



**PUBLIC RECORD OFFICE**

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# PUBLIC RECORD OFFICE

C0533/425

ORDER NO.       ⇨ FN/E474  
CAMERA NO.      ⇨ 19  
OPERATOR.       ⇨ EM  
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EMULSION NO.   ⇨ 321061  
DATE.           ⇨ 16/5/72

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THE PUBLIC RECORD OFFICE

will be observed from the letter from the Ministry of Transport enclosed with the above correspondence that the Minister of Transport has no jurisdiction in respect of such occurrences on the railways in this country, but that in practice information would not be given by the railways to any underwriters without restrictions and that applications for information would be dealt with on their merits.

3. I am to say that before *considering this matter further* coming to a decision on the point

Sir P. Cunliffe-Lister would be glad to receive any information which Secretary Sir Samuel Hoare may be in a position to supply regarding the practice followed in this matter in respect of the Indian Railways in which the

Telegraphic Address  
"TRANSMIRY, PARL, LONDON"  
Telephone No. "VICTORIA 866" WHITEHALL 8400

*H.C.* 11 <sup>7</sup>

Any further communications should be addressed to—  
THE ASSISTANT SECRETARY,  
**FINANCE AND STATISTICS DEPARTMENT,**  
MINISTRY OF TRANSPORT,  
WHITEHALL GARDENS, S.W. 1  
and the following reference quoted:—



MINISTRY OF TRANSPORT,  
FINANCE AND STATISTICS DEPARTMENT,  
WHITEHALL GARDENS,  
LONDON, S.W. 1.

FR.10233

30th December, 1932.

RECEIVED  
31 DEC 1932  
GOVERNMENT OFFICE

Sir,

I am directed by the Minister of Transport to refer to your letters of the 9th November and 9th December - reference 18226/32 - enclosing a copy of correspondence from the Committee of Lloyds, London, complaining that their agents are experiencing difficulty in obtaining, on behalf of Underwriters, information regarding fires in cotton during transit on the Kenya - Uganda Railways, and of a despatch from the High Commissioner for Transport on the subject. In reply I am to state, for the information of the Secretary of State, that the Minister has no jurisdiction in respect of such occurrences on the railways of this country. He has, however, been in communication with the Railway Companies on the matter and is informed by them that they would not give information to Lloyds' or other agents without restrictions, and that any application from such parties would be dealt with according to circumstances and, if necessary, only after consultation with solicitors.

*Nov*

*W.P. H.C.T. (8 m 3119/33)  
Signed H. O. (12)*

The companies add that the British Railways have no standard form of conditions and indemnity applicable to such cases.

I have the honour to be,  
Sir,  
Your obedient Servant,

*R. Mill*

The Under Secretary of State,  
Colonial Office,  
S.W. 1.

Telegraphic Address  
"TRANSMINY, PARK, LONDON"  
Telephone No. ~~VICTORIA 860~~ WHITEHALL 8400

10 11 7

Any further communications should be  
addressed to—  
THE ASSISTANT SECRETARY,  
FINANCE AND STATISTICS DEPARTMENT,  
MINISTRY OF TRANSPORT,  
WHITEHALL GARDENS, S.W. 1  
and the following reference quoted—



MINISTRY OF TRANSPORT.

FINANCE AND STATISTICS DEPARTMENT

WHITEHALL GARDENS,

LONDON, S.W. 1

FR.10233

30th December, 1932.

RECEIVED  
31 DEC 1932  
001 110E

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Not

Copy to H.C.T. (8 m 3114/33)  
Copy to I. O. (12)

The companies add that the British Railways have no standard form of conditions and indemnity applicable to such cases.

I have the honour to be,  
Sir,  
Your obedient Servant,

*R. Mill*

The Under Secretary of State,  
Colonial Office,  
S.W. 1.



Telephone: AVENUE 7644

Extension No. 7

Telegrams: LLOYDS LONDON

Please quote reference —

AD/C/O.67626

10<sup>8</sup>  
LLOYD'S,

LONDON, E.C. 3.

7th December, 1932.

Sir,

NO8

I am directed to acknowledge, with thanks, the receipt of your letter of the 6th instant (Ref:18226/1932), upon the subject of the difficulty which Lloyd's Agents at Mombasa experience in obtaining on behalf of Underwriters information regarding fires in Cotton carried on the Kenya and Uganda Railways.

