4. Prior to 14th August, 1947, the Governor-General of India exercised a number of powers under these Orders-in-Council, and the Indian Codes were the foundation of the law applied in these territories. After the entry into force of the Indian Independence Act, 1947, it was decided that the Orders must be amended to transfer elsewhere all powers hitherto exercised by the Governor-General of India, and this is one of the principal objects to be achieved by the present Order and similar ones made for the other Persian Gulf States.

5. At the same time it was decided to make certain minor changes in the constitution of the Courts set up under the Orders and in particular to provide :—

(i) for a professional legal judge to sit in the Superior Court as assistant judge to the Political Resident:

(ii) for a suitable Court of Appeal on which professional judges would sit, chosen *ad hoc* from a panel consisting of the Judges of the High Courts of Cyprus and Kenya and members of the Bar of England, Scotland and Northern Ireland of not less than 9 years' standing.

6. Finally it was desired to provide that a case occurring in any one of the States could, when desirable, be transferred for trial in any other and that persons sentenced to imprisonment by the court in any one of the States could be removed to serve his sentence in any other of the States.

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12. TANGANYIKA

The Tanganyika (Legislative Council) Amendment Order in Council, 1949

1949 No. 2191

Made - - - -	*25th November,* 1949
Laid before Parliament	*28th November,* 1949
Coming into Operation	*1st January,* 1950

At the Court at Buckingham Palace, the 25th day of November, 1949

Present,

The King's Most Excellent Majesty in Council

Whereas His Majesty accepted a mandate on behalf of the League of Nations in respect of the Tanganyika Territory (now known as "Tanganyika" and hereinafter referred to as "the Territory"):

And Whereas His Majesty has now been designated as Administering Authority for the Territory under a Trusteeship Agreement approved by the General Assembly of the United Nations on the 13th day of December, 1946:

And Whereas by the Tanganyika (Legislative Council) Orders in Council, 1926 to 1948(a), provision is made for the constitution of a Legislative Council in and for the Territory:

(a) S.R. & O. 1926 (No. 991) p. 576; S.R. & O. 1945 (No. 1371) I, p. 410; S.I. 1948 (No. 105) I, p. 1354.

And Whereas it is expedient to make other provision than in the said Orders is contained in regard to the constitution of the said Legislative Council:

Now, therefore, His Majesty, by virtue and in exercise of the powers by the Foreign Jurisdiction Act, 1890(a), 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 and construction.

1.—(1) This Order may be cited as the Tanganyika (Legislative Council) Amendment Order in Council, 1949, and shall be construed as one with the Tanganyika (Legislative Council) Orders in Council, 1926 to 1948(b), and those Orders and this Order may be cited together as the Tanganyika (Legislative Council) Orders in Council, 1926 to 1949.

Commencement.

(2) This Order shall come into operation on the 1st day of January, 1950, and shall be published in the Gazette.

Replacement of Clause VI of Principal Order.

II. Clause VI of the Tanganyika (Legislative Council) Order in Council, 1926(c) (hereinafter referred to as "the Principal Order"), as from time to time amended, is hereby revoked without prejudice to anything lawfully done thereunder, and the following Clause is substituted therefor:—

"Official Members."

"VI. Subject to the provisions of Clause V of this Order, the Official Members shall consist of—

(*a*) The persons who are for the time being lawfully discharging the functions of such offices as His Majesty may from time to time specify through a Secretary of State, and who shall be styled Ex-Officio Members; and

(*b*) Such other persons holding office of emolument under the Crown in the Territory, as the Governor may from time to time by Instrument under the Public Seal appoint, and who shall be styled Nominated Official Members."

Amendment of Clause VII E of Principal Order, as enacted by Clause II of the Amending Order of 1948.

III.—(1) The following sub-paragraph is hereby substituted for sub-paragraph (*b*) of paragraph (1) of Clause VII E of the Principal Order, as enacted by Clause II of the Tanganyika (Legislative Council) Amendment Order in Council, 1948(d):

"(*b*) one person is lawfully discharging the functions of more than one of the offices specified in the manner prescribed by paragraph (*a*) of Clause VI of this Order."

(2) Sub-paragraph (*e*) of paragraph (1) of Clause VII E aforesaid is hereby deleted.

Amendment of Clause VII F of Principal Order, as enacted by Clause II of the Amending Order of 1948.

IV. In paragraph (1) of Clause VII F of the Principal Order, as enacted by Clause II of the Tanganyika (Legislative Council) Amendment Order in Council, 1948(d), the words "in such order as the Governor may from time to time direct" are hereby substituted for the words "in the order in which they are mentioned in Clause VI of this Order."

(a) 53 & 54 Vict. c 37.
(b) S.R. & O. 1926 (No. 991) p. 576; S.R. & O. 1945 (No. 1371) I, p. 410; S.I. 1948 (No. 105) I. p. 1354.
(c) S.R. & O. 1926 (No. 991) p. 576.
(d) S.I. 1948 (No. 105) I, p. 1354.

Powers reserved to His Majesty.

V. His Majesty reserves to Himself, His Heirs and Successors power, with the advice of His or Their Privy Council, to revoke, add to or amend this Order, as to Him or Them shall seem fit.

E. C. E. Leadbitter.

EXPLANATORY NOTE

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

Hitherto any variation in the Ex-Officio membership of the Legislative Council of Tanganyika could only be made by Order in Council. This was found to be inconvenient in practice and the first amendment effected by this Order remedies the position. The other amendments are merely consequential upon the first.

The Tanganyika Order in Council, 1949

1949 No. 2192

Made - - - -	*25th November,* 1949
Laid before Parliament	*28th November,* 1949
Coming into Operation	*1st January,* 1950

At the Court at Buckingham Palace, the 25th day of November, 1949

Present,

The King's Most Excellent Majesty in Council

Whereas it is expedient to make other provision for the appointment of a Deputy to the Governor and Commander-in-Chief of Tanganyika (formerly known as "the Tanganyika Territory" and hereinafter referred to as "the Territory") than is contained in the Tanganyika Order in Council, 1920(a), (hereinafter referred to as "the Principal Order") as amended by the Tanganyika Order in Council, 1926(b):

Now, therefore, His Majesty, by virtue and in exercise of the power by the Foreign Jurisdiction Act, 1890(c), 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 and commencement

1. This Order may be cited as the Tanganyika Order in Council, 1949, and shall come into operation on the 1st day of January, 1950.

(a) S.R. & O. 1920 (No. 1583) I, p. 685. (b) S.R. & O. 1926 (No. 1734) p. 583.
(c) 53 & 54 Vict. c. 37.