

**THE STATUTE LAW (MISCELLANEOUS  
AMENDMENTS) ACT 1966**

**No. 21 of 1966**

*Date of Assent: 8th July 1966*

*Date of Commencement: 12th July 1966*

**An Act of Parliament to provide for amendments to the law in consequence of changes in the Constitution and Status of Kenya; to remove certain discriminatory provisions from the written laws; and to make other miscellaneous repeals and amendments thereto**

ENACTED by the Parliament of Kenya, as follows:—

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| <p><b>1.</b> This Act may be cited as the Statute Law (Miscellaneous Amendments) Act 1966.</p>   | <p>Short title.</p>  |
| <p><b>2.</b> The several written laws specified in the first column of the First Schedule to this Act are hereby amended, in relation to the provisions thereof specified in the second column, in the manner specified in relation thereto in the third column of that Schedule.</p>  | <p>Specific amendments.</p>  |
| <p><b>3.</b> Subject to section 2 of this Act, and unless there is something in the subject or the context inconsistent with such construction or interpretation, there shall be substituted for the words and expressions set out in the first column of the Second Schedule to this Act, wherever they appear in any written law, the words and expressions specified in relation thereto in the second column of that Schedule, and such substitution shall extend, with the necessary modifications, to the grammatical variations and cognate expressions of such words or expressions.</p> | <p>General amendments.</p>   |
| <p><b>4.</b> The following Acts are hereby repealed—</p> <p>(a) The Admiralty Police Act,</p> <p>(b) The Nursing Sisters (Retiring Allowances) Act,</p> <p>(c) The Emergency Pensions Act,</p> <p>(d) The Fencing Act,</p> <p>(e) The Adulteration of Produce Act,</p> <p>(f) The Flax Fund Act,</p> <p>(g) The Sisal Bag Industry Act,</p> <p>(h) The Cotton Tax Act,</p> <p>(i) The Traders Licensing Act.</p>   | <p>Repeal of certain Acts.</p> <p>Cap. 86.</p> <p>Cap. 195.</p> <p>Cap. 196.</p> <p>Cap. 295.</p> <p>Cap. 322.</p> <p>Cap. 337.</p> <p>Cap. 342.</p> <p>Cap. 476.</p> <p>Cap. 497.</p> |

## FIRST SCHEDULE

(s. 2)

- The Interpretation and General Provisions Act (Cap. 2). s. 31. In paragraph (e) substitute for the word "two", in both places where it appears, the word "six".
- The National Assembly (Powers and Privileges) Act (Cap. 6). s. 2. In the proviso substitute for the words "Kenya Gazette", where they appear in the definition of "precincts of the Assembly", the word "Gazette".
- The Advocates Act (Cap. 16). s. 3. In subsection (1) (e) substitute for the words "to be appointed by the members of the Council of Legal Education appointed or nominated under paragraphs (a), (b), (c) and (d) of this subsection" the words "in East Africa, to be appointed by the Attorney-General".
- s. 15. In subsection (2) substitute for the word "two" the word "three".
- s. 75. Substitute for the words "after considering a recommendation of the Council of the Society and after receiving a report from" the words "either on his own initiative or on the recommendation of".
- s. 83. In subsection (1) insert a new paragraph as follows—  
(cc) the retention or otherwise by advocates of interest earned on moneys deposited, received or held for or on account of clients;.
- The Law Reform Act (Cap. 26). Part VII heading, s. 10 and marginal note. Substitute for the word "Crown", wherever it appears, the word "Government".
- The Fatal Accidents Act (Cap. 32). s. 7. Delete the whole section and substitute a new section as follows—  
Action by persons beneficially interested. 7. If at any time, in any case intended and provided for by the provisions of this Act, there shall be no executor or administrator of the person deceased, or if no action is brought by such executor or administrator within six months after the death of such deceased person, then and in every such case an action may be brought by and in the name or names of all or any of the persons for whose benefit such action would have been brought, if it had been brought by and in the name of such executor

## FIRST SCHEDULE—(Contd.)

- The Fatal Accidents Act (Cap. 32)—  
(Contd.)
- or administrator, and every action so brought shall be for the benefit of the same person or persons as if it were brought by and in the name of such executor or administrator.
- The Occupiers' Liability Act (Cap. 34) s. 7.
- (a) Substitute for the words "Crown" and "Crown's", respectively, the words "Government" and "Government's".
- (b) Substitute for the expression "Crown Proceedings Act" the expression "Government Proceedings Act".
- The Crown Proceedings Act (Cap. 40).
- Long title and through-out.
- Subject as is hereinafter provided, substitute for the word "Crown" the word "Government".
- s. 2.
- In subsection (1) delete the definition of "officer" and insert in their correct alphabetical sequence two new definitions as follows—
- "armed forces" means the military, naval and air forces of the Republic and includes any person who, although not a member of any of those forces, is serving under the control of any of those forces, and whether as a civilian or otherwise;
- "officer", in relation to the Government, includes the President, the Vice-President, a Minister, an Assistant Minister, and any servant of the Government;.
- Delete subsection (4).
- s. 3.
- (a) Delete the words "subject to the grant of the Governor's fiat,".
- (b) Delete the words "and without the fiat of the Governor,".
- s. 7.
- (a) Substitute for the words "armed forces of the Crown" wherever they appear the words "armed forces".
- (b) Delete subsection (1) (b) (i).
- (c) In subsection (1) (b) (ii) delete the words "in right of its Government in Kenya".
- (d) Delete subsection (1) (b) (iii).
- (e) Delete subsection (2) (b) (i).
- (f) In subsection (2) (b) (ii) delete the words "in right of its Government in Kenya".

