

THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) ACT, 1982

No. 19 of 1982

Date of Assent: 16th December, 1982

Date of Commencement: 24th December, 1982

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

ENACTED by the Parliament of Kenya as follows:—

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| <p>1. This Act may be cited as the Statute Law (Miscellaneous Amendments) Act, 1982.</p> | <p>Short title.</p> |
| <p>2. The several written laws specified in the first column of the Schedule are amended, in relation to the provisions thereof specified in the second column, in the manner specified in the third column.</p> | <p>Amendment of written laws.</p> |
| <p>3. The amendment in the Schedule to the Magistrates' Jurisdiction (Amendment) Act, 1981, shall be deemed to have come into operation on the 31st December, 1981.</p> | <p>Retrospective effect.</p> |

SCHEDULE

<i>Written Law</i>	<i>Section</i>	<i>Amendments</i>
<p>The Interpretation and General Provisions Act (Cap. 2).</p>	<p>s. 3 (1)</p>	<p>Delete the definition of "applied law" and insert the following—</p> <p>"applied law" means—</p> <p>(a) an Act of the legislature of another country, an Act of the Community, or an Order in Council of the United Kingdom;</p> <p>(b) subsidiary legislation made under any of the foregoing,</p> <p>which is for the time being in force in Kenya;</p> <p>Delete the definitions of "British possession", "Central Legislative Assembly", "the Colony" and "the Colony of Kenya".</p> <p>In the definition of "the Constitution" delete the semi-colon at the end and add the following—</p> <p>" and reproduced in the Laws of Kenya under authority of section 4 of the Revision of the Laws Act;"</p>

SCHEDULE—(Contd.)

<i>Written Law</i>	<i>Section</i>	<i>Amendments</i>
		In the definitions of "local authority", "municipality" and "township", delete "Local Government Regulations, 1963" and insert "Local Government Act".
		Delete the definitions of "legislature", "the Protectorate", "the Protectorate of Kenya" and "the Road Authority".
		In the definition of "shilling" delete the expression "or a shilling issued by the East African Currency Board for so long as it remains legal tender in Kenya under the Central Bank of Kenya Act".
	s. 27	Renumber the existing section as subsection (1) and add the following— (2) Notwithstanding anything in subsection (1), where a written law contains a power to prescribe forms then, unless it is otherwise expressly provided therein, those forms need not be published in the Gazette.
The Judicature Act (Cap. 8).	s. 7 (2)	Delete "five" and insert "eight".
The Aliens Restriction Act (Cap. 173).	s. 2	Delete the definition of "the Minister".
The Armed Forces Act (Cap. 199).	s. 81 (4)	In paragraph (a) insert after "forfeiture of" the words "up to twelve months".
	s. 170 (2)	Renumber existing paragraphs (a) and (b) as (b) and (c) respectively and insert the following— (a) sixty-five years in the case of an officer retiring with the rank of major-general or corresponding rank or above;.
The Trade Unions Act (Cap. 233).	s. 41	Add the following new proviso— Provided that the Minister may, with the consent of the trade union concerned and by notice in the Gazette, authorize the transfer of specified property of that trade union to persons other than its trustees, or for public purposes other than the use of the union and its members, which may be prescribed.

SCHEDULE—(Contd.)

<i>Written Law</i>	<i>Section</i>	<i>Amendments</i>
The Dangerous Drugs Act (Cap. 245).	s. 18	Add the following new subsection— (6) An offence under this Act shall be triable by any subordinate court.
The Kenya Society for the Blind Act (Cap. 251).	s. 2	In the definition of “financial year” delete “1st July” and “Minister” and insert “1st January” and “Council” respectively.
	s. 4	Delete paragraphs (b) and (c). Delete “do” in paragraph (f) and insert “advise on”.
	ss. 5 (f) and 6 (5) (e).	Delete “Minister” and insert “Council”.
	s. 6 (2)	Delete and insert the following— (2) The Council shall consist of— (a) three public officers who shall be deputed in writing from time to time by the Permanent Secretaries in the Ministries for the time being responsible for matters relating to health, social services and basic education respectively; (b) six elected members.
	s. 8 (1)	Delete “six members” and insert “five members”.
The Valuation for Rating Act (Cap. 266).	s. 27 (1)	Insert in paragraph (e) after “charitable institutions” the expression “, museums”.
The Registration of Titles Act (Cap. 281).	s. 57 (8)	Delete “twenty-eight” in the third line and insert “forty-five”.
The Cotton Lint and Seed Marketing Act (Cap. 335).	s. 2	Delete the definition of “year”.
The Traffic Act (Cap. 403).	s. 119 (1)	In paragraph (q) delete “two thousand shillings” and “five thousand shillings” from sub-paragraphs (i) and (ii) respectively and insert “ten thousand shillings” and “twenty thousand shillings” respectively.
The Kenya Posts and Telecommunications Corporation Act (Cap. 411).	s. 4	Delete “three persons” in paragraph (e) and insert “six persons”.
The Co-operative Societies Act (Cap. 490).	s. 80 (7)	Delete “subsection (12)” and insert “subsection (11)”.

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Statute Law (Miscellaneous Amendments) 1982

SCHEDULE—(Contd.)

<i>Written Law</i>	<i>Section</i>	<i>Amendments</i>
The Price Control Act (Cap. 504).	s. 5 (1)	<p>Delete the semi-colon at the end of paragraph (d) and add the following—</p> <p>“, and limit, either generally or by reference to a written authorization of the Price Controller, the areas in which goods of any particular packing, weight, size, quality, marking, processing or ingredients may be sold;”.</p>
The Magistrates' Jurisdiction (Amendment) Act, 1981 (No. 14 of 1981).	s. 4	<p>Renumber the existing section as subsection (1) and add the following new subsection—</p> <p>(2) Where the court has, at the commencement of this Act, heard the case and pronounced judgement thereon, any appeal therefrom shall proceed as if this Act had not been passed.</p>