It is noted that a reply which has been received from the High Commissioner for Transport regarding this matter is now the subject of consultation with other interested Departments of His Majesty's Government, and I should be obliged if you would express the thanks of the Committee of Lloyd's to Secretary Sir Philip Cunliffe-Lister for kindly promising to write to me further when he is in a position to formulate his views on the legal question involved.

I am,

Sir,

Your obedient Servant,

Clerk to the Committee.

The Under-Secretary of State  
for the Colonies,  
COLONIAL OFFICE,  
Downing Street,  
S.W.1.



Telephone: AVENUE 7844

Extension No. 7

Telegrams: LLOYDS LONDON

Please quote reference —

AD/C/O.67626

10  
LLOYD'S,

LONDON, E.C.3.

7th December, 1932.

Sir,

208

I am directed to acknowledge, with thanks, the receipt of your letter of the 6th instant (Ref:18226/1932), upon the subject of the difficulty which Lloyd's Agents at Mombasa experience in obtaining on behalf of Underwriters information regarding fires in Cotton carried on the Kenya and Uganda Railways.

It is noted that a reply which has been received from the High Commissioner for Transport regarding this matter is now the subject of consultation with other interested Departments of His Majesty's Government, and I should be obliged if you would express the thanks of the Committee of Lloyd's to Secretary Sir Philip Cunliffe-Lister for kindly promising to write to me further when he is in a position to formulate his views on the legal question involved.

I am,

Sir,

Your obedient Servant,

Clerk to the Committee.

The Under-Secretary of State  
for the Colonies,  
COLONIAL OFFICE,  
Downing Street,  
S.W.1.



18226/1932 Kenya  
Uganda

C. O.

O.D.  
R 5-DEC  
D 5

pc9  
8

Mr. Priestman 3/12/32

Mr. *Downing* 5/12/32

Mr. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Sir G. Grindle.

Permt. U.S. of S.

Party. U.S. of S.

Secretary of State.

*Downing*

Downing Street,

6 December, 1932.

Sir,

I am etc. to acknowledge

the receipt of your letter No.

(7)

AD/C/C of the 30th of Novr., re-

garding the difficulty which

Lloyds' Agents at Komboka ex-

perience in obtaining, on behalf

of underwriters, information con-

cerning fires in cotton carried

on the Kenya-Uganda Railway.

*Copy to Mr. of Treasury etc.*

2. I am to say that a reply

has

DRAFT. *Downing*

THE CLERK TO THE  
COMMITTEE OF LLOYDS,  
LONDON.

has been received from the H.Cr.,  
for Transport, and is now the subject  
of consultation with other interested

Departments of H.M.G. A further

~~reply~~ reply will be addressed to you when

the S. of S. is in a position to

formulate his views on the legal

question involved.

I am, etc.,

(Signed) H. T. ALLEN

has been received from the H.Cr.,  
for Transport, and is now the subject  
of consultation with other interested  
Departments of H.M.G. A further  
~~reply~~ reply will be addressed to you when  
the S. of S. is in a position to  
formulate his views on the legal  
question involved.

I am, etc.,

(Signed) H. T. ALLEN

C. O.

- Mr. Priestman 1/11
- Mr. ~~James~~ 1/11
- Mr. Roberts Wray 2/11
- Mr. Rankinson Allen 2/11
- Mr. Tomlinson
- Sir C. Bottomley.
- Sir J. Shuckburgh.
- Permt. U.S. of S.
- Partly. U.S. of S.
- Secretary of State.

Answered by N.S.H.

C.D.  
R 2  
D N.S.H.

9<sup>th</sup> November 1932

Sir,

I am etc. to transmit to you, the Minister of Transport to be laid before Mr. Secretary P. J.

Bybus, the accompanying copies of correspondence regarding a question raised by the Committee of Lloyds, London, concerning the difficulty experienced by them in obtaining, on behalf of Underwriters, information regarding fires in cotton carried on the Kenya-Uganda Railway.

2. I am also to enclose copies of the Kenya and Uganda Railway Ordinance 1927 and of the Railway Rules for Reporting and Investigating Accidents on Railways in the Colony (the reference in the rules to section 82 of the East

DRAFT. (censor)

The Secretary,  
Ministry of Transport.