## FIRST SCHEDULE—(Contd.)

The Crown  
Proceedings Act  
(Cap. 40)—(Contd.).

(g) Delete subsection (2) (b) (iii).

(h) In subsection (3) (a) delete the words "in right of its Government in Kenya or in right of its Government in any British possession other than Kenya".

(i) Delete subsections (4), (5) and (6).

s. 8. Delete the whole section and substitute a new section as follows—

Saving in  
respect of  
certain  
acts.

8. (1) Nothing in this Part shall extinguish or abridge any powers or authorities which, if this Act had not been passed, would have been exercisable by virtue of any prerogative, privilege, power or authority vested in the Government by any written law, and, in particular, nothing in this Part shall extinguish or abridge any powers or authorities exercisable by the Government, whether in time of peace or of war, for the purpose of the defence of Kenya or of training, or maintaining the efficiency of, any of the armed forces.

(2) Where in any proceedings under this Act it is material to determine whether anything was properly done or omitted to be done in the exercise of any prerogative or privilege of the Government, the President may, if satisfied that the act or admission was necessary for any such purpose as is mentioned in subsection (1) of this section, issue a certificate to the effect that the act or omission was necessary for that purpose; and the certificate shall, in those proceedings, be conclusive as to the matters so certified.

s. 9. Delete subsection (1) and substitute a new subsection as follows—

(1) Subject to the provisions of this Act, it is hereby declared that all civil proceedings of the nature mentioned in the First Schedule to this Act have been abolished in Kenya, and all civil proceedings by or against the Government in the High Court shall be instituted and proceeded with in accordance with rules of court and not otherwise.

## FIRST SCHEDULE—(Contd.)

- The Crown Proceedings Act (Cap. 40)—(Contd.).
- s. 25. In subsection (1) substitute for the words “of Her Majesty’s ships” the words “Government ship”.
- s. 28. (a) Substitute for the words “the demise of the Crown” the words “any change in the Government”.
- (b) Delete the marginal note and substitute a new marginal note as follows—  
No abatement on change of Government.
- s. 30. In subsection (2) substitute for the words “whether Commonwealth citizens or not” the words “whether Kenya citizens or not”.
- s. 31. Delete all words following the words “instituted before the commencement of this Act”.
- s. 32. In subsection (1) delete the words “in right of Her Majesty’s Government in Kenya”.
- s. 34. (a) Delete subsection (1).
- (b) In subsection (2) delete paragraphs (b) and (c) and the words “and, without prejudice to the general effect of the foregoing provisions, Part IV of this Act shall not apply to the Crown except in right of Her Majesty’s Government in Kenya”.
- (c) Delete subsection (3).
- The Bankruptcy Act (Cap. 53).
- s. 32. Substitute for the word “Crown” the word “Government”.
- s. 38. (a) In subsection (1) (a) delete the word “Crown” and insert immediately after the word “taxes” the words “due to the Government”.
- (b) In subsection (1) (b) delete the word “Crown” and insert immediately after the word “rents” the words “due to the Government”.
- (c) In subsection (1) (d) delete the words “, or, in the case of an African labourer or workman, during twelve months next before such date”.
- s. 55. In subsection (1) delete the words “or of a Region”.
- s. 92. Delete subsection (3) and substitute a new subsection as follows—  
(3) The Board may in its discretion invest any money paid to the credit of the fund in any securities in which a trustee is authorized to invest under the Trustee Act.

## FIRST SCHEDULE—(Contd.)

- The Bankruptcy Act  
(Cap. 53)—(Contd.).
- s. 101. Substitute for the words “or municipal councillor or member of a township authority,” the words “or member of a local authority council,”.
- s. 115 and marginal note. Substitute for the word “British” the word “Commonwealth”.
- s. 128. Delete the words in brackets following the word “resides”, and substitute the words “(he being certified to be qualified as aforesaid by a Kenya Consular Officer or pro-consul or a Commonwealth Consular Officer or pro-consul or by a notary public)”.
- s. 136 and marginal note. Substitute for the word “Crown” the word “Government”.
- The Penal Code  
(Cap. 63).
- s. 52. Renumber the existing section as subsection (1) and insert a new subsection as follows—
- (2) If it appears to the Minister to be reasonably required in the interests of defence, public safety, public order, public morality or public health and to be reasonably justifiable in a democratic society, the Minister may, by order published in the Gazette, and subject to such exceptions and conditions, if any, as may be specified in the order, declare any publication to be a prohibited publication, or in the case of a periodical publication, declare any or all past or future issues thereof to be prohibited publications, and may declare to be prohibited publications any or all past or future publications of any person specified in the order, not being a person who ordinarily carries on for profit or reward the trade or business of a publisher and whose principal activities consist of the carrying on of such trade or business.
- s. 53. (a) In proviso (i) to subsection (1) insert immediately after the words “on the importation of a publication being prohibited under section 52 of this Code,” the words “or on the declaration of a publication as a prohibited publication, as the case may be,”.
- (b) In proviso (ii) to subsection (1) insert immediately after the words “before the importation thereof was prohibited,” the words “or before the declaration of the publication as a prohibited publication, as the case may be,”.

