

LEGAL NOTICE No. 142

(MLA. 190/2/7)

## THE LAWS OF KENYA (REVISION) ORDINANCE

(Cap. 1)

IN EXERCISE of the powers conferred by section 15 (1) of the Laws of Kenya (Revision) Ordinance, the Attorney-General hereby makes the following Order:—

## THE LAWS OF KENYA (REVISION) ORDER, 1963

1. This Order may be cited as the Laws of Kenya (Revision) Order, 1963.

2. The errors specified in the second column of the Schedule to this Order, appearing in those parts of the Laws of Kenya specified in the first column of that Schedule, are hereby rectified in the manner specified in the third column of that Schedule.

## SCHEDULE

(para. 2)

FIRST COLUMN	SECOND COLUMN	THIRD COLUMN
<i>Part of the Laws of Kenya</i>	<i>Error</i>	<i>Manner of Rectification</i>
The Interpretation and General Provisions Ordinance (Cap. 2), s. 23 (1).	The word "other".	Delete, and substitute "otherwise".
The Advocates Ordinance (Cap. 16), s. 36 (2) (c).	The word "shall".	Delete.
The Criminal Procedure Code (Cap. 75), s. 124.	The word "condition".	Delete, and substitute "conditioned".
The Detention Camps Ordinance (Cap. 91), Subsidiary Legislation, page 2.	The item "Kangema Camp", which appears under the heading <i>Embu District</i> , should be under the heading <i>Fort Hall District</i> .	Delete, and reinsert under the heading <i>Fort Hall</i> .
The Wakf Commissioners Ordinance (Cap. 109), s. 4 (1) (b).	The word "inheritance".	Delete, and substitute "maintenance".
The Exchange Control Ordinance (Cap. 113) Subsidiary Legislation, pages 10 to 12.	The heading "Orders under section 48".	Delete, and substitute "Orders under section 2 (1)"; transfer the heading and the three orders appearing thereunder to the top of page 1 of the Subsidiary Legislation.

## SCHEDULE (Contd.)

FIRST COLUMN <i>Part of the Laws of Kenya</i>	SECOND COLUMN <i>Error</i>	THIRD COLUMN <i>Manner of Rectification</i>
<i>Ibid.</i> , page 12.	The heading "Order under section 48 and paragraph 4 of the Third Schedule".	<i>Delete</i> , and <i>substitute</i> "Order under section 2 (1) and paragraph 4 of the Third Schedule"; <i>transfer</i> the heading and the order appearing thereunder to immediately after the orders under section 2 (1).
The Matrimonial Causes Ordinance (Cap. 152), Schedule, rule 25 (1), line 3.	The words "vica voce".	<i>Delete</i> , and <i>substitute</i> "viva voce".
The Hindu Marriage and Divorce Ordinance (Cap. 157), s. 10 (1).	The lettering of the paragraphs.	<i>Reletter</i> as paragraphs (a), (b), (c), (d), (e), (f), (g), (h) and (i) respectively.
The Education Ordinance (Cap. 211), Subsidiary Legislation, page 48, line 11.	The word "Khalso".	<i>Delete</i> , and <i>substitute</i> "Khalsa".
The Public Health Ordinance (Cap. 242), s. 119, line 2.	The word "service".	<i>Delete</i> , and <i>substitute</i> "serve".
The Land Registration (Special Areas) Ordinance (Cap. 283), s. 2.	Omission of subsection.	<i>Insert</i> immediately after subsection (2), the following subsection— (3) When any area of land has been added to the special areas under the Trust Land Ordinance and it appears expedient to the Minister that registration of title to any land in such area should be effected, the Minister may, by order, direct that this Ordinance shall apply to such area of the special areas, and upon publication of such order this Ordinance, other than Part II, shall apply to such area accordingly. <i>Insert</i> , at the end of the marginal note, "L.N. 559/1961".

## SCHEDULE—(Contd.)

FIRST COLUMN <i>Part of the Laws of Kenya</i>	SECOND COLUMN <i>Error</i>	THIRD COLUMN <i>Manner of Rectification</i>
<i>Ibid.</i> , s. 33 (4).	Omission of words.	<i>Insert</i> , immediately after "subsection (2)," the words "or subsection (3)".
<i>Ibid.</i> , s. 34 (1).	Omission of words.	<i>Insert</i> , at the end of the marginal note, "L.N. 559/1961". <i>Delete</i> "subsection (2)", and <i>substitute</i> "subsections (2) and (3)".
<i>Ibid.</i> , s. 34 (2) and (3).	Replacement of these subsections not incorporated.	<i>Delete</i> these subsections and <i>substitute</i> — (2) If the Registrar, in his absolute discretion, considers it necessary or expedient to indicate on a plan filed in the Registry, or otherwise to define in the Register, the precise position of the boundaries of a parcel of land or any part thereof, or if any person interested in that parcel of land or any part thereof makes application to the Registrar, the Registrar shall give notice to all persons appearing by the Register to be affected of his intention to ascertain and fix the boundaries. (3) The Registrar after hearing any representations made by the persons to whom he gave notice under subsection (2) of this section, shall fix the precise position of the boundaries, and shall either file a plan in the Registry showing the position of the boundaries so fixed or make such alteration as may be necessary to a plan already filed in the Registry, and shall make a

