SOMALILAND

The Somaliland Order in Council, 1950

1950 No. 1645

Made - - - - 9*th October*, 1950
Laid before Parliament 10*th October*, 1950
Coming into Operation
On a date to be proclaimed in the Somaliland Government Gazette in accordance with Article 1 (*ii*).*

At the Court at Buckingham Palace, the 9th day of October, 1950

Present,

The King's Most Excellent Majesty in Council

Whereas it is expedient to amend the Somaliland Order in Council, 1929(a) (hereinafter called "the principal Order"), in manner hereafter appearing:

Now, therefore, His Majesty, by virtue and in exercise of the powers in this behalf by the Foreign Jurisdiction Act, 1890(b), or otherwise in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

Short title, construction and commencement.

1.—(i) This Order may be cited as the Somaliland Order in Council, 1950, and shall be read as one with the Somaliland Orders in Council, 1929 to 1948(c); and those Orders and this Order may be cited together as the Somaliland Orders in Council, 1929 to 1950.

(ii) This Order shall come into operation on a date to be fixed by the Governor by Proclamation in the Gazette.

Revocation and re-enactment of certain Articles of principal Order.

2. Articles 9 (i), 14 and 17A of the principal Order are hereby revoked, but without prejudice to any appointment lawfully made, or to any other thing lawfully done, thereunder, and the following Articles substituted therefor:—

"Boundaries

9.—(i) (*a*) The Governor may by Proclamation, with the approval of the Secretary of State, define any boundaries of the territories for the time being within the limits of this Order.

(*b*) The Governor may by Proclamation divide the territories for the time being within the limits of this Order into provinces or districts in such manner and with such sub-divisions as may be convenient for the purposes of administration, describing the boundaries of any such provinces or districts and assigning names thereto." .

(a) S.R. & O. 1930 (No. 222) p. 515. (b) 53 & 54 Vict. c. 37.
(c) S.R. & O. 1930 (No. 222) p. 515; 1930 (No. 223) p. 533; 1932 (No. 489) p. 518; 1935 (No. 438) p. 480; 1938 (No. 1649) I, p. 1315; 1946 (No. 2239) I, p. 598; S.I. 1948 (No. 2065) I, p. 1352.
* No date had been appointed at the time of going to press of this volume.

"Appointment of Deputy to the Governor.

14.—(i) Whenever the Governor has occasion to be absent from the seat of Government but not from the Protecorate, or to be absent from the Protectorate for a period which he has reason to believe will be of short duration, or whenever by reason of illness which he has reason to believe will be of short duration he considers it desirable so to do, he may, by Instrument under the Public Seal, appoint any person in the Protectorate to be his Deputy during such absence or illness, and in that capacity to exercise and perform for and on behalf of the Governor during such absence or illness all such powers and functions vested in the Governor as shall be specified by such Instrument.

(ii) By the appointment of a Deputy as aforesaid the power and authority of the Governor shall not be abridged, altered, or in any way affected otherwise than as His Majesty may at any time hereafter think proper to direct; and every such Deputy shall conform to and observe all such instructions as the Governor shall from time to time address to him for his guidance.

(iii) Any appointment under this Article may at any time be revoked by the Governor or by the Secretary of State, and, in case of absence as aforesaid, shall cease and determine upon the return of the Governor to the seat of Government or to the Protectorate as the case may be."

"High Court.

17A.—(i) There shall be in and for the Protectorate a Court of unlimited civil and criminal jurisdiction to be called the High Court.

(ii) The High Court shall be a Court of Record.

(iii) There shall be as many Judges of the High Court as may in the opinion of the Governor from time to time be required.

(iv) The Judges of the High Court shall be appointed by the Governor for and on behalf of His Majesty by Instrument under the Public Seal of the Protectorate.

(v) The constitution, powers and procedure of the High Court and provisions relating to appeals therefrom (subject to such rules and regulations as may, from time to time, be prescribed by or under any Order of His Majesty in Council) and provisions relating to the qualifications, order of precedence, duties and powers of Judges may be prescribed by laws made under the provisions of this Order.

(vi) The Governor may from time to time, as in his opinion occasion may require, appoint in manner aforesaid persons to act as Judges of the High Court; and any person so appointed shall so long as his appointment shall subsist be deemed for all purposes to be a Judge of the High Court.

(vii) All references to the Protectorate Court in any Order of His Majesty in Council and in any other laws for the time being in force in the Protectorate shall be construed as references to the High Court.

(viii) All proceedings commenced in the Protectorate Court before the day on which this Article shall come into operation may be carried on in the High Court in like manner, as nearly as may be, as if this Article had not been enacted, and any such proceeding may be amended as may appear necessary or proper in order to bring it into conformity with the provisions of this Article."

E. C. E. Leadbitter.

EXPLANATORY NOTE

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

This Order makes three amendments of the principal Order.

1. It enables the Governor to divide Somaliland into provinces and districts without obtaining the consent of a Secretary of State (such consent having previously been required).

2. It makes fresh provision for the appointment of a Deputy to the Governor.

3. It provides for the constitution of a High Court (in place of the existing Protectorate Court).

SPECIAL ROADS

The Special Roads (Procedure) Regulations, 1950

NR 1950 319

1950 No. 1850

Made - - - -	17*th November*, 1950
Laid before Parliament	18*th November*, 1950
Coming into Operation	1*st December*, 1950

The Minister of Transport in exercise of the powers conferred upon him by section 16 of the Special Roads Act, 1949(a), and of all other powers him enabling hereby makes the following Regulations:—

1. These Regulations shall come into operation on the first day of December, 1950, and may be cited as "The Special Roads (Procedure) Regulations, 1950".

2.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"the Act" means the Special Roads Act, 1949;

(a) 12, 13 & 14 Geo. 6. c. 32.