1962 No. 404

RHODESIA AND NYASALAND FEDERATION

The Northern Rhodesia (Native Trust Land) (Amendment) Order in Council, 1962

Made - - - - *26th February,* 1962
Laid before Parliament *2nd March,* 1962
Coming into Operation *On a day to be appointed by the Governor under Section* 1 (3).

At the Court at Buckingham Palace, the 26th day of February, 1962

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, 1962, and shall be construed as one with the Northern Rhodesia (Native Trust Land) Orders in Council, 1947 to 1961(b).

(2) The Northern Rhodesia (Native Trust Land) Orders in Council, 1947 to 1961, and this Order may be cited together as the Northern Rhodesia (Native Trust Land) Orders in Council, 1947 to 1962.

(3) This Order shall be published in the Northern Rhodesia Gazette and in such other manner as the Governor shall think fit, and shall come into operation on such day as the Governor may by proclamation published in the said Gazette appoint, which day shall not be earlier than the day after the day upon which this Order shall have been laid before both Houses of Parliament.

Amendment of section 2 of the Northern Rhodesia (Native Trust Land) Order in Council, 1947.

2. Section 2 of the Northern Rhodesia (Native Trust Land) Order in Council, 1947(c) (hereinafter called " the principal Order ") is amended by the insertion of the symbol and number " (1) " immediately after the number " 2 " at the beginning thereof, and by the addition thereto of the following subsection—

" (2) The Interpretation Act, 1889(d), shall apply, with the necessary adaptations, for the purpose of interpreting this Order and otherwise in relation thereto as it applies for the purposes of interpreting, and in relation to, Acts of Parliament of the United Kingdom."

(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, 1959/2204, 1961/335, 995 (1954 II, pp. 1937, 1938; 1959 II, p. 2340; 1961 I, p. 529; II, p. 1920).
(c) S.R. & O. 1947/2214 (Rev. VIII, p. 201: 1947 I, p. 779).
(d) 52 & 53 Vict. c. 63.

Insertion of new section in Northern Rhodesia (Native Trust Land) Order in Council, 1947.

3. The principal Order is amended by the insertion immediately after Section 10 of the following new section—

"10A. The Governor may, with the approval of the Secretary of State, by regulation direct that any law enacted by the legislature of Northern Rhodesia shall apply in relation to Native Trust Land notwithstanding that it makes provision with respect to a matter with respect to which regulations may be made under this Order (including, without prejudice to the generality of the foregoing, provision enabling any person or authority other than the Governor to make regulations or to do any other thing with respect to that matter) and any such law shall apply in relation to Native Trust Land accordingly, subject to such modifications, adaptations, qualifications and exceptions (if any) as may be prescribed in any regulation made by the Governor as aforesaid."

Validation.

4. Any law enacted by the legislature of Northern Rhodesia and in force during any period before the commencement of this Order shall be deemed to have had full force and effect in relation to Native Trust Land during that period notwithstanding that the law makes provision with respect to a matter with respect to which regulations may be made under section 10 of the principal Order (including, without prejudice to the generality of the foregoing, provision enabling any person or authority other than the Governor to make regulations or to do any other thing with respect to that matter) and accordingly anything done by any person or authority in relation to Native Trust Land during that period in purported exercise of powers conferred by that law shall be deemed for all purposes 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.)

The purpose of this Order is to enable the Governor, with the approval of the Secretary of State, to apply laws of the legislature of Northern Rhodesia to Native Trust Land.