STATUTORY INSTRUMENTS

1961 No. 1830

EAST AFRICA

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

Made - - - -	*25th September*, 1961
Laid before Parliament	*29th September*, 1961
Coming into Operation	*30th September*, 1961

At the Court at Buckingham Palace, the 25th day of September, 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), 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 Kenya (Land) (Amendment) Order in Council, 1961, and shall be construed as one with the Kenya (Land) Order in Council, 1960(c).

(2) The Kenya (Land) Order in Council, 1960, and this Order may be cited together as the Kenya (Land) Orders in Council, 1960 and 1961.

(3) This Order shall come into operation on the thirtieth day of September, 1961:

Provided that section 3 shall be deemed to have come into operation on the 19th day of December, 1960.

Amendment of section 6 of Order of 1960.

2. Section 6 of the Kenya (Land) Order in Council, 1960 (hereinafter referred to as the principal Order) is amended—

(*a*) by the deletion of subsection (2) and the substitution of the following subsection—

"(2) The Trust Land Board shall consist of the following members—

(*a*) the person for the time being lawfully discharging the functions of Chief Commissioner, who shall be chairman;

(*b*) three elected members of the Legislative Council of Kenya appointed by the Governor;

(*c*) two other persons appointed by the Governor.";

(*b*) by the deletion of subsection (5) and the substitution of the following subsection—

"(5) When at any time the Legislative Council is dissolved, the elected members who are members of the Board by virtue

(a) 50 & 51 Vict. c. 54 and 9 & 10 Geo. 6. c. 7.
(b) 53 & 54 Vict. c. 37. (c) S.I. 1960/2202 (1960 I, p. 1243).

of paragraph (*b*) of subsection (2) of this section shall, notwithstanding such dissolution, continue to be members of the Board until the Legislative Council first meets after that dissolution.";

(*c*) by the deletion from subsection (6) of the words "or paragraph (*c*)";

(*d*) by the deletion from subsection (7) of the words "under paragraph (*d*)" and the substitution of the words "under paragraph (*c*)"; and

(*e*) by the deletion of subsection (10) and the substitution of the following subsection—

"(10) The powers conferred upon the Governor by paragraphs (*b*) and (*c*) of subsection (2) and by subsections (6) and (7) of this section shall be exercised by him in his discretion.".

Amendment of section 14 of Order of 1960.

3. Paragraph (*a*) of subsection (1) of section 14 of the principal Order is amended by deleting the words "before the appointed day" and substituting the words "before the thirtieth day of June, 1961".

Transitional provision for membership of Trust Land Board.

4. The persons who, immediately before the coming into operation of this Order, were members of the Trust Land Board by virtue of paragraphs (*b*) and (*c*) of subsection (2) of section 6 of the principal Order shall, upon the coming into operation of this Order, vacate office as members of the Trust Land Board.

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 (Land) Order in Council, 1960, so as to reconstitute the Trust Land Board and modify the provisions with regard to the tenure of office of certain of its members. It also alters the period during which leases for a shorter term than 999 years may, under legislation made under this Order, be converted into freehold.