EAST AFRICA

ADMINISTRATION GENERALLY

1960 No. 1965

The East Africa (High Commission) (Amendment) Order in Council, 1960

Made - - - -	*26th October*, 1960
Laid before Parliament	*1st November*, 1960
Coming into Operation	*2nd November*, 1960

At the Court at Buckingham Palace, the 26th day of October, 1960

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers in that behalf by the British Settlements Acts, 1887 and 1945(**a**), and the Foreign Jurisdiction Act, 1890(**b**), or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation, construction and commencement

1.—(1) This Order may be cited as the East Africa (High Commission) (Amendment) Order in Council, 1960, and shall be construed as one with the East Africa (High Commission) Orders in Council, 1947 to 1959(**c**).

(2) The East Africa (High Commission) Orders in Council, 1947 to 1959, and this Order may be cited together as the East Africa (High Commission) Orders in Council, 1947 to 1960.

(3) This Order shall come into operation on the 2nd day of November, 1960.

Amendment of principal Order

2. Section 17 of the East Africa (High Commission) Order in Council, 1947 (hereinafter called "the principal Order")(**d**) (as set out in section 3 of the East Africa (High Commission) (Amendment) Order in Council, 1956(**e**), and as amended by section 3 of the East Africa (High Commission) (Amendment) Order in Council, 1958(**f**), and by section 4 of the East Africa (High Commission) (Amendment) Order in Council, 1959(**g**)), is amended in the following respects:—

(*a*) in subsection (1),—

(i) by the deletion of the word "Representative" in sub-paragraph (ii) of paragraph (*d*) and the substitution therefor of the word "Elected"; and

(ii) by the deletion of the word "members" where it first appears in sub-paragraph (iii) of paragraph (*d*) and the substitution therefor of the word "persons";

(a) 50 & 51 Vict. c. 54 and 9 & 10 Geo. 6. c. 7. (b) 53 & 54 Vict. c. 37.
(c) S.R. & O. 1947/2863 (Rev. XI, p. 695: 1947 I, p. 758); S.I. 1951/2126, 1953/975, 1955/550, 1818, 1956/1891, 1957/423, 1958/917, 1959/2203 (1951 I, p. 1222; 1953 I, p. 584; 1955 I, pp. 684, 686; 1956 I, p. 692; 1957 I, p. 655; 1958 I. p. 957; 1959 I, p. 980). (d) S.R. & O. 1947/2863 (Rev. XI, p.695: 1947 I, p. 758). (e) S.I. 1956/1891 (1956 I, p. 692). (f) S.I. 1958/917 (1958 I, p. 957). (g) S.I. 1959/2203 (1959 I, p. 980).

(*b*) in subsection (2), by the deletion of the words " appointment or election as a Representative Member " in paragraph (*b*) and the substitution therefor of the words " election as an Elected Member " ; and

(*c*) in subsection (4), by the deletion of the proviso thereto and the substitution therefor of the following proviso: —

" Provided that, in the case of an Unofficial Member elected under the provisions of sub-paragraph (ii) of paragraph (*d*) of subsection (1) of this section, the period so specified shall be subject to the provision that—

(i) such period shall expire if and when he ceases to be an Elected Member of the Legislative Council of Tanganyika for any reason other than a dissolution of that Council ; and

(ii) if he ceases to be an Elected Member of that Council by reason only of a dissolution thereof, such period shall be deemed to extend until the day immediately preceding the first meeting of that Council next following such dissolution and then expire.".

3. Section 19 of the principal Order (as set out in section 3 of the East Africa (High Commission) (Amendment) Order in Council, 1956, and as amended by section 5 of the East Africa (High Commission) (Amendment) Order in Council, 1957(**a**), and by section 4 of the East Africa (High Commission) (Amendment) Order in Council, 1958, and by section 5 of the East Africa (High Commission) (Amendment) Order in Council, 1959, is amended in the following respects: —

(*a*) in subsection (3), by the deletion of paragraph (*b*) and the substitution therefor of the following: —

" (*b*) in the case of an Unofficial Member elected by members of the Legislative Council of one of the Territories,—

(i) at the expiration of such period as the Governor may have specified in relation to the election of that member in pursuance of subsection (4) of section 17 of this Order ; or

(ii) if he is an Unofficial Member elected under the provisions of sub-paragraph (ii) of paragraph (*d*) of subsection (1) of section 17 of this Order and ceases to be an Elected Member of the Legislative Council of Tanganyika before the expiration of such period, then—

(*a*) if he ceases to be an Elected Member of that Council for any reason other than a dissolution thereof, on the day on which he so ceases to be an Elected Member ;

(*b*) if he ceases to be an Elected Member of that Council by reason only of a dissolution thereof, on the day immediately preceding the first meeting of that Council next following such dissolution ; " ;

(*b*) in subsection (4), by the insertion immediately after the word " Council " at the end thereof of the words " whether by reason of a dissolution of that Council or otherwise ".

W. G. Agnew.

(**a**) S.I. 1957/423 (1957 I, p. 655).

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order amends the provisions of the East Africa (High Commission) Order in Council, 1947, relating to the period of the tenure of office of Unofficial Members elected by the Legislative Council of Tanganyika and also makes other minor amendments.