1957 No. 1875

The Tanganyika (Legislative Council) (Amendment) Order in Council, 1957

Made - - - -	31*st October*, 1957
Laid before Parliament	6*th November*, 1957
Coming into Operation	*Clause* 8, 7*th November*, 1957; *remainder on a day to be appointed by the Governor under Clause* 1 (3).*

At the Court at Buckingham Palace, the 31st day of October, 1957

Present,

The Queen's Most Excellent Majesty in Council

Whereas it is expedient to amend the Tanganyika (Legislative Council) Order in Council, 1926(a) (hereinafter referred to as "the principal Order"):

Now, therefore, Her Majesty, by virtue and in exercise of the powers by 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, construction and commencement

1.—(1) This Order may be cited as the Tanganyika (Legislative Council) (Amendment) Order in Council, 1957, and shall be construed as one with the Tanganyika (Legislative Council) Orders in Council, 1926 to 1955(c).

(2) This Order and the Tanganyika (Legislative Council) Orders in Council, 1926 to 1955, may be cited together as the Tanganyika (Legislative Council) Orders in Council, 1926 to 1957.

(3) This Order shall be published in the Gazette and, subject to sub-clause (4) of Clause 8 thereof, shall come into operation on a date to be appointed by the Governor by Proclamation in the Gazette (hereinafter referred to as "the appointed day"), which date shall not be earlier than the day after the day on which this Order shall have been laid before both Houses of Parliament.

Amendment of principal Order

2.—(1) In paragraph (c) of Clause V of the principal Order for the words "thirty-one" there are substituted the words "thirty-four".

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* 9.11.57

(a) S.R. & O. 1926/991 (Rev. VIII, p. 278: 1926, p. 576). (b) 53 & 54 Vict. c. 37.

(c) S.R. & O. 1926/991, 1945/1371; S.I. 1948/105 (Rev. VIII, p. 278: 1926, p. 576; 1945 I, p. 410; 1948 I, p. 1354); S.I. 1949/2191, 1953/1208, 1955/430 (1949 I, p. 1888; 1953 II, p. 2271; 1955 I, p. 689).

(2) For paragraph (*d*) of Clause V of the principal Order there is substituted the following paragraph :—

"(*d*) thirty-three Representative Members (being eleven Africans, eleven Asians and eleven Europeans) of whom thirty shall represent constituencies and three shall represent such interests as the Governor may think fit ; and ".

3. For Clause VI B of the principal Order there is substituted the following Clause :—

"Division of Territory into constituencies and representation of constituencies.

VI B. (1) The Territory shall be divided into ten areas (hereinafter referred to as "constituencies") and each constituency shall be represented in the Council by three Representative Members, of whom one shall be an African, one an Asian and one a European.

(2) The constituencies into which the Territory shall be divided shall be such as the Governor shall from time to time delimit by Proclamation published in the Gazette.

(3) Any Proclamation made under this Clause may be varied or revoked by the Governor by a further Proclamation."

4. Clause VI D of the principal Order is amended by the addition thereto, immediately after sub-clause (2), of the following sub-clause :—

"(3) (*a*) Where it is provided by any law enacted in pursuance of sub-clause (1) of this Clause that the Representative Members of the Council who shall represent any constituency shall be elected, then, if—

(i) the seat in the Council of the African, the Asian or the European Representative Member for that constituency is vacant, and

(ii) a period within which candidates for election to that seat are to be nominated has been prescribed in pursuance of any law so enacted, and

(iii) no person has within that period been validly nominated as a candidate for such election, and

(iv) the Governor is satisfied that there is no reasonable prospect that any person would be so nominated if a further opportunity of nominating candidates were to be afforded in pursuance of any such law,

the Governor may, notwithstanding anything contained in the foregoing sub-clauses of this Clause or any law enacted in pursuance thereof, appoint by Instrument under the Public Seal to hold that seat some person who is an African, an Asian or a European, as the case may require, and who is not disqualified under Clause VI F of this Order for appointment as a Representative Member of the Council.

(*b*) The provisions of Clauses VI G, VI H, and VII of this Order shall apply in relation to a Representative Member of the Council who is appointed under this sub-clause as they apply in relation to a Representative Member of the Council who is appointed under Clause VI C of this Order ; but no Representative Member appointed under this sub-clause shall vacate his seat in the Council under any provision of law enacted in pursuance of paragraph (*c*) of sub-clause (1) of this Clause."