## FIRST SCHEDULE—(Contd.)

The Control of Detained Persons Act (Cap. 93).	s. 8.	Substitute for the words "Her Majesty's forces" the words "the Kenya military forces".
The Promissory Oaths Act (Cap. 100).	First Schedule.	Substitute for the words "Regional Assembly" the words "Provincial Council".
The Permanent Secretary to the Treasury (Incorporation) Act (Cap. 101).	s. 7.	Insert immediately before the words "Chief Secretary", where they first appear, the word "former".
The Commissions of Inquiry Act (Cap. 102).	s. 16.	Substitute for the words "Inspector-General" the words "Commissioner of Police".
The Fire Inquiry Act (Cap. 103).	s. 5.	Substitute for the words "Inspector-General of Police in respect of the Nairobi Area, or the Regional Commissioner of Police in respect of a Region," the words "Commissioner of Police".
The Outlying Districts Act (Cap. 104).	s. 3.	Substitute for the words "The Regional Assembly of a Region may, by order in the Regional Gazette, declare that any district or part of a district within the Region" the words "The Minister may, by order published in the Gazette, declare any district or part of a district".
	s. 7.	In subsection (1) substitute for the words "reimburse the Region or the Minister, as the case may be, for any expenses incurred by the Region or by the Government" the words "reimburse the Government for any expenses incurred by it".
	s. 10.	Substitute for the words "Region or the Minister, as the case may be, may recover from a licensee any expenditure incurred by the Region or the Government" the words "Government may recover from a licensee any expenditure incurred by it".
	s. 13.	Substitute for the words "A Regional Assembly in relation to its Region" the words "The Minister".
The Public Collections Act (Cap. 106).	s. 4.	In subsection (6) substitute for the words "against the decision of the licensing authority— (a) to the Regional Assembly, in the case of a decision of a Regional Government Agent or of a Civil Secretary; or (b) to the Minister, in the case of a decision of the Permanent Secretary;

## FIRST SCHEDULE—(Contd.)

The Public Collections Act (Cap. 106)— (Contd.).		and the decision on such appeal shall be final and conclusive" the words "against the decision of the licensing authority to the Minister, and the decision on such appeal shall be final".
The Registration of Persons Act (Cap. 107).	s. 2.	Substitute for the words "Her Majesty's armed forces" the words "the Kenya military forces".
The Public Holidays Act (Cap. 110).	s. 5.	Delete the words "or of a Region".
	s. 6.	Delete the whole section.
	Schedule.	Delete the words "Commonwealth Day" and the date "24th May" and substitute the words "Madaraka Day" and the date "1st June" respectively.
The Books and Newspapers Act (Cap. 111).	ss. 5 (1), 10 (1).	Delete the words "the Crown" and "or a Regional Assembly" wherever they appear.
The Firearms Act (Cap. 114).	ss. 2, 3, 27 (8), 29 (3).	Substitute for the words "Inspector-General of Police" the word "Commissioner of Police".
	s. 26.	In subsection (1) substitute for the word "Crown" the word "Government".
	s. 43.	Delete the whole section.
The Explosives Act (Cap. 115).	s. 32.	Delete paragraph (a) and substitute a new paragraph as follows— (a) the importation, storage, use or transport of any explosive by the Kenya military forces, by any other armed forces lawfully in Kenya or by any other force or service constituted under any law and lawfully in possession of explosives.
The Jute Control Act (Cap. 118).	s. 9.	In subsection (2) substitute for the words "Legislative Council", wherever they appear, the words "House of Representatives".
The Methylated Spirits Act (Cap. 120).	s. 7.	In subsection (1) substitute for the words "Inspector-General of Police in respect of the Nairobi Area or the Regional Commissioner of Police in respect of a Region" the words "Commissioner of Police".
The Liquor Licensing Act (Cap. 121).	s. 7.	Delete subsection (2) and substitute a new subsection as follows— (2) All costs awarded to the members of a licensing court in any proceedings referred to in subsection (1) of this section shall be paid into the Consolidated Fund, and all costs awarded against those members shall be paid out of the Consolidated Fund from moneys appropriated by Parliament for the purpose.



## FIRST SCHEDULE—(Contd.)

The Liquor Licensing Act (Cap. 121)— (Contd.)	ss. 8, 19, 39, 41 and Schedule.	Substitute for the words "Chief Commissioner of Police" wherever they appear the words "Commissioner of Police".
The Compounding of Potable Spirits Act (Cap. 123).	s. 3.	In paragraph (v) of the proviso substitute for the word "High Commission" the word "Organization".
The Births and Deaths Registration Act (Cap. 149).	s. 5.	In subsection (2) delete the words "in relation to the Nairobi area and a Regional Assembly in relation to its Region".
	s. 30.	Delete the whole section.
The Marriage Act (Cap. 150).	ss. 5 and 6.	Delete the words "in relation to the Nairobi Area or a Regional Assembly in relation to its Region", wherever they appear.
	s. 40.	Delete the words "in relation to the Nairobi area, or in relation to section 14 of this Act, or a Regional Assembly in relation to its Region".
The African Christian Marriage and Divorce Act (Cap. 151).	s. 11.	Delete the words "in relation to the Nairobi Area, or a Regional Assembly in relation to its Region".
The Mohammedan Marriage and Divorce Registration Act (Cap. 155).	s. 4.	Delete the words "in relation to the Nairobi Area, or a Regional Assembly in relation to its Region" in both places where they appear.
	s. 23.	Delete subsection (2).
The Public Trustee Act (Cap. 168).	ss. 2A (b), 4, 6 and 9.	Substitute for the words "Land Registration (Special Areas) Act" the words "Land Adjudication Act".
	s. 11.	In subsection (5) substitute for the word "Crown" the word "Government".
	s. 16.	In subsection (1) substitute for the words "Tanganyika, Nyasaland or Zanzibar" the words "Tanzania or Malawi".
The Immigration Act (Cap. 172).	s. 2.	Insert immediately after the definition of "immigration officer" a new definition as follows— "Minister" means the Minister for the time being responsible for immigration;
The Aliens Restriction Act (Cap. 173).	s. 2.	In subsection (1) substitute for the words "Her Majesty" the word "Kenya".
The Deportation (Aliens) Act (Cap. 174).	s. 2.	In the definition of "undesirable person" substitute for the words "Her Majesty's subjects" the words "the citizens".
The Deportation (Immigrant Commonwealth Citizens) Act (Cap. 175).	s. 2.	In subsection (1) substitute for the definition of "Minister" a new definition as follows— "Minister" means the Minister for the time being responsible for immigration;

