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.

Amendment of Article 4 of the Principal Order.

2.—(1) For the proviso at the end of paragraph (4) of Article 4 of the Principal Order there shall be substituted the following proviso :—

"Provided that the Governor shall not be regarded as absent from the Territory or incapable or prevented from acting in the duties of his office during his passage by sea from any part of the Territory to any other part thereof or when, by reason of absence or illness mentioned in paragraph (5) of this Article, there is a subsisting appointment of a Deputy."

(2) For paragraph (5) of Article 4 of the Principal Order as substituted by Article II of the Tanganyika Order in Council, 1926(a), there shall be substituted the following paragraph :—

"Appointment of Deputy to Governor.

(5) (*a*) Whenever the Governor has occasion to be absent from the seat of Government but not from the Territory, or to be absent from the Territory 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 the Chief Secretary, or if there be no such officer or such officer is absent or unable to act then any person in the Territory, 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.

(*b*) 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.

(*c*) Any appointment under this Article may at any time be revoked by the Governor or by a 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 Territory, as the case may be."

Tanganyika Order in Council, 1926, revoked.

3. The Tanganyika Order in Council, 1926(a), is hereby revoked but without prejudice to any appointment made or to anything lawfully done thereunder.

E. C. E. Leadbitter.

EXPLANATORY NOTE

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

This Order varies the existing provisions under which the Governor of Tanganyika is enabled to appoint a Deputy in cases where he is required to leave the territory on duty for periods of short duration.

(a) S.R. & O. 1926 (No. 1734) p. 583.