EXPLANATORY NOTE

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

This Order amends certain provisions of the East Africa (High Commission) Order in Council, 1947, dealing with the powers of the East Africa High Commission, the services administered thereby, and its finance, and also certain provisions of the Order relating to the East Africa Central Legislative Assembly.

1953 No. 590

The East African Territories (Air Transport) (Amendment) Order in Council, 1953

Made - - - -	*1st April,* 1953
Laid before Parliament	*2nd April,* 1953
Coming into Operation	*1st July,* 1953

At the Court at Windsor Castle, the 1st day of April, 1953

Present.

The Queen's Most Excellent Majesty in Council

Whereas His late Majesty King George the Sixth was pleased to make the East African Territories (Air Transport) Order in Council, 1945(a) (hereinafter referred to as " the principal Order "):

And Whereas it is expedient that the principal Order should be amended in manner hereinafter appearing:

Now, therefore, Her Majesty, by virtue and in exercise of the powers in this behalf by the British Settlements Acts, 1887 and 1945(b), the Foreign Jurisdiction Act, 1890(c), 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 :—

Short title and commencement

1.—(1) This Order may be cited as the East African Territories (Air Transport) (Amendment) Order in Council, 1953.

(2) The principal Order and this Order may be cited together as the East African Territories (Air Transport) Orders in Council, 1945 and 1953.

(3) This Order shall come into operation on the first day of July, 1953.

Insertion of new sections 6A and 6B in principal Order

2. Immediately after section 6 of the principal Order there shall be inserted the following new sections :—

" 6A. (1) Where by virtue of Regulations made under subsection (1) of section 5 of this Order any powers have been conferred or

(a) S.R. & O. 1945/1370; Rev. VIII, p. 342; 1945 I, p. 397.
(b) 50 & 51 Vict. c. 54; 9 & 10 Geo. 6. c. 7.
(c) 53 & 54 Vict. c. 37.

duties imposed on the Authority then by order (hereinafter in this Part referred to as a " delegation order ") published in each of the Official Gazettes of the East African Territories the Authority may declare that subject to such limitations and conditions as may be specified in the order any of such powers so conferred or such duties so imposed upon the Authority may be exercised or shall be performed by such person or body of persons (hereinafter in this Part referred to as " the delegatee ") as may be specified in the order.

(2) Where by virtue of a declaration made under a delegation order any power may be exercised or any duty is to be performed by the delegatee then—

(*a*) the Authority shall not exercise any such power or perform any such duty ;

(*b*) in the exercise of such power or the performance of such duty the delegatee may revoke, suspend or vary any licence or thing previously granted or done by the Authority to the same extent as such licence or thing could, but for the provisions of paragraph (*a*) of this subsection, have been revoked, suspended or varied by the Authority ; and

(*c*) section 6 of this Order shall have effect as if for references therein to the Authority there were substituted references to the delegatee.

(3)—(*a*) The Authority may by a further order to be published in like manner revoke or vary any delegation order made under subsection (1) of this section.

(*b*) Where by reason that any delegation order has been so revoked or varied, or has otherwise ceased to have effect, any power or duty ceases to be exercisable or is no longer to be performed by the delegatee, any licence granted or other thing done by the delegatee in the exercise or performance of such power or duty shall, if in force immediately before such revocation or variation, continue in force, but may be revoked, suspended or varied by the Authority as if it had been granted or done by the Authority."

" 6B.—(1) A delegation order shall make provision for the establishment, constitution and procedure of an Appeal Tribunal.

(2) Where an Appeal Tribunal has been so established and constituted then—

(*a*) any person aggrieved by any act or decision of the delegatee in the excercise of any power or the performance of any duty conferred or imposed upon it by virtue of a delegation order may make representations in writing to the delagatee, setting out the grounds of his complaint, and giving notice that he desires to appeal to the Authority ;

(*b*) the delegatee shall forward any representations made to it in writing under paragraph (*a*) of this subsection, together with its comments thereon, to the Appeal Tribunal, and the Appeal Tribunal shall, in such manner as may be provided in the delegation order, hear the case of the person aggrieved, and shall submit a copy of the proceedings of the case, together with its recommendations thereon, to the Authority ;

(*c*) the Authority shall consider the copy of the proceedings of the case and the recommendations of the Appeal Tribunal submitted to it under paragraph (*b*) of this subsection, and shall record its determination in writing; the decision of the Authority shall be final.

(3) A delegation order may provide, generally, for all subsidiary matters in connection with the bringing, hearing and determining of appeals under this section."

W. G. Agnew.

EXPLANATORY NOTE

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

This Order amends that part of the East African Territories (Air Transport) Order in Council, 1945, which confers powers relating to the licensing of air transport and commercial flying, to enable the East African Air Transport Authority to delegate any of the powers conferred and duties imposed upon it and to provide for the establishment of an Appeal Tribunal.

EASTERN AFRICAN COURT OF APPEAL

1953 No. 1202

The Eastern African Court of Appeal Order in Council, 1953

Made - - - -	*1st August*, 1953
Laid before Parliament	*4th August*, 1953
Coming into Operation	*5th August*, 1953

At the Court at Buckingham Palace, the 1st day of August, 1953

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**), by the Foreign Jurisdiction Act, 1890(**b**), or otherwise in Her Majesty vested, is pleased,

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(**a**) 50 & 51 Vict. c. 54 and 9 & 10 Geo. 6. c. 7. (**b**) 53 & 54 Vict. c. 37.