1959 No. 2204

The Northern Rhodesia (Native Trust Land) (Amendment) Order in Council, 1959

Made - - - -	21*st December*, 1959
Laid before Parliament	30*th December*, 1959
Coming into Operation	1*st January*, 1960

At the Court at Buckingham Palace, the 21st day of December, 1959

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers by the Foreign Jurisdiction Act, 1890(**a**), 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 Northern Rhodesia (Native Trust Land) (Amendment) Order in Council, 1959, and shall be construed as one with the Northern Rhodesia (Native Trust Land) Orders in Council, 1947 to 1954(**b**).

(2) This Order and the Northern Rhodesia (Native Trust Land) Orders in Council, 1947 to 1954, may be cited together as the Northern Rhodesia (Native Trust Land) Orders in Council, 1947 to 1959.

(3) This Order shall come into operation on the 1st day of January, 1960, and shall be published in the Northern Rhodesia Gazette and in such other manner as the Governor shall think fit.

Amendment of the principal Order

2. Section 5 of the Northern Rhodesia (Native Trust Land) Order in Council, 1947(**c**), (hereinafter called "the principal Order") is amended—

(*a*) by the addition of the following words at the end of subsection (4):—

> "The compensation payable for the land acquired shall be determined by the Governor. Notwithstanding the preceding provisions of this subsection compensation for the land acquired may be made either in whole or in part by an exchange of an area of Crown lands and any area so exchanged shall be declared by the Governor by notice in the Gazette to be native trust land and shall thereupon become native trust land." ;

(*b*) by the addition immediately after subsection (6) of the following new subsection :—

> "(7) Any native trust land acquired under the provisions of paragraph (*d*) of subsection (1) of this section shall thereupon cease to be native trust land and shall become Crown lands."

(**a**) 53 & 54 Vict. c. 37. (**b**) S.R. & O. 1947/2214 (Rev. VIII, p. 201: 1947 I, p. 779); S.I. 1954/1142, 1374 (1954 II, pp. 1937, 1938).
(**c**) S.R. & O. 1947/2214 (Rev. VIII, p. 201: 1947 I, p. 779).

3. Subsection (3) of section 7 of the principal Order is amended by the substitution of the words "Minister of Finance" for the word "Accountant-General".

4. The Schedule to the principal Order is amended—

(*a*) by the deletion of the word "Mkushi" from the list of Townships excluded by paragraph (*d*) from Area No. II;

(*b*) by the deletion at the end of the description of the boundaries of Area No. III of the sentence commencing with the words "Included within the boundaries thus defined" and by the substitution therefor of the following sentence:—

"Included within the boundaries thus defined but excluded from the area are the following—

(*a*) Farm No. 2865;

(*b*) Townships: Mkushi.";

(*c*) by the deletion of the words and figures "No. 1099 Malole" from the list of Farms excluded by paragraph (*b*) from Area No. XX;

(*d*) by the addition to the list of Farms excluded by paragraph (*b*) from Area No. XX of the following farms—

"1099 Kalwa.

1128 Malole.

1892U The Two Leopards Hotel.

2077U Kanona Hotel."

Retrospective effect of certain provisions

5. The provisions of—

(*a*) section 2 and paragraphs (*c*) and (*d*) of section 4 of this Order, and

(*b*) paragraph (*b*) of section 4 of this Order in so far as it relates to the exclusion of Farm No. 2865,

shall be deemed to have had effect as from the date of the coming into force of the principal Order.

W. G. Agnew.

EXPLANATORY NOTE

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

This Order extends the manner in which compensation can be made for native trust land acquired under the Northern Rhodesia (Native Trust Land) Order in Council, 1947, and makes some minor amendments to the Order including amendments to the Schedule.