

EAST AFR. PROT

50244

REC'D
REV. 1 NOV 15

50244

Governor

686

Belfield

1915

10th Sept

THE ANNULMENT OF THE ENEMY AMENDMENT ORDER
NO. XXIV OF 1915

Last previous Paper

4/30
13524

The copies with legal Report.

Notes to Library

*NOTE
10/11/15*

Mr. Jackson

W. Reed

3/27/15

*Ans? 899 (ans 8 Nov 15)
See remarks re Copy 16 of 17*

*Nothing is said about
the question raised in
repara to S.O. of the principal
order (the para 4 of S.O. -
13524) ? ask as to this*

*ask to see
copies of any notes
made under S.O.*

16. 3/11/15

Next subsequent Paper

5/1/15

Sf: accordingly, ...

50244

GOVERNMENT HOUSE,
NAIROBI,
BRITISH EAST AFRICAEAST AFRICA PROTECTORATENo 1686.

September 10th, 1915.

Sir,

I have the honour to transmit herewith two authenticated and ten printed copies of "The Trading with the Enemy Amendment Ordinance, 1915" as passed by the Legislative Council on the 28rd ultimo together with a memorandum by the Attorney General.

2. I have assented to the Ordinance in the name of His Majesty.

I have the honour to be,

Sir,

Your humble, obedient servant,

Henry J. ...
GOVERNOR.

THE RIGHT HONOURABLE

ANDREW BONAR LAW, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET,

LONDON, S. W.

INCLOSURE

10/1/1915

THE TRADING WITH THE ENEMY AMENDMENT BILL, 1915.STATEMENT OF OBJECTS AND REASONS.

....

The object of the Bill to amend the law relating to Trading with the enemy is to enact the amendments to the Trading with the Enemy Ordinance, 1915 suggested in Colonial Office No. 281 of the 21st April 1915. Section 1 (2) (a) of the Principal Ordinance was drafted in order that the Governor might at any time be in a position to meet any particular phase of the subject which might occur in the Protectorate. The original intention was to adopt the royal proclamations on the subject of trading with the enemy by a Governor's proclamation under the Ordinance. The amendment proposed by the Secretary of State of adding a definition of the word "Proclamation" so as to include royal Proclamations is, however, in my opinion free from objection and in some ways preferable.

The other amendments, with the exception of one, proposed by the Secretary of State are to smooth away inequalities in drafting due to the somewhat hasty consolidation in the Ordinance of the provisions of the Trading with the Enemy Act 1914 and the Trading with the Enemy Amendment Act 1914.

3. The amendment to Section 4 arises from a printer's error.

4. The last two sections of the Bill are to provide the necessary legal machinery for the liquidation of firms

the property of enemy subjects carrying on business in the Protectorate. The Secretary of State has intimated by cable that it is his intention to liquidate enemy firms and it is in my opinion desirable that such liquidation should be conducted under legal authority.

5. In view of the urgent necessity for the provisions dealing with liquidating enemy firms having regard to the approaching arrival of the liquidator sent from home the Ordinance may, in my opinion, be assented to without prior reference to the Secretary of State.

6. A comparative table is annexed hereto.

Nairobi,

ATTORNEY GENERAL. P.

The 8th September, 1915.

THE TRADING WITH THE ENEMY AMENDMENT ORDINANCE, 1918.

Descriptive Table.

Section.	Remarks.
Section 1.	Short Title.
Section 2.	A definition of the word "Proclamation" so as to include Royal Proclamations as proclamations issued by the Governor.
Section 3.	Verbal amendments to Section 1 of the Trading with the Enemy Ordinance, 1918.
Section 4.	The substitution of "by" for "to" in Section 4 of the Trading with the Enemy Ordinance, 1918.
Section 5.	Power given to the Governor to order the liquidation of an enemy firm.
Section 6.	Power given to the Governor to issue orders prescribing the procedure and powers of a liquidator.

No. 30244/1915

Ed



5 November 1915.

Sir,

DRAFT

E.A.P.

No. 819

For Sir H. Belfield

MINUTE

- Mr. Harper, 5/11/15,
- Mr. Bottomley 5.11.15 f.s.
- Mr.
- Mr.
- Sir G. T. ...
- Sir H. ...
- Mr. J. ...
- Mr. ...
- Mr. ...

I have the honour to acknowledge the receipt of your despatch No 686 of the 10th of Sept and to inform you that His Majesty will not be advised to exercise his power of disallowance with respect to ... the ... of the ... of the ... to amend the ... with the ... of 1915, to provide ... for the ... of from the property of ... subjects.

I shall be ... your attention to para 4 of my predecessor's despatch No 281 of

(13524)

102

the 3^d of April in the
order of the provisions
of section 15 of the principal
order, & to request you to
furnish me with a copy
of the same.

3. I shall be glad if
I have also to
request that you will
furnish me with copies
of any rules made
under section 6 of the
amending Order.