STATUTORY INSTRUMENTS

1961 No. 2036

EAST AFRICA

The Kenya (Constitution) (Amendment) Order in Council, 1961

Made - - - -	*24th October*, 1961
Laid before Parliament	*30th October*, 1961
Coming into Operation	*31st October*, 1961

At the Court at Buckingham Palace, the 24th day of October, 1961

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), 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 and commencement.

1.—(1) This Order may be cited as the Kenya (Constitution) (Amendment) Order in Council, 1961, and the Kenya (Constitution) Orders in Council, 1958 to 1960, and this Order may be cited together as the Kenya (Constitution) Orders in Council, 1958 to 1961.

(2) This Order shall come into operation on the thirty-first day of October, 1961.

Amendment of section 11 of Order of 1958.

2. Section 11 of the Kenya (Constitution) Order in Council, 1958(c), is revoked and the following section is substituted:—

"Council of Ministers.

11.—(1) There shall be a Council of Ministers in and for Kenya, which, subject to section 16 of this Order, shall consist of such number of Ministers as may be prescribed by Her Majesty by instructions given to the Governor through a Secretary of State.

(2) The Ministers shall be appointed by the Governor (either by name or by reference to an office) by instrument under the public seal in pursuance of instructions given to him by Her Majesty through a Secretary of State.

(3) For the purposes of this Order the Ministers shall have seniority and take precedence in such order as may be assigned by or in pursuance of instructions given by Her Majesty through a Secretary of State.".

Amendment of section 14 of Order of 1958.

3. Section 14 of the Kenya (Constitution) Order in Council, 1958, is amended by the insertion in subsection (2) after the word "Minister" the words "who has been appointed as such by name".

(a) 50 & 51 Vict. c. 54 and 9 & 10 Geo. 6. c. 7. (b) 53 & 54 Vict. c. 37.
(c) S.I. 1958/600 (1958 I, p. 961).

Transitional provisions.

4.—(1) Until such time as Her Majesty otherwise directs by instructions given to the Governor through a Secretary of State, the Council of Ministers shall, subject to section 16 of the Kenya (Constitution) Order in Council, 1958, consist of twelve Ministers.

(2) The persons who were holding office as Ministers immediately before the commencement of this Order shall be deemed to have been appointed Ministers by name at the commencement of this Order under sub-section (2) of section 11 of the Kenya (Constitution) Order in Council, 1958, as set out in section 2 of this Order.

(3) Nothing in this Order shall affect the tenure of office of any person who was a temporary Minister immediately before the commencement of this Order.

W. G. Agnew.

EXPLANATORY NOTE

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

This Order amends the Kenya (Constitution) Order in Council, 1958, with respect to the membership of the Council of Ministers.