STATUTORY INSTRUMENTS

1963 No. 1758

KENYA

The Kenya (Validation) Order in Council 1963

Made - - - -	*23rd October* 1963
Laid before Parliament	*29th October* 1963
Coming into Operation	*30th October* 1963

At the Court at Buckingham Palace, the 23rd day of October 1963

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. This Order may be cited as the Kenya (Validation) Order in Council 1963 and shall come into operation on 30th October 1963.

Validation of appointment.

2. The appointment of David Charles Kennedy to be temporarily a Puisne Judge of the Supreme Court in and for Kenya made by the Governor on 18th January 1963 in purported exercise of the powers conferred upon him by section 63(1) of the Kenya (Constitution) Order in Council 1958(c) shall for all purposes whatsoever be, and be deemed always to have been, duly made notwithstanding that the said David Charles Kennedy was not, at the time of such appointment, qualified for appointment as a judge of the Supreme Court, and all acts and things done by the said David Charles Kennedy before the commencement of this Order in purported exercise of the functions of the office of Puisne Judge shall accordingly be deemed to have been validly and effectively done.

W. G. Agnew.

EXPLANATORY NOTE

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

This Order confers validity upon the appointment of Mr. D. C. Kennedy as a temporary Puisne Judge of the Supreme Court of Kenya notwithstanding that, at the time of such appointment, he did not fulfil the requirements of section 60 of the Kenya (Constitution) Order in Council 1958.

(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).