## SCHEDULE (Contd.)

FIRST COLUMN <i>Part of the Laws of Kenya</i>	SECOND COLUMN <i>Error</i>	THIRD COLUMN <i>Manner of Rectification</i>
<i>Ibid.</i> , s. 34 (2) and (3)— ( <i>Contd.</i> )	Replacement of these subsections not incorporated—( <i>Contd.</i> )	note in the Register to the effect that the boundaries have been fixed, and thereupon the plan so filed or altered shall be deemed to define accurately the fixed boundaries.  <i>Insert</i> , at the end of the marginal note, "L.N. 559/1961".
<i>Ibid.</i> , s. 95 (q).	Omission of words.	<i>Insert</i> , after "demarcation", the words "or fixing of boundaries".
<i>Ibid.</i> , s. 102.	Omission of subsection.	<i>Insert</i> , immediately after subsection (3), the following subsection— (4) Where any land of which the Trust Land Board becomes the registered proprietor is subject to a lease granted in accordance with the provisions of Part VI of the Trust Land Ordinance, the lessee thereof shall not transfer his interest therein without the prior consent in writing of the Trust Land Board, and any condition in a lease requiring the consent of any other person or body shall be void.
The Mining Ordinance (Cap. 306), s. 7.	The word "or" in the marginal note.	<i>Delete.</i> and <i>substitute</i> "and".
<i>Ibid.</i> , s. 17 (1).	Omission of words.	<i>Insert</i> , immediately before "section 7", the words "subsection (1) of".
<i>Ibid.</i> , s. 17.	Incorrect marginal note.	<i>Delete</i> "section 7 (j)", and <i>substitute</i> "section 7 (1) (j)".
<i>Ibid.</i> , s. 26 (2) (b).	The word "Commissoiner".	<i>Delete.</i> and <i>substitute</i> "Commissioner".

## SCHEDULE—(Contd.)

FIRST COLUMN <i>Part of the Laws of Kenya</i>	SECOND COLUMN <i>Error</i>	THIRD COLUMN <i>Manner of Rectification</i>
<i>Ibid.</i> , s. 29 (1) proviso (ii).	Omission of word.	<i>Insert</i> , immediately after "would", the word "not".
<i>Ibid.</i> , Subsidiary Legislation, page 5, regulation 6.	The figure "4".	<i>Delete</i> , and substitute "(3)".
<i>Ibid.</i> , page 10, regulation 24.	The figure "(2)", where it appears for the second time.	<i>Delete</i> , and substitute "(3)".
<i>Ibid.</i> , pages, 19, 20, 21, 22, 24, 25, 28, 30, 35 and 71.	The words "Commissioner of Mines".	<i>Delete</i> wherever they appear, and <i>substitute</i> in each case "Commissioner (Mines and Geology)".
<i>Ibid.</i> , page 65, regulation 140 (1).	The figures "145".	<i>Delete</i> , and <i>substitute</i> "143".
The Oil Production Ordinance (Cap. 308), Subsidiary Legislation, page 7, regulation 34.	The word "thirty".	<i>Delete</i> , and <i>substitute</i> "forty".
The Trading in Unwrought Precious Metals Ordinance (Cap. 309), pages 10 and 11.	The expression "(s. 6)" in Form III and Form IV.	<i>Delete</i> , and <i>substitute</i> in each case "(ss. 6 and 14)".
The Diamond Industry Protection Ordinance (Cap. 310).	Omission of marginal reference beside the title of the Ordinance.	<i>Insert</i> , below "21 of 1961", the references— L.N. 342/1956, L.N. 343/1956, L.N. 172/1960, L.N. 173/1960.
<i>Ibid.</i> , Subsidiary Legislation, page 4, regulation 10 (3).	The word "which".	<i>Delete</i> , and <i>substitute</i> "with".
<i>Ibid.</i> , page 16, Form H, Note (1).	Omission of word.	<i>Insert</i> , immediately after "prospecting", the word "licence".
The Gold Mines Development Loans Ordinance (Cap. 311), Subsidiary Legislation, page 2, rule 7.	Omission of paragraph.	<i>Insert</i> at the end the following paragraph— (c) in the case of a level to which access is obtained by means only of an adit, the factor to be applied to any working shall be determined by the distance along the adit from its portal at which the said working communicates with the adit.

## SCHEDULE—(Contd.)

FIRST COLUMN	SECOND COLUMN	THIRD COLUMN
<i>Part of the Laws of Kenya</i>	<i>Error</i>	<i>Manner of Rectification</i>
<i>Ibid.</i> , rule 8 (a).	The word "stop".	<i>Delete, and substitute "stope".</i>
<i>Ibid.</i> , paragraph 2.	The word "Sechedule".	<i>Delete, and substitute "Schedule".</i>
The Agriculture Ordinance (Cap. 318), s. 2 (1).	The word "Agricultrue" in the definition of "Board (Scheduled Areas).	<i>Delete, and substitute "Agriculture".</i>
The Forests Ordinance (Cap. 385), s. 15 (1) (a) (ii).	The words "or residence".	<i>Delete, and substitute "of residence".</i>
The Traffic Ordinance (Cap. 403), Subsidiary Legislation, page 81, paragraph 9.	The words "Failure to display vehicle licence".	<i>Delete, and substitute "Failure to conform to indication".</i>
The Imports, Exports and Essential Supplies Ordinance (Cap. 502), Subsidiary Legislation, pages 13 and 14.	Form B.	<i>Delete.</i>

Made this 12th day of February, 1963.

A. M. WEBB,  
*Attorney-General.*

LEGAL NOTICE No. 143

(COTT/TEC/LEG)

THE COTTON RULES

(Cap. 334) (*Sub. Leg.*)

DESTRUCTION OF COTTON PLANTS

IN EXERCISE of the powers conferred by rule 7 (2) (b) of the Cotton Rules, the Director of Agriculture hereby orders—

- (1) that all cotton plants in the South Nyanza and Central Nyanza Districts shall be uprooted and burned before 1st March, 1963; and
- (2) that all cotton plants in the Elgon Nyanza and North Nyanza Districts shall be uprooted and burned before 1st April, 1963.

Made this 12th day of February, 1963.

A. R. MELVILLE,  
*Director of Agriculture.*