7 (3).	Delete "cancelation" and substitute "cancellation".
Land (Perpetual Succession) Act (Cap. 286).	—	<p>Insert, immediately after section 14, a new section as follows—</p> <p>14A. (1) The Minister may if he is satisfied that the circumstances of the case so justify, order that the name of a corporate body be changed.</p> <p>(2) The Minister may if he is satisfied that a corporate body in respect of which a certificate of incorporation has been granted under this Act, has ceased to exist or that the objects for which it was established have become incapable of fulfilment, order that it be dissolved, whereupon any land vested in it shall escheat—</p> <p>(a) if the land is situated in a Region but is not Trust land, to the Region in which it is situated;</p> <p>(b) if the land is situated in the Nairobi Area, to the Governor-General on behalf of Her Majesty in right of the Government of Kenya; and</p> <p>(c) if the land is Trust land, to the County Council in whose area of jurisdiction the land is situated.</p>
Distress for Rent Act (Cap. 293).	s. 12 (1).	Delete "Crown land" and substitute "public land".
	s. 16 (1) (a).	Delete "Crown" and substitute "Government or Region".
Electric Power Act (Cap. 314).	s. 36.	<p>(a) Insert "alter or vary any provision of a licence or may" immediately after "Minister may"; and</p> <p>(b) insert "or vary licences" immediately after "areas" in the marginal note.</p>

SCHEDULE—(Contd.)

Mombasa Pipeline Board Act (Cap. 373).	Schedule, para. 2 (1).	Add at the end thereof, a proviso as follows— Provided that a public officer appointed as a member by reference to his office, shall hold office as such a member at the pleasure of the Minister.
Registered Land Act, 1963 (No. 25 of 1963).	ss. 38 (4), 121 (5) and 161.	Delete "Trust Land Board" and substitute "County Council".
Civil Procedure Act (Cap. 5 (1948)).	s. 11.	Delete the third proviso.