

**THE STATUTE LAW (MISCELLANEOUS
AMENDMENTS) ACT, 1975**

No. 7 of 1975

Date of Assent: 23rd June, 1975

Date of Commencement: 27th June, 1975

**An Act of Parliament to make minor amendments to the
statute law**

ENACTED by the Parliament of Kenya, as follows:—

1. This Act may be cited as the Statute Law Short title
(Miscellaneous Amendments) Act, 1975.

2. The several written laws specified in the first column of the Schedule to this Act are hereby amended, in relation to the provisions thereof specified in the second column of that Schedule, in the manner specified in relation thereto in the third column of that Schedule. Amendment of
written laws.

SCHEDULE		
(s. 2)		
<i>Written Law</i>	<i>Provision</i>	<i>Amendment</i>
The Advocates Act (Cap. 16).	s. 3 (1) (c)	Delete "the Solicitor-General," and substitute "the Deputy Public Prosecutor,".
	s. 9 (a)	Delete the commas and words " , the Solicitor-General,".
	ss. 24 (a), 25, 59 (1) (a) and 60 (2)	Delete "Solicitor-General" wherever those words occur, and substitute "Deputy Public Prosecutor".
The Chattels Transfer Act (Cap. 28).	s. 11	Delete the word "two" and substitute "five".
The Government Proceedings Act (Cap. 40).	s. 13A (3)	Delete the words "a temporary injunction", and substitute "an injunction".
The College of Arms Act (Cap. 98).	s. 3 (1) (b), (c) and (d)	Delete paragraphs (b), (c) and (d) and substitute— (b) three persons appointed by the Minister.
The Marriage Act (Cap. 150).	s. 11 (1) (b) and s. 19	Delete the words "twenty-one" and substitute "eighteen".
The African Christian Marriage and Divorce Act (Cap. 151).	Schedule	Delete from each item the figure "2", and substitute, firstly, the figure "5" and, secondly, the figure "10".

SCHEDULE—(Contd.)

<i>Written Law</i>	<i>Provision</i>	<i>Amendment</i>
The University of Nairobi Act (Cap. 210).	s. 2 (1)	In the definition "constituent college", delete "(c)" and substitute "(b)".
The Tea Act (Cap. 343).	s. 6 (4)	Delete the words "and at least two shall be members appointed under paragraph (f)". Delete (from the proviso) the words "each of the said paragraphs", and substitute "the said paragraph".
The Constitutional Offices (Remuneration) Act (Cap. 423).	s. 3	Delete paragraph (b) and substitute— (b) a subsistence allowance at such rate and in such circumstances as the Treasury may authorize;
	Schedule	In the item "Controller and Auditor General"— (i) insert, after the expression "From 1-1-71" in the second column, the expression— to 31-12-74 From 1-1-75 (ii) insert, after the expression "Scale P" in the third column, in relation to the expression "From 1-1-75" in the second column, the expression— Scale Q
The Insurance Companies Act (Cap. 487).	s. 11 (1) (a)	Delete the words "Life Offices Liaison Committee of East Africa", and substitute "Life Offices' Association of East Africa".
The Trade Licensing Act (Cap. 497).	Part III	Insert, after section 11, the following new section—
	Revocation of licences.	11A. (1) A licensing officer may in writing revoke a licence on the ground that the licensee has used discriminatory or otherwise unfair or improper trading practices. (2) Where, under subsection (1) of this section, a licensing officer revokes a licence he shall give to the licensee, if so requested, the reasons in writing for his action.
	s. 12 (1) (a)	Insert, after the words "conditional licence", the words "or revoking a licence".
	s. 12 (3)	Delete and substitute the following new subsection— (3) The appeals advisory committee provided for in subsection (2) of this section shall consist of not less than— (a) three members of the National Assembly;

SCHEDULE—(Contd.)

<i>Written Law</i>	<i>Provision</i>	<i>Amendment</i>
The Trade Licensing Act (Cap. 497)—(Contd.).	s. 12 (3)—(Contd.).	(b) two advocates; and (c) three persons who have experience in one of the occupations specified in the definition of "business" in section 2 (1) of this Act.
The Registration of Business Names Act (Cap. 499).	s. 2 (1) s. 6 (1)	Delete the definition "trust territory". Delete the word "Every", and substitute the words "Subject to the provisions of subsection (2) of section 17 of this Act, every".
	s. 17 (2)	Delete and substitute— (2) Not less than seven days before commencing business under, or commencing to use, a business name, every firm, individual or corporation which after such commencement would be required under this Act to be registered shall, before posting or delivering to the Registrar the statement of particulars as required by section 6 of this Act, send by registered post or deliver to the Registrar the prescribed fee together with a written request to be informed whether or not the business name to be proposed for registration in the manner of that section may be registered; and the Registrar shall, within seven days of receipt of the prescribed fee, send by post or deliver to the address of such firm, individual or corporation a notification in writing stating whether or not such business name may be registered.
The Law of Succession Act (No. 14 of 1972).	s. 44	(i) Renumber as "44. (1)". (ii) Add the following subsections— (2) The Minister may, after consultation with the Chief Justice, by order published in the Gazette, suspend in any area referred to in the order all or any of the following provisions of this Act, namely, section 45, 46, 48 or 49. (3) Where the operation of sections 48 and 49 of this Act is suspended in any area, the High Court may make a grant of representation in respect of the estate of a deceased person whose last known place of residence was in that area, whether the value of the estate exceeds or does not exceed one hundred thousand shillings.

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Statute Law (Miscellaneous Amendments) 1975

SCHEDULE—(Contd.)

<i>Written Law</i>	<i>Provision</i>	<i>Amendment</i>
The Law of Succession Act (No. 14 of 1972) —(Contd.).	s. 44—(Contd.).	(4) In this section “area” means a province, district or other part of Kenya.
	Eighth Schedule	Delete the word “EIGHT”, and substitute “EIGHTH”. Delete the item— The Age of Majority Act Cap. 33.
The Sales Tax Act (No. 7 of 1973).	s. 42 (2)	Insert, before the expression “section 7”, the expression “subsection (1) of”.