

LEGAL NOTICE No. 342

(Com. & Ind. 19/20)

**THE TRANSFER AND DELEGATION OF POWERS
ORDINANCE, 1955**

(No. 31 of 1955)

IN EXERCISE of the powers conferred by section 2 of the Transfer and Delegation of Powers Ordinance, 1955, the Governor, with the approval of the Legislative Council, has been pleased to make the following Order:

1. This Order may be cited as the Transfer of Powers (Minister for Commerce and Industry) (No. 1) Order, 1956.

2. The exercise of the powers or the performance of the duties described in the fourth column of the Schedule to this Order being powers and duties conferred upon or vested in the Governor by the provisions of the Ordinances specified in the first, second and third columns of the said Schedule is hereby transferred to the Minister for Commerce and Industry, and, for the purpose of carrying such transfer into effect, the consequential amendments set forth in the fifth column of the said Schedule shall be made to the Ordinances mentioned therein.

SCHEDULE

Short Title	Cap. No. or No. & Year	Section or other Provision	Nature of Power or Duty	Consequential Amendment
Shop Hours Ordinance.	114	10 (8)	To permit shops to remain open on occasions of religious or ceremonial celebrations.	
Mining Ordinance.	168	2 (1)	To recognise schools of mines in relation to the qualifications of engineers.	
		10	To approve delegation or assignment of powers by Commissioner.	
		26 (2) (a)	To entertain and decide any appeal.	
		26 (5)	To exercise the several powers therein specified.	
Oil Production Ordinance.	171	75 A	To direct special report by Commissioner.	
		3	To exercise the several powers therein specified.	
Trading in Unwrought Precious Metals Ordinance.	172	8	To exercise the several powers therein specified.	
		20	To make regulations.	
Shipping Ordinance.	221	4 (3)	To sanction prosecution.	
		6 (1)	To exercise the several powers therein specified.	
		6 (3) & (4)		There shall be substituted for the words "the Governor" wherever they appear the words "the Minister". There shall be substituted for the words "the Governor" wherever they appear the words "the Minister".
		18		
		25	To pay expenses and remuneration.	

SCHEDULE—(Contd.)

Short Title	Cap. No. or No. & Year	Section or other Provision	Nature of Power or Duty	Consequential Amendment	
Shipping Ordinance.	221	26	To direct an investigation.	There shall be substituted for the words "the Governor" the words "the Minister". There shall be substituted for the words "the Governor" the words "the Minister".	
		27			
		29	To demand delivery of certificate.		
		31 (2)	To nominate an assessor.		
		33	To make Rules for Court of Survey.		
		35	To appoint place for survey of steamships.		
		42 (1)	To cause issue of a passenger steamer's certificate.		
		44	To cancel certificate of survey.		
		45 (1)	To require delivery of certificate of survey.		
		47	To dispense with survey of foreign steamships and to give certificate.		There shall be substituted for the words "the Governor" the words "the Minister".
		48 (2)	To grant certificate after appeal.		
		49 (1)	To require record of draught of water.		There shall be substituted for the words "to the Governor" the words "to the Minister".
		49 (2)			
		51 (2)	To approve level of marking of load line.		There shall be substituted for the words "the Governor" the words "the Minister".
		79	To determine amount of salvage.		
		91 (2)	To direct amount payable to assessor.		
93 (3)	To direct fee payable to valuer.				
98 (1)	To direct fees payable to receiver.				
98 (3)	To determine dispute as to amount payable to receiver.				
Aerodromes (Control of Obstructions) Ordinance.	227	4	To require removal of structure, tree or natural growth.	There shall be substituted for the words "the Governor" the words "the Minister".	
		5	To cause structure, tree or natural growth to be removed.		
		9 (2)	To appoint members of Compensation Tribunal.		
		10	To consent to planting of trees.		
Transport Licensing Ordinance.	237; Revised Edition, 1956	3 (17)	To give directions to Chairman regarding particulars to be contained in annual report.		
Hotels Ordinance.	275	13 (7)	To authorise reimbursement of travelling expenses of members of the Hotel Appeal Tribunal and to authorise payment of prescribed fees to members of the Hotel Appeal Tribunal.		

SCHEDULE—(Contd.)

Short Title	Cap. No. or No. & Year	Section or other Provision	Nature of Power or Duty	Consequential Amendment	
Industrial Alcohol (Manufacture, Sale and Use) Ordinance.	299	3 (1)	To issue licences.		
		8	To approve exemption of certain stills.		
		42	To approve waiver or enforcement of penalty or forfeiture.		
		43	To approve award to informer.		
		46	To approve condemnation and forfeiture of things seized.		
Methylated Spirits Ordinance.	301	48	To direct destruction or other disposal of forfeited articles.		
		9	To authorise person to search.		
Explosives Ordinance.	303	10 (5)	To entertain and decide any appeal.		There shall be substituted for the words "the Governor" the words "the Minister".
		13 (3)	To entertain and decide any appeal.		
		16 (2)	To entertain and decide any appeal.		
		19 (2)	To entertain and decide any appeal.		
		20 (2)	To entertain and decide any appeal.		
Auctioneers Ordinance.	309	7 (1)	To grant a licence to a person to whom a licence has been refused.		
		9	To direct form and particulars of register of licences.		
Diamond Industry Protection Ordinance.	No. 5 of 1949	11 (3)	To entertain and decide any appeal.		
		22	To give consent and to impose conditions.		
Traders' Licensing Ordinance.	No. 11 of 1951	21	To entertain and hear any appeal.		
		22 (e)	To extend the provisions of the Section.		
		26	To exempt any trade or any person from the operation of the Ordinance or to waive or reduce the fee payable thereunder.		
Weights and Measures Ordinance.	No. 49 of 1951	34 (1)	To prescribe period during which certificates of fitness shall remain in force.	The expression "on the representation of the Member" shall be deleted.	
		38 (1)	To authorise an inspector to act as an adjuster of weights and measures.		
		38 (2)	To approve charges which an inspector authorised to act as adjuster may make, and to prescribe the manner for accounting for same.		
Gold Mines Development Loans Ordinance.	No. 18 of 1952	18 (2)	To authorise communication of information.		
East African Industrial Licensing Ordinance.	No. 14 of 1953	5 (5)	To declare that an article shall remain a scheduled article.		
		22 (1) (a)	To amend the Second and Third Schedules.		
		22 (1) (b)	To make regulations.		

By Command of the Governor.

Nairobi,
25th July, 1956.V. A. MADDISON,
Minister for Commerce
and Industry.