1952 No. 1038

The Uganda (Public Office) Order in Council, 1952

Made - - - -	*23rd May,* 1952
Laid before Parliament	*24th May,* 1952
Coming into Operation	*On a day to be appointed by the Governor under section* 1 (2)*

At the Court at Buckingham Palace, the 23rd day of May, 1952

Present,

The Queen's Most Excellent Majesty in Council

Whereas certain Instructions issued under the Royal Sign Manual and Signet bearing date the Fifth day of June, 1920 (hereinafter called " the Instructions of 1920 ") were amended by Additional Instructions bearing date the Seventeenth day of April, 1939, (hereinafter called " the Instructions of 1939 "):

And Whereas the Instructions of 1939, amongst other things, replaced Clauses IV and XV of the Instructions of 1920:

And Whereas the said Clause IV, as replaced by the Instructions of 1939, makes provision for the constitution of an Executive Council and for the appointment thereto of certain persons holding office in the public service of the Protectorate, to be styled Official Members, and of certain persons not holding office in the public service of the Protectorate to be styled Unofficial Members:

And Whereas the said Clause XV, as replaced by the Instructions of 1939, makes provision for the constitution of a Legislative Council and for the appointment thereto of certain persons holding office in the public service of the Protectorate, to be styled Official Members, and of certain persons not holding office in the public service of the Protectorate to be styled Unofficial Members:

And Whereas it is expedient to make such provision as is hereinafter contained:

Now therefore Her Majesty, by virtue and in exercise of the powers in this behalf 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:—

Short title and commencement

1.—(1) This Order may be cited as the Uganda (Public Office) Order in Council, 1952.

(2) 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

(a) 53 & 54 Vict. c. 37.

* The date thus appointed was 12th June, 1952.

Governor by Proclamation in such Gazette, which day shall not be earlier than the day after the day upon which this Order shall have been laid before both Houses of Parliament.*

Interpretation

2.—(1) In this Order, unless the context otherwise requires:—

" the Governor " means the Governor and Commander-in-Chief of the Protectorate, and includes any Officer for the time being administering the Government and, to the extent to which a Deputy for the Governor is authorized to act, that Deputy;

" the Protectorate " means the Uganda Protectorate.

(2) The Interpretation Act, 1889(a), shall apply to the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Declaration that office not in the public service

3.—(1) If it shall be declared either by any law in force in the Protectorate, or by Proclamation made by the Governor and published in the Official Gazette of the Protectorate, that an office shall not be an office in the public service of the Protectorate for all or any of the purposes of Clauses IV and XV of the Instructions of 1920, as amended by the Instructions of 1939, such Clauses, as replaced by the Instructions of 1939, shall have effect as if such declaration were contained therein; and if any such declaration shall be expressed as having effect from any date not earlier than the 17th day of April, 1939, it shall operate accordingly.

(2) Any Proclamation made under subsection (1) of this section may be varied or revoked by a subsequent Proclamation made in like manner.

F. J. Fernau.

EXPLANATORY NOTE

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

The Instructions issued under the Royal Sign Manual and Signet dated the 5th day of June, 1920, as amended by the Additional Instructions dated the 17th day of April, 1939, make provision for the appointment to the Executive Council and the Legislative Council of persons, to be styled Unofficial Members, who do not hold office in the public service of the Protectorate. This Order in Council enables provision to be made that particular offices shall not be offices in the public service for the purposes of the relevant clauses of the Instructions.

(a) 52 & 53 Vict. c. 63.

* The date thus appointed was 12th June 1952.