## FIRST SCHEDULE—(Contd.)

The Service Commissions Act (Cap. 185).	ss. 15, 17(1).	Substitute for the words "Governor-General, or a Secretary of State" and the words "Prime Minister", wherever they respectively appear, the word "President".
The Public Officers Protection Act (Cap. 186).	s. 2.	In subsection (2) delete the words "of Kenya or the Government of a Region".
The Official Secrets Act (Cap. 187).	s. 4.	Substitute for the word "Governor" the word "Minister".
	s. 5.	(a) Substitute for the word "Governor" the word "Minister".  (b) Substitute for the words "Inspector-General of Police or a Regional Commissioner of Police", wherever they appear, the words "Commissioner of Police".
The Widows' and Orphans' Pensions Act (Cap. 192).	s. 37.	Delete subsection (4).
The Asiatic Widows' and Orphans' Pensions Act (Cap. 193).	s. 16.	(a) In subsection (1) substitute for the words "two European officers and two Asiatic officers" the words "and four public officers".
		(b) In subsection (2) substitute for the words "European or Asiatic Officer" the words "public officer".
The Asian Officers' Family Pensions Act (Cap. 194).	s. 3.	In subsection (1) (b) substitute for the words "two Europeans and two Asians" the words "four public officers".
	Schedule B.	Insert immediately after paragraph 4 a new heading and instruction as follows— <i>Instructions for increasing pensions which had become payable before the 2nd April 1960</i>  Every pension which had become payable before the 2nd April 1960 shall be increased by the addition of 22½ per cent of its amount with effect from that date and the increased registered pension shall be calculated to the nearest shilling.
The McMillan Memorial Library Act (Cap. 217).	s. 2.	Delete the definition of "East Africa" and substitute a new definition as follows— "East Africa" means Kenya, Uganda and Tanzania.
	s. 26.	Delete the whole section.

## FIRST SCHEDULE—(Contd.)

- The Kenya Cultural Centre Act (Cap. 218). s. 3. In subsection (1) delete paragraphs (a) and (b) and insert a new paragraph as follows—  
(a) not less than five or more than twelve persons appointed by the Minister.
- The Films and Stage Plays Act (Cap. 222). s. 1. Substitute for the words “such date as the Governor may, by order in the Gazette, appoint” the date “1st October 1963”.
- s. 24. Delete the whole section and substitute a new section as follows—  
Appoint- 24. For the purposes of this Part, ment of the Minister may, by notice in the licensing the Gazette, appoint the City Council of authorities. Nairobi to be the licensing authority for the Nairobi Area, and may, by notice in the Gazette, appoint to be the licensing authority for any other area in Kenya any local authority having jurisdiction over that area or the District Commissioner.
- s. 28. Substitute for the words “Kenya Gazette or Regional Gazette, as the case may be,” the word “Gazette”.
- s. 29. Delete the whole section and substitute a new section as follows—  
Appeals. 29. Any person who is aggrieved by a decision of a licensing officer, licensing authority, stage plays licensing authority, or the Board may appeal to the Minister from that decision and the Minister may, subject to the provisions of this Act, either confirm, vary or reverse that decision, and in so doing the Minister may give such directions in the matter as may be necessary to give effect to his decision and any decision of the Minister under this section shall be final.
- s. 30. Delete the words “or, where it is given or issued by a licensing authority appointed by a Regional Assembly, by the Regional Assembly,”.
- s. 35A. Delete the whole section.
- s. 36. Delete the whole section and substitute a new section as follows—  
Exemption 36. Nothing contained in this Act relating to the Govern- shall apply to the exhibition or ment. making of any film by the Govern- ment.

## FIRST SCHEDULE—(Contd.)

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| The Workmen's Compensation Act (Cap. 236). | s. 3.  | (a) In the definition of "employer" substitute for the word "Tanganyika" the word "Tanzania".<br><br>(b) Delete the definition of "the Government".  |
|  | s. 20. | In subsection (5) substitute for the words "the United Republic of Tanganyika and Zanzibar" the word "Tanzania".   |
|  | s. 41. | In the proviso delete all the words following the word "Minister" where it first appears.  |
| The Industrial Training Act (Cap. 237).    | s. 32. | Delete the words "and the Regions".  |
| The Public Health Act (Cap. 242).          | s. 2.  | In the definition of "owner" substitute for the words "Her Majesty" and "the Crown", wherever they appear, the words "the Government".   |
|  | s. 57. | In the proviso substitute for the words "any of Her Majesty's warships, or any warship of any foreign country" the words "any warship of Kenya or of any foreign country".   |
|  | s. 72. | Delete the words "of the United Kingdom or with the Government of any British dominion or".  |
| The Pharmacy and Poisons Act (Cap. 244).   | s. 2.  | Substitute for the definition of "East African Territories" a new definition as follows—<br>"East African Territories" means Kenya, Uganda and Tanzania;   |
| The Malaria Prevention Act (Cap. 246).     | s. 2.  | In the definition of "owner" substitute for the words "Her Majesty" and "the Crown", wherever they appear, the words "the Government".   |
| The Local Government Loans Act (Cap. 270). | s. 22. | Substitute for the words "Her Majesty the Queen, her heirs and successors" the words "the Government".   |
| The Mining Act (Cap. 306).                 | s. 2.  | Delete the definition of "location" and substitute a new definition as follows—<br>"location" means an area in respect of which mining rights have been acquired under a prospecting right or exclusive prospecting licence and which subsist in accordance with the provisions of this Act; |
|  | s. 7.  | In subsection (1) (d) substitute for the words "the Governor-General or his predecessor the Minister or Commissioner" the words "or on behalf of the Government".  |
|  | s. 9.  | Substitute for the words "The Minister may appoint" the words "There shall be appointed".  |

