STATUTORY INSTRUMENTS

1963 No. 169

EAST AFRICA

The Kenya (Lower House Constituencies) 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 for a legislature containing a Lower House (hereinafter referred to as " the proposed Lower House ") and an Upper House :

And whereas it is expedient that, for the avoidance of delay in constituting the proposed Lower House, provision should be made for constituencies for the purposes of elections to the proposed Lower House 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 (Lower House Constituencies) 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 the 2nd February 1963.

Lower House constituencies.

2. The Governor may, by regulation published in the Gazette, make provision under which any area within Kenya shall be constituted as a constituency for the purposes of elections to the proposed Lower House and for any matter that appears to him to be incidental thereto or consequential thereon.

(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).

Amendment of schedule 1 of Order of 1962.

3.—(1) Schedule 1 of the Kenya (Electoral Provisions) (Registration of Voters) Order in Council 1962(a) is amended—

(*a*) by the deletion from paragraph 1 of the word "constituency" and the substitution of the words "registration area"; and

(*b*) by the deletion of paragraph 7 and the substitution of the following paragraph:—

"7. In paragraph 1 of this schedule 'registration area' means any area prescribed as such by regulations made under section 3 of this Order."

(2) Any area that immediately before the commencement of this Order was prescribed for the purposes of paragraph 7 (*b*) of schedule 1 of the Kenya (Electoral Provisions) (Registration of Voters) Order in Council 1962 shall, unless it is otherwise provided in regulations made under section 3 of this Order, be deemed to be a registration area for the purposes of paragraph 1 of that schedule, as amended by subsection (1) of 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 enables the Governor of Kenya to make provision under which any area within Kenya shall be constituted as a constituency for the purposes of elections to the Lower House of the legislature that it is proposed to establish in due course for Kenya.

It also amends schedule 1 of the Kenya (Electoral Provisions) (Registration of Voters) Order in Council 1962 relating to the franchise for elections to the Lower House.

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