STATUTORY INSTRUMENTS

1964 No. 1654

AFRICA

The Zambia (Gwembe District) Order 1964

Made - - - - 15th October 1964
Coming into Operation Immediately before 24th October 1964
** To be laid before Parliament*

At the Court at Buckingham Palace, the 15th day of October 1964

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers vested in Her in that behalf by the Foreign Jurisdiction Act 1890(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation, commencement and construction.

1.—(1) This Order may be cited as the Zambia (Gwembe District) Order 1964.

(2) This Order shall come into operation immediately before 24th October 1964.

(3) This Order shall be construed as one with the Northern Rhodesia (Gwembe District) Order in Council 1959(b).

Amendment of order of 1959.

2. The Northern Rhodesia (Gwembe District) Order in Council 1959, as amended(c), is further amended in the respects specified in the Schedule to this Order.

Saving of existing rights.

3. Nothing in this Order or the Zambia Independence Order 1964(d) shall affect any estate right or interest in or over land which the Governor, acting in exercise of any power in that behalf conferred by or under the Northern Rhodesia (Gwembe District) Order in Council 1959 has at any time before the commencement of this Order created, granted, recognised or otherwise acknowledged, and, accordingly, those estates, rights and interests shall continue to have the same validity as they had before the commencement of this Order and the Zambia Independence Order 1964.

W. G. Agnew.

* This Instrument was laid before Parliament on 27th October 1964.
(a) 53 & 54 Vict. c. 37. (b) S.I. 1959/296 (1959 II, p. 2316).
(c) The relevant amending Order is S.I. 1964/268 (1964 I, p. 469).
(d) S.I. 1964/1652 (1964 III, p. 3643).

Section 2 THE SCHEDULE

AMENDMENTS TO THE NORTHERN RHODESIA (GWEMBE DISTRICT) ORDER IN COUNCIL 1959

1. There shall be substituted in sections 1 to 13 (inclusive)—

(*a*) for the word "Governor" wherever it occurs the word "President";

(*b*) for the word "Board" wherever it occurs the word "Corporation";

(*c*) for the words "Northern Rhodesia" wherever they occur the word "Zambia";

(*d*) for the words "the Territory" wherever they occur the word "Zambia".

2. In section 2 the words "by the Governor under sub-paragraph (*b*) of paragraph 1 of Article 13 of the Northern Rhodesia Order in Council 1924" shall be deleted and the words "under any law or, subject thereto, by the President" shall be substituted.

3. In section 3—

(*a*) for the definition of "the Board" there shall be substituted the following definition:—

'"the Corporation" means the Central African Power Corporation or any other body corporate established by any law of Zambia for the purpose of supplying electricity from the hydro-electric generating station situated on the Zambezi River at Kariba Gorge;'

(*b*) the definition of "the Federation" shall be deleted;

(*c*) for the definition of "the Gazette" there shall be substituted the following definition:—

'"the Gazette" means the official Gazette of the Government of Zambia;'

(*d*) for the definition of the expression "the Governor" there shall be substituted—

'"the President" includes any person for the time being lawfully performing the functions of that office;';

(*e*) the definition of the expression "the Northern Rhodesia Order in Council 1924" shall be deleted;

(*f*) the definition of the expression "the Territory" shall be deleted.

4. In section 6 the words "Subject to the general or special directions of the Secretary of State" shall be deleted.

5. Section 7(4) shall be revoked.

6. In section 8—

(*a*) in subsection (1) the words "with the approval of the Secretary of State and" shall be deleted;

(*b*) in subsection (2) the words "with the approval of the Secretary of State" shall be deleted.

7. In section 9, there shall be substituted for the words "Legislative Council" the words "National Assembly".

8. In section 10(2) the words "or the Government of the Federation or under any agreement or arrangement made with the Board or that Government" shall be deleted.

9. Section 12A shall be revoked.

EXPLANATORY NOTE

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

This Order makes provision having effect from 24th October 1964 (which is the day upon which Northern Rhodesia will become an independent Republic under the name of Zambia) for making such amendments to the Northern Rhodesia (Gwembe District) Orders in Council 1959 as are necessary to bring those Orders into accord with the constitutional arrangements which will come into operation on that day.