Provided that the Organization shall reimburse any such Government the amount of any pension, gratuity, superannuation allowance or other benefit such Government is required to pay under any such regulations and any other expenses it may incur in relation thereto.

(4) Any regulation made under this section shall be published in the Official Gazettes of the Territories.

W. G. Agnew.

EXPLANATORY NOTE

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

This Order provides for the establishment of an East African Land Forces Organization.

1957 No. 2220

The Kenya (Electoral Provisions) Order in Council, 1957

Made - - - -	*20th December*, 1957
Laid before Parliament	*31st December*, 1957
Coming into operation	*1st January*, 1958

At the Court at Buckingham Palace, the 20th day of December, 1957

Present,

The Queen's Most Excellent Majesty in Council

Whereas by the Kenya Letters Patent, 1920 to 1955(a), it is provided that there shall be a Legislative Council for the Colony of Kenya (hereinafter referred to as "the Legislative Council") constituted in such manner as Her Majesty may direct by any Instructions under Her Majesty's Sign Manual and Signet:

And Whereas by the said Letters Patent and by the Kenya Protectorate Orders in Council, 1920 to 1955(b), it is provided that it shall be lawful for the Governor and Commander-in-Chief of the Colony (hereinafter referred to as "the Governor") with the advice and consent of the Legislative Council, to make laws for the peace, order and good government of the Colony and Protectorate of Kenya:

(a) *See* Rev. XI, p. 674: and 1920 II, p. 1612; 1934 II, p. 767; 1948 I, p. 4724. *See* also 1951 II, p. 1414; 1954 II, pp. 2987, 2988; 1955 II, p. 3183.

(b) S.R. & O. 1920/2343, 1934/311; S.I. 1948/862 (Rev. VIII, p. 258: 1920 I, p. 658; 1934 I, p. 650; 1948 I, p. 1340): S.I. 1954/483, 1955/1652 (1954 I, p. 714; 1955 I, p. 687).

And Whereas by Instructions under Her Majesty's Sign Manual and Signet to the Governor bearing date the twenty-ninth day of March, 1934, as amended by Additional Instructions bearing date the twentieth day of July and seventh day of November, 1956 (hereinafter referred to as "the existing Instructions") it is directed that the Legislative Council shall contain, in addition to certain other members, twenty-nine elected members of whom eight are Africans:

And Whereas it is proposed to make certain alterations with regard to the constitution of the Legislative Council and that one of those alterations should be the increase of the number of elected members who are Africans from eight to fourteen:

And Whereas it is expedient that the existing legislature of the Colony and Protectorate of Kenya should be empowered to make provision for the election of the six additional elected members who are Africans notwithstanding that the proposed alterations with regard to the constitution of the said Legislative Council have not yet been provided for:

Now, therefore, Her Majesty, by virtue and in exercise of the powers in this 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 (Electoral Provisions) Order in Council, 1957.

(2) This Order shall come into operation on the first day of January, 1958.

Interpretation

2. In this Order "the existing instruments" means the Kenya Letters Patent, 1920 to 1955, and the Kenya Protectorate Orders in Council, 1920 to 1955, and "Kenya" means the Colony and Protectorate of Kenya.

Provision for election of additional African elected members

3.—(1) Provision may be made by law enacted by the legislature of Kenya under the existing instruments for the election in Kenya to the Legislative Council of six elected members who are Africans (hereinafter referred to as "the additional elected members") in addition to the eight such members of the Legislative Council provided for by the existing Instructions, including (without prejudice to the generality of the foregoing power) the following matters, that is to say:—

(*a*) the establishment of six new electoral districts (by whatever name called) for the purpose of returning the additional elected members to the Legislative Council and, in that connection, the alteration of the boundaries of any existing electoral district; and

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

(*b*) any other matter, in connection with the election of such members, with respect to which provision may be made in connection with the election of the other elected members of the Legislative Council by law enacted by the legislature of Kenya under the existing instruments.

(2) A law enacted in pursuance of this section may make provision for the filling, by appointment by the Governor or otherwise, of any vacancy in the number of the additional elected members occurring by reason of the fact that no person has been nominated as a candidate for election in any electoral district.

(3) Where the boundaries of any existing electoral district are altered by, or in pursuance of, any law enacted in pursuance of this section, any person who, immediately before the date on which such alteration takes effect, is an elected member returned to the Legislative Council for that district shall not vacate his seat in the Council by reason only of such alteration, and accordingly provision may be made by, or in pursuance of, any such law as aforesaid that that person shall be deemed to be the elected member returned for such electoral district as may be specified by that provision.

(4) The election of the additional elected members and the filling of any vacancy such as is mentioned in subsection (2) of this section may take place at any time in accordance with the provisions of any law enacted in pursuance of this section, but no person elected to be or otherwise becoming an elected member of the Legislative Council under the provisions of any such law shall sit or vote in the Council or otherwise take part in the proceedings thereof until provision has been made that the number of elected members of the Council who are Africans shall be fourteen and such provision has come into operation.

W. G. Agnew.

EXPLANATORY NOTE

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

This Order enables the existing legislature of Kenya to make provision for the election in Kenya to the Legislative Council of six elected members who are Africans in addition to the eight African elected members of the existing Legislative Council, notwithstanding that the constitution of the Legislative Council has not yet been amended so as to provide for the additional elected members.