(1 to the Minister, 3, 5)

Kenya Order No 15 of 1927

Rules  
(Pages 1084-1089  
Vol II Schedule 4 part  
1926)

Order of Rules 1927, am. & mff (12)

48  
116

16  
6

18226/32 Kenya

C. O.

- Mr. Priestman 1/11
- Mr. ~~Jones~~ 1/11
- Mr. Roberts-Wray 2/11
- Mr. ~~Dankinson~~ Allen
- Mr. Tomlinson
- Sir C. Bottomley.
- Sir J. Shuckburgh.
- Perm. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

Answered by No 11  
 C.D.  
 R 2  
 D 4  
 9<sup>th</sup> November 1932

DRAFT. *Wason*

The Secretary,  
Ministry of Transport.

Sir,

I am etc. to transmit to you  
the ~~Number of Transport~~  
to be laid before Mr. Secretary E. J.

Hybus, the accompanying copies of  
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raised by the Committee of Lloyds,  
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by them in obtaining, on behalf of  
Underwriters, information regarding  
fires in cotton carried on the Kenya-  
Uganda Railway.

2. I am also to enclose copies of  
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1927 and of the Railway Rules for  
Reporting and Investigating Accidents  
on Railways in the Colony (the reference  
in the rules to section 82 of the East

(1 both copies, 3, 5)

Kenya Order No 15 of 1927

Rules

(Pages 1084-1089  
Vol II Subsidary Legist  
1926)

Order of Rules with am & mt 12

Africa, railway Ordinance now

applies to section 45 of the 1927

(Ordinance).

As regards the record of the  
conditions upon which the  
High Commission for Transport  
provides information,

~~I am to say that Sir Philip  
has suggested that a walk for  
Dunlop-Isles could have thought~~

~~that it would suffice to require  
an indemnity against any liability~~

connected with or wholly or partly  
arising out of the information  
~~Secretary State~~

communicated, but he would be glad to  
~~be favoured with the Minister's  
receive an expression of Mr. Pybus's~~

~~views on the question which may be~~

~~of general interest to the Colonial  
railways.~~

and etc.

SECRETARY GENERAL

Africa Railway Ordinance now  
applies to section 45 of the 1927

Ordinance).

3. I am to say that ~~Sir Philip~~  
~~it was agreed to the Committee for~~  
~~Cumliffe-Lister would have thought~~  
~~that it would suffice to require~~  
an indemnity against any liability  
connected with or wholly or partly  
arising out of the information  
*Secretary of State*  
communicated; but he would be glad to  
*be favoured with the Minister's*  
~~receive an expression of Mr. Pybus's~~  
*views* on the question which may be  
~~of general interest to the Colonial~~  
railways.

I am etc.

Signed H T ALLEN

As regards the record of the  
conditions upon which the  
High Commission for Transport  
provides information



25

HIGH COMMISSIONER  
FOR TRANSPORT.

OFFICE OF THE HIGH COMMISSIONER FOR TRANSPORT,  
GOVERNMENT HOUSE,  
NAIROBI,  
KENYA.

No. 134

RECEIVED  
17 OCT 1932  
COL. OFFICE

21<sup>st</sup> September 1932.

Sir,

I have the honour to refer to your despatch TRANSPORT KENYA-UGANDA No.106 of the 19th July which enclosed a copy of a letter and enclosures from the Committee of Lloyd's, London, on the subject of the difficulty now experienced by them in obtaining on behalf of underwriters information regarding fires in cotton carried on this Administration.

2. Messrs Smith, McKenzie were asked to sign the indemnity in question, which, I am advised, is only an ordinary business precaution followed on some of the English Railways; the form used in this case being a copy of the one used in England. There can be no guarantee that information obtained by Messrs Smith, McKenzie and Company in such a case would not be used by them to the detriment of the High Commissioner, and it was for this, amongst other reasons, that the indemnity was asked for.

3. Reports from departmental enquiries on accidents, if provided, to enable a decision to be taken on the question of liability of the High Commissioner would appear to be privileged, and Messrs Smith, McKenzie and Company would in that case have no right to expect to receive extracts or information from the report. There is no

privy.....

THE RIGHT HONOURABLE  
MAJOR SIR PHILIP CUNLIFFE-LISTER, G.B.E., M.C., M.P.,  
SECRETARY OF STATE FOR THE COLONIES,  
DOWNING STREET, S.W.1.