## FIRST SCHEDULE—(Contd.)

The Mining Act (Cap. 306)—(Contd.).	s. 26.	Delete subsection (3) and substitute a new subsection as follows—  (3) The sum awarded shall be paid by such holder or successor in title, as the case may be, to the person entitled thereto within fourteen days of the date on which the amount of the final award is notified to such holder or such successor in title, as the case may be, or shall pending the disposal of any appeals thereon, be paid into court.
The Mineral Oil Act (Cap. 307).	s. 3.	(a) Substitute for the words “the Crown”, where they first appear, the words “the Government”.  (b) Substitute for the words “the Crown”, where they next appear, the words “or on behalf of the Government or its predecessors”.
The Oil Production Act (Cap. 308).	s. 2.	In the definitions of “land owner” and “private land” substitute for the words “the Crown”, wherever they appear, the words “the Government”.
	s. 3.	(a) In subsection (1) substitute for the words “Her Majesty” and “Her Majesty’s” the words “the Government” or “the Government’s” respectively.  (b) In subsection (2) (a) (v) delete the words “or a Regional Assembly” and the words “or of such Regional Assembly”.  (c) In subsection (2), paragraphs (b) (ii) and (b) (iii) delete the words “or the President of the appropriate Regional Assembly as the case may be” wherever they appear.  (d) In subsection (2) (b) (v) substitute for the words “the Trading Centres Act” the words “the former Trading Centres Act (now repealed)” and delete the words “or the President of the Region in which such trading centre is situated”.
The Oil Production Regulations (Cap. 308, Sub. Leg.).	r. 2.	(a) Substitute for the word “Crown” the word “Government”.  (b) Delete the definitions of “Commonwealth Citizen” and “Her Majesty’s Dominions”.
SECOND SCHEDULE Part II Oil Prospecting Licence (Alienated Lands).		In the first recital of the Deed substitute for the words “Her Majesty” the words “the Government”.

## FIRST SCHEDULE—(Contd.)

- SECOND SCHEDULE  
Part II  
Oil  
Prospecting  
Licence  
(Crown and  
Alienated  
Lands).
- In the first recital of the Deed substitute for the words "Her Majesty" the words "the Government".
- SECOND SCHEDULE  
Part III  
Oil Mining  
Lease  
(Crown  
Lands).
- (a) In Part VII of Schedule "A" delete clause 26 (2).
- (b) In clause 55 of Part IX of Schedule "A"—
- (i) in subclause (1) delete the words "or which the lessee or a subsidiary or associated company may have or control in an approved British territory in pursuance of clause 26 (2) (Refinery) of this Schedule";
- (ii) in subclause (3) substitute for the words "Her Majesty" the words "the Government";
- (iii) in subclause (5) substitute for the words "Her Majesty's" the word "the".
- SECOND SCHEDULE  
Part III  
Oil Mining  
Lease  
(Alienated  
Lands).
- (a) In the first recital of the Deed substitute for the words "Her Majesty" the words "the Government".
- (b) In Part VI of Schedule "A" delete clause 13 (2).
- (c) In clause 43 of Part VIII of Schedule "A"—
- (i) in subclause (1) delete the words "or which the lessee or a subsidiary or associated company may have or control in an approved British territory in pursuance of clause 13 (2) (Refinery) of this Schedule";
- (ii) in subclause (3) substitute for the words "Her Majesty" the words "the Government";
- (iii) in subclause (5) substitute for the words "Her Majesty's" the word "the".
- SECOND SCHEDULE  
Part III  
Oil Mining  
Lease  
(Crown and  
Alienated  
Lands).
- (a) In the first recital of the Deed substitute for the words "Her Majesty" the words "the Government".
- (b) In Part III of the Third Schedule delete clause 10 (2).
- (c) In clause 42 of Part V of the Third Schedule—

