

LEGAL NOTICE NO. 474

(1101/2/10/3)

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) (CRIMINAL PROCEDURE CODE) REGULATIONS, 1963

1. These Regulations may be cited as the Kenya (Amendment of Laws) (Criminal Procedure Code) Regulations, 1963, and shall be deemed to have come into operation on 1st June 1963.

2. In these Regulations, "Code" means the Criminal Procedure Code. Cap. 75.

3. Section 26 (1) of the Code is amended by deleting "Commissioner of Police" and substituting "Inspector-General of Police or a Regional Commissioner of Police".

4. Sections 88 (1), 143 and 196 of the Code are amended by deleting "Minister" and substituting "Attorney-General".

5. Section 95 of the Code is amended by inserting immediately after "Government" the words "of Kenya or of a Region".

6. Section 266 of the Code is amended by deleting paragraphs (a), (b) and (c) and substituting the new paragraphs following—

(a) the Prime Minister and members of the Cabinet;

(b) the Speakers and members of the Senate and the House of Representatives, and the Presidents and members of Regional Assemblies;

(c) the Clerk to the Senate, the Clerk to the House of Representatives, and the persons appointed to act as official reporters to the Senate and the House of Representatives.

7. Section 267 (1) of the Code is amended by—

(i) deleting "Provincial Commissioner" and substituting "Civil Secretary";

(ii) deleting "District Commissioner" and substituting "Regional Government Agent";

(iii) deleting "province" wherever it appears and substituting "Region".

8. Section 385 of the Code is amended by deleting "Minister" and substituting "Chief Justice".

9. Section 387 (4) of the Code is amended by deleting "Commissioner of Police" and substituting "Attorney-General".

10. The Second Schedule to the Ordinance is amended by substituting for "province" wherever it appears the words "Region".

Cap. 75,
Sub. Leg.

11. The Criminal Procedure (Special Districts) Order is amended by—

- (i) deleting from the Schedule the words "Northern Frontier District less that part of the said district which is administered by the District Commissioner Maralal" and substituting "Isiolo District, Marsabit District, Wajir District, Mandera District, Garissa District";
- (ii) deleting "Nanyuki District" and substituting "Laikipia District"; and
- (iii) adding immediately after "Embu District" the words "Kirinyaga District".

Cap. 75,
Sub. Leg.

12. The appointment under section 16 is amended by—

- (i) deleting the First Schedule and substituting the new Schedule following—

SCHEDULE

Civil Secretary, Wajir District, Garissa District
North-eastern Region. and Mandera District.

Civil Secretary, Isiolo District and Marsabit
Eastern Region. District.

- (ii) deleting "Nanyuki District" from the Second Schedule and substituting "Laikipia District"; and
- (iii) adding immediately after "Embu District" in the Second Schedule the words "Kirinyaga District".

Cap. 75,
Sub. Leg.

13. The Criminal Procedure (Police Supervision) Rules are amended by—

- (i) deleting the words "District Commissioner or" wherever they appear in rules 2, 6, 8 (1) 9 (2), 10, and the Schedule;
- (ii) deleting the words "or District Commissioner" in rule 7;
- (iii) deleting the words "or, if there is no police officer, the District Commissioner" in the Directions of the Court under section 344 of the Criminal Procedure Code set out in the Schedule; and
- (iv) substituting for "district" wherever it appears the word "area".

Cap. 75,
Sub. Leg.

14. The Criminal Procedure (Directions in the Nature of Habeas Corpus) Rules are amended by deleting from rules 10 and 11 the words "from the Governor in Council".

Cap. 75,
Sub. Leg.

15. The Criminal Procedure (Remuneration of Witnesses, Jurors and Assessors) Rules are amended by—

- (i) substituting for "Government Official" wherever it appears the words "public officer";
- (ii) deleting from rule 2 (a), line 3 the word "Government".

Made this 26th day of July 1963.

MALCOLM MACDONALD,
Governor.