*cc in record (8 in 3114/33)*

*No 3*

*Copy to my of Transport 977  
1-0  
(2)*





15

HIGH COMMISSIONER FOR TRANSPORT.

OFFICE OF THE HIGH COMMISSIONER FOR TRANSPORT,  
GOVERNMENT HOUSE,  
NAIROBI,  
KENYA.

No. 134

RECEIVED  
17 OCT 1932  
COL. OFFICE

21<sup>st</sup> September 1932.

Sir,

I have the honour to refer to your despatch TRANSPORT KENYA-UGANDA No.106 of the 19th July which enclosed a copy of a letter and enclosure from the Committee of Lloyd's, London, on the subject of the difficulty now experienced by them in obtaining on behalf of underwriters information regarding fires in other parts of this Administration.

*As received from 3/14/33*

*No 3*

*Copy to my of Transport 9/11/32*

2. Messrs Smith, McKenzie and Company were asked to provide an indemnity in question, which, I am advised, is not an ordinary business precaution followed on some of the English Railways; the form used in this case being a copy of the one used in England. There can be no guarantee that information obtained by Messrs Smith, McKenzie and Company in such a case would not be used by them to the detriment of the High Commissioner, and it was for this, amongst other reasons, that the indemnity was asked for.

3. Reports from departmental enquiries on accidents, if provided, to enable a decision to be taken on the question of liability of the High Commissioner would appear to be privileged, and Messrs Smith, McKenzie and Company would in that case have no right to expect to receive extracts or information from the report. There is no

privilege...

THE RIGHT HONOURABLE  
MAJOR SIR PHILIP CUNLIFFE-LISTER, G.B.E., M.C., M.P.,  
SECRETARY OF STATE FOR THE COLONIES,  
DOWNING STREET, S.W.1.

2.

privity between the High Commissioner and any Insurance Company, and it has not been established why information should be given to a third party. Rules for reporting and investigating accidents on this Administration have been made and appear on page 1084 et seq: Laws of Kenya, Volume II - Orders, Proclamations, etc.

4. The section of the Railway Ordinance to which reference is made in the 6th paragraph of Messrs Smith, McKenzie's letter is Section 45, which provides for the reporting of accidents including accidents involving "serious injury to property"; this was taken over from Section 83 of the Indian Railway Act which in turn was based on Section 6 of the Regulations of Railways Act, although it goes beyond that Section. It is proposed to amend Section 45 of the Railway Ordinance in certain respects when a suitable opportunity offers.

5. It is understood that in the majority of cases where serious damage occurs to cotton in-transit, the cause has been definitely established to be due to spontaneous combustion, originating in the centre of the bales, an occurrence which is not confined to cotton in-transit on this Railway alone but, I am informed, is common on most Railways serving cotton growing areas.

I have the honour to be,

Sir,

Your most obedient, humble servant,



HIGH COMMISSIONER.



Telephone AVENUE 7xxx  
Extension No 7

Telex LLOYDS LONDON

Please quote reference

AD/C.C.40580.

13  
4  
LLOYD'S,

LONDON, E.C. 3

19th July, 1932.

Sir,

I am directed to acknowledge the receipt of your letter of the 18th instant (Ref:18226/32) upon the subject of the difficulty which Lloyd's Agents at Mombasa experience in obtaining on behalf of Underwriters information regarding fires in Cotton which is being carried on the Kenya and Uganda Railways.

I note that the High Commissioner for Transport is being asked for his observations in the matter, and I am much obliged to you for kindly promising to write to me further so soon as a reply is received from that Gentleman.

I am,

Sir,

Your obedient Servant,

The Under-Secretary of State  
for the Colonies,  
COLONIAL OFFICE,  
Downing Street,  
S.W.1.

*W. Poxford*  
Clerk to the Committee.

C. O.

Mr. Priestman. 13/7

Mr. *Draxton* 12/7

Mr.

Mr. Parkinon.

Mr. Tomlinson.

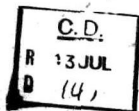
Sir C. Bostonley.

Sir J. Shuchburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.