## FIRST SCHEDULE—(Contd.)

- The Oil Production Regulations (Cap. 308, Sub. Leg.)—(Contd.)
- (i) in subclause (1) delete the words “or which the lessee or a subsidiary or associated company may have or control in an approved British territory in pursuance of clause 10 (2) (Refinery) of this Schedule”;
  - (ii) in subclause (3) substitute for the words “Her Majesty” the words “the Government”;
  - (iii) in subclause (5) substitute for the words “Her Majesty’s” the word “the”.
- The Trading in Unwrought Precious Metals Act (Cap. 309). s. 22.
- (a) Delete the words “or of a Region”.
  - (b) Substitute for the words “Inspector-General of Police” the words “Commissioner of Police”.
- The Diamond Industry Protection Act (Cap. 310). s. 23.
- (a) Delete the words “or of a Region”.
  - (b) Substitute for the words “Inspector-General of Police” the words “Commissioner of Police”.
- The Diamond Industry Protection Regulations (Cap. 310, Sub. Leg.) r. 10.
- Delete the words “Inspector-General of Police or a Regional” wherever they appear.
- The Electric Power Act (Cap. 314). s. 2.
- In the definition of “public authority” delete the words “or a Regional Assembly” wherever they appear.
- s. 138.
- In proviso (iii) substitute for the word “public” the word “Government”.
- s. 155.
- In subsection (4) substitute for the words “Her Majesty the Queen, her heirs and successors” the words “the Government”.
- The Agriculture Act (Cap. 318). s. 187.
- In subsection (8) immediately following the words “amended under subsection (10) of this section,” insert the words “except where the owner has not made any endeavour to show cause in response to the notice served upon him under subsection (3) of this section within the period prescribed by that notice,”.
- The Crop Production and Livestock Act (Cap. 321). Long title. s. 4.
- After “marketing” insert “and processing”.
- After paragraph (h) insert a new paragraph as follows—
- (hh) the regulation, licensing and control, in the interests of any industry concerned with any agricultural produce or crop, of factories and plant for processing that agricultural produce or crops;

## FIRST SCHEDULE—(Contd.)

- The Crop Production and Livestock Act (Cap. 321)—(Contd.)
- Renumber the existing section as subsection (1) and insert a new subsection as follows—
- (2) Rules made under subsection (1) of this section providing for a system of licensing may empower the licensing authority—
- (a) to attach conditions to a licence; or
- (b) to refuse to grant or renew a licence on any ground which appears to the licensing authority to be reasonable and in the interests of the production, improvement, marketing or processing of the agricultural produce or crop concerned.
- The Cereals and Sugar Finance Corporation Act (Cap. 329).
- s. 4. (a) In subsection (2) (b) substitute for the words “the Legislative Council” the word “Parliament”.  
(b) Delete the words “by resolution”.
- s. 15. (a) In subsection (1) substitute for the words “Her Majesty the Queen, her heirs and successors” the words “the Government”.  
(b) Delete subsection (2).
- The Coffee Act (Cap. 333).
- s. 2. In the definition of “East African Territories” substitute for the word “Tanganyika” the word “Tanzania”.
- s. 7. Substitute for the word “Tanganyika” the word “Tanzania”.
- The Stock and Produce Theft Act (Cap. 355).
- Long title. Delete the whole title and substitute a new title as follows—
- An Act to provide for the recovery of fines imposed for the theft of stock or produce and to make persons liable to account for the possession of stock or produce in certain cases.
- s. 2. Delete the definition of “farm”.
- s. 3. In subsection (1) substitute for the words “African (including a Somali)” the word “person”.
- ss. 8 and 9. In subsection (1) delete the words “in a proclaimed district”.
- s. 15. Delete the whole section.
- s. 16. Substitute for the word “Crown” the words “Government, or a County Council as the case may be,”.



## FIRST SCHEDULE—(Contd.)

- The Branding of Stock Act (Cap. 357).
- s. 3. In subsection (2) delete the words "or a Regional Assembly".
- s. 11. Substitute for the words "Inspector-General of Police, every Regional Commissioner of Police," the words "Commissioner of Police and the police officer for the time being in charge of each Province".
- s. 26. Delete the words "in a Region" and the words "in that Region".
- The Hide and Skin Trade Act (Cap. 359).
- s. 21. In paragraph (e) (ii) substitute for the word "Tanganyika" the word "Tanzania".
- The Water Act (Cap. 372).
- s. 2. In the definition of "landholder" delete the words "a Regional Assembly" and substitute for the word "Governor" the word "Government".
- s. 5. Insert the word "former" before the words "Crown Lands Ordinance, 1902".
- s. 24. (a) In subsection (1) (a) substitute for the words "Regional Assembly" the word "Minister".  
(b) In subsection (3) delete the words "with the consent of the Regional Assembly concerned".
- The Wild Animals Protection Act (Cap. 376).
- s. 2. (a) In the definition of "private land" delete the words "a Region".  
(b) In the definitions of "Royal National Park", "national reserve" and "the Trustees" delete the word "Royal" wherever it appears.
- s. 3. In subsection (2) substitute for the word "proclamation" the words "order published in the Gazette".
- s. 4. Substitute for the words "Royal Game" the words "specially protected game".
- s. 12. (a) Substitute for the word "Tanganyika" the word "Tanzania".  
(b) Delete subsection (7) (c).
- ss. 16 (4) (c), 20, 33 (3), 48. Delete the word "Royal" wherever it appears.
- s. 53. Substitute for the words "the Minister may appoint" the words "there shall be appointed".

