UGANDA PROTECTORATE

1953 No. 1908

The Uganda (Amendment) Order in Council, 1953

Made - - - -	*22nd December,* 1953
Laid before Parliament	*23rd December,* 1953
Coming into Operation	*On a day to be appointed by the Governor under section* 1 (3).*

At the Court of Saint James, the 22nd day of December, 1953

Present,

Her Majesty Queen Elizabeth The Queen Mother.

Her Royal Highness The Princess Margaret.

Lord President	**Mr. Geoffrey Lloyd**
Mr. Secretary Head	**Commander Galbraith**

Whereas Her Majesty, in pursuance of the Regency Acts, 1937 to 1953, was pleased, by Letters Patent dated the twentieth day of November, 1953, to delegate to Her Majesty Queen Elizabeth The Queen Mother, Her Royal Highness The Princess Margaret, His Royal Highness The Duke of Gloucester, Her Royal Highness The Princess Royal and the Earl of Harewood, or any two or more of them, as Counsellors of State, full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval of anything for which Her Majesty's approval in Council is required:

And Whereas by the Uganda Order in Council, 1902(a), (hereinafter referred to as "the Order of 1902") as amended and supplemented by the Uganda Order in Council, 1920(b), (hereinafter referred to as "the Order of 1920") and by the Orders in Council mentioned in the Schedule to this Order, provision is made for the exercise of Her Majesty's jurisdiction in the Protectorate of Uganda:

And Whereas it is expedient to amend certain provisions of the Order of 1902 and the Order of 1920 in the manner hereinafter appearing:

Now, therefore, Her Majesty Queen Elizabeth The Queen Mother and Her Royal Highness The Princess Margaret, being authorized thereto by the said Letters Patent, and in pursuance of the powers conferred by the Foreign Jurisdiction Act, 1890(c), and of all other

(a) S.R. & O. 1902/662; Rev. VIII, p. 288; 1902, p. 145.
(b) S.R. & O. 1920/884; Rev. VIII, p. 296; 1920 I, p. 699.
(c) 53 & 54 Vict. c. 37.

* Date appointed, 1.1.54.

powers in that behalf, do hereby, by and with the advice of Her Majesty's Privy Council, on Her Majesty's behalf order, and it is hereby ordered, as follows:—

Citation and commencement

1.—(1) This Order may be cited as the Uganda (Amendment) Order in Council, 1953, and shall be construed as one with the Uganda Orders in Council, 1902 to 1952.

(2) The Uganda Orders in Council, 1902 to 1952, and this Order may be cited together as the Uganda Orders in Council, 1902 to 1953.

(3) This Order shall be published in the Official Gazette of the Protectorate, and shall come into operation on a day to be appointed by the Governor in the said Gazette, which day shall not be earlier than the day after the day on which this Order shall have been laid before both Houses of Parliament.*

Revocation of Article 22 of Order of 1902 and saving

2. Article 22 of the Order of 1902 shall be revoked:

Provided that any rules made under that Article, including rules made providing for the circumstances and manner in which the right of advocates and solicitors to practise may be cancelled or suspended, shall be deemed to have been lawfully made, and shall remain in force until such date as the Governor shall by order published in the Gazette declare to be the date of the coming into force of an Ordinance by which provision has been made for the matters for which rules may be made under that Article.

Amendment of Article VII of Order of 1920

3. Article VII of the Order of 1920 shall be amended by the substitution of the word "ten" for the word "two".

Revocation and replacement of Article VIII of Order of 1920

4. Article VIII of the Order of 1920 shall be revoked, without prejudice to anything lawfully done thereunder, and the following Article shall be substituted therefor:

"Power to make laws.

VIII. Subject to the provisions of this Order, it shall be lawful for the Governor, with the advice and consent of the said Legislative Council, to make laws for the peace, order and good government of the Protectorate."

Insertion of new Article in Order of 1920

5. The following new Article shall be inserted in the Order of 1920 immediately after Article VIII thereof:—

"Governor's reserved powers.

VIIIA. (1) If the Governor considers that it is expedient in the interests of public order, public faith or good government (which expressions shall, without prejudice to their generality, include the responsibility of the Protectorate as a territory within the British Commonwealth of Nations, and all matters pertaining to the creation or abolition of any public office or to the appointment, salary or other conditions of service of any public officer or officers) that any Bill introduced, or any motion proposed in the Legislative Council of the Protectorate should have effect, then,

* Date appointed, 1.1.54

if the Council fail to pass such Bill or motion within such time and in such form as the Governor may think reasonable and expedient, the Governor, at any time that he thinks fit, may, notwithstanding any provisions of this Order or of any Standing Rules and Orders of the Council, declare that such Bill or motion shall have effect as if it had been passed or carried by the Council, either in the form in which it was so introduced or proposed or with such amendments as the Governor shall think fit that have been moved or proposed in the Council, including any Committee thereof; and thereupon the said Bill or motion shall be deemed to have been so passed or carried at the time when such declaration shall have been made, and the provisions of this Order, and in particular the provisions relating to assent to Bills and disallowance of laws, shall have effect accordingly.

(2) The Governor shall forthwith report to a Secretary of State every case in which he shall make any such declaration and the reasons therefor.

(3) If any Member of the Council objects to any declaration made under this Article, he may, within seven days of the making thereof, submit to the Governor a statement in writing of his reasons for so objecting, and a copy of such statement shall, if furnished by such a Member, be forwarded by the Governor as soon as practicable to a Secretary of State.

(4) Any such declaration relating to a motion may be revoked by a Secretary of State, and the Governor shall cause notice of such revocation to be published in the Official Gazette of the Protectorate; and, from the date of such publication, any motion which shall have been deemed to have been carried by virtue of the declaration revoked shall cease to have effect; and the provisions of subsection (2) of section 38 of the Interpretation Act, 1889, shall apply to such revocation as they apply to the repeal of an Act of Parliament."

"52 & 53 Vict. c. 63.

Revocation and replacement of Article XIX of Order of 1920

6. Article XIX of the Order of 1920 shall be revoked and the following Article shall be substituted therefor:—

"Appointment of Deputy to the Governor.

XIX. (1) Whenever the Governor—

(*a*) has occasion to be absent from the seat of Government but not from the Protectorate, or

(*b*) has occasion to be absent from the Protectorate for a period which he has reason to believe will be of short duration, or

(*c*) by reason of illness, which he has reason to believe will be of short duration, considers it desirable so to do,

he may, by an Instrument under the Public Seal of the Protectorate, 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 authorities vested in the Governor as shall be specified by such Instrument.

(2) 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 We 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.

(3) 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 Protectorate, as the case may be."

W. G. Agnew.

SCHEDULE

The Uganda Order in Council, 1911(a).
The Uganda Order in Council, 1912(b).
The Uganda Order in Council, 1926(c).
The Uganda Order in Council, 1939(d).
The Uganda Order in Council, 1952(e).

EXPLANATORY NOTE

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

This Order gives the Governor reserved legislative powers, and makes some minor amendments to the Uganda Order in Council, 1902, and the Uganda Order in Council, 1920.

(a) S.R. & O. 1911/237; Rev. VIII, p. 288; 1911, p. 104.
(b) S.R. & O. 1912/85; Rev. VIII, p. 288; 1912, p. 164.
(c) S.R. & O. 1926/1556; Rev. VIII, p. 296; 1926, p. 585.
(d) S.R. & O. 1939/520; Rev. VIII, p. 318; 1939 II, p. 1699.
(e) S.I. 1952/752; 1952 III, p. 3493.