2

DOWNING STREET,

18 July, 1932..

**DRAFT.**THE CLERK TO THE  
COMMITTEE OF LLOYDS, LONDON.*Dr*

Sir,

I am, etc., to acknowledge the receipt of your letter A.D/C/C of the 8th July with enclosures on the subject of the difficulty which Lloyds Agents at Mombasa experience in obtaining, on behalf of underwriters, information regarding fires in cotton which is being carried on the Kenya and Uganda Railways. I am to say that the High Commissioner for Transport is being asked for his observations in the matter and a further communication will be addressed to you on receipt of his reply.

2 drafts

I am, etc.,

(Signed) L. B. FREESTON



Telephone AVENUE 7644  
Extension No. 7

Telegram LLOYDS LONDON

Please quote reference —

AD/C/C.

LLOYD'S,

LONDON, E.C.3.

1C

*Recd by  
P.C.  
1/7/32*

8th July, 1932.

Sir,

I am directed by the Committee of Lloyd's to send you the attached copy of a letter which has been received here from Messrs. Smith, Mackenzie & Co., Lloyd's Agents at Mombasa, in which Lloyd's Agents call attention to the difficulty which they now experience in obtaining on behalf of Underwriters information regarding fires in Cotton which is being carried on the Kenya and Uganda Railways.

This is a matter which may be of particular importance to the Underwriters who may receive claims in connection with such fires, and I am to say that the Committee of Lloyd's would be grateful if the Secretary of State for the Colonies would be so good as to consider whether anything could be done to make information in connection therewith available for Lloyd's Agents without the restrictions to which Lloyd's Agents call attention.

I am,

Sir,

Your obedient Servant,

*W. P. Oxford*

Clerk to the Committee.

The Under-Secretary of State  
for the Colonies,  
COLONIAL OFFICE,  
Downing Street,  
S.W.1.

*Ans. 18.7.32  
Copy Sec. T 106 19 July 1932  
Copy a copy of transcript 9/7/32  
10 (12)*

Lloyd's Agents.

KILINDINI, Kenya.

13th June, 1932.

Committee of Lloyd's,  
LONDON, E.C.3.

Gentlemen,

COTTON FIRES - KENYA & UGANDA RAILWAYS.

In February last a fire occurred in a wagon carrying 100 bales of Cotton from Uganda to Mombasa for shipment to Bombay, when 48 bales were completely destroyed and 52 bales more or less badly damaged, the loss being estimated at £900. Since then, four other fires have occurred, but in each of these cases only two or three bales have been affected and the damage has been light.

We have issued survey reports in all these cases at the request of the consignees, and, with a view to inserting adequate information in the reports we asked the Kenya and Uganda Railway to supply certain details; e.g. whether any official enquiry had been held, what kind of fuel was consumed in the engine, and the reason for such a large number of bales being completely destroyed. We suggested also that, in the instances where one or two bales only had been burnt, it was evident that the fires were discovered very soon after they had broken out and in such circumstances it should be possible to say what was the cause.

In the past, the Railway has generally been willing to give us such information, but this year our requests have been refused unless we sign an indemnity, in the form attached. We have protested strongly against this, but the Railway will not re-consider their attitude.

In consideration of a reduced rate of freight, Cotton is carried on such terms that the Railway are not responsible for any loss or damage unless caused by wilful negligence of their employees. Incidentally, the rate of freight for "railway risk" is almost prohibitive, being 25% more than the "owners' risk" rate.

In view of the conditions of carriage, the attitude



THE KENYA AND UGANDA RAILWAYS & HARBOURS.

Conditions upon which the High Commissioner for Transport furnishes information.

(2) Persons applying for information shall undertake that they will not use or permit such information to be used by any person against the interest or to the prejudice of the High Commissioner for Transport in any manner whatsoever; that they will save and keep the High Commissioner for Transport harmless and indemnified from any claim or loss in anywise arising out of or in connection with the traffic matter or thing in respect of which the information is required; that they will pay the cost of getting out such information; that no Official or Servant shall be taken away from his duties for the purpose of obtaining any statement without the permission of the General Manager of the Kenya and Uganda Railways and Harbours; that if such permission be granted they will pay the proper fares and expenses together with a proportionate part of the salary or wages of such Official or Servant during the time he is absent from his duties; that a copy of the statement taken from an Official or Servant shall be supplied to the General Manager free of cost and that any Official or Servant subpoenaed to attend the hearing of any Cause shall be paid his proper fares and expenses and a proportionate part of his salary or wages during the time he is absent from duty.