## FIRST SCHEDULE—(Contd.)

The Royal National Parks of Kenya Act (Cap. 377).	s. 37.	Substitute for the word "Tanganyika" the word "Tanzania".
	Second Schedule	Substitute for the words "Royal Game" the words "specially protected Game".
	Long title and through-out.	Delete the word "Royal" wherever it appears.
	s. 2.	In the definition of "competent authority"— (a) Delete the word "Prime" wherever it appears. (b) Delete paragraph (b).
	s. 3.	Substitute for the words "section 199 of the Constitution" the words "the Constitution or any other law".
	s. 5.	(a) In subsection (2) (g) delete the words "nominated by the Presidents of the respective Regional Assemblies". (b) Delete the proviso to subsection (5). (c) Delete subsection (6). (d) In subsection (7) delete all the words following the word "trustee" where it secondly appears.
	s. 19.	Substitute for the words "Her Majesty, Her Heirs and Successors" the words "the Government".
The Crown Fisheries Act (Cap. 379).	Long title.	Substitute for the word "Crown" the word "Government".
	s. 1.	Substitute for the words "Crown Fisheries" the words "Government Fisheries Protection".
The Control of Nets (Nyanza Province) Act (Cap. 381).	Through-out.	Substitute for the words "Nyanza Regional Assembly" the word "Minister".
	s. 3.	In subsection (1) substitute for the words "the Nyanza Regional Gazette" the words "the Gazette".
	s. 4.	In subsection (4) substitute for the words "Nyanza Region" the word "Government".
	Schedule.	Substitute for the words "Nyanza Region" the word "Government".

## FIRST SCHEDULE—(Contd.)

The Export of Timber Act (Cap. 386).	s. 2.	In the definition of "East Africa" substitute for the word "Tanganyika" the word "Tanzania".
The Aerodromes (Control of Obstructions) Act (Cap. 396).	s. 13.	Delete the whole section.
The Aerodrome Regulation Act (Cap. 397).	s. 8.	Delete the whole section.
The Mtwapa Bridge Act (Cap. 402).	s. 5.	Substitute for the words "Inspector-General of Police or the Regional Commissioner of Police for the Coast Region" the word "Commissioner of Police".
The Insurance (Motor Vehicles Third Party Risks) Act (Cap. 405).	s. 4.	In subsection (3) delete the words "by a Regional Assembly".
	s. 9.	In subsection (3) substitute for the words "Inspector-General of Police or a Regional Commissioner of Police" the words "Commissioner of Police".
The Lakes and Rivers Act (Cap. 409).	Fifth Schedule (Paragraph 9).	Delete the words "or a Regional Assembly".
The Excise Duties Agreements Act (Cap. 475).	s. 2.	Substitute for the word "Tanganyika" the word "Tanzania".
The Pools Act (Cap. 478).	s. 6.	In the proviso to subsection (3) substitute for the words "Tanganyika, Uganda or Zanzibar" the words "Tanzania or Uganda".
The Stamp Duty Act (Cap. 480).	s. 2.	In the definition of "stock" delete the word "Region".
	s. 61.	Substitute for the words "the Crown, the Government or by a Region" the words "the Government".
	s. 117.	(a) In subsection (1) (a) delete the words "or a Region" in both places where they appear. (b) In subsection (1), paragraphs (b) and (e), substitute for the word "Tanganyika", wherever it appears, the word "Tanzania". (c) Delete subsection (1) (d) and substitute a new paragraph as follows—
		(d) any transfer of shares in the stock or funds of the Government, the Organization, the Authority, the Government of Uganda or the Government of Tanzania".

## FIRST SCHEDULE—(Contd.)

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|---|--------------------|---|
| The Local Industries (Refund of Customs Duties) Act (Cap. 481). | s. 2.              | Substitute for the word "Tanganyika" the word "Tanzania".   |
| The Insurance Companies Act (Cap. 487).                         | s. 3.              | Substitute for the definition of "East Africa" a new definition as follows—<br><br>"East Africa" means Kenya, Uganda and Tanzania.  |
| The Banking Act (Cap. 488).                                     | s. 19.             | Substitute for the words "The Land and Agricultural Bank Act" the words "The Agricultural Credit Act".  |
|   | Schedule Item 7.   | Delete the words "of South Africa".   |
| The East African Industrial Licensing Act (Cap. 496).           | s. 2.              | Substitute for the word "Tanganyika" the word "Tanzania".   |
| The Stock Traders Licensing Act (Cap. 498).                     | s. 2.              | Delete the words "or of a Region".  |
| The Scrap Metal Act (Cap. 503).                                 | s. 2.              | (a) Substitute for the definition of "East African Territories" a new definition as follows—<br><br>"East African Territories" means Kenya, Uganda and Tanzania".<br><br>(b) In the definition of "scrap metal" delete the words "or of a Region".  |
|   | s. 5.              | Delete the whole section and substitute a new section as follows—   |
|   | Licensing officer. | 5. For the purposes of this Act the licensing officer—<br><br>(a) for the Nairobi Area shall be the Commissioner of Police or such officer as the Commissioner of Police may by notice in the Gazette appoint;<br><br>(b) for a Province shall be the police officer having charge of the Province to which the application for the licence relates or such other officer as the Commissioner of Police may by notice in the Gazette appoint. |

## FIRST SCHEDULE—(Contd.)

- The Scrap Metal Act (Cap. 503)—(Contd.).
- s. 7. In subsection (3) substitute for the words “in the case of the Nairobi Area to the Minister, and in the case of a Region to the President of a Regional Assembly” the words “to the Minister”.
- s. 19. In subsection (4) delete the words “in the case of the Nairobi Area or to the President of the Regional Assembly in the case of a Region”.
- s. 25. In subsection (1) delete the words “with the consent of the President of any Regional Assembly concerned”.
- The Price Control Act (Cap. 504).
- s. 3. Delete the whole section and substitute a new section as follows—
- Appointment of Price Controller and staff. 3. For the purposes of this Act there shall be appointed a Price Controller and such Deputy Price Controllers, Assistant Price Controllers, Price Inspectors and Assistant Price Inspectors as may be necessary.
- s. 6. In subsection (3) substitute for the words “in Kenya, in Tanganyika, in Uganda, or in Zanzibar” the words “in Kenya, in Uganda, or in Tanzania”.
- The Weights and Measures Act (Cap. 513).
- s. 47. Delete the words “or a Region”.
- The British Standard Portland Cement Company Limited (Bamburi Factory) Act (Cap. 515).
- s. 5. Delete the words “or a Region” and “Regional Department or”.
- s. 7. Substitute for the words ‘Her Majesty, Her Heirs and Successors’ the words “the Government”.
- The Architects and Quantity Surveyors Act (Cap. 525).
- s. 9. Delete the words “in the case of the Nairobi Area or the President of a Regional Assembly in the case of a Region”.
- s. 17. Delete the words “of Kenya or the Government of a Regional” wherever they appear.
- s. 18. Delete the words “in the case of the Nairobi Area, or the Regional Assembly in the case of a Region”.
- The Bankers Act (Cap. 527).
- s. 4. Substitute for the word “Governor” the word “Minister”.

