STATUTORY INSTRUMENTS

1963 No. 168

EAST AFRICA

The Kenya (Local Government) Order in Council 1963

Made - - - -	*28th January* 1963
Laid before Parliament	*1st February* 1963
Coming into Operation	*2nd February* 1963

At the Court at Buckingham Palace, the 28th day of January 1963

Present,

The Queen's Most Excellent Majesty in Council

Whereas it is proposed that in due course there shall be established for Kenya a constitution making provision in relation to local government:

And whereas it is expedient in order to facilitate the introduction of the said constitution that fresh provision should be made in relation to local government in Kenya before the said constitution has been established by Order of Her Majesty in Council:

Now, therefore, 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, construction and commencement.

1.—(1) This Order may be cited as the Kenya (Local Government) Order in Council 1963.

(2) This Order shall be deemed to form part of the Kenya (Constitution) Order in Council 1958(c) for the purposes of sections 2 and 12 of that Order.

(3) This Order shall come into operation on 2nd February 1963.

Local government.

2. The Governor may, by regulation published in the Gazette, make provision for local government in Kenya and for any matter that appears to him to be incidental thereto or consequential thereon, including (without prejudice to the generality of the foregoing)—

(*a*) the establishment of local government authorities, the area for which any such authority is responsible and the relationships between different authorities;

(*b*) the composition of any local government authority, the qualifications of any of its members, the procedure by which any member is appointed, elected by voters registered for that purpose under the Kenya (Electoral Provisions) (Registration of Voters) Order in Council 1962(d) or otherwise selected and the tenure of office of any member;

(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). (d) S.I. 1962/1648 (1962 II, p. 1952).

(*c*) the duties, powers and procedure of any local government authority;

(*d*) the supervision, regulation or suspension of any local government authority;

(*e*) the appointment, tenure of office, salaries and allowances and other terms of service of the staff of any local government authority;

(*f*) the revenues and expenditure of any local government authority, including the provision of moneys out of the revenues of Kenya (which moneys shall if it be so provided in any regulation made under this Order be payable without further appropriation) for the purposes of any local government authority and the conferment upon any local government authority of power to levy taxes, rates or fees and to raise loans;

(*g*) the abolition or reconstitution of any existing local government authority and the transfer of assets, liabilities and staff of any existing local government authority to any local government authority established under this Order; and

(*h*) the establishment of authorities having functions in relation to local government authorities.

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 Governor of Kenya to make provision for local government in Kenya.