To The High Commissioner for Transport.

Please furnish me (us) with the information specified in my (our) letter of the day of 1932, upon and subject to the above Conditions.

Name .....

Address .....

Date .....19..



3. The Municipal Board of Mombasa shall, as soon as may be, cause a valuation of improvements to be made and added to the Mombasa Valuation Roll, and such roll with the addition of such valuation of improvements shall be deemed to be a valuation roll under the Principal Ordinance :

Municipal Board of Mombasa to cause Valuation Roll to be made with addition of valuation improvements.

Provided that such valuation of improvements shall in all respects be dealt with in the same manner as if it were a new valuation roll made in accordance with section 3 of the Principal Ordinance.

4. Notwithstanding anything contained in the Principal Ordinance or in this Ordinance no additional rate or rates exceeding in any one financial year one-eighth of one per centum shall be imposed under sub-section (2) of section 15 of the Principal Ordinance until such time as a valuation of improvements has been added to the Mombasa Valuation Roll as provided in the last preceding section.

No additional rate exceeding one-eighth per cent. to be imposed until valuation of improvements is added.

### AN ORDINANCE.

No. 25 OF 1929.

Assented to in His Majesty's name this sixteenth day of November, 1929.

EDWARD GRIGG,  
Governor.

[16TH NOVEMBER, 1929.] Date of assent.

### An Ordinance to Amend the Kenya and Uganda Railway Ordinance, 1927.

16th November, 1929.

Date of commencement.

ENACTED by the Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof, as follows :—

1. This Ordinance may be cited as " the Kenya and Uganda Railway (Amendment) Ordinance, 1929 " and shall be read as one with the Kenya and Uganda Railway Ordinance, 1927, hereinafter referred to as " the Principal Ordinance ".

Short title  
15 of 1927.

2. Section 73 of the Principal Ordinance is hereby repealed.

Repeal of section 73 of the Principal Ordinance.

## AN ORDINANCE.

No. 26 OF 1929.

Assented to in His Majesty's name this sixteenth day of November, 1929.

EDWARD GRIGG,  
Governor.

Date of assent. [16TH NOVEMBER, 1929.]

**An Ordinance to Amend the Kerosene Oil  
(Repayment of Duty) Ordinance, 1928.**

Date of commencement. 16th November, 1929.

ENACTED by the Governor of the Colony of Kenya with the advice and consent of the Legislative Council thereof, as follows:—

Short title. **1.** This Ordinance may be cited as "the Kerosene Oil (Repayment of Duty) (Amendment) Ordinance, 1929", and shall be read as one with the Kerosene Oil (Repayment of Duty) Ordinance, 1928, hereinafter referred to as "the Principal Ordinance".

Amendment to section 7 (2) of the Principal Ordinance. **2.** Sub-section (2) of section 7 of the Principal Ordinance is hereby amended by the insertion of the words "or justice of the peace" after the word "Magistrate" in line three thereof.

## AN ORDINANCE.

No. 27 OF 1929.

Assented to in His Majesty's name this sixteenth day of November, 1929.

EDWARD GRIGG,  
Governor.

Date of assent. [16TH NOVEMBER, 1929.]

**An Ordinance to Amend the European Officers' Pensions Ordinance, 1927.**

Date of commencement. 16th November, 1929.

ENACTED by the Governor of the Colony of Kenya with the advice and consent of the Legislative Council thereof, as follows:—

Short title. **1.** This Ordinance may be cited as "the European Officers' Pensions (Amendment) Ordinance, 1929," and shall be read as one with the European Officers' Pensions Ordinance, 1927, hereinafter referred to as "the Principal Ordinance."

Amendment of section 7 of the Principal Ordinance. **2.** Section 7 of the Principal Ordinance is hereby amended as follows:—

## AN ORDINANCE.

No. 26 of 1929.

Assented to in His Majesty's name this sixteenth day of November, 1929.

EDWARD GRIGG,  
*Governor.*

Date of assent.

[16TH NOVEMBER, 1929.]

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Date of commencement.

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Short title.

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No. 1 of 1928.

Amendment to section 7 (3) of the Principal Ordinance.

2. Sub-section (2) of section 7 of the Principal Ordinance is hereby amended by the insertion of the words "or justice of the peace" after the word "Magistrate" in line three thereof.

## AN ORDINANCE.

No. 27 of 1929.

Assented to in His Majesty's name this sixteenth day of November, 1929.

EDWARD GRIGG,  
*Governor.*

Date of assent.

[16TH NOVEMBER, 1929.]

**An Ordinance to Amend the European Officers' Pensions Ordinance, 1927.**

Date of commencement.

16th November, 1929.

ENACTED by the Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof, as follows:—

Short title.

1. This Ordinance may be cited as "the European Officers' Pensions (Amendment) Ordinance, 1929," and shall be read as one with the European Officers' Pensions Ordinance, 1927, hereinafter referred to as "the Principal Ordinance."

No. 21 of 1927.

Amendment of section 7 of the Principal Ordinance.

2. Section 7 of the Principal Ordinance is hereby amended as follows:—

sufficient size but of a capacity not more in any case than six cubic feet, of an approved pattern and fitted with a good and efficient lid; provided that in the case of any building or premises occupied by more tenants than one, the owner shall be deemed to be the occupier for the purposes of this By-law.

5. The occupier of any building or premises shall daily cause to be placed within the dustbin or dustbins provided in terms of the foregoing rules the domestic refuse from the said building or premises in so far as such dustbin or dustbins shall be sufficient to contain the same, and shall cause such dustbin or dustbins to be placed and kept in an approved place on the plot or sub-plot upon which such building or premises stand and shall not cause or suffer the same to be placed or kept elsewhere, and shall make and keep such dustbin or dustbins accessible to the public sweepers during the whole period between 6 a.m. and 2 p.m. on Saturdays and between 6 a.m. and 5 p.m. on other days.

6. The emptying of all dustbins provided in terms of the foregoing By-laws shall be carried out by the Municipal Board.

7. The fees prescribed in the schedule hereto shall be payable for the services named therein.

8. When it shall appear that any premises have remained unoccupied for not less than one calendar month, the Town Clerk shall on application make a rebate or refund of the proportionate amount of the fees payable under items (1), (2) and (3) of the schedule, in respect of such premises, provided that no such rebate or refund shall be made unless the application is made within two months from the date on which payment for the quarter, in respect of such building, is due.

#### SCHEDULE.

(1) CONSERVANCY AND REFUSE REMOVAL.	Sh. cts.
For sanitary pail services and to include refuse removal from dustbins. For each sanitary pail serviced at any premises other than a private dwelling-house, per quarter, payable in advance on the first day of each quarter	24 00
(2) SANITARY PAIL SERVICES.	
For each sanitary pail serviced at a private dwelling-house, per quarter, payable in advance on the first day of each quarter	18 00

#### SCHEDULE—contd.

(3) REFUSE REMOVAL FROM DUSTBINS.	
Per quarter, payable in advance on the first day of each quarter—	6 00
(a) For each private dwelling-house	18 00
(b) For other premises not serviced for conservancy	
(4) REMOVAL OF EXTRA REFUSE NOT PROVIDED FOR IN (1) OR (3).	3 00
Per 40 cubic feet (the minimum charge for any one removal being Sh. 3)	
(5) REMOVAL AND BURIAL OF DEAD ANIMALS.	4 00
(a) Sheep, goats, swine or dogs, per head	10 00
(b) Any other animals, per head	

By Order of the Municipal Board.

Eldoret.

April 29th, 1932.

G. EAST KING,

Town Clerk.

Approved by His Excellency the Governor.

Nairobi.

July 5th, 1932.

W. M. LOGAN,  
for Colonial Secretary.

sufficient size but of a capacity not more in any case than six cubic feet, of an approved pattern and fitted with a good and efficient lid: provided that in the case of any building or premises occupied by more tenants than one, the owner shall be deemed to be the occupier for the purposes of this By-law.

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For each sanitary pail serviced at a private dwelling-house, per quarter, payable in advance on the first day of each quarter	18 00

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Per quarter, payable in advance on the first day of each quarter—	
(a) For each private dwelling-house	6 00
(b) For other premises not serviced for conservancy	18 00
(4) REMOVAL OF EXTRA REFUSE NOT PROVIDED FOR IN (1) OR (3).	
Per 40 cubic feet (the minimum charge for any one removal being Sh. 3)	3 00
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By Order of the Municipal Board.

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April 29th, 1932.

G. EAST KING,  
Town Clerk.

Approved by His Excellency the Governor.

Nairobi,

July 5th, 1932.

W. M. LOGAN,  
for Colonial Secretary.

4



THE SECRETARIAT,  
NAIROBI,  
KENYA.

RECEIVED  
13 AUG 1932  
COL. OFFICE

WHEN REPLYING  
PLEASE QUOTE  
NO. E. 52/204/1/11/105.  
AND DATE

16<sup>th</sup> July, 1932.

The Colonial Secretary of the Colony and Protectorate of Kenya presents his compliments to the Under Secretary of State for the Colonies and has the honour to refer to the Order under the "Levy on Official Salaries Ordinance 1931" as published in the Supplement to the Official Gazette dated the 12th July, 1932, from which it will be observed that the rate of levy upon salaries has been increased to the following rates as from the 1st of August, 1932, inclusive:-

Where the chargeable salary of an officer does not exceed one thousand pounds per annum.

From 5 to 6 per centum of the chargeable salary.

Where the chargeable salary of an officer exceeds one thousand pounds per annum.

From 5 to 6 per centum on the first one thousand pounds of the chargeable salary, and from 7½ to 10 per centum of the chargeable salary in excess of one thousand pounds.

2. Instructions are being issued to the Crown Agents for the Colonies to effect necessary adjustments in regard to the salaries of officers on leave.

P/253/5.

RECEIVED  
5-AUG 1932

530

Mr. J.E. King,  
East African Clerical Section,  
COLONIAL OFFICE.

10.7.32.

With reference to our recent telephonic conversation I enclose for your information a copy a letter which we have received from the Government of Kenya regarding the increase in the rate of levy imposed on Kenya salaries.

*Elwyn Moore*

Pay Department.  
CROWN AGENTS.  
9th August, 1932.

THE TREASURY

NAIROBI,

KENYA.

19th July, 1932.  
RECD.C.A. 2.8.32.

By Air Mail.

Ref. No. 4570/253.

Gentlemen,

I have the honour to inform you that, with effect from the 1st August, 1932, levy on officials' salaries will be imposed at the following rates, and to request you to be good enough to take action accordingly:-

- (a) Where the chargeable salary of an officer does not exceed £1,000 per annum, at 6% of the chargeable salary.
- (b) Where the chargeable salary of an officer exceeds £1,000 per annum, at 6% on the first thousand pounds, and 10% of the chargeable salary in excess of one thousand pounds.

I have the honour to be,

Gentlemen,

Your obedient servant,

(Sgd.) L. D ?

for Treasurer,

THE CROWN AGENTS

FOR THE COLONIES

B



- (d) It is proposed to increase the existing Levy on Salaries rates of 5 per cent and 7½ per cent to 6 per cent and 10 per cent respectively, on the same salary basis as obtains in the existing levy on salaries. This proposal is estimated by the Treasurer to yield approximately £4,500 in six months.

Perhaps I should say a word in explanation of the decision further to increase the levy on salaries. This has been adopted owing to the following considerations:-

- (a) That owing to the manner in which the general financial position has deteriorated and the necessity for further general taxation, and regard being had to the salary cuts made both at home and in other colonies, it would not be unreasonable to increase the levy as a temporary measure, on the distinct understanding that this additional levy would be removed as soon as income tax had been introduced. Our anxiety has been not to hit unduly the lower ranks of the Service, and for that reason the rate in their case has only been raised from 5 per cent to 6 per cent. This over a period of five months only, does not amount to very much.

*The Times*

13/7/32

**ECONOMIES IN KENYA**

**GOVERNMENT EXPENDITURE  
COMMITTEE**

**FROM OUR CORRESPONDENT**

**NAIROBI, JULY 12**

The levy on Kenya Civil service salaries has been increased. The new levy, which comes into force in August, is of 6 per cent. on basic salaries of £1,000 and under, and of 10 per cent. on salaries above that figure. The old levy was at the rates of 5 and 7½ per cent. respectively.

33  
C. S. /

*The Times*

13/7/32

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**PUBLIC RECORD OFFICE**

**END**

**TOTAL EXPOSURES →**