## FIRST SCHEDULE—(Contd.)

The Money Lenders Act (Cap. 528).	s. 2.	Delete subsection (3).
The Pawnbrokers Act (Cap. 529).	s. 40.	Delete the words "in relation to the Nairobi Area or a Regional Assembly in relation to its Region".
The Development and Use of Land (Planning) Regulations 1961 (L.N. 516 of 1961).	r. 26.	Delete the whole regulation and substitute a new regulation as follows— 26. In this Part—"authority" means a local authority, an interim planning authority or the Central Authority, as the context may require.
	r. 27.	Delete the words "in its area" and "to its area" respectively.
The Streets Adoption Act 1963 (No. 5 of 1963).	s. 13.	In subsection (2) delete the words "the serving of".
	s. 16.	(a) In subsection (1)— (i) substitute for the word "two" the word "five". (ii) Insert a new proviso as follows— Provided that the Minister may by notice in the Gazette extend the period within which the draft register is to be prepared by a further period of two years. (b) In subsection (3) substitute for the word "six" the word "nine". (c) In subsection (5) substitute for the word "nine" the word "twelve".
The Registered Land Act 1963 (No. 25 of 1963).	s. 13.	Immediately following subsection (2) insert a new subsection as follows— (3) Notwithstanding the provisions of this section, any notice in writing required to be served under the provisions of the Government Lands Act, the Land Titles Act, the Registration of Titles Act or the Land Adjudication Act upon any of the parties under any mortgage, charge, memorandum of equitable mortgage or memorandum of charge by deposit of title, may be served in accordance with the provisions of section 153 of this Act and such service shall be deemed to be effective for all purposes.
	Cap. 280. Cap. 281. Cap. 282. Cap. 283.	

## FIRST SCHEDULE—(Contd.)

- The Registered Land Act 1963 (No. 25 of 1963)—  
(Contd.) s. 141. (a) Substitute for the words "section 12 of the Limitation Act 1963" the words "the law for the time being dealing with limitation," wherever they appear.
- (b) Substitute for the word "Act" which appears in line 5 of subsection (1) the word "law".
- Local Government Regulations 1963 (L.N. 256 of 1963). r. 162. Insert a new proviso to paragraph (f) as follows—
- Provided that this paragraph shall not confer a power to permit the provision of amusements with prizes otherwise than at entertainments held by commercial undertakings with the principal object of promoting trade or business and limited, in respect of any one such undertaking, to one or more periods not exceeding in the aggregate fourteen days in any one period of twelve months.
- r. 163. Insert immediately after paragraph (f) a new paragraph as follows—
- Other trades and occupations. (ff) to prohibit, control and regulate such other trades, occupations and premises as the Minister may, from time to time, by notice in the Gazette, prescribe.
- r. 245A. Delete the whole regulation.
- Insert immediately after regulation 280, the following new regulation—
- 280A. As from the commencement of these Regulations, every register of electors prepared under the Kenya (Electoral Provisions) (Registration of Voters) Regulations 1962 and not superseded by virtue of the Kenya (Electoral Provisions) (Registration of Voters) (Rectification of Registers) Regulations 1963 and every register prepared under the Kenya (Electoral Provisions) (Registration of Voters) (Rectification of Registers) Regulations 1963 shall be deemed to be an electoral roll prepared under regulation 55 of these Regulations, in respect of the local authority within the area of which is situated the registration unit to which the register of electors relates, until such time as a new register of electors is prepared under these Regulations.
- The Pyrethrum Act 1964 (No. 10 of 1964). s. 2. In the definition of "pool year" substitute for the words "June and such other period" the words "September or such other month".

## FIRST SCHEDULE—(Contd.)

The Pyrethrum Act 1964 (No. 10 of 1964)— (Contd.)	ss. 21 and 25.	In subsections (1), (2) and (3) substitute for the words "one hundred", wherever they appear, the word "twenty".
	s. 38.	Immediately following the proviso insert the words "and provided further that all existing stock and loan stock shall be deemed to have been issued in units of twenty shillings each".
The National Youth Service Act 1965 (No. 3 of 1965).	s. 4.	Delete subsection (3) and substitute a new subsection as follows—
		(3) The National Youth Leader shall be appointed from amongst the members of either House of the National Assembly.

## SECOND SCHEDULE

(s. 3)

## AMENDMENT OF EVERY WRITTEN LAW

<i>Expression to be amended</i>	<i>Expression to be substituted</i>
Region	Province
Regional Government Agent	District Commissioner
Assistant Regional Government Agent	District Officer
Civil Secretary	Provincial Commissioner
Supreme Court	High Court
Crown Land	Government Land
Governor	President
Governor-General	President
Prime Minister	President