5. In Clause VI H of the principal Order—

(*a*) for the letters (*f*), (*g*), (*h*) and (*i*) where they occur opposite the fourth, fifth, sixth and seventh paragraphs of sub-clause (1) there are substituted the letters (*d*), (*e*), (*f*) and (*g*) respectively;

(*b*) in paragraph (*b*) of sub-clause (2) for the words "or paragraph (*i*)" there are substituted the words "or paragraph (*g*)", and

(*c*) in paragraph (*c*) of sub-clause (2) for the words "paragraph (*f*), paragraph (*g*) or paragraph (*h*)" there are substituted the words "paragraph (*d*), paragraph (*e*) or paragraph (*f*)".

6. In sub-clause (1) of Clause XXXI A of the principal Order for the words "creation of" there are substituted the words "creation or".

7. In Clause XXXV of the principal Order for the word "three" there is substituted the word "five".

Transitional provisions

8.—(1) The power conferred on the Governor by Clause VI B of the principal Order as enacted by this Order to delimit constituencies by Proclamation published in the Gazette may be exercised by the Governor at any time after this Clause comes into operation, but no Proclamation made by the Governor in exercise of that power shall have effect before the appointed day.

(2) (*a*) Where, in pursuance of sub-clause (1) of this Clause, a constituency is delimited by the Governor by a Proclamation made before the appointed day and the limits of that constituency (in this paragraph referred to as "the new constituency") are the same as the limits of an existing constituency, then any person who immediately before the appointed day is a Representative Member of the Council appointed to represent that existing constituency shall be deemed to be appointed on that day, under the principal Order as amended by this Order, as a Representative Member of the Council to represent the new constituency.

(*b*) In this sub-clause "existing constituency" means a constituency created by a Proclamation made under Clause VI B of the principal Order as enacted by the Tanganyika (Legislative Council) (Amendment) Order in Council, 1955, and in force immediately before the appointed day.

(3) Save as provided by sub-clause (2) of this Clause, all persons who immediately before the appointed day are Representative Members of the Council representing constituencies shall vacate their seats in the Council on the appointed day.

(4) This Clause shall come into operation on the day after the day on which this Order shall have been laid before both Houses of Parliament.

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 increase the total number of *ex officio* and Nominated Members of the Legislative Council to thirty-four, to increase the number of Representative Members to thirty-three, to increase the number of constituencies into which the Territory shall be divided from nine to ten, to provide for the filling of certain seats in the Legislative Council by appointment instead of election where no candidates have been nominated for election, and to increase the maximum life of the Legislative Council from three to five years. Some minor amendments to the Tanganyika (Legislative Council) Order in Council, 1926, have also been made.

1957 No. 1528

The Uganda (Electoral Provisions) Order in Council, 1957

Made - - - -	23*rd August*, 1957
Laid before Parliament	29*th August*, 1957
Coming into Operation	30*th August*, 1957

At the Court at Balmoral, the 23rd day of August, 1957

Present,

The Queen's Most Excellent Majesty in Council

Whereas by the Orders in Council mentioned in the First Schedule to this Order (which Orders are herein together referred to as "the existing Orders") and in pursuance of the Instructions issued to the Governor and Commander-in-Chief of the Uganda Protectorate under Her Majesty's Sign Manual and Signet mentioned in the Second Schedule to this Order (herein together referred to as "the existing Instructions") there is established and constituted a Legislative Council for the Uganda Protectorate consisting of the Governor, *ex officio* Members, Nominated Members and appointed Representative Members:

And Whereas it is proposed that certain of the appointed Representative Members shall be replaced by elected Representative Members, and that there should be established for the Protectorate a Legislative Council (hereinafter referred to as "the proposed Legislative Council") which shall be so constituted as to give effect to such proposals:

And Whereas it is expedient that the existing legislature of the Protectorate should be empowered to make provision for the election of members to the proposed Legislative Council, notwithstanding that the same has not yet been established by Order of Her Majesty in Council or constituted in pursuance of Instructions under Her Majesty's Sign Manual and Signet: