1960 No. 1054

The King's African Rifles Order in Council, 1960

Made - - - -	*23rd June*, 1960
Laid before Parliament	*29th June*, 1960
Coming into Operation	*1st July*, 1960

At the Court at Buckingham Palace, the 23rd day of June, 1960

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers in this 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 and commencement

1.—(1) This Order may be cited as the King's African Rifles Order in Council, 1960.

(2) This Order shall come into operation on the first day of July, 1960.

Interpretation

2.—(1) In this Order, unless the context otherwise requires—

"the Organization" means the East African Land Forces Organization established under section 3 of the Order in Council;

"the Order in Council" means the East African Land Forces Organization Order in Council, 1957(c), as amended by the East African Land Forces Organization (Amendment) Order in Council, 1958(d);

"the King's African Rifles" means Her Majesty's land forces raised in any of the Territories under the provisions of the King's African Rifles Ordinance of that Territory(e), or any Ordinance amending or replacing the same;

"the Territories" means the Colony and Protectorate of Kenya, the Trust Territory of Tanganyika and the Protectorate of Uganda.

(2) Save as is in this Order otherwise provided, or required by the context, the Interpretation Act, 1889(f), shall apply for the purpose of interpreting this Order as it applies for the purpose of interpreting an Act of Parliament.

Winding up of the Organization

3.—(1) The Organization shall be wound up in accordance with the provisions of this Order.

(2) The Organization may, by notice in the Official Gazette of each of the Territories, fix a day, which shall not be less than two months from the date of the notice, on or before which creditors of the Organization are to lodge proofs of their debts or claims or to be excluded from objecting to the distribution of the Organization's assets under subsection (4) of this section.

(a) 50 & 51 Vict. c. 54 and 9 & 10 Geo. 6. c. 7. (b) 53 & 54 Vict. c. 37.
(c) S.I. 1957/1076 (1957 I, p. 658). (d) S.I. 1958/2186 (1958 I, p. 1002).
(e) Laws of Kenya, Ordinance No. 42 of 1958; Laws of Tanganyika, Ordinance No. 32 of 1958; Laws of Uganda, Ordinance No. 34 of 1958.
(f) 52 & 53 Vict. c. 63.

(3) Any law for the time being in force in any of the Territories which makes provision whereby a creditor may apply to a court to determine any question arising in a voluntary winding up of a company shall, to the extent that it makes such a provision, apply in that Territory in relation to the winding up of the Organization subject to such modifications and adaptations as the circumstances may require :

Provided that none of the Governments of the Territories shall be regarded as a creditor of the Organization for the purpose of the application as aforesaid of any such law.

(4) The assets of the Organization remaining after discharge of its liabilities shall be distributed to the Governments of the Territories in the same proportion that the total contribution of each of the Territories to the funds of the Organization bears to the total contributions of all the Territories to those funds.

Effect of coming into operation of the Order

4. Upon the commencement of this Order sections 7 and 8, subsection (2) of section 11 and section 12 of the Order in Council shall cease to have effect.

Dissolution of the Organization

5. When the Organization is satisfied that the affairs of the Organization have been properly wound up, the Organization shall, by notice in the Official Gazette of each of the Territories, appoint a day for the dissolution of the Organization and the Organization shall be deemed to be dissolved as from that day.

Regulations

6. The power to make regulations conferred by section 13 of the Order in Council shall be deemed to include power to make regulations for the proper carrying out of the foregoing provisions of this Order.

Placing of King's African Rifles under the Army Council

7.—(1) The Governor of any of the Territories may, by order published in the Official Gazette of that Territory, at any time, and for such purpose as Her Majesty, through a Secretary of State, may direct, place all or any of the units of the King's African Rifles raised in that Territory under the orders and directions of the Army Council ; and any such order may be made with retrospective effect.

(2) When any order has been made by virtue of the provisions of subsection (1) of this section, every person who is for the time being serving as an officer or soldier of the King's African Rifles, or is otherwise subject to military law by reason of service with the King's African Rifles and is affected by such order, shall obey all lawful orders and directions given or issued by or on behalf of the Army Council wherever such person may be, whether within the Territories or elsewhere.

(3) Any order or direction of the Army Council referred to in subsection (2) of this section shall have effect notwithstanding anything inconsistent therewith contained in any Ordinance for the time being in force in any of the Territories or in any regulation, order or notice made or issued thereunder, and such Ordinance, regulation, order or notice shall to the extent of such inconsistency have no effect so long as such order or direction of the Army Council shall remain in force.

Revocation of the Order in Council

8. The Order in Council is revoked on the day appointed under section 5 of this Order for the dissolution of the Organization.

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 winding up and dissolution of the East African Land Forces Organization, and for the placing of the King's African Rifles under the orders and directions of the Army Council.