1961 No. 62

EAST AFRICA

The Uganda (Amendment) Order in Council, 1961

Made - - - -	*17th January*, 1961
Laid before Parliament	*23rd January*, 1961
Coming into Operation	*On a day to be appointed by the Governor under section* 1 (3)

At the Court at Buckingham Palace, the 17th day of January, 1961

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers by the Foreign Jurisdiction Act, 1890(**a**), 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 Uganda (Amendment) Order in Council, 1961, and shall be construed as one with the Uganda Orders in Council, 1902 to 1958(**b**).

(2) The Uganda Orders in Council, 1902 to 1958, and this Order may be cited together as the Uganda Orders in Council, 1902 to 1961.

(3) This Order shall be published in the Gazette and shall come into operation on a day to be appointed by the Governor by Proclamation published in the 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.

Amendment of Article VI of Uganda Order in Council, 1920.

2. Article VI of the Uganda Order in Council, 1920(**c**), is hereby amended by the substitution therein of the words "a Council of Ministers" for the words "an Executive Council".

3. Article VII of the Uganda Order in Council, 1920, as inserted by the Uganda (Amendment) Order in Council, 1958(**d**), is hereby revoked and the following Article is substituted therefor:—

"Establishment of Legislative Council.

VII. (1) There shall be a Legislative Council in and for the Protectorate, consisting of the Governor, a Speaker, *ex officio* Members, Nominated Members, Representative Members and Specially Elected Members.

(a) 53 & 54 Vict. c. 37. (b) *See* Rev. VIII, pp. 288 to 301, *and also* S.I. 1952/752, 1953/1908, 1954/1568, 1955/705, 1958/1516 (1952 III, p. 3493; 1953 II, p. 2307; 1954 I, p. 716; 1955 I, p. 764; 1958 I, p. 997). (c) S.R. & O. 1920/884 (Rev. VIII, p. 296: 1920 I, p. 699). (d) S.I. 1958/1516 (1958 I, p. 997).

(2) Subject to the provisions of this Article, the Legislative Council shall be constituted and shall perform its functions, and any matter incidental or ancillary to the constitution or functioning of the said Council shall be regulated, in accordance with any directions that may be given by Her Majesty by Instructions under Her Sign Manual and Signet or through a Secretary of State or, subject to any such directions, in accordance with any law for the time being in force in the Protectorate:

Provided that—

(*a*) whenever the number of Africans who are Representative Members of the Legislative Council appears to the Governor to be likely to fall below three-fifths of all the Representative Members of the Legislative Council, there shall, in addition, be such further African Representative Members of the Legislative Council (who shall be appointed by the Governor, in pursuance of instructions from Her Majesty through a Secretary of State, by Instrument under the Public Seal) as will bring the total number of African Representative Members up to the said three-fifths;

(*b*) whenever the number of Africans who are Members of the Legislative Council appears to the Governor to be likely to fall below one-half of all the Members of the Legislative Council, excluding the Governor and the Speaker, there shall, in addition, be such further African Nominated Members of the Legislative Council (who shall be appointed by the Governor, in pursuance of instructions from Her Majesty through a Secretary of State, by Instrument under the Public Seal) as will bring the total number of African Members of the Legislative Council up to the said one-half; and

(*c*) whenever the number of Africans who are Representative Members of the Legislative Council representing Buganda appears to the Governor to be likely to fall below one-quarter of all the African Representative Members of the Legislative Council, he may, in pursuance of instructions from Her Majesty through a Secretary of State, appoint, by Instrument under the Public Seal, such further African Representative Members of the Legislative Council representing Buganda as will bring the total number of African Representative Members of the Legislative Council representing Buganda up to the said one-quarter.

(3) If occasion arises for the appointment of further Members of the Legislative Council in accordance with the provisions of subparagraph (*a*), subparagraph (*b*) or subparagraph (*c*) of the proviso to paragraph (2) of this Article, the following matters, that is to say:—

(*a*) the qualifications and disqualifications of persons to be so appointed;

(*b*) the tenure of seats in the Legislative Council of persons so appointed; and

(*c*) the determination of any question whether any person is qualified to be so appointed or has been validly so appointed or whether the seat of any person so appointed has become vacant

shall be regulated by the Governor, by Instrument under the Public Seal, in accordance with any instructions that may be given to him by Her Majesty through a Secretary of State."

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 amend the Uganda Order in Council, 1920, so as to provide that there shall be a Council of Ministers in place of the Executive Council and to make further provision relating to the constitution